

RIGHT-OF-WAY/EASEMENTS  
(TITLE 30)

MAULE AVE/HINSON ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-20-400156 (VS-18-0094)-DBAC, LLC:**

**VACATE AND ABANDON FIRST EXTENSION OF TIME** easements of interest to Clark County located between Maule Avenue and CC 215, and between Hinson Street and Arville Street and a portion of right-of-way being Pamalyn Avenue between Hinson Street and Arville Street within Enterprise (description on file). MN/jgh/jd (For possible action)

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RELATED INFORMATION:

**APN:**

177-06-601-012; 177-06-601-022; 177-06-601-024

**LAND USE PLAN:**

ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

The previously approved plans show the vacation and abandonment of 3 foot wide government patent easements located on the south property line of parcel 177-06-601-022; the south and east property lines of parcel 177-06-601-024; and on the north side of parcel 177-06-601-012. The plans also show the vacation of 33 foot wide patent easements located on the east and west sides of parcels 177-06-601-012, 022 & 024. Additionally, the plans show the vacation of portions of Pamalyn Avenue located between Hinson Street and Arville Street. The applicant indicates that the easements and rights-of-way are no longer needed and the vacation will allow development of these parcels.

The applicant indicates that this project has been delayed due to a slowdown in sales. They are filing this request to give the homebuilder more time to move forward with this project.

**Previous Conditions of Approval**

Listed below are the approved conditions for VS-18-0094:

**Current Planning**

- Satisfy utility companies' requirements.
- Applicant is advised that 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 the recording of the order of vacation in

the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Right-of-way dedication to include 40 feet for Maule Avenue, 30 feet for Hinson Street, and the necessary right-of-way for County-approved turn around at the northerly end of Hinson Street;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-18-0589	Vacated of government patent easements	Approved by BCC	September 2018
WS-18-0108	Reduced street intersection off sets, waived landscaping, increased wall height, for a single family residential subdivision	Approved by BCC	March 2018
TM-18-500020	23 lots in residential development	Approved by BCC	March 2018
WS-0662-13	Reduced lot size, reduced street intersection off-set, waived off-site improvements (curb, gutter, sidewalk, streetlights, and reduced paving) and allow non-through street improvements in conjunction with a proposed single family residential subdivision	Withdrawn	February 2014
VS-0661-13	Vacation of government patent easements	Withdrawn	February 2014
TM-0179-13	23 lot single family residential development	Withdrawn	February 2014
VS-0397-13	Vacation of government patent easements	Withdrawn	September 2013
WS-0396-13	Reduced lot area, waived off-site improvements, and allowed non-standard street improvements for a single family residential subdivision	Withdrawn	September 2013
TM-0100-13	23 lot single family residential development	Withdrawn	September 2013
WS-0541-12	Reduced lot area and waived off-site improvements for a single family residential subdivision	Withdrawn	October 2012
TM-0082-12	23 lots for a single family development	Withdrawn	October 2012

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-0542-12	Vacated and abandoned government patent easements	Withdrawn	October 2012
TM-0511-06	24 lots for a single family development - expired	Approved by PC	February 2007
ZC-1026-05	Zone boundary amendment initiated by the Board of County Commissioners to establish the RNP-I Overlay District	Approved by BCC	October 2005
TM-0676-04	24 lots for a single family development – expired	Approved by PC	December 2004
VS-1989-04	Vacated and abandoned patent easements – expired	Approved by PC	December 2004
TM-0127-03	24 lots for a single family development – expired	Approved by PC	May 2003
VS-0557-03	Vacated and abandoned patent easements and a portion of Pamalyn Avenue right-of-way – withdrawn in November 2004	Approved by PC	May 2003

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Industrial	M-1	CC 215 & industrial developments
East & South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residences & undeveloped
West	Rural Neighborhood Preservation (up to 2 du/ac) & Public Facilities	R-E (RNP-I)	Undeveloped & water storage reservoir

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ET-20-400150 (WS-18-0108)	An extension of time for a proposed single family residential development is a companion item on this agenda.
ET-20-400158 (VS-18-0589)	An extension of time to vacate and abandon government patent easements is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the

subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

**Public Works - Development Review**

There have been no significant changes in this area. Staff has no objection to this extension of time.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- Until March 21, 2023 to record.
- Applicant is advised that 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 re-approval by utility companies is required.

**Public Works - Development Review**

- Compliance with previous conditions.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** DBAC, LLC

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