

A G E N D A

BOARD OF ZONING ADJUSTMENT

MARCH 22, 1979

RECEIVED

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CITY CLERK

CALL TO ORDER:

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

ROLL CALL:

PLEDGE OF ALLEGIANCE:

ANNOUNCEMENT:

Satisfaction of the Open Meeting Law.

MINUTES:

Approval of the Minutes for the Board of Zoning  
Adjustment meetings held January 9, 1979 and  
January 25, 1979.

OLD BUSINESS:

1. V-113-78

(Abeyance Item  
from 1/25/79)

APPROVED

Application of RICHARD P. EDWARDS for a Variance  
to allow the construction of a building six feet  
(6') from the rear property line where fifteen  
feet (15') is required on property located at  
3512 Venice Drive in Zoning District R-1.

NEW BUSINESS:

1. V-1-79

APPROVED

Application of ROBERT J. AND LORRAINE HIRE for a  
Variance to allow an existing carport and storage  
room to extend to the north side property line  
where a six foot (6') setback is required on  
property located at 2305 Santa Paula Drive in  
Zoning District R-1.

2. V-2-79

DENIED

Application of JACK K. LEAVITT for a Variance to  
allow an off-premise sign to a maximum height of  
fifty-five feet (55') where a maximum height of  
forty feet (40') is allowed on property located  
at 536 East Sahara Avenue in Zoning District C-1.

3. V-4-79

APPROVED

Application of BETTY M. ROBERTSON for a Variance  
to allow an existing porch addition twelve feet  
six inches (12' 6") from the front property line  
where twenty feet (20') is required and to allow  
a four foot (4') side yard setback where five  
feet (5') is required on property located at  
1643 Stewart Avenue in Zoning District R-3.

4. V-5-79

APPROVED

Application of OLD WEST CONSTRUCTION COMPANY, ET AL  
for a Variance to allow a fifteen foot six inch  
(15' 6") front yard setback where thirty feet  
(30') is required and a five foot (5') side yard  
setback where ten feet (10') is required on  
property located at 4312 Lindsey Circle; and to  
allow a fourteen foot six inch (14' 6") front  
yard setback where thirty feet (30') is required  
and a five foot (5') side yard setback where  
ten feet (10') is required on property located  
at 4313 Lindsey Circle in Zoning District R-E.  
A previous Variance approval reduced the front  
setback from fifty feet (50') to thirty feet (30')  
on these two properties.

5. V-6-79

APPROVED

Application of FRANK AND JOSEPHINE PROCOPIO for  
a Variance to allow an eight foot (8') block wall  
fence on the sides and rear property lines where  
a maximum height of six feet (6') is permitted  
on property located at 2601 Austin Avenue in  
Zoning District R-1.

6. V-7-79  
APPROVED  
Application of SY AND SHERRI SUSSMAN for a Variance to allow a women's residence facility for sixteen (16) women where twelve (12) are authorized on property located at 720 South 9th Street in Zoning District R-1.
7. V-8-79  
DENIED  
Application of T. E. MITTON for a Variance to allow an existing detached third dwelling unit where two dwelling units are permitted; and to permit the third dwelling unit to be located five feet (5') from the rear property line where twenty-five feet (25') is required, and one foot (1') from the side property line where five feet (5') is required on property located at 1306-1308 Rexford Place in Zoning District R-2.
8. V-9-79  
APPROVED  
Application of RICHARD B. LYBBERT for a Variance to allow a building addition two feet (2') from the rear property line where twenty feet (20') is required; and to allow four (4) parking spaces where eight (8) spaces are required on property located at 1111 Desert Lane in Zoning District P-R.
9. V-10-79  
APPROVED  
Application of JACK H. HOOPER, TRUSTEE, for a Variance to allow an eighteen foot (18') rear yard setback where fifty feet (50') is required on property located at 1100 Campbell Drive in Zoning District R-E.
10. V-11-79  
APPROVED  
Application of ALVIN AND ROSE MARIE BOWES for a Variance to allow a rear dwelling unit four feet four inches (4' 4") from the side property line where five feet (5') is required, and located five feet three inches (5' 3") from the rear property line where twenty feet (20') is required on property located at 400 North 7th Street in Zoning District R-4.
11. V-12-79  
APPROVED  
Application of FRANK S. MIKULICH, SR., ET AL for a Variance to allow an automotive repair garage, which is not permitted, on property located at 918 East Stewart Avenue in Zoning District C-2.
12. U-11-79  
APPROVED  
Application of THE HOME OF THE GOOD SHEPHERD for a Use Permit to allow a quasi-public use (thrift shop) on property located at 208 North 15th Street in Zoning District R-1.
13. U-12-79  
APPROVED  
Application of BECKER INVESTMENT COMPANY for a Use Permit to allow the retail sale of gasoline on property generally located on the southeast corner of Jones Boulevard and Vegas Drive in Zoning District C-1.
14. U-15-79  
APPROVED  
Application of REVEREND E. N. WEBB for a Use Permit to allow a parking lot for a church on property located at 604 Jefferson Avenue in Zoning District R-3.
15. U-16-79  
APPROVED  
Application of CHRISTENSEN BROTHERS, A PARTNERSHIP, for a Use Permit to allow a Class III Second Hand Dealership (jewelry) on property located at 856 East Sahara Avenue in Zoning District C-1.
16. U-13-79(HO)  
APPROVED  
Application of FRANK AND BARBARA ZEMEL at 116 Sam Jonas Drive in Zoning District R-1 for a Home Occupation Permit - Manufacture letters and figures.
17. U-14-79(HO)  
APPROVED  
Application of HOWARD JOHNSON at 4218 Baxter Road in Zoning District R-1 for a Home Occupation Permit - Keep records for a metal casting company.

2 18. U-17-79(HO)

APPROVED

Application of KAREN NELSON CAVIOLA, on behalf of RALD A. LITTLEJOHNS at 329 County Road in Zoning District R-1 for a Home Occupation Permit - Allow the import and off-premise sale of diamonds.

19. U-18-79(HO)

APPROVED

Application of ROBERT BUTLER at 6432 Hill View Avenue in Zoning District R-1 for a Home Occupation Permit - Allow a tile setting and repair service.

20. U-19-79(HO)

APPROVED

Application of RHONDA RAE PETERSON at 1225 Fay Boulevard in Zoning District R-1 for a Home Occupation Permit - Allow a bookkeeping and payroll office for a custom stucco/plastering business.

21. U-20-79(HO)

APPROVED

Application of JAMES D. WILSON at 900 Indian Lane in Zoning District R-1 for a Home Occupation Permit - Operate a janitorial business.

22. U-21-79(HO)

APPROVED

Application of NANCY L. BOCKMAN at 6404 Shawnee Place in Zoning District R-1 for a Home Occupation Permit - Allow a house cleaning service.

23. V-13-79

APPROVED

Application of THE BISHOP OF NEVADA, EPISCOPAL CHURCH for a Variance to allow one (1) parking space for every two (2) (senior citizen) apartment units where one and one-half (1½) parking spaces for every unit are required on property generally located on the northeast corner of Eastern Avenue and Harris Avenue in Zoning District R-E (under resolution of intent to R-3).

