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A G E N D A

BOARD OF ZONING ADJUSTMENT

SEPTEMBER 25, 1980

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

ROLL CALL:

ANNOUNCEMENT: Satisfaction of Open Meeting Law

MINUTES: Approval of the Minutes for the Board of Zoning Adjustment meeting held August 12, 1980.

NEW BUSINESS:

1. V-66-80 Application of REGINA M. HAUCK for a variance to allow two 3 x 4 ft. free-standing signs where one free-standing sign is allowed; and to allow two 3 x 5 ft. roof signs where roof signs are not allowed on property located at 1201 Maryland Parkway in Zoning District C-D.
2. V-68-80 Application of BOB STUPAK for a variance to allow a commercial single faced neon pole sign which is not permitted and is 288 sq. ft. in size and to an overall height of 72 ft. on property generally located on the north side of St. Louis Avenue between Commerce Street and Fairfield Avenue in Zoning District R-6.
3. V-69-80 Application of FRANK AND JOSEPHINE PROCOPIO for a variance to allow the construction of a single family dwelling ten feet (10') from the side (north) property line where fifteen ft. (15') is required and to the side (south) property line where five feet (5') is required, and to the rear property line where fifteen feet (15') is required; and to cover sixty-six percent (66%) of the lot where the maximum coverage is fifty percent (50%) on property generally located on the southwest corner of Austin Avenue and Ramsey Street in Zoning District R-1.
4. V-70-80 Application of ROBERT AND EDITH HEMRICH for a variance to allow a ten ft. (10') high tennis court fence to the rear and south side property lines where a ten ft. (10') setback is required on property located at 1616 Hinson Street in Zoning District R-E.
5. V-71-80 Application of THOMAS SENIUR for a variance to allow a 24 x 60 ft. mobile home for caretakers' residence, and a 8 x 40 ft. camper-type trailer for periodic residential use which is not permitted on property containing a single family residence and located at 6440 Lone Mountain Road in Zoning District R-E.

6. U-53-80 Application of SYLVIA ANN GENEROSO for a use permit to allow a child care facility for a maximum of twelve (12) children on property located at 1201 Arville Street in Zoning District R-E.
7. V-72-80 Application of BRONZE CONSTRUCTION CO., INC. for a variance to allow ninety-eight percent (98%) building coverage where a maximum of thirty-one percent (31%) is allowed; zero front and side yard building setbacks where twelve feet (12') is required and a sixty ft. (60') building height where a maximum of fifty-five feet (55') is permitted on property generally located at the northwest corner of Lewis Avenue and 7th Street in Zoning District R-3. (A request to reinstate the Resolution of Intent to R-6 is pending.)
8. U-55-80 Application of FOXY'S JACKPOT CITY, INC. for a use permit to allow a secondhand jewelry store on property located at 2417 Las Vegas Boulevard South in Zoning District C-2.
9. V-73-80 Application of 1300 CASINO CENTER LTD., A NEVADA LTD. PARTNERSHIP for a variance to allow twenty-four (24) apartment units where only sixteen (16) are permitted; twenty-four parking spaces where thirty-six (36) are required; a front setback of three feet (3') where ten feet (10') is required; a side (south) setback of two feet (2') where six feet (6') is required; a rear setback of one ft. (1') where twenty feet (20') is required; and a detached accessory building not located entirely in the rear yard which is not permitted on property generally located on the southwest corner of Casino Center Boulevard and Imperial Avenue in Zoning District R-4.
10. U-56-80 Application of EARL E. RUSSELL, JR., TRUSTEE for a use permit to allow a professional office use in an R-4 zone on property located at 531 South 10th Street in Zoning District R-4.
11. U-57-80 Application of RICHARD H. AND EDELTRAUD J. HELM for a use permit to allow a Class III Secondhand Dealership for the sale of new and used merchandise (antiques-collectibles) on property located at 1636 East Charleston Boulevard in Zoning District C-1.
12. U-58-80 Application of CHARLES A. CHRISTIE for a use permit to allow parapsychology and related classes on property located at 4119 West Sahara Avenue in Zoning District C-1.

13. V-75-80

Application of FRANK MITRANI for a variance to allow a rear yard setback of sixteen feet (16') where the C-D zone requires a rear yard of twenty-five feet (25') on property located at 1222 South Maryland Parkway in Zoning District R-1. (A request for C-D zoning is currently being processed.)

14. V-76-80

Application of SHECKY GREENE for a variance to allow a kitchen which is not permitted in a guest house that is being constructed on property located at 1245 South Rancho Road in Zoning District R-E.

15. U-59-80

Application of FIRST PRESBYTERIAN CHURCH for a use permit to allow expansion of the existing church facilities consisting of a new sanctuary building, a rectory and parking facilities on property located at 1515 West Charleston Boulevard in Zoning District R-E.

16. V-18-80

Extension
of Time

Request of HOME REALTY for an extension of time on an approved variance which allowed an addition to an existing office building six feet (6') from the rear property line where fifteen feet (15') is required on property located at 1223 Maryland Parkway in Zoning District P-R.

17. U-54-80(HO)

Application of LORRAINE H. MILES for a home occupation permit to allow a drafting office in the home on property located at 412 Madison Avenue in Zoning District R-4.

18. U-60-80(HO)

Application of CORA GASLAWSKI for a home occupation permit to allow a telephone answering service on property located at 1806 Weldon Place in Zoning District R-3.

DIRECTOR'S BUSINESS:

1. CHANGE OF MEETING
DATES

Rescheduling the November 27, 1980 (Thanksgiving) and December 25, 1980 (Christmas) Board of Zoning Adjustment meetings.

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

BOARD OF ZONING ADJUSTMENT

SEPTEMBER 25, 1980

1. U-109-79
 Use Review

Request of D & M REFRIGERATION for a use review to add the reconditioning and sales of used air conditioners to the previously approved Class III Secondhand Dealer Use for the reconditioning and sales of used refrigerators on property located at 1313 East Charleston Boulevard in Zoning District C-2.
2. U-61-80(HO)

Application of ROBERT V. MARTIN for a home occupation permit to allow repair of small equipment (stethoscopes, etc.) in the home on property located at 5132 Del Rey in Zoning District R-1.

