

M I N U T E S  
BOARD OF ZONING ADJUSTMENT

October 22, 1959

A Regular meeting of the Board of Zoning Adjustment was called to order by Chairman Hurley at 7:30 P.M. in the Council Chambers of the City Hall, Las Vegas, Nevada.

PRESENT: Mrs. Hurley, Messrs. White, Replogle and Garth.  
ABSENT: Mr. Singleton  
STAFF PRESENT: Deputy Director of Planning, Don J. Saylor; Planner, George Charchalis; and Recording Secretary, Sande Crafts.

OTHERS PRESENT: None

MINUTES: Upon motion made by Mr. White, seconded by Mr. Replogle, the Minutes of the meeting of September 24, 1959 were approved as mailed.

OLD BUSINESS None

NEW BUSINESS

V-14-59 The application of Vern R. Waite and Gertrude S. Waite for a Variance to operate a service bar to sell mixed drinks in connection with a restaurant which has been leased to Macayo Vegas, Inc., a Nevada corporation, at 1741 East Charleston Blvd., Las Vegas, Nevada, between Spencer and Bruce Streets, legally described as Lot 8, Block 10, Mayfair Tract 2, Amended, in a C-1 zone. The Chairman declared the Public Hearing open and asked if anyone was present representing the applicant. Mrs. Sullivan, from the firm of Cornwall and Sullivan, 320 Carson was present. Mr. Saylor gave the staff report recommending approval. The Chairman asked if anyone was present in opposition. There was no opposition. The Chairman thereupon declared the Public Hearing closed.

V-14-59  
(cont.)

Mr. Replogle introduced Resolution No. 261, A RESOLUTION RECOMMENDING APPROVAL OF THE APPLICATION OF VERN R. WAITE AND GERTRUDE S. WAITE FOR A VARIANCE, V-14-59 and moved its adoption, which motion was seconded by Mr. White, and upon roll call the ayes and nays were as follows:

Aye:	White	Nay:	None	Absent:	Singleton
	Replogle				
	Hurley				
	Garth				

The Chairman thereupon declared the motion carried and said Resolution adopted.

(RESOLUTION NO. 261 IS ON FILE IN THE DOCUMENT BOOK AS DOCUMENT NO. 266.)

V-15-59

The application of Ben Taylor for a Variance to replace an existing non-conforming dwelling with a new one at 707 Jackson Avenue, Las Vegas, Nevada, generally located at the SW corner of Jackson Avenue and "G" Street, legally described as Lot 7, Block 28, H. F. M. & M. Addition, save and except the East 40 feet of the South 50 feet, in an R-3 zone. The Chairman declared the Public Hearing open and asked if anyone was present representing the applicant. There was no representation. Mr. Saylor gave the staff report recommending denial, and further advised that the Urban Renewal Area Advisory Committee also recommended denial. The Chairman asked if there was anyone present to protest this application. There were no protests. The Chairman thereupon declared the Public Hearing closed. Mr. Replogle introduced Resolution No. 262, A RESOLUTION RECOMMENDING DENIAL OF THE APPLICATION OF BEN TAYLOR FOR A VARIANCE, V-15-59, and moved its adoption, which motion was seconded by Mr. White, and upon roll call the ayes and nays were as follows:

Aye:	White	Nay:	None	Absent:	Singleton
	Replogle				
	Hurley				
	Garth				

The Chairman thereupon declared the motion carried and said Resolution adopted.

V-15-59 (cont.) (RESOLUTION NO. 262 IS ON FILE IN THE DOCUMENT BOOK AS DOCUMENT NO. 267.)

V-16-59 The application of Jack E. Schieff for a Variance to allow a reduction in the number of on-site parking spaces for 24 units from 24 spaces to 6 spaces, to be compensated by other off-street parking in the immediate area, located at 309 North First Street, between Stewart Avenue and Police Headquarters, legally described as Lots 21 and 22, Block 1, Parkview Addition, in an R-4 zone. The Chairman declared the Public Hearing open and asked if anyone was present in support of the application. Mr. Jack E. Schieff, applicant was present and Mr. W. S. Goodwin, Box 366, Las Vegas, Nevada, gave approval by telephone. Mr. Saylor gave the staff report recommending denial. The Chairman asked if anyone was present to protest the application. There were no protests. The Chairman thereupon declared the Public Hearing closed.