24. V-14-79

DENIED

Application of LAS VEGAS BUILDING MATERIALS, INC. for a Variance to allow an off-premise sign sixty-five feet (65') in height where a maximum height of forty feet (40') is allowed on property located at 601 West Bonanza Road in Zoning District "M".

25. V-15-79

DENIED

Application of SOUTHWESTERN IMPROVEMENT AND INVESTMENT COMPANY for a Variance to allow an off-premise sign sixty-five feet (65') in height where a maximum height of forty feet (40') is allowed on property located at 1211 West Bonanza Road in Zoning District "M".

26. V-16-79

APPROVED

Application of JACK BINION, ET AL for a Variance to allow a sixty (60) space recreation vehicle park addition to the existing Shady Acres Trailer Park on property generally located on the west side of North Main Street between Washington Avenue and Owens Avenue in Zoning District "M".

27. V-17-79

DENIED

Application of SHERMAN J. ARNAUD for a Variance to allow a carport addition nine feet (9') from the side property line where fifteen feet (15') is required for a corner lot on property located at 721 South Mallard Street in Zoning District R-1.

28. V-18-79

APPROVED

Application of MIKE HADDAD for a Variance to allow an existing four foot (4') high solid block wall in the front yard area where the top two feet (2') is required to be fifty percent (50%) open on property located at 2515 Valley Street in Zoning District R-3.

29. V-19-79

APPROVED

Application of AUSTIN F. AND LINDA P. HAMILTON for a Variance to allow a second story addition six feet (6') from the side property line where nine feet (9') is required on property located at 6604 Elton Avenue in Zoning District R-1.

30. V-20-79

DENIED

Application of WAYNE A. ANDERSON for a Variance to allow an existing carport, with supports, to the property line where five feet (5') is required on property located at 5016 Carmen Boulevard in Zoning District R-1.

31. U-22-79

APPROVED

Application of OWEN AND ISABELLA MAHONEY for a Use Permit to allow the operation of an adolescent male treatment program (Vegas House, Inc.) for potential or actual substance abusers on property located at 1718 West Bonanza Road in Zoning District R-E.

32. U-23-79(HO) Application of BRYAN E. SMITH for a Home Occupation Permit to allow the leasing of indoor house plants from property located at 309 Galveston Street in Zoning District R-1.  
PUBLIC HEARING  
DENIED
33. U-24-79(HO) Application of RONALD WRIGHT at 1324 Mezpah Drive in Zoning District R-1 for a Home Occupation Permit - Allow a business office to keep records for a Disco Dance Sponsor.  
APPROVED
34. U-25-79(HO) Application of DONALD R. DIBBLE at 6248 Parsifal Place in Zoning District R-1 for a Home Occupation Permit - Allow the operation of a sewing business with off-premise alterations and fittings.  
APPROVED
35. U-26-79(HO) Application of JOHN W. RITTER at 701 South Bedford Road in Zoning District R-1 for a Home Occupation Permit - Allow off-premise home repairs.  
APPROVED
35. U-27-79(HO) Application of LANA AND ROBERT CHAUBET at 337 Mallard Street in Zoning District R-1 for a Home Occupation Permit - Allow wax sculpturing and off-premise sale of product.  
APPROVED
37. U-28-79(HO) Application of MARGO SANSONE at 612 Langtry Drive in Zoning District R-1 for a Home Occupation Permit - Operate an accounting, bookkeeping and tax service.  
APPROVED
38. U-29-79(HO) Application of MATTHEW C. AND SHIRLEY TROTTA at 2912 Black Forest Drive in Zoning District R-1 for a Home Occupation Permit - Maintain files and bookkeeping for an off-premise management and consulting business.  
APPROVED
39. U-30-79(HO) Application of THOMAS W. ERWIN at 2612 Valparaiso Street in Zoning District R-1 for a Home Occupation Permit - Allow an off-premise photography business.  
APPROVED
40. U-31-79(HO) Application of RONALD J. PALMER at 6312 Evergreen Avenue in Zoning District R-1 for a Home Occupation Permit - Allow an off-premise contract welding business.  
APPROVED
41. U-32-79(HO) Application of ROBERT E. KELLY at 1825 Loch Lomond Way in Zoning District R-1 for a Home Occupation Permit - Allow off-premise sales and advertising for Mark Sales Company.  
APPROVED
42. U-86-75 Request of BETHANY BAPTIST CHURCH for a twelve (12) month Extension of Time on an approved Use Permit which allowed the construction of a church and a commercial day care nursery operation for a maximum of 100 children on property generally located on the north side of Gold Avenue, between "J" Street and "N" Street in Zoning District R-1.  
EXTENSION OF TIME  
APPROVED

DIRECTOR'S BUSINESS:

AMENDMENT TO RULES &  
REGULATIONS FOR  
VOTING  
APPROVED

Discussion on the proposed amendment to the rules and regulations relative to voting.

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

BOARD OF ZONING ADJUSTMENT

MARCH 22, 1979

1. U-33-79(HO)  
APPROVED  
Application of A. LENA DEL VECCHIO at 1305 Pauline Way in Zoning District R-1 for a Home Occupation Permit - Allow the sale of wedding flowers by special order.
2. U-34-79(HO)  
APPROVED  
Application of MICHAEL OLEO at 1422 East Carson Avenue in Zoning District R-2 for a Home Occupation Permit - Allow a business office for professional pilot service.
3. U-35-79(HO)  
APPROVED  
Application of LeANNE HOWARD at 6105 Edgewood Circle in Zoning District R-1 for a Home Occupation Permit - Allow retail mail order sale of home sewn articles.
4. V-65-75  
PLOT PLAN REVIEW  
DENIED  
Request of CLARENCE M. AND EDITH K. HEDGES for a Plot Plan Review on an approved Variance to construct a thirty-two foot (32') by fifty foot (50') storage building on the southeast corner of property located at 5345 Jay Avenue in Zoning District C-2.
5. WAIVER FROM THE  
TRAILER PARK  
STANDARDS  
DENIED  
Request from KENNISINGTON MANOR MOBILE HOME PARK for a Waiver From The Trailer Park Standards to allow a six foot (6') separation between awnings where ten feet (10') is required and to allow the existing coaches relief from the required five foot (5') setback on property located at 825 North Lamb Boulevard.

MINUTES

BOARD OF ZONING ADJUSTMENT

MARCH 22, 1979

CALL TO ORDER:

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

PRESENT:

Chairman Swessel, Mrs. Segretti, Mrs. Emmett and Mrs. Meyers  
Mr. Duncan

ABSENT:

STAFF PRESENT:

Don W. Brown, Supervisor of Zoning  
Rick Sweet, Planner  
Linda McIntosh, Recording Secretary

PLEDGE OF ALLEGIANCE:

ANNOUNCEMENT:

MR. BROWN stated that the agenda for 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 January 25, 1979. Motion for APPROVAL carried unanimously.

OLD BUSINESS:

1. V-113-78

(Abeyance Item  
from 1/25/79)

APPROVED

Application of RICHARD P. EDWARDS for a Variance to allow the construction of a building six feet (6') from the rear property line where fifteen feet (15') is required on property located at 3512 Venice Drive in Zoning District R-1.