DATE 1/25/80

PLEASE PRINT CLEARLY

NAME

ADDRESS

✓ G. Townhill

135 W. 1st/Philadelphia

✓ Ray Margies

131 W. St. Louis

T/E Temple

6814 W. Corona

Robert L. Conn

2228 W. BONANZA RD LV, NV

Earl S. Russell

702 S. 1st St.

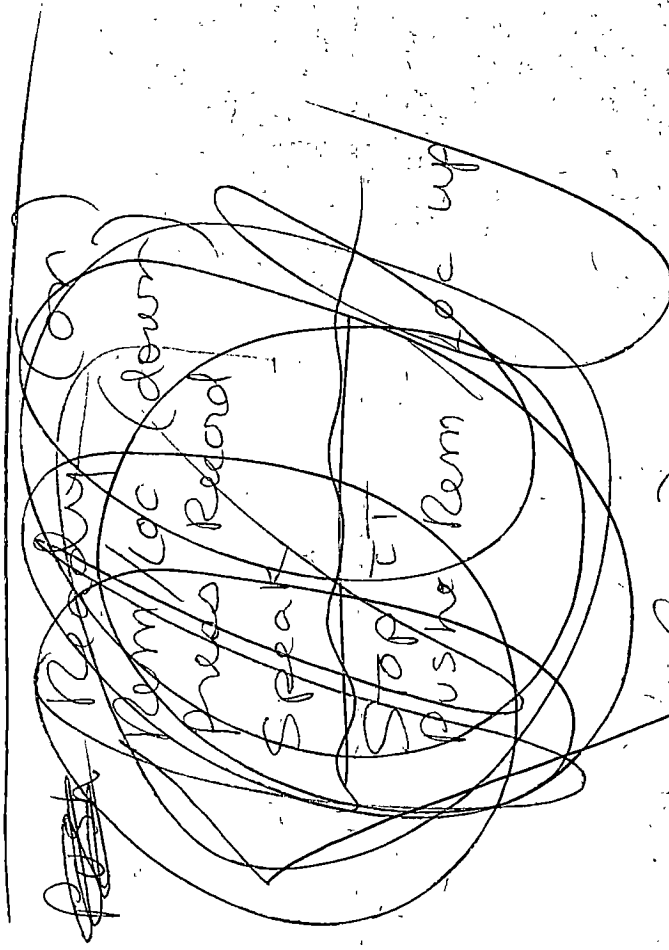
Bob Breake

4000 Veger Dr.

Dana Conner

By tape machine

Focal on -
Ready
select = down to
Record -
Rem loc down in
back -



Ready (on)
Record - Volume down
Rem/loc light off

BZA SEPT. 25, 1980

PLEASE PRINT
CLEARLY

NAME

ADDRESS

Bob Supak
Frank Procapio

BOB + HENRICH

John D. Weber

Lyndal S. Senn

Ray Senn

Sam Enck

Phil Kelly

Paul V. Carelli

a. Phillips

J. Mitran

George Quinn

Nancy Wilson

Ann Forrester

Jan Penco

Dick Thompson

Caro Anderson

2601 Austin Ave.

1616 Hinsco St. L.V.

4820 Serrano

6590 W. Candleberry Rd.

1254 VISTA

5182 So TENNIS CRT

3011 13th Ave. 121

302 E Carson #830

2800 S. Lane #102

3904 El Parque

5113 Churchill

3618 Tempe St. 89103

108 Wisconsin Ln 89107

5901 Halifax Ave. 89107

3109 E. Diamond 89121

1404 Wilson # 89104

MINUTES
BOARD OF ZONING ADJUSTMENT

September 25, 1980

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 Myers, Mr. Giles, Mr. Bugbee
Mrs. Emmett.

STAFF PRESENT: Harold P. Foster, Director, Community Planning
and Development
Don W. Brown, Supervisor of Zoning
Brett Reale, Planning Assistant
Shell Kizerian, Recording Secretary

MINUTES: MRS. MYERS made a Motion for APPROVAL of the Minutes of the meeting held August 12, 1980. Motion for APPROVAL carried unanimously.

ANNOUNCEMENT: MR. BROWN announced 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 Department of Community Planning and Development.

NEW BUSINESS:

1. V-66-80

DENIED

Application of REGINA M. HAUK for a variance to allow two 3 x 4 ft. free-standing signs where one free-standing sign is allowed; and to allow two 3 x 5 ft. roof signs where roof signs are not allowed on property located at 1201 Maryland Parkway in Zoning District C-D (Designed Commercial). The above property is legally described as Lot 1, Block 9, Huntridge Subdivision Tract 3.

MR. BROWN presented the staff report and stated there is nothing unique or unusual about the lot which would warrant this property receiving an advantage not granted others in the C-D Zoning District. Staff recommended denial.

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

The applicant was not present.

CHAIRMAN SWESSEL asked if anyone else wished to be heard; there being none, he declared the public hearing closed.

MR. BUGBEE made a Motion for DENIAL of V-66-80.

Voting was as follows:

"AYES" Chairman Swessel, Mrs. Emmett, Mrs. Myers,
Mr. Bugbee, Mr. Giles.

"NOES" None.

Motion for DENIAL carried unanimously.

ANNOTATED MINUTES - A VERBATIM TAPE IS ON FILE

(REGINA M. HAUKE, the applicant, appeared late at the meeting. CHAIRMAN SWESSEL asked to hear from her following the regular agenda.)

REGINA HAUKE stated the variance is to allow advertising signs to remain on the building at 1201 Maryland Parkway. She said there are other businesses in this vicinity and if she is in violation she requests that all signs in violation on Maryland Parkway, of which there are 50 or 60, should be eliminated.

MR. BROWN stated any violations will be investigated by the proper City departments.

MR. BUGBEE made a second Motion for DENIAL of V-66-80.

Voting was as follows:

"AYES" Chairman Swessel, Mrs. Emmett, Mrs. Myers, Mr. Bugbee, Mr. Giles.

"NOES" None.

Motion for DENIAL carried unanimously.

CHAIRMAN SWESSEL announced this item will be considered by the Board of City Commissioners on October 15, 1980.

2. V-68-80

DENIED

Application of BOB STUPAK for a variance to allow a commercial single faced neon pole sign which is not permitted and is 288 sq. ft. in size and to an overall height of 72 ft. on property generally located on the north side of St. Louis Avenue in Zoning District R-6 (High-Rise Apartment). The above property is legally described as Lots Twenty-five (25) through Thirty-six (36), Block Six (6) of Meadows Addition.

MR. BROWN presented the plot plan and stated there is nothing unique or unusual about the lot which would warrant this property receiving an advantage not granted others in this zoning district. Staff recommended denial.

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

BOB STUPAK, the applicant, was present. He said the proposed sign will be located approximately 200 ft. from the Vegas World Hotel parking lot to advertise the lot. He said there are about 45 to 50 employees who use the lot regularly and the lot has 110 parking spaces. The sign will face the hotel and will be illuminated on the east side only.

LARRY TOURVILLE, 135 West Philadelphia Avenue, appeared in protest. He said the parking lot was originally established for employees only which was the only reason the surrounding apartment owners accepted it. He said this new sign which advertises the parking lot will open the lot to public parking, creating noise and disturbances. He noted there are 18 local apartment owners who oppose this sign and who have had complaints from their tenants about buses going in there at all hours.

RAY MARQUEE, 131 West St. Louis Avenue, also appeared in protest and objected to the lot being used for public parking.

MR. STUPAK said the problem of buses parking along Commerce Street will be alleviated if off-street parking is provided in this lot for the buses. He said the lot will be lighted guttered and fenced.

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

MRS. MYERS made a Motion for DENIAL of V-68-80.

Voting was as follows:

"AYES" Chairman Swessel, Mrs. Myers, Mr. Giles, Mrs. Emmett.

"NOES" Mr. Bugbee.

Motion for DENIAL carried by 4/1 vote.

3. V-69-80

APPROVED

Application of FRANK AND JOSEPHINE PROCOPIO for a variance to allow the construction of a single family dwelling ten feet (10') from the side (north) property line where fifteen ft. (15') is required and to the side (south) property line where five ft. (5') is required, and to the rear property line where fifteen feet (15') is required; and to cover sixty-six percent (66%) of the lot where the maximum coverage is fifty percent (50%) on property generally located on the southwest corner of Austin Avenue and Ramsey Street in Zoning District R-1 (Single Family Residence). The above property is legally described as Lots 17, 18, and a portion of Lot 16, Block 4, Rancho Square.

MR. BROWN presented the plot plan stating that it is a unique triangular-shaped lot and is the remainder of another parcel. The City Commission granted a variance previously for three lots and the applicant is requesting this variance for a fourth lot. Staff recommends approval. He said this item will be heard by the City Commission because the three lots to the west were previously approved by the Commission.

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

FRANK PROCOPIO, the applicant, 2601 Ogden Avenue, was present.

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

MR. GILES made a Motion for APPROVAL of V-69-80, 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" Chairman Swessel, Mr. Giles, Mrs. Myers, Mrs. Emmett, Mr. Bugbee.

"NOES" None.

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item will be considered by the Board of City Commissioners on October 15, 1980.

4. V-70-80

APPROVED

Application of ROBERT AND EDITH HEMRICH for a variance to allow a ten ft. (10') high tennis court fence to the rear and south side property lines where a ten ft. (10') setback is required on property located at 1616 Hinson Street in Zoning District R-E (Residence Estates). The above property is legally described as a portion of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 6, Township 21 South, Range 61 East, M.D.B. & M., AKA Parcel 1, File 5 of Parcel Maps, Page 95, in the office of the Clark County Recorder.

MR. BROWN presented the plot plan. He stated the property is located on the west side of Hinson between Del Monte Avenue and West Oakey Boulevard. Staff recommends moving the tennis court ten ft. to the north which would eliminate the need for a variance on the side lot line. Staff does not feel the request is justified and recommends denial. If approved, staff recommends an Assessment District Agreement be signed by the applicant.

