

S

A G E N D A

BOARD OF ZONING ADJUSTMENT

July 22, 1976

CALL TO ORDER:

7:30 P.M. in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

ROLL CALL:

PLEDGE OF ALLEGIANCE:

MINUTES:

Approval of the Minutes for the Board of Zoning Adjustment meeting held May 27, 1976.

NEW BUSINESS:

1. V-39-76

Application of ESSEX CONSTRUCTION COMPANY BY ERNEST A. BECKER for a Variance to allow a 5' front yard setback where 25' is required on property located on the south side of Alta Drive approximately 300 feet east of South Decatur Boulevard in Zoning District R-1.

2. V-40-76

Application of DANNY CASSELLA for a Variance to allow a carport within 2'6" of the side property line where 10' is required on property located at 2220 West Oakey Boulevard, on the north side of West Oakey Boulevard approximately 150 feet east of South Rancho Drive in Zoning District R-E.

3. V-41-76

Application of TAYLOR L. BENNETT for a Variance to allow a room addition to within 26' of the rear property line where 30' is required on property located at 2929 Brady Avenue, on the north side of Brady Avenue between Meyer Street and MacFarlane Street in Zoning District R-1.

4. V-42-76

Application of EUGENE HURLEY for a Variance to allow an existing carport 1'6" from the side property line where 5' is required on property located at 1061 Miller Avenue, on the southeast corner of Miller Avenue and Concord Street in Zoning District R-2.

5. V-43-76

Application of SEYMORE H. BROWN for a Variance to allow an 8' high wall along the rear and south side property lines where a 6' maximum wall height is allowed on property located at 104 South Mallard Street, on the east side of South Mallard Street between Upland Boulevard and Wisteria Avenue in Zoning District R-1.

6. V-44-76

Application of TRIED STONE BAPTIST CHURCH for a Variance to allow the construction of a church with 13 parking spaces where 47 parking spaces are required on property located at 1200 Lawry Avenue, on the north side of Lawry Avenue between Lexington Street and Concord Street in Zoning District R-2.

7. U-59-76

Application of PAUL BENDETTI ON BEHALF OF L.V.D., INC. for a Use Permit to allow a parking lot on property generally located on the northeast corner of Fairfield Avenue and Cincinnati Street in Zoning District R-4.

8. V-45-76

Application of WESTMINSTER UNITED PRESBYTERIAN CHURCH for a Variance to allow the temporary use of a mobile home as a classroom and church office facility on property located at 4601 West Lake Mead Boulevard, on the southeast side of West Lake Mead Boulevard between Madeline Drive and North Decatur Boulevard in Zoning District R-1.

9. V-46-76 Application of JOHN K. BIEGGER for a Variance to allow a tennis court fence to a height of 12' where only 6' in height is permitted being located on the side and rear property lines, where a 10' setback is required on property located at 2327 Alta Drive, on the south side of Alta Drive between Shetland Road and South Rancho Drive in Zoning District R-A.
10. U-60-76 Application of NELLIE ELOUISE DIETZ KIRBY AND LEON KIRBY TRUSTEE, for a Use Permit to allow a self-service gasoline station in conjunction with a convenience market on property generally located on the northeast corner of East Charleston Boulevard and North Pecos Drive in Zoning District C-1.
11. U-61-76 Application of LAKETREE for a Use Permit to allow a self-service gasoline station in conjunction with a convenience market on property generally located on the northwest corner of Alta Drive and South Valley View Boulevard in Zoning District C-1.
12. V-47-76 Application of MR. AND MRS. ARMOND MERLUZZI for a Variance to allow a storage room addition to the residence 2' from the side property line where 6' is required on property located at 2913 Bryant Avenue, on the south side of Bryant Avenue between Campbell Drive and Cahlan Drive in Zoning District R-1.
13. V-48-76 Application of SAMMIE R. ARMSTRONG for a Variance to allow a room addition 21'6" from the front property line where 25' is required and an existing room addition 18' from the rear property line where 25' is required and to enclose an existing patio 18' from the rear property line where 25' is required on property located at 1913 Brady Avenue, on the north side of Brady Avenue between 18th Street and 20th Street in Zoning District R-1.
14. V-49-76 Application of NEVADA SAVINGS AND LOAN for a Variance to allow a 36 sq. ft. sign, which is attached to a decorative 22 sq. ft. accessory structure, where a 32 sq. ft. sign is permitted with a setback of 8½' where 10' is required and to a height of 13' where a maximum of 5' is permitted on property generally located on the northeast corner of El Camino Avenue and Valley View Boulevard in Zoning District R-1 (Resolution of Intent to R-3).
15. V-50-76 Application of BUD HAND ON BEHALF OF TOM MILLER for a Variance to allow the operation of an automotive repair garage which would consist of the removal, repair and replacing of automobile transmissions on property located at 2401-C West Bonanza Road, on the southeast corner of West Bonanza Road and North Rancho Drive in Zoning Districts C-1, C-2 and R-E.
16. U-42-75
Plot Plan Review Submitted by JOE JOHNSTON for a Plot Plan Review on an approved Use Permit to allow an addition on property located at 617 Hoover Avenue, on the northwest corner of South 7th Street and East Hoover Avenue in Zoning District R-4.
17. U-62-76 (HO) Application of HERMAN R. HOGE at 920 Vincent Way in Zoning District R-1 for a Home Occupation Permit - Allow a design and drafting service from his home.

S U P P L E M E N T A L A G E N D A

BOARD OF ZONING ADJUSTMENT

July 22, 1976

1. U-63-76 (HO) Application of LOUIS SCAFIDI at 3421 Durham Avenue in Zoning District R-1 for a Home Occupation Permit - Allow the operation of an off-premise vending machine business.

2. U-64-76 (HO) Application of JOHN M. DIBELLA at 1300 Scenic Way in Zoning District R-1 for a Home Occupation Permit - Allow the operation of an off-premise floral decorator service.

M I N U T E S

BOARD OF ZONING ADJUSTMENT

July 22, 1976

CALL TO ORDER: A regular meeting of the Board of Zoning Adjustment was called to order by Chairman Duncan at 7:30 P.M. in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

PLEDGE OF ALLEGIANCE:

PRESENT: Chairman Duncan, Mrs. Emmett and Mr. Miller.

EXCUSED: Vice-Chairman Segretti and Mr. Canul.

STAFF PRESENT: Don J. Saylor, AIP, Director of the Department of Community Planning and Development
Howard A. Null, Supervisor of Planning and Zoning, Department of Community Planning and Development
Ira John Gardner, Planning Assistant
Patricia D. Malizia, Recording Secretary

MINUTES: MR. MILLER made a Motion for APPROVAL of the Minutes of the Board of Zoning Adjustment meeting held May 27, 1976. Motion carried unanimously.

