

S ✓

A G E N D A

BOARD OF ZONING ADJUSTMENT

NOVEMBER 18, 1982

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

ROLL CALL:

OATH OF OFFICE: Oath of Office to be given to the new member, Bonnie B. Juniel.

ANNOUNCEMENT: Satisfaction of Open Meeting Law

OLD BUSINESS:

- 1. V-60-81
Review
(Abeyance Item from 10/28/82)
- Request of SIGEL & CO., LTD. for a review to allow a beauty shop in lieu of the approved Class II secondhand dealership (for the purchase and sale of used jewelry, gold, and silver) on property located at 4318 West Charleston Boulevard in Zoning District P-R.

NEW BUSINESS:

- 1. U-81-82(HO)
Application of STEVE BUFFINGTON ON BEHALF OF PHYLLIS MOORE for a home occupation permit to allow the mail order of retail/wholesale jewelry on property located at 3930 Silver Dollar in Zoning District R-4.
- 2. U-86-82(HO)
Application of DAN RADKE for a home occupation permit to allow a typing service on property located at 212 Woodley in Zoning District R-1.
- 3. U-87-82(HO)
Application of GERALDINE BRUNELL AND SHIRLEY BROWNING for a home occupation permit to allow the making of purses on property located at 6936 Singing Dunes Lane in Zoning District R-1.
- 4. U-89-82(HO)
Application of FRANEISZEK P. HOJNOWSKI for a home occupation permit to allow an advertising specialties operation on property located at 41 Madras Circle in Zoning District R-1.
- 5. U-75-82
Application of HOOPER INDUSTRIES LTD., A NEVADA CORPORATION for a use permit to allow a Class III secondhand dealership for the buying and selling of new and used jewelry and precious metals on property located at 427-B Las Vegas Boulevard South in Zoning District C-2.

31 ✓

6. V-94-82 Application of BEN AND CORENE CASSELLE for a variance to allow a basic skills learning center for adults and a child care facility for approximately 36 during the day and a maximum of eight children from 7:00 to 9:00 P.M. where such uses are not permitted on property located at 4917 West Cannon Boulevard in Zoning District R-1.

7. U-80-82 Application of DAVID STRAWSER for a use permit to allow the renting of motorcycles and mopeds on property located at 1201 Las Vegas Boulevard South in Zoning District C-2.

8. V-95-82 Application of FRANKLIN AND JACQUELINE HAMITER for a variance to allow a carport to the side property line where six feet (6') is required and eight feet (8') from the rear property line where fifteen feet (15') is required on property located at 208 Colleen Drive in Zoning District R-1.

9. V-96-82 Application of JAMES AND KATHY VILLANI for a variance to allow an existing patio cover three feet (3') from the rear property line where fifteen feet (15') is required on property located at 1840 Runningbear Drive in Zoning District R-1.

10. U-82-82 Application of WILLIAM J. AND MARY HELEN CALVERT for a use permit to allow a preschool for a maximum of twelve (12) children on property located at 7712 Macaw Lane in Zoning District R-1.

11. U-83-82 Application of JOSEPH M. AND LINDA J. McDONOUGH for a use permit to allow a preschool for a maximum of twelve (12) children on property located at 7705 Aplin Avenue in Zoning District R-1.

12. V-102-82 Application of R. J. COLLET for a variance to allow a Class III secondhand dealer for the sale of new and used jewelry (no more than 25% used) where such use is not permitted on property located at 1111 Las Vegas Boulevard South in Zoning District C-2.

13. V-97-82 Application of MORTON R. AND ROSALIND F. GALANE for a variance to allow two existing guest houses with kitchen facilities where guest houses with kitchen facilities are not allowed on property located at 2019 Bannies Lane in Zoning District R-E.

14. V-98-82

Application of AMY G. LOPEZ for a variance to allow a senior citizens residential facility for twenty-three (23) persons where a previous variance allowed sixteen (16) persons; to allow one parking space where eleven (11) parking spaces are required; to allow an addition constructed for this proposed facility that will connect two existing dwelling units to the rear property line where twenty feet (20') is required; and to allow a wood lattice cover to be constructed to the north side property line where six feet, six inches (6'6") is required, on property located at 700 South 10th Street in Zoning District R-4.

15. V-99-82

Application of HENRY A. SWAAB ON BEHALF OF WINIFRED WETHERELL for a variance to allow the sale of secondhand women's and girls' clothing and accessories where such use is not permitted on property located at 1900 East Charleston Boulevard in Zoning District C-1.

16. U-85-82

Application of STEVE HORTEN for a use permit to allow a Class III secondhand store for the sale of used women's clothing on property located at 600A South Maryland Parkway in Zoning District C-2.

17. V-100-82

Application of CAROL SHERWOOD for a variance to allow a front yard setback of 15'6" where twenty feet (20') is required on property located at 1301 Eaton Drive in Zoning District R-1.

18. V-35-82

Review of
Condition.

Request of PRECISION AUTO SUPPLY for a review to delete condition #4 pertaining to dedication of 5' of right-of-way for Fremont Street on property located at 1715 East Fremont Street in Zoning District C-2.

A N N O T A T E D

A G E N D A

BOARD OF ZONING ADJUSTMENT

NOVEMBER 18, 1982

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

ROLL CALL: PRESENT: MYERS, GILES, BUGBEE, JUNIEL
EXCUSED: EMMETT

OATH OF OFFICE: Oath of Office to be given to the new member, Bonnie B. Juniel.

