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A G E N D A

BOARD OF ZONING ADJUSTMENT

NOVEMBER 5, 1979

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- 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 Open Meeting Law
- NEW BUSINESS:
1. V-72-79 Application of JOHN TANNER RUSSELL for a Variance to allow four apartment units on a 6000 square foot lot where three apartment units would be allowed on property generally located on the northwest corner of 14th Street and Linden Avenue in Zoning District R-3.
 2. U-94-79 Application of ROBERT YOUNG for a Use Permit to allow administrative offices together with an existing residential use for the Southern Nevada Association for the Handicapped on property located at 1918 Pinto Lane in Zoning District R-1.
 3. V-73-79 Application of KENNETH R. AND RUTH I. LENOX for a Variance to allow a single family dwelling use in a C-2 zone which is not permitted, and in conjunction with a commercial operation on property located at 2101 West Bonanza Road in Zoning District C-2.
 4. V-74-79 Application of PETER M. AND NANCY P. THOMAS for a Variance to allow a room addition three feet (3') from the east side property line where ten feet (10') is required, and nineteen feet (19') from the rear property line where fifty feet (50') is required on property located at 3016 Campbell Circle in Zoning District R-E.
 5. V-75-79 Application of JOSEPH JOHN BONGIOVI for a Variance to allow a six foot (6') high ornamental iron fence in the front yard area where a four foot (4') high top two feet (2') fifty percent (50%) open is allowed on property located at 1450 Rancho Circle in Zoning District R-A.
 6. V-76-79 Application of NOLI R. AND LEOVINA ZOSA for a Variance to allow a fifteen (15) sq. ft. lighted rental sign where illuminated signs are not allowed and to allow the sign five feet (5') from the front property line where ten feet (10') is required on property located at 2304 through 2412 Tam Drive in Zoning District R-4.

7. V-77-79 Application of VALLEY HOSPITAL MEDICAL CENTER, A NEVADA LIMITED PARTNERSHIP, AND VALLEY GROUP CONSTRUCTORS, A JOINT VENTURE for a Variance to allow the establishment and use of a helicopter facility on property located at 620 Shadow Lane in Zoning Districts C-1 and P-R.
8. U-99-79 Application of DON KUTZ for a Use Permit to allow a child care facility for a maximum of twelve (12) children on property located at 5824 Iris Avenue in Zoning District R-1.
9. V-78-79 Application of VERNON C. LUECK for a Variance to allow a four-plex where three units are allowed on property located at 312 North 14th Street in Zoning District R-3.
10. V-79-79 Application of BRUCE BAILEY for a Variance to allow the construction of a storage shed two feet (2') from the side property line where five feet (5') is required on property located at 5317 Gipsy Avenue in Zoning District R-1.
11. V-80-79 Application of DR. HERBERT J. ROWE for a Variance to allow a dental laboratory which is not allowed on property located at 518 East St. Louis Avenue in Zoning District P-R.
12. V-81-79 Application of LLOYD O. JOHNSON for a Variance to allow domestic animals (horses) on property located at 4816 Serene Drive in Zoning District C-2.
13. V-82-79 Application of WAYNE ADAMS for a Variance to allow an existing single family residence to the south side property line where a five ft. (5') setback is required on property located at 1400 Cottonwood Place in Zoning District R-1.
14. U-100-79(HO) Application of ESTHER C. JENSEN for a Home Occupation Permit to allow the making and mail order sales of theatrical costumes on property located at 2007 Alta, R-1 zone.
15. U-101-79(HO) Application of KATHRYN J. HOWARD for a Home Occupation Permit to allow the making of macrame and craft items on property located at 821 Neil Armstrong Street, R-1 zone.
16. U-102-79(HO) Application of KATHRYN J. HOWARD for a Home Occupation Permit to allow bookkeeping in the home on property located at 821 Neil Armstrong Street, R-1 zone.
17. U-103-79(HO) Application of RUBY M. MILLER for a Home Occupation Permit to allow an office for Rujac Enterprises (wholesale fashion jewelry) on property located at 7028 Michael Collins Place, R-1 zone.

