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A G E N D A

BOARD OF ZONING ADJUSTMENT

JUNE 28, 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 May 24, 1984
Board of Zoning Adjustment Meeting.

NEW BUSINESS:

1. U-40-84(HO) Application of MAVIS BENSON for a Home Occupation
Use Permit to conduct a parliamentary law consulting
business on property located at 400 South Torrey
Pines Drive in Zoning District R-1 (Single Family
Residence).
2. U-41-84(HO) Application of SANDLAND VISTAS ON BEHALF OF STEPHEN
F. WRIGHT for a Home Occupation Use Permit to conduct
a mail order business on property located at 3700
East Stewart Avenue in Zoning District R-MHP
(Residential Mobile Home Park).
3. U-42-84(HO) Application of RODNEY SCHUMACHER for a Home Occupation
Use Permit to operate as a freelance radio commercial
producer on property located at 144 Jon Belger Drive
in Zoning District R-CL (Single Family Compact Lot).
4. U-43-84(HO) Application of JUNE H. SAURER for a Home Occupation
Use Permit to assemble dolls to be sold on a wholesale
basis on property located at 2012 Griffith Avenue in
Zoning District R-1 (Single Family Residence).

5. V-67-84

Application of SAMUEL COOPER, ET AL, for a Variance to allow the following:

1. An existing parcel to be divided into two 9,196 square foot lots where 20,000 square feet is required.
2. Each lot to have a frontage width of 78 feet where 100 feet is required.
3. The lot with the existing dwelling to maintain a rear yard setback of 26 feet where 50 feet is required and a north yard setback of 8 feet where 10 feet is required.
4. The existing detached carport in the front yard where such accessory structures are not permitted.

The above request is on property located at 4363 Mountain View Boulevard in Zoning District R-E (Residence Estates).

6. V-68-84

Application of RON & SUE WAAGMEESTER for a Variance to allow off-street parking for employees and vans used for the business of transporting handicapped, ill and convalescent persons where such commercial use is not permitted, and to allow this parking on a graveled surface where paving is required on property located at 912 Shadow Lane in Zoning District R-E (Residence Estates).

7. V-69-84

Application of ARGIRIOS & VASILIKI GIZAS for a Variance to allow a 5 foot rear building setback for 4 proposed four-plexes where a 20 foot setback is required on property generally located at the southeast corner of Pecos and Johnson Avenues in Zoning District R-1 (Single Family Residence), [Proposed R-3 Zone (Limited Multiple Residence)].

8. V-70-84

Application of FORREST J. WOODWARD, II, for a Variance to allow a proposed addition 3 feet from the side property line where 9 feet is required on property located at 3216 Bryant Avenue in Zoning District R-1 (Single Family Residence).

9. V-71-84

Application of VALLEY BANK OF NEVADA, TRUSTEE FOR BETH CORY GARSIDE FAMILY TRUST for a Variance to allow 2 dwelling units where only one is permitted on property located at 1900 South Valley View Boulevard in Zoning District R-1 (Single Family Residence).

10. V-72-84

Application of JOHNNY RIBEIRO BUILDERS, INC., for a Variance to allow group instructional and counseling services where such uses are limited to a one-to-one pupil/instructor ratio, on property located at 2810 and 2820 West Charleston Boulevard in Zoning District P-R (Professional Offices and Parking).

11. V-73-84 Application of WAYNE F. & CAROL N. STEWART for a Variance to allow a carport 37 Feet - 6 inches from the front property line where 50 feet is required on property located at 708 Kenny Way in Zoning District R-E (Residence Estates).
12. V-74-84 Application of NEVADA SAVINGS & LOAN for a Variance to allow a proposed subdivision to have tandem parking (one vehicle in a garage and one on the driveway to the garage) where tandem parking is not permitted on property generally located northwest of Gowan Road and Shermcrest Way in Zoning District R-E (Residence Estates) (Under Resolution of Intent to R-CL - Single Family Compact Lot).
13. V-75-84 Application of JOHN F. & DOROTHY S. GILL for a Variance to allow warehouse addition to an existing building 10 feet from the rear property line where 50 feet is required on property located at 3236 Meade Avenue in Zoning District M (Industrial).
14. V-76-84 Application of LARRY S. LARKIN for a Variance to allow an arbor to extend to the south side property line where a 10 foot setback is required on property located at 1216 Strong Drive in Zoning District R-E (Residence Estates).
15. V-77-84 Application of Elizabeth Thompson for a Variance to allow the following:
1. Block wall to be raised to 8 feet where only 6 feet is allowed.
 2. Carport to the north side property line where an 8 foot setback is required.
 3. A storage shed in the side yard which is not permitted.
- Property is located at 1000 Sproul Court in Zoning District R-1 (Single Family Residence).
16. V-78-84 Application of SANDRA MOMOT for a Variance to allow an addition to an existing patio and carport which will extend to the north side property line where a 10 foot setback is required, on property located at 704 Kenny Way in Zoning District R-E (Residence Estates).
17. V-79-84 Application of JOSEPH G. & CHARLOTTE CRAWLEY for a Variance to allow the following:
1. An existing tri-plex use where only single family dwellings are permitted.
 2. One parking space where three are required.
- Property is located at 400 South 16th Street in Zoning District R-1 (Single Family Residence).

