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A G E N D A

BOARD OF ZONING ADJUSTMENT MEETING

APRIL 26, 1984

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

ROLL CALL:

ANNOUNCEMENT: Satisfaction of the Open Meeting Law and reading of the Standard Conditions and requirements for filing an Appeal.

All actions by the Board of Zoning Adjustment are final, (except items requiring a decision by the City Council), unless an appeal in writing, is filed with the City Clerk within eleven days or a review is requested by the City Council within fourteen days from the date notice is sent to the applicant (usually the Monday following the Board's meeting).

MINUTES: Approval of the Minutes for the March 22, 1984 Board of Zoning Adjustment Meeting.

OLD BUSINESS:

1. V-4-84 Application of ALLEN PAVELL for a Variance to allow commercial storage units and a manager's apartment where such uses are not permitted on property generally located on the west side of Decatur Boulevard, 300' south of Lake Mead Boulevard in Zoning District N-U (Non-Urban).
(Abeyance from 3/22/84)

NEW BUSINESS:

1. U-18-84(HO) Application of CRAIG A. WRIGHT for a home occupation permit to operate a fire safety equipment business on property located at 2532 Lakeside Drive in Zoning District R-1 (Single Family Residence).
2. U-19-84(HO) Application of ANTOON SAWAYA for a home occupation permit to allow a tailor business on property located at 2013 Elm Avenue in Zoning District R-1 (Single Family Residence).
3. U-22-84(HO) Application of PATRICK R. AND VICKIE C. HAYDEN for a Home Occupation Use Permit to teach swimming on property located at 3926 Helen Avenue in Zoning District R-E (Residence Estates).
4. U-25-84(HO) Application of NEVADA SAVINGS AND LOAN ASSOCIATION ON BEHALF OF WILLIAM HARRISON SMITH for a home occupation permit to conduct a mail order business involving mailing lists of names on property located at 4077 Silver Dollar Avenue #4 in Zoning District R-4 (Apartment Residence).

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5. V-36-84

Application of JOHN A. GREENMAN, ET AL for a Variance to allow five (5) parking spaces where nine (9) spaces are required for the office use approved on this property located at 601 South 9th Street in Zoning District R-1 (Single Family Residence).

6. V-38-84

Application of FLOYD AND JOSEPHINE ADCOCK for a Variance to allow an addition three feet (3') from the side property line where five feet (5') is required and the eaves one foot (1') from the side property line where three feet (3') is required on property located at 1601 Ardmore Street in Zoning District R-1 (Single Family Residence).

7. V-39-84

Application of JAYME L. THURLING, ET AL for a Variance to allow the following deviations on property located at 4228 Tuffer Lane in Zoning District R-E (Residence Estates):

1. An amendment to the approved variance application (V-1-80) to allow 3 horses where such use was not permitted.
2. A corral to the side property line where a 25' setback is required and to the front property line where a 100' setback is required.
3. A stable located 60' from the front property line where a 100' setback is required.
4. The corral and stable located 25' from any residence where 50' is required.
5. Corral fences to be 6' high in the front yard area where the maximum height allowed is 4'.

8. V-40-84

Application of DAVID STRAWSER for a Variance to allow the wholesale storage and sale of machine and hand tools where only retail storage is permitted on property located at 1201 Las Vegas Boulevard South in Zoning District C-2 (General Commercial).

9. V-41-84

Application of OWEN AND ISABELLA MAHONEY for a Variance to allow music lessons and group recitals on property located at 1718 West Bonanza Road in Zoning District R-E (Residence Estates).

10. V-42-84

Application of CLARENCE H. HATLER for a Variance to allow a duplex structure where only a single family dwelling is permitted on property located at 2400 Willoughby Avenue in Zoning District R-1 (Single Family Residence).

11. V-43-84

Application of JOHN E. KENNEY, JR. for a Variance to allow a commercial self-storage facility on property generally located on the east side of Pecos Road between Bonanza Road and Diamond Head Drive in Zoning District C-1 (Limited Commercial).

12. V-44-84 Application of SAMUEL M. DAVIS for a Variance to allow a garage to be converted into an apartment with no rear yard setback where a 25' setback is required on property located at 504 North 9th Street in Zoning District R-2 (Two Family Residence).
13. V-45-84 Application of JOHN RIBEIRO for a Variance to allow two (2) free-standing signs, one thirty square feet (30') and one twenty-five square feet (25') where fifteen square feet (15') is the maximum size permitted on properties located at 2810 and 2820 West Charleston Boulevard in Zoning District C-D (Designed Commercial).
14. V-46-84 Application of GEORGE W. WARA, ET AL for a Variance to allow an automotive repair garage where not permitted on property located on the north side of Charleston Boulevard between Jones Boulevard and Monticello Drive in Zoning District C-2 (General Commercial).
15. V-47-84 Application of CAROLYN A. FREEMAN for a Variance to allow a six foot (6') high wrought iron fence in the front yard area where four feet (4') is the maximum height permitted on property located at 1321 South 7th Street in Zoning District R-1 (Single Family Residence).
16. V-48-84 Application of DOLORESA M. RENKIEWICZ for a Variance to allow offices where such use is not permitted and to provide only four (4) parking spaces where six (6) spaces are required on property located at 614 North 10th Street in Zoning District R-3 (Limited Multiple Residence).
17. V-49-84 Application of CLARK COUNTY CREDIT UNION, ET AL for a Variance to allow the sale of 60 used cars for one day only on May 19, 1984 on property located at 3100 West Sahara Avenue in Zoning District C-1 (Limited Commercial).
18. V-50-84 Application of JAE K. AND SHIN S. WEE for a Variance to allow a dental lab in an R-2 Zone (proposed P-R zoning) where such use is not permitted on property located at 1217/1219 San Pedro Drive in Zoning District R-2 (Two Family Residence) (proposed P-R - Professional Offices and Parking).
19. U-15-84 Application of CORDELL W. PYNE ON BEHALF OF JESUS UNLIMITED, A NON-PROFIT ORGANIZATION for a Use Permit to allow a foster care home for twelve (12) boys on property located at 1920 Sutro Lane in Zoning District R-E (Residence Estates).

20. U-17-84 Application of CHERYL LETTERIELLO for a Variance to allow a family child care home for five (5) children on property located at 1316 Wintergreen Drive in Zoning District R-CL (Single Family Compact Lot).
21. U-20-84 Application of JACK K. AND DOROTHY M. LEAVITT for a Use Permit for a Class III Secondhand Dealership to buy and sell new and used jewelry and precious metals on property located at 440 East Sahara Avenue in Zoning District C-1 (Limited Commercial).
22. U-21-84 Application of LEE CANYON SKI LIFTS, INC. for a Use Permit to sell and rent recreational vehicles on property located at 2395 North Rancho Road in Zoning District C-2 (General Commercial).
23. U-23-84 Application of ALBERT AND DARLINE VINSON for a Use Permit to allow a used car sales lot on property located at 1911 West Bonanza Road in Zoning District C-2 (General Commercial).
24. U-24-84 Application of JOSEPH T. MCCARTHY ON BEHALF OF THE STAR HOUSE, INC., A NON-PROFIT ORGANIZATION for a Use Permit to allow an alcoholic recovery home for six (6) non-related residents on property located at 1915 East Mesquite Avenue in Zoning District R-1 (Single Family Residence).
25. V-70-81 Request of KAREN ROBINSON ON BEHALF OF YOUTH MANOR to increase the number of youths from ten (10) to twenty (20) on the approved variance which allowed a group home for adolescents (ages 12 to 17) with outside recreational use where such outside use was not permitted on property located at 2607 West Charleston Boulevard in Zoning District C-D (Designed Commercial).
26. V-90-83 Request of ALDINE WEEMS for an Extension of Time on property generally located on the north side of Owens Avenue between "D" Street and "F" Street in Zoning District C-1 (Limited Commercial).
EXTENSION
OF TIME
27. U-45-74 Request of TRUE LOVE BAPTIST CHURCH for a Review of Condition and Plot Plan Review on property located at 1941 North "H" Street in Zoning District R-4 (Apartment Residence).
REVIEW OF
CONDITION
AND PLOT
PLAN REVIEW

SUPPLEMENTAL AGENDA

BOARD OF ZONING ADJUSTMENT MEETING

APRIL 26, 1984

1. U-26-84(HO) Application of LEON HAEUPTLE ON BEHALF OF ANA G. PASTOR for a Home Occupation Use Permit to operate a mail order business on property located at 1303 Exley Avenue in Zoning District R-2 (Two-Family Residence). *Handwritten: 1303 Exley Ave, 1303*
2. U-27-84(HO) Application of JUDITH G. NEWKIRK for a Home Occupation Use Permit to allow the making of photo albums, picture frames and sachets on property located at 1804 Demetrius Avenue in Zoning District R-1 (Single-Family Residence). *Handwritten: 1804 Demetrius Ave, 1804*
3. U-28-84(HO) Application of RENE C. MERRITT for a Home Occupation Use Permit to operate a wholesale import business on property located at 112 Firestone Drive in Zoning District R-CL (Single-Family Compact-Lot).
4. U-29-84(H)) Application of CHERYL J. BOYD for a Home Occupation Use Permit to take orders and make business calls for a retail and promotional packaging business on property located at 4720 Shoen Avenue in Zoning District R-1 (Single-Family Residence).

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CITY CLERK

4-26-81

Monty E Brandt 2727 Ashby Ave V-70-81 Pro
LEO BURNS 1124 STROUD DR - V-70-81 Pro
Rev. J.W. Wilson 1941 N. H. St V-45-74 ap

ANNOTATED AGENDA
BOARD OF ZONING ADJUSTMENT
APRIL 26, 1984

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

ROLL CALL: PRESENT: Chairman Robert Bugbee, Robert Giles, Jessie Emmett, Bonnie Juniel
EXCUSED: Helen Myers

ANNOUNCEMENT: Satisfaction of the Open Meeting Law and reading of the Standard Conditions and requirements for filing an Appeal.

All actions by the Board of Zoning Adjustment are final, (except items requiring a decision by the City Council), unless an appeal in writing, is filed with the City Clerk within eleven days or a review is requested by the City Council within fourteen days from the date notice is sent to the applicant, (usually the Monday following the Board's meeting).

OLD BUSINESS:

1. V-4-84 Application of ALLEN PAVELL for a variance to allow
 Abeyance from commercial storage units and a manager's apartment
 3/22/84 where such uses are not permitted on property generally
 located on the west side of Decatur Boulevard, 300
 feet south of Lake Mead Boulevard in Zoning District
 N-U.

APPROVED
JUNIEL/UNANIMOUS

CONDITIONS:

1. Conformance to the conditions of approval of Z-2-84.
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, license or prior to occupancy.
4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. Satisfaction of City Code requirements and design standards of all City departments.
6. Approval of the parking and driveway plans by the Traffic Engineer.
7. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services.
8. Provision of fire hydrants and water flow as required by the Department of Fire Services.

STAFF RECOMMENDATION: APPROVAL
PROTESTS: 0

NEW BUSINESS:

1. U-18-84(HO)

APPROVED
GILES/UNANIMOUS

Application of CRAIG A. WRIGHT for a home occupation permit to operate a fire safety equipment business on property located at 2532 Lakeside Drive in Zoning District R-1 (Single Family Residence).

CONDITION:

1. All operations shall conform to the criteria for a home occupation permit.

STAFF RECOMMENDATION: APPROVAL

2. U-19-84(HO)

APPROVED
GILES/UNANIMOUS

Application of ANTOON SAWAYA for a home occupation permit to allow a tailor business on property located at 2013 Elm Avenue in Zoning District R-1 (Single Family Residence).

CONDITION:

1. All operations shall conform to the criteria for a home occupation permit.

STAFF RECOMMENDATION: APPROVAL

3. U-22-84(HO)

APPROVED
GILES/UNANIMOUS

Application of PATRICK R. AND VICKIE C. HAYDEN for a Home Occupation Use Permit to teach swimming on property located at 3926 Helen Avenue in Zoning District R-E (Residence Estates).

CONDITIONS:

1. This operation shall be limited to a maximum of six students.
2. The operation shall be limited to the hours of 9:00 A.M. to 3:00 P.M., Monday through Friday from the middle of June through the first week of August only.
3. The operation shall conform to all other criteria for home occupations.
4. Review in six months with the right to rescind approval if the use has created any neighborhood problems.

STAFF RECOMMENDATION: DENIAL

PROTESTS: 0

4. U-25-84(HO)

APPROVED
GILES/UNANIMOUS

Application of NEVADA SAVINGS AND LOAN ASSOCIATION ON BEHALF OF WILLIAM HARRISON SMITH for a home occupation permit to conduct a mail order business involving mailing lists of names on property located at 4077 Silver Dollar Avenue #4 in Zoning District R-4 (Apartment Residence).

CONDITION:

1. All operations shall conform to the criteria for a home occupation permit.

STAFF RECOMMENDATION: APPROVAL

5. V-36-84

APPROVED
EMMETT/UNANIMOUS

Application of JOHN A. GREENMAN, ET AL for a Variance to allow five (5) parking spaces where nine (9) spaces are required for the office use approved on this property located at 601 South 9th Street in Zoning District R-1 (Single Family Residence).

CONDITIONS:

1. Conformance to the plot plan.

5. V-36-83 (CONTINUED)

2. Conformance to the conditions of approval of V-5-84.

STAFF RECOMMENDATION: DENIAL

PROTESTS: 0

6. V-38-84

APPROVED
JUNIEL/UNANIMOUS

Application of FLOYD AND JOSEPHINE ADCOCK for a Variance to allow an addition three feet (3') from the side property line where five feet (5') is required and the eaves one foot (1') from the side property line where three feet (3') is required on property located at 1601 Ardmore Street in Zoning District R-1 (Single Family Residence).

CONDITIONS:

1. Conformance to the plot plan and elevations.
2. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services.

STAFF RECOMMENDATION: DENIAL

PROTESTS: 0

7. V-39-84

APPROVED
GILES/UNANIMOUS

Application of JAYME L. THURLING, ET AL for a Variance to allow the following deviations on property located at 4228 Tuffer Lane in Zoning District R-E (Residence Estates):

1. An amendment to the approved variance application (V-1-80) to allow 3 horses where such use was not permitted.
2. A corral to the side property line where a 25' setback is required and to the front property line where a 100' setback is required.
3. A stable located 60' from the front property line where a 100' setback is required.
4. The corral and stable located 25' from any residence where 50' is required.
5. Corral fences to be 6' high in the front yard area where the maximum height allowed is 4'.

