

S.V.

A G E N D A

BOARD OF ZONING ADJUSTMENT

MARCH 24, 1977

- 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 February 24, 1977.
- NEW BUSINESS:
1. V-15-77 Application of JACK E. LAUBER AND KENT HEDGES for a
Variance to allow a single family dwelling unit to within
fifteen feet (15') of the front property line where twenty
feet (20') is required and to the rear property line where
fifteen feet (15') is required on property located on the
south side of Austin Avenue between El Dorado Street and
Delamar Street in Zoning District R-1.
 2. U-11-77 Application of LAS VEGAS RESCUE MISSION for a Use Permit
to allow operation of a facility for women and children
known as "Emergency Family Shelter" on property located
at 930 North Fourth Street on the southwest corner of East
Adams Avenue and N. Fourth Street in Zoning District R-1.
 3. V-16-77 Application of DAVID WOOD for a Variance to allow the
practice of private psychotherapeutic counseling where
this use is not allowed, in a private residence on property
located at 600 South 9th Street on the southwest corner
of 9th and Bonneville Avenue in Zoning District R-1.
 4. V-17-77 Application of ERNEST A. BECKER for a Variance to allow a
single family dwelling on a 3678 sq. ft. lot where 6500
sq. ft. is required; and located two feet (2') from the
north side property line and four feet (4') from the
south side property line where five feet (5') is required;
and permit the roof overhang to the north side property
line where two feet (2') is required on property generally
located on the east side of Bedford Road between Meadows
Lane and Mayflower Lane in Zoning District R-1.
 5. V-18-77 Application of JOHN E. ERB for a Variance to allow the
advertising and sale of earthworms, earthworm products,
agriculture products and worm growers supplies, organic
gardening supplies, and accessory structures for business
purposes in the front yard area where no accessory structures
are allowed on property located at 4028 E. Owens Avenue on
the south side of Owens Avenue between Gateway Road and
Stevens Street in Zoning District R-E.
 6. V-19-77 Application of STAN AND ELIZABETH M. KROLAK for a Variance
to allow a solid wood gate between the dwelling and a detached
garage where a gate fifty percent (50%) open is required on
property located at 1710 Waldman Avenue on the northeast
corner of Waldman Avenue and Shadow Lane in Zoning District R-1.
 7. V-20-77 Application of LEWIS BUILDING COMPANY, INC. for a Variance
to allow an attached garage converted to a den to exist ten
feet (10') from the property line where fifteen feet (15')
is required on property located at 4701 East Monroe Avenue
on the southeast corner of Monroe Avenue and Marion Drive
in Zoning District R-1.

8. U-12-77(HO) Application of KAREN M. MILLER for a Home Occupation Permit to allow the teaching of dancing classes in the home on property located at 3221 Mary Ann Avenue on the north side of Mary Ann Avenue between Wilborn Street and Pecos Street in Zoning District R-1.
9. V-21-77 Application of SHECKY GREENE for a Variance to allow a carport located 12'8" from the front property line where 50 ft. is required on property located at 1245 South Rancho Drive on the northeast corner of Rancho Drive and Waldman Avenue in Zoning District R-E.
10. V-22-77 Application of FIRST FEDERAL SAVINGS OF NEVADA for a Variance to allow an outside activity area (play area) in the rear yard of a proposed child care facility in a zone where all uses and activities are required to be contained within a completely enclosed building on property generally located on the southwest corner of West Charleston Boulevard and South Rancho Drive in Zoning District C-D.
11. V-54-74
Plot Plan Review Request of Nevada Power Company for a Plot Plan Review on an approved Variance to allow a building addition to the existing electrical substation on property generally located on the northwest corner of Michael Way and Carmen Boulevard in Zoning District R-E.
12. U-13-77(HO) Application of PRISCILLA A. WALKER at 1205 Cherokee Lane in Zoning District R-1 for a Home Occupation Permit - Allow an advance show reservations office.
13. U-14-77(HO) Application of PAUL OTTESEN at 4950 Elkhorn Road in Zoning District R-E for a Home Occupation Permit - Allow an accounting office operation.
14. UC-10-69
Plot Plan Review Request of HILLHAVEN INC. for a Plot Plan Review on an approved Use Permit to allow an addition to the Torrey Pines Care Center on property located at 1701 S. Torrey Pines Drive on the southeast corner of Torrey Pines Drive and Oakey Boulevard in Zoning District R-E.
15. U-16-77(HO) Application of JEFFREY L. FULLMAN at 5113 Churchill in Zoning District R-1 for a Home Occupation Permit - Allow a mail-order business involving Bible Puzzle Publication pamphlets.
16. U-17-77(HO) Application of JACK E. AND MARIAN R. LEE at 3004 Holly Hill in Zoning District R-1 for a Home Occupation Permit - Allow a wholesale distributorship of C.B. Radio equipment.