18. V-80-84 Application of DENNIS M. SABBATH for a Variance to allow a second story access stairway on a proposed addition that will be 3 feet - 4 inches from the side property line where 5 feet is required on property located at 600 South 9th Street in Zoning District R-1 (Single Family Residence).
19. V-81-84 Application of PAM S. MAINWAL for a Variance to allow a 5 foot high fence in the front yard area (to be used as a trash enclosure) where 4 foot high top 2 feet 50% open is the maximum allowed on four properties located on Snorkel Circle in Zoning District C-2 (General Commercial) (Under Resolution of Intent to R-3 - Limited Multiple Residence).
20. U-35-72 Application of JAY DOWNEY ON BEHALF OF MIZPAH BOYS HOME for a Use Review to allow a foster care home for twenty (20) boys as a temporary use on property located at 1916 Goldring Avenue in Zoning District R-1 (Single Family Residence).
USE REVIEW
21. V-40-84 Request of DAVID STRAWSER for a review of conditions relative to off-site improvements and dedication requirements on property located at 1201 Las Vegas Boulevard South in Zoning District C-2 (General Commercial).
REVIEW OF
CONDITIONS
22. U-51-65 Request of WEST OAKLEY BAPTIST CHURCH for a Plot Plan Review to allow a portable building to be used as temporary classrooms from August 1, 1984 through August 1, 1985, while a permanent building is under construction on property located at 4400 West Oakley Boulevard in Zoning District R-E (Residence Estates).
PLOT PLAN
REVIEW
23. U-56-80 Request of EARL E. RUSSELL, JR., for a Plot Plan Review to allow an addition to an existing office building on property located at 531 South 10th Street in Zoning District R-4 (Apartment Residence).
PLOT PLAN
REVIEW
24. V-62-82 Request of MICHAEL CLAYTON McFARLAND for a Plot Plan Review to allow an existing 12' x 30' patio cover to be enclosed on property located at 4125 Montemesa Circle in Zoning District R-1 (Single Family Residence).

RECEIVED

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CITY CLERK

SUPPLEMENTAL AGENDA

BOARD OF ZONING ADJUSTMENT

JUNE 28, 1984

1. U-8-59
PLOT PLAN
REVIEW

Request of STOP N GO MARKETS, INCORPORATED, for a Plot Plan Review to allow a 1,200 square foot addition to an existing convenience store and gasoline sales facility on property located at 529 N. Rancho Drive in Zoning District C-1 (Limited Commercial).
2. V-60-84
REVIEW OF
CONDITIONS

Request of BETTY POWELL for a review of conditions to allow 36 children where only 12 infants and 9 children was the maximum permitted on property located at 519 South Decatur Boulevard in Zoning District R-1 (Single Family Residence).

ANNOTATED AGENDA
BOARD OF ZONING ADJUSTMENT
JUNE 28, 1984

MINUTES:

APPROVED - Myers/Unanimous

May 24, 1984

NEW BUSINESS:

1. U-40-84(H0)

APPROVED - Giles/Unanimous

Applicant present

Conditions: 1. Conformance to the criteria for home occupations.

This Item included with Items 2 thru 4.

2. U-41-84(H0)

APPROVED - Giles/Unanimous

Applicant present

Conditions: 1. Conformance to the criteria for home occupations.

This Item included with Items 1, 3 & 4.

3. U-42-84(H0)

APPROVED - Giles/Unanimous

Applicant present

Conditions: 1. Conformance to the criteria for home occupations.

This Item included with Items 1, 2 & 4.

4. U-43-84(H0)

APPROVED - Giles/Unanimous

Applicant not present

Conditions: 1. Conformance to the criteria for home occupations.

This Item included with Items 1 thru 3.

5. V-67-84

APPROVED - Giles/Unanimous

PROTESTS: 4 on record
No one appeared

APPROVALS: Applicant appeared

Conditions: 1. Conformance to the plot plan.
2. Enter an assessment district agreement for street improvements on Arville Street and Mountain View Blvd. as required by the Dept. of Eng. Services.
3. Recording of a parcel map.
4. Move the existing driveway as required by the Department of Eng. Services.

6. V-68-84

APPROVED - Giles/Unanimous - for one year as is.

PROTESTS: None on record
No one appeared

APPROVALS: 2 on record
Applicant appeared

7. V-69-84

APPROVED - Myers/Unanimous

PROTESTS: None on record
No one appeared

APPROVALS: Bob Schofield, 710 So. 9th, appeared and represented applicant.

Conditions: 1. Conformance to the plot plan.
2. Approval of and conformance to the conditions and approval of Z-40-84.
3. Recording of a parcel map.

8. V-70-84

APPROVED - Myers/Unanimous

PROTESTS: None on record
No one appeared

APPROVALS: Carl Henry, 4610 Wynn Rd., appeared and represented applicant.

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

9. V-71-84

DENIED - Myers/Unanimous

PROTESTS: None on record
Joe Sedar, 2521 Arenas, appeared and represented residents at 1813 Valley View.

APPROVALS: Timothy Cory, 1609 E. Sahara, appeared and represented application.

10. V-72-84

APPROVED - Giles/Unanimous

PROTESTS: None on record
No one appeared

APPROVALS: Applicant not present

Conditions: 1. Conformance to the plot plan.
2. The maximum number of persons consulted in a group shall not exceed 10.

This Item will be heard at the 7/18/84 City Council meeting

11. V-73-84

APPROVED - Giles/Unanimous

PROTESTS: None on record
No one appeared

APPROVALS: Applicant appeared
Show of two hands in audience

Conditions: 1. Conformance to the plot plan and elevations.

12. V-74-84

APPROVED - Giles/Unanimous

PROTESTS: None on record
No one appeared

APPROVALS: Helmet Ogris, Young American Homes, represented the application.

Conditions: 1. Conformance to the plot plan.
2. Provide a deed restriction; restricting garage conversion to any other use.

13. V-75-84

APPROVED - Myers/Unanimous

PROTESTS: None on record
No one appeared

APPROVALS: Victor Gill appeared

Conditions: 1. Conformance to the plot plan & elevations.
2. Standard condition #8.

14. V-76-84

APPROVED - Giles/Unanimous

PROTESTS: One on record
Sally Loehrer, Atty., appeared & repr. Mrs. Squires

APPROVALS: Applicant appeared

Conditions: 1. Conformance to the plot plan & elevations.

15. V-77-84

APPROVED - Giles/Unanimous

PROTESTS: None on record
No one appeared

APPROVALS: Applicant appeared

Conditions: 1. Conformance to the plot plan.

