

A G E N D A

BOARD OF ZONING ADJUSTMENT

NOVEMBER 29, 1979

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

OLD BUSINESS:

1. U-94-79

(Abeyance item
from 11/5/79)

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.

APPROVED

NEW BUSINESS:

1. V-83-79

APPROVED

Application of MARY TURNER for a Variance to allow three dwelling units where only one single family residence is allowed on property located at 824 Washington Avenue in Zoning District R-1.

2. V-84-79

APPROVED

Application of R. JULIAN MOORE, ET AL, for a Variance to allow a general business office in an R-4 Zone where such use is not permitted on property located at 218 South 8th Street in Zoning District R-4.

3. V-85-79
ABEYANCE

Application of VALLEY GROUP CONSTRUCTORS, A JOINT VENTURE, for a Variance to allow a second freestanding on-premise sign where only one sign is permitted and said second sign is proposed to a height of twenty-five feet (25') where five feet (5') is allowed and 160 sq. ft. in size where 15 sq. ft. is allowed on property located at 647 Tonopah Drive in Zoning District P-R.

4. U-104-79(HO)

APPROVED

(FOR ONE-YEAR)

Application of ROBERT NEWBERRY for a Home Occupation Permit to allow ceramic and macrame classes on property located at 1405 Virgil Street in Zoning District R-1.

5. V-86-79

ABEYANCE

Application of LAVETA DENNERLY for a Variance to allow one single-faced pole sign 53.85 sq. ft. in size (5' 4 5/8") to an overall height of 17 feet 4 5/8 inches, where one free-standing sign no larger than 15 sq. ft. and no higher than five feet (5') is allowed on property located at 720 East Charleston Boulevard in Zoning District P-R.

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6. V-87-79

APPROVED

Application of E-C-B TRUST AND ERNIE BLACK to allow a Variance for 4-plexes where only duplexes are allowed; to allow pairs of 4-plexes to be joined by a walkway on the second level; and to allow the easterly parcel to contain 85 units where only 67 units are allowed on property located approximately 200 feet north of Bonanza Road between Dike Lane and Tonapah Drive in Zoning District R-2.

7. V-88-79

APPROVED

Application of DONALD M. MOSLEY for a Variance to allow an addition ten feet (10') from the front property line where twenty feet (20') is required, and three feet (3') of the south side property line where five feet (5') is required, and to allow the roof overhang six inches (6") from the south side property line where three feet (3') is required on property located at 1127 Westlund Drive in Zoning District R-1.

8. U-106-79

APPROVED

Application of YVONNE EDWARDS for a Use Permit to allow a child care facility for twelve (12) children on property located at 5904 Glen Eagles Lane in Zoning District R-1.

9. U-107-79

DENIED

Application of JOSEPH BENEDETTO for a Use Permit to allow a quasi-public use (a home for the rehabilitation of alcoholic women) on property located at 617 East Oakley Boulevard in Zoning District R-1.

10. V-89-79

APPROVED

Application of VALLEY HOSPITAL MEDICAL CENTER ADMINISTRATION for a Variance to allow a quasi-public use (I.E. V.F.W. Hall) with ten (10) parking spaces where 36 parking spaces are required on property located at 311 West Monroe in Zoning District R-4.

11. V-90-79

APPROVED

Application of DOUGLAS R. BORLESE for a Variance to allow the conversion of an office to an apartment for a watchman where residential uses are not permitted on property located at 3118 Meade Avenue in Zoning District M.

12. V-91-79

APPROVED

Application of A. J. UNDERWOOD for a Variance to allow a commercial child care facility for 120 children with an advertising sign where this use and sign are not allowed, and to allow said facility 35 feet (35') from the front property line where 50 feet is required on property located at the northeast corner of Page Street and Diamondhead Drive in Zoning District R-E.

13. V-92-79
APPROVED
Application of ROBERT ALAN JONES for a Variance to reverse the legal front of the lot from Inverness Avenue to Kirkland Avenue and to allow a setback variance from the new front property line to be 17 feet 6 inches (17' 6") where 20 feet is required on property located at 2195 Kirkland Avenue in Zoning District R-1.
14. V-93-79
APPROVED
Application of HURTADO CONSTRUCTION for a Variance to create a 400 sq. ft. lot for a water well where 20,000 sq. ft. lots are required on property located on the southeast corner of Manuel Drive and Hammer Lane in Zoning District R-E.
15. V-94-79
APPROVED
Application of JACK HANSON for a Variance to allow the installation of an outside automobile alignment rack where all equipment must be within an enclosed building on property located at 6020 West Charleston Boulevard in Zoning District C-1.
16. U-105-79(HO)
APPROVED
Application of HAROLD E. KOESTER for a Home Occupation Permit to allow limited mechanical engineering service on property located at 6612 Evergreen in Zoning District R-1.
17. U-61-78(HO)
ABEYANCE
Application of DALTON PROPERTIES, INC. to reconsider a Home Occupation Permit allowing records office in guest house and to extend the permit to include full use of all areas of the guest house and increase the number of employees on property located at 1721 Vegas Drive in Zoning District R-E.

