

A G E N D A

BOARD OF ZONING ADJUSTMENT

NOVEMBER 30, 1978

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

ROLL CALL: PRESENT: EMMETT, SEGRETTI, MYERS & SWESSEL  
EXCUSED: DUNCAN

PLEDGE OF ALLEGIANCE:

MINUTES: Approval of the Minutes for the Board of Zoning  
Adjustment meeting held October 26, 1978.

ANNOUNCEMENT: Satisfaction of Open Meeting Law

OLD BUSINESS:

1. U-74-78 Application of C. R. CLELAND, ET AL for a Use  
(Abeyance Item Permit to operate a minor automotive repair  
from 10/26/78) facility on property generally located on the  
east side of Decatur Boulevard, 400 feet north  
of Vegas Drive in Zoning District C-1.

APPROVED

NEW BUSINESS:

1. V-82-78 Application of WILLIAM D. PALMER for a Variance  
APPROVED to allow a room addition twelve feet (12') from  
the rear property line where fifteen feet (15')  
is required on property located at 7301 Blizzard  
Court in Zoning District R-1.

2. V-83-78 Application of PATRICIA MAYE MARCUS for a Variance  
APPROVED to allow an existing dwelling (without kitchen  
facilities) and an existing single family dwelling  
unit where only one dwelling unit is allowed on  
property located at 2400 Chapman Drive in Zoning  
District R-1.

3. V-84-78 Application of BECKER INVESTMENT COMPANY for a  
DENIED Variance to allow open storage and accessory  
building storage of equipment and supplies,  
which is not a permitted use, on property generally  
located on the northeast corner of Jones Boulevard  
and Upland Boulevard in Zoning District P-R.

4. V-85-78 Application of VIOLET M. LEWIS for a Variance to  
APPROVED allow two existing dwelling units where only one  
dwelling unit is permitted on property located  
at 243 N. Bruce Street in Zoning District R-1.

5. V-86-78 Application of WILLIS AND MELBALINE BOLIN for a  
DENIED Variance to allow an air conditioning sales,  
storage, service and installation business, which  
is not allowed in a residential zone, on property  
located at 208 W. Anderson Lane in Zoning District  
R-E.

6. V-87-78 Application of BRIAN D. MENZEL for a Variance to  
DENIED allow an attached garage and storage area to the  
side property line where six feet (6') is required  
on property located at 6233 Elton Avenue in  
Zoning District R-1.

7. V-88-78 Application of DARRYL LEAVITT for a Variance to  
APPROVED allow a private school for grades kindergarten  
thru eight on property located at 700 E. Charleston  
Boulevard in Zoning District P-R. Private schools  
are not permitted in a P-R District.

8. V-89-78  
DENIED  
Application of JAMES E. BARRON for a Variance to allow the construction of a six foot (6') high block and wrought iron fence in the front yard where a maximum of four feet (4') top two feet (2') fifty percent (50%) open is allowed on property located at 4116 San Bernardino Avenue in Zoning District R-1.
9. V-90-78  
APPROVED  
Application of A. A. MARNELL for a Variance to allow an apartment for security of a mini storage warehouse facility Use where no residential use is allowed on property located at 3400 Meade Avenue in Zoning District "M".
10. V-91-78  
APPROVED  
Application of B. R. SCOTT, ET AL for a Variance to approve the converting of an office to an apartment for security of a mini storage warehouse operation, where no residential use is allowed, on property located at 2001 W. Bonanza Road in Zoning District C-2.
11. V-92-78  
APPROVED  
Application of BERNHARD G. DOMMERMUTH for a Variance to allow an existing carport two feet (2') from the side property line where five feet (5') is required on property located at 1119 S. 6th Street in Zoning District R-1.
12. V-93-78  
APPROVED  
Application of ARVID L. AND LOIS LYNN BESSENT for a Variance to allow a rear yard setback of 42 feet 10 inches where 50 feet is required on property generally located on the west side of North Torrey Pines Drive, 150 feet south of El Campo Grande in Zoning District R-E.
13. V-94-78  
APPROVED  
Application of the ROMAN CATHOLIC CHURCH, on behalf of THE HOME OF THE GOOD SHEPHERD for a Variance to allow the use of a mobile home as a residence for a caretaker, where such a use is not allowed, on property located at 7000 N. Jones Boulevard in Zoning District R-E.
14. V-95-78  
DENIED  
Application of FRANKLIN R. PIPER for a Variance to provide ten (10) parking spaces where twenty-nine (29) parking spaces are required for a proposed 29 unit apartment building on property location at 922 South Third Street in Zoning District C-2.
15. V-96-78  
ABEYANCE  
Application of GUS RAMADANIS for a Variance to allow eight (8) dwelling units where seven (7) are permitted on property located on the west side of N. 15th Street, 150 feet north of Poplar Avenue in Zoning District R-3.
16. V-97-78  
APPROVED  
Application of G. HONEYMAN for a Variance to allow a transmission repair shop in conjunction with an existing automobile service station on property located at 400 W. Owens Avenue in Zoning District C-1. Transmission repair shops are not permitted in the C-1 zone.
17. U-79-78  
APPROVED  
Application of J. K. STANSBERRY, LA MESA R. V. CENTER, for a Use Permit to operate an automotive parts exchange on property located at 2029 W. Bonanza Road in Zoning District C-2 and C-M.
18. U-80-78  
DENIED  
Application of PATRICIA TRUEHL for a Use Permit to operate a group child care center for a maximum of twelve (12) children on property located at 218 Valiejo Street in Zoning District R-1.

