



City of Las Vegas

Agenda Item No.: 113.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: OCTOBER 1, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT: VAR-2901 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MICHAEL FEDERICO Appeal filed from the Central Zone Planning Commission of a request for a Variance TO ALLOW A 10 FOOT FRONT YARD SETBACK WHERE 30 FEET IS REQUIRED FOR A PROPOSED CENTRAL ADDITION on 0.48 acres at 2961 Diamond Bar Drive (APN 163-04-715-003) R-E (Residential Estates) Zone, Ward 2 (Wolfson). The Planning Commission (7-0 vote) and staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Appeal Letter filed by Michael Federico
7. Protest/Support Postcards
8. Submitted after Final Agenda Abeyance Letter by Michael Federico and Protest/Support Postcards
9. Backup Referenced from the 08-28-2008 Planning Commission Meeting Item 26

Motion made by GARY REESE to Hold in abeyance to 11/5/2008

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

NOTE: Under Item 89, COUNCILMAN WOLFSON disclosed for Item 113 that he would
recuse himself from this matter, because he has appeared and may appear before the applicant,
who serves as an alternate judge for the courts. ASSISTANT CITY ATTORNEY SCOTT opined
that COUNCILMAN WOLFSON could vote on an abeyance motion.

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Also, COUNCILMAN BARLOW announced that DR. DOWNEY is his child's pediatrician, but he would be participating.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

Under Item 89, LOU CHRISTIAN, 2060 Diamond Bar Drive, questioned the number of times an item for consideration by the City Council could be held in abeyance, pointing out that many people had to take time off work to attend. COUNCILMAN WOLFSON explained that he was made aware of the request that morning and noted that this was the first time the matter was being considered by the City Council. MAYOR GOODMAN announced that he would allow people to make comments on Item 113, but those people would not be allowed to speak at the abeyance date of 11/5/2008.

When Item 113 was heard during the normal course of the meeting, COUNCILMAN REESE announced he would be handling this matter for COUNCILMAN WOLFSON, as well as his belief that any applicant has the right to have an item held in abeyance at least once. He advised MR. CHRISTIAN of his preference for comments to be made at the public hearing on the abeyance date. MR. CHRISTIAN indicated he would hold his comments until the matter comes back before the Council.

CELESTE DOWNEY asked if there would be another notification mailing for the abeyance date, and COUNCILMAN WOLFSON answered in the affirmative, confirming with CITY CLERK BRIDGES that the City Clerks would handle the mailing.

COUNCILMAN BROWN requested that all comments be directed to COUNCILMAN REESE in the interim.

MAYOR GOODMAN declared the Public Hearing closed.