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

1. HC-1-79

DENIED WAIVER
REQUEST EXCEPT
FOR FIREPLACE
DAMPER.

Housing Code Appeal by BILL WEST on the Order to Repair
the buildings located at 1328 Lake Mead Boulevard in
Zoning District R-2.

MINUTES
BOARD OF ZONING ADJUSTMENT

NOVEMBER 29, 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, Mrs. Segretti and Mr. Bugbee

EXCUSED: Mrs. Emmett

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

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.

OLD BUSINESS:

1. U-94-79
(Abeyance Item from 11/5/79)
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.

APPROVED MR. BROWN presented the staff report and stated this item was held in abeyance so the protestants could become more familiar with the application. Supposedly, they have seen what was submitted. Staff recommendation was for approval as this would not be incompatible with the area.

MARGORIE BECKER represented the application. She stated that the strictly administrative work was being done at this location and that there was ample off-street parking. She added this would not be a home for the handicapped other than the two adopted children which she has. There is no client traffic or signs in front.

CHAIRMAN SWESSEL asked if another location could be found.

MRS. BECKER stated there was insufficient funding to get another office.

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-94-79, 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 Mr. Bugbee
"NOES" None

Motion for APPROVAL carried unanimously.

NEW BUSINESS:

1. V-83-79

APPROVED

Application of MARY TURNER for a Variance to allow three dwelling units where only one single family residence is allow on property located at 824 Washington Avenue in Zoning District R-1 (Single Family Residence). The above property is legally described as a portion of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 28, Township 20 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the applicant did submit a request for rezoning to permit 3 units are this location. The City Commission denied that request. The lot to the west has two units and there are other lots with 2 and 3 units. There seems to be a pattern in this R-1 district for more than one unit per lot. That is the character of the neighborhood and the plot plan is as shown.

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

LEONARD MASON, 401 West Adams, represented the application. He stated that the request for rezoning had been approved by the Planning Commission and denied by the City Commission. At the City Commission meeting, it was suggested the area be looked at again. On the other side of the property there is a church and a six-plex. The land use is much greater than R-1. The proposed development would not take anything away from the area, the financing has been arranged and it will not be a rental unit.

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, Chairman Swessel and Mrs. Segretti
"NOES" None

Motion for APPROVAL carried unanimously.

2. V-84-79

APPROVED

Application of R. JULIAN MOORE, ET AL, for a Variance to allow a general business office in an R-4 zone where such use is not permitted on property located at 218 South 8th Street in Zoning District R-4 (Apartment Residence). The above property is legally described as Lots 14 and 15, Block 7, Wardie Addition and a portion of Lots 5 and 6, Block 4, Pioneer Heights Addition.

MR. BROWN presented the staff report and stated the plot plan is as shown. Staff feel that the request would not be incompatible with the neighborhood. If approved, however, no residential use of the property should be allowed. Approval is recommended with that stipulation.

GARY CUTLER represented the application. He said the property in question is rented by the apartment complex across the street and will be used in an administrative capacity.

CHAIRMAN SWESSEL asked if he agreed to the stipulation of no residential use being allowed.

MR. CUTLER stated they would have to live with it and would agree to that stipulation.

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-84-79, subject to the following conditions:

1. No residential use shall be allowed on the property.
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, Chairman Swessel and Mrs. Segretti
"NOES" None

Motion for APPROVAL carried unanimously.

3. V-85-79
ABEYANCE

Application of VALLEY GROUP CONSTRUCTORS, A JOINT VENTURE, for a Variance to allow a second freestanding on-premise sign where only one sign is permitted and said second sign is proposed to a height of twenty-five feet (25') where five feet (5') is allowed and 160 sq. ft. in size where 15 sq. ft. is allowed on property located at 647 Tonopah Drive in Zoning District P-R (Professional Offices and Parking). The above property is legally described as 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 plot plan is as shown. There is now an existing sign. The proposed sign would be south. There is nothing unique or unusual about this lot that would warrant the granting of the request. Something like this might also increase traffic on Tonopah and that would not be good planning. Staff would recommend denial.

