

09/21/21 PC AGENDA SHEET

DRAINAGE/LOT SIZE
(TITLE 30)

ISOLA DR/HENRIE RD
(MOAPA)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0408-DOMINGUEZ JACOB & MONICA J:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced gross lot size; and **2)** drainage study in conjunction with a minor subdivision map for 2 parcels totaling 3.8 acres in an R-U (Rural Open Land) Zone.

Generally located on the south side of Isola Drive and the east side of Henrie Road within Moapa. MK/nr/jo (For possible action)

RELATED INFORMATION:

APN:

031-27-601-001; 031-27-601-004

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the gross lot size to 75,586 square feet where 80,000 square feet is the minimum allowed per Table 30.40-1 (a 0.9% reduction).
2. Waive the drainage study requirement with a minor subdivision map required per Chapter 30.28.

LAND USE PLAN:

NORTHEAST COUNTY (MOAPA) - RURAL NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 1285 E. Isola Drive
- Site Acreage: 3.8
- Number of Lots: 2
- Project Type: Lot size/drainage

Site Plan

The plan shows 2 parcels, undeveloped parcel 031-27-601-001 and parcel 031-27-604-004 with a primary structure, accessory apartment, and a shed. A 50 foot by 100 foot portion of APN 031-27-601-001 is delineated to show the area that would become part of APN 031-27-604-004 to accommodate the existing leach field for the existing accessory apartment's septic system.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that this request is a result of retro-active enforcement of a 35 year old leach field that crosses over the property line to the undeveloped parcel to the west (which is part of this application). An easement onto the neighboring parcel for the existing leach field is not permissible by the Southern Nevada Health District, so the applicant applied to alter the existing parcel lines with MSM-20-60054. However as part of the proposed parcel map, a drainage study would be required. The applicant is requesting a to waive the requirement of a drainage study since no new construction is proposed.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0104-07	Accessory apartment	Approved by PC	March 2007

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood (up to 2 du/ac) & Residential Rural (0.5 du/ac)	R-U	Undeveloped single family residential
South & East	Rural Neighborhood (up to 2 du/ac)	R-U	Single family residential
West	Rural Neighborhood (up to 2 du/ac)	R-U	Undeveloped single family residential

Related Applications

Application Number	Request
MSM-20-600054	A request for a minor subdivision map for 2 single family residential lots is currently under review by Public Works Mapping.

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.

Waiver of Development Standards #1

Staff reviews waivers of development standards to ensure compatibility with existing and planned development in the surrounding area. Lot size in various zoning districts ensures that future development can meet required setbacks and site development standards. The R-U (Rural Open Land) zone was established for low density residential uses compatible with vast areas of rural land. The gross lot area in this district requires 80,000 square feet, however the net area can be 72,000 square feet. The undeveloped parcel would meet the net lot area for the R-U zoning district. Staff finds that the proposed reduced gross lot size to be acceptable in the R-U zoning district since the proposed lot would meet the net lot size requirements for future single family residential development. The shape and square footage of the undeveloped lot would meet the minimum area defined by Title 30; therefore, staff can support the request.

Public Works - Development Review

Waiver of Development Standards #2

Staff cannot support the drainage study being deferred as it is important to ensure proper drainage for storm water and that the lot is not completely encumbered with drainage easements and therefore, undevelopable.

Staff Recommendation

Approval of waiver of development standards #1; denial of waiver of development standards #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 Comprehensive 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

- Drainage study shall be required with future development as determined by Public Works - Development Review.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JACOB DOMINGUEZ

CONTACT: JACOB DOMINGUEZ, PO BOX 725, MOAPA, NV 89025