MR. BROWN presented the staff report and stated this is a request for an addition to the rear of the property. Staff has a memo from the Building Department which is pertinent to this case. He then read the memo which was written by Lee Lemon, Senior Inspector, (copy on file in CP&D).

PAUL COCKBURNE, 5546 Jason Lane, represented the application.

MRS. SEGRETTI asked what was planned for the property.

MR. COCKBURNE stated it is an existing addition on the back of the house.

MRS. SEGRETTI asked if the sheetrock was put up with the knowledge it might have to be taken down.

MR. BROWN replied that was correct.

MRS. SEGRETTI asked for staff's recommendation.

MR. BROWN stated there is nothing unique or unusual about this which would warrant relief from the zoning ordinance.

MR. COCKBURN said he thought the electrical permit had been pulled.

MR. BROWN stated no permits for electrical, plumbing or air conditioning had been taken out.

LEE LEMON, Senior Inspector, stated the addition had been approximately 80/85% completed before the permits were taken out.

MRS. SEGRETTI asked if the addition complied with the permits.

MR. LEMON stated as far as the construction, yes.

MRS. EMMETT asked if there were any letters of protest.

MR. BROWN replied there was none.

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

MRS. SEGRETTI made a Motion for APPROVAL of V-113-78, 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, Mrs. Emmett, Mrs. Meyers and Chairman Swessel

"NOES" None

Motion for APPROVAL carried unanimously.

NEW BUSINESS:

1. V-1-79

APPROVED

Application of ROBERT J. AND LORRAINE HIRE for a Variance to allow an existing carport and storage room to extend to the north side property line where a six foot (6') setback is required on property located at 2305 Santa Paul Drive in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 8, Paradise Village Tract #3.

MR. BROWN presented the staff report and stated that a similar application had been heard approximately 3 months ago on the property to the north, which was approved by the City Commission.

If this is approved, the Building Department recommends that the existing carport be removed or a 1 hour fire wall with a 30' parapet be placed on the property line on the north side.

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

ROBERT J. HIRE stated he has owned the property for 27 years.

MR. BROWN stated that in view of the fact the adjacent neighbor received relief, this one should also.

LEE LEMON described the requirements of the Building Department.

MR. HIRE stated he did not object to the wall.

ANTHONY AUDIA, 2301 Santa Paul, appeared in approval of the application.

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

MRS. MEYERS made a Motion for APPROVAL of V-1-79, subject to the following conditions:

1. Erect a one-hour wall with a 30 inch parapet on the property line on the north side as required by the Department of Building and Safety.
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 Swessel, Mrs. Segretti and Mrs. Emmett

"NOES" None

Motion for APPROVAL carried unanimously.

2. V-2-79

DENIED

Application of JACK K. LEAVITT for a Variance to allow an off-premise sign to a maximum height of fifty-five feet (55') where a maximum height of forty feet (40') is allowed on property located at 536 East Sahara Avenue in Zoning District C-1 (Limited Commercial). The above property is legally described as Lot 21, Paradise Plaza Tract #1.

MR. BROWN presented the staff report and stated this same request was heard by the BZA January 26, 1978. It was denied by the BZA and the City Commission upon appeal. Staff feels the conditions have not changed since that time and would still recommend denial.



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

JIM OVERHOLT, Donrey Outdoor, stated they are proposing a new type of sign, which has a single pole. He presented pictures to the Board. He stated the proposed sign would be setback 55' from the curb. And, this is an expensive sign and much better than the double pole signs. He added the area has changed and would warrant a sign.

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

MRS. SEGRETTI made a Motion for DENIAL of V-2-79 because there was insufficient justification presented to grant the variance.

Voting was as follows:

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

Motion for DENIAL carried by a 3/1 vote.

3. V-4-79

APPROVED

Application of BETTY M. ROBERTSON for a Variance to allow an existing porch addition twelve feet six inches (12'6") from the front property line where twenty feet (20') is required and to allow a four foot (4') side yard setback where five feet (5') is required on property located at 1643 Stewart Avenue in Zoning District R-3 (Limited Multiple Residence). The above property is legally described as a portion of Lot 3, Block "M", Martin Tract.

MR. BROWN presented the staff report and stated the porch was built without benefit of permits for proper footings. The plot plan is as depicted. There is a metal storage shed to the west which staff would recommend be removed as it encroaches into the sideyard setback.

CHAIRMAN SWESSEL declared the public hearing open and asked to heard from the applicant.

JIM ROBERTSON represented the application and stated he felt responsible for no building permit. He said he had been told no permit was necessary because it was such a small area.

MRS. MEYERS asked how long ago the porch was built.

MR. ROBERTSON replied several months ago.

MRS. EMMETT asked if there had been any protests.

MR. BROWN replied there were none on file.

LEE LEMMON, Senior Inspector, stated one stipulation, if the application is approved, is that adequate footings are required under the structure and the metal shed be removed from the area.

MR. ROBERTSON stated the conditions would be complied with.

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

MRS. SEGRETTI made a Motion for APPROVAL of V-4-79, subject to the following conditions:

1. Remove the metal shed from the side yard.
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, Mrs. Emmett, Mrs. Meyers and Chairman Swessel

"NOES" None

Motion for APPROVAL carried unanimously.

3. V-5-79  
APPROVED

Application of OLD WEST CONSTRUCTION COMPANY, ET AL, for a Variance to allow a fifteen foot six inch (15'6") front yard setback where thirty feet (30') is required and a five foot (5') side yard setback where ten feet (10') is required on property located at 4312 Lindsey Circle; and to allow a fourteen foot six inch (14'6") front yard setback where thirty feet (30') is required and a five foot (5') side yard setback where ten feet (10') is required on property located at 4313 Lindsey Circle in Zoning District R-E (Residence Estates). A previous variance approval reduced the front yard setback from fifty feet (50') to thirty feet (30') on these two properties. The above properties are legally described as Lots 6 and 9, Block 4, Stagecoach Depot 2B.

MR. BROWN presented the staff report and stated in this district the normal setback is 50'. In October, 1976, a variance was approved to reduce the setbacks to 30'. A further reduction is now requested. When the 30' was granted, it was to accommodate horses.

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

BRUCE MEAD, Consumers Investment, stated his group completed the subdivision, but did not start it, and had assumed everything was correct. The discrepancy was not noted until there was a dispute between two neighbors over the side yard. At that time, there was a survey, and the discrepancies were discovered.

MRS. EMMETT asked if the houses exist.

MR. MEAD replied the houses are constructed, they are finalized

and lived in. There are 32 houses in the subdivision and only these two do not comply with the requirements.

MRS. EMMETT asked if granting the variance would resolve the dispute.

MR. MEAD replied that it would.

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

MRS. EMMETT made a Motion for APPROVAL of V-5-79, subject to the following conditions:

1. Dedication of a 25 ft. additional right-of-way on Craig Road frontage, and a 25 ft. radius corner at Lorenzi Boulevard and Craig Road as required by the Department of Public Services.
2. Construction of half street improvements at the time of development 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. Emmett, Mrs. Meyers and Chairman Swessel

"NOES" Mrs. Segretti

Motion for APPROVAL carried by a 3/1 vote.

