



City of Las Vegas

Agenda Item No.: 15.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 27, 2009**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: BEYANCE - VAR36038 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER:
GLEN A. BACKNER & CATHERINE BACKNER - Request for a Variance FOR A
PROPOSED METAL ACCESSORY STRUCTURE (CLASS II) WITH A HEIGHT OF 18 FEET
WHERE 17 FEET IS THE MAXIMUM HEIGHT ALLOWED, TO ALLOW A TOTAL AREA
OF 2,140 SQUARE FEET WHERE 1,111 SQUARE FEET IS THE MAXIMUM AREA
ALLOWED FOR ALL ACCESSORY STRUCTURES IN THE REAR YARD, AND TO
ALLOW AN ACCESSORY STRUCTURE TO NOT BE AESTHETICALLY COMPATIBLE
WITH THE PRINCIPAL DWELLING UNIT (STUCCO) on 0.50 acres at 638 Lacy Lane (APN
139-32-301-007) R-E (Residential Estate) Zone, Ward 1 (Tarkanian)

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

19

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 at Meeting Revised Site Plan and Support Letters
8. Submitted after Meeting - Recordation Notice of Council Action and Conditions of Approval

Motion made by VICKI QUINN to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

KEEN ELLSWORTH, VICKI QUINN, BYRON GOYNES, GLENN TROWBRIDGE,
RICHARD TRUESDELL, STEVEN EVANS, GUS FLANGAS; (Against-None); (Abstain-
None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open.

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STEVE GEBEKE, Planning and Development, indicated that the proposed accessory structure exceeds the maximum height allowed and it will not be aesthetically compatible with the principal dwelling unit. The existing accessory structure is to be removed when the proposed structure is completed. Staff recommended denial as the applicant has not provided evidence of unique and extraordinary circumstances and has created a self-imposed hardship by proposing a structure that does not meet the requirements of Title 19. If the application is denied, the proposed structure would have to be redesigned to comply with Title 19 requirements prior to obtaining a building permit.

GLEN A. BECKNER stated that, as requested by the Planning Commission at the last meeting, he obtained support letters from his neighbors, which he submitted for the record.

COMMISSIONER GOYNES stated he visited the property and MR. BECKNER'S justification is compelling with regards to the view from his backyard of the Las Vegas Valley Water District facility. The proposed facility would provide a buffer between his home and the water facility. He also observed and was amazed at the number of accessory structures other residents have built in their backyards.

COMMISSIONER QUINN concurred with COMMISSIONER GOYNES' comments, and noted that a warehouse or structure is a street-by-street, house-by-house decision. They do not fit in every part of a ward, but in this particular case, it would be a noise buffer between MR. BECKNER'S property and the Las Vegas Water District facility.

CHAIR TROWBRIDGE declared the Public Hearing closed.