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A G E N D A

BOARD OF ZONING ADJUSTMENT

DECEMBER 21, 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. V-77-81
(Abeyance Item from 11/23/81) Application of SAFEWAY STORES, INC. for a variance to allow 163 parking spaces where 277 are required for a proposed restaurant, cocktail lounge and arcade on property located at 4750 Vegas Drive in Zoning District C-1.

NEW BUSINESS:

- 1. U-72-81(HO) Application of TED I. KERBER for a home occupation permit to allow sundry item sales through a mail order business on property located at 5933 Marka Drive in Zoning District R-1.
- 2. U-75-81(HO) Application of BRAINARD S. HYSON for a home occupation permit to allow the writing of music on property located at 3700 East Stewart Avenue in Zoning District R-MHP.
- 3. U-77-81(HO) Application of SANDRA L. GRAVES for a home occupation permit to allow a bookkeeping service on property located at 7008 Carrondale Way in Zoning District R-1.
- 4. HC-1-81 Appeal of JAMES L. BUCHANAN, II on housing code provisions relative to his property at 1721, 1723, 1801, and 1803 Linden Avenue.
- 5. V-84-81 Application of CAMERON AND LYLE LEAVITT for a variance to allow a carport two feet (2') from the side property line where five feet (5') is required and to allow an overhang one ft. (1') from the side property line where three feet (3') is required on property located at 1220 South 7th Street in Zoning District R-1.
- 6. V-85-81 Application of THE HOCK SHOP, LTD. for a variance to allow a pawn shop and secondhand store on property located at 206 North 1st Street in Zoning District C-2.

21

7. V-86-81 Application of INGRID CARLOS for a variance to allow an electrolysis business in an R-E zone and to allow the business to operate within the confines of an accessory structure on property located at 4009 Del Monte Avenue in Zoning District R-E.
8. V-87-81 Application of GEORGE BROOKMAN, ET AL for a variance to allow a five ft. (5') rear yard setback for two (2) 20 unit apartment buildings where twenty feet (20') is required on property generally located on the west side of Paradise Road, 450' north of Sahara Avenue in Zoning District R-4.
9. V-88-81 Application of LAWRENCE ARILLO for a variance to allow a detached accessory building five feet (5') from an existing dwelling where six feet (6') is required and to allow the existing dwelling one ft. (1') from the rear property line where fifteen feet (15') is required and three feet (3') from the side property line where five feet (5') is required on property located at 1016 Franklin Avenue in Zoning District R-1.
10. U-73-81 Application of 330 ASSOCIATES for a use permit to allow a quasi-public use (Southern Nevada Historical Society and Allied Arts Council offices) on property located at 420 South 7th Street in Zoning District R-3.
11. V-89-81 Application of DWIGHT E. GOULD for a variance to allow an apartment hotel for ten persons which is not a permitted use and to allow two parking spaces where nine are required on property located at 1304 East Oakey Boulevard in Zoning District C-V.
12. V-90-81 Application of RICHARD GRAWOIG for a variance to allow a carport canopy twenty-six feet (26') from the front property line where fifty feet (50') is required on property located at 1811 Silver Avenue in Zoning District R-E.
13. V-91-81 Application of NICHOLAS F. NAFF, ET AL for a variance to allow a three story office building in the P-R zone where a maximum of two stories is permitted on property located at 720 South 7th Street in Zoning District R-1, (under Resolution of Intent to P-R).
14. U-74-81 Application of CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS for a use permit to allow a Lutheran church with an elementary, junior and senior high school facility on property located at 1251 Robin Street in Zoning District R-1.

15. U-76-81

Application of RAINBOW WEST, A PARTNERSHIP for a use permit to allow a 300 unit apartment complex in a C-1 zone on property generally located at the southwest corner of Silverstream Avenue and Misty Isle Lane (private road) in Zoning District C-1.

16. V-106-80

Extension
of Time

Request of DAVID A. AND SANDRA MULKEY for an extension of time on an approved variance which allowed a room addition 6'10" from the south side property line where ten feet (10') is required on property located at 213 Campbell Drive in Zoning District R-E.

17. UC-274-79

Extension
of Time

Request of THE BIBLE WAY FELLOWSHIP CHURCH for an extension of time on an approved use permit which allowed a 5,600 sq. ft. church on property generally located on the north side of Bevvie Road, approximately 100' west of Decatur Boulevard in Zoning District R-E.

18. V-30-81

Extension
of Time

Request of LESLIE'S SWIMMING POOL SUPPLIES, INC. for an extension of time on an approved variance which allowed outside display of above ground swimming pools where outside display is not permitted on property located at 5225 West Charleston Boulevard in Zoning District C-1.