CONDITION:

1. Conformance to the plot plan.

STAFF RECOMMENDATION: DENIAL

PROTESTS: 1

8. V-40-84

ABEYANCE
GILES/UNANIMOUS

Application of DAVID STRAWSER for a Variance to allow the wholesale storage and sale of machine and hand tools where only retail storage is permitted on property located at 1201 Las Vegas Boulevard South in Zoning District C-2 (General Commercial).

TO BE HEARD AGAIN BY THE BOARD OF ZONING ADJUSTMENT: MAY 24, 1984

9. V-41-84

APPROVED
EMMETT/UNANIMOUS

Application of OWEN AND ISABELLA MAHONEY for a Variance to allow music lessons and group recitals on property located at 1718 West Bonanza Road in Zoning District R-E (Residence Estates).

CONDITIONS:

1. Conformance to the site plan.
2. No more than four students at one time shall be involved in any group lesson.

STAFF RECOMMENDATION: APPROVAL - For one-on-one lessons only
PROTESTS: 0

10. V-42-84

APPROVED
JUNIEL/UNANIMOUS

Application of CLARENCE H. HATLER for a Variance to allow a duplex structure where only a single family dwelling is permitted on property located at 2400 Willoughby Avenue in Zoning District R-1 (Single Family Residence).

CONDITIONS:

1. Conformance to the plot plan and elevations.
2. Provide three paved off-street parking spaces.

STAFF RECOMMENDATION: APPROVAL
PROTESTS: 4

11. V-43-84

APPROVED
GILES/UNANIMOUS

Application of JOHN E. KENNEY, JR. for a Variance to allow a commercial self-storage facility on property generally located on the east side of Pecos Road between Bonanza Road and Diamond Head Drive in Zoning District C-1 (Limited Commercial).

CONDITIONS:

1. Conformance to the conditions of approval of Z-80-77.
2. Conformance to the plot plan and 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. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
6. Satisfaction of City Code requirements and design standards of all City departments.
7. Approval of the parking and driveway plans by the Traffic Engineer.
8. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services.
9. Provision of fire hydrants and water flow as required by the Department of Fire Services.
10. The entire commercial site shall be cleared of weeds and debris prior to the issuance of a building permit for this development.

STAFF RECOMMENDATION: APPROVAL
PROTESTS: 47

12. V-44-84

APPROVED
GILES/UNANIMOUS

Application of SAMUEL M. DAVIS for a Variance to allow a garage to be converted into an apartment with no rear yard setback where a 25' setback is required on property located at 504 North 9th Street in Zoning District R-2 (Two Family Residence).

CONDITION:

1. Conformance to the plot plan and elevations.

STAFF RECOMMENDATION: APPROVAL
PROTESTS: 0

13. V-45-84

APPROVED
EMMETT/UNANIMOUS

Application of JOHN RIBIERO for a Variance to allow two (2) free-standing signs, one thirty square feet (30') and one twenty-five square feet (25') where fifteen square feet (15') is the maximum size permitted on properties located at 2810 and 2820 West Charleston Boulevard in Zoning District C-D (Designed Commercial).

CONDITION:

1. Conformance to the plot plan and elevations.

STAFF RECOMMENDATION: APPROVAL
PROTESTS: 2

TO BE HEARD BY CITY COUNCIL: May 16, 1984

14. V-46-84

DENIED
EMMETT/3-1
(Giles voted NO)

Application of GEORGE W. WARA, ET AL for a Variance to allow an automotive repair garage where not permitted on property located on the north side of Charleston Boulevard between Jones Boulevard and Monticello Drive in Zoning District C-2 (General Commercial).

STAFF RECOMMENDATION: DENIAL
PROTESTS: 2

15. V-47-84

WITHDRAWN BY
APPLICANT

Application of CAROLYN A. FREEMAN for a Variance to allow a six foot (6') high wrought iron fence in the front yard area where four feet (4') is the maximum height permitted on property located at 1321 South 7th Street in Zoning District R-1 (Single Family Residence).

16. V-48-84

APPROVED
EMMETT/UNANIMOUS

Application of DOLORESA M. RENKIEWICZ for a Variance to allow offices where such use is not permitted and to provide only four (4) parking spaces where six (6) spaces are required on property located at 614 North 10th Street in Zoning District R-3 (Limited Multiple Residence).

CONDITIONS:

1. Conformance to the plot plan and elevations.
2. All residential use shall cease.
3. Limited to two business offices.
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, license or prior to occupancy.
6. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.

16. V-48-84 (CONTINUED)

7. Satisfaction of City Code requirements and design standards of all City departments.
8. Approval of the parking and driveway plans by the Traffic Engineer.
9. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services.
10. Provision of fire hydrants and water flow as required by the Department of Fire Services.

STAFF RECOMMENDATION:
PROTESTS: 0

17. V-49-84

APPROVED
JUNIEL/UNANIMOUS

Application of CLARK COUNTY CREDIT UNION, ET AL for a Variance to allow the sale of 60 used cars for one day only on May 19, 1984 on property located at 3100 West Sahara Avenue in Zoning District C-1 (Limited Commercial).

CONDITION:

1. Conformance to the plot plan.

STAFF RECOMMENDATION:
PROTESTS: 0

18. V-50-84

APPROVED
GILES/UNANIMOUS

Application of JAE K. AND SHIN S. WEE for a Variance to allow a dental lab in an R-2 Zone (proposed P-R zoning) where such use is not permitted on property located at 1217/1219 San Pedro Drive in Zoning District R-2 (Two Family Residence) (proposed P-R - Professional Offices and Parking).

CONDITIONS:

1. Conformance to the plot plan and elevations.
2. Approval of and conformance to the conditions of approval of Z-27-84.

STAFF RECOMMENDATION:
PROTESTS: 0

19. U-15-84

ABEYANCE
TIE VOTE

Application of CORDELL W. PYNE ON BEHALF OF JESUS UNLIMITED, A NON-PROFIT ORGANIZATION for a Use Permit to allow a foster care home for twelve (12) boys on property located at 1920 Sutro Lane in Zoning District R-E (Residence Estates).

STAFF RECOMMENDATION: DENIAL
TO BE HEARD AGAIN BY THE BOARD OF ZONING ADJUSTMENT: May 24, 1984

PROTESTS: 49

20. U-17-84

APPROVED
GILES/UNANIMOUS

Application of CHERYL LETTERIELLO for a Variance to allow a family child care home for five (5) children on property located at 1316 Wintergreen Drive in Zoning District R-CL (Single Family Compact Lot).

CONDITIONS:

1. Conformance to the plot plan.
2. Limited to a maximum of five children, Monday through Friday from 6:00 A.M. to 6:00 P.M. only.

STAFF RECOMMENDATION: APPROVAL
PROTESTS: 0

21. U-20-84
APPROVED
GILES/UNANIMOUS

Application of JACK K. AND DOROTHY M. LEAVITT for a Use Permit for a Class III Secondhand Dealership to buy and sell new and used jewelry and precious metals on property located at 440 East Sahara Avenue in Zoning District C-1 (Limited Commercial).

CONDITION:

1. Conformance to the plot plan and elevations.

STAFF RECOMMENDATION: APPROVAL
PROTESTS: 0

SET DATE FOR PUBLIC HEARING AT THE MAY 2, 1984 CITY COUNCIL MEETING

22. U-21-84
APPROVED
GILES/UNANIMOUS

Application of LEE CANYON SKI LIFTS, INC. for a Use Permit to sell and rent recreational vehicles on property located at 2395 North Rancho Road in Zoning District C-2 (General Commercial).

CONDITION:

1. Conformance to the plot plan and elevations.

STAFF RECOMMENDATION: APPROVAL
PROTESTS: 0

23. U-23-84
APPROVED
EMMETT/3-1
(Juniel voted NO)

Application of ALBERT AND DARLINE VINSON for a Use Permit to allow a used car sales lot on property located at 1911 West Bonanza Road in Zoning District C-2 (General Commercial).

CONDITIONS:

1. Conformance to the plot plan and 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, license or prior to occupancy.
4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. Satisfaction of City Code requirements and design standards of all City departments.
6. Approval of the parking and driveway plans by the Traffic Engineer.
7. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services.
8. Provision of fire hydrants and water flow as required by the Department of Fire Services.

STAFF RECOMMENDATION: APPROVAL
PROTESTS: 0

24. U-24-84
DENIED
GILES/UNANIMOUS

Application of JOSEPH T. MCCARTHY ON BEHALF OF THE STAR HOUSE, INC., A NON-PROFIT ORGANIZATION for as Use Permit to allow an alcoholic recovery home for six (6) non-related residents on property located at 1915 East Mesquite Avenue in Zoning District R-1 (Single Family Residence).

STAFF RECOMMENDATION: DENIAL
PROTESTS: 68

25. V-70-81
APPROVED
JUNIEL/3-1
(Giles voted NO)

Request of KAREN ROBINSON ON BEHALF OF YOUTH MANOR to increase the number of youths from ten (10) to twenty (20) on the approved variance which allowed a group home for adolescents (ages 12 to 17) with outside recreational use where such outside use was not permitted on property located at 2607 West Charleston Boulevard in Zoning District C-D (Designed Commercial).

STAFF RECOMMENDATION: APPROVAL
PROTESTS: 18

TO BE HEARD BY THE CITY COUNCIL: May 16, 1984

26. V-90-83
APPROVED
JUNIEL/UNANIMOUS

Request of ALDINE WEEMS for an Extension of Time on property generally located on the north side of Owens Avenue between "D" Street and "F" Street in Zoning District C-1 (Limited Commercial).

CONDITION:

1. Extension of Time shall be limited to a one-year time period.

STAFF RECOMMENDATION: APPROVAL

27. U-45-74
APPROVED
JUNIEL/UNANIMOUS

Request of TRUE LOVE BAPTIST CHURCH for a Review of Condition and Plot Plan Review on property located at 1941 North "H" Street in Zoning District R-4 (Apartment Residence).

CONDITIONS:

1. Recording of a parcel map.
2. Installation of the required paving in two years.
3. Conformance to the plot plan and elevations.
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.
6. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
7. Satisfaction of City Code requirements and design standards of all City departments.
8. Approval of the parking and driveway plans by the Traffic Engineer.

27. U-45-74 (CONTINUED)

9. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services.
10. Provision of fire hydrants and water flow as required by the Department of Fire Services.

STAFF RECOMMENDATION: APPROVAL - With landscaping along the street frontage

SUPPLEMENTAL:

1. U-26-84(HO) Application of LEON HAEUPTLE ON BEHALF OF ANA G. PASTOR for a Home Occupation Use Permit to operate a mail order business on property located at 1303 Exley Avenue in Zoning District R-2 (Two Family Residence).

APPROVED
GILES/UNANIMOUS

CONDITION:

1. All operations shall conform to the criteria for a home occupation permit.

STAFF RECOMMENDATION: APPROVAL

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2. U-27-84(HO) Application of JUDITH G. NEWKIRK for a Home Occupation Use Permit to allow the making of photo albums, picture frames and sachets on property located at 1804 Demetrius Avenue in Zoning District R-1 (Single Family Residence).

APPROVED
GILES/UNANIMOUS

CONDITION:

1. All operations shall conform to the criteria for a home occupation permit.

STAFF RECOMMENDATION: APPROVAL

-
3. U-28-84(HO) Application of RENE C. MERRITT for a Home Occupation Use Permit to operate a wholesale import business on property located at 112 Firestone Drive in Zoning District R-CL (Single Family Residence).

APPROVED
GILES/UNANIMOUS

CONDITION:

1. All operations shall conform to the criteria for a home occupation permit.

STAFF RECOMMENDATION: APPROVAL

-
4. U-29-84(HO) Application of CHERYL J. BOYD for a Home Occupation Use Permit to take orders and make business calls for a retail and promotional packaging business on property located at 4720 Shoen Avenue in Zoning District R-1 (Single Family Residence).

APPROVED
GILES/UNANIMOUS

CONDITION:

1. All operations shall conform to the criteria for a home occupation permit.

STAFF RECOMMENDATION: APPROVAL

RECEIVED

MAY 15 9 59 AM '04

CITY CLERK

MINUTES

BOARD OF ZONING ADJUSTMENT MEETING

APRIL 26, 1984

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

PRESENT: Chairman Robert Bugbee, Jessie Emmett, Bonnie Juniell, and Robert Giles.

EXCUSED: Helen Myers

STAFF PRESENT: Harold P. Foster, Dir., Dept. of Community Planning & Development
Val Steed, Deputy City Attorney
Sandra R. LeBoeuf, Deputy City Clerk

ANNOUNCEMENT RE COMPLIANCE WITH 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.

ANNOUNCEMENTS: Mr. Foster read the standard conditions into the record.

Chairman Bugbee stated that all actions by the Board of Zoning Adjustment are final, (except items requiring a decision by the City Council), unless an appeal in writing, is filed with the City Clerk within eleven days or a review is requested by the City Council within fourteen days from the date notice is sent to the applicant, (usually the Monday following the Board's meeting).

MINUTES: Mrs. Juniell made a motion for APPROVAL of the Minutes for the Board of Zoning Adjustment meeting held on March 22, 1984. Motion carried unanimously. (Myers excused)

OLD BUSINESS:

1. V-4-84
(ABEYANCE from 3/22/84)
APPROVED
Application of ALLEN PAVELL for a variance to allow commercial storage units and a manager's apartment where such uses are not permitted on property generally located on the west side of Decatur Boulevard, 300' south of Lake Mead Boulevard in Zoning District N-U (Non-Urban).
- Mr. Foster presented the plot plan. In a Planning Commission meeting this week, staff recommended that there be an ordinance change to allow this type of use by means of a use permit in this zone. The request is appropriate because there is a demand for this type of use in various areas of the City. Staff recommended APPROVAL, subject to:
1. Conformance to the conditions of approval of Z-2-84.
 2. Standard conditions 2-8.
- There are no protests on record.
- Pam Mainwall appeared on behalf of the applicant and agreed to the recommendations made by staff.

1. V-4-84

No one appeared in opposition.

(Continued)

Mrs. Emmett made a motion for APPROVAL, with staff's conditions. Motion carried unanimously. (Myers excused)

NEW BUSINESS:

1. U-18-84(HO)

APPROVED

Application of CRAIG A. WRIGHT for a home occupation permit to operate a fire safety equipment business on property located at 2532 Lakeside Drive in Zoning District R-1 (Single-Family Residence).

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

1. All operations shall conform to the criteria for a home occupation permit.

The applicant was present.