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

BOARD OF ZONING ADJUSTMENT

MARCH 24, 1977

1. U-18-77(HO) Application of DONALD WEEKS at 2109 Las Verdes in Zoning District R-1 for a Home Occupation Permit - Allow an office operation for Nevada Property Management and Home Protectors.
2. U-19-77(HO) Application of DONALD D. AND JUDY M. DEHART at 4416 El Parque in Zoning District R-1 for a Home Occupation Permit - Allow an office operation for a Las Vegas Apartment Information Directory.
3. U-20-77(HO) Application of CONNIE K. MENG at 5050 Elkhorn Road in Zoning District R-E for a Home Occupation Permit - Allow a sewing operation.
4. U-22-77(HO) Application of ARMAND LEONARD PIHL at 316 Ronald Lane in Zoning District R-1 for a Home Occupation Permit - Allow the wholesale and retail sale of merchandise to stores, home party plan, mail orders and fund raising sales.

M I N U T E S

BOARD OF ZONING ADJUSTMENT

MARCH 24, 1977

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. Segretti, Mr. Miller, Mrs. Emmett, and Mr. Canul.

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

MINUTES: MRS. SEGRETTI made a Motion for APPROVAL of the Minutes of the Board of Zoning Adjustment meeting held February 24, 1977. Motion carried unanimously.

NEW BUSINESS:

1. V-15-77

APPROVED

Application of JACK E. LAUBER AND KENT HEDGES for a Variance to allow a single family dwelling unit to within fifteen feet (15') of the front property line where twenty feet (20') is required and to the rear property line where fifteen feet (15') is required on property located on the south side of Austin Avenue between El Dorado Street and Delamar Street in Zoning District R-1 (Single Family Residence). The above property legally described as Lot 11 and the west 20 ft. of Lot 12, Block 4, Rancho Square excepting therefrom that portion of said lots dedicated for right-of-way purposes.

MR. NULL gave the staff report indicating this lot was one of a group which came before the Board sometime back, and it was denied in February, 1976. He stated it was a series of Variances on four lots backing up to the Las Vegas Expressway. He continued by stating that when it got to the City Commission they approved variances for the first three lots, one of which is before the Board now. He said the six month period for utilization of the variances has expired and there are now new owners who are asking for a Variance for this one lot. He pointed out a portion of this lot was removed by the Expressway and it is located on a knuckle which has resulted in a unique shape. He stated that staff feels this lot should receive the same considerations as other lots in the area and staff would recommend approval. He stated there were no protests or approvals on file.

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

MR. JACK LAUBER, 1121 Fay Boulevard, appeared.

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

MRS. SEGRETTI made a Motion for APPROVAL of V-15-77, subject to the following conditions:

1. Conformance to the plot plan.

2. Conformance to code requirements and design standards of City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

2. U-13-77(HO) Application of PRISCILLA A. WALKER at 1205 Cherokee Lane in Zoning District R-1 for a Home Occupation Permit - Allow an advance show reservations office.
3. U-14-77(HO) Application of PAUL OTTESEN at 4950 Elkhorn Road in Zoning District R-E for a Home Occupation Permit - Allow an accounting office operation.
4. U-16-77(HO) Application of JEFFREY L. FULLMAN at 5113 Churchill in Zoning District R-1 for a Home Occupation Permit - Allow a mail-order business involving Bible Puzzle Publication pamphlets.
5. U-17-77(HO) Application of JACK E. AND MARIAN R. LEE at 3004 Holly Hill in Zoning District R-1 for a Home Occupation Permit - Allow a wholesale distributorship of C.B. Radio equipment.
6. U-18-77(HO) Application of DONALD WEEKS at 2109 Las Verdes in Zoning District R-1 for a Home Occupation Permit - Allow an office operation for Nevada Property Management and Home Protectors.
7. U-19-77(HO) Application of DOANLD D. AND JUDY M. DEHART at 4416 El Parque in Zoning District R-1 for a Home Occupation Permit - Allow an office operation for a Las Vegas Apartment Information Directory.
8. U-20-77(HO) Application of CONNIE K. MENG at 5050 Elkhorn Road in Zoning District R-E for a Home Occupation Permit - Allow a sewing operation.
9. U-22-77(HO) Application of ARMAND LEONARD PIHL at 316 Ronald Lane in Zoning District R-1 for a Home Occupation Permit - Allow the wholesale and retail sale of merchandise to stores, home party plan, mail orders and fund raising sales.

CHAIRMAN DUNCAN asked if the applicants were present. All of them were present excepting JACK E. AND MARIAN R. LEE and DONALD WEEKS.

MR. NULL indicated all the questions on the home occupation applications had been answered correctly and staff would have no objection to granting these.

MR. MILLER asked what would happen on a home occupation permit that was approved by the Board but later the operation was expanded; how would we know?

