

INTER-OFFICE MEMORANDUM

TO: PLANNING AND DEVELOPMENT DEPARTMENT	FROM: CITY CLERK
SUBJECT: APPEAL OR CITY COUNCIL REVIEW INFORMATION ON BOARD OF ZONING ADJUSTMENT ACTIONS	COPIES TO:

This is to certify that the following action relative to the Board of Zoning Adjustment decision on the application of:

FILE NO.: V-37-96 - VARIANCE

APPLICANT: ALBERT AND CAROLE DEPAULIS

Appeal by applicant or any other aggrieved person: Yes ☐ No ☒

Review requested by City Council: Yes ☐ No ☐

6-14-96
DATE

Andrea L. Brown
CITY CLERK, *Chief Deputy*

PLANNING AND DEVELOPMENT
DEPARTMENT INFORMATION:

Date of Board of Zoning Adjustment Action: MAY 28, 1996

Last day for filing an appeal by applicant or any other aggrieved person. (Appeal period is 11 days after the notice of BZA action is mailed to applicant.)

JUNE 11, 1996

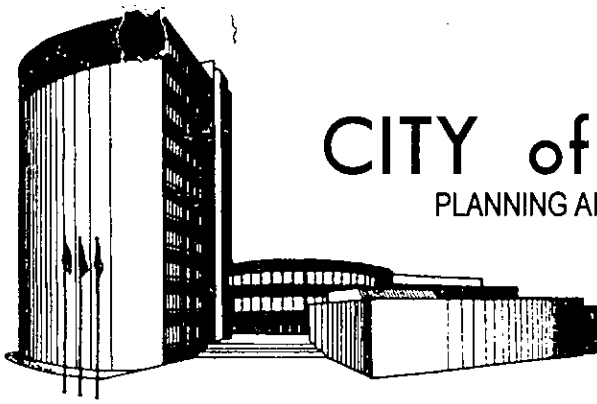
Last day for a review being requested by the City Council. (Review period is 14 days after the notice of BZA action is mailed to applicant.)

JUNE 14, 1996

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MATTHEW Q. CALLISTER
MICHAEL J. MCDONALD
GARY REESE

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

PLANNING AND DEVELOPMENT DEPARTMENT

May 31, 1996

Mr. and Mrs. Albert DePaulis
7635 Tara Avenue
Las Vegas, Nevada 89117

Re: V-37-96 - VARIANCE

Dear Mr. and Mrs. DePaulis:

Your request for a Variance to allow 110 parking spaces where 163 parking spaces are required for an existing restaurant with a proposed patio for outdoor seating on property located at 7770 Ann Road, Ward 4, C-2 Zone, was considered by the Board of Zoning Adjustment on May 28, 1996.

The Board of Zoning Adjustment APPROVED your request as being in accord with the general spirit and purpose of the Ordinance subject to the following conditions:

1. All development shall conform to the conditions of approval for U-188-91.
2. All development must be in conformance with the plot plan and elevations.
3. City Code requirements and design standards of all City departments must be satisfied.

This action by the Board of Zoning Adjustment on May 28, 1996 is final unless a written appeal to the City Council is filed with the City Clerk within eleven days of the date of this letter, or there is a review action filed by the City Council within fourteen days of the date of this letter.

Building permits or business licenses cannot be acted upon until after the fourteen day review period has elapsed or after the required hearing on any appeal or review.

An approved Variance must be exercised within one year or it becomes null and void, unless a request for an Extension of Time is duly filed and approved by the Board of Zoning Adjustment within the one year time limit.

Very truly yours,

Phyllis Hargrove, Senior Planner
Current Planning Division

PH:gm

400 E. STEWART AVENUE • LAS VEGAS, NEVADA 89101-2986
(702) 229-6011 (VOICE) • (702) 386-9108 (TDD)



BOARD OF ZONING ADJUSTMENT

MEETING OF
MAY 28, 1996

City of Las Vegas

AGENDA & MINUTES

Page 36

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

BOARD ACTION

ABEYANCE ITEM

B-11

V-37-96 - ALBERT AND CAROLE DEPAULIS

APPLICATION: Variance to allow 110 parking spaces where 163 parking spaces are required for an existing restaurant with a proposed patio

LOCATION: 7770 Ann Road

Ward 4

ZONE: C-2

STAFF RECOMMENDATION: APPROVAL,
subject to:

1. All development shall conform to the conditions of approval for U-188-91.
2. Standard Conditions 1 and 5.

PROTESTS: 1 at 4/23/96 meeting

BOYERS

APPROVAL subject to conditions
UNANIMOUS

Mr. Farace advised that the applicants are proposing to construct a 2,400 square foot patio addition for outdoor dining and seasonal banquets with a separate adjacent 400 square foot restroom facility to the rear of the existing 5,250 square foot restaurant. A six foot block wall will enclose the proposed outdoor dining area. The addition will require removing 5 of the original 115 parking spaces and result in an overall parking deficiency of 53 spaces. The location within this low density residential area away from major thoroughfares is unique. The reduction should have no detrimental impact on the public or properties in the vicinity. Staff recommended approval.

Albert DePaulis, 7635 Tara, was present and concurred with the conditions. He met with the protester from the last meeting and explained the hours restriction which adequately addressed those concerns.

No one appeared in opposition.

There was no further discussion.

