

A G E N D A

BOARD OF ZONING ADJUSTMENT

FEBRUARY 26, 1981

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

ROLL CALL:

ANNOUNCEMENT: Satisfaction of Open Meeting Law

MINUTES: Approval of the Minutes for the Board of Zoning Adjustment meetings held December 15, 1980, and January 22, 1981.

OLD BUSINESS:

1. U-81-80 <sup>*Withdrawn by applicant*</sup> Application of WATKINS DEVELOPMENT COMPANY for a use permit to allow an R-4 density, 120 unit apartment development on property generally located on the southeast corner of Silverstream Avenue and Lorenzi Boulevard in Zoning District C-1.  
(Abeyance Item from 1/22/81)

NEW BUSINESS:

1. U-2-81 Application of R. STEVEN YOUNG for a use permit to allow a professional office (attorney's office) on property located at 925 South Third Street in Zoning District R-4 (under Resolution of Intent to C-2).
2. V-1-81 Application of LOS ANGELES AND SALT LAKE RAILROAD COMPANY, ET AL ON BEHALF OF DONREY OUTDOOR ADVERTISING COMPANY for a variance to allow a 14 x 48 ft. off-premise sign to an overall height of 75 feet where only 40 ft. is permitted on property generally located on the north side of Sahara Avenue between Industrial Road and Highland Drive in Zoning District "M".
3. U-4-81 Application of LAS VEGAS RESCUE MISSION for a use permit to allow the operation of an adolescent male treatment program (Vegas House, Inc.) on property located at 930 North 4th Street in Zoning District R-1.
4. U-6-81 Application of GEORGE AND ELIZABETH HEYER for a use permit to allow the renting and maintaining of U-Haul trucks and trailers and related equipment on property located at 4201 West Charleston Boulevard in Zoning District C-2.

5. U-7-81 Application of THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS for a use permit to allow a church educational facility (seminary) on property generally located on the north side of Bonanza Road between Decatur Boulevard and Bolt Drive in Zoning District R-1.
6. U-8-81 Application of ETHNEY TAM for a use permit to allow a Class III secondhand store (new and used books) on property located at 2202 West Charleston Boulevard in Zoning District C-1.
7. V-2-81 Application of GEORGE AND GERTRUDE RUDIAK for a variance to allow the side property line along Edgewood Avenue to be considered the front property line and to allow the (proposed) front yard to have a setback of 47'8" where fifty feet (50') is required on property located at 2244 Edgewood Avenue in Zoning District R-E.
8. V-3-81 Application of SAMUEL A. HARDAGE for a variance to allow "in park" mobile home resales on property located at 825 North Lamb Boulevard in Zoning District R-MHP.
9. V-4-81 Application of CHARLES L. RUTHE for a variance to allow four free-standing ground signs, two feet by four feet (2' x 4') which are closer than fifty feet (50') from each other where a fifty ft. (50') separation is required on property located at 1400 South Decatur Boulevard in Zoning District C-1.
10. V-5-81 Application of JANET C. BALIOTIS for a variance to allow an office in an R-4 zone on property located at 716 North "C" Street in Zoning District R-4.
11. U-10-81 Application of DONALD GILDAY for a use permit to allow a Class III secondhand dealer (jewelry and gem stones) on property located at 2409 Las Vegas Boulevard South in Zoning District C-2.
12. V-6-81 Application of ALGIERS, INC. AND PHYLLIS McGUIRE for a variance to allow the construction of a security guard building at the entrance to Rancho Circle on property located at 100 Rancho Circle in Zoning District R-A.
13. V-7-81 Application of HANOVER-CHARLESTON INVESTMENTS, ET AL for a variance to allow the removal of a portion of the required six ft. (6') high block wall along the rear property line to provide egress and ingress from Ellis Avenue on property located at 1701 West Charleston Boulevard in Zoning Districts P-R and C-1.

14. U-5-81(HO)

Application of J. A. SCHERER for a home occupation permit to allow light office work (typing and paste-up for printers) on property located at 6620 Pearblossom Lane in Zoning District R-MH.

15. U-11-81(HO)

Application of LISA A. NASTRI AND GARY E. SMITH for a home occupation permit to allow bookkeeping and accounting service on property located at 1905 Bracken Avenue in Zoning District R-1.

S U P P L E M E N T A L   A G E N D A

BOARD OF ZONING ADJUSTMENT

FEBRUARY 26, 1981

1. U-31-65

Plot Plan Review

Request of JACK LEHMAN, ATTORNEY AT LAW for a plot plan review to allow retail gasoline sales on property located at 4400 East Charleston Boulevard in Zoning District C-1.

