

S.V.

A G E N D A

BOARD OF ZONING ADJUSTMENT

JANUARY 9, 1979

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, Swessel and Myers
EXCUSED: Duncan & Segretti

PLEDGE OF ALLEGIANCE:

ANNOUNCEMENT: Satisfaction of Open Meeting Law

MINUTES: Approval of the Minutes for the Board of Zoning
Adjustment meeting held November 30, 1978.

OLD BUSINESS:

1. V-96-78 Application of GUS RAMADANIS for a Variance to
allow eight (8) dwelling units where seven (7)
(Abeyance Item from 11/30/78) are permitted on property located on the west side
of N. 15th Street, 150 feet north of Poplar Avenue
in Zoning District R-3.
APPROVED

NEW BUSINESS:

1. V-98-78 Application of SECOND TIME INCORPORATED for a
Variance to allow a Class III Second-Hand dealership
APPROVED (used clothing sales) on property located at 2416
Ogden Avenue in Zoning District R-2, under
Resolution of Intent to P-R.
2. V-99-78 Application of ANTHONY AND VIRGINIA AUDIA for a
Variance to allow an existing carport and storage
APPROVED room to the side property line where a five foot
(5') setback is required on property located at
2301 Santa Paula Drive in Zoning District R-1.
3. V-100-78 Application of RICHARD B. AND CHARLENE B. TAYLOR
for a Variance to allow a four foot (4') high
DENIED concrete block wall along the north half of the
rear property line where six feet (6') is required
and to allow a 24-hour business operation where
no business shall be conducted after 9:00 P.M.
on property located at 1916 Maryland Parkway South
in Zoning District R-1.
4. V-101-78 Application of LEONARD W. CARPI for a Variance
to allow an eight foot (8') high sign where a
DENIED maximum of five feet (5') is allowed on property
located at 523 E. Oakey Boulevard in Zoning District
P-R.
5. V-102-78 Application of DAVID BUCCIARI for a Variance to
allow an 8 ft. 3 inch rear yard setback where 15
APPROVED feet is required on property located at 1141 Darmak
Drive in Zoning District R-1.
6. V-103-78 Application of RUTH CRAGUN for a Variance to allow
a public garage (major automotive repair facility)
APPROVED which is not permitted, on property located at
1524½ E. Fremont Street in Zoning District C-2.
7. V-104-78 Application of JACK D. SOLOMON, ON BEHALF OF FEDERAL
LAND AND DEVELOPMENT CORPORATION for a Variance
APPROVED to allow an existing covered swimming pool 31 feet
from the rear property line and a two-story guest
room 44 feet 4 inches from the rear property line
where 50 feet is required (applicant is proposing
a second-story addition on the remainder of his
residence within the buildable area) on property
located at 220 Campbell Drive in Zoning District R-E.

8. V-105-78
APPROVED
Application of SIDNEY SALT for a Variance to allow an addition to a single family dwelling located 23 feet from the rear property line where 50 feet is required on property located at 2223 Edgewood Avenue in Zoning District R-E.
9. V-106-78
APPROVED
Application of FRANK AND JOYCE MODICA for a Variance to allow a three-car garage and laundry room addition 31 feet from the rear property line where 50 feet is required on property located at 3101 Sonia Drive in Zoning District R-E.
10. V-107-78
APPROVED
Application of VERNON AND KATHRYN LUECK for a Variance to allow four dwelling units on a 6,500 square foot lot where only three are permitted on property generally located on the west side of 15th Street, 50 feet south of Mesquite Avenue in Zoning District R-3.
11. V-108-78
APPROVED
Application of ROBERT M. AND BARBARA J. METTEN for a Variance to allow an 18,027 square foot lot where 20,000 square feet is required; a 30 foot front yard setback where 50 feet is required and a 20 foot rear yard setback where 50 feet is required on property located at 11 Crescent Drive in Zoning District R-E.
12. V-109-78
APPROVED
Application of the LAS VEGAS CITY EMPLOYEES FEDERAL CREDIT UNION for a Variance to allow general business offices where only professional offices are permitted on property located at 1909 Weldon Place in Zoning District R-4.
13. V-110-78
WITHDRAWN
BY APPLICANT
Application of LLL CORPORATION for a Variance to allow an existing wall sign 436 square feet in size, 12 feet in height and a proposed wall sign 48 square feet in size and 12 feet in height where only one sign 15 square feet in size and 6 feet in height is permitted on property located at 829 S. 6th Street in Zoning District P-R.
14. V-111-78
APPROVED
Application of G. L. BAUGHMAN for a Variance to allow an existing carport five feet (5') from the front property line where twenty feet (20') is required on property located at 18 Zircon Circle in Zoning District R-1.
15. V-112-78
APPROVED
Application of ANDREW THOMPCKINS (LADY LUCK CASINO) for a Variance to allow a proposed illuminated sign over the public right-of-way that will project to within one foot (1') from the curb where a three foot (3') setback is required on property located at 206 N. 3rd Street in Zoning District C-2.
16. U-99-78
APPROVED
Application of CALVARY BAPTIST CHURCH for a Use Permit to allow a church on property located at 317 W. Madison Avenue in Zoning District R-4.
17. U-102-78
WITHDRAWN
BY APPLICANT
Application of IRWIN I. AND ELEANOR S. BELL for a Use Permit to allow a quasi-public use (social rehabilitation facility) on property located at 111 Boston Avenue in Zoning District R-4.
18. U-100-78(HO)
APPROVED
Application of ROBERT HAYDEN at 1712 Leslie Avenue in Zoning District R-1 for a Home Occupation Permit - Allow a telephone and mailing service for Hayden Construction.
19. U-101-78(HO)
APPROVED
Application of BRENDA J. IAVECCHIA at 241 Bahama Road in Zoning District R-1 for a Home Occupation Permit - Allow a vin-1 repair business.

