

S.V.

A G E N D A
BOARD OF ZONING ADJUSTMENT
OCTOBER 27, 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:

OLD BUSINESS:

- 1. U-59-77 Application of ROY JETT for a Use Permit to allow the operation of a used car sales lot and a trailer sales lot on property located at 314 Foremaster Lane in Zoning District C-2.
(Abeyance Item from 9/22/77)

NEW BUSINESS:

- 1. V-62-75 Status Review of the approved Variance application of DAVID G. AND MARY E. ROE to allow three existing dwelling units where only one non-conforming dwelling unit is allowed on property located at 725 South 1st Street in Zoning District C-M.
- 2. V-77-77 Application of DAVID S. AND MARJORIE GUILLAND for a Variance to allow an existing family room, located ten feet six inches (10' 6") from the rear property line where fifteen feet (15') is required on property located at 3108 Sleepy Hollow Way in Zoning District R-1.
- 3. U-62-77 Application of LOUISE DAVEY FOR CHERIE MCLAUGHLIN AND HONEY PYES for a Use Permit to allow the operation of an astrology school and practice on property located at 1800 Industrial Road, Suite 1756, in Zoning District "M".
- 4. V-78-77 Application of BOB MENDELSON for a Variance to allow an addition to within thirteen feet (13') of the rear property line where fifteen feet (15') is required on property located at 2309 Demetrius in Zoning District R-1.
- 5. U-68-77 Application of MARGARET ANNE NOVELLO for a Use Permit to allow an addition of forty-four (44) guest rooms to an existing forty-four (44) room hotel on property generally located on the southwest corner of Fremont and 14th Streets in Zoning Districts C-1 and C-2. A use permit is required for a hotel in the C-1 district.
- 6. V-79-77 Application of FRED NASSIRI for a Variance to allow a rest home on a parcel of land containing 8,257 square feet where 10,000 square feet is required; and located fourteen feet (14') from the north property line, ten feet (10') from the west property line, and fifteen ft. (15') from the east property line where a twenty-five ft. (25') setback is required from all lot lines, and located on a street having a pavement width less than the required forty-eight feet (48') on property located at 1806-1808 Weldon Street in Zoning District R-3.
- 7. V-80-77 Application of ROBERT J. PICCININNI for a Variance to allow an existing utility room addition to within thirty-three inches (33") of the side property line where seven feet (7') is required, and to allow an existing addition to within sixteen feet (16') of the rear property line where twenty-five feet (25') is required on property located at 1401 and 1403 Rexford Place in Zoning District R-2.

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8. V-82-77 Application of WAYMON AND LA FERN VESTAL for a Variance to allow a carport to within six inches (6") of the side property line where five feet (5') is required on property located at 1912 E. Bonanza Road in Zoning District R-1.
9. V-83-77 Application of VERNON C. LUECK, SR. for a Variance to allow four (4) dwelling units where only three (3) are permitted on each of two lots on property generally located on the southeast corner of 14th Street and Mesquite Avenue in Zoning District R-3.
10. U-69-77 Application of LAS VEGAS CITY EMPLOYEES FEDERAL CREDIT UNION for a Use Permit to allow a private self-service gasoline station for members only, on property located at 1200 East Bonanza Road in Zoning District C-1.
11. V-84-77 Application of DALE MICHAEL AND/OR JAN MARIE BARNHURST for a Variance to allow an existing non-commercial greenhouse located two feet nine inches (2'9") from the west side property line where five feet (5') is required and located four feet ten inches (4'10") from the house where six feet (6') is required on property located at 3220 Brady Avenue in Zoning District R-1.
12. V-85-77 Application of THOMAS J. NORTON for a Variance to allow: Parcel A - (north lot): the continuance of two (2) dwelling units and a dwelling (no kitchen) in a structure where only two (2) dwelling units are allowed and to allow two (2) parking spaces where five (5) are required; Parcel B - (south lot): the continuance of two (2) dwelling units and a dwelling (no kitchen) in a structure where only two (2) dwelling units are allowed and to allow an existing detached carport in the side yard and front area to within two and one-half feet (2½') of the side property line where five feet (5') is required, and to allow two (2) parking spaces where three (3) are required on property located at 1314-1316-1318-1320 Rexford in Zoning District R-2.
13. V-86-77 Application of JOHN L. FEROLDI for a Variance to allow an existing patio cover located two feet (2') from the south side property line where five feet (5') is required and to allow the eave overhang to within eighteen inches (18") of the property line where three feet (3') is required on property located at 2817 Northam Street in Zoning District R-1.
14. V-87-77 Application of BRUCE C. OKE for a Variance to allow an addition to within two feet (2') of the west side property line where six feet (6') is required on property located at 6312 Factor Avenue in Zoning District R-1.
15. V-88-77 Application of ROBERT L. AND BONNIE K. KILLEBREW for a Variance to allow an addition to within eleven feet five inches (11'5") of the rear property line where fifteen feet (15') is required on property located at 3017 Kaibab Avenue in Zoning District R-1.
16. U-70-77(HO) Application of ELIZABETH ANN CAMPBELL at 3409 Navajo Way in Zoning District R-1 for a Home Occupation Permit - Allow an off-premise janitorial service for commercial buildings and residences.