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

BOARD OF ZONING ADJUSTMENT

DECEMBER 21, 1981

1. U-78-81(HO) Application of R. GREGG STERRETT for a home occupation permit to allow fabrication of stain glass and wooden items in the home on property located at 1608 Gatewood Drive in Zoning District R-1.

2. V-7-79 Request of BERNADINE C. SCHNEIDER for a review of use to allow a residential facility for sixteen senior citizens on property located at 720 South 9th Street in Zoning District R-1.
 Review of Use

3. V-41-78 Request of SOLOMON GUNDY'S BOOK WORLD for a review to allow the sale of used books on property located at 1442 East Charleston Boulevard in Zoning District C-1.
 Review

4. U-79-81(HO) Application of DONNA FREEMAN for a home occupation permit to allow the making of garments for off-premise sale on property located at 2500 Winwood Street in Zoning District R-1.

FINAL MINUTES

BOARD OF ZONING ADJUSTMENT

DECEMBER 21, 1981

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

PRESENT: Chairman Robert W. Bugbee, Helen Myers, Jessie Emmett, Robert G. Giles and Frank Canul

ANNOUNCEMENT RE COMPLIANCE OF OPEN MEETING LAW Mr. Clemmer announced that the agenda for this regular meeting of the Board of Zoning Adjustment had been posted in accordance with NRS Chapter 241 and affidavits are on file in the Department of Community Planning and Development.

STAFF PRESENT: Harold P. Foster, Director, Community Planning & Development
Robert C. Clemmer, Acting Chief of Zoning
Carol Ann Hawley, City Clerk
Sandra R. Davis, Deputy City Clerk

OLD BUSINESS:

1. V-77-81
(Abeyance Item from 11/23/81)
- Application of SAFEWAY STORES, INC. for a variance to allow 163 parking spaces where 277 are required for a proposed restaurant, cocktail lounge and arcade on property located at 4750 Vegas Drive in Zoning District C-1.
- APPROVED
- MR. CLEMMER presented the plot plan for this application. The existing parking lot contains 163 parking spaces and the applicable code calls for 277 parking spaces. Staff recommended APPROVAL of this variance subject to:
1. Conformance to the plot plan and elevations.
 2. Parking and driveway to be approved by the Dept. of Public Services. A 6 month review to determine whether the parking demand exceeds existing space capacity. If so, the lot shall be redesigned to achieve the 226 reflected on the alternate plan.
- Jay Downey, 4601 W. Sahara, appeared for the application. He indicated the applicant would be happy to restripe the lot if necessary after the 6 month review.
- Ralph Rainey who had appeared in protest at the 11/23/81 meeting appeared. He stated he had no problem with the parking pursuant to the staff's recommendation.
- MR. GILES made a Motion to APPROVE subject to staff's conditions. The motion carried unanimously.

NEW BUSINESS:

1. U-72-81 (HO)
- Application of TED I. KERBER for a home occupation permit to allow sundry item sales through a mail order business on property located at 5933 Marka Drive in Zoning District R-1.
- APPROVED
- MR. CLEMMER stated staff recommended APPROVAL, subject to standard conditions:
- MR. GILES made a Motion to APPROVE subject to staff's conditions. The motion carried unanimously. (This item was approved along with Items 2, 3 and Supplemental Items 1 and 4.)

2. U-75-81 (HO)
APPROVED
- Application of BRAINARD S. HYSON for a home occupation permit to allow the writing of music on property located at 3700 East Stewart Avenue in Zoning District R-MHP.
- MR. CLEMMER stated staff recommended approval, subject to standard conditions.
- MR. GILES made a Motion to APPROVE subject to staff's conditions. The motion carried unanimously.
3. U-77-81 (HO)
APPROVED
- Application of SANDRA L. GRAVES for a home occupation permit to allow a bookkeeping service on property located at 7008 Carrondale Way in Zoning District R-1.
- MR. CLEMMER stated staff recommended approval, subject to standard conditions.
- MR. GILES made a Motion to APPROVE subject to staff's conditions. The motion carried unanimously.
4. HC-1-81
APPROVED
60 DAY EXTENSION
- Appeal of JAMES L. BUCHANAN, II on housing code provisions relative to his property at 1721, 1723, 1801, and 1803 Linden Avenue.
- MR. CLEMMER stated that Mr. Buchanan had requested a 60 day postponement on this item.
- MR. GILES made a Motion to APPROVE a 60 day Extension. The motion carried unanimously.
5. V-84-81
APPROVED
- Application of CAMERON AND LYLE LEAVITT for a variance to allow a carport two feet (2') from the side property line where five feet (5') is required and to allow an overhang one ft. (1') from the side property line where three feet (3') is required on property located at 1220 South 7th Street in Zoning District R-1.
- MR. CLEMMER presented the plot plan. Staff recommended denial.
- There were no protests.
- Cameron and Lyle Leavitt appeared on behalf of their application.
- MS. EMMETT made a Motion to APPROVE. The motion carried unanimously.
6. V-85-81
APPROVED
- Application of THE HOCK SHOP, LTD. for a variance to allow a pawn shop and secondhand store on property located at 206 North 1st Street in Zoning District C-2.
- MR. CLEMMER presented the plot plan. This variance had been previously approved with a time limit which expires on December 31, 1981.
- MR. CLEMMER stated that staff recommended approval, subject to:
1. Conformance to the plot plan and elevations.
 2. The permit be terminated when the prospective hotel builder finds a suitable relocation for this business or in two years, whichever occurs first.