MR. NULL stated that if there is any response from the surrounding neighbors as to anything that seems improper, it comes before the Board and they could lose their home occupation permit if the Board finds that they are not abiding by the rules.

MRS. SEGRETTI asked if the applicants who were not present had notified the office that they were not going to be present?

MR. NULL stated they are late on the agenda and they may be coming in later. He said that a letter is sent to them indicating the action of the Board and the conditions.

ITEMS 2 THRU 9
APPROVED

MR. MILLER made a Motion for APPROVAL of Items 2 thru 9,
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:

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

Motion for APPROVAL carried unanimously.

10. U-11-77
APPROVED

Application of LAS VEGAS RESCUE MISSION for a Use Permit to allow operation of a facility for women and children known as "Emergency Family Shelter" on property located at 930 North Fourth Street on the southwest corner of Adams Avenue and Fourth Street in Zoning District R-1 (Single Family Residence). The above property legally described as that portion of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 27, Township 20 South, Range 60 East, M.D.B.&M., described as follows: commencing at the southeast corner of the said Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$); thence North 0°00'30" east 429.31 feet; thence South 89°30'25" west 525 feet; thence South 0°01' east 45 feet to the true point of beginning; thence North 89°30'25" east 136 feet; thence South 0°00'43" east 150.91 feet; thence South 89°30'25" west 135 feet; thence North 0°01' west 151.06 feet to the true point of beginning.

MR. NULL gave the staff report indicating the State Highway Department is opening up one of its large Nevada yards right behind this property. He stated they have written a letter; they are not against the application but they wanted to notify the applicant that there would be a lot of traffic in the area. He proceeded to read the letter to the Board. He stated this property was formerly a nonprofit foster home which was approved as a variance by the Board in 1971 as a commercial nursery. He stated that since then that operation has ceased. He mentioned the present applicant is a semi-public operation which would be permitted by means of a Use Permit on the property. He said that he understood that this is a shelter for women and children that have no money. He stated staff has no objection to this use and would recommend approval with normal conditions. There is one protest on record. He pointed out that it was his understanding that they are going to use the structure basically as it is; they have parking in the front. He pointed out that it is only the use they are applying for.

MR. CANUL asked what the normal conditions were?

MR. NULL stated the normal conditions were conformance to the plot plan, submission of a landscaping plan requiring landscaping and a permanent underground sprinkler system, etc.

MRS. SEGRETTI asked if this was a nonprofit organization?

MR. NULL stated he believed so.

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

MR. TED KERBER, 5933 Marka, appeared and stated they are listed under 501C under the IRS and have operated in town going on seven years. He stated they were a nonprofit organization.

MR. MILLER asked if there would be people living here?

MR. KERBER replied yes, there will be a full time couple to manage it. He stated it would be an emergency type of thing where there would be shelter, food, and lodging for whatever length of time the people need to get their problem settled with no charge to the people.

CHAIRMAN DUNCAN asked if they had been operating at this same address all this time?

MR. KERBER stated their business address is 414 West Bonanza.

MR. NULL stated that if this use is approved, Public Services would like you to dedicate the radius corner at 4th and Adams; install half-street improvements including street lighting along here also as well as dedicate the right-of-way along 4th Street.

MR. MILLER asked when they would have to install the half-street improvements?

MR. NULL replied they would have to do this before they could occupy the premises; they should post bond or make arrangements to have the improvements underway.

CHAIRMAN DUNCAN asked the applicant if he could meet these requirements?

MR. KERBER replied yes, if given time we can meet them; I don't see any problem.

MR. MILLER asked if the property had already been purchased?

MR. KERBER replied yes but no one is living there at the present time. He stated they are just fixing it up.

MR. MILLER asked about the protest?

MR. NULL stated it was from an owner of property who owns some apartments on North Fourth Street.

MRS. SEGRETTI asked if they had specified why they were protesting this?

MR. NULL read the letter to the Board indicating they object to a zoning adjustment; they feel it is not proper zoning. Of course, he stated, this is not a zoning action; it is a permitted use but they have to get approval for that use.

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

MRS. SEGRETTI made a Motion for APPROVAL of U-11-77, subject to the following conditions:

1. Dedicate the right-of-way along 4th Street as required by the Department of Public Services.
2. Dedicate the radius corner at 4th and Adams Avenue as required by the Department of Public Services.
3. Installation of half-street improvements including street lighting along 4th Street and Adams Avenue frontage as required by the Department of Public Services.

4. Landscaping and a permanent underground sprinkler system shall be provided as required by the Department of Community Planning and Development and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
5. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
6. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
7. Conformance to the plot plan as amended to reflect the above conditions.
8. Conformance to code requirements and design standards of City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

11. V-16-77

DENIED

Application of DAVID WOOD for a Variance to allow the practice of private psychotherapeutic counseling where this use is not allowed, in a private residence on property located at 600 South 9th Street on the southwest corner of 9th and Bonneville Avenue in Zoning District R-1 (Single Family Residence); property legally described as Lots 31 and 32, Block 15, Wardie Addition.

