



City of Las Vegas

Agenda Item No.: 25.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: AUGUST 12, 2014**

DEPARTMENT: PLANNING
DIRECTOR: FLINN BAGO

☐ Consent ☒ Discussion

SUBJECT: VAR-5475 - A VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: DONNER 2002 TRUST - For possible action on a request for a Variance TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE TEN FEET IS REQUIRED FOR A PROPOSED 540 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) [POOL HOUSE] on 0.68 acres at 3020 Campbell Circle (Case # 9-32-2012-0011), R-E (Residence Estates) Zone, Ward 1 (Tarkanian) [PRJ -54631]. Staff recommends: DENIAL.

C.C.: 9/17/2014

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

5

City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL, if approved, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Letters
7. E Comment Received in Support
8. Submitted after Final Agenda Protest/Support Postcards

Motion made by VICKI QUINN to Approve subject to conditions (with Schlottman abstaining)

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

TRINITY HAVEN SCHLOTTMAN, VICKI QUINN, BYRON GOYNES, GUS FLANGAS, TODD L. MOODY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-RICHARD TRUESDELL, RICHARD P. BONAR)

NOTE: SCHLOTTMAN abstained from voting on this item as he has an on going business relationship with the applicant.

NOTE: After the vote, COMMISSIONER SCHLOTTMAN asked that his vote reflect an abstention.

PLANNING COMMISSION MEETING OF: August 12, 2014

Minutes:

CHAIR FLANGAS declared the Public Hearing open.

PETER LOWENSTEIN, Planning Supervisor, indicated there is no evidence of a unique or extraordinary circumstance, in that the applicant has created a self-imposed hardship by proposing to construct a pool house in the required rear yard setback. The pool house could be constructed with the required 10-foot rear yard setback as approved by a building permit and in conformance with Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, the applicant's hardship is preferential in nature; therefore, staff recommended denial.

TODD McBRAYER, Breslin Builders, appeared on behalf of ANDREW DONNER, who purchased the property earlier this year and is remodeling the house. Part of the development is to enhance the backyard and add a pool house. By constructing the pool house with a five-foot rear yard setback instead of 10 feet, according to code, the useable area of the backyard would be increased. The house was built in 1970 with a very large front yard giving the backyard limited space. MR. McBRAYER referred to support letters from two neighbors, which he already submitted. The pool house will not affect one of the existing trees in the yard. He indicated on a map other properties that have been grandfathered in with reduced setbacks. The building will match the existing structure.

COMMISSIONER QUINN stated that the project is lovely and ideal for the neighborhood and she supports the project.

CHAIR FLANGAS declared the Public Hearing closed.