16. V-78-84

APPROVED - Giles/Unanimous

PROTESTS: None on record
No one appeared

APPROVALS: One on record
Applicant appeared
One hand in audience

Conditions: 1. Conformance to the plot plan.

17. V-79-84

APPROVED - Myers/Unanimous - without extra parking spaces.

PROTESTS: None on record
No one appeared

APPROVALS: Charlotte Crawley and John Hunt, Atty, appeared
One hand in audience

Conditions: 1. Conformance to the plot plan.

2. Dedicate a 15' property line radius at the
intersection of 16th St. at Lewis Ave. as
required by the Dept. of Eng. Services.

3. Install smoke detectors in the sleeping
areas as required by the Dept. of Fire Services

This Item to be heard at the 7/18/84 City Council meeting.

18. V-80-84

ABEYANCE - Giles/Unanimous

No one appeared in opposition

Applicant not present

19. V-81-84 APPROVED - Myers/Unanimous
- PROTESTS: None on record
 No one appeared
- APPROVALS: Walt Graham, 5280 LaSalle Way, appeared & repre.
 applicant
- Conditions: 1. Conformance to the plot plan & elevations.
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20. U-35-72 APPROVED - Giles/Unanimous - Use to cease with this applicant.
- Use Review PROTESTS: None on record
 No one appeared
- APPROVALS: Jay Downey and Jose Boueda appeared
- Conditions: 1. This approval is for a maximum of 20
 children and subject to the vacating of
 the premises by Focus.
-
21. V-40-84 APPROVED - Myers/Unanimous - Expunge conditions 2, 3, 4, 6,
 7, 8 and 10.
- Review of Mike Sloan, Atty, appeared on behalf of application.
 Conditions
-
22. U-51-65 APPROVED - Giles/Unanimous
- Plot Plan Clarence Cutting, 413 Newcombr Cir., appeared on behalf of
 Review application.
- Conditions: 1. Conformance to the amended plot plan.
2. The temporary classrooms shall be removed
 on or before August 1, 1985.
3. Provide smoke detectors, fire extinguishers
 and exits as required by the Dept. of Fire
 Services.
-
23. U-56-80 APPROVED - Myers/Unanimous
- Plot plan review Applicant appeared
- Conditions: 1. Conformance to the revised plot plan.
2. Elevations shall be alproved by the Dept. of
 Comm. Planning & Deve.
-
24. V-62-82 APPROVED - Giles/Unanimous
- Plot plan review Applicant appeared
- Conditions: 1. Conformance to the plot plan.

SUPPLEMENTAL AGENDA

1. U-8-59 APPROVED - Myers/Unanimous
 Plot plan review Guy Weibling, 2365 Renaissance Dr., appeared on behalf of
 applicant.
 Conditions: 1. Conformance to the plot plan & elevations.
 2. Standard conditions 2-8.

2. V-60-84 ABEYANCE - Giles/2 to 1 vote with Myers voting "no"
 Review of Applicant present
 conditions Held in abeyance in order to notify surrounding property
 owners.

MINUTES

BOARD OF ZONING ADJUSTMENT MEETING

JUNE 28, 1984

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

PRESENT: Vice-Chairman Bonniel Juniel, Robert Giles, and Helen Myers.

EXCUSED: Chairman Robert Bugbee and Jessie Emmett

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

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

ANNOUNCEMENTS: Mrs. Juniel 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).

Mr. Clemmer read the standard conditions into the record.

MINUTES: Mrs. Myers made a motion for APPROVAL of the Minutes for the Board of Zoning Adjustment meeting held on May 24, 1984. Motion carried unanimously. (Bugbee & Emmett excused)

NEW BUSINESS:

1. U-40-84(HO) Application of MAVIS BENSON for a Home Occupation Permit to conduct a parliamentary law consulting business on property located at 400 South Torrey Pines Drive in Zoning District R-1 (Single-Family Residence).

APPROVED

Mr. Clemmer 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, subject to staff's condition. Motion carried unanimously. (Bugbee & Emmett excused) This item was included with Items 2 thru 4.

2. U-41-84(HO)

APPROVED

Application of SANDLAND VISTAS ON BEHALF OF STEPHEN F. WRIGHT for a Home Occupation Permit to conduct a mail order business on property located at 3700 East Stewart Avenue in Zoning District R-MHP (Residential Mobile Home Park).

Mr. Clemmer 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, subject to staff's condition. Motion carried unanimously. (Bugbee & Emmett excused) This item was included with Items 1, 3 & 4.

3. U-42-84(HO)

APPROVED

Application of RODNEY SCHUMACHER for a Home Occupation Permit to operate as a freelance radio commercial producer on property located at 144 Jon Belger Drive in Zoning District R-CL (Single-Family Compact Lot).

Mr. Clemmer 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, subject to staff's condition. Motion carried unanimously. (Bugbee & Emmett excused) This item was included with Items 1, 2 & 4.

4. U-43-84(HO)

APPROVED

Application of JUNE H. SAURER for a Home Occupation Permit to assemble dolls to be sold on a wholesale basis on property located at 2012 Griffith Avenue in Zoning District R-1 (Single-Family Residence).

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

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

The applicant was not present.

Mr. Giles made a motion for APPROVAL, subject to staff's condition. Motion carried unanimously. (Bugbee & Emmett excused) This item was included with Items 1 thru 3.

5. V-67-84

APPROVED

Application of SAMUEL COOPER, ET AL, for a Variance to allow the following:

1. An existing parcel to be divided into two 9,196 square foot lots where 20,000 square feet is required.
2. Each lot to have a frontage width of 78 feet where 100 feet is required.
3. The lot with the existing dwelling to maintain a rear yard setback of 26 feet where 50 feet is required and a north yard setback of 8 feet where 10 feet is required.
4. The existing detached carport in the front yard where such accessory structures are not permitted.