MR. NULL gave the staff report indicating the studio in the rear is in the process of being remodeled. He stated staff feels that this occupation is a business use which would normally require P-R zoning, and staff feels it is out of character with the existing predominant single family use. He stated there were seven protests and no approvals on file. He stated staff would recommend denial.

CHAIRMAN DUNCAN asked if it had a parking area?

MR. NULL stated he needs approximately three spaces; there could be one space in the current driveway. He stated the applicant would probably have to pave in the rear. He mentioned that if this is approved, Public Services would like them to sign an Assessment District Agreement for sidewalk, street lighting and alley paving.

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

MR. DOUG DASHIELL, 600 S. 9th Street, appeared and stated he was leasing the property. He stated he was certified by the State of Nevada as a marriage and family counselor. He pointed out the structure in the back is a small shop that used to be a study. He stated that primarily his house will be used as his private residence, and he would not have a lot of traffic moving in and out. He mentioned that most of the people that would be coming to his place would be pairs, couples, etc.

MRS. SEGRETTE asked what psychotherapeutic counseling is?

MR. DASHIELL stated he was licensed in the State of Nevada as a licensed marriage and family counselor.

MR. MILLER asked who David Wood is?

MR. DASHIELL stated Mr. Wood is the owner of the property and that he had a lease to buy the property from Mr. Wood.

CHAIRMAN DUNCAN asked approximately how many patients would there be in a day?

MR. DASHIELL stated about five or six.

MR. MILLER asked about the protests?

MR. NULL stated there were seven protests; there were none right next to the applicant. He pointed out the locations of the protests on the map.

MRS. EMMETT asked what was required to be licensed as a psychotherapeutic counselor?

MR. DASHIELL stated a master's degree in counseling, psychology plus a year of intensive internship plus another year in the academic field. He stated he had been employed by the Health Center for a number of years.

MR. MILLER asked how this area was picked for this operation?

MR. DASHIELL stated he likes the house and would like to live here and counsel in the back. He stated the area is centrally located to Maryland Parkway, the Strip, and Eastern. He stated it is a very pleasant surrounding. He pointed out that he did not plan on doing any reconstruction because it is his home.

CHAIRMAN DUNCAN asked if there was anyone present to speak in favor of this application?

MR. WENDELL CROSBY, 606 S. 9th Street, appeared in favor. He stated his property adjoins Mr. Dashiell's on the south. He stated he was in favor of this and would be more in favor of rezoning this to P-R. He pointed out this area is surrounded by commercial and C-1 zoning. He stated there were doctors' offices, real estate offices, insurance offices, a high school, and apartments all over the place. He said this area is going to go commercial some day anyway; it is just a matter of time, and he could see no objection to this use. He stated the property has become too valuable for single family dwellings. He said that one of the protestants lives across the street; she is going to move. He stated that he understands she wants \$50,000 for her single family home.

MRS. VICKY ALLMANN, 704 S. 9th Street, appeared in protest. She stated that she and Mrs. Woofter of 520 S. 9th Street had talked to the neighbors in this area. She mentioned a number of people who are protesting this. She indicated that they were upset with this Variance, and their main concern is that this would be the beginning of a ruin of these old streets. She stated she feels the P-R zoning is very ill-advised and would like to ask the Board's help on this even if it is just for a little while longer.

MR. DOUG DASHIELL reappeared and stated he is very charmed by the neighborhood, and that is why he wants this place. He stated the people that will be coming here need to feel very comfortable and they will in this area.

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 DENIAL because it was felt that it was not in accord with the general spirit and purpose of the Ordinance and would not be compatible with the surrounding residential area.

Voting was as follows:

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

Motion for DENIAL carried by a 4-1 vote.

12. V-17-77

DENIED

Application of ERNEST A. BECKER for a Variance to allow a single family dwelling on a 3678 sq. ft. lot where 6500 sq. ft. is required; and located two feet (2') from the north side property line and four feet (4') from the south side property line where five feet (5') is required; and permit the roof overhang to the north side property line where two feet (2') is required on property generally located on the east side of Bedford Road between Meadows Lane and Mayflower Lane in Zoning District R-1 (Single Family Residence); the above property legally described as that portion of the South Half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 31, Township 20 South, Range 61 East, M.D.B.&M., described as follows: beginning at the northeast corner of the South Half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 31, thence South 00°45'48" east, 36.77 feet; thence North 89°32'59" west, 100.02 feet; thence North 00°45'48" west, 36.66 feet; thence South 89°36'51" east, 100.02 feet to the point of beginning.