5. V-6-79

APPROVED

Application of FRANK AND JOSEPHINE PROCOPIO for a Variance to allow an eight foot (8') block wall fence on the sides and rear property lines where six feet (6') is permitted on property located at 2601 Austin Avenue in Zoning District R-1 (Single Family Residence). The above property is legally described as Lots 14 and 15, Block 4, Rancho Square.

MR. BROWN presented the staff report and stated the request is located in the heart of a R-1 district, abutting the Expressway. Staff has no objection to this request.

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

FRANK PROCOPIO, 4223 Chatham, represented the application.

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

MRS. MEYERS made a Motion for APPROVAL of V-6-79, 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 Swessel, Mrs. Segretti and Mrs. Emmett

"NOES" None

Motion for APPROVAL carried unanimously.

6. V-7-79

APPROVED

Application of SY AND SHERRI SUSSMAN for a Variance to allow a Women's Residence Facility for sixteen (16) women where twelve (12) are authorized on property located at 720 South 9th Street in Zoning District R-1 (Single Family Residence). The above property is legally described as Lots 22 and 23, Block 14, Wardie Addition.

MR. BROWN presented the staff report and stated the plot plan is as depicted. In 1964 a senior citizens home permit was granted for a maximum of 8 people. In March, 1978, this was increased to 12. The applicant is now asking for 16. Staff does not object to the use, but does not see a solution to the parking problem. A neighbor across the street has called regarding the parking. For this reason, staff does not see any real solution to the problem as far as parking is concerned. The applicant can provide a couple in the front. Staff does not know if 16 people would need more than two parking spaces.

CHAIRMAN SWESSEL declared the public hearing open.

SUE O'STANEK represented the applicant. She stated this is no longer a senior citizens facility. They will have women and children, but they will not have cars. Many of the cars belong to the board members and the volunteers. They can park elsewhere to alleviate the problem. She added that the children will count in the number requested and that the cottage which will be used has a sprinkler system and bathroom, and is approximately 20' x 15' in size.

MRS. SEGRETTI asked if the Fire Department had approved this.

MR. BROWN stated that to get the license, Fire Department approval is necessary, plus meets all other Code requirements of the City.

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

MRS. EMMETT made a Motion for APPROVAL of V-7-79, 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. Emmett, Mrs. Meyers, Chairman Swessel and Mrs. Segretti  
"NOES" None

Motion for APPROVAL carried unanimously.

7. V-8-79

DENIED

Application of T.E. MITTON for a Variance to allow an existing detached third dwelling unit where two dwelling units are permitted and said third dwelling unit is located five feet (5') from the rear property line where twenty-five feet (25') is required and one foot (1') from the side property line where five feet (5') is required on property located at 1306-1308 Rexford Place in Zoning District R-2 (Two Family Residence). The above property is legally described as Lot 22, Paradise Grove.

MR. BROWN presented the staff report and stated the plot plan is as shown. The applicant did apply for rezoning to permit this use and the Planning Commission suggested he apply to the BZA for a variance instead.

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

ED MITTON, 1300 Rexford Drive, stated the building has been in existence for 15 years that he knew of and he purchased the property in 1976.

MRS. SEGRETTI asked if the third dwelling had a kitchen.

MR. MITTON replied it is a complete house with everything in it.

MRS. SEGRETTI asked if it was rented out.

MR. MITTON replied that it was.

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

MRS. SEGRETTI made a Motion for DENIAL of V-8-79.

Voting was as follows:

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

The tie vote resulted in no action being taken.

MRS. MEYERS made a Motion for APPROVAL of V-8-79.

Voting was as follows:

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

8. V-9-79

DENIED

The tie vote on the affirmative motion resulted in the application being denied.

Application of RICHARD B. LYBERT for a Variance to allow a building addition two feet (2') from the rear property line where twenty feet (20') is required and to allow four (4) parking spaces where eight (8) spaces are required on property located at 1111 Desert Lane in Zoning District P-R (Professional Offices & Parking). The above property is legally described as a portion of the Northeast Quarter (NE¼) of Section 4, Township 21 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the plot plan is as depicted. The proposed addition contains 1666 sq. ft. The applicant is asking for a 100% addition. There are two parking spaces in the front and four are required. There is nothing unique or unusual about this lot. They are encroaching into the rear yard. Staff sees no justification for this and recommends denial.

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

ED COOK represented the application and stated the request is to increase the building size. There is an existing building 2' from the rear property line and there isn't enough space to supply parking. He stated he felt the amount of parking facilities along Desert Lane would be ample and presented pictures to the Board.

MRS. SEGRETTI asked if the addition was already constructed.

MR. COOK replied it was not.

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

MRS. SEGRETTI made a Motion for DENIAL of V-9-79.

Voting was as follows:

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

The tie vote resulted in no action being taken.

MRS. SEGRETTI made a Motion for Approval of V-9-79, subject to the following conditions:

1. Landscaping and a permanent underground sprinkler system shall be provided as required by the Department of Community Planning and Development 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.
2. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
3. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
4. Conformance to the plot plan.
5. 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. Emmett, Mrs. Meyers and Chairman Swessel  
 "NOES" Mrs. Segretti

Motion for APPROVAL carried by a 3/1 vote.

9. V-10-79  
 APPROVED

Application of JACK H. HOOPER, TRUSTEE, for a Variance to allow an eighteen foot (18') rear yard setback where fifty feet (50') is required on property located at 1100 Campbell Drive in Zoning District R-E (Residence Estates). The above property is legally described as Lot 8, Block 1, Resubdivision of Blocks 1, 2 and 3, McNeil Tract.

MR. BROWN presented the staff report and stated the plot plan is as depicted.

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

BOB RIDGE represented the application and stated the house has been there for 20 years and they are not asking to encroach any closer than the existing building.

CHAIRMAN SWESSEL stated it would have been nice if the applicants had waited to start construction until they were approved.

MR. RIDGE stated they did not realize they were out of line and did not know that the narrow part of a lot is the front of the lot.

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

MRS. MEYERS made a Motion for APPROVAL of V-10-79, subject to the following conditions:

1. Construct curb and gutter and sidewalk on Campbell frontage as required by the Department of Public Services.
2. Landscaping and a permanent underground sprinkler system shall be provided as required by the Department of Community Planning & Development and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
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" Mrs. Meyers, Chairman Swessel, Mrs. Segretti and Mrs. Emmett

"NOES" None

Motion for APPROVAL carried unanimously.

10. V-11-79

APPROVED

Application of ALVIN AND ROSE MARIE BOWES for a Variance to allow a rear dwelling unit four feet four inches (4'4") from the side property line where five feet (5') is required and located five feet three inches (5'3") from the rear property line where twenty feet (20') is required on property located at 400 North 7th Street in Zoning District R-4 (Apartment Residence). The above property is legally described as Lots 9 and 10, Block 6, Bucks Subdivision.