MINUTES

BOARD OF ZONING ADJUSTMENT

FEBRUARY 26, 1981

- CALL TO ORDER: A regular meeting of the Board of Zoning Adjustment was called to order at 7:30 P.M. by Chairman Bugbee in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.
- PRESENT: Chairman Bugbee, Mr. Swessel, Mrs. Myers, Mr. Giles.
- EXCUSED: Mrs. Emmett
- STAFF PRESENT: Harold P. Foster, Director, Department of Community Planning and Development  
Robert C. Clemmer, Acting Chief, Zoning Division  
Brett A. Reale, Planning Assistant  
Shell Kizerian, Recording Secretary
- ANNOUNCEMENT: MR. FOSTER 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 office of Community Planning and Development.
- MINUTES: MRS. MYERS made a Motion for APPROVAL of the Minutes of the Board of Zoning Adjustment meetings held December 15, 1980, and January 22, 1981. Motion for APPROVAL carried unanimously.
- OLD BUSINESS:
1. U-81-80  
(Abeyance Item from 1/22/81)  
WITHDRAWN at applicant's request
- Application of WATKINS DEVELOPMENT COMPANY for a use permit to allow an R-4 density, 120-unit apartment development on property generally located on the southeast corner of Silver Stream Avenue and Lorenzi Boulevard in Zoning District C-1 (Limited Commercial). The above property is legally described as a portion of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 26, Township 20 South, Range 60 East, M.D.B. & M.
- MR. FOSTER announced this item was WITHDRAWN at the request of the applicant after publication of the hearing notice.
- (FLOYD HEFFERLINE, Ponderosa Construction, 3651 South Lindell Road, appeared later in the meeting and asked to make a statement for the record as to why the application was withdrawn. He stated the Planning staff advised the applicants that they could not apply for R-4 zoning in the existing C-1 for a special use permit.)
- MR. FOSTER pointed out staff's recommendation was that the applicant could apply but staff does not feel an R-4 density is an appropriate use for the area.
- There was a brief discussion regarding why the application had been held in abeyance from the January 22, 1981 meeting.
- MR. HEFFERLINE asked if the item could again be held in abeyance.
- MR. FOSTER indicated it could not since it had officially been withdrawn from the agenda. (He advised there is a four month waiting period after which time a new application may be filed.)

NEW BUSINESS:

1. U-2-81

APPROVED

Application of R. STEVEN YOUNG for a use permit to allow a professional office (attorney's office) on property located at 925 South Third Street in Zoning District R-4 (Apartment Residence), under Resolution of Intent to C-2 (General Commercial). The above property is legally described as Lots 13 and 14, Block 17, South Addition.

MR. FOSTER presented the plot plan and stated the request is for the conversion of an existing residence to an office. He said there is a circular driveway in front and four available parking spaces. Staff recommended approval subject to the retention of the existing landscaping in front, retention of the existing building facade and that the applicant enter into a Special Improvement District Agreement for paving of the alley and street lighting as required by the Department of Public Services. He noted there were no protests.

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

R. STEVEN YOUNG, Attorney, 925 South Third Street, was present representing the application. He agreed to staff's stipulations.

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

MR. SWESSEL made a Motion for APPROVAL of U-2-81, subject to the following conditions:

1. Retention of the existing landscaping in front and retention of the existing building facade as required by the Department of Community Planning and Development.
2. Signing of a Special Improvement District Agreement for alley paving and street lighting as required by the Department of Public Services.
3. Conformance to the plot plan.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

2. V-1-81

APPROVED

Application of LOS ANGELES and SALT LAKE RAILROAD COMPANY, ET AL, on behalf of DONREY OUTDOOR ADVERTISING COMPANY, for a variance to allow a 14 x 48 ft. off-premise sign to an overall height of 75 feet where only 40 ft. is permitted on property generally located on the north side of Sahara Avenue between Industrial Road and Highland Drive in Zoning District "M" (Industrial). The above property is legally described as a portion of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 4, Township 21 South, Range 61 East, M.D.B. & M.

MR. FOSTER presented the plot plan and stated this property is located on the north side of Sahara Avenue where the street is elevated as it crosses the railroad tracks. Because of the height of the bridge off Sahara which is approximately 37.5 feet, the applicant is requesting 75 ft. for the sign height. Staff recommends approval because of the elevated section of Sahara Avenue, subject to clearance of power lines required by the Power Company. He noted there were no protests.

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

AL PERRAH, Donrey Outdoor Advertising, 1211 West Bonanza Road, was present and agreed to staff's stipulation.

CHAIRMAN BUGBEE 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-1-81, subject to the following condition:

1. Clearance of the power lines as required by Nevada Power Company.

Voting was as follows:

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

"NOES" Mr. Swessel

Motion for APPROVAL carried by a 3-1 vote.

3. U-4-81

APPROVED

Application of LAS VEGAS RESCUE MISSION for a use permit to allow the operation of an adolescent male treatment program (Vegas House, Inc.) on property located at 930 North 4th Street 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 27, Township 20 South, Range 61 East, M.D.B. & M.

MR. FOSTER presented the plot plan and said there have been various former uses of the property including a foster home for 12 boys in 1971, and an emergency family shelter for women and children in 1977. State Highway Department property is to the west, multi-family residences to the north, commercial to the east, and south of Washington Avenue the property was recently approved for P-R zoning. He stated there is ample parking in the front yard and landscaping along the front portion. Staff recommended approval subject to retention of the existing landscaping and construction of half-street improvements on 4th Street as required by the Department of Public Services. He noted there was one letter of protest and one letter of approval.

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

LOGAN FIELDS, Director, Vegas House, Inc., was present representing the application. He said Vegas House is in the process of purchasing the property. He said he was in agreement with staff's conditions.

