

PLANNING AND DEVELOPMENT DEPARTMENT
SCANNING COVER SHEET

Case No: V-0018-77

APN: 140-30-502-001

Location: 4028 E Owens Ave

Applicant: John E. Erb

Project Name:

To allow the advertising and sale of earthworms, earthworm products, agriculture products and worm growers supplies, organic gardening supplies, and accessory structures for business purposes in the front yard area where no accessory structures are allowed.



PROPERTY OWNERS

PROTESTS

APPROVALS

1. John + Ruth Bailey (mtg) _____
2. Donna L. Cotter + Slim Cotter _____
3. Kay + Shirley Cole _____
4. Shirley R. Zanier + Reuben Zanier _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____

FILE NO. V-18-77

We, property owners on Gateway Road, protest the proposed variance at 4028 E. Owens Ave, property of John Erb. Our properties back Erbs'. His projects have had a negative bearing on our property. We feel our property value has decreased. We bought out here to have peace and quiet.

We submit the following reasons for disapproval:

1. Smell. Very bad odor from the rotten manure piles which are behind our places. Numerous corrals and horses. Unable to use our back yards. A Bar B Q is out for sure.

2. Flies. Last year were worse than have been in our 25 years here. Couldn't be in yards at all after sun-up without being pestered with flies.

3. Mice. Never had any mice until this last year. Now have an over abundance.

4. Piling of junk in his yard and adjoining property to West.

5. Piling of tumble weeds etc. in ditch. Wind blows and our yards are a mess of debris.

6. Torn up land. When wind blows the dust and dirt is especially bad.

7. Machinery, Noise, from early morning until Loud Phone ringing.

8. Lack of privacy in our yards due to his business activities. Bright lights shining in our bedrooms.

9. Building without permits. *Sheds, Corrals etc.*

10. Renting horse corrals ~~for~~ ^{APPROX.} *125* Horses without Permit.

11. Corral renters riding their horses through any and all property around. Invasion of private property.

We, the undersigned, unitedly and wholehearted are against the variance and feel the "infractions of the law" already in the works be terminated at once.

Sincerely,

*John Wm Bailey
Ruth E. Bailey
Donna L. Cotten
Ray & Shirley Cole
Shirley R. Lanier
Pau Lan Lanier
Dorothy*



INTER-DEPARTMENT DISTRIBUTION LIST

	DATE SENT	DATE RETURNED	COMMENTS
BUILDING DEPARTMENT	3-2-77	3-21-77	OK
PUBLIC SERVICES DEPT.	3-2-77	3-8-77	A.S. agreement for future half street improvements including street lighting along
FIRE DEPARTMENT	3-2-77	3-3-77	OK
POLICE DEPARTMENT			O'Brien Ave. frontage + along the unnamed street adjacent to the west side of the property.
LICENSE DEPARTMENT			
HEALTH DEPARTMENT			
CITY ATTORNEY			
CITY MANAGER			

FILE NO. V-18-77

NOTICE OF PUBLIC HEARING

MARCH 24, 1977

March 9, 1977

Notice is hereby given that on March 24, 1977, at 7:30 P.M. in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the Board of Zoning Adjustment will hear the application of:

V-18-77 JOHN E. ERB FOR A VARIANCE TO ALLOW THE ADVERTISING AND SALE OF EARTHWORMS, EARTHWORM PRODUCTS, AGRICULTURE PRODUCTS AND WORM GROWERS SUPPLIES, ORGANIC GARDENING SUPPLIES, AND ACCESSORY STRUCTURES FOR BUSINESS PURPOSES IN THE FRONT YARD AREA WHERE NO ACCESSORY STRUCTURES ARE ALLOWED ON PROPERTY LOCATED AT 4028 E. OWENS AVENUE ON THE SOUTH SIDE OF OWENS AVENUE BETWEEN GATEWAY ROAD AND STEVENS STREET IN ZONING DISTRICT R-E (RESIDENCE ESTATES).

THE ABOVE PROPERTY LEGALLY DESCRIBED AS THE NORTH 533 FEET OF THE WEST HALF ($W\frac{1}{2}$) OF THE EAST HALF ($E\frac{1}{2}$) OF THE WEST HALF ($W\frac{1}{2}$) OF THE NORTHWEST QUARTER ($NW\frac{1}{4}$) OF THE NORTHEAST QUARTER ($NE\frac{1}{4}$) OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 62 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 the proposed Variance; or may, prior to this hearing, file with the Department of Community Planning and Development written objection thereto or approval thereof.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT


DON J. SAYLOR, AIP, DIRECTOR

DJS:bjc

(The information contained above is considered to be accurate; however, there may be minor variations involved.)