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

ROBERT HEMRICH, the applicant, 1616 Hinson Street, was present and agreed to staff's stipulation. He said the proposed chain link fence on the south and west property will be non-attached to the existing block wall and will be vinyl coated. There is adequate space on all sides of the tennis court and a 30 ft. access to the west from the neighbor's back yard for fire equipment. He noted the neighbors whose properties are contiguous, have signed letters of approval supporting both the tennis court and the proposed fence.

JOSEPH TEMPLE, 6814 West Carrera, appeared with the applicant.

CHAIRMAN SWESSEL asked if anyone else wished to be heard; there being none, he declared the public hearing closed.

MR. BUGBEE made a Motion for APPROVAL of V-70-80, subject to the following conditions:

1. Sign an Assessment District Agreement for full off-site improvements as required by the Department of Public Services.
2. Conformance to the plot plan.

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

Voting was as follows:

"AYES" Chairman Swessel, Mr. Bugbee, Mrs. Myers, Mrs. Emmett, Mr. Giles.

"NOES" None.

Motion for APPROVAL carried unanimously.

5. V-71-80

APPROVED - 3 yr.
time limit

Application of THOMAS SENIUR for a variance to allow a 24 x 60 ft. mobile home for caretakers' residence, and an 8 x 40 ft. camper-type trailer for periodic residential use which is not permitted on property containing a single family residence and located at 6440 Lone Mountain Road in Zoning District R-E (Residence Estates). 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 Section 35, Township 19 South, Range 60 East, M.D.B. & M.

MR. BROWN presented the plot plan. He stated the applicant owns a 20 acre parcel of land off Rancho Drive on the west which he is attempting to keep free of "squatters". He is proposing one mobile home for his caretaker and a small travel trailer to be used by his elderly mother. Staff does not feel the request is justified as this is not a completely developed property and recommends denial. He noted there are two letters of protest and ten letters of approval.

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

MR. AND MRS. THOMAS SENIUR, the applicants, 6440 Lone Mountain Road, were present.

MR. SENIUR said the mobile home and trailer are temporary as he would eventually plan to build on the property for both the caretaker and his own family, and is attempting to improve the property for this purpose.

MR. BUGBEE asked him what time frame he is looking at.

MR. SENIUR said two or three years would be adequate.

MRS. SENIUR noted there are about 150 trees surrounding their property and it is not visible from Lone Mountain road or the other adjacent properties.

JOHN G. WEBER, 4820 Serene Drive, appeared in protest.

CHAIRMAN SWESSEL asked if anyone else wished to be heard; there being none, he declared the public hearing closed.

MR. BUGBEE made a Motion for APPROVAL of V-71-80, subject to the following conditions:

1. Approval of this variance shall be limited to a three-year time period and will expire on September 25, 1983.
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. Giles, Mrs. Myers, Mr. Bugbee, Mrs. Emmett.

"NOES" None.

Motion for APPROVAL carried unanimously.

6. U-53-80

APPROVED

Application of SYLVIA ANN GENEROSO for a use permit to allow a child care facility for a maximum of twelve (12) children on property located at 1201 Arville Street in Zoning District R-E (Residence Estates). The above property is legally described as Lot 14, Block 2, Hinson Heights.

MR. BROWN presented the plot plan. He stated the property is located on the east side of Arville two lots south of Charleston Boulevard. The City Commission denied a request for rezoning for a commercial nursery on this property in June, 1980, but staff feels the request for a child care facility for twelve children is not unreasonable and recommends approval. Mr. Brown pointed out that the east 138 ft. of the property will be left vacant to serve as a buffer from the adjacent property.

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

SYLVIA GENEROSO, the applicant, 6590 West Candleberry Road, was present.

JOHN AND SHIRLEY ARNOLD, 1234 Vista Drive, appeared in protest and objected to a child care facility in a residential zone.

MR. ARNOLD stated he also represented Mr. John Martinez who was not able to attend. Mr. Arnold said P-R zoning would be more compatible to the area.

MRS. ARNOLD said their lot is elevated and the child care facility would create problems of privacy for them unless all activities are confined within the structure.

ROBERT VAUGHN, 1312 Vista Drive, also appeared and asked what enforcement is available if this use is approved and the limitation of 12 children is exceeded.

MR. BROWN stated there is adequate enforcement from the Department of Business Activity.

MRS. MYERS asked about the hours of operation and the ages of the children.

MRS. GENEROSO said she has not determined the exact hours but would have one eight hour shift sometime between 6 A.M. and 12 midnight. She added that the children would not be outside if the shift is at night and a daytime shift would only allow two 15 minute play periods outdoors. She indicated the children's ages would range from two years to five years.

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 U-53-80, 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, Mr. Giles, Mrs. Myers,
Mr. Bugbee.

"NOES" Chairman Swessel

Motion for APPROVAL carried by a 4/1 vote.

CHAIRMAN SWESSEL announced this item will be considered by the Board of City Commissioners on October 15, 1980.

APPROVED

Application of BRONZE TRUCTION CO., INC. for a variance to all... nety-eight percent (98%) building coverage where a maximum of thirty-one percent (31%) is allowed; zero front and side yard building setbacks where twelve feet (12') is required and a sixty ft. (60') building height where a maximum of fifty-five feet (55') is permitted on property generally located at the northwest corner of Lewis Avenue and 7th Street in Zoning District R-3 (Limited Multiple Residence). The above property is legally described as Lots 17 through 22, Block 6, Wardie Addition. (A request to reinstate the Resolution of Intent to R-6, High Rise Apartment, is pending.)

MR. BROWN presented the plot plan and stated that this item was approved by this Board in September, 1979, but has expired. Staff recommends approval subject to the stipulations imposed at the time the original variance was granted.

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

GARY CUTLER, 5182 Tennis Court, representing the applicant, was present and agreed to staff's stipulations.

CHAIRMAN SWESSEL asked if anyone else wished to be heard; there being none, he declared the public hearing closed.

MRS. MYERS made a Motion for APPROVAL of V-72-80, subject to the following conditions:

1. Dedication of the right-of-way radius corner at the intersection of 7th Street and Lewis Avenue as required by the Department of Public Services.
2. Removal and replacement of the curb and gutter and sidewalk that has been damaged by tree roots as required by the Department of Public Services.
3. Submittal of a parking and driveway plan as required by the Department of Public Services.
4. Landscaping and a permanent underground sprinkler system shall be provided as required by the Department of Community Planning and Development and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.
5. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
6. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
7. Conformance to the plot plan.
8. Securing all necessary permits and licenses, and satisfaction of City code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Chairman Swessel, Mr. Giles, Mrs. Myers,
Mr. Bugbee, Mrs. Emmett.

"NOES" None.

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item will be considered
by the Board of City Commissioners on October 15, 1980.

8. U-55-80

APPROVED

Application of FOXY'S JACKPOT CITY, INC. for a
use permit to allow a secondhand jewelry store on
property located at 2417 Las Vegas Boulevard South
in Zoning District C-2 (General Commercial). The
above property is legally described as Lots 12 through
28, Block 1, Meadows Addition.

MR. BROWN presented the plot plan. Staff recommends
approval.

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

GEORGE STURMAN, the applicant, 3111 Bel Air Drive,
was present.

CHAIRMAN SWESSEL asked if anyone else wished to be
heard; there being none, he declared the public hearing
closed.

MR. BUGBEE made a Motion for APPROVAL of U-55-80
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" Chairman Swessel, Mrs. Myers, Mr. Giles,
Mr. Bugbee, Mrs. Emmett.

"NOES" None.

Motion for APPROVAL carried unanimously.

9. V-73-80

APPROVED

Application of 1300 CASINO CENTER LTD., A NEVADA
LTD. PARTNERSHIP for a variance to allow twenty-four
(24) apartment units where only sixteen (16) are
permitted; twenty-four (24) parking spaces where
thirty-six (36) are required; a front setback of
three feet (3') where ten feet (10') is required;
a side (south) setback of two feet (2') where six
feet (6') is required; a rear setback of one ft. (1')
where twenty feet (20') is required; and a detached
accessory building not located entirely in the rear
yard which is not permitted on property generally
located on the southwest corner of Casino Center
Boulevard and Imperial Avenue in Zoning District
R-4 (Apartment Residence). The above property is
legally described as Lots 9 and 10, Block 10,
Soulder Addition.