E. H. COMPTON, Director, Las Vegas Rescue Mission, 3642 Boulder Highway, was also present on behalf of the application.

NORMAN HELLGESON, 1011 North Fourth Street appeared in protest. He said former groups that occupied the facility were not properly supervised and there were many problems including vandalism and theft.

DEWEY BELL, 1001 North Fourth Street, concurred with Mr. Hellgeson.

BILL COTTON, Cotton's Air Conditioning, 1021 Las Vegas Boulevard North, also appeared in protest and described several incidents of vandalism by former occupants.

CHRISTIE SUPRENA, Director, Nike House, 911 East Oakey Boulevard, appeared in support of the application. She noted that in its present location at 214 South Maryland Parkway, Vegas House has had no complaints of abuse of any kind to property. She said Vegas House should not be held accountable for the problems created by former occupants.

MR. COMPTON said there have been several extensive investigations which prove that Vegas House is a responsible and much needed organization in the community.

MACK JONES, Area Coordinator, Nevada State Bureau of Alcohol and Drug Abuse and RITA BABA, Operations Coordinator, Vegas House, appeared with statements of support for the program.

MR. BUGBEE asked how the youths were supervised.

MR. FIELDS said they are supervised 24 hours a day by qualified counselors and staff certified by the State of Nevada. The youths are classified as non-violent which is a requisite for court referral to the program. The facility will house up to 21 youths.

MR. GILES asked how the organization is funded.

MR. FIELDS replied there are several funding sources including the State Bureau of Alcoholism and Drug Abuse, federal money, Clark County Juvenile Service Contracts, State Welfare, State Patrol and private placements from the community.

CHAIRMAN BUGBEE 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-4-81, subject to the following conditions:

1. Conformance to the plot plan and elevations.
2. Retention of the existing landscaping.
3. Construction of half-street improvements on 4th Street as required by the Department of Public Services.

Voting was as follows:

"AYES" Mr. Swessel, Mr. Giles, Chairman Bugbee, Mrs. Myers  
"NOES" None

Motion for APPROVAL carried unanimously.

4. U-6-81

ABEYANCE  
to 3/26/81

Application of GEORGE AND ELIZABETH HEYER for a use permit to allow the renting and maintaining of U-Haul trucks and trailers and related equipment on property located at 4201 West Charleston Boulevard in Zoning District C-2 (General Commercial). The above property is legally described as a portion of Lot 1, Block 2, Hinson Heights Subdivision.

MR. FOSTER presented the plot plan and stated the property is located on the southwest corner of Vista Drive and Charleston Boulevard. Most of the frontage in this area is zoned C-1. There is currently an automobile repair and service station on the property and there is adequate access off Charleston and Vista. Staff recommends approval subject to conformance to parking and driveway requirements, landscaping improvements along street frontages, installation of half-street improvements on Vista Avenue, and limiting the rental operation to U-Haul trucks and trailers.

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

DON SEARS representing U-Haul Company appeared and said the applicant, Mr. Heyer, could not be present. Mr. Sears said he could not speak on behalf of the applicant.

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

MR. SWESSEL made a Motion to hold item U-6-81 in ABEYANCE to the March 26, 1981 meeting.

Voting was as follows:

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

"NOES" None

Motion for ABEYANCE carried unanimously.

5. U-7-81

APPROVED

Application of the CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS for a use permit to allow a church educational facility (seminary) on property generally located on the north side of Bonanza Road between Decatur Boulevard and Bolt Drive in Zoning District R-1 (Single Family Residence). The above property is legally described as the West Half ( $W\frac{1}{2}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of Section 30, Township 20 South, Range 61 East, M.D.B. & M.

MR. FOSTER presented the plot plan and stated the property is located on the north side of Bonanza Road with R-1 development to the east and north. To the west are R-PD condominium developments and to the south are single family homes. He said the church owns a five-acre parcel and they wish to utilize the southwest portion for the seminary. Staff recommends approval subject to dedication and improvements of Bonanza Road in accordance with the requirements of the Department of Public Services, conformance to the elevations, and that no classes be conducted after 6:00 P.M. He noted there was one protest letter on file.

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

FRED KENNEDY, 1205 Cahlan Drive, was present representing the application. He agreed with staff's stipulations.

BEVERLY POGHEN, 623 Hogan Drive, and FREDRICKA SOKOLOFF, 627 Hogan Drive, appeared and requested further clarification of the use of the building and property.

MR. KENNEDY said only a small portion of the property will be used. The remainder of the property is vacant but their intent is to request zoning for residential use in the future. There will be two morning seminary classes and two late in the afternoon to 4:30 P.M. He said there is a small fenced parking lot for the seminary. Access will be from Bonanza Road.

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

MR. SWESSEL made a Motion for APPROVAL of U-7-81, subject to the following conditions:

1. Dedication and improvement of Bonanza Road right-of-way transitioning from 30 ft. to 40 ft. as required by the Department of Public Services.
2. Provision of fire hydrants and water flow as required by the Department of Fire Services.
3. Conformance with the elevations.
4. No classes be conducted after 6:00 P.M.
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" Mr. Swessel, Mr. Giles, Chairman Bugbee, Mrs. Myers

"NOES" None

Motion for APPROVAL carried unanimously.

