



City of Las Vegas

Agenda Item No.: 127.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 12, 2006**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
VARIANCE

VAR-13245 PUBLIC HEARING - APPLICANT/OWNER: WARMINGTON HOMES OF NEVADA - Appeal filed by the applicant from the Denial by the Planning Commission of a Variance TO ALLOW FOR SINGLE FAMILY DWELLINGS WITH SIDE YARD SETBACKS OF TWO FEET WHERE THREE FEET IS THE MINIMUM SETBACK REQUIRED on 20.9 acres at the southwest corner of Hualapai Way and Farm Road (APN 126-13-710-001), PD (Planned Development Zone - Ward 6 (Rose)). The Planning Commission (6-0 vote) and staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report For This Application
3. Support Documentation
4. Justification Letter
5. Appeal Letter filed by L. R. Nelson Consulting Engineers, Inc.
5. Submitted after final agenda Protest by James and Carla Balsano

Motion made by STEVEN D. ROSS to Approve subject to conditions and adding the following conditions as read for the record as follows:

- A. All units shall be fire sprinkled and receive Fire Department approval.
- B. One lot shall be converted to open space and play equipment installed subject to approval of the Planning and Development Department.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

CITY COUNCIL MEETING OF: JULY 12, 2006

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, Kummer Kaempfer Bonner Renshaw and Ferrario, appeared on behalf of the applicant. She explained that Code requires a total of six feet from structure to structure, eave to eave. Currently the project offers five feet seven inches between eaves. ATTORNEY LAZOVICH has worked with COUNCILMAN ROSS' office and the Fire Department and acknowledged some additional conditions. She stated that all eaves are to be fire rated, and every unit within the project would be fire sprinkled. The project exceeds the open space requirement and ATTORNEY LAZOVICH outlined the many amenities provided. They have deleted Lot 133 in order to provide a tot lot and other age appropriate activities.

COUNCILMAN ROSS was pleased that the project will be sprinkled and he supported the request.

MAYOR GOODMAN declared the Public Hearing closed.

