



City of Las Vegas

Agenda Item No.: 13.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 23, 2009**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: BEYANCE - VAR38369 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MARCIA RUGEIL - Request for a Variance TO ALLOW A PROPOSED 4,875 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) WHERE 1,325 SQUARE FEET IS THE MAXIMUM ALLOWED. TO ALLOW FOR THE PROPOSED ACCESSORY STRUCTURE (CLASS II) TO NOT BE AESTHETICALLY COMPATIBLE (METAL) WITH THE PRINCIPAL DWELLING UNIT, AND TO ALLOW THE PROPOSED ACCESSORY STRUCTURE (CLASS II) TO BE 24 FEET IN HEIGHT WHERE A HEIGHT OF 18 FEET IS PERMITTED on 1.00 acres at 5911 Meilo Avenue (APN 125-24-302-003), R-E (Residence Estates) Zone, Ward 6 (Ross)

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

8

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

12

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 and Support Petition
7. Submitted after Final Agenda Revised Staff Report, Site and Elevation Plans
8. Submitted after Meeting Recordation Notice of Planning Commission Action and Conditions of Approval

Motion made by KEEN ELLSWORTH to Approve subject to conditions, amending Condition 2 and the following conditions as read for the record:

2. Trees planted within the perimeter of the accessory structure are to be 36-inch box trees planted every 20 linear feet on-center to provide adequate buffering to adjacent residential properties.

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A. The maximum building height shall be 18 feet, 2 inches, and that the roof shall be of insulated steel construction.

B. All development shall be in conformance with the site plan and landscape plan, date stamped 04/21/09, and building elevations, date stamped 04/23/09, except as amended by conditions herein.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
MICHAEL E. BUCKLEY, VICKI QUINN, STEVEN EVANS, GLENN TROWBRIDGE,
RICHARD TRIESDELL, BYRON GOYNES, KEEN ELLSWORTH (Against-None);
(Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open.

PETER LOWENSTEIN, Planning and Development, stated that the Variance is preferential in nature, as the accessory structure exceeds the allowable square footage by 3,550 square feet and the height of the main building by two inches. The structure is aesthetically compatible with the primary residence and the hardship is self-imposed. Staff recommended denial. MR. LOWENSTEIN read into the record an additional condition approved.

MARCIA GEIL, 5921 Maple Avenue, stated that few people attended the neighborhood meeting she held, and the concern was all-around. She submitted new elevations showing a decrease in height of almost six feet. She pointed out that metal roofs are common in her neighborhood and showed photos of other properties that have steel barns and are visible from the street. A nearby house has a windmill with solar panels and the noise from the windmill is louder than the rain on a steel roof. The proposed roof is not a tin roof and will be a solid color such as white.

COMMISSIONER ELLSWORTH stated he drove by the property, and the applicant has done a good job in consulting with her neighbors to minimize the roof's impact. MS. GEIL verified that she is not running an electrical business. The Commissioner pointed out that the structure is located in the back of MR. GEIL'S property and that few people will see the structure. The applicant has taken significant measures to ensure the structure will not impact her neighbors. Additionally, it would be expensive to make the structure look like the primary home.

COMMISSIONER EVANS could support MS. GEIL'S request, as others in the neighborhood have similar ones. He asked if some type of greenery could be planted around the structure to screen it and lessen its impact. MS. GEIL replied that her immediate neighbors do not oppose the proposed structure, and she is open to planting something like the Cats claw.

MARGO WHEELER, Director of Planning and Development, read into the record two additional conditions, agreed upon by MS. GEIL.

CHAIR TROWBRIDGE declared the Public Hearing closed.