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

DON DAVIDSON represented the application and stated they had put in a street at a cost of \$65,000 so that traffic could come in on Tonopah to Valley Hospital and the street did serve the area. The sign is to advertise Valley Hospital.

CHAIRMAN SWESSEL asked if the sign would only advertise Valley Hospital.

MR. DAVIDSON replied that was correct and it would be similar to the one at 600.

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-85-79.

Voting was as follows:

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

Motion failed by virtue of a tie vote.

MRS. SEGRETTI made a Motion for APPROVAL of V-84-79.

Voting was as follows:

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

Motion failed by virtue of a tie vote.

CHAIRMAN SWESSEL stated this item would be held in abeyance to the next regular meeting of the Board of Zoning Adjustment for action.

4. U-104-79(HO)

APPROVED

Application of ROBERT NEWBERRY for a Home Occupation Permit to allow ceramic and macrame classes on property located at 1405 Virgil Street in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 4, Block 8, Nova Park Unit No. 1.

MR. BROWN presented the staff report and stated that staff does not feel the home occupation use is served by something like this. When the home occupation section of the ordinance was written, it did not anticipate something like this and denial is recommended.

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

ROBERT NEWBERRY represented the application and stated he would like to have a chance to get started in business and then eventually move to town. Currently, his budget does not permit this.

CHAIRMAN SWESSEL asked how many people would be attending class.

MR. NEWBERRY stated he could not accommodate more than 6/8 and would only be open 4 days a week. If there were more people than this, it would have to be on an appointment basis.

MR. BUGBEE asked if this arrangement would be temporary.

MR. NEWBERRY replied that it would.

MR. BUGBEE suggested that if the request was approved, it should have a time limit.

MR. NEWBERRY stated one year would be sufficient to find out whether or not he could make it.

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 U-104-79(HO), subject to the following conditions:

1. This use shall be approved for one (1) year only and shall expire on November 29, 1980.
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 Mrs. Segretti

"NOES" Chairman Swessel

Motion for APPROVAL carried by a 3/1 vote.

5. V-86-79

ABEYANCE

Application of LAVETA DENNERLY for a Variance to allow one single-faced pole sign 53.85 sq. ft. in size (5' 4 5/8") to an overall height of 17 ft. 4 5/8 inches, where one free-standing sign no larger than 15 sq. ft. and no higher than 5 ft. is allowed on property located at 720 East Charleston Boulevard in Zoning District P-R (Professional Offices & Parking). The above property is legally described as a portion of Government Lot 2 $\frac{1}{2}$ in the Northeast Quarter (NE $\frac{1}{4}$) of Section 3, Township 21 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated some consideration should be given due to the fact this property is on East Charleston which has many uses and signs. Possibly an advantage given to this P-R lot would not be all that bad.

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

The applicant or a representative was not present.

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 ABEYANCE of V-86-79 because there was no representation of the applicant.

Voting was as follows:

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

Motion for ABEYANCE carried unanimously.

6. V-87-69

APPROVED

Application of E-C-B TRUST AND ERNIE BLACK to allow 4-plexes where only duplexes are allowed; to allow parts of 4-plexes to be joined by a walkway on the second level; and to allow the easterly parcel to contain 85 units where only 67 units are allowed on property located approximately 200 feet north of Bonanza Road between Dike Lane and Tonopah Drive in Zoning District R-2 (Two Family Residence). The above property is legally described as a portion of the Northeast Quarter (NE $\frac{1}{4}$) 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 this request has been before the Board previously. Four-plexes have already been granted on the west part. The request now is in view of the fact the 4-plexes are joined on the second floor, the applicants want to clear the records so these could be 8-plexes. Staff sees the intent and would recommend approval. It is also requested on the east side a higher density than the zoning permits. That was granted on the west side between R-2 and R-3. Staff feels this compromise would be consistent with the General Plan and would recommend approval.

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

BOB CONN represented the application.

MR. BUGBEE asked when development would be started.

MR. CONN stated after FHA and HUD approvals.

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-87-79, 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, Mr. Bugbee, Mrs. Meyers and Chairman Swessel
"NOES" None

Motion for APPROVAL carried unanimously.