NEW BUSINESS:

1. V-39-76

APPROVED

Application of ESSEX CONSTRUCTION COMPANY BY ERNEST A. BECKER for a Variance to allow a five ft. (5') front yard setback where twenty-five feet (25') is required on property legally described as Lot 348, Block 5, Charleston Heights Tract No. 16B, located on the south side of Alta Drive approximately 300 feet east of South Decatur Boulevard in Zoning District R-1 (Single Family Residence).

MR. NULL pointed out the location of this request on the screen indicating there is C-1 zoning to the north and a small commercial area on the southeast corner of Alta and Decatur. He pointed out the location of the building on the plot plan and stated the reason for this variance is because the building is to be moved up toward Alta Drive since there are residences to the south backing up to this property. He stated the building meets the front yard setback requirements of 25' for the east portion of the frontage, which is the same setback that is required on the residential property to the east. He stated this lot is unique in that it is triangular and a variance is required because the applicants are requesting to move the building to the north side of the property. He stated staff recommends approval because of the uniqueness of the lot. There was one protest on record from the commercial establishment on the corner of Alta and Decatur.

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

MR. HUGH TEMPLETON, 4112 Fortune Drive, appeared representing the applicant stating he will be one of the owners and occupants of this building. He stated he had not read the protest and that they will not be building the building right up to the sidewalk; but they would like to stay away from the residential to the east, and they will have landscaping on the south. He stated they will try to make this building as pleasant as possible, and he stated the parking will be around to the back of the building. He stated with the size of the lot it wouldn't be possible to put a residence on it either. He stated this lot has been vacant since the tract was built.

CHAIRMAN DUNCAN indicated he had surveyed this area and felt if the Board didn't grant this variance this property would be worth nothing to the applicants.

MR. TEMPLETON replied that this would be true.

CHAIRMAN DUNCAN asked regarding the fencing of this property asking if it would be similar to the fencing of the Der Wienerschnitzel?

MR. TEMPLETON indicated they want to put a fence up just as Der Wienerschnitzel has; he added they would like to stay away from the back property line. He further stated they could put a two-story house at this location.

CHAIRMAN DUNCAN asked if the building would be two-story?

MR. TEMPLETON replied "yes". He stated the windows on the office side facing residential uses will be screened or stained glass; he stated they will try to keep someone from looking out of the second story.

MRS. EMMETT asked the use of the building?

MR. TEMPLETON stated it will be an office building for a CPA on the ground floor and there will be executive offices upstairs.

MRS. EMMETT asked if the property met the requirements for that use?

MR. NULL stated "yes", the only problem is the nearness to the front property line.

MR. MILLER asked if this application was before the Planning Commission last month?

MR. NULL replied "yes", but the Planning Commission couldn't handle the setback problem.

CHAIRMAN DUNCAN asked the nature of the protest and asked to see the letter.

MR. NULL presented the letter to the Board.

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

MRS. EMMETT made a Motion for APPROVAL of V-39-76 subject to the following conditions:

1. The second floor windows facing the residential property to the south and east shall be screened in a manner to obscure the view as required by the Department of Community Planning and Development.
2. Conformance to the plot plan to reflect the above condition.
3. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

2. V-40-76

APPROVED

Application of DANNY CASSELLA for a Variance to allow a carport within two feet six inches (2'6") of the side property line where ten feet (10') is required on property legally described as that portion of Block 4 in Scotch Eighty Addition (Resubdivision) described as follows: Commencing at the northwest corner of said Block 4; thence South 0°47' West 210.00 feet; thence South 89°13'18" East 111.23 feet to the TRUE POINT OF BEGINNING; thence continuing South 89°13'18" East 111.23 feet; thence South 0°47' West 190.57 feet; thence North 89°03' West 111.23 feet; thence North 0°47' East 190.26 feet to the TRUE POINT OF BEGINNING, located at 2220 West Oakey Boulevard, on the north side of West Oakey Boulevard approximately 150 feet east of South Rancho Drive in Zoning District R-E (Residence Estates).

MR. NULL pointed out the location of the property on the screen stating the property is zoned R-E with Rancho Drive to the west and Oakey Boulevard to the south. He pointed out the location of the property on the plot plan stating this is a rectangular shaped lot. He pointed out the location of the carport stating it is 2½' from the side property line and there is an existing block wall around the property which is also set 2½' in from the property line and the eave of the carport hangs over the middle of the wall.

MR. MILLER asked if the carport was 2½' from the wall or the property line?

MR. NULL stated the carport eave hangs over the middle of the wall and the wall is 2½' from the property line.

CHAIRMAN DUNCAN asked if the drainage from the carport fell over the property line?

MR. NULL stated it would fall inside the property line. He stated to staff's knowledge no permit has been taken out on this construction.

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

MR. DANNY CASSELLA, 2220 West Oakey Boulevard, appeared. He informed the Board there is a pole on the property line and he has built the fence 2½' inside of the pole so the 8' carport extends right over the fence. He stated his home is the only home on the block between Rancho Road and Pine Street and there is only one other house in the area which belongs to Mr. Prantos and he has no intention of selling it, and he will be the only one there for a long time.

CHAIRMAN DUNCAN asked if the carport was built when the house was built?

MR. CASSELLA stated it has just been recently constructed and he had a misunderstanding with the carpenter and that is why there was no permit taken out.

CHAIRMAN DUNCAN asked if the carpenter took out a permit?

MR. CASSELLA stated "no".

CHAIRMAN DUNCAN asked who the carpenter was?

MR. CASSELLA replied Bromley, and he added he was put in the middle of this problem.

MR. MILLER asked if this project was completed?

MR. CASSELLA stated it is existing now. He stated this problem was discussed with Rick Williams of the Planning Department and he explained this would be brought up before the Board. He stated it would be terrible to tear this carport down because it is connected to the 4' overhang of the house. He pointed out the location of the carport on the plot plan adding the four posts are inside of the fence.

MRS. EMMETT asked if this carport was enclosed or open?

MR. CASSELLA stated it is open and he didn't intend for it to be enclosed. He stated it was constructed to protect his car from the heat and keep the bedroom on that side cooler in the summer.

CHAIRMAN DUNCAN asked if there were any protests?

MR. NULL stated there were no written protests or approvals on record.

MR. CASSELLA read part of the application into the record regarding the Visual Environment Statement, and he presented photographs of the carport to the Board.

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

MR. NULL indicated if this application is approved staff would recommend a couple of conditions; one being that the applicant take out a permit and the other that the applicant sign an Assessment District Agreement for future sidewalks and street lighting on Oakey Boulevard.

MR. MILLER made a Motion for APPROVAL of V-40-76 subject to the following conditions:

1. All necessary permits and inspections shall be obtained as required by the Department of Public Services.
2. Conformance to the plot plan.
3. Signing of an Assessment District Agreement for future street lighting and sidewalks along Oakey Boulevard as required by the Department of Public Services.
4. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

3. V-41-76
APPROVED

Application of TAYLOR L. BENNETT for a Variance to allow a room addition to within twenty-six feet (26') of the rear property line where thirty feet (30') is required on property legally described as Lot 16, Block 16, College Park #35, located at 2929 Brady Avenue, on the north side of Brady Avenue between Meyer Street and MacFarlane Street in Zoning District R-1 (Single Family Residence).

