



*City of Las Vegas*

Agenda Item No.: 25.

**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: JOHN MOSS - Request for a Variance TO ALLOW AN EXISTING 13-FOOT HIGH, 2,080 SQUARE-FOOT ACCESSORY STRUCTURE, CLASS II (BATTING CAGE) WHERE AN 18-FOOT HIGH, 1,785 SQUARE FOOT ACCESSORY STRUCTURE IS ALLOWED on 1.05 acres at 5100 Grand Teton Court (APN 125-12-801-025), R/E (Residence Estates) Zone, Ward 6 (Rose)

C.C.: 10/6/2008

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	<input type="text" value="4"/>	Planning Commission Mtg.	<input type="text" value="4"/>
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 after Final Agenda Protest/Support Postcards

Motion made by SAM DUNNAM to Hold in abeyance to 9/25/2008

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.

DOUG RANKIN, Planning and Development Department, stated that the request is a self-imposed hardship and recommended denial. He also pointed out the open Code Enforcement case on the property and noted that additional protest and support notices had been received.

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JOHN MOSS was present. He stated that the batting cage was appropriate for the area and described the area around his home, noting that his home is surrounded by two-story homes and adjacent to a soccer park. He added that only the houses behind his property were lower than his home or the batting cage.

COMMISSIONER DUNNAM acknowledged that the structures surrounding MR. MOSS batting cage were taller, but he observed that the batting cage had been constructed without a permit.

MR. MOSS informed COMMISSIONER DUNNAM that he had obtained some letters of support and stated that one neighbor had offered to speak in support. COMMISSIONER DUNNAM encouraged MR. MOSS meet with his neighbors and collect support letters so the Commissioners could make a more informed decision on this application.

MR. MOSS expressed his willingness to hold the application in abeyance for 30 days so he could speak with his neighbors.

COMMISSIONER EVANS concurred with COMMISSIONER DUNNAM that the support of neighbors is paramount. COMMISSIONER EVANS suggested that MR. MOSS return with a landscape plan which would help obscure the batting cage. MR. MOSS informed COMMISSIONER EVANS that he had recently learned that the street adjacent to his property had been vacated by the city and belonged to him. He stated that he planned to landscape that area and make it more palatable.

COMMISSIONER STEINMAN wondered why the structure needed to be so massive in a residential area. MR. MOSS explained that the height was needed for safety, stating that height reduces the speed of deflected baseballs. He added that he had no children and the batting cage was for his use only.

CHAIR GOYNES declared the Public Hearing closed.