CITY OF LAS VEGAS INTER-OFFICE MEMORANDUM

JUNE 30, 1977

Date

TO: BLDG. DEPT. - PUBLIC SERVICES DEPT.
 BUSINESS ACTIVITY DEPT.

FROM: DEPT. OF COMMUNITY PLANNING AND DEVELOPMENT

SUBJECT: ZONING VIOLATION

COPIES TO: SUBJECT ZONING FILE # V-18-77
COMPLAINT FILE
SUPERVISOR OF ZONING
CITY MANAGER

ADDRESS OF VIOLATION: 4028 E. Owens Avenue, Las Vegas, Nevada

OWNER OF PROPERTY AND MAILING ADDRESS: John E. Erb, 4028 E. Owens Avenue,
Las Vegas, Nevada 89110

VIOLATOR: Property Owner (John E. Erb)

VIOLATOR'S ADDRESS: same as above

VIOLATION AND HOW TO CORRECT: As a result of information made available at
a public hearing before the Board of Zoning Adjustment on March 24, 1977,
it appears that Mr. Erb is operating a hay business and boarding horses.

SECTION OF CODE VIOLATED: 11-1-9

PLEASE APPRISE THE DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT OF THE DISPOSITION OF THIS CASE:

MR. BECKER stated yes, it has been up about four months. He stated Dayton-Hudson purchased the lots from him. He mentioned that the court case said this street had to be looped.

MR. TOWNE reappeared and stated the biggest concern is not just the water drainage; we just don't want this small house here.

MR. CANUL asked if this wasn't an open lot right now?

MR. TOWNE stated yes, but he didn't want this small piece of property here with this small house. He pointed out the street going between Revere and Bedford is only one half in size of the other regular streets going in here. He stated there is three or four times more traffic now since that street was put in.

MR. CANUL made a Motion for APPROVAL of V-17-77.

Voting was as follows:

Mr. Canul - yes
Mr. Miller - yes
Chairman Duncan - no
Mrs. Segretti - no
Mrs. Emmett - no

Motion for APPROVAL was defeated by a 3-2 vote and the application was DENIED.

13. V-18-77

DENIED

Application of JOHN E. ERB for a Variance to allow the advertising and sale of earthworms, earthworm products, agriculture products and worm growers supplies, organic gardening supplies, and accessory structures for business purposes in the front yard area where no accessory structures are allowed on property located at 4028 E. Owens Avenue on the south side of Owens Avenue between Gateway Road and Stevens Street in Zoning District R-E (Residence Estates); the above property legally described as the north 533 feet of the West Half ($W\frac{1}{2}$) of the East Half ($E\frac{1}{2}$) of the West Half ($W\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section 30, Township 20 South, Range 62 East, M.D.B.&M.

MR. NULL gave the staff report indicating the applicant proposes to put parking in the front yard with his display area. In the rear, he continued, the applicant appears to be constructing his worm beds. He stated staff has received a letter of protest with seven signatures indicating they are opposed to this variance because of the smell, flies, mice, piling of junk in the yard; tumbleweeds, torn up land, machinery, and noise, bright lights shining; building without permits - sheds, corrals, etc., and renting horse corrals without a permit. They also make mention of a loud telephone ringing. He stated staff checked and could not find any permit for the corrals. Staff feels that this variance, because the applicant is proposing to sell products on the premises, is very definitely a commercial business and staff would very much be against this application in a residential area. He stated there were no approvals and four protests on record.

CHAIRMAN DUNCAN declared the public hearing open and asked to hear from the applicant.

MR. JOHN ERB, 4028 East Owens, appeared. He stated the reason he would like to do this is because he has had two open heart surgeries and must lay down at times. He said he has been a truck driver in the past and cannot follow the profession because of the driving. He stated with the business here, he would be able to take care of his health.

Mr. Erb said that as far as the pile and tumbleweeds in the ditch, he believes that anyone that is in this area knows the tumbleweeds pile here automatically.

MR. MILLER asked if construction had started?

MR. ERB replied yes, I was under the impression that I could do this as long as the structures were temporary.

CHAIRMAN DUNCAN asked if he wanted a garden operation also?

MR. ERB replied, "yes".

CHAIRMAN DUNCAN stated this is a ranch estates area and you want to go into commercial zoning.

MR. ERB stated there was a nursery and Corbets which either had a commercial rating or a Variance for these operations in the neighborhood.

CHAIRMAN DUNCAN asked if there was any record of a Variance for either of these operations.

MR. NULL stated staff did not research these. He stated he was aware of the gunshop but not the nursery.

MRS. SEGRETTI asked how long the gunshop has been here.

MR. ERB replied about three or four years.