MR. NULL stated this property is located in a R-1 Zoning District between Meyer Street and MacFarlane Street on the north side of Brady Avenue. He pointed out the location of the building on the plot plan and stated the problem exists due to the distance from the room addition to the rear property line. He stated the patio cover will be all right being 15' from the property line. He stated the lot is rectangular in shape and there is a 6' wood fence surrounding the property. He stated staff has determined the room addition is partially constructed; he stated a permit has been taken out showing the intent of the construction and there are no requirements from the Department of Public Services.

MR. MILLER asked if construction was started when the permit was taken out?

MR. NULL stated the permit was taken out on June 14, 1976.

MR. MILLER asked if the applicant wouldn't have known at that time that he needed a variance request?

MR. NULL indicated when the permit was taken out it specified what setbacks were required but he wanted to go beyond that and that is why he is asking for a variance. He added there were no protests or approvals on record.

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

MR. TAYLOR BENNETT, 2929 Brady Avenue, appeared.

MR. MILLER asked Mr. Bennett if he knew at the time the permit was taken out he would be going beyond the limitations of the Ordinance?

MR. BENNETT indicated he had extenuating circumstances regarding this construction. He stated he had phoned the Building Department and told them he was going to extend 16' behind the rear of the house, and he was told the only limitation was that there would have to be a 25' setback from the rear property line and 15' with the enclosed patio cover. He stated at that time he didn't believe there would be any problem. He stated he then made contact with the building materials company and when he took out the permit he was told he would be in violation that there must be 30' and he had a 26' setback and he now needed an additional 4'. He stated he could cut 4' off the garage, which he added he has made application for if he wasn't approved for this variance. He stated he has applied for the variance hoping he would get it. He stated he has the patio slab down and the roof framing up.

MRS. EMMETT asked if there were other variances in this area for similar construction?

MR. BENNETT stated he received a letter about one year ago, but he added that was not in his immediate area.

CHAIRMAN DUNCAN asked if this addition was already built?

MR. BENNETT stated it is in the process of being built.

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

MR. MILLER made a Motion for APPROVAL of V-41-76 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. Emmett - yes.
Mr. Miller - yes.
Chairman Duncan - yes.

Motion for APPROVAL carried unanimously.

4. V-42-76

APPROVED

Application of EUGENE HURLEY for A Variance to allow an existing carport one foot six inches (1'6") from the side property line where five feet (5') is required on property legally described as Lots 130D, 130E, and 130F, Vegas Heights Tract No. 4, located at 1061 Miller Avenue, on the southeast corner of Miller Avenue and Concord Street in Zoning District R-2 (Two Family Residence).

MR. NULL stated this property is located in a two family district and there appears to be multiple family uses to the west. He stated this lot is actually three separate lots, and he pointed out the location of the carport 1½' from the side property line. He stated there is a 5' high chain link fence along the property line and the property is vacant adjacent to the carport on the east. He stated there were no protests or approvals on record. He added staff couldn't find any permit for this carport on record.

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

MR. EUGENE HURLEY, 1061 Miller Avenue, appeared. He stated he didn't take out a permit for the carport because he had a permit to add onto the back room, and he had a friend helping him do the addition to the back room and at that time they framed up the existing carport. He stated he intended to pick up a permit later.

CHAIRMAN DUNCAN asked if his friend was a contractor?

MR. HURLEY stated he was just a friend. He stated if he stayed back 5' from the property line he couldn't get his boat in there, and it wouldn't do him any good.

CHAIRMAN DUNCAN asked if he could put the carport on the other side of the house?

MR. HURLEY stated the driveway is on that (east) side.

CHAIRMAN DUNCAN asked if the property behind this property was vacant?

MR. NULL indicated the property next to it is vacant.

CHAIRMAN DUNCAN stated in other words thinking in regard to fire protection could fire equipment come into the back of the house?

MR. NULL replied "yes", they could enter from the side.

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

MRS. EMMETT made a Motion for APPROVAL of V-42-76 subject to the following conditions:

1. All necessary permits and inspections shall be obtained as required by the Department of Public Services.
2. Conformance to the plot plan.
3. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

5. V-43-76

APPROVED

Application of SEYMORE H. BROWN for a Variance to allow an eight foot (8') high wall along the rear and south side property lines where a six foot (6') maximum wall height is allowed on property legally described as Lot 2, Block 27, Charleston Heights No. 4, located at 104 South Mallard Street, on the east side of South Mallard Street between Upland Boulevard and Wisteria Avenue in Zoning District R-1 (Single Family Residence).

MR. NULL pointed out the location of the property on the plot plan stating it is located in a single family residential area. He stated the request is to go from a 6' high wall to an 8' high wall, and he pointed out the location of the wall on the plot plan. He stated the applicant has just put in a new pool and the wall height is requested to prevent people from going into the area. He stated there were no protests or approvals on record.

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

MR. SEYMORE H. BROWN, 104 South Mallard Street, appeared. He stated when he is standing he can look over the wall, and he stated he is concerned about his neighbor's small children climbing into the pool area. He stated it would be easy for the children to get over the 6' wall, and that is why he is requesting 8'. He stated this will protect these children and allow more privacy for himself.

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

MR. MILLER made a Motion for APPROVAL of V-43-76 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. Emmett - yes.
Mr. Miller - yes.
Chairman Duncan - yes.

Motion for APPROVAL carried unanimously.

6. V-44-76

APPROVED

Application of TRIED STONE BAPTIST CHURCH for a Variance to allow the construction of a church with thirteen (13) parking spaces where forty-seven (47) parking spaces are required on property legally described as Lots 67A, 68B and 68C, Vegas Heights Tract No. 4, located at 1200 Lawry Avenue, on the north side of Lawry Avenue between Lexington Street and Concord Street in Zoning District R-2 (Two Family Residence).

MR. NULL stated this proposal is for a church to be located on the north side of Lawry between Lexington and Concord in Zoning District R-2. He pointed out the location of the church on the plot plan and the 13 parking spaces. He pointed out the suggested parking layout presented by staff. He stated based on the size of the church they would need 47 spaces and they only have 13. He stated a question in staff's mind is basically what type of congregation this church will have. Will they need the car spaces or will the people walk in from the surrounding neighborhood?

CHAIRMAN DUNCAN asked if there wasn't another church in the same neighborhood?

MR. NULL stated there is a church across the street and he pointed out the location of the proposed and existing churches.

MR. MILLER asked how the number of parking spaces were determined?

MR. NULL stated either by the square footage of the building or so many feet of pew space (approximately 1 space per 10 seats). He stated staff would recommend some conditions if this request is approved including the construction of a 6' masonry wall on the property lines which abut residential uses, unless the abutting residents desire otherwise, and a landscaping plan for the Lawry frontage of the property.

CHAIRMAN DUNCAN asked if the immediate residents have been notified regarding this application?

