



*City of Las Vegas*

Agenda Item No.: 20.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 8, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

**SUBJECT:**  
ABEYANCE - 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)

C.C.: 06/04/08

**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. Photo
5. Justification Letter
6. Protest/Support Postcards
7. Submitted after Final Agenda Abeyance Request from Shawn Logan

Motion made by DAVID STEINMAN to Hold in Abeyance Items 20 and 21 to 5/22/2008

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2  
DAVID STEINMAN, GLENN TROWBRIDGE, STEVEN EVANS, VICKI QUINN, BYRON  
GOYNES; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-SAM DUNNAM,  
RICHARD TRUESDELL)

NOTE: COMMISSIONER TRUESDELL was excused prior to Items 20 and 21 being opened  
for discussion.

Minutes:

CHAIR GOYNES declared the Public Hearing open for Items 20 and 21.

**PLANNING COMMISSION MEETING OF: MAY 8, 2008**

PETER LOWENSTEIN, Planning and Development Department, explained that the subject lot is adequate to accommodate the proposed additions without the need for a variance. He stated that there are no unusual circumstances and believes the applicant is trying to overbuild the site. He recommended denial of the Special Use Permit and the Variance.

SHAWN LOGAN, 501 Aaron Way, appeared on behalf of the applicant. He informed the Commission that he had written approvals of support from the adjoining property owners but that the final approval by the Ten Oaks Review Board would not be acted upon until their scheduled meeting of May 13, 2008. He requested Items 20 and 21 be held over to the Planning Commission Meeting of May 22, 2008.

In response to CHAIR GOYNES inquiry, DEPUTY CITY ATTORNEY JAMES LEWIS stated that the applicant is not required to submit approval letters unless requested to do so by the Commission. COMMISSIONER EVANS offered to proceed with hearing the items.

MARGO WHEELER, Director of the Planning and Development Department, asked the applicant whether he would want to submit the letters of approval for the record. THOMAS BURGER, 1405 Gold Oak Drive, stated that he had submitted the copies to the Ten Oaks Board for their review.

Hearing the applicants explanation, CHAIR GOYNES stated the Commission would be agreeable to holding Items 20 and 21 to the May 22, 2008 meeting as requested.

CHAIR GOYNES declared the Public Hearing closed for Items 20 and 21.