6. U-8-81

APPROVED

Application of ETHNEY TAM for a use permit to allow a Class III secondhand store (new and used books) on property located at 2202 West Charleston Boulevard in Zoning District C-1 (Limited Commercial). The above property is legally described as a portion of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 32, Township 20 South, Range 61 East, M.D.B. & M.

MR. FOSTER presented the plot plan and stated the property is located in a commercial shopping center in the center of an L-shaped building. He noted there were no protests. Staff recommends approval.

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

LOU DONATO, the applicant, residing at 4401 Leona Place, was present. He said he will be owner/operator of the book store and will sell general used books, rare and out-of-print books, both hardbound and paperback.

CHAIRMAN BUGBEE 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-8-81.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

7. V-2-81

APPROVED

Application of GEORGE AND GERTRUDE RUDIAK for a variance to allow the side property line along Edgewood Avenue to be considered the front property line and to allow the (proposed) front yard to have a setback of 47'8" where fifty feet (50') is required on property located at 2244 Edgewood Avenue in Zoning District R-E (Residence Estates). The above property is legally described as a portion of Government Lot 4, Section 4, Township 21 South, Range 61 East, M.D.B. & M.

MR. FOSTER presented the plot plan and said the request is an exchange of the front yard from the present Rancho side to the Edgewood Avenue side and to allow the setback of 47'8" from Edgewood. He said 2.5 ft. is a negligible difference and would allow the applicant to construct an accessory building in the rear. The Department of Public Services recommends the dedication of a 10 ft. right-of-way for Rancho Road. Staff recommends approval subject to the applicant entering into a Special Assessment District Agreement for Rancho Road and Edgewood Avenue and conformance to the plot plan. He noted there were no protests.

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

GEORGE RUDIAK, the applicant, was present. He said when the home was built the lot had a frontage of 217 ft. on Edgewood and 300 ft. in depth along Rancho Road. Edgewood was used as the front property line and the mailing address was 2244 Edgewood. In 1972 he conveyed the rear 100 ft. of the property to build another home. As a consequence the Rancho side became the short property line. A recent survey showed the house was built with a 47'8" setback rather than the required 50 ft. setback.

MR. RUDIAK said he would agree with staff's stipulations but not with the recommendation of Public Services for dedication of the 10 ft. right-of-way for Rancho. He said the City at one time was willing to purchase that strip and should do so as reimbursement to him for the fence, landscaping and other improvements.

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

MRS. MYERS made a Motion to APPROVE V-2-81, except for the 10 ft. right-of-way dedication, subject to the following conditions:

1. Signing an Improvement District Agreement for Rancho Road and Edgewood Avenue as required by the Department of Public Services.
2. Conformance to the plot plan.

Voting was as follows:

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

"NOES" Mr. Swessel

Motion for APPROVAL carried by a 3-1 vote.

8. V-3-81

DENIED

Application of SAMUEL A. HARDAGE for a variance to allow "in park" mobile home resales on property located at 825 North Lamb Boulevard in Zoning District R-MHP (Residential - Mobile Home Park). The above property is legally described as a portion of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 29, Township 20 South, Range 62 East, M.D.B. & M.

MR. FOSTER presented the plot plan and stated the application involves the Rancho Vegas Mobile Home Park on Lamb Boulevard south of Washington Avenue. In 1980 this item was before this Board and was approved. It was then heard by the Board of City Commissioners who denied the request. The request is to allow the operators of the mobile home park to assist residents in the sale of their used mobile homes and finding prospective buyers. There will be no new sales. Mr. Foster said in view of the fact that the City Commission felt there was a valid reason for denial, staff also recommends denial. He noted there were no protests.

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

ROGER WIRTH, Attorney, Jolley, Urga & Wirth, appeared for the applicant with DOUGLAS FERGUSON, Manager, Rancho Vegas Mobile Home Park.

MR. WIRTH said when this item was before the Board of City Commissioners there were only three voting members of the Commission present. He said the phrasing of the first application was misleading as it said "in-park mobile home sales". The new application has been corrected to read "in-park mobile home resales" to reflect the intent to sell only used mobile homes as a service to the tenants who wish to move from the park and sell their mobile homes. The request is to use the office located in the park for this service.

MR. FERGUSON said his office is located on East Lake Mead Boulevard but because of the inconvenience to his clients in having to make arrangements to meet at that location, he wishes to use the mobile home park office to complete the transactions which will be strictly for those tenants in the park who wish to list their mobile homes with him.

EDWARD STREIGER, President, Mobile Homeowners League of the Silver State, appeared in protest and stated this request is a conflict of interest. He said the ordinances would prohibit such a use and added that a mobile home park cannot exist in the same location with a real estate office.

MR. WIRTH said the rental of space is also a business. He said there were protests when the first application was made, but he noted there are no protests at this time. He pointed out there was a petition of approval submitted earlier with 147 tenant names.

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

MR. SWESSEL made a Motion for DENIAL of V-3-81.

Voting was as follows:

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

"NOES" Chairman Bugbee

Motion for DENIAL carried by a 3-1 vote.