MR. NULL gave the staff report indicating that one of the conditions in approval of the Meadows Shopping area was to put in a street to connect Bedford and Revere. He stated there is a slump stone wall along the north boundary line of this street; this is not a regular sized lot but it is a buildable lot. Staff feels that since part of this property was removed through the taking for Meadows Lane that it does not have the advantage of other properties and it would, therefore, recommend approval subject to installation of a sidewalk along the Bedford frontage. 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. ERNIE BECKER, 4401 West Washington Avenue, appeared and stated this is a piece of property that was left over. Dayton-Hudson was going to buy it all but then they didn't take this part of it. He stated the variance is asking for a two ft. variance on the north side property line. He stated they would like to have approval to build a house and thought it would be better than having a vacant piece of property.

MRS. SEGRETTI asked where the Dayton-Hudson wall is?

MR. BECKER stated the Dayton-Hudson wall is on the north boundary. He stated that technically he had four feet on the south side but the owner of this property (south side) is encroaching on his property.

MRS. SEGRETTI asked if construction had started?

MR. BECKER stated no, they cannot get a permit until he gets approval of this. He stated that he objects to the part of the sidewalk because he feels the sidewalk should go down and not curve around.

MR. WILLIAM S. LESSENSKI, 317 Revere Drive, appeared in protest. He stated he objects to this because of the severe

rainfall they had two years ago on the 4th of July. He stated that prior to the wall being built, they had severe flooding in the Vegas Heights Area. He stated that north of this area is a large desert area; the water runs down Alta and the expressway. He said that all of the water from Jones runs down here. He mentioned in front of the school there were boulders and silt up and over the sidewalk on Revere Street and Bedford Drive. He stated it was about a foot deep of silt and water. He pointed out that the wall was built for Dayton-Hudson and even with it, there still will be a lot of water coming down here. He stated he was afraid this would create somewhat of a dam; there is no place for the water. He said he has a split level home with approximately 4 ft. underground and he didn't want to fill his basement up with silt and water.

MR. MILLER asked what he would propose that Mr. Becker do with his lot then?

MR. LESCENSKI said he was afraid with the wall that this will increase the water problem. He stated he didn't think that he should be allowed to build closer to the side property line because of fire hazards.

MR. DWAYNE TOWNE, 305 Bedford, appeared in protest. He submitted a petition to the Board containing approximately 44 signatures. He stated that this piece of property in question is only 36 ft. wide and a hundred and some feet deep. He stated that the people in the neighborhood did not want a small house in with the large ones in this area.

MRS. EMMETT asked if he was aware of any water problems in this area?

MR. TOWNE stated yes he had flooding many times.

MR. ERNIE BECKER reappeared. He stated that in regards to the drainage, Dayton-Hudson spent \$250,000 to lower Michael Way and bring the drainage down to the Meadows which is on the north side of the wall. He stated they put a drainage ditch underneath Decatur Boulevard. He mentioned that since Dayton-Hudson came in and lowered Michael Way, the water no longer goes down the drainage street; it comes down and goes north of the wall. He stated as far as a smaller house goes, his house is the same size as the tri-levels that Sproul built in this area. It is just on a smaller lot, he pointed out.

MR. CANUL asked how many square feet would it be?

MR. BECKER stated 1036 sq. ft. of living area in the house plus a garage and a carport. The lots, he continued, that Sproul has are 60 ft. with five feet (side yards) on each side. He stated his house is not any closer to the house on the south side. He stated he was only 3.2 ft. away from the wall and the wall is 1.73 ft. on his property; so technically, he has five feet from his house to the property line. He stated he wouldn't want to knock the wall down and move it over as it is too expensive. Mr. Becker also pointed out that most of the lots in this area have 6000 sq. ft.

MR. MILLER stated that he thought the biggest concern was the water flow; maybe they could be assured of this being no problem.

MR. BECKER pointed out the location of his lot stating it was above the Meadows. He stated he was probably 1½ to 3 ft. higher than the gutter line on Decatur and this has been corrected now.

MR. MILLER asked if the wall has been put up since the last heavy water flow?

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

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

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

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

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

Voting was as follows:

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

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

13. V-18-77

DENIED

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

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

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

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

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

MR. MILLER asked if construction had started?

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

CHAIRMAN DUNCAN asked if he wanted a garden operation also?

MR. ERB replied, "yes".

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

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

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

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

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

MR. ERB replied about three or four years.

MR. MILLER asked about the nursery?

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

MRS. SEGRETTI asked, it has been zoned commercial?

MR. ERB replied, "yes".

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MR. ERB stated he had in the past.

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

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

Voting was as follows:

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

Motion for DENIAL carried unanimously.