6. V-85-81
(Continued)

Jerry Jory, 206 N. 1st, appeared for the application.

William Pecolle, 1348 Cantler Drive, appeared in favor.

Bill Papanya, 1932 E. Oakey, appeared in favor.

There were three letters of protest.

MR. CANUL made a Motion for APPROVAL with a 3 year limit.
Motion carried unanimously.

This item will be referred to City Commission for a public hearing.

7. V-86-81
APPROVED

Application of INGRID CARLOS for a variance to allow an electrolysis business in an R-E zone and to allow the business to operate within the confines of an accessory structure on property located at 4009 Del Monte Avenue in Zoning District R-E.

MR. CLEMMER presented the plot plan. Staff recommended denial. If approved, recommended conditions are:

1. Subject to the conformance of the plot plan and elevations.
2. Variance limited to five years.

There were no protests.

Ingrid Carlos, 4009 Del Monte Avenue, appeared for the application. She stated only one person at a time would be scheduled for her service and that there will be no signs on the property.

MS. EMMETT made a Motion for APPROVAL subject to six months review. The motion carried with Myers voting no.

8. V-87-81
APPROVED

Application of GEORGE BROOKMAN, ET AL for a variance to allow a five ft. (5') rear yard setback for two (2) 20 unit apartment buildings where twenty feet (20') is required on property generally located on the west side of Paradise Road, 450' north of Sahara Avenue in Zoning District R-4.

MR. CLEMMER presented the plot plan. Staff recommended approval subject to:

1. Conformance to plot plan and elevations amended to provide a 5 foot landscaping strip along Paradise Road.

George Brookman, 3025 Sheridan Street, Las Vegas, appeared for the application. We're going to build 40 one-bedroom condominiums here with adequate parking space on the site as staff indicated. These are apartment type condominiums.

There were no protests.

MR. CANUL made a Motion for APPROVAL with staff's conditions. The motion was carried unanimously.

9. V-88-81
APPROVED

Application of LAWRENCE ARILLO for a variance to allow a detached accessory building five feet (5') from an existing dwelling where six feet (6') is required and to allow the existing dwelling one ft. (1') from the rear property line where fifteen feet (15') is required and three feet (3') from the side property line where five feet (5') is required on property located at 1016 Franklin Avenue in Zoning District R-1.

MR. CLEMMER presented the plot plan. Staff recommended denial.

There were no protests.

Lawrence Arillo, 1016 Franklin, appeared on behalf of his application.

David Carson, 1026 So. 3rd St., appeared, but indicated he was not opposed to the application.

MR. GILES made a Motion to APPROVE with the conditions staff had requested. Motion carried unanimously.

MR. CLEMMER stated the conditions recommended by staff were:

1. No storage of flammable liquids in back building.
2. Agreement to enter into an assessment district for street lights on Franklin at some time in the future.

Mr. Arillo agreed to the conditions.

CHAIRMAN BUGBEE stated these were the conditions to go along with the motion and the Board concurred.

10. U-73-81
APPROVED

Application of 330 ASSOCIATES for a use permit to allow a quasi-public use (Southern Nevada Historical Society and Allied Arts Council offices) on property located at 420 South 7th Street in Zoning District R-3.

MR. CLEMMER presented the plot plan. Staff recommended approval subject to:

1. Installation of 4 parking spaces on property.

Niels Pearson, 116 So. 4th St., appeared for the application. The Southern Nevada Historical Society and Allied Arts Council plan to move the house. They propose to use the house in the interim.

Elizabeth Warren, P.O. Box 1358, appeared for the Southern Nevada Historical Society and Allied Arts Council.

MR. GILES made a Motion for APPROVAL of the Use Permit without the 4 parking spaces condition. Motion carried unanimously.

11. V-89-81
DENIED

Application of DWIGHT E. GOULD for a variance to allow an apartment hotel for ten persons which is not a permitted use and to allow two parking spaces where nine are required on property located at 1304 East Oakey Boulevard in Zoning District C-V.

MR. CLEMMER presented the plot plan. Staff recommended denial.

There were six letters of protest and 58 signatures on a petition of protest.

Dwight Gould appeared for the application. He stated that this property is to be used for a senior citizens' home for people over 50.

Tom Miller, 1300 E. Oakey, appeared in protest. He presented a petition with 58 signatures in protest.

