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A G E N D A

BOARD OF ZONING ADJUSTMENT

MARCH 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

OLD BUSINESS:

1. U-6-81

(Abeyance Item  
from 2/26/81)

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.

NEW BUSINESS:

1. V-8-81

Application of COUNTY OF CLARK for a variance to allow a standard parking space size of 8.5' X 20' and to allow a 7.5' X 15' space size for compact cars where a parking space of 9' X 20' is required on property generally located on the south side of Bridger Avenue between First Street and Casino Center Boulevard in Zoning District C-2.

2. U-12-81(HO)

Application of E. A. (DONI) STEWART for a home occupation permit to allow art instruction lessons in the home on property located at 4609 Lilliput Lane in Zoning District R-1.

3. U-13-81

Application of DECATUR PROPERTIES, LTD. for a use permit to allow retail gasoline sales on property generally located on the northwest corner of Decatur Boulevard and Nebraska Avenue in Zoning District R-3, (under Resolution of Intent to C-1).

4. V-9-81

Application of GUS RAMADANIS for a variance to allow two four unit apartment buildings on two lots where only three units are permitted per lot on property generally located on the west side of 15th Street, 150 feet north of Poplar Avenue in Zoning District R-3.

5. V-10-81 Application of HARTLEY AND SHIRLEY ALEXANDER for a variance to allow a commercial child care facility for twenty-three (23) children in a P-R zone where such a use is not permitted on property located at 3707 West Vegas Drive in Zoning District P-R.
  
6. V-11-81 Application of GLEN ANDERSON for a variance to allow a patio cover 7'2" from the rear property line where fifteen feet (15') is required on property located at 5313 Doe Avenue in Zoning District R-1.
  
7. V-12-81 Application of HARLEY HARMON for a variance to allow a mortgage company in an R-4 zone where such a use is not permitted on property located at 800 East Charleston Boulevard in Zoning District R-4.
  
8. V-91-79 Request of WILLIAM H. VOLKERT for a one year extension of time on an approved variance which allowed a commercial child care facility on property generally located at the northeast corner of Page Street and Diamond Head Drive in Zoning District R-E.  
Extension of Time
  
9. V-56-80 Request of WALTER B. FEATHERSTON for an extension of time on an approved variance which allowed a two-car garage addition 6' from the west side property line where 10' is required on property located at 1910 West Oakey Boulevard in Zoning District R-E.  
Extension of Time
  
10. V-91-80 Request of SKUPA AND MAINOR for a review relative to parking on an approved variance which allowed a professional law office, and allowed the existing structure 3' from the side property line (south) where 5' is required on property located at 600 South 7th Street in Zoning District R-1.  
Review
  
11. U-14-81(HO) Application of MARGARET A. WALSH for a home occupation permit to allow mail order sale of games on property located at 1130 Buehler Drive 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

MARCH 26, 1981

1. U-15-81(HO)                      Application of CHRISTINE T. WALL for a home occupation permit to allow a letter composing service in the home on property located at 5313 West Westleigh Avenue in Zoning District R-1.
  
2. U-16-81(HO)                      Application of CLARA WAYCASTER ON BEHALF OF HELEN BREMMER for a home occupation permit to allow the mail order sale of recipes and booklets on property located at 320 South 10th Street in Zoning District R-4.
  
3. BZA-3-80                              Request of OPERATION LIFE COMMUNITY DEVELOPMENT CORPORATION MEDICAL CENTER for a one year extension of time to allow a temporary office trailer on property located at 400 West Jackson Street in Zoning District C-2.  
One Year  
Extension  
of Time
  
4. U-8-64                                Request of SAVE WAY SERVICE, INC. for a plot plan review to allow a self-service car wash and service station facilities on property generally located on the southeast corner of West Sahara Avenue and Arville Street in Zoning District C-1.  
Plot Plan Review

MINUTES

BOARD OF ZONING ADJUSTMENT

MARCH 26, 1981

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

PRESENT: Vice Chairman Myers, Mrs. Emmett, Mr. Giles

EXCUSED: Chairman Bugbee, Mr. Swessel

STAFF PRESENT: Harold P. Foster, Director, Department of Community Planning and Development  
Robert C. Clemmer, Acting Chief, Zoning Division  
Richard L. Williams, Senior Planner  
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 Department of Community Planning and Development.

OLD BUSINESS:

1. U-6-81  
(Abeyance Item from 2/26/81)  
APPROVED

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 item was held in abeyance because the applicant was not present at the former meeting. Staff recommended approval subject to the construction of half-street improvements on Vista Drive, providing additional landscaping on the property and conformance to the plot plan. He noted there were no protests.