DIRECTOR'S BUSINESS:

1. Meeting Date Change Ratification of approval to change the meeting date of the November 24, 1977 (Thanksgiving) meeting to November 30, 1977, and to leave the December, 1977 meeting date as December 22, 1977.
- Ratification of Vote

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

BOARD OF ZONING ADJUSTMENT

OCTOBER 27, 1977

1. U-71-77(HO) Application of ANNE-MARIE HAWKINS at 1913 Constantine Avenue in Zoning District R-1 for a Home Occupation Permit - Allow a mail-order business office.
2. U-72-77(HO) Application of MICHELLE Y. WARA at 704 Shooting Star Street in Zoning District R-1 for a Home Occupation Permit - Allow an off-premise interior decorating and consulting business.
3. U-73-77(HO) Application of JAMES B. LEA at 3020 Alcoa Avenue in Zoning District R-1 for a Home Occupation Permit - Allow a retail seat cover office operation.
4. U-74-77(HO) Application of MARY ELIZABETH NEISWENDER at 1000 Baker Avenue in Zoning District R-1 for a Home Occupation Permit - Allow the making of ceramic and porcelain miniatures and dolls; and to allow the wholesale and mail-order of these items from the home.
5. U-71-75
Review of
Conditions Request of CROWN MOTORS for a Review of Conditions on an approved Use Permit to allow the continuation of a used car sales lot on property located at 2000 Las Vegas Boulevard South in Zoning District C-2.

MINUTES

BOARD OF ZONING ADJUSTMENT

OCTOBER 27, 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, Mr. Miller, Mrs. Emmett and Mr. Canul.

EXCUSED:

Mrs. Segretti.

STAFF PRESENT:

Don J. Saylor, AIP, Director, Department of Community Planning and Development
Howard A. Null, Supervisor of Planning
Ira John Gardner, Planning Assistant
Linda A. McIntosh, Recording Secretary

OLD BUSINESS:

1. U-59-77

(Abeyance Item
from 9/22/77)

Application of ROY JETT for a Use Permit to allow the operation of a used car sales lot and a trailer sales lot on property located at 314 Foremaster Lane in Zoning District C-2.

APPROVED

MR. NULL presented the staff report and indicated this item had been held in abeyance for a representative of the applicant, who is deceased since the application was made. He added that at the previous meeting, one protestant had been present from the adjacent mortuary.

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

MRS. ROY JETT was present.

JACK PURSELL, Attorney at Law, 300 South 4th Street, Suite 1610, stated that since this application was submitted, Mr. Jett had passed away; however, the lot was still there and Mrs. Jett is executrix under the will and they are probating the estate. It will be necessary for a time to continue the operation of the business. There are several cars and they would like to have the operation continued for the purpose of settling up the estate. He added it was his understanding they wished to add travel trailers to the used car sales use.

CHAIRMAN DUNCAN said there had been one protest at the last meeting which the Board heard, but rendered no decision.

MR. NULL said they could put a time stipulation on the request if approved. He said there was a private drive on the west 20' of the property and in viewing the area, it was noted that it is used for access to the cemetery and that if the request was approved, this 20' must be kept open. Public Services requires that access continue from Foremaster.

MR. PURSEL said he did not know if there was some agreement between Jetts and Spaulding Mortuary for the access. He added there was access from Las Vegas Boulevard North. He added he would agree to a delay to check into it further.

MR. NULL suggested if the application was approved, this matter be reviewed in one month.

MR. PURSEL said this would be agreeable.

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-59-77, subject to the following conditions:

1. Provide a driveway entrance to meet the City of Las Vegas standards on Foremaster frontage as required by the Department of Public Services.
2. Access to both ends of the 20 ft. private alley on the west 20 ft. of the property must be maintained, otherwise the alley must be deeded to this property owner.
3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Department of Community Planning & 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.
4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
6. Conformance to the plot plan as amended to reflect the above conditions.
7. Conformance to code requirements and design standards of City departments.

Voting was as follows:

"AYES" Mr. Miller, Chairman Duncan, Mrs. Emmett and Mr. Canul.

"NOES" None.

NEW BUSINESS:

1. V-62-75

Status Review

APPROVED

Motion for APPROVAL carried unanimously.

Status Review of the approved Variance application of DAVID G. AND MARY E. ROE to allow three existing dwelling units where only one non-conforming dwelling unit is allowed on property located at 725 South 1st Street in Zoning District C-M.