19. U-89-78  
APPROVED  
Application of FRANK AND SANDRA L. PREZGAY for a Use Permit to operate a group child care facility for a maximum of 12 children on property located at 6524 Casada Way in Zoning District R-1.
20. U-90-78  
DENIED  
Application of CHARLESTON HEIGHTS SHOPPING CENTER, INC. on behalf of SCOTT C. KELLER for a Use Permit to allow an open sales lot for the retail sales of ski equipment on property generally located at 748 S. Decatur Boulevard on the west side of Decatur Boulevard between Alta Drive and Evergreen in Zoning District C-2.
21. U-91-78  
APPROVED  
Application of the FIRST NATIONAL BANK OF NEVADA for a Use Permit to operate a car rental branch office on property generally located on the south-east corner of 9th Street and Stewart Avenue in Zoning District C-2.
22. U-92-78(HO)  
(PUBLIC HEARING)  
DENIED  
Application of ROGER P. AND CLAUDETTE NOYES for a Home Occupation Permit to allow an electrology business (permanent hair removal) on property located at 5128 Forest Hills Lane in Zoning District R-1.
23. U-93-78  
APPROVED  
Application of B, L, AND G, A PARTNERSHIP for a Use Permit to allow a parking lot on property located on the northwest corner of Bridger Avenue and 9th Street in Zoning District R-4.
24. U-94-78  
APPROVED  
Application of LAS VEGAS HOUSING AUTHORITY for a Use Permit to allow a temporary child care center for the Nevada Association of Latin Americans (until a permanent facility is completed) on property located at 500 North 11th Street in Zoning District R-2.
25. V-106-77  
EXTENSION OF TIME  
APPROVED  
SIX MONTHS  
Request of JOHN F. O'REILLY, ESQ. for a six (6) month Extension of Time on an approved Variance which allowed the construction of a single family residence on a 37,000 sq. ft. lot where 40,000 sq. ft. is required on property generally located on the south side of Pinto Lane 200 ft. east of Campbell Drive in Zoning District R-A. A six (6) month extension of time was granted on May 25, 1978 and will expire on November 25, 1978.
26. U-87-78(HO)  
APPROVED  
Application of MICHAEL LOCKHART at 3904 Budlong Avenue in Zoning District R-1 for a Home Occupation Permit - Allow an art and design service of new products for various manufactures and services.
27. U-88-78(HO)  
APPROVED  
Application of PATRICIA E. BOWDEN at 5808 Vegas Drive in Zoning District R-1 for a Home Occupation Permit - Allow the storage of tee-shirts and the operation of a transfer press for off-premise sales of tee-shirts.
28. U-95-78(HO)  
APPROVED  
Application of ROLAND SCHUSTER at 213 Hancock Street in Zoning District R-1 for a Home Occupation Permit - Allow an office for the R3M Construction Co. for the keeping of files.
28. U-96-78(HO)  
APPROVED  
Application of DEBBIE LIANGOS for JAMES E. SHIRLEY at 4528 Montebello Avenue in Zoning District R-1 for a Home Occupation Permit - Allow an office for a home improvement business.

30. U-97-78(HO)  
APPROVED

Application of JACK SERWAY at 1304 Montclair Street  
in Zoning District R-1 for a Home Occupation Permit -  
Allow a pick up and delivery service.

31. U-9-64  
PLOT PLAN REVIEW  
APPROVED

Request of CLARK COUNTY for a Plot Plan Review to  
allow temporary portable offices in connection  
with the Social Services Building on property  
located at 625 Shadow Lane in Zoning District R-1.

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

BOARD OF ZONING ADJUSTMENT

NOVEMBER 30, 1978

1. U-98-78(HO)

APPROVED

Application of CHARLES SALTON at 715 South Ninth Street in Zoning District R-1 for a Home Occupation Permit - Allow a tax preparation and accounting business.

MINUTES

BOARD OF ZONING ADJUSTMENT

NOVEMBER 30, 1978

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

PRESENT: Chairman Emmett, Mrs. Segretti, Mr. Swessel and Mrs. Meyers

EXCUSED: Mr. Duncan

STAFF PRESENT: Harold P. Foster, Acting Director, Department of Community Planning and Development  
Don W. Brown, Supervisor of Zoning  
Ira John Gardner, Planning Assistant  
Linda A. McIntosh, Recording Secretary

PLEDGE OF ALLEGIANCE:

ANNOUNCEMENT: MR. BROWN stated that this regular meeting of the Board of Zoning Adjustment had been posted and mailed in accordance with NRS Chapter 241 and affidavits are on file in the office of the City Clerk.

MINUTES: MRS. SEGRETTI made a Motion for APPROVAL of the minutes of the meeting held October 26, 1978. Motion for APPROVAL carried unanimously.

OLD BUSINESS:

1. U-74-78  
(Abeyance Item from 10/26/78)

APPROVED

CHAIRMAN EMMETT stated she would abstain from discussing or voting on this item.

MR. BROWN presented the staff report and stated the plot plan is as depicted with parking in the front and landscaping on the north, front and along Decatur. Staff recommended approval subject to: no work being done after 7:00 P.M.; all work shall be done in an enclosed building; a 6' block wall on the north and compliance with all other restrictions as set forth in the resolution adopted by the City Commission.

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

RICHARD GRANT represented the applicant.

MR. SWESSEL asked Mr. Grant if he understood and agreed to staff stipulations.

MR. GRANT replied that he did.

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

MR. SWESSEL made a Motion for APPROVAL of U-74-78, subject to the following conditions:

1. Fire hydrant to be installed within 300 ft. of the building or existing hydrant as required by the Department of Fire Services.
2. The daily operation of the facility shall cease no later than 7:00 P.M.
3. Install a 6 ft. block wall on the north property line.
4. The entire use shall be conducted within an enclosed building.
5. 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.
6. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
8. Conformance to the plot plan.
9. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mr. Swessel, Mrs. Meyers and Mrs. Segretti  
"NOES" None  
"ABSTAIN" Chairman Emmett

Motion for APPROVAL carried by a 3/0/1 vote.

NEW BUSINESS:

1. U-87-78(HO)

APPROVED

Application of MICHAEL LOCKHART at 3904 Budlong Avenue in Zoning District R-1 for a Home Occupation Permit - Allow an art and design service of new products for various manufactures and services.

2. U-88-78(HO)

APPROVED

Application of PATRICIA E. BOWDEN at 5808 Vegas Drive in Zoning District R-1 for a Home Occupation Permit - Allow the storage of tee-shirts and the operation of a transfer press for off-premise sales of tee-shirts.

3. U-95-78(HO)

APPROVED

Application of ROLAND SCHUSTER at 213 Hancock Street in Zoning District R-1 for a Home Occupation Permit - Allow an office for the R3M Construction Co. for the keeping of files.

4. U-96-78(HO)

APPROVED

Application of DEBBIE LIANGOS for JAMES E. SHIPLEY at 4528 Montebello Avenue in Zoning District R-1 for a Home Occupation Permit - Allow an office for a home improvement business.