GIVEN BY SANDRA LeBOEUF

ANNOUNCEMENT: Satisfaction of Open Meeting Law

OLD BUSINESS:

1. V-60-81 Request of SIGEL & CO., LTD. for a review to allow a beauty shop in lieu of the approved Class II secondhand dealership (for the purchase and sale of used jewelry, gold, and silver) on property located at 4318 West Charleston Boulevard in Zoning District P-R.
Review
(Abeyance Item from 10/28/82)

APPROVED
BUGBEE/UNANIMOUS

CONDITIONS:

1. The building is to be used for beauty shop purposes only and no other retail use shall be permitted.

STAFF RECOMMENDATION: APPROVAL

NEW BUSINESS:

1. U-81-82(HO) Application of STEVE BUFFINGTON ON BEHALF OF PHYLLIS MOORE for a home occupation permit to allow the mail order of retail/wholesale jewelry on property located at 3930 Silver Dollar in Zoning District R-4.
APPROVED
GILES/UNANIMOUS

CONDITIONS:

1. The operation shall conform to the criteria for a home occupation permit.

STAFF RECOMMENDATION: APPROVAL

2. U-86-82(HO) Application of DAN RADKE for a home occupation permit to allow a typing service on property located at 212 Woodley in Zoning District R-1.
APPROVED
GILES/UNANIMOUS

CONDITIONS:

1. The operation shall conform to the criteria for a home occupation permit.

STAFF RECOMMENDATION: APPROVAL

3. U-87-82(HO) Application of GERALDINE BRUNELL AND SHIRLEY BROWNING for a home occupation permit to allow the making of purses on property located at 6936 Singing Dunes Lane in Zoning District R-1.
ABEYANCE TO 12-16-82
GILES/UNANIMOUS

4. U-89-82(HO) Application of FRANEISZEK P. HOJNOWSKI for a home occupation permit to allow an advertising specialties operation on property located at 41 Madras Circle in Zoning District R-1.
APPROVED
GILES/UNANIMOUS

CONDITIONS:

1. The operation shall conform to the criteria for a home occupation permit.

STAFF RECOMMENDATION: APPROVAL

5. U-75-82 Application of HOOPER INDUSTRIES LTD., A NEVADA CORPORATION for a use permit to allow a Class III secondhand dealership for the buying and selling of new and used jewelry and precious metals on property located at 427-B Las Vegas Boulevard South in Zoning District C-2.
APPROVED
BUGBEE/UNANIMOUS

CONDITIONS:

1. Conformance to the plot plan.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: NONE

CITY COMMISSION WILL SET A DATE FOR PUBLIC HEARING AT ITS 12-1-82 MEETING.

6. V-94-82 Application of BEN AND CORENE CASSELLE for a variance to allow a basic skills learning center for adults and a child care facility for approximately 36 during the day and a maximum of eight children from 7:00 to 9:00 P.M. where such uses are not permitted on property located at 4917 West Cannon Boulevard in Zoning District R-1.
WITHDRAWN BY
APPLICANT
-

7. U-80-82 Application of DAVID STRAWSER for a use permit to allow the renting of motorcycles and mopeds on property located at 1201 Las Vegas Boulevard South in Zoning District C-2.

APPROVED
BUGBEE/UNANIMOUS

CONDITIONS:

1. Conformance to the plot plan and elevations.
2. All repair work and maintenance shall be done within an enclosed building.
3. No repair work shall be done after 6:00 P.M.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: NONE

8. V-95-82 Application of FRANKLIN AND JACQUELINE HAMITER for a variance to allow a carport to the side property line where six feet (6') is required and eight feet (8') from the rear property line where fifteen feet (15') is required on property located at 208 Colleen Drive in Zoning District R-1.

APPROVED
GILES/UNANIMOUS

CONDITIONS:

1. Conformance to the plot plan and elevations.

STAFF RECOMMENDATION: DENIAL

PROTESTS: NONE

9. V-96-82 Application of JAMES AND KATHY VILLANI for a variance to allow an existing patio cover three feet (3') from the rear property line where fifteen feet (15') is required on property located at 1840 Runningbear Drive in Zoning District R-1.

APPROVED
BUGBEE/UNANIMOUS

CONDITIONS:

1. Conformance to the plot plan and elevations.

STAFF RECOMMENDATION: DENIAL

PROTESTS: NONE

10. U-82-82 Application of WILLIAM J. AND MARY HELEN CALVERT for a use permit to allow a preschool for a maximum of twelve (12) children on property located at 7712 Macaw Lane in Zoning District R-1.

APPROVED
GILES/UNANIMOUS

CONDITIONS:

1. Conformance to the plot plan and elevations.
2. Conformance to the requirements of the Department of Fire Services.
3. The hours of operation shall be limited from 9:00 A.M. to 11:30 A.M.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 2

11. U-83-82

APPROVED
BUGBEE/UNANIMOUS

Application of JOSEPH M. AND LINDA J. McDONOUGH for a use permit to allow a preschool for a maximum of twelve (12) children on property located at 7705 Aplin Avenue in Zoning District R-1.

CONDITIONS:

1. Conformance to the plot plan and elevations.
2. Conformance to the requirements of the Department of Fire Services.
3. The hours of operation shall be limited from 8:00 A.M. to 12:00 Noon.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 3

12. V-102-82

APPROVED
GILES/3-1 VOTE/
MYERS VOTED "NO"

Application of R. J. COLLET for a variance to allow a Class III secondhand dealer for the sale of new and used jewelry (no more than 25% used) where such use is not permitted on property located at 1111 Las Vegas Boulevard South in Zoning District C-2.

CONDITIONS:

1. Conformance to the plot plan and elevations.
2. Conformance to the requirements of the Department of Business Activity.
3. Approval of a use permit for a Class III use.

STAFF RECOMMENDATION: DENIAL

PROTESTS: NONE

13. V-97-82

APPROVED
BUGBEE/UNANIMOUS

Application of MORTON R. AND ROSALIND F. GALANE for a variance to allow two existing guest houses with kitchen facilities where guest houses with kitchen facilities are not allowed on property located at 2019 Bannies Lane in Zoning District R-E.