7. V-88-79

APPROVED

Application of DONALD M. MOSLEY for a Variance to allow an addition ten feet (10') from the front property line where twenty feet (20') is required, and three feet (3') of the south side property line where five feet (5') is required, and to allow the roof overhang six inches (6") from the south side property line where three feet (3') is required on property located at 1127 Westlund Drive in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 1, Block 3, McNeil Tract No. 3.

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

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

DONALD MOSLEY represented the application and stated the reason for the request was that he wanted to build a garage to the left of the house and that he needs the garage extended in order to be able to pull in from Sherman. He added he has spoken with eighty percent of the neighbors and they did not oppose his request. He added he had one letter of approval from the neighbor to the south.

MRS. SEGRETTI asked what the distance was between the garage and the fence.

MR. BROWN replied three feet.

MR. MOSLEY then presented a rendering of the proposed addition.

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-88-79, 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, Mrs. Segretti and Mr. Bugbee.
"NOES" Chairman Swessel

Motion for APPROVAL carried by a 3/1 vote.

8. U-106-79

APPROVED

Application of YVONNE EDWARDS for a Use Permit to allow a child care facility for twelve (12) children on property located at 5904 Glen Eagles Lane in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 22, Block 9, Charleston Heights Tract 44-B.

MR. BROWN presented the staff report and stated staff feels the Board should take the request into consideration, any comments of the neighbors, and act accordingly.

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

YVONNE EDWARDS represented the application and stated that she currently has 6 children and would like to go to 12.

MRS. MEYERS asked what the hours would be.

MS. EDWARDS stated currently only in the daytime but that she would like to be able to keep some at night if it is needed.

MRS. SEGRETTI asked what the ages of the children would be.

MS. EDWARD stated from infant up to four years of age.

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-106-79, 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 Mr. Bugbee
"NOES" None

Motion for APPROVAL carried unanimously.

9. U-107-79

DENIED

Application of JOSEPH BENDETTO for a Use Permit to allow a quasi-public use (a home for the rehabilitation of alcoholic women) on property located at 617 East Oakey Boulevard in Zoning District R-1 (Single Family Residence). The above property is legally described as a portion of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 3, Township 21 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated that while staff feels such a use as this is needed, it is not appropriate in a residential area and would be bad planning. There is a petition of protest submitted with 54 signatures as well as 10 additional letters of protest. Staff would agree with those and would recommend denial.

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

RUTH JAZINSKI represented the application and stated that the We Care Home has made an offer and the owner has accepted. The We Care is a private non-profit care home which was established in 1961 on North 8th Street. All of the residents enter voluntarily and there is no drinking or drugs on the property. There has never been any complaints about the organization and they are moving because of the Freeway. Only 6/8 people would be housed as this location.

MRS. MEYERS asked how many staff persons are employed.

MS. JAZINSKI stated one full-time live in staff and two daytime people. She added that 90% of the residents do not have cars and parking would not be a problem.

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

BILLY WILLIAMS, 700 East Oakey, appeared in protest. He stated there would not be adequate parking and this type of use should not be permitted in a R-1 area.

DR. WM. O'GORMAN appeared in protest.

GEORGE MONOHAN, representing MRS. ANNIE SHERER, appeared in protest.

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 DENIAL of U-107-79 because such a use would not be compatible with the surrounding residential area.

Voting was as follows:

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

Motion for DENIAL carried unanimously.

10. V-89-79
APPROVED

Application of VALLEY HOSPITAL MEDICAL CENTER ADMINISTRATION for a Variance to allow a quasi-public use (i.e. V.F.W. Hall) with ten (10) parking spaces where 36 parking spaces are required on property located at 311 West Monroe in Zoning District R-4 (Apartment Residence). The above property is legally described as Lot 10, Block 12, Valley View Addition.

MR. BROWN presented the staff report and stated in viewing the property, staff felt the use would not be incompatible with the area and would recommend approval.

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

TRACY COLEMAN represented the application and stated there would be approximately 20 members, the facility would be open daily and there would be no more than 20 cars.

MRS. SEGRETTI asked if the facility would be open at night.

MR. COLEMAN replied that it would and it would close around 2 AM.

CHAIRMAN SWESSEL asked how long they had been at this location.

MR. COLEMAN stated they were purchasing the property and are now located at "D" and Madison, but they cannot afford the rent.

MRS. SEGRETTI asked what type of parking area would be provided.

MR. BROWN stated they would have to provide paving for the parking lot.

REV. BURNS, 301 Monroe, appeared in protest and stated there would not be sufficient parking.

ED KOLOLA, 300 Monroe, appeared in protest.