MR. BROWN presented the plot plan. He stated there is industrial zoning west of this property, R-4 to the north and south, and north of Imperial Avenue is commercial zoning one lot deep on the east. He said the issue is whether an additional number of apartment units should be permitted where it is limited to 16 units and whether the number of parking spaces should be reduced. He noted 1½ parking spaces per unit are required. Staff recommended denial.

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

ROBERT CONN, representing the application, 2228 West Bonanza Road, was present. He indicated he is not one of the partners. He said he does not feel there is a major parking problem as he conducted a recent survey over the weekend which showed only 50 percent utilization of the parking area, 5 percent of which was taken up by junk automobiles. He said the project would be aesthetic to the community, profitable, and would create more open space in this area.

MRS. MYERS asked what the attached building would be used for.

MR. CONN indicated it would be used primarily for storage, but there is also an enclosed trash area and this portion of the property would be adequately landscaped.

PAUL CARELLI, representing the owners of the Avalon Arms apartments, 1410 South Casino Center Boulevard, appeared in protest. He said he did not believe profit is a legitimate reason to grant a variance and that a proper setback should be adhered to along Casino Center Boulevard.

MR. CONN noted the setbacks apply to the building itself which takes up a small portion of the land area in order to make that building servicable for that type of land space.

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

MR. BROWN noted there are eight letters of protest.

MRS. MYERS made a motion for DENIAL of V-73-80.

Voting was as follows:

"AYES" Mrs. Myers.

"NOES" Chairman Swessel, Mr. Giles, Mrs. Emmett.
Mr. Bugbee.

Motion for DENIAL failed to carry.

MR. BUGBEE made a motion for APPROVAL of V-73-80, subject to the following conditions:

1. Dedication of the radius corner at the intersection of Imperial Avenue and Casino Center Drive as required by the Department of Public Services.
2. Redesign of the parking area as required by the Department of Public Services.
3. Install sidewalk on Imperial Avenue and Casino Center Drive as required by the Department of Public Services.
4. Install street lighting on Imperial Avenue and Casino Center Drive as required by the Department of Public Services.
5. Landscaping and a permanent underground sprinkler system shall be provided as required by the Department of Community Planning and Development and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.
6. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
8. Conformance to the plot plan.
9. Securing all necessary permits and licenses, and satisfaction of City code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Chairman Swessel, Mr. Giles, Mr. Bugbee
Mrs. Emmett.

"NOES" Mrs. Myers.

Motion for APPROVAL carried by a 4/1 vote.

10. U-56-80

APPROVED

Application of EARL E. RUSSELL, JR., TRUSTEE, for a use permit to allow a professional office use in an R-4 zone on property located at 531 South 10th Street in Zoning District R-4 (Apartment Residence). The above property is legally described as Lots 14, 15, and 16, Block 22, Pioneer Heights Addition and Block "E" of Wardie Addition.

MR. BROWN presented the plot plan. The property is located at the northeast corner of Bonneville and 10th Street with R-1 residential zoning across the street to the south and west. He said in view of the fact that this is an established residential neighborhood with single family detached abutting on the west, southwest and the south, the neighborhood should remain stabilized and staff recommends denial.

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

EARL RUSSELL, JR., the applicant, 702 Fourth Street, was present. He said there are single family dwellings on the south side of Bonneville, one single family dwelling in the R-4 to the north of his property and everything else in that area on 10th Street with the exception of a church directly across the street is zoned R-4. He said he did not see that approval of his application would change the character of the area as there have been variances granted around the corner on 11th Street for offices in the R-3 zone. They do not intend to change the exterior of the building as all modifications will be on the interior of the structure.

MR. BROWN pointed out that the applicant has a sign on the property at the present time which states "zoned for professional offices or 12 apartments" and lists a phone number, which is a violation.

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

MR. GILES made a Motion for APPROVAL of U-56-80, subject to the following conditions:

1. Redesign the parking area as required by the Department of Public Services.
2. Install curb and gutter, sidewalk, driveways, and street lighting as required by the Department of Public Services.
3. At the time the rear area of the property is developed, the alley shall be paved as required by the Department of Public Services.
4. Dedicate the right-of-way for the radius corner at the intersection of 10th Street and Bonneville Avenue as required by the Department of Public Services.
5. Landscaping and a permanent underground sprinkler system shall be provided as required by the Department of Community Planning and Development and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.
6. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.

B. Conformance to the plot plan.

9. Securing all necessary permits and licenses, and satisfaction of City code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Chairman Swessel, Mrs. Myers, Mr. Giles
Mr. Bugbee, Mrs. Emmett.

"NOES" None.

Motion for APPROVAL carried unanimously.

11. U-57-80

APPROVED

Application of RICHARD H. AND EDELTRAUD J. HELM for a use permit to allow a class III secondhand dealership for the sale of new and used merchandise (antiques-collectibles) on property located at 1636 East Charleston Boulevard in Zoning District C-1 (Limited Commercial). The above property is legally described as Lot 5, Block 1, Charleston Square Tract #4.

MR. BROWN presented the plot plan. He stated this application is in concert with the terms of the ordinance and staff recommends approval.

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

BOB BROOKS, lessee of the property, residing at 4000 Vegas Drive, was present representing the application. He stated he obtained a secondhand dealership license at the insistence of the City Licensing Board because he retained some secondhand merchandise from a previous move; however he maintained that he is primarily an antique dealer along with a seller of wholesale and retail crafts, craft materials and collectibles.

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

MR. GILES made a Motion for APPROVAL of U-57-80, 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" Chairman Swessel, Mrs. Myers, Mr. Giles,
Mr. Bugbee, Mrs. Emmett.

"NOES" None.

Motion for APPROVAL carried unanimously.

12. U-58-80

APPROVED

CHARLES A. CHRISTIE for a use permit to allow parapsychology and related classes on property located at 4119 West Sahara Avenue in Zoning District C-1 (Limited Commercial). The above property is legally described as Lot 11, Block 12, Las Verdes Heights 6, Unit No. 4.

MR. BROWN presented the plot plan. Staff recommended approval.

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

ANNIE B. PHILLIPS, lessee of the property, residing at 2800 South Lamb Boulevard, was present representing the application. She stated classes will be taught in tarot card reading and one-day seminars will be held periodically.

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

MRS. MYERS made a Motion for APPROVAL of U-58-80, 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" Chairman Swessel, Mrs. Myers, Mr. Giles, Mr. Bugbee, Mrs. Emmett.

"NOES" None.

Motion for APPROVAL carried unanimously.

13. V-75-80

APPROVED

Application of FRANK MITRANI for a variance to allow a rear yard setback of sixteen feet (16') where the C-D zone requires a rear yard setback of twenty-five feet (25') on property located at 1222 South Maryland Parkway in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 1, Block 11, Huntridge Subdivision Tract 2. (A request for C-D zoning is currently being processed.)

MR. BROWN presented the plot plan. The property is located on the west side of Maryland Parkway north of Franklin Avenue. The building and parking are on the north side of Norman Avenue. Staff recommends approval, subject to the C-D zoning being approved.

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

FRANK MITRANI, the applicant, 3904 El Parque, was present.

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

MRS. MYERS made a Motion for APPROVAL of V-75-80, subject to the following conditions:

1. Approval of C-D zoning on this 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" Chairman Swessel, Mrs. Myers, Mr. Giles, Mr. Bugbee, Mrs. Emmett.

"NOES" None.

Motion for APPROVAL carried unanimously.

14. V-76-80

APPROVED

Application of SHECKY GREENE for a variance to allow a kitchen which is not permitted in a guest house that is being constructed on property located at 1245 South Rancho Road in Zoning District R-E (Residence Estates). The above property is legally described as a portion of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 4, Township 21 South, Range 61 East, M.D.B. & M.

MR. BROWN presented the plot plan and stated the property is located on the northeast corner of Rancho Drive and Waldman Avenue. The request is for a kitchen addition to the guest house. Staff recommends approval.

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

GEORGE GUINN, residing at 5113 Churchill Avenue, was present representing the application.

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-76-80, 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" Chairman Swessel, Mrs. Myers, Mr. Giles, Mr. Bugbee, Mrs. Emmett.

"NOES" None.

