



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 28, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-25459 - APPLICANT/OWNER: BANI GRANADOS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-25459 - Staff Report Page One
February 28, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow two 58.86-foot wide lots, where 65-foot wide lots are the minimum required at 170 Pecos Street. The applicant is requesting the Variance in order to complete a three-lot residential Parcel Map. The applicant has provided demonstration of adequate setbacks, but has not shown the proposed dwellings on the site.

This request stems from the ratio of the property depth to the property width, which results in a unique circumstance that the anticipated three-lot subdivision will not meet the R-1 (Single Family Residential) Zoning District lot width standards. The three-lots will exceed the lot size and meet the required setbacks. Therefore, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/23/07	The Planning and Development Department received an application for a Parcel Map (PMP-24173) for a three-lot subdivision on 0.71 acres located approximately 225 feet south of Sunrise Avenue, between Pecos Street and Pearl Street. The above application is waiting for the approval of this Variance (VAR-25459) to continue through Parcel Map process.
06/08/05	A Code Enforcement Case (#30768) was initiated to stop the operation of a Salvage/Auto Storage Yard in a residential area. This case was resolved 08/10/05.
05/10/05	A Code Enforcement Case (#29823) was initiated to stop the operation of a Salvage/Auto Storage Yard in a residential area. This case was resolved 05/11/05.
11/04/03	A Code Enforcement Case (#6436) was initiated to resolve numerous inoperable vehicles parked in the back yard of the subject property, which were visible from the street. This case was resolved 01/16/04.
<i>Related Building Permits/Business Licenses</i>	
There are no related Building Permits or Business Licenses associated with this property.	
<i>Pre-Application Meeting</i>	
10/24/07	A Pre-Application Meeting was held to discuss the process of submitting a Variance for lot width. The applicant is requesting a Variance for two 58.86-foot lot widths where 65 feet is required.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held	

VAR-25459 - Staff Report Page Two
February 28, 2008 - Planning Commission Meeting

Field Check	
01/25/08	<p>A field check was performed by staff with the following observations:</p> <ul style="list-style-type: none"> • There is an existing house on the west side of this property. • There are vacant lots to the north and south of this property. • A sidewalk is located on the west side of the subject property, but no sidewalk is located along east side (North Pearl Street) of the subject property.

Details of Application Request	
Site Area	
Gross Acres	.71

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
North	Vacant	L (Low Density Residential)	R-1 (Single Family Residential)
South	Vacant	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
West	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

VAR-25459 - Staff Report Page Three
February 28, 2008 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Per Title 19.08.040, the following standards apply for the R-1 (Single Family Residential) Zoning District:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500 SF	7,368 SF	Y
Min. Lot Width	65 Feet	58.86 Feet	*N
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Rear	15 Feet	15 Feet	Y

* This Variance, if approved, will allow a 58.86-foot wide lot where 65 feet is required by Title 19.08.040.

ANALYSIS

• Land Use and Zoning

The General Plan Land Use designation for site has been L (Low Density Residential) on the Southeast Sector Plan. This request is not affected by any General Plan policies, as approval of the Variance is below the maximum density of 5.49 dwelling units per acre. The existing R-1 (Single Family Residential) zoning is in conformance with the L (Low Density) Residential Land Use Designation.

Although the applicant has requested a lot width that is narrower than what Title 19.08.040 allows, the resulting lots still exceed the minimum lot size required for the R-1 (Single Family Residential) Zoning District and this property has adequate site access from Pecos Street and North Pearl Street.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.

VAR-25459 - Staff Report Page Four
February 28, 2008 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.

This property has an unusually narrow parcel that is able to maintain the required density for the L (Low Density Residential) land use designation of 5.49 units per acre. This property is also able to maintain the R-1 (Single Family Residential) Zoning District standards for setbacks and lot size. The intent of the R-1 (Single Family Residential) Zoning District and the General Plan Designation of L (Low Density Residential) are satisfied with this request; staff recommends approval of this request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 151

APPROVALS 0

PROTESTS 4