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

WILLIAM H. KUSHNER, the applicant, 312 Antelope Way, was present and agreed to staff's conditions.

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

MR. GILES made a Motion for APPROVAL of U-6-81, subject to the following conditions:

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.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

NEW BUSINESS:

1. V-8-81

APPROVED

Application of COUNTY OF CLARK for a variance to allow a standard parking space size of 8.5' x 20' and to allow a 7.5' x 15' space size for compact cars where a parking space of 9' x 20' is required on property generally located on the south side of Bridger Avenue between First Street and Casino Center Boulevard in Zoning District C-2 (General Commercial). The above property is legally described as Lots 1 through 8, and Lots 25 through 32 inclusive, Block 12, Clark's Las Vegas Townsite.

MR. FOSTER presented the plot plan and stated the County's request involves modifications in the County parking garage facility to accommodate compact cars. Staff recommended approval subject to recording the alley vacation on this block and conformance to the elevations.

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

ROBERT CAMBIERO, Architect, 376 West Sahara Avenue, was present representing the application.

MR. GILES suggested this change should have been submitted as a zone change request rather than a variance.

MR. FOSTER explained this is a proper zone but because of the space differential a variance application was proper. He added that the City is in the process of reviewing an ordinance amendment on the parking regulations including the recommendation that a certain percentage of required parking spaces be designated for compact cars.

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

MR. GILES made a Motion for APPROVAL of V-8-81, subject to the following conditions:

1. Recording of alley vacation (VAC-18-80).
2. Conformance to the elevations.
3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Department of Community Planning and Development and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.
4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
6. Conformance to the plot plan.

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

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

2. U-12-81(HO)

APPROVED

Application of E. A. (DONI) STEWART for a home occupation permit to allow art instruction lessons in the home on property located at 4609 Lilliput Lane in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 23, Block 6, Enchanted Village No. 2.

MR. FOSTER presented the plot plan and stated the application is a result of a complaint from a neighbor. He said classes will be conducted Monday and Wednesday mornings and some weekday evenings and will be approximately three hours long with no more than two classes per day. There will be limited traffic. He noted there were no protests and four letters of approval. Staff recommended approval provided teaching is on a one-to-one basis.

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

E. A. (DONI) STEWART, the applicant, was present. She stated she was not aware she had been in violation and is now making an attempt to go through the proper channels.

MR. GILES expressed concern over the traffic that may be generated by this operation.

MS. STEWART explained traffic had been minimal as she teaches no more than one or two students at a time.

MR. GILES made a Motion for APPROVAL of U-12-81(HO), subject to the following conditions:

1. 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.
2. The operation shall conform to the criteria for a home occupation permit.
3. All art instruction shall be limited to no more than one student at a time.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

3. U-13-81

DENIED

Application of DECATUR PROPERTIES, LTD., for a use permit to allow retail gasoline sales on property generally located at the northwest corner of Decatur Boulevard and Nebraska Avenue in Zoning District R-3 (Limited Multiple Residence), under Resolution of Intent to C-1 (Limited Commercial). The above property is legally described as Lots 15 through 26 inclusive in Block 19 of Las Vegas Square.

MR. FOSTER presented the plot plan and stated the facility will be a Terrible Herbst service station and will be similar to their other service stations within the City. He said there are two accesses from Decatur Avenue and one from Nebraska Avenue. There are single family homes on the west side of Yale Street which fronts on this street. The cars will enter the station from Decatur and exit onto Nebraska. Staff recommended approval subject to a block wall along the west side of the property that is at least 6 ft. above the slab next to the pumps, the reader sign to be no higher than 5 ft. and sight restrictions regarding the fence, signs, etc. should meet the requirements of the Traffic Engineer. He noted there was one letter of protest on file.

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

ROBERT ZARING, 2105 San Jose Avenue, was present representing the application.

LYNN MARROTT, Terrible Herbst, 333 South Main Street, was also present representing the application.

JACK RUSSELL, 4239 Philadelphia Avenue, was present in protest. He stated he owns property at 17 Decatur Boulevard. He noted that Nebraska Avenue is a 40 ft. wide street and since Lewis Homes have built to the west, Nebraska Avenue has become a primary ingress-egress to Decatur Boulevard creating a bottleneck for traffic. He said additional traffic will create more congestion. He listed 11 service stations located within a small radius of this area and questioned the need for another station in this vicinity.

SHARON APODACA, 17 Harvard Street, appeared in protest and concurred that additional traffic will add to the congestion and parking problems already present on Nebraska Avenue.