Mr. Garth introduced Resolution No. 263, A RESOLUTION RECOMMENDING DENIAL OF THE APPLICATION OF JACK E. SCHIEFF FOR A VARIANCE, V-16-59, and moved its adoption, which motion was seconded by Mr. White, and upon roll call the ayes and nays were as follows:

Aye: White	Nay: None	Absent: Singleton
Replogle		
Hurley		
Garth		

The Chairman thereupon declared the motion carried and said Resolution adopted.

(RESOLUTION NO. 263 IS ON FILE IN THE DOCUMENT BOOK AS DOCUMENT NO. 268.)

V-17-59 The application of Claude I. Howard for a Variance to construct a five unit apartment building on a 5,528 square foot lot at 222 New York Avenue, Las Vegas, Nevada, between Industrial Road and Fairfield Avenue, legally described as a portion of the NW $\frac{1}{4}$ , of the NW $\frac{1}{4}$ , of the NE $\frac{1}{4}$ , of the SE $\frac{1}{4}$ , of Section 4, T21S, R61E,

V-17-59  
(cont.)

in an R-4 zone. The Chairman declared the Public Hearing open and asked if anyone was present to represent the applicant. There was no representation. Mr. Saylor gave the staff report. He stated that this application was brought before the Traffic and Parking Commission on October 15, 1959 at which time the proposed front yard parking arrangement was recommended for denial. He further stated that the Planning staff had submitted a plan which was acceptable to the Traffic and Parking Commission at that time. Therefore, the staff recommended approval. The Chairman asked if anyone was present to protest the application. There were no protests. The Chairman thereupon declared the Public Hearing closed.

Mr. Garth introduced Resolution No. 264, A RESOLUTION RECOMMENDING APPROVAL OF THE APPLICATION OF CLAUDE I. HOWARD, FOR A VARIANCE, V-17-59, and moved its adoption, which motion was seconded by Mr. White, and upon roll call the ayes and nays were as follows:

Aye:	White	Nay:	None	Absent:	Singleton
	Replogle				
	Hurley				
	Garth				

The Chairman thereupon declared the motion carried and said Resolution adopted.

(RESOLUTION NO. 264 IS ON FILE IN THE DOCUMENT BOOK AS DOCUMENT NO. 269.)

U-16-59

The application of Wilbur Clark for a Use Permit to construct a gasoline filling station at 1550 Tonopah Highway, Las Vegas, Nevada, generally located at the SE corner of Vegas Drive and Tonopah Highway (U.S. Highway 95), legally described as Lot 1, and a portion of Lots 19 and 20, Block 21, Twin Lakes Village Unit #5, in a C-1 zone. The Chairman declared the Public Hearing open and asked if anyone was present to represent the applicant. Mr. Herb Jones, from the firm of Jones, Weiner and Jones was present. Mr. Saylor gave the staff report recommending approval.

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(cont.)

He also gave a brief report on the background of the rezoning of this parcel, (Z-21-59). Mr. Garth submitted additional information regarding the rezoning application. The Chairman asked if anyone was present to protest the application. Mr. Saylor read three letters of protest into the record from John and Esther Dessel, 1201 Arrowhead; Gene and Barbara S. Heck, 1302 Arrowhead; Thomas D. & Josephine E. Martin, 1300 Smoketree Avenue. Present were Max N. Harden, 1305 Arrowhead; Robert Smith, 3037 Vegas Drive; Louise M. Harden for Mrs. Gale H. Pike, 1303 Arrowhead Avenue; Julius C. Gabriele, 1301 Arrowhead; Mrs. Harold Hitchcock, 3033 Vegas Drive; Robert Campbell, operator of the service station located at 1549 Tonopah Highway; Thora B. Darling, 1034 Tonopah Highway; and William R. Darling, 1034 Tonopah Highway who stated that he was president of the Twin Lakes Merchant's Association and representing that group in protest. Discussion followed at which time Mr. Jones submitted to the Board drawings of a typical station as proposed. He also submitted a Declaration of Restrictions which excluded Lot 1 from restrictions for this area.

Mr. Replogle introduced Resolution No. 265, A RESOLUTION RECOMMENDING APPROVAL OF THE APPLICATION OF WILBUR CLARK FOR A USE PERMIT, U-16-59, and moved its adoption, which motion was seconded by Mr. White, and upon roll call the ayes and nays were as follows:

Aye: White	Nay: Hurley	Absent: Singleton
Replogle	Garth	

The Chairman declared the vote a tie.