5. U-97-78(HO)

APPROVED

Application of JACK SERWAY at 1304 Montclair Street in Zoning District R-1 for a Home Occupation Permit - Allow a pick up and delivery services.

6. U-98-78(HO)

APPROVED

Application of CHARLES SALTON at 715 North Ninth Street in Zoning District R-1 for a Home Occupation Permit - Allow a tax preparation and accounting business.

MR. BROWN presented the staff report, stated everything is in order, and staff would recommend approval.

MRS. SEGRETTI made a Motion for APPROVAL of Items 1 through 6, 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" Mrs. Segretti, Mrs. Meyers and Chairman Emmett  
"NOES" Mr. Swessel

Motion for APPROVAL carried by a 3/1 vote.

7. V-82-78

APPROVED

Application of WILLIAM D. PALMER for a Variance to allow a room addition twelve feet (12') from the rear property line where fifteen feet (15') is required on property located at 7301 Blizzard Court in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 17, Block 5, Charleston Rainbow 14-B, Amended.

MR. BROWN presented the staff report and stated the property is located in the heart of an R-1 district. The plot plan is as depicted. Staff sees nothing unique or unusual about the lot size or why such a request should be granted and would recommend denial.

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

WILLIAM PALMER, 7301 Blizzard Court, stated he had obtained an application to build a 20' patio cover with a low wall around it. When the inspector came out, he stated he would need a 3' setback to enclose it as a room. If it is not allow this variance, when it rains, the rain will come in the door of his house.

MR. SWESSEL asked if an enclosed room was planned.

MR. PALMER replied that it was.

MRS. SEGRETTI asked if a room was planned when the patio was constructed.

MR. PALMER replied that it was.

MR. SWESSEL asked if the block wall couldn't be placed back 3'.

MR. PALMER replied the wall was already built.

MRS. SEGRETTI said if the wall is sealed, the water would not run in.

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

MRS. SEGRETTI made a Motion for APPROVAL of V-82-78, subject to the following conditions:

1. Conformance to the plot plan.
2. Securing of all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mrs. Segretti, Mrs. Meyers and Chairman Emmett  
"NOES" Mr. Swessel

Motion for APPROVAL carried by a 3/1 vote.

8. V-83-78  
APPROVED

Application of PATRICIA MAYE MARCUS for a Variance to allow an existing dwelling (without kitchen facilities) and an existing single family dwelling unit where only one unit is allowed on property located at 2400 Chapman Drive in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 1, Block 7, Francisco Park #2.

MR. BROWN presented the staff report and stated the plot plan is as depicted. Staff checked the permit files on this property and in 1961 a permit was issued for a storage shed. A permit was issued in 1968 for the enclosure of a garage and to add a bath. Staff would normally recommend denial on this type of a variance, but would not do so in this case in view of the fact the unit has been there so long.

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

PATRICIA MARCUS stated she would appreciate approval of the variance as this is an existing structure and that it was used as a garage and washroom until they needed the extra income and needed a rental.

CHAIRMAN EMMETT asked how long the unit had been used as a rental.

MS. MARCUS stated for six years.

MRS. SEGRETTI asked if there were any plans for adding kitchen facilities.

MS. MARCUS stated no, as there is no room for a kitchen.

MRS. SEGRETTI asked if the unit was in existence when they purchased the property.

MS. MARCUS replied that it was and purchased it as such.

STANLEY SKURSKI appeared in protest and stated such a facility was not wanted in the neighborhood and it would be a commercial use, and would set a precedent.

MS. MARCUS described the surrounding area and its uses.

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

MRS. MEYERS made a Motion for APPROVAL of V-83-78, subject to the following conditions:

1. Conformance to the plot plan.
2. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mrs. Meyers, Chairman Emmett, Mrs. Segretti and Mr. Swessel  
"NOES" None

Motion for APPROVAL carried unanimously.

9. V-83-78

DENIED

Application of BECKER INVESTMENT COMPANY for a Variance to allow open storage and accessory building storage of equipment and supplies, which is not a permitted use, on property generally located on the northeast corner of Jones Boulevard and Upland Boulevard in Zoning District P-R (Professional Offices and Parking). 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 36, Township 20 South, Range 60 East, MDB&M.

MR. BROWN presented the staff report and stated the plot plan is as submitted. This was recently before the Planning Commission and the City Commission for a plot plan review. Originally the applicant requested C-1 but was amended to P-R. The applicant is now coming before this Board for the storage use. Neither accessory or open storage is permitted in a P-R district. Staff would recommend this request be denied. It could become unsightly when viewed from the Expressway.

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

ERNIE BECKER, JR. stated they would like to use the garage for inside covered storage for maintenance parts, etc. Also, appliances would be stored from time to time. These would be hidden by the block wall.

MR. SWESSEL stated this request had been turned down by the Planning Commission and he had noticed that construction had already started. What would happen is the request was not approved.

MRS. SEGRETTI asked why this use was being sought when it is not a permitted use.

MR. BECKER stated they needed a place to store these types of things.

CHAIRMAN EMMETT asked those persons present in protest to raise their hands. Approximately 15 persons were present in opposition.

VERLINE SHERDINI, 195 Upland, appeared in protest.

BARBARA BLUMER, Las Vegas Metropolitan Beautification Committee, appeared in protest.

LINDA SCHMIDT appeared in protest.

RENEE RAMPTON appeared in Protest.

MR. BECKER appeared in rebuttal.

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

MR. SWESSEL made a Motion for DENIAL of V-84-78 as the Board found that the requirements of the Zoning Ordinance to allow the granting of a variance were not met.

Voting was as follows:

"AYES" Mr. Swessel, Mrs. Meyers, Chairman Emmett and Mrs. Segretti  
"NOES" None

Motion for DENIAL carried unanimously.

10. V-85-78

APPROVED

Application of VIOLET M. LEWIS for a Variance to allow two existing dwelling units where only one dwelling unit is permitted on property located at 243 North Bruce Street in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 2, Block 3, Mayfair Tract No. 3 Amended.

MR. BROWN presented the staff report and stated the property is located in the middle of an R-3 district. The plot plan is as depicted. Staff has searched the file and could find no record of a building permit for these units which means they were built more than 25 years ago. Twenty-five years ago such a use was permitted on one lot. This would be in concert with the rules and regulations of the Zoning Ordinance and staff would recommend approval.

