

04/21/26 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0051-RODRIGUEZ, NAOMY A.:

WAIVER OF DEVELOPMENT STANDARDS to eliminate setbacks for an accessory living quarters in conjunction with an existing single-family residence on 0.13 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located south Twain Avenue and east of Limewood Circle within Spring Valley.
JJ/dd/cv (For possible action)

RELATED INFORMATION:

APN:

163-14-313-015

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Eliminate the side interior setback for an accessory living quarters where 5 feet is required per Section 30.02.06.
- b. Eliminate the rear setback for an accessory living quarters where 5 feet is required per Section 30.02.06.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 3748 Limewood Circle
- Site Acreage: 0.13
- Project Type: Accessory living quarters
- Number of Stories: 1 (house & accessory living quarters)
- Building Height (feet): 11.5 (accessory living quarters)
- Square Feet: 363 (accessory living quarters)

Site Plan

The site plan depicts an existing single-family residence with access off Limewood Circle. There is an existing accessory living quarters located in the southeast corner of the site with no setbacks from the interior side and rear property lines, thus necessitating a waiver of development standards.

Elevations

The elevations depict the accessory living quarters with a maximum height of 11.5 feet. The accessory living quarters features painted stucco and a shingled roof to match the existing residence.

Floor Plans

The floor plans for the accessory living quarters depict it as being 363 square feet and comprised of a bedroom, bathroom, and wet bar.

Applicant's Justification

The applicant states that they built the casita to provide their family of 8 with more living space, as the existing single-family residence only has 4 bedrooms. They also state that they were not aware that the casita needed building permits for its construction.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single-family residential

Clark County Public Response Office (CCPRO)

CE23-25535 is an active code enforcement case for building without a permit.

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.

Setbacks are important for maintaining safety in and around the property, and for the aesthetic quality of residential areas, and the elimination of the required setbacks can lead to adverse affects for the surrounding neighbors. Staff finds that the existing unpermitted accessory living quarter is too large for the lot, and that the waivers requested stem from self-imposed hardships. Additionally, staff finds that if the applicants had inquired about the accessory living quarters before its construction, they would have known that it could have been moved slightly closer to the existing residence while still maintaining the required 6 foot separation, allowing for more setback to the property lines. For these reasons, 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.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- 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 that 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

- No comment.

Fire Prevention Bureau

- Applicant is advised that fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Spring Valley - approval (casita to have all permits updated and proper, with all safety codes up to standards).

APPROVALS:

PROTESTS:

APPLICANT: NOAMI RODRIGUEZ

CONTACT: JAIME DELVEGA, ALFY CONSTRUCTION, 6944 ERIN CIRCLE, LAS VEGAS, NV 89145