MR. BROWN presented the staff report and stated the plot plan is as depicted. There are no protests on record. Staff will defer to the wisdom of the Board of Zoning Adjustment members.

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

An unidentified person represented the application. He stated when the building was purchased from a savings and loan, it was with the present setbacks.

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

MRS. EMMETT made a Motion for APPROVAL of V-11-79, 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. Emmett, Mrs. Meyers, Chairman Swessel and Mrs. Segretti  
"NOES" None

Motion for APPROVAL carried unanimously.

11. V-12-79

APPROVED

Application of FRANK S. MIKULICH, SR., ET AL, for a Variance to allow an automotive repair garage, which is not permitted, on property located at 918 East Stewart Avenue in Zoning District C-2 (General Commercial). The above property is legally described as Lots 9, 10 and 11, Block 8, Fairview Tract and the northerly 150 feet of Lot 12, Block 19, Buck's Subdivision.

MR. BROWN presented the staff report and stated the plot plan is as depicted. Staff sees no reason why such a use which is not permitted should be permitted under the guise of a variance. There is one letter of protest. Denial is recommended.

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

SEBASTIAN MIKULICH stated that his parents bought this property in 1920 and built the first garage in 1921. The present building was constructed in 1943 for LTR. LTR moved and they stayed. That was in 1975 and they have been operating ever since. They took out a City license 3 years ago and operated a 4-wheel drive center. It is impossible to modify a vehicle (jeep) without taking some of it apart. He added this location has been operating as a garage since 1922.

CHAIRMAN SWESSEL asked why a variance was needed.

MR. BROWN stated he did not know how it came about, but this is not a permitted use in a C-2 zone.

ANDREW MIKULICH stated he had lived in the house next to this facility for 51 years, the use had been there and had not disturbed him.

JACK DURNANDER, 231 North 11th, appeared in protest.

MR. BROWN stated that if the use is approved, a requirement would be a radius corner dedication at 10th and Stewart.

MR. MIKULICH stated he agreed to this condition.

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

CHAIRMAN SWESSEL made a Motion for APPROVAL of V-12-79, subject to the following conditions:

1. Dedication of a radius corner at 10th Street and Stewart Avenue as required by the Department of Public Services.
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 systems 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" Chairman Swessel, Mrs. Segretti, Mrs. Emmett and Mrs. Meyers  
"NOES" None

Motion for APPROVAL carried unanimously.

12. U-11-79

APPROVED

Application of the HOME OF THE GOOD SHEPHERD for a Use Permit to allow a quasi-public use (thrift shop) on property located at 208 North 15th Street in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 11, Block 1, Mayfair Tract #3, Amended.

MR. BROWN presented the staff report and stated the applicant has a present operation on South 4th and want to move to this location. This will be a judgment call on the part of the BZA. If the neighbors don't object, staff doesn't.

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

JON COLLINS represented the application and stated the property is owned by the Home of the Good Shepherd and has been since 1974. The present facility which is used is an older house and is owned by other persons and the Auxiliary is unable to acquire it. The property to the north is used as a Credit Union, which has filed a letter they are not opposed to this use. Nothing

will be stored outside, and the outside will be improved with landscaping and off-street parking. The interior will be remodeled. The facility will only be open 3 days a week, 5 hours a day.

SISTER NOTEVALOFF appeared in approval.

MRS. WEST appeared in approval.

MRS. WHITE appeared in approval.

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

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

MRS. SEGRETTI made a Motion for APPROVAL of U-11-79, 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, Mrs. Emmett, Mrs. Meyers and Chairman Swessel

"NOES" None

Motion for APPROVAL carried unanimously.

13. U-12-79

APPROVED

Application of BECKER INVESTMENT COMPANY for a Use Permit to allow the retail sale of gasoline on property generally located on the southeast corner of Jones Boulevard and Vegas Drive in Zoning District C-1 (Limited Commercial). The above property is legally described as a portion of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section 25, Township 20 South, Range 60 East, MDB&M.

MR. BROWN presented the staff report and stated the canopy is in place and they are asking for the pumps. This is in concert with commercial development and staff has no objection.

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

CLIFFORD JONES represented the applicant. He stated this will be a 24-hour operation.

CHAIRMAN SWESSEL asked what was on the property now.

MR. JONES stated there is a convenience store and the pumps will be used in connection with that.

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

MRS. SEGRETTI made a Motion for APPROVAL of U-12-79, 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, Mrs. Emmett and Mrs. Meyers  
"NOES" Chairman Swessel

Motion for APPROVAL carried by a 3/1 vote.

14. U-15-79  
APPROVED

Application of REVERAND E. N. WEBB for a Use Permit to allow a parking lot for a church on property located at 604 Jefferson Avenue in Zoning District R-3 (Limited Multiple Apartments). The above property is legally described as Lot 5, Block 19, H.F.M. & M. Addition.

MR. BROWN presented the staff report and stated the plot plan is as depicted. It is simply a parking lot. Staff does not object.

CHAIRMAN SWESSEL declared the public hearing opening and asked to hear from the applicant.

HERMAN MOODY represented the application. He stated the parking lot would meet the needs of the church members.

TIMOTHY EDWARDS appeared in approval of the application.

MR. BROWN stated that a sidewalk on Jefferson was required as well as signing an assessment agreement.

MR. MOODY stated he thought they could live with that.

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

MRS. MEYERS made a Motion for APPROVAL of U-15-79, subject to the following conditions:

1. Construct a sidewalk on Jefferson Avenue frontage as required by the Department of Public Services.
2. Sign an Assessment District Agreement for future alley paving and street lighting 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 Swessel, Mrs. Segretti and Mrs. Emmett

"NOES" None

Motion for APPROVAL carried unanimously.

15. U-16-79

APPROVED

Application of CHRISTENSEN BROTHERS, A PARTNERSHIP, for a Use Permit to allow a Class III second hand dealership (jewelry) on property located at 856 East Sahara Avenue in Zoning District C-1 (Limited Commercial). The above property is legally described as a portion of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 3, Township 21 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the plot plan is as depicted. There is adequate parking. Staff feels this is not in concert with development in the area and would recommend approval.

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

VERN CHRISTENSEN represented the application. He stated the use permit was necessary for the buying and selling of estate jewelry.

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

MRS. SEGRETTI made a Motion for APPROVAL of U-16-79, 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, Mrs. Emmett, Mrs. Meyers and Chairman Swessel

"NOES" None

Motion for APPROVAL carried unanimously.

16. U-13-79(HO)

APPROVED

Application of FRANK AND BARBARA ZEMEL at 116 Sam Jonas Drive in Zoning District R-1 for a Home Occupation Permit - Manufacture letters and figures.

