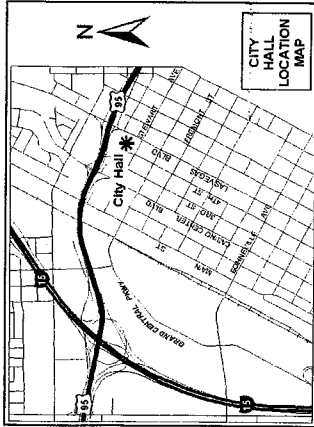


City of Las Vegas  
Office Of The City Clerk  
400 Stewart Avenue  
Las Vegas, Nevada 89101

## Return Service Requested Official Notice of Public Hearing

RECEIVED  
CITY CLERK

APR -2 P 2:08

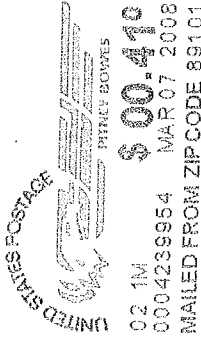


If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

I SUPPORT  
this Request

I OPPOSE  
this Request

Please use available blank space on card for your comments.  
**VAR-26243**



13932610053 Case: VAR-26243  
ATTISANI RICHARD V  
522 PARK WAY WEST

NIXIE 891 DE 1 00 03/29/08  
RETURN TO SENDER  
ATTEMPTED - NOT KNOWN  
UNABLE TO FORWARD

EC: 89101298699 \*0694-02026-07-46

8910684829 0074  
8910102988

Submitted after meeting  
Date 4/2/08 Item #92

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1 **VAR-26243 – PUBLIC HEARING – APPLICANT/OWNER: ALLEN TELES**  
2 **REVOCABLE TRUST - Council Review of a request for a Variance TO ALLOW AN**  
3 **EIGHT-FOOT FRONT YARD WALL WHERE FIVE FEET IS ALLOWED on 1.1 acres**  
4 **at 1500 Rancho Circle – Ward 1 (Tarkanian)**

5

6 **Appearance List:**

7 OSCAR GOODMAN, Mayor

8 LOIS TARKANIAN, Councilwoman

9 GARY REESE, Councilman

10 JOSEPH MILLER, Co-trustee, 1500 Rancho Circle

11 STEVE WOLFSON, Councilman

12 BRYAN SCOTT, Assistant City Attorney

13 MARGO WHEELER, Director, Planning and Development

14 LARRY BROWN, Councilman

15 VICKI WILLE, 920 Rancho Circle

16 JIM VELTMAN, 1601 South Rainbow Boulevard

17 SHARON GREENBAUM, 950 Rancho Circle

18 RICHIE CLYNE, 840 Rancho Circle

19 JEAN GEORGES, 701 Rancho Circle

20 ANTHONY HODGES

21 ELIZABETH BONGIOVI, 1450 Rancho Circle

22 PHYLLIS McGUIRE, 100, 200 and 300 Rancho Circle

23 JODIE DIAMANT, 330 Rancho Circle

24 STEVE ROSS, Councilman

25 JULIE HENDERSON, 601 Rancho Circle

26 RICKI BARLOW, Councilman

27 BART ANDERSON, Public Works

28

29 (1 hour 27 minutes)

30

31 Typed by: Lean Coleman/Doreen Araujo/Vicky Darling

32 Proofed by: Carmel Viado/Angela Crolli

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

33 **MAYOR GOODMAN**

34 Item 92 is VAR-26243. It's gonna be a public hearing. The applicant/owner is Allen Teles  
35 Revocable Trust. Council review of a request for a Variance to allow an eight-foot front yard  
36 wall where five feet is allowed on 1.1 acres at 1500 Rancho Circle. This is in Ward 1. The staff  
37 recommends denial. The Planning Commission recommends approval subject to conditions. It's  
38 a public hearing which is now open.

39

40 **COUNCILWOMAN TARKANIAN**

41 Mr. Mayor?

42

43 **MAYOR GOODMAN**

44 Yes.

45

46 **COUNCILWOMAN TARKANIAN**

47 I had several people, I don't know exactly how many, who called my office and asked about  
48 what time this would be on the agenda. And they said if, the off, they were told by members of  
49 my staff that if they arrived by two, that they would re, you know and I, well they did not, my  
50 staff did not know how many would be, you know, abeyed. So could we wait just another eleven  
51 minutes?

52

53 **MAYOR GOODMAN**

54 What I'll do is I'll take –

55

56 **COUNCILMAN REESE**

57 Ninety-three, ninety –

58

59 **MAYOR GOODMAN**

60 – the next matter, and then we'll call this as the last matter.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

61 **COUNCILWOMAN TARKANIAN**

62 Thank you very much.

63

64 **MAYOR GOODMAN**

65 You're welcome. No problem.

66

67 **COUNCILWOMAN TARKANIAN**

68 And I don't know if anybody else –

69

70 **MAYOR GOODMAN**

71 No problem.

72

73 **COUNCILWOMAN TARKANIAN**

74 – that's coming will come, but –

75

76 **MAYOR GOODMAN**

77 No problem.

78

79 **END OF RELATED DISCUSSION - RESUMED RELATED DISCUSSION**

80

81 **MAYOR GOODMAN**

82 Okay. Councilwoman. The time has passed.

83

84 **COUNCILWOMAN TARKANIAN**

85 The time has passed.

86

87 **MAYOR GOODMAN**

88 All right. I'll read Item 92 again, VAR-26243. The applicant/owner is Allen Teles Revocable

89 Trust. Council review of a request for a Variance to allow an eight-foot front yard wall where

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

90 five feet is allowed on 1.1 acres at 1500 Rancho Circle in Ward 1. The staff recommends denial.

91 The Planning Commission recommends approval subject to conditions.

92 Before we begin this, I have a disclosure that I have to make. My son, Ross, owns a piece of

93 property in the Rancho Circle. He, apparently, signed a petition in opposition to this particular

94 wall being built. I have discussed this with the applicant and told him that I'm gonna let him

95 make the call. I don't feel that – situation is going to affect my ability to sit fairly and do what I

96 think is right, ultimately, on this. But I gave him the choice. If he wants me to abstain and

97 recuse myself, I'll do that. If he has no objection, then I'm going to sit. Your call.

98

99 **JOSEPH MILLER**

100 I have no objections, Sir. You are allowed to take a vote on this.

101

102 **MAYOR GOODMAN**

103 Very good. Thank you. Okay.

104

105 **COUNCILWOMAN TARKANIAN**

106 And, Mr. Mayor, you had told me the applicant also had no concern about me, but I need to

107 check.

108

109 **MAYOR GOODMAN**

110 That's correct.

111

112 **JOSEPH MILLER**

113 I would like to say, for the record, I have, you're – correct. I will allow you to vote as well, Ms.

114 Tarkanian.

115

116 **COUNCILWOMAN TARKANIAN**

117 Okay. I just would like to read in my disclosure, however, if I could.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

118 **MAYOR GOODMAN**

119 Please, please.

120

121 **COUNCILWOMAN TARKANIAN**

122 My daughter does live in the Rancho Circle area. She does not live immediately adjacent to the  
123 property in question, but she does reside within the Rancho Circle neighborhood. I have not  
124 spoke (sic) with her regarding the specifics of this Variance, and she's not attempted to lobby me  
125 with regards to this proposal. I do not believe that this proposal regarding wall height on one lot  
126 will affect the property values within the Rancho Circle neighborhood. If it did, it would not  
127 affect my daughter's property to any lesser or greater degree than it would affect any other  
128 property owner's property within Rancho Circle.

129 And for these reasons, I do not feel that I have any conflicts and could not vote in good  
130 conscience on this item.

131

132 **MAYOR GOODMAN**

133 All right. Very good. So, we'll proceed. Be happy to hear from you.

134

135 **JOSEPH MILLER**

136 All right. My name is Joseph Miller. I'm a co-trustee on the property at 1500 Rancho Circle. If  
137 I might ask, I know, you can see there's a – very big turn-out, and I have kind of a little, quick  
138 summary I wanted to go over. Maybe I can clarify a lot of questions before they start coming up  
139 from all –

140

141 **MAYOR GOODMAN**

142 Certainly.

143

144 **JOSEPH MILLER**

145 – if you want to.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

146 **MAYOR GOODMAN**

147 This is your chance to –

148

149 **JOSEPH MILLER**

150 So, if you want to take a sit, I would walk through everything, so that everyone is on the same  
151 page.

152

153 **MAYOR GOODMAN**

154 All right.

155

156 **JOSEPH MILLER**

157 (Inaudible)

158

159 **MAYOR GOODMAN**

160 This is your opportunity to make your presentation and then, I'll open up the hearing to the  
161 public, and they'll be able to have an opportunity to express themselves.

162

163 **JOSEPH MILLER**

164 Thank you very much. Thank you, Mr. Mayor, and Councilmembers. Thanks for allowing me  
165 to speak. What I'd like to do is I'd like to give you a quick summary of what I think the issue is  
166 here. Second, is give you a number of precedents that has been set in this case. Third, is to  
167 basically clear up some confusion. And then let everyone speak.

168 And I know that our application letter outlines our request and the special circumstances that we  
169 face, or we think we face, in this development. The ex, the property – that we're talking about  
170 sits in Rancho Circle, and it's unique in a sense that it's a corner property. It's right on the entry  
171 way into Rancho Circle. And, the way the current house sits is it faces into the circle, and it's  
172 been, was built in 1954. I lived in this house for about three months, trying it to see if it was  
173 worth renovating or tearing down. And I've soon discovered it was almost uninhabitable. So, at  
174 that point, my partner came to the City and spoke to them about demolition or possibilities,  
175 etcetera.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

176 The City, at that point, told us that if we tore down the house, to be advised, that there's a  
177 precedence or presumption that says, if you have a corner lot, the shorter portion of the corner lot  
178 is considered the front; the longer portion is considered the side. So, regardless of how the house  
179 sat in the past, we understood it, from the City, that this is now the front and this is the side yard.  
180 That's the presumption; we didn't challenge it. The City said there had never been a variance  
181 requested to change that status. We didn't pursue it anymore; we just accepted it as fact. That's  
182 what the City said. So, having said that –

183

184 **MAYOR GOODMAN**

185 Would – you be kind enough to tell us who, at the City, advised you of that?

186

187 **JOSEPH MILLER**

188 I would have to find out. I do not know that.

189

190 **MAYOR GOODMAN**

191 Okay.

192

193 **JOSEPH MILLER**

194 But I will get to some other things about permits that it was signed off on and – City's been out  
195 there twice.

196 So, having said that, we met with an architect, engineers, etcetera, and had a house designed for  
197 this lot. The same time, I pulled a permit for this wall, since it is down the side of my property.

198 That permit was pulled, the City, we went through the same thing with the City, again, about  
199 what's the side, what's the front. The City confirmed that that's right, the Planning Department,  
200 and so, we built this wall.

201 Now, let me point out a couple things. While we were building that wall, someone in the  
202 neighborhood called Code Enforcement twice. Code Enforcement came out and stopped the  
203 building. The City confirmed both times we were compliant with the Code. We were adhering  
204 to the plans that we had submitted and – allowed us to finish the wall. That wall has been  
205 inspected. It's to Code, and everything else. So, in my mind, this wall that has created a lot of

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

206 interest in the community is not open for discussion. It's, again, it's to Code; it sits back 50 feet  
207 off the curb, etcetera.

208 What we're talking about today is these two things highlighted in yellow. That's what we're  
209 seeking the variance for. That's the only thing that I'm here for.

210 A couple points on this wall. I could have built, by Code, since this is the side of my property, a  
211 wall that was just a corridor-type wall right down the curb. It's my side property, and I could do  
212 that. I elected, given, knowing the beauty of Rancho Circle, understanding the historical nature  
213 of this, and I built a beautiful home two blocks away on Pinto Lane, I understand the value of  
214 this land, and I want to maintain that. And I wanted to build something that was beautiful and  
215 architecturally significant. Having said that, what we did was, you can see this wall is staggered.  
216 It is not a solid corridor wall. I didn't have to do that. The second thing is, we incorporated a lot  
217 of vertical open space. Again, I didn't have to do that, but I want to try to keep the park-like  
218 nature of the neighborhood. The third thing is, it sits back anywhere from four to 16 feet off of,  
219 off the curb, which is add another five feet, because my property line goes out in the middle of  
220 the street. All these are mitigating factors that we tried to make this as palatable as possible.  
221 Now, you know, in retrospect, if I knew it was gonna 'cause as much problems, would I've gone  
222 down this path? Probably not. But I mean it's too late. I, I've got architects, engineers, the wall  
223 is built. It's too late. And you can see, I also have a swimming pool in here. This is my side  
224 yard. So I have to have protection, you know, I don't think there's a person in Rancho Circle  
225 that's not worried about insurance issues, etcetera, about somebody falling in the pool and  
226 getting sued. So we put that up. The last thing, on the front here, I had this front wall set back  
227 50 feet, and then we have a 50 feet to the side wall that we're proposing as well, which all  
228 adheres to the City plans.