18. U-91-76

Use Review and
Plot Plan Review

Request of OPERATING AND MAINTENANCE ENGINEER TRADE
JOINT APPRENTICESHIP COMMITTEE FOR SOUTHERN NEVADA
for a Plot Plan Review to allow additions to the
existing building, and a Use Review to allow a welding
training area on property located at 300 Shadow Lane,
R-1 zone.

19. U-42-79(HO)

Request of GEORGE D. FRAME for an extension of a previously
approved Home Occupation Permit which allowed an office
for an off-premise law firm on property located at 4350
Mountain View Boulevard, R-E zone.

MINUTES

BOARD OF ZONING ADJUSTMENT

NOVEMBER 5, 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. Meyers and Mr. Bugbee

EXCUSED: Mrs. Segretti and Mrs. Emmett

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.

STAFF PRESENT: Harold P. Foster, Director, Department of Community Planning & Development
Don W. Brown, Supervisor of Zoning
Brett Reale, Planning Assistant
Linda McIntosh, Recording Secretary

NEW BUSINESS:

1. V-72-79

APPROVED

Application of JOHN TANNER RUSSELL for a Variance to allow four apartment units on a 6000 square foot lot where three apartment units would be allowed on property generally located on the northwest corner of 14th Street and Linden Avenue in Zoning District R-3 (Limited Multiple Residence). The above property is legally described as Lot 7, Block 5, 14th Street City Addition.

MR. BROWN presented the staff report and stated there have been quite a few variances granted in this area and staff would defer to the wishes of the Board.

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

LARRY STORJOHANN represented the application stated he had just recently purchased the structure from the State and this was the only lot in this area he could find to put it on. He added there are other R-4 buildings next to this lot and a new building is being constructed just above it.

RANIER GUND stated he owned the building above the lot in question and was concerned with the aesthetics of the building that would be moved in.

MR. STORJOHANN stated it would be a two-story building and will be redesigned with a balcony and much additional work would be done to enhance the building.

VERNON LUECK, 389 North 15th and 394 North 14th, appeared in favor of the application.

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

MR. BUGBEE made a Motion for APPROVAL of V-72-79, subject to the following conditions:

1. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.

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. Bugbee, Mrs. Meyers and Chairman Swessel
 "NOES" None

Motion for APPROVAL carried unanimously.

2. U-94-79
 ABEYANCE

Application of ROBERT YOUNG for a Use Permit to allow administrative offices together with an existing residential use for the Southern Nevada Association for the Handicapped on property located at 1918 Pinto Lane in Zoning District R-1 (Single Family Residence). The above property is legally described as a portion of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 33, Township 20 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the land use plan for this area calls for R-1 on the north side of Pinto Lane. Staff feels the requested uses are not incompatible and would recommend approval subject to retaining the R-1 north of Pinto and no signs be allowed on the property.

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

MRS. BEGER, Executive Director of the Southern Nevada Association of the Handicapped, represented the application. She stated she has employees at this location current and that is the reason for the request. There is no traffic and there is off-street parking. No items will be sold and the Association agrees to staff stipulations.

KAREN PETRONI, 2001 Pinto Lane, appeared in protest and presented an application with 46 names in opposition. She stated the requested use would not be compatible with the R-1 neighborhood. She presented pictures of the homes in the area.

JOHN VOSS stated he owned property next door and had not had any problems.

ROBERT PETRONI, 2001 Pinto Lane, appeared in protest. He asked if the owner of the property was present. (who was not) and cited portions of the Code relative to a use permit application.

MR. BUGBEE made a Motion for ABEYANCE of U-94-79 pending further study of the request.

Voting was as follows:

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

Motion for ABEYANCE carried unanimously.