(21:33 - 21:36)

BREAK: 21:36 - 21:47

Agenda

City of Las Vegas

BOARD OF ZONING ADJUSTMENT

May 28, 1996

Council Chambers

Phone 229-6301

400 East Stewart Avenue

TDD 386-9108

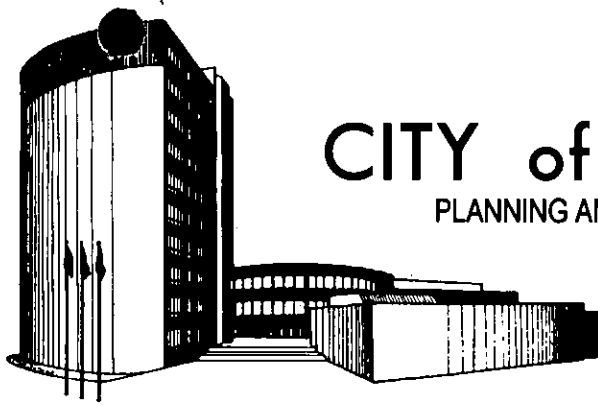
Page 7

- B-6. U-33-96 - Peccole 1982 Trust, et al - Request for a Special Use Permit for a tavern in conjunction with a proposed wedding chapel on property located on the west side of Rampart Boulevard, approximately 1,000 feet north of Charleston Boulevard, Ward 2, N-U Zone (under Resolution of Intent to C-1). (Related to Item B-19, V-49-96)
- B-7. U-34-96 - City of Las Vegas on behalf of Walters Group/Golf Club of Nevada - Request for a Special Use Permit for four 14 foot x 48 foot off-premise advertising (billboard) signs on property located on the north side of the I-515 Freeway between Mojave Road and Pecos Road, Ward 3, C-V Zone. (Related to Item B-20, V-50-96)
- B-8. U-36-96 - Craig Decatur Commercial Limited Partnership - Request for a Special Use Permit for a tavern in conjunction with a proposed restaurant in a proposed retail shopping center; and a request for a waiver of the 1,500 foot distance separation from a child care facility on property located on the north side of Craig Road, approximately 450 feet west of Decatur Boulevard, Ward 4, R-E Zone (under Resolution of Intent to C-1).
- B-9. U-38-96 - Charles and Rae Kinder - Request for a Special Use Permit for a two story 4,700 square foot church on property located on the west side of Lone Mountain Road, approximately 130 feet south of Torrey Pines Drive, Ward 4, R-E Zone.
- B-10. U-39-96 - Hermes Associates - Request for a Special Use Permit for the sale of beer and wine in conjunction with an existing restaurant on property located at 614 South Maryland Parkway, Ward 3, C-2 Zone.
- B-11. V-37-96 - Albert and Carole DePaulis - ABEYANCE ITEM - Request for a Variance to allow 110 parking spaces where 163 parking spaces are required for an existing restaurant with a proposed patio on property located at 7770 Ann Road, Ward 4, C-2 Zone.
- B-12. V-41-96 - Angelo and Cathie Gurreri - Request for a Variance to allow an 80 foot high monopole and transmission facility on the property line where 50 feet is the minimum setback required from a P-R Zone on property located at 3012 Meade Avenue, Ward 1, M Zone.

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MATTHEW Q. CALLISTER
MICHAEL J. McDONALD
GARY REESE

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

PLANNING AND DEVELOPMENT DEPARTMENT

May 17, 1996

Mr. and Mrs. Albert DePaulis
7635 Tara Avenue
Las Vegas, Nevada 89117

RE: V-37-96 - VARIANCE
ABEYANCE ITEM

Dear Applicant:

Please be advised your request as referred to above will be considered by the Board of Zoning Adjustment at its regular meeting on May 28, 1996.

This meeting will be held at 7:00 P.M. in the Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada. You or your representative must be present at this meeting to answer any pertinent questions which may arise regarding this request.

Please feel free to contact me at 229-6893 if you have any questions.

Very truly yours,

Phyllis Hargrove, Senior Planner
Current Planning Division

PH:gm

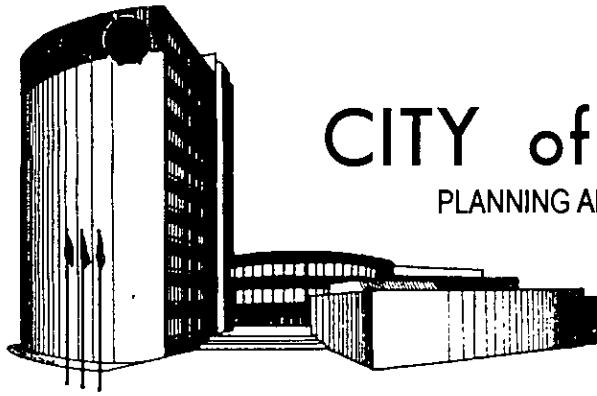
Attachment



MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MATTHEW Q. CALLISTER
MICHAEL J. McDONALD
GARY REESE

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

PLANNING AND DEVELOPMENT DEPARTMENT

April 26, 1996

Mr. and Mrs. Albert DePaulis
7635 Tara Avenue
Las Vegas, Nevada 89117

Re: V-37-96 - VARIANCE

Dear Mr. and Mrs. DePaulis:

Your request for a Variance to allow 110 parking spaces where 163 parking spaces are required for an existing restaurant with a proposed patio for outdoor seating on property located at 7770 Ann Road, Ward 4, C-2 Zone, was considered by the Board of Zoning Adjustment on April 23, 1996.

