



City of Las Vegas

Agenda Item No.: 68.

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

DEPARTMENT: PLANNING
DIRECTOR: TOM PERRIGO

Consent Discussion

SUBJECT: PAR-70115 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MICHAEL AND MARSHA BENDITT - For possible action on a request for a Variance TO ALLOW A TWO-FOOT REAR YARD SETBACK WHERE NO FEET IS REQUIRED FOR A PROPOSED ATTACHED PATIO COVER on 44 Naples located at 40411 Lilac Square Avenue (APN 126-13-810-077), PD (Planned Development) Zone [ML (Medium Low Density Residential) Cliff's Edge Special Land Use Designation], Ward 6 (Ross) [PR169924]. Staff recommends DENIAL.

P.C.: FINAL ACTION Unless Appeared Within 10 Days)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	1	Planning Commission Mtg.	3
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. Design Review Approval Letter from Providence Master Homeowners Association
7. Support Postcard
8. Submitted after Final Agenda - Protest/Support Postcards

Motion made by TODD L. MOODY 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 the applicant is proposing to construct a new patio cover attached to the rear of the existing residence. As proposed, it does not comply with

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the minimum setback requirements for the rear yard, pursuant to the Cliffs Edge Master Development Plan design standards. As no evidence of a unique or extraordinary circumstance was presented to substantiate the requested variance, staff recommended denial as this is a self-imposed hardship. He noted that additional letters of protest and support were received since publication.

MIKE VENDETTI, applicant, stated he and his wife moved to Las Vegas seven-and-a-half months ago. They bought a resale on a corner lot in the Providence area. He indicated they had full support of the surrounding neighbors and written support of the HOA (Homeowners Association). Their challenge is that the usable depth of their backyard is 11.5 feet, so a 10-foot setback would preclude any type of construction. If granted, a two-foot setback would provide a nice shade area to enjoy the backyard as well as making the house more cooling efficient by protecting the windows and glass door that are there. The contractor they selected is Bella Patio; they are fully licensed and insured and will secure all of the necessary permits required if the variance is granted.

COMMISSIONER MOODY thanked the applicant for doing their homework. Having obtained approval from the neighbors and HOA goes a long way with him, and he indicated he would support this request.

CHAIR SCHLOTTMAN declared the Public Hearing closed.