MR. MILLER asked about the nursery?

MR. ERB stated it is not active at this time. He stated it is his understanding that it has a commercial zoning.

MRS. SEGRETTI asked, it has been zoned commercial?

MR. ERB replied, "yes".

MRS. SEGRETTI stated it does not show on the map that it is commercial.

MR. ERB replied it could have been zoned commercial when it was in the County.

MR. NULL stated it went into a zoning comparable to what it was in the County when it came into the City. He stated that when staff went by, they could hardly see the gunshop. He stated that they would not have known it was there except for a small sign. He pointed out that this application request for a business is going to be very visible.

MR. JOHN BAILEY, 1401 Gateway Road, appeared in protest. He stated he was the sixth and a half acre down from this request and there is a pile of horse manure behind his property. He stated there is a horse corral, some stables and a hay business here. He stated he believed the application was in error as it states 533 ft. of frontage; if this is true, it would run all the way down to Walnut. He said he believed the frontage to be only 400 and some feet. He stated he was not especially objecting to this going commercial because he believes all of Owens will go to commercial eventually. He stated that what he objects to is having the manure behind his property. He stated that if there was some provision made to have a six ft. block wall put here to stop this seepage and the Health Department would control the fly situation, he would not object that much to it. He stated that if there was another flood and this manure goes through his house again, he might as well walk away from it. He stated he had \$18,000 damage done last time there was a flood. He stated that beyond his place there are two empty lots which might not necessitate a fence. He said his big objection, however, are the flies

and the control of privacy and manure and if a six ft. fence was erected, he would not object too much to this project.

MR. JOHN ERB, reappeared. He stated that as far as the fence is concerned at the present time the cost to fence this 1330 ft. down here would be out of the question. If the property owners would go in half it would be considered. As far as the manure and flies, he continued, it is no bigger a problem here than anywhere else. He stated when water runs on the manure there is no smell on it and the flies are gone.

MRS. SEGRETTI asked if he planned on this and wants it to go commercial then why did he not apply for a zoning change?

MR. ERB stated he did not realize that is the way he should go. He stated that if he has to get commercial zoning then he will.

MRS. SEGRETTI stated she understood that most of the property owners in the neighborhood believe this will go commercial. She stated that if that is the case, then she could not understand why an application for commercial zoning has not been made.

MR. ERB stated he did not know whether or not it was going to go commercial at the present time.

MR. SAYLOR stated that just because two or three property owners in the area bring forth an opinion that it is going to go commercial doesn't mean that it is going to go commercial. He stated there is residential development on Owens Avenue, a substantial amount of it. He stated he would not necessarily predict that it is going to go commercial. He stated that he brought this out because he wouldn't want the Board to predicate their action on this variance with the supposition that it is going commercial. He stated he believed the Board should evaluate the application on the basis that there is R-E and R-1 in the neighborhood.

MR. JOHN BAILEY reappeared. He stated Mr. Erb says he cannot afford a fence. He mentioned that Mr. Erb wants to run manure and worms and yet he has a very prosperous hay business here. Mr. Erb, he continued, intends to build buildings and a stall - if he does not have enough financing for the fence, how will he finance this. He stated he thought the fence should be the first thing to go up.

CHAIRMAN DUNCAN asked if Mr. Erb had a Variance for the hay business?

MR. NULL stated to the best of his knowledge, he does not have a Variance for this operation.

MR. ERB stated the hay belongs to someone else and they just store it here.

CHAIRMAN DUNCAN stated this constitutes a commercial business in ranch estates. He asked if Mr. Erb was renting space for horses?

MR. ERB stated he had in the past.

CHAIRMAN DUNCAN asked if anyone else wished to be heard; there being no one, he declared the public hearing closed.

MRS. SEGRETTI made a Motion for DENIAL of V-18-77 because it was felt that this use was not in accord with the general spirit and purpose of the Ordinance and would not be compatible with the surrounding residential neighborhood.

Voting was as follows:

Mrs. Segretti - yes
Mr. Miller - yes
Chairman Duncan - yes
Mrs. Emmett - yes
Mr. Canul - yes

Motion for DENIAL carried unanimously.

RECESS:

CHAIRMAN DUNCAN declared a ten-minute recess at 9:00 P.M. and reconvened the meeting at 9:10 P.M.