The above request is on property located at 4363 Mountain View Boulevard in Zoning District R-E (Residence Estates)

Mr. Clemmer stated that the General Plan allows that this neighborhood could have upward toward three dwelling units per acre and the proposed division of 9200 square foot lots would be 3.16 units per acre. The size of the lots are justifiable based on the General Plan. There is a concern on the south lot in that the creation of 118 foot deep lot with R-E required front and rear setbacks of 50 feet, would only leave about 18 feet of depth for the buildable area. The applicant was asked if the item could be held in abeyance in order to renotify the surrounding property owners to cover that point, but the applicant advised that it was imperative that it be heard tonight. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan.
2. Enter an assessment district agreement for street improvements on Arville Street and Mountain View Boulevard as required by the Department of Engineering Services.
3. Recording of a parcel map.
4. Move the existing driveway as required by the Department of Engineering Services.

There are 4 protests on record.

Samuel Cooper, 509 Lacey Lane, appeared on behalf of the application. He stated that he had a buyer for a part of the property pending the action of the Board. He stated that he had a letter from the adjoining property owner, but that he didn't bring it with him. He stated that they talked with Mr. Clemmer and that they had no objection.

No one appeared in opposition.

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

6. V-68-84

APPROVED

Application of RON & SUE WAAGMEESTER for a Variance to allow off-street parking for employees and vans used for the business of transporting handicapped, ill and convalescent persons where such commercial use is not permitted, and to allow this parking on a graveled surface where paving is required on property located at 912 Shadow Lane in Zoning District R-E (Residence Estates).

Mr. Clemmer stated that this area had been generally planned for medical type uses and that this block is for P-R. The applicant had submitted for P-R Zoning in 1982 and it was approved. It was thought at that time that he would seek a variance for limited ambulance use. The applicant did not perform the improvements under the rezoning application. Staff feels that each development in this area should have paved parking areas, landscaping along the street frontages and that the residential use of the property should cease. Staff recommended DENIAL.

There are no protests on file. There are two letters of approval from the hospital on file.

Ron Waagmeester, 5592 South Mojave, appeared on behalf of the application. He stated that his son works for him and lives on the property. He objected to performing the improvements as he hopes to either sell the property or develop it with another piece of property in the near future. He stated that he parked his vans on the lot rather than parking them on the street.

No one appeared in opposition.

Mr. Clemmer stated that if approved, subject to:

1. Conformance to the plot plan amended to provide 5 gallon evergreens at 5 feet on the center along Alturas Avenue for landscaping.
2. Standard conditions 2-8.
3. Dedicate the radius corner at the intersection of Shadow Lane and Alturas Avenue as required by Engineering Services.
4. Install street improvements on Alturas Avenue and sidewalk on Shadow Lane as required by the Department of Engineering Services.
5. All residential use shall cease.
6. Pave the parking area.

Mr. Giles made a motion for APPROVAL that the business operate as it is with the residence for a period of one year. If the applicant desires to operate for a longer period than one year, all the conditions must be met. Motion carried unanimously. (Bugbee & Emmett excused)

7. V-69-84

APPROVED

Application of ARGIRIOS & VASILIKI GIZAS for a Variance to allow a 5 foot rear building setback for 4 proposed four-plexes where a 20 foot setback is required on property generally located at the southeast corner of Pecos and Johnson Avenues in Zoning District R-1 (Single-Family Residence), (Proposed R-3 Zone - Limited Multiple Residence).

7. V-69-84

(Continued)

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

1. Conformance to the plot plan.
2. Approval of and conformance to the conditions and approval of Z-40-84.
3. Recording of a parcel map.

There are no protests on file and no one appeared.

Bob Schofield, 710 South 9th Street, appeared on behalf of the application.

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

8. V-70-84

APPROVED

Application of FORREST J. WOODWARD, II, for a Variance to allow a proposed addition 3 feet from the side property line where 9 feet is required on property located at 3216 Bryant Avenue in Zoning District R-1 (Single-Family Residence).

Mr. Clemmer stated that the addition could be made in the rear yard 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 file.

Carl Henry, C.H. Construction, appeared on behalf of the applicant. The addition is an extension of an existing den that the owner wants to change into a bedroom and it would also extend the master bedroom on the second floor.

No one appeared in opposition.

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

9. V-71-84

DENIED

Application of VALLEY BANK OF NEVADA, TRUSTEE FOR BETH CORY GARSIDE FAMILY TRUST for a Variance to allow 2 dwelling units where only one is permitted on property located at 1900 South Valley View Boulevard in Zoning District R-1 (Single-Family Residence).

Mr. Clemmer stated that this was a regular lot and that there was no hardship involved. Staff recommended DENIAL.

There are no protests on file.

Timothy S. Cory, 1609 E. Sahara, represented the application. He stated that the applicant wanted to convert a garage into a rental.

9. V-71-84

(Continued)

Joe Sedar, 2521 Arenas, appeared on behalf of the neighbors at 1813 Valley View who are in opposition. He stated that the garage had already been made into an apartment and was rented and that it was downgrading the whole neighborhood.

Mrs. Myers made a motion for DENIAL. Motion carried unanimously. (Bugbee & Emmett excused)

10. V-72-84

APPROVED

Application of JOHNNY RIBEIRO BUILDERS, INC., for a Variance to allow group instructional and counseling services where such uses are limited to a one-to-one pupil/instructor ratio, on property located at 2810 and 2820 West Charleston Boulevard in Zoning District P-R (Professional Offices and Parking).

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

1. Conformance to the plot plan.
2. The maximum number of persons consulted in a group shall not exceed 10.

There are no protests on file.

The applicant was not present

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Bugbee & Emmett excused) This item will be heard at the 7/18/84 City Council meeting.

11. V-73-84

APPROVED

Application of WAYNE F. & CAROL N. STEWART for a Variance to allow a carport 37 feet 6 inches from the front property line where 50 feet is required on property located at 708 Kenny Way in Zoning District R-E (Residence Estates).

