

## PUBLIC HEARING

## APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0557-TAXPAYER & TAXPAYER:**

**APPEAL WAIVER OF DEVELOPMENT STANDARDS** to increase wall height in conjunction with an existing single-family residence on 0.49 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located south of Darby Avenue and west of Rolling Acres Circle within Spring Valley.  
JJ/tpd/cv (For possible action)

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## RELATED INFORMATION:

**APN:**

163-10-414-002

**WAIVER OF DEVELOPMENT STANDARDS:**

Allow an 8 foot, 6 inch high wall along the rear property line where a maximum of a 6 foot high wall is permitted per Section 30.04.03B (a 42% increase).

**LAND USE PLAN:**

SPRING VALLEY - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

**BACKGROUND:****Project Description**

## General Summary

- Site Address: 3239 Rolling Acres Circle
- Site Acreage: 0.49
- Project Type: Walls
- Wall Height (feet): 8.5

Site Plans

The plans depict an existing single-family residence with access provided via Rolling Acres Circle to the east. There is an existing wall along the west property line (rear). A 54 foot long portion of the wall has been raised along the northern half of the rear property line.

Landscaping

There is no landscaping proposed with this request.

Elevations

The plans depict an existing wall along the west property line that has a maximum height of 5 feet height measuring from the high side (neighbor's side) and is 6.5 feet high measuring from the subject site. This wall is constructed of grey CMU block. A 54 foot long portion of the wall

has been raised along the northern half of the rear property line with 2 feet of wood, which is affixed on top of the CMU wall. The lumber is red in color.

#### Applicant's Justification

The applicant is requesting a waiver of development standards to allow a wall that has been increased past the district maximum height per Title 30. The wall was raised because the adjacent property to the west sits at a higher elevation than the subject parcel (APN 163-10-414-002). The neighbor's dog has almost jumped over the rear wall on several occasions. In order to preserve their sense of security, the applicant has raised the rear wall to 6.5 feet to ensure their safety.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0613-10	Zone change to reclassify portions of Sections 9 through 13 generally located between Cimarron Road and Decatur Boulevard, and between Spring Mountain Road and Sahara Avenue	Approved by BCC	February 2011

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, South, East & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residential

#### **Clark County Public Response Office (CCPRO)**

There is an active violation (CE25-08775) for increasing the height of an existing wall past the maximum height allowed per Title 30. The wall was increased without land use approval or building permits.

#### **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**

##### Waiver 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.

The finished grade of the subject site sits lower than the adjacent site and Title 30 allows the wall to be measured from the high side. According to the applicant's description, the maximum height will be 7 feet on the neighbor's side; however, no accurate information is available for the height difference between the 2 properties. Therefore, the waiver was requested for the worst-case scenario (8.5 feet tall) which is measuring the wall height from the applicant's side.

Staff finds that the increased height may have adverse impacts on the neighboring properties. Also, the wall may significantly alter the appearance of the neighborhood given that the property is located at NPO-RNP overlay and further impact the adjacent property to the west. Staff understands that increasing the wall height may provide more privacy and security, however, it may negatively impact the residential character of the neighborhood. Additionally, requests to increase the height of fences or walls are strongly discouraged in the Neighborhood Protection Overlay. Therefore, staff cannot support this request.

### **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.

**PLANNING COMMISSION ACTION:** October 7, 2025 – APPROVED – Vote: Unanimous  
Absent: Roitman

### **Comprehensive Planning**

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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.

### **Southern Nevada Health District (SNHD) - Engineering**

- Applicant is advised to contact the SNHD Environmental Health Division at [septics@snhd.org](mailto: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.

**TAB/CAC:** Spring Valley - approval.

### **APPROVALS:**

**PROTESTS:** 1 card, 1 letter

**PLANNING COMMISSION ACTION:** September 16, 2025 – HELD – To 10/07/25 – per the applicant.

**APPEAL:** This item has been appealed by a neighbor who does not agree with the Planning Commission action.

**APPLICANT:** DAWN DAVIS

**CONTACT:** DAWN DAVIS, 3239 ROLLING ACRES CIRCLE, LAS VEGAS, NV 89117