



Whitney Town Advisory Board

Whitney Community Center

5712 Missouri Ave

Las Vegas, NV 89122

September 28, 2023

6:00pm

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 Sam Crunkilton at wwtabsecretary@gmail.com.
 - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - If there are additional locations where supporting materials are available, insert them here. If not, delete this bullet.
 - Supporting material is/will be available on the County's website at specific Board/Council website.

Board/Council Members: Amy Beaulieu, Chairperson
 Geraldine Ramirez-, Vice Chairperson
 Christopher Fobes
 Greg Konkin
 Anita Toso

Secretary: Sam Crunkilton, 702-854-0878, wwtabsecretary@gmail.com
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Blanca Vazquez, 702-455-8531, bva@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, Invocation, Pledge of Allegiance, and Roll Call

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,

BOARD OF COUNTY COMMISSIONERS
 JAMES B. GIBSON, Chair – TICK SEGERBLOM, Vice-Chair
 JUSTIN C. JONES – MARILYN KIRKPATRICK – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT
 KEVIN SCHILLER, County Manager

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 September 14, 2023. (For possible action)
- IV. Approval of the Agenda for September 28, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning
10/03/23 PC
 - 1. **WS-23-0518-RIOS VICTOR M PALAFOX & PALAFOX JACQUELINE:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setback for the principal building; and **2)** eliminate setbacks for the principal and accessory buildings in conjunction with a single family residence on 0.1 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Hallet Drive, approximately 280 feet west of Sacks Drive within Whitney. TS/nai/syp (For possible action)
- VII. General Business
 - a. Review previous fiscal year budget requests and take public input regarding requests for the next fiscal year budget (for discussion only)
 - b. Appoint a representative and an alternate to the Community Development Advisory Committee (CDAC) for 2023/2024.
- 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 discussion, action, or vote may be taken on this agenda item. 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: October 12, 2023, unless posted otherwise.
- X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Whitney Community Center 5712 Missouri Ave Las Vegas, NV 89122
<https://notice.nv.gov>



Whitney Town Advisory Board

September 14, 2023

MINUTES

Board Members: Amy Beaulieu, Chairperson - Present Geraldine Ramirez, Vice Chairperson - Present
Christopher Fobes - Present Greg Konkin - Present
Anita Toso - Present

Secretary: Sam Crunkilton, 702-854-0878, wwtabsecretary@gmail.com

Town Liaison: Blanca Vazquez, 702-455-8531, bva@clarkcountynv.gov

- I. Call to Order, Pledge of Allegiance, Roll Call, (see above) County Staff Introductions
The meeting was called to order at 6:00 p.m. by Beaulieu
- II. Public Comment
None
- III. Approval of August 10, 2023 Minutes
Moved by: Ramirez
Approved
Vote: 5-0 Unanimous
- IV. Approval of the Agenda for September 14, 2023
Motion to pull budget item from agenda and move to September 28 meeting
Moved by: Ramirez
Approved
Vote: 5-0 Unanimous
- V. Informational Items
None

VI. Planning & Zoning:
10/03/23 PC

1. **WS-23-0500-KING FUTT'S PFM LLC SERIES 5700 BOULDER:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) fence height; 2) fence setbacks; and 3) driveway geometrics.

DESIGN REVIEWS for the following: 1) alternative parking lot landscaping; and 2) a proposed mini-warehouse facility in conjunction with an existing retail building on 1.5 acres in a C-2 (General Commercial) Zone. Generally located on the southwest side of Boulder Highway and the southeast side of English Avenue within Whitney. JG/hw/syp (For possible action)

Moved by Fobes

Approved as presented

Vote 5-0 Unanimous

2. **WS-23-0518-RIOS VICTOR M PALAFOX & PALAFOX JACQUELINE:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce setback for the principal building; and 2) eliminate setbacks for the principal and accessory buildings in conjunction with a single family residence on 0.1 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Hallet Drive, approximately 280 feet west of Sacks Drive within Whitney. TS/nai/syp (For possible action)

Moved by Beaulieu

Hold to next meeting on September 28, 2023

Vote 5-0 Unanimous

VII. General Business

- a. Review previous fiscal year budget requests and take public input regarding requests for the next fiscal year budget (for discussion only)

Motion approved 5-0 unanimous to move item to next meeting on September 28, 2023

VIII. Public Comment

1. **Request to have the dead tree removed since it currently blocks the “Do not block intersection” sign on Clark. Street is also not clearly marked and speeding occurs.**
2. **Near Duck Creek Village, the pedestrian crosswalk is dangerous since they aren’t seen. Dumping ground on Clark near Duck Creek Village needs cleaned up.**
3. **The 6009-6011 apartments on Clark are boarded up, trash everywhere, rat infested, etc., so it was asked that the health department gets involved to condemn them. Concerns also shared around homeless problem, and the Duck Creek Village HOA is hiring security to attempt to handle.**
4. **Senior property taxes are a problem as they keep increasing, so a freeze would be helpful to seniors facing this problem.**

VIII. Next Meeting Date

The next regular meeting will be September 28, 2023, unless posted otherwise.