CONDITIONS:

1. Conformance to the plot plan and elevations.
2. No rental of the two accessory dwelling units shall be permitted.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 1

14. V-98-82

APPROVED
BUGBEE/UNANIMOUS

Application of AMY G. LOPEZ for a variance to allow a senior citizens residential facility for twenty-three (23) persons where a previous variance allowed sixteen (16) persons; to allow one parking space where eleven (11) parking spaces are required; to allow an addition constructed for this proposed facility that will connect two existing dwelling units to the rear property line where twenty feet (20') is required; and to allow a wood lattice cover to be constructed to the north side property line where six feet, six inches (6'6") is required, on property located at 700 South 10th Street in Zoning District R-4.

CONDITIONS:

1. A minimum of three asphalt paved parking spaces shall be provided.
2. Conformance to the plot plan.

STAFF RECOMMENDATION: DENIAL

PROTESTS: NONE

15. V-99-82

APPROVED
GILES/UNANIMOUS

Application of HENRY A. SWAAB ON BEHALF OF WINIFRED WETHERELL for a variance to allow the sale of secondhand women's and girls' clothing and accessories where such use is not permitted on property located at 1900 East Charleston Boulevard in Zoning District C-1.

CONDITIONS:

1. Conformance to the plot plan and elevations.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: NONE

16. U-85-82

APPROVED
JUNIEL/UNANIMOUS

Application of STEVE HORTEN for a use permit to allow a Class III secondhand store for the sale of used women's clothing on property located at 600A South Maryland Parkway in Zoning District C-2.

CONDITIONS:

1. Conformance to the plot plan and elevations.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: NONE

CITY COMMISSION WILL SET A DATE FOR PUBLIC HEARING AT ITS 12-1-82 MEETING.

17. V-100-82

APPROVED
BUGBEE/UNANIMOUS

Application of CAROL SHERWOOD for a variance to allow a front yard setback of 15'6" where twenty feet (20') is required on property located at 1301 Eaton Drive in Zoning District R-1.

CONDITIONS:

1. Conformance to the plot plan and elevations.

STAFF RECOMMENDATION: DENIAL

PROTESTS: 1

18. V-35-82

Review of
Condition

APPROVED
BUGBEE/UNANIMOUS

Request of PRECISION AUTO SUPPLY for a review to delete condition #4 pertaining to dedication of 5' of right-of-way for Fremont Street on property located at 1715 East Fremont Street in Zoning District C-2.

CONDITIONS:

1. Conformance to all of the original conditions of approval except condition number four (4).

STAFF RECOMMENDATION: NO OBJECTION

PROTESTS: NONE

RECEIVED
NOV 20 1982
CITY OF DENVER

MINUTES

BOARD OF ZONING ADJUSTMENT MEETING

NOVEMBER 18, 1982

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

PRESENT: Chairman Helen Myers, Robert Bugbee, Robert Giles, and Bonnie Juniel.

EXCUSED: Jessie Emmett.

OATH OF OFFICE: Oath of Office was administered to Bonnie B. Juniel by Deputy City Clerk Sandra R. LeBoeuf.

ANNOUNCEMENT RE COMPLIANCE OF OPEN MEETING LAW: Mr. Foster 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 & Development. Mr. Foster read the standard conditions.

STAFF PRESENT: Harold P. Foster, Director, Community Planning & Development
Robert C. Clemmer, Acting Chief of Zoning
John Roethel, Deputy City Attorney
Sandra R. LeBoeuf, Deputy City Clerk

OLD BUSINESS:

1. V-60-81
(ABEYANCE ITEM FROM 10/28/82)
REVIEW
APPROVED.

Request of SIGEL & CO., LTD. for a review to allow a beauty shop in lieu of the approved Class II secondhand dealership (for the purchase and sale of used jewelry, gold, and silver) on property located at 4318 West Charleston Boulevard in Zoning District P-R.

Mr. Foster presented the plot plan. Staff recommended APPROVAL, subject to:

1. The building to be used for Beauty Shop purposes only. No other retail use shall be permitted.

There is one protest on file.

No one appeared for or against this application.

Mr. Bugbee made a motion for APPROVAL, subject to the staff's condition. Motion carried unanimously. (Emmett excused)

NEW BUSINESS:

1. U-81-82(HO)
APPROVED

Application of STEVE BUFFINGTON ON BEHALF OF PHYLLIS MOORE for a home occupation permit to allow the mail order of retail/wholesale jewelry on property located at 3930 Silver Dollar in Zoning District R-4.

Mr. Foster stated the application was in order and staff recommended APPROVAL, subject to:

1. The operation shall conform to the criteria for Home Occupation Permits.

Mr. Giles made a motion for APPROVAL, subject to staff's condition. (This Item was included with Items 2 and 4.) Motion carried unanimously. (Emmett excused)

2. U-86-82(HO)

APPROVED

Application of DAN RADKE for a home occupation permit to allow a typing service on property located at 212 Woodley Street in Zoning District R-1.

Mr. Foster stated the application was in order and staff recommended APPROVAL, subject to:

1. The operation shall conform to the criteria for Home Occupation Permits.

Mr. Giles made a motion for APPROVAL, subject to staff's condition. (This Item was included with Items 1 and 4.) Motion carried unanimously. (Emmett excused)

3. U-87-82(HO)

ABEYANCE

Application of GERALDINE BRUNELL AND SHIRLEY BROWNING for a home occupation permit to allow the making of purses on property located at 6936 Singing Dunes Lane in Zoning District R-1.

Mr. Foster stated that one of the ladies does not live on the site and intends to move in if this is approved and staff felt that this does not fit in with the criteria for a home occupation permit and therefore, recommended DENIAL.