After further discussion, Mr. Garth moved that the application of Wilbur Clark for a Use Permit, U-16-59, be denied, which motion was seconded by Mrs. Hurley and upon roll call the ayes and nays were as follows:

Aye: Hurley	Nay: White	Absent: Singleton
Garth	Replogle	

The Chairman again declared the vote a tie.

U-16-59  
(cont.)

Mr. Replogle moved that the application be forwarded to the Board of City Commissioners without a recommendation because the Board was in a deadlock. Mr. White seconded this motion and it was passed unanimously.

(RESOLUTION NO. 265 IS ON FILE IN THE DOCUMENT BOOK AS DOCUMENT NO. 270.)

U-21-59

The application of A. G. Noorda for a Use Permit to construct professional offices at 2100 Maryland Parkway, legally described as a portion of the SE $\frac{1}{4}$ , of the NE $\frac{1}{4}$ , of the SE $\frac{1}{4}$ , of the SE $\frac{1}{4}$ , of Section 3, T21S, R61E, generally located on the west side of Maryland Parkway, between St. Louis and San Francisco, in an R-4 zone. The Chairman declared the Public Hearing open and asked if anyone was present in support of the application. Dr. Dan Riplinger, 820 Gass Street, one of the six Doctors proposing the medical center was present. Mr. Saylor gave the staff report recommending approval. The Chairman asked if there were any protests against this application. There were none present. The Chairman thereupon declared the Public Hearing closed. Mr. White introduced Resolution No. 266, A RESOLUTION RECOMMENDING APPROVAL OF THE APPLICATION OF A. G. NOORDA, FOR A USE PERMIT, U-21-59, and moved its adoption, which motion was seconded by Mr. Replogle, and upon roll call the ayes and nays were as follows:

Aye:	White	Nay:	Garth	Absent:	Singleton
	Replogle				
	Hurley				

The Chairman thereupon declared the motion carried and said Resolution adopted.

(RESOLUTION NO. 266 IS ON FILE IN THE DOCUMENT BOOK AS DOCUMENT NO. 271.)

U-24-59

The application of Charleston Plaza, Inc. for a Use Permit to construct a service station at 1830 East Charleston Blvd. between

U-24-59  
(cont.)

Burnham Avenue and Seventeenth Street, legally described as a parcel of land, 125 feet by 125 feet at the SW corner of Charleston Blvd. and Burnham Avenue, in a C-1 zone. The Chairman declared the Public Hearing open and asked if anyone was present in support of the application. Mr. William Peccole, President of Charleston Plaza, Inc. was present. Mr. Peccole gave a brief report after which Mr. Saylor gave the staff report recommending approval. The Chairman asked if anyone was present to protest the application. Mr. Leroy V. Lewis, 1932 Peyton Drive was present in semi-opposition. The Chairman thereupon declared the Public Hearing closed.

Mr. Replogle introduced Resolution No. 267, A RESOLUTION RECOMMENDING APPROVAL OF THE APPLICATION OF CHARLESTON PLAZA, INC. FOR A USE PERMIT, U-24-59, and moved its adoption, which motion was seconded by Mr. Garth, and upon roll call the ayes and nays were as follows:

Aye:	White	Nay:	None	Absent:	Singleton
	Replogle				
	Hurley				
	Garth				

The Chairman thereupon declared the motion carried and said Resolution adopted.

(RESOLUTION NO. 267 IS ON FILE IN THE DOCUMENT BOOK AS DOCUMENT NO. 272.)

U-25-59

The application of the United States of America for a Use Permit to conduct a quasi-public use, to wit: Forest Service facilities at 1217 Bridger Avenue, Las Vegas, Nevada, between Maryland Parkway and Thirteenth Street, legally described as the West 95 feet of Lots 9, 10 and 11, Block 4, Ladd's Addition, in an R-4 zone. The Chairman declared the Public Hearing open and asked if anyone was present in support of the application. There was no representation. Mr. Charchalis gave a report on the proposed use. Mr. Saylor gave the staff report recommending approval. Short discussion followed. The Chairman asked if

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(cont.)

anyone was present in protest. There was no opposition and the Chairman thereupon declared the Public Hearing closed.

Mr. Replogle introduced Resolution No. 268, A RESOLUTION RECOMMENDING APPROVAL OF THE APPLICATION OF THE UNITED STATES OF AMERICA, FOR A USE PERMIT, U-25-59, and moved its adoption, which motion was seconded by Mr. White, and upon roll call the ayes and nays were as follows:

Aye: White	Nay: None	Absent: Singleton
Replogle		
Hurley		
Garth		

The Chairman thereupon declared the motion carried and said Resolution adopted.

