



City of Las Vegas

Agenda Item No.: 22.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 22, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT: BEYANEE - VAR-20858 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: THOMAS BURGER - Request for a Variance TO ALLOW A 47.5-FOOT FRONT YARD SETBACK WHERE 55 FEET IS REQUIRED, A 46-FOOT REAR YARD SETBACK WHERE 50 FEET IS REQUIRED, A FIVE-FOOT SIDE YARD SETBACK ON THE SOUTH AND A 6.5 -FOOT SIDE YARD SETBACK ON THE NORTH WHERE 10 FEET IS REQUIRED FOR PROPOSED ADDITION on 0.51 acres at 1405 Golden Oak Drive (APN 163-03-210-010), R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone, Ward 2 (Wolfson)

P.C.: Final Action (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="4"/>	Planning Commission Mtg.	<input type="text" value="1"/>
City Council Meeting	<input type="text" value="0"/>	City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:
DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Submitted at Meeting Ten Oaks Estates Association Preliminary Approval Letter and Awareness Statement by Shawn Logan for Items 22 and 23
8. Submitted after Meeting Recordation Notice of Planning Action and Conditions of Approval

Motion made by GLENN TROWBRIDGE to Approve subject to conditions and adding the following condition:

- A. The allowance is for a 49-foot front setback.

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

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Minutes:

CHAIR GOYNES declared the Public Hearing open for Items 22 and 23.

DOUG RANKIN, Planning and Development Department, explained that these items had been held to allow applicant to seek approval from the Homeowners' Association. He stated that the request was a self-imposed hardship and recommended denial.

SHAWN LOGAN, 501 Aaron Way, appeared on behalf of the applicant. He noted Ten Oaks HOA review board had recommended approval with removal of the kitchen and a reduction of the garage setback and added that the adjacent neighbors had also expressed their support. He submitted letters of support for the record. THOMAS BURGER was present. He pointed out the review board had complimented his proposal and stated the additions would improve his property.

MR. LOGAN informed COMMISSIONER EVANS that staff had not been informed of the modifications to the project. MR. LOGAN also confirmed that the modifications would make the project smaller than what he had originally requested.

MR. RANKIN noted that an accessory structure with a kitchen that meets the setback requirements could be processed administratively and clarified that the kitchen was designated as a stove with a hood. He stated the variance requested with the reduced setbacks could be supported by staff.

During the drafting of the Resolution, DEGO WHEELER, Director of the Planning and Development Department, assisted COMMISSIONER TROWBRIDGE by suggesting an additional condition which addressed the reduced setback variance.

COMMISSIONER DUNNAM noted the City should not be involved in agreements between property owners and their HOAs and DEPUTY CITY ATTORNEY JAMES LEWIS suggested the applicant request the withdrawal of Item 23. MR. BURGER agreed to all conditions and requested that Item 23 be withdrawn without prejudice.

CHAIR GOYNES declared the Public Hearing closed for Items 22 and 23.