Mr. Clemmer stated that this was a regular lot and, therefore, staff recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan and elevations.

There are no protests on file.

Wayne Stewart appeared on behalf of the application.

No one appeared in opposition.

There were two people in the audience in favor.

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

12. V-74-84

APPROVED

Application of NEVADA SAVINGS & LOAN for a Variance to allow a proposed subdivision to have tandem parking (one vehicle in a garage and one on the driveway to the garage) where tandem parking is not permitted on property generally located northwest of Gowan Road and Shermcrest Way in Zoning District R-E (Residence Estates) (Under Resolution of Intent to R-CL - Single Family Compact Lot).

Mr. Clemmer stated that there was sufficient width to get a two-car driveway, and, therefore, staff recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan.
2. Provide a deed restriction; restricting garage conversion to any other use.

There are no protests on file.

Helmet Ogris, Young American Homes, appeared on behalf of the application. He stated that the applicant wanted to provide more landscaping in the front yard instead of concrete.

No one appeared in opposition.

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

13. V-75-84

APPROVED

Application of JOHN F. & DOROTHY S. GILL for a Variance to allow warehouse addition to an existing building 10 feet from the rear property line where 50 feet is required on property located at 3236 Meade Avenue in Zoning District M (Industrial).

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

1. Conformance to the plot plan and elevations.
2. Standard condition #8.

There are no protests on file.

Victor Gill appeared on behalf of the applicant.

No one appeared in opposition.

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

14. V-76-84

APPROVED

Application of LARRY S. LARKIN for a Variance to allow an arbor to extend to the south side property line where a 10 foot setback is required on property located at 1216 Strong Drive in Zoning District R-E (Residence Estates).

14. V-76-84

(Continued)

Mr. Clemmer stated that this was a regular shaped lot and there didn't appear to be any hardship. Therefore, staff recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan and elevations.

There is one protest on file.

Larry S. Larkin appeared on behalf of the application. He stated that the arbor was put up for a wedding and he didn't realize that he needed a permit for it; and in order to alter it, he would have to demolish it.

Sally Loehrer, Attorney, appeared on behalf of Mrs. Suzanne Squires the neighbors to the south who are in opposition. She stated that the top of the arbor can be seen from every point in Mrs. Squire's yard and what she gets to see of it isn't beautiful.

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

15. V-77-84

APPROVED

Application of Elizabeth Thompson for a Variance to allow the following:

1. Block wall to be raised to 8 feet where only 6 feet is allowed.
2. Carport to the north side property line where an 8 foot setback is required.
3. A storage shed in the side yard which is not permitted.

Property is located at 1000 Sproul Court in Zoning District R-1 (Single-Family Residence).

Mr. Clemmer stated that this was a regular lot and, therefore, staff recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan.

There are no protests on file.

Elizabeth Thompson appeared on behalf of the application. She stated she needed the block wall raised for security as there was an alley that was not used behind her. She stated that her neighbors had no objection to the wall or the carport. The shed has been in existence for three years.

No one appeared in opposition.

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

16. V-78-84

APPROVED

Application of SANDRA MOMOT for a Variance to allow an addition to an existing patio and carport which will extend to the north side property line where a 10 foot setback is required, on property located at 704 Kenny Way in Zoning District R-E (Residence Estates).

Mr. Clemmer stated that this was a regular lot, and, therefore, staff recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan.

There are no protests on file, but there is one letter of approval.

Sandra Momot appeared on behalf of the application. She stated that the carport is more of an overhang and that there was no post holding it. She stated that she wanted to connect the overhang and the existing patio.

No one appeared in opposition.

Two people in audience in favor.

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

17. V-79-84

APPROVED

Application of JOSEPH G. & CHARLOTTE CRAWLEY for a Variance to allow the following:

1. An existing tri-plex use where only single-family dwellings are permitted.
2. One parking space where three are required.

Property is located at 400 South 16th Street in Zoning District R-1 (Single-Family Residence).

Mr. Clemmer stated that an application was filed for a guest house in 1961 which was denied by City Council. In 1961 a building permit was issued to add a rumpus room and two bedrooms which were approved, but it was never allowed that it could be three separate units. Staff recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan.
2. Provide 2 additional paved parking spaces 9' x 16'.
3. Dedicate a 15' property line radius at the intersection of 16th Street at Lewis Avenue as required by the Department of Engineering Services.
4. Install smoke detectors in the sleeping areas as required by the Department of Fire Services.

If approved, this item would require City Council action on 7/18/84.

There are no protests on file.

Charlotte Crawley appeared on behalf of application.

17. V-79-84

(Continued)

John Hunt, Attorney, appeared on behalf of the applicant. He stated that this has been in existence for 22 years and would create a hardship if it were not allowed to continue.

No one appeared in opposition.

One person in audience in favor.

Mrs. Myers made a motion for APPROVAL without the extra parking spaces, subject to the staff's other conditions. Motion carried unanimously. (Bugbee & Emmett excused) Item to be heard by City Council on 7/18/84.

18. V-80-84

ABEYANCE

Application of DENNIS M. SABBATH for a Variance to allow a second story access stairway on a proposed addition that will be 3 feet 4 inches from the side property line where 5 feet is required on property located at 600 South 9th Street in Zoning District R-1 (Single-Family Residence).

Mr. Clemmer requested the item be held in ABEYANCE because the applicant is considering the withdrawal of this application.

The applicant was not present.

Mr. Giles made a motion to hold item in ABEYANCE until the matter is cleared up. Motion carried unanimously. (Bugbee & Emmett excused)

19. V-81-84

APPROVED

Application of PAM S. MAINWAL for a Variance to allow a 5 foot high fence in the front yard area (to be used as a trash enclosure) where 4 foot high top 2 feet 50% open is the maximum allowed on four properties located on Snorkel Circle in Zoning District C-2 (General Commercial) (Under Resolution of Intent to R-3 - Limited Multiple Residence).