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-89-79.

Voting was as follows:

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

Motion for DENIAL failed by a 3/1 vote.

CHAIRMAN SWESSEL made a Motion for APPROVAL of V-89-79, 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" Chairman Swessel, Mr. Bugbee and Mrs. Meyers
"NOES" Mrs. Segretti

Motion for APPROVAL carried by a 3/1 vote.

11. V-90-79
APPROVED

Application of DOUGLAS R. BORLESE for a Variance to allow the conversion of an office to an apartments where residential uses are not permitted on property located at 3118 Meade Avenue in Zoning District M (Industrial). The above property is legally described as Lot 1, Parcel Map, File 22, Page 78, Book 973, No. 932338.

MR. BROWN presented the staff report and stated it has been the policy of the Board to grant permission in an industrial district for this use. Staff would recommend approval with the stipulation there be no permanent living quarters on the premises and it should be used as a watchman's quarters only.

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

DOUGLAS BORLESE represented the application and agreed to staff stipulations.

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-90-79, subject to the following conditions:

1. The apartment be used for a watchman's quarters only and not as a permanent living quarters.
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 Mr. Bugbee
"NOES" None

Motion for APPROVAL carried unanimously.

12. V-91-79
APPROVED

Application of A.J. UNDERWOOD for a Variance to allow a commercial child care facility for 120 children with an advertising sign where where this use and sign are not allowed and to allow said facility 35 feet (35') from the front property line where fifty feet (50') is required on property located at the northeast corner of Page Street and Diamondhead Drive 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 Northwest Quarter (NW $\frac{1}{4}$) of Section 32, Township 20 South, Range 62 East, MDB&M.

MR. BROWN presented the staff report and stated the request is located in a residential district and it has been the policy of the City to locate commercial uses on major thoroughfares. A commercial use such as this should be oriented towards Bonanza. Staff would recommend denial as it is felt this is not compatible.

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

GEORGE TATE represented the application and stated that in recent years there has been a greater demand for child care facilities. And, they wish to locate this in a specific area rather than a commercial and it is a quasi-civic function. The land is now vacant and it appears this use would be compatible with the adjacent school. He presented a plat of the zoning in the area.

ASTRID VOLKA represented the application and stated she did not think a child care facility should be located in a commercial area.

She added that their current facility is very successful and it is located near a school.

ALTON MOHLER represented the application and stated that letters had been sent out to everyone who had been notified by the Planning Department and six favorable response were received, one of which was from the property owner immediately to the east who has a house on his property.

CHAIRMAN SWESSEL asked how large the property is.

MR. FOSTER stated approximately one acre.

MR. TATE stated they would be willing to waive the sign.

MRS. MEYERS asked if any letters of opposition had been received.

MR. MOHLER stated none.

MR. BROWN stated the City had received on letter of protest.

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 U-91-79, subject to the following conditions:

1. The freestanding sign be deleted from this development.
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" Mr. Bugbee, Mrs. Meyers, Chairman Swessel and Mrs. Segretti
"NOES" None

Motion for APPROVAL carried unanimously.

13. V-92-79

APPROVED

Application of ROBERT ALAN JONES for a Variance to reverse the legal front of the lot from Inverness Avenue to Kirkland Avenue and to allow a setback variance from the new front property line to be 17 feet 6 inches (17' 6") where 20 feet is required on property located at 2195 Kirkland Avenue in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 90, Block 6, Glen Heather Estates Subdivision No. 2.

MR. BROWN presented the staff report and stated staff sees nothing unique or unusual about this lot which would warrant this request and would recommend denial.

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

ERNIE KELVIN represented the application and stated when the plans for the building were being prepared, the Planning Department had been contacted and they did not receive complete information on what was the front of the lot. Instead of redesigning, they are therefore requesting a variance.

MR. BROWN stated the front setback is acceptable as proposed.

MRS. MEYERS asked if the house was there.

MR. BROWN replied affirmatively.

MR. BUGBEE asked for the use of the addition.

MR. KELVIN stated it is an entrance with columns.

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-92-79, 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, Mrs. Segretti and Mr. Bugbee

"NOES" Chairman Swessel

Motion for APPROVAL carried by a 3/1 vote.

14. V-93-79

APPROVED

Application of HURTADO CONSTRUCTION for a Variance to create a 400 sq. ft. lot for a water well where 20,000 sq. ft. lots are required on property located on the southeast corner of Manuel Drive and Hammer Lane in Zoning District R-E (Residence Estates). The above property is legally described as a portion of Lot 3, of Parcel Map in File 27, Page 3, Recorded July 16, 1979, as Document 1045955, of Official Records of Clark County, Nevada.

