

Planning & Development Department
Scanning Cover Sheet

Case No V-0009-62

APN 139-34-410-204

Location 6TH ST BTWN GASS & HOOVER

Applicant VICTOR SILVAGNI

Subject

A VARIANCE TO CONSTRUCT A 6 FT HIGH STEEL GRILL-WORK FENCE IN FRONT OF RESIDENCE ON PROPERTY LEGALLY DESCRIBED AS LOTS 3, 4, 5 AND THE N HALF OF LOT 6, BLOCK 31, S ADDITION GENERALLY LOCATED ON THE E SIDE OF 6TH ST BTWN GASS AV AND HOOVER AV, IN LAND USE ZONE R-4.



NOTICE OF PUBLIC HEARING

May 7, 1962

April 27, 1962

Notice is hereby given that on May 7, 1962 at 4:00 P.M. in the Council Chambers of the City Hall, Las Vegas, Nevada, the Board of Zoning Adjustment will hear the application of:

VICTOR SILVAGNI FOR A VARIANCE TO CONSTRUCT A SIX FOOT HIGH STEEL GRILL-WORK FENCE IN FRONT OF RESIDENCE ON PROPERTY LEGALLY DESCRIBED AS LOTS 3, 4,5, AND THE NORTH HALF ($N\frac{1}{2}$) OF LOT 6, BLOCK 31, SOUTH ADDITION. GENERALLY LOCATED ON THE EAST SIDE OF SIXTH STREET BETWEEN GASS AVENUE AND HOOVER AVENUE, IN LAND USE ZONE R-4.

Any and all interested persons may appear before the Board of Zoning Adjustment, either in person or by counsel, and object to or express approval of the proposed Variance, or may prior to this hearing file with the City Planning Director written objections thereto or approval thereof.



FRANKLIN J. BILLS
Director of Planning

V-9-62

NOTICE OF PUBLIC HEARING

May 7, 1962

April 27, 1962

Notice is hereby given that on May 7, 1962 at 4:00 P.M. in the Council Chambers of the City Hall, Las Vegas, Nevada, the Board of Zoning Adjustment will hear the application of:

VICTOR SILVAGNI FOR A VARIANCE TO CONSTRUCT A SIX FOOT HIGH STEEL GRILL-WORK FENCE IN FRONT OF RESIDENCE ON PROPERTY LEGALLY DESCRIBED AS LOTS 3, 4,5, AND THE NORTH HALF ($N\frac{1}{2}$) OF LOT 6, BLOCK 31, SOUTH ADDITION. GENERALLY LOCATED ON THE EAST SIDE OF SIXTH STREET BETWEEN GASS AVENUE AND HOOVER AVENUE, IN LAND USE ZONE R-4.

Any and all interested persons may appear before the Board of Zoning Adjustment, either in person or by counsel, and object to or express approval of the proposed Variance, or may prior to this hearing file with the City Planning Director written objections thereto or approval thereof.



FRANKLIN J. BILLS
Director of Planning

V-9-62

NOTICE OF PUBLIC HEARING

May 7, 1962

April 27, 1962

Notice is hereby given that on May 7, 1962 at 4:00 P.M. in the Council Chambers of the City Hall, Las Vegas, Nevada, the Board of Zoning Adjustment will hear the application of:

VICTOR SILVAGNI FOR A VARIANCE TO CONSTRUCT A SIX FOOT HIGH STEEL GRILL-WORK FENCE IN FRONT OF RESIDENCE ON PROPERTY LEGALLY DESCRIBED AS LOTS 3, 4,5, AND THE NORTH HALF ($N\frac{1}{2}$) OF LOT 6, BLOCK 31, SOUTH ADDITION. GENERALLY LOCATED ON THE EAST SIDE OF SIXTH STREET BETWEEN GASS AVENUE AND HOOVER AVENUE, IN LAND USE ZONE R-4.

Any and all interested persons may appear before the Board of Zoning Adjustment, either in person or by counsel, and object to or express approval of the proposed Variance, or may prior to this hearing file with the City Planning Director written objections thereto or approval thereof.



FRANKLIN J. BILLS
Director of Planning

V-9-62

NOTICE OF PUBLIC HEARING

May 7, 1962

April 27, 1962

Notice is hereby given that on May 7, 1962 at 4:00 P.M. in the Council Chambers of the City Hall, Las Vegas, Nevada, the Board of Zoning Adjustment will hear the application of:

VICTOR SILVAGNI FOR A VARIANCE TO CONSTRUCT A SIX FOOT HIGH STEEL GRILL-WORK FENCE IN FRONT OF RESIDENCE ON PROPERTY LEGALLY DESCRIBED AS LOTS 3, 4,5, AND THE NORTH HALF ($N\frac{1}{2}$) OF LOT 6, BLOCK 31, SOUTH ADDITION. GENERALLY LOCATED ON THE EAST SIDE OF SIXTH STREET BETWEEN GASS AVENUE AND HOOVER AVENUE, IN LAND USE ZONE R-4.

Any and all interested persons may appear before the Board of Zoning Adjustment, either in person or by counsel, and object to or express approval of the proposed Variance, or may prior to this hearing file with the City Planning Director written objections thereto or approval thereof.



FRANKLIN J. BILLS
Director of Planning

V-9-62

Director of Planning, Franklin Bills: This is a tentative map of Charleston Heights No. 34. This is recommended for approval by the Planning Commission subject to annexation to the City and I believe the annexation is in Committee which can be reported out today, approval of the rezoning of this property to R-1, and the Engineering Department to approve the drainage.