14. V-19-77

APPROVED

Application of STAN AND ELIZABETH M. KROLAK for a Variance to allow a solid wood gate between the dwelling and a detached garage where a gate fifty percent (50%) open is required on property located at 1710 Waldman Avenue on the northeast corner of Waldman Avenue and Shadow Lane in Zoning District R-1 (Single Family Residence); the above property legally described as a portion of the Northwest Quarter (NW $\frac{1}{4}$) of Section 4, Township 21 South, Range 61 East, M.D.B.&M., described as follows: commencing at the northwest corner of the Scotch 80 Addition; thence South 89°50'50" east 2,211.81 feet; thence North 0°23'00" east 31.04 feet to the true point of beginning; thence North 0°23'00" east 152.46 feet; thence South 89°49'14" east 143.46 feet; thence South 2°49'32" west 162.61 feet; thence North 89°50'50" west 126.50 feet; thence along the arc of a circular curve (which is convex to the southwest) whose central angle is 90°13'50", radius is 10.00 feet and tangent to 10.04 feet a distance of 15.75 feet to the true point of beginning.

MR. NULL gave the staff report indicating the lot is quite large, about 143 by 162 feet. He presented pictures to the Board. He stated that normally when a garage is joined to a residence, the gate construction must be fifty percent open. He said staff has no objections to this variance and we can see that it would not create any problems. With conformance to the plot plan and code requirements, staff would recommend approval. There are no protests and two approvals on record.

CHAIRMAN DUNCAN asked if this would obstruct the view on the street?

MR. NULL replied no, none whatsoever in this particular instance.

CHAIRMAN DUNCAN declared the public hearing open and asked to hear from the applicant.

MR. STAN KROLAK, 1710 Waldman, appeared and stated his house fronts on Waldman Avenue. He stated initially they did not intend to do this but now would like to put a solid gate here for our own privacy. He stated he has talked to the neighbors and no one has any objections.

CHAIRMAN DUNCAN asked if anyone else wished to be heard; there being no one, he declared the public hearing closed.

MRS. SEGRETTEI made a Motion for APPROVAL of V-19-77, subject to the following conditions:

1. Conformance to the plot plan.
2. Conformance to code requirements and design standards of City departments.

Voting was as follows:

Mrs. Segretti - yes
Mr. Miller - yes
Chairman Duncan - yes
Mrs. Emmett - yes
Mr. Canul - yes

Motion for APPROVAL carried unanimously.

INTER-OFFICE MEMORANDUM

MARCH 25, 1977

TO: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

FROM: CITY CLERK

RECEIVED
MAR 25 3 23 PM '77
CITY CLERK

SUBJECT: APPEAL OR CITY COMMISSION REVIEW INFORMATION ON BOARD OF ZONING ADJUSTMENT ACTIONS

COPIES TO:

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

File No. V-18-77

Applicant: JOHN E. ERB

Appeal by applicant or any other aggrieved person: Yes No

Review requested by the City Commission: Yes No

4-8-77
DATE

Betty J. Winter
CITY CLERK

COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT INFORMATION:

Date of Board of Zoning Adjustment Action: March 24, 1977

Last day for filing an appeal by applicant or any other aggrieved person. (Appeal period is 11 days after the date of BZA action.) April 4, 1977

Last day for a review being requested by the City Commission. (Review period is 14 days after date of BZA action.) April 7, 1977



bjc

March 25, 1977

Mr. John E. Erb
4028 E. Owens Avenue
Las Vegas, Nevada 89110

RE: V-18-77
Variance Application

Dear Mr. Erb:

Your request for a Variance to allow the advertising and sale of earthworms, earthworm products, agriculture products and worm growers supplies, organic gardening supplies, and accessory structures for business purposes in the front yard area where no accessory structures are allowed on property located at 4028 E. Owens Avenue on the South side of Owens Avenue between Gateway Road and Stevens Street in Zoning District R-E was considered by the Board of Zoning Adjustment at their regular meeting held March 24, 1977.

It was voted by the Board of Zoning Adjustment to DENY your request because it was felt that this use was not in accord with the general spirit and purpose of the Ordinance and would not be compatible with the surrounding residential neighborhood.

This action by the Board of Zoning Adjustment on March 24, 1977, is final unless an appeal, in writing, is filed with the City Clerk within 11 days, or there is a review action filed by the City Commission within 14 days.

Sincerely,

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

DON J. SAYLOR, AIP, DIRECTOR

DJS:bjc

cc: City Clerk

INTER-OFFICE MEMORANDUM

MARCH 25, 1977

TO: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

FROM: CITY CLERK

SUBJECT: APPEAL OR CITY COMMISSION REVIEW INFORMATION ON BOARD OF ZONING ADJUSTMENT ACTIONS

COPIES TO:

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

File No. V-18-77

Applicant: JOHN E. ERB

Appeal by applicant or any other aggrieved person: Yes [] No []

Review requested by the City Commission: Yes [] No []

DATE

CITY CLERK

COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT INFORMATION:

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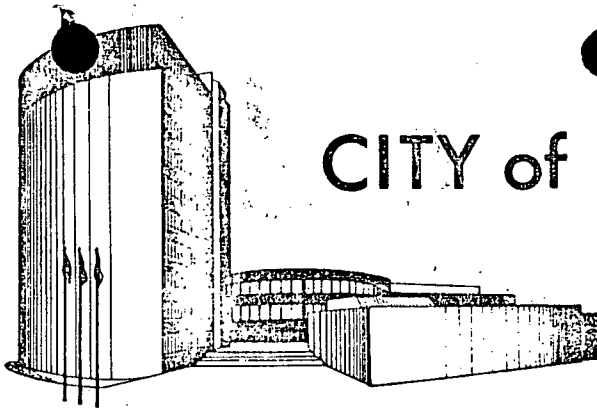
bjc

MAYOR WILLIAM H. BRIARE

COMMISSIONERS
PAUL J. CHRISTENSEN
RON LURIE
MYRON E. LEAVITT
ROY WOOFER

CITY ATTORNEY
CARL E. LOVELL, JR.

CITY MANAGER
WILLIAM E. ADAMS, P.E.



CITY of LAS VEGAS



March 17, 1977

Mr. John E. Erb
4028 E. Owens
Las Vegas, Nevada 89110

RE: V-18-77
Variance Application

Dear Applicant:

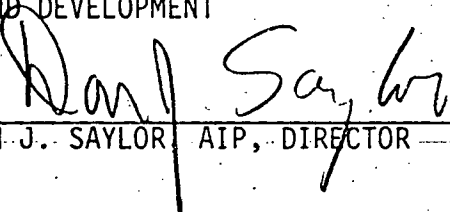
This is to advise that your request as referred to above will be considered by the Board of Zoning Adjustment at their regular meeting on March 24, 1977.

This meeting will be held at 7:30 P.M. in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

It is requested by the Board of Zoning Adjustment that you or your representative be present at this meeting to answer any pertinent questions which may arise regarding this request.

Sincerely yours,

DEPARTMENT OF COMMUNITY PLANNING
AND DEVELOPMENT


DON J. SAYLOR, AIP, DIRECTOR

DJS:kt

Can't find any permit
for conals

BUILDING DEPARTMENT
CITY OF LAS VEGAS

CORRECTION NOTICE

no file

Job Located at 4028 E Owens

I have this day inspected this structure and these premises and have found the following violations of City and/or State laws governing same:

Cooks Chickens at all times

Are in violation of City

Law and must be

Removed within 30 days

But cattle with in 30 days

Pen must be removed within

10 days or less

Please call me immediately

House - 8 TRUCK 256-4251

You are hereby notified to correct above violation and call for re-inspection.

Date 10/1/83
Inspector

23.03 Do not remove this tag!

INTER-OFFICE MEMORANDUM

Date

March 17, 1977

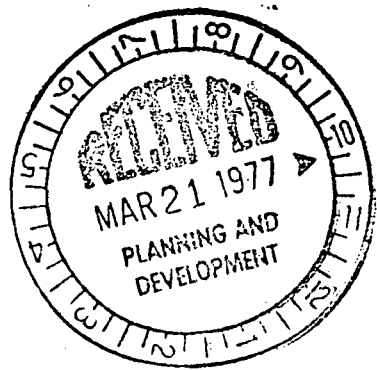
TO: DEPARTMENT OF COMMUNITY DEVELOPMENT

FROM: BUILDING AND SAFETY DIVISION

SUBJECT: V-22-77 V-23-77
V-21-77
V-19-77
• V-18-77
V-20-77
V-24-77

COPIES TO: CLAY HYMER
LEE LEMMON
BOB WEBER
FILE

WE HAVE NO OBJECTIONS TO THE ABOVE APPLIED FOR VARIANCES. PROVIDING THAT ANY NEW CONSTRUCTION OR REMODELING PROJECTS OBTAIN PROPER PERMITS, AND ALL INSPECTIONS ARE CALLED FOR.



INTER-OFFICE MEMORANDUM

March 7, 1977

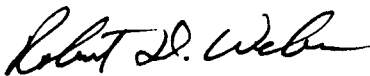
TO: COMMUNITY DEVELOPMENT

FROM: PUBLIC SERVICES,
FIELD OPERATIONS ENGINEERSUBJECT: V-18-77
John E. Erb
4028 E. Owens Avenue

COPIES TO:

Your memorandum of March 2, 1977 requested from the Public Services Department on the application for a Variance to allow the advertising and sale of earthworms, earthworm products, agriculture products and worm growers supplies, organic gardening supplies, and accessory structures for business purposes in the front yard area where no accessory structures are allowed.