Mr. Giles made a motion for APPROVAL. Motion carried unanimously. (Myers excused) This Item was included with Items 2, 4 and Items 1 thru 4 on the Supplemental Agenda.

2. U-19-84(HO)

APPROVED

Application of ANTOON SAWAYA for a home occupation permit to allow a tailor business on property located at 2013 Elm Avenue in Zoning District R-1 (Single-Family Residence).

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

1. All operations shall conform to the criteria for a home occupation permit.

The applicant was present.

Mr. Giles made a motion for APPROVAL. Motion carried unanimously. (Myers excused) This Item was included with Items 1, 4 and Items 1 thru 4 on the Supplemental Agenda.

3. U-22-84(HO)

APPROVED

Application of PATRICK R. AND VICKIE C. HAYDEN for a home occupation permit to teach swimming on property located at 3926 Helen Avenue in Zoning District R-E (Residence Estates).

Mr. Foster presented the application. There have been situations in the past with group type lessons in residential areas and it does generate additional traffic and it is noticeable to the residential use in the area, and for that reason would not be compatible. Staff recommended DENIAL. If approved, subject to:

1. This operation shall be limited to a maximum of four students.
2. The operation shall be limited to the hours of 9:00 AM to 3:00 PM, Monday through Friday from the middle of June through the first week of August only.

3. U-22-84(HO)
(Continued)

3. The operation shall conform to all other criteria for home occupations.
4. Review in six months with the right to rescind approval if the use has created any neighborhood problems.

There are no protests on record.

Pat Hayden appeared on behalf of the application. He stated that he had been involved with the Aquatic Program with the City of Las Vegas for over ten years and that he and his wife are both qualified to teach. His neighbors do not object. They would be teaching children from nine months of age to five years.

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, subject to staff's conditions with a maximum of six students. Motion carried unanimously. (Myers excused)

4. U-25-84(HO)
APPROVED

Application of NEVADA SAVINGS AND LOAN ASSOCIATION ON BEHALF OF WILLIAM HARRISON SMITH for a home occupation permit to conduct a mail order business involving mailing lists of names on property located at 4077 Silver Dollar Avenue #4 in Zoning District R-4 (Apartment Residence).

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

1. All operations shall conform to the criteria for a home occupation permit.

The applicant was present.

Mr. Giles made a motion for APPROVAL. Motion carried unanimously. (Myers excused) This Item was included with Items 1, 2 and Items 1 thru 4 on the Supplemental Agenda.

5. V-36-84
APPROVED

Application of JOHN A. GREENMAN, ET AL for a variance to allow five (5) parking spaces where nine (9) spaces are required for the office use approved on this property located at 601 South 9th Street in Zoning District R-1 (Single-Family Residence).

Mr. Foster presented the plot plan. This is in an area that is transitioning to office use from residential and most of it is taking place by means of a variance. A variance was approved for the office use on the property and at that time there were seven parking spaces proposed, five off the alley and two in front. The applicant is now requesting to eliminate the two front parking spaces so that they can leave it in a landscaped fashion. Staff is of the opinion that they are overbuilding and that there should be adequate parking provided and therefore, recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan.
2. Conformance to the conditions of approval of V-5-84.

5. V-36-84

(Continued)

There are no protests on record.

Paul Roby appeared on behalf of the application. This is going to be used for law offices.

No one appeared in opposition.

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

6. V-38-84

APPROVED

Application of FLOYD AND JOSEPHINE ADCOCK for a variance to allow an addition three feet (3') from the side property line where five feet (5') is required and the eaves one foot (1') from the side property line where three feet (3') is required on property located at 1601 Ardmore Street in Zoning District R-1 (Single-Family Residence).

Mr. Foster presented the plot plan. There is no unusual circumstances; and, therefore, staff recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan and elevations.
2. Standard condition #7.

There are no protests on record.

Floyd Adock appeared on behalf of the application. He wanted the variance for a two-car garage and storage area and greenhouse.

No one appeared in opposition.

Mrs. Juniel made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Myers excused)

7. V-39-84

APPROVED

Application of JAYME L. THURLING, ET AL for a variance to allow the following deviation on property located at 4228 Tuffer Lane in Zoning District R-E (Residence Estates):

1. An amendment to the approved variance application (V-1-80) to allow 3 horses where such use was not permitted.
2. A corral to the side property line where a 25' setback is required and to the front property line where a 100' setback is required.
3. A stable located 60' from the front property line where a 100' setback is required.
4. The corral and stable located 25' from any residence where 50' is required.
5. Corral fences to be 6' high in the front yard area where the maximum height allowed is 4'.

7. V-39-84

(Continued)

Mr. Foster stated that the property was basically in an R-E area. There was a variance approved to allow the homes on lots less than 20,000 sq. ft. with a condition that there be no horses allowed. The stable and corral are existing on the site. If the horses are to be allowed, they should adhere to the setbacks and staff recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan.

There is one protest on record.

Jayne Thurling appeared on behalf of the application. She stated that she purchased the property with this already in existence.

No one appeared in opposition.

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

8. V-40-84

ABEYANCE

Application of DAVID STRAWSER for a variance to allow the wholesale storage and sale of machine and hand tools where only retail storage is permitted on property located at 1201 Las Vegas Boulevard South in Zoning District C-2 (General Commercial).

Mr. Foster stated that the applicant had contacted him and indicated that he would like to have this held in ABEYANCE.

No one appeared in opposition.

Mr. Giles made a motion to hold this item in ABEYANCE until the 5/24/84 meeting. Motion carried unanimously. (Myers excused)

9. V-41-84

APPROVED

Application of OWEN AND ISABELLA MAHONEY for a variance to allow music lessons and group recitals on property located at 1718 West Bonanza Road in Zoning District R-E (Residence Estates).

Mr. Foster presented the applications. Because of the commercial on the south side and the higher density residential on the north side, it would be compatible, and, therefore, staff recommended APPROVAL, subject to:

1. Conformance to the site plan.
2. No more than four students shall be involved in group lessons.

There are no protests on record.

Isabella Mahoney appeared on behalf of the application. She presented a petition to the Board in favor.

No one appeared in opposition.

9. V-41-84

(Continued)

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

10. V-42-84

APPROVED

Application of CLARENCE H. HATLER for a variance to allow a duplex structure where only a single-family dwelling is permitted on property located at 2400 Willoughby Avenue in Zoning District R-1 (Single-Family Residence).

Mr. Foster presented the plot plan. There is an existing duplex on this property. Because of the potential for P-R Zoning, this particular use is still residential in character and, therefore, staff recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations.
2. Provide three off-street parking spaces.

There is one protest on record.

Clarence Hatler appeared on behalf of the application. He stated that this was done in 1973 and the only people he had living there now was his brother and sister-in-law.

Robert Mabry, 2220 Constantine, appeared in opposition. His objection was that in the event the property was sold, it might not be kept in the same manner as it is now.

Larry Langley, 2312 Constantine, appeared in opposition. He stated that he was unaware that this was a duplex.

James Gallagher, 2324 Willoughby, appeared in opposition. He claimed that there are four complaints on file against this property. The last complaint is what brought about this variance. He claimed that there have been as many as six people living at this address. He stated that he felt that Mr. Hatler was going to use this property for as many people as he could fit as he's done in the past.

Jim Lawson, City of Las Vegas Building Inspector, appeared for the applicant. He stated that he had responded in 1981 to a complaint and only found one person living there. He told Mr. Hatler at that time to remove a stove which was in violation and restore it to a single-family home which he did.

Mrs. Juniell made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Myers excused)

11. V-43-84

APPROVED

Application of JOHN E. KENNEY, JR. for a variance to allow a commercial self-storage facility on property generally located on the east side of Pecos Road between Bonanza Road and Diamond Head Drive in Zoning District C-1 (Limited Commercial).

11. V-43-84

(Continued)

Mr. Foster presented the plot plan. The applicant has requested four driveways on Pecos Road. Because Pecos is a major street, staff would like the applicant to redesign the plan to eliminate two of the driveways. Staff recommended APPROVAL, subject to:

1. Conformance to the conditions of approval of Z-80-77.
2. Conformance to the revised elevations submitted.
3. Revision of the plot plan eliminating two of the driveways to Pecos Road.
4. Standard conditions 1 thru 8.

There is one protest on file.

Jack Kenney appeared on behalf of the application and was agreement with staff's conditions.

Harold Sullivan, 3616 Diamond Head, appeared in opposition. He claimed that this would be a detriment to his property. He presented a petition with 46 signatures.

Toni Smith, 3512 Diamond Head, appeared in opposition. She was concerned about the safety of her children.

Margie Smith, 3516 Diamond Head, appeared in opposition. She was concerned about the safety of her children and the transients.

Linda Sullivan, 3616 Diamond Head, appeared in opposition.

Mr. Giles made a motion for APPROVAL, subject to staff's conditions which includes the closing of the two gates. Motion carried unanimously. (Myers excused)

12. V-44-84

APPROVED

Application of SAMUEL M. DAVIS for a variance to allow a garage to be converted into an apartment with no rear yard setback where a 25' setback is required on property located at 504 North 9th Street in Zoning District R-2 (Two-Family Residence).

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.

Samuel M. Davis appeared on behalf of the application.

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, with staff's condition. Motion carried unanimously. (Myers excused)

13. V-45-84

APPROVED

Application of JOHN RIBEIRO for a variance to allow two (2) free-standing signs, one thirty square feet (30 sq.ft.) and one twenty-five square feet (25 sq.ft.) where fifteen square feet (15 sq.ft.) is the maximum size permitted on properties located at 2810 and 2820 West Charleston Boulevard in Zoning District C-D (Designed Commercial).

13. V-45-84

(Continued)

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

1. Conformance to the plot plan and elevations.

There are two protests on record. The Beautification Committee recommended approval.

Jay Thomas appeared on behalf of the applicant.

No one appeared in opposition.

Mrs. Emmett made a motion for APPROVAL. Motion carried unanimously. (Myers excused) This item will be heard at the 5/16/84 City Council meeting.

14. V-46-84

DENIED

Application of GEORGE W. WARA, ET AL for a variance to allow an automotive repair garage where not permitted on property located on the north side of Charleston Boulevard between Jones Boulevard and Monticello Drive in Zoning District C-2 (General Commercial).

Mr. Foster presented the plot plan. There have been variances granted for similar businesses and there have been complaints about cars being stored in various stages of disrepairs. Staff strongly recommended DENIAL.

There is one protest on record.

Larry Thorstenson, realtor, appeared on behalf of the applicant. The applicant wanted to do minor repairs along with his tune-ups and lube jobs that he is permitted to do.

Frances Harrison, 3072 El Camino, appeared in opposition. She stated that she owned the property adjacent to this and that if this were allowed it would be a detriment to her tenants. She presented the Board with photos of the applicant's present business with all the cars parked outside of it.

Mrs. Emmett made a motion for DENIAL. Motion carried with a 3 to 1 vote with Giles voting "No." (Myers excused)

15. V-47-84

WITHDRAWN

Application of CAROLYN A. FREEMAN for a variance to allow a six foot (6') high wrought iron fence in the front yard area where four feet (4') is the maximum height permitted on property located at 1321 South 7th Street in Zoning District R-1 (Single-Family Residence).

Mr. Bugbee announced that this item had been withdrawn.

16. V-48-84

APPROVED

Application of DOLORESA M. RENKIEWICZ for a variance to allow offices where such use is not permitted and to provide only four (4) parking spaces where six (6) spaces are required on property located at 614 North 10th Street in Zoning District R-3 (Limited Multiple Residence).

Mr. Foster presented the plot plan. The P-R Zoning on this segment of Bonanza Road was approved a number of years ago and there hasn't been any other transition other than that at Maryland Parkway. This particular parcel is on the interior and it's predominately residential which would lead to a mixture of residential and office use which would not be compatible. The applicant does not have enough off-street parking. Office use should only be allowed along Bonanza Road on the north side and for that reason staff recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan and elevations.
2. Cease all residential use.
3. Standard conditions 2-8.
4. Limit to one office use only.

Doloresa Renkiewicz Funk appeared on behalf of the application.

John Funk appeared on behalf of the applicant. He and his wife both wanted to have an office at this location.

No one appeared in opposition.

Mrs. Emmett made a motion for APPROVAL for two offices. Motion carried unanimously. (Myers excused)

17. V-49-84

APPROVED

Application of CLARK COUNTY CREDIT UNION, ET AL for a variance to allow the sale of 60 used cars for one day only on May 19, 1984 on property located at 3100 West Sahara Avenue in Zoning District C-1 (Limited Commercial).

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

1. Conformance to the plot plan.

There are no protests on file.

Doug Newsham, 5300 E. Twain, Space 258, appeared on behalf of the application.

No one appeared in opposition.

Mrs. Juniel made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Myers excused)

18. V-50-84

APPROVED

Application of JAE K. AND SHIN S. WEE for a variance to allow a dental lab in an R-2 Zone (proposed P-R Zoning) where such use is not permitted on property located at 1217/1219 San Pedro Drive in Zoning District R-2 (Two-Family Residence) (proposed P-R - Professional Offices and Parking)

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

1. Conformance to the plot plan and elevations.
2. Approval of and conformance to the conditions of approval of Z-27-84.

Carl Lovell appeared on behalf of the applicant.

Jae Wee was present.

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, with staff's conditions. Motion carried unanimously. (Myers excused)

19. U-15-84

ABEYANCE

Application of CORDELL W. PYNE ON BEHALF OF JESUS UNLIMITED, A NON-PROFIT ORGANIZATION for a use permit to allow a foster care home for twelve (12) boys on property located at 1920 Sutro Lane in Zoning District R-E (Residence Estates).

Mr. Foster presented the plot plan. The applicant is asking for a temporary use for the 12 boys to be kept there until their new facility is constructed. They're asking for an eleven month period. This type of facility should not be in a residential area and therefore, staff recommended DENIAL.

There is a petition with 45 signatures in protest on record.

Cordell Pyne, 3285 Mustang, appeared on behalf of the applicant. He stated that he rented the property to the applicant on a temporary basis.

Reverend Jose Boveda appeared on behalf of the application. He stated that he only wanted it on a temporary basis and that his boys take part in the neighborhood watch in the neighborhood. He stated that they have been in the home for five months.

Barbara Crear, 1931 Mill Circle, appeared in opposition. She objected to the home being there and the number of cars there and the noise it creates.

Charles Wyatt, 1421 Comstock, appeared in opposition. He objected to the noise.

