



City of Las Vegas

Agenda Item No.: 55.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JANUARY 10, 2017**

DEPARTMENT: PLANNING
DIRECTOR: TOM PERRIGO

Consent Discussion

SUBJECT: VAR-6760 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MIHAI PAUN - For possible action on a request for a variance to ALLOW A 11-FOOT FRONT YARD SETBACK WHERE 18 FEET IS REQUIRED FOR AN EXISTING CARPORT at 4000 Red Pony Court (APN 140-31-0-10000) R-OL (Single-Family Compact-Lot) Zone, Ward 3 (Coffin) [PRJ-65724]. Staff recommends DENIAL.

C.C.: 2/15/2017

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	1	Planning Commission Mtg.	1
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. Photo(s)
5. Justification Letter
6. Submitted after Final Agenda - Protest/Support Postcards

Motion made by SAM CHERRY to Approve subject to conditions

Passed For: 5; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 0
GUS FLANGAS, VICKI QUINN, TRINITY HAVEN SCHLOTTMAN, SAM CHERRY,
GLENN TROWBRIDGE; (Against-TODD L. MOODY, CEDRIC CREAR); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

PETER LOWENSTEIN, Planning Section Manager, indicated that this item was brought forward as a result of a Code Enforcement action related to the construction of a carport within the front yard without obtaining building permits. If the applicant had sought a building permit they would have been made aware of the required development standards for such construction. As no evidence of a unique or extraordinary circumstance has been presented, the applicant has

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created a self-imposed hardship by constructing a carport within the front yard setback without permit. Therefore, staff recommended denial of the request.

LARRY SANCHEZ appeared representing the applicant, MIHAI PAUN, who was present. MR. SANCHEZ stated that encroaching into the front setback will cut back a portion of the trellis to 11 feet and meet architectural requirements of the trellis with respect to the house. MR. PAUN added that after he was discharged from the military, he wanted to improve the property and that the structure is compatible with surrounding areas. He has the support of his neighbors, and he wants to create a beautiful environment.

COMMISSIONER QUINN verified with MR. PAUN that the Halloween decorations are not left up all the time.

MR. SANCHEZ discussed with CHAIR SCHLONTMAN that the photos show depict the carport close to the front sidewalk and to appease the setback distance requirement and not be a fire hazard or obstruction for pedestrians, the applicant is willing to move it back and make it architecturally compatible with the existing house. MR. PAUN is trying to make sure his property is not an eyesore, and he will apply for building.

COMMISSIONER CHERRY asked staff if a variance is needed to move the carport back. MR. LOWENSTEIN replied that the variance is for an 11-foot front yard setback as depicted on the submitted site plan versus what is shown on the photo.

COMMISSIONER CREAR verified with MR. SANCHEZ that the carport was not built and the applicant thought he could beautify his property but was not aware of the building permit process until the Code Enforcement's action.

COMMISSIONER CHERRY stated that he could support the request if the applicant would do what was represented in the application.

COMMISSIONER MOODY did not doubt MR. PAUN'S engineering abilities, but he believed the carport does not fit with the neighborhood, so he could not support the request.

COMMISSIONER CREAR indicated that although the letters support MR. PAUN, he concurred with COMMISSIONER MOODY that the request is not harmonious or compatible with the surrounding homes. Even if stuccoed, the carport is outside the scope of the intention of the neighborhood.

COMMISSIONER TROWBRIGDE remarked that the applicant got the approval of his neighbors, and he does not see any safety issues involved in terms of blocking motorists' vision when making turns.

COMMISSIONER QUINN stated she could support the request, as long as the changes are made as represented. MR. SANCHEZ indicated they will make the carport as architecturally

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compatible as possible by putting a tile component along the sides to match the tile and color scheme of the house. After hearing MR. SANCHEZ'S comments regarding the tile, COMMISSIONER CHERRY supported the request.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