3. V-73-79
 APPROVED

Application of KENNETH R. AND RUTH I. LENOX for a Variance to allow a single family dwelling use in a C-2 zone which is not permitted, and in conjunction with a commercial operation on property located at 2101 West Bonanza Road in Zoning District C-2 (General Commercial). The above property is legally described as a portion of the South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 29, Township 20 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated that ordinarily staff would not be in favor of a request such as this; however, the applicant has informed staff that under some kind of terms with the VA program, he needs to reside in the R-1 residence

in order to comply with the terms. Staff would recommend approval subject to the use expiring after the obligation has been met with the Government.

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

MIKE CHERRY and KEN LENOX represented the application. He stated the applicant and his wife currently lives on the property. He added the applicants needed to live on the property for a certain period of time to satisfy the VA.

MRS. MEYERS asked how much time was needed.

MR. LENOX stated one year.

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-73-79, subject to the following conditions:

1. Approval is limited to the duration of the residential occupancy required by the Veteran's Administration Loan Program which is approximately one year.
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 and Mr. Bugbee
"NOES" None

Motion for APPROVAL carried unanimously.

4. V-74-79
APPROVED

Application of PETER M. AND NANCY P. THOMAS for a Variance to allow a room addition three feet (3') from the east side property line where ten feet (10') is required, and nineteen feet (19') from the rear property line where fifty feet (50') is required on property located at 3016 Campbell Circle in Zoning District R-3 (Residence Estates). The above property is legally described as Lot 2, Block 1, Rancho Nevada Estates Unit No. 4.

MR. BROWN presented the staff report and stated the plot plan is as shown. A couple of years ago the owner of the property asked for a variance to reduce the front yard setback from 50' to 34', and the request was approved. Now they are requesting relief in the rear and side yard setbacks. It is just too much house on too small a lot. This request should not be granted and denial is recommended.

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

PETER THOMAS represented the application. He stated he had bought the house approximately 2/3-months previously and had worked on the plans since that time. He added he had shown the plans to all of the neighbors and they do not object. He stated the addition could not be seen from the street due to the landscaping. He presented 3 letters of approval of the application.

LOIS TARKANIAN appeared in protest. She stated she owns the lot behind the property and is concerned about the additional building and the reduction of the setback from 50' to 19'. She added she felt the variance was too great for the neighborhood.

MR. THOMAS reiterated that due to the landscaping, the addition could not be seen.

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

MR. BUGBEE made a Motion for APPROVAL of V-74-79, 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" Mr. Bugbee, Mrs. Meyers and Chairman Swessel
"NOES" None

Motion for APPROVAL carried unanimously.

5. V-75-79
APPROVED

Application of JOSEPH JOHN BONGIOVI for a Variance to allow a six foot (6') high ornamental iron fence in the front yard area where a four foot (4') high top two feet (2') fifty percent (50%) open is allowed on property located at 1450 Rancho Circle in Zoning District R-A (Ranch Acres). The above property is legally described as a portion of the South Half (S $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 32, Township 20 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the plot plan is as shown. Other variances have been granted in Rancho Circle for items such as this and staff does not object to the request.

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

ALTURU VARONA represented the applicant.

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

MR. BUGBEE made a Motion for APPROVAL of V-75-79, 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" Mr. Bugbee, Mrs. Meyers and Chairman Swessel
"NOES" None

Motion for APPROVAL carried unanimously.

6. V-76-79
APPROVED

Application of NOLI R. AND LEOVINA ZOSA for a Variance to allow a fifteen (15) sq. ft. lighted rental sign where illuminated signs are not allowed and to allow the sign five feet (5') from the front property line where ten feet (10') is required on property located at 2304 through 2412 Tam Drive in Zoning District R-4 (Apartment Residence). The above property is legally described as Lots 5 through 12 inclusive and Lot 13, Block 4, Judy Rich Tract.