MR. NULL indicated the residents have been notified in a 400' distance of the subject property. He added to the conditions of approval that all mechanical equipment and trash enclosures should be screened and the parking layout should meet the requirements of the Traffic Engineer and conformance to code requirements and design standards of City Departments.

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

REV. C. C. SMITH appeared.

CHAIRMAN DUNCAN asked if they were ready to start construction?

REV. SMITH stated they hoped to start construction next month. He stated they have some financing and people will be contributing to the construction of the church.

MR. MILLER asked if it would be possible for their church to use the parking of the church across the street?

REV. SMITH stated they hold short services of 1½ hour or so; and they just come to the service and leave, and they wouldn't be there the whole day. He stated they always did park around the building. He stated they have 68 members, and he stated he felt they would have enough parking. He stated they bought the house which was there and used it as a church.

CHAIRMAN DUNCAN asked how old was the church across the street and which church is the oldest?

REV. SMITH stated his church was the oldest, and it was founded November 18, 1962.

MR. MILLER stated staff has recommended some conditions, and he asked Rev. Smith if he understood them?

REV. SMITH replied "yes".

CHAIRMAN DUNCAN asked if anyone else wished to be heard?

MR. NULL stated staff has received one letter of protest.

CHAIRMAN DUNCAN asked if this church was located on three lots?

REV. SMITH stated it is located on Lots A, B and C.

CHAIRMAN DUNCAN asked why parking couldn't be arranged on these lots?

REV. SMITH indicated he thought there would be enough room.

MR. NULL stated there was no other arrangement possible; he stated the church is large for the lot area, and the parking will depend on how many people are members of the church.

CHAIRMAN DUNCAN asked how many members attend the church by driving automobiles?

REV. SMITH stated his congregation consists of 68 people mostly young and elderly, some of which are picked up and dropped off at the church.

MRS. EMMETT asked if they had been holding church at this location previously, and she further asked where the protest was located?

REV. SMITH stated the protest concerns the other church, and he stated they haven't met at this location since the first of April when the home was destroyed by fire.

MR. NULL indicated there has been a traffic problem at this location in the past.

CHAIRMAN DUNCAN asked Rev. Smith regarding the traffic when both churches are holding services there?

REV. SMITH informed the Board the members of the other church have been known to block other people into parking spaces and park anywhere in this area.

CHAIRMAN DUNCAN asked if there was any land vacant adjoining their property that could be used for parking?

REV. SMITH stated they have that in mind.

CHAIRMAN DUNCAN asked the size of the lots?

REV. SMITH replied 40' X 130'.

CHAIRMAN DUNCAN asked how many cars would that amount of space accommodate?

MR. NULL explained with 5200 sq. ft. it could be worked out to approximately 10 or 11 parking spaces or something in that order.

CHAIRMAN DUNCAN stated that would be 10 in addition to what they have here if they would get another lot.

MR. MILLER asked if most of the members walked or drove to the church?

REV. SMITH replied "no", some live in the neighborhood and some live nearby and some ride the bus.

MR. MILLER asked regarding the building they had used previously and the parking?

REV. SMITH stated they had plenty of parking. He stated they had 18 cars at the most in the largest service.

CHAIRMAN DUNCAN asked if there were more would they park on the street?

REV. SMITH replied they never had more than that.

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

MR. MILLER made a Motion for APPROVAL of V-44-76 subject to the following conditions:

1. Construction of a 6' masonry wall on the west, north and east property lines unless the abutting residents do not desire a wall as required by the Department of Community Planning and Development.
2. Submittal of a landscaping plan for the Lawry Avenue frontage prior to or at the same time application is made for a building permit.
3. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting residences.
4. Submittal of a parking plan to the City Traffic Engineer for approval.
5. Conformance to the plot plan to reflect the above conditions.
6. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

7. U-59-76
APPROVED

Application of PAUL BENEDETTI ON BEHALF OF L.V.D., INC. for a Use Permit to allow a parking lot on property legally described as Lots 37, 38, 39 and 40, Block 2, Meadows Addition, generally located on the northeast corner of Fairfield Avenue and Cincinnati Street in Zoning District R-4 (Apartment Residence).

MR. NULL stated this site is located on the northeast corner of Fairfield and Cincinnati in a R-4 Zoning District. He stated there is a 10-unit apartment structure to the north and it is staff's understanding this lot will partially serve for their parking. He pointed out the location of the lot on the plot plan. He stated there is a 15' or 20' alley to the east of this proposed parking lot. He stated there is also an existing single family residential structure to the east and staff understands that no one is living there. He stated this parking lot is laid out very well and there is already a curb cut in the center for access and the width should be 25' and there are two dead areas because of the way the spaces are arranged and staff would like to see these areas planted with trees, also staff would like the submission of a landscaping plan, conformance to Department of Public Services requirements regarding the installation of a 5' sidewalk and alley paving and conformance to code requirements and design standards of City Departments. He stated there were no protests or approvals on record.

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

MR. JAMES BILBRAY, JR. appeared representing the applicant. He stated the applicant owns the apartments to the north and they are under negotiations to buy other apartments in the area. He stated there are only ten apartment units but this lot would be used as an overflow for those apartments and for the casinos. He stated this property is zoned R-4 and is becoming very run down. He stated this area is becoming a good commercial area rather than an apartment complex area.

MR. NEAL BELLER, 229 Las Vegas Boulevard South, appeared in protest. He stated he was representing the owners of the El Mirador Motel which is a two-story motel to the east of and facing the proposed parking lot. He stated there will be a problem of traffic going in and out of this area if it was made into a parking lot and there would also be buses going in and out and traffic from the valet parking. He stated this business would be ruined with the construction of a parking lot at this location. He stated possibly as a condition of approval a block wall could be required, but he added after talking to his clients they felt there still would be a problem regarding the ingress and egress and also with regard to the lighting of the parking lot. He stated the alley at this location is 15' wide and any cars and noise adjacent to it will affect the occupants of the motel.

MR. BILBRAY reappeared asking the Board if they had seen this particular area stating that the El Mirador Motel at the present time looks like a concentration camp in a state of seige. He stated his clients had leased a parking lot from the owners of the El Mirador Motel but now they have decided not to renew the lease and to buy their own property and now it has become a noise factor to the owners of the El Mirador. He stated as long as they paid the rent each month, there was no problem. He added both parties are interested in vacating the alley through the property. He commented regarding the lighting stating they will put in gas-type lighting. He stated the parking is a problem in the area of the El Mirador, and they have been towing everyone away. He stated his clients recognize the problem and would like to put in a parking area that will be blacktopped and landscaped. He stated this area is going downhill and this parking area will help the area.

MR. MILLER asked if this alley was 15' or 22'.

MR. NULL stated the plot plan indicates 15' to the property line and another 15' to the edge of the building.

MR. SAYLOR stated the alleys in that subdivision are all 15' wide.

MR. BILBRAY stated this parking lot will service the Jolly Trolley (Centerfold) and the motel.