Motion for APPROVAL carried unanimously.

15. U 0

ABEYANCE to 10/23/80

Application of FIRST PRESBYTERIAN CHURCH for a use permit to allow expansion of the existing church facilities consisting of a new sanctuary building, a rectory and parking facilities on property located at 1515 West Charleston Boulevard in Zoning District R-E (Residence Estates). The above property is legally described as all of Lot 7 and a portion of Lots 5 and 6, Ellis Estates.

MR. BROWN presented the plot plan and stated Charleston Boulevard is located north of this property with Desert Lane on the East and Ellis Avenue on the south. Staff recommends approval.

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

The applicant was not present.

NANCY WILSON, 3618 Tempe Street, appeared. She said she has mixed feelings about the application as she is a member of the First Presbyterian Church but was not appearing on behalf of the application. She objected to the request on the basis of inadequate parking and stated the new sanctuary is designed to seat 750 people which will add to an already present problem of limited parking and traffic congestion.

JEAN PENCE, 5901 Halifax Avenue, and ANN HORVATH, 108 Narcissus Lane, also members of the church, appeared and stated their objections because of parking problems.

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

MR. GILES recommended this item be held in abeyance until a representative from the church could be present on behalf of the application.

MR. BUGBEE made a Motion to hold item U-59-80 in ABEYANCE until October 23, 1980.

Voting was as follows:

"AYES" Chairman Swessel, Mrs. Myers, Mr. Giles, Mr. Bugbee, Mrs. Emmett.

"NOES" None.

Motion for ABEYANCE carried unanimously.

CHAIRMAN SWESSEL announced this item will again be considered by the Board of Zoning Adjustment on October 23, 1980.

16. V-18-80

Extension
of Time

APPROVED - 6 Month
Extension of Time

Request of HOME REALTY for an extension of time on an approved variance which allowed an addition to an existing office building six feet (6') from the rear property line where fifteen feet (15') is required on property located at 1223 Maryland Parkway in Zoning District P-R.

MR. BROWN presented the plot plan. Staff recommended approval of a six-month extension of time.

CHAIRMAN SWESSEL asked to hear from the applicant.

DICK THOMPSON, the applicant, was present.

MR. BUGBEE made a Motion for APPROVAL of V-18-80, subject to the following conditions:

1. Conformance to the conditions previously imposed at the time of approval of V-18-80.
2. This extension of time shall be limited to a period of six months and will expire March 25, 1981.

Voting was as follows:

"AYES" Chairman Swessel, Mrs. Myers, Mr. Giles, Mr. Bugbee, Mrs. Emmett.

"NOES" None.

Motion for APPROVAL carried unanimously.

17. U-54-80(HO)

APPROVED

Application of LORRAINE H. MILES for a home occupation permit to allow a drafting office in the home on property located at 412 Madison Avenue in Zoning District R-4 (Apartment Residence).

MR. BROWN stated staff recommends approval.

MRS. EMMETT made a Motion for APPROVAL of U-54-80(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" Chairman Swessel, Mrs. Myers, Mr. Giles, Mr. Bugbee, Mrs. Emmett.

"NOES" None.

Motion for APPROVAL carried unanimously.

18. U-60-80(HO)

APPROVED

Application of CORA GASLAWSKI for a home occupation permit to allow a telephone answering service on property located at 1306 Weldon Place in Zoning District R-3 (Limited Multiple Residence).

MR. BROWN stated staff recommends approval.

MRS. EMMETT made a Motion for APPROVAL of U-60-80(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" Chairman Swessel, Mrs. Myers, Mr. Giles, Mr. Bugbee, Mrs. Emmett.

"NOES" None.

Motion for APPROVAL carried unanimously.

SUPPLEMENTAL AGENDA:

1. U-109-79

Use Review

APPROVED

Request of O & M REFRIGERATION for a use review to add the reconditioning and sales of used air conditioners to the previously approved Class III Second-hand Dealer Use for the reconditioning and sales of used refrigerators on property located at 1313 East Charleston Boulevard in Zoning District C-2 (General Commercial).

MR. BROWN presented the staff report. The property is located between 14th and 15th Streets on the north side of Charleston Boulevard. Staff recommended approval.

CHAIRMAN SWESSEL asked to hear from the applicant.

DAN CONGER, residing at 53 Lafayette, was present representing the application.

MRS. MYERS made a Motion for APPROVAL of U-109-79, 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" Chairman Swessel, Mrs. Myers, Mr. Giles, Mr. Bugbee, Mrs. Emmett.

"NOES" None.

Motion for APPROVAL carried unanimously.

2. U-61-80(HO)

APPROVED

Application of ROBERT V. MARTIN for a home occupation permit to allow repair of small equipment (stethoscopes, etc.) in the home on property located at 5132 Del Rey in Zoning District R-1 (Single Family Residence).

MR. BROWN stated staff recommends approval.

MR. BUGBEE made a Motion for APPROVAL of U-61-80(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" Chairman Swessel, Mrs. Myers, Mr. Giles
Mr. Bugbee, Mrs. Emmett.

"NOES" None.

Motion for APPROVAL carried unanimously.

DIRECTOR'S BUSINESS:

1. CHANGE OF MEETING
DATES

Rescheduling the November 27, 1980 (Thanksgiving)
and December 25, 1980 (Christmas) Board of Zoning
Adjustment meetings.

MR. BUGBEE made a motion to approve the following
dates for the November and December, 1980 Board
of Zoning Adjustment meetings:

Monday, November 17, 1980

Monday, December 15, 1980

Voting was as follows:

"AYES" Chairman Swessel, Mrs. Myers, Mr. Giles,
Mr. Bugbee, Mrs. Emmett.

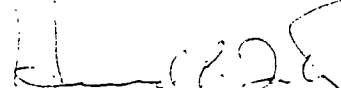
"NOES" None.

Motion for APPROVAL carried unanimously.

ADJOURNMENT:

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

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT


HAROLD P. FOSTER, DIRECTOR

25
ANNOTATED AGENDA - BOARD ZONING ADJUSTMENT - SEPTEMBER, 1980

PRESENT: Myers, Giles, Swessel, Bugbee & Emmett

MINUTES: Mrs. Myers made a Motion for APPROVAL of the Minutes for the Board of Zoning Adjustment meeting held August 12, 1980. Motion for APPROVAL carried unanimously.

NEW BUSINESS:

1. V-66-80 - DENIED - BUGBEE/Unanimous - To be heard by City Commission 10/15/80 ✓
2. V-68-80 - DENIED - MYERS/4-1 vote/ Bugbee voted "No".
Protest: Lawrence Tourville
135 W. Philadelphia Ave.
Ray Marquis
131 West St. Louis Ave.
3. V-69-80 - APPROVED - GILES/Unanimous - To be heard by City Commission 10/15/80 ✓
4. V-70-80 - APPROVED - BUGBEE/Unanimous
Protests: Joseph Temple
6814 West Carrerra
5. V-71-80 - APPROVED - BUGBEE/Unanimous - Subject To: 3 yr. time limit
Protest: John G. Weber
4820 Serene Dr.
6. U-53-80 - APPROVED - EMMETT/4-1 vote/Swessel voted "No". - To be heard by City Commission 10/15/80 ✓
Protests: John & Shirley Arnold
1234 Vista Dr.
Mr. Arnold also represented John Martinez who could not attend (no address given)
Robert Vaughn
1312 Vista Dr.
7. V-72-80 - APPROVED - MYERS/Unanimous - To be heard by City Commission 10/15/80. ✓
8. U-55-80 - APPROVED - BUGBEE/Unanimous
9. V-73-80 - APPROVED - BUGBEE/4-1 vote/Myers voted "No".
(Motion by Myers for Denial "failed to carry" - 4-1 vote - Swessel, Bugbee, Emmett, Giles voted "no".)
10. U-56-80 - APPROVED - GILES/Unanimous
11. U-57-80 - APPROVED - GILES/Unanimous
12. U-58-80 - APPROVED - MYERS/Unanimous
13. V-75-80 - APPROVED - MYERS/Unanimous
14. V-76-80 - APPROVED - EMMETT/Unanimous
15. U-59-80 - ABEYANCE to 10/23/80 BZA Mtg. - BUGBEE/Unanimous
Protests: Nancy Wilson
3618 Temple St.
Ann Horvath
108 Narcissus Ln.
Jean Pence
5901 Halifax Ave.

