



City of Las Vegas

Agenda Item No.: 16.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2010**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: VAR-4010 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JASON J. & ROSA M. AUNGMYE - Request for a variance to allow an existing 14-FOOT HIGH, 1,750 SQUARE-FOOT ACCESSORY STRUCTURE, CLASS II THAT IS NOT AESTHETICALLY COMPATIBLE WITH THE MAIN DWELLING (STUCCO), WHERE A 12-FOOT HIGH, 800 SQUARE-FOOT ACCESSORY STRUCTURE, CLASS II IS ALLOWED on 0.46 acres at 5400 Bay Henderson Circle (APN 138-01-310-038), R-E (Residence Estates) Zone, Ward 6 (Ross). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 01/19/2011 OR MAY BE FINAL ACTION
(Unless Appealed within 10 Days)**

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

13

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

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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

Motion made by BYRON GOYNES to Hold in abeyance to 2/8/2011

Passed For: 4; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 1

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

Minutes:

CHAIR TRUESDELL declared the Public Hearing open.

DOUG RANKIN, Planning and Development, stated that staff recommended denial, as there is no evidence of a unique or extraordinary circumstance and views this as a self-imposed hardship.

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JASON and ROSA AUNGENETT were present. MR. AUNGENETT conceded to not pulling a permit before having the added storage space constructed because he wanted to protect his valuables. He asked that the Commissioners consider the three-car garage as part of the square footage of his home. Most of the people in opposition at the neighborhood meeting do not have a view of the structure, which is screened by a very tall wall surrounding his property, from their homes or do not live on the same block.

BATTELL FERRELL, area resident, and LANA PERLEY, President of NARA (Northwest Area Residents Association), were present in opposition. They expressed concern about the stability of the structure, which does not match the materials used for the surrounding properties, and that it was built without the proper inspections and permits. MR. FERRELL said he would not be opposed if the structure were to comply with T-1 Eleven requirements.

TODD FARLOW, Las Vegas resident, asked if the structure is sitting on pilings and if it could be brought into compliance.

On behalf of COMMISSIONER MOODY, COMMISSIONER GOYNES was concerned that the applicant did not pull permits or hold a meeting with the neighborhood. He suggested holding this matter in abeyance and require the AUNGENETTS to have a meeting with the neighbors and make sure the structure can be made structurally sound. MR. AUNGENETT assured the Commissioners that he took all the necessary precautions to ensure the safety of the structure.

Irritated that the applicant did not pull permits prior to erecting this industry-like structure, COMMISSIONER EVANS indicated that he would support holding it in abeyance.

LUCIEN PAET, Public Works Department, pointed out that the structure was built on a septic tank and the applicant will have to connect to a public sewer. MR. AUNGENETT indicated that Nevada Pipeline did the connection already.

CHAIR TRUESDELL declared the Public Hearing closed.