IX. Adjournment

The meeting was adjourned at 6:25 p.m.

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

HALLET DR/SACKS DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0518-RIOS VICTOR M PALAFOX & PALAFOX JACQUELINE:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setback for the principal building; and **2)** eliminate setbacks for the principal and accessory buildings in conjunction with a single family residence on 0.1 acres in an R-1 (Single Family Residential) Zone.

Generally located on the south side of Hallet Drive, approximately 280 feet west of Sacks Drive within Whitney. TS/nai/syp (For possible action)

RELATED INFORMATION:

APN:

161-21-410-012

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the rear yard setback for a single family residence to 16 feet where 20 feet is required per Table 30.40-2 (a 20% reduction).
2.
 - a. Eliminate side yard setback for a single family residence where 5 feet is required for principal structure per Table 30.40-2 (a 100% reduction).
 - b. Eliminate rear yard setback for an accessory structure where 5 feet is required per Table 30.40-2 (a 100% reduction).
 - c. Eliminate side yard setback for an accessory structure where 5 feet is required per Table 30.40-2 (a 100% reduction).

LAND USE PLAN:

WHITNEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 5117 Hallet Drive
- Site Acreage: 0.1
- Project Type: Single family residential
- Number of Stories: 1
- Building Height (feet): 9 feet 4 inches
- Square Feet: 1,280 residence/285 front addition/384 rear addition/40 accessory structure

Site Plan

The site plan depicts an existing 1 story single family residence on 0.1 acres. The principal dwelling is centrally located on the parcel and the front of the house is facing north towards Hallet Drive. The rear yard includes an existing detached accessory structure, approximately 40 square feet, that is placed on the southeast corner without setbacks from the side yard and rear yard wall.

The applicant built 2 additions to the house without building permits. The first is a 285 square foot attached addition to the front of the house. The plans depict it will be used as a guest room and it meets setback requirements. The second is a 384 square foot addition attached to the rear of the house used as a living room. The applicant is requesting the rear yard setback for the rear house addition to be 16 feet where 20 feet is required.

The site plan also depicts a trellis attached on the west side of the property approximately 38 feet in length with half of the trellis covered with thin wooden board. The applicant is requesting to eliminate the side yard setback where 5 feet is required.

Landscaping

The plans show the front of the house has 2 existing large trees, 1 placed on each side. The east portion has an existing 696 square foot grass area, and the west side has 224 square feet of existing grass. A 2 foot vertical landscaping path leads to the front of the house and wraps around the west portion of the house footprint, along with a 2 foot vertical landscaping path against the west and east side of the property wall. Both sides of the house have existing brick flooring leading into the backyard. The rear side of the property also has existing grass approximately 810 square feet with an existing tree, 2 short palms, and shrubs against the rear property wall.

Elevations

The front elevation shows the new addition is attached to the west portion of the house. The applicant used the same material to match the existing house, including stucco and the same grey paint color. The applicant also placed a window in the center of the new addition facing Hallet Drive. The west elevation shows the applicant added a side door that leads into the new shaded trellis area.

The rear elevation shows the new addition is attached to the east portion of the house. There is a raised concrete curb all throughout the addition. The applicant also used the same material to match the existing house including stucco and the same grey paint color. The applicant also placed new plywood and rubber roof with a new fascia detail. On the east and west elevations, the applicant also added side doors. The door facing west leads to the new shaded trellis area. The door facing east leads to into the backyard. The applicant also placed 3 new windows also facing the backyard.

Floor Plans

The floor plans depict the front addition to be a guest room approximately 285 square feet. The guest room includes a bathroom, walk-in closet, a window facing north towards Hallet Drive, and a new door facing east leading to the new shaded trellis area.

The floor plans depict the rear addition to be a living room approximately 384 square feet. This addition will include a walk-in closet, and 3 windows facing south into the rear yard. There is a new door facing west that leads into the trellis shaded area and a separate door on the east portion of the addition leading into the backyard.

Signage

Signage is not a part of this request.

