



City of Las Vegas

Agenda Item No.: 30.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 29, 2010**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: VAR-3832 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: KOHAVA AND AZRIKAM KOHEN - Request for a variance TO ALLOW A FOUR-FOOT SIDE YARD SETBACK WHERE FIVE FEET IS REQUIRED FOR AN EXISTING ENCLOSED ATTACHED CARPORT on 0.18 acres at 4718 Lorna Place (APN 139-31-310-002), R-1 (Single Family Residential Zone), Ward 11 (Tahitian). Staff recommends DENIAL.

C.C.: 09/01/2010

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Planning Commission Mtg.

3

City Council Meeting

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcards

Motion made by VICKI QUINN to Approve subject to conditions

Passed For: 6; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

CHAIR TRUESDELL declared the Public Hearing open.

STEVE GEBEKE, Planning and Development, gave a brief overview of staffs report and pointed out that the applicant has not provided unique circumstances to grant an approval; therefore, staff recommended denial. If the application is denied, the carport would have to return to its original condition.

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AZRIKAM COHEN explained that he purchased the home one year ago and resides with his siblings. He detailed their ongoing issues with the adjacent establishment, specifically with noise in the late evening and garbage on surrounding properties. To mitigate the problem and not have the police involved, a concrete block wall was erected with a sound board. Upon being informed by a City inspector, this application was filed. He and his siblings believe their property has been enhanced and some of the problems have been eliminated or lessened.

TODD FARLOW wondered if the City would be willing to make some allowances if the applicant agreed to add landscaping on site. He suggested planting grapevines on the wall to block out or reduce noise levels.

Despite constructing the wall without permits, CHAIR TRUESEDELL did not believe the one-foot variance was grounds for denial; however, he felt the applicant did a disservice by not representing his intentions to clean up the property as well as presenting a site plan. He referenced conditions dealing with a building permit and appropriate landscaping.

COMMISSIONER QUINN visited the site and referenced correspondence and staffs report verifying vehicles were parked on site and worked as an eyesore, and she wanted some assurance that the site would be cleaned up and address landscaping, possibly within six months. MR. COHEN rebutted there are vehicles parked on the sidewalk that he does not own, but he has a licensed air duct cleaning business which is located at 1003 Salem Drive. ASSISTANT CITY ATTORNEY BRYAN SCOTT confirmed MARGO WHEELERS, Director of Planning and Development, argument that the issue with parked vehicles will have to be addressed by the Citys Code Enforcement.

MS. WHEELER clarified that the redesigned wall is a non-permitted construction; granting an approval would legalize its construction.

ASSISTANT CITY ATTORNEY SCOTT added that staff could follow up with Code Enforcement to verify whether or not MR. COHEN is operating his business out of the subject site and not the aforementioned address given.

After further discussion with fellow Commissioners, COMMISSIONER QUINN was open to supporting an approval and not a denial, subject to conditions.

CHAIR TRUESEDELL declared the Public Hearing closed.