MR. MILLER asked how many parking spaces were in the parking lot and how many will be used in conjunction with the apartment building next door? He asked if the tenants would have first priority?

MR. BILBRAY stated this has been a dirt parking lot and his clients plan to upgrade it.

MR. BELLER reappeared and stated the motel is partly under construction and as far as the parking is concerned Mr. Bilbray rented approximately 5 rooms from his clients and north of the motel, west of that particular vacant lot, there is a single dwelling and there is no interference with that individual. He stated as far as his clients are concerned the zoning is R-4 apartment house zoning. He stated if this were to turn into a commercial parking lot it would exaggerate the problems of his clients. He stated his client's business would be in jeopardy, and they will be severely damaged.

MR. BILBRAY stated they were using the alley all night long when they were renting the parking lot and they will not be using the alley to go in and out at all. He pointed out the location of the proposed new parking lot.

CHAIRMAN DUNCAN asked if there would be access from the alley?

MR. BILBRAY replied "no", and pointed out the location of the ingress and egress to the parking lot.

MS. PAULA PINHIERO, appeared in protest. She stated they never had that many cars using the parking lot, only in conjunction with the rented rooms. She stated the alley was only used on weekends, and there were never more than 6 cars; it was used very very little and never used by buses.

MR. MILLER asked Mr. Bilbray if they had purchased the property?

MR. BILBRAY stated they have bought it. He stated it has been used for a parking lot all along. He stated they would like to use it for commercial. He stated they had valet parking and were using the Pinhiero property, and now they want to park on their own property.

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

MR. MILLER made a Motion for APPROVAL of U-59-76 subject to the following conditions:

1. Landscaping and a permanent underground sprinkler system shall be provided as required by the Department of Community Planning and Development.
2. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
3. Lighting from this parking lot shall be directed away from the residential uses in this area as required by the Department of Community Planning and Development.
4. Installation of a 5' wide concrete sidewalk along Cincinnati Street and Fairfield Avenue and paving of the alley adjacent to the east property line as required by the Department of Public Services.
5. Conformance to the plot plan to reflect the above conditions.
6. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

8. V-45-76

APPROVED

Application of WESTMINSTER UNITED PRESBYTERIAN CHURCH for a Variance to allow the temporary use of a mobile home as a classroom and church office facility on property legally described as a portion of the north half (N $\frac{1}{2}$) of Section 19, Township 20 South, Range 61 East, MDB&M, described as follows: Commencing at the center of said Section 19; thence North 89° 31'00" West 1346.03 feet; thence North 02°09'00" East 75.00 feet; thence North 89°31'00" West 99.02 feet to the point of beginning; thence North 00°29'00" East 211.82 feet; thence North 17°24'23" West 36.35 feet; thence North 35°17'45" West 309.81 feet to a point on a non-tangent curve, thence along the arc of said non-tangent curve concave to the southeast having a radius of 882.09 feet, through a central angle of 11°13'03" an arc distance of 172.69 feet; thence South 36°58'38" West 150.00 feet; thence along the arc of a curve concave to the northwest having a radius of 800.00 feet through a central angle of 28°29'54" an arc distance of 397.91 feet; thence South 89°31'00" East 702.05 feet to the point of beginning, located at 4601 West Lake Mead Boulevard, on the southeast side of West Lake Mead Boulevard between Madeline Drive and North Decatur Boulevard in Zoning District R-1 (Single Family Residence).

MR. NULL stated this property is located on Lake Mead Boulevard east of Decatur. He stated Madeline Drive is to the east and there are homes that front on Madeline and back up to the property in question, and there is a 6' block wall which separates the properties. He pointed out the location of the church and the location of the proposed trailer that will serve as church offices and Sunday school or day care use. He pointed out the location of the wall and the location of the homes on Madeline. He stated the plan does show that water and sewer lines will be available to this site. He added that the Department of Public Services had no further requirements regarding this property. He stated staff would request that a review be conducted within a two-year time limit because they are asking for a temporary use. He stated there were no protests or approvals on record.

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

MR. ROBERT MC NUTT appeared representing the applicant.

CHAIRMAN DUNCAN asked if Mr. McNutt would be in agreement with a two-year review or a one-year review?

MR. MC NUTT stated he would be in agreement with either.

CHAIRMAN DUNCAN asked if Mr. McNutt had anything to add?

MR. SAYLOR stated staff understood this use was to be temporary, and he asked Mr. McNutt to define temporary.

MR. MC NUTT stated they anticipated they would need it for less than five years as an interim solution to taking care of a housing problem.

MR. SAYLOR asked if staff could assume it will not be there for more than five years?

MR. MC NUTT stated staff's recommendation is for two years with a review; he stated their request was for five years, but if the Board wants to review it on an annual basis they would have no objection.

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

MRS. EMMETT made a Motion for APPROVAL of V-45-76 subject to the following conditions:

1. Conformance to the plot plan.
2. A status review shall be conducted by the Board of Zoning Adjustment within a two-year time period.
3. All necessary permits and inspections shall be obtained as required by the Department of Public Services.
4. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

RECESS:

CHAIRMAN DUNCAN declared a ten-minute recess at 8:35 P.M. and reconvened the meeting at 8:50 P.M.

CHAIRMAN DUNCAN asked Mr. Null to review the Home Occupation Permits at this point in the meeting and the Board will act on them accordingly.

9. U-62-76 (HO) Application of HERMAN R. HOGE at 920 Vincent Way in Zoning District R-1 for a Home Occupation Permit - Allow a design and drafting service from his home.
10. U-63-76 (HO) Application of LOUIS SCAFIDI at 3421 Durham Avenue in Zoning District R-1 for a Home Occupation Permit - Allow the operation of an off-premise vending machine business.
11. U-64-76 (HO) Application of JOHN M. DIBELLA at 1300 Scenic Way in Zoning District R-1 for a Home Occupation Permit - Allow the operation of an off-premise floral decorator service.
12. U-65-76 (HO) Application of CATHERINE BARBER at 1701 Manhattan Drive in Zoning District R-1 for a Home Occupation Permit - Allow the operation of a drapery-making business (on-premise).

ITEMS 9 - 12
APPROVED

MR. NULL reviewed the Home Occupation requests and stated all of these requests meet the requirements of the City Code.

MR. MILLER made a Motion for APPROVAL of Items 9 thru 12 subject to the following conditions:

1. All advertising shall conform to the criteria for a Home Occupation Permit.
2. If a complaint is received regarding this operation, the surrounding property owners shall be notified and the Board will conduct a review and the approval may be rescinded.

Voting was as follows:

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

Motion for APPROVAL on Items 9 thru 12 carried unanimously.

