



Lone Mountain Citizens Advisory Council
Mountain Crest Neighborhood Services Center
4701 N Durango Drive
Las Vegas, NV 89129

August 9, 2022

6:30pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Dawn vonMendenhall at 702-289-0196.
 - Supporting material is/will also be available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - Supporting material is/will be available on the County's website at <https://clarkcountynv.gov/LoneMountainCAC>

Board/Council Members: Chris Darling, Chairperson
 Dr. Sharon Stover, Vice Chairperson
 Kimberly Burton
 Carol Peck
 Allison Bonnano

Secretary: Dawn vonMendenhall, 702-289-0196, clarkcountycac@hotmail.com
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Jennifer Damico, 702-219-0374, Jennifer.Damico@clarkcountynv.gov
 William Covington, 702-455-2540, William.Covington@clarkcountynv.gov
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

I. Call to Order, Pledge of Allegiance, Roll Call, and County Staff Introductions

II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state

your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

- III. Approval of Minutes for July 12, 2022. (For possible action)
- IV. Approval of the Agenda for August 9, 2022, and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
 - 1. Updates from Commissioner Miller’s & Commissioner Kirkpatrick’s office – County Liaisons will provide information on recent citizen concerns, zoning applications, annexation and inter-local updates with the City of Las Vegas and other issues impacting residents in the Lone Mountain area (for discussion only)
- VI. Planning and Zoning

09/06/22 PC

- 1. **UC-22-0395-DMCP TRUST ET AL & MORGAN DAVID WESLEY TRS: USE PERMITS** for the following: **1)** increase the area of a proposed accessory structure; **2)** allow accessory structures not architecturally compatible with the principal building; and **3)** waive applicable design standards. **WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduced setbacks; and **2)** reduced separation between structures in conjunction with an existing single family residence on 2.1 acres in an R-A (RNP-II) Zone. Generally located on the south side of Jakes Place and the east side of El Capitan Way within Lone Mountain. MK/bb/syp (For possible action)
- 2. **VS-22-0387-VOGEL BRETT: VACATE AND ABANDON** easements of interest to Clark County located between Helena Avenue and Hickam Avenue and between Fort Apache Road and Campbell Road within Lone Mountain. RM/hw/jo (For possible action)

- VII. General Business
None
- VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council’s jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.
- IX. Next Meeting Date: August 30, 2022.
- X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Mountain Crest Neighborhood Services Center, 4701 N Durango Drive, Las Vegas, NV 89129.
<https://notice.nv.gov>



Lone Mountain Citizens Advisory Council

July 12, 2022

MINUTES

Board Members: Chris Darling – Chair – **PRESENT**
Dr. Sharon Stover – Vice Chair – **EXCUSED**
Kimberly Burton – **EXCUSED**
Carol Peck – **PRESENT**
Allison Bonnano - **PRESENT**

Secretary: Dawn vonMendenhall, clarkcountycac@hotmail.com

Town Liaison: Jennifer Damico, Jennifer.Damico@clarkcountynv.gov
William Covington, William.Covington@clarkcountynv.gov

- I. Call to Order, Pledge of Allegiance, Roll Call, County Staff Introductions
The meeting was called to order at 6:30 p.m.
- II. Public Comment
None
- III. Approval of June 28, 2022 Minutes

Moved by: CAROL
Action: Approved subject minutes as submitted
Vote: 3/0 -Unanimous
- IV. Approval of Agenda for July 12, 2022

Moved by: CAROL
Action: Approved agenda as submitted
Vote: 3/0 - Unanimous
- V. Informational Item(s)
None

VI. Planning & Zoning

1. **NZC-22-0331-ROARING 20'S LLC: ZONE CHANGE** to reclassify 5.1 acres from an R-E (Rural Estates Residential) Zone to an R-1 (Single Family Residential) Zone. **WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) combination wall height; 2) off-site improvements; and 3) street intersection off-set. **DESIGN REVIEWS** for the following: 1) single family residential; and 2) finished grade. Generally located on the south side of Centennial Parkway, approximately 320 feet west of Campbell Road within Lone Mountain. RM/jvm/jo (For possible action) **08/02/22 PC**

