



City of Las Vegas

Agenda Item No.: 24.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011**

DEPARTMENT: PLANNING
DIRECTOR: FLINN BAUGH, Acting

Consent Discussion

SUBJECT:
VAR-4079 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MARGARITA MEDA - Request for a variance to allow a SIX-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED FOR A PROPOSED ACCESSORY STRUCTURE (CLASS II) AND TO ALLOW THREE ACCESSORY STRUCTURES WITH A TOTAL BUILDING AREA OF 1,048 SQUARE FEET WHERE 1,011 SQUARE FEET IS THE MAXIMUM ALLOWED on 0.45 acre parcel 5313 Patricia Avenue (APN 138-01-710-017), R-E (Residence Estates) Zone, Ward 6 (Ross). Staff recommends DENIAL.

C.C.: 05/18/2011

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="3"/>	Planning Commission Mtg.	<input type="text" value="8"/>
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. Photo
5. Justification Letter
6. Protest/Support Postcards
7. Submitted at Meeting Support Letters by Larry Sanchez

Motion made by TODD L. MOODY to Approve subject to conditions

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

Minutes:

CHAIR EVANS declared the Public Hearing open.

STEVE GEBEKE, Planning, reported that the proposed accessory structure could be designed to comply with all provisions of Title 19.08. Since the applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070 that would substantiate this request, staff recommended denial.

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LARRY SANCHEZ, Larry's Engineering, LLC, appeared with MARGARITA OJEDA, and indicated that the two existing structures that were illegally constructed before the owner acquired the property have been brought into compliance and properly permitted. MS. OJEDA would like to locate the detached garage only six feet east of Bradley Road, to leave space for a swimming pool in the future, and to the south of the house, to provide more security for the new baby. The detached garage will match the materials of the existing house. He submitted support letters from the surrounding property owners. He opposed staff recommendation to place the garage to the rear of the property.

TODD FARLOW, Las Vegas resident, complained that two accessory structures were built without a permit and questioned the setback, to which MR. GEBBARD replied that the setback is three feet. MR. FARLOW then asked if the neighbors most affected are aware and in agreement with the proposed accessory structure. CHAIR EVANS indicated that the reason for the denial by staff is because the applicant is requesting a setback variance, but two of the accessory structures were there when this owner acquired the property and were brought into compliance.

GLENDA TORRES, who lives across the street from this property, supported the variance because the owners maintain their property very well.

COMMISSIONER MURPHY appreciated the owners bringing their property additions into legal compliance. He supported the request, contingent upon the applicants meeting with members of the Northwest Area Resident Association before the Council meeting.

CHAIR EVANS declared the Public Hearing closed.