13. V-46-76
APPROVED

Application of JOHN K. BIEGGER for a Variance to allow a tennis court fence to a height of 12' where only 6' in height is permitted being located on the side and rear property lines, where a 10' setback is required, on property legally described as that portion of the north half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 32, Township 20 South, Range 61 East, MDB&M, more particularly described as follows: Commencing at the northwest corner of the north half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 32; thence South 0°01'40" East 30 feet; thence South 89°25'55" East 885.02 feet to the TRUE POINT OF BEGINNING; thence South 0°36'20" West 301.27 feet; thence South 89°27'30" East 240.00 feet; thence North 0°37'20" East 301.15 feet; thence North 89°25'55" West 240.00 feet to the TRUE POINT OF BEGINNING, located at 2327 Alta Drive, on the south side of Alta Drive between Shetland Road and South Rancho Drive in Zoning District R-A (Ranch Acres).

MR. NULL stated these are large lots and pointed out the location of the lot on the plot plan stating it is located on Alta Drive. He stated the tennis court sits in the southwest corner of the lot. He stated there is a home to the west but it is located quite far forward on the lot and the tennis court will not come into conflict with any immediate residences. He stated there are no letters in opposition to this request, and there is a petition with five signatures in favor of this request.

CHAIRMAN DUNCAN asked if this met with property setback requirements?

MR. NULL replied "yes" the only problem is with the height of the tennis court fence.

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

MR. ROBERT MC NUTT appeared representing the applicant. He stated he is the engineer on this request.

MR. MILLER asked what the section on the screen was that is colored white?

MR. NULL stated it was R-A zoning which there isn't very much of in the City.

MR. MC NUTT replied it is a lot one full acre in size.

MR. MILLER asked why they were requesting a 12' high fence?

MR. MC NUTT stated that tennis courts require that amount of fence height.

MR. MILLER asked if the normal requirement was for 6'?

MR. MC NUTT stated they can build 6' but they want to build 12'.

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

MRS. EMMETT made a Motion for APPROVAL of V-46-76 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. Emmett - yes.
Mr. Miller - yes.
Chairman Duncan - yes.

Motion for APPROVAL carried unanimously.

14. U-60-76

APPROVED

Application of NELLIE ELOUISE DIETZ KIRBY AND LEON KIRBY, TRUSTEE, for a Use Permit to allow a self-service gasoline station in conjunction with a convenience market on property legally described as the west 175 feet of the south 165 feet of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SE $\frac{1}{4}$) of Section 31, Township 20 South, Range 62 East, MDB&M, generally located on the northeast corner of East Charleston Boulevard and North Pecos Drive in Zoning District C-1 (Limited Commercial).

MR. NULL stated this property is located on the northeast corner of Charleston and Pecos on property zoned C-1. He pointed to Charleston and Pecos on the plot plan. He stated this is proposed to be a convenience store with gas pumps and that is why there is a need for a use permit. He stated there has been some problem with regard to moving the drive approaches expressed by the Traffic Engineer, and staff does have some other conditions regarding this request. There should be a block wall next to the residence zoning on the north property line; approval of the drainage by Public Services; submission of a landscaping plan; screening of trash enclosures, etc.; conformance to the amended plot plan; conformance to code requirements and design standards; Public Services requires half-street improvements along Pecos and sidewalk along Charleston; and the Fire Department requests that a fire hydrant be located along this property. He also added that the Health Department may have some requirements regarding the installation of vapor control devices on the gas pumps. He stated there is one letter of approval on record.

MR. MILLER asked if the convenience store was already in a C-1 zone and if the need for a use permit was because there are gas pumps; he asked if service stations weren't most always located in C-1 zones.

MR. NULL stated they need a Use Permit to be located in a C-1 zone.

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

MR. JOHN CARTER, 4774 North 20th, Phoenix, Arizona, appeared representing the applicants and Circle K. He presented a revised plan to the Board showing the trash area and stated they would be glad to add the wall.

CHAIRMAN DUNCAN asked if they could comply with staff's requirements?

MR. CARTER stated there would be no problem.

CHAIRMAN DUNCAN asked if anyone else wished to be heard?

MR. HAROLD FOREHAND, 3328 East Charleston, Meadows Market, appeared in protest. His protest was on the basis that there were already too many convenience markets in this area and everyone was taking everyone else's business away.

MR. MILLER asked Mr. Carter the type of market they were proposing?

MR. CARTER indicated it would be a regular convenience market.

MR. MILLER asked if the land had been purchased?

MR. CARTER indicated it was in escrow now.

MRS. EMMETT asked if there were service stations in the area?

MR. CARTER stated there were none within about one-half mile of the subject property.

MR. NULL stated staff had pointed out the property is already C-1, and the problem before the Board now is the gas pumps.

MR. MILLER stated C-1 zone allows a convenience market. He asked Mr. Carter why his company would pick a location this close to other convenience stores?

MR. CARTER indicated his company did a study which indicated the average person will not go more than one-half mile to a convenience store. He stated the location depends on the traffic flow and the draw area which makes it more convenient.

CHAIRMAN DUNCAN asked if the nearest service station was at Mojave?

MR. FOREHAND indicated "yes".

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

MR. MILLER made a Motion for APPROVAL of U-60-76 subject to the following conditions:

1. This operation shall be limited to gasoline and oil sales and related items.
2. Construction of a 6' masonry wall on the north property line as required by the Department of Community Planning and Development.
3. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. Conformance to the amended plot plan.
6. Installation of half-street improvements along Pecos Drive and sidewalk along Charleston Boulevard as required by the Department of Public Services.

7. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

15. U-61-76
APPROVED

Application of LAKETREE for a Use Permit to allow a self-service gasoline station in conjunction with a convenience market on property legally described as being a portion of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 31, Township 20 South, Range 61 East, MDB&M, more particularly described as follows: Beginning at the Southeast corner of Lot 34, Block 1, Valley West Unit No. 2; thence South 89°37'39" East 179.69 feet to a point of curve; thence along a curve to the left, the tangent of which bears South 89°37'39" East, having a radius of 20.00 feet, through a central angle of 90°57'47", a distance of 31.75 feet; thence on tangent North 0°35'26" West 179.69 feet; thence North 89°37'39" West 200.03 feet; thence South 0°35'26" East 200.03 feet to the TRUE POINT OF BEGINNING, generally located on the northwest corner of Alta Drive and South Valley View Boulevard in Zoning District C-1 (Limited Commercial).

MR. NULL stated this property is located on the northwest corner of Alta and Valley View adjacent to a single family subdivision, and he stated the applicants are proposing to use the south half of this site for this use. He pointed out Alta Drive, Valley View, the existing single family subdivision, multiple family apartments and the planned unit development to the southwest. He stated there is existing C-1 zoning to the southeast. He stated there are some minor traffic engineering problems in this site adding the drive approaches are too close, and staff would suggest the following additional conditions: Approval by the Traffic Engineer on the location of the curb cuts and drive approaches with an 18' minimum between the drive approaches on Alta Drive and Valley View; submission of a landscaping plan, screening of trash enclosures, etc.; indication on the plot plan of the location of the trash enclosure; conformance to the amended plot plan; conformance to code requirements and design standards of City Departments; Public Services is requiring half-street improvements on Valley View and Alta Drive; approval of the location of a fire hydrant by the Fire Department; and possibly vapor control devices on the gas pumps. There were no protests or approvals on record.