Commissioner Levy moved that the TENTATIVE MAP OF CHARLESTON HEIGHTS NO. 34 submitted by Mayflower Construction Company for property generally located east of Lindell Avenue between Charleston Blvd. and Oakey, comprising approximately 30 acres, be APPROVED subject to the following conditions:

- (1) Approval of the annexation to the City.
- (2) Approval of the rezoning of this property to R-1.
- (3) Engineering Department approval of the drainage.

Motion seconded by Commissioner Whipple and carried by the following vote: Commissioners Mirabelli, Fountain, Levy, Whipple, and Mayor Gragson voting aye; noes, none.

VACATION (VAC-2-62)
PETITION OF
PROPERTY OWNERS

VACATION (VAC - 2 - 62) - PETITION OF PROPERTY OWNERS
to vacate property described as

APPROVED
vacation of balance
of streets

2nd Ave., 3rd Ave., and 4th Ave. between "E" Ave. and "B" Ave.; also, "B", "C", and "E" Avenues between 1st and 5th Avenues; all being located in the La Mesa Tract

Director of Planning, Franklin Bills: This particular item has twice been held in abeyance to vacate the right-of-way in the La Mesa Tract. The Board previously ordered the vacation of that portion west of the drainage channel in Charleston Heights No. 40 and held in abeyance the easterly portion in the proposed Flood Control Channel.

Commissioner Levy moved the vacation of the balance of streets contained in petition for vacation VAC-2-62, and which were not ordered vacated in the original Order of Vacation dated April 11, 1962, be APPROVED and the Mayor and Clerk authorized to sign a supplemental and/or amended Order of Vacation.

Motion seconded by Commissioner Fountain and carried by the following vote: Commissioners Mirabelli, Fountain, Levy, Whipple, and Mayor Gragson voting aye; noes, none.

VARIANCE (V-9-62)
APPLICATION OF
VICTOR SILVAGNI

APPROVED SUBJECT
TO CONDITION LISTED
AND ALSO THAT IT BE A
5-FOOT FENCE.

VARIANCE (V-9-62) - APPLICATION OF VICTOR SILVAGNI to construct a six-foot high steel grill-work fence in front of residence on property generally located on the east side of 6th Street between Gass Ave. and Hoover Ave., in Land Use Zone R-4. Legally described as:

Lots 3, 4, 5 and the North Half (N 1/2) of Lot 6, Block 31, South Addition.

Director of Planning, Franklin Bills: Next, is an application of Mr. Victor Silvagni for a variance to allow construction of a six-foot high steel grill work fence in front of the residence on each side of the street between Gass and Hoover. Apparently one property south of Gass on 6th Street. There were four protests at the Zoning Board hearing. The Board recommended approval subject to the provision that the fence should be an open wrought

iron structure.

Mayor Gragson: Is there anyone present who would like to be heard on this matter?

Mrs. Johnson: I disapprove because this is a district of homes, single residents mostly and all owner occupied and we've all made an effort to plant lawns and trees and flowers in an effort to overcome the desert heat and to keep the district as attractive as we can and as you look up the street there is a strip of green and trees and it is very restful to the eyes. I don't understand anyone removing it and replacing it with cement, but that is a personal preference. But when it comes to putting a six-foot fence around this cement, that is turning it into just a cage at the zoo. It is going to stick out just like a sore thumb, straight out from the single line of lawns that we have and will be a detriment to the entire neighborhood and I believe it will be equally detrimental to the owner, because it will make his place look like a zoo instead of a home. But so far as I know every owner near the place is very much opposed to this, we all feel that it will be a detriment to our property, the neighborhood, and the looks of our town in general. Another thing, if he puts up a six-foot fence, I can't see any reason based upon the merits of rights, that everyone else doesn't have the same privilege. That we can have a wrought iron fence, we can have a rolling wire fence, we can have a chicken wire fence, or a grape stick fence, because our American tradition of rights every property owner has the same privileges. We resent very much having our lawns, homes and everything ruined by this one single cage-like fence sticking out there, and six feet high which is 3/4 of the height of an ordinary living room.

Mayor Gragson: Is there anyone else who would like to be heard?

Hy Crandall: I live just two doors south of this location. There are just these few points maybe, I think should be brought out. I was told at the Planning Meeting yesterday that the purpose of this fence was to protect the swimming pool. I don't know if you have had an opportunity to go by and see it. It is a six-foot solid cement block up to the front of the house and seven foot two inches in the back. Its a pretty high fence. I think everyone has the right to have the kind of a fence they would like to have. For their own privacy. Now that is solid, with a large gate so there is no possible chance for a child to get through. On both sides and in the back there is a large gate. I just wanted to correct that statement if it was made. The reason for it is to protect the children from the swimming pool. I think everyone has the right to do as they please on their landscaping. I have lived there a long time and have been proud of my home. Now my feeling is this, certainly we are in an island there a triangular island, commercial very much all around us and I would like to go on record that if this is granted to give consideration that whole block will go commercial and we can just move out. There are other property owners in the area, some on the south side of me are already commercial. Spot zoned all around us. If, as I say, there are other people not on record who feel like I do, the next move that is made in that area, should be the whole street.

Mayor Gragson: Is there anyone else who would like to be heard in opposition of this?

Mrs. Walter S. Hunsaker: I live at 725 So. 6th Street. We are also opposed to this fence. It is too high and I don't think it is necessary. The rest of us might want to put one up same as Mrs. Johnson has stated, and we might not choose the same kind of fence that Mr. Silvagni has chosen, but we might choose one a little more unsightly. I am opposed to it and my husband is opposed to it.