17. U-14-79(HO) APPROVED Application of HOWARD JOHNSON at 4218 Baxter Road in Zoning District R-1 for a Home Occupation Permit - Keep records for a metal casting company.
18. U-17-79(HO) APPROVED Application of KAREN NELSON CAVIOLA, on behalf of GERALD A. LITTLEJOHNS at 329 Huntley Road in Zoning District R-1 for a Home Occupation Permit - Allow the import and off-premise sale of diamonds.
19. U-18-79(HO) APPROVED Application of ROBERT BUTLER at 6432 Hill View Avenue in Zoning District R-1 for a Home Occupation Permit - Allow a tile setting and repair service.
20. U-19-79(HO) APPROVED Application of RHONDA RAE PETERSON at 1225 Fay Boulevard in Zoning District R-1 for a Home Occupation Permit - Allow a bookkeeping and payroll office for a custom stucco/plastering business.
21. U-20-79(HO) APPROVED Application of JAMES D. WILSON at 900 Indian Lane in Zoning District R-1 for a Home Occupation Permit - Operate a janitorial business.
22. U-21-79(HO) APPROVED Application of NANCY L. BOCKMAN at 6404 Shawnee Place in Zoning District R-1 for a Home Occupation Permit - Allow a house cleaning service.
23. U-24-79(HO) APPROVED Application of RONALD WRIGHT at 1324 Mezpah Drive in Zoning District R-1 for a Home Occupation Permit - Allow a business office to keep records for a Disco Dance Sponsor.
24. U-25-79(HO) APPROVED Application of DONALD R. DIBBLE at 6248 Parisfal Place in Zoning District R-1 for a Home Occupation Permit - Allow the operation of a sewing business with off-premise alterations and fittings.
25. U-26-79(HO) APPROVED Application of JOHN W. RITTER at 701 South Bedford Road in Zoning District R-1 for a Home Occupation Permit - Allow off-premise home repairs.
26. U-27-79(HO) APPROVED Application of LANA AND ROBERT CHAUBET at 337 Mallard Street in Zoning District R-1 for a Home Occupation Permit - Allow wax sculpturing and off-premise sale of products.
27. U-28-79(HO) APPROVED Application of MARGO SANSONE at 612 Langtry Drive in Zoning District R-1 for a Home Occupation Permit - Operate an accounting, bookkeeping and tax service.
28. U-29-79(HO) APPROVED Application of MATTHEW C. AND SHIRLEY TROTTA at 2912 Black Forest Drive in Zoning District R-1 for a Home Occupation Permit - Maintain failes and bookkeeping for an off-premise management and consulting business.

29. U-30-79(HO)  
APPROVED

Application of THOMAS W. ERWIN at 2612 Valparaiso Street in Zoning District R-1 for a Home Occupation Permit - Allow an off-premise photography business.

30. U-31-79(HO)  
APPROVED

Application of RONALD J. PALMER at 6312 Evergreen Avenue in Zoning District R-1 for a Home Occupation Permit - Allow an off-premise contract welding business.

31. U-32-79(HO)  
APPROVED

Application of ROBERT E. KELLY at 1825 Loch Lomond Way in Zoning District R-1 for a Home Occupation Permit - Allow off-premise sales and advertising for Mark Sales Company.

32. U-33-79(HO)  
APPROVED

Application of A. LENA DEL VECCHIO at 1305 Pauline Way in Zoning District R-1 for a Home Occupation Permit - Allow the sale of wedding flowers by special order.

33. U-34-79(HO)  
APPROVED

Application of MICHAEL OLEO at 1422 East Carson Avenue in Zoning District R-2 for a Home Occupation Permit - Allow a business office for professional pilot service.

34. U-35-79(HO)  
APPROVED

Application of LeANNE HOWARD at 6105 Edgewood Circle in Zoning District R-1 for a Home Occupation Permit - Allow retail mail order sale of home sewn articles.

MR. BROWN presented the staff report, stated everything is in order, the questionnaires have been satisfactorily answered and staff would recommend approval.

MRS. SEGRETTI made a Motion for APPROVAL of Items 16 through 34, 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. Emmett and Chairman Swessel  
"NOES" None

Motion for APPROVAL carried unanimously.

35. V-13-79  
APPROVED

Application of THE BISHOP OF NEVADA, EPISCOPAL CHURCH for a Variance to allow one (1) parking space for every two (2) (senior citizen) apartment units where one and one-half (1½) parking spaces for every unit are required on property generally located on the northeast corner of Eastern Avenue and Harris Avenue in Zoning District R-E (Residence Estates) under Resolution of Intent to R-3 (Limited Multiple Residence). The above property is legally described as the south 400 feet of the west 615 feet of the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section 25, Township 20 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the plot plan is as shown. Other senior citizens' developments in the City have gone to the 1/2 parking space arrangement, i.e., Levy Gardens, James Down, etc., and staff would recommend this be considered in a favorable light subject to the curb cut being 32' in width.

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

JAY DOWNEY represented the application and stated the applicant would comply with all the criteria set forth by the City and would also accept the recommendation of the curb cut.

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

MRS. MEYERS made a Motion for APPROVAL of V-132-79, subject to the following conditions:

1. Subject to the requirements of Z-116-78.
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 Swessel, Mrs. Segretti and Mrs. Emmett

"NOES" None

Motion for APPROVAL carried unanimously.

36. V-14-79

DENIED

Application of LA. VEGAS BUILDING MATERIALS, INC. for a Variance to allow an off-premise sign sixty-five feet (65') in height where a maximum height of forty feet (40') is allowed on property located at 601 West Bonanza Road in Zoning District "M" (Industrial). The above property is legally described as a portion of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 27, Township 20 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the plot plan is depicted with the sign in the southeast corner. Other signs in the area are only 40' in height.

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

JIM OVERHOLT represented the application and stated that originally it was believed that 40' in height would have been sufficient, but it has been found that it is not adequate. At this location 40' is worthless. In order for the sign to be viewed from the Freeway, this variance is needed.



MRS. SEGRETTI asked if the Federal Government wasn't trying to take down billboards.

MR. OVERHOLT replied that Donrey has lost many of their's on I-15 and that is why they are trying to relocate the signs. This particular application has nothing to do with Federal beautification in this area.

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

MRS. EMMETT made a Motion for APPROVAL of V-14-79.

Voting was as follows:

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

Motion for APPROVAL resulted in a tie vote; therefore, the application was DENIED.

37. V-15-79

DENIED

Application of SOUTHWESTERN IMPROVEMEN AND INVESTMENT COMPANY for a Variance to allow an off-premise sign sixty-five feet (65') in height where a maximum height of forty feet (40") is allowed on a property located at 1211 West Bonanza Road in Zoning District "M" (Industrial). The above property is legally described as a portion of the South Half (S½) of the Southeast Quarter (SE¼) of Section 28, Township 20 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the proposed sign would be located by the off ramp to Highland Drive. There is presently a sign there and the applicant wishes to have it elevated. If the determination is made there is a need for this variance, staff would defer to the decision of the Board of Zoning Adjustment.

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

JIM OVERHOLT represented the application and stated the applicant wishes to put up a sign that can be seen.

MRS. EMMETT asked if this would be the new type of sign.

MR. OVERHOLT replied that it would be a single pole sign.

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

MRS. EMMETT made a Motion for APPROVAL of V-15-79.

Voting was as follows:

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

Motion for APPROVAL resulted in a tie vote; therefore, the application was DENIED.