Frank Hawkins, 1307 Comstock, appeared in opposition. He presented the Board with a petition with 60 signatures.

Willie Gordon appeared on behalf of his mother Edna Eubanks, who lives at 1930 Sutro, in opposition.

Vern Williams, 1930 Fair, appeared in opposition.

Lonnie Walston, 1930 Fair, appeared in opposition.

19. U-15-84

(Continued)

Marion Bennett, 1911 Gold Hill, appeared in opposition. He stated that the church he's associated with would like to use their property for a Day Care Center if this is allowed. He was concerned about the deterioration of the neighborhood.

Jean Bennett, 1450 Comstock Drive appeared in favor. She stated the applicant should be allowed to carry out their plans with the understanding that this would not be allowed again.

Raphael Maiers, Vice-President of Bonanza Homeowners Association, appeared in favor. He presented a letter in favor of the temporary permit.

Mrs. Juniel made a motion for DENIAL. Motion failed with a tie vote with Emmett and Giles voting "No." (Myers excused).

Mr. Giles made a motion for APPROVAL until November 1, 1984. Motion failed with a tie vote with Bugbee and Juniel voting "No." (Myers excused)

Mrs. Juniel made a motion for APPROVAL for 60 days time limit. Motion failed with a tie vote with Emmett and Giles voting "No." (Myers excused)

Chairman Bugbee announced that the item be held in abeyance until May 24, 1984 due to a tie vote.

James Shipp, 1723 Ophir, appeared in opposition.

20. U-17-84

APPROVED

Application of CHERYL LETTERIELLO for a variance to allow a family child care home for five (5) children on property located at 1316 Wintergreen Drive in Zoning District R-CL (Single-Family Compact Lot).

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

1. Conformance to the plot plan.
2. The approval be limited to five children maximum Monday through Friday from 6:00 AM to 6:00 PM only.

There are no protests on record.

Cheryl Letteriello appeared on behalf of the application and agreed to the conditions.

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, with staff's conditions. Motion carried unanimously. (Myers excused)

21. U-20-84

APPROVED

Application of JACK K. AND DOROTHY M. LEAVITT for a use permit for a Class III Secondhand Dealership to buy and sell new and used jewelry and precious metals on property located at 440 East Sahara Avenue in Zoning District C-1 (Limited Commercial).

21. U-20-84

(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.

The leasee was present.

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, with staff's condition. Motion carried unanimously. (Myers excused)

The date will be set for a public hearing at the 5/2/84 City Council meeting to be heard at the 5/16/84.

22. U-21-84

APPROVED

Application of LEE CANYON SKI LIFTS, INC. for a use permit to sell and rent recreational vehicles on property located at 2395 North Rancho Road in Zoning District C-2 (Limited Commercial).

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.

Kenneth Highfield, 1552 Windwood, appeared on behalf of the application.

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, with staff's condition. Motion carried unanimously. (Myers excused)

23. U-23-84

APPROVED

Application of ALBERT AND DARLINE VINSON for a use permit to allow a used car sales lot on property located at 1911 West Bonanza Road in Zoning District C-2 (General Commercial).

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

1. Standard conditions 1-8.

There are no protests on record.

Lee Williams appeared and represented his son, Lee Williams, Jr., on behalf of the application.

No one appeared in opposition.

Mrs. Emmett made a motion for APPROVAL, with staff's conditions. Motion carried with a 3 to 1 vote with Juniel voting "No."

24. U-24-84

DENIED

Application of JOSEPH T. McCARTHY ON BEHALF OF THE STAR HOUSE, INC., A NON-PROFIT ORGANIZATION for a use permit to allow an alcoholic recovery home for six (6) non-related residents on property located at 1915 East Mesquite Avenue in Zoning District R-1 (Single-Family Residence).

Mr. Foster presented the plot plan. This use is completely contrary to the residential pattern in the area, and, therefore, staff recommended DENIAL

There are four protests on record.

Joe McCarthy appeared on behalf of the application. He stated that the alcoholics would only be staying for a period of 90 days each.

Mark Perkins, 105 E. Harmon, appeared in favor of the application. He stated that he was a recovering alcoholic and had served on the Board at Samaritan House.

Ken Kinsinger, 1205 So. 3rd Street, appeared in favor. He stated that he went through Samaritan House 14 years ago and they saved his life.

Eric Robichand, 1908 Cedar Avenue, appeared in protest. He objected to this being in a residential area.

Margarite Horning, 1909 Cedar, appeared in protest. She stated that this would make the value of the homes in the neighborhood go down.

Eileen Villaneuva, 1919 Mesquite, appeared in protest. She objected to the amount of cars this is causing.

Carl Knauff, 2008 Walnut, appeared in protest. He stated that he was representing 19 other neighbors.

Dennis Gracio, 1813 Mesquite, appeared in protest. He wanted to know if the trailer that is on the property was going to remain. Also he worked the graveyard shift and his wife was alone and he felt it wouldn't be safe.

There was a show of 26 hands in protest in the audience.

Mr. Giles made a motion for DENIAL. Motion carried unanimously. (Myers excused)

25. V-70-81

APPROVED

Request of KAREN ROBINSON ON BEHALF OF YOUTH MANOR to increase the number of youths from ten (10) to twenty (20) on the approved variance which allowed a group home for adolescents (ages 12 to 17) with outside recreational use where such outside use was not permitted on property located at 2607 West Charleston Boulevard in Zoning District C-D (Designed Commercial).

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

1. Additional two parking spaces to be provided.

There are two protests on record.

25. V-70-81

(Continued)

Mark Risan, Atty., 101 Convention Drive, Suite 900, appeared on behalf of the applicant.

Karen Robinson, 4013 San Joaquin, Program Director, appeared on behalf of the application.

Jim Perlowski, 6509 Shawnee, appeared in favor.

He stated that he did the financial statements for the facility. He stated that he also had a daughter that was sent there. He presented the Board with a petition with six signatures of local neighbors.

Joe O'Connell, 5377 Barrel Springs Way, appeared in favor. He stated that his son spent six weeks at this facility. He stated that he was an officer for the LVMPD.

Monty Brandt, 2727 Ashbury, appeared in protest. She stated that she felt the house wasn't large enough for 20 children. She presented the Board with a petition.

Richard Francisco, 1110 Strong, appeared in protest. He objected to the noise that this creates.

Shannon Connell, 1110 Strong, appeared in protest. She presented a letter to the Board. She objected to the noise.

Leo Borns, 1124 Strong, appeared in protest. He felt that it would not be safe for small children in the neighborhood if this were allowed.

Mrs. Juniell made a motion for APPROVAL, with staff's conditions. Motion carried with a 3 to 1 vote with Giles voting "No." (Myers excused) This Item will be heard at the City Council meeting on 5/16/84.

26. V-90-83

EXTENSION
OF TIME

Request of ALDINE WEEMS for an Extension of Time on property generally located on the north side of Owens Avenue between "D" Street and "F" Street in Zoning District C-1 (Limited Commercial).

APPROVED

Mr. Foster stated that this was a senior citizens project that is in the process of getting assistance from the federal government and needs some additional time. Staff recommended APPROVAL, subject to:

1. Extension of time shall be limited to six months.

Aldine Weems appeared on behalf of the application.

Mrs. Juniell made a motion for an EXTENSION OF TIME for one year from today. Motion carried unanimously. (Myers excused)

27. U-45-74

REVIEW OF
CONDITION
AND PLOT
PLAN REVIEW

Request of TRUE LOVE BAPTIST CHURCH for a review of condition and plot plan review on property located at 1941 North "H" Street in Zoning District R-4 (Apartment Residence).

APPROVED

Mr. Foster stated that the Church would like to sell the north 90' of their property. At the time the use permit was granted for the church, a two-year waiver was granted for putting in the paving and the landscaping. The applicant wants to modify the approved landscaping plan to diminish the amount which was required.

27. U-45-74. Staff recommended APPROVAL, subject to:

(Continued)

1. Recording of the parcel map.

2. Installation of the required landscaping that was initially to be installed, including landscaping along "H" Street which could be a minimum of a 5' planter, and then paving of the spaces of all of the required parking prior to recording the parcel map on dividing the land.

3. Standard conditions 1-8.

Reverend Wilson appeared on behalf of the application. He stated that they had tried repeatedly to grow shubbery five feet from the sidewalk, but the school bus stops there and it is trampled on. He stated that he would need two years to be able to complete the paving of the parking spaces.

Mrs. Juniel made a motion to eliminate the shubbery in the front and allow two years to complete the paving and allow the sale of the 90'. Motion carried unanimously. (Myers excused)

SUPPLEMENTAL AGENDA

1. U-26-84(HO) Application of LEON HAEUPTLE ON BEHALF OF ANA G. PASTOR for a home occupation use permit to operate a mail order business on property located at 1303 Exley Avenue in Zoning District R-2 (Two-Family Residence).

APPROVED

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

1. All operations shall conform to the criteria for a home occupation permit.

The applicant was present.

Mr. Giles made a motion for APPROVAL. Motion carried unanimously. (Myers excused) This Item was included with Items 2 thru 4 and Items 1, 2 and 4 under New Business.

2. U-27-84(HO)

APPROVED

Application of JUDITH G. NEWKIRK for a home occupation permit to allow the making of photo albums, picture frames and sachets on property located at 1804 Demetrius Avenue in Zoning District R-1 (Single-Family Residence).

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

1. All operations shall conform to the criteria for a home occupation permit.

The applicant was present.

Mr. Giles made a motion for APPROVAL. Motion carried unanimously. (Myers excused) This Item was included with Item 1, 3 and 4 and Items 1, 2, and 4 under New Business.

3. U-28-84(HO)

APPROVED

Application of RENE C. MERRITT for a home occupation permit to operate a wholesale import business on property located at 112 Firestone Drive in Zoning District R-CL (Single-Family Compact-Lot).

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

1. All operations shall conform to the criteria for a home occupation permit.

The applicant was present.

Mr. Giles made a motion for APPROVAL. Motion carried unanimously. (Myers excused) This Item was included with Items 1,2 and 4 and Items 1, 2 and 4 under New Business.

4. U-29-84(HO)

APPROVED

Application of CHERYL J. BOYD for a home occupation permit to take orders and make business calls for a retail and promotional packaging business on property located at 4720 Shoen Avenue in Zoning District R-1 (Single-Family Residence).

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

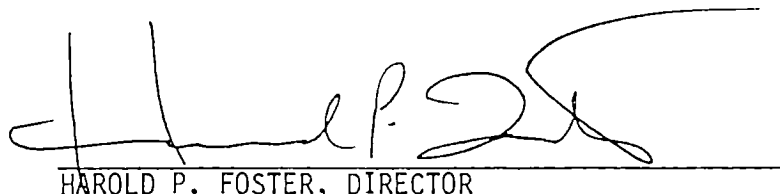
1. All operations shall conform to the criteria for a home occupation permit.

The applicant was present.

Mr. Giles made a motion for APPROVAL. Motion carried unanimously. (Myers excused) This Item was included with Items 1 thru 3 and Items 1, 2 and 4 under New Business.

MEETING ADJOURNED AT 10:40 P.M.

DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT



HAROLD P. FOSTER, DIRECTOR

/s/

RECEIVED

MAY 29 12 50 PM '84

CITY CLERK

CHAIRMAN BUGBEE: Item 10, V-42-84, the application of Clarence Hatler for a variance to allow a duplex structure where only a single-family dwelling is permitted on property generally located at 2400 Willoughby Avenue in Zoning District R-1.

HAROLD FOSTER: You can see the subject property is about a half block south of Washington Avenue on the west side of Eastern Avenue. It's a corner lot. Directly east is a P-R pattern which has been converted to offices. On that short segment, there's other corner lots similar to this property that have been approved for P-R, both to the north and some to the south. There's an existing duplex situation on this property that has existed for some time. Staff feels because of the potential for P-R Zoning this particular use is still residential in character, we would recommend APPROVAL, SUBJECT TO: CONFORMANCE TO THE PLOT PLAN AND ELEVATIONS AND NUMBER TWO, PROVIDE THREE OFF-STREET PARKING SPACES. It seems like the eastern side of the property is already surfaced so there should be no problem there. We do have one protest on record.

CHAIRMAN BUGBEE: Yes, sir.

CLARENCE HATLER: Clarence Hatler, 2400 Willoughby.

CHAIRMAN BUGBEE: Did you understand what staff had to say?

CLARENCE HATLER: Yes, sir.

CHAIRMAN BUGBEE: You're in agreement?

CLARENCE HATLER: Yes, sir.

CHAIRMAN BUGBEE: Thank you. This is a public hearing. Does anyone wish to speak against this action? Please step forward and we'll take you one at a time. Sign in and then give us your name and address.

ROBERT MABRY: Yes, my name is Robert Mabry and I live at 2220 Constantie which is just around the corner. The gentleman here has been a good neighbor. I've noticed his place there for a long time. I've been in the area for 12 years, but I -- if he were to sell the place -- if a zoning ordinance was to be -- a variance was to be granted, somebody moving in and taking over the property may not keep it as well as he does, and so, therefore, I would have to say leave it as an R-1 Zoning.

CHAIRMAN BUGBEE: Thank you. You'll have a chance for rebuttal when they finish talking.

LARRY LANGLEY: My name is Larry Langley. I live at 2312 Constantine. When I purchased my home in this area, the realtor at that time and on the paper also told me that these were strictly single-family dwellings and I just feel that building a duplex and setting a precedence -- I just feel it's wrong.

CHAIRMAN BUGBEE: You said, building a duplex. This is existing, is it not?

HAROLD FOSTER: It has existed since 1973.

CHAIRMAN BUGBEE: Operating as a duplex. When did you buy your house, sir?

LARRY LANGLEY: It's been 15 years ago.

CLARENCE HATLER: I've been there 19 years.

CHAIRMAN BUGBEE: How did this come about, Mr. Foster?

HAROLD FOSTER: I don't know. Did you convert it?

CLARENCE HATLER: I added on to my house in 1973. I was the president of the Evening Optimist Club and I had it built for a meeting room because we didn't have a place to meet at that time. So, then I had to take my brother and his wife in because they retired and that's when it became what it is today.

CHAIRMAN BUGBEE: Thank you.

COMMISSIONER JUNIEL: Were you aware that it was a duplex now?

LARRY LANGLEY: No.

COMMISSIONER JUNIEL: There hasn't been any problems with it being a duplex?

LARRY LANGLEY: No, I wasn't -- like I say, I wasn't aware that there was a duplex existing there.