Emily Lee: I live just north of Mr. Silvagni and I would like to go on record the same as Mr. Crandall, that we are in an island, there is only a few of us there that still have our homes. On the west across the street from us is all zoned C-1. On Seventh Street there is only about three houses that are residences, have use permits and are Commercial. On the south of us. Usually when I am in one of these meetings the Planning Commission is opposed to spot zoning or spot variances. So I am in favor of either having it all commercial or none of it. I realize also that the City Ordinance calls for length of a 4-foot fence in front without anyone having anything to say about it, which is as it should be, but it should be kept a four-foot fence. On our side they have approximately 83 inches of solid concrete fence, which you know is more than six feet. If they put in a four-foot concrete wall as Mr. Silvagnie said last night they would do if they didn't approve of this, if they didn't get this variance approved. He would put a block fence there. This I know and he knows they have to have a certain type of block fence. But if he puts it in there, which he has a right to do, I would like to go on record that we would like to see that it is kept at four feet and not six feet. The rest of the fence doesn't matter. However, in the front it does.

Mayor Gragson: Is there anyone else now?

Wm. Morse: I am an Attorney at 116 South 4th Street, I represent Victor Silvagni, on this application. Of course, everyone has the right to put in their own two cents for what they feel is right for their own property and for their own use. I think that the map over here on the wall that we have looked at shows the property graphically Across the street is a Commercial zone. Down on the corner on the south corner of the lot. The block, there is a Commercial. Across the street there is Commercial going up Sixth Street. Looking at the application of what this is. This is an application for a variance to use two more feet of height than what is already allowed. I do not feel personally that this is an unreasonable request to make before this Board or any other Board that handles this kind of matter. Mr Silvagni has undertaken the spring to improve his property at least the exterior part of the property. You heard him talk here this afternoon. He has gone ahead and constructed a swimming pool, he has taken out trees on the front and has replanted a different kind of a tree out on the curb lines. He has redone his landscaping. Put in a cement driveway and a carport, a circular driveway to the front. Put in a swimming pool and various improvements in the back which is entailed for the Power Company to comply with all of the Ordinances of City RE: Swimming Pools, he even had to take a power pole and remove the power from ^{one} end of the lot to the other so you don't have a power line within 4~~5~~ feet or something of your swimming pool.

All of these things were taken into consideration. This back yard was surveyed by a surveyor. The correctness of it, I don't know. This brick fence in the back is six foot to the grade, whatever that means. They insist that this fence is not seven feet or a spite fence in the rear. It conforms to the City Code. Now then, as part of the program, to improve what we think and what he thinks is the esthetic value of this property, he has ordered up from a Contractor in California a wrought iron grill type fence that would go in the front. This fence can be manipulated to open and close manually and electronically with beams as you come in from the car, the gates would open. What is the purpose of this then? This does two things: It protects his property from stragglers, strangers, dogs, coming into the yard. Also, protects the property from children. We would feel real lousy, if there was any child that ever got into that back yard and drowned like they have in other pools in this community. The kids have even come through the front doors and gone through the back door and drowned in pools. This makes a yard that a child can't even get into. Unless they are admitted by someone who knows that they are there. These people last summer that lost a child that walked through the garage doors of their next door neighbor, I had something to do with part of that thing.

It is just a horrible thing to happen, an unfortunate thing. This thing helps that. Also, it will be able to keep Mr. Silvagni's dogs and his animals in. He is not going to ask for a Zoo Permit here later on to make this thing a cage, but he does have a dog and it will keep the dog in his yard, where they are suppose to be. We don't think that this is an unreasonable request at all. It is asking only two feet more than what is allowed by the present City Code and we think the extra two feet serves a purpose and a valuable purpose in this case. I don't see how the people came over here the other night and said maybe all this needs to go Commercial. Mr. Silvagni was down here opposing the other block going Commercial and nobody else came. Now they want to change it Commercial, even though they are living in their homes and he wants to use his property to its fullest and best use he can here presently. Like I said before, this is not an unreasonable request, just to go two more feet than the code will allow. It won't make the property abnormal from the standpoint that the fence is too high from the road. That has been taken into consideration. The Silvagni home is a higher home to begin with, it is up on a couple of steps. It is a beautiful home with red brick on the roofing. I don't think that it would look unbalanced at all. At least the guys that worked out the plans said it would not, and they are professionals. Thank you for your time, and we request you to grant our reasonable request and allow him to put up this six-foot fence.

Mrs. Johnson: There has been a whole lot said about Mr. Silvagni's property which is quite true. The fact that he is fortunate enough to be able to have a swimming pool doesn't give him the right

to put up a fence that ruins the looks of the front yard. And the fact that he has an electronically operated gate, which is a good fortune in that it will save him getting down and opening the gate, but does not change the looks of the fence in any way. And the fact that the swimming pool is a danger to children, that pool is fully enclosed as we noticed last night walking by it. There is no danger whatever. There is no way on earth that a person can make a six-foot fence look like anything but a cage. If there is a six-foot fence across the front yard anyplace in this town, I'll go look at it and if it is a thing of beauty, I'll change my opinion. All this talk has been about his improvements, his swimming pool and all that is just wonderful and I'm glad he is so lucky but it doesn't

make the fence look any different. And the height of the house, I don't know, but I doubt if it is as high as ours, because we have an attic with a window in it. I'm glad he's got the pool, but the six-foot fence comes clear out to the sidewalk and it will still be an eyesore

Mrs. Smith: My husband and I both disapprove of this six-foot fence.

Mayor Gragson: You would prefer a four-foot block fence to this six-foot wrought iron?

Mrs. Smith: Yes, I would.

Mr. Crandall: Can I make one statement, I think there has been some misunderstanding, I believe they don't object to a four-foot iron fence, I think it is the height.