Veola Hicks, 2321 E. Oakey, appeared in protest.

MRS. MYERS made a Motion for DENIAL. Motion was carried unanimously.

12. V-90-81
APPROVED

Application of RICHARD GRAWOIG for a variance to allow a carport canopy twenty-six feet (26') from the front property line where fifty feet (50') is required on property located at 1811 Silver Avenue in Zoning District R-E.

MR. CLEMMER presented the plot plan. Staff was not opposed to this application.

No protests on file.

Evelyn Schmulski represented applicant. Carport is already built. The variance had been previously approved but had since expired.

No one appeared in protest.

MR. CANUL made a Motion for APPROVAL. Motion was carried unanimously.

13. V-91-81
APPROVED

Application of NICHOLAS F. NAFF, ET AL for a variance to allow a three story office building in the P-R zone where a maximum of two stories is permitted on property located at 720 South 7th Street in Zoning District R-1, (under Resolution on Intent to P-R)

MR. CLEMMER presented the plot plan. Staff recommended denial. If approved, they would recommend the following conditions:

1. Conformance to plot plan and elevations.
2. Conformance to conditions of Z-127-79.
3. A variance must be granted to allow 54 parking spaces where 165 spaces are required.

13. V-91-81
Continued

The proposed building would contain 26,000 square feet. The ground floor is for parking and equipment rooms and two stories above are to be used for offices.

Nicholas Naff appeared for the application and stated he was under the impression that he was within the ordinance since he was only building a two-story office building with parking underneath. He indicated he has a five year lease on the premise, that it is a two-story building and they have gone through the procedure of taking bids and letting out the contract. When this problem of a three-story building was found, the architect stated he was under the impression he could construct a two-story building as long as it was under the 35' maximum height limitation. He stated he had conferred with every single resident in the neighborhood and he presented 25 signatures in favor of having this office building with parking on the ground floor.

MR. CLEMMER stated in a residential zone you can have two stories or 35', whichever is lesser; however, in a P-R zone it just indicates two stories.

CHAIRMAN BUGBEE indicated his office is in the vicinity of this property and the applicant had not contacted him regarding this project.

Nicholas Naff asked where Chairman Bugbee's office was located.

CHAIRMAN BUGBEE stated his office is located on the corner of 8th and Gass.

Nicholas Naff stated he only contacted the residents on 6th Street and 7th Street and he did not include 8th Street because it is commercially developed.

CHAIRMAN BUGBEE asked about the requirement for more parking spaces.

MR. CLEMMER indicated the National Labor Relations Board, Social Security and HUD will be occupying this building and in checking with those agencies he found that NLRB would have 9 employees, Social Security would have 75 employees and HUD would have 26 employees.

CHAIRMAN BUGBEE asked what amount of parking does the Code require for this office building.

MR. CLEMMER stated based on the square footage it would be 54 spaces and for employees it would be 1.5 spaces per employee. With 110 employees it would require 165 parking spaces.

CHAIRMAN BUGBEE stated we are anticipating tenants that are not located there yet.

MR. CLEMMER stated it is intended those agencies will occupy the building.

There were no protests.

MR. GILES made a motion to APPROVE the application. Motion was carried unanimously with exception that Mr. Canul abstained from voting.

14. U-74-81

APPROVED
subject to
staff's
conditions.
Unanimous

Application of CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS for a use permit to allow a Lutheran Church with an elementary, junior and senior high school facility on property located at 1251 Robin Street in Zoning District R-1.

MR. CLEMMER presented the plot plan. The subject property is on the west side of Robin Street in predominantly low density residential area and is an existing LDS Church. The intent is to sell the property to the Lutheran Church with no proposed change to the exterior of the property.

Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan.
2. Conformance to the requirements of the Department of Fire Services.

CHAIRMAN BUGBEE asked Mr. Clemmer if the applicant was aware of the condition relative to conformance to the requirements of Fire Services and he replied they were.

ANDREW PAHNKA (sic), 3947 Foxboro, appeared on behalf of the applicant, requesting approval.

MARY KINCAID, 1425 Webb Ave., North Las Vegas, Chairman of the Board, Faith Lutheran Junior-Senior High School appeared. She stated the Board had communicated with the Fire Department and understood their requirements and was anxious to acquire the property.

There were no protests to this application.

MRS. MYERS moved to APPROVE the application subject to staff's stipulations (conditions). The motion carried by unanimous vote of the full Board.

15. U-76-81

ABEYANCE
until next
regular
meeting.
Unanimous

Application of RAINBOW WEST, A PARTNERSHIP, for a use permit to allow a 300 unit apartment complex in a C-1 Zone on property generally located at the southwest corner of Silverstream Avenue and Misty Isle Lane (private road) in Zoning District C-1.