The Board of Zoning Adjustment voted to hold this item in ABEYANCE because there was no representation of the applicant at the meeting.

This item will again be considered by the Board of Zoning Adjustment at its next regular meeting scheduled for May 28, 1996 at 7:00 p.m. in the Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada. You or your representative must be present at this meeting to answer any pertinent questions which may arise regarding this request.

Very truly yours,

Phyllis Hargrove, Senior Planner
Current Planning Division

PH:gm



BOARD OF ZONING ADJUSTMENT

MEETING OF
APRIL 23, 1996

City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

BOARD ACTION

C-24

V-37-96 - ALBERT AND CAROLE DePAULIS

APPLICATION: Variance to allow 110 parking spaces where 163 parking spaces are required for an existing restaurant with a proposed patio

LOCATION: 7770 Ann Road

WARD 4

ZONE: C-2

STAFF RECOMMENDATION: APPROVAL, subject to:

1. All development shall conform to the conditions of approval for U-188-91.
2. Standard Conditions 1 and 5.

PROTESTS: 1 at meeting

SOLOMON

ABEYANCE to 5/28/95 as the first discussion item
UNANIMOUS with Boyers excused

The applicant was not present and Chairman Goynes trailed the item to the end of the meeting.
(22:50)

Chairman Goynes recalled the item and stated that testimony would be taken from the protesters at this time.

Eric Davison, 7880 High Desert, described the existing problems with noise from bands and events at the restaurant. He and his wife are concerned about an increase in noise and other disturbances related to the patio seating.

Mr. Solomon agreed that he had some concern that this restaurant could become the equivalent for the City of the County's problem with the Drink. He confirmed with Chief Deputy City Attorney Steed and Ms. Hargrove that it would be advisable to hold the item in abeyance versus either an approval or a denial at this time.

Ms. Jacobson suggested that staff work to get the applicant and Mr. and Mrs. Davison together to address the issues raised.

There was no further discussion.

(23:20 - 23:25)

Agenda

City of Las Vegas

BOARD OF ZONING ADJUSTMENT

April 23, 1996

Council Chambers

Phone 229-6301

400 East Stewart Avenue

TDD 386-9108

Page 9

- C-18. V-31-96 - Dennis and Iris Peters - Request for a Variance to allow a proposed patio cover 5 feet 7 inches from the rear property line where 15 feet is the minimum setback required on property located at 5616 Tropic Mist Street, Ward 4, R-1 Zone.
- C-19. V-32-96 - David and Maria Bertuccini - Request for a Variance to allow a proposed patio cover 12 feet from the rear property line where 15 feet is the minimum setback required on property located at 4812 Canadian Drive, Ward 4, R-1 Zone.
- C-20. V-33-96 - Donald and Catherine Staley - Request for a Variance to allow a 9 foot combination wrought iron and block wall in the front yard area where 4 feet is the maximum height allowed; and along the side and rear property lines where 6 feet is the maximum height allowed on property located at 8041 O'Bannon Drive, Ward 2, R-E Zone.
- C-21. V-34-96 - Moyer Trust - Request for a Variance to allow a 9 foot combination wrought iron and block wall in the front yard area where 4 feet is the maximum height allowed; and along the side and rear property lines where 6 feet is the maximum height allowed on property located at 8021 O'Bannon Drive, Ward 2, R-E Zone.
- C-22. V-35-96 - Kenneth and Sandra Sands - Request for a Variance to allow a proposed patio cover 8 feet from the rear property line where 15 feet is the minimum setback required on property located at 9516 Scenic Sunset Drive, Ward 2, R-PD7 Zone.
- C-23. V-36-96 - Jerry and Nancy Evans - Request for a Variance to allow a mobile home 7 feet from the rear property line where 10 feet is the minimum setback required on property located at 4324 Jadestone Avenue, Ward 4, R-MHP Zone.
- C-24. V-37-96 - Albert and Carole DePaulis - Request for a Variance to allow 110 parking spaces where 163 parking spaces are required for an existing restaurant with a proposed patio on property located at 7770 Ann Road, Ward 4, C-2 Zone.
- C-25. V-38-96 - Gertrude Carter - Request for a Variance to allow an existing patio cover 2 feet from the side property line where 5 feet is the minimum setback required on property located at 4604 Gonzales Drive, Ward 4, R-PD5 Zone.

NOTICE OF PUBLIC HEARING

VARIANCE REQUEST

MEETING: BOARD OF ZONING ADJUSTMENT
DATE: APRIL 23, 1996
TIME: 7:00 P.M.
LOCATION: COUNCIL CHAMBERS, CITY HALL
400 EAST STEWART AVENUE
LAS VEGAS, NEVADA

APPLICANT: Albert and Carole DePaulis

CASE NO.: V-37-96

REQUEST: Variance to allow 110 parking spaces where 163 spaces are required for an existing restaurant with a proposed patio.

PROPERTY
LOCATION: 7770 West Ann Road

ZONING: C-2 (General Commercial)

LEGAL
DESCRIPTION: A PORTION OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B.&M.