Action: DENIED due to project not conforming with existing neighborhood

Moved By: CHRIS

Vote: 3/0 Unanimous

2. **VS-22-0332-ROARING 20'S LLC: VACATE AND ABANDON** easements of interest to Clark County located between Centennial Parkway and Regena Avenue and between Dapple Gray Road and Campbell Road within Lone Mountain. RM/jvm/jo (For possible action) **08/02/22 PC**

Action: DENIED due to project not conforming with existing neighborhood

Moved By: CHRIS

Vote: 3/0 Unanimous

3. **TM-22-500110-ROARING 20'S LLC: TENTATIVE MAP** consisting of 16 single family residential lots and common lots on 5.1 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Centennial Parkway, approximately 320 feet west of Campbell Road within Lone Mountain. RM/jvm/jo (For possible action) **08/02/22 PC**

Action: DENIED due to project not conforming with existing neighborhood

Moved By: CHRIS

Vote: 3/0 Unanimous

IX. Next Meeting Date

The next regular meeting will be July 26, 2022

X. Adjournment

The meeting was adjourned at 6:51 p.m.

09/06/22 PC AGENDA SHEET

ACCESSORY STRUCTURES
(TITLE 30)

JAKES PL/EL CAPITAN WAY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0395-DMCP TRUST ET AL & MORGAN DAVID WESLEY TRS:

USE PERMITS for the following: 1) increase the area of a proposed accessory structure; 2) allow accessory structures not architecturally compatible with the principal building; and 3) waive applicable design standards.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced setbacks; and 2) reduced separation between structures in conjunction with an existing single family residence on 2.1 acres in an R-A (Residential Agricultural District) (RNP-II) Zone.

Generally located on the south side of Jakes Place and the east side of El Capitan Way within Lone Mountain. MK/bb/syp (For possible action)

RELATED INFORMATION:

APN:

125-05-705-001

USE PERMITS:

1. a. Increase the area of a proposed accessory structure to 2,400 square feet where an accessory structure with a maximum area of 1,200 square feet (50% of the footprint of the principal building) is permitted per Table 30.44-1 (a 100% increase).
- b. Increase the cumulative area of all accessory structures to 3,222 square feet where a maximum cumulative area of 2,400 square feet (the footprint of the principal building) is permitted per Table 30.44-1 (a 34% increase).
2. Allow metal accessory structures where required to be architecturally compatible with the principal building per Table 30.44-1.
3. Waive all applicable design standards, including non-decorative metal siding and non-decorative metal roof, for accessory structures where required per Table 30.44-1.

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the corner street side yard setback for existing accessory structures (chicken shed) to 5 feet where a minimum setback of 10 feet is required per Table 30.40-1 (a 42.5% reduction).
- b. Eliminate the rear yard setback for existing accessory structures (shipping container and carport) where a 5 foot setback is required per Table 30.40-1 (a 100% reduction).

2. Reduce the separation between structures (shipping container and carport) to zero feet where a minimum separation of 6 feet is required per Table 30.40-1 (a 100% reduction).

LAND USE PLAN:

LONE MOUNTAIN - EDGE NEIGHBORHOOD (UP TO 1 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 8785 Jakes Place
- Site Acreage: 2.1
- Project Type: Accessory structures
- Number of Stories: 1
- Building Height (feet): 15.3
- Square Feet: 2,400 shop/3,222 cumulative accessory structures/2,400 single family residence

Site Plan

The site plan depicts a 2.1 acre property at the southeast corner of Jakes Place and El Capitan Way with a half circle driveway on Jakes Place to access the 2,400 square foot residential home located at the northwest portion of the site. There are 5 accessory structures and 1 proposed shop/barn on the property. The proposed barn/shop will be located in the southeast portion of the site and will exceed the required setbacks. The north and south sides of the shop/barn will have a 60 foot by 15 foot open covered area for animal pens and trailers. The chicken coop is located along the west property line, without any setback from the street. A carport and storage box are located along the rear property line also without meeting setbacks. A shed and well shed are located on the east side of the property.