MR. CLEMMER presented the plot plan. The proposed apartment complex would consist of one and two-bedroom units. The proposed units would be 55 ft. from the property line on Silverstream. Adequate off-street parking is provided on the plan. The Traffic & Parking Commission would like the central entry reduced to a single rather than double lane.

Staff recommended APPROVAL, subject to:

1. Installation of a block wall on the south on the northwesterly side and in the front, but in the front to be approximately 30 inches high of a decorative type.
2. Conformance to the requirements of the Traffic & Parking Commission.
3. Redesign the central driveway.
4. Sidewalk installation along Silverstream Avenue.
5. Fire Hydrants and water flow as required by the Department of Fire Service.
6. Conformance to the plot plan and elevations.

15. U-76-81

MR. CLEMMER stated there were five protests on record.

(Continued)

G. C. WALLACE, 1100 E. Sahara, appeared on behalf of the applicant. He pointed out on the plot plan the peculiar layout of subject property. Subject property is bounded on the east across Misty Isle Lane by an existing townhouse project and bounded on the southwest by the Las Vegas Expressway and on the northwest by existing commercial. He stated because of the configuration subject property was not easy to develop. He stated the additional population brought about by this project would conform to the General Plan. Mr. Wallace questioned staff regarding their recommendation that the central entry be reduced to a single lane (per recommendations of Traffic and Parking Commission). MR. CLEMMER stated it was felt that the two lanes coming in with the guard house would create traffic congestion. MR. WALLACE stressed his feelings that it would be important to have two lanes coming into the project (one lane for residents for through traffic and one lane for guests to check in with security). CHAIRMAN BUGBEE recommended that the central entry matter be referred back to the Traffic & Parking Commission for further study and review.

BOB MITCHELL, 331-A Misty Isle, Las Brisas Townhouses. He stated he was a real estate broker and a VA Appraiser. Mr. Mitchell appeared in protest of this application. He expressed strongly his concern regarding traffic congestion that would be brought about with the proposed project. He said the additional 300 to 500 cars brought about with this project would create hazardous traffic conditions. He indicated he would petition the Townhouse Association to close off their private streets if the proposed project was implemented. He stated privacy would be threatened with the proposed layout. He indicated he would prefer a commercial development on the subject property.

STEVE HALDEMAN, 6656 Silverstream, appeared in opposition. He indicated he lived across the street from the driveway of the proposed complex. He submitted a petition from the neighborhood containing 137 signatures. To illustrate the interest and opposition from the neighborhood, Mr. Haldeman asked those in attendance to raise their hands and approximately 40 citizens did so indicating their opposition. He indicated he had talked with Mr. Watkins regarding his proposed apartments approximately two months ago, at which time Mr. Watkins indicated he would be in contact with the residents to show them his proposed plans and that he had not done so. He said the residents were tired of fighting and would like to sit down with the developers and work out a plan that fits the neighborhood. He stated two former applications for subject property had been before the Board and subsequently denied. He said he doubted even that Silverstream was a 60 ft. street and the proposed development would create traffic congestion and hazardous conditions with the curve on Silverstream. He stated he was disappointed that the State sold the property as commercial and didn't have the zoning that would be compatible with the neighborhood. He inquired regarding adequate parking and MR. CLEMMER indicated the proposed complex would have 365 parking spaces which would be in compliance with City code. Mr. Haldeman felt there would be more cars than the 365 spaces.

After discussion with Mr. Watkins and Mr. Wallace, MR. GILES moved that this application be HELD IN ABEYANCE until the next regularly scheduled meeting in order that the developers of Rainbow West and the residents of the area could meet and hopefully resolve the current opposition. The motion carried by unanimous vote of the full Board.

16. V-106-80 Request of DAVID A. AND SANDRA MULKEY for an extension of time on an approved Variance which allowed a room addition 6' 10" from the south side property line where ten feet (10') is required on property located at 213 Campbell Drive in Zoning District R-E.
- Ext. of Time
- Giles
APPROVED
subject to
staff's
condition.
Unanimous
- MR. CLEMMER presented the plot plan. Staff recommended APPROVAL until January 22, 1983.
- DAVID A. MULKEY, 213 Campbell, appeared on behalf of his request.
- There were no protests to this request.
- MR. GILES moved for APPROVAL of the request subject to staff's recommendation (1/22/83). The motion carried by unanimous vote of the full Board.
17. UC-274-79 Request of the BIBLE WAY FELLOWSHIP CHURCH for an extension of time on an approved use permit which allowed a 5,600 sq. ft. church on property generally located on the north side of Bevvie Road, approximately 100' west of Decatur Boulevard in Zoning District R-E.
- Ext. of Time
- Myers
APPROVED
Unanimous
- MR. CLEMMER stated the subject property was annexed 7/1/81 and due to having to change the plans to meet the City Code, the Church will be unable to meet the deadline on their Use Permit by 1/5/82. MR. CLEMMER stated the City's ordinance imposed no time limit for churches.
- Staff recommended the extension be APPROVED with no time limit.
- MRS. MYERS moved to APPROVE the request and the motion carried by unanimous vote of the full Board.
18. V-30-81 Request of LESLIE'S SWIMMING POOL SUPPLIES, INC. for an extension of time on an approved variance which allowed outside display of above ground swimming pools where outside display is not permitted on property located at 5225 West Charleston Boulevard in Zoning District C-1.
- Ext. of Time
- Giles
APPROVED
Unanimous
- MR. CLEMMER presented the plot plan. Staff recommends approval of a one year extension.
- MR. GILES made a Motion for APPROVAL for an Extension of Time for one year. Motion was carried unanimously.