The applicants were not present.

Mr. Giles made a motion to hold this Item in ABEYANCE. Motion carried unanimously. (Emmett excused)

4. U-89-82(HO)

APPROVED

Application of FRANEISZEK P. HOJNOWSKI for a home occupation permit to allow an advertising specialties operation on property located at 41 Madras Circle in Zoning District R-1.

Mr. Foster stated the application was in order and staff recommended APPROVAL, subject to:

1. The operation shall conform to the criteria for Home Occupation Permits.

Mr. Giles made a motion for APPROVAL, subject to staff's condition. (This Item was included with Items 1 and 2.) Motion carried unanimously. (Emmett excused)

5. U-75-82

APPROVED

Application of HOOPER INDUSTRIES, LTD., A NEVADA CORPORATION for a use permit to allow a Class III secondhand dealership for the buying and selling of new and used jewelry and precious metals on property located at 427-B Las Vegas Boulevard South in Zoning District C-2.

Mr. Foster presented the plot plan. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan.

There are no protests on file.

Steven Hooper appeared on behalf of the application.

No one appeared in opposition.

Mr. Bugbee made a motion for APPROVAL, subject to staff's condition. Motion carried unanimously. (Emmett excused) Date will be set for public hearing at the December 1, 1982 City Commission meeting.

6. V-94-82
WITHDRAWN

Application of BEN AND CORENE CASSELLE for a variance to allow a basic skills learning center for adults and a child care facility for approximately 36 during the day and a maximum of eight children from 7:00 to 9:00 P.M. where such uses are not permitted on property located at 4917 West Cannon Boulevard in Zoning District R-1.

Mr. Foster presented the plot plan. Staff could not find any justification for this variance and recommended DENIAL.

Ben Casselle requested that this application be withdrawn due to the objections of some of his neighbors.

7. U-80-82
APPROVED

Application of DAVID STRAWSER for a use permit to allow the renting of motorcycles and mopeds on property located at 1201 Las Vegas Boulevard South in Zoning District C-2.

Mr. Foster presented the plot plan. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations.
2. All repair work and maintenance shall be done within an enclosed building.
3. No repair work shall be done after 6:00 P.M.

There are no protests on file.

David Strawser appeared on behalf of the application.

Mr. Bugbee made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Emmett excused)

8. V-95-82
APPROVED

Application of FRANKLIN AND JACQUELINE HAMITER for a variance to allow a carport to the side property line where six feet (6') is required and eight feet (8') from the rear property line where fifteen feet (15') is required on property located at 208 Colleen Drive in Zoning District R-1.

Mr. Foster presented the plot plan. Staff could not find any unusual circumstances to justify a variance and recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan and elevations.

There are no protests on file.

Jacqueline Hamiter appeared on behalf of the application. She presented the Board with a letter from her neighbors Bill and Thelma Gheen, 204 Colleen Drive, indicating that she could have access through their driveway.

John Roethel stated that this matter should be considered on the merits of whether she made a proper showing for a variance with regard to her property. He stated that if the Board decided to grant the variance, the applicant should realize that the City is not going to enforce her access to that carport if the neighbors were to revoke their agreement with her.

Jacqueline Hamiter stated that she understood that the City would not come to her aid in regard to the agreement she had with the neighbors.

8. V-95-82

(Continued)

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, subject to staff's condition. Motion carried unanimously. (Emmett excused)

9. V-96-82

APPROVED

Application of JAMES AND KATHY VILLANI for a variance to allow an existing patio cover three feet (3') from the rear property line where fifteen feet (15') is required on property located at 1840 Runningbear Drive in Zoning District R-1.

Mr. Foster presented the plot plan. Staff could not find any justification for a variance and recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan and elevations.

There are no protests on file.

Frank Villani appeared on behalf of the applicant. He stated that while they were building an addition on to the property that they would go ahead and put a patio cover on. He said that they were unaware at the time that they needed a variance to do this.

No one appeared in opposition.

Mr. Bugbee made a motion for APPROVAL, subject to staff's condition. Motion carried unanimously. (Emmett excused)

10. U-82-82

APPROVED

Application of WILLIAM J. AND MARY HELEN CALVERT for a use permit to allow a preschool for a maximum of twelve (12) children on property located at 7712 Macaw Lane in Zoning District R-1.

Mr. Foster presented the plot plan. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations.
2. Conformance to the requirements of the Department of Fire Services.
3. The hours to remain from 9:00 A.M. to 11:30 A.M.

There are two protests on file.

Mary Helen Calvert appeared on behalf of the application.

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Emmett excused)

11. U-83-82

APPROVED

Applicaton of JOSEPH M. AND LINDA J. McDONOUGH for a use permit to allow a preschool for a maximum of twelve (12) children on property located at 7705 Aplin Avenue in Zoning District R-1.

Mr. Foster presented the plot plan. Staff recommended APPROVAL, subject to:

11. U-83-82

(Continued)

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

There are three protests on file.

Joseph McDonough appeared on behalf of the application. He stated the hours would be from 8:00 A.M. to Noon.

No one appeared in opposition.

Mr. Bugbee made a motion for APPROVAL, subject to staff's conditions and the hours to be from 8:00 A.M. to Noon. Motion carried unanimously. (Emmett excused)

12. V-102-82

APPROVED

Application of R. J. COLLET for a variance to allow a Class III secondhand dealer for the sale of new and used jewelry (no more than 25% used) where such use is not permitted on property located at 1111 Las Vegas Boulevard South in Zoning District C-2.

Mr. Foster presented the plot plan. Staff could not find any unusual circumstances to justify this variance and recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan and elevations.
2. Approval of the use permit for Class III use.

There are no protests on file.