20. U-103-78(HO)
APPROVED
Application of HEIN DOUWENHOVEN VAN NEUREN at 7725 Macaw Lane in Zoning District R-1 for a Home Occupation Permit - Allow freelance writing.
21. U-104-78(HO)
APPROVED
Application of DON SPANGLER at 873 Bethesda Circle in Zoning District R-1 for a Home Occupation Permit - Allow the off-premise sale of photographs by Christine Fancher.
22. V-40-78
EXTENSION OF
TIME
APPROVED
Request of PHILLIP P. WILENSKY for a six (6) month Extension of Time on an approved Variance which allowed outside vehicle and materials storage on property generally located on the southwest corner of California Street and Casino Center Boulevard in Zoning District C-1.

DIRECTOR'S BUSINESS:

ELECTION OF OFFICERS 1979 Election of Officers for the Board of Zoning Adjustment.

SWESSEL - Chairman for 1979
MYERS - Vice Chair for 1979

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

BOARD OF ZONING ADJUSTMENT

JANUARY 9, 1979

1. V-104-77
EXTENSION OF
TIME
APPROVED
Request of BILLY J. SLOAT for a six (6) month Extension of Time on an approved Variance which allowed four-plex dwelling units where four-plexes are not permitted and to allow sixty-five (65) units where fifty-one (51) units are now permitted on property generally located on the east side of Dike Lane between Bonanza Road and Warren Drive in Zoning District R-2.
2. V-51-78
EXTENSION OF
TIME
APPROVED
Request of JOHN LONETTI for a six (6) month Extension of Time on an approved Variance which allowed an addition to an existing residence eleven feet (11') from the side property line where fifteen feet (15') is required on property located at 1244 Park Circle in Zoning District R-1.
3. U-106-78(HO)
APPROVED
Application of DOREEN S. FOX at 5409 Gipsy Avenue in Zoning District R-1 for a Home Occupation Permit - Allow an off-premise musical production service.
4. U-1-79(HO)
APPROVED
Application of DAVE LOEVNER at 100 E Panorama Drive in Zoning District R-4 for a Home Occupation Permit - Allow a mail order business.
5. U-2-79(HO)
APPROVED
Application of ROBERT K. AND DARLENE CROSSBANS at 4701 Greencreek Drive in Zoning District R-1 for a Home Occupation Permit - Allow the making of handcrafted items in the home for off-premise sale.
6. U-3-79(HO)
APPROVED
Application of JACQUELYN MORRISSEY at 56 Sherrill Circle in Zoning District R-1 for a Home Occupation Permit - Allow the keeping of records for a cleaning crew.
7. U-4-79(HO)
APPROVED
Application of RAYMOND E. AND JANET CAMPBELL at 3704 W. El Camino Avenue in Zoning District R-1 for a Home Occupation Permit - Make doll lamps for off-premise sale.
8. U-5-79(HO)
APPROVED
Application of CECIL STOWERS at 613 Cragin Park Drive in Zoning District R-1 for a Home Occupation Permit - Operate a janitorial service.

MINUTES

BOARD OF ZONING ADJUSTMENT

JANUARY 9, 1979

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. Meyers and Mr. Swessel

EXCUSED: Mrs. Segretti and Mr. Duncan

STAFF PRESENT: Harold P. Foster, Acting Director, Department
of Community Planning and Development
Don W. Brown, Supervisor of Zoning
Richard Sweet, Planner
Linda A. McIntosh, Recording Secretary,
Dept. of Personnel & Employee Relations

PLEDGE OF ALLEGIANCE:

ANNOUNCEMENT: MR. BROWN stated that the regular agenda for this 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: MR. SWESSEL made a Motion for APPROVAL of the minutes of the Board of Adjustment meeting held November 30, 1978. Motion for APPROVAL carried unanimously.

OLD BUSINESS:

1. V-96-78 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 Poplar Avenue in Zoning District R-3.
(Abeyance Item from 11/30/78)

APPROVED MR. BROWN presented the staff report and stated the plot plan is as depicted. This request was held in abeyance at the last meeting because the applicant could not be present.

GUS RAMADANIS stated he has the spaces for the proposed four-plexes, and that others in the area have done the same thing.

MR. SWESSEL asked for staff recommendation.

MR. BROWN stated that in this area variances have been granted in the past and that there are similar requests on the agenda of this meeting and staff will be recommending approval.