It will be required that the applicant sign an Assessment District Agreement for future half-street improvements including street lighting along Owens Avenue frontage and along unnamed street adjacent to west side of property.



ROBERT D. WEBER, P.E.

RDW/ACW/bas



CITY OF LAS VEGAS INTER-OFFICE MEMORANDUM

March 2, 1977

Date

TO: DON J. SAYLOR, AIP, DIRECTOR DEPT. OF COMMUNITY DEVELOPMENT	FROM: <i>George Judd</i> GEORGE JUDD, FIRE MARSHAL
SUBJECT: V-18-77 JOHN E. ERB Allow the advertising & sale of worms. 4028 East Owens Ave.	COPIES TO:

Construction to be in accordance with applicable code requirements,
under permit from the Las Vegas Building Department.

GJ/vh
Attachment



NOTICE OF PUBLIC HEARING

MARCH 24, 1977

March 9, 1977

Notice is hereby given that on March 24, 1977 at 7:30 P.M. in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, the Board of Zoning Adjustment will hear the application of:

V-18-77 JOHN E. ERB FOR A VARIANCE TO ALLOW THE ADVERTISING AND SALE OF EARTHWORMS, EARTHWORM PRODUCTS, AGRICULTURE PRODUCTS AND WORM GROWERS SUPPLIES, ORGANIC GARDENING SUPPLIES, AND ACCESSORY STRUCTURES FOR BUSINESS PURPOSES IN THE FRONT YARD AREA WHERE NO ACCESSORY STRUCTURES ARE ALLOWED ON PROPERTY LOCATED AT 4028 E. OWENS AVENUE ON THE SOUTH SIDE OF OWENS AVENUE BETWEEN GATEWAY ROAD AND STEVENS STREET IN ZONING DISTRICT R-E (RESIDENCE ESTATES).

THE ABOVE PROPERTY LEGALLY DESCRIBED AS THE WEST HALF (W¹/₂) OF THE EAST HALF (E¹/₂) OF THE WEST HALF (W¹/₂) OF THE NORTH-WEST QUARTER (NW¹/₄) OF THE NORTHEAST QUARTER (NE¹/₄) OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 62 EAST, M.D.B.&M.

533 THE NORTH ~~465~~ FEET OF THE

NOTE: ~~EXISTING~~ WORM BEDS LOCATED 533' FROM Q of OWENS. COMPLAINTS RECEIVED ON FUEL & ODOOR.

Initial and date:

THIS FILE MUST BE RETURNED TO

SMITH mel MAR 2 1977

BarbaraBY March 3, 1977

BROWN db 3-2-77

CLEMMER FE 3/3/77

NULL 1A 3/3/77

SAYLOR _____

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 the proposed Variance/Use Permit/Home Occupation Permit; or may, prior to this hearing, file with the Department of Community Planning and Development written objection thereto or approval thereof.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

DON J. SAYLOR, AIP, DIRECTOR

N-30-2

INTER-OFFICE COMMUNICATION

DATE: MARCH 2, 1977

TO: DEPARTMENT OF PUBLIC SERVICES
DIVISION OF BUILDING & SAFETY
DEPARTMENT OF FIRE SERVICES

FROM: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

SUBJECT: FILE NO. V-18-77, BOARD OF ZONING ADJUSTMENT MEETING 3-24-77

APPLICATION SUBMITTED BY: **JOHN E. ERB**

FOR A ~~USE PERMIT~~/VARIANCE TO: **Allow the advertising and sale of earthworms, earthworm products, agriculture products and worm growers supplies, organic gardening supplies, and accessory structures for business purposes in the front yard area where no accessory structures are allowed.**

PROPERTY LOCATED AT: **4028 E. Owens Avenue on the south side of Owens Avenue between Gateway Road and Stevens Street**

LAND USE ZONE: **R-E (Residence Estates)**

LEGALLY DESCRIBED AS: **the West Half (W $\frac{1}{2}$) of the East Half (E $\frac{1}{2}$) of the West Half (W $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 30, Township 20 South, Range 62 East, N.D.B.&M.**

Your remarks regarding this application prior to March 11, 1977 will be greatly appreciated.

Plot Plan Attached: Yes XX
No _____

Building: Existing _____
Proposed _____

Fire Zone: #3

DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT
DON J. SAYLOR, AIP, DIRECTOR

APPLICATION FOR VARIANCE

TO THE BOARD OF ZONING ADJUSTMENT:

Pursuant to Subsection A, Section 24, Chapter 1, Title XI, of the Las Vegas City Code, as amended, the undersigned owner(s) of record of the property hereinafter described, hereby presents his application requesting that certain property be allowed to deviate from the zoning requirements as herein described. Also accompanying this application is the prescribed fee of \$ 100.00.