Any and all interested persons may appear before the Board of Zoning Adjustment either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objections thereto or approval thereof with the Planning and Development Department, 400 East Stewart Avenue, Las Vegas, Nevada 89101.

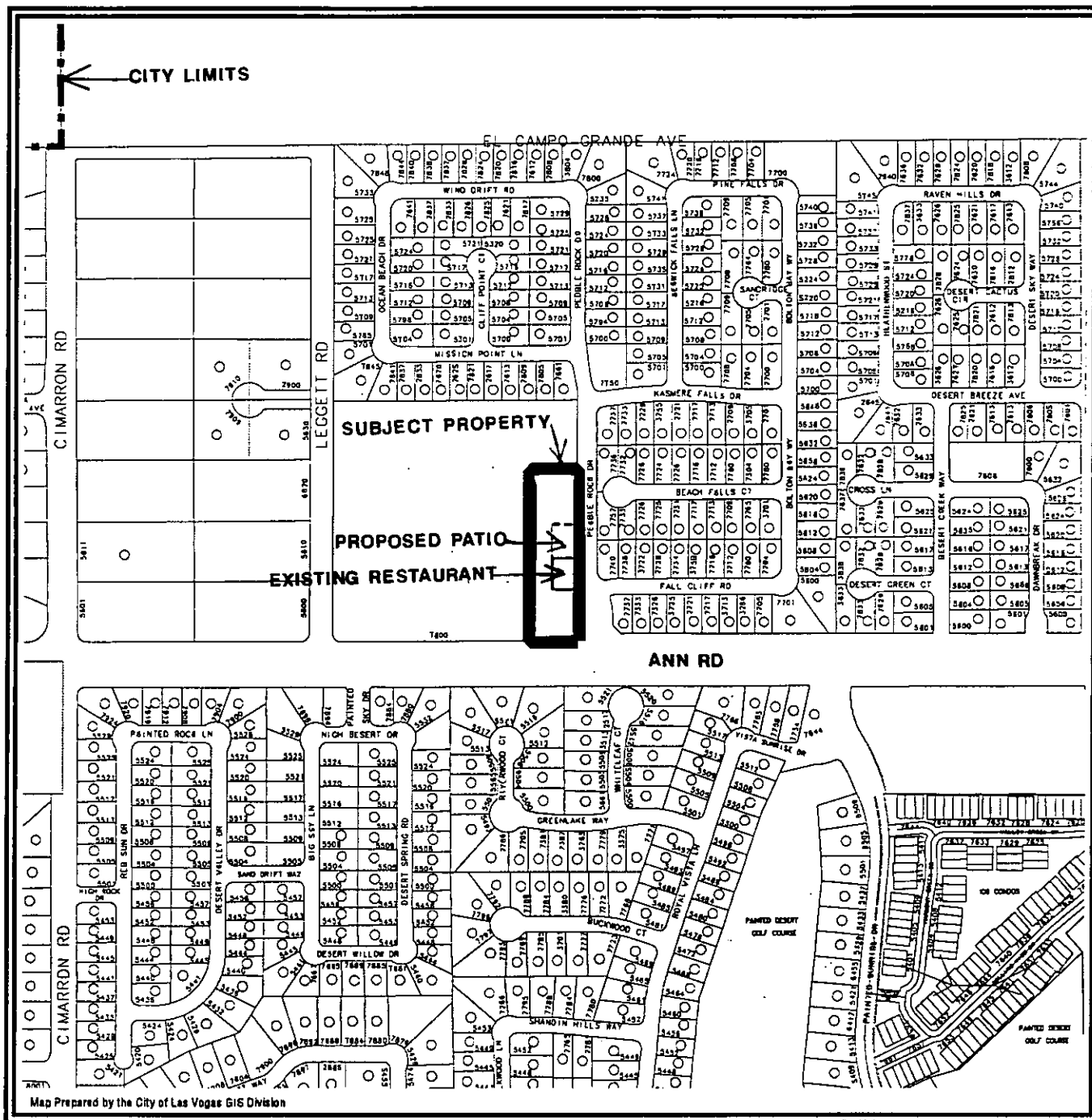
PLANNING AND DEVELOPMENT DEPARTMENT
CITY OF LAS VEGAS



A handwritten signature in black ink, appearing to read "Phyllis Hargrove", is written over the typed name.

PHYLLIS HARGROVE, SENIOR PLANNER
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE



V-37-96

Case Number:

Applicant: Albert and Carole DePaulis

Request: Variance to allow 110 parking spaces where 163 spaces are required for an existing restaurant with a proposed patio.

Location: 7770 West Ann Road Ward: 4



CITY OF LAS VEGAS
INTER-OFFICE MEMORANDUM

DATE

April 19, 1996

TO:

Donna Kristaponis, Director
Department of Planning & Development

RECEIVED

APR 23 9 16 AM '96

FROM:

Richard D. Goecke, Director
Department of Public Works



SUBJECT:

Variance Application
V-37-96
Albert and Carole DePaulis

PLANNING AND
DEVELOPMENT

(Ann Road west of Buffalo Drive)

COPIES TO:

John McNellis/Bart Anderson, Engineering Planning
Ed Byrge, Right-of-Way
Chuck Turk, Land Development
Rita Lumos, Survey (FM, PM, & A's only)
Gordon Derr, Traffic Engineering

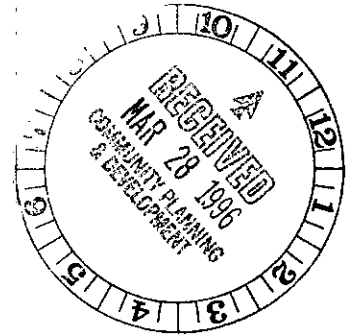
CONDITIONS OF APPROVAL:

1. We concur with City Code and therefore do not support the Variance Application to allow 115 parking spaces where 146 spaces are required.