9. V-4-81

APPROVED

Application of CHARLES L. RUTHE for a variance to allow four free-standing ground signs, two feet by four feet (2' x 4') which are closer than fifty feet (50') of each other where a fifty ft. (50') separation is required on property located at 1400 South Decatur Boulevard in Zoning District C-1 (Limited Commercial). The above property is legally described as the north 58.87 feet of Lot 2, all of Lot 3, and the southerly 59.26 feet of Lot 4, Block 2, Charleston Heights Tract 32-A-2.

MR. FOSTER presented the plot plan and stated the property is located on the west side of Decatur Boulevard north of Del Rey Avenue. The development at this location is a new real estate office and other commercial facilities. There are five signs but the sign on the south side conforms with distance requirements between signs. The remaining four signs were less than the 50 ft. setback required between signs. The signs are 4 ft. in height. The total square footage of the signs is 80 square feet where a maximum of 1,000 square feet is allowed. Staff recommends approval, subject to no additional free-standing signs or enlargements of the proposed signs. Mr. Foster noted there were no protests and one letter of approval from the Beautification Committee.

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

CHARLES L. RUTHE, the applicant, was present. He agreed to staff's stipulations.

MRS. MYERS made a Motion for APPROVAL of V-4-81, subject to the following conditions:

1. No additional free-standing signs or enlargements of the proposed free-standing signs be permitted.
2. Conformance to the plot plan.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

10. V-5-81

APPROVED - 2 yr.  
temporary office  
use

Application of JANET C. BALIOTIS for a variance to allow an office in an R-4 zone on property located at 716 North "C" Street in Zoning District R-4 (Apartment Residence). The above property is legally described as Lots 13, 14, 15, 16, 17, and 18, Block 13, Original Las Vegas Townsite.

MR. FOSTER presented the plot plan and stated the request involves an existing mobile home which was approved in 1976 for five years as a caretaker dwelling for the apartments on the north side of the property. The applicant is requesting the mobile home be converted to an office for her process serving business. He said the Department of Building and Safety is opposed as they do not feel the mobile home can meet building codes, fire and safety regulations for an office use. Staff recommends denial.

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

JANET BALIOTIS, the applicant, was present. She said she resides in the mobile home and only a small portion of the residence would be used for office space. She said her business partner who also lived there and shared caretaker duties for the apartments moved from the area. She is requesting she be allowed to operate her business from the home where she can also be available during the day to show the apartments to prospective tenants. She added there are two employees working for her one hour per day. She said there would be no other traffic generated from the business.

MR. GILES made a Motion for APPROVAL of V-5-81. There followed a discussion on the motion.

MR. SWESSEL asked if the motion would include the necessary changes that would bring the mobile home into compliance with building, fire code and safety requirements for an office use.

MR. GILES made a Motion to Amend the APPROVAL of V-5-81, subject to the following conditions:

1. This variance shall be limited to a two-year time period and will expire on February 26, 1983.
2. The approval shall extend the time limit on V-80-76 to February 26, 1983.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

11. U-10-81

APPROVED

Application of DONALD GILDAY for a use permit to allow a Class III secondhand dealer (jewelry and gem stones) on property located at 2409 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. FOSTER presented the plot plan and stated the property is located near Sahara Avenue on the east side of Las Vegas Boulevard South. He said there are similar businesses in the area and there have been recent amendments to the licensing requirements that specify this type of use. Staff feels the use is compatible in this area and recommends approval subject to limiting the area of operation to the area shown on the development plan.

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

STAN ZURAWSKY, Nevada Coin Mart and Nevada Precious Metal, was present representing the application. He indicated that he is leasing the property from the applicant.

CHAIRMAN BUGBEE 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-10-81, subject to the following condition:

1. Limiting the area of operation to the area shown on the development plans.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

12. V-6-81

APPROVED

Application of ALGIERS, INC. AND PHYLLIS McGUIRE for a variance to allow the construction of a security guard building at the entrance to Rancho Circle on property located at 100 Rancho Circle in Zoning District R-A (Ranch Acres). The above property is legally described as a portion of the South Half (S $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 32, Township 20 South, Range 61 East, M.D.B. & M.

MR. FOSTER presented the plot plan and stated the proposed guard station would be located on the median at the entrance to Rancho Circle and would be located on the easterly portion of the median. He said the Department of Public Services recommends the building be located further west so the cars entering Rancho Circle do not block Rancho Drive. Staff recommends approval subject to relocation of the guard station to the west and approval of the elevations by the Department of Community Planning and Development.

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

VERN ALBRIGHT, 280 Cameo Drive, was present representing the application. He said relocating the guard house further west would defeat the purpose of providing visible security for Rancho Circle. He said this is a high risk area and it is necessary that the guard house be seen from outside the development. He indicated that there are two lanes on each side of the median which would prevent any cars blocking Rancho Drive. He said there will be no gates and a guard will be posted 24 hours a day.