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-96-78, subject to the following conditions:

1. Construct a sidewalk on the 15th Street frontage at the time of development 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 Mr. Swessel
"NOES" None

Motion for APPROVAL carried unanimously.

NEW BUSINESS:

1. V-98-78

APPROVED

Application of SECOND TIME INCORPORATED for a Variance to allow a Class III Second-hand Dealership (used clothing sales) on property located at 2416 Ogden Avenue in Zoning District R-2 (Two-Family Residence) under Resolution of Intent to P-R (Professional Offices & Parking). The above property is legally described as Lot 10, Block 1, Moss Tract #3.

MR. BROWN presented the staff report and stated the request is located generally in an R-1 District. Across the street is C-1. An application was submitted to the Planning Commission for rezoning. That Commission did not feel that the zoning should be extended into this area and suggested the applicant apply for a variance. The plot plan is as depicted. There is adequate parking, totaling 3 spaces. If this is approved, staff feels it would be better than rezoning.

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

TRUDY TURSKI represented the applicant and stated that the Planning Commission suggested a variance be sought in lieu of the rezoning.

MR. SWESSEL asked if the driveways would be on Ogden.

MR. BROWN stated that should the variance be approved, the ingress and egress should only be permitted on Eastern. He added there are two letters of protest on file.

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-98-78, subject to the following conditions:

1. All ingress/egress shall be from Eastern Avenue only.
2. 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 system shall be cause for revocation of a business license.
3. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. Conformance to the 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, Chairman Emmett and Mrs. Meyers
 "NOES" None

Motion for APPROVAL carried unanimously.

2. V-99-78

APPROVED

Application of ANTHONY AND VIRGINIA AUDIA for a Variance to allow an existing carport and storage room to the side property line where a five foot (5') setback is required on property located at 2301 Santa Paula Drive in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 9, Paradise Village Tract #3.

MR. BROWN presented the staff report and stated the plot plan is as depicted. Inasmuch as the carport does go to the lot line, the structure is in violation and the applicant is asking for relief. The house next door has the same location and Building & Safety is in the process of checking it out and informing the owners that it is illegal.

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

ANTHONY AUDIO stated the house is constructed horizontally across the lot and the way it was constructed did not allow a carport. This house was built 26 years ago and he assumed permission for the carport was granted at that time. He added he would like to get the problem cleared up, and that he did not know this was illegal until the close of escrow. To tear down the structure would be a hardship and everyone on the block has the same situation.

MR. BROWN stated the reason for the request is to legalize the carport on the property. In checking the area, staff did not see any other carport built on the lot line.

MR. SWESSEL asked if the carport was in existence when the applicant purchased the house.

MR. AUDIA replied that it was.

MR. SWESSEL asked if a permit had ever been taken out for a carport.

WM. STAPLETON, Building & Safety, stated there was no record of a permit.

ROBERT HYER, 2305 Santa Paula, appeared in favor of the application. He stated he lives directly to the south of the property in question and has also applied for a variance for his structure. He added when he moved into his home in 1952, the carport was there.

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-99-78, subject to the following conditions:

1. Remove and replace all damaged and hazardous 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. Meyers, Chairman Emmett and Mr. Swessel

"NOES" None

Motion for APPROVAL carried unanimously.

3. V-100-78

DENIED

Application of RICHARD B. AND CHARLENE B. TAYLOR for a Variance to allow a four foot (4') high concrete block wall along the north half of the rear property line where six feet (6') is required and to allow a 24-hour business operation where no business shall be conducted after 9:00 P.M. on property located at 1916 Maryland Parkway South in Zoning District R-1 (Single Family Residence) under Resolution of Intent to P-R (Professional Offices and Parking). The above property is legally described as the south 32 feet of Lot 5 and the north 34 feet of Lot 5 and the north 34 feet of Lot 6 of Block 1, Southridge Tract #6.

MR. BROWN presented the staff report and stated the property in question is under resolution of intent to P-R. It is in the middle of a R-1 district that is transitioning to P-R. The plot plan is as depicted. The applicant stated in his application that he has tried to comply with the conditions but has not been able to find a concrete man to build such a small section of wall. Staff feels that inasmuch as the 6' concrete wall is required in a P-R District and that no business operation is allowed, these conditions should be adhered to and would recommend this application not be approved. There are no letters of protest or approval on file.

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

RICHARD TAYLOR stated that the south half of his rear wall is 6' in height and was built by the owner of the property offsetting his. The wall on the north property line is 4' in height. There has been a problem in trying to get cement people in to construct this small wall portion. The property owner behind this section does not object to the 4' height. He added they operate a burglar alarm central station and there is no activity in the back yard nor is any planned. When applying for the rezoning he did not know of the limit on hours of operation and the activity in the building is less than that of the neighbors. If the approval is given for the 24 hour operation, it could be conditioned on this building only.

MR. SWESSEL asked the applicant if he had been aware of the block wall condition at the time of the rezoning.

MR. TAYLOR replied that he had.

MR. SWESSEL stated when rezoning was granted it was conditioned on the block wall and closing at 9:00 P.M. He asked staff what would happen if this application is approved.