SUPPLEMENTAL AGENDA

1. U-78-81 (HO) Application of R. GREGG STERRETT for a home occupation permit to allow fabrication of stain glass and wooden items in the home on property located at 1608 Gatewood Drive in Zoning District R-1.
- APPROVED
- MR. CLEMMER stated staff recommended approval, subject to standard conditions.
- MR. GILES made a Motion to APPROVE subject to staff's conditions. The motion carried unanimously.

2. V-7-79
APPROVED

Request of BERNADINE C. SCHNEIDER for a review of use to allow a residential facility for sixteen senior citizens on property located at 720 South 9th Street in Zoning District R-1.

MR. CLEMMER presented plot plan. Staff recommends approval subject to conditions of V-7-79. This is a change from 12 elderly people to 16.

Bernadine Schneider appeared for the application.

MR. CANUL made a Motion for APPROVAL. Motion was carried unanimously.

3. V-41-78
APPROVED

Request of SOLOMON GUNDY'S BOOK WORLD for a review to allow the sale of used books on property located at 1442 East Charleston Boulevard in Zoning District C-1.

MR. CLEMMER presented plot plan. Staff recommends approval subject to conformance of revised plot plan.

Applicant was present.

MR. GILES made a Motion to APPROVE. Motion carried unanimously.

4. U-79-81(HO)
APPROVED

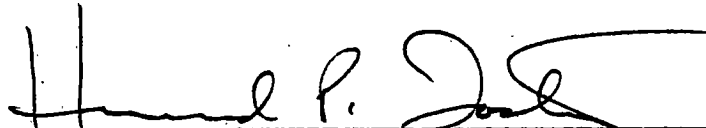
Application of DONNA FREEMAN for a home occupation permit to allow the making of garments for off-premise sale on property located at 2500 Winwood Street in Zoning District R-1.

MR. CLEMMER stated staff recommended approval, subject to standard conditions.

MR. GILES made a Motion to APPROVE subject to staff's conditions. The motion carried unanimously.

THE MEETING WAS ADJOURNED AT 9:20 P.M.

DEPT. OF COMMUNITY PLANNING & DEVELOPMENT



HAROLD P. FOSTER, DIRECTOR

TRANSCRIPT FROM TAPE OF MEETING OF BOARD OF ZONING ADJUSTMENT
DECEMBER 21, 1981 ITEM 13 V-91-81 NICHOLOS F. NAFF, ET AL

CHAIRMAN BUGBEE: V-91-81 - The Application of Nicholas F. Naff for a variance to allow a three-story office building in the P-R zone where a maximum of two stories is permitted on property located at 720 South 7th under -- District R-1, under Resolution on Intent to P-R.

FRANK CANUL: Mr. Chairman, I want to make it a matter of record that I'll be abstaining from voting on this item.

CHAIRMAN BUGBEE: Thank you. Planning.

ROBERT CLEMMER: Yes. This property is on the NW corner of 7th and Gass and it's a proposed three story office complex. These are the elevations of the building. Staff felt -- feels that in a P-R zone with two stories being the limit there hasn't been any variances in the past, that this should be denied. Also, in checking with NLRB, Social Security and HUD, we felt there could be as many as 110 employees on this site and we'd recommend denial, subject to: Conformance to the plot plan and elevations, conformance to the conditions of Z-127-79 and that a variance must be granted to allow 54 parking spaces where 165 spaces are required if approved.

CHAIRMAN BUGBEE: Well, tell me about the building. You know, I've just heard about what we don't like about --

NICHOLOS NAFF: Can I tell you about it?

CHAIRMAN BUGBEE: Well, I want to hear staff first. Then, you'll be more than welcome.

ROBERT CLEMMER: It contains about 26 to 27,000 sq.ft. of office floor area.

CHAIRMAN BUGBEE: The office floor, is that three stories and a ground story, a second and a third floor? Or is it --

ROBERT CLEMMER: The ground floor will be used for parking.

CHAIRMAN BUGBEE: So then it's a two story building?

