



City of Las Vegas

Agenda Item No.: 23.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: AUGUST 8, 2017**

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD ACTING

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE - VAR-71002 - MARIA E. PUBLIC HEARING - APPLICANT/OWNER: RAY V. GODFREY - For possible action on a request for a Variance TO ALLOW A THREE-FOOT SIDE AND REAR YARD SET BACK WHERE 10 FEET IS REQUIRED FOR A PROPOSED ACCESSORY STRUCTURE (CLASS B) [CASITA/GARAGE] on 0.38 acres located at 4100 Nancy Margarita Lane, ZIP 89101-810-023), R-PD2 (Residential Planned Development - 2 Units per Acre) Zone, Ward 4 (Barlow) [PRJ-71001]. Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 9/20/2017

OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

26

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

7

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL, if approved, subject to conditions:

BACKUP DOCUMENTATION:

1. Abeyance Request Letter
2. Location and Aerial Maps
3. Conditions and Staff Report
4. Supporting Documentation
5. Photo(s)
6. Justification Letter
7. Rancho San Miguel Home Owners Association Approval Letter
8. Protest Petition, Protest/Support Comment Forms/Postcards and Email from Regan Orr
9. Submitted after Final Agenda Abeyance Request

Motion made by CEDRIC CREAR to Hold in abeyance to 9/12/2017

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

DONNA TOUSSAINT, LOUIS DE SALVIO, VICKI QUINN, TRINITY HAVEN

SCHLOTTMAN, SAM CHERRY, CHRISTINA ROUSH, CEDRIC CREAR; (Against-None);
(Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

PLANNING COMMISSION MEETING OF: AUGUST 8, 2017

CHAIR SCHLOTTMAN declared the Public Hearing open.

SCOTT RUEDY, Sr. Management Analyst, reported that the applicant was requesting a Variance to permit a proposed casita/garage that does not meet the minimum setback requirements and was not in compliance with Title 19. No evidence of a unique or extraordinary hardship to justify the request had been presented; therefore, staff recommended denial as a self-imposed hardship.

CHAIR SCHLOTTMAN noted the applicant was out of town but asked for comments regarding whether the item should be held in abeyance or not.

ASSISTANT CITY ATTORNEY BRYAN SCOTT asserted that CHAIR SCHLOTTMAN could either hear the residents' protests and supports to be carried forward to the next meeting or the Commission could choose to vote on the item.

REGAN ORR appeared with two other residents, STEVE RICHARDS and MARILYN HYSELL, who were present at the 7/11/2017 Planning Commission meeting and voiced their oppositions. He had hoped the matter would be resolved. He was shocked when he was told the item would be held in abeyance.

MS. HYSELL asked why MR. GODFREY was not present and explained how difficult it was for her to attend the meeting. She felt the building being proposed was huge, ugly and did not fit the aesthetics of the neighborhood.

MR. RICHARDS stated that MR. GODFREY'S home is 1,940 square feet and he was proposing to put a 950-square-foot garage next to it.

MR. ORR showed a petition that he had turned in at the last meeting and asserted that he had not lied to anyone.

CHUCK KOEHLER, President of the Board of Directors of Rancho San Miguel, disclosed that it was already known the applicant would be out of town as he had scheduled it in advance. On behalf of MR. GODFREY, MR. KOELER stated that the proposed structure was a little over 900 square feet and part of it would be a casita to house his elderly mother. MR. KOELER was in support of the abeyance.

GREG HALVERSON stated that the applicant lives across the street from him and does have a hardship in regards to room. He was in support of the abeyance.

JARED McGRATH and TERRY HALVERSON also supported the abeyance.

MR. ORR confirmed for COMMISSIONER QUINN that he knew about the request several days ahead of time. She believed that was ample time to know about it and to have the item held in abeyance.

PLANNING COMMISSION MEETING OF: AUGUST 8, 2017

CHAIR SCHLOTTMAN appreciated the neighbors' efforts.

CHAIR SCHLOTTMAN declared the Public Hearing closed.

See Items 4 and 6 for related discussion.