The undersigned, John E. Erb, the owner, respectfully petitions for a special Variance to allow ^{THE ADVERTISING AND} sale of Earth-worms, Earth-worm products, Agriculture Products and Worm Growers supplies, Organic Gardening Supplies, ~~and other~~ AND ACCESSORY STRUCTURES FOR BUSINESS ^{PURPOSES} IN FRONT YARD AREA WHERE NO ACC. STRUCTURES ARE ALLOWED,

IN SUPPORT OF THIS PETITION, THE FOLLOWING FACTS AND REASONS ARE HEREWITH SUBMITTED: The property is situated at 4028 E. Owens between Pecos and Gateway Rd in Zoning District RE. Said property is legally described as follows, to wit: The West half (W $\frac{1}{2}$) of the East half (E $\frac{1}{2}$) of the West half (W $\frac{1}{2}$) of the North-^{THE NORTH ALCO' OF} West quarter (NW $\frac{1}{4}$) of the NorthEast quarter. (NE $\frac{1}{4}$) of section 30 township 20 south, range 62 East, M.O.R& M ~~...~~

YOUTH SIDE OF OWENS AVE BETWEEN GATEWAY RD AND STEVENS ST.

OWNER'S AFFIDAVIT

(owner shall mean owner of record only)

STATE OF NEVADA)
COUNTY OF CLARK)

ss:

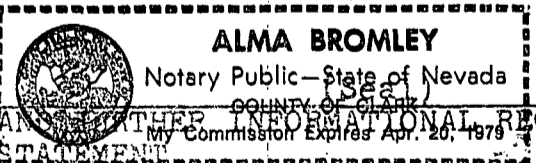
(I, We) the undersigned, being duly sworn, depose and say that (we, are, I am) the (owner, owners) of record of the property involved in this application, that the information on the attached map and all plans, drawings, and sketches attached hereto and all statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief.

(SIGNED IN INK)

John E. Erb 4028 E Owens h. v. nev 89110 452-9077
SIGNATURE OF OWNER(S) OF RECORD MAILING ADDRESS (ZIP CODE) PHONE NO.

Subscribed and sworn to before me this 28th day of February, 1977

Alma Bromley
Notary Public in and for said County and State



SEE REVERSE SIDE FOR PLOT PLAN SPECIFICATIONS AND OTHER INFORMATIONAL REQUIREMENTS INCLUDING THE ENVIRONMENTAL INFORMATION STATEMENT

FOR DEPARTMENT OF COMMUNITY DEVELOPMENT USE ONLY

This is to certify that the foregoing has been inspected by me and was filed with the office of the Secretary of the Board of Zoning Adjustment in accordance with the provisions of Subsection A, Section 24, Chapter 1, Title XI, of the Las Vegas City Code.

Filing Fee \$ 100.00
Receipt No.: 272167
Case No. V-18-77

Received by: [Signature]
Date: 2/28/77

THE FOLLOWING INFORMATION SHALL ACCOMPANY THIS APPLICATION:

1. Five (5) copies of a plot plan of the applicant's property drawn to scale and fully dimensioned showing the location of existing and proposed buildings and structures and the location of any other improvements such as drives, walks, paved areas, planting.
2. A sketch, drawing, or photographs showing clearly the front and side elevations of any proposed buildings or structures, when requested.
3. Any other pertinent information which may be requested.

PLOT PLAN SPECIFICATIONS FOR VARIANCES:

1. Five (5) copies.
2. Minimum size - 18 x 24 inches
3. Legible.
4. Completely dimensioned, including boundary dimensions, dimensions of building, distances from buildings to the property lines.
5. Address and street name of property.
6. Off-street parking layout showing spaces, driveways, turn-around areas, etc., fully dimensioned.
7. Must be drawn to scale, with scale indicated.
8. Show north-point.

VISUAL ENVIRONMENTAL STATEMENT:

I, as owner(s), representative(s), developer(s), feel that this proposed development will improve , have an adverse effect on , not alter , the visual environment of the City of Las Vegas.