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

VIOLET LEWIS, 144 North 20th Street, stated she had purchased the property in 1966 under contract and received an FHA loan. She is now selling the property and was not aware that she had a problem.

MRS. SEGRETTI asked Mrs. Lewis if she had done any construction on the property.

MRS. LEWIS stated it is exactly as it was when she purchased it.

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

MRS. SEGRETTI made a Motion for APPROVAL of V-85-78, subject to the following conditions:

1. Dedicate a 5 ft. right-of-way on Bruce Street frontage as required by the Department of Public Services.
2. Construct sidewalk on Bruce Street frontage as required by the Department of Public Services.
3. Conformance to the plot plan.
4. Secure all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mrs. Segretti, Mr. Swessel, Mrs. Meyers and Chairman Emmett  
"NOES" None

Motion for APPROVAL carried unanimously.

11. -V-86-78

DENIED

Application of WILLIS AND MELBALINE BOLINE for a Variance to allow an air conditioning sales, storage, service and installation business which is not allowed in a residential zone on property located at 208 West Anderson Lane in Zoning District R-E (Residence Estates). The above property is legally described as the South 145.2 feet of the West 75 feet of Lot 1, Las Vegas Acres Tract #1.

MR. BROWN presented the staff report and stated the plot plan is as shown. The zoning ordinance is quite specific in an R-E district and does not permit this type of business and staff would recommend denial.

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

MELBALINE BOLIN stated this operation does not disturb anyone and across the street there is commercial. She reiterated this is not a problem for anyone.

MRS. SEGRETTI said the application did not mention a building.

MRS. BOLIN stated the notice did not indicate this. She added they are installers in mobile homes and they have only a telephone at the house. The building is being used for storage and a permit was taken out for that.

MR. BROWN stated the permit was not taken out for this purpose.

CHAIRMAN EMMETT asked if the building had been used for storage purposes.

MRS. BOLINE stated that it was.

MRS. SEGRETTI asked the applicant if she had a variance, permit or license.

MRS. BOLINE replied she did not.

MR. BROWN stated there is one letter of protest and two of approval on file.

WM. STAPLETON, Building & Safety, stated if this is approved, the building would have to be brought up to commercial code requirements.

VICTOR SMITH stated he lives directly behind the property in question and approved of the request.

PAUL NORTIGO, 200 Anderson Lane, appeared in approval.

ETHEL BUNKER appeared in approval.

DOROTHY BOYER, 208-A Anderson Lane, appeared in protest and stated she represented ten other protestants. She stated to allow this would set a precedent for commercial in the neighborhood.

MR. LANDRETH, 211 Valley, appeared in protest.

JOHN NORDERS, 213 Valley Lane, appeared in protest.

MRS. BOLIN appeared in rebuttal.

MR. BROWN stated that a variance goes with the land, not the applicant.

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

MRS. SEGRETTI made a Motion for DENIAL of V-86-78 as the Board found that the requirements of the Zoning Ordinance to allow the granting of a variance were not met.

Voting was as follows:

"AYES" Mrs. Segretti, Mr. Swessel, Mrs. Meyers and Chairman Emmett  
"NOES" None

Motion for DENIAL carried unanimously.

12. V-87-78

DENIED

Application of BRIAN D. MENZEL for a Variance to allow an attached garage and storage area to the side property line where six feet (6') is required on property located at 6233 Elton Avenue in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 11, Block 12, Charleston Heights 41-A.

MR. BROWN presented the staff report and stated that staff has ~~gested the garage~~ <sup>SUG-</sup> be moved forward 7' and the applicant would not have to be before the Board. There are no extenuating circumstances surrounding this request and staff would recommend the applicant comply with the code.

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

BRIAN MENZEL, 6233 Elton Avenue, stated he would like to keep the front of his house consistent and, therefore, he was seeking the variance. He added his neighbors do not object. The proposed addition is 17' x 26'.

MRS. SEGRETTI asked if the addition was constructed.

MR. MENZEL replied it was not.

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

MRS. SEGRETTI made a Motion for DENIAL of V-87-78 as the Board found that the requirements of the Zoning Ordinance to allow the granting of a variance were not met.

Voting was as follows:

"AYES" Mrs. Segretti, Mr. Swessel and Mrs. Meyers  
"NOES" Chairman Emmett

Motion for DENIAL carried by a 3/1 vote.

13. V-88-78

APPROVED

Application of DARRYL LEAVITT for a Variance to allow a private school for grades kindergarten through eight on property located at 700 East Charleston Boulevard in Zoning District P-R (Professional Offices & Parking). Private schools are not permitted in a P-R District. The above property is legally described as a portion of the North Half (N $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 3, Township 21 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the plot plan is as submitted. An application for C-1 was submitted to the Planning Commission for this use and the Planning Commission recommended denial to the City Commission. The City Commission held the issue in abeyance and now the applicant is coming in to ask for a variance to permit this use for two years. If this is granted, staff would recommend that no playground use be permitted to the south of the building.

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

DARRYL LEAVITT stated this move was suggested by the City Commission instead of rezoning the property and therefore, there would be some control of the use of the property.

MRS. SEGRETTI asked if a playground was planned.

MR. LEAVITT stated yes, in the front of the building. Also a fence would be put up against Charleston and they anticipated approximately 60 students.

MRS. SEGRETTI asked what the size of the existing structure is.

MR. LEAVITT replied it contains 5600 sq. ft.

MRS. MEYERS asked if the students would be brought to school in private buses.

MR. LEAVITT replied that was true.

JUDITH McDONALD, representing APPLE, described the proposed school, study technology and techniques. She added the school would be privately funded by parents of the students. She added the school has been approved by the State, contingent upon the variance approval.

WM. STAPLETON, Building & Safety, stated the existing structure would have to be brought up to code if this use is approved.

MS. McDONALD stated everything would be completed before the school opened.

NORMAN MATTHEWS appeared in protest.

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

MR. SWESSEL made a Motion for APPROVAL of V-88-78, subject to a two year time limit and the following conditions:

1. Fire hydrant to be installed within 300 ft. of the building or existing hydrant as required by the Department of Fire Services.
2. Two sets of as-builts to be provided as required by the Department of Fire Services.
3. No student activity shall be allowed in the south 102 ft. of the property and the playground shall be located as required by the Department of Community Planning and Development.
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 revised plot plan.
8. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mr. Swessel, Mrs. Meyers, Chairman Emmett and Mrs. Segretti  
"NOES" None

Motion for APPROVAL carried unanimously.