MR. BROWN presented the staff report and stated the plot plan is as shown. Staff would recommend approval with the stipulation that no building be erected other than for the water well and upon cessation of the water well use, the property shall revert to Lot 3, Parcel Map, in file 27, Page 3.

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

MANUEL HURTADO represented the application and agreed to staff stipulations.

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-93-79, subject to the following conditions:

1. No structures shall be allowed except those required in connection with the water well.
2. Upon cessation of the water well use, the property shall revert to Lot 3, Parcel Map, in file 27, Page 3.
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 Mr. Bugbee
"NOES" None

Motion for APPROVAL carried unanimously.

15. V-94-79
APPROVED

Application of JACK HANSON for a Variance to allow the installation of an outside automobile alignment rack where all equipment must be within an enclosed building on property located at 6020 West Charleston Boulevard in Zoning District C-1 (Limited Commercial). The above property is legally described as the west 190' of the south 200' of Government Lot No. 49, in Section 36, Township 20 South, Range 60 East, MDB&M.

MR. BROWN presented the staff report and stated the request does not seem unreasonable. The plot plan is as shown. Staff does not object if there is screening on the east and south sides of the rack.

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

The applicant or a representative was not present.

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-94-79, subject to the following conditions:

1. A screening wall be installed on the south and east sides of the work area of the alignment rack as required by the Department of Community Planning and Development.
2. Conformance to the plot plan.
3. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

16. U-105-79(HO)
APPROVED

Application of HAROLD E. KOESTER for a Home Occupation Permit to allow limited mechanical engineering service on property located at 6612 Evergreen in Zoning District R-1.

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

HAROLD KOESTER represented the application.

MRS. MEYERS made a Motion for APPROVAL of U-105-79(HO), 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, Mrs. Segretti and Mr. Bugbee
"NOES" None

Motion for APPROVAL carried unanimously.

17. U-61-78(HO)
ABEYANCE

Application of DALTON PROPERTIES, INC. to reconsider a Home Occupation Permit allowing records office in guest house and to extend the permit to include full use of all areas of the guest house and increase the number of employees on property located at 1721 Vegas Drive in Zoning District R-E.

MR. BROWN presented the staff report and stated the home occupation permit for 1721 Vegas Drive is for office records kept for a construction company. It was approved for 1-2 employees. The applicant has requested this be held in abeyance. The BZA did not approve the original request but the City Commission did for two years. Now they want to have 6-8 employees and use all of the area.

MRS. MEYERS made a Motion for ABEYANCE of U-61-78(HO) because the applicant could not be present.

Voting was as follows:

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

Motion for ABEYANCE carried unanimously.

18. HC-1-79
DENIED

Housing Code Appeal by BILL WEST on the Order to Repair the buildings located at 1328 Lake Mead Boulevard in Zoning District R-2.

MR. BROWN presented the staff report and stated this is a request from an applicant who want to rehabilitate a house. The Housing Code is explicit on rehabilitation. Staff would recommend denial of the requested waivers.

BILL WEST represented the application and described the requested waivers. He added if he did as the City requested, it was too expensive with regard to the draft deflector in the fire place.

MR. BUGBEE asked if it had a smoke chamber.

MR. WEST replied yes, that it was built in.

BILL STAPLETON represented the Building & Safety Division and explained the requirements of the Housing, Mechanical and Electric Codes.

MR. BUGBEE asked if there would be a problem with the fire place.

MR. STAPLETON stated he did not think so, as long as it is not covered.

MR. BUGBEE made a Motion to DENY all requests for waiving provisions of the Housing Code except for the installation of the damper in the fireplace, and an extension of time be granted to February 1, 1980, to comply with the Housing Code.

Voting was as follows:

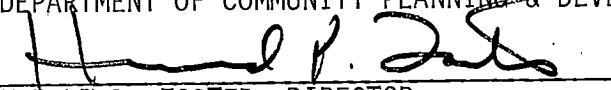
"AYES" Mr. Bugbee, Mrs. Meyers, Chairman Swessel and Mrs. Segretti
"NOES" None

Motion carried unanimously.

ADJOURNMENT:

There being no further business to come before the Board of Zoning Adjustment, the meeting was adjourned at 9:30 P.M.

DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT


HAROLD P. FOSTER, DIRECTOR

/lm