229 The last thing I want to say on this is the road frontage of my property, of the front yard, is 120  
230 feet. Approximately 60 feet of that is covered by this Variance. You're gonna hear that I'm  
231 trying make this a prison and enclose the whole thing. That's not true. This wall, again, is not  
232 an issue. It's to Code. This wall, here, is 60 feet out of 120.

233 Let's talk about some precedents now. If you go into Rancho Circle, well, here, let me just show  
234 you. For those of you that don't know, there is a side view of kind of what the wall looks like  
235 now. I don't know, now, that's very clear, but you can tell it's staggered. Here's kind of a view

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

236 when you look in, to give you an idea that, I mean, when I talk about a big vertical space, I'm  
237 not talking about a tiny space. They're – six, four or five feet wide, and they're gonna have  
238 wrought iron in them so that people can see in.

239 In regards to precedents, 725 Rancho Circle has a 10-foot block wall covered in stucco on the  
240 entire front of their property, 10 feet. There's (sic) no mitigating factors whatsoever. It's just a  
241 solid block wall, and there's a picture of that. 745 Rancho Circle; it has a six-foot concrete block  
242 wall down the entire front of the property, again, no mitigating factors. Not trying to make the  
243 community pretty, not trying to do anything; it's just a wall. There's a picture of that. 250  
244 Rancho Circle, which is almost directly across the street from me. There is 22 feet of block wall  
245 that's about six and a half feet high. It runs within six feet of the curb, parallel to the circle, and  
246 it makes a 90 degree turn, and goes straight down the property. Again, you can see, no  
247 mitigating factors; it's just a block wall, no – character, no nothing. 1450 Rancho Circle;  
248 starting six feet from the curb, they have a six-foot block wall that starts and goes back down the  
249 side of, it's their side wall of their property. It's not a front wall, but it's a side wall. It does  
250 adhere to the 50 feet setback that's required, if you want to follow Code. 701 Rancho Circle;  
251 six-feet (sic) block wall that starts approximately six feet from the curb, on both sides of the  
252 property, with no setback. And these are all pertinent because I'm not asking for anything  
253 different than already exists in this community. I want my privacy the same as they want their  
254 privacy.

255 To clarify some facts here, I'm not here asking for you guys to give me approval to do this wall.  
256 That wall is done. It's been permitted. It's – done. It's to Code; that's it. That's – off the table.  
257 Second thing is, the existing house and the garage are gonna be demolished. You're gonna hear  
258 that I'm not gonna tear them down. It's from me, on the record, they're coming down. Third  
259 thing is, the new house will face south, just as this picture indicates. Again, you're gonna hear  
260 things that I'm not doing that. It's on the record. The fourth thing is, this is my primary  
261 residence, when it's finished it's my primary residence.

262 Now, keep in mind, I'm an owner/builder, and I did a big house on Pinto Lane. And similar to  
263 what a gentleman said here earlier, I would think that the Council and the City would encourage  
264 people to do development in Ward 1. And I can say that the house I built on Rancho, you may, I  
265 mean on Pinto, you may like it, you may not, but it's a beautiful home. And I think, to date, it's

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

266 the most expensive home that's ever sold over there outside of a big, large estate that's just sold  
267 over there that we all know who, about a couple of months ago, a big multi-acre property. I  
268 think it's the most expensive one, and it drove property values up over there because right when  
269 we put ours on the market, anybody after that, that put a house up, the prices all sky rocket.  
270 I plan to do the exact same thing in Rancho Circle, to build a beautiful, big home, and increase  
271 the value of everyone's property in there.

272 I want to, in summary, remind you that I won a unanimous decision at Planning Commission.  
273 And it was one person who, Ms. Bongiovi, I'll give her credit; she did show up and – protest.  
274 She was the only one, at that point, that showed up.

275 Second thing is, I think that what I'd like to keep in mind, the precedence. I'm not asking for  
276 anything than anyone else in this community does not have. The third thing is, my property and  
277 one other property is unusual in here in the sense that every one that comes and goes out of  
278 Rancho Circle, I don't care if it's a delivery truck, I don't care if it's yard service or pool service  
279 or maid, has to go by my front door. I'm one of two properties in the whole community that can  
280 say that. No one else, I mean, that you can turn the Circle and go right, you don't see anybody  
281 left. You can turn the Circle and go left, you may not see anybody right. But I'm one of two  
282 properties; they run right by my front door.

283 So having said that, I'd appreciate your serious consideration on this proposal, and I'll open it up  
284 now to people. I'm sure they have a lot of comments on it. Thank you.

285

286 **MAYOR GOODMAN**

287 All right. Thank you very much. Are there any questions of this gentleman?

288

289 **COUNCILMAN WOLFSON**

290 Mayor Goodman?

291

292 **MAYOR GOODMAN**

293 Yes.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

294 **COUNCILMAN WOLFSON**

295 Just for clarification, to know exactly what we're being asked to do, Mr. Scott. First of all, the  
296 gentleman said that what he considers to be his side property is, in fact, his side property. That  
297 wall was constructed with permits. So, we're not deciding anything on his current eight-foot  
298 wall. Is that correct?

299

300 **BRYAN SCOTT**

301 That's correct.

302

303 **COUNCILMAN WOLFSON**

304 Okay. Could we go back to that prior drawing? No –

305

306 **BRYAN SCOTT**

307 The one with the yellow on it.

308

309 **COUNCILMAN WOLFSON**

310 The one with the yellow on it. The first one.

311

312 **JOSEPH MILLER**

313 This one here.

314

315 **BRYAN SCOTT**

316 The one at the dais or at the podium, there.

317

318 **COUNCILMAN WOLFSON**

319 Thank you. Are – we only being asked to determine whether or not this is his front yard or that's  
320 also been determined for us?

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

321 **BRYAN SCOTT**

322 No. I believe, according to our Code, and Margo could correct me on this, if the shorter side is  
323 the, considered to be the front, and he is requesting a variance of that wall from our normal five-  
324 foot height to a – I believe, an eight-foot height.

325

326 **COUNCILMAN WOLFSON**

327 Okay. So that's our sole –

328

329 **MARGO WHEELER**

330 If I may –

331

332 **COUNCILMAN WOLFSON**

333 – decision today.

334

335 **MARGO WHEELER**

336 – Mayor and Councilman, that's correct. The front lot line is set by both Title 18 and Title 19.

337 So that is not at issue either.

338

339 **COUNCILMAN WOLFSON**

340 Thank you.

341

342 **COUNCILWOMAN TARKANIAN**

343 Mister, Councilman Wolfson, could I just ask because I've asked this before, and I want to be

344 sure I have the right information. Was – something done or said by staff that they had to go to

345 that way and not be able to keep the front line the way it's been for 50 some years?

346

347 **MARGO WHEELER**

348 If I may –

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

349 **COUNCILWOMAN TARKANIAN**

350 Because his indication is that he was told he had to go that way.

351

352 **MARGO WHEELER**

353 If I may –

354

355 **JOSEPH MILLER**

356 No, I'd like – to make a correction.

357

358 **MAYOR GOODMAN**

359 Excuse me. Wait –

360

361 **JOSEPH MILLER**

362 No one told me –

363

364 **MAYOR GOODMAN**

365 Wait –

366

367 **JOSEPH MILLER**

368 Okay. I'm sorry.

369

370 **MAYOR GOODMAN**

371 Ms. Wheeler.

372

373 **MARGO WHEELER**

374 Thank you. The lot is merely the physical lot, whether there's a structure on it or not. The lot is

375 on a corner lot, as this one is, is determined that the shorter side is the front. Therefore, the front

376 of this lot is the case now and was the case in the past, regardless of whether there's a structure

377 or whatever way it faces. The lot is the lot, if you will, based on Title 18 and 19.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

378 **MAYOR GOODMAN**

379 Thank you.

380

381 **COUNCILWOMAN TARKANIAN**

382 Okay, and it doesn't matter if you said it or not. I just wanted to clarify it. Thank you.

383

384 **MAYOR GOODMAN**

385 And as I understand it, before we hear from those who wanna participate, he would be, the  
386 gentleman would be entitled without coming to us for any permission to build a five-foot wall, at  
387 this time?

388

389 **MARGO WHEELER**

390 Yes, Sir.

391

392 **MAYOR GOODMAN**

393 So what we're talking about now are three feet?

394

395 **BRYAN SCOTT**

396 Correct.

397

398 **MAYOR GOODMAN**

399 So, that's the issue. We have framed the issue, as people would say. Okay, we're talking about  
400 three feet of wall on the front, and that's it.

401

402 **JOSEPH MILLER**

403 Thank you.

404

405 **MAYOR GOODMAN**

406 So, when people are going to be making their statements, keep in mind that that is what's before  
407 us today: three additional feet on the front wall.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

408 **JOSEPH MILLER**

409 Would – you like me to leave this here or –

410

411 **MAYOR GOODMAN**

412 Yeah. I think it'd be helpful.

413

414 **JOSEPH MILLER**

415 Yes Sir.

416

417 **COUNCILMAN BROWN**

418 Your Honor. Mr. Miller?

419

420 **JOSEPH MILLER**

421 Yes, Sir.

422

423 **COUNCILMAN BROWN**

424 I just, likewise, the, I guess there's three issues that certainly have come to my attention that I  
425 think need to be addressed. One is, I'm not sure if we can resolve it, but there's certainly has  
426 been a breakdown in communication, as far as, you as a homeowner, builder, developer, and the  
427 neighborhood and possibly amongst staff a little bit. Secondly, is the Code, Margo, which I'll  
428 address to you. And third, I mentioned to one of the neighbors. In a gated community, such as  
429 this, there's a lot of deference given, not only to an individual homeowner but CC&Rs, which  
430 seem to have complicated this whole issue.

431 But as far as the communication, so I understand, because I've heard different stories like you  
432 had mentioned on the record. The plan that's on the overhead right now, that, is that a plan that  
433 has been submitted to the City?

434

435 **JOSEPH MILLER**

436 It has not. You mean – as far as the house?

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

437 **COUNCILMAN BROWN**

438 Yeah.

439

440 **JOSEPH MILLER**

441 I, no, it is – with the engineers right now. It's, the architects have finished, and I have to finish  
442 with it, but that is the model.

443

444 **COUNCILMAN BROWN**

445 But you have stated on the record, your intent is to demolish the existing home and build –

446

447 **JOSEPH MILLER**

448 A new home.

449

450 **COUNCILMAN BROWN**

451 – nicer than the Pinto one.

452

453 **JOSEPH MILLER**

454 Yes, Sir.

455

456 **COUNCILMAN BROWN**

457 Those are my words. So, during that demolition and regardless of the outcome here, right now,  
458 with your existing wall on the circle component and the rebuilding of a – new home, just as far  
459 as construction traffic, whatever is decided today, I would – anticipate you would kind've wait,  
460 so there's a least an opening to get all that activity on and off the property.

461

462 **JOSEPH MILLER**

463 I am open to two things on this. And to answer your question, you're right; there has been a  
464 breakdown in communication. And I have learned quickly that I can't say something to, I can't  
465 express what I want to do because by the time it works its way around, literally around the

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

466 Circle, it comes back and it's totally different. So, I have stopped, basically, just because I put  
467 out fires all day, and I got other things to do –

468

469 **COUNCILMAN BROWN**

470 Right.

471

472 **JOSEPH MILLER**

473 – besides worry about this wall. I have two options. Number one, our original intent was, and  
474 let me tell you why we put this wall up first. When we built this Pinto house, it was, I'm a true  
475 owner/builder. It was about a two to three year project on a big home. And our neighbors on  
476 Pinto were very tolerant of a construction site for two and a half years or three years. Even  
477 though we had the chain link fence, you could still see in there, and it's a mess. So, if we  
478 learned anything over there, we learned that probably what we should do is put the wall up first,  
479 landscape it, make it look nice outside. What goes on behind the wall, they don't see, and –  
480 trying to be good neighbors is what we were trying to do, is the attempt.