BOB COOPER, 13 Harvard Street, appeared in protest.

MR. MARROTT stated traffic studies have been completed and a determination in this regard should rest with the Traffic Engineer. He said the property is presently an eyesore and pointed out that Terrible Herbst stations are well designed and would be an asset to the area.

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

MR. GILES made a Motion for APPROVAL of U-13-81.

Voting was as follows:

"AYES" Mr. Giles

"NOES" Vice Chairman Myers, Mrs. Emmett

Motion for APPROVAL failed to carry by a 2-1 vote.

MRS. EMMETT made a Motion for DENIAL of U-13-81.

Voting was as follows:

"AYES" Vice Chairman Myers, Mrs. Emmett

"NOES" Mr. Giles

Motion for DENIAL carried by a 2-1 vote.

4. V-9-81

APPROVED

Application of GUS RAMADANIS for a variance to allow two four unit apartment buildings on two lots where only three units are permitted per lot on property generally located on the west side of 15th Street, 150 ft. north of Poplar Avenue in Zoning District R-3 (Limited Multiple Residence). The above property is legally described as Lots 16 and 17, Block 13, 14th Street City Addition.

MR. FOSTER presented the plot plan and stated this application was previously approved by the Board and has now expired. Staff recommended approval subject to construction of a sidewalk on 15th Street and fire hydrants and water flow as required by the Department of Fire Services. He also stated that since there is some litigation between the applicant and the City with regard to a sewer repair bill, the City Attorney has ruled that no building permit should be issued before this matter is resolved.

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

GUS RAMADANIS, the applicant, residing at 2012 Collins Avenue, was present.

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

MR. GILES made a Motion for APPROVAL of V-9-81, subject to the following conditions:

1. Fire hydrants and water flow as required by Fire Services.
2. Construction of sidewalk on 15th Street as required by the Department of Public Services.
3. No building permit shall be issued until the broken sewer line cost is resolved with the City.
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" Vice Chairman Myers, Mr. Giles, Mrs. Emmett

"NOES" None

Motion for APPROVAL carried unanimously.

5. V-10-81

APPROVED

Application of HARTLEY AND SHIRLEY ALEXANDER for a variance to allow a commercial child care facility for twenty-three (23) children in a P-R zone where such a use is not permitted on property located at 3707 West Vegas Drive in Zoning District P-R (Professional Offices & Parking). The above property is legally described as Lot 57, Block 19, Twin Lakes Village Unit No. 4.

MR. FOSTER presented the plot plan and stated the property is located on the south side of Vegas Drive where the zoning is transitioning to P-R. There are single family residences to the south and commercial zoning across the street. The house is located in the center of the lot with a circular driveway and parking in front. The rear yard will service the play area. Staff recommended denial because of concern over the limited yard space, the noise factor and the residential area to the south. There were no protests on file.

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

RONALD AND MARJORIE HENZE, residing at 400 Estella Avenue, were present for the application and stated they are the prospective purchasers of the property and will operate the child care facility.

MRS. HENZE said she is presently licensed for child care for 12 children in her home. She said there is a need for an intermediate child care facility in the proposed area. She briefly outlined the curriculum of the child care operation and said the proposed hours are from 6 A.M. to 12 midnight.

VICE CHAIRMAN MYERS noted that these hours exceed the requirements of the P-R zone.

MRS. HENZE said she would be willing to close the facility at 9 P.M. but would prefer remaining open until midnight to accommodate mothers working later shifts.

MRS. EMMETT asked for the dimensions of the lot.

MR. FOSTER stated the lot is 74 x 95 feet.

MRS. EMMETT asked the number of children she is proposing to care for during a shift.

MRS. HENZE replied from two to seven children.

CONNIE MORMON, 812 Chabot Drive, appeared in favor of the application and commended Mrs. Henze for the quality of her present child care operation.

MRS. MYERS asked if anyone else wished to be heard; there being no one, she declared the public hearing closed.

MRS. EMMETT said initially she did not favor the request but in view of the fact that there were no protests and several letters of approval for the applicant she would vote for approval.

MRS. EMMETT made a motion for APPROVAL of V-10-81, subject to the following conditions:

1. Redesign of the parking and driveway according to the requirements of the Traffic Engineer.
2. Landscaping and a permanent underground sprinkler system shall be provided as required by the Department of Community Planning and Development and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.
3. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. Conformance to the plot plan.
6. Securing all necessary permits and licenses, and satisfaction of City code requirements and design standards of all City departments.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

6. V-11-81

ABEYANCE  
to 4/23/81

Application of GLEN ANDERSON for a variance to allow a patio cover 7'2" from the rear property line where fifteen feet (15') is required on property located at 5313 Doe Avenue in Zoning District R-1 (Single Family Residence). The above property is legally described as Lot 4, Block 3, Charleston Hills Unit #4.