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

1. Conformance to the plot plan and elevations.

There are no protests on file.

Walt Graham, 5820 LaSalle Way, appeared on behalf of the applicant.

No one appeared in opposition.

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

20. U-35-72

USE REVIEW

APPROVED

Application of JAY DOWNEY ON BEHALF OF MIZPAH BOYS HOME for a Use Permit to allow a foster care home for twenty (20) boys as a temporary use on property located at 1916 Goldring Avenue in Zoning District R-1 (Single-Family Residence).

Mr. Clemmer stated that this property is being used by Focus, which houses 20 children, and that this would be a similar use; and, therefore staff recommended APPROVAL, subject to:

1. This approval is for a maximum of 20 children and subject to the vacating of the premises by Focus.

There are no protests on file and no one appeared.

Jay Downey appeared on behalf of the applicant.

Jose Boueda appeared on behalf of the application.

Mr. Giles made a motion for APPROVAL, subject to staff's conditions and use permit cease when this applicant leaves the premises. Motion carried unanimously. (Bugbee & Emmett excused)

21. V-40-84

REVIEW OF
CONDITIONS

APPROVED

Request of DAVID STRAWSER for a review of conditions relative to off-site improvements and dedication requirements on property located at 1201 Las Vegas Boulevard South in Zoning District C-2 (General Commercial).

Mr. Clemmer stated that this was heard at the last meeting and a number of conditions were imposed. In looking at this later, since the proposed warehousing facility was primarily in a certain area, the conditions such as:

2. Dedication of right-of-way for Las Vegas Boulevard.
3. Street lights along Park Paseo.
4. Additional landscaping requirements along Park Paseo.

should not have been imposed on the application, and, therefore, staff recommended to expunge conditions 2, 3, 4, 6, 7, 8 and 10 that were imposed on the original application. The three conditions that remain are:

1. Conformance to the plot plan.
2. Checking landscaping along Las Vegas Boulevard to make sure that it's adequate.
3. Repair and damage to the existing street improvements resulting from this development.

Mike Sloan, Attorney, appeared on behalf of the applicant.

Mrs. Myers made a motion to remove the conditions stipulated by staff. Motion carried unanimously. (Bugbee & Emmett excused)

22. U-51-65

PLOT PLAN
REVIEW

APPROVED

Request of WEST OAKLEY BAPTIST CHURCH for a Plot Plan Review to allow a portable building to be used as temporary classrooms from August 1, 1984 through August 1, 1985, while a permanent building is under construction on property located at 4400 West Oakley Boulevard in Zoning District R-E (Residence Estates).

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

1. Conformance to the amended plot plan.
2. The temporary classrooms shall be removed on or before August 1, 1985.
3. Provide smoke detectors, fire extinguishers and exits as required by the Department of Fire Services.

There are no protests on file.

Clarence Cutting, 413 Newcombr Circle, appeared on behalf of the application.

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

23. U-56-80

PLOT PLAN
REVIEW

APPROVED

Request of EARL E. RUSSELL, JR., for a Plot Plan Review to allow an addition to an existing office building on property located at 531 South 10th Street in Zoning District R-4 (Apartment-Residence).

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

1. Conformance to the revised plot plan.
2. Elevation shall be approved by the Department of Community Planning & Development.

There are no protests on file.

Earl Russell appeared on behalf of the application.

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

24. V-62-84

PLOT PLAN
REVIEW

Request of MICHAEL CLAYTON McFARLAND for a Plot Plan Review to allow an existing 12' x 30' patio cover to be enclosed on property located at 4125 Montemesa Circle in Zoning District R-1 (Single-Family Residence).

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

1. Conformance to the plot plan.

Michael McFarland appeared on behalf of the application.

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

SUPPLEMENTAL AGENDA

1. U-8-59

PLOT PLAN
REVIEW

APPROVED

Request of STOP N GO MARKETS, INCORPORATED, for a Plot Plan Review to allow a 1,200 square foot addition to an existing convenience store and gasoline sales facility on property located at 529 N. Rancho Drive in Zoning District C-1 (Limited Commercial).

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

1. Conformance to the plot plan and elevations.
2. Standard conditions 2-8.

There are no protests on file.

Guy Weibling, 2365 Renaissance Drive, appeared on behalf of the applicant.

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

2. V-60-84

REVIEW OF
CONDITIONS

ABEYANCE

Request of BETTY POWELL for a review of conditions to allow 36 children where only 12 infants and 9 children was the maximum permitted on property located at 519 South Decatur Boulevard in Zoning District R-1 (Single-Family Residence).

Mr. Clemmer stated that the request originally indicated 21 children/12 infants and that was interpreted to mean a total of 21 children as the dictionary defines infants as children. When the notification went out for this, it was for a maximum of 21, but her intent was to have 33 and since then, she's requesting 36. Staff suggested a public hearing be held to raise the total. There were no protests on the original request. The applicant would have to pay an additional \$25 for a public hearing.

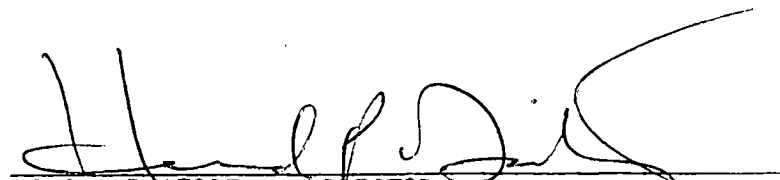
Val Steed, Deputy City Attorney, stated that he would prefer that there be renotification as there may be people who would object to more than 21.

Betty Powell appeared on behalf of the application.

Mr. Giles made a motion for ABEYANCE until the 7/26/84 meeting. Motion carried with Myers voting "no" and Bugbee and Emmett excused.

