06/04/13 PC AGENDA SHEET

EASEMENTS

(TITLE 30)

MONTE CRISTO WAY / ELDORA AVE

PUBLIC HEARING

APP. NUMBER / OWNER / DESCRIPTION OF REQUEST

VS-0197-13 – FRANK MARINO LIVING TRUST, ET AL:

VACATE AND ABANDON easements of interest to Clark County located between Monte Cristo Way and Pioneer Way, and between Eldora Avenue and Tara Avenue in an R-E (Rural Estates Residential) (RNP-I) Zone within Spring Valley (description on file). SB/jt/ml (For possible action)

RELATED INFORMATION:

APN:
163-10-203-010

LAND USE PLAN:
SPRING VALLEY - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description
The plans depict the vacation and abandonment of 2 government patent easements. The first patent easement, which is “L” shaped and consists of 6,128 square feet, extends along the west side of the parcel as well as the north side of the parcel adjacent to Eldora Avenue. The second patent easement consists of 487 square feet and extends along Monte Cristo Way.

As a result of street improvement construction associated with a special improvement district in the area, a previous vacation and abandonment (VS-1481-94) for surplus public rights-of-way vacated a portion of the original 33 foot wide government patent easements on the subject parcel. This application will vacate the remainder of the original government patent easements. According to the applicant, the removal of these patent easements will allow the owner to develop a single family home on the vacant parcel.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
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<tbody>
<tr>
<td>ZC-0613-10</td>
<td>Clark County initiated zone change to reclassify certain residential areas from R-E to R-E (RNP-I) which included the subject parcel</td>
<td>Approved by BCC</td>
<td>February 2011</td>
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</tbody>
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Surrounding Land Use

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
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<tbody>
<tr>
<td>North, South, East, &amp; West</td>
<td>Rural Neighborhood Preservation (up to 2 du/ac)</td>
<td>R-E (RNP-I)</td>
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</table>
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 Comprehensive Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning
• Satisfy utility companies' requirements.
• Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time; 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)
• No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: Frank Marino
CONTACT: Eric Rietz, 5740 South Arville Street, Suite 206, Las Vegas, NV 89118