RECESS:

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

14. V-19-77

APPROVED

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

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

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

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

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

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

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

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

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

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

15. V-20-77
APPROVED

Application of LEWIS BUILDING COMPANY, INC. for a Variance to allow an attached garage converted to a den to exist ten feet (10') from the rear property line where fifteen feet (15') is required on property located at 4701 East Monroe Avenue on the southeast corner of Monroe Avenue and Marion Drive in Zoning District R-1 (Single Family Residence); the above property legally described as Lot 3, Block 2, Lewis Homes - Las Vegas Number 1.

MR. NULL gave the staff report indicating this was used as a model home with a sales office and they had a temporary office use in the garage. He stated at the time they built this house with the garage, there was an ordinance on the books which permitted an attached garage or storage structure ten feet from the rear property line. He said when this was converted to a den it created a problem. He stated that considering the fact that the garage was built within the code requirements, staff would have no objections. He pointed out they will have to get the Variance now for the den.

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

MR. NICK DANE, 5240 S. Polaris, appeared representing the applicant. He stated that what Mr. Null said is correct. He continued by stating at the time they did this, they did not know they needed a Variance. He said when they went to transfer ownership they found out and that is why they are applying for a Variance. He said they thought the front of their property was on Marion and not on Monroe because this is where their address is; however, I suppose this is not relative because the City code says the narrow part of the yard should be the front portion.

CHAIRMAN DUNCAN asked how long the garage had been converted?

MR. DANE replied, "since 1975".

MRS. EMMETT asked if VA had approved for a loan on this property subject to the Variance?

MR. DANE replied, "yes that is correct".

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

MR. CANUL made a Motion for APPROVAL of V-20-77, subject to the following conditions:

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

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

16. U-12-77(HO)
APPROVED

Application of KAREN M. MILLER for a Home Occupation Permit to allow the teaching of dancing classes in the home on property located at 3221 Mary Ann Avenue on the north side of Mary Ann Avenue between Wilborn Street and Pecos Street in Zoning District R-1 (Single Family Residence); the above property legally described as Lot 11, Block 2, College Park #25.

MR. NULL gave the staff report indicating the reason for the public hearing is that the applicant has indicated that there will be some traffic coming to and from the building. He stated the purpose of this application is the teaching of dancing classes in the home. He said that as far as staff is concerned, it does not meet the home occupation permit standards and we would recommend denial. He stated staff feels that a home occupation should follow the conditions. He said there were no protests on record.

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

MRS. KAREN MILLER, 3220 Mary Ann Avenue, appeared and stated the reason she wants to teach the dancing classes in her home is because she needs to supplement her husband's income. She stated it would be easier for her if she could teach in her home rather than having her husband leave the home at night which is a hardship on her. She said she would only teach about fifteen to twenty students. She said she could not really see that there would be traffic in the neighborhood. She pointed out that since the public hearing letter was mailed out, she has enough kids on the block to fill all the classes.

MRS. SEGRETTI asked how she would obtain her students outside of the way just mentioned?

MRS. MILLER stated she had all she needed and wouldn't need to obtain any more.

MR. MILLER asked where she would teach?

MRS. MILLER stated they will convert their garage.

MRS. SEGRETTI asked how many students at one time would there be?

MRS. MILLER stated that perhaps there would be four classes during the week with about five students.

MRS. SEGRETTI asked if she had parking areas for the people coming to the house?

MRS. MILLER stated yes, they have a three car driveway. She said she had a list of people that do not object to my doing this.

MRS. SEGRETTI asked the time of the classes?

MRS. MILLER stated it would be about three or four o'clock in the afternoon.

MRS. EMMETT asked the requirement as far as the number of children is concerned for a home nursery permit?

MR. NULL stated he would suggest that the Board put a time and class size on this application if this is approved.

MRS. EMMETT asked the size requirement for a day care and if there was a restriction on the time?

MR. NULL stated he believed it is around seven children but was not sure. He said he did not know about the time.

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-12-77(HO), subject to the following conditions:

1. Class size shall not exceed seven students.
2. All advertising shall conform to the criteria for a Home Occupation Permit.

3. 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
Mrs. Segretti - yes
Chairman Duncan - yes
Mr. Canul - yes

Motion for APPROVAL carried unanimously.