Landscaping

A 7.5 foot decorative block wall was previously granted via a waiver (WS-0820-17) along the west, south, and east property lines, and adjacent to the home. There are 8 trees planted inside the wall along the west property line and several other trees on the interior of the lot. Four trees are located at the northeast portion of the site with 30 foot spacing.

Elevations

The 15.3 foot barn will have metal materials and features with paint to match the walls and home. The existing chicken shed has a metal roof that extends to 9 feet 10 inches in height. The metal storage box is 8 feet 6 inches in height and the metal carport is 9 feet 8 inches in height.

Floor Plans

The floor plan for the shop/barn shows a 390 square foot exercise room with bathroom and closet, and 2,010 square foot area with a concrete floor for storage and parking trailers. The area of the remaining accessory structures is as follows: 150 square feet (chicken coop); 200 square feet (carport); 200 square feet (storage box); 80 square feet (shed); and 192 square feet (well shed).

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant has 1 horse, 2 goats and several chickens on the property and will build a new 60 foot by 40 foot shop/barn accessory structure. The shop/barn will include an exercise room, bathroom, and concrete floor area for storage of animal feed and trailers. Metal materials will be used for the shop/barn and it will be painted to match the walls and house. The chicken shed was built during the pandemic and was intended to meet the requirements of the code. It was built with a 5 foot setback where a 10 foot setback was required and with a metal roof. The chicken shed is only 150 square feet and would not normally require a building permit.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0820-17	Increased wall height and setback	Approved by PC	November 2017
VS-0989-01	Vacated right-of-way	Approved by PC	September 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Edge neighborhood (up to 1 du/ac)	R-A	Single family residential
South	Edge neighborhood (up to 1 du/ac)	R-A	Undeveloped
East	Edge neighborhood (up to 1 du/ac)	R-A	Single family residential
West	City of Las Vegas	R-PD3 & U (PCD)	Undeveloped & single family residential

STANDARDS FOR APPROVAL:

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

- Analysis
- Current Planning
- Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties. The proposed shop/barn with exercise room and trailer storage will be constructed with metal materials, but will be painted to match the color of the home. The size and scale of the accessory structures in context with the 2 acre property will not be detrimental to the surrounding area. The existing and proposed accessory structures are partly being used for agricultural purposes, as well as other

personal storage and carport needs. The Master Plan Policy LM-1.2 promotes neighborhood integrity through compatible development. This 2 acre property will be compatible with the surrounding area and the scale of the proposed accessory structures will not create a negative impact considering the existing landscaping and 7.5 foot decorative wall.

Waivers of Development Standards

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 #1a

The chicken shed is located 5 feet from a decorative wall and another approximately 10 feet from the edge of El Capitan Way and will not create a hazardous situation. While the roof is metal, it is painted and not reflective in nature. Staff can support the waiver request.

Waivers of Development Standards #1b & #2

The existing shipping container and carport are located in close proximity to each other and the rear property line and staff typically does not support structures so close to property lines. The separation of the buildings does not meet the minimum 6 foot standard and could cause a hazardous situation. Staff recommends denial of these waivers.

Staff Recommendation

Approval of the use permits and waiver of development standards #1a; denial of waivers of development standards #1b 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:

Current Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- Removal of the storage container and carport when shop/barn is complete.
- 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 and compliance.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DAVID W. MORGAN

