



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: AUGUST 3, 2022

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: TURLEY JOSEPH & VANESSA

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
22-0327-HPC1	Staff recommends DENIAL, subject to conditions if approved	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

NOTICES MAILED

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

22-0327-HPC1 CONDITIONS

Historic Preservation Commission

1. The hot tub shall be adequately screened from public view.
2. The outdoor shower and surrounding privacy fence shall be designed and constructed with materials that are consistent and compatible with the exterior of the house.
3. The design of the garage conversion must conform to John S. Park Design Guidelines. This includes (1) all material must be compatible with the exterior of the house, (2) the shape and form of the roof may not be altered, and (3) any new windows must match all other windows currently on the house.
4. The wooden fence along the north property line shall be reduced to 5-feet in height to allow for an unobstructed view of the house so that it contributes to the historic character of the neighborhood. In addition, the entirety of the fence should be of consistent matching materials rather than an abrupt change from iron and masonry piers to wood.
5. Adherence to all Historic Preservation Commission's conditions of approval related to the Certificate of Appropriateness associated with 22-0327-HPC unless modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The request is for an Applicant appeal of the Historic Preservation Commission's denial of a Certificate of Appropriateness for the historic aesthetic review of existing residential improvements within the John S. Park Neighborhood Historic District at 700 Park Paseo.

ANALYSIS

The subject dwelling is located at 700 Park Paseo within the John S Park Neighborhood Historic District and is listed on the City of Las Vegas Historic Property Register. The request is for an appeal of the Historic Preservation Commission's (HPC) denial of a Certificate of Appropriateness for historic aesthetic review of existing improvements including a 468 square-foot garage conversion, a 120 square-foot spa and 40 square-foot spa bath, and a seven-foot tall side-yard wooden fence along the north property line. If the requested appeal is approved, the site will be subject to all Historic Preservation Commission conditions associated with 22-0327-HPC1 unless modified by the City Council.

Owners of properties listed on the City of Las Vegas Historic Property Register must submit a Certificate of Appropriateness application prior to receiving a building permit for exterior work. This requirement is cited in the City of Las Vegas Unified Development Ordinance Title 19.10.150: HD-O Historic Designation Overlay District:

- Section K (1): A pre-application conference with the Historic Preservation Officer (HPO) is required prior to submitting a building permit or other required development or zoning permit whenever it is proposed to alter, remodel, build, or otherwise develop an Historic Landmark, District, Site, Building, Structure or Object, or an Historic Landmark, Site, Building, Structure or Object located within a designated Historic District, and a building permit or other development or zoning permit is required for such work, the applicant must first obtain the approval of the Historic Preservation Commission (HPC) in accordance with this Section.

Staff Report Page Two
August 3, 2022 - City Council Meeting

- Section K (2): In order to obtain review pursuant to this Subsection, the applicant must submit to the HPO the following: An application for a Certificate of Appropriateness on such form(s) as may be established for the purpose, which shall be signed, notarized and acknowledged by the owner of record or the owner's authorized agent of the property where review of alteration or new construction is sought.
- Section K (4) b, the HPC may deny an application upon determining "That proposed work on any portion of a contributing Historic Landmark, District, Site, Building, Structure or Object within an Historic District will not be compatible with the recognized distinctive character of the Historic Landmark, District, Site, Building, Structure or Object itself, with the character of the entire District, or with the Design Guidelines that have been adopted for the District."

Between June 3, 2020 and February 9, 2022, the owners and construction contractor of 700 Park Paseo were advised at least eight different times via email and phone calls to submit a Certificate of Appropriateness application for the historic aesthetic review of the proposed exterior work. On September 15, 2021 and again on November 22, 2021, Code Enforcement responded to the residence to advise the owners that building permits were required. This was followed-up with further information from the Historic Preservation Officer regarding the submission of the Certificate of Appropriateness application for historic aesthetic review. Construction commenced in November 2021 without the submission of a Certificate of Appropriateness application or the submittal of plans for building permit review.

The property owner subsequently submitted a Certificate of Appropriateness application for the existing improvements and appeared at the April 25, 2022 Historic Preservation Commission (HPC) Meeting and were denied approval when they agreed to all conditions but would not agree to lower the height of the fence along the north property line. The HPC conditioned that the applicant reduce the existing fence height from seven to five feet, which would allow for an unobstructed view of the house and allow it to contribute to the historic character of the neighborhood. The owners redesigned the fence and appeared at a second Historic Preservation Commission Meeting on June 22, 2022; however, the fence remained at a height of seven feet. Again, the Commission denied the application when the owners stated they would comply with all the required conditions with the exception of lowering the height of the fence to five feet.

Staff Report Page Three
August 3, 2022 - City Council Meeting

FINDINGS (22-0327-HPC1)

While the location of a seven-foot tall fence along a side-yard property line complies with all zoning code requirements, it does not allow a view of the historic property and therefore is not in character with the remainder of the John S. Park Neighborhood Historic District. Staff recommends denial of the appeal request unless the owners agree to all previous conditions associated with 22-0327-HPC1 imposed by the HPC, including lowering the fence to five feet in height. If the appeal is approved, a condition of approval has been included to ensure compliance with the HPC imposed conditions associated with 22-0327-HPC1 unless modified by the City Council.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i>	
Month/date/year	Action
09/15/2021	Code Enforcement Case # CE20-04947 issued to owner to obtain building permit for wood fence
11/22/2022	Code Enforcement Case # CE20-04947 issued to owner to obtain permits for the electronic gate portion of the wood gate in the side yard (Park Paseo); the sunken spa; outdoor bath; garage conversion.
04/25/2022	The Historic Preservation Commission denied a Certificate of Appropriateness request (22-0202-HPC1) for the installation of a sunken hot tub and an outdoor shower with surrounding privacy screen, as well as a conversion of the garage into a casita, and approval of the design of an existing wooden fence.
06/22/2022	The Historic Preservation Commission denied a Certificate of Appropriateness request (22-0327-HPC1) for the installation of a sunken hot tub and an outdoor shower with surrounding privacy screen, as well as a conversion of the garage into a casita, and approval of the design of an existing wooden fence.

<i>Most Recent Change of Ownership</i>	
03/13/20	A deed was recorded for a change in ownership.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.21

Staff Report Page Four
August 3, 2022 - City Council Meeting

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
John S. Park Historic District	N*
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
HD-O (Historic Designation Overlay) District	N*

*The Historic Perseveration Commission denied a request for a Certificate of Appropriateness on 06/22/22.