MRS. MYERS made a Motion for APPROVAL of V-6-81, subject to the following condition:

1. The elevations of the building be approved by the Department of Community Planning and Development

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

13. V-7-81

APPROVED

Application of HANOVER-CHARLESTON INVESTMENTS, ET AL for a variance to allow the removal of a portion of the required six ft. (6') high block wall along the rear property line to provide ingress and egress from Ellis Avenue on property located at 1701 West Charleston Boulevard in Zoning Districts P-R (Professional Offices & Parking) and C-1 (Limited Commercial). The above property is legally described as Lot 4, and the south 87 feet of Lot 3, Ellis Estates.

MR. FOSTER presented the plot plan and stated this request was before the Planning Commission and City Commission previously and was denied by both to allow access from the commercial development (Stewart Title Building) to Ellis Avenue. It was determined that all access should be from Charleston Boulevard and for that reason a block wall was required along Ellis Avenue to prohibit access. The applicant subsequently applied for and received a curb cut permit through the Department of Public Services and proceeded to remove a 21 ft. section of the block wall on the Ellis Avenue side. Thereafter staff received complaints from residents which initiated the variance request. Mr. Foster said if the request is approved the Traffic Engineer requests the block wall along both sides be reduced to 30" for visibility. Staff recommends denial, maintaining its previous position that there be no access to Ellis Avenue, that all access be from Charleston Boulevard, and that the existing opening be closed off with a 6 ft. block wall. He said there have been comments from the management of the Stewart Title Building that access to the rear and around the building is inadequate for fire trucks. He said provisions can be made for additional access as an alternative to this request. He noted there were four protest letters from residents south of the property and 188 signatures of approval mainly from tenants or users of the Stewart Title Building.

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

JAY DOWNEY, 4601 West Sahara Avenue, American Management Company for the Stewart Title Building, appeared on behalf of the application. He said since the curb cut was made in December, 1979, there were no protests until September, 1980. He said this only effects one residence on the corner of Shadow and Ellis Avenue. He said because of the traffic problems on Charleston Boulevard the users of the Stewart Title Building should be provided with a safe access onto a street other than Charleston. He stated he has a letter from Fire Chief, Ned Barker, stating the Fire Department desires the opening to remain for Fire Department access.

ALLEN WHEELER, 1201 Shadow Lane, appeared in protest. He said the residents did not protest the initial construction of the Stewart Title Building because they were assured there would be no access onto Ellis Avenue. He said there is heavy traffic from the lot from 6 A.M. to 12 midnight and the lot is used by traffic coming from Wendy's Drive-in as a turn around area. He said when the Stewart Title Building parking lot is filled there are as many as 20 to 30 cars parking along Ellis.

TONI PANICO, 4480 Sirius Avenue, an employee in the Stewart Title Building, appeared in support of the application. She said many employees are involved in field work which requires them to leave and return several times a day and they need a safe exit onto the street. She refuted the claim that the parking overflows onto Ellis Avenue.

LEONARD ROSENSTEIN, 909 Cashman Drive, also appeared with a statement of support.

MR. SWESSEL commented that the rear of the property is zoned P-R which requires all activity to cease at 9 P.M. He asked how this would be enforced.

MR. DOWNEY said that the building is mainly offices with closing hours at 6 P.M.

MR. BUGBEE asked if the applicant would object to placing a gate across the opening that could be secured at 9 P.M. and opened at 6 A.M.

MR. DOWNEY said they would not object and would also agree to the Traffic Engineer's recommendation to reduce the height of the wall to 30".

MRS. MYERS suggested they could reduce the block portion of the wall to 30" and extend it to 6 ft. with chain link fencing for security purposes.

MR. SWESSEL indicated that he would oppose the request on the grounds that the residents of the area should be protected and the applicant violated the terms of a former agreement that there would be no access onto Ellis Avenue.

MR. GILES said safe access onto the street is an important factor and he would favor the request providing there is a gate placed across the opening that is securely and safely fastened.

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

MR. GILES made a Motion for APPROVAL of V-7-81, subject to the following conditions:

1. Lowering the block wall to thirty inches (30"), and installing chain link fencing in its place to a total fence height of six feet (6') to eliminate any sight restrictions as required by the Traffic Engineer.
2. That the maximum width of the opening shall not exceed twenty one feet (21').
3. Installation of a gate that is to be closed and locked at 9:00 P.M. each day.

Voting was as follows:

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

"NOES" Mr. Swessel

Motion for APPROVAL carried by a 3-1 vote.

CHAIRMAN BUGBEE announced this item will be considered by the Board of City Commissioners on March 18, 1981.

14. U-5-81(HO)

APPROVED

Application of J. A. SCHAERER for a home occupation permit to allow light office work (typing and paste-up for printers) on property located at 6620 Pearblossom Lane in Zoning District R-MH (Residential - Mobile Home Park).

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

CHAIRMAN BUGBEE asked to hear from the applicant.

JOE A. SCHAERER, the applicant, was present.

MR. GILES made a Motion for APPROVAL of U-5-81(HO), subject to the following conditions:

1. The operation 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" Mr. Swessel, Mr. Giles, Chairman Bugbee, Mrs. Myers

"NOES" None

Motion for APPROVAL carried unanimously.

15. U-11-81(HO)

APPROVED

Application of LISA A. NASTRI AND GARY E. SMITH for a home occupation permit to allow bookkeeping and accounting service on property located at 1905 Bracken Avenue in Zoning District R-1 (Single Family Residence).

