



City of Las Vegas

Agenda Item No.: 26.

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

**DEPARTMENT: PLANNING
DIRECTOR: FLINN BAGO**

☐ Consent ☒ Discussion

SUBJECT: VAR-5482 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: LAURIE NADY FAMILY TRUST - For possible location of request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE A 12-FOOT IS REQUIRED FOR AN EXISTING PATIO COVER on 0.5000 at 4500 Dove Place (APN 139-71-410-026), R-1 (Single Family Residential) Zone. (Markarian) [PRJ-54754]. Staff recommends DENIAL.

C.C.: 8/17/2014

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

Planning Commission Mtg.

47

City Council Meeting

0

City Council Meeting

0

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 Petition/Postcards
7. Submitted after Final Agenda - Protest/Support Postcards

Motion made by VICKI QUINN to Approve subject to conditions and amending Condition 2 as read for the record: 2. All necessary building permits shall be obtained and final inspection shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety within 180 days.

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)

Minutes:

CHAIR FLANGAS declared the Public Hearing open.

PLANNING COMMISSION MEETING OF: August 12, 2014

PETER LOWENSTEIN, Planning Supervisor, indicated that the variance request is the result of a self-imposed hardship, as the applicant built the structures without the required building permits. The building permit review process would have highlighted the fact that the patio cover/car port did not meet the minimum side yard setback before construction began. If the applicant had obtained building permits as required prior to construction, this issue would have been avoided. In view of the absence of any hardships, staff concluded that the applicant's hardship is self-imposed and preferential in nature; therefore, staff recommended denial.

ATTORNEY BILL CURRAN appeared on behalf of JAY NADY and indicated that his client bought the property in very distressed condition and it had been occupied by squatters, who left the interior and exterior of the property in disarray. His client bought it as an investment property and it has become one of the nicest houses in the neighborhood. A neighbor lodged a complaint after MR. NADY built a shade structure without permits. ATTORNEY CURRAN pointed out that his client reached out to the residents and gathered a petition in support of the project. The home is a shining example of neighborhood rehabilitation.

COMMISSIONER QUINN remarked that COUNCILWOMAN TARKENTIAN does not like zero setbacks but this is the case where it blends perfectly with the house. The concern is always of a fire spreading to the adjacent neighbors, but it will not happen here. The addition is not noticeable from the front because it was well done.

COMMISSIONER SCHLOTTMAN suggested that Condition 1 be modified to include that the applicant obtain all building permits within 180 days to which ATTORNEY CURRAN concurred.

CHAIR FLANGAS declared the Public Hearing closed.