38. V-16-79

APPROVED

Application of JACK BINION, ET AL, for a Variance to allow a sixty (60) space recreation vehicle park addition to the existing Shady Acres Trailer Park on property generally located on the west side of North Main Street between Washington Avenue and Owens Avenue in Zoning District "M" (Industrial). The above property is legally described as the Southwest Quarter (SW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 27, Township 20 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the plot plan is as shown with the various spaces and the restroom area. This is not a permitted use in an Industrial district. Inasmuch as it is already there and the applicant wishes to expand the use, staff does not object.

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

G.C. WALLACE represented the application and stated that at a time when negotiations were held regarding the dedication of right-of-way to the State, the City indicated it would allow the expansion of the trailer park. The applicant would like to go forward with those plans.

GLORIA YAZZI, Chairperson, Las Vegas Indian Colony, appeared in protest to the application. She cited reasons for protest as being additional traffic and transients. She added if this is granted, the Colony would like a wall between the two properties. Further, the boundary line question has not yet been resolved between the Trailer Park and the Colony. She also asked that a traffic light be installed at the entrance to the Colony.

CHAIRMAN SWESSEL stated this Board did not have control of the placement of traffic lights.

TOM HARMON, Federal police officer, Las Vegas Indian Colony, appeared in protest.

CHAIRMAN SWESSEL asked if a wall could be built.

MR. WALLACE stated that it could if they could get together on the boundary.

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

MRS. SEGRETTI made a Motion for APPROVAL of V-16-79, subject to the following conditions:

1. Fire hydrants to be installed within 300 ft. of the building or existing hydrant as required by the Department of Fire Services.

2. A 6 ft. block wall be constructed along the north property line of the trailer park.
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" Mrs. Segretti, Mrs. Emmett, Mrs. Meyers and Chairman Swessel

"NOES" None

Motion for APPROVAL carried unanimously.

39. V-17-79

DENIED

Application of SHERMAN J. ARNAUD for a Variance to allow a carport addition nine feet (') from the side property line where fifteen feet (15') is required for a corner lot on property located at 721 South Mallard Street in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 9, Block 42, Charleston Heights Tract 5-A.

MR. BROWN presented the staff report and stated the plot plan is as depicted. This is a corner lot. Staff feels there is nothing unique or unusual about this lot or the house on it and would recommend denial.

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

SHERMAN ARNAUD, 721 Mallard, stated he wished to add on to his carport. He stated he has 5 automobiles and has experienced hit and run accidents from those cars being parked on the street. He added this carport would enhance the neighborhood.

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

MRS. EMMETT made a Motion for APPROVAL of V-17-79.

Voting was as follows:

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

Motion for APPROVAL resulted in a tie vote; therefore, the application was DENIED.

40. V-18-79  
APPROVED

Application of MIKE HADDAD for a Variance to allow an existing four foot (4') high solid block wall in the front yard area where the top two feet (2') is required to be fifty percent (50%) open on property located at 2515 Valley Street in Zoning District R-3 (Limited Multiple Residence). The above property is legally described as Lot 7, Block 4, Sunrise Park Tract #1.

MR. BROWN presented the staff report and stated this is a vacant lot with a block wall. Staff sees no reasons for relief from the ordinance. There is nothing unique or unusual and denial is recommended.

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

MIKE HADDAD, 1700 East Oakey, stated the wall has been constructed for 14 months.

CHAIRMAN SWESSEL asked if Mr. Haddad if he had gotten a permit.

MR. HADDAD replied that he had and it is still on the premises.

LEE LEMMON, Building & Safety, stated that inspections had been done, but by County inspectors who thought the property was in the County.

MR. HADDAD stated that Valley Street divides the City and the County.

MRS. EMMETT asked if the fence had been approved by the County inspectors.

MR. LEMMON stated that it had.

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

MRS. MEYERS made a Motion for APPROVAL of V-18-79, subject to the following condition:

1. Conformance to the plot plan.

Voting was as follows:

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

Motion for APPROVAL carried by a 3/1 vote.

41. V-19-79

APPROVED

Application of AUSTIN F. AND LINDA P. HAMILTON for a Variance to allow a second story addition six feet (6') from the side property line where nine feet (9') is required on property located at 6604 Elton Avenue in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 4, Block 13, Lewis Homes Charleston Unit #9.

MR. BROWN presented the staff report and stated the plot plan is as depicted. The addition is over the present garage. Staff does not see anything unusual about this. If the neighbors don't object, staff does not.

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

AUSTIN HAMILTON, 6604 Elton, stated he needed added living space and this is the only practical way to do it.

MRS. SEGRETTI asked if the addition would be used for the family or as a rental.

MR. HAMILTON stated it would be used by his family.

BRIAN SANDALL, 6609 Elton, appeared in approval. He stated the neighbors have been contacted and do not object.

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

MRS. SEGRETTI made a Motion for APPROVAL of V-19-79, 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, Mrs. Emmett, Mrs. Meyers and Chairman Swessel

"NOES" None

Motion for APPROVAL carried unanimously.

42. V-40-79

DENIED

Application of WAYNE A. ANDERSON for a Variance to allow an existing carport, with supports, to the property line where five feet (5') is required on property located at 5016 Carmen Boulevard in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 16, Block 12, Golf Ridge Terrace Unit #5.

MR. BROWN presented the staff report and stated the location is as shown with the house and existing carport, which goes out to the block wall. It is encroaching into the side yard.

There is absolutely nothing unusual or unique about this. The neighbor has objected and has called the City several times. She objects and staff objects.

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

WAYNE ANDERSON stated the carport was needed for the protection of automobiles.

CHAIRMAN SWESSEL asked how long the carport had been in existence.

MR. ANDERSON stated six months.

CHAIRMAN SWESSEL asked if permits were taken out.

MR. ANDERSON replied they were not, and added that the supports could be taken off the block wall. He presented pictures of the structure to the Board.

ROBERT WHITTAKER, 5020 Carmen, appeared in protest. He stated the closeness of the structure to the house next door presents a fire hazard.

LEE LEMMON, Building & Safety, stated the structure does present an extreme fire hazard to both properties.

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

MRS. SEGRETTI made a Motion for DENIAL of V-20-79 because insufficient evidence was present to justify the Variance.

Voting was as follows:

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

"NOES" None

Motion for DENIAL carried unanimously.

43. U-22-79

APPROVED

Application of OWEN AND ISABELLA MAHONEY for a Use Permit to allow the operation of an adolescent male treatment program (Vegas House, Inc.) for potential or actual substance abusers on property located at 1718 West Bonanza Road in Zoning District R-E (Residence Estates). The above property is legally described as a portion of the Northeast Quarter (NE $\frac{1}{4}$ ) 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 this same application was considered in July, 1978, and the Board recommended approval to the City Commission, who subsequently denied the application in September of 1978. There were 7 letters of protest in July and 4 for this hearing. Staff has no recommendation.

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

BOB McNUTT represented the application. He stated that there has been no complaints to the Planning Department regarding the operation of the facility. He added they have also been cited into Municipal Court for this operation. He added things have changed for the better and they do have a new executive director. And, this is a logical location and does not encroach upon the neighbors.

MIKE LOWDEN, Executive Director, 1718 West Bonanza, appeared in approval of the application.