481 Now, our original plan was, once we got approval on doing this – little section of the wall that  
482 we're talking about, on the Variance, was we were gonna come in off this front and tear down  
483 the house. Haul it all out. That's all we needed. But we have since talked to some people, and  
484 if we get this Variance, we're gonna go in on this side over here and do it off of this back area  
485 and tear down. You know, and – I know there's concerns about how can they get equipment in  
486 there. There was just a back hoe over there two days ago, pulling out some trees. And if I have  
487 to pull down part of this wall to get in there, I will do that. But I've made a commitment that I'm  
488 tearing down that house, and I will do that. So, it shouldn't be a concern. I mean, a lot of things  
489 that you're gonna hear, I think, are chaff and might, I don't know if you're – familiar with the  
490 word chaff. In the military, you know, when somebody's trying to do a lock on the airplane,  
491 they throw out chaff to throw. It's just issues that, it's irrelevant to me, and I'm not trying to be  
492 sarcastic. These are things that the engineers and everybody else works (sic) out. It shouldn't be  
493 decided if I get this wall of how I'm gonna get equipment behind there.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

494 **COUNCILMAN BROWN**

495 Chaff is okay.

496

497 **JOSEPH MILLER**

498 Okay.

499

500 **COUNCILMAN BROWN**

501 I understand chaff. This isn't our first dance.

502

503 **JOSEPH MILLER**

504 Yeah.

505

506 **COUNCILMAN BROWN**

507 I know that, issue as far as communication, the existing wall, you stated today, that you're going  
508 do wrought iron in-between the existing openings?

509

510 **JOSEPH MILLER**

511 Correct. There will be wrought iron between, us. Correct.

512

513 **COUNCILMAN BROWN**

514 And is there going to be any, do you anticipate any landscaping, other than, I think one of the  
515 pictures had, maybe, turf or – something?

516

517 **JOSEPH MILLER**

518 Well, you know, we're – still, originally, we had planned to do a beautiful yard. I don't know  
519 that that's so outside the fence, if that's so, if I should do that now, given the water situation.

520 There will be ground coming out there. Our intent is, if you can see by this picture, this

521 neighborhood, if you've been over there, in the old days, there used to be a lot of big Elms all

522 around the Circle. A lot of them have died off, and people have taken them down. Our intent is,

523 between each one of these openings, is to put a big tree just like that one. And there's two of the

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

524 openings now that have big trees, and we wanna do that so that there will be big trees. And then  
525 there will be ground covering of some nature. I mean, we've been looking at the stuff that they  
526 did at Red Rock Casino. We liked the way they did it, and we're trying to be water conservation  
527 (sic), etcetera.

528

529 **COUNCILMAN BROWN**

530 With – the assumption of that wall is going to stay, I think, a nice landscaped corridor would –  
531 go a long way.

532

533 **JOSEPH MILLER**

534 And, well, let me show the Council, I'm sorry, just one more thing –

535

536 **COUNCILMAN BROWN**

537 Please.

538

539 **JOSEPH MILLER**

540 Just so you'll, here is an example. Maybe some of you aren't familiar with the Pinto house, but  
541 there is the wall that we put up over there. It's very similar. I mean, it's not the exact same wall;  
542 I'm not building the exact same house. But that wall, when it was being built, was an – ugly  
543 wall as well. I mean, until we got the landscaping done, did the berms, got the trees in, got all, I  
544 mean, it takes time. And – you know, I'm – asking basically for, it's hard to say trust me  
545 because I don't know these neighbors, but that's what I'm asking 'em. The finished product I  
546 have, and I have two other homes in Ward 1. I don't do schlock. I'm an owner/builder, and I'm  
547 moving into this house.

548

549 **COUNCILMAN BROWN**

550 Now is schlock a military term also?

551

552 **JOSEPH MILLER**

553 No –

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

554 **MAYOR GOODMAN**

555 No, that doesn't (inaudible).

556

557 **JOSEPH MILLER**

558 I'm sorry. That's probably not a politically correct word and I probably shouldn't use.

559

560 **MAYOR GOODMAN**

561 That's one of the – Mayor's terms.

562

563 **COUNCILMAN BROWN**

564 And – let me say –

565

566 **MAYOR GOODMAN**

567 And schlock, you know what it means? Schlock.

568

569 **COUNCILMAN REESE**

570 What does it mean?

571

572 **JOSEPH MILLER**

573 Well, I probably shouldn't use it. I apologize. That's not, I don't know if it's –

574

575 **COUNCILMAN BROWN**

576 But one of the things I will say is the neighbors have not questioned, those that spoke to my

577 office, have not questioned the quality of the product you've built.

578

579 **JOSEPH MILLER**

580 Okay.

581

582 **COUNCILMAN BROWN**

583 So, believe me, that's not, so let me move aside quickly but stay –

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

584 **JOSEPH MILLER**

585 Okay.

586

587 **COUNCILMAN BROWN**

588 – please. The Code, so I understand, the, and it’s interesting to me because my briefing from

589 you, Margo, indicated that this corner lot, Code indication, is a result of our traditional, what we

590 see, more traditional building in Las Vegas, where we have 20 homes on a – street and the corner

591 lots, we just designated the shortest one. And – you drew me a nice picture. We don’t have to

592 draw a picture.

593

594 **MARGO WHEELER**

595 If I may, it’s Code, but my – way too long explanation is by virtue of explaining why in Planning

596 history, it is that way. But it, but this interpretation is not an interpretation. It is the Code in

597 Title 18 and Title 19.

598

599 **COUNCILMAN BROWN**

600 And Mr. Miller made the comment that by Code, that he literally could go on the curb line and

601 build an eight-foot wall, the entire length.

602

603 **MARGO WHEELER**

604 Off the west side, once he is beyond the setback, which I believe is 35 feet in RE.

605

606 **COUNCILMAN BROWN**

607 Okay.

608

609 **MARGO WHEELER**

610 So beyond 35 feet to the north –

611

612 **COUNCILMAN BROWN**

613 He could put that right on the curb line.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

614 **MARGO WHEELER**

615 Yes, the eight feet.

616

617 **COUNCILMAN BROWN**

618 Or any developer.

619

620 **MARGO WHEELER**

621 That's correct.

622

623 **COUNCILMAN BROWN**

624 And part of our –

625

626 **MARGO WHEELER**

627 The west, on the west, not on the south.

628

629 **COUNCILMAN BROWN**

630 On the west.

631

632 **JOSEPH MILLER**

633 Over here.

634

635 **COUNCILMAN BROWN**

636 Understand.

637

638 **MARGO WHEELER**

639 The side –

640

641 **COUNCILWOMAN TARKANIAN**

642 Is that –

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

643 **MARGO WHEELER**

644 – facing the circle.

645

646 **COUNCILMAN BROWN**

647 And this –

648

649 **COUNCILWOMAN TARKANIAN**

650 Facing the circle?

651

652 **MARGO WHEELER**

653 Yes. I'm sorry, I saw a question. I was –

654

655 **COUNCILMAN BROWN**

656 No, that's okay. And, then I think we can take this opportunity to take a look at the Code  
657 because there's a little bit of a conflict between that, by right, not just for Mr. Miller, anybody  
658 that comes in on an unusual lot. And by the development standards in Chapter 19.08, the intent  
659 of establishing standards for development is, and it goes on to list a, b, c, d, e, to ensure new  
660 development will be, will contribute to the overall attractiveness, to increase design  
661 compatibility between abutting properties and land uses, and to reinforce a sense of community  
662 and preserve the integrity of neighborhoods.

663 Now, there's certainly an opinion, differing opinions here, but there seems to be, separate from  
664 what he's done, there seems to be conflict between someone in Rancho Circle putting 150 feet of  
665 eight-foot wall on a curb line, and what our intent of our development standards are. And I'm  
666 not sure if that is addressed by ordinance or by planning review. This – certainly shouldn't be  
667 taken into the context of most of the corner lot activity we see.

668

669 **MARGO WHEELER**

670 And my only answer, Mayor and – Councilman is that, and again I – do a bit of planning history,  
671 that single family homes are allowed the greatest latitude. There is the least amount of review on  
672 a single family home, on a single family lot, because, traditionally, that is the least – amount of

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

673 standards. There's (sic) setbacks and height and within that, pretty much, you do what you like.  
674 So, you're correct, that there is (sic) not design review standards on a single family home such as  
675 this and, therefore, the question as to whether or not an eight-foot wall on that, what is the side  
676 here, is in the best interest of – development, or rather architectural standards, can be questioned.  
677 But, again, in an RE or R1, your single family homes, you have the least amount of development  
678 and design standards.

679

680 **COUNCILMAN BROWN**

681 And even, Mr. Miller's examples of some of the existing, in – his words, precedent, inside  
682 Rancho Circle. They all appeared, and – I – didn't see every picture in great detail, but they all  
683 appeared to have at least four to six-foot setbacks. One may have had the utility box, so I  
684 wouldn't count that, but, so, I – guess Margo, is that, we'll close that chapter there by saying I  
685 think we take – a look at that to see if there's better definition in our development standards in  
686 Chapter 19.08 or my next point being, I agree with you, wholeheartedly, that the – City has  
687 given great deference to property owners, homeown (sic), single family homeowners especially,  
688 and in most cases, in my tenure on the Council, we have deferred in not exact similar cases, but  
689 pretty close, to a neighborhood CC&Rs. And I'm sure the neighbors will bring that up. 'Cause  
690 a lot of times, it's not up to the City to determine front yard, side yard, aesthetic value. It's really  
691 up to the neighborhood and the association to dictate that. So, I think – that's there.

692 And the only thing I wanna clear up, the final point I'll make in my opening comments, is the,  
693 and I'm not sure if it's semantics, the presumption that was made. Would we, the City, I think  
694 the presumption was that because the, although the house had traditionally faced the Circle,  
695 would we, from a staff perspective, say to anybody, not Mr. Miller, anybody that came in, say,  
696 well, you – we understand that orientation's like that, but we want you to create the opening  
697 down off the entrance.

698

699 **MARGO WHEELER**

700 If I may, again, Mayor and Councilman, no. Again, what the house does, which way it faces,  
701 what its address is, where it takes its driveway, that's entirely up to the property and the  
702 homeowner. Again, the – land use, if you will, the zoning code speaks to land, merely says

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

703 where the front and the side are. We're only interested in the lot, itself, and the way the setbacks  
704 are handled.

705

706 **MAYOR GOODMAN**

707 Okay.

708

709 **MARGO WHEELER**

710 How the house is built is irrelevant.

711

712 **COUNCILMAN BROWN**

713 That's fair enough.

714

715 **MAYOR GOODMAN**

716 All right. So, would it be a fair statement, then, that the way I framed the issue is the appropriate  
717 decision that we have to make, whether he's entitled to five feet. Right now, he's asking for an  
718 extra three feet.

719

720 **MARGO WHEELER**

721 Yes, Sir.

722

723 **MAYOR GOODMAN**

724 Are we gonna give it to him?

725

726 **MAYOR GOODMAN**

727 That's – what –

728

729 **MARGO WHEELER**

730 Yes, Sir.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

731 **MAYOR GOODMAN**

732 That's what before us today. Okay. Yes, folks. Please tell us your name and we'll see how long  
733 people go and, hopefully, you can limit your remarks to about three minutes a piece.

734

735 **VICKI WILLE**

736 Okay. My name is Vicki Wille.

737

738 **MAYOR GOODMAN**

739 By the way, let me – ask this. Are any folks here to speak in favor of the project? Okay, then  
740 what we're gonna do is use Robert's Rules here. We'll hear from this young lady and then we'll  
741 hear somebody in support, then we'll hear somebody against, somebody in support, until we run  
742 out of one or the other. And then we'll keep on going with the ones that wanna speak. Yes.

743

744 **VICKI WILLE**

745 Okay. My name is Vicki Wille. I live at 920 Rancho Circle. First of all, I'd like to –, I –  
746 presented this book yesterday to the Council to review, and we would like to have it placed with  
747 the Clerk to be on record. There is one change in there, and that is on the petition, on the 1500  
748 Rancho Circle Variance. It has been overnight. There were more signatures opposing this  
749 Variance, and we have, I have a copy of this for everybody to –

750

751 **MAYOR GOODMAN**

752 Very good. Would you be kind enough to hand them to the Clerk, and we'll make the –

753

754 **VICKI WILLE**

755 I'm sorry.

756

757 **MAYOR GOODMAN**

758 – booklet a part of the record.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

759 **VICKI WILLE**

760 Okay, and here's the book. Thank you. I have been asked by the majority of the residents to just  
761 represent the Circle, and again, I'm hoping that most of you have gone through the – book that  
762 we gave you yesterday.

763 First of all, it's repres, it's a representation of many of the houses that sit within the Circle today.  
764 And as you see, they all face the Circle, and they are very open estates. And I'd like to just put  
765 those on record here. This is Mrs. McGuire's home. I don't know where I put this. Right there,  
766 okay. Just some of the other homes with some of the way that the open gates are, so these are  
767 homeowners that live in the Circle, to show you this, to give you a representation. Then I  
768 wanted to make sure that everybody saw the way that this house, presently, this is what we are  
769 looking at every day and have for over a year of how this property stands today. And we just  
770 wanted it to be shown of the trash that remains on this property.