Unidentified: We both disapprove of the six-foot fence, from across the street you don't know if it is a prison or a cage.

Commissioner Levy: Bill, do you have any specific reason for a six-foot fence rather than a four-foot fence which is in accordance to the present ordinance?

Attorney: Yes, he does. (1) This material has been ordered. We didn't know about this Ordinance on this four-foot fence stuff, until the contractor was down here. We already had the work permit and this stuff has been all cut up. That is why we asked for the variance.

Commissioner Levy: You had a work permit for this fence?

Attorney: Yes this plan had been approved.

Commissioner Whipple: Did you specifically ask for a six-foot high fence in the front yard?

Attorney: Yes, you see that? That is the plan for the whole cut-out, the whole works.

Commissioner Fountain: Was this approved by the Building Department?

Attorney: Yes it was as far as I know.

Commissioner: You would know, did you get a Building Permit on this plan? The plan that we are looking at?

Attorney: Let me check to make sure. The way I understand it and so does Mr. Silvagni this plan was submitted and was approved and they went down and their first permit was for the pool and electrical and a bunch of other stuff, but when he got the approval on this we understood that the whole thing was approved. Then when we came up to get the fence in for the complete works out in front, why then we were confronted with this four-foot law. We had understood and so had he that when the thing was approved that that was it. Now in addition to that, the Silvagni's own a dog that can jump a four-foot fence. And we feel that actually the difference between a four-foot and a six-foot is actually only 24 inches.

When you visualize it sitting out there it's nothing. It's 1/3 of the height after you have gone up four feet, what is two more feet on it, if it is going to obstruct the vision or obstruct the esthetic values of the eyesight looking down Sixth Street, up it or down it by a fence out there, what is the difference four-foot or six feet, its just two feet difference, but I mean as far as destroying the view. If you look across the street over here it looks to me like an eight foot growth all the way out to the street separating ----is it an Oleander. It comes out to the property line too.

Commissioner Whipple: You mentioned something about protection for the pool, actually this doesn't add protection for the pool does it? The pool is in the back and it has a six foot fence around the back and the house comes within three or four feet to the side yard and aren't there gates there? How much more protection would this give?

Attorney: They can't come in through. This is exactly the case that I was talking about, the guy had the fence up to the garage and the car port area. You could walk through when the door was open going to the garage, you could go into the back yard.

Commissioner Whipple: But the house here sets within three or four feet of the side yard.

Attorney: You can come through the car port and go through the south side and go into the back yard. This way when you drive into the yard, the gates are closed. No way you can get into it.

Commissioner Whipple: Suppose someone leaves the gate open.

Attorney: You can't, because they are closed electronically.

Mrs. Johnson: Wouldn't that work on a four-foot fence?

Commissioner Fountain: Don't you feel that you could work out something to compromise with these people? This six-foot fence is something that we don't have in the City, I feel it is going to be depreciating to the Commercial area. Then it is going to be unsightly. Don't you feel that there is some way you can work out a compromise? Cut it down in size.

Mr. Silvagni: Go down the alley along Eighth Street where Mayor Baker and a few of them live, there is a ten-foot block wall down there. Ten feet tall for over a block long.

Commissioner Fountain: In the back yard?

Mr. Silvagni: It is still against the City Code isn't it. Up the Street from me, talk about appearance of the front yard, Mrs. Davis of Davis Jewelry has got an empty lot up there with an old wooden fence around it that is about four years out of date. Up in the next block there is another wooden fence that is so unsightly. And up where I use to live at 716 South 6th there is this row of Oleanders 10 foot tall that blocks any view. I hate to point out the number of corners in town that are cut up for shrubery, when you pull your car up to a stop sign, you can't even see whether a car is coming. Now this ornamental fence will not obstruct anyones view, if it is four-foot or six-foot. They are spaced about five inches apart, they can't possibly obstruct anyone's view, no way in the world.

Attorney: Mr. Silvagni says he will compromise to five feet.

Commissioner Fountain: I think in your statement on the fence that you mentioned, some of the higher fences, Mr. Silvagni, in back of these homes up in the Baker area, I believe that is six feet from grade. I don't they are ten feet high, I think that is six feet from grade. Maybe I'm wrong, I'm not arguing, but I don't think they are ten feet.

Mr. Silvagni: You could be right.

Unidentified: If he were given permission to build a six-foot fence would it be as high as the six-foot fence that he has now? It is much bigger than six feet. Now he could have a four-foot fence, but only four feet from the walk.

Commissioner Fountain: It would be whatever the grade is.

Unidentified: What is the grade?

Mayor Gragson: The ground level of his property.

Commissioner Fountain: Actually, the Planning Director just stated that it would be to the grade of the sidewalk. I think that five feet is alright, he is entitled to four feet. He has asked for six feet, he has the approval of the Board of Zoning Adjustment. I conferred with them to an extent that it is in a Commercial and Apartment Zone Area. I think the compromise of five feet is fair.

Mr. Crandall: What type of zoning is there on the East side of Sixth?

Commissioner Fountain: The Board of Zoning Adjustment recommends approval on the basis of the location relative to Commercial and Apartment Zoning.

Mr. Crandall: Now the point of just one thought; I drove up St. Louis yesterday from San Francisco clear out to South Fifth and I looked at these fences. There is two on the corner of your alley. Every fence in town comes out and then down and down. I didn't see anyplace where the high fence comes clear around the front of the house. I think the compromise is good. I think it is beautiful now without any fence.