John Roethel stated that a very strong case for a variance would have to be made out in order to show that there was something about this specific property involved that would justify the variance.

The applicant was present.

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, subject to staff's conditions with the understanding that the applicant apply for a use permit. Motion carried 3 - 1 with Myers voting "no". (Emmett excused)

13. V-97-82

APPROVED

Application of MORTON R. AND ROSALIND F. GALANE for a variance to allow two existing guest houses with kitchen facilities where guest houses with kitchen facilities are not allowed on property located at 2019 Bannies Lane in Zoning District R-E.

Mr. Foster presented the plot plan. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations.
2. Rental of these two dwelling units not be allowed.

There is one protest on file.

Mr. Foster stated that there is a petition with 12 names in favor of the application.

13. V-97-82

(Continued)

Mr. and Galane appeared on behalf of the application.

Mr. O'Toole appeared on behalf of the application.

No one appeared in opposition.

Mr. Bugbee made a motion for APPROVAL, subject to the staff's conditions. Motion carried unanimously. (Emmett excused)

14. V-98-82

APPROVED

Application of AMY G. LOPEZ for a variance to allow a senior citizens residential facility for twenty-three (23) persons where a previous variance allowed sixteen (16) persons; to allow one parking space where eleven (11) parking spaces are required; to allow an addition constructed for this proposed facility that will connect two existing dwelling units to the rear property line where twenty feet (20') is required; and to allow a wood lattice cover to be constructed to the north side property line where six feet, six inches (6'6") is required, on property located at 700 South 10th Street in Zoning District R-4.

Mr. Foster presented the plot plan. Staff had no particular objection to the use, but were concerned about the amount of parking and on that basis recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan and elevations.

Joe Connor appeared on behalf of the applicant. He stated that none of the senior citizens had cars.

No one appeared in opposition.

Mr. Bugbee made a motion for APPROVAL with the stipulation that the south side of the lot facing 10th Street be turned into a parking area for a minimum of two cars, which would bring the total parking spaces to three, and that the spaces be paved. Motion carried unanimously. (Emmett excused)

15. V-99-82

APPROVED

Application of HENRY A. SWAAB ON BEHALF OF WINIFRED WETHERELL for a variance to allow the sale of secondhand women's and girls' clothing and accessories where such use is not permitted on property located at 1900 East Charleston Boulevard in Zoning District C-1.

Mr. Foster presented the plot plan. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations.

There are no protests on record.

Winifred Wetherell appeared on behalf of the application.

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, subject to staff's condition. Motion carried unanimously. (Emmett excused)

16. U-85-82

APPROVED

Application of STEVE HORTEN for a use permit to allow a Class III secondhand store for the sale of used women's clothing on property located at 600A South Maryland Parkway in Zoning District C-2.

16. U-85-82

(Continued)

Mr. Foster presented the plot plan. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations.

There are no protests on record.

Ms. Warren appeared on behalf of the applicant.

No one appeared in opposition.

Mrs. Juniel made a motion for APPROVAL. Motion carried unanimously. (Emmett excused) Date for public hearing will be set at the December 1, 1982 City Commission meeting.

17. V-100-82

APPROVED

Application of CAROL SHERWOOD for a variance to allow a front yard setback of 15'6" where twenty (20') is required on property located at 1301 Eaton Drive in Zoning District R-1.

Mr. Foster presented the plot plan. This is a regular shaped lot and there is no basis for a variance and for that reason, staff recommended DENIAL.

There is one protest on file.

Edward Sherwood appeared on behalf of the application.

No one appeared in opposition.

Mr. Bugbee made a motion for APPROVAL. Motion carried unanimously. (Emmett excused)

18. V-35-82

REVIEW OF
CONDITION

APPROVED

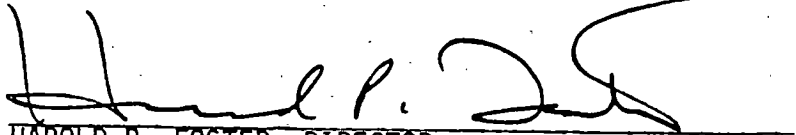
Request of PRECISION AUTO SUPPLY for a review to delete condition #4 pertaining to dedication of 5' of right-of-way for Fremont Street on property located at 1715 East Fremont Street in Zoning District C-2.

Mr. Foster presented the plot plan. Staff had no objections to delete this condition.

Mr. Bugbee made a motion for APPROVAL. Motion carried unanimously. (Emmett excused)

THE MEETING WAS ADJOURNED AT 8:30 P.M.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT


HAROLD P. FOSTER, DIRECTOR

/s/

INTER-OFFICE MEMORANDUM

November 16, 1982

TO:

HAROLD P. FOSTER, DIRECTOR

FROM:

ROBERT C. CLEMMER, ACTING CHIEF
ZONING DIVISION

SUBJECT:

B.Z.A. MEETING OF NOVEMBER 18, 1982

COPIES TO:

✓ sandy

OLD BUSINESS:

1. V-60-81

This item was held in abeyance from the October 28th meeting at staff's recommendation to notify the property owners of the change.

Originally, a rezoning application was made for C-1 which was rejected in favor of the Variance approach even though next door C-1 was granted for a Tile Sales operation which was restricted from having storage except samples due probably to the wholesale implications with building material sales operations which is not permitted in the C-1 Zone. This was done to control the types of C-1 uses permitted, i.e. bars, arcades, restaurants would not be as compatible as either of these uses.

This Variance was granted for the buying and selling of used jewelry, gold and silver, which during peak periods is more active than normal retailers, however, the reason was to restrict retail business. This proposed use is a service use; i.e. Beauty Shop. This is a change from a potentially high activity retail use to a service use with appointment controlled activity which is a betterment.