CHAIRMAN BUGBEE: Well, there's one other thing that Mr. Foster brought up in his reasoning and Planning's reason for the recommendation of this application was that it is on Eastern. It's a busy street and it's a transitional street. There's P-R going, you know, around you.

CHAIRMAN BUGBEE: We have given -- I know we've given quite a bit on the other side of the street. It's just too busy a street to raise kids on. Go ahead.

COMMISSIONER GILES: Sir, where's your property? I didn't catch your address. Where do you live in proximity to the property there?

LARRY LANGLEY: 2312 Constantine which comes in -- it's the first street south of Washington there.

COMMISSIONER GILES: I see.

CHAIRMAN BUGBEE: It's about a block away.

LARRY LANGLEY: Just about a block away.

CHAIRMAN BUGBEE: Okay. There's one more here and then we'll close the hearing. Come forward, sir. You've already had your shot.

LARRY LANGLEY: Well, I was just going to make a clarification. They were saying that Eastern is a busy street, but this whole area is walled off on Eastern. There is no access except by the roadway onto Willoughby there, so --

CHAIRMAN BUGBEE: I've been by the spot. I know what we're up against.

LARRY LANGLEY: Okay.

CHAIRMAN BUGBEE: It's still is a busy, noisy street, Eastern.

LARRY LANGLEY: Yes, it is a noisy street.

CHAIRMAN BUGBEE: Okay. Thank you. Yes, sir.

JAMES GALLAGHER: My name is James Gallagher. I live at 2324 Willoughby which is just east of the proposed property. To give you a little bit of background on what has been going on at this place, I've lived at 2324 Willoughby for 21 plus years. I moved into the house when it was brand new. Mr. Hatler immediately, when he moved in, began renovating his place for a duplex and as it says on the variance request, 2400 Willoughby, but if you look at the plot plan, the address assigned to that building is 848 North 24th. He has had both addresses on the place and has been operating as a duplex for several years. There are four complaints on file against this property.

- JAMES GALLAGHER: November 27th, 1979, a complaint was filed with Planning Department. January 18th, 1980, another complaint was filed bringing him back into compliance with regulation again. On February the 24th, 1982, a complaint was filed with Building Department. Again for the same reason. He has had as many as six people living at this address; and then again in January 25th of this year, I filed a complaint and that's what brought about this variance request.
- CHAIRMAN BUGBEE: And your claim was what, sir?
- JAMES GALLAGHER: My claim is that due to his past record, he has no intention of operating this structure under the meaning of duplex. I propose that he's going to put as many people as he can in it, as many as he can fit as he has done in the past, and there are four complaints on record.
- CHAIRMAN BUGBEE: Thank you. Thank you, sir. Mr. Hatler, you've got a chance for -- to counter. I'll close the hearing.
- CLARENCE HATLER: I have a letter here from a gentleman directly across the street.
- ROBERT GILES: Sir, just grab a hold of the microphone and pull it up and talk right into it so we can hear you.
- CLARENCE HATLER: Mr. Chairman, I have a letter here from a gentleman right across the street -- has lived in that area much longer than Mr. Gallagher. Mr. Gallagher, I believe, is a little bit jealous because I have the nicest home in the entire area and it's always been conducted in that manner. So by me having six people -- I have a gentleman here from the Building Department to speak in my behalf these violations that he has stated. So I would like to call him forward.
- CHAIRMAN BUGBEE: Well how about this two or three dozen folks gathering around there, is that true?
- CLARENCE HATLER: Well, no. Look, I was the president of the Evening Optimist Club. At one time, I had a hundred people there, but it's no different than him across the street having all of his firemen friends there. There's parking there, but he thinks he owns that entire block.

COMMISSIONER GILES: You didn't have a hundred people living there, did you?

CLARENCE HATLER: No, well --

COMMISSIONER GILES: How many people have you had living there?

CLARENCE HATLER: I've got three people living there.

CHAIRMAN BUGBEE: In the two units.

COMMISSIONER GILES: In each duplex?

CLARENCE HATLER: My wife and myself and my sister-in-law that's all that lives there and I have verification here in this room at this particular time.

CHAIRMAN BUGBEE: Yes, sir.

CLARENCE HATLER: Here's the letter right here that I would like to pass --

CHAIRMAN BUGBEE: Okay. I think we have one more person. Would you like to speak for or against, sir?

JIM LAWSON: For.

CHAIRMAN BUGBEE: Good.

JIM LAWSON: My name is Jim Lawson. I'm a Building Inspector for the City of Las Vegas and I responded to a complaint at this address in 1981. I found one person residing there. The only problem with the situation at the time was that there was an additional kitchen and access was blocked. I explained the violation to Mr. Hatler. He started eviction proceedings on that tenant. He had some difficulty in getting her out. -- Succeeded, provided the access; removed the stove and the house was a legal single-family residence. On subsequent complaints to the same address, I found all doors inner-connecting, the stove had been removed. There was no problem. What he's after now is to put the stove back and close off the door, nothing will change. I've never seen more than two people renting that place since 1981.

CHAIRMAN BUGBEE: Thank you. Any other questions of staff?

COMMISSIONER JUNIEL: I just want to ask Mr. Howard. How many people do you plan to rent to on the other side of you now?

CLARENCE HATLER: The other side of me, my brother and his wife, both are 68 years old and retired, that's it.

COMMISSIONER JUNIEL: You don't have any plans to put 6 or 8 people over there?

CLARENCE HATLER: No, no, no. I wouldn't have no room for myself -- unless Mr. Gallagher wants to move in.

CHAIRMAN BUGBEE: Okay, I'll close the hearing and entertain a motion, please.

COMMISSIONER JUNIEL: Mr. Chairman, I'M GOING TO MOVE FOR APPROVAL WITH STAFF'S RECOMMENDATIONS.

CHAIRMAN BUGBEE: Cast your votes, please. THAT HAS BEEN APPROVED.
(Motion carried unanimously with Myers excused)
This is the final action unless appealed, Mr. Hatler.

CLARENCE HATLER: Thank you.

CHARIMAN BUGBEE: You should have done this a long time ago.

END OF EXCERPT.

Apr. 26, 1984

CHAIRMAN BUGBEE:

Item 11, V-43-84, the application of John Kenney, Jr. for a variance to allow a commercial self-storage facility on property generally located on the east side of Pecos between Bonanza and Diamond Head Drive in Zoning District C-1 (Limited Commercial). Mr. Foster.

HAROLD FOSTER:

That's Pecos Drive along the west side of the property. Bonanza is about 100 feet to the north. To the west is City owned Nature Park. To the south in the R-1 area is developed single-family homes for the most part. The request is for a commercial storage units. This is the layout showing three long buildings from Pecos on an east/west direction. There'll be four driveways off Pecos Drive on this segment. Because Pecos is a major street, staff would like a redesign of it so that it would eliminate some of the driveways off of this street, possibly limiting it to a maximum of two. Also, the first item on the agenda was similar to this. A request for this type of use in a C-1 Zone, as I indicated, staff was recommending an ordinance amendment along this line to allow it by means of a use permit; therefore, the request is comptable. Staff would recommend APPROVAL, SUBJECT TO: CONFORMANCE TO THE CONDITIONS OF APPROVAL FOR THE ZONING APPLICATION Z-80-77, WHICH APPROVED THE C-1 ZONING ON THE SITE. A REVISION OF THE PLOT PLAN ELIMINATING TWO OF THE DRIVEWAYS TO PECOS DRIVE: AND THEN STANDARD CONDITIONS 1 THRU 8. We do have one protest on record.

CHAIRMAN BUGBEE:

Yes, sir.

JACK KENNEY:

Jack Kenney, 2330 Abarth. We can, I think, -- I didn't know about this because I was out of town, but I think we could pull this landscaping back, move it around the building there, and move it around the building here. Just put this through 30 degrees back.

CHAIRMAN BUGBEE:

Then you'll have two entrances on Pecos?

JACK KENNEY:

Yes, I didn't think about the four entrances.

CHAIRMAN BUGBEE:

Okay. Any other problems? This is a public hearing is there anybody here to speak in favor or against this application? Step forward, please. If you want to talk, please come up and sign in, like I asked earlier, so we can get this thing moving along. You can sign while the other man is talking.

HAROLD FOSTER: Also on the elevations that have been submitted, IF IT'S APPROVED, IT WOULD BE CONFORMANCE TO THOSE ELEVATIONS AS A CONDITION.

CHAIRMAN BUGBEE: Okay. Yes, sir.

HAROLD SULLIVAN: My name is Harold Sullivan, 3616 Diamond Head. As was stated earlier, there's quite a few of these around town. Within about three miles of where we live, there is -- well, there's one on Mojave. There's one on Sahara. There's some over on -- in North Las Vegas on Lake Mead and I feel that it'd be a detriment to the value of my property to have this go in due to the fact that there'll be transients moving in. You don't know who's going to be storing there. If they're left unlocked, vagrants can come in and sleep in them and I have the names of 46 families who are opposed to it.

CHAIRMAN BUGBEE: Thank you, sir. Who's next?

TONI SMITH: My name is Toni Smith. I live at 3512 Diamond Head and my main concern about these going up is I have four small children and a thing built like this, people come and go. You have no control who lives there, what comes there. Just living in a residential area, you get to know the people who are there and this way, I feel it would be an endanger to my children to have something like that right behind my home.

CHAIRMAN BUGBEE: I believe you will have hours -- don't you have hours there, Mr. Kenney?

JACK KENNEY: Yes, it will just be open from like 7 o'clock in the morning until dusk, 5 or 5:30.

TONI SMITH: Well, you see we've already had trouble in this area with vagrants downtown. We live -- Nature Park is right across the way. It's bushes and deserts. We've already had trouble with vagrants sleeping out there and sleeping out behind our house where we've had to call police to evict these people.

CHAIRMAN BUGBEE: Maybe some will put in lock systems or something to stop them from coming in.

TONI SMITH: Yea, but when the gates are open what's -- you know, who's to say what people can come in and out of there.

CHAIRMAN BUGBEE: We'll give you a moment to -- yes, ma'am.

MARGIE SMITH: My name is Margie Smith, 3516 Diamond Head and mainly my protest is similar. I have two pre-school children and another older one and the transients will be in this area, plus I don't see where there's any need for this type of mini-storage in the area because there's storage on Nellis, on Mojave and -- no, Stewart and Mojave right near the Rec Center.

CHAIRMAN BUGBEE: Well, we're not arguing for or against this particular application, but I think Planning's view on a lot of this storage is there's so much R-CL housing going up now and condo-type which the people have no storage. So there has been quite a need for this type of item. I'm not saying in this particular -- but this is the reason you've seen it going up and there would be a certain amount of in and out because that's what it is.

MARGIE SMITH: Like I say, I'm really concerned about the security too. You can have alarms and that sort of thing, but what's to keep these transients from coming and going over the wall and messing in there. We've had that problem before.

CHAIRMAN BUGBEE: Well, maybe we'll hear from one more protestor and then we'll have Mr. Kenney see if he can answer these questions.

LINDA SULLIVAN: My name is Linda Sullivan and I live at 3616 Diamond Head and I believe that one of the things that made the committee in favor of this was they said it would bring it closer to the residences that we're actually using storages. I believe there was something mentioned about it would bring -- they wouldn't have to travel so far to these storage areas. Well, you have there 46 names of people who live in that area who already have residences, now of them need storage and none of them want that there and we'd sure appreciate it if you denied this.

CHAIRMAN BUGBEE: Thank you. I'm going to close that side and let Mr. Kenney have a little rebuttal time.

JACK KENNEY:

Thank you, Mr. Chairman. First to clarify, I think, for the people in the audience, there's nobody going to be living here. I got that -- this is just open for people to store goods or something like that, but no businesses and in terms of the protection, there's a wall around it with the two entrances. The way you go in -- you can only go in the one entrance because it's got an arm that comes up and it's controlled by a computer and you have to go in and that's the way all the ones are done now. And, I don't know anything about any tramps or transients sleeping out there, but there isn't going to be -- there aren't going to be any cars parked outside after this is closed at the evening. This is just for storage of goods. So there wouldn't be any reason for any bum or tramp or something to come and sleep there where they'd have to climb over a wall or a gate. I can't imagine why they would come down there. So if that was a misconception -- what you would have is a wall. It's landscaped around it and you have a controlled entrance and there's somebody there on the premises during the day, and then the rest of the property would really be buffered from where that is -- the rest of the property is going to be buffered with future development. That is zoned for commercial, but down a mile the big Alpha Beta has changed it and that's going to be the strong commercial property. So I'll probably develop apartments or townhouses, some higher density and buffer the property myself. Any other questions?

CHAIRMAN BUGBEE:

Any other questions, Commissioners?

COMMISSIONER JUNIEL:

There's going to be security on the premises during the open hours?

JACK KENNEY:

Oh, yes, that's what we have. There's people there.

COMMISSIONER JUNIEL

Well maybe the residents didn't understand that.

COMMISSIONER EMMETT:

Mr. Kenney, you're saying that this property in subject here will be basically centralized with other commercial property around it eventually?

JACK KENNEY:

That's correct.

COMMISSIONER EMMETT:

So it would appear to me there would be far more reason for protests, as far as vagrants are concerned, with markets and things of that nature.

HAROLD SULLIVAN: We'll protest that when he starts to build those too.

CHAIRMAN BUGBEE: Any other questions, Commissioners? We'll close the hearing.

COMMISSIONER JUNIEL: Mr. Chairman --

COMMISSIONER GILES: I find these storage --

COMMISSIONER JUNIEL: Go ahead.

COMMISSIONER GILES: I find these storage areas very well cared for and manicured and concerned about the security about the merchandise that's in them or otherwise they would not have a business to do so, so I'M GOING TO MOVE FOR APPROVAL WITH STAFF'S RECOMMENDATIONS WHICH INCLUDES THE CLOSING OF THE TWO GATES.

CHAIRMAN BUGBEE: Cast your votes, please. THAT HAS BEEN APPROVED.
(Motion carried unanimously with Myers excused)
This is the final action unless you want to file to the Commission.

END OF EXCERPT

CHAIRMAN BUGBEE:

Request of Karen Robinson on behalf of Youth Manor to increase the number of youths from ten to twenty on the approved variance which allowed a group home for adolescents (ages 12 to 17) with outside recreational use where such -- (a lot of noise) Could you hold it down, please as you walk out. We're still trying to conduct a meeting. Okay -- where such outside use was not permitted on property located at 2607 West Charleston Boulevard in Zoning District C-D. Mr. Foster.

