

EASEMENTS  
(TITLE 30)

MAULE AVE/SCHUSTER ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-20-400158 (VS-18-0589)-DBAC, LLC:**

**VACATE AND ABANDON FIRST EXTENSION OF TIME** for easements of interest to Clark County located between Maule Avenue and CC 215, and between Schirlls Street (alignment) and Schuster Street (alignment) 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 request was to vacate an easement on parcel 177-06-601-012 requiring 30 feet to the north to be vacated. Parcels 177-06-601-022 & 024 had the south 30 feet of a patent easement to vacate, and in addition, the east 30 feet between CC 215 and the cul-de-sac bulb were requested to be vacated.

The applicant indicates they are requesting additional time to give the residential home builder more time to recover from a slowdown in sales. The slowdown in sales has significantly delayed this project; therefore, the applicant would like more time for the recordation of VS-18-0589.

**Previous Conditions of Approval**

Listed below are the approved conditions for VS-18-0589:

**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**

- Vacation to be recordable prior to building permit issuance or applicable map submittal;

- Revise legal description, if necessary, prior to recording.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD has existing or proposed assets within the area proposed to be vacated per VS-18-0589; that CCWRD has no objection to the request for vacation as presented; however, CCWRD requests all existing rights granted to us within the rights-of-way are reserved; that it is understood that this vacation shall not reduce our rights to operate and maintain our facilities; and that CCWRD also requests that drivable access be able to handle H-20 loading and is maintained by fee owner.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-18-0589	Vacated 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 allowed 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 lot single family residential development	Withdrawn	October 2012
VS-0542-12	Vacate and abandon government patent easements	Withdrawn	October 2012

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
TM-0511-06	24 lot single family residential 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 lot single family residential development - expired	Approved by PC	December 2004
VS-1989-04	Vacate and abandon patent easements - expired	Approved by PC	December 2004
TM-0127-03	24 lot single family residential development - expired	Approved by PC	May 2003
VS-0557-03	Vacate and abandon 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	Office/warehouses
South & East	Rural Neighborhood Preservation (2 du/ac)	R-E (RNP-I)	Single family subdivision
West	Rural Neighborhood Preservation (2 du/ac)	R-E (RNP-I)	Undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ET-20-400156 (VS-18-0094)	An extension of time to vacate and abandon government patent easements is a companion item on this agenda.
ET-20-400150 (WS-18-0108)	An extension of time to for a single family residential subdivision 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 September 18, 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

**CONTACT:** ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BLVD, SUITE 100, LAS VEGAS, NV 89113