RECESS:

CHAIRMAN EMMETT declared a 10-minutes recess at 8:55 P.M. and reconvened the meeting at 9:05 P.M.

14. V-89-78

DENIED

Application of JAMES E. BARRON for a Variance to allow the construction of a six foot (6') high block and wrought iron fence in the front yard where a maximum of four feet (5') top two feet (2') fifty percent (50%) open is allowed on property located at 4116 San Bernardino Avenue in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 24, Block 12, Las Verdes Heights 6, Unit #1.

MR. BROWN presented the staff report and stated the plot plan is as depicted. In an R-1 district, the top 2', 50% open is required. There is nothing unique or unusual about this lot and staff would recommend the ordinance requirements be upheld.

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

JAMES BARRON, 4116 San Bernardino, stated he wanted the fence for security purposes. He added there is a couple of fences on 6th Street similar to the one proposed. He stated there had been an accident and his fence had been knocked down. Also, there is a wall coming down to the sidewalk.

MRS. SEGRETTI inquired as to the reason for the requested fence.

MR. BARRON reiterated security reasons. He described the proposed fence to the Board.

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

MRS. SEGRETTI made a Motion for DENIAL of V-89-78 as the Board found that the requirements of the Zoning Ordinance to allow the granting of a variance were not met.

Voting was as follows:

"AYES" Mrs. Segretti, Mr. Swessel and Chairman Emmett  
"NOES" Mrs. Meyers

Motion for DENIAL carried by a 3/1 vote.

15. V-90-78

APPROVED

Application of A.A. MARNELL for a Variance to allow an apartment for security of a mini storage warehouse facility use on property located at 3400 Meade Avenue in Zoning District "M" (Industrial). The above property is legally described as a portion of the North Half (N $\frac{1}{2}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 8, Township 21 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the property in question is located in the middle of an industrial district. The plot plan is as shown. The policy in the past has been to grant requests like this. Staff would recommend approval subject to the use being for a caretaker only.

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

TONY MARNELL represented the application and stated one of the reasons for the request is for security from 7:00 P.M. to 7:00 A.M. to prevent vandalism happening.

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

MR. SWESSEL made a Motion for APPROVAL of V-90-78, subject to the following conditions:

1. The apartment shall be used for the caretaker only.
2. Conformance to the plot plan.
3. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mr. Swessel, Mrs. Meyers, Chairman Emmett and Mrs. Segretti  
"NOES" None

Motion for APPROVAL carried unanimously.

16. V-91-78  
APPROVED

Application of B.R. SCOTT, ET AL for a Variance to approve the converting of an office to an apartment for security of a mini storage warehouse operation on property located at 2001 West Bonanza Road in Zoning District C-2 (General Commercial) and C-M (Commercial Industrial). The above property is legally described as a portion of the North Half (N $\frac{1}{2}$ ) of the South Half (S $\frac{1}{2}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 28, Township 20 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the plot plan is as submitted. Staff recommendation is the same as the previously heard case.

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

TONY MARNELL represented the application.

PAUL HOLDER, 10 Onyx Way, appeared in protest, and cited factors of protest which were determined to be unrelated to the request.

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

MRS. MEYERS made a Motion for APPROVAL of V-91-78, subject to the following conditions:

1. The apartment shall be used for the caretaker only.
2. Conformance to the plot plan.
3. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mrs. Meyers, Chairmen Emmett, Mrs. Segretti and Mr. Swessel  
"NOES" None

Motion for APPROVAL carried unanimously.

17. V-92-78  
APPROVED

Application of BERNHARD G. DOMMERMUTH for a Variance to allow an existing carport two feet (2') from the side property line where five feet (5') is required on property located at 1119 South 6th Street in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 7, Block 3, Vegas Verde Addition.

MR. BROWN presented the staff report and stated the plot plan is as shown. Staff checked with the Building Department and no permit has every been issued. They did take out a building permit in 1975 for kitchen remodeling and a bath.

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

BERNHARD DOMMERMUTH stated this is an existing carport. He added the company that started this project went bankrupt and a new company came in. The inspectors came out and told him the carport was too close to the property line.

MRS. SEGRETTI asked the applicant if he had a permit.

MR. DOMMERMUTH replied that he did.

MR. BROWN stated he did not have a permit for a carport.

MRS. SEGRETTI asked if the carport was already built.

MR. BROWN replied yes and that it was the contractor who did it, not the applicant.

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

MRS. SEGRETTI made a Motion for APPROVAL ov V-92-78, subject to the following conditions:

1. Remove and replace all damaged portions of the sidewalk as required by the Department of Public Services.
2. Conformance to the plot plan.

3. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mrs. Segretti, Mr. Swessel, Chairman Emmett and Mrs. Meyers  
"NOES" None

Motion for APPROVAL carried unanimously.

18. V-93-78  
APPROVED

Application of ARVID L. AND LOIS LYNN BESSENT for a Variance to allow a rear yard setback of 42 feet 10 inches where 50 feet is required on property generally located on the west side of North Torrey Pines Drive, 150 feet south of El Campo Grande in Zoning District R-E (Residence Estates). The above property is legally described as the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 26, Township 19 South, Range 60 East, MDB&M.

MR. BROWN presented the staff report and stated the lot is as sketched. It is simply a matter of too much house on too small of a lot.

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

CHUCK OWEN, 3902 Hartford Place, stated he is buying the property in question and needs the variance to build his home. He added he was not aware of the setback requirements when he submitted his plans. He added he does not have a building permit, but does have a septic tank permit and has paid for the property and will pay the remainder when the variance is received.

MRS. SEGRETTI asked what the setbacks would be on the other property lines.

MR. BROWN replied they meet Code requirements. He added there are no letters of approval or protest on record.

MR. OWEN said he had talked to the neighbors and they did not object.

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

MRS. MEYERS made a Motion for APPROVAL of V-93-78, subject to the following conditions:

1. Sign an Assessment District Agreement for future street improvements on Torrey Pines Drive as required by the Department of Public Services.
2. Conformance to the plot plan.

3. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mrs. Meyers, Chairman Emmett and Mrs. Segretti  
"NOES" Mr. Swessel

Motion for APPROVAL carried by a 3/1 vote.

19. V-94-78

APPROVED

Application of ROMAN CATHOLIC CHURCH, ON BEHALF OF THE GOOD SHERHERD for a Variance to allow the use of a mobile home as a residence for a caretaker where such a use is not allowed on property located at 7000 North Jones Boulevard in Zoning District R-E (Residence Estates). The above property is legally described as a portion of the North Half (N $\frac{1}{2}$ ) of the South Half (S $\frac{1}{2}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section 24, Township 19 South, Range 60 East, MDB&M.

MR. BROWN presented the staff report and stated the plot plan is as depicted of a large area. He added this is not much different from the previously approved watchman apartments and staff does not feel the ordinance would be thwarted in any way and recommend approval.

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

FRANK WEINS, caretaker of the facility, represented the application.

WM. STAPLETON, Building & Safety, stated his division was concerned with the number of trailers permitted on this property.

MR. WEINS stated there are two trailers on the property, one of which is sold and the other used as a Sherherds Hall for overnight guests. He added a variance has been approved for these two trailers.

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

MRS. SEGRETTI made a Motion for APPROVAL of V-94-78, subject to the following conditions:

1. Conformance to the plot plan.
2. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mrs. Segretti, Mr. Swessel, Mrs. Meyers and Chairman Emmett  
"NOES" None

Motion for APPROVAL carried unanimously.

20. V-95-78

DENIED

Application of FRANKLIN R. PIPER for a Variance to provide ten (10) parking spaces where twenty-nine (29) parking spaces are required for a proposed 29 unit apartment building on property located at 922 South Third Street in Zoning District C-2 (General Commercial) (Resolution of Intent from R-4). The above property is legally described as Lots 23 and 24, Block 13, South Addition.

MR. BROWN presented the staff report and stated the plot plan is as shown. The plot plan review was considered by the Planning Commission at its last meeting. The 29 units are permitted. The Planning Commission held that request in abeyance pending BZA action as to whether or not 2/3's of the required parking spaces would not be permitted. Staff feels the applicant should put in 29 parking spaces and would recommend denial. There are six letters of protest on file.

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

FRANK PIPER represented the application.

MR. SWESSEL asked why the 19 parking spaces should be eliminated.

MR. PIPER stated that a precedent has been set and he does not need the 29 spaces. He added the property is downtown and it is a transient area and the people who rented would not have cars.

MR. SWESSEL stated that parking is at a premium downtown.

ROBERT FREEMAN, 823 South Third Street, appeared in protest.

BARBARA BLUMER, Las Vegas Metropolitan Beautification Committee, appeared in protest.

BILL PURSEL, 925 South Third Street, appeared in protest.

LARRY BAILEY, associate of the applicant, appeared in approval of the application.

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

MR. SWESSEL made a Motion for DENIAL of V-95-78 as the Board found that the requirements of the Zoning Ordinance to allow the granting of a variance were not met.

Voting was as follows:

"AYES" Mr. Swessel, Mrs. Meyers, Chairman Emmett & Mrs. Segretti  
"NOES" None

Motion for DENIAL carried unanimously.

21. V-96-78  
ABEYANCE

Application of GUS RAMADANIS for a Variance to allow eight (8) dwelling units where seven (7) are permitted on property located on the west side of North 15th Street, 150 feet north of Polar Avenue in Zoning District R-3 (Limited Multiple Residence). The above property is legally described as Lots 16 and 17, Block 13, 14th Street City Addition.

MR. BROWN presented the staff report and stated the plot plan is as depicted. The reason this request is before the BZA is the land area is approximately 700 sq. ft. deficient. It is so close, staff feels this is a reasonable request and would recommend approval.

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

The applicant or a representative was not present.

MR. SWESSEL made a Motion for ABEYANCE of V-96-78 because no representative was present.

Voting was as follows:

"AYES" Mr. Swessel, Mrs. Meyers, Chairman Emmett and Mrs. Segretti  
"NOES" None

Motion for ABEYANCE carried unanimously.

22. V-97-78  
APPROVED

Application of G. HONEYMAN for a Variance to allow a transmission repair shop in conjunction with an existing automobile service station (transmission repair shops are not permitted in the C-1 Zone) on property located at 400 West Owens Avenue in Zoning District C-1 (Limited Commercial). The above property is legally described as a portion of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 22, Township 20 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the plot plan is as shown. Staff feels that to introduce this kind of use in this zone would not be compatible and would recommend denial.

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

C.L. MURRAY stated this was formerly a Gulf Service Station and that he is now in the process of purchasing the property and putting a self-service station on the front and want the transmission shop in the back. He added he had talked to the neighbors and they thought this was a good idea. The property will be fenced and the building painted.

MRS. SEGRETTI asked what type of zone permitted this use.

MR. BROWN replied C-M.

MRS. SEGRETTI asked the applicant if he had sought a zone

change rather than a variance.

MR. MURRAY replied that is what he is attempting to get now.

DRISCILLA GIBBONS who lives directly behind the property in question stated she had no objections to this use.

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

MR. SWESSEL made a Motion for APPROVAL of V-97-78, subject to the following conditions:

1. Dedication of a 15 ft. radius corner on Owens Avenue and "D" Street as required by the Department of Public Services.
2. Construction of concrete sidewalk on Owens Avenue and "D" Street frontages 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 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.
7. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mr. Swessel, Mrs. Meyers, Chairman Emmett and Mrs. Segretti  
"NOES" None

Motion for APPROVAL carried unanimously.

23. U-79-78

APPROVED

Application of J.K. STANSBERRY, LA MESA R.V. CENTER, for a Use Permit to operate an automotive parts exchange on property located at 2029 West Bonanza Road in Zoning District C-2 (General Commercial) and C-M (Commercial Industrial). The above property is legally described as a portion of the North Half (N $\frac{1}{2}$ ) of the South Half (S $\frac{1}{2}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 28, Township 20 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the plot plan is as depicted. It is compatible with the use and staff would recommend approval subject to restricting the parts exchange to recreational vehicles.

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

EDDIE CHANDLER, LaMesa R.V., stated they would comply with staff recommendations.

