



*City of Las Vegas*

Agenda Item No.: 71.

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

DEPARTMENT: PLANNING  
DIRECTOR: TOM PERRIGO

Consent  Discussion

**SUBJECT:** VAR-7019 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RONALD YOSHIMU, YUHIRAHARA TRUST - Possible action on a request for a Variance TO ALLOW AN EXISTING EIGHT-FOOT TALL SOLID WALL WITH TWO FEET OF RAZOR WIRE ALONG THE SIDE AND REAR PROPERTY LINES WHERE A MAXIMUM HEIGHT OF EIGHT FEET IS ALLOWED on 1.06 acres at 800 West Bonanza Road (APN 139-28-703-016) C-2 (General Commercial Zone, Ward 5 (Barlow) [PRJ-69787]. Staff recommends DENIAL.

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

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

**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. Support Postcard

Motion made by CEDRIC CREAR to Deny

Passed For: 6; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 0  
VICKI QUINN, TRINITY HAVEN SCHLOTTMAN, SAM CHERRY, GLENN TROWBRIDGE, CEDRIC CREAR, DONNA TOUSSAINT; (Against-TODD L. MOODY); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open.

STEVE SWANTON, Senior Planner, reported the applicant is requesting to allow an additional two feet of razor wire on top of existing concrete block perimeter walls varying in height from six to eight feet. The razor wire was installed without prior entitlement or permit. Title 19 states

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that razor wire is unacceptable as perimeter wall material in any zoning district unless approved as part of an overall development plan. As there is nothing unique about this property that would justify deviation from Title 19, staff has concluded that the hardship is self-imposed and, therefore, recommended denial. Removal of the existing razor wire would bring the walls into conformance with the Code.

SCOTT JACOBS, DCG Engineering, appeared representing the owner. The property has walls between six and eight feet with razor wire partly above and below the top of the wall. It is believed the razor wire has been there for 20 years and is needed because the area is plagued with homeless problems and people breaking in. A landscaping company currently leases the property, and has had a difficult time keeping people out. They have indicated they will leave if the razor wire is removed as they will be unable to secure their property or protect their equipment and deter people from breaking in and possibly injuring themselves on the equipment. The four to five times MR. JACOBS has been at the location, the police have been forcefully removing people from the property; the razor wire is the only deterrent. MR. JACOBS stated the applicant is proposing to lower the razor wire below the top of the wall so it cannot be seen, but it would still help secure the property.

MIKE GANSON spoke in support stating a person has the right to reasonably secure their property. Razor wire is acceptable in this neighborhood until the homeless issue is resolved.

COMMISSIONER CREAR drives by this site often and asked if the applicant was simply trying to get approval for what is already there; he did not understand the statement regarding lowering the wire. MR. JACOBS explained the wall varies in height between six and eight feet. The application was submitted as the result of an enforcement action which stated there could not be any razor wire. They are willing to comply, but are trying to improve the value of the property. If the tenant moves out, and it becomes a vacant lot, it degrades the area. By lowering the wire and placing it on the inside of the wall, it cannot be seen from the outside, yet is still there to act as a deterrent. The wire is currently mostly below the top of the wall, but does appear above 10 to 12 inches in some places. The applicant would like to leave it where it is but is willing to lower it. COMMISSIONER CREAR commented that the razor wire does not seem to be working because the tenant is still getting robbed. MR. JACOBS clarified he was talking in terms of the neighborhood itself; there are people everywhere. The Commissioner understands the applicants point that it would be more appealing if the wire could not be seen, but he does not want the safety of the equipment compromised. He asked the applicant if they preferred the razor wire being on top of the wall or on the inside of the wall. MR. JACOBS stated the applicants preference was to leave the wire where it is; it keeps people out of the yard.

CHAIR SCHLOTTMAN asked staff if they objected to the applicant moving the razor wire so that it was on the inside of the wall. PETER LOWENSTEIN, Planning Section Manager, stated it would eliminate the need for the variance and this would then become a permitting issue through the Department of Building and Safety. He pointed out if the wire is relocated to the inside of the wall, it becomes a hidden booby trap at that point. The Chair agreed it would become a liability issue for the applicant, but he does not like the look of the razor wire.

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COMMISSIONER CREAR asked whether the applicant would have to go to Code Enforcement and then appear before the Planning Commission again. MR. LOWENSTEIN explained if the applicant was requesting to keep the wire below the existing wall height, then there is no variance to be considered. The razor wire would be approved through a development plan, and in this case, through a building permit. The Commissioner asked if there was a substantial cost to the applicant to lower the wire to which MR. JACOBS stated there was.

MR. LOWENSTEIN stated another option would be to hold the item and have the applicant explore his options with the Department of Building and Safety and then come back before the Commission to see if it is a viable option at that point. COMMISSIONER CREAR suggested the item be held for 30 days to allow the applicant to check with Building and Safety. He would prefer not to have the wire on top of the wall. MR. JACOBS stated he spoke to the Department of Building and Safety about moving the wire to the inside of the wall, and they did not have a problem with it, but the Planning Department did, which is why the variance was requested.

MR. LOWENSTEIN stated if the applicants request is to increase the wall height, that is where the variance is needed. If the Department of Building and Safety is going to permit it, and the applicant is holding to his initial request, then the Commission should take action.

COMMISSIONER CHERRY asked if there were any other security deterrents, such as lighting or alarm systems in the yard. If this was his yard, he would be looking for other measures to help deter people from breaking in. It is a tough area, but he does not like the razor wire, and he felt the Commission should hear the item.

CHAIR SCHLOTTMAN agreed. He does not like to see razor wire on top of fences, and there are other security measures that can be put in place. If the item is held, he felt the Commission was wasting this gentleman's time because the Department of Building and Safety is either going to issue a permit or not regardless of what decision the Commission makes.

CHAIR SCHLOTTMAN declared the Public Hearing closed.