MR. BROWN stated inasmuch as everyone else in the City is holding to the 9:00 P.M. condition, this would set a precedent.

MR. SWESSEL asked the applicant if clients would come to his business after 9:00 P.M.

MR. TAYLOR stated he would only have a guard on duty, there would be no traffic, and a sign stating the business would not be open until 10:00 A.M.

MR. SWESSEL stated he did not see a problem with that.

MR. BROWN stated that would seem reasonable.

MR. TAYLOR stated he was willing to put up the block wall fence if he could find someone to do so and that if he couldn't he would do it himself but he wasn't too sure how straight it would be.

HARRY VAN NORMAN appeared in favor 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-100-78 because there was insufficient justification presented to deviate from the provisions of the code; the Board also determined that, inasmuch as the public was not permitted in the building after 9:00 P.M., the operation did not constitute a 24-hour business and, therefore, did not need relief from the Board.

Voting was as follows:

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

Motion for DENIAL carried by a 2/1 vote.

4. V-101-78

DENIED

Application of LEONARD W. CARPI for a Variance to allow an eight foot (8') high sign where a maximum of five feet (5') is allowed on property located at 523 East Oakey Boulevard in Zoning District P-R (Professional Offices & Parking). The above property is legally described as Lot 1, Paradise Grove Subdivision.

MR. BROWN presented the staff report and stated the building on the property is a nice looking building, and the plot plan is as depicted. The sign is proposed to be in the public right-of-way. Public Services says an encroachment agreement would be required and would need the approval of the City Commission. The over-height sign above 5' would be restricted to the applicant's property. A variance for height and encroachment is not justified. Staff would concur there is plenty of land where the sign could be placed where it would not be in the public right of way, and would recommend denial.

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

LEONARD CARPI stated he had had an office downtown for 25 years and moved to this location and built a new building. He presented photos of the building to the Board. He added he could not see where the sign was interfering with anything. The additional 3' in height is necessary so the sign can be seen and it will not impede traffic. The City is not using the property and he will sign any agreements required.

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 DENIAL of V-101-78 because there was insufficient justification presented to deviate from the provisions of the code.

Voting was as follows:

"AYES" Mrs. Meyers and Mr. Swesse
"NOES" Chairman Emmett

Motion for DENIAL carried by a 2/1 vote.

5. V-102-78

APPROVED

Application of DAVID BUCCIERI for a Variance to allow an 8 ft. 3 inch rear yard setback where 15 feet is required on property located at 1141 Darmak Drive in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 8, Block 3, Westleight Tract #1.

MR. BROWN presented the staff report and stated the house on the property in question sets at a angle and the addition will encroach 8'3" into the rear yard. Staff thinks that because of the location of the house on the property that perhaps the applicant might have a case in which the Board of Zoning Adjustment should consider the request favorably.

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

DAVID BUCCIERI stated he would like to add a room to his house for more living space because of the smallness of the house.

CHAIRMAN EMMETT asked if there was an alley to the rear of the property.

MR. BUCCIERI replied there is an alley directly behind his property, in front of the proposed addition.

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-102-78, 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 and Mr. Swessel
"NOES" None

Motion for APPROVAL carried unanimously.

6. V-103-78

APPROVED

Application of RUTH CRAGUN for a Variance to allow a public garage (major automotive repair facility) which is not permitted on property located at 1524½ East Fremont Street in Zoning District C-2 (General Commercial). The above property is legally described as Lot 7, Block 1, Mayfair Tract.

MR. BROWN presented the staff report and stated that across the street from this request apartments are being built, and on the southeast corner of Fremont and 15th there is a possibility of some additional apartments being built. It may be that this area is in a transitional state, with multiple family instead

of commercial or C-2. The BZA has granted a couple of variances for such uses on Fremont Street in the 1600 block. The plot plan is as shown. If the Board does approve this request, it may perhaps wish to place a time limit on it to see if in fact multiple family development does continue to develop and the fact that this use may then become incompatible. If approved, staff would request 5' of right-of-way on Fremont Street.

CHAIRMAN EMMETT asked the percentage of multiple family units versus commercial.

MR. BROWN stated the area is commercial, but appears to be developing into multiple family.

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

ED DOTSON stated he would be running the garage facility and that it is basically a one man operation. This had been a garage for years, but when he applied for a license, it was denied. Everything in the alley is more or less related to automobiles. He stated he would not be adverse to a time limit.

MR. SWESSEL asked what kind of time limit could he live with.

MR. DOTSON stated he would like to have at least five years.

MR. BROWN stated there are four letters of protest on file.

LOU Sales, 1501 Fremont, appeared in favor of the application.

LARRY STICKARD, real estate broker, appeared representing property owners Howard and Bigelow who opposed the application. He added they felt the complexion of Fremont Street would change to become apartment dwellings and that a major automotive facility would cause a noise problem and also additional on-street parking.

MR. SWESSEL stated he recalled when Bigelow was before the Planning Commission for rezoning, the applicant was aware of the automotive situation on Fremont Street. The rezoning was granted by the Planning Commission and the attorney for the applicant stated they could live with the conditions and that they posed no problems.