Staff recommends APPROVAL subject to:

1. The building to be used for Beauty Shop purposes only, ✓
no other retail use shall be permitted.

PROTESTS: 1.

This is a Public Hearing. Set for B.Z.A. Final Action.

NEW BUSINESS:

1. U-81-82 (HO)

In this case of Retail/Wholesale Jewelry, the questionnaire has been checked-off that no goods would be coming to the home, but in the letter they indicated that they could be receiving, packaging and distributing these goods. We don't even allow wholesale storage in commercial areas and don't want shipping to residential areas. They indicate that they would comply with recommendations of the Board. M. O. has to be changed.

They submitted a letter November 17, 1982 changing the request to doing bookkeeping in the home for this business only. They have obtained a site for wholesale storage.

Staff recommends APPROVAL subject to:

1. All operations shall conform to the criteria for Home Occupation Permits.

PROTESTS: N/A
This is not a Public Hearing. Set for B.Z.A. Final Action.

2. U-86-82 (HO)

This is a typical home occupation of typing in the home and the work will be picked-up and delivered from printers. The questionnaire has been answered properly.

Staff recommends approval subject to:

1. All operations shall conform to the criteria for Home Occupation Permits.

PROTESTS: N/A
This is not a Public Hearing. Set for B.Z.A. Final Action.

3. U-87-82 (HO)

This proposal of making purses in the home for sale at Swap Meets or on consignment in shops is typical and the questionnaire has been answered favorably. However, Doc indicated that one of the ladies involved does not currently live at this home but intends to move in, if necessary.

A Public Hearing is required for employers and persons outside the immediate family are not permitted otherwise.

Staff does not feel that this would be appropriate even if she moved in as "family" is defined as people customarily living together and this would be an artificially induced situation at this point in time. Further, the Code allows this process for "persons within the confines of his own home and solely by members of the family residing therein." On the other hand, if this lady currently lived there, we would recognize her as part of the family, so the line is fine.

U-87-82(HO) continued

Staff recommends DENIAL. If approved subject to:

1. All operations shall conform to the criteria for Home Occupation Permits.
2. The applicant shall apply for a Home Occupation Permit approval through the Public Hearing process if anyone becomes engaged in the purse making process outside the immediate family.

PROTESTS: N/A

This is not a Public Hearing. Set for B.Z.A. Final Action.

4. U-89-82(HO)

This involves the brokering of sundry advertising items such as matches, pens, ash trays, etc.. The questionnaire has been answered favorably.

Staff recommends APPROVAL subject to:

1. All operations shall conform to the criteria for Home Occupation Permits.

PROTESTS: N/A

This is not a Public Hearing. Set for B.Z.A. Final Action.

5. U-75-82

This proposed Class III use is for jewelry and precious metals in a shopping area on Las Vegas Blvd., but the Code only restricts them south of Charleston Boulevard.

Staff recommends APPROVAL subject to:

1. Conformance to the Plot Plan. ✓

PROTESTS: 0

This is a Public Hearing. Set for C.C. 12/1/82 to set for 12/15/82.

6. V-94-82

This applicant was involved in the denied case on Beevie Drive. This is also a low density residential area with a commercial child care facility and there is no stated maximum number of adults to be taught in the school element of this request. This is definitely a use which should not be allowed in a residential district. There will be traffic and parking needs exceeding the capability of the site according to the plan reflecting only two spaces independently usable unless it is redesigned. The building is approximately 2,000 sq. ft. Appropriate parking for this type of facility would be one space per two faculty and one space per five students plus.

V-94-82 (continued)

There should be one space for two teachers or preschool child care people with good drop-off facilities for the children.

Access to Washington is not restricted, but it is currently provided that an access not be allowed through the subdivision process so it would be imprudent to advocate additional spaces in the rear yard area from Washington.

Therefore, by redesigning the front with a central drive four spaces could be provided with room for landscaping. The carport approved by V-80-82 could not be constructed. This presupposes a maximum of ten adult students requiring two spaces and one instructor requiring one-half space, plus the preschool where licensing acquires three instructors or employees requiring one and one-half spaces for a total of four spaces. With normal schools that would be proper, but variety instruction with various hours might generate one car per student. This approach dovetails with four spaces required for 2,000 sq. ft. of floor area for unscheduled use. Rick Romer indicated that there would be one drop-off and pick-up per child 72 T.P.D., 16 T.P.D. for the instructor plus the adult education of 20 would be 100 T.P.D., whereas, the residential use generates 10 T.P.D. or in other words, this use will have 10 times the traffic generation of the residence.

Staff recommends DENIAL. If approved subject to:

1. Conformance to the plot plan amended to provide four off-street parking spaces in the front yard area with removal of obstructions necessary.
2. The maximum number of adults instructed shall not exceed ten and only between the hours of 8 A.M. and 5 P.M..
3. The maximum number of children shall not exceed thirty-six with a maximum of eight between 7 P.M. and 9 P.M..
4. Conformance to the requirements of the Department of Fire Services.
5. V-80-82 hereby expunged.

PROTESTS: 9

This is a Public Hearing. Set for B.Z.A. Final Action.

7. U-80-82

There was a Use Permit in 1974 (U-55-74) to allow this operation in the block north at 1143 Las Vegas Blvd. South. This is a proposed relocation to a site previously used for boat sales and repairs. We have approved a license to allow up to five motorcycles being rented on the proposed site which is permitted. There is commercial zoning all around this site. The nearest residential is 200' east. The West Charleston sales lot was eventually allowed display and storage so this is the typical type that would be allowed without screening per the new ordinance in our opinion.

Staff would recommend APPROVAL subject to:

1. Conformance to the plot plan and elevations. ✓
2. All repair work and maintenance shall be done within an enclosed building. ✓
3. No repair work shall be done after 6:00 P.M.. ✓

PROTESTS: 0

This is a Public Hearing. Set for B.Z.A. Final Action.