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

CHAIRMAN BUGBEE asked to hear from the applicant.

The applicant was not present.

MR. GILES made a Motion for APPROVAL of U-11-81(HO) subject to the following conditions:

1. The operation 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" Mr. Swessel, Mr. Giles, Chairman Bugbee, Mrs. Myers

"NOES" None

Motion for APPROVAL carried unanimously.

SUPPLEMENTAL AGENDA:

1. U-31-65  
Plot Plan  
Review

Request of JACK LEHMAN, ATTORNEY AT LAW, for a plot plan review to allow retail gasoline sales on property located at 4400 East Charleston Boulevard in Zoning District C-1 (Limited Commercial).

APPROVED

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

CHAIRMAN BUGBEE asked to hear from the applicant.

TONY REID, Attorney, 324 South Third Street, was present representing the application with MARK TAYLOR, employee, Short Stop Corporation.

MRS. MYERS made a Motion for APPROVAL of U-31-65, subject to the following conditions:

1. Approval of the canopy elevations by the Department 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" Mr. Giles, Chairman Bugbee, Mrs. Myers

"NOES" Mr. Swessel

Motion for APPROVAL carried by a 3-1 vote.

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 AND DEVELOPMENT

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HAROLD P. FOSTER, DIRECTOR

## INTER-OFFICE MEMORANDUM

FEBRUARY 26, 1981

TO:

FOSTER

FROM:

CLEMMER

SUBJECT:

BOARD OF ZONING ADJUSTMENT  
AGENDA ITEMS - FEBRUARY 26,  
1981 MEETING

COPIES TO:

*Shell*OLD BUSINESS:

1. U-81-80                      Withdrawn. We notified the area representative of the fact.

NEW BUSINESS:

1. U-2-81                      The basis of this application when Z-100-64 exists granting a resolution for C-2 was to avoid the installation of electrical wiring and conduit and other commercial remodeling requirements. Staff recommends approval, subject to:

1. Conformance to the plot plan.
2. Retention of the existing landscaping in front and retention of the existing building facade.
3. That the applicant enter into a Special Improvement District Agreement for alley paving and street lighting as required by the Department of Public Services.

No protests.

2. V-1-81

This off-premise sign will be in the Railroad right-of-way. At that point, the bridge height is 37'8" and they are proposing a total height of 75 ft. which seems justifiable due to the bridge height. The Beautification Committee recommended denial. Staff recommends approval, subject to:

1. Clearance of the power lines as required by the Power Company.

No protests.

3. U-4-81

This was initially approved as a boys' home and in 1977 was changed to a residence for displaced women and children. Staff would recommend approval, subject to:

1. Conformance to the plot plan and elevations.
2. Retention of the existing landscaping.
3. Construction of half-street improvements on 4th Street as required by the Department of Public Services.

There is one protest and one letter in favor.

4. U-6-81

This site had previously been authorized for a new car dealership and then changed to primarily a tire display operation which were displayed on the exterior. Staff would recommend approval, subject to:

1. Conformance to the amended plot plan.
2. Provision of landscaping on Charleston Boulevard and Vista Drive.
3. Parking and driveway plan conforming to the requirements of the Traffic Engineer.
4. Installation of half-street improvements on Vista Drive.

No protests.

5. U-7-81

This seminary is being proposed for the students at Western High School. Approximately 160 are estimated to be in attendance but at several different classes throughout the day, one before school, several during school, and one after school. The largest group will be sophomores (60) in the early afternoon with approximately 15 cars. It is anticipated that the seniors will already be parked at Western and will walk to the site. There will be no classes after 6:00 P.M. Staff recommends approval, subject to:

1. Dedication and improvement of Bonanza Road right-of-way transitioning from 30 ft. to 40 ft. as required by the Department of Public Services.
2. Provision of fire hydrants and water flow as required by the Department of Fire Services.

3. Conformance with the elevations.
4. Standard conditions 1 through 5.
5. No classes being conducted after 6:00 P.M.

There is one protest.

6. U-8-81

This secondhand book store will be in the center of an existing shopping center. Staff recommends approval. No conditions necessary. There are no protests.

7. V-2-81

Staff recommends approval, subject to:

1. Dedication of 10 ft. of right-of-way for Rancho Road as required by the Department of Public Services.
2. Entering into an Improvement District Agreement for Rancho Road and Edgewood Avenue as required by the Department of Public Services.
3. Conformance to the plot plan.

No protests.

8. V-3-81

The mobile home sales in the past was denied by the City Commission on this site; and therefore, if approved, this matter must be referred to the City Commission. Staff would recommend denial. If approved, it should be subject to:

1. This variance be restricted to assisting tenants in the sale of their used mobile homes which exist in the park.

There are no protests.

9. V-4-81

The Beautification Committee recommends approval. We indicated to them that the five 2x4 ft. signs would be a total area of 80 square feet, whereas the 250 ft. of frontage in this development would allow 1,000 square feet. For that reason, we would recommend approval, subject to:

1. Conformance to the plot plan.
2. No additional free-standing signs or enlargements of the proposed free-standing signs be permitted.