771 We've enclosed in the – packet on the – petition pages, there's actually two petitions, one for the  
772 – Variance and then one for the wall being removed. The Variance has been increased to 87  
773 percent of the homeowners wishing this Variance not to be allowed. And we also have Mr. Jim  
774 Veltman, who has an opinion letter in the packet, and Mr. Veltman is a city planner, and he does  
775 plan on making some statements.

776 I will say that we know there have been many emotions regarding this property. However, what  
777 we wish to clarify is that when a person buys in Rancho Circle, they have acknowledged and  
778 agreed to live and abide by the Rancho Circle Association Covenants and Bylaws. In your  
779 packet, Pages 24, 25, 26, towards the back, you will find the Certificate of Amendment to the  
780 Articles of Incorporation of Rancho Circle Association, dated June 19th, 1986. These were  
781 recorded with the Secretary of State in July of 1986 and with the Clerk in August of 1996 (sic).  
782 The proper order, we believe that the proper order has not occurred by the owners of 1500, by  
783 failure to abide by the Covenants and Bylaws of Rancho Circle Association, and the Variance  
784 should be denied and the present wall should be removed.

785

786 **MAYOR GOODMAN**

787 I don't know.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

788 **VICKI WILLE**

789 We appreciate your prompt attention to this matter, and we recommend you follow staff  
790 recommendation of denial. Thank you.

791

792 **MAYOR GOODMAN**

793 Now, you understand the removal of the existing wall –

794

795 **VICKI WILLE**

796 I under –

797

798 **MAYOR GOODMAN**

799 – is not before us?

800

801 **VICKI WILLE**

802 We understand that. We just wanted it to be on record today.

803

804 **MAYOR GOODMAN**

805 All right. That's fair.

806

807 **VICKI WILLE**

808 Okay.

809

810 **BRYAN SCOTT**

811 And Mayor –, just for the record.

812

813 **MAYOR GOODMAN**

814 Yes.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

815 **BRYAN SCOTT**

816 If there is an issue with regard to the covenants and restrictions in – Rancho Circle, that’s  
817 something that –

818

819 **MAYOR GOODMAN**

820 That’s a private matter.

821

822 **BRYAN SCOTT**

823 Correct.

824

825 **MAYOR GOODMAN**

826 That’s correct. That’s between the parties.

827

828 **VICKI WILLE**

829 Okay.

830

831 **MAYOR GOODMAN**

832 The City does not interject themselves in the conditions that neighborhood associations impose  
833 upon themselves.

834

835 **VICKI WILLE**

836 Okay.

837

838 **MAYOR GOODMAN**

839 Unless it affects the City directly.

840

841 **VICKI WILLE**

842 Thank you.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

843 **MAYOR GOODMAN**

844 Mr. Veltman.

845

846 **JIM VELTMAN**

847 (Inaudible)

848

849 **MAYOR GOODMAN**

850 You're – welcome to hear you now (sic). Oh, you're right. I forgot my own rules. Okay.

851 Somebody in support of the project, please. Please state your name.

852

853 **SHARON GREENBAUM**

854 Sharon Greenbaum, 950 Rancho Circle. Good afternoon. You know it, it's always surprising to

855 me that all the homeowners could look at this lot for 15 years when it was deserted and an

856 eyesore, but someone comes in and wants to spend a lot of money and upgrade the

857 neighborhood, and now all of a sudden, everybody's up in arms. I'm all for it, anything that

858 increases my property value. These people are lovely people. They've tried to do everything to

859 make everybody happy, but of course, it doesn't look like that's gonna happen. And the other

860 thing is, just like see, he said, when I was here on Valentine's Day, there were three of us; two

861 for it, one against it. I don't know what's happened in-between. But of course, no one came and

862 talked to us. Any way, I'm for it a hundred percent. I think it is a wonderful project. I've seen

863 their Spanish Oaks development. They did a fabulous job. I saw the Pinto property. It's

864 wonderful. We really need this, because we have properties in Rancho Circle that need a lot of

865 work and nothing's happening with them. So I'm very happy to see this take place. Thank you.

866

867 **MAYOR GOODMAN**

868 Thank you for coming down. All right. Opposed.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

869 **JIM VELTMAN**

870 Jim Veltman, 1601 South Rain, South Rainbow Boulevard. I'm an architect and a planner and  
871 I've been asked by Miss Wille to give some advice on this project. And that's how I became  
872 involved.

873 I sit on the Historic Preservation Commission. I've been looking at historic projects for five  
874 years, some of which we have won and others have been torn down. I also teach planning and  
875 land use controls at UNLV and I teach land use management at UNLV. That's my other job, so  
876 to speak.

877 Now, I took a look at Rancho Circle because I used to live just one subdivision west of Rancho  
878 Circle. I used to live on Rosemary and Ashworth, just around the corner from Lois' house. And,  
879 I know the, this area like the back of my hand and the thing that concerned me was, that this  
880 code selection of taking the shorter lot, or the shorter side of the lot, as being the front, would not  
881 apply to almost half of the lots along Rancho Circle because a lot of the lots along Rancho Circle  
882 have the longer dimensions facing the circle. So, you know, this is of somewhat arbitrary  
883 selection of the code to get it around an idea of using the shorter lot.

884 Now, I would not have selected the sides as the front lot. The same thing, we did very similar  
885 stuff like this in Tournament Hills, Eagle Hills in Summerlin, and the – front yard is not always  
886 the shorter lot. It is when you have a long deep lot in a normal subdivision, but this was a  
887 custom-designed private subdivision. And I think that's an important point, that the – walls that  
888 do show up along the circle are extensions of the side yards and are little turn-a-rounds and  
889 added walls to the side yard walls. The majority of the houses do not have any wall in front of  
890 them and are all open to the circle. The –

891

892 **MAYOR GOODMAN**

893 (Inaudible)

894

895 **JIM VELTMAN**

896 – location of the driveway, to me, is going to be the front entrance, is going to be a traffic  
897 problem, but not of a significant nature. It will be, you know, a traffic problem for the residents  
898 that come in. And – the only other lot that faces that entrance drive is 1600, which is the one

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

899 that has no choice but to do that. So, I would concentrate on the fact that; (a) the  
900 builder/developer has not followed the CC&Rs, has not informed the residents of what he's  
901 going to do, and (b) there are differences of opinion on the shorter lot being the front yard. And  
902 I think that – is subject to interpretation.

903

904 **MAYOR GOODMAN**

905 All right.

906

907 **JIM VELTMAN**

908 Thank you very much.

909

910 **MAYOR GOODMAN**

911 Thank you.

912

913 **JIM VELTMAN**

914 And I propose that you take staff recommendation and deny the Variance.

915

916 **MAYOR GOODMAN**

917 Okay. Thank you. All right. Anybody for the project? Please state your name.

918

919 **RICHIE CLYNE**

920 Richie Clyne, 840 Rancho Circle, Las Vegas. Good afternoon, Mayor and Council. I urge you,  
921 all of you, to pass this. And the reason why is, this property sat vacant for 15 years. We have a  
922 couple that are gonna spend millions of dollars improving the neighborhood and if they wanna  
923 an eight-foot wall, or a five-foot wall, I think we should give 'em the eight-foot wall. They're  
924 the ones spending the money. The neighborhood's not spending the money. The neighborhood  
925 has been up-in-arms because of the eight-foot side wall. And everybody's been told, that's  
926 illegal, they didn't have a permit, blah, blah, blah. And that's been the really rising up of the  
927 neighborhood, if the bottom line is.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

928 Other things are, the power pole that feeds the gate's community (sic) and the security gate, is  
929 (sic) on their property. They've agreed, if the, they have their Variance, they will leave that  
930 there. If not, they'll take it off and there'll be no security, there'll be no more gates, there'll be  
931 no more nothing. These people don't understand that. They just say yes, yes, yes, yes, yes. I  
932 don't know these guys from Adam. I didn't meet 'em till the, they were building the front wall  
933 there, so it's not like we go back a long time. Bottom line is, as an American, I think I've got a  
934 say so and I just think these people are getting shafted. So I urge you all to vote for it. Thank  
935 you very much.

936

937 **MAYOR GOODMAN**

938 All right. Thank you. Against, please. Against?

939

940 **JEAN GEORGES**

941 Yes. Thank you.

942

943 **MAYOR GOODMAN**

944 Yes.

945

946 **JEAN GEORGES**

947 Good afternoon, Mr. Mayor and Members of the Council. I'm Jean Georges. My address is 701  
948 Rancho Circle. I think you've all been in town long enough that you know the nature and the  
949 integrity of Rancho Circle. Almost every lawn in almost every front yard in that area is open  
950 and spacious. We also have a – concern with the back up of traffic, should there be large vece  
951 (sic), vehicles for demolition and reconstruction in that very narrow area that is our only ingress  
952 and egress. Traffic, trying to come in the area, would more than likely be backed up on Rancho  
953 Drive, which is definitely not a good thing.

954 I have just a couple of statements I want to make that are factual, but they will show that there is  
955 some emotion behind all of this. At the annual homeowners meeting on August 12<sup>th</sup>, 2007,  
956 unsolicited and not having been on the agenda, Mr. Sandy Miller approached Mrs. Ralph Litton  
957 and me, and said that he was a partner who was going to construct a temporary wall along,

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

958 around his property at 1500. Miss (sic) Litton and I both thanked him very much and said, we  
959 appreciated his consideration for the neighborhood because, he said that he didn't want us to  
960 have to look at this construction that was going on.

961 What he built was not a temporary wall. We expected something on the order of green mesh, or  
962 whatever, like it's around some of the Pinto prop, property that someone just recently purchased.  
963 It turned out to be this eight-foot block wall, with the façade on it, but it was definitely not  
964 temporary and he does not intend to tear it down. This is, you can understand, caused (sic) much  
965 distress and distrust in the neighborhood.

966 At a later date, in a phone conversation with me, Mr. Miller said he wanted to put up a high wall  
967 on property he and his partner remodeled on Pinto. And that there were protests from angry  
968 neighbors, and there was a lawsuit over that construction of the wall. But he said, he and his  
969 partner prevailed and the wall went up. In my opinion, this was an attempt at intimidation.

970 Mrs. Litton had also told me that Mr. Miller had approached her and said that there was a gris,  
971 disagreement over the wall on Pinto, but that they prevailed. Again, in my opinion, this was an  
972 attempt at intimidation. Mrs. Litton is here today in the audience, should you like to verify that.

973 So I respectfully request that you deny this request for a Variance.

974

975 **MAYOR GOODMAN**

976 All right. Thank you very much.

977

978 **JEAN GEORGES**

979 Thank you very much.

980

981 **MAYOR GOODMAN**

982 Thank you. All right. Anybody for the project? All right. Seeing none. Against?

983

984 **ANTHONY HODGES**

985 I want to speak – on the whole project (inaudible).

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

986 **MAYOR GOODMAN**

987 Well –

988

989 **ANTHONY HODGES**

990 I wanna be last.

991

992 **ELIZABETH BONGIOVI**

993 Hi. My name is Elizabeth Bongiovi and I live at 1450 Rancho Circle, which is directly across  
994 the Circle from this property. And, with these guys, I think they've gone about things a little bit  
995 sneaky. I'm just gonna give you a background of how things have come about to the point that  
996 they are. I don't know where I can put – this so you can see that up there. But, Mr. Miller, when  
997 he was just up here, he was trying to show precedent that there were two other properties in this  
998 Circle that had the tall front wall fences. One of them is here. It's 725 Rancho Circle. They  
999 have a tall wall across the front of their property here. And the reason being, is because the front  
1000 of their prop, property is, fronts the back of the two properties right across the street. And then,  
1001 Mr. Clyne's house, the previous owner, DiFrancisco, had built a two-story guest house there that  
1002 the previous owners here were concerned about people looking down into their yard. So that's  
1003 how they were able to build that fence. They are not facing other properties there.  
1004 The other property he referenced, 745 Rancho Circle, he's referencing a fence along the side of  
1005 their property. This fence also, on the other side of the street, is the back of these properties over  
1006 here. All of these properties face the Circle. This is (sic) their back walls. So, those two  
1007 properties, I don't think, are similar to theirs.

1008 And – some of the hard feelings that have come about, is (sic) when these gentlemen started  
1009 building the wall that exists –

1010

1011 **MAYOR GOODMAN**

1012 Yes.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1013 **ELIZABETH BONGIOVI**

1014 – now on the west side of the property. They told some of the homeowners that it was going to  
1015 be a temporary wall. And in fact, it has not been a temporary wall. And I think that was the way  
1016 for them to just kinda slide it past us. That’s the way I feel, and I’m sure a couple of the other  
1017 neighbors do. Slide it past us, that, okay, it’s okay for them to put the fence up there. But in –  
1018 reviewing the zoning, Title 18.04.310, that does designate the smaller links, or smaller portion of  
1019 the lot as the front, except in exceptional circumstances when the Planning Director, Miss  
1020 Wheeler, would have a say so as to determining which was the front. Now, I know this is not the  
1021 issue at hand right now, but we are upset about this fence they’ve put along the front of the  
1022 Circle, where all the rest of the properties, but I know it is the Variance here, it is up and I am  
1023 strongly against it.