CHAIRMAN EMMETT asked what the existing use of the property currently is:

MR. Sales replied it was zoned C-2 until 1965 and a garage was permitted. The ordinance was subsequently changed and a garage is now not a permitted use.

MR. SWESSEL asked for the definition of major automotive repair.

MR. DOTSON stated everything but a body shop which would be a problem. A major garage is auto repair, not rebuilding.

MR. STICKARD asked for the names of the other protestants on file.

MR. BROWN replied D. Volpurt and Gladys Kingsberry.

MR. DOTSON stated this would be a small operation.

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-103-78, subject to the following conditions:

1. Dedication of a 5 foot right-of-way on Fremont Street frontage within 60 days after approval of the Variance as required by the Department of Public Services.
2. This Variance is limited to a five (5) year time period and will expire on January 9, 1984.
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 satisfaction 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 and Chairman Emmett
"NOES" None

Motion for APPROVAL carried unanimously.

7. V-104-78

APPROVED

Application of JACK D. SOLOMON, ON BEHALF OF FEDERAL LAND AND DEVELOPMENT CORPORATION for a Variance to allow an existing covered swimming pool 31 feet from the rear property line and a two-story guest room 44 feet 4 inches from the rear property line where 50 feet is required (applicant is proposing a second story addition on the remainder of his residence within the buildable area) on property located at 220 Campbell Drive in Zoning District R-E (Residence Estates). The above property is legally described as Lot 18, Block 3, Rancho Nevada Estates Unit #2.

MR. BROWN presented the staff report and stated the plot plan is as depicted. The applicant wants to add a second story. Building permits show that two additions have a 50' setback but on the rear they do not. In order for the applicant to build the second story a variance is needed. There is one letter from the property owner right behind stating as long as there are no doors or windows on the second story, they do not object. With that stipulation staff would recommend approval.

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

EDWARD AKRAM stated the problem is the existing non-conforming setback requirement and they would like to take care of these problems. He added he had talked to property owners in the neighborhood and presented results of the survey taken. With the exception of a couple of residents, everyone in the neighborhood approves of the variances. The only questions were that of the second story.

ANTHONY MIKULICH stated there is only one other building in the neighborhood that has two stories. He added that the addition of the second story would mean he would lose his privacy.

MR. BROWN stated that the stipulation of no doors or windows would go with the property. He added the applicant can go 35' or two stories in height in most residential areas in Las Vegas.

MR. AKRAM stated the applicant could accept staff's stipulation.

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-104-78, subject to the following conditions:

1. There shall be no windows or doors on the rear side on the proposed second story addition.
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 and Chairman Emmett
"NOES" None

Motion for APPROVAL carried unanimously.

8. V-105-78

APPROVED

Application of SIDNEY SALT for a Variance to allow an addition to a single family dwelling located 23 feet from the rear property line where 50 feet is required on property located at 2223 Edgewood Avenue in Zoning District R-E (Residence Estates). The above property is legally described as a portion of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 4, Township 2T 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 R-E district. At one time this lot extended another 200' south. It was split and Edgewood became the front yard. The applicant has submitted a plot plan showing the reduced rear yard setback. Staff does not see that such a request is not in keeping with development in this area and the Public Services recommendations of a 20' right-of-way on Rancho and dedication of a 15' radius corner on Rancho and Edgewood, would be required if this application is approved.

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

SIDNEY SALT stated the addition would be a small dressing room on an existing building.

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-105-78, subject to the following conditions:

1. Dedication of an addition 20 feet of right-of-way on Rancho Drive and a 15 foot radius corner as required by the Department of Public Services.
2. Sign an Assessment District Agreement for future street improvements as required by the Department of Public Services.
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. Meyers, Chairman Emmett and Mr. Swessel
"NOES" None

Motion for APPROVAL carried unanimously.

9. V-106-78

APPROVED

Application of FRANK AND JOYCE MODICA for a Variance to allow a three-car garage and laundry room addition 31 feet from the rear property line where 50 feet is required on property located at 3101 Sonia Drive in Zoning District R-E (Residence Estates). The above property is legally described as Lot 8, Block 1, Rancho Nevada Estates #1.

MR. BROWN presented the staff report and stated the plot plan is as shown. There would be a driveway only from Campbell Drive. Staff would request the applicant to sign a special assessment district agreement for future sidewalks. Other than that, staff thinks the application has some justification.

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

FRANK MODICA 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 V-106-78, subject to the following conditions:

1. Sign an Assessment District Agreement for future sidewalks 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" Mr. Swessel, Mrs. Meyers and Chairman Emmett
"NOES" None

Motion for APPROVAL carried unanimously.

10. V-107-78

APPROVED

Application of VERNON AND KATHRYN LUECK for a Variance to allow four dwelling units on a 6,500 square foot lot where only three are permitted on property generally located on the west side of 15th Street, 50 feet south of Mesquite Avenue in Zoning District R-3 (Limited Multiple Residence). The above property is legally described as Lot 21, Block 13, 14th Street City Addition.