MEMO

DATE

3/27/96



TO:

PLANNING AND DEVELOPMENT DEPT.

FROM:

FIRE PREVENTION DIVISION

SUBJECT:

V-37.96 ALBERT + CAROL DEPAULIS

1. ☒ NO OBJECTIONS.
2. ☐ SUBJECT TO CONDITIONS LISTED.
3. ☐ MUST BE CONSTRUCTED/INSTALLED TO CONFORM TO ALL APPLICABLE FIRE CODES, BUILDING CODES, CITY CODES, AND WHERE NECESSARY ANY STATE AND FEDERAL CODES.
4. ☐ FIRE HYDRANTS CAPABLE OF SUPPLYING THE REQUIRED FIRE FLOW SHALL BE IN SERVICE PRIOR TO ANY COMBUSTIBLE CONSTRUCTION.
5. ☐ WHERE NEW WATER MAINS ARE EXTENDED ALONG STREETS, WHERE HYDRANTS ARE NOT NEEDED FOR PROTECTION OF STRUCTURES, FIRE HYDRANTS SHALL BE SPACED AT MAXIMUM 1000 FOOT SPACING TO PROVIDE FOR TRANSPORTATION HAZARDS.
6. ☐ STREET ACCESS, FIRE LANES TO COMPLY WITH CITY STANDARDS WIDTHS, CUL-DE-SACS, AND RADIUS.
7. ☐ ELECTRICALLY CONTROLLED ACCESS GATES SHALL BE PROVIDED WITH AN APPROVED EMERGENCY VEHICLE DETECTOR/RECEIVER SYSTEM. SAID SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF LAS VEGAS GUIDELINES FOR AUTOMATIC EMERGENCY VEHICLE ACCESS GATES.
8. ADDITIONAL CONDITIONS/COMMENTS _____

FIRE DEPARTMENT REPRESENTATIVE'S SIGNATURE

2110-016-11/95

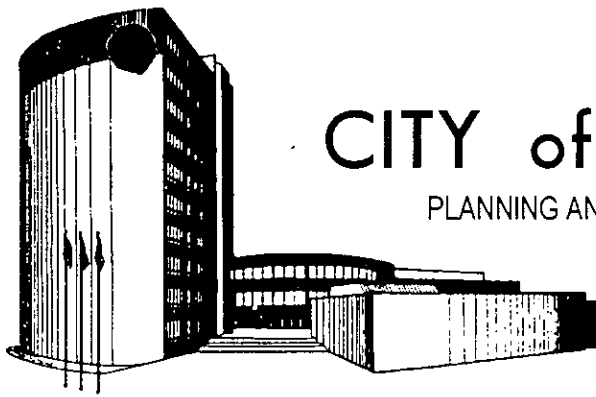
Original - Community Planning

Copy - Fire Prevention Division

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MATTHEW Q. CALLISTER
MICHAEL J. McDONALD
GARY REESE

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

PLANNING AND DEVELOPMENT DEPARTMENT

April 12, 1996

Mr. and Mrs. Albert DePaulis
7635 Tara Avenue
Las Vegas, Nevada 89117

RE: V-37-96 - VARIANCE

Dear Applicant:

Please be advised your request as referred to above will be considered by the Board of Zoning Adjustment at its regular meeting on April 23, 1996.

This meeting will be held at 7:00 P.M. in the Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada. You or your representative must be present at this meeting to answer any pertinent questions which may arise regarding this request.

Please feel free to contact me at 229-6893 if you have any questions.

Very truly yours,

Phyllis Hargrove, Senior Planner
Current Planning Division

PH:gm

Attachment



- C-24. V-37-96 - Albert and Carole DePaulis - Request for a Variance to allow 110 parking spaces where 163 parking spaces are required for an existing restaurant with a proposed patio for outdoor seating on property located at 7770 Ann Road, Ward 4, C-2 Zone. Parcel No. 125-28-803-002.

Public Hearing

BZA Final Action

APPLICATION:

The applicant is requesting approval for a Variance to allow 110 parking spaces where 163 spaces are required for an existing restaurant with a proposed patio addition for outdoor seating.

BACKGROUND DATA:

- 09/26/91 The Board of Zoning Adjustment denied a request for a Special Use Permit to allow a tavern in conjunction with a restaurant on this site (U-188-91).
- 11/06/91 The City Council granted an appeal, thereby approving a Special Use Permit for a tavern in conjunction with a restaurant on this site (U-188-91).

SITE DETAILS:

Site Area	1.25	acres.
Building Area	5,250	square feet
Addition Area	2,400	square feet
Existing Parking	115	spaces
Required Parking	163	spaces
Proposed Parking	110	spaces

ANALYSIS:

The subject property is an existing tavern/restaurant that is approximately 5,250 square feet in size with 115 existing parking spaces. The applicant is seeking approval to allow a proposed 2,400 square foot covered patio addition that will be used for outdoor dining and seasonal banquets. The proposed addition will be located at the rear of the restaurant and will also include a separate 400 square foot restroom facility adjacent to the covered patio. A six foot high block wall will enclose the proposed outdoor dining area.