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

MR. JOHN CARTER, CIRCLE K, appeared representing the applicants. He stated they will comply with all conditions of staff.

MR. MILLER asked if this would be the same type store at this location as on the previous Use Permit (U-60-76), and he asked if there were any others in town?

MR. CARTER stated "yes", it would be the same and stated this chain of markets is just coming into the market.

CHAIRMAN DUNCAN asked Mr. Carter if his company was agreeable to all stipulations staff has put on these requests?

MR. CARTER replied "yes". He added many of the requirements are the same as are required in Arizona.

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

MRS. EMMETT made a Motion for APPROVAL of U-61-76 subject to the following conditions:

1. This operation shall be limited to gasoline and oil sales and related items.
2. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
3. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
4. Conformance to the amended plot plan.
5. Installation of half-street improvements along Valley View Boulevard and Alta Drive and revise the plot plan to show 18' minimum between driveways on Valley View Boulevard and Alta Drive as required by the Department of Public Services.
6. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

16. V-47-76

APPROVED

Application of MR. AND MRS. ARMOND MERLUZZI for a Variance to allow a storage room addition to the residence two feet (2') from the side property line where six feet (6') is required on property legally described as Lot 25, Block 1, McNeil Estates #3, located at 2913 Bryant Avenue, on the south side of Bryant Avenue between Campbell Drive and Cahlan Drive in Zoning District R-1 (Single Family Residence).

MR. NULL stated this property is located on the south side of Bryant Avenue with Campbell Drive to the west and Cahlan Drive to the east in residential Zoning District R-1. This request is to allow a store room that has been placed on the side of the house with 2' between the store room and the block wall on the east side of the property. He stated there are several protests to this request and a petition of 11 signatures for approval; he stated the neighbors are divided on this problem. He stated all off-site improvements have been installed and there are no requirements by Public Services. He stated the property is rectangular in shape and there is nothing unique about it. He stated staff can find no permit taken out for this storage facility.

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

MR. ARMOND MERLUZZI, 2913 Bryant Avenue, appeared and stated the reason why no permit was taken out was because he was sick and a friend of his who is a carpenter indicated he could do the construction now and the doctor didn't want him to go out of the house. He stated it would be built a little at a time, and he was planning on getting the permit when he was well. He stated when he felt better he went to get the permit and then got opposition to it. He stated his friend told him he only needed 2' from the side and now he finds he needs 5'. He stated the letters of opposition are only one from the neighborhood the other are not.

CHAIRMAN DUNCAN requested to see the petitions for and against this request.

MR. MERLUZZI indicated the store room wasn't finished, but when it is it will look just like a home; he stated you could hardly see it from the street.

MR. MILLER asked if construction was completed?

MR. MERLUZZI replied "no".

MR. MILLER asked how far was he on the construction?

MR. MERLUZZI indicated it was 60% to 70% complete and when he got the letter he completely stopped work on it which was 5-7 weeks ago.

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

MRS. EMMETT made a Motion for APPROVAL of V-47-76 subject to the following conditions:

1. All necessary permits and inspections shall be obtained as required by the Department of Public Services.
2. The existing shake roof on the house shall be extended to the room addition as required by the Department of Community Planning and Development.
3. Conformance to the plot plan to reflect the above conditions.
4. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

17. V-48-76

APPROVED

Application of SAMMIE R. ARMSTRONG for a Variance to allow a room addition twenty-one feet six inches (21'6") from the front property line where twenty-five feet (25') is required and an existing room addition eighteen feet (18') from the rear property line where twenty-five feet (25') is required and to enclose an existing patio eighteen feet (18') from the rear property line where twenty-five feet (25') is required on property legally described as Lot 166, Block 7, Greater Las Vegas Addition #3, Unit #3, located at 1913 Brady Avenue, on the north side of Brady Avenue between 18th Street and 20th Street in Zoning District R-1 (Single Family Residence).

MR. NULL pointed out the location of the property on the screen and on the plot plan stating the property is located in an R-1 area with single family residences on the north side of Brady between 18th Street and 20th Street. He stated normally 25' is required for front and rear yard setbacks. He stated the applicant is requesting that an addition be allowed within 21' of the front property line on Brady Avenue and an addition in the rear yard area which is 18' from the property line where 25' is required. He is also requesting an enclosed patio which would make up part of the house and put it within 18' of the rear property line. He stated Public Services has no requirements on this request. He stated there is a 6' block wall on the rear and east property line and a slatted chain link fence on the west property line. He stated there is one letter of approval on record.

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

MR. SAMMIE ARMSTRONG, 1913 Brady Avenue, appeared.

CHAIRMAN DUNCAN asked Mr. Armstrong if he had any additional comments regarding staff's presentation?

MR. ARMSTRONG stated it has been explained quite clearly, and he stated the enclosure of the patio is already partially enclosed and it will still be a patio with a sliding glass door.

CHAIRMAN DUNCAN asked the reason for the additional room?

MR. ARMSTRONG indicated the house is a three bedroom house, but the rooms are quite small and they would like to enlarge the master bedroom. He stated the house from the northeast corner is facing 21st Street which would make the side closest to Brady. This addition is on the side and has only a 6' setback from the property line. He stated his addition would not stick out beyond that house. He stated his house to the west would be only 4' closer to Brady.

MR. MILLER asked regarding the one letter of protest?

MR. NULL asked where it is located?

MR. ARMSTRONG stated two houses west of his home. He added he didn't believe there would be any other protests because he didn't think there was anyone against it. He stated the Browns have made a similar addition to their home. He stated this addition will not take away any parking area, and he has enough space on his property for three or four cars.

MR. MILLER asked if Mr. Armstrong had started construction?

MR. ARMSTRONG replied "no".

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

MR. MILLER made a Motion for APPROVAL of V-48-76 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. Emmett - yes.
Mr. Miller - yes.
Chairman Duncan - yes.

Motion for APPROVAL carried unanimously.

18. V-49-76

APPROVED

Application of NEVADA SAVINGS AND LOAN for a Variance to allow a 36 sq. ft. sign, which is attached to a decorative 22 sq. ft. accessory structure, where a 32 sq. ft. sign is permitted with a setback of 8½' where 10' is required and to a height of 13' where a maximum of 5' is permitted on property legally described as the west 390' of the following described property, being a portion of the south half (S½) of the Southwest Quarter (SW¼) of Section 5, Township 21 South, Range 61 East, MDB&M, more particularly described as follows: Commencing at the southwest corner of said Section 5; thence North 0°05'17" East 801.10 feet; thence South 89°54'43" East 40.00 feet to the point of beginning; thence North 0°05'17" East 433.74 feet; thence South 89°40'45" East 760.30 feet; thence South 0°05'17" West 500.00 feet; thence North 89°40'45" West 516.91 feet to a point of curvature of a curve concave to the north, having a radius of 215.38 feet and subtending a central angle of 16°44'36"; thence to the right along said curve an arc distance of 62.94 feet to a tangent point; thence North 72°56'9" West, 92.14 feet to a point of curvature of a curve concave to the south having a radius of 251.46 feet and subtending a central angle of 16°58'34"; thence to the left along said curve an arc distance of 74.50 feet to a point of reverse curvature of a curve concave to the northeast and having a radius of 20.00 feet; thence to the right along said curve an arc distance of 31.42 feet to the point of beginning, generally located on the northeast corner of El Camino Avenue and Valley View Boulevard in Zoning District R-1 (Single Family Residence) - (Resolution of Intent to R-3 - Limited Multiple Residence).