PAUL HOLDER, 10 Onyx Way, appeared in protest.

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

MRS. SEGRETTI made a Motion for APPROVAL of U-79-78, subject to the following conditions:

1. Access and parking in the front area along the Bonanza Road frontage must conform to City of Las Vegas standards as required by the Department of Public Services.
2. The parts exchange shall be limited to recreational vehicles in connection with the existing R.V. operation on the property.
3. Conformance to the plot plan.
4. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mrs. Segretti, Mr. Swessel, Mrs. Meyers and Chairman Emmett  
"NOES" None

Motion for APPROVAL carried unanimously.

24. U-80-78  
DENIED

Application of PATRICIA TRUEHL for a Use Permit to operate a group child care center for a maximum of twelve (12) children on property located at 218 Vallejo Street in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 10, Block 5, Sandhill Estates Unit 2-B.

MR. BROWN presented the staff report and stated the plot plan is as shown. If the neighbors do not object, neither does staff. There are no protests on record.

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

RICHARD TRUEHL, 218 Vallejo Street, represented the application.

MRS. SWESSEL asked Mr. Truehl if he had been before the BZA previously.

MR. TRUEL replied he had not, that previously they had had five children and now wanted 12 and a permit was necessary.

WM. STAPLETON, Building & Safety, reported the Code requirements necessary if this permit was approved.

TOM ROBERTS appeared in protest and stated the applicant had had up to 20 children previously and this operation was conducted on a 24-hour basis and was an aggravation to the neighborhood.

STANLEY BECKER, 3994 Sabrara, appeared in protest.

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

MR. SWESSEL made a Motion for DENIAL of U-80-78 as it was felt the proposed use would not be compatible with the neighborhood.

Voting was as follows:

"AYES" Mr. Swessel, Mrs. Meyers, Chairman Emmett and Mrs. Segretti  
"NOES" None

Motion for DENIAL carried unanimously.

25. U-89-78  
APPROVED

Application of FRANK AND SANDRA L. PREZGAY for a Use Permit to operate a group child care facility for a maximum of 12 children on property located at 6524 Casada Way in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 24, Block 21, Charleston Heights Tract #27-C.

MR. BROWN presented the staff report and stated the plot plan is as depicted. If the neighbors do not object to this request, staff does not either. There are two protests on record.

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

SANDRA PREZGAY, 6524 Casada Way, stated she would meet the City requirements and there would be no children allowed in the front yard area and the children would be supervised. She added she had talked to the neighbors directly behind and on each side of her property and they did not object.

CHAIRMAN EMMETT asked if this would be a 24-hour operation.

MRS. PREZGAY stated she would try to keep it on a daily basis.

WM. STAPLETON, Building & Safety, reported the Code requirements to be met if the application was approved.

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

MRS. MEYERS made a Motion for APPROVAL of U-89-78, subject to the following conditions:

1. Onsite parking may be developed to provide three (3) spaces maximum as required by the Department of Public Services.
2. Conformance to the plot plan.
3. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mrs. Meyers, Chairman Emmett, Mrs. Segretti and Mr. Swessel  
"NOES" None

Motion for APPROVAL carried unanimously.

26. U-90-78

DENIED

Application of CHARLESTON HEIGHTS SHOPPING CENTER, INC. on behalf of SCOTT C. KELLER for a Use Permit to allow an open sales lot for retail sales of ski equipment on property generally located at 748 South Decatur Boulevard on the west side of Decatur Boulevard between Alta Drive and Evergreen in Zoning District C-2 (General Commercial). The above property is legally described as a portion of the North Half (N $\frac{1}{2}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 36, Township 20 South, Range 60 East, MDB&M.

MR. BROWN presented the staff report and stated the plot plan is as depicted. Staff feels even though this is permitted with a Use Permit, as the operation has been described with skis being sold from a truck, this would not be in keeping with the character of the shopping center and would recommend denial.

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

ERNIE BECKER, JR. stated that Mr. Keller has been doing this operation for the past 6 years. The City recently passed an ordinance and now a use permit is required. He added there had never been any problems to his knowledge with regard to this operation.

MRS. SEGRETTI asked if Mr. Keller secured a license.

MR. BECKER stated he had always obtained a license from the City.

MRS. SEGRETTI asked why the ordinance had been passed.

MR. BROWN stated to control transient sales from trucks.

MR. FOSTER stated it is necessary to control and regulate this type of operation.

CHAIRMAN EMMETT asked if there was any recourse on the equipment sold.

MR. BECKER stated he did not know but there had not been any complaints from previous operations.

MR. SWESSEL stated he would have to object as there are numerous ski shops in the area.

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

MR. SWESSEL made a Motion for DENIAL of U-90-78 as the Board felt the proposed use was contrary to the intent of transient sales operations.

Voting was as follows:

"AYES" Mr. Swessel, Mrs. Meyers, Chairman Emmett and Mrs. Segretti  
"NOES" None

Motion for DENIAL carried unanimously.

27. U-91-78  
APPROVED

Application of FIRST NATIONAL BANK OF NEVADA for a Use Permit to operate a car rental branch office on property generally located on the southeast corner of 9th Street and Stewart Avenue in Zoning District C-2 (General Commercial). The above property is legally described as Lots 1 and 2, Block 19, Bucks Subdivision.

MR. BROWN presented the staff report and stated the lot is as noted. Staff would recommend approval for the use with the stipulation a block wall be constructed along the south property lines and landscaping as required by the Department of Community Planning and Development.

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

TOM POLIS, LTR, stated they were leasing this property and that they agreed to staff stipulations.

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

MR. SWESSEL made a Motion for APPROVAL of U-91-78, subject to the following conditions:

1. Dedication of a 15 ft. radius corner on 9th Street and Stewart Avenue as required by the Department of Public Services.
2. Install a 6 ft. block wall on the south property lines.

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 revised plot plan.
7. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mr. Swessel, Mrs. Meyers, Chairman Emmett and Mrs. Segretti  
"NOES" None

Motion for APPROVAL carried unanimously.

28. U-92-78(HO)

DENIED

Application of ROGER P. AND CLAUDETTE NOYES for a Home Occupation Permit to allow an electrology business (permanent hair removal) on property located at 5128 Forest Hills Lane in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 17, Block 22, Golf Ridge Terrace #7-D.

