

WALL HEIGHT
(TITLE 30)

MULLEN AVE/ROME ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0274-EINARSSON HAROLD PAUL & TAMLYNN RAE:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** Increase height of a solid block wall in the front yard; and **2)** Increase height of side and rear yard block walls in conjunction with a single family residence on 2.1 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the north side of Mullen Avenue and the west side of Rome Street within Enterprise. MN/bb/jo (For possible action)

RELATED INFORMATION:

APN:

191-10-801-005

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow a 6 foot high solid block wall with 2 feet of open metal on top where a maximum 3 foot high solid wall and 3 foot open decorative fence is permitted per Table 30.64-1 (a 25% increase).
2. Allow a 6 foot high solid block wall with 2 feet of open metal on top where a maximum 6 foot high solid wall and 1 foot of decorative feature is permitted per Section 30.64.020 (4) (a 14% increase).

LAND USE PLAN:

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 1076 Mullen Avenue
- Site Acreage: 2.1
- Project Type: Wall height

Site Plan

The applicant is requesting to construct a 6 foot high block wall with 2 feet of decorative metal at the top on the south, east, and west property lines. A 29 foot length of the same wall will be located along the north property line at the northeast corner. The front yard is located on the south side of the existing home, adjacent to Mullen Avenue.

Landscaping

The property currently has a 4 foot high decorative wall along the front property line. The property has trees and shrubs located behind the existing wall which will remain after the new fence is built.

Elevations

The elevations show a 6 foot high block wall with 2 feet of horizontal metal at the top.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant is concerned about security and the potential use of the vacated and paved portion of Rome Street right-of-way as a recreational racing area. The applicant has experienced people trespassing on the property and increased vehicle and pedestrian activity on Mullen Street and the old Rome Street pavement. The proposed wall will be located along the south property line, across the old Rome Street pavement to the southeast corner, and continue north along the east property line.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-21-0366	Vacated Rome Street right-of-way	Approved by PC	September 2021

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	City of Henderson	N/A	Undeveloped
South & West	City of Henderson	PS	Undeveloped

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

The Bureau of Land Management (BLM) continues to manage the property to the east and industrial development will take place farther south on Rome Street. The 8,859 square foot area of Rome Street is currently paved and provides access to driveways on the applicant's property, and dead-ends at the 5 acre parcel at the north end of the site. This section of Rome Street right-of-way was vacated by VS-21-0366. The south and west properties are owned by the Roman Catholic Church and have access from Mullen Avenue and Paradise Road. The same or similar level of security could be obtained along the east and north property lines by constructing a 6 foot high wall with 1 foot of decorative features on top. The proposed wall meets Title 30 requirements if it is built 15 feet from the south property line. The applicant could build a 6 foot decorative wall along the south property line without a waiver. Granting the requested waivers will not be in harmony with the general purpose and standards of Title 30. Staff recommends denial of the application.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: HAROLD PAUL EINARSSON

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