Commissioner Fountain: I think you will agree that it is all right to build a fence if he wants to. I cite my own home as an illustration on Washington Avenue and Tonopah Highway, I've got Oleanders at least 12 feet around the edge on Tonopah Highway. This may be unsightly to you but I need them there.

Mr. Crandall: It isn't a compromise if you go beyond the limit of the present zoning law.

Mayor Gragson: Truthfully, I believe a five-foot ornamental wrought iron would be less unsightly than a four-foot block fence, don't you? Or do you?

Mrs. Johnson: Aside from the looks of it, we bought our place three years ago, they said they did not believe in spot zoning.

We have a building in the rear, we want to put a kitchen in it. But they say the zone is too near the boundary line, and I said can't they get a variance and they said no, in this district we don't allow spot zoning. Our neighbor wants a carport out front and they don't allow spot zoning; well then, if this is granted, if you start spot zoning, there is no stopping it.

Commissioner Fountain: He is entitled to a four-foot fence, if he wants it. The argument is another foot.

Commissioner Fountain: I think the compromise if fair and if you will change it from six feet to five feet, is that agreeable with the applicant?

Attorney: Yes, we so amend our application for a five-foot fence.

Commissioner Fountain: How wide are these?

Attorney: They are 4-1/2 to five inches apart.

Commissioner Fountain moved that the application of Victor Silvagni to construct a six-foot high steel grill-work fence in front of residence on property generally located on the east side of 6th Street between Gass Avenue and Hoover Avenue be amended to read; "to construct a five-foot fence" and approved as amended and the Engineering Department be instructed to use the elevation of the sidewalk as a determining factor, subject to the condition as listed:

- (1) That the fence should be an open wrought iron structure .

Motion seconded by Commissioner Levy and carried by the following vote: Commissioners Fountain and Levy and Mayor Gragson voting aye; noes, Commissioner Whipple. Commissioner Mirabelli passed.

USE PERMIT
(U-13-62) -
APPLICATION OF
MINT HOTEL

APPROVED SUBJECT
TO CONDITION
LISTED.

USE PERMIT (U-13-62) - APPLICATION OF MINT HOTEL to construct a hotel in excess of the permitted height on property generally located on the northeast corner of 1st Street and Fremont Avenue in Land Use Zone C-S. Legally described as:

Lots 8 thru 17, Block 15, Clark's Las Vegas Townsite, and that portion of the east/west alley previously vacated.

Director of Planning, Franklin Bills: We have now an application for a Use Permit for the Mint Hotel to construct a building in excess of the now permitted height limit. No objections and the Board of Zoning Adjustment recommends approval subject to:

- (1) Conformance to the plot plan.

Commissioner Levy moved that the USE PERMIT (U-13-62) - APPLICATION OF MINT HOTEL to construct a hotel in excess of the permitted height on property generally located on the northeast corner of 1st Street and Fremont Avenue be APPROVED subject to the following condition:

- (1) Conformance to the plot plan.

M I N U T E S

BOARD OF ZONING ADJUSTMENT

May 7, 1962

A special meeting of the Board of Zoning Adjustment was called to order at 4:00 P.M. by Mr. Gilday in the Council Chambers of the City Hall, Las Vegas, Nevada.

PRESENT: Vice-Chairman Hurley, Messrs. Gilday, Hoggard and White.

ABSENT: Chairman Singleton.

STAFF PRESENT: Assistant Director of Planning, Don J. Saylor

OLD BUSINESS: None

NEW BUSINESS:

1. V-9-62

Approved

Application of VICTOR SILVAGNI for a Variance to construct a six foot steel grill-work fence in front of residence on property legally described as

Lots 3, 4, 5, and the north half ($N\frac{1}{2}$) of Lot 6,
Block 31, South Addition, and

generally located on the east side of Sixth Street between Gass Avenue and Hoover Avenue, in Land Use Zone R-4.

Mr. Saylor gave the staff report and stated that there were no comments from any other departments. Plot Plan indicates fence will be ornamental and six feet high. Present zoning permits a four foot fence and applicant is requesting another two feet.

Mr. Gilday declared the Public Hearing open. Mrs. Eileen Johnson, 721 South Sixth Street appeared in protest and representing the Crandells, The Smiths, Emily Lee, all of the 800 block, South Sixth Street. She stated that the fence would be very unsightly and would be more like a cage. Mrs. Johnson stated that if this fence is permitted, there would be no reason to deny others in the area to build various types of fencing.

Mr. Gilday stated that each Variance would be granted on its on merit.

Mr. William Morse, Atty. spoke in behalf of the applicant. He stated that the steel fencing is not a concrete block fence and that it would help to beautify Mr. Silvagni's home and the general neighborhood as well as permit more privacy to Mr. Silvagni's property.

After a brief discussion, Mr. Gilday stated that the application of Victor Silvagni for a Variance to construct a six foot steel grill-work fence in front of residence on property generally located on the east side of Sixth Street between Gass Avenue and Hoover Avenue, in Land Use Zone R-4, be referred to the Board of City Commissioners with the recommendation that it be approved.

MR. GILDAY RELINQUISHED to Vice-Chairman, Mrs. Hurley

Mr. White seconded the motion and roll call was as follows:

AYES

NAYS

Gilday, White
Hoggard, Hurley

None

Thereupon the Vice-Chairman declared the motion carried.

May
Eleventh
1962

Mr. Victor Silvagni
803 So. 6th Street
Las Vegas, Nevada

Re: Variance (V-9-62)

Dear Mr. Silvagni:

At a regular meeting of the Board of City Commissioners held May 9, 1962, consideration was given your application to construct a six-foot high steel grill-work fence in front of residence on property generally located on the east side of 6th Street between Cass Avenue and Hoover Avenue, in Land Use Zone R-4.