HAROLD FOSTER:

This is located -- second lot west of Strong Avenue on the south side of Charleston Boulevard in the C-D Zone. It was approved in 1981 by the City Council through an appeal and it was with a six-month review. They did have the review and found there were no particular problems with it and it's been allowed to continue. They are now proposing to double the size of the number of youths being cared for on the premises. The property backs up to residential to the south and to the southeast. On the original approval, the south 150 feet was not to be used in connection with the operation. There is a fence along it and it's just a vacant part of the lot. The building is on the north portion. I understand they are proposing to convert the garage to a -- for residential purposes. There was a requirement of four off-street parking spaces being provided. If this is approved, we think that the minimum of four parking spaces should be provided unless the Board feels that some additional spaces should be also established. In terms of staff's recommendation, it has existed for several years with no apparent problems or complaints that staff is aware of from the residents. We don't know if the increase would necessarily generate any additional problems. We feel it's a relatively large piece of property. The increase from ten to twenty, we feel, could be accommodated. So for that reason, staff would recommend APPROVAL of the request WITH THE CONDITION THAT THE ADDITIONAL TWO PARKING SPACES THAT THEY ARE ELIMINATING THROUGH THE GARAGE CONVERSION ALSO BE PROVIDED. We have two protests on record.

CHAIRMAN BUGBEE:

Yes, sir.

MARK RISMAN:

Mark Risman, Attorney, 101 Convention Center Drive, Suite 900. I just would like to point out two distinctions between this petition from some of those that filed previously. The first and most important, I think, is that the staff has approved this proposal. It does meet staff's recommendation. The second thing, I think, that

MARK RISMAN:

needs to be distinguished is this is a commercially-zoned property. It is not a residential area. It is not zoned as a residential area. So, for those two reasons alone, we would request that this board follow the staff's recommendation. The third thing I'd like to add, and it will be explained better by the people standing behind me, is the type of enterprise that this is. I happen to know Chairman Bugbee through his work with Jaycees and this is the type of project that Jaycees and other such activities and organizations have been involved in. It's a venture by free-enterprise system to take some of the burden off the County and State rolls in helping families work together to solve the problems of the youth. I became involved because I noticed a fine board of fellow professional people involved and working hard, not just lending their names, but working hard to make this project a success and I've been enriched by working with these people and maybe they can describe a little bit more some of the logistics and benefits of this program, but again we're in a commercial zone and staff, after review, has approved the recommended request.

KAREN ROBINSON:

I'm Karen Robinson. I'm the Program Director of Youth Manor and I've been there since the inception of the Program. We've never had any formal complaints issued, I'd like to state that. I understand there's been some made today -- I heard through the grapevine, but they're not still formal. We are inspected every three months by the Fire Department, Clark County Juvenile Court Services, Las Vegas City Licensing and the Health Department. We're always inspected and we've always met all of those inspections. After what happened to poor Jose, I'm going crazy.

COMMISSIONER GILES:

What preparations have you made to double your occupancy?

KAREN ROBINSON:

Okay. As the house stands right now, we can house the twenty kids. We are approved. I've already talked to Liz Newborn -- three months. She has the licensing over there under Jerry Cahill. We want to enclose the garage so we have a larger activity space. If we make -- it's a five bedroom, two bathroom house as it stands. It'll be adding another bathroom in the garage and turning that into an activity room. That way we convert all the bedrooms into dormitories and still have enough space for the kids inside, not actually play, they watch TV. We have teenagers 13 to 18.

COMMISSIONER GILES: Do you have any time guides in mind for your outdoor usage, particularly the backyard?

KAREN ROBINSON: Okay. The outdoor usage is on that permit because we were told originally -- we tried to do things right and make sure we didn't run into any conflicts as far as rules and regulations. We do have contracts with different agencies and with Clark County to service. The original -- I forgot the question.

COMMISSIONER GILES: What do you use in the backyard? How often do you use the backyard?

KAREN ROBINSON: Okay. The backyard is used for children that have permission from their parents to smoke. There's a smoking area provided on our back patio and it's also used to play frisbee. We do not use it for anything else. We'd like to have a picnic table, but we haven't had one made yet. We had to have the permit to use the backyard if we're going to have the kids walk outside the back door, we were originally told so that's why we had to request that.

CHAIRMAN BUGBEE: Yes, sir.

JIM PERLOWSKI: My name is Jim Perlowski, certified public accountant, and I live at 6509 Shawnee. I do the financial statements and publish financial statements for Youth Manor. I became involved with Youth Manor through Juvenile Court which referred our daughter there and I guess I caught what you might call, "Youth Manor Fever." So, I've become deeply involved with the organization and currently consultant and advisor to Karen for any future problems that may arise. I'd like to present, if I may, a document with six signatures of local people and neighbors to Youth Manor who would like to show and agree that they would like to increase this to twenty. The organization is well run. We have good people involved and we really believe in it and I'd like to see it approved.

CHAIRMAN BUGBEE: Thank you.

JOE O'CONNELL: My name is Joe O'Connell. I live at 5377 Barrel Springs Way. I'm a parent of a 13 year old boy who just spent 8 weeks at Youth Manor and just got out of the program last Friday. He's in 7th grade and I'd just like to say that my son is typical of the kids that go there and for 7 years he's had trouble in school with every teacher

JOE O'CONNELL:

he's ever had. They have a section in the report card -- I'm sure if you're all parents, you're familiar with -- that shows conduct and they have a bunch of sections under it. My kid had checks in almost everything imaginable for 7 years and not only that, but the day before he went into Youth Manor, the principal of his school called me and said that she was going to kick him out of school. I heard about Youth Manor from my friend and I went to the teacher -- the principal and asked her, "If I put him in this program, would you give him another chance " and she said, she would. We put him in the program and to make a long story short, after six weeks in the program he got a report card and it was the very first time in 7 years in school that he had totally satisfactory remarks under the conduct sections; the very first time. I feel that this program is very successful for my son and today I visited the principal and his teacher and they were talking to me, not because he was a problem, but because they wanted him to come back the next year and join the government council and I'm suppose to work with him now to get him active in that. And, I just want to make that known to you because I know they're trying to improve and increase the size of their work force and what they're doing with these kids. If they were successful with my kid, I'm sure I'd like to see more people have a chance to have their kids go there and the more kids that can go there I think the better for Las Vegas. And, I'm also a law enforcement officer and I was quite concerned about the supervision at this place, especially when I heard that there were troublesome kids there. I was very impressed after the second or third night that I spent there that these children are very well supervised and they go to bed at regular hours and any kind of problem is handled immediately, properly, expeditiously and with the cooperation of all the juvenile authorities, including the Metropolitan Police. I think it's an excellent establishment. I think it's a credit to Las Vegas and if they can improve it by increasing the number of kids they can reach, I think you ought to help them do it if you can. Thank you. (Applause)

CHAIRMAN BUGBEE:

I'm going to open this up for some rebuttal now -- some opposition.

MONTY BRANDT: My name is -- my name is Monty Brandt and I have been on the Clark County Child Welfare Licensing Board at one time. I've retired from that at least four or five years ago. As the comments were made, I guess we should have hired a lawyer, but anyway the comment was made that this property had been used in this fashion for a long time. I would like to ask you how long you have been there?

KAREN ROBINSON: Two and a half years.

MONTY BRANDT: Well, we were only notified six months ago that you would get a temporary thing and --

KAREN ROBINSON: That's not true. If you listened to the beginning, it was appealed in the beginning.

MONTY BRANDT: It was appealed and we were not notified. None of the neighbors were notified, none were notified that we were -- that this was going to be made permanent for ten people. We are here tonight to object to that twenty. I'd like to also know what -- you're saying you have five bedrooms, but that house is not that large. So how many feet do you have -- square feet do you have?

CHAIRMAN BUGBEE: I think what -- you just put those remarks out instead of kicking this back and forth and she'll have a chance for rebuttal.

MONTY BRANDT: Alright.

CHAIRMAN BUGBEE: You just ask what you want to ask.

MONTY BRANDT: Alright. The -- on your list, I have a list of 14 houses -- I believe you will find that you have one for 2706 Ashby. We also have one from 2706 Ashby That is the case of where the husband signed our paper objecting and the wife, because she has a child that had been there, she signed the other way. So I don't think you could either count one or the other on that one. I'm objecting principally because of the value. I have been trying to get my taxes lowered. They are so high on Ashby and I have been trying and they keep telling me that the value is so high, but if you bring in this kind of a school, no matter how good it does, into this area, you are lowering my property taxes. So I'm wondering if I can't -- if you go ahead and do it, then will you sign things that I can lower my taxes?

CHAIRMAN BUGBEE: Yes, sir.

RICHARD FRANCISCO:

My name is Richard Francisco and I'm in extreme opposition to this. I have no opposition to an organization such as Youth Manor. I spoke against this at the initial meeting. I reside at 1110 Strong Drive, which is exactly -- I am east and adjacent to the property. I'm the closest one of any individual, other than the property owner which would be to the west of there whom I do not know, and I have a very close relationship with this organization as far as being within earshot and seeing what goes on and to hear a gentleman who is an officer of the law who has a child that was in there -- I don't know why his child was in there. It's none of my business why. I'm glad his child came out good, but I'm fearful of and what I do object to is, in the late evening hours up to 10 and 11 at night there is noise going on. They are playing in the backyard. They do play in the open lot that they were told they could not play in on numerous times behind my home. I'm in my backyard -- I have no privacy in my backyard. I have a half acre lot. My house is a \$250,000 home which I put a lot of money in. I waited two years to move into this area and it's a very old established prestigious area which I'm very proud to live in and very happy to be there. My objection to this when we first started talking about Youth Manor and which I thought we were going to be invited back because I talked to Mr. Lurie -- Ron Lurie and he told me that it was a temporary six-month thing and we would be notified and we never were notified and I put that in my letter which I sent to each and every one of you. I don't know if you received it or not. Thank you. And, the problem that I'm looking at now is not only are they noisy -- and there are a lot of problems over there. They make it sound like it's a nice little place. They have a parking problem. Before I left to come to the meeting, I drove over there. There were six vehicles parked in front on the lawn. They do not have the proper entrance and exit to the property. They have to back out onto Charleston. The same people own that piece of property, which is the second house up on Charleston, own the same corner lot -- corner house which is zoned either P-R or commercial. They have an accounting firm in there and everything and they're parking in front of my home which is a residential area. We have an entire parking problem on that whole corner there, so there are a lot more objections and a lot more problems; plus looking at this map, it appears to me that if they want 20 people here that

RICHARD FRANCISCO:

they're going to be moving back into the neighborhood or go up to two stories. Mr. Risman's speech was wonderful about it being a commercial area, but there's a lot of commercial property. I'd be happy to sell them some of mine and they can move it out there and build the building; I'd be more than happy to. It's admirable to talk about it, but Mr. Risman doesn't live exactly where I do and he's an attorney and I'm not. I'm a homeowner and I'm a very happy resident of that area and I would like to stay there and I intend to stay there. So that's the way I feel about Youth Manor and I have nothing against the people there or the project. I just think it's in the wrong location and to try to make 20 people into an area that can't even house 10 now properly -- if they can house 10 properly, they wouldn't be out in the backyard all the time playing and also, not only in that property but the vacant lot behind that. My fence has been broken into about four times. I've had to reinforce it on the inside. I never had that problem before Youth Manor came there and there's a lot of elderly people in that neighborhood. It's not for youths. For Mr. Risman to say that it's a commercial area, it's wonderful, but there's a lot of other commercial area in town and I understand the other people that were up speaking, such as the people from Bonanza Village and so forth, they did have a valid argument, everyone does. But I feel that this is not the proper place for this to be in and also to be expanded. Thank you for your time.

CHAIRMAN BUGBEE:

Thank you. Yes, ma'am. We'll hear from one more.

SHANNON CONNELL:

Yes. My name is Shannon Connell, 1110 Strong Drive also. I just have a couple of things. Also, it's not really that I'm definitely opposed to Youth Manor, I think it's just the expansion. I don't think that there's room for it and I think the more noise and everything for a residential area, it's a little bit poor for our side of it. And, I have a letter from Dr. Kline, one of our neighbors, and it's brief and I'll give it to her as evidence. "Dear Mr. Mayor and Commissioners, I'm writing this letter in response to a notice I received regarding Youth Manor located at 2607 West Charleston. There is to be a hearing at which Youth Manor will ask to increase the number of their residents and to be allowed to give them outside recreational privileges. I am very opposed to this. The Youth Manor represents a very worthy cause, but there must be other areas of Las Vegas

SHANNON CONNELL:

that would be more suitable. This is an older quiet residential area which is why the residents chose to live here. The reason I moved here is because this is a prestigious established neighborhood. I should not be forced to tolerate the present conditions of noise and disturbance caused by the young people of Youth Manor. It would be unfair to me and the other residents to allow Youth Manor to increase their numbers and the accompanying problems. Please be aware of my very strong opposition on this matter. Sincerely, Doctor Kline." And I think that pretty much states what a lot of us feel that an increase would be detrimental to our private home life.

CHAIRMAN BUGBEE:

Thank you. Yes, sir. I'll hear one more than we'll turn it back to the --

LEO BORNS:

My name is Leo Borns. I live at 1125 Strong Drive and, of course, the ones that are here are among the same that were here when the facility was originally trying to locate. We have the same -- we have the same -- we voice the same complaints now as we did before and I think that the same complaints have been borne out over the period of years that they've been in here. My initial complaint was that I felt there was a moral thing here that was wrong. Other than the fact that it is commercial -- designed commercial, the most stringent zoning in commercial and so it really has to be looked at closely and -- but they're -- Strong Drive is a funnel for all the kids in that neighborhood. I'm talking about small children, grade school kids up to kindergarten through fifth -- excuse me, fifth grade and they walk up Strong and in front of this facility and they go to and from West Charleston which is now Howard Watson School. That was the moral thing that I brought up to begin with. I don't feel as though it is a good thing for those kids to have to pass in front of this facility twice a day during the school years. You know, there's enough troubled people out just walking the streets. You concentrate them in an area and, you know, I have no idea to what degree these children that they have in there or these youths in there have problems, but I've seen police cars at least once. In fact, Al Levy called me one time after this was approved -- it was -- I can't remember how many months after, and I said, "Well, you know, I haven't really heard anything, you know, I don't see anything. There's, you know, I don't pass by that place very much. I really don't pay that much attention to it," but one day I was pulling out of the

LEO BURNS:

driveway and it was just a few days before he called me to ask if I had any opinion on it one way or the other and I said, "Well, the only thing that I, you know, just what I said," but I backed out and I turned and as I was approaching Charleston, a police car ripped around the corner and slid to a stop -- he was on a radio. By that time I passed him and paused at the corner and there was a police car in front of this facility and I stayed there a short period of time just watching to see what was going to happen and pretty soon a helicopter was overhead. So I don't know what took place at that particular time. I don't care, but I reported that to Al Levy at that particular time. I don't know if -- there's helicopters been in the area many times since then. I don't know where they were. If they were over that facility or what. I still go back to the principal thing that I don't like about it and I just don't like, from a planning standpoint, a city operating standpoint, of these kids having to walk in front of something like that, whatever it might be. I just feel they're too tiny and you concentrate, whatever problem it might be, it's just something I don't think should be, and that's one of the concerns I had from the beginning. I think all of us have the same concerns. Nothing is changed. I hear complaints from these neighbors that I live with here and -- the same ones -- day in and day out and it's -- I just think they could locate some place where you have less stringent conditions that are required other than in a designed commercial, like a C-2 or C-1 or something of that nature, industrial, I don't know. There are other places to go. I -- like you say, I don't know what the facility here is really. It's a problem. There seems to be so many of these things.