(VICE CHAIRMAN MYERS had earlier announced the Board was under a time constraint and some of the agenda items were heard out of order. Since the applicants left following her announcement, she indicated this item would be held in abeyance to the next regular Board meeting on April 23, 1981.)

7. V-12-81

APPROVED

Application of HARLEY HARMON for a variance to allow a mortgage company in an R-4 zone where such a use is not permitted on property located at 800 East Charleston Boulevard in Zoning District R-4 (Apartment Residence). The above property is legally described as Lot 8, and a portion of Lot 9, Block 1, Vega Verde Addition.

MR. FOSTER presented the plot plan and stated the business has been in operation for some time. Staff feels the use is appropriate and recommends approval.

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

HARLEY L. HARMON, the applicant, 800 East Charleston Boulevard, was present. He stated he was not aware of a violation until paying a license fee at City Hall.

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

MRS. EMMETT made a Motion for APPROVAL of V-12-81, subject to the following condition:

1. Conformance to the plot plan.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

8. V-91-79  
Extension  
of Time

APPROVED

Request of WILLIAM H. VOLKERT for a one year extension of time on an approved variance which allowed a commercial child care facility on property generally located at the northeast corner of Page Street and Diamond Head Drive in Zoning District R-E (Residence Estates).

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

VICE CHAIRMAN MYERS asked to hear from the applicant.

WILLIAM H. VOLKERT, the applicant, was present.

MRS. EMMETT made a Motion for APPROVAL of V-91-79, subject to the following conditions:

1. Conformance to the ordinance amendments enacted subsequent to the original approval.
2. This extension of time shall be limited to a one year time period and will expire on March 26, 1982.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

9. V-56-80  
Extension  
of Time

APPROVED

Request of WALTER B. FEATHERSTON for an extension of time on an approved variance which allowed a two-car garage addition 6 ft. from the west side property line where 10 ft. is required on property located at 1910 West Oakey Boulevard in Zoning District R-E (Residence Estates).

MR. FOSTER presented the plot plan and stated the applicant has requested an extension for financial reasons. Staff recommended approval.

VICE CHAIRMAN MYERS asked to hear from the applicant.

The applicant was not present.

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

1. Conformance to the ordinance amendments enacted subsequent to the original approval.
2. This extension of time shall be limited to a one year time period and will expire on March 26, 1982.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

10. V-91-80

Review

ABEYANCE TO  
4/23/81

Request of SKUPA AND MAINOR for a review relative to parking on an approved variance which allowed a professional law office, and allowed the existing structure 3 ft. from the side property line (south) where 5 ft. is required on property located at 600 South 7th Street in Zoning District R-1 (Single Family Residence).

MR. FOSTER stated the applicant was unable to be present and has requested this item be held in abeyance to April 23, 1981. Staff recommended this be held in abeyance.

MRS. EMMETT made a Motion for ABEYANCE of V-91-80 to April 23, 1981.

Voting was as follows:

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

"NOES" None

Motion for ABEYANCE carried unanimously.

11. U-14-81(HO)

APPROVED

Application of MARGARET A. WALSH for a home occupation permit to allow mail order sale of games on property located at 1130 Buehler Drive in Zoning District R-1 (Single Family Residence).

MR. FOSTER presented the plot plan and stated the application was in order and staff recommended approval.

MR. GILES made a Motion for APPROVAL of U-14-81(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" Vice Chairman Myers, Mr. Giles, Mrs. Emmett

"NOES" None

Motion for APPROVAL carried unanimously.

SUPPLEMENTAL AGENDA:

1. U-15-81(HO)

APPROVED

Application of CHRISTINE T. WALL for a home occupation permit to allow a letter composing service in the home on property located at 5313 West Westleigh Avenue in Zoning District R-1 (Single Family Residence).

MR. FOSTER presented the plot plan and stated the application was in order and staff recommended approval.

MR. GILES made a Motion for APPROVAL of U-15-81(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" Vice Chairman Myers, Mr. Giles, Mrs. Emmett

"NOES" None

Motion for APPROVAL carried unanimously.

2. U-16-81(HO)

APPROVED

Application of CLARA WAYCASTER ON BEHALF OF HELEN BREMMER for a home occupation permit to allow the mail order sale of recipes and booklets on property located at 320 South 10th Street in Zoning District R-4 (Apartment Residence).