CONTACT: DAVID MORGAN, 8785 JAKES PLACE, LAS VEGAS, NV 89143

DRAFT



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF	APP. NUMBER: <u>UC/WS-22-0395</u> DATE FILED: <u>7-9-2022</u> PLANNER ASSIGNED: <u>RSB</u> TAB/CAC: <u>Lone Mountain</u> TAB/CAC DATE: <u>8-9-2022</u> PC MEETING DATE: <u>9-6-2022</u> BCC MEETING DATE: _____ FEE: <u>\$ 875</u> <u>RS</u>
PROPERTY OWNER	NAME: <u>David Morgan</u> ADDRESS: <u>8785 Jakes Pl</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89143</u> TELEPHONE: _____ CELL: <u>702-279-6094</u> E-MAIL: <u>morgandavidw@gmail.com</u>	
APPLICANT	NAME: <u>David Morgan</u> ADDRESS: <u>8785 Jakes Pl</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89143</u> TELEPHONE: _____ CELL: <u>702-279-6094</u> E-MAIL: <u>morgandavidw@gmail.com</u> REF CONTACT ID #: _____	
CORRESPONDENT	NAME: <u>David Morgan</u> ADDRESS: <u>8785 Jakes Pl</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89143</u> TELEPHONE: _____ CELL: <u>702-279-6094</u> E-MAIL: <u>morgandavidw@gmail.com</u> REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 125-05-705-001

PROPERTY ADDRESS and/or CROSS STREETS: 8785 Jakes Pl, Las Vegas, NV 89143

PROJECT DESCRIPTION: Barn construction

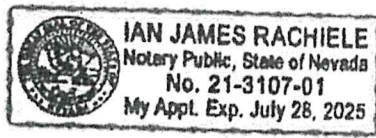
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

 Property Owner (Signature)* Property Owner (Print) David Morgan

STATE OF Nevada
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON February 12th 2022 (DATE)

By _____
 NOTARY PUBLIC: Ian Rachiele



*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

18 April 2022

TO: Clark County Comprehensive Planning Department
FR: Owners of 8785 Jakes Place, Las Vegas, NV 89143

RE: Proposed Barn/Shop

To Whom It May Concern:

PLANNER
COPY

I initially submitted the info in SECTION 1 below in my justification letter on February 8. I was then asked to address additional questions in an email dated February 16. That reply is listed below as SECTION 2. I have been asked to resubmit my responses to the original 7 questions from February 16 in a point-by-point reply along with an update to the Public Works issue of rock size in the right of way. Those will be listed in SECTION 3.

SECTION 1:

We are seeking two waivers of development standards for our proposed barn/shop:

- 1) The first requested waiver would allow us to build a metal structure instead of a traditional wooden structure. The primary use for this building will be for animal pens, related equipment and storage. We need a more open floor plan for this space and a traditional wooden frame would restrict the space and be more expensive for our proposed use. The building will match the color of our primary home and wall. We have seen many metal barns and outbuildings in our rural preservation area so we are hopeful this will be acceptable.
- 2) The second waiver request is to allow a building larger than 1297 square feet, which is 50% of the size of our 2595 square foot primary residence on the lot. The proposed barn would be 2400 square feet in order to not only store tack, feed and supplies, but have a place to store our trailers and a shop to work on the items we need to service the animals and the equipment. Lastly, because of recent back and knee injuries, we are including a small portion of this building to eventually build out a room for rehab and exercise equipment, something we do not have room for in our primary residence.

SECTION 2:

We are seeking two waivers of development standards for our proposed barn/shop:

- 3) The first requested waiver would allow us to build a metal structure instead of a traditional wooden structure. The primary use for this building will be for animal pens, related equipment and storage. We need a more open floor plan for this space and a traditional wooden frame would restrict the space and be more expensive for our proposed use. The building will match the color of our primary home and wall. We have seen many metal barns and outbuildings in our rural preservation area so we are hopeful this will be acceptable.
- 4) The second waiver request is to allow a building larger than 1211 square feet, which is 50% of the size of our 2422 square foot primary residence on the lot. The proposed barn/shop would be 2400 square feet
 - a. Primary use for building would be to store tack, feed and supplies, but to also have a place to store our trailers and a small shop to service the equipment and trailers.
 - b. Animals to be kept on site:
 - i. 1 horse (maximum of two)
 - ii. 2 goats (maximum of 4)

Lastly, because of recent back and knee injuries, we are including a small portion of this building to eventually build out a room for rehab and exercise equipment, something we do not have room for in our primary residence. We do not have an existing second dwelling unit on the property, nor an additional kitchen or apartment

SECTION 3:

A. In terms of the oversized rock in the ROW, it has been removed and no additional waiver will be requested at this time. The PDF with pictures to prove the rock has been removed was uploaded and is dated March 9. Jason Allswang at Public Works has stated they have no further comments.