Upon motion duly made, seconded and carried this application was approved subject to the following conditions:

- 1) That the fence should be an open wrought iron structure.
- 2) Also that it be a 5-foot fence.

Very truly yours,

(Mrs.) Sigrid Dodgson
Assistant City Clerk

SD/k

cc: Planning Dept.

PROPERTY OWNERS

PROTESTS

APPROVALS

File No. V-9-62

May 8, 1962

Mr. Victor Silvagni
803 South Sixth Street
Las Vegas, Nevada

Dear Mr. Silvagni:

At a special meeting of the Board of Zoning Adjustment held on May 7, 1962, consideration was given to your request for a Variance to construct a six foot high steel grill-work fence in front of residence on property generally located on the east side of Sixth Street between Cass Avenue and Hoover Avenue, in Land Use Zone R-4.

It was voted by the Board of Zoning Adjustment to refer this item to the Board of City Commissioners with the recommendation that it be approved subject to the following conditions:

1. That the fence should be an open wrought iron structure.

This item will be heard by the Board of City Commissioners on May 9, 1962, at 4:00 P. M. in the Council Chambers of the City Hall, Las Vegas, Nevada.

Very truly yours,

FRANKLIN J. BILLS
Director of Planning

FJB:bah

V-9-62

TO: City Clerk

DATE: May 7, 1962

FROM: Planning Department

ITEM FOR CITY COMMISSION AGENDA ON May 9, 1962

VARIANCE -- V-**9-62**

Application of Victor Silvagni, 803 South Sixth Street, Las Vegas,
(Name and Address)

to construct a six foot high steel grill-work fence in front of residence

in Land Use Zone R-4.

Property legally described as:

Lots 3, 4, 5 and the north half (N 1/2) of Lot 6, Block 31, South Addition.

Generally located:

on the east side of Sixth Street between Cass Avenue and Hoover Avenue

Board of Zoning Adjustment recommends approval on the basis of _____

subject to the following conditions:

- 1. That the fence should be an open wrought iron structure.**

Number of protests: 4

cc: **City Attorney**
Public Works
Agenda File
Applicant's file

3-62

PLANNING DEPARTMENT

BY: _____

Don J. Saylor

INTER-OFFICE MEMORANDUM

7 May 1962

Planning Dept.

FROM:

V. B. Uehling

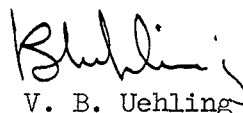
SUBJECT:

V-9-62, Victor Silvagni

COPIES TO:

Your memorandum of April 25 requested comments from the Engineering Dept. on the application by Victor Silvagni for a Variance to construct a six foot high steel grill-work fence in front of a house, the property located at the east side of 6th St. between Cass Ave. and Hoover Ave.

The Engineering Dept. has no objections to the granting of a Variance at this location. All the offsite improvements have been installed.



V. B. Uehling

Deputy Director of Public Works

VBU:pf

May 2, 1962

INTER-OFFICE MEMORANDUM

TO:

Don J. Saylor-Planning Department

FROM:

Fire Department

SUBJECT:

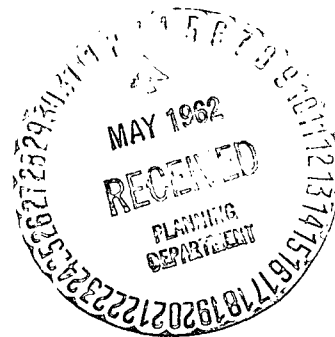
V-9-62

COPIES TO:

This department has no objections to the granting of subject Variance.

E.H. Nighswonger, Ass't. Chief
Fire Department

N'c



PLANNING DEPARTMENT
INTER-OFFICE COMMUNICATION

Date: April 25, 1962

TO: Building, Engineering, and Fire Dept.

FROM: Planning Department

SUBJECT: File No. V-9-62, Board of Zoning Adjustment Meeting May 7, 1962

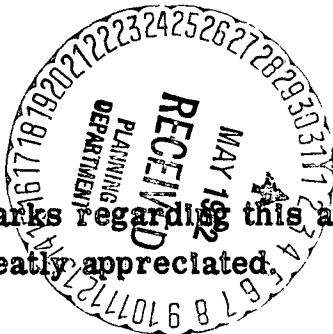
Application has been submitted by: VICTOR SILVAGNI

for a ~~Use Permit~~ Variance to: construct a six foot high steel grill-work fence in front of house

The property is located at: the east side of Sixth Street between Gass Avenue and Hoover Ave.

In Land Use Zone: R-4

Legally described as: Lots 3, 4, 5, and the north half of Lot 6, Block 31, South Addition.



Your remarks regarding this application prior to immediately will be greatly appreciated.

D. J. Saylor
DON J. SAYLOR
Assistant Director
of Planning

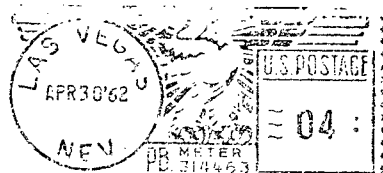
Plot plan submitted: yes x
no

No comment
H. T. Elder
Bldg. Dept.

