



*City of Las Vegas*

Agenda Item No.: 67.

**AGENDA SUMMARY PAGE - PLANNING  
PLANNING COMMISSION MEETING OF: JUNE 13, 2017**

DEPARTMENT: PLANNING  
DIRECTOR: TOM PERRIGO

Consent  Discussion

**SUBJECT:**  
VAR-7008 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: GUERRERO AND MARIA DIAZ - For possible action on a request for a Variance TO ALLOW A 13-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED FOR A PROPOSED SINGLE FAMILY RESIDENCE AND FIVE FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR A PROPOSED ACCESSORY STRUCTURE CLASS II (CASITA) on 0.46 acres at 1721 South Tioga Way (APN: 8-03-001-010), R-E (Residence Estates) Zone, Ward 1 (Tarkanian) [PRJ-66197]. Staff recommends DENIAL.

**P.C.: FINAL ACTION (Unless Appealed Within 10 Days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	<input type="text" value="1"/>	Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>	City Council Meeting	<input type="text" value="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. Protest Postcard

Motion made by VICKI QUINN to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0  
TODD L. MOODY, VICKI QUINN, TRINITY HAVEN SCHLOTTMAN, SAM CHERRY, GLENN TROWBRIDGE, CEDRIC CREAR, DONNA TOUSSAINT; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

STEVE GEBEKE, Planning Supervisor, reported that the applicant is proposing to construct a new single-family residence with accessory structures on a vacant lot. As proposed, it does not comply with the minimum setback requirements for the front or side yards and will result in a

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site that is overbuilt. The structures could be redesigned or reduced in size to comply with the requirements of Title 19. As no evidence of a unique or extraordinary circumstance had been presented to substantiate the request, staff recommended denial as this is a self-imposed hardship.

GUERRERO DIAZ, applicant, explained the five-foot side yard setback would accommodate the use of the driveway. He spoke to his neighbors and indicated the Planning Department should have received a couple letters of support. Using a rendering, he pointed out the main house and the driveway to the main garage. The driveway will be accessible to the two-car garage for the casita in the back. The five-foot setback, in lieu of the required 10-foot setback, will allow the applicant to move the building to the right, making access to the rear garage more convenient. He pointed out his neighbor in the same cul-de-sac had less than 10 feet with an attached garage similar to the one he is proposing to build. MR. DIAZ stated the foundation of the house will be behind the 20-foot front yard setback; only the roof over the deck encroaches into that setback. The extra space is needed to make the entryway of the house more convenient. This is his family's dream house, and they are trying to improve the area.

COMMISSIONER QUINN commented this was a great presentation and an example of doing things right. The applicant had his plans, went to the Department of Building and Safety and pulled the proper permits. She wished the applicant luck. CHAIR SCHLOTTMAN agreed, stating the accessory structure was compatible and harmonious with the house.

CHAIR SCHLOTTMAN declared the Public Hearing closed.