MR. BROWN presented the staff report and stated the apartment units are as noted. Staff thinks this request is not incompatible and would recommend approval.

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

TOM BELLMARX 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-76-79, 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 and Mr. Bugbee
"NOES" None

Motion for APPROVAL carried unanimously.

RECESS:

CHAIRMAN SWESSEL declared a 5 minute recess at the hour of 8:00 P.M. so the Board could study materials furnished relative to the following item. The meeting was reconvened at 8:05 P.M. with the noted three members of the Board present.

7. V-77-79'
APPROVED

Application of VALLEY HOSPITAL MEDICAL CENTER, A NEVADA LIMITED PARTNERSHIP, and VALLEY GROUP CONSTRUCTORS, A JOINT VENTURE, for a Variance to allow the establishment and use of a helicopter facility on property located at 620 Shadow Lane in Zoning Districts C-1 (Limited Commercial) and P-R (Professional Offices and Parking). The above property is legally described as a portion of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 33, Township 20 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated staff feels there is not enough information available to the Board re the noise factor and would recommend Valley Hospital substantiate the following: if the noise level would be at a compatible level; the flight pattern to be approved by the Board and FAA approval of the operation. These three items should be known before a decision is made.

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

DON DAVIDSON, Attorney for Valley Hospital, represented the application. He stated they were seeking approval for a heliport to be located adjacent to the emergency room which was presently under construction. The area in question is approximately 65' x 65' and would be located 200' from the nearest residence. The purpose of the heliport is to provide Southern Nevada an opportunity to have a helicopter go to places ordinary rescue vehicles cannot go. He further described the program "Flight for Life" and added it would be a 24-hour 7-day service and it was estimated there would be up to 700 flights per year. The FAA has approved the flight path and a map of the path was presented to the Board. He added the helicopter to be used would be much quieter than the one used by Metro and that home owners insurance rates would not increase.

CHAIRMAN SWESSEL asked those present in protest to stand. Ten persons were present in opposition.

CHAIRMAN SWESSEL asked those present in approval to stand. Fifteen persons were present in approval of the request.

KAREN PETRONI, 2001 Pinto Lane, appeared in protest and submitted a petition of protest. She stated that the persons who were in favor of the proposal were in the transition zone and were not interested in residential. She added that she and her neighbors did not feel this was a compatible use

with the R-1 zoning. She added that Southern Nevada Memorial Hospital has a pad and to have another a block away would be redundant.

KENNETH PRESSER appeared representing Southern Nevada Memorial Hospital.

ROBERT PETRONI appeared in protest.

DR. KORY BROWN appeared representing the application.

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

MR. BUGBEE made a Motion for APPROVAL of V-77-79 as the request was in accord with the general spirit and purpose of the Ordinance, and 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. Bugbee, Mrs. Meyers and Chairman Swessel
"NOES" None

Motion for APPROVAL carried unanimously.

8. U-99-79
APPROVED

Application of DON KUTZ for a Use Permit to allow a child care facility for a maximum of twelve (12) children on property located at 5824 Iris Avenue in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 7, Block 2, Charleston Heights Tract No. 45-A.

MR. BROWN presented the staff report and stated this is a permitted use in an R-1 District. Staff would defer to the Board to determine the feelings of the neighbors before ruling on the request. Staff has no objection.

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

DON KUTZ 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 U-99-79, 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 and Mr. Bugbee
"NOES" None

Motion for APPROVAL carried unanimously.

9. V-78-79
DENIED

Application of VERNON C. LUECK for a Variance to allow a four-plex where three units are allowed on property located at 312 North 14th Street in Zoning District R-3 (Limited Multiple Residence). The above property is legally described as Lot 5, Block 11, 14th Street City Addition.

MR. BROWN presented the staff report and stated the plot plan

is as shown. There have been variances granted for this use, but in this situation, they were granted considerably north of this location. Since the line has been held in this area, staff would recommend denial.