8. V-95-82

This lot is slightly irregular having 11% less frontage than other lots in the tract, however, at the set back line there is a 60' width where most other lots in the tract have 61' of frontage and in the rear there is 76'.

Staff feels there is no justification to allow the 200 sq. ft. carport to the side property line and to within 8' of the rear property line. Some minor preliminary work started.

Staff recommends DENIAL. If approved subject to:

1. Conformance to the plot plan and elevations. ✓

PROTESTS: 0

This is a Public Hearing. Set for B.Z.A. Final Action.

9. V-96-82

This is a regular shaped lot. The patio cover exists. Staff does not feel there is justification for a Variance, but there is already a substantial investment. The lot backs up to Torrey Pines Blvd.. (80')

Staff recommends DENIAL. If approved subject to:

1. Conformance to the plot plan and elevations. ✓

PROTESTS: 0

This is a Public Hearing. Set for B.Z.A. Final Action.

10. U-82-82

This use is appropriately provided for by means of a Use Permit in an R-1 Zone. Staff is aware that there could be local problems with 12 children and adjacent day sleepers so this is a subjective matter for the Board to decide whether it would be more disruptive to the neighborhood than an asset.

Staff recommends APPROVAL subject to:

- 1. Conformance to the plot plan and elevations. ✓
- 2. Conformance to the requirements of the Department of Fire Services. ✓

PROTESTS: 2

(3) 9-11:30 A.M. ✓

This is a Public Hearing. Set for B.Z.A. Final Action.

11. U-83-82

This use is identical to the above case.

Staff recommends APPROVAL subject to:

- 1. Conformance to the plot plan and elevations. ✓
- 2. Conformance to the requirements of the Department of Fire Services. ✓

PROTESTS: 3

This is a Public Hearing. Set for B.Z.A. Final Action.

12. V-102-82

This would ordinarily be a Use Permit, but the Code restricts Class III uses from Las Vegas Blvd. between Charleston Blvd. and Sahara Avenue. This was a License Dept. carryover to the Zoning Code. Staff has ambivalent feelings, however, since the Code restricts and there is no basis for a Variance, we recommend DENIAL.

*of 2nd ~
removal circumstances*

License Department indicates that regardless of the outcome of this action, they cannot accept or process a business license application rendering this action fruitless, even if approved. Opinion 17 of March, 1975 Ahlstrom, our attorney reviewing this matter with License Attorney.

If approved subject to:

- 1. Conformance to the plot plan and elevations. ✓
- 2. Conformance to the requirements of the Department of Business Activity. ✓

PROTESTS: 0

This is a Public Hearing. Set for C.C. 12/1/82 set for hearing C.C. 12/15/82 hearing.

3. (9 ✓ 6 ✓) 2 11 8 ✓

13. V-97-82

The applicant indicated that these "Guest Houses" with kitchens existed prior to his purchase in 1970 and that one is used by his son who works nights and the other by visiting guests occasionally. Staff would not ordinarily support additional dwelling units due to rental implications and density considerations. In the Petersen compound on Alta additional servant's quarters were allowed with kitchens and staff supported that as the site could contain five main buildings and it was strongly felt that they would not be used for rentals. (V-41-73)

In that the applicant has 60,000 sq. ft., the density question is assimilated to Petersens and in addition these units exist and have not been misused.

Staff recommends APPROVAL subject to:

- 1. Conformance to the plot plan and elevations. ✓

PROTESTS: 1

This is a Public Hearing. Set for B.Z.A. Final Action.

②
accessory dwelling units
to be used

14. V-98-82

Basically, we supported the use and raise from 8 to ten (V-58-72) and were somewhat noncommittal on the raise to 16 people (V-27-79) ✓

The General Plan recognizes the probability of having 2.8 persons per unit and this site is sufficient for 8 units yielding 22.4 (23) persons which is the requested occupancy but of course, there are support people for these Senior Citizens. The area is transitioning to offices and is shown in the General Plan as Urban Density, but R-4 is maximum density recommended.

In that it was stipulated in past cases that off-street parking was not needed by Senior Citizens, the then 2 existing spaces were okayed. However, this is further reducing the parking to one space. Staff feels the current level of parking should be retained, i.e. 2 off-street spaces for staff and visitations. This would reduce the proposed construction or require 2 spaces in front. We currently have occupancy to the alley so that the central connection is no problem.

Staff would tend to recommend DENIAL since they are increasing the number of persons by 50% they should increase the parking to 3 spaces and they are just over a prudent density level.

Staff recommends DENIAL. If approved subject to:

- 1. Conformance to the plot plan and elevations. ✓
- 2. Provision of 3 off-street parking spaces. ✓

PROTESTS: 0

This is a Public Hearing. Set for B.Z.A. Final Action.

15. V-99-82

This Variance has a very minor application. In Class III there are two standards, one is that there may be all secondhand merchandise of a single kind, in this case womens' clothing and the other is 75% new and 25% used. This applicant wishes to also buy end of line designer clothes considered new and have costume jewelry which is clothing related, but according to license and this department's consensus opinion is not quite exactly related and then this will be too few new items.

Staff feels that this will not have any adverse affect in the area. City Commission must consider.

Staff recommends APPROVAL subject to:

- 1. Conformance to the plot plan and elevations. ✓

PROTESTS: 0

This is a Public Hearing. Set for 12/1/82 C.C. set date 12/15/82 hearing.

16. U-85-82

This is a single kind, i.e. clothing with no new items. She offered that it could be limited to maternity items, but staff allowed that would be unnecessarily self-restrictive.