MR. NULL presented the staff report and stated the applicants initially were going to have a free form office which they were going to sell. In addition they had 1 unit and possibly 3 on the property. They removed the office. As the Board knows, the C-M zoning does not permit residences. They were granted the right to keep those residences on the property, but one of the conditions was that it be reviewed in two years. As far as staff is concerned, the conditions have been met.

DAVID G. AND MARY E. ROE, the applicants, were present.

MR. CANUL made a Motion for APPROVAL of the Status Review of V-62-75 to allow the operation to continue and that there was no need for any further review.

Voting was as follows:

"AYES" Mr. Canul, Mr. Miller, Chairman Duncan,
and Mrs. Emmett

"NOES" None.

Motion for APPROVAL carried unanimously.

2. V-77-77

APPROVED

Application of DAVID S. AND MARJORIE GUILLAND for a Variance to allow an existing family room, located ten feet six inches (10' 6") from the rear property line where fifteen feet (15') is required on property located at 3108 Sleepy Hollow Way in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 27, Block 7, Enchanted Village #3.

MR. NULL presented the staff report and indicated the location by means of visual aids. This is a rectangular lot and there is nothing unique about it that would require a variance. The permit for this particular construction was issued in 1973. At that time you were able to build a carport or an attached accessory structure to within 10' of the rear property line. It appears the accessory structure has been modified and has become a part of the house. That is the reason for the variance request. Mr. Null presented pictures of the structure to the Board.

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

MR. NULL stated there were no objections or approvals on record.

CHAIRMAN DUNCAN asked if Mr. Guilland had built the structure himself.

MR. GUILLAND replied that he did.

CHAIRMAN DUNCAN asked if he had gotten a permit.

MR. GUILLAND said that he had.

MR. NULL said the permit was for an accessory structure and a patio.

MR. GUILLAND said the permit was issued as a screen room next to the pool.

MR. MILLER asked why were they making this application. Are the applicants selling the home?

MR. GUILLAND replied they were and that the building permit was never signed off, that he had failed to do that. When the inspector came out, he said he had no argument with the construction, but it is not a screen room, it is a family room and that is why they applied for the variance.

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-77-77, 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 all City departments.

Voting was as follows:

"AYES" Mrs. Emmett, Mr. Miller, Chairman Duncan,
and Mr. Canul.
"NOES" None

Motion for APPROVAL carried unanimously.

3. U-62-77
APPROVED

Application of LOUISE DAVEY for CHERIE McLAUGHLIN AND HONEY PYES for a Use Permit to allow the operation of an Astrology School and practice on property located at 1800 Industrial Road, Suite 1756, in Zoning District "M" (Industrial). The above property is legally described as a portion of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 4, Township 21 South, Range 61 East, MDB&M.

MR. NULL presented the staff report and indicated that the structure involved is in an industrial area. They will use some office space in an existing office/warehouse complex. This matter is before the Board because the Licensing Code requires their approval.

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

HONEY PYES was present and stated this was a routine matter. They are moving their office from the Collett Building to this location.

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 U-62-77, 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:

"AYES" Mr. Canul, Mr. Miller, Chairman Duncan
and Mrs. Emmett.
"NOES" None

Motion for APPROVAL carried unanimously.

4. V-78-77
APPROVED

Application of BOB MENDELSON for a Variance to allow an addition to within thirteen feet (13') of the rear property line where fifteen feet (15') is required on property located at 2309 Demetrius in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 169, Block 6 of Amended Plat of Greater Las Vegas Addition #3, Unit 5B.

MR. NULL presented the staff report and indicated the lot was in an R-1 District and that it did back up to C-1 in the rear. He added it is not a unique lot so far as the rear yard is concerned and staff sees no reason to grant the variance. However, if a motion is made for approval, staff would like their normal conditions. There are no protests on record.

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

MR. MENDELSON, father of the applicant, was present and stated they were adding several rooms for living quarters in answer to an inquiry by Mr. Miller.

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-78-77, 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:

"AYES" Mr. Miller, Chairman Duncan, Mrs. Emmett and Mr. Canul.

"NOES" None.

Motion for APPROVAL carried unanimously.

5. U-68-77

APPROVED

Application of MARGARET ANNE NOVELLO for a Use Permit to allow an addition of forty-four (44) guest rooms to an existing forty-four (44) room hotel on property generally located on the southwest corner of Fremont and 14th Streets in Zoning District C-1 (Limited Commercial) and C-2 (General Commercial). The above property is legally described as Lots 4, 5 and 6, and Lots 12, 13 and 14, of Block 10, Ladd Addition.

MR. NULL presented the staff report and indicated the location by means of visual aids. He stated the applicant is adding 44 new units across the alley in a C-1 district and that they have more than sufficient parking. They have 64 spaces and all that are needed is 44; and if a motion is made for approval, there are several conditions required by Public Services; dedication of 5' for Fremont and a 15' radius corner at Fremont and 14th. Also a sidewalk and street light is required on 14th and install alley paving and a concrete drainage channel or alley gutter, if required. Additionally, the parking plan is to be revised to provide minimum 9' x 20' spacing and provision of an adequate plot and grading plan.