ROBERT CLEMMER: It's actually three stories. There are floor areas on the ground level where the parking is as well. There are two floors above the ground level parking.

CHAIRMAN BUGBEE: You mean, there's rental areas or office areas on the ground floor?

NICHOLOS NAFF: No.

CHAIRMAN BUGBEE: Excuse me, we'll get to you in a minute. I want to hear --

ROBERT CLEMMER: There is equipment rooms, elevator shafts and the like.

CHAIRMAN BUGBEE: The same that we would have in any basement?

ROBERT CLEMMER: Possible, yes.

CHAIRMAN BUGBEE: Thank you.

ROBERT GILES: Is the parking below grade there?

ROBERT CLEMMER: No, it's on grade.

CHAIRMAN BUGBEE: This is a public hearing. Is there someone here to speak in favor of this application?

NICHOLOS NAFF: My name is Nicholas Naff. I'm one of the two owners and I'm here to speak on the application. The building is -- this is a rendering that probably is a little more accurate depiction of what it looks like. I also have some photos if you want to extend them. The first floor is entirely parking with the exception of an elevator shaft and a very small storage and equipment room. The other two floors are the floors that are occupied as offices. I'm a first time builder and about a year ago when we first got a variance to the zoning, I turned this over to Architronics, to John Mayers' architect, under the assumption that they were designing for me a two story office building and in this entire time we proceeded as though it were a two story office building. In fact, I was fortunate enough to lease 90% of the building on the premise, and I do have a five year lease on the premise that it's a two story office building and we went through the procedure of taking bids and letting the contract and until we got into plan checking, I was still under the impression that I was building a two story office building on that corner that was highly -- actually, that was favored. Well, the moment I learned we were going to have to make application for this variance, I conferred with every single resident in the neighborhood. In fact, I have 25 signatures and an illustration, and this is in the immediate block -- every single person in that block has approved of the building because they understand it as I do that it's a two story building with parking underneath. In fact, they prefer that the parking be --

CHAIRMAN BUGBEE: This is 7th and Gass, is it?

NICHOLOS NAFF: Seventh and Gass, the corner, yes. It's equivalent of 7 lots -- seven 25 foot lots that were there and it's empty.

CHAIRMAN BUGBEE: You didn't talk to me. I'm across the street.

NICHOLOS NAFF: I beg your pardon.

CHAIRMAN BUGBEE: You didn't talk to me.

NICHOLOS NAFF: Are you --

CHAIRMAN BUGBEE: I'm 8th and Gass.

NICHOLOS NAFF: Are you --

CHAIRMAN BUGBEE: I'm 8th and Gass, on the opposite corner. I didn't hear from you.

NICHOLOS NAFF: A commercial -- well, there is one -- as you see on this diagram -- you don't happen to be at 801?

CHAIRMAN BUGBEE: No. I'm right on the corner of 8th and Gass, catercornered from you, right behind Dr. Zieger's office which is on 7th.

- NICHOLOS NAFF: Oh, 8th. I'm sorry, I didn't go to 8th Street. I show here all of 7th Street and all of 6th Street, mainly because most of 8th Street is commercially developed. Are you talking about a commercial development.
- CHAIRMAN BUGBEE: I didn't get notified either, Harold, I'm within 300 feet.
- NICHOLOS NAFF: Well, I think most of 8th Street is commercially developed and I went to all the residents and I have their signatures here and a diagram showing that. But the essence of the matter is that I just proceeded with this thing over a year and with some massive investments and a year and a half of effort actually on the assumption that I had a two story office building and now, all of a sudden I was told, you know, much to my dismay, that it was considered by some ordinance-- incidentally, I think that the key to the thing is we are only -- we're under the 35 foot two story limit. On that assumption, John Mayers, the architect, went ahead. In fact, when I first panicked and ran to him he said, "Don't worry about it. We're under 35 feet. We're under the two story limit, you know."
- ROBERT GILES: Is that correct, Mr. Clemmer? The 35 feet limit? I'm not trying to correct your height.
- ROBERT CLEMMER: The residential zone, it says two stories or 35 feet. In the P-R zone it doesn't say height; it just says two stories.
- CHAIRMAN BUGBEE: In other words, one could build a 35 feet there. Where did the big parking numbers come from that you --
- ROBERT CLEMMER: The National Labor Relations Board, Social Security and HUD will be occupying this building and in checking with those agencies we found that NLRB would have 9 employees, Social Security would have 75 employees and HUD would have 26 employees.
- CHAIRMAN BUGBEE: Well, what would the code be for parking for this building?
- FRANK CANUL: For the square footage?
- CHAIRMAN BUGBEE: For the square footage, please?
- ROBERT CLEMMER: For the square footage, it would be 54 parking spaces, but for the employees, it would be 1½ parking spaces per employee. With 110 employees that would be 165.
- CHAIRMAN BUGBEE: We're kind of going ahead of ourselves, aren't we? We're anticipating tenants that aren't even there yet --
- ROBERT CLEMMER: That's correct.
- CHAIRMAN BUGBEE: -- in all fairness.
- ROBERT CLEMMER: He indicated at the hearing though that those agencies would be in that building.
- CHAIRMAN BUGBEE: This is a public hearing. Is anyone here to speak in opposition to this application? Any questions from the Commissioners? (No response.) Declare it closed. Entertain a motion.