FINDINGS:

The tavern/restaurant is presently in compliance with the parking requirements for sit-down restaurants, as established in section 19.64.250 of the CLV Zoning Ordinance. The proposed outdoor seating area, requires an additional 48 spaces to comply with the parking standards. The submitted site plan shows that only 110 spaces will be provided which results in a deficiency of 53 spaces. Five parking spaces from the original 115 spaces will be removed to allow for the proposed patio cover.

Staff finds that the location of the site creates a unique circumstance and condition pursuant to Section 19.88.090 of the City of Las Vegas Municipal Code. The tavern/restaurant is located in an area that is primarily low density residential. The subject site is removed from any heavily traveled thoroughfares. Traffic to and from the site should be from the surrounding residential properties. Staff is of the opinion that a reduction in the required number of parking spacing should not have any adverse effects to the site or subsequently, to traffic on Ann Road. Furthermore, granting this variance should not be detrimental to the public safety and welfare or injurious to other property or improvements within the surrounding vicinity. Therefore, staff has no objections to this request.

STAFF RECOMMENDATION: APPROVAL, subject to the following conditions:

1. All development shall conform to the conditions of approval for U-188-91.
2. Standard conditions 1 and 5.

PROTESTS: 0

NOTICES MAILED: 421

**CITY OF LAS VEGAS
INTER-OFFICE MEMORANDUM**

FROM: PLANNING AND DEVELOPMENT DEPARTMENT		DATE: 3/21/96
TO:	✓ DEVELOPMENT COORDINATION - JOHN McNELLIS ELECTRICAL SERVICES - DONALD K. BEHUNIN FLOOD CONTROL - RANDY FULTZ LAND DEVELOPMENT - CHUCK TURK RIGHT-OF-WAY - ED BYRGE SANITARY SEWERS - DAVE McGONEGLE TRAFFIC ENGINEERING - GLENN GRAYSON	
SUBJECT: SPECIAL USE PERMIT OR VARIANCE APPLICATION		
APPLICANT: ALBERT AND CAROLE DEPAULIS		
FILE NUMBER: V-37-96		

A request has been received for a Variance to allow ¹¹⁰145 parking spaces where ¹⁴³146 spaces are required.

LOCATION: 7770 WEST ANN ROAD
PARCEL NO.: 125-28-803-002
ZONE: C-2 (GENERAL COMMERCIAL)

PLEASE RETURN TO JOHN McNELLIS BY: APRIL 7, 1996

BOARD OF ZONING ADJUSTMENT MEETING: APRIL 23, 1996

**ATTACHMENT:
APPLICATION
PLOT PLAN**

**CITY OF LAS VEGAS
INTER-OFFICE MEMORANDUM**

FROM: PLANNING AND DEVELOPMENT DEPARTMENT	DATE: 3/21/96
TO: ☒ BUILDING & SAFETY - GEORGE GARDNER (if this structure is existing, please furnish elevation)	
☒ FIRE SERVICES - JEFF DONAHUE, FIRE PREVENTION (if this structure is existing, please furnish fire accessibility)	
BUSINESS ACTIVITY - JIM DIFIORE (if this application is <u>alcohol related</u> please advise of any licensed child care facilities for more than 12 children located within 400 feet. If for a <u>tavern</u> license please advise of any other taverns or licensed child care facilities for more than 12 children located within 1500 feet)	
DOWNTOWN REDEVELOPMENT - DOUG DICKERSON	
METRO CRIME PREVENTION - RON CORBIN	
SUBJECT: SPECIAL USE PERMIT OR VARIANCE APPLICATION	
APPLICANT: ALBERT AND CAROLE DEPAULIS	
FILE NUMBER: V-37-96	

A request has been received for a Variance to allow 115 parking spaces where 146 spaces are required.

LOCATION: 7770 WEST ANN ROAD

PARCEL NO.: 125-28-803-002

ZONE: C-2 (GENERAL COMMERCIAL)

PLEASE RETURN BY: APRIL 7, 1996

BOARD OF ZONING ADJUSTMENT MEETING: APRIL 23, 1996

ATTACHMENT:
APPLICATION
PLOT PLAN

**CITY OF LAS VEGAS
INTER-DEPARTMENTAL MEMORANDUM**

FROM:	PLANNING AND DEVELOPMENT DEPARTMENT	DATE:	3/21/96
TO:	ROD ALLISON - 1ST PLANNING COMMISSION DAVE CLAPSADDLE - 2ND PLANNING COMMISSION ROBERT BAGGS - COMPREHENSIVE PLANNING ✓ KATHY SOMERS - NEIGHBORHOOD PLANNING DARRYL NELSON - TRANSPORTATION PLANNING		
SUBJECT:	SPECIAL USE PERMIT OR VARIANCE APPLICATION		
APPLICANT:	ALBERT AND CAROLE DEPAULIS		
FILE NUMBER:	V-37-96		

A request has been received for a Variance to allow 115 parking spaces where 146 spaces are required.

