

08/20/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0485-CAPITCH, LC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate the drainage study; and **2)** waive full off-site improvements on 2.28 acres in an RS20 (Residential Single-Family 20) Zone.

Generally located west of Sarah Shannon Drive and south of Diagonal Street within Bunkerville.  
MK/dd/cv (For possible action)

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RELATED INFORMATION:

**APN:**

002-35-501-025

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate the drainage study where required per Section 30.04.08B.
2. a. Waive full off-site improvements (curb, gutter, sidewalks, streetlights, and partial paving) along Diagonal Street where required per Section 30.04.08C.
- b. Waive full off-site improvements (curb, gutter, sidewalks, streetlights, and partial paving) along Riverside Road where required per Section 30.04.08C.

**LAND USE PLAN:**

NORTHEAST COUNTY (BUNKERVILLE) - MID-INTENSITY SUBURBAN  
NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 2.28
- Project Type: Minor subdivision map

**Site Plan & Request:**

These waivers of development standards requests are associated with an active minor subdivision map (MSM-25-600002) that is in process with the Public Works - Mapping. The site plan shows that the subject parcel will be subdivided into 2 lots. Lot 1 (to the north) will be located south of Diagonal Street and Lot 2 (southern lot) will be located north of Riverside Road. This request is to waive the drainage study requirement and the requirement for off-site improvements on Diagonal Street and Riverside Road.

### Applicant's Justification

The applicant states a drainage study was conducted in 2018 by the previous owners of the property and that no changes have been made to the site since then. Additionally, there is an existing 28,090 square foot drainage easement located on the southern half of the site, and a ditch will also be constructed to help with drainage on the northern portion of the lot. The applicant also states that there are no off-site improvements in the immediate area, and that the Bunkerville Town Advisory Board has consistently voted against their installation for various projects.

### **Prior Land Use Requests**

| <b>Application Number</b> | <b>Request</b>   | <b>Action</b>   | <b>Date</b>   |
|---------------------------|--|-----------------|---------------|
| UC-0864-15                | Allowed an accessory structure (garage) prior to a principal use         | Approved by BCC | October 2015  |
| WS-0545-15                | Waiver of development standards for full off-site improvements - expired | Approved by BCC | October 2015  |
| ZC-1276-99                | County sponsored zone change that reclassified the property to R-A       | Approved by BCC | November 1999 |

### **Surrounding Land Use**

|       | <b>Planned Land Use Category</b>  | <b>Zoning District (Overlay)</b> | <b>Existing Land Use</b>        |
|-------|---|----------------------------------|---------------------------------|
| North | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use                        | RS5.2 & PF                       | CCSD (Bowler Elementary School) |
| South | Mid-Intensity Suburban Neighborhood (up to 8 du/ac)                                     | RS5.2                            | Single-family residential       |
| East  | Mid-Intensity Suburban Neighborhood (up to 8 du/ac)                                     | RS40                             | Single-family residential       |
| West  | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Edge Neighborhood (up to 1 du/ac) | RS40                             | Undeveloped                     |

### **Related Applications**

| <b>Application Number</b> | <b>Request</b>  |
|---------------------------|---|
| ZC-25-0486                | A zone change from RS40 to RS20 is a companion item on this agenda. |

### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

## **Analysis**

### **Comprehensive Planning**

#### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

### **Public Works - Development Review**

#### Waiver of Development Standards #1

Staff cannot support the drainage study being deferred as it is important to ensure that any lots created by the minor subdivision map are not completely encumbered with drainage easements and therefore, undevelopable.

#### Waiver of Development Standards #2

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

### **Staff Recommendation**

Denial.

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:

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

#### **Public Works - Development Review**

- Drainage study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required.

**Fire Prevention Bureau**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that there are no public sanitary sewer facilities available within the proposed development and none are planned within the next 5 years.

**TAB/CAC:** Bunkerville - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MARK TICHENOR

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