MAC JONES, Bureau of Drug and Alcohol Abuse, read a letter of approval from that Bureau.

BOB SCOTT appeared in protest. He stated he was planning on building an office facility across the street and the current use on the subject property would be detrimental to his office building.

JACQUELINE MILLER, 1812 West Bonanza, presented a petition with 30 signatures in opposition to the application.

EMIL GRAHAM, 1527 West Bonanza, appeared in protest.

JULE BIGELOW, 1121 Vegas Drive, owner of property at 1808-12-16 West Bonanza, appeared in protest.

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

MRS. EMMETT announced that she is a member of the Board of Directors of Fitzsimmons House, that she had not participated in the foregoing discussion and would ABSTAIN from voting on this application.

MRS. SEGRETTI made a Motion for A PROVAL of U-23-79, 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, Mrs. Meyers and Chairman Swessel

"NOES" None

"ABSTAIN" Mrs. Emmett

Motion for APPROVAL carried by a 3/0 vote.

44. U-23-79(HO)

DENIED

Application of BRYAN E. SMITH for a Home Occupation Permit to allow the leasing of indoor house plants from property located at 309 Galveston Street in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 9, Block 1, Park Bonanza East Unit #1.

MR. BROWN presented the staff report and stated this is a request for a commercial use in a residential district. Staff sees no reason for such a thing to development and would recommend this request be denied.

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

BRYAN SMITH stated he uses his home to house the plants and then leases them to doctors, etc. There is no foot traffic and all business is done over the phone.

MRS. SEGRETTI asked how advertising was done.

MR. BRYAN stated he goes out and canvases prospective clients and also by word of mouth.

MR. BROWN stated that the application states there may be some sale of plants.

MR. BRYAN stated the plants would be sold to the customers who have already leased them.

MRS. EMMETT stated she did not see any difference between this application and other home occupation applications that have been granted.

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

MRS. MEYERS made a Motion for APPROVAL of U-23-79(HO).

Voting was as follows:

"AYES" Mrs. Meyers and Mrs. Emmett

"NOES" Chairman Swessel and Mrs. Segretti

Motion for APPROVAL resulted in a tie vote; therefore, the application was DENIED.

45. U-86-75

EXTENSION OF TIME

APPROVED

Request of BETHANY BAPTIST CHURCH for a twelve (12) month Extension of Time on an approved Use Permit which allowed the construction of a church and a commercial day care nursery operation for a maximum of 100 children on property generally located on the north side of Gold Avenue, between "J" Street and "N" Street in Zoning District R-1.

MR. BROWN presented the staff report and stated the applicant could present the reason for the request.



H. ATKINSON, 1300 Wyatt, stated that the facility had taken longer than anticipated. The first phase of construction has been completed. The other plans are underway.

CHAIRMAN SWESSEL asked if 12 months would be sufficient.

MR. ATKINSON replied that it would.

MRS. MEYERS made a Motion for APPROVAL of the Request for an Extension of Time under U-86-75, subject to the following conditions:

1. Conformance to the conditions originally imposed at the time of approval of U-86-75.
2. Extension of time on the approved Use Permit to be restricted to a twelve (12) month time limit and will expire on March 22, 1980.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

46. V-65-75

PLOT PLAN REVIEW

DENIED

Request of CLARENCE M. AND EDITH K. HEDGES for a Plot Plan Review on an approved Variance to construct a thirty-two foot (32') by fifty foot (50') storage building on the southeast corner of property located at 5345 Jay Avenue in Zoning District C-2.

MR. BROWN presented the staff report and stated the plot plan is as depicted. The applicants do have a trailer, 10' x 60', and now want a storage building which is larger in area than the trailer. Staff is not supporting this request unless some justification is provided.

The applicant or a representative was not present.

MRS. SEGRETTI made a Motion for DENIAL of the Plot Plan Review under V-65-75 because of the size of the structure and the fact that no representative of the applicant was present.

Voting was as follows:

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

Motion for DENIAL carried unanimously.

47. WAVIER FROM THE  
TRAILER PARK  
STANDARDS

DENIED

Request from KNNISINGTON MANOR MOBILE HOME PARK for a Waiver From The Trailer Park Standards to allow a six foot (6') separation between awnings where ten feet (10') is required and to allow the existing coaches relief from the required five foot (5') setback on property located at 825 North Lamb Boulevard.

MR. BROWN stated the ordinance requires a 10' separation between awnings. This is a request for 6'. This is a request to amend the zoning ordinance. Fire Services does not want this reduction. If the awnings were non-combustible, they would be more receptive. This is too much of a deviation to allow relief for this existing coaches from the 5' setback and staff would recommend the request be denied.

DOUGLAS FERGUSON, 825 North Lamb, represented the application. He stated that until recently the mobile homes were inspected by the State and the State requires the 6'. A lot of the coaches have been passed by the City. Six existing coaches are too close to the property line, but were approved by the City. The tenants will now have to expend a substantial amount of money to move the coaches. New coaches in the park will not be able to have awnings.

CHAIRMAN SWESSEL asked how many coaches were in the park and how many are in violation.

MR. FERGUSON stated there are 366 coaches, and probably 300 are in violation.

CHAIRMAN SWESSEL asked who was responsible for inspections.

MR. BROWN stated the Building Department.

LEE LEMMON, Building & Safety, stated an inspection was made at the request of the people, which was done. He stated the City only controls the setback from the designated property lines in the park. When the City makes the inspection, the coaches do not have awnings, etc. Therefore, it is legal when the City accepts them. If awnings are put on, it is the coach owner and park owners responsibility to see that they are legal. There are now 38 bills in the legislature concerning mobile homes. There has been a question in the past few years exactly who inspects and maintains the coaches.

MR. BROWN stated it is staff's recommendation to amend the zoning ordinance, not to do it by variance.

MRS. SEGRETTI made a Motion for DENIAL of the Request for a Waiver From The Trailer Park Standards.

Voting was as follows:

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

"NOES" None

Motion for DENIAL carried unanimously.

DIRECTOR'S BUSINESS:

AMENDMENT TO RULES &  
REGULATIONS FOR VOTING

Discussion on the proposed amendment to the rules and regulations relative to voting.

MR. BROWN stated it is recommended the BZA adopt the same procedure as the Planning Commission by the City Attorney. If there is a tie vote on an affirmative motion, the matter is denied. If there is a tie vote on a negative motion, there is then no action.

MRS. EMMETT made a Motion for APPROVAL of the amendment to the rules and regulations for voting.

Voting was as follows:

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

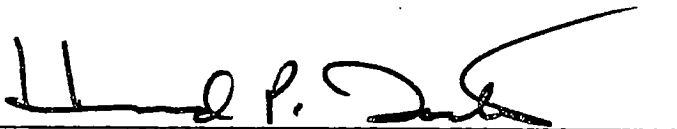
"NOES" None

Motion for APPROVAL carried unanimously.

ADJOURNMENT:

There being no further business to come before the Board of Zoning Adjustment, the meeting was adjourned at 10:40 P.M.

DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT

  
HAROLD P. FOSTER, DIRECTOR

/Tm