17. V-21-77

APPROVED

Application of SHECKY GREENE for a Variance to allow a carport located 12'8" from the front property line where 50 ft. is required on property located at 1245 South Rancho Drive on the northeast corner of Rancho Drive and Waldman Avenue in Zoning District R-E (Residence Estates); the above property legally described as a portion of government lot 4 in Section 4, Township 21 South, Range 61 East, M.D.B.&M. commencing at a point in the west line of said Lot 4, distant thereof South 1°29' west 1019.8 feet from the northwest corner thereof, being a point in the south line of Edgewood Avenue; thence east parallel with the north line of said Lot 4, 217.05 feet to the northwest corner of that certain parcel of land conveyed to Roscoe A. Coffman, Et Ux by deed recorded May 5, 1948 as Document No. 284553 of Clark County, Nevada records; thence south along the west line of said conveyed parcel 272 feet, more or less, to a point distant 30 feet north of the south line of said Lot 4 and also distant 209.5 feet easterly from the west line of said line of said Lot 4, said point being the true point of beginning; thence west, parallel with the south line of said Lot 4 and distant 30 feet northerly therefrom 209.5 feet to the west line of said Lot 4; thence north along the last mentioned west line 127 feet, more or less, to a point 157 feet northerly from the south line of said Lot 4, said point being the southwest corner of that certain parcel of land conveyed by Arthur E. Turk, Et Ux by deed recorded June 25, 1959, as Document No. 165060 of official records of said county; thence east along the south line of said last mentioned parcel, parallel with the south line of said Lot 4 and distant 157 feet northerly therefrom, to the west line of the aforementioned parcel conveyed by Document No. 284553; thence south along said last mentioned west line, 127 feet more or less to the true point of beginning.

MR. NULL gave the staff report indicating the applicant wants to put an extension on the front of his house so that he can get out of the car when it is raining. He stated it should be noted that the City is requesting all along Rancho, 20 ft. dedication for the eventual widening of Rancho Drive. The applicant has considerable shrubbery in front of this drive; it is highly unlikely that the carport will be visible. He stated staff would have no objection to this. He mentioned Public Services would like the applicant to sign an Assessment District Agreement for half-street improvements including street lighting along Rancho Drive and Waldman Avenue frontages plus the dedication of 20 ft. right-of-way for Rancho as mentioned and dedication of the radius corner at Rancho Drive and Waldman Avenue. 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. GEORGE QUINN, appeared representing the applicant. He stated his physical dimensions on this plan do not correspond with the 12'8". He stated he believed the original setback on this lot was fifty feet.

MR. NULL stated yes, fifty feet and to the edge of the property. The carport would have a 32'8" setback and when the 20' is removed it would give you the 12'8".

MR. QUINN stated his physical measurements without the easements is 52.8 feet rather than 50.8.

MR. NULL stated staff is using your plot plan dimensions on this.

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-21-77 without requiring the dedication of the 20 ft. and subject to the following conditions:

1. Dedication of the radius corner at Rancho Drive and Waldman Avenue as required by the Department of Public Services.
2. Signing of an Assessment District Agreement for half-street improvements including street lighting along Rancho Drive and Waldman Avenue frontage as required by the Department of Public Services.
3. Conformance to the plot plan.
4. Conformance to code requirements and design standards of City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

18. V-22-77

DENIED

Application of FIRST FEDERAL SAVINGS OF NEVADA for a Variance to allow an outside activity area (play area) in the rear yard of a proposed child care facility in a zone where all uses and activities are required to be contained within a completely enclosed building on property generally located on the southwest corner of West Charleston Boulevard and South Rancho Drive in Zoning District C-D (Designed Commercial); the above property legally described as Lot 10, Block 1, McNeil Tract #2.

MR. NULL gave the staff report indicating this case has been before the Board once before because the C-D ordinance specifically requires that there be no outside facility. The child care facility does require outdoor area, a play area, and that is why they are coming before you for a Variance. He stated there were seventeen protests just received before the close of business and we have not been able to determine exactly where they are located. He stated there were no approvals on record.

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

MR. GARY VAUSE, 3221 Burton Avenue, appeared representing the applicant. He stated he proposed to put the child care facility here. He stated he believed it was covered pretty thoroughly before and would like to ask that you only consider the outdoor activity area. He stated that the traffic, etc. have all been considered by the City Commission and approved by them. He said he knew there were protestors here to speak and wished a rebuttal.

CHAIRMAN DUNCAN asked to hear from the protestors.

MR. MIKE CHADBURN, 2318 Sherman, appeared in protest. He said his rear lot line is directly to the south of this. He says he feels that it should not be allowed as it does not keep within the C-D zoning. He pointed out the C-D zoning was designed not to allow a play activity. A play activity, he continued, is less desirable. He mentioned this is proposed for 100 children. He said he has done extensive work to his backyard. He pointed out this child care facility is licensed for 24 hours and is two story. He said he doesn't feel that as neighbors they should have the opening up of that area along West Charleston to commercial zoning. If the Board approves this business, he stated, they are approving commercial business. He stated this is a death trap for the children and would like you people to once again deny this application as you have in the past.

MR. MICHAEL KIRCH, 2324 Sherman, appeared in protest. I do not abut this particular property, he stated, and am about 70 feet away. He said we are talking about houses of \$60,000 to \$105,000 in this area. We are only talking about the outside play activity. He said they realize the type of noise young girls and boys make. He stated that just as another neighbor, he protests.