CHAIRMAN BUGBEE:

Isn't there a crossing there at Strong for the kids to go to school?

No, no. They go up to Shetland and they cross over at Shetland. They go up to the next street. There's no -- Strong dead ends up there and then they turn and they go west. I lived there 16½ years at 1124 Strong. We raised three kids. They walked back and forth to school and, of course, they're all grown and gone.

CHAIRMAN BUGBEE:

So did mine. I lived on Strong too at one time, you know, 1280. So I built most of those houses. I just thought that -- you know, my office is just up the street there -- that's right.

COMMISSIONER JUNIEL: I'm thoroughly confused now. We've allowed the same type almost facility -- well, we didn't allow -- couldn't come to any conclusion as to why they should be in a residential area. Now we have one in a commercial area -- it has to go some place.

CHAIRMAN BUGBEE: I'm going to -- can I close or just give these people some time for rebuttal? There's some questions and then we'll have a vote on this thing.

MARK RISMAN: First as to the allegations about the children passing the place. Unfortunately, in my own profession in the restaurant owner, shop owners, even the casino owner, I've heard of child molestation. I've heard of no accusations of any type of adverse or immoral activity in front of these young children as they're walking to school. I don't even see the gentleman's point. As far as there being enough room for the additional 10 children, I would like to defer to the expertise of your staff that determined there was enough room for this additional -- for these additional children to come in. As far as the type of area it is and this facility, right across the street, as you can see on the petition, there's a senior citizen home and they are in favor of this expansion that is before this board today. So there are other types of facilities. Whether one handles youths and the other handles some of our elderly citizens, but there is that type of activity in the neighborhood. The gentleman who first spoke says he explored the area for two years before moving in. Mr. Bugbee, you made a point earlier about Eastern being a noisy crowded area. Well, Charleston certainly is an area filled with traffic, filled with commercial enterprises, the senior citizens home across the street.

CHAIRMAN BUGBEE: Granted, but there's a lot of beautiful homes on Ashby, my friend, and that's what they're talking about.

MONTY BRANDT: And they're all high-priced, too.

MARK RISMAN: I agree, but this -- it abuts a commercial area and they realized that when they moved in. I just think, you know, with the recommendation of staff showing that there is adequate facilities, the people who have moved into the neighborhood knew it was a commercial area, the type of similar housing facility across the street with the senior citizens center. No validation of any

MARK RISMAN: complaints of any trouble that's occurred from this area. I would urge that this board follow staff's recommendations.

LEO BURNS: Can I say one more thing?

CHAIRMAN BUGBEE: No, you had your time there.

JIM O'CONNELL I would just like to add one thing. How unfortunate it is that Karen Robinson and her staff has to stand up and defend doing something good for our community. It's an unfortunate situation.

CHAIRMAN BUGBEE: You're getting a little bit out of line too. We've heard this. I don't really have to hear any more unless there's something --

KAREN ROBINSON: I would like to add -- we took a picture. This is the area behind the house. It is part of the property that we lease. We do not use it. We do send the kids out there for an extra "chore" as a punishment to clean out, and as you can see, it still has some bushes and tumbleweeds that need to be cleaned up. We do not use this area. It's the buffer zone that we agreed upon and it's been maintained that way.

CHAIRMAN BUGBEE: Thank you. I'm going to close the hearing.

MAN FROM AUDIENCE: I would like to say one thing since I live right behind them, please.

CHAIRMAN BUGBEE: I'm going to have to leave it this way. We've been sitting up here and everybody's had their opportunity. We've asked people to come up and sign in if they wanted to talk -- no, thank-you, the hearing's closed.

MAN FROM AUDIENCE: Alright, thank you very much.

COMMISSIONER JUNIEL: Mr. Chairman, I think that most of these people have been here all night so they've heard what's gone on for other similar type applications and they were in residential areas. Now I'm -- actually I'm a little confused. I don't know what anybody wants now, but I'm going to MOVE FOR APPROVAL BECAUSE IT'S A COMMERCIAL AREA. WE DON'T WANT THEM IN THE RESIDENCES. WE DON'T WANT THEM IN COMMERCIAL, BUT I THINK IT'S MORE COMPATIBLE THERE THEN IT WOULD BE IF THEY ACTUALLY PUT IT ON STRONG STREET. SO, IT'S ABUTTING A RESIDENTIAL AREA AND I UNDERSTAND THAT AND I SYMPATHIZE WITH YOU AND I THINK YOU'VE HEARD

COMMISSIONER JUNIEL: ME TONIGHT DEFEND RESIDENTIAL -- DIDN'T WANT THIS IN THEIR NEIGHBORHOOD, BUT THIS ACTUALLY IS IN A COMMERCIAL ZONING. SO, IT'S ABUTTING THE RESIDENTIAL AND I UNDERSTAND THAT, BUT I DON'T KNOW WHAT ELSE CAN BE DONE SO I'M GOING TO MOVE FOR APPROVAL.

CHAIRMAN BUGBEE: Cast your vote, please. (MOTION CARRIED WITH A 3 TO 1 VOTE WITH MYERS EXCUSED)

MONTY BRANDT: How many feet are there? You never answered my question.

MARK RISMAN: How many square feet?

MONTY BRANDT: How many square feet are there in that house?

CHAIRMAN BUGBEE: I'll tell you why I didn't answer your question because the welfare people have investigated the house and they say it's capable of handling 20. That's all we're interested in.

MAN FROM AUDIENCE: Is that documented, sir?

CHAIRMAN BUGBEE: Yes, sir.

MAN FROM AUDIENCE: It is documented?

CHAIRMAN BUGBEE: They have to, to get a license.

MAN FROM AUDIENCE: Okay.

CHAIRMAN BUGBEE: That's the only way they can get the license, is document it.

DEPUTY CITY CLERK
LeBOEUF: Mrs. Juniel, is that with conditions?

COMMISSIONER JUNIEL: WITH STAFF'S RECOMMENDATIONS.

HAROLD FOSTER: Yes, and this will go to the City Council on May 16th at 2:00 P.M. in these Chambers for final decision.

LEO BORNS: Just exactly what does that mean, because last time they told us we were going to -- six months, we were going --

HAROLD FOSTER: It will go to the Council -- before the Council -- this request for final decision on May 16th at 2:00 P.M.

MONTY BRANDT: Can we object?

LEO BORNS: Can we object at that time?

HAROLD FOSTER: Sure.

LEO BORNS: Pardon.

MONTY BRANDT: Can we object --

LEO BORNS: Can we bring formal statements and pictures of these people playing outside of their area?

CHAIRMAN BUGBEE: Whatever you want. Just prepare your case.

COMMISSIONER JUNIEL: Well, they're approved to play out there now, isn't that --

LEO BORNS: No, they're not approved to play outside. That's the problem, they don't stay in that area. They're out behind the lot that they're not --

COMMISSIONER JUNIEL: Well, this says with outside recreation. They just got it.

CHAIRMAN BUGBEE: There'll be a public hearing at the Commission level.

LEO BORNS: Could you move us up earlier in the hearing so that perhaps everybody won't be so cranky?

END OF EXCERPT

NAME

ADDRESS

4-26-84

Constance H. Harte	V-42-84/AP	2400 W. Hampton
LAZAR	V-43-84 PR	3616 Dean
Linda Sullivan	V-43-84 PR	3616 Dean Head
Thomas H. Harte	V-46-84 PR	3072 E. Camino Ave
Frank Harte	V-15-84 PR	1307 Comstock
Barbara Crean	V-15-84 PR	1931 Mills Cr.
Edna Eubanks	V-15-84 PR	1930 SUTRO LANE
Ronald E. Harte	V-15-84 PR	311 Virginia City Ave.
Joan L. Bennett	V-15-84 PR	1450 Comstock Dr.
Charles W. Harte	V-15-84 PR	1421 Comstock
W. H. Harte	V-15-84 PR	1411 Gold Hill
James R. Harte	V-15-84 PR	1723 Cedar Dr.
Thomas E.		1933 Sutter Ln
W. H. Harte		1322 Comstock
W. H. Harte		1946 Opheim St.
W. H. Harte		2476 Idaho
Ken H. Harte	V-21-84 AP	1552 Winwood L.V.
John H. Harte	V-24-84 AP	1915 F Mesquite
Eric H. Harte	V-24-84 PR	1908 Cedar Ave.
W. H. Harte	V-24-84 PR	1909 Cedar Ave
Carl H. Harte	V-24-84 PR	2008 Walnut Ave
Edna H. Harte	V-24-84 PR	1919 E. Mesquite
Donna H. Harte	V-24-84 PR	1913 E. Mesquite
John H. Harte	V-24-84 PR	1908 E. Harte
John H. Harte	V-70-81 PR	1110 STRONG DR LAS VEGAS
Shannon Harte	V-70-81 PR	1110 Strong Dr.

NAME

4-26-84

ADDRESS

Rm MAINWAL V-4-84 AP

333 NO. RANCHO RD.

PAT HAYDEN V-22-84(140) AP

3926 HELEN AVE.

Karl E Kelly V-36-84 AP

812 Pyramid Dr. L.A.

I O'Leary V-38-84 AP

1601 Ardmore

Jayne Thurman V-39-84 AP

4228 Tuffer Ln LV NV

Robert E. Mahan V-41-84 AP

6505 Desperado Ave

Robert E. Mahan V-42-84 PR

2320 Constantine

Larry Kinsler V-42-84 PR

2312 Constantine

James B. Gallagher V-42-84 PR

2324 Willamette

James M. Lawson V-42-84 F

Bldg. Dept. V. City L.V.

John E. Kennedy V-43-84 AP

2330 ABBOTT ST LV 89122

Toni Smith V-43-84 PR

3512 DIAMOND DR

Marge Smith V-43-84 PR

3516 DIAMOND DR

Laurie M. Nelson V-44-84 AP

504 N. 9th St

Tom Chaves V-45-84 AP

601 Shamba

Larry Christensen V-46-84 AP

4201 W. San Joaquin

Dalean Porter V-48-84 AP

3720 Artigue Ave L.V.

John R. Frank V-48-84 AP

" " "

Wesley Newman V-49-84 AP

5303 E. TWAIN ST L.V.

CARLE LOVELL JR AND V-50-84 AP

1701 W. CHAS. BLVD #100 LV

JAE K. WEE V-50-84 AP

3147 Chapala Dr. L.V. 89121

Rudell Rano V-55-84 AP

385 N. Pinalta 89108

John Rando V-55-84 AP

1920 SUTRO

Lorrie W. W. V-58-84 PR

Lee M. W. W. V-23-84 AP

Charles Beckert V-58-84 PR

1316 W. Wintergreen

(OVER)

MARK PERKINS V-2484 Faw 105 E HARMON W.V.

Ken Kuntz V-2484 Faw 1205 S. THIRD ST

Mark Rasmussen V-70-81 ap 101 Convention Center Pl

James A. Peltand V-70-81 Faw Suite 900
6509 Shawnee AVE

Karen E. Robinson V-70-81 AP 4013 San Joaquin Ave

Joe O'Connell V-70-81 Faw 5377 Barrel Springs Way LV NV

INTER-OFFICE MEMORANDUM

Date

April 26, 1984

TO:

FOSTER

FROM:

CLEMMER

SUBJECT:

BOARD OF ZONING ADJUSTMENT MEETING
APRIL 26, 1984
AGENDA ITEM CONDITIONS

COPIES TO:

VAL STEED
RICK WILLIAMS
CINDY EADE
~~S~~ANDY LEBOEUF

OLD BUSINESS:

1. V-4-84

This was held in abeyance several times pending the outcome of the zoning action which was approved by the City Council on April 18, 1984. The shopping center to the north is C-1 and set back 10' with landscaping between the block wall and Fairhaven Street. The project is for C-1 zoning to continue that pattern. This is a district type facility so would not be in conflict with the General Plan. The treatment along Fairhaven should protect the low density development to the west especially if they could provide a mansard roof detail to soften the commercial look which also could be helpful at Decatur. The total block wall and landscaping should be done in the first phase of development. Total area 95,000 square feet and ample parking provided.

Staff recommends APPROVAL subject to the following conditions: ✓

1. Conformance to the plot plan and elevations amended to provide a mansard roof detail on Decatur Boulevard and a row of R-D lots on Fairhaven Street.
2. Provision of the block wall in the first phase of development.
- 1 3. Conformance to the conditions of approval of Z-2-84. ✓
- 2 4. Standard conditions 2-8

PROTESTS: 0 ✓

PUBLIC HEARING ITEM

BZA FINAL ACTION

FOSTER
April 26, 1984
Page 2
BZA Conditions

NEW BUSINESS:

1. U-18-84(HO)

This home occupation is for the sale of fire safety equipment which is stored in a warehouse location. Ninety percent of his work is in the home. The questionnaire has been answered favorably.

Staff recommends approval subject to:

1. All operation shall conform to the criteria for home occupations.

PROTESTS: N/A

NOT A PUBLIC HEARING

BZA FINAL ACTION

2. U-19-84(HO)

This home occupation is for a tailor and drapery making business which is a customary type. The questionnaire has been answered favorably.

Staff recommends approval subject to:

1. All operation shall conform to the criteria for home occupations.

PROTESTS: N/A

NOT A PUBLIC HEARING

BZA FINAL ACTION

3. U-22-84(HO)

The proposal is for swimming lessons at the home. This is a public hearing. There will be 4-6 students, Mon. thru Fri., 9AM to 3PM from mid June through the first week in August. We have had repercussions from group teaching operations of this nature in the past. One was a dance studio. In this case outdoor pool facility will be used.