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

VERNON LUECK, 394 North 14th Street, represented the application. He stated he has two other buildings on lots like this one. He added this is located near to a lot where a three unit building has been moved in.

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 DENIAL of V-78-79 because no evidence was presented which warranted a deviation from the City Code.

Voting was as follows:

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

Motion for DENIAL carried by a 2/1 vote.

10. V-79-79
APPROVED

Application of BRUCE BAILEY for a Variance to allow the construction of a storage shed two feet (2') from the side property line where five feet (5') is required on property located at 5317 Gipsy Avenue in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 19, Block 13, Charleston Heights Tract #3.

MR. BROWN presented the staff report and stated the plot plan is as shown. There is nothing unique or unusual about this lot to warrant the granting of a variance and staff would recommend denial.

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

BRUCE BAILEY represented the application. He described the the proposed shed and stated it was needed to cover up the hot water tank that had been moved to facilitate better use of hot water. He added the shed would also provide better insulation for the home, and that this would not be a fire hazard.

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.

MR. BUGBEE made a Motion for APPROVAL of V-79-79, 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" Mr. Bugbee, Mrs. Meyers and Chairman Swessel
"NOES" None

Motion for APPROVAL carried unanimously.

11. V-80-79

APPROVED

Application of DR. HERBERT J. ROWE for a Variance to allow a dental laboratory which is not allowed on property located at 518 East St. Louis Avenue in Zoning District P-R (Professional Offices and Parking). The above property is legally described as Lot 24, Block 1, Paradise Village Tract No. 1.

MR. BROWN presented the staff report and stated the plot plan is as shown with the building and parking. The proposed use is not incompatible with the development of the area and staff does not object.

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

DR. HERBERT ROWE represented the application. He stated this would be a laboratory for a dentist and that he wished to expand a portion of his practice for a dental laboratory and there would be approximately two employees.

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-80-79, 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. Meyers, Chairman Swessel and Mr. Bugbee
"NOES" None

Motion for APPROVAL carried unanimously.

12. V-81-79

APPROVED

Application of LLOYD O. JOHNSON for a Variance to allow domestic animals (horses) on property located at 4816 Serene Drive in Zoning District C-2 (General Commercial). The above property is legally described as a portion of the South Half (S $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 35, Township 19 South, Range 60 East, MDB&M.

MR. BROWN presented the staff report and stated this is part of the C-2 area the City inherited from the County. The plot plan is as shown. The building inspector has stated that both mobile homes are occupied. If this is true, it is in violation. If three units are occupied, it is two too many. In view of the fact that this is an R-E area, the horses should be permitted. Staff would recommend approval for one year and at the time, the vehicle for continued use should be through a rezoning application. The Building Department will determine and correct any violations that may exist on the property at this time.

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

BILL HERRING represented the application and stated he was the renter of the property. He stated that one mobile home is gone and the other, belonging to the property owner, is now vacant and that only one building will be used now.

CHAIRMAN SWESSEL stated the Building Department would be cleaning up the violations and it would be necessary for the applicant to comply with City law.

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-81-79, subject to the following conditions:

1. This approval is limited to a period of one (1) year and will expire on November 5, 1980. If the applicant wishes to continue this use any longer, the matter shall be pursued by means of a rezoning application.
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" Chairman Swessel, Mr. Bugbee and Mrs. Meyers
"NOES" None

Motion for APPROVAL carried unanimously.

13. V-83-79
APPROVED

Application of WAYNE ADAMS for a Variance to allow an existing single family residence to the south side property line where a five feet (5') setback is required on property located at 1400 Cottonwood Place in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 16, Block 5, Huntridge Subdivision Tract 3.

MR. BROWN presented the staff report and stated the problem is that some years ago the house was built on the lot line. The applicant now wants to sell the house and must get a variance to do so. Staff would defer to the Board of Zoning Adjustment's ruling.