APPLICATION FORM

V-18-7 CASE NUMBER

<input type="checkbox"/>	REZONING APPLICATION
<input type="checkbox"/>	USE PERMIT APPLICATION
<input checked="" type="checkbox"/>	VARIANCE APPLICATION
<input type="checkbox"/>	FEE PAID
<input checked="" type="checkbox"/>	LEGAL DESCRIPTION PROVIDED
<input type="checkbox"/>	LEGAL DESCRIPTION CHECKED
<input checked="" type="checkbox"/>	EXISTING ZONING <u>R-E</u>
<input checked="" type="checkbox"/>	USE ALLOWED IN THE ZONING DISTRICT <u>SFD.</u>
<input checked="" type="checkbox"/>	APPLICATION SIGNED AND NOTARIZED
<input checked="" type="checkbox"/>	AGENT _____ NAME _____ PHONE _____
<input type="checkbox"/>	APPLICATION FORM ACCEPTABLE

PLOT PLAN

<input checked="" type="checkbox"/>	PLOT PLAN SUBMITTED, NUMBER <u>5</u>
<input checked="" type="checkbox"/>	NORTH ARROW AND SCALE SHOWN
<input checked="" type="checkbox"/>	STREETS, ALLEYS AND PUBLIC ACCESS SHOWN
<input checked="" type="checkbox"/>	LOT LINES, BUILDINGS, STRUCTURES AND SETBACKS DIMENSIONED
<input checked="" type="checkbox"/>	EXISTING AND PROPOSED BUILDINGS, STRUCTURES AND USES SHOWN, HOURS OF OPERATION
<input checked="" type="checkbox"/>	PROPOSED DEMOLITIONS AND REMOVALS SHOWN
<input checked="" type="checkbox"/>	FLOOR PLANS SUBMITTED AS MAY BE REQUIRED
<input checked="" type="checkbox"/>	BUILDING ELEVATION PROVIDED
<input checked="" type="checkbox"/>	PARKING PROVIDED AND ACCEPTABLE
	NUMBER REQUIRED <u>7</u>
	NUMBER PROVIDED <u>7</u>
<input checked="" type="checkbox"/>	LOADING SPACES, NUMBER <u>NA</u>
<input checked="" type="checkbox"/>	CURB CUTS AND WIDTHS SHOWN
<input checked="" type="checkbox"/>	LANDSCAPING SHOWN
<input type="checkbox"/>	TRASH ENCLOSURE SHOWN
<input checked="" type="checkbox"/>	UTILITIES AND MECHANICAL EQUIPMENT SCREENED
<input checked="" type="checkbox"/>	FENCES, AND WALLS WITH HEIGHT AND LOCATION SHOWN
<input checked="" type="checkbox"/>	PLOT PLAN ACCEPTABLE
<input type="checkbox"/>	PRIOR ACTION ON PROPERTY

CASE NO.	ACTION TAKEN	DATE
_____	_____	_____
_____	_____	_____
_____	_____	_____

<input checked="" type="checkbox"/>	LAND USE MAP NUMBER <u>N-30-2</u>
<input type="checkbox"/>	ASSESSOR PARCEL NUMBER <u>6-01-16</u>

INFORMATION TO BE CONFIRMED

- LEGAL DESCRIPTION
- OWNER OF RECORD
- ZONING PER LEGAL DESCRIPTION
- USES AS SHOWN
- STRUCTURES AS SHOWN
- PARKING AS SHOWN
- ADDITIONAL ITEMS REQUIRED

- AESTHETIC APPROVAL BY _____
- LANDSCAPING APPROVAL BY _____
- SATELLITE PARKING APPROVAL BY CITY COMMISSION
- DOWNTOWN RESOLUTION BY CITY COMMISSION
- TRAFFIC CIRCULATION APPROVAL (TRAFFIC ENGINEERING FOR 100 SPACE LOTS, INDUSTRIAL DEVELOPMENT)
- TRAFFIC & PARKING COMMISSION (CURB CUT WIDTHS, LOCATIONS, ETC.)
- PUBLIC SERVICES, RIGHT-OF-WAY, UTILITIES, ETC.
- PRIOR CITY COMMISSION ACTION FOR NEW REQUEST
- RIGHT OF WAY DEDICATION APPROVAL BY PLANNING COMMISSION
- SUBDIVISION
- LOT DIVISION
- VACATION
- VARIANCE
- USE PERMIT
- ZONING
- PLOT PLAN REVIEW
- PLANNING COMMISSION APPROVAL OF PARKS, PUBLIC BUILDINGS, ETC.
- RIGHT OF WAY DEDICATION FOR STREETS - ALLEYS
- RIGHT OF WAY DEDICATION FOR FLOOD CONTROL
- AIR POLLUTION CONTROL APPROVAL
- CITY COMMISSION
- BUSINESS ACTIVITY DEPT. FOR LIQUOR & GAMING APPROVAL PROCEDURE.
- OUTSIDE AGENCY APPROVAL _____
- OTHER _____

APPLICANTS SIGNATURE: THAT THE APPLICANT IS AWARE OF DEFICIENCIES AND OTHER REQUIRED ACTIONS WHICH COULD RESULT IN HOLDING THIS ITEM IN ABEYANCE.