



City of Las Vegas

Agenda Item No.: 70.

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

DEPARTMENT: PLANNING
DIRECTOR: TOM PERRIGO

Consent Discussion

SUBJECT: PAR-7028 - VARIANCE - PUBLIC HEARING - APPLICANT: GEORGE AND SHERI BRINKMAN - OWNER: BRINKMAN FAMILY TRUST, ET AL - For possible action on a request for a variance TO ALLOW A 2-FOOT SIDE YARD SETBACK AND A FIVE-FOOT REAR YARD SETBACK WHERE 10 FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [DETACHED PATIO COVER]; AND A ONE-FOOT SEPARATION FROM THE PRIMARY DWELLING FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED] WHERE SIX FEET IS REQUIRED on 0.36 acres at 7520 Stone Lake Street, Apt 127 - E - 31 - 008, R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone, Ward 6 (Ross) [PR-70175]. Staff recommends DENIAL.

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

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	2	Planning Commission Mtg.	6
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 and Support Comment Form
7. Submitted at Meeting - Salt Creek Owners Association Approval Letter and Supporting Documentation

Motion made by TODD L. MOODY to Approve subject to conditions and amending Condition 2 as read for the record:

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety within 120 days.

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)

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Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

STEVE SWANTON, Senior Planner, reported this request is the result of a Code Enforcement action for existing structures that do not meet code requirements for separation from the primary residence and setbacks from the side and rear property lines. Both structures were constructed in 2002; however, staff was unable to locate permits for either structure. There is no evidence of a unique or extraordinary circumstance related to the physical characteristics of the property; therefore, staff recommended denial. If denied, both structures must be made to conform to Title 19 requirements. MR. SWANTON noted that additional approvals and protests were received after publication.

GEORGE BRINKMAN, applicant, stated the two structures were built in 2002 by a licensed contractor, and they received approval from the Art Committee at their HOA (Homeowners Association). The HOA President provided him with a handwritten letter, which is attached as backup, and states if the structure was painted and tiled the same as the house, everything was in compliance with them. MR. BRINKMAN mentioned a disgruntled neighbor reported this to the City.

COMMISSIONER MOODY asked staff what Title 19 requirements the applicant would have to conform to if the item was approved. PETER LOWENSTEIN, Planning Section Manager, explained if the variance was approved, the applicant would have to conform to the as-built conditions and listed the code standards for residential plan development for patio covers.

MR. BRINKMAN confirmed for COMMISSIONER MOODY that he had the support of his immediate neighbors. These documents were submitted for the record and are attached as backup. COMMISSIONER MOODY indicated the applicant would see his support.

COMMISSIONER CHERRY wished to ensure the applicant knew if the item was approved, he would have to obtain the necessary building permits. MR. BRINKMAN stated he was advised that once the structures were approved, they would have to have the Jacuzzi and gas lines in the area permitted.

CHAIR SCHLOTTMAN declared the Public Hearing closed.