MR. NULL presented pictures of the sign to the Board. He stated this development is part of the Spanish Oaks complex and the immediate location of the sign is in the apartment project up along Valley View with single family development to the west. Because of the single family development to the west the developers were required to put in a 5' berm and at least a 7' high block wall along Valley View as well as landscaping on the street side. He stated as a result of that requirement there is a real slope problem to the entrance of the apartment project which is one of the reasons for the difference in setback. He stated the sign will be of Spanish motif which will be the same as the Spanish Oaks Development. He pointed out the location of the sign at the end of the wall. He stated the Beautification Committee gave an oral statement that they don't oppose this sign as long as the apartment owners maintain high aesthetic standards. He stated staff feels, considering the height and size of the wall, that this sign is not out of keeping with the general character of the area. He stated there was no protests and one oral approval on record.

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

MR. RON RIEGER, 508 Campbell Drive, appeared representing the applicant. He informed the Board that there is a Terrible Herbst Gas Station on the northeast corner of Valley View and Sahara which hides this sign location. He stated this sign will be in the same style as the Terrible Herbst decor and will be very appealing.

MR. RIEGER stated the reason for the height is they would like to get the tile roof up high enough so there won't be any traffic problem in the area.

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

MRS. EMMETT made a Motion for APPROVAL of V-49-76 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. Emmett - yes.
Mr. Miller - yes.
Chairman Duncan - yes.

Motion for APPROVAL carried unanimously.

19. V-50-76

APPROVED

Application of BUD HAND ON BEHALF OF TOM MILLER for a Variance to allow the operation of an automotive repair garage which would consist of the removal, repair and replacing of automobile transmissions on property legally described as that portion of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 29, Township 20 South, Range 61 East, MDM, described as follows: Commencing at the northeast corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 29; thence North 88°45'10" West 1100.47 feet; thence South 0°25'33" West 55.54 feet to the TRUE POINT OF BEGINNING; thence North 89°34'07" West 375.56 feet to a point on a tangent curve concave southeasterly having a radius of 63 feet; thence along said curve through a central angle of 88°59'58" a distance of 97.86 feet; thence South 36°10'25" East 72.16 feet to a point on a tangent curve concave southwesterly having a radius of 4050 feet; thence along said curve through a central angle of 4°11'24" a distance of 192.36 feet to the beginning of a curve concave northeasterly curving to the left with a radius of 200 feet; thence along said curve through a central angle of 55°17'02" a distance of 192.98 feet to a point on the north line of that parcel of land

conveyed from Las Vegas Masonic Temple Association to the State of Nevada, by deed recorded May 19, 1967, as Document No. 640549; thence east along said north line 321.41 feet; thence North 0°25'33" East 369.33 feet; thence North 89°34'07" West 200.03 feet to the TRUE POINT OF BEGINNING, located at 2401-C West Bonanza Road, on the southeast corner of West Bonanza Road and North Rancho Drive in Zoning Districts C-1 (Limited Commercial), C-2 (General Commercial) and R-E (Residence Estates).

MR. NULL stated this use is in an area that is part of an existing shopping center and the part of this shopping center which is zoned R-E is just a little piece on the south. He stated when right-of-way was taken for the freeway section they just didn't use it all. He stated the C-2 zoning is up along the Rancho Drive area for the car wash operation. He pointed out the location of this area on the plot plan. He stated the rest of the property is C-1 and contains an auto repair facility that is now being asked to be converted to a transmission repair facility which requires C-2 zoning. Staff feels there is sufficient C-1 zoning around this use to act as a buffer. There would be just a little intrusion of a C-2 type use into the C-1 area. He stated this operation will open toward the C-2 car wash operation. He stated if approved staff would recommend that there be no repair of major components at this location, and there are no requirements from the Department of Public Services. He stated there were no protests or approvals on record.

MR. MILLER stated he would abstain from voting on this item.

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

MR. PAUL WHEELLOCK, 1114 Arrowhead Avenue, appeared representing the applicant. He stated they will not be doing any overhauling, this will be the process of pulling and putting in transmissions, there will be no tearing down. He stated there will be no cars outside and no tuneups will be performed.

MRS. EMMETT asked where the units would be stored?

MR. WHEELLOCK stated the units are immediately taken over to the other shop and worked on.

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

MRS. EMMETT made a Motion for APPROVAL of V-50-76 subject to the following conditions:

1. Conformance to the plot plan.
2. This approval shall not allow the rebuilding of transmissions at this location but the installation of new and rebuilt transmissions only.
3. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

Mrs. Emmett - yes.
Mr. Miller - abstained.
Chairman Duncan - yes.

Motion for APPROVAL carried by a 2-0 vote with 1 abstention.

20. U-42-75
Plot Plan Review

APPROVED

Submitted by JOE JOHNSTON for a Plot Plan Review on an approved Use Permit to allow an addition on property located at 617 Hoover Avenue, on the northwest corner of South 7th Street and East Hoover Avenue in Zoning District R-4.

MR. NULL pointed out the location of the building on the plot plan. He stated they would like to make an addition to the building, and they do have sufficient parking to handle the addition. He stated the parking lot will be about 1½' lower than the alley so a ramp will have to be installed; it will also be required that the parking plan be approved by the Traffic Engineer, closing of the curb cut, and that landscaping should be upgraded.

MR. MILLER asked if staff was happy with the layout of this proposed addition?

MR. NULL replied "yes".

MR. JIM WARD, 500 North 16th Street, appeared representing the applicant.

CHAIRMAN DUNCAN presented staff's recommendations to Mr. Ward.

MR. WARD indicated they would be tearing out most of the landscaping because of the construction, but it would be replaced.

MR. MILLER asked what the building would be for?

MR. WARD replied Nevada Southern Title.

CHAIRMAN DUNCAN asked if Mr. Ward thought the conditions of staff could be complied with?

MR. WARD replied "yes".

MRS. EMMETT made a Motion for APPROVAL of the Plot Plan Review under U-42-75 subject to the following conditions:

1. Conformance to the plot plan.
2. Approval of the revised plot plan under U-42-75.
3. Landscaping shall be maintained as required under U-42-75.
4. Approval of the parking layout by the City Traffic Engineer.
5. Closure of the curb cut on Hoover Avenue as required by the Department of Public Services.
6. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

ADJOURNMENT:

There being no further business the meeting was adjourned at 9:50 P.M.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT


DON J. SANTOR, AIP, DIRECTOR

DJS:pdm