Staff recommends APPROVAL subject to:

- 1. Conformance to the plot plan and elevations. ✓

PROTESTS: 0

This is a Public Hearing. Set for 12/1/82 C.C. set date 12/15/82 C.C. hearing.

17. V-100-82

This is a regular lot. There is no basis for a Variance.

Staff recommends DENIAL. If approved subject to:
1. Conformance to the plot plan and elevations.

PROTESTS: 1

This is a Public Hearing. Set for B.Z.A. Final Action.

18. V-35-82

This was a Variance to allow occupation of existing buildings designed for auto repair to be used for same and a machine shop which as a condition of the VArance Public Services requested dedication. This would have had more of a connection if it had been new construction. The applicant held a lease and could not get the owner, in Utah, to agree to the dedication.

Initially, Public Services recommended that the right-of-way be dedicated.

Handwritten signature: Greg L. ...

V-35-82 (continued)

Staff tends to recommend DENIAL of the change.

If approved subject to:

1. Conformance to all of the remaining original conditions of approval except Condition #4.

PROTESTS: N/A

This is not a Public Hearing. Set for B.Z.A. Final Action.

RCC:hb

NAME

ADDR

11-18-82

Ann & John V-75-82 appl

428 506th

Barry Enslin V-94-82 appl

4917 W Cannon

David Strasser V-82-82 appl

2915 V @ Camino Rd.

Lucretia Hamilton V-95-82 appl

208 Collier Dr.

Walter Helen Cabell V-82-82 appl

1712 Macaw Lane

D. Turner V-98-82 appl

1600 BECKE

Winifred Ketchell V-99-82 appl

5950 HAUGHT ST.

Babe Wane V-85-82 appl

1115 MELVILLE DR.

Ed. Sherwood V-100-82 appl

1301 Eaton Dr.

James R. Bell V-35-82

1236 58th St

NAME

ADDR

11-18-82

FRANK CARBY VIVANI ^{V. 96-82}
_{applied}

1840 RUNNING BEAR DR

EM O' TOOLE ^{V. 97-82}
_{~~82-82~~ appl}

3040 KISHNER #101

AGENDA

B+C

City of Las Vegas

0086
November 3, 1982
Page 20

BOARD OF CITY COMMISSIONERS
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

ITEM

Commission Action

Department Action

VII. BOARDS AND COMMISSIONS

A. BOARD OF ZONING ADJUSTMENT
Term expires 10/6/83

1. Appointment of one member to the Board of Zoning Adjustment as a result of the vacancy created by the resignation of Frank Canul.

Pearson -
Motion to concur in Mayor's appointment of Bonnie B. Juniel, 2116 Goldhill Way, Las Vegas 89106 to fill term expiring 10/6/83 was unanimously approved.

Clerk to notify

APPROVED AGENDA ITEM

Ashley et al.

INTER-OFFICE MEMORANDUM

NOVEMBER 3, 1982 0087

TO:
 MAYOR WILLIAM H. BRIARE
 COMMISSIONER RON LURIE
 COMMISSIONER PAUL CHRISTENSEN
 COMMISSIONER AL LEVY

FROM:
 COMMISSIONER WILLIAM U. PEARSON
W. U. P.

SUBJECT:
 RECOMMENDATION FOR APPOINTMENT TO
 BOARD OF ZONING ADJUSTMENT

COPIES TO:
 CAROL A. HAWLEY
h

I would like to recommend Mrs. Bonnie B. Juniel, 2116 Goldhill Way, Las Vegas 89106 (648-4871), be considered for appointment to the Board of Zoning Adjustment.

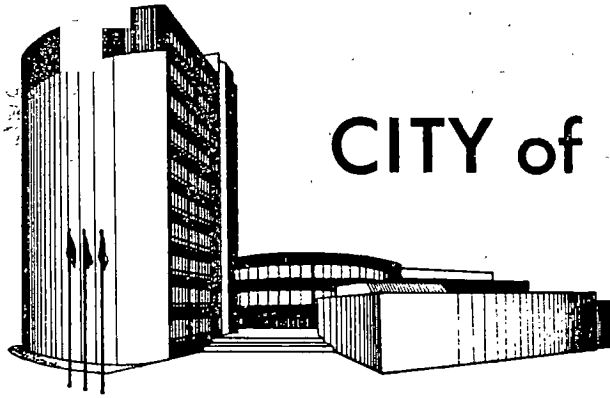
Your consideration of Mrs. Juniel would be appreciated.

MAYOR BILL BRIARE

COMMISSIONERS
RON LURIE
PAUL J. CHRISTENSEN
AL LEVY
WILLIAM U. PEARSON

CITY ATTORNEY
GEORGE F. OGILVIE

CITY MANAGER
RUSSELL W. DORN



CITY of LAS VEGAS

November 17, 1982

Ms. Bonnie Juniel
2116 Goldhill Way
Las Vegas, Nevada 89106

Dear Ms. Juniel:

I am delighted to officially appoint you a member of the Board of Zoning Adjustment, for a term of office expiring October 6, 1983.

I am sure you will do an excellent job. Enclosed, you will find your Certificate of Appointment. The City Clerk will administer your Oath of Office if you call her and set up an appointment.

Sincerely,

A handwritten signature in cursive script that reads "Bill Briare". The signature is fluid and stylized, with a large initial "B".

William H. Briare
Mayor of Las Vegas

WHB:bas

cc: City Clerk

Enc. (1)



CITY OF LAS VEGAS

Certificate of Appointment

This is to certify that

BONNIE B. JUNIEL

was appointed a member of

BOARD OF ZONING ADJUSTMENT

With the concurrence of the Las Vegas Board of City Commissioners

Effective: NOVEMBER 3, 1982



William H. Briare
Mayor

Commissioners:

Ron Lurie
Paul J. Christensen
Al Levy
William U. Pearson