MEETING ADJOURNED AT 9:25 P.M.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT


HAROLD P. FOSTER, DIRECTOR

/s/

VICE-CHAIRMAN JUNIEL: Public Hearing Item 9, V-71-84, application of Valley Bank of Nevada, Trustee for Beth Cory Garside Family Trust for a Variance to allow 2 dwelling units where only one is permitted on property located at 1900 South Valley View Boulevard in Zoning District R-1.

ROBERT CLEMMER: As you can see on the map on the far wall, this is a predominately single-family area. There's Spanish Oaks development to the east and single-family homes north, south and west. This is a regular lot. There's no hardship involved; therefore, staff would recommend DENIAL of the variance. The request is to allow this second unit in this area.

VICE-CHAIRMAN JUNIEL: What are the cross streets for that on the north side?
I can't --

ROBERT CLEMMER: El Cortez Avenue immediately north and El Parque south.

VICE-CHAIRMAN JUNIEL: Would you please state your name and address.

TIMOTHY S. CORY: It's Timothy S. Cory. My address is 1609 East Sahara.

VICE-CHAIRMAN JUNIEL: Would you give us a briefing on your application, please.

TIMOTHY S. CORY: Yes. I'm here on behalf of the Beth Garside Trust. Mrs. Garside is my mother and I'm an attorney here on behalf of Valley Bank Trust. Now, the purpose as set forth in the application is for the variance to allow a smaller additional unit on the same property. What it is basically, would be a converted garage and the garage is located right next to the property -- right next to the main house, three-bedroom house, and lends itself very well to a conversion into a separate small one-bedroom unit.

VICE-CHAIRMAN JUNIEL: Is it going to contain a bath and kitchen facilities?

TIMOTHY S. CORY: Yes, yes. It would be a separate -- a separate unit for a separate family. The area -- was there a question?

VICE-CHAIRMAN JUNIEL: Well, I really was going to ask was there a particular need for this or --

TIMOTHY S. CORY: Yes, there is a need. There is a need. Number one, because of the character of the area, I myself really don't feel that it is predominately single-family dwelling. You'll see farther south, the yellow block area there on the southeast -- I imagine would -- that would be southeast. The yellow block area is a large apartment complex and I don't recall the name of it, maybe staff does.

ROBERT CLEMMER: Spanish Oaks apartments..

TIMOTHY S. CORY: Yes, Spanish Oaks apartments. Now that is all the way down that street is apartments on the other side of this area. North, and there again I apologize for not being familiar with these streets, but the very first street just north that house along that -- right down Valley View, which would be right next to this property, has a block wall. It's about a five or six foot block wall. It runs right up to the property line of this property. Valley View Boulevard is -- it used to be a smaller slower street and it's now a four-lane road and the traffic is very fast. It makes the property -- this is rental property for the trust. It makes the property very difficult to rent. Families are not inclined -- single families are not inclined to want to live on the property for two reasons. Number one, because of the fast traffic, you can no longer park on Valley View Boulevard. You used to be able to park on the street. There is no street parking at all. You can't park on the street and because of the block wall, as you're headed south on Valley View, which is the only access to the property, you can't see to pull into the driveway. You have to slow way down. There is no parking lane to pull into on the side of that street. You have fast traffic behind you and it is very nerve racking to slow down and pull into that property. What we're proposing to do is make the property two separate units and take the yard out in front and make them basically -- make a drive-in area in the front so that there would be parking there in the front of the property up on the property and not in the street. I think -- I went out just to make sure -- I've been familiar with this property for several years, but I went out to look at it again and a characterization of that area of single-family dwelling just, in my mind, just isn't accurate. There are apartments all across on the other side of the street. Valley View is becoming more and more commercial and that area just simply isn't suited for single-family dwelling any longer. You'll notice that just right down south is Valley View and Sahara. Now on that map, it may look like a bit of a distance, but it's just a very -- it's basically about one full normal city block down to -- and there is a shopping center which is the pink area there on the -- yes, that would be that area there that's being pointed at and there's commercial property on the other side. There's just commercial property everywhere and for that purpose, we think it's more suitable for two-family areas there. There would be the three-bedroom

TIMOTHY S. CORY: house which would be one unit and then right next to it on the same property would be the -- and there again this is -- when I say right next to it, it's all part of the same structure. It's basically what used to be the garage.

VICE-CHAIRMAN JUNIEL: Just for information, I think when they're saying the neighborhood is predominately single-family it doesn't relate to the apartments, but just the residential homes that are existing right in that area. I don't know how many of those have been converted to multiple dwellings.

ROBERT CLEMMER: None.

VICE-CHAIRMAN JUNIEL: None?

ROBERT CLEMMER: I might say this. It was implied that there are apartments all along Valley View, that's not so. The east side where that light -- north of that -- that's the apartment area there where you pointed. Go ahead, Mike, point to that area again. That's the apartment area. Just north of that -- just north of that, that's all Spanish Oaks single-family. They're all detached single-family homes and the yellow all about this they're all single-family homes and north, even a half a mile or three quarter's of a mile north, they're all single-family homes. So it's really not so that it's apartments all the way down Valley View.

VICE-CHAIRMAN JUNIEL: You know, I don't like to mix it even if there are apartments there when a residential area if there's only 20 or 30 homes and they're all single-family and there's apartments across the street or all around it, it doesn't have anything directly to do with the fact that all the existing homes are single-family even though there's R-2 or R-3 zoning nearby. That was what I was trying to see if any of the other homes have been converted to multiple dwellings.

COMMISSIONER MYERS: Are there any protests?

TIMOTHY S. CORY: On that subject -- pardon me.

COMMISSIONER MYERS: Mr. Clemmer, were there any protests?

ROBERT CLEMMER: None.

JOE SEDAR: Yes.

COMMISSIONER MYERS: No, I meant written.

TIMOTHY S. CORY: If I may mention, in the area which would then be across the street from this residence and just south, that area which is Spanish Oaks -- now there aren't any front yards there. There's a block wall that runs all the way down that area. That's the back yard of the Spanish Oaks area and when you go out and you look at the area, it just simply is no longer a single-family area. You're on a very fast street there and you're just simply -- you're going to have more and more families moving now because no families are going to want to live in that house as a single residence.

