

06/17/26 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-26-0192-MIRANDA FAVIOLA & MARQUEZ HOMERO MERAZ:**

**WAIVER OF DEVELOPMENT STANDARDS** to waive full off-site improvements in conjunction with a proposed single-family residence on 3.27 acres in an RS80 (Residential Single-Family 80) Zone.

Generally located north of Kyle Canyon Road and west of Buena Vida Street within Upper and Lower Kyle Canyon. AB/rp/cv (For possible action)

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RELATED INFORMATION:

**APN:**

126-08-801-002

**WAIVER OF DEVELOPMENT STANDARDS:**

Eliminate off-site improvements (curb, gutter, detached sidewalks, streetlights, and partial paving) along Racel Street where required per Section 30.04.08C.

**LAND USE PLAN:**

NORTHWEST COUNTY (LOWER KYLE CANYON) - OUTLYING NEIGHBORHOOD (UP TO 0.5 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 3.27
- Project Type: Single-family residential

History, Site Plan, & Request

The plan depicts a proposed single-family residence located on the southeast portion of the property and an accessory structure (shop) on the northwest portion, with all structures positioned outside of required setbacks. Access to the site is provided by two gravel driveways from Racel Street, 1 driveway for the shop building and 1 for the residence.

The accessory structure was previously approved under application WS-25-0003, which allowed the construction of an accessory structure prior to a primary building. However, the applicant has not constructed the accessory structure nor obtained building permits for it to date.

The applicant is now proposing to move forward with the single-family residence and is requesting a waiver of development standards to eliminate waive off-site improvements, which include curb, gutter, detached sidewalks, streetlights, and partial paving.

Landscaping

The plan depicts street landscaping along Racel Street and Kyle Canyon Road in accordance with Title 30 standards.

Elevation

The elevation plans show a proposed single-family residence with an overall height of 23 feet 6 inches. This single-family residence consists of stucco and stone veneer with concrete roof title. The approved accessory structure consists of steel wall panels covered by a steel panel roof and is 22 feet tall. The approved accessory structure is not architecturally compatible with the proposed residence.

Floor Plan

The proposed single-family residence floor plans show a livable area of 3,076 square feet and a total footprint of 4,266 square feet and consist of multiple bedrooms, game room, kitchen, foyer area, laundry room, and bathrooms with a 2 car garage. The approved accessory structure contains 3,200 square feet of storage space for RVs and belongings.

Applicant’s Justification

The property is located within a rural zone where surrounding properties do not contain any off-site improvements. Racel Street remains mostly unimproved, with minimal traffic and very few pedestrians.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ET-25-400105 (WS-25-0003)	First extension of time for a waiver of development standards to allow an accessory structure prior to primary building	Approved by PC	December 2025
WS-25-0003	Waiver of development standards to allow an accessory structure prior to primary building	Approved by PC	March 2025
VS-24-0550	Vacation and abandonment of patent easement	Approved by PC	December 2024

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, South, & West	Outlying Neighborhood (up to 0.5 du/ac)	RS80	Single-family residential & undeveloped
East	Open Lands	RS80	Undeveloped

## **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.

Architectural compatibility and building design standards are implemented to ensure that development is visually appealing and is consistent and compatible with the other structures and buildings in the neighborhood. The proposed and previously approved structures contain vastly different materials that are not compatible with each other. Additionally, there are no similar combinations of such building materials in the area. Staff finds the proposed design of the structures on the site would create inconsistencies in the surrounding area that could negatively impact neighboring properties. Therefore, staff cannot support this request.

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

##### Waiver of Development Standards

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:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- 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;
- Right-of-way dedication to include 30 feet for Racel Street;
- Said dedication must occur prior to issuance of building permits, concurrent with the recording of a subdivision map, or within 30 calendar days from a request for dedication by the County;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant is advised that Nevada Department of Transportation (NDOT) permits may be required;
- Applicant to coordinate with Public Works - Development Review to apply for a Bureau of Land Management (BLM) right-of-way grant.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, applicant is advised to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

**TAB/CAC:** Upper and Lower Kyle Canyon - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** FAVIOLA MIRANDA

**CONTACT:** FAVIOLA MIRANDA, 5466 E. MONROE AVENUE, LAS VEGAS, NV 89110