MR. BEN GREENE, 2407 Sherman, appeared in protest. He stated there is a 45 mile per hour speed zone on Charleston and 35 on Rancho and he didn't see how you will get the cars around with the traffic. He said this will be creating a hazard with the split zones in this area.

MRS. MARIAN CASASA appeared in protest. She stated she lives directly in back of this lot in question. She said she thought her property would be effected more than anyone else's. She stated the Board has heard all of the arguments - the traffic, and it's a bad place for a school. She said she disapproves because she will not have her privacy and the people in the area will have to contend with the noise of the children. She says she loves children but disapproves of them in the back of her property. She mentioned that she has lived here for 20 years and believes her property is an asset to the community. She stated she would approve of a real estate office, etc. but disapproves of a child care facility.

MR. GARY VAUSE reappeared and stated the 100 children is a statement which would be a maximum number and this would be determined by the child welfare board. He said it is erroneous to say that we will have a twenty-four hour operation and this is also conducted by the Child Welfare Board. He pointed out that none of the other operations they have are twenty-four hour operations. He said his hours are 6:30 in the morning to 6:30 at night. Again, he continued, I would ask that you keep your considerations strictly to the outside play activity because all the other considerations of parking and traffic have been approved by the City Commission. He said they have been approved by the City Commission for this use. He said it is not approved in a C-D zone but it is not specifically excluded either. He said it was a very technical thing because we have an outside activity and we need a Variance for this.

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

MR. CANUL made a Motion for DENIAL of V-22-77 because C-D zoning specifies no outside activity and the proposed use would not be compatible to the developed residential and C-D area.

Voting was as follows:

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

Motion for DENIAL carried by a 4 to 1 vote.

19. V-54-74

Plot Plan Review

APPROVED

Request of NEVADA POWER COMPANY for a Plot Plan Review on an approved Variance to allow a building addition to the existing electrical substation on property generally located on the northwest corner of Michael Way and Carmen Boulevard in Zoning District R-E.

MR. NULL gave the staff report indicating originally this site came before the Board for a Use Permit for a public facility in an R-E area and a Variance to increase the wall from six to eight feet. This is the reason why it is back before you; there is an addition to the plot plan. He indicated the applicant wants to build a power control house, which will project about two feet above the wall. He pointed out the structure will have a peak roof and the actual part you will see will be two feet tapering down to somewhat less on the sides. He stated staff has no objection to this; we do not feel that this will have any adverse effect to the neighbors on the west.

CHAIRMAN DUNCAN asked to hear from the applicant.

MR. KEITH GRANT, 700 Kinney Way, appeared representing the applicant. He stated he would like to point out the reason for this building is for a control house to house solid state equipment, relay equipment, etc. He said they have found that with the dust, they need to have the equipment in an enclosed building.

MRS. EMMETT asked if they had had any problem with the school children as far as vandalism is concerned?

MR. GRANT stated no none at all. The major problem that we have, he stated, is the landscaping and trying to keep it in. He stated that within two days after planting the oleanders, they are all gone. He mentioned they have a professional landscaper and they lose quite a few sprinkler heads, etc. but we have no vandalism at all.

MR. DAVID BERNHARD, 1228 Shadow Mountain Place, appeared and asked where the building will be located?

MR. NULL pointed out the location on the map.

MR. MILLER made a Motion for APPROVAL of V-54-74, subject to the following conditions:

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

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

20. UC-10-69
Plot Plan Review
APPROVED

Request of HILLHAVEN INC. for a Plot Plan Review on an approved Use Permit to allow an addition to the Torrey Pines Care Center on property located at 1701 S. Torrey Pines Drive on the southeast corner of Torrey Pines Drive and Oakley Boulevard in Zoning District R-E.

MR. NULL gave the staff report indicating this is a hospital complex for retarded and physically handicapped. The applicant, due to the requirements of the State Health Department, was required to put in covers over the walks for the patients. He stated this is a minor revision to a plot plan and was brought back to the Board so you can see what was involved.

MRS. SEGRETTI made a Motion for APPROVAL of UC-10-69, subject to the following conditions:

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

Voting was as follows:

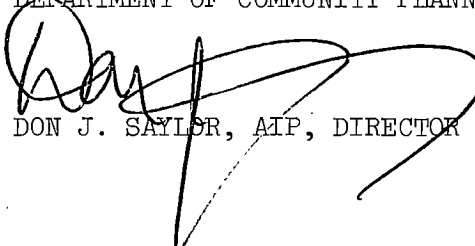
Mrs. Segretti - yes
Mr. Miller - yes
Chairman Duncan - yes
Mrs. Emmett - yes
Mr. Canul - yes

Motion for APPROVAL carried unanimously.

ADJOURNMENT:

There being no further business before the Board of Zoning Adjustment, the meeting was adjourned at 10:00 P.M.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT


DON J. SAYLOR, AIP, DIRECTOR

DJS:bjc