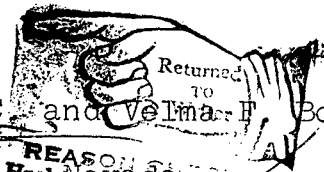
Planning Department

City of LAS VEGAS

CITY HALL
400 STEWART STREET
LAS VEGAS, NEVADA



4057 not



Returned TO
George C. and Velmar F. Bondley

~~Box 1907~~
Las Vegas, Nevada

REASON FOR RETURN
Unclaimed

- Unknown
- Insufficient address
- Moved, left no address
- No such office in state
- Do not remail in this envelope

V-9-62

NOT there for

NOTICE TO PUBLISH

Las Vegas, Nevada

Date: April 27, 1962

To: LAS VEGAS SUN REVIEW JOURNAL
From: Director of Planning
SUBJECT: PUBLICATION OF Public Hearings V-9-62 ✓
U-13-62

Please publish the attached NOTICE OF PUBLIC HEARING on
April 30, 1962
(date)

and send this office two (2) copies of the Affidavit of Publication at your earliest convenience.

Franklin J. Bills
Director of Planning

cc: Applicant's file

NOTICE OF PUBLIC HEARING

~~May 10, 1962~~

May 7, 1962

Notice is hereby given that on May 7, 1962 at 4 P.M.,
~~the Board of Zoning Adjustment will~~ in the Council Chambers of the City Hall,
Las Vegas, Nevada, the Board of Zoning Adjustment will hear the application of:

VICTOR SILVAGNI FOR A VARIANCE TO CONSTRUCT
A SIX FOOT HIGH STEEL GRILL-WORK FENCE ~~ON~~
IN FRONT OF RESIDENCE ON PROPERTY LEGALLY
DESCRIBED AS LOTS 3, 4, 5, AND THE NORTH
HALF (N 1/2) OF LOT 6, BLOCK 31, SOUTH
ADDITION. GENERALLY LOCATED ON THE EAST
SIDE OF SIXTH STREET BETWEEN GASS AVENUE
AND HOOVER AVENUE, IN LAND USE ZONE R-4

Any and all interested persons may appear before the Board of
Zoning Adjustment, either in person or by counsel, and object to or express
approval of the proposed Variance or may prior to this hearing file with the
City Planning Director written objections thereto or approval thereof.

FJB

V-9-62



87-6-177

APPLICATION FOR VARIANCE

TO THE BOARD OF ZONING ADJUSTMENT:

The undersigned.....VICTOR SILVAGNI....., the owner, respectfully Petitions for a zoning variance to:..ALLOW THE PETITIONER TO PLACE IN THE FRONT OF HIS HOME, A STEEL GRILL-WORK FENCE, SIX FEET IN HEIGHT, IN ACCORDANCE WITH THE PLOT PLAN ATTACHED.

IN SUPPORT OF THIS PETITION, THE FOLLOWING FACTS AND REASONS ARE

HEREWITH SUBMITTED: The property is situated at..803 SOUTH 6TH STREET.. between...GASS..... and....HOOVER..STREETS..... in Land Use Zone..R.4..... Said property is legally described as follows:

.....LOTS 3, 4, AND 5 AND THE NORTH ONE-HALF OF LOT 6, BLOCK 31..... SOUTH ADDITION TO THE CITY OF LAS VEGAS,.....

Said property was acquired by the applicant on.....DECEMBER 28, 1958.....
Month Day Year

State the use of property permitted under the deed restrictions:.....
.....NO DEED RESTRICTIONS.....

Expiration date of deed restrictions:.....
Month Day Year

THE FOLLOWING INFORMATION SHALL ACCOMPANY THIS APPLICATION

1. A map showing the location of the applicant's property and all separately owned parcels of land or any portions thereof within a radius of 300 feet from the exterior boundaries of the property included in the application.
2. Five (5) copies of a plot plan of the applicant's property drawn to scale and fully dimensioned showing the location of all existing and proposed buildings and structures and the location of any other improvements such as drives, walks, paved areas, planting, etc.
3. A sketch, drawing, or photograph showing clearly the front and side elevations of any proposed buildings or structures, when requested.
4. Any other pertinent information which may be requested.

E. side of 6th
Bet. Gass & Hoover

ANSWERS TO THE FOLLOWING QUESTIONS MUST BE COMPLETE AND IN DETAIL

1. What special circumstances or conditions apply to the land or use involved in your application which do not apply generally to lands or uses in the same Land Use Zone?

IN THE IMMEDIATE VICINITY THERE ARE RESIDENCES BEING USED AS BUSINESSES.

2. Why is a special permit necessary for the enjoyment of a substantial property right? (If your property can reasonably be developed and devoted to uses permitted in the Land Use Zone in which said property is situated, you are probably not being deprived of the enjoyment of any substantial property right).

THIS WILL ALLOW THE PETITIONER TO FULLY UTILIZE HIS PROPERTY AND BEAUTIFY THE AREA.

3. Why will a Variance and the Use sought thereunder not affect adversely the health, safety, morals or general welfare of persons residing or working in the vicinity of the property involved in the application?

No, IN FACT, WILL HELP THE VICINITY OF OTHER OCCUPANTS OF LAND ADJACENT BY REASON OF THE FACT THAT THE PETITIONER HAS CONSTRUCTED A SWIMMING POOL IN HIS BACK YARD.

4. Will a Variance, as requested, affect adversely the Master Plan or any Section or Portion of said Plan?

No.

OWNER'S AFFIDAVIT

STATE OF NEVADA)

CITY OF LAS VEGAS)

COUNTY OF CLARK)

I, the undersigned, being duly sworn, depose and say that I am the owner of the property involved in this application; that the information on the attached map and property owners list, all plans, drawing 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.

Signature of Owner

Mailing Address

Phone No.

Subscribed and sworn to before me this 23rd day of APRIL

19 62 .

Notary Public

Name of Owner's Representative Address Phone No.

Name of Lessee, Rentor or Prospective Buyer Address Phone No.