1024

1025 **MAYOR GOODMAN**

1026 May I ask you this? Are – you strongly against it because you felt you were deceived as a result  
1027 of the wall on the western part of the property? Or are you strongly against it because you feel  
1028 that it’s aesthetically inappropriate for the – area?

1029

1030 **ELIZABETH BONGIOVI**

1031 I’ve been a licensed real abro, real estate broker for the past 23 years. The properties directly  
1032 across from ours, we don’t look out our front windows, so when I’m in my house, I’m not seeing  
1033 the fence. But in my experience in the real estate business, my father had a real estate company,  
1034 Jack Clark Realty. He did a lot of land and my experience of how this can affect the surrounding  
1035 properties, yes, has affected my feel, you know, my opinion on this.

1036

1037 **MAYOR GOODMAN**

1038 Okay. Thank you.

1039

1040 **ELIZABETH BONGIOVI**

1041 You know.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1042 **MAYOR GOODMAN**

1043 Very good. Okay. Anybody for the project? All right. Against? Yes (inaudible).

1044

1045 **ANTHONY HODGES**

1046 Okay. Is it time for me to get, are they through?

1047

1048 **MAYOR GOODMAN**

1049 Yeah, apparently they are.

1050

1051 **ANTHONY HODGES**

1052 Oh, okay. My name's Hodges. The reason I wanna speak for a second on this cause it, it's got it

1053 in big bold letters, that someone wants to build an eight-foot wall on the front where only five

1054 feet is allowed. Well, far as frontage on all the property, whether City or County, whatever,

1055 varies city to city, whatever, it doesn't matter, the frontage of property has to have where people

1056 can look down the street, sideways or across the street or whatever. The front should never be

1057 over five feet, be, for the few, for the good of us all. That's how you get your, you vandals,

1058 people who break in people houses, whatever, because, you know, the neighbors can't see what's

1059 going on. The point is, to the side of the property to the back of the property, you don't (sic)

1060 eight feet on the wall. But when you're talking about the front of the property and according to

1061 him, somebody already have up an eight-foot wall in front of the property. That's out of order.

1062 I'm sorry.

1063 So what I'm really trying to say, now this man is a contractor/builder, so he'll build this fortress

1064 that he's talking about and close up the whole thing, whatever. And then, two year (sic) later, he

1065 sell (sic) the place for a tremendous prof, profit and they need, the – homeowners on there,

1066 leaving with a big fortress, which is a – (sic) improvement, for the sake of improvements always

1067 good, bringing all kinds of values. But to close the front up and raise it above five feet, I'm

1068 against that, period, wherever it's at in the City. Thank you.

1069

1070 **MAYOR GOODMAN**

1071 I'm not sure whether he's for it or against it. Ms. McGuire. No – don't, no, I'm sorry.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1072 **ANTHONY HODGES**

1073 I'm against it.

1074

1075 **PHYLLIS McGUIRE**

1076 Mr. Mayor and Council, and with great respect, I say what I have to say. Mr. Miller –

1077

1078 **MAYOR GOODMAN**

1079 That's right. Everyone knows you, but for the record, you have to identify yourself.

1080

1081 **PHYLLIS McGUIRE**

1082 Oh, Phyllis McGuire and I live at 100, 200 and 300 Rancho Circle, and I've lived there since the

1083 40's, middle 40's or whatever, probably. But any way, I'm not, I'm for it, but I'm confused

1084 about what I'm against. I'm – very confused. Because I – Mr. Miller knows that I said I was

1085 thrilled because it's been an eyesore for years, but I do want to warn him that the man that lived

1086 there before, who was going to buy it, was killed instantly in a plane crash.

1087

1088 **MAYOR GOODMAN**

1089 Oh, boy.

1090

1091 **PHYLLIS McGUIRE**

1092 And then Mr. Veretta, who lived there, was killed instantly in an automobile crash.

1093

1094 **MAYOR GOODMAN**

1095 I'm outta here.

1096

1097 **PHYLLIS McGUIRE**

1098 So it's – , so I would –

1099

1100 **MAYOR GOODMAN**

1101 I just had a little grandchild today, so don't (inaudible) the story, please.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1102 **PHYLLIS McGUIRE**

1103 I – would be, I - , you did?

1104

1105 **MAYOR GOODMAN**

1106 I did. Yes.

1107

1108 **PHYLLIS McGUIRE**

1109 Jesus. But anyway, I would warn Mr. Miller and Mr. Jackson, for goodness sakes, get in there

1110 and sage and do something to change the energy. Because, you know, it's kinda –

1111 But I don't understand. I know we're here on one issue, it's the side wall, not –

1112

1113 **MAYOR GOODMAN**

1114 No.

1115

1116 **PHYLLIS McGUIRE**

1117 I mean. No, it's the front of the house, where the front of the house is going to be. My concern

1118 is that when people come in the Circle, there's only one entrance and one exit and that is, and

1119 that's only one. All of the trucks (inaudible) for his rebuilding, which I welcome after he makes

1120 sure he wants to be there, is – great, it will really cause a lot of congestion. It has to, because we

1121 built before and I built before and we all know. So, actually, Lil Higgs, I'm going way, way

1122 back, years ago and I owned that island in the middle. I owned half and she owns the other half

1123 and we allowed the City to put the – gate there so that we would have an entrance and it would

1124 be a gated community. So I'm going way, way back. But anyway, I'm for it if it could be

1125 worked out so that the people, the professional people, I think we have 12 doctors and attorneys.

1126 I mean we have people in there that have to function and every day getting to and from work and

1127 all that, if we can work it so that we don't have a lot of congestion.

1128 I was totally for this, one hundred percent, until yesterday afternoon at 3:30; I was bombarded

1129 with all of these –

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1130 **RICHIE CLYNE**

1131 You need me to give you the verbiage?

1132

1133 **PHYLLIS McGUIRE**

1134 The verbiage, yeah, give me the verbiage. In fact, I – called Richie Clyne and I asked him if he

1135 could please walk me around the – property and show me the lines and where it was gonna be

1136 and what was gonna happen. So what's the verbiage?

1137

1138 **RICHIE CLYNE**

1139 Mrs. McGuire would like to see on record that, Number One, the house will be raised and

1140 Number Two, all construction vehicles coming in and out of the Circle will use the Circle gate

1141 and not the gate on the entrance street. Correct?

1142

1143 **PHYLLIS McGUIRE**

1144 I think so.

1145

1146 **RICHIE CLYNE**

1147 That's what we (inaudible).

1148

1149 **PHYLLIS McGUIRE**

1150 I think that's it. We just don't need to –

1151

1152 **RICHIE CLYNE**

1153 Next to Daley's house.

1154

1155 **MAYOR GOODMAN**

1156 Wait. Wait. We don't do it this way. We don't shout back and forth and, we have to make a

1157 record on this. So if you – wanna come up and address us appropriately, I'd be happy to hear

1158 from you.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1159 **PHYLLIS McGUIRE**

1160 Okay.

1161

1162 **RICHIE CLYNE**

1163 Are we on?

1164

1165 **MAYOR GOODMAN**

1166 Yes.

1167

1168 **RICHIE CLYNE**

1169 What Mrs. Daley would, what Mrs. McGuire would like to see, is the vehicles coming in off  
1170 Rancho Drive instead of coming right in here on the property, make the right turn, go into the  
1171 Circle and use the back gate for construction vehicles, so there is no backlog here. That's what  
1172 she'd like to see on record. She'd also like to see that the house is raised and it doesn't stay the  
1173 same house.

1174

1175 **MAYOR GOODMAN**

1176 Well, Mr. Miller made both of those –

1177

1178 **PHYLLIS McGUIRE**

1179 Yes –

1180

1181 **MAYOR GOODMAN**

1182 – representations.

1183

1184 **PHYLLIS McGUIRE**

1185 He made that clear.

1186

1187 **VICKI WILLE**

1188 What I would like to point out is that, can you see that?

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1189 **MAYOR GOODMAN**

1190 Once you go for the record, you have to state your name.

1191

1192 **VICKI WILLE**

1193 Oh, I'm sorry. Vicki Wille, 920 Rancho Circle. Can you see this picture?

1194

1195 **MAYOR GOODMAN**

1196 Yes.

1197

1198 **VICKI WILLE**

1199 On the picture, if, when you came down the main lane and you took a right, you could get access

1200 onto this property and it – would be appropriate. Now, what he, they are saying that they're

1201 going to do, is they're going to turn left into the Circle, go all the way around.

1202

1203 **MAYOR GOODMAN**

1204 No, no, no, no.

1205

1206 **PHYLLIS McGUIRE**

1207 No.

1208

1209 **MAYOR GOODMAN**

1210 No. What they're saying is this. That they're going, because I, I've looked at the property, of

1211 course.

1212

1213 **VICKI WILLE**

1214 Okay, so they're gonna – take a huge chunk of that wall down?

1215

1216 **MAYOR GOODMAN**

1217 No, no, no, no, no. What – they're saying is, they're going to go down the, when you go past the

1218 guard gate, you'll continue to the first street, they will make a right –

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1219 **VICKI WILLE**

1220 Okay.

1221

1222 **MAYOR GOODMAN**

1223 – on that street, which is the western side of the property. They'll go through the rear of the  
1224 property and then enter the property from the rear.

1225

1226 **VICKI WILLE**

1227 So they're gonna go through, what they, they'll have to do is come down the wall and then  
1228 they're gonna go into this entrance, and you cannot cut a – construction truck into that entrance  
1229 at this time. You have to take part of that wall down.

1230

1231 **MAYOR GOODMAN**

1232 I – don't know the answer to that, but that's – the pathway that they were expressing.

1233

1234 **VICKI WILLE**

1235 Okay. So, he is gonna take part of that wall down.

1236

1237 **MAYOR GOODMAN**

1238 For purposes of getting –

1239

1240 **PHYLLIS McGUIRE**

1241 Of entering –

1242

1243 **MAYOR GOODMAN**

1244 – construction crew in there.

1245

1246 **VICKI WILLE**

1247 Okay.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1248 **PHYLLIS McGUIRE**

1249 Thank you –

1250

1251 **MAYOR GOODMAN**

1252 Thank you.

1253

1254 **PHYLLIS McGUIRE**

1255 – very much.

1256

1257 **MAYOR GOODMAN**

1258 Thank you. Yeah, we can do that. Yeah, that makes sense. Okay. Has everybody expressed  
1259 themselves? Wanna be fair here. Okay. One more and Councilwoman Tarkanian, please hold  
1260 your ears.

1261

1262 **JODIE DIAMANT**

1263 My name's Jodie Diamant. I live at 330 Rancho Circle. And I think it needs to be clarified that  
1264 it seems that people are saying we don't want him to build anything nice or we do want  
1265 something nice. I think we're all anxious or not anxious, happy that he wants to build something  
1266 nice to upgrade our neighborhood, but I think it needs to be within the character of the  
1267 neighborhood. And that's the big issue here. An eight-foot high wall, whether it be in the front  
1268 or even on the side, I think, really blocks off the properties, which is un, inconsistent with the  
1269 character of our neighborhoods. We're all happy that Mr. Miller wants to build a nice house and  
1270 spend a lot of money. Thank you.

1271

1272 **MAYOR GOODMAN**

1273 Okay. All right. Anybody else? All right. I'm gonna close the Public Hearing now and Mr.  
1274 Miller.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1275 **JOSEPH MILLER**

1276 Thank you, Mr. Mayor, and I'd like to thank everyone that came out. You can see there's a lot  
1277 of passion in this neighborhood, and I appreciate that. And I knew that when I bought in this  
1278 area. I'm not a new, newcomer; I'm new to Las Vegas in the last four or five years, but I'm not  
1279 new. Would you –

1280

1281 **MAYOR GOODMAN**

1282 No, nope, it's your turn.

1283

1284 **JOSEPH MILLER**

1285 I'm – not new to this area, so I, I've been through this before. I'd like to just comment on a  
1286 couple of things that were said. Number one, I would like a copy of this petition that went  
1287 around. I've never seen it. I don't know what it says –

1288

1289 **MAYOR GOODMAN**

1290 (Inaudible)

1291

1292 **JOSEPH MILLER**

1293 – and I think I'm entitled, as the applicant, to have that.

1294

1295 **MAYOR GOODMAN**

1296 Here we go.

1297

1298 **JOSEPH MILLER**

1299 Second of all, just to make a clarification, so they – just signed it. It doesn't say what, they're  
1300 just opposed to the Variance, okay.

