



*City of Las Vegas*

Agenda Item No.: 23.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: AUGUST 28, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

**SUBJECT:**  
VAR-2891 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JULIETA MILUNA - request for a Variance to allow a 14-FOOT FRONT YARD SETBACK FOR A PROPOSED GARAGE WHERE 20 FEET IS REQUIRED on 0.17 acres at 124 Rancho Vista Drive (APN 12-002-14-000) R-17 (Single Family Residential) Zone, Ward 5 (Barlow)

C.C. 10/01/2008

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	0	Planning Commission Mtg.	32
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. Support Petition and Support Postcards
7. Submitted after Final Agenda Support Postcard

Motion made by GLENN TROWBRIDGE to Hold in abeyance to 9/25/2008

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0  
SAM DUNNAM, DAVID STEINMAN, BYRON GOYNES, GLENN TROWBRIDGE, STEVEN EVANS, VICKI QUINN; (Against-None); (Abstain-RICHARD TRUESDELL); (Did Not Vote-None); (Excused-None)

NOTE: COMMISSIONER TRUESDELL abstained as his daughter owns a home within the notice area.

Minutes:  
CHAIR GOYNES declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, stated the request is a self-imposed hardship and recommended denial.

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JULIETA DILUNA was present. She explained she was requesting the carport in order to shade her car and stated it would not obstruct any views. She noted that she had collected 30 signatures in support and photos which she had already submitted to staff.

MS. DILUNA informed COMMISSIONER STEINMAN that the carport would be made of wood and attached to the house.

In response to COMMISSIONER STEINMAN's question, BART ANDERSON, Public Works Department, stated that the sidewalk adjacent to the applicants property is part of the public street right-of-way and not part of her property. He informed COMMISSIONER EVANS that driveway lenses are designed to prevent vehicles from extending into the right-of-way and are distinct from building setback requirements.

COMMISSIONER STEINMAN suggested that the applicant would need a setback of nine feet from the property line rather than the 14 feet requested in the application because the applicants drawing had included the sidewalk as part of the applicants property. COMMISSIONER DUNNAM and MR. RANKIN concurred with COMMISSIONER STEINMAN's assessment of the necessary setback.

MARGO WHEELER, Director of the Planning and Development Department, stated that the application was for a 14-foot setback and explained that if approval was obtained, the applicants carport would not be allowed to be any closer to the property line.

After speaking with MR. RANKIN, she explained the error and her options. MS. DILUNA requested that the application be held in abeyance for 30 days in order to send out corrected notices reflecting the change in setback to nine feet. MS. WHEELER stated that, as the renoticing was the result of the applicant's error, MS. DILUNA would be required to pay the \$500 renotification fee.

COMMISSIONER EVANS encouraged MS. DILUNA to discuss this project with a licensed builder and CHAIR GOYNES added that her builder should be more involved in this process.

CHAIR GOYNES declared the Public Hearing closed.