



*City of Las Vegas*

Agenda Item No.: 24.

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

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

**SUBJECT:**  
VAR-2897 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JUAN ANDERSON - Request for Variance to ALLOW TWO EXISTING ACCESSORY STRUCTURES (CLASS II), TOTALING 876 SQUARE FEET WHERE 728 SQUARE FEET IS THE MAXIMUM ALLOWED on 0.49 acres at 1000 Mohawk Street (APN 138-36-407-016), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian)

**P.C.: FINAL ACTION (Unless Appealed Within 10 Days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	5	Planning Commission Mtg.	1
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 Postcards

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)

**Minutes:**

CHAIR GOYNES declared the Public Hearing open.

PETER LOWENSTEIN, Planning and Development Department, stated the request was a self-imposed hardship which could have been avoided if the proper permits had been obtained. He recommended denial and noted that additional protest letters had been received.

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JUAN ANDERSON was present. He explained that he had built a storage room without permits. He admitted to CHAIR GOYNES that he was aware that permits were required and he had not obtained them.

TODD FARLOW, 240 North 19th Street, stated that building without permits needed to stop.

MR. ANDERSON informed CHAIR GOYNES that he was using the structures for storage. He stated that the additions had electricity and air conditioning, but did not have plumbing. He asserted that no one was living in the structures.

COMMISSIONER STEINMAN suggested the additions were being used as living areas and disagreed with MR. ANDERSON'S contention that the additions were being used for storage. CHAIR GOYNES concurred, observing the structures appeared to be habitable.

COMMISSIONER QUINN expressed her opposition, stating that allowing these structures would establish a dangerous precedent for the neighborhood. She also agreed with CHAIR GOYNES and COMMISSIONER STEINMAN that structures were being used as living areas. She added that MR. ANDERSON'S approach to building his additions was unacceptable because he had not followed the appropriate procedure to legally construct his additions.

CHAIR GOYNES concurred with COMMISSIONER QUINN and added that the applicant could not construct additions until he was aware of the requirements, and then agree to follow the Code after the fact.

CHAIR GOYNES declared the Public Hearing closed.