1301 Second of all, to make a clarification, I understand, and Ms. Wille is to be commended for  
1302 bringing an expert in, but he said, and I'd just like to clarify this, I'm one of few, Phyllis has one,  
1303 I have one. there's (sic) only two or three corner lots in the entire subdivision. The rest of 'em,

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1304 yes, are on the Circle, but they're not corner lots. So, you know, Ms. McGuire has one; I have  
1305 one, and she has a side wall down hers, so that's fine.  
1306 The last thing, in regards to traffic problems, I, you know, I told Ms. McGuire I would honor her  
1307 thing, and it's on the record here. I will do as she asks me. I will get equipment in there, if that  
1308 means I have to pull some of that wall down, I will do that. That's a commitment. I don't know  
1309 if you seen the wall, but that's a lot of money I'm committing to tear down, to get in there and do  
1310 this right.

1311

1312 **PHYLLIS McGUIRE**

1313 I'll help you pay for it.

1314

1315 **JOSEPH MILLER**

1316 Thank you very much. You know, I made that commitment, but as far as traffic problems, if  
1317 you've been over there, this is not a high volume street. I mean, I can understand if I'm backing  
1318 trucks off of Rancho, that's not the case. Lastly, I'm an owner/builder. Most of the people that  
1319 live in Rancho Circle have never built a house on their own. Yes, they have 20 trucks and stuff  
1320 from – all the general contractors and all, I do all, most of the stuff myself. I don't have a whole  
1321 big cadre of people helping me. You know, there's me and my partner and maybe one other  
1322 person on site at any time. So a lot of those things are factors that don't apply to an  
1323 owner/builder who's not, I'm not acting as just a general. I'm out there physically doing labor,  
1324 and I've done it on the last three homes that I've worked on. So, it's not something new to me.  
1325 And lastly, I think that I would like to reiterate that when we voted on this item, or when it was  
1326 voted last time, we won unanimously. Second of all, I think there's a lot of precedence, and I  
1327 don't care, or it doesn't seem to me, as a layman, whether the wall is in the back of the  
1328 development or the front of the development or wherever. If it's in the development, it's  
1329 precedence, in my opinion. And I could say the same thing what, you know, I can make a lot of  
1330 excuses, but precedent is precedence. And – with regard to precedence, we've got a lot of side  
1331 walls that don't adhere to precedence. And so it's – the same, it's the slippery slope. If I can  
1332 have a side wall that comes up to the thing, well it's a slippery slope. Why can't I have this?

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1333 Now I will make this, I talked to Councilwoman Tarkanian yesterday. This front wall here,  
1334 currently we're requesting on our application that it's set back to eight feet. I'm willing to move  
1335 this one, this wall, not this one. I'm willing to move this wall back four more feet and over four  
1336 feet. So, in other words, I'm gonna have 54 feet this way and I will do 12 feet off the curb that  
1337 way and that's 12 feet off the curb plus my property line goes half way out in the street. So, I'm  
1338 willing to try to make it, you know, as palatable, and trust me, I'm not looking to make enemies  
1339 in here. I want to build a beautiful house and this is part of the architectural (sic). And I  
1340 appreciate your time and I – think that the merits of this case should speak for themselves (sic),  
1341 that we are trying to build a beautiful house and we're not doing anything out of the ordinary.

1342

1343 **COUNCILMAN WOLFSON**

1344 Mayor Goodman?

1345

1346 **JOSEPH MILLER**

1347 Thank you very much.

1348

1349 **MAYOR GOODMAN**

1350 Yes.

1351

1352 **COUNCILMAN WOLFSON**

1353 May I ask a couple of questions, one of 'em may be a little silly. In your proposed application,  
1354 how many, I'm not sure if this is the right term, linear feet is the portion that you're asking for a  
1355 consideration, from eight, from five feet to eight feet? In other words, the yellow –

1356

1357 **JOSEPH MILLER**

1358 Yeah.

1359

1360 **COUNCILMAN WOLFSON**

1361 – designation, how many linear feet are we talking about of wall?

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1362 **JOSEPH MILLER**

1363 Well I can't do math in my head, but we're talking about 60 feet of, 60 by three, so what's that,  
1364 60, that's one eighty, if I'm doing it right and plus this wall here, which is about 40 feet deep.

1365

1366 **COUNCILMAN WOLFSON**

1367 Well, now that's not what I'm talking about. Where you have your yellow lines –

1368

1369 **JOSEPH MILLER**

1370 Yes, Sir.

1371

1372 **COUNCILMAN WOLFSON**

1373 – which is the portion of the wall you want to go from five feet to eight feet, how much wall is

1374 that? You know, you –

1375

1376 **COUNCILMAN ROSS**

1377 It would be 60 feet.

1378

1379 **COUNCILMAN REESE**

1380 From A to B.

1381

1382 **COUNCILMAN WOLFSON**

1383 What?

1384

1385 **COUNCILMAN REESE**

1386 From A to B.

1387

1388 **COUNCILMAN WOLFSON**

1389 From A to B. That's a good way to put it.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1390 **JOSEPH MILLER**

1391 From here to here?

1392

1393 **COUNCILMAN WOLFSON**

1394 No. You've got three yellow lines. Correct?

1395

1396 **JOSEPH MILLER**

1397 Aha.

1398

1399 **COUNCILMAN WOLFSON**

1400 Okay. How many total feet of wall is that?

1401

1402 **JOSEPH MILLER**

1403 This one's 40, this one's about 30, 36 and this one's about 26. So that's 60.

1404

1405 **COUNCILMAN WOLFSON**

1406 (Inaudible) A hundred –

1407

1408 **JOSEPH MILLER**

1409 A hundred and two, but it doesn't run down the entire front of the property. One of 'em goes

1410 back, one of 'em –

1411

1412 **COUNCILMAN WOLFSON**

1413 No, I understand completely. Here's the silly question, and I'm just trying to understand both

1414 sides, if you will. Why is three feet so important to you? You know, why – do you need to have

1415 it at five feet when we're talking about such a small portion of the overall perimeter of your lot?

1416

1417 **JOSEPH MILLER**

1418 That's a valid question and that's just something architecturally that goes with the house. You

1419 know, Rancho Circle didn't always start as a gated community. And the people that lived in

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1420 there thought it was important that they have their own privacy. And they gated it, which is their  
1421 right to do. So the comment you and I, if we're not members can't go in there and we can't see,  
1422 and the neighbors I assume did that by design. They didn't want everyone in there looking at  
1423 their business.

1424 I am, you know, and so, the intent, whatever the intent might have been in Rancho Circle at the  
1425 beginning, it changed over time where they put a gate up so that everybody could go in there.  
1426 And things, I think, continue to evolve. I want the same privacy they want, but you know, and  
1427 so I want – And – plus, every truck that comes and goes out of this parking lot (sic) again, or out  
1428 of this development, there's only two houses that it has to run by its front door. It's mine and  
1429 this property right here that a Miss Keeter owns. That's it.

1430

1431 **COUNCILMAN WOLFSON**

1432 I guess my last comment would be, if this was 50 or 75 percent of the total perimeter, in other  
1433 words, what's on the street, I could understand, but you've got eight feet now for probably 80  
1434 percent or more of your property. That – eight-foot wall from – inside the Circle all the way to  
1435 that first portion where the yellow line is, is already all eight feet. So, 80 or 90 percent of the  
1436 view into your property, is already eight feet. And it, for what it's worth, that's just my  
1437 observation.

1438

1439 **JOSEPH MILLER**

1440 Thank you.

1441

1442 **MAYOR GOODMAN**

1443 All right. Any other questions?

1444

1445 **COUNCILWOMAN TARKANIAN**

1446 I think you have someone else who wants to speak.

1447

1448 **MAYOR GOODMAN**

1449 Well, these are different, you know. I gave everybody their turn.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1450 **COUNCILWOMAN TARKANIAN**

1451 Are you Mrs. Keeter?

1452

1453 **JULIE HENDERSON**

1454 No.

1455

1456 **COUNCILWOMAN TARKANIAN**

1457 Oh.

1458

1459 **MAYOR GOODMAN**

1460 I'll give you your turn but you came and gone.

1461

1462 **JULIE HENDERSON**

1463 Just real quick.

1464

1465 **MAYOR GOODMAN**

1466 All right.

1467

1468 **JULIE HENDERSON**

1469 I'm sorry. Good afternoon. My name is Julie Henderson. I live at 601 Rancho Circle. The  
1470 interesting thing about this community is that it is open yards, green trees, everybody can see  
1471 everything. We are a community. You wall off yourself, you might as well live in any other  
1472 part of Las Vegas because that's what makes Rancho Circle so desirable. You can be on the  
1473 other side if you want and walled it off and you'll look like the rest of Vegas. Rancho Circle  
1474 does not look like that and that's what's so appealing. I rest my case.

1475

1476 **MAYOR GOODMAN**

1477 Thank you.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1478 **JULIE HENDERSON**

1479 Thank you.

1480

1481 **MAYOR GOODMAN**

1482 All right.

1483

1484 **COUNCILMAN BARLOW**

1485 Mayor?

1486

1487 **MAYOR GOODMAN**

1488 Yes. Councilman Barlow.

1489

1490 **COUNCILMAN BARLOW**

1491 I have a question.

1492

1493 **MAYOR GOODMAN**

1494 Yeah, sure.

1495

1496 **COUNCILMAN BARLOW**

1497 Is it Mr. Miller?

1498

1499 **JOSEPH MILLER**

1500 Yes, Sir.

1501

1502 **COUNCILMAN BARLOW**

1503 Okay. Mr. Miller, looking at the overhead, going back to the overhead of the site plan here.

1504

1505 **MAYOR GOODMAN**

1506 (Inaudible).

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1507 **COUNCILMAN BARLOW**

1508 The wall to the west is eight feet?

1509

1510 **JOSEPH MILLER**

1511 Yes, Sir.

1512

1513 **COUNCILMAN BARLOW**

1514 Okay. And I believe, okay that's the west, so this would be the east portion which would be  
1515 your entrance. Is that, facing south –

1516

1517 **JOSEPH MILLER**

1518 This is – the south.

1519

1520 **COUNCILMAN BARLOW**

1521 I'm sorry, facing south.

1522

1523 **JOSEPH MILLER**

1524 Yes, Sir

1525

1526 **COUNCILMAN BARLOW**

1527 South, and the extent of the length of all the walls combined going in and out, is approximately  
1528 160 feet, total wall?

1529

1530 **JOSEPH MILLER**

1531 No. Well, this one here is 26 and this is 36. Now, there's a 40 feet where it goes back directly  
1532 into the property.

1533

1534 **COUNCILMAN BARLOW**

1535 Right. And – also, point to the adjacent one. Yes, Sir. How much wall are we talking about  
1536 there?

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1537 **JOSEPH MILLER**

1538 I think that's about 40 feet as well.

1539

1540 **COUNCILMAN BARLOW**

1541 Okay, so we're –

1542

1543 **JOSEPH MILLER**

1544 But that is in compliance. That – sits back 50 feet from my property line.

1545

1546 **COUNCILMAN BARLOW**

1547 I – understand. I'm just – looking at it from the south portion as far as how much wall and linear

1548 feet we're talking about. And each one of those segments of that wall is proposed to be eight

1549 feet. Correct?

1550

1551 **JOSEPH MILLER**

1552 Correct.

1553

1554 **COUNCILMAN BARLOW**

1555 Though the entire parameter of your property will have a – eight foot wall.

1556

1557 **JOSEPH MILLER**

1558 No, Sir. The west side and the south side will. The north side does not, nor does the east side.

1559

1560 **COUNCILMAN BARLOW**

1561 What's – on the north and the east?

1562

1563 **JOSEPH MILLER**

1564 The north side, I think it's about a five or six foot tall wall. I'm not exactly sure how high it is.

1565 It's an existing wall and the same thing on the east side.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1566 **COUNCILMAN BARLOW**

1567 What – can you see, what do you see looking outwardly from your property on the north and the  
1568 east?

1569

1570 **JOSEPH MILLER**

1571 On the north, I look back into a big estate; it's about a three-acre estate. But there are big  
1572 oleanders on some of it. I've trimmed some of 'em. I – thought they were mine. They weren't.  
1573 I didn't realize they weren't on my property, but they'll grow back. But there was like a big  
1574 oleander screen.

