

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0789-BARON BRIAN:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow a 6 foot high non-decorative wall with no landscaping within 15 feet of the front property line; **2)** eliminate setbacks for access gates; **3)** reduce setbacks for accessory structures; and **4)** reduce separation between structures in conjunction with a single family residence on 1.0 acre in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the south side of Pebble Road and the east side of Procyon Street within Enterprise. JJ/nai/syp (For possible action)

RELATED INFORMATION:

APN:

177-20-102-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow a 6 foot high non-decorative wall with no landscaping along Pebble Road where only a decorative wall with landscaping per Figure 30.64-8 or a decorative fence is permitted within 15 feet of the front property line per Section 30.64.020.
2. Eliminate the setback for the access gates where a minimum of 18 feet is required per Section 30.64.020 (a 100% reduction).
3.
 - a. Reduce the rear setback for an accessory structure (utility shed) to 4 feet where a minimum of 5 feet is required per Table 30.40-1 (a 20% reduction).
 - b. Reduce the side and rear setbacks for an accessory structure (shade structure) to zero feet where a minimum of 5 feet is required per Table 30.40-1 (a 100% reduction).
4. Reduce the building separation between an accessory structure (storage building) and principal structure (house) to 3 feet where a minimum of 6 feet is required per Table 30.40-1 (a 50% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 3585 W. Pebble Road
- Site Acreage: 1
- Project Type: Single family residence
- Number of Stories: 1

- Square Feet: 2,140 (principal structure)/ 937 (utility shed)/120 (tack shed)/200 (storage unit)/165 (shade structure)

Site Plans

The site plan depicts an existing 1 story single family residence on 1.0 acre in a corner lot. The front of the house is facing north towards Pebble Road. The principal structure is located approximately 45 feet from the north property line along Pebble Road and 36 feet from the west property line along Procyon Street.

The site includes an existing utility shed, a tack shed, a storage unit (temporary), and shade structure. The utility shed is approximately 937 square feet located on the south side of the property. It has a 4 foot rear setback. The tack shed is approximately 120 square feet also located on the south side of the property. It has a 6 foot rear setback. The storage unit is 200 square feet and has a 3 foot separation from the primary residence. Lastly the shade structure is 165 square feet located on the southeast corner of the property. It has a zero foot side and rear setback.

The plans show 2 access gates and a 6 foot high wall on the north side of the property along Pebble Road. The access gates and block wall will have a zero foot setback.

Landscaping

The plans show a 6 foot high non-decorative block wall with no landscaping on the front property line along Pebble Road.

Elevations

The elevations show that the utility shed is made from stucco and concrete tiles and has windows. The tack shed is made from wood and placed on an elevated wooden platform. The tack shed also has an attached wooden patio cover running along the north and south sides. The shade structure is also made from wood with a gray vinyl roof.

Applicant’s Justification

The applicant’s requests are for the security and privacy of their property. They would also like to keep the existing non-conforming structures.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Reclassified 3,800 parcels of land from an R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North,	Ranch Estate Neighborhood	R-E (RNP-I)	Single family residential & Undeveloped
South, & East	Ranch Estate Neighborhood	R-E (RNP-I)	Single family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
West	Ranch Estate Neighborhood	R-E (RNP-I)	Undeveloped

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waivers of Development Standards #1 & #2

Staff cannot support the requests for a 6 foot high non-decorative wall with no landscaping and the elimination of the access gate setback along Pebble Road. Pebble Road is an arterial street improved to non-urban standards, and could be fully improved in the future. To eliminate the canyon effect that block walls create, it is imperative that landscaping be provided in accordance with Code requirements. Additionally, for the safety of the property owner, pedestrians, and other users of Pebble Road, the proper gate setback is important so vehicles accessing the site can be off the street while waiting for the gates to open.

Waiver of Development Standards #3

Staff has no objection to this request. Although the notification for the utility shed is 4 feet, the setback is closer to 4.5 feet, which is a minimal reduction. While staff typically does not support the elimination of setbacks for structures, the plans indicate that the shade structure will be removed in the future, so staff is recommending a time limit of 1 year to remove the structure.

Waiver of Development Standards #4

Staff has no objection to the request for the separation between the storage building and the house, provided that it complies with building code requirements. Additionally, the site plan shows that the structure will be removed in the future, so staff is recommending a time limit of 1 year to remove the structure.

Staff Recommendation

Approval of waivers of development standards #3 and #4; denial of waivers of development standards #1 and #2.

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:

Comprehensive Planning

If approved:

- 1 year to complete the building permit and inspection process;
- 1 year to remove the storage building and shade structure.
- Applicant is advised the application must be complete and the storage building and shade structure must be removed by the time specified above or the application will expire unless extended with approval of an extension of time; approval of this application does not constitute or imply approval of any County issued permit, license or approval; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval (2 years to complete the building permit and inspection process for the block wall; 2 years to remove storage building and shade structures).

APPROVALS:

PROTESTS:

APPLICANT: BRIAN BARON

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