1. U-109-79 - APPROVED - MYERS/Unanimous
2. U-61-80(HO) - APPROVED - BUGBEE/Unanimous

Set dates for November & December, 1980 BZA meetings: Monday, November 17, 1980
Monday, December 15, 1980

CHAIRMAN SWESSEL: Item No. 15, U-59-80, application of FIRST PRESBYTERIAN CHURCH for a use permit to allow expansion of the existing church facilities consisting of a new sanctuary building, a rectory and parking facilities on property located at 1515 West Charleston Boulevard in Zoning District R-E.

DON W. BROWN: You can see the location on the screen. It's a rather large area covered in green up there. Charleston Boulevard being on the north; Desert Lane on the east and then Ellis Avenue on the south. You can see it here -- Desert Lane, Ellis Avenue and Charleston, of course, is up here. This is the addition the applicant wishes to put in. Everything's in order and we'd recommend approval.

CHAIRMAN SWESSEL: Is the applicant present? The applicant is not present. This is a public hearing. Is there anyone here that came to this meeting to speak in opposition to this? Do you have any letters of protest, Mr. Brown?

DON W. BROWN: No.

CHAIRMAN SWESSEL: No?

NANCY WILSON: I didn't realize I would be the only one here.

CHAIRMAN SWESSEL: That's all right.

NANCY WILSON: I am a member of the congregation there and I speak with mixed emotions about it.

CHAIRMAN SWESSEL: Do you want to give us your name?

NANCY WILSON: Yes. I'm sorry. I'm Nancy Wilson. My residence is 3618 Tempe in the County. I've been a member there for 12 years and have tried to park in the parking lot every Sunday. We do have a shortage of parking area for the present facilities. Ellis Street which is most of the way one lane from Shadow Lane over to Desert Lane is very difficult when there is more than one car through that area. At the present time it is almost impossible to turn onto Charleston either right or left when exiting the church. Most of us have to go back on the Ellis property out on Shadow Lane and either go through the Scotch 80's area or turn back onto Charleston. For traffic conditions alone, I know that there will be a congestion problem. The design of the church, to my knowledge, the front of it will face what is now the back side of business facilities across Desert Lane and Ellis. Those businesses actually face Highland. The other structures the church will face will be residential homes in the security housing area there. My own personal feeling is that we don't have parking space now. The design is for 750 people to be seated in this new sanctuary and I don't know where they are going to come up with parking space.

CHAIRMAN SWESSEL: You -- you're a member?

NANCY WILSON: Yes, I am. I am on the board of deacons also. Not on the building committee though.

CHAIRMAN SWESSEL: Not on the building committee?

NANCY WILSON: No, I'm not.

CHAIRMAN SWESSEL: Mr. Brown, do they have adequate parking --

DON W. BROWN: Yes.

CHAIRMAN SWESSEL: -- to go through with all of this expansion and --

DON W. BROWN: Yes.

CHAIRMAN SWESSEL: -- we know we've got a bad problem with the traffic there in and out and I know what you're saying and we've got, what, a public hearing in two weeks on Ellis, haven't we?

DON W. BROWN: Yes.

CHAIRMAN SWESSEL: Commissioners, do you have any questions?

MRS. EMMETT: That took a lot of nerve to show up here.

NANCY WILSON: Thank you.

CHAIRMAN SWESSEL: Is there anyone else? Are you two ladies with her? You are in agreement with her? Are you here to protest? We can just count three hands or do you all want to say something?

ANN HORVATH: My name is Ann Horvath and I am also a member. I am not serving on any board at the church at this time but I have been a member for eight years and I concur with Mrs. Wilson. My husband and I went down and counted parking places down there one Saturday morning and I wish I could remember the number. I think it was in the vicinity of probably 72 or 80 existing now and when you consider a bigger building and more people there is definitely going to be a parking problem.

JEAN PENCE: My name is Jean Pence. I live at 5901 Halifax Avenue. I'm also a member of the church. I have been a member off and on for about 12 years. By off and on I mean I went to another church to help establish that and then came back. I was on the building committee and was removed from it. I would like to know where they have proposed these additional parking areas. As Mrs. Horvath says there are 70 to 80 parking places.

JEAN PENCE (cont'd)

We have two services on a Sunday morning. If you come for the eleven o'clock service there is no parking -- virtually no parking. I have had to park in the business buildings across the street in their parking areas. Of course, they're not being used on Sunday, but I still have a guilty conscience from time to time. Also there is parking on both sides of Desert Lane and people park on Ellis going down toward -- I've forgotten the name of the street --

NANCY WILSON:

Shadow Lane.

JEAN PENCE:

-- Shadow Lane, and they have parked in the -- when we do have Easter and Christmas services and such things as that -- when we have large groups of people they do park at the residences on the streets but the other side. As I say, I would like to know where they have proposed to put these other parking lots, or parking areas, since the building will take up most of the parking area that we now have.

CHAIRMAN SWESSEL:

Mr. Brown, where are you going to put the additional parking?

DON W. BROWN:

Well, they've got parking all along here and out here and they have adequate parking for -- they wouldn't if they ran all the facilities at one time, the nursery and so on and so forth. They wouldn't have enough parking for all of that; but, inasmuch as they hold them at different times, why there is adequate parking. They've got more parking down here. They've got 19, 13, 25, 29, 3, 10, 12, 17, and that's -- they comply to the code. Maybe not realistically as far as the services are concerned but they do comply with the code and that's all we can go by.

MRS. EMMETT:

When you say "code" how many, how many people in the church -- how many people are in attendance, say, at a service?

JEAN PENCE:

We have 300 to 500 depending -- at regular Sunday services and then that doesn't count Easter and Christmas and the other when we have sometimes three services on a Sunday.

MRS. EMMETT:

So what does the code say?

DON W. BROWN:

One space for every 90 square feet seating area.

MRS. EMMETT:

Ninety square feet of seating area?

DON W. BROWN:

Or building area.

MRS. EMMETT:

Building area?

DON W. BROWN:

Yes.

MRS. EMMETT:

What rationale did your building committee use to justify this expansion when there apparently is such objection -- such strong objection?

NANCY WILSON:

I don't know if any of us are really qualified to speak to this but the church is presently embroiled in a controversy. We have not seen these plans. None of the church members that I know of have seen these plans. I was under the impression that the new structure would be built much farther to the corner and we do own the residences outlined in brown there at the bottom side. I realize that they have to be -- they have to have the zoning corrected before they can submit the bids so the congregation can be made aware of what is happening. Many of us have not been made aware and that's why we are here tonight to find out just what is happening.

CHAIRMAN SWESSEL:

Well, I'm glad you came down and sat through this whole meeting. Anyone else who would have anything they would like to say in opposition to this? If not, we'll close the hearing. What's the pleasure of the Commission?

MR. BUGBEE:

I don't believe it's our position or the City Commissioner's to intercede in an internal problem with the church so, therefore, I'm going to request that this be held in abeyance until they can get the building committee up here along with representation from the others and then make a decision at that time.

(Voting was as follows:

"AYES" Chairman Swessel, Mr. Bugbee, Mrs. Emmett, Mr. Giles, Mrs. Myers.

"NOES" None.)

CHAIRMAN SWESSEL:

That item will be held in abeyance and the building committee will be notified to come on back and the people in opposition so maybe something will be worked out.

/sk

CHAIRMAN SWESSEL: Item No. 5, V-71-80, application of THOMAS SENIUR for a variance to allow a 24 x 60 ft. mobile home for caretakers' residence, and an 8 x 40 ft. camper-type trailer for periodic residential use which is not permitted on property containing a single family residence and located at 6440 Lone Mountain Road in Zoning District R-E.