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

KEITH FERRIS, Architect, representing the applicant, stated the front part of the project is C-2 and there is no parking required, but they have provided one space for each unit in the entire project.

MR. CANUL asked if they had any objections to staff recommendations.

MR. FERRIS replied they would stipulate to the conditions.

WILLIAM CHESTER, Luck Lady Motel, 1308 East Fremont, said he was concerned about adequate parking and whether or not the alley would remain open.

MR. NULL stated they had adequate parking and the alley was City property and would remain open.

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 U-68-77, subject to the following conditions:

1. Dedication of five ft. (5') for Fremont Street and dedication of a fifteen ft. radius corner at Fremont and 14th Streets as required by the Department of Public Services.
2. Installation of a sidewalk and one street light on 14th Street frontage as required by the Department of Public Services.
3. Installation of alley paving and adequate protection to the paving in the form of a concrete drainage channel and/or a concrete alley gutter, if required, as required by the Department of Public Services.
4. Revise the parking plan to provide minimum nine ft. by twenty ft. spacing for each space as required by the Department of Public Services.
5. Provide adequate plot and grading plan prior to issuance of building and offsite improvement permits as required by the Department of Public Services.
6. 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.
7. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
9. Conformance to the plot plan as amended to reflect the above conditions.
10. Conformance to code requirements and design standards of City departments.

Voting was as follows:

"AYES" Mr. Canul, Mr. Miller, Chairman Duncan and Mrs. Emmett.

"NOES" None

Motion for APPROVAL carried unanimously.

6. V-79-77

APPROVED

Application of FRED NASSIRI for a Variance to allow a rest home on a parcel of land containing 8,257 square feet where 10,000 square feet is required; and located fourteen feet (14') from the north property line, ten feet (10') from the west property line, and fifteen ft. (15') from the east property line where a twenty-five ft. (25') setback is required from all lot lines, and located on a street having a pavement width less than the required forty-eight feet (48') on property located at 1806-1808 Weldon Street in Zoning District R-3 (Limited Multiple Residence).

The above property is legally described as Lot 8, Block 1, El Centro Addition #1.

MRS. EMMETT announced she would ABSTAIN on this item.

MR. NULL presented the staff report and indicated the location of the subject property by means of visual aids. He stated this is basically an R-3 area which provides for apartments. Staff is concerned about the large number of variances requested. It is possible to get as many as 9 patients in this structure. Based on the acreage, it would require 18 parking spaces. That is impossible on this site. If the rear wall was removed and that area used, a total of 11 spaces would be available. Staff is also concerned about the use in this area. The number of variances requested should indicate this use does not belong there. If a motion is made for approval, Public Services would require the damaged sidewalk be repaired.

CHAIRMAN DUNCAN asked how many parking spaces were proposed.

MR. NULL said 5 in the front and if you tear the wall down in the rear, you could get 6 more. He added this area is heavily developed and there is a lot of parking in the street. There is one protest and one approval on record.

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

DICK THOMPSON, stated he was representing the owner of the property. He said the entire area is going through a change. Adjoining the property is a children's nursery and to the south and north is a doctor's office and a credit union. They are the only attractive buildings on the street. As far as the parking spaces, he said he could not imagine needing that many spaces. He said the rear wall could be torn down and the additional spaces provided by heading in from the alley.

MR. MILLER asked how many people would be in the building.

MR. THOMPSON said 9 plus staff.

MR. MILLER asked how many staff persons would be employed.

MR. THOMPSON said there would be two or three.

CHAIRMAN DUNCAN asked if the wall was torn down, would that satisfy staff.

MR. NULL said the Code required the 18 spaces, and they would be short. He added the building is an existing duplex.

MR. THOMPSON said that if the wall is torn down, the area to the west could also be used for parking.

MR. SAYLOR said the 15' area did not meet what is required for parking.

MR. THOMPSON said there is parking along one side of the building.

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-79-77, subject to the following conditions:

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

Voting was as follows:

"AYES" Mr. Miller, Chairman Duncan, and Mr. Canul.

"NOES" None.

"ABSTENTION" Mrs. Emmett.

Motion for APPROVAL carried by a majority vote.

7. V-80-77

APPROVED

Application of ROBERT J. PICCININNI for a Variance to allow an existing utility addition to within thirty-three inches (33") of the side property line where seven feet (7') is required, and to allow an existing addition to within sixteen feet (16') of the rear property line where twenty-five feet (25') is required on property located at 1401 and 1403 Rexford Place in Zoning District R-2 (Two Family Residence). The above property is legally described as Lot 30, Paradise Grove.

MR. NULL gave the staff report and stated the lot is located in an R-2 area, is rectangular in shape and is not unique in any way. Staff's position is that the variances requested are not the ones they are concerned about. There is an extra unit in here for which no permit was taken out. For three units five parking spaces are needed and only two are provided. Staff would recommend denial on this and let the applicant solve the other problems.

CHAIRMAN DUNCAN asked if a permit had been issued.

MR. NULL stated that he could find no record of any permits being issued.

ROBERT J. PICCININNI, 3136 Westfield Road, stated he had received a correction notice.

CHAIRMAN DUNCAN asked if a contractor had built these additions.

MR. PICCININNI replied for the first one yes but on the second one he did not because he was new to the State and ignorant of the laws. He added he had received a notice from Weyerhauser telling him to comply with the City's requirements and he had told the tenant in the third unit to vacate. He added that he had several letters from his neighbors stating they had no objection to the additions.

MR. NULL said there are three protests and one approval on record.

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-80-77, 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:

"AYES" Mrs. Emmett, Mr. Miller, Chairman Duncan and Mr. Canul.

"NOES" None.

Motion for APPROVAL carried unanimously.

8. V-82-77
APPROVED

Application of WAYMON AND LA FERN VESTAL for a Variance to allow a carport to within six inches (6") of the side property line where five feet (5') is required on property located at 1912 East Bonanza Road in Zoning District R-1 (Single Family Residence). The above property is legally described as Lots 7 and 8, Block 7, Boulder Dam Home-site Addition Tract #1.

MR. NULL presented staff's report and stated the subject property was located in an R-1 District. The carport is too close to the side lot line. There are no protests or approvals. If a motion is made for approval, staff would require that the applicant sign an Assessment District Agreement for alley paving as well as the normal conditions.

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

WAYMON VESTAL, 1912 East Bonanza Road, appeared.

MR. MILLER asked the applicant how close was the neighbor.

MR. VESTAL replied he was 5' from his property line. He said he had 5' and they had 10'.

MR. MILLER asked what divided the properties.

MR. VESTAL said there was a block wall, starting at 3' and going up to about 5'. He said the overhang would be 6" inside.

CHAIRMAN DUNCAN asked if the building existed.

MR. VESTAL replied it did not.

MR. NULL stated that if the variance was approved, staff would add a condition that the carport be guttered and the water be carried off onto the applicant's property.

MR. VESTAL said he agreed to the conditions as set forth by staff.

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-82-77, subject to the following conditions:

1. Signing of an Assessment District Agreement for alley paving as required by the Department of Public Services.
2. Provide drainage protection for neighbor's property in the roof construction 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:

"AYES" Mr. Miller, Chairman Duncan, Mrs. Emmett and Mr. Canul.

"NOES" None.

Motion for APPROVAL carried unanimously.

9. V-83-77
APPROVED

Application of VERNON C. LUECK, SR., for a Variance to allow four (4) dwelling units where only three (3) are permitted on each of two lots on property generally located on the southeast corner of 14th Street and Mesquite Avenue in Zoning District R-3 (Limited Multiple Residence). The above property is legally described as Lots 1 and 2, Block 13, Fourteenth Street City Addition.

MR. NULL gave the staff report and indicated the location by means of visual aids. He stated this is an R-3 area and there are two lots in question. He said the problem is for 4 units, you need 7000 sq.ft. The applicant is 500 sq.ft. short for each lot. The area surrounding does have 4-plexes. If a motion is made for approval, Public Services would require construction of a concrete sidewalk on 14th and Mesquite Street frontages and the Traffic Engineer would require the parking plan be revised and driveway entrances be provided with minimum distance between driveways as well as the normal conditions.

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

VERNON C. LUECK, SR., 2432 Ellis, appeared, and stated he had an architect draw it up and the way he drew it up he thought it was alright. If there are any problems, he said they could make the amendments necessary. He said that some time ago, the same condition happened on an earlier application on 15th Street and that it had worked out alright. He said further the sidewalk required was not used.

MR. NULL stated a 4' sidewalk was indicated on the plan.

MR. MILLER asked the applicant if he could live with those conditions.

MR. LUECK said yes, he would have to do it.

MR. & MRS. GEORGE REISHER, 367 North 15th Street, were present. Mr. Reisher indicated there was already a parking problem in the area.

MR. CANUL said the applicant was meeting the Code requirements for parking.

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-83-77, subject to the following conditions:

1. Construct a concrete sidewalk on 14th Street and Mesquite Street frontages as required by the Department of Public Services.
2. Revise the parking plan and driveway entrances to provide minimum distance between driveways.
3. 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.
4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
6. Conformance to the plot plan as amended to reflect the above conditions.
7. Conformance to code requirements and design standards of City departments.

Voting was as follows:

"AYES" Mr. Canul, Mr. Miller, Chairman Duncan and Mrs. Emmett.
"NOES" None.

Motion for APPROVAL carried unanimously.

RECESS:

CHAIRMAN DUNCAN declared a 15-minute recess at 8:30 PM. and reconvened at 8:45 PM.

10. U-70-77 (HO)

Application of ELIZABETH ANN CAMPBELL at 3409 Navajo Way in Zoning District R-1 for a Home Occupation Permit - Allow an off-premise janitorial service for commercial buildings and residences.

11. U-71-77 (HO)

Application of ANNE-MARIE HAWKINS at 1913 Constantine Avenue in Zoning District R-1 for a Home Occupation Permit - Allow a mail-order business office.

12. U-72-77 (HO) Application of MICHELLE Y. WARA at 704 Shooting Star Street in Zoning District R-1 for a Home Occupation Permit - Allow an off-premise interior decorating and consulting business.
13. U-73-77 (HO) Application of JAMES B. LEA at 3020 Alcoa Avenue in Zoning District R-1 for a Home Occupation Permit - Allow a retail seat cover office operation.
14. U-74-77 (HO) Application of MARY ELIZABETH NEISWENDER at 1000 Baker Avenue in Zoning District R-1 for a Home Occupation Permit - Allow the making of ceramic and porcelain miniatures and dolls; and to allow the wholesale and mail-order of these items from the home.

ITEMS 10 THRU 14

APPROVED

MR. NULL indicated all applicants for Home Occupation permits had satisfactorily answered the questionnaires and were in order and staff recommended approval.

MR. MILLER made a Motion for APPROVAL of Items 10 through 14, 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:

"AYES" Mr. Miller, Chairman Duncan, Mrs. Emmett and Mr. Canul.

"NOES" None.

Motion for APPROVAL carried unanimously.

15. U-69-77
DENIED

Application of the LAS VEGAS CITY EMPLOYEES FEDERAL CREDIT UNION for a Use Permit to allow a private self-service gasoline station for members only on property located at 1200 East Bonanza Road in Zoning District C-1 (Limited Commercial). The above property is legally described as a portion of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 35, Township 20 South, Range 61 East, MDB&M.

MR. NULL gave the staff report and indicated the area to contain the pumps is located about one-third of the way up the property. The only condition that staff would have is that there would be a review by the Traffic Engineer for flow of traffic around the pumps. There is one letter of opposition.

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

JERRY SNIDER, Manager of the Credit Union, stated this had been before the Board once before, but it was kind of misled on the agenda and then referred to the City Commission who denied it. It then came back for review and they were going to approve it; however, a legal opinion from the City Attorney said that since we were applying on a membership status, it should be done by means of a Use Permit.

MR. MILLER asked how many pumps there would be.

MR. SNIDER said there would be four dual pumps and they would be attended.

MRS. EMMETT asked how many employees were involved.

MR. SNIDER stated the Credit Union had 4,600 accounts, which included prime and family accounts.

MRS. EMMETT asked if the gas would be less than at other establishments.

MR. SNIDER replied a competitive price would be offered.

MR. CANUL asked if it would be lower.

MR. SNIDER said that eventually, once the overhead and construction costs are eliminated. He said it would be up to the membership. He added this also would be a service to retired employees, the Las Vegas Housing Authority and a portion of the Las Vegas Metropolitan Police Department.

SAM PARNELL, President of the Credit Union, stated they would not be in competition with anyone, it was merely a service to the membership. He said it would be of major benefit to retired members who must live on fixed incomes.

MR. MILLER read a telegram received from Jack Casson in opposition to the application. (Copy on file in the Department of Community Planning and Development.)

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 U-69-77.

Voting was as follows:

"AYES" Mr. Canul and Chairman Duncan.
"NOES" Mr. Miller and Mrs. Emmett.

Motion for APPROVAL failed to carry. The application was DENIED.

16. V-84-77

APPROVED

Application of DALE MICHAELAND/OR JAN MARIE BARNHURST for a Variance to allow an existing non-commercial greenhouse located two feet nine inches (2'9") from the west side property line where five feet (5') is required and located four feet ten inches (4'10") from the house where six feet (6') is required on property located at 3220 Brady Avenue in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 3, Block 9, College Park No. 24.

MR. NULL presented the staff report and indicated the subject property was located in an R-1 zone, and that it is a double frontage lot. The greenhouse is in the rear of the property. There is nothing unique about the lot to warrant the granting of a variance. There are no protests of record, and they have submitted a petition with 20 signatures of approval. If this should be approved, they should be required to get a permit, and meet the normal requirements.

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

JAN MARIE BARNHURST, 3220 Brady Avenue, stated this was a prefab greenhouse which was put up by the company they purchased it from.

CHAIRMAN DUNCAN asked if they knew they needed a permit.

MRS. BARNHURST said not until some man said it was up illegally.

MR. MILLER asked how big it was.

MRS. BARNHURST said it was 8' x 16'.

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-84-77, 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:

"AYES" Mr. Canul, Mr. Miller, Chairman Duncan and Mrs. Emmett.

"NOES" None

Motion for APPROVAL carried unanimously.

17. V-85-77

APPROVED AS
AMENDED

Application of THOMAS J. NORTON for a Variance to allow: Parcel A- (north lot): The continuance of two dwellings units and a dwelling (no kitchen) in a structure where only two (2) dwelling units are allowed and to allow two (2) parking spaces where five (5) are required: Parcel B - (south lot): The continuance of two (2) dwelling units and a dwelling (no kitchen) in a structure where only two (2) dwellings units are allowed and to allow an existing detached carport in the side yard and front area to within two and one-half feet (2½') of the side property line where five feet (5') are required, and to allow two (2) parking spaces where three (3) are required on property located at 1314-1316-1318-1320 Rexford in Zoning District R-2 (Two Family Residence). The above property is legally described as Lots 19 and 20, Paradise Grove.

MR. NULL gave the staff report and said there are two duplexes each on a lot in an R-2 area. There is only room right now for two parking spaces on each lot. The north lot will need 5 and the south lot will need 3. There is also an extra unit in each duplex and staff can find no permit issued for these. There are two letters of protest and a petition bearing 17 signatures. There is also one approval.

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

THOMAS J. NORTON, 3127 Camelback Drive, stated he had purchased the units in February and everything had been done to them. He added he had only improved the landscaping and sprinkler systems.

CHAIRMAN DUNCAN asked how old the units were.

MR. NORTON stated they were 18 to 20 years old.

MR. CANUL asked why this was before the Board.

MR. NULL stated the applicant is asking for a variance.

MR. NORTON said he had received a correction notice as had everyone on the block.

MR. MILLER asked if something like this is not noted when the property is sold.

MR. NORTON said apparently not, but it should be.

MRS. EMMETT asked how he came to buy them.

MR. NORTON said they were put up for sale and he purchased them. He added he could put additional parking in the front yard.

MR. NULL said he would need a variance for the additional parking in the front yard.

MRS. EMMETT asked if he questioned the realtor and was there FHA or VA financing involved.

MR. NORTON said it was a conventional loan, which he assumed.

MRS. EMMETT said that was his answer. He got caught and so did you. It is called misrepresentation.

MR. MILLER said others of this nature had been denied, and to allow Mr. Norton to have it would be to wrong the other people.

MR. NORTON said there was no kitchen and he had been told it was okay by Planning.

MR. CANUL said there was still the problem of no parking.

GENE RANDANO, 1312 Houssels, stated he lived on the corner of Houssels and Rexford Drive and he was protesting because of the density factor. There are 24 duplexes on the west side of Rexford and 18 or 19 on the east side. If more than two units are allowed, it will increase the population tremendously. And it is a narrow street and no parking and anyone who bought a duplex knew it was a duplex.

MR. ROBERT J. PICCININNI, 3136 Westfield Road, stated it will cost \$150 a month to get rid of the tenant. He added that only two power meters constitute a duplex and a variance wasn't needed. And the studio does not have a kitchen, it is only a sleeping room.

MR. MILLER said the density was still higher than it was zoned for and the people living in the area have a right also.

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 the detached carport and DENIAL of the continuance of the two dwelling units and another dwelling, 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:

"AYES" Mr. Miller, Chairman Duncan, Mrs. Emmett and Mr. Canul.

"NOES" None.

Motion for APPROVAL carried unanimously.

18. V-86-77

APPROVED

Application of JOHN L. FEROLDI for a Variance to allow an existing patio cover located two feet (2') from the south side property line where five feet (5') are required and to allow the eave overhang to within eighteen inches (18") of the property line where three feet (3') are required on property located at 2817 Northam Street in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 5, Block 4, Meadow Terrace.

MR. NULL presented the staff report and stated the lot in question is in an R-1 District, is rectangular in shape and there is nothing unique that would warrant a variance. There is one letter of approval on record. If a motion is made for approval, staff would recommend there be a gutter and downspout and the normal conditions.

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

JOHN L. FEROLDI, 2817 Northam, stated he was here a month ago to speak on behalf of a like variance and that was when he found out he himself was illegal. He added he bought the house this way, the patio cover was already there.

MR. MILLER asked if he could agree to staff requirements of a gutter.

MR. FEROLDI said that would be no problem and that he did have a permit which was taken out by the previous owner in October of 1976.

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-86-77, subject to the following conditions:

1. All necessary permits and inspections shall be obtained as required by the Department of Public Services.
2. Proper drainage control shall be provided on the south side of the cover 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:

"AYES" Mr. Miller, Chairman Duncan, Mrs. Emmett
and Mr. Canul.
"NOES" None.

Motion for APPROVAL carried unanimously.

19. V-87-77
APPROVED

Application of BRUCE C. OKE for a Variance to allow an addition to within two feet (2') of the west side property line where six feet (6') is required on property located at 6312 Factor Avenue in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 13, Block 8, Charleston Heights Tract No. 40-C.

MR. NULL presented the staff report and stated the lot is in an R-1 area, it is rectangular in shape and there is nothing unique about it that would require a variance. There are no protests or approvals on record; and if a motion is made for approval, staff would have no conditions other than the normal ones.