MR. BROWN presented the staff report and stated the request is located in the heart of an R-3 District. The plot plan is as shown, with the structure and six parking spaces. Other variances have been granted in this area and staff feels to remain consistent, approval is recommended.

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

VERNON LUECK represented the application.

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-107-78, subject to the following conditions:

1. Construct a concrete sidewalk on 15th Street 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 Mr. Swessel
"NOES" None

Motion for APPROVAL carried unanimously.

11. V-108-78

APPROVED

Application of ROBERT M. AND BARBARA J. METTEN for a Variance to allow an 18,027 square foot lot where 20,000 square feet is required; a 30 foot front yard setback where 50 feet is required and a 20 foot rear yard setback where 50 feet is required on property located at 11 Crescent Drive in Zoning District R-E (Residence Estates). The above property is legally described as Lot 6, Block 3, Scotch Eighty Addition, Resubdivision.

MR. BROWN presented the staff report and stated the request is located in the middle of an R-E District. The applicant wants to split off one larger lot and build a house on the rear and does not have enough area to do this. There are no letters of protest on file.

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

ROBERT METTEN stated he had applied for a variance on this property in 1971 and then decided not to build. The plot plan at that time was very similar to that submitted with this request and the variance was approved. He stated he had had the property reconveyed back on the rear section and has to now get a variance to take this lot off from the whole lot. He stated the front portion of the property would have the required 20,000 sq. ft.

JOHN ALLISON 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 APPROVAL of V-108-78, 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" Mr. Swessel, Mrs. Meyers and Chairman Emmett
"NOES" None

Motion for APPROVAL carried unanimously.

12. V-109-78
APPROVED

Application of LAS VEGAS CITY EMPLOYEES FEDERAL CREDIT UNION for a Variance to allow general business offices on property located at 1909 Weldon Place in Zoning District R-4 (Apartment Residence). The above property is legally described as Lot 7, Block 2, El Centro Addition Tract No. 2.

MR. BROWN presented the staff report and stated the plot plan is shown with the existing building and parking lot. There are adequate parking spaces, the only problem staff has is that the lights in the parking lot shine into the adjoining residential areas. Staff would recommend approval subject to no lights shining into the residential areas.

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

G.E. SNYDER, Manager of the Credit Union, stated the problem with the lights can be rectified by replacing the existing lights with standard outside lighting.

MRS. MEYERS asked what the building would be utilized for.

MR. SNYDER stated it would house Scott Enterprises which provides guides, models and transportation for conventions and that there would be no problem with traffic and it is a small employee operation.

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-109-78, subject to the following conditions:

1. All exterior lights shall be screened to protect the adjacent residential areas.
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.

13. V-110-78
WITHDRAWN

Application of LLL CORPORATION for a Variance to allow an existing wall sign 436 square feet in size, 12 feet in height and a proposed wall sign 48 square feet in size and 12 feet in height where only one sign 15 square feet in size and 6 feet in height is permitted on property located at 829 South 6th Street in Zoning District P-R (Professional Offices & Parking). The above property is legally described as Lots 14 through 16, Block 31, South Addition.

MR. BROWN stated this application had been withdrawn by the applicant.

14. V-111-78
APPROVED

Application of G.L. BAUGHMAN for a Variance to allow an existing carport five feet (5') from the front property line where twenty feet (20') is required on property located at 18 Zircon Circle in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 65, Block 2, Twin Lakes Village Unit #11.

MR. BROWN presented the staff report and stated the property is located in the middle of a R-1 District. The plot plan is as shown. The carport was built without benefit of a building permit. In viewing the house, the carport projects drastically into the front yard and none of the other houses encroach into the front yard area. Petitions with 65 signatures and 18 signatures respectively and 2 letters have been received in protest. Staff recommends denial.

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

DOUGLAS DEANER, Attorney, stated the structure was built in 1976 it is assumed and his client purchased the property in 1977. He presented photographs of the addition to the Board. He added he also has signatures from four residents on Zircon in approval of the application. This is a substantial structure and the neighbors did not object when it was built, and this is a classic case for the Board to grant.

JIM DONOTHAN, who lives adjacent to the property in question, appeared in protest and presented pictures of the property and diagrams of same to the Board. He stated the carport was built when he was on vacation in 1976 and it wasn't recently until the owner of the property started warehousing out of the carport he had not realized that no permit had been issued. He stated there had been a problem with on-street parking. Without a permit the structure is probably substandard. There are also commercial trucks coming to the property and employees park their vehicles in the streets. If the carport is removed, it would eliminate these problems.

CHAIRMAN EMMETT asked if the carport was existing when he purchased his residence.

MR. DONOTHAN replied it was not, that it had been built when he was on vacation.

MRS. MEYERS asked Mr. Donothan when the pictures he presented to the Board were taken.

MR. DONOTHAN replied approximately the first of December and that the property has been cleaned up since that time.

AL PAPA appeared in protest.

MR. DEANER waived his right to rebuttal.

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

MR. SWESSEL stated he would make a motion for approval if the Planning Department would keep an eye on this property so there would be no more public storage or warehousing and if this should occur, the applicant should be brought before the Board for possible revocation of the variance.

MR. BROWN stated he would see that the property was checked.

