

Item # 15C

**City of Carson City
Agenda Report**

Date Submitted: February 26, 2008

Agenda Date Requested: March 6, 2008
Time Requested: 30 minutes

To: Mayor and Board of Supervisors

From: Development Services - Planning Division

Subject Title: Action regarding an appeal of the Planning Commission's decision denying a Variance application from Leslie J. and JoAnne Kynett to reduce the required side yard setback to allow encroachment of a previously constructed projection of eaves, landings, stairs and railings, on property zoned Multi-Family Apartment (MFA), located at 925 and 935 East Fifth Street, APN 004-042-24. (File Nos. MISC-08-011/VAR-07-121)

Staff Summary: The applicant constructed eaves, landings, stairs and railings into the required setback beyond what was approved per the building permit. The applicant applied for a variance from the Planning Commission. The Planning Commission denied the subject variance application on a vote of 7:0. The Board of Supervisors uphold, reverse or modify the Commission's decision to deny the appeal.

Type of Action Requested:

Resolution

Ordinance

Formal Action/Motion

Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Planning Commission Action: Denied the variance application on January 30, 2008, by a vote of 7:0.

Recommended Board Action: I move to uphold the Planning Commission's decision to deny Variance VAR-07-121 based upon the findings for denial contained within the staff report to the Planning Commission.

Explanation for Recommended Board Action: Decisions of the Planning Commission may be appealed to the Board of Supervisors per CCMC 18.02.060. See the attached staff memo and Planning Commission staff report for more explanation on the proposed action and the Planning Commission's rationale for denying the application.

Applicable Statute, Code, Policy, Rule or Regulation: CCMC 18.02.060 (Appeals); CCMC 18.04.190 (Residential District Intensity and Dimensional Standards); CCMC Development Standards, Division 1.14 Cornices, Porches and Projections into Setbacks.

Fiscal Impact: N/A