(RESOLUTION NO. 268 IS ON FILE IN THE DOCUMENT BOOK AS DOCUMENT NO. 273.)

U-26-59

The application of Jean Kirwin and George H. Kirwin for a Use Permit to conduct a home for the aged at 2215 Fairfield Avenue, Las Vegas, Nevada, between Baltimore Avenue and Cleveland Avenue legally described as Lots 40, 41 and 42, Block 3, Meadows Addition, in an R-4 zone. The Chairman declared the Public Hearing open and asked if there was anyone present in support of the application. Mr. Charles Lewis, 1821 West Bonanza was present to represent the applicant. He stated that Mrs. Hall, who proposes to operate the establishment, has placed the house in escrow pending the granting of this Use Permit. Mr. Saylor gave the staff report recommending approval. The Chairman asked if anyone was present in opposition to this application. There were no protestants present, however, Mr. Saylor read two letters of protest into the record from John J. & Marguerite Segretti, Huntridge Station, Box 2514 Las Vegas, Nevada; and Margaret M. Blink, 2208 Fairfield Avenue. The Chairman thereupon declared the Public Hearing closed.

Mr. Replogle introduced Resolution No. 269, A RESOLUTION RECOMMENDING APPROVAL OF THE APPLICATION OF JEAN KIRWIN AND GEORGE H.

U-26-59  
(cont.)

KIRWIN FOR A USE PERMIT, U-26-59, and moved its adoption, which motion was seconded by Mr. White, and upon roll call the ayes and nays were as follows:

Aye: White                      Nay: None                      Absent: Singleton  
      Replogle  
      Hurley  
      Garth

The Chairman thereupon declared the motion carried and said Resolution adopted.

(RESOLUTION NO. 269 IS ON FILE IN THE DOCUMENT BOOK AS DOCUMENT NO. 274.)

U-27-59

The application of Mrs. Vern Howard for a Use Permit to allow Frederika M. Singer to conduct a private school, to wit: A music school for piano, accordian and guitar at 242 Boston Avenue, Las Vegas, Nevada, between Industrial Road and Fairfield, legally described as Lots 18 and 19, Block 13, Meadows Addition, in an R-4 zone. The Chairman declared the Public Hearing open and asked if anyone was present in support of the application. Mrs. Frederika M. Singer was present. Mr. Saylor gave the staff report recommending approval. The Chairman asked if there were any protestants to this application. Mr. Saylor read three letters of protest into the record from Ted Mossman, 1337 Orange Drive, Hollywood 28, California; A. G. Neumeyer, 118 Las Vegas Blvd. South; and Van & Leah Taylor, 244 and 246 West St. Louis Avenue. Present were Paul and Maudie Tubiolo, 235 Boston Avenue and Ada Cooper, 225 Cleveland Avenue. Mr. O. J. Scherer, Nevada Testing Lab, was present for a clarification of the matter. The protests were to the effect that a music school would produce obnoxious noise and result in the loss of tenants. The Chairman thereupon declared the Public Hearing closed.

Mr. Garth introduced Resolution No. 270, A RESOLUTION RECOMMENDING APPROVAL OF THE APPLICATION OF MRS. VERN HOWARD FOR A USE PERMIT, U-27-59, and moved its adoption, which motion was seconded by Mr. White, and upon roll call the ayes and nays were

U-27-59  
(cont.)

as follows:

Aye: White                      Nay: None                      Absent: Singleton  
      Replogle  
      Hurley  
      Garth

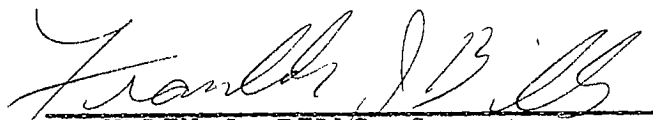
The Chairman thereupon declared the motion carried and said Resolution adopted.

(RESOLUTION NO. 270 IS ON FILE IN THE DOCUMENT BOOK AS DOCUMENT NO. 275.)

Date for  
November  
meeting.

Mr. Saylor stated that because the November meeting is scheduled for Thanksgiving Day, a new date should be set. Mr. White moved that the meeting be held on November 19, 1959, which motion was seconded by Mrs. Hurley, and the motion passed unanimously.

At the hour of 10:10 P.M., upon motion duly made and seconded, this regular meeting of the Board of Zoning Adjustment was adjourned.

  
FRANKLIN J. BILLS, Secretary  
Board of Zoning Adjustment