MR. SWESSEL made a Motion for APPROVAL of V-111-78, 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" Mr. Swessel, Mrs. Meyers and Chairman Emmett
"NOES" None

Motion for APPROVAL carried unanimously.

15. V-112-78

APPROVED

Application of ANDREW THOMPkins (LADY LUCK CASINO) for a Variance to allow a proposed illuminated sign over the public right-of-way that will project to within one foot (1') from the curb where a three foot (3') setback is required on property located at 206 North 3rd Street in Zoning District C-2 (General Commercial). The above property is legally described as Lots 11, 12, 13, 14, 15, 16 and the south three feet of Lot 10, Block 32, Clark's Las Vegas Townsite.

MR. BROWN presented the staff report and stated staff has no objections and would recommend approval with two conditions: replacement of all damaged or hazardous sidewalks and the proposed sign front must allow room for traffic signals.

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

A representative of the applicant was present.

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-112-78, subject to the following conditions:

1. Applicant to replace all damaged or hazardous sidewalk, curb and gutter as required by the Department of Public Services.
2. The proposed sign front must allow sufficient room for the traffic signal as required by the Department of Public Services.
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" Mr. Swessel, Mrs. Meyers and Chairman Emmett
"NOES" None

Motion for APPROVAL carried unanimously.

16. U-99-78

APPROVED

Application of CALVARY BAPTIST CHURCH for a Use Permit to allow a church on property located at 317 West Madison Avenue in Zoning District R-4 (Apartment Residence). The above property is legally described as Lots 8 and 9, Block 13, H.F.M. & M. Addition.

MR. BROWN presented the staff report and stated the plot plan is as shown. The applicant does not have adequate parking and staff would recommend approval subject to receiving a letter from some non-church business or entity within 400' which will provide an additional 15 parking spaces.

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

REV. M.L. CARROLL represented the application and presented the plans for the new church. She stated that the neighboring church has had a chance to purchase the property, but had not, and now her church wished to build a new church.

REV. SAMUEL CARROLL appeared in favor of the application. He stated they are currently working on the 15 additional parking spaces.

REV. M.L. CARROLL stated they do have enough parking for the size of the congregation.

MR. SWESSEL stated the zoning laws required the additional parking.

REV. M.L. CARROLL stated that the New Jerusalem Church would like them park on their property.

MR. FOSTER stated if the application was approved, it should be subject to getting a commitment for the additional 15 parking spaces and before the building permit was issued, a letter should be received to this effect.

MARY NUNLEY appeared in approval.

ROSE L. PUGH appeared in approval.

CHAIRMAN EMMETT asked those present in approval of the application to stand. Eleven persons were present in approval.

JIMMY NUNLEY appeared in approval.

VIRGE FRANKLIN, 307 Madison, appeared in protest, and stated that due to the number of churches in the immediate area, another was not needed as it would increase the traffic problems now experienced on Sundays.

CHAIRMAN EMMETT asked those present in protest of the application to stand. Ten persons were present in opposition.

DEACON LEON MCGEE appeared in protest of the lack of parking.

WM. PARKER, JR. appeared in protest.

TOM JOYCE appeared in protest.

WILBUR VAN BUREN appeared in protest.

JOHNNY JOHNSON appeared in protest.

REV. M.L. CARROLL appeared in rebuttal.

MR. BROWN stated that a letter which would provide parking spaces from another church would not be acceptable.

REV. CARROLL asked if reducing the size of the church would help.

CHAIRMAN EMMETT replied that it would.

MR. BROWN stated if the applicant wishes to reduce the size of the building, staff would work with them.

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-99-78, subject to the following conditions:

1. Applicant shall provide a letter of commitment that 15 additional parking spaces are available to the church in the immediate area prior to a building permit being issued. The additional parking shall be from a source other than another church.

2. Conformance to the revised 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 and Chairman Emmett
 "NOES" None

Motion for APPROVAL carried unanimously.

17. U-99-78
 WITHDRAWN
 Application of IRWIN I. AND ELEANOR S. BELL for a Use Permit to allow a quasi-public use (social rehabilitation facility) on property located at 111 Boston Avenue in Zoning District R-4 (Apartment Residence). The above property is legally described as Lots 11, 12 and 13, Block 4, Meadows Addition.
- MR. BROWN announced this application had been withdrawn by the applicants.
18. U-100-78(HO)
 APPROVED
 Application of ROBERT HAYDEN at 1712 Leslie Avenue in Zoning District R-1 for a Home Occupation Permit - Allow a telephone and mailing service for Hayden Construction.
19. U-101-78(HO)
 APPROVED
 Application of BRENDA J. IAVECCHIA at 241 Bahama Road in Zoning District R-1 for a Home Occupation Permit - Allow a vinal repair business.
20. U-103-78(HO)
 APPROVED
 Application of HEIN DOUWENHOVEN VEN NEUREN at 7725 Macaw Lane in Zoning District R-1 for a Home Occupation Permit - Allow freelance writing.
21. U-104-78(HO)
 APPROVED
 Application of DON SPANGLER at 873 Bethesda Circle in Zoning District R-1 for a Home Occupation Permit - Allow the off-premise sale of photographs by Christine Fancher.