Staff recommends denial. If approved, subject to:

1. This operation shall be limited to a maximum of four students.

2. The operation shall be limited to the hours of 9:00 AM to 3:00 PM, Monday through Friday from the middle of June through the first week of August only.

3. The operation shall conform to all other criteria for home occupations.

4. Review in six months with the right to rescinding approval if the use has created any neighborhood problems.

PROTESTS:

NO PUBLIC HEARING ITEM

BZA FINAL ACTION

FOSTER
April 26, 1984
Page 3
BZA Conditions

4. U-25-84(H0)

The proposal is to supply mailing addresses to businesses.
The questionnaire has been answered favorably.

Staff recommends approval subject to:

1. The operation shall conform to the criteria for home occupations.

PROTESTS: N/A

NOT A PUBLIC HEARING

BZA FINAL ACTION

5. V-36-84

In this case the building was to have 3,400 sq. ft. of ground coverage and the only other space for parking was the front yard which we are trying to avoid using for Historic Preservation reasons. It's a one story building. Several months ago the board suggested a variance for a two story building in this general area. Staff feels that the buildings in this area should not be enlarged to the detriment of not providing adequate parking on site.

Staff recommends denial. If approved subject to:

1. Conformance to the plot plan.
2. Conformance to the conditions of approval of V-5-84.

PROTESTS: 0

PUBLIC HEARING ITEM

BZA FINAL ACTION

6. V-38-84

This is a regular lot. There is no hardship.

Staff recommends denial. If approved subject to:

1. Conformance to the plot plan and elevations.
2. Standard condition #7.

PROTESTS: 0

PUBLIC HEARING ITEM

BZA FINAL ACTION

7. V-39-84

This parcel of land was allowed to be created with less than the required 20,000 sq. ft. by the approval of V-1-80. Because of the size of the lot and the close proximity of the dwellings to one another, a condition was imposed disallowing horses. The applicant wishes to have the limitation removed so that he can have horses. However, because of the small lot size he must ask for relief from the standards set forth in the R-E zone which are designed to control the location

7. V-39-84

Continued
of the corrals and stables.

Staff recommends denial. If approved subject to:

1. Conformance to the plot plan.

PROTESTS:

PUBLIC HEARING ITEM

BZA FINAL ACTION

8. V-40-84

This proposal to allow wholesale storage of machine and hand tools utilizes over 1/2 of the building area. There is no unnecessary hardship.

Staff recommends denial. If approved subject to:

1. Conformance to the plot plan.
2. Dedicate 10' of right-of-way for Las Vegas Boulevard and a radius corner at Las Vegas Boulevard and Park Paseo as required by the Department of Engineering Services.
3. Install sidewalk and street lights on Park Paseo as required by the Department of Engineering Services.
4. Standard conditions 2-8

PROTESTS:

PUBLIC HEARING ITEM

BZA FINAL ACTION

9. V-41-84

This proposal to allow music lessons one on one and for group recitals on this property could create problems even in this transitional area. The one-on-one lessons is customary but recitals could draw large groups which would be disquieting to the neighborhood.

Staff recommends ~~approval~~ of the one-on-one instruction but denial of the group recitals. If approved subject to:

1. Conformance to the site plan.
2. No more than four students shall be involved in the group lessons.
3. No group recitals shall be conducted at the location.

PROTESTS:

PUBLIC HEARING ITEM

BZA FINAL ACTION

10. V-42-84

This lot backs Eastern Avenue. It has potential for P-R which is compatible with R-1 but R-2 (duplex) is not. There is no hardship. Existed since 1973.

Staff recommends denial. ~~to approved subject to:~~ ✓

1. Conformance to the plot plan and elevations. ✓
2. Provide three ~~off~~ off-street parking spaces. ✓

PROTESTS: 1 ✓

PUBLIC HEARING ITEM

BZA FINAL ACTION

11. V-43-84

This is an ordinance amendment being proposed which is to allow commercial storage units in a C-1 zone by means of a use permit. Staff is tending to favor such an amendment if the buildings are aesthetically comparable to surrounding commercial developments or better. The plan for this project is storing with wood siding and Dutch-like roof and it is well set back from the residential. It fronts Pecos. Parking is adequate.

Staff recommends approval subject to: ✓

1. Conformance to the conditions of approval of Z-80-77. ✓

2. Standard conditions 1-8. ✓

PROTESTS: 1 ✓

PUBLIC HEARING ITEM

BZA FINAL ACTION

12. V-44-84

This appears to be used for residential purposes now. It would be as old law second units exist in this area and other older areas of the City. There are sufficient yards and open spaces on the site. Parking is okay (3 spaces).

Staff recommends approval subject to: ✓

1. Conformance to the plot plan and elevations. ✓

PROTESTS: 0 ✓

PUBLIC HEARING ITEM

BZA FINAL ACTION

L#. V-45-84

This request is for two signs, one on each phase of a 10 acre office complex. There will be one for each 330' of frontage where we have been getting an average of three at 15 sq. ft. in each 330' frontage on 45Δ at 5' height. These two signs will be 3'0" and 3'6" high and total 55Δ be set back 10' from the property line where they normally are to the property line.

13. V-45-84

Continued

Staff feels they are tastefully designed and would not oppose them. If approved subject to:

1. Conformance to the plot plan and elevations. ✓

PROTESTS: 2 ✓
PUBLIC HEARING ITEM

Beautification Com app
CC: 5/16/84 ✓

14. V-46-84

This proposal for a repair garage exists or is under consideration as a minor tune-up facility. Staff does not find that public garages should be in other than industrial or light industrial areas.

Staff recommends denial. If approved subject to: ✓

1. Conformance to the plot plan and elevations. ✓

PROTESTS: 1 ✓
PUBLIC HEARING ITEM

BZA FINAL ACTION

15. V-47-84

The applicant contacted Rick and indicated that the application would be withdrawn.

16. V-48-84

This is the case where Mr. Funk talked to you and John Herbert. This area except the Bonanza frontage has been transitioning from low to medium high density residential quite rapidly over the past 20 years and appears to be a stable medium high density area. Applicant argues that it is a bad rental area. Staff does not feel that introduction of offices into this apartment area on streets that are improved as minors is prudent and would therefore recommend denial. ✓
Maximum spaces are four where nine are required.

If approved subject to: ✓

1. Conformance to the plot plan and elevations. ✓
2. Cease all residential use. ✓
3. Standard conditions 2-8 ✓

PROTESTS:
PUBLIC HEARING ITEM

BZA FINAL ACTION

#1 office use only
no residential

all residential use must cease
1-2-8
1-2-8

17. V-49-84

This could be a problem as the operation is intended May 19 and a later appeal could disrupt the proposal. A one day use of the parking area will not disrupt land use so staff would not be opposed. It could even be allowed for one day each year. Further, the use of parking spaces in this area will not spill over into residential areas.

Staff is not opposed and if approved subject to:

1. Conformance to the plot plan. ✓
2. The use shall be permitted for one day - May 19, 1984. ~~2~~

PROTESTS: 0 ✓
PUBLIC HEARING ITEM

BZA FINAL ACTION

18. V-50-84

282e
There is a proposed rezoning to P-R and P-R does not allow a dental lab. Recall this is the five lot east of Maryland Parkway on the north side of San Pedro facing the rear of a shopping center. This has been allowed wherein a major complex of dentists for the onsite use only but that is not the case here. This is very borderline and if allowed would not disrupt the area. Staff still must approve to keep the P-R integrity intact with no sale of a product.

Staff recommend denial. If approved subject to:

1. Conformance to the plot plan and elevations. ✓
2. Approval of and conformance to the conditions of approval of Z-27-84. ✓ ~~2~~

PROTESTS:
PUBLIC HEARING ITEM

BZA FINAL ACTION

19. U-15-84

282e
This proposal is to allow a foster home for 12 boys (Mizpah House) on a temporary basis of 11 months until the permanent facility is constructed. This is an R-E zone permitting single family residences and 12 children is the maximum number of children permitted as a child care facility by use permit but these are usually on a temporary basis and not every day use of the week. This is a close call and ironically we have heard that the Homeowners Association favors this temporary use. However, in order to protect the residential district and in keeping with our past position of supporting group housing facilities on primary streets, staff must oppose this request. If approved subject to:

1. Conformance to the plot plan and elevations.

19. U-15-84

Continued

2. The use shall cease March 26, 1985.

PROTESTS: *45 petitions*
PUBLIC HEARING ITEM

BZA FINAL ACTION

20. U-17-84

The Planning Commission allowed this in an R-PD or R-CL type lots that four would be the maximum based on the 3,000-4,000 sq. ft. lot size. When we adopted the R-CL the U.P. requirement was in keeping with that concept and we could control the scale. Staff feels that family care homes are needed in R-CL as much as R-1 and since this lot is nearly 5,000 sq. ft. that it is also consistent with Planning Commission concerns.

Staff recommends approval subject to: ✓

1. Conformance to the plot plan and elevations. ✓

2. The approval is limited to five children maximum, ✓
Monday through Friday from 6:00 AM to 6:00 PM only.

PROTESTS: *0* ✓
PUBLIC HEARING ITEM

BZA FINAL ACTION

21. U-20-84

This is the buying and selling of precious metals and jewelry which requires City Council approval.

Staff recommends approval subject to: ✓

1. Conformance to the plot plan and elevations. ✓

PROTESTS: *0* ✓
PUBLIC HEARING ITEM

CC: 5/2/84 SET DATE
FOR PUBLIC HEARING ✓

22. U-21-84

Used vehicle lots are usually relegated to parts of Decatur Boulevard, Sahara and Boulder Highway and were avoided going out Rancho, heretofore, but this is R/V types which are appropriate to this area of Mt. Charleston and Lee Canyon so we could support and still keep other types in place.

Staff recommends approval subject to: ✓

1. Conformance to the plot plan and elevations. ✓

PROTESTS: *0* ✓
PUBLIC HEARING ITEM

BZA FINAL ACTION

23. U-23-84

In 1975 a use permit was approved which allowed a U-Haul truck and trailer rental operation on this property. In 1981 the U-Haul business moved down the street to the west. Subsequently, a review by the Board allowed a forklift equipment sales and rental business. This business ceased about a year ago and the property has been vacant ever since. In the vicinity, there is Ahern Equipment Rental, U-Haul Rental and a recreation vehicle parts and repair operation. Although used car operations have been reserved for the most part to an area on Fremont Street, this use is not out of character with the existing uses in this area. The plot plan indicates an auto repair and body shop which would not be premitted in the C-2 zone, only minor repair and tuneups could be allowed.

Staff recommends approval subject to: ✓

1. Standard conditions 1-8 ✓

PROTESTS: 0 ✓
PUBLIC HEARING ITEM

BZA FINAL ACTION

24. U-24-84

This property sits roughly in the center of a predominately single family residential area. The proposed use would not be in character with the existing, surrounding land use.

Staff recommends denial. If approved subject to:

1. The detached accessory structure to be used as a garage and storage only.
2. Standard conditions 1,2,3, 5, 6, 7, & 8

PROTESTS: 4 ✓
PUBLIC HEARING ITEM

BZA FINAL ACTION

25. V-70-81

The original variance action was denied by the BZA in 1981. Because it was a variance to the C-D zone it went onto the City Council. They approved the use with a 6 month review. On May 5, 1982 the review was made by the City Council and the use was allowed to continue. Except for the staff's opening presentation at the BZA meeting, I can find no discussion relative to the number of children involved. The protest was largely against the use itself. Because this is a large R-E type property with a 150 open and unused buffer area on the south part of the site, the addition of 10 more children would not be a significant change and would not be noticeable to the residences on the south.

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25. V-70-81

Continued
Staff recommends approval. ✓

PROTESTS: 2 ✓
PUBLIC HEARING ITEM

CC: 5/16/84

26. V-90-83

The variance was for an R-3 multi-family residential housing facility for senior citizens. Because the development is being funded by a federal agency, we might as well recommend a one year extension. You know how slow the government can be!

Staff recommends approval subject to: ✓

1. Extension of time shall be limited to ~~a one year~~ ^{6 mos} time period.

PROTESTS: N/A
NOT A PUBLIC HEARING

BZA FINAL ACTION

27. U-45-74

The church would like to sell the north 90' of their property to a developer who would then construct apartments on it. As the adjacent properties are developed with apartments and this site is zoned R-4, this proposal presents no problem. However, the original site plan indicated the church would have a seating capacity of 450. Rev. Roy Wilson indicated to me that the number of seats is now 900. Only a portion of the property is paved even though much of it is being used for parking. Additional paving is necessary to provide the minimum of 90 parking spaces which the Code requires. In addition they want to modify the approved landscaping plan to diminish the amount which was required.

Staff recommends approval subject to: ✓

1. Recording of an approved parcel map. ✓
2. Installation of the required landscaping and paving of the required parking spaces ~~before the parcel map is recorded~~ ^{prior to recording the}
3. Standard conditions 1-8 ✓

PROTESTS: N/A
NOT A PUBLIC HEARING

BZA FINAL ACTION

P 4 of ~~the~~ installed landscaping
along H St 1. N. 1.5' C

SUPPLEMENTAL AGENDA

BOARD OF ZONING ADJUSTMENT MEETING

APRIL 26, 1984

1. U-26-84(HO) Application of LEON HAEUPTLE ON BEHALF OF ANA G. PASTOR for a Home Occupation Use Permit to operate a mail order business on property located at 1303 Exley Avenue in Zoning District R-2 (Two-Family Residence).
2. U-27-84(HO) Application of JUDITH G. NEWKIRK for a Home Occupation Use Permit to allow the making of photo albums, picture frames and sachets on property located at 1804 Demetrius Avenue in Zoning District R-1 (Single-Family Residence).
3. U-28-84(HO) Application of RENE C. MERRITT for a Home Occupation Use Permit to operate a wholesale import business on property located at 112 Firestone Drive in Zoning District R-CL (Single-Family Compact-Lot).
4. U-29-84(HO) Application of CHERYL J. BOYD for a Home Occupation Use Permit to take orders and make business calls for a retail and promotional packaging business on property located at 4720 Shoen Avenue in Zoning District R-1 (Single-Family Residence).

NOTE: All of the above home occupations are in order and staff recommends approval subject to:

1. All operation shall conform to the criteria for home occupations.

BZA FINAL ACTIONS