B. A point-by-point reply to the original questions from February 16 are in red below:

1. **WS-17-0820 (wall height and setback) showed 4 trees planted along the northeast corner of the property. They don't appear to be there.**

If you are referring to the plans I submitted, I initially left all trees off of this landscape plan because it was not related to this waiver request. After your email, I did add all of them back into the site plan and landscape plan that were uploaded February 16. If you mean you do not see them on the satellite image, that is because the trees we ordered for that side were small and did not survive transplant. I have repaired the drip system but it is too close to summer to plant now so we will replant this fall.

2. **Our system shows the existing home as being 2,400 square feet (floor area). Your letter shows 2,595 square feet. Does this include covered patio space? Verify the area and update.**

The home is 2400 square feet. The grading plan we had done when we bought the house, listed "2595 F.F." I thought that was a square footage measurement. That actually represents the elevation that the house sits at. We have not changed the house since we bought it, it is still 2400 square feet. That does not include the 28x15 unenclosed covered patio.

3. **The description shows a barn/shop. If the shop is for agricultural purposes, please provide details. If not, just let us know what you would like to do in the shop.**

The primary use for this building will be for animal pens and storage for tack, feed and supplies. We will also use it to store trailers with space for a small shop to service the tack, equipment and trailers.

4. **Provide a list of animals kept on site. We need this to support the agricultural designation of the barn and possible ag support shop.**

Animals to be kept on site:

- 1 horse (maximum of 2)
- 2 goats (maximum of 4)

5. **Describe/show the floor types under roof of the barn and cover areas. If used for animal pens/paddock, it needs to be permeable (not concrete or solid surfaces). Storage areas for tack and feed may be on hard surfaces like concrete.**

The proposed building would have open lean-tos on each side. They will have a dirt floor for the animal pens. The landscape plan site plan, elevation plan and parking plan were all updated to show these areas are dirt floor with only the main building having concrete. They were uploaded on February 16.

6. **Show all sheds and carports on the property site plan. Be sure to show dimensions.**

The site plan, parking plan and landscape plan were all updated to show the sheds and carports as they exist today. Incidentally, only the 16x12 shed near the well and the 15x10 chicken coop are permanent. The others are currently holding tack and supplies and will be removed once the barn/shop has been built.

7. **Living space, even just for exercise room/bathroom will most likely be considered a casita. Verify you don't have an existing 2nd dwelling unit on the property (2nd kitchen or apartment).**

We do not have a 2nd dwelling (or kitchen or apartment) on the property.

We are committed to improving our property while being good neighbors and following the rules. We hope you will allow us the waivers we need to get started on the next phase of our plans for this property. Thank you for your consideration.

David W. Morgan & Carrie K. Preite

EASEMENTS
(TITLE 30)

FORT APACHE RD/HELENA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-22-0387-VOGEL BRETT:

VACATE AND ABANDON easements of interest to Clark County, located between Helena Avenue and Hickam Avenue and between Fort Apache Road and Campbell Road within Lone Mountain (description on file). RM/hw/jo (For possible action)

RELATED INFORMATION:

APN:

138-05-301-017

LAND USE PLAN:

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

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a 33 foot wide patent easement on the eastern portion of the subject site extending north to south along the property line, and another 33 foot wide patent easement on the south side of the site extending east to west along the property line. The plans also depict the vacation and abandonment of a 3 foot wide patent easement on the north side of the site, extending east to west along the property line and the 30 foot right-of-way of Helena Avenue, which has already been dedicated. The applicant is proposing a 3 lot minor subdivision (MSM 21-600115) and indicates the patent easement is no longer needed as the properties surrounding the site are already developed and that the vacation and abandonment is needed for them to developed the site.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0296-01	Reclassified to R-E (RNP-I) zoning	Approved by BCC	September 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
South & East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Staff has no objection to the vacation of patent easements that are not necessary for site, drainage, or roadway development.