1575

1576 **COUNCILMAN BARLOW**

1577 So from a traffic viewpoint, there was, there would actually be no view of the home inside of the  
1578 property?

1579

1580 **JOSEPH MILLER**

1581 Well, partially yes, partially no, and the way I say that, when you drive in, you drive in like this.  
1582 There is no wall on this side, so you'll be able to look directly over that into the side of the  
1583 house. That makes sense when you're driving in. And then here's an opening here and to give  
1584 you again, a picture, when we're talking about the size of these openings, you know, they're  
1585 quite significant in size. It's not, I don't have an opening this big. They're like this wide. And  
1586 so you can see it and you can see from that picture, when you walk down there, it, and this is  
1587 walking right down the road, it's not, you know, there's a good view, vision in that property. It's  
1588 not like I am –

1589

1590 **COUNCILMAN BARLOW**

1591 Okay. Let me – ask you this question. You've mentioned earlier that you were looking to bring  
1592 in trees to fill in that gap. Correct?

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1593 **JOSEPH MILLER**

1594 Correct.

1595

1596 **COUNCILMAN BARLOW**

1597 And over the years, with trees growing in size, it will also be a screening from the actual view  
1598 looking into the property. Correct?

1599

1600 **JOSEPH MILLER**

1601 Yes. But these are, I'm talking about bigger trees, not shrubs. I'm talking about trees that will  
1602 grow up over this fence in time just like this one here. In time, they'll be up above the wall.

1603

1604 **COUNCILMAN BARLOW**

1605 Okay. But going back to the south side.

1606

1607 **JOSEPH MILLER**

1608 Yes, Sir.

1609

1610 **COUNCILMAN BARLOW**

1611 The wall that you're requesting is eight feet which will – actually be eight feet to the south and  
1612 eight feet to the west, the perimeter of your property. Correct?

1613

1614 **JOSEPH MILLER**

1615 That's correct.

1616

1617 **COUNCILMAN BARLOW**

1618 Okay – Do you have any other views of your wall that you can show?

1619

1620 **JOSEPH MILLER**

1621 Yes, Sir.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1622 **COUNCILWOMAN TARKANIAN**

1623 I think that's the Pinto – wall, at the bottom.

1624

1625 **JOSEPH MILLER**

1626 No, it's not.

1627

1628 **COUNCILMAN BARLOW**

1629 Oh no, that's the same one.

1630

1631 **COUNCILWOMAN TARKANIAN**

1632 That's the same one from the same angle.

1633

1634 **JOSEPH MILLER**

1635 There's the façade. I didn't mention that when we're talking about this wall, it's not a standard  
1636 run-of-the-mill brick wall. You can see it's got an expensive imported façade on it. Each one of  
1637 these columns in time will be covered in slate. Each one of the – columns has lights on it. There  
1638 will be column caps on the top of each one of these columns. There'll be wrought iron between  
1639 each one of these or ironwork. You know, it's – a different wall than anything exists in there.  
1640 And again, we try to understand, I understand the value of this neighborhood, trust me. I didn't  
1641 buy here blindly or just happened to stumble upon this neighborhood. I want to build something  
1642 significant in here and I am doing an architectural masterpiece, at least in my mind. And I think  
1643 that a lot of buyers, that if there ever happens to be, this thing goes on the market, it'll be the  
1644 same thing. It is a beautiful home. It's not, I'm not building just a block wall. And it, there's a  
1645 lot of money in it.

1646

1647 **COUNCILMAN BARLOW**

1648 Right, but at question today is not the home, at question today is the wall.

1649

1650 **JOSEPH MILLER**

1651 Yes, Sir.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1652 **COUNCILMAN BARLOW**

1653 Okay. And – I can respect that. And – I’m with you as far as building a beautiful home for the  
1654 interior, but today at hand, we’re talking about the wall. So, as far as the – height of the wall,  
1655 I’m still not sure as to what the hill-to-die-for over the three foot difference, the, or two-foot  
1656 difference from what’s proposed on the front. Margo, is six feet –

1657

1658 **MARGO WHEELER**

1659 Yeah, if I –

1660

1661 **COUNCILMAN BARLOW**

1662 – traditionally by Code?

1663

1664 **MARGO WHEELER**

1665 – if I may real fast. The Mayor asked the question and framed the question early, that are – we  
1666 deciding between the five feet and the eight feet. And that is correct, but the last thing I wanna do  
1667 is complicate this, but I wanna add that the eight feet cannot be built in the front yard. So in this  
1668 case, the eight feet could be built without variance, 30 feet back. So, you, the – variance is  
1669 necessary for the eight feet where it’s located and there, where they’re proposing, it could only  
1670 be five feet. But were this wall to be set back four, 30 feet from the property line, then it could  
1671 be eight feet or whatever height they wanted it to be –

1672

1673 **MAYOR GOODMAN**

1674 And how far – back –

1675

1676 **MARGO WHEELER**

1677 – because that’s beyond –

1678

1679 **COUNCILMAN BARLOW**

1680 Okay, then let’s go back to the other –

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1681 **MAYOR GOODMAN**

1682 How far back, excuse me –

1683

1684 **MARGO WHEELER**

1685 The proposal is now, as you saw the two yellow sections.

1686

1687 **MAYOR GOODMAN**

1688 Right.

1689

1690 **MARGO WHEELER**

1691 The section to the east and, which is to the right, is set back 16 feet and the proposal is, what you

1692 see on the screen is the other yellow section, is now proposed at eight feet and the applicant

1693 indicated he'd be willing to go 12. So, it's the difference between 16 and 12 or both of them

1694 being moved back to 30 feet.

1695

1696 **COUNCILMAN BARLOW**

1697 Where would 30 feet be on this – overhead?

1698

1699 **MARGO WHEELER**

1700 Well, you can see–

1701

1702 **BRYAN SCOTT**

1703 Councilman –

1704

1705 **MARGO WHEELER**

1706 – the right hand side is 16, so about double that.

1707

1708 **COUNCILMAN BARLOW**

1709 If – you would actually –

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1710 **BRYAN SCOTT**

1711 So, if you would move those pictures off of there, you'd probably see it better.

1712

1713 **COUNCILMAN BARLOW**

1714 Yeah, move the pictures back for a second.

1715

1716 **JOSEPH MILLER**

1717 Okay.

1718

1719 **COUNCILMAN BARLOW**

1720 Because from my understanding, looking at the map, and I don't know if these measurements are

1721 to spec, but the line that, the line that's not in question; put – your finger there just for a second.

1722

1723 **JOSEPH MILLER**

1724 This one? Or this one?

1725

1726 **COUNCILMAN BARLOW**

1727 To your, right there. That's 50 feet from –

1728

1729 **JOSEPH MILLER**

1730 Fifty feet from the curb, which if I – don't know, but I think my property line is in the middle of

1731 the street. So when I say 12 feet, I'm from the curb, I'm not from my property line, if that's

1732 correct. So I'm more than 12 feet back from my property line.

1733

1734 **COUNCILMAN BARLOW**

1735 Well, your property line will be in the street, which is, will be in question within itself because it

1736 would have to be some level of right-of-way, being that it's the street. So where, so in essence,

1737 it will come from the back of the curb.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1738 **JOSEPH MILLER**

1739 Okay.

1740

1741 **MARGO WHEELER**

1742 I'm sorry. It's the ease, Bart, if you will.

1743

1744 **BART ANDERSON**

1745 The streets in question –

1746

1747 **MAYOR GOODMAN**

1748 Please identify yourself for the record.

1749

1750 **BART ANDERSON**

1751 I'm sorry. Bart Anderson, Public Works. The streets in question are private streets and they  
1752 aren't private streets that occupy a lot onto themselves. They are easements overlying each  
1753 person's lot that participates in the private street.

1754

1755 **COUNCILMAN BARLOW**

1756 Correct.

1757

1758 **BART ANDERSON**

1759 So technically, the hard property line is the center of the street. Then the easement coincides  
1760 with the back of curb line, which is the effective front of the lot, though the hard property line is  
1761 technically in the center of the street.

1762

1763 **COUNCILMAN BARLOW**

1764 Okay.

1765

1766 **MAYOR GOODMAN**

1767 And then how many – feet is the center of the street to what appears to be the curb?

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1768 **BART ANDERSON**

1769 I – don't have that information in front of me, but I can probably find out in a few minutes.

1770

1771 **COUNCILMAN WOLFSON**

1772 Well the question is –

1773

1774 **MAYOR GOODMAN**

1775 I don't want him to take us to court, and we lose.

1776

1777 **COUNCILMAN WOLFSON**

1778 Mayor – Goodman?

1779

1780 **BRYAN SCOTT**

1781 So this is a –

1782

1783 **MARGO WHEELER**

1784 The 30 feet is beyond the curb, behind the curb.

1785

1786 **COUNCILWOMAN TARKANIAN**

1787 Yeah, that's – what I was, we were discussing. I checked this out so many times before today.

1788 You start behind the curb. You don't start from the middle of the street –

1789

1790 **MARGO WHEELER**

1791 There are other areas.

1792

1793 **COUNCILWOMAN TARKANIAN**

1794 – because that's the street that people have to go down.

1795

1796 **MARGO WHEELER**

1797 That's correct.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1798 **COUNCILWOMAN TARKANIAN**

1799 I mean, that's what I was told by legal, by Planning, by everybody I asked.

1800

1801 **MARGO WHEELER**

1802 Correct. Yes, yes.

1803

1804 **BRYAN SCOTT**

1805 So, probably – as an educated guess, probably a (inaudible) where it says 1500 Rancho is

1806 probably 30 feet, where it says 1500 Rancho on this little map –

1807

1808 **JOSEPH MILLER**

1809 Right.

1810

1811 **BRYAN SCOTT**

1812 – may be about 30 feet.

1813

1814 **COUNCILMAN BARLOW**

1815 And – Mayor, this is what I was getting at, and I don't want to belabor the, this meeting here

1816 today, but to the applicant, Mr. Miller, and – I don't know, Councilwoman, I – don't want – to

1817 derail what you have going on, but what would, what level of impact would it be for you to move

1818 it back to Code, an – additional 12 feet on what you have already, you've already proposed, and

1819 you're within the length of Code. It doesn't appear to me that it would affect the beautiful home

1820 that you will be building to the inside. Can you speak on that?

1821

1822 **JOSEPH MILLER**

1823 I can – speak to the fact that I can appreciate what you're saying. This is how we have chose

1824 (sic) to architecturally design this house. The walls are part of the living space of the outside of

1825 this house; it's an indoor/outdoor house. There's a lot of outdoor living space on the front of

1826 this. You can't see it, but there's some water features out here that aren't on the thing. There's a

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1827 big outdoor patio and stuff and that's just the way the house was designed. It's not, you know, I  
1828 didn't do it intentionally.

1829

1830 **COUNCILMAN BARLOW**

1831 No, but what I'm asking you specifically is, would you be willing to meet us half way and adjust  
1832 it and fall within Code and you would have your eight feet?

1833

1834 **JOSEPH MILLER**

1835 What I, what I've agreed to do is to move the wall back from my requested eight feet to 12 feet  
1836 and to move it over four feet that way. As far as lowering the height of the wall, I will not agree  
1837 to that at this time. No, Sir.

1838

1839 **COUNCILMAN BARLOW**

1840 I'm not saying lower the height of the wall, I'm saying if you move it back to the, where the  
1841 Code states you – may have it 20 to 30 feet back, you will fall within Code and you will have  
1842 your eight feet. I'm just trying to find a happy medium somewhere, but – you don't – have to  
1843 agree to that. I was just basically putting that out there as a proposal and – you have your right  
1844 as – an applicant to stand on your position. I can respect that. Thank you.

1845

1846 **JOSEPH MILLER**

1847 Thank you.

1848

1849 **BRYAN SCOTT**

1850 And, Mayor and Council, that's where the applicant's creating his own hardship, in the sense –  
1851 that if he were to move it back to that degree, he could build an eight-foot wall. He's building it  
1852 within the buffer area, if you – want to call it that, whereby he needs a variance. His Variance  
1853 application really doesn't meet our Code with regard to a request for a variance. He's gotta  
1854 prove that the determinations under 19.18.04L, Sub-paragraph 2, that those things are present in  
1855 this particular application. And I don't know if he's proven that yet.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1856 **MAYOR GOODMAN**

1857 Well, let, give us the standard again, please.

1858

1859 **BRYAN SCOTT**

1860 Whereby reason – of exceptional narrowness, shallowness or shape of a specific piece of  
1861 property at the time of the enactment of the regulation or by reason of exceptional topographical  
1862 conditions or other extraordinary or exceptional situation or condition of the piece of property,  
1863 the strict application of any zoning regulation would result in peculiar and exceptional practical  
1864 difficulties to, or exceptional and undue hardships un, upon, the owner of the property, a  
1865 variance from that strict application may be granted so as to relieve the difficulties or hardship, if  
1866 the relief may be granted without substantial detriment to the public good, without substantial  
1867 impairment of affected natural resources and without substantially impairing the intent and  
1868 purpose of any ordinance or resolution.