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

WAYNE ADAMS represented the application and stated he had lived in the house for 11 years and that there were two other owners before him. He added he had not known they were illegal.

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

MR. BUGBEE made a Motion for APPROVAL of V-83-79, 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" Mr. Bugbee, Mrs. Meyers and Chairman Swessel
"NOES" None

Motion for APPROVAL carried unanimously.

14. U-100-79(HO) APPROVED Application of ESTHER C. JENSEN for a Home Occupation Permit to allow the making and mail order sales of theatrical costumes on property located at 2007 Alta, R-1 zone.
15. U-101-79(HO) APPROVED Application of KATHYRN J. HOWARD for a Home Occupation Permit to allow the making of macrame and craft items on property located at 821 Neil Armstrong Drive, R-1 zone.
16. U-102-79(HO) APPROVED Application of KATHRYN J. HOWARD for a Home Occupation Permit to allow bookkeeping in the home on property located at 821 Neil Armstrong Drive, R-1 zone.
17. U-103-79(HO) WITHDRAWN Application of RUBY M. MILLER for a Home Occupation Permit to allow an office for Rujac Enterprises (wholesale fashion jewelry) on property located at 7082 Michael Collins Place, R-1 zone.

MR. BROWN presented the staff report and stated approval is recommended with the exception of item 17, which the applicant has agreed to accept some other means to achieve the purpose.

MRS. MEYERS made a Motion for APPROVAL of Item 14, 15 and 16, and APPROVAL of the WITHDRAWAL of Item 17, 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 Swessel and Mr. Bugbee
 "NOES" None

Motion carried unanimously.

18. U-91-76 PLOT PLAN REVIEW & USE REVIEW APPROVED Request of OPERATING AND MAINTENANCE ENGINEER TRADE JOINT APPRENTICESHIP COMMITTEE FOR SOUTHERN NEVADA for a Plot Plan Review to allow additions to the existing building, and a Use Review to allow a welding training area on property located at 300 Shadow Lane, R-1 zone.

MR. BROWN presented the staff report and stated the plot plan is as shown. Staff thinks everything is in order and would recommend approval.

DICK THOMAS represented the application.

MR. BUGBEE made a Motion for APPROVAL of the Plot Plan Review and Use Review under U-91-76, 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. Bugbee, Mrs. Meyers and Chairman Swessel
 "NOES" None

Motion for APPROVAL carried unanimously.

19. U-42-79(HO)

DENIED

Request of GEORGE D. FRAME for an extension of a previously approved Home Occupation Permit which allowed an office for an off-premise law firm on property located at 4350 Mountain View Boulevard, R-E zone.

MR. BROWN presented the staff report and stated the Board granted this office use at this location for a six month period of time. Due to an amendment to the ordinance, the position of the applicant has changed and this cannot be considered as a home occupation any longer and staff would recommend denial.

GEORGE FRAME represented the application.

CHAIRMAN SWESSEL stated that due to an ordinance revision, the applicant had just run out of luck.

MR. FRAME stated he just wanted a place to hang his license.

CHAIRMAN SWESSEL stated that was one of the reasons the ordinance was changed, and problems had been experienced in the past. It is now necessary to comply with the law.

MR. BUGBEE made a Motion for DENIAL of the Extension of Time under U-42-79(HO) because a recent ordinance amendment disqualifies this use as a Home Occupation Permit.

Voting was as follows:

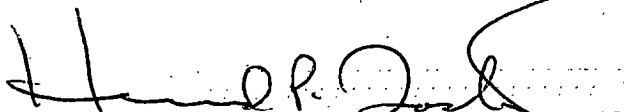
"AYES" Mr. Bugbee, Mrs. Meyers and Chairman Swessel
"NOES" None

Motion for DENIAL carried unanimously.

ADJOURNMENT:

There being no further business to come before the Board of Zoning Adjustment, the meeting was adjourned at 9:15 P.M.

DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT


HAROLD P. FOSTER, DIRECTOR

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