The prescribed filing fee of \$ 75 received by:

Checked by: Director of Planning

City or County Clerk

Date

Cashier

Receipt No. 46026 Date 4/24/62

V-9-62

V-9-62

Silvagni

SOUTH ADDITION

Blk 25 Lot	15-16	✓ Richard Earl Rockwell	1400 Comstock Drive
	17-19	✓ Gordon W. and Katie Potter	725 South Fifth Street
	20-21	✓ Anna Mosso	707 South Sixth Street
	22-24	✓ Blaine S. & Arvilla Johnson	615 South Seventh Street
Blk 26 Lot	1-4	✓ C. Norman and Beda Cornwall ✓ William & Gladys Pollard	Box 1110
	5-9	Same as Above	
	10-11	✓ J. E. Corp.	Box 328
	12-16	✓ Erma M. York	633 South Seventh Street
	17,18	✓ Joseph H. & Alane Wadsworth	1131 South Tenth Street
	19,20	✓ Alane M. Wadsworth	1131 South Tenth Street
	21,22	✓ Ignacy & Laura Modzel	600 South Third Street
	23,24	✓ C. Norman & Beda Cornwall ✓ William & Gladys Pollard	Box 1110
	25,26	✓ William J. and Roberta Acklin	812 South Sixth Street
	27,28	✓ Charles G. and Cecile M. Crowe	Box 670
	29,30	✓ Martin J. and Margaret Paes	804 South Sixth Street
	31,32	✓ Irene Christianson	Box 60 Williston, North Dakota
Blk 30 lot	9,10	✓ George C. and Velma F. Bondley	Box 1907
	11,12	✓ Ellis S. and Alline Johnson	721 South Sixth Street
	13,14	✓ Walter S. and Martha M. Hunsaker	725 South Sixth Street
	15,16	✓ William Arthur & Carmelita O. Wilson	6937 San Fernando Rd. Glendale 1, Cal.
	17-23	✓ Archie C. and Zora Faye Grant	Box 431
Blk 31 Lot	1,2	✓ Nephi, Patience, & Emily Lee	801 South Sixth Street
	3-6	✓ P. O. Silvagni	230 South Fifth Street
S $\frac{1}{2}$	6,7,8	✓ Richard P. and Margaret E. Smith	811 South Sixth
S $\frac{1}{2}$	8,9,10,	✓ Irwin Ray and Rene B. Crandall	Box 1832
	11-13	✓ John M. & Elizabeth T. Tudor	832 South Sixth Street
	14-16	✓ Lee Glenn	714 Bracken Avenue
	17-19	✓ Emmalyn L. Payne	617 East Hoover Avenue
N $\frac{1}{2}$	19,20,21	✓ J. K. Wadsworth	824 South Seventh St.
N $\frac{1}{2}$	21,22,23	✓ John E. and Nancy Lee Craddock	820 South Seventh Street.
	24,25	✓ Jo Ann U. Pulliam	217 South Fourth Street

SOUTH ADDITION (CONT.)

Blk 31	Lot 26,27	✓ Byron Wilford & Stella M. Snider	810 South Seventh St.
	28-30	✓ Charles S. Ruhl	808 South Seventh St.
	31,32	✓ W. A. and Virginia Rice	800 South Seventh Street
Blk 33	Lot 15,16	✓ W. J. and Colleen A. Bernard	3617 Riviera Avenue
Blk 34	Lot 1-4	✓ Dental Suites, Inc.	406 Republic Henderson, Nevada
	5-10	✓ Same as above	807 South Seventh Street
	11-13	✓ Connie Mormon	827 South Seventh Street

Handwritten initials

V-9-62

Silvagni

South Addn

Blk 25 Lots 15-16 and 17 thru 23
26 " 1 thru 12 and 17 thru 32
30 " 10 " 23
31 " 1 " 31 (all)
~~32~~ 33 Lots 15-16
~~33~~ 34 " 1 thru 13
~~34~~

DEPARTMENTAL DISTRIBUTION LIST

	<u>DATE SENT</u>	<u>DATE RET'D.</u>	<u>COMMENTS</u>
BUILDING DEPARTMENT	4/28/62	5/2/62	OK
ENGINEERING DEPARTMENT			
FIRE DEPARTMENT		5/3/62	OK
CHILD WELFARE			
HEALTH DEPARTMENT			
OTHERS			

CHECK LIST - FOR PROCESSING

APPLICATIONS

ITEM NO.	TO BE DONE	CHECK IF DONE	BY
1.	Check with Mel or George on legal and general description to clarify.	✓	bah
2.	Enter in register.	✓	bah
3.	Enter file number and fill in box on back of application.	✓	bah
4.	Make up folder with (color) label - attach application on right hand side.	✓	bah
5.	Type 3 index cards - numerical, applicant and legal.	✓	bah
6.	File above cards in proper metal file.	✓	bah
7.	Make up draft of Notice of Public Hearing in duplicate.	✓	bah
	a. pencil note date to be mailed (10-12 days prior to meeting)	✓	
	b. put one copy rough draft in folder and give to Mel Smith.	✓	
8.	Enter proper information on tentative agenda and place other copy of Public Hearing with agenda.	✓	bah
9.	Type property owner list -		
	a. type envelopes		
	b. mail out notices		
	c. place "Protest & Approval" sheet in applicant file - right side.	✓	
10.	Prepare rough draft of Legal Notice for newspapers along with other notices for same meeting.		
11.	Ask Don regarding possible resolutions.	✓	bah
	Memos - Bldg, Fire, Eng,		
	FILE NO. V-9-62		
	MEETING DATE _____		

NOTE: PLACE THIS SHEET UNDER PROPERTY OWNER LIST WHEN COMPLETED.