1869 So he's got a big burden to meet to determine, to show that this is not a self-imposed hardship,  
1870 but is a hardship as a result of the size of the property. And normally, height doesn't, there's no  
1871 real hardship with regard to height. That, all that –

1872

1873 **MAYOR GOODMAN**

1874 All right. Thank you.

1875

1876 **BRYAN SCOTT**

1877 – type of hardship would be self-imposed.

1878

1879 **MAYOR GOODMAN**

1880 All right. Thank you very much.

1881

1882 **COUNCILMAN WOLFSON**

1883 I'm sorry. May I ask two more questions, please?

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1884 **MAYOR GOODMAN**

1885 Sure. By the – time I get to see my grandchild, she’ll be – three years old. This is the most  
1886 amazing thing I’ve been through in my life.

1887

1888 **COUNCILMAN WOLFSON**

1889 Well, we’re being – asked to make a decision which is going to –

1890

1891 **MAYOR GOODMAN**

1892 No, I understand. I was being –

1893

1894 **COUNCILMAN WOLFSON**

1895 I know you were. I know you long enough, I know you were.

1896

1897 **MAYOR GOODMAN**

1898 – joking.

1899

1900 **COUNCILMAN WOLFSON**

1901 We’re being asked to make a decision that will affect you and – you folks and these are the last  
1902 few facts I need, I don’t even know what the motion’s going to be yet, but in order for me to  
1903 decision what is reasonable and what – is not reasonable. I’m still unclear as to how many more  
1904 feet he must move those three yellow walls to get to the 30-foot point where he doesn’t have to  
1905 ask for us permission to build it at eight feet.

1906

1907 **MARGO WHEELER**

1908 The yellow wall that you see on the right –

1909

1910 **COUNCILMAN WOLFSON**

1911 Yes.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1912 **MAYOR GOODMAN**

1913 – the right-hand one?

1914

1915 **COUNCILMAN WOLFSON**

1916 Yes.

1917

1918 **MARGO WHEELER**

1919 – would have to go back 14 more feet.

1920

1921 **COUNCILMAN WOLFSON**

1922 Okay.

1923

1924 **MARGO WHEELER**

1925 The yellow wall, the Horton, the – east/west, as you see it, yellow wall to the left –

1926

1927 **COUNCILMAN WOLFSON**

1928 The one under Ranch?

1929

1930 **MAYOR GOODMAN**

1931 Yes.

1932

1933 **MARGO WHEELER**

1934 Yes.

1935

1936 **COUNCILMAN WOLFSON**

1937 Okay.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1938 **MARGO WHEELER**

1939 He's saying 12, so it would have to be an additional 18 feet. And then the section, the yellow  
1940 section that runs north/south now also goes to 12, as he's proposing, so that also would go back  
1941 18 feet.

1942

1943 **COUNCILMAN WOLFSON**

1944 And my second question, and last question is, you have plans to build a home there, correct?

1945

1946 **JOSEPH MILLER**

1947 Yes.

1948

1949 **COUNCILMAN WOLFSON**

1950 How many square feet is the home that you plan to build?

1951

1952 **JOSEPH MILLER**

1953 Ten thousand six hundred ninety-three.

1954

1955 **COUNCILMAN WOLFSON**

1956 Okay. So, logic would say that if you were to move these three walls, the 14 feet, 18 feet and 18

1957 feet, you would have to consider reducing the square footage of your home by a certain

1958 percentage, is that right? And logic says if you're going to move the walls, you may either

1959 shorten your backyard –

1960

1961 **JOSEPH MILLER**

1962 But – could I, but the setback, I'm already hitting the setbacks on the back. The – issue is, on the

1963 one wall, as you can see, I've got a motor court there.

1964

1965 **COUNCILMAN WOLFSON**

1966 What's a motor court?

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1967 **JOSEPH MILLER**

1968 Well, because of the fact I'm coming off the main street –

1969

1970 **COUNCILMAN WOLFSON**

1971 'Kay.

1972

1973 **JOSEPH MILLER**

1974 If you go in this garage, this is a garage here, we want the ability to be able to turn around and

1975 come out back out forward, so you're not backing out onto that street. And so there is a

1976 driveway in there, which I think people would want us to have, and not back out onto the street.

1977

1978 **COUNCILMAN WOLFSON**

1979 And that's because you have a garage to park a motor coach?

1980

1981 **JOSEPH MILLER**

1982 No, no, it's a regular two-car garage. It's –

1983

1984 **COUNCILMAN WOLFSON**

1985 Okay, but you, it's the type of driveway where you can –

1986

1987 **JOSEPH MILLER**

1988 Where you can make a turn around and come back out forward.

1989

1990 **COUNCILMAN WOLFSON**

1991 Versus just pulling in and then backing out.

1992

1993 **JOSEPH MILLER**

1994 Backing all the way out on the street and –

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

1995 **COUNCILMAN WOLFSON**

1996 And you'd be backing out into where the traffic comes for the area, that's your reason.

1997

1998 **JOSEPH MILLER**

1999 And it's a one-way – street.

2000

2001 **COUNCILMAN WOLFSON**

2002 I understand. Well, these are important facts. They're important to me. I appreciate your  
2003 answers. Thank you.

2004

2005 **MAYOR GOODMAN**

2006 All right. Ms. McGuire, so you're not gonna pout, you've got 30 seconds.

2007

2008 **PHYLLIS McGUIRE**

2009 Okay. I'll talk very fast. The only thing I would be opposed to would be the height of the wall  
2010 across from my side wall. Why does it have to be eight feet? Why couldn't, because I saw your  
2011 property in, at Pinto Lane. It's beautiful. But then it, and I went last night to see it at nighttime  
2012 and I went today. And, but the front wall, I mean, the front of the house isn't that high wall. It's  
2013 a beautiful wall, but you have half concrete and then it's wrought iron, is that correct? And then  
2014 you have trees behind.

2015

2016 **JOSEPH MILLER**

2017 In some places it is and other places it is eight feet.

2018

2019 **PHYLLIS McGUIRE**

2020 Why couldn't that be where – excuse me –

2021

2022 **JOSEPH MILLER**

2023 Oh, I'm sorry. I'm sorry.

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

2024 **PHYLLIS McGUIRE**

2025 Thirty seconds up?

2026

2027 **MAYOR GOODMAN**

2028 Yup.

2029

2030 **PHYLLIS McGUIRE**

2031 Okay. Thank you. Excuse me.

2032

2033 **MAYOR GOODMAN**

2034 Even if it isn't, it's up.

2035

2036 **PHYLLIS McGUIRE**

2037 Okay.

2038

2039 **JOSEPH MILLER**

2040 Thank you, Mr. Mou – Mayor and Council people. I appreciate your time.

2041

2042 **MAYOR GOODMAN**

2043 All right. Okay. That's it. Councilwoman? She left. The Councilwoman for the Ward left and

2044 –

2045

2046 **COUNCILMAN BROWN**

2047 Your Honor, could I – I just got a phone call from the hospital, they don't want you there. Mr.

2048 Miller, could, I'm going to try to pin you down and if you can't answer it, that's fine, I

2049 understand. But if you can come back up, just so I understand some of the commitments you've

2050 made. And as a general statement, I made this to Ms. Wille. If there's ever a time in Rancho

2051 Circle that you really want to get together and take a hard look at your CC&Rs, now's the time

2052 to do it. I think there's an independent streak, obviously, in this neighborhood, but you'd be in a

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

2053 far stronger position to manage your community if those CC&Rs become a living document and  
2054 not so much in a reactive mode that we are today.

2055 But that said, can you relieve some of the tension by just indicating the timeframe for your  
2056 construction, your demolition, your construction or is that going to be contingent upon market or  
2057 –

2058

2059 **JOSEPH MILLER**

2060 No, it's not contingent upon market. I mean, our intent is once we get the permit for this wall, if  
2061 we get this Variance for this wall, I think, within a couple weeks we would probably pull the  
2062 house down. I've already had an asbestos study done. I've had the soils reports done. So we're  
2063 ready to move forward with that and I've gotten quotes on the demolition. And at the same time  
2064 we would pour the pad. As far as exactly when the house starts, there's still a good bit of stuff I  
2065 have to do with the City and get the plans approved through them. But the demolition would  
2066 take place quite reason, I mean, in a reasonable amount of time.

2067

2068 **MAYOR GOODMAN**

2069 All right. Councilwoman.

2070

2071 **COUNCILWOMAN TARKANIAN**

2072 Mr. Miller, could I ask you to show the other pictures of your wall that show it straight on and  
2073 coming from the other direction. I think you have some of those. And I have been out there,  
2074 four or five times, driving by this wall. And – you said I could go out again last night, Mr.  
2075 Miller, when we met. I went out again last night.

2076 Because, as I mentioned to you when we started talking about the neighbors' concerns, and you  
2077 mentioned you didn't understand why they might be as concerned. I mentioned to you because  
2078 of the wall, and then you said, well, you know, it has these openings. And the perspective we're  
2079 seeing here does show the openings. However, if you stand in front of that wall, there you go.  
2080 You see, that's the one I mean. And, or if you're coming in the opposite direction, it's just  
2081 straight wall. You see no landscaping in those little crevice areas and it's really a, beautifully  
2082 designed for that type of thing. But, as you said, Mr. Miller, it's an optical illusion. That's,

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

2083 because from one side you can see, but coming from the other side you cannot and standing in  
2084 front you cannot. It's just a straight up fence, and that's what I just wanted to clarify. Thank  
2085 you so much.

2086

2087 **JOSEPH MILLER**

2088 Yes, Ma'am.

2089

2090 **COUNCILWOMAN TARKANIAN**

2091 I wanted to emphasize that today the only issue with which we're dealing is a request for the  
2092 Variance. The wall that's already built is not on the agenda, so we cannot consider it. Other  
2093 things that have happened are not on the agenda, so we can't get involved in that. This is only  
2094 the request for this Variance. And when I met with Sandy Miller (sic), he voiced concern to me  
2095 about the feelings many of the neighbors had about the fence he had built. And I mentioned to  
2096 him that all the other homes on the Circle face the Circle with front yards. And his wall, no  
2097 matter how well built, from two perspectives was a straight eight foot wall, which he showed to  
2098 us on the overhead. Now, Mr. Miller says that his Pinto wall is similar to the Rancho Circle  
2099 wall, but I believe that Pinto wall is built according to Code for the City. I do not recall any time  
2100 that it came before this Council. Do you, Margo?

2101

2102 **MARGO WHEELER**

2103 I'm sorry?

2104

2105 **COUNCILWOMAN TARKANIAN**

2106 That Pinto wall was a five-foot wall with concrete and –

2107

2108 **MARGO WHEELER**

2109 Yes, it had the openings in the –

**CITY COUNCIL MEETING OF**  
*March 19, 2008*  
**VERBATIM TRANSCRIPT – ITEM 92**

2110 **COUNCILWOMAN TARKANIAN**

2111 There's was no – so that wall, as Phyllis McGuire said, when she went out there, it, you know,  
2112 couldn't you do it that way, that is what the Variance, what is the Code says you should do. And  
2113 you're requesting to go in a different direction. I just wanted to say that that wall you saw, as a  
2114 Pinto wall, is not the same as what's being requested here.

2115 And the walls that you mentioned were eight feet, they're in what we call the back finger of the  
2116 Rancho Circle area. The front of these homes, as one of the people mentioned, faces the backs  
2117 of homes and garages and there're only two of them there that are the eight feet. The other six-  
2118 foot are side walls or something like that, has no pertinence to what we're discussing on a front  
2119 wall, which is a variance being considered today.

2120 Now, as I understand, and this is what I – was disappointed, Sandy (sic), I must tell you when we  
2121 spoke, because I asked you if you could follow the City statute, which is basically what  
2122 Councilman Barlow brought up today. And could you, and, in fact, I think Councilman Wolfson  
2123 also suggested. I asked could you follow the City statute of three feet block wall, two feet with  
2124 wrought iron and then have landscaping against the wall that could reach a higher height if you  
2125 wanted to have it that way and you felt you had to have eight feet of something as privacy. I  
2126 asked you that because I felt that, and I tried to explain why the neighbors were upset over the  
2127 wall. We discussed that. And then I asked if you could do that, you said no. I was surprised, I  
2128 said why. You said I don't want to. And then I asked again and you said the same answer, I  
2129 don't want to.

2130 And according to what I understand and as our counsel has mentioned and gone over already, we  
2131 cannot give a variance to relieve a hardship which is solely personal, self-created or financial in  
2132 nature. There's other ways you could handle this, what you consider a hardship on the eight feet.  
2133 And so I move to deny the Variance.

2134

2135 **MAYOR GOODMAN**

2136 All right. You've heard the motion. Let's vote. Post. Motion carries. **(Motion carried**  
2137 **unanimously)** All right. Thank you.

2138

**(END OF DISCUSSION)**

2139 /lc;da;vwd;cv/ac