LOCATION: 7770 WEST ANN ROAD

PARCEL NO.: 125-28-803-002

ZONE: C-2 (GENERAL COMMERCIAL)

PLEASE RETURN TO PHYLLIS HARGROVE BY: **APRIL 7, 1996**

BOARD OF ZONING ADJUSTMENT MEETING: **APRIL 23, 1996**

ATTACHMENT:
APPLICATION
PLOT PLAN

03/21/96

16:14:23:67

Z O N I N G A C T I O N S (1 O F 3)

CASE V 37 96 - BZA-CC-PC-SUM (BCPS) B MEETING DATE 04/23/96

ITEM # ACCEPTED 03/21/96 PUBLIC HEARING Y BY AR

EXISTING ZONES C-2 ROI-)

ROI-)

NEW ZONE

A P P L I C A T I O N R E Q U E S T

VARIANCE TO ALLOW ¹¹⁰~~115~~ PARKING SPACES WHERE ¹⁶³~~146~~ SPACES ARE REQUIRED.

A P P L I C A N T WARD 4 PARCEL# 12528 803 002 MORE? N

ALBERT L. DEPAULIS DEPAULIS ALBERT LYNN & CAROLE S

7635 TARA AVE. 7770 W ANN RD

LV NV 89117 LAS VEGAS NV 89129-5107

368-7709

PARCEL MAP FILE 70 PAGE 74

P R O P O S E D U S E LOT 2

PARKING REDUCTION

UPDATE NEW DELETE PRINT ZACT3 ZACT2 BACK

03/21/96

16:14:46:02

Z O N I N G A C T I O N S (2 O F 3)

CASE V 37 96 - BZA-CC-PCOMM (BCP) B MEETING DATE 04/23/96

ITEM # ACCEPTED 03/21/96 PUBLIC HEARING Y

VARIANCE TO ALLOW 115 PARKING SPACES WHERE 146 SPACES ARE REQUIRED.

P R O P E R T Y L O C A T I O N

7770 WEST ANN ROAD.

200 SCALE MAP# G-28-B SIZE 1.25 ACRES #LOTS 0

MAP NAME

CC:

SUBD:

NOTICE: NW CIT ASSOC, LONE MTN CAC, SHP MTN HOA.

COMMENTS:

UPDATE

PRINT

ZACT3

ZACT1

BACK

03/21/96

16:13:50:00

P A R C E L F I L E

7770 W ANN RD DEPAULIS ALBERT LYNN & CAROLE S
PARCEL 125 28 803 002 THROUGH 200 7770 W ANN RD
LAST UPDATE 02/05/96 ZIP 89129 LAS VEGAS NV 89129-5107
GEOGRAPHIC PT SW4 SE4 28 19 60 WARD 04 PARCEL MAP FILE 70 PAGE 74
DOCUMENT # 93032900203-1-A 3/29/93 LOT 2
200 SCALE MAP NO G-28-8
ZONING C-2 BMG 4/29/92

SETBACKS: FRONT REAR SIDE CORNER

ROI ZONING FILE EXPIRATION

ROI ZONING

ZONING FILE

USE PERMIT FL U-188-91

VARIANCE FILE V-37-96

MISC FILE

THIS IS BRITTANY'S RESTAURANT--BEN

LAND USE CODE 3-60-0-0-0 CAPACITY 0 CONST YEAR 92 SIZE: 0.00 ACRES

COMMERCIAL RESTAURANTS

UPDATE PRINT DELETE ASSESSOR'S LOG P.C. LOG BACK



PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION/PETITION FORM (Must Be Printed or Typed)

Date: 3-31-96

APPLICATION/PETITION FOR: PARKING VARIANCE
(Type of Action Requested)

Project Address (Location): 7770 W. ANN RD. OK
Proposed Use: OUTDOOR DINING Assessor's Parcel No: 130-28-843-002-96
Project Name: BRITTANY'S Ward No: 4
Existing General Plan: _____ Sixteenth Section: SW4 of the SE4 of Section: 28 Township: 19 Range: 16
Proposed General Plan: _____ Existing Zoning: C2 Proposed Zoning: _____
Gross Acres: 1.25 AC Lots/Units: N/A Density: _____ Commercial Sq. Ft.: 5250
Comments/Additional Information/Special Notification: SEE ATTACHED
VARIANCE TO ALLOW 15 PARKING SPACES
WHERE THE PROPOSED ADDITION TO THE
EXISTING RESTAURANT REQUIRES
140 SPACES.

APPLICANT INFORMATION:

Property Owner(s): ALBERT L. DEPAULLIS Contact: _____
Address: 7635 TARA AVE.
City: LAS VEGAS State: NV Zip: 89117 Tel: 368-7709 Fax: 658-0537
Applicant: SAME Contact: _____
Address: _____
City: _____ State: _____ Zip: _____ Tel: _____ Fax: _____
Represented By: SAME Contact: _____
Address: _____
City: _____ State: _____ Zip: _____ Tel: _____ Fax: _____

SIGNATURE OF OWNER(S) OR AUTHORIZED AGENT
(SIGN AND/PRINT OR TYPE NAME)

Owner(s):

Albert L. DePaullis

Subscribed and sworn before me this 21 day of march 19 96



CANDICE L. WILLIAMS
Notary Public - State of Nevada
Appointment Recorded in Clark County
My Appointment Expires 10-18-1999
96-0341-1

Notary Public

FOR DEPARTMENT USE ONLY

Case No: V-37-96
Meeting Date: 4/23/96
Date Accepted: 3/28/96
Accepted By: [Signature]
Map No: 6-28-8
Total Fee(s): 375.00
Receipt No: 366638

TO: CITY OF LAS VEGAS
FROM: ALBERT LYNN DEPAULIS
SUBJECT: PARKING VARIANCE

I AM REQUESTING A PARKING VARIANCE FOR BRITTANY'S RESTAURANT AND LOUNGE, LOCATED AT 7770 W. ANN ROAD. THE PURPOSE OF THIS VARIANCE IS TO UTILIZE A PORTION OF THE PROPERTY, WHICH IS PRESENTLY DESIGNATED FOR PARKING FOR PATIO DINING AND SEASONAL BANQUET FUNCTIONS.