VICE-CHAIRMAN JUNIEL: Did you say your mother lived there now or somebody? Oh, she owns it, I'm sorry.

TIMOTHY S. CORY: No, she has owned the house or the trust has owned the house. If I could just cite an example. I have a friend of mine who is interested in renting a place. I took him out and showed him the area, this was a few months ago and he has cats -- he has two cats and he feels differently about cats than I do, but he's concerned about them and he declined to rent the area because of the traffic. There is tremendous traffic on that street and we're just simply trying to find the best use and a way to properly use this property and it is not to get a one family with children and so on and so forth. Remember it's a three-bedroom home and so if you're going to rent it as simply a three-bedroom home and it has a pool -- it's a beautiful home. It's a lovely home and in years gone by for the last 20 years there have been lots of happy families live there with children and so on and so forth, but you simply can't get anybody with children or with pets or anything like that to come and live on that street.

VICE-CHAIRMAN JUNIEL: It's not a corner lot, is it?

TIMOTHY S. CORY: No, it isn't.

VICE-CHAIRMAN JUNIEL: There's houses on both sides, on either side?

TIMOTHY S. CORY: Yes, now there is a block -- as I mentioned, there is actually a block wall on the south side, oh excuse me, the north side and that runs up to the corner. I believe this is -- there is only one lot from this property up to the corner, is that correct?

ROBERT CLEMMER: There's one lot to the north of this to the corner that's correct.

TIMOTHY S. CORY: And that is the corner lot. So that -- where the property just north that is actually, I believe, the back yard to that property and that property actually fronts on the other street. That's the corner lot there.

VICE-CHAIRMAN JUNIEL: Any questions, Commissioners? This is a public hearing, is there anyone for or against this applicant? Would you please come forward. Please state your name and address and sign the sign-in sheet.

JOE SEDAR: I'm Joe Sedar and I'm representing the Lampros. They live right across the street from where he's talking about, 1813 Valley View.

COMMISSIONER MYERS: May we have your address also, please.

JOE SEDAR: I live at 2521 Arenas.

COMMISSIONER MYERS: Thank you.

JOE SEDAR: They're against this because I think he forgot to mention that the place is already being rented and it's already made into an apartment and they feel that it's downgrading the whole neighborhood.

COMMISSIONER GILES: Is that correct?

VICE-CHAIRMAN JUNIEL: Is it existing?

TIMOTHY S. CORY: Yes, yes, it is. I believe staff's aware of that.

COMMISSIONER MYERS: How long has it been existing?

TIMOTHY S. CORY: Well, the -- I don't know how long. What happened was that the garage -- this garage area which is, I guess, marked in red is -- has been improved for quite some time. As a matter of fact, it was improved when Mrs. Garside purchased the property, but the renter or the people that are in there have been there for, to my knowledge, not more than two months.

VICE-CHAIRMAN JUNIEL: How long has the kitchen facilities been in there?

TIMOTHY S. CORY: Not more than two months.

JOE SEDAR: I disagree. It's been there at least three to four months.

TIMOTHY S. CORY: Well, I don't have personal knowledge of that.

VICE-CHAIRMAN JUNIEL: Well, we just want to know approximate. I just need approximately how long it's been.

TIMOTHY S. CORY: I'm willing to be corrected. We're not withholding any information. We have not withheld any information from staff.

COMMISSIONER MYERS: Who put the kitchen area in?

TIMOTHY S. CORY: Well, I believe whoever did the conversion.

VICE-CHAIRMAN JUNIEL: At who's permission I think she wants to know? She wants to know who authorized it?

COMMISSIONER MYERS: I mean if the trust owns the property --

TIMOTHY S. CORY: Correct.

COMMISSIONER MYERS: Then it would appear to me they could not make any improvements to the property without the permission of the trust. Did the trust give the permission?

TIMOTHY S. CORY: Well, I believe so. It was basically Mrs. Garfide doing it, but it was at least with a tacit approval of the trust.

JOE SEDAR: We called the Planning Commission and the Planning Commission said there was no order or anything else to issue them to build an apartment or anything like that.

VICE-CHAIRMAN JUNIEL: Is this how it came before this board because of --

JOE SEDAR: Yes.

ROBERT CLEMMER: There's nothing to indicate to staff that this existed. In fact, the wording in the attachment is that if the house were converted to two family residences, it would be suitable for two smaller units which would accommodate two smaller families of all adults. It indicates that it's proposed and not existing.

JOE SEDAR: And, furthermore, there must be at least 15 kids that live on Valley View. There's two kids that live right down the block going towards Oakley Street and then there's -- my daughter lives right across the street with my ex-wife and then there's two more kids right next door to them. Then right around the corner there's at least three or four more kids.

VICE-CHAIRMAN JUNIEL: We really basically want to know why you're in opposition to his constructing -- well, it's existing?

JOE SEDAR: Why we don't want it?

VICE-CHAIRMAN JUNIEL: What are your opposition to it?

JOE SEDAR: Why we don't want it? Because we think it'll downgrade the whole neighborhood. There must be at least five or six cars in the driveway. They cemented the whole front yard.

VICE-CHAIRMAN JUNIEL: Mr. Clemmer, did the notices that went out indicate that this was existing or could it have been misleading to the people who -- to think that it was proposed rather than existing?

ROBERT CLEMMER: There was no indication that this was existing and the notices went out as if it were to be converted.

VICE-CHAIRMAN JUNIEL: This was just proposed. I think that's bad.

TIMOTHY S. CORY: This sounds bad and I hope that it sounds worse than it is. The application, the legwork and all the work in proposing this application was done by Mrs. Garside because she's the one that wanted the property done that way. The property is vastly improved and I think if -- I didn't catch the gentleman's name, but I think he would