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

MRS. MEYERS made a Motion for APPROVAL of Items 18 through 21, 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. Meyers, Chairman Emmett and Mr. Swessel
 "NOES" None

Motion for APPROVAL carried unanimously.

22. V-40-78

EXTENSION
OF TIME

APPROVED

Request of PHILLIP R. WILENSKY for a six (6) month Extension of Time on an approved Variance which allowed outside vehicle and materials storage on property generally located on the southwest corner of California Street and Casino Center Boulevard in Zoning District C-1.

MR. BROWN presented the staff report and stated if the applicant could provide the board with sufficient reason for an extension, the Board could act appropriately.

PHILLIP ROLENSKY stated they would pave and put in the offsites and hoped to build within the next three or four years. They have put up a redwood and chain link fence and have just received permission from the Water District for a sprinkler system.

MR. SWESSEL asked if six months would be sufficient.

MR. ROLENSKY stated it was hoped some type of financing could be arranged by then, but may have to ask for additional time.

MR. SWESSEL made a Motion for APPROVAL of the Request for Extension of Time under V-40-78, subject to the following conditions:

1. Conformance to the conditions originally imposed at the time of approval of V-40-78.
2. Extension of time on the approved Variance to be restricted to a six (6) month time limit and will expire on July 9, 1979.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

23. V-104-77

EXTENSION
OF TIME

APPROVED

Request of BILLY J. SLOAT for a six (6) month Extension of Time on an approved Variance which allowed four-plex dwelling units where four-plexes are not permitted and to allow sixty-five (65) units where fifty-one (51) are now permitted on property generally located on the east side of Dike Lane between Bonanza Road and Warren Drive in Zoning District R-2.

MR. BROWN presented the staff report and read a letter received from the applicant explaining his request for additional time.

The applicant or a representative was not present.

MR. SWESSEL made a Motion for APPROVAL of the Request for an Extension of Time under V-104-77, subject to the following conditions:

1. Conformance to the conditions originally imposed at the time of approval of V-51-78.
2. Extension of time on the approved Variance to be restricted

to a six (6) month time limit and will expire on July 9, 1979.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

24. V-51-78
EXTENSION
OF TIME
APPROVED

Request of JOHN LONETTI for a six (6) month Extension of Time on an approved Variance which allowed an addition to an existing residence eleven feet (11') from the side property line where fifteen feet (15') is required on property located at 1244 Park Circle in Zoning District R-1.

MR. BROWN presented the staff report and stated if the applicant could provide the Board with sufficient reason for an extension, the Board could act appropriately.

J. LONETTI stated he needed the time as he only had one bid out of four sets of plans, and an additional six months would be sufficient he hoped.

MR. SWESSEL made a Motion for APPROVAL of the Request for Extension of Time under V-51-78, subject to the following conditions:

1. Conformance to the conditions originally imposed at the time of approval of V-104-77.
2. Extension of time on the approved Variance to be restricted to a six (6) month time limit and will expire on July 9, 1979.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

25. U-107-78(HO)
APPROVED

Application of DOREEN S. FOX at 5409 Gipsy Avenue in Zoning District R-1 for a Home Occupation Permit - Allow an off-premise musical production service.

26. U-1-79(HO)
APPROVED

Application of DAVE LOEVNER at 100 East Panorama Drive in Zoning District R-4 for a Home Occupation Permit - Allow a mail order business.

27. U-2-79(HO)
APPROVED

Application of ROBERT K. AND DARLENE CROSSBANS at 4701 Greencreek Drive in Zoning District R-1 for a Home Occupation Permit - Allow the making of handcrafted items in the home for off-premise sale.

28. U-3-79(HO)
APPROVED

Application of JACQUELYN MORRISSEY at 56 Sherrill Circle in Zoning District R-1 for a Home Occupation Permit - Allow the keeping of records for a cleaning crew.

29. U-4-79(HO)

APPROVED

Application of RAYMOND E. AND JANET CAMPBELL at 3704 West Camino Avenue in Zoning District R-1 for a Home Occupation Permit - Make doll lamps for off-premise sale.

30. U-5-79(HO)

APPROVED

Application of CECIL STOWERS at 613 Cragin Park Drive in Zoning District R-1 for a Home Occupation Permit - Operate a janitorial service.

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

MRS. MEYERS made a Motion for APPROVAL of Items 25 through 30, 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. Meyers, Chairman Emmett and Mr. Swessel
"NOES" None

Motion for APPROVAL carried unanimously.

DIRECTOR'S BUSINESS:

ELECTION OF OFFICERS

1979 Election of Officers for the Board of Zoning Adjustment.

MRS. MEYERS made a Motion that Mr. Swessel be elected at Chairman for 1979.

Motion carried unanimously.

MR. SWESSEL made a Motion that Mrs. Meyers be elected as Vice Chairman for 1979.

Motion carried unanimously.

ADJOURNMENT:

There being no further business to come before the Board of Zoning Adjustment, the meeting was adjourned at 9:55 P.M.

DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT


HAROLD P. FOSTER, Acting Director

/lm