THE PRESENT PARKING REQUIREMENTS ARE 115 PARKING SPACES. OUR CUSTOMERS ARE GENERALLY COUPLES AND FAMILIES. WE ARE PRESENTLY UTILIZING APPROXIMATELY THIRTY FIVE PERCENT OF OUR PARKING SPACES DURING OUR PEAK BUSINESS HOURS, WHICH ARE GENERALLY 12.00 NOON TILL 2.00 P.M. AND 6.00 P.M. TIL 10.00 P.M. IT IS ESSENTIAL THAT THIS REQUEST BE CONSIDERED SO THESE IMPROVEMENTS MAY BE IMPLEMENTED AND WOULD APPRECIATE YOUR SUPPORT.

RESPECTIVELY SUBMITTED



ALBERT LYNN DEPAULIS
3-21-96

PAID

MAR 24 1992

DEED OF TRUST AND ASSIGNMENT OF RENTS

VALLEY BANK OF NEVADA

THIS DEED OF TRUST, is made this 20th day of December A.D. 1991by and between Albert L. DePaulis and Carole S. DePaulis, husband and wife as joint tenantswhose address is 7635 Tara, Las Vegas, Nevada 89117as Trustor, and Nevada Title Company

a corporation organized and existing under and by virtue of the State of Nevada as Trustee, and VALLEY BANK OF NEVADA, a corporation organized and existing under and by virtue of the laws of the State of Nevada, as Beneficiary. (It is distinctly understood that the word "Trustor" as herein used is intended to and does include the masculine, feminine and neuter genders and the singular and plural numbers, as indicated by the context).

WITNESSETH: That said Trustor hereby grants, conveys and confirms unto said Trustee in trust with power of sale, the following

described real property situate in the County of Clark State of Nevada to-wit:

That portion of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of Section 28, Township 19 South, Range 60 East, M.D.B. & M., described as follows:

Parcel Two (2) as shown by map thereof in file 70 of Parcel Maps, Page 74, in the Office of the County Recorder, Clark County, Nevada.

AND FURTHER EXCEPTING THEREFROM a One-Quarter (1/4) interest in all petroleum, oil and minerals upon or under the land hereinabove described as reserved to John A. Smith in a Deed recorded November 4, 1952 as Document No. 393615 of Official Records.

Together with all and singular the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining to, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, subject however, to the right, power and authority hereinafter given to and conferred upon the Beneficiary to collect and apply such rents, issues and profits; and also all water and water rights used in connection therewith, all shares of stock evidencing the same, pumping stations, engines, machinery, pipes and ditches; and also all the estate, leasehold estate if this deed of trust is on a leasehold, right, title and interest, homestead, or other claim or demand, as well in law as in equity, which the Trustor now has or hereafter may acquire of, in, and to the said premises, or any part thereof, with the appurtenances.

TO HAVE AND TO HOLD the same unto the said Trustee and its successors, upon the trusts hereinafter expressed, namely:

As security for the payment of (a) Promissory Note or Note dated December 20, 1991, in the amount of

ONE HUNDRED THIRTY EIGHT THOUSAND THREE HUNDRED TWENTY NINE AND 10/100THS

Dollars, (\$ 138,329.10) in lawful money of the United States of America, with interest thereon in like lawful money and with expenses and counsel fees according to the terms of the promissory note(s) or note(s) for said sum executed and

delivered by Albert L. DePaulis and Carole S. DePaulis, husband and wife as joint tenants to the Beneficiary; (b) such additional amounts as may be hereafter loaned by the Beneficiary or its successor to the Trustor or any of them, or any successor in interest of the Trustor, with interest thereon, also as security for the payment and performance of every obligation, covenant, promise or agreement herein or in said note or notes contained. Trustor grants to Beneficiary the right to record notice that this deed of trust is security for additional amounts and obligations not specifically mentioned herein but which constitute indebtedness or obligations of the Trustor for which Beneficiary may claim this deed of trust as security.

AND THIS INDENTURE FURTHER WITNESSETH:

FIRST: The Trustor promises to properly care for and keep the property herein described in first class condition, order and repair, to care for, protect and repair all buildings and improvements situate thereon; not to remove or demolish any buildings or other improvements situate thereon; to restore any uninsured building or improvement damaged or destroyed thereon; to complete in a good workmanlike manner any building or other improvement which may be constructed thereon, and to pay, when due, all claims for labor performed and for materials furnished therefor; to underpin and support, when necessary, any building or other improvement situate thereon, and otherwise to protect and preserve the same; to comply with all laws, ordinances and regulations with reference to any alterations or improvements

