



*City of Las Vegas*

Agenda Item No.: 51.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: JANUARY 24, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

**SUBJECT:**  
VAR-259C - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RICHARD P. BROOKS AND GRACHILLE GANTZLIKE - Request for a Variance TO ALLOW A SIX-FOOT, 10-1/2 REAR YARD SETBACK WHERE A 20-FOOT REAR YARD SETBACK IS REQUIRED FOR A PROPOSED 745 SQUARE FOOT ADDITION TO AN EXISTING SINGLE FAMILY RESIDENCE on 0.28 acres at 5789 Speaking Rock Avenue (APN 125-13-414-012) R-PD3 (Residential Planned Development - 3 Units Per Acre) Zone, Ward 6 (Ross)

P.C.: FINAL ACTION Unless Appeared Within 10 Days)

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	3	Planning Commission Mtg.	5
City Council Meeting	0	City Council Meeting	0

**RECOMMENDATION:**

**DENIAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letters
5. Photos
6. Protest Postcard/Support Petition
7. Submitted after final agenda Protest/Support Postcards
8. Submitted after meeting Recordation notice of Planning action and conditions of approval

Motion made by GLENN TROWBRIDGE to Approve subject to conditions and adding the following condition as read for the record: \*A. The addition area shall not be rented and shall not contain a kitchen.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0  
SAM DUNNAM, DAVID STEINMAN, RICHARD TRUESDELL, BYRON GOYNES,  
GLENN TROWBRIDGE, STEVEN EVANS, VICKI QUINN; (Against-None); (Abstain-None);  
(Did Not Vote-None); (Excused-None)

Minutes:  
CHAIRMAN GOYNES declared the Public Hearing open.

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DOUG RANKIN, Planning and Development Department, stated the request is a self-imposed hardship as the site is being over-built. He recommended denial.

BOB GENZER, Genzer Consulting, appeared with RICHARD BROOKS. MR. GENZER explained that MR. BROOKS had been working on an addition which would accommodate his mother-in-law and had learned that casitas or structures attached by a breezeway are not permitted in this area. MR. GENZER stated the solution was an underground recreation room which would be attached to the main home and the casita by a hallway. He noted the placement of the addition was limited by the existing pool and RV parking and pointed out that MR. BROOKS had obtained the approval of his adjacent neighbors and his Homeowners Association.

MR. GENZER informed COMMISSIONER EVANS that the development standards for this neighborhood had not addressed casitas and staff had opposed altering the development standards in order to address this situation. He explained that the underground room was the only way the casita could be attached to the existing home.

COMMISSIONER EVANS stated his only concern would be the potential impact on the neighborhood if the attachment is ever rented. He offered support as the neighbors were not opposed to the project. MR. GENZER noted that renting the addition would be difficult as it would not have any outside access.

COMMISSIONER TROWBRIDGE stated he could support the request with an added condition prohibiting the rental of the addition. MR. BROOKS stated his acceptance of all conditions.

In response to COMMISSIONER TROWBRIDGE'S questions, MR. GENZER stated the addition would appear to be a separate structure and MR. BROOKS explained that his mother-in-law would not typically use the stairs to the underground recreation room to access the main dwelling.

MARGO WHEELER, Director of the Planning and Development Department, assisted COMMISSIONER TROWBRIDGE in crafting the added conditions which prohibited the rental of the unit and the construction of a kitchen.

CHAIRMAN GOYNES declared the Public Hearing closed.