



City of Las Vegas

Agenda Item No.: 18.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 5, 2009**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
RENOTIFICATION - VAR-33-278 - VARIANCE - PUBLIC HEARING -
APPLICANT: OWNER: CARLTON TRUST U/A - Request for a Variance TO ALLOW A
FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS REQUIRED FOR AN EXISTING
567 SQUARE FOOT ADDITION TO A SINGLE FAMILY DWELLING on 0.19 acres at 6017
Colonial Cove Sa (APN 123-26-610-069), R-PD (Residential Planned Development - 3
Units per Acre) Zone, (Ross)

C.C.: 12/02/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

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. Support Postcard

Motion made by KEEN ELLSWORTH 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.

STEVE GEBEKE, Planning and Development, stated that the applicant installed a patio cover at the rear of the residence without obtaining the required permits. The addition resulted in an encroachment of the required 15 foot setback area of the property. Staff recommended denial as the request is the result of a self-imposed hardship.

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LARRY SANCHEZ, 7844 Soaring Brook Street, and HUBERT CARR were present. He explained that the property backs up to a park and there are no fire hazards. Additionally, the Homeowners Association is aware of the circumstances and would be willing to give verbal approval for the enclosed structure if the City approves the variance. Similarly, MR. SANCHEZ, on behalf of his client, applied for a permit with Building and Safety; however, issuance of the permit is contingent upon approval of the variance.

COMMISSIONER ELLSWORTH pointed out that the applicant should have been aware of the building requirements and the need to obtain a permit which would have prevented him from having to seek approval for a variance. On the other hand, having driven by, COMMISSIONER ELLSWORTH stated that he did not see any real issue as there is a park at the back of the property and the walls are cinder block and fire retardant.

COMMISSIONER EVANS questioned which portion of the residence was enclosed. MR. SANCHEZ confirmed that the cover was installed on the rear enclosed patio which faces the rear property line. COMMISSIONER EVANS queried whether that portion of the house was being rented out, to which MR. SANCHEZ replied that it is not a rental unit and is utilized as an exercise room.

At the request of COMMISSIONER EVANS, MARGO WHITAKER, Director of Planning and Development, affirmed that Condition 1 addresses the connection access between the addition and the existing residence while the permits are obtained and prior to the final inspection. She also mentioned that a door is required from the main house into the exercise room.

COMMISSIONER ELLSWORTH emphasized to the applicant that he needs to put in a door as required by the conditions of approval. MR. CARR concurred.

CHAIR TROWBRIDGE declared the Public Hearing closed.