Applicant’s Justification

Per the justification letter, the applicant lives in the principal structure and built an attached addition in the front and rear portion of the primary home. The front addition is a guest room that is 285 square feet. The rear addition is a family room with a total of 384 square feet. Also, the applicant built a trellis shade structure on the west side of the property. The applicant is requesting to reduce the rear setback for the principal structure and reduce the rear yard setback and side yard setback for the existing accessory structure.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential

Clark County Public Response Office (CCPRO)

CE21-03135 is an active zoning violation for building without permits.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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 #1

Staff supports the request to reduce the rear yard setback to 16.5 feet for the principal structure. Although the applicant built the rear addition without a building permit, reducing this setback does not negatively impact the structure nor the applicant’s property. In addition, mature landscaping exists in the rear yard which will help reduce the impacts to the neighbors.

Waiver of Development Standards #2a

Staff cannot support a zero foot side yard setback for a principal structure. Setbacks create an aesthetically pleasing balance between other structures and perimeter walls and help to provide open area on site.

Waiver of Development Standards #2b & #2c

While the accessory structure does not seem out of character for the neighborhood, staff typically does not support zero setbacks for accessory structures. The structure may have a negative effect on the neighbors since it is placed right at the property line. Staff does not support this request.

Staff Recommendation

Approval of waiver of development standards #1; denial of waiver of developments standards #2a, #2b, and #2c.

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 building permit and inspection process with any extension of time to be a public hearing.
- Applicant is advised that 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; and that 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.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: VICTOR PALAFOX

CONTACT: PAT STISSI, 8515 IRON MOUNTAIN RD, LAS VEGAS, NV 89143



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>WS-23-0518</u> DATE FILED: <u>8/4/23</u> PLANNER ASSIGNED: <u>MNO</u> TAB/CAC: <u>WHIRNEY</u> TAB/CAC DATE: <u>9/14/23</u> PC MEETING DATE: <u>10/3/23 @ 7:00 P.M.</u> @ 6:00 P.M. BCC MEETING DATE: <u>-</u> FEE: <u>\$775.00</u>
	PROPERTY OWNER NAME: <u>VICTOR & JACQUELINE PALAFOX</u> ADDRESS: <u>5117 HALLET DR</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89122</u> TELEPHONE: <u>7027394973</u> CELL: _____ E-MAIL: _____
	APPLICANT NAME: <u>VICTOR & JACQUELINE PALAFOX</u> ADDRESS: <u>5117 HALLET DR</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89122</u> TELEPHONE: <u>7027394973</u> CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>PAT</u> ADDRESS: <u>5117 HALLET DR</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89122</u> TELEPHONE: <u>7027394973</u> CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 161-21-410-012

PROPERTY ADDRESS and/or CROSS STREETS: 5117 HALLET DR 89122

PROJECT DESCRIPTION: REQUEST FOR WAIVER FOR A PRE-EXISTING SHADE STRUCTURE ON SIDE OF HOUSE WITHIN THE 5' PROPERTY LINE

(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.

[Signature] [Signature]
 Property Owner (Signature)* Property Owner (Print)
 VICTOR PALAFOX

STATE OF Nevada
 COUNTY OF Clark
 SUBSCRIBED AND SWORN BEFORE ME ON July 6 2021 (DATE)
 By Victor Palafox
 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.

Justification Letter

February 2nd, 2023

Clark County Comprehensive Planning
500 S/. Grand Central Parkway
Las Vegas, NV 89106

Subject: Rear setback encroachment and waiver of development standards
Location: 5117 Hallet Dr. Las Vegas NV 89122
APN: 161-21-410-012

To whom it may concern:

This property is currently occupied by my family since 1997. My wife and I are proposing to construct a small sunroom attached to the back of our residence. The type of room (in design and finishes) as well as the height conforms to the remainder of the existing house and neighborhood as highlighted by the plan.

- The rear yard setback is 20 feet in an R-1 zone. However, the current setback with this addition is now 16.5-foot setback from the rear property line (encroaching by 3.5'), can we request the rear yard setback to be set at 15'?
- There is a small existing storage building (already on site when we purchased the property) using the rear block wall at the property line as a lean-to, even though it does stand alone.
- We built a small shade structure that extends off the existing roof to help with the scorching sun on the west side of the residence, which means that on that side, even though the space below is open to outdoor use, there is in effect no setback along the house.

The following Waiver of Development Standards are being requested:

- reduction of rear setback encroachment from 20' to 15' for addition
- reduction of rear setback for accessory structure ie existing storage building from 5' required to 0'
- reduction for side yard setback (west side of residence) from 5' required to 0'.

We do not believe the proposed development creates additional stress on the community or neighbors, it might even make the neighborhood quieter as we would be spending more time inside when receiving family and friends.

This project will be comparable to other covered spaces to our left and right, as well as some across from our block walls and street.

Thank you for your consideration.

Sincerely,

Victor Palafox

Much appreciated,
Victor and Jacqueline Palafox,
Owners

**PLANNER
COPY**