MR. FOSTER presented the plot plan and stated the application was in order and staff recommended approval.

MR. GILES made a Motion for APPROVAL of U-16-81(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" Vice Chairman Myers, Mr. Giles, Mrs. Emmett

"NOES" None

Motion for APPROVAL carried unanimously.

3. BZA-3-80

One Year  
Extension  
of Time

APPROVED

Request of OPERATION LIFE COMMUNITY DEVELOPMENT CORPORATION MEDICAL CENTER for a one year extension of time to allow a temporary office trailer on property located at 400 West Jackson Street in Zoning District C-2 (General Commercial).

MR. FOSTER presented the plot plan and stated there have been problems with fires delaying the construction of a new facility where the applicant intends to relocate. Temporary use of the trailer was approved approximately six months ago by the board and the applicant is requesting an extension of the temporary use until the new facility can be completed. Staff recommended approval of the extension for one year.

MRS. EMMETT made a Motion for APPROVAL of BZA-3-80, subject to the following condition:

1. Removal of the trailer by April 1, 1982.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

4. U-8-64

Plot Plan  
Review

APPROVED

Request of SAVE WAY SERVICE, INC. for a plot plan review to allow a self-service car wash and service station facilities on property generally located on the southeast corner of West Sahara Avenue and Arville Street in Zoning District C-1 (Limited Commercial).

MR. FOSTER presented the plot plan and stated the service station which formerly existed on the property has been removed and the applicant is proposing the construction of a new facility for gasoline sales and a car wash with vacuum bays to be located along the south side of the property. Staff is concerned with the possible noise from the vacuums disturbing the residents to the south and feels the property owners should be notified prior to final action being taken by the Board. Staff recommended this item be held in abeyance pending notification of surrounding property owners.

VICE CHAIRMAN MYERS asked to hear from the applicant.

JACK CASON, the applicant, Save Way Service, Inc., was present. He advised the Board that he was told by staff this would be the only meeting for action on the application and he could see no valid reason for holding this in abeyance. He noted that the old facility which was an eyesore was torn down and a new facility is proposed which should be an asset to the area. He said the zone permits this use.

MRS. EMMETT asked if the request includes a change from the original plan submitted.

MR. FOSTER stated the use as a gasoline sales operation is the same but the operation is being expanded to include the car wash. He noted there was not sufficient time following submittal of the application to notify the surrounding property owners prior to this meeting.

MR. CASON stated he did not want to give the impression his application was submitted late.

MR. GILES said the Board was aware that the application was submitted within the deadline but to encourage good relations with the surrounding neighbors in the area it might be well to advise them of the intent of the request.

VICE CHAIRMAN MYERS asked the Board members for a consensus as to whether this item should be held in abeyance. The Board agreed to hear the item at this time.

MR. FOSTER stated if the item is approved, staff recommends the construction of a 6 ft. block wall on the south side of the property to eliminate the noise factor.

MR. CASON said he felt staff's request for a 6 ft. wall was unfair. He said there is an 20 ft. wide alley south of the property and a 6 ft. wall beyond that which he feels is an adequate barrier between this property and the residences. He said there is loading and unloading and garbage pickup all along the alley and the other establishments have not been required to fence their properties. He stated that the alley is paved and the cars will exit the car wash into the alley.

MR. GILES asked if it is legally necessary to contact adjacent property owners in a C-1 zone under this review.

MR. FOSTER replied it was not necessary.

MRS. EMMETT made a Motion for APPROVAL of U-8-64, subject to the following conditions:

1. Conformance to the elevations.
2. Landscaping and a permanent underground sprinkler system shall be provided as required by the Department of Community Planning and Development and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.
3. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. Conformance to the plot plan.
6. Securing all necessary permits and licenses, and satisfaction of City code requirements and design standards of all City departments.

Voting was as follows:

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

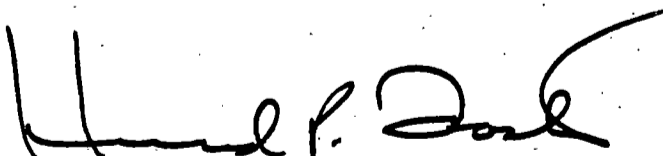
"NOES" None

Motion for APPROVAL carried unanimously.

ADJOURNMENT:

There being no further business to come before the Board of Zoning Adjustment, the meeting was adjourned at 8:17 P.M.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT



HAROLD P. FOSTER, DIRECTOR

/sk