DON W. BROWN: You can see the location on the screen. It's just off Rancho Boulevard on the west -- Rancho Drive. East of Serene he's got a 20 acre parcel. It's a little tiny bit C-1 on the southwest corner. The plot plan over here shows the mobile home in place here, the house, and a little mobile -- travel trailer on the northeast corner. In talking with the applicant, when I viewed the property, he made the comment that he had quite a problem with his 20 acres, keeping them free of squatters, as it were, and that the watchman is an elderly man or lady who had been there and had done a good job in taking care of it. The travel trailer is to be used by his, and has been used, by his mother when it's his turn to take care of her which is approximately three months a year. He can tell this better than I. Nevertheless, staff feels that this is not a permitted use in this district and you did recommend approval for a watchman's mobile home on Dr. Haun's property three or four months ago. I think the difference between that and this is that his was a completely developed plan whereas this is not. So we would recommend this be denied.

CHAIRMAN SWESSEL: Is the applicant present?

DON W. BROWN: We have ten letters of approval and two letters of protest.

ROBERT BUGBEE: What are the locations of the two letters of protest? Contiguous?

DON W. BROWN: One of them also signed a letter of approval. I'll get them for you.

THOMAS SENIUR: I think it was, it was beer day that day, and I don't know some of the neighbors' names ---
My name is Thomas Seniur, 6440 Lone Mountain Road.
My wife --

JANIE SENIUR: I'm Janie Seniur. Could I say something first?

CHAIRMAN SWESSEL: Sure.

JANIE SENIUR:

I believe, I believe the gentleman who protested -- If you see where the pencil is. That would be the first corner of our property running 1320 ft. See the little -- way to your left is a small street and he's somewhere in there. Now there's a whole row of about 20 to 30 ft. high trees. He can't even see the mobile home from where he is.

THOMAS SENIUR:

I believe that Mr. Brown came out to view the property and he couldn't even find the mobile home, so I don't think it's -- I brought pictures in of north, east, west and south. I brought some pictures in of what happened in four days that my caretaker was away. The garbage they've dumped on my property. I have pictures of people coming in with campers and dumping all of their trash there prior to me having my caretaker there and I'm looking for a variance to have someone there. Not for permanent, because I'm not fond of trailers, but I do need someone there until I get this place fenced off and put in a condition where he don't have to hand water everything and we get enough water and so forth. I've just dedicated two and a half acres of my property to the City to put roads in so I'm not a hard-nose about anything that you want to improve. I'm looking to improve the area. By the same token, there's just two of us in the family and there's just the two people to take care. There are no children. There are no pets and we don't bother anyone there. All we need is a caretaker.

ROBERT BUGBEE:

What sort of time frame are you looking at, sir?

THOMAS SENIUR:

Well, sir. I would have done it sooner. I have a daughter that's had both knees operated on. She's in Mass General right now and it's been go, go, go for the last couple of years and it's going to go on for a little while more and I would like to build the people that live with me a home there. I don't want them to live in a trailer, but I just can't do it financially. I would love to do it tomorrow but I can't. I have one daughter only and she's very, very critical. She's 26 years old.

ROBERT BUGBEE:

What type of time frame would the people who are living in the trailer need? Two or three years?

THOMAS SENIUR:

Well, sir, I think if I had three years I am sure that I could fence it off and build a place ample for these people. My mother-in-law is 71 years old. She can't -- God willing, she could stay 20, 30 more years, but I would like to build her a little place there. My caretaker -- they don't work and they just take care of my place, and I would like to keep them with me, but I would like to build them a place and if I could have three or four years as a permit of some kind I would be tickled to death because, like I say, I, I'm not looking for some things because I'm not -- I don't want a mobile home park on the property. I'd like to split it up for the family and have my caretaker have a piece of it and my brothers and sisters, you know.

JANIE SENIUR:

Excuse me. We have about 150 trees surrounding all of this. It's really not visible from Lone Mountain Road or from the gentleman --

THOMAS SENIUR:

Right.

JANIE SENIUR:

-- who's objecting?

THOMAS SENIUR:

I think Mr. Brown viewed it and he could tell you.

CHAIRMAN SWESSEL:

I looked at it too.

THOMAS, SENIUR:

Did you, sir? Okay.

CHAIRMAN SWESSEL:

Any other questions, Commissioners? Are there any questions from the Commissioners? This is a public hearing. Is there anyone here that would like to speak in favor or against this? You'd like to speak against it? Okay. Do you want to give us your name.

JOHN G. WEBER:

I'm John G. Weber. I live at 4820 Serene Drive.

CHAIRMAN SWESSEL:

How far is that from there?

JOHN G. WEBER:

I am right behind them folks.

CHAIRMAN SWESSEL:

We didn't recognize you.

JOHN G. WEBER:

Somewhere along the line here this variance -- a caretaker. You know, a caretaker covers a lot of things, but, you know, the man being a working man -- what man is going to -- can afford to put up a 20 by, 24 x 60 ft. trailer, double-wide for a, for a caretaker? I used to work for Bunkers.

JOHN G. WEBER (cont'd): and Bunkers don't even have that big, those big of caretakers' trailers for their cemeteries. But not here or there. And I feel this way, here. Once a person has dabbled in real estate, you don't get into something like this here blind. Everything I do for this -- on my piece of property, I get a permit. I ask questions and maybe don't get the right answers and I think anybody else who dabbles in real estate should do the same thing. But this whole stuff of putting in a trailer and then asking for a variance -- and I am very familiar with that piece of property because --

CHAIRMAN SWESSEL: Mr. Weber, how many acres do you have?

JOHN G. WEBER: I got sixty-two hundredths. I'm right out directly in front. I'm on Serene Drive.

CHAIRMAN SWESSEL: Are you R-E?

JOHN G. WEBER: Sir?

CHAIRMAN SWESSEL: R-E?

JOHN G. WEBER: I'm R-E. Everybody else is residential.

DON W. BROWN: He's that R-E lot behind there.

CHAIRMAN SWESSEL: You've got 6200 acres?

JOHN G. WEBER: Sixty-two hundredths of an acre.

CHAIRMAN SWESSEL: Oh, sixty-two hundredths of an acre. I thought you said 6200 acres.

JOHN G. WEBER: Oh, heck no. I got a headache with what I got. But I, I do believe that anybody dabbling in real estate which I understand is happened in this case several times. I mean, I wouldn't have the guts to go down -- I would give the Health Department the whole nine yards with the -- with the -- to put in a trailer and my septic tank and the whole nine yards.

CHAIRMAN SWESSEL: Well, I'm sure he has to do that, too, if this Board would see fit to give that variance.

JOHN G. WEBER: I was at the Health Department yesterday, sir, and today and they do not have anything on a septic tank over at the Health Department.

CHAIRMAN SWESSEL: Well, they couldn't because this Board hasn't acted on it yet.

JOHN G. WEBER: No. No, the old house. Even the old house didn't have it, sir.

CHAIRMAN SWESSEL: I -- we're not, we're not really interested in the septic tank --

JOHN G. WEBER: -- No, no. -- that wasn't what I'm -- what I'm saying. I was just complying with all the City rules and regulations.

CHAIRMAN SWESSEL: Yes. We're here to decide if we're going to give him a variance or not. We're not worrying about the septic tanks. That's for the Building Department and the Health Department and the other departments to take care of.

JOHN G. WEBER: And I would like to bring one other, one other thing to the Chairman and the Board's attention. People go around with petitions. I don't see where a renter has any right to sign a petition. He could care less what he's signing, right? It's happened in this case here. Just a word for the thought, sir.

CHAIRMAN SWESSEL: Do you have any questions, Commissioners?

JOHN G. WEBER: But, there is one more thing. Those trees on the back part of the property. If Mr. Brown would come to my place which he knows quite well, I know. I trimmed all those mesquite trees back there. I cut all the dead stuff out and I have recently built a shed out there in back which I've been very observing on the whole situation and this peice of property that the man lives on I'm very familiar with because I took care of, of it before he bought it from Mrs. Blake who is that old lady and I helped her out all the time so I'm not going out in left field either. Okay? Thank you.

CHAIRMAN SWESSEL: Thank you. Please sign the paper before you leave. Do we have anybody else that would like to speak in opposition to the application? Being none -- Mr. Seniur, do you want to say a word in rebuttal or anything?

THOMAS SENIUR: I really don't have anything to say because I stated my point in case and however you figure is fine with me. Thank you.

CHAIRMAN SWESSEL: Being no further, we'll close the hearing.
What's the pleasure of the Commission?

