



City of Las Vegas

Agenda Item No.: 24.

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

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
BEYANCE - RENOVATION - 27280 - VARIANCE - PUBLIC HEARING -
APPLICANT: OWNER: TERRY HELMS - Request for a Variance TO ALLOW A
PROPOSED HABITABLE ACCESSORY STRUCTURE (CLASS I) TO BE 25 FEET IN
HEIGHT WHERE THE HEIGHT OF 17 FEET IS PERMITTED AND TO ALLOW A ZERO-
FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED on 0.22 acres at 809
Upland Boulevard (APN: 236-403-007), R-1 (Single Family Residential) Zone, Ward 1
(Tarkanian) **NOTE: THIS APPLICATION IS BEING AMENDED TO ALLOW A 920**
SQUARE FOOT ACCESSORY STRUCTURE WHERE A MAXIMUM OF 853.5
SQUARE FEET IS PERMITTED

IF APPROVED, C.C.: 06/18/08
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	12	Planning Commission Mtg.	11
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Submitted After Final Agenda Protest/Support Postcards and Protest/Support Letters for Items 24 and 25
8. Submitted at Meeting Protest/Support Postcards and Support Letter by Terry Helms for Items 24 and 25

Motion made by VICKI QUINN to Deny

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)

PLANNING COMMISSION MEETING OF: MAY 22, 2008

Minutes:

CHAIR GOYNES declared the Public Hearing open for Items 24 and 25.

PETER LOWENSTEIN, Planning and Development Department, stated that no finding of extraordinary hardship could be made to support the applicants requests and recommended denial of both applications.

TERRY HELMS was present and explained that the addition includes a guest room, restroom and workshop. He stated his adjacent neighbors were in support of his request and submitted support postcards for the record.

COMMISSIONER STEINMAN stated the structure will not look right near the house or in the neighborhood. MR. HELMS pointed out that the addition would appear to be the same height as the house noting the buildings would be separated by 50 feet.

In response to COMMISSIONER QUINN's question, DOUG RANKIN, Planning and Development Department, explained that staff recommended denial because the request was a self-imposed hardship and does not meet the setback requirements. COMMISSIONER QUINN expressed her opposition, stating the project was not appropriate for the site or the neighborhood.

MR. HELMS informed COMMISSIONER EVANS that his neighbors directly affected by this project have expressed their support. In response to COMMISSIONER EVANS question, COMMISSIONER STEINMAN confirmed that the addition would be an eyesore and potential fire hazard. MR. HELMS explained that the addition was placed on the property line to use the existing drainage.

MARGO WHEELER, Director of the Planning and Development Department, stated this project had received three protests.

COMMISSIONER DUNNAM expressed his opposition and explained that he could not support residential construction on the zero lot line.

CHAIR GOYNES declared the Public Hearing closed for Items 24 and 25.