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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Satisfy utility companies' requirements.
- 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 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BRETT VOGEL

CONTACT: BRETT VOGEL, 7801 W. ROSADA WAY, LAS VEGAS, NV 89149



VACATION APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE	DEPARTMENT USE	APP. NUMBER: <u>VS-22-0387</u>	DATE FILED: <u>6/28/22</u>
		PLANNER ASSIGNED: <u>HW</u>	TAB/CAC DATE: <u>8/9/22</u>
<input checked="" type="checkbox"/> VACATION & ABANDONMENT (vs)		TAB/CAC: <u>Lone Mountain</u>	
<input checked="" type="checkbox"/> EASEMENT(S)		PC MEETING DATE: <u>9/6/22</u>	
<input type="checkbox"/> RIGHT(S)-OF-WAY		BCC MEETING DATE: _____	
<input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #): _____		FEE: <u>\$875</u>	

PROPERTY OWNER	NAME: <u>Brett Vogel</u>
	ADDRESS: <u>7801 W. Rosada Way</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89149</u>
	TELEPHONE: <u>702-400-7367</u> CELL: <u>702-400-7367</u>
	E-MAIL: <u>brett-vogel@hotmail.com</u>

APPLICANT	NAME: <u>Brett Vogel</u>
	ADDRESS: <u>7801 W. Rosada Way</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89149</u>
	TELEPHONE: <u>702-400-7367</u> CELL: <u>702-400-7367</u>
	E-MAIL: <u>brett-vogel@hotmail.com</u>
	REF CONTACT ID #: _____

CORRESPONDENT	NAME: <u>Brett Vogel</u>
	ADDRESS: <u>7801 W. Rosada Way</u>
	CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89149</u>
	TELEPHONE: <u>702-400-7367</u> CELL: <u>702-400-7367</u>
	E-MAIL: <u>brett-vogel@hotmail.com</u>
	REF CONTACT ID #: _____

ASSESSOR'S PARCEL NUMBER(S): 138-05-301-017

PROPERTY ADDRESS and/or CROSS STREETS: Southeast corner of Helena and Fort Apache

I, (We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted.

[Signature]
Property Owner (Signature)*

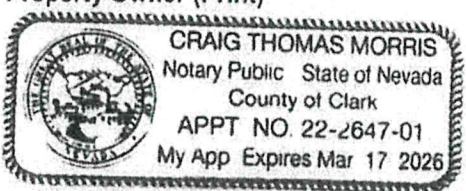
Brett Vogel
Property Owner (Print)

STATE OF NEVADA
COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 5th of May 2022 (DATE)

By Brett David Vogel

NOTARY PUBLIC: [Signature]



*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

Brett Vogel
APN# 138-05-301-017
Mailing Address:
7801 W. Rosada Way
Las Vegas, NV 89149
702-400-7367

PLANNER
COPY
VS-22-0387

6-7-2022

Government Patent Easement Vacation Justification Letter

The Board of Commissioners
Clark County, Nevada

We are requesting the Vacation of an existing Government Patent Easement that currently exists on our property. This vacation would support the building of our family home and two additional lots for other family members located at the Southeast corner of Fort Apache and Helena. The project is a 3 lot minor subdivision, Clark County # MSM #21-60015 APN 138-05-301-017.

The easement consists of a 33' border located at the property boundaries for establishing utilities and roadways. The Roadway and Utility Easements on the North property boundary have been dedicated, and the Roadway and Utilities to the West have been installed, therefore this Government Patent Easement is no longer necessary in those areas. The Southern and Eastern boundaries have existing homes adjacent to the easement, therefore the easement in these areas would be unnecessary as well. We are asking for permission to vacate the easements on the North, East and South sides of the property, except for what has already been dedicated in fee to the county.

My family and I greatly appreciate your time, and would greatly appreciate your approval for our request.

Thank you,



Brett Vogel
Property Owner