No protests.

10. V-5-81

There is an existing variance allowing the mobile home to be there for caretaking purposes until October, 1981 (V-80-76). The Building Department claims that the mobile home cannot be altered to meet standards for the proposed commercial occupancy. If approved, it should be subject to:

1. Complying with the requirements of the Uniform Building Code.
2. Conformance with the requirements of the Public Services' Department of entering into an Assessment District Agreement.
3. That the variance expires at the time V-80-76 expires.
4. That the driveway and parking plan be in accordance with the requirements of the Traffic Engineer.

No protests.

11. U-10-81

This operation actually has been conducted for years according to the License Department by Zurowsky. Therefore, staff recommends approval, subject to:

1. Limiting the area of operation to the area shown on the development plans.

No protests.

12. V-6-81

This application is for a security guard building at the entrance to Rancho Circle. Staff recommends approval, subject to:

1. Conformance to the plot plan amended to shift the guard house westerly to the end of the island.
2. That the elevations of the building be approved by the Department of Community Planning and Development.

No protests.

13. V-7-81

This application to remove a portion of the required six ft. block wall was reviewed by the Planning Commission and City Commission under a zoning case and denied. The breach in the wall exists and there is a curb depression constructed there. The Fire Department would like at least

a crash gate where that opening exists because they maintain there is no way to get their large vehicles under the porte cochère. This could be done with an opaque crash gate which is locked to the general traffic. The Public Services Department wants visual clearance on either side of the driveway for a distance of 20 ft. Staff recommends denial but authorization of the opaque crash gate with no visual clearance as it will save the applicant money in realtering the curb and re-providing the block wall. If approved, it should be subject to:

1. Lowering the block wall to thirty inches (30"), twenty feet on either side of the driveway.
2. City Commission approval as required by code.
3. That the maximum width of the opening not exceed what exists now.

There are 4 protests.

14. U-5-81(HO)

The questionnaire is okay. Staff recommends approval subject to the standard condition that if a complaint is received, the surrounding property owners shall be notified and the Board will conduct a review and the approval may be rescinded.

15. U-11-81(HO)

The questionnaire is filled out properly and staff recommends approval if both reside within the home, and subject to the standard condition that if a complaint is received, the surrounding property owners shall be notified and the Board will conduct a review and the approval may be rescinded.

SUPPLEMENTAL AGENDA:

1. U-31-65

This will not disrupt the parking on the existing shopping center operation. Staff recommends approval subject to approval of the canopy elevations by the Department of Community Planning and Development; and conformance to the plot plan.

NAME

ADDRESS

R STEVEN YOUNG

1317 CANOSA L.V. NEV.

A I PEREON

1211 W BONNARA RD NV

W.P. COLLIER

1021 L.V. BROADWAY

Cristie Suprina

911 E. CAKEY

E. W. COMPTON

3642 BOLLER HWY #167

Fred Kemitz

1205 Cahla Drive

Chas. Smith

801 So Rinco Ln. d. 6. 89106

Jared Blush

716 N C. H.

Steve D.

2409 Las Vegas Blvd So.

Stan White

1201 Shadow Ln

Shirley

6620 Eastliss Ave

NAME

ADDRESS

~~Anthony~~  
Toni Panico RN  
Laurie Reid

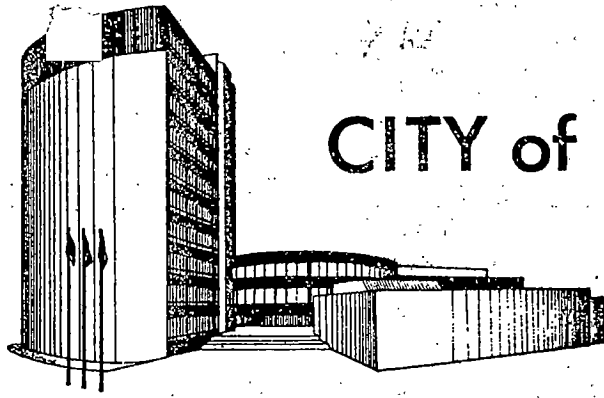
4601 W Sahara  
4480 Sirius Ave F-249  
324 S 3<sup>rd</sup> St

MAYOR BILL BRIARE

COMMISSIONERS  
RON LURIE  
PAUL J. CHRISTENSEN  
ROY WOOFER  
AL LEVY

CITY ATTORNEY  
GEORGE F. OGILVIE

CITY MANAGER  
RUSSELL DORN



# CITY of LAS VEGAS

February 9, 1981

Ms. Helen Myers  
2307 Windjammer Way  
Las Vegas, Nevada 89107

Dear Ms. Myers:

The City Clerk has informed me of your reappointment to serve as a member of the Board of Zoning Adjustment, for a term of office expiring February 7, 1986.

However, I did want to send along my personal thanks for your willingness to serve the city in this capacity.

The City Clerk will administer your Oath of Office when you call upon her.

Sincerely,

A handwritten signature in cursive script that reads "Bill Briare". The signature is written in dark ink and is positioned above the typed name of the Mayor.

WILLIAM H. BRIARE  
Mayor of Las Vegas

WHB:bas

cc: City Clerk