ROBERT BUGBEE: I think that having a lot of property and the
experience of people, you know, dumping their
garbage constantly -- just the fact that he has
somebody out there trying to keep it clean is
good enough for me, so I'm going to vote for
approval.

JESSIE EMMETT: With the time limit.

ROBERT BUGBEE: With the time limit of three years.

THOMAS SENIUR: Here I have these pictures of something that
happened four days, and if I leave it there
it will be twice that much the next day.

CHAIRMAN SWESSEL: Well, we've already made the motion.

THOMAS SENIUR: Thank you.

(Voting was as follows:

"AYES" Chairman Swessel, Mrs. Myers, Mr. Giles,
Mr. Bugbee, Mrs. Emmett.

"NOES" None.)

CHAIRMAN SWESSEL: That has been approved with the stipulation of
a three-year time limit.

/sk

CHAIRMAN SWESSEL: Item No. 2, V-68-80, application of Bob Stupak for a variance to allow a commercial single faced neon pole sign which is not permitted and is 288 sq. ft. in size and to an overall height of 72 ft. on property generally located on the north side of St. Louis Avenue between Commerce Street and Fairfield Avenue in Zoning District R-6.

DON BROWN: You can see the location on the screen. It's in the R-4 District and there's an alley on the west side of the property. This is Fairfield over here -- the alley and St. Louis and the request is for the sign to be located here. As I said in the previous case, there's nothing unique or unusual about this lot or this situation which would warrant the applicant receiving an advantage not accorded others in the R-4 District and would recommend denial.

CHAIRMAN SWESSEL: Applicant present?

BOB STUPAK: My name is Bob Stupak the owner of the property. I think that he had the pointer pointing on the wrong side of where I want the sign. It's on the opposite side towards the -- there it is, right there. That sign is -- I think as you're aware, about two months ago I had that approved for a parking area back there and this is the sign I want to show people from the hotel parking lot, which is approximately 200 feet away, that there is parking facilities there. On the lot just in front of that, I believe, zoned C-2, there's a dry cleaning sign there -- dry cleaner which is approximately 50 foot high. This sign is only, I would say, approximately a 100 feet away from that sign. Also, the illumination of it is only on the east side of the sign. There'd be no illumination on the west side of that sign. So it'd be just facing the hotel property.

CHAIRMAN SWESSEL: Is this what it looks like?

BOB STUPAK: That's 25 feet wide by 12 feet high and to the very top it's 72 -- there's 72 feet high but the sign is 12 ft. deep and 25 ft. wide.

CHAIRMAN SWESSELL: Any other questions, Commissioners? This is a public hearing. Is there anyone here that would like to speak on behalf of the applicant or against him? Mr. Stupak, while you're standing there, if you would sign in as you did speak. There's a piece of paper there. Please sign the roster and everybody that comes up and speaks in behalf or against anything sign the roster before speaking. Yes, sir, give us your name and address.

LARRY TOURVILLE:

Larry Tourville, 135 W. Philadelphia Avenue. This parking lot was for employees only. That's what it was originally for and there was 18 local apartment owners around the area that were against it. They didn't show up tonight because they were a little disgusted with the Commission in the first place. Now, this sign they want to put up stating Vegas World parking. This is just for employees. That's all this is stated for. Now there's buses that are all over there. I took a picture of a bus parked right in front of his lot last Sunday morning. At 5:30 in the morning I was awoken because a bus went down the alley. The buses are running around constantly over there. They're waking people up. We're getting complaints from our tenants and everything and this isn't right. And this sign -- there's no need of a sign there. If his employees don't know that it's an employee's parking lot, well -- thank you.

CHAIRMAN SWESSEL:

Thank you. Anyone else that would like to speak against it or --

DON BROWN:

We had one letter of protest.

CHAIRMAN SWESSEL:

Yes, sir. Give us your name and address.

RAY MARQUIS:

Ray Marquis, 131 West St. Louis. I live right across the street from this property mentioned and as this gentleman stated, there are 18 property owners that have been against this ever since the beginning and you people allowed this man to have this parking lot, which was not permitted. Now, you gave him permission to make it an employee's parking lot only. You gave him this permission. Now, with this sign going up, this makes it a public parking lot. That's the purpose behind this sign and, therefore, it would open it up for buses, motor homes and general public which is something that we definitely do not need in that area. We've been opposed to this ever since the beginning. We went along with it when you gave him permission to open it for employees only. Knowing that he doesn't have that much parking, we'll go along with that but if you allow this sign to go up, this is nothing but a public thoroughfare and in a zoning area that was -- primarily not even permitted but you allowed it. We went along with it. What could we do? Now, if he puts that sign up, this is really going to be a stick in the mud and we still oppose it and hope that you do not allow him to put that sign up and make it for employee's only.

CHAIRMAN SWESSEL: Thank you. Mr. Brown, would you refresh us on that motion on the parking lot.

DON BROWN: I don't have the file here but it was for employees only.

CHAIRMAN SWESSEL: Anyone else that like to speak in opposition? There being none, Mr. Stupak, will give you a chance to --

BOB STUPAK: I beg to disagree with you but it wasn't for employees only. I don't have a copy of it right here but it was for private vehicles only. No overnight campers and no buses that was the stipulation.

CHAIRMAN SWESSEL: Are you quite certain?

BOB STUPAK: That was the stipulation. No overnight campers, no buses, just private vehicles.

ROBERT BUGBEE: I think he's right on that one.

BOB STUPAK: As the last protestor just mentioned about -- this Commission gave me approval to use this as a parking lot. I'm R-6 and just to reiterate, I'm and R-6 zone. It's the only R-6 zoning in the City of Las Vegas. Every other area around me -- all that in the yellow is R-4. If I had the same R-4 zoning as every other piece of property, I could have gotten -- the parking would have been permitted under the present zone. If I wanted to be deceitful about it, I could have came in and asked just to be reduced from an R-6 to an R-4 and then it wouldn't been necessary to get a parking permit. So, my fellow neighbors, the only thing I was asking for is the same privilege of being able to park on that as their properties are directly around me. I do have a parking problem at Vegas World. We have approximately 45 to 50 employees parked there at all times. This lot in the back is going to hold approximately a 110. It's going to be lighted and guarded and fenced with landscaping. Right now buses are parking on the streets. There are occasions where we have 30 to 35 buses there. Our lot can only handle, perhaps, 15 to 16 and we have them parked up and down Commerce Street and across the street from Las Vegas Boulevard. I am trying to alleviate that situation by having it -- more parking available on this piece of property in addition to our employees and to allow those buses that my neighbors are complaining about to park on the property of Vegas World and to keep them off the streets.

CHAIRMAN SWESSEL: Any questions, Commissioners? There being none, we'll close the hearing.

HELEN MYERS: I move to deny.

CHAIRMAN SWESSEL: The item has been denied. (Motion carried with Mr. Bugbee voting "no".) You do have the right to appeal to the City Commission in 10 days.

BOB STUPAK: Thank you.

END OF EXCERPT



9/25/1980

Las Vegas Metropolitan Beautification Committee

An Advisory Board to the City and County Commissions on Area Beauty

Chairman: Tom Rubidoux

September 22, 1980

MEMORANDUM

TO: Harold P. Foster, Director, Community Planning & Development

FROM: Shell Kizerian, Recording Secretary *Shell Kizerian*

SUBJECT: Variance Application - V-68-80 - Bob Stupak and
Variance Application - V-66-80 - Regina M. Hauck

The Las Vegas Metropolitan Beautification Committee opposes the variance application of Bob Stupak which is scheduled to be considered by the Board of Zoning Adjustment on September 25, 1980. The application is to allow a commercial single faced neon pole sign which is not permitted and is 288 sq. ft. in size and to an overall height of 72 ft. on property generally located on the north side of St. Louis Avenue between Commerce Street and Fairfield Avenue in Zoning District R-6.

The Beautification Committee also opposes the variance request of Regina M. Hauck which will be considered at the same meeting to allow two 3 x 4 ft. free-standing signs where one free-standing sign is allowed; and to allow two 3 x 5 ft. roof signs where roof signs are not allowed on property located at 1201 Maryland Parkway in Zoning District C-D.

/sk