



City of Las Vegas

Agenda Item No.: 33.

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

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT: VAR-3856 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: DENISE RICHARDSON - Request for a Variance to ALLOW A PROPOSED 1,400 SQUARE-FOOT, 18-FOOT TALL ACCESSORY STRUCTURE (CLASS II) WHERE 796 SQUARE FEET IS THE MAXIMUM AREA ALLOWED AND 12 FEET IS THE MAXIMUM HEIGHT ALLOWED AND WHICH IS AESTHETICALLY COMPATIBLE WITH THE PRINCIPAL DWELLING UNIT on 1.07 acres at 2304 Theresa Way (APN 138-12-810-033), RE (Residence Estates) Zone, Ward 6 (Ross). Staff recommends DENIAL.

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

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="3"/>	Planning Commission Mtg.	<input type="text" value="20"/>
City Council Meeting	<input type="text" value="0"/>	City Council Meeting	<input type="text" value="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. Protest/Support Postcards and Support Letters
7. Submitted at Meeting Support Letter from John R. Harvey by Lazell Preator
8. Submitted after Meeting Recordation Notice of Planning Commission Action and Conditions of Approval

Motion made by KEEN ELLSWORTH to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
GLENN TROWBRIDGE, VICKI QUINN, BYRON GOYNES, RICHARD TRUESDELL, KEEN ELLSWORTH, STEVEN EVANS, GUS FLANGAS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR TRUESDELL declared the Public Hearing open.

DOUG RANKIN, Planning and Development, summarized staffs report and indicated the applicant did not provide unique circumstances, based on Title 19 requirements that would

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substantiate the requested Variance. Therefore, staff recommended denial, as the applicant has created a self-imposed hardship by the design of the accessory structure.

LAZELL PREATOR, Preator Consulting, 1012 Silver Retreat Court, appeared on behalf of the applicant. He explained that the subject area was developed many years ago and was originally intended for horse property. The average acreage for the surrounding properties is just below one acre, and the only area with higher density is on Decatur Boulevard and Rancho Drive. His client is retired and purchased the land with the intention of indulging in their hobbies. There is only one resident who lives on the other side of Decatur Boulevard, who opposes the request yet does not have a view of his clients property. He pointed out his clients due diligence in coming before the Commission to seek an approval prior to constructing the structure, which will be metal and the same color as their home.

MR. PREATOR briefly described the conversations that took place between some of the neighbors and their stance on the request, in which most of them were in support. He also informed COMMISSIONER TROWBRIDGE that his client has no intentions to utilize the proposed structure for commercial purposes.

CHAIR TRUESDELL declared the Public Hearing close.