ROBERT GILES: I'll move to approve. It seems to me to be an excellent use, particularly of the parking -- when you've got the building over the parking lot.

CHAIRMAN BUGBEE: Display the vote, please. Motion carries. Mr. Canul abstained.

NICHOLOS NAFF: I certainly thank you.

December 22, 1981

Mr. and Mrs. Cameron Leavitt
1220 South 7th Street
Las Vegas, Nevada 89104

Re: V-84-81

Dear Mr. and Mrs. Leavitt:

Your request for a variance to allow a carport two feet (2') from the side property line where five feet (5') is required and to allow an overhang one foot (1') from the side property line where three feet (3') is required on property located at 1220 South 7th Street in Zoning District R-1, was considered by the Board of Zoning Adjustment at its meeting held December 21, 1981.

It was voted by the Board of Zoning Adjustment to APPROVE your request as being in accord with the general spirit and purpose of the Ordinance, subject to the following conditions:

1. Conformance to the plot plan and elevations.
2. ~~Enter into an Assessment District Agreement for street lights on 7th Street as required by the Department of Public Services.~~

This action by the Board of Zoning Adjustment on December 21, 1981, is final unless an appeal, in writing, is filed with the City Clerk within eleven days, or there is a review action filed by the City Commission within fourteen days.

An approved variance must be exercised within six months or it becomes null and void, unless a request for an extension of time is duly filed and approved by the Board within the six month time limit.

Sincerely,
COMMUNITY PLANNING AND DEVELOPMENT

Harold P. Foster, Director

HPF:bjl

cc: City Clerk
Public Services



December 22, 1981

Mr. Nicholas F. Naff, et al
925 E. Desert Inn Road
Las Vegas, Nevada 89109

Re: V-91-81

Dear Mr. Naff:

Your request for a variance to allow a three story office building in the P-R zone where a maximum of two stories is permitted on property located at 720 South 7th Street in Zoning District R-1 (under Resolution of Intent to P-R), was considered by the Board of Zoning Adjustment at its meeting held December 21, 1981.

It was voted by the Board of Zoning Adjustment to APPROVE your request as being in accord with the general spirit and purpose of the Ordinance, subject to the following conditions:

1. Conformance to the plot plan and elevations.

~~2. Conformance to the conditions of Z-127-79.~~

This action by the Board of Zoning Adjustment on December 21, 1981, is final unless an appeal, in writing, is filed with the City Clerk within eleven days, or there is a review action filed by the City Commission within fourteen days.

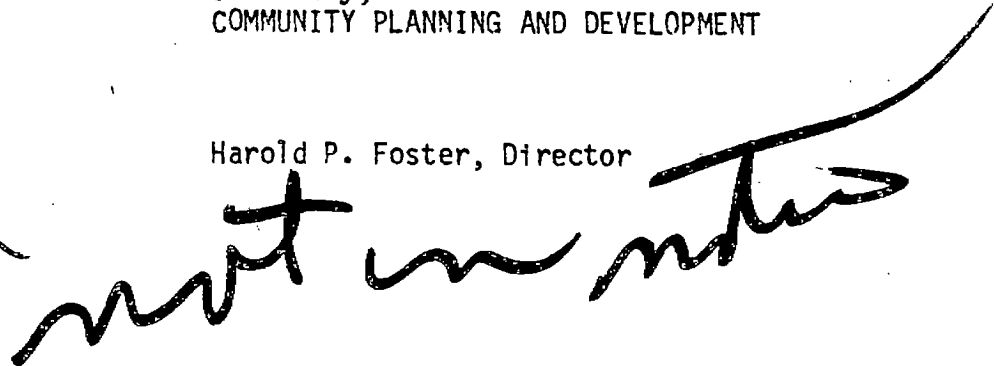
An approved variance must be exercised within six months or it becomes null and void, unless a request for an extension of time is duly filed and approved by the Board within the six month time limit.

Sincerely,
COMMUNITY PLANNING AND DEVELOPMENT

Harold P. Foster, Director

HPF:bjl

cc: City Clerk
Public Services



NAME

ADDRESS

Dec 22, 1981

E. S. Downey

4601 W. Sahara Ave

Lawrence Gull

1016 Franklin Avenue

WILSON PARSONS

116 S. 4th St. L.V. Nev.

Tom Miller

1300 E. Oakley