MR. BROWN presented the staff report and stated the property in question is located in the middle of a R-1 district. The plot plan is as shown. Staff feels that such a use in a R-1 district is incompatible and would recommend denial.

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

ROGER NOYES, 5128 Forest Hills Lane, stated this use would not be detrimental to the neighborhood and there would be very little traffic. He stated his wife needed to work at home because of illness as she cannot drive across town. He added that his wife is currently licensed with the City of Las Vegas.

MRS. SEGRETTI asked if it would not be possible to have an office some other place.

MR. NOYES stated that was possible but because of his wife's illness, they did not prefer to do so.

MR. BROWN stated there were two letters of approval on record.

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

MR. SWESSEL made a Motion for DENIAL of U-92-78(HO) because the requested use does not qualify as a home occupation.

Voting was as follows:

"AYES" Mr. Swessel, Mrs. Meyers, Chairman Emmett and Mrs. Segretti  
"NOES" None

Motion for DENIAL carried unanimously.

29. U-93-78  
APPROVED

Application of B., L. AND G, A PARTNERSHIP for a Use Permit to allow a parking lot on property located on the northwest corner of Bridger Avenue and 9th Street in Zoning District R-4 (Apartment Residence). The above property is legally described as Lots 31 and 32, Block 5, Pioneer Heights Addition.

MR. BROWN presented the staff report and stated the property is located in the middle of a R-4 district. Everything is in order and the layout is as noted with 18 parking spaces. The request is acceptable and staff would recommend approval.

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

JEFFREY GREEN represented the application and stated the plans call for a 3' block wall on 9th and Bridger Street. There is some discussion as to putting in a cyclone fence in lieu of a block wall.

MR. FOSTER stated the type of fence was immaterial unless the Board stipulated one type or the other.

MR. GREEN said they would like to hold off on landscaping until the lot behind the property in question is developed.

MR. BROWN stated the landscaping would go in with the paving.

MR. GREEN stated they would comply with whatever the Board ordered.

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

MR. SWESSEL made a Motion for APPROVAL of U-93-78; subject to the following conditions:

1. Concrete sidewalks to be constructed on Bridger and 9th Street frontages as required by the Department of Public Services.
2. Parking lot bumper blocks, area lighting and proper paving to be provided 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 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. Conformance to the revised plot plan.
6. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mr. Swessel, Mrs. Meyers, Chairman Emmett and Mrs. Segretti  
 "NOES" None

Motion for APPROVAL carried unanimously.

30. U-94-78  
 APPROVED

Application of LAS VEGAS HOUSING AUTHORITY for a Use Permit to allow a temporary child care center for the Nevada Association of Latin Americans (until a permanent facility is completed) on property located at 500 North 11th Street in Zoning District R-2 (Two Family Residence). 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. BROWN presented the staff report and stated the layout of the complex is as presented. Staff would recommend approval subject to upgrading the structure as required by Public Services. If this request is permitted, the use would only be granted until a permanent facility, now under construction, is complete.

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

BUD WEEKS, Las Vegas Housing Authority, represented the application and stated the new facility should be completed by July 17, 1979.

MR. BROWN stated there was one letter of protest on record.

WM. STAPLETON, Building and Safety, stated the facility would have to comply with the Uniform Building Code.

IETA BRADSEN, NALA, spoke in favor of the application.

MR. SWESSEL stated if the Board approved this request without requiring the building to be brought up to Code, there could be possible legal ramifications.

MR. BROWN stated that the requirement of upgrading according to Public Service requirements would solve the problem.

MR. SWESSEL asked if the inspectors would follow-up on this.

MR. BROWN replied that they would.

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

MRS. SEGRETTI made a Motion for APPROVAL of U-94-78, subject to the following conditions:

1. Upgrade structures as required by the Department of Public Services.
2. The temporary center may be used until the permanent facility, now under construction, is completed.
3. Conformance to the plot plan.
4. Securing of all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Mrs. Segretti, Mr. Swessel, Mrs. Meyers and Chairman Emmett  
"NOES" None

Motion for APPROVAL carried unanimously.

31. V-106-77

EXTENSION  
OF TIME

APPROVED

Request of JOHN F. O'REILLY, ESQ. for a six (6) month Extension of Time on an approved Variance which allowed the construction of a single family residence on a 37,000 sq. ft. lot where 40,000 sq. ft. is required on property generally located on the south side of Pinto Lane 200 ft. east of Campbell Drive in Zoning District R-A. A six (6) month extension of time was granted on May 25, 1978 and will expire on November 25, 1978.

MR. BROWN presented the staff report and stated if the applicant has a reasonable reason, staff would recommend approval.

JOHN O'REILLY stated the extension was needed as they did not yet have the final set of plans for the house. He added the lot is enclosed with a block wall and they hope to have the house completed within the six months.

MR. SWESSEL made a motion for APPROVAL of the Extension of Time under V-106-77, subject to the following conditions:

1. Conformance to the conditions originally imposed at the time of approval of V-106-77.

2. Extension of time on the approved Variance to be restricted to a six (6) month time limit and will expire on June 30, 1979.

Voting was as follows:

"AYES" Mr. Swessel, Mrs. Meyers, Chairman Emmett and Mrs. Segretti  
"NOES" None

Motion for APPROVAL carried unanimously.

32. U-9-64

PLOT PLAN  
REVIEW

APPROVED

Request of CLARK COUNTY for a Plot Plan Review to allow temporary portable offices in connection with the Social Services Building on property located at 625 Shadow Lane in Zoning District R-1.

MR. BROWN presented the staff report and stated the plot plan is as depicted. Staff would recommend approval.

MR. SWESSEL made a Motion for APPROVAL of the Plot Plan Review under U-9-64, subject to the following condition:

1. Conformance to the conditions originally imposed at the time of approval of U-9-64.

Voting was as follows:

"AYES" Mr. Swessel, Mrs. Meyers, Chairman Emmett and Mrs. Segretti  
"NOES" None

Motion for APPROVAL carried unanimously.

ADJOURNMENT:

There being no further business to come before the Board of Zoning Adjustment, the meeting was adjourned at 10:48 P.M.

DEPARTMENT OF COMMUNITY PLANNING  
& DEVELOPMENT



HAROLD P. FOSTER, Acting Director

/lm