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

BRUCE C. OKE, 6312 Factor, said the purpose of the variance was to increase the living area and give them a few extra feet. He said they are adding it on along the drive to the adjoining home, but that it is not against that home. It would also be 6' from the property to their building. It's purpose is a family room and whirlpool room.

MR. CANUL asked how big it would be.

MR. OKE said 600 square feet. They hoped to make two rooms out of it. If it was any smaller, they could not have the two rooms.

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-87-77, 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:

"AYES" Mrs. Emmett, Mr. Miller, Chairman Duncan
and Mr. Canul.
"NOES" None.

Motion for APPROVAL carried unanimously.

20. V-88-77
APPROVED

Application of ROBERT L. AND BONNIE K. KILLEBREW for a Variance to allow an addition to within eleven feet five inches (11'5") of the rear property line where fifteen feet (15') is required on property located at 3017 Kaibab Avenue in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 28, Block 1, College Park #20.

MR. NULL presented the staff report and indicated the lot in question was in an R-1 zone. The lot is odd shaped, but in no way affecting the rear yard. If a motion is made for approval, staff would require the normal conditions.

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

DAN LAYTON, 5940 West Flamingo Road, was present representing the owner. He said he had drawn the plans for the addition and that this was a pie-shaped piece of property. The family has been in the house 16 years, have three girls and four sons. They would like to add a bathroom. He said they were not encroaching on anything.

MR. MILLER asked if Mr. Layton would be involved in the construction.

MR. LAYTON said they had asked him to help them out and that he had spent 52 years as a contractor.

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-88-77, 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:

"AYES" Mr. Canul, Mr. Miller, Chairman Duncan and Mrs. Emmett.

"NOES" None.

Motion for APPROVAL carried unanimously.

21. U-71-75

REVIEW OF
CONDITIONS

Request of CROWN MOTORS for a Review of Conditions on an approved Use Permit to allow the continuation of a used car sales lot on property located at 2000 Las Vegas Boulevard South in Zoning District C-2.

MR. NULL presented the staff report and indicated the property in question fronts on Las Vegas Boulevard and the rear abuts against Commerce Street. The applicant is asking for a review of conditions and he then read a letter from the applicant requesting a waiver of conditions and a 60 day extension of time. He added the Commission had required landscaped planters along the Las Vegas Boulevard frontage. In addition he wants to waive the normal conditions which include a 7' wide sidewalk and 6' of dedication. Staff is concerned because this has gone on for some time, and it would be nice to have some landscaping regardless of the conditions. He is asking for a waiver of the conditions so he can comply.

BEN G. SACCENTI, 1268 South 8th Street, stated he recently leased this property for a used car sales operation and was not aware of all of the requirements. He added he was not objecting to the conditions, but the cost was just a little too much for him, just being in business for a month. He said he had tried to contract for concrete, but was told there was a shortage of it in Las Vegas. He said he would conform to everything if he had 60

or 90 days.

CHAIRMAN DUNCAN asked who owns the property.

MR. SACCENTI replied Bob Stupak. He said there had been several attempts to organize some type of business on the property, but none had worked out except for himself.

MRS. EMMETT asked if the property had ever been used.

MR. NULL replied no, this was the first operation. In the rear, it is a separate operation.

CHAIRMAN DUNCAN asked if he could comply within a 90-day period.

MR. SACCENTI replied that he could.

MR. CANUL made a Motion to grant an additional time period in order to allow for compliance to previous conditions of U-71-75 and that this matter be scheduled for the January 26, 1978 Board of Zoning Adjustment Meeting at which time the applicant is to appear for a review and supply proof of compliance.

Voting was as follows:

"AYES" Mr. Canul, Mr. Miller, Chairman Duncan and Mrs. Emmett.

"NOES" None.

Motion carried unanimously.

DIRECTOR'S BUSINESS:

1. Meeting Date Change - Ratification of Vote

Ratification of approval to change the meeting date of November 24, 1977 (Thanksgiving) meeting to November 30, 1977, and to leave the December, 1977 meeting date as December 22, 1977.

MR. MILLER made a Motion to RATIFY the foregoing Board of Zoning Adjustment meeting dates.

Voting was as follows:

"AYES" Mr. Miller, Chairman Duncan, Mrs. Emmett and Mr. Canul.

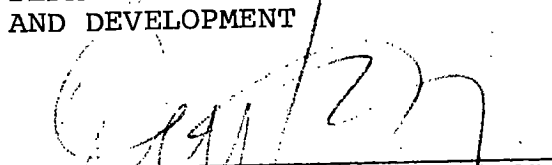
"NOES" None.

Motion for RATIFICATION carried unanimously.

ADJOURNMENT:

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

DEPARTMENT OF COMMUNITY PLANNING
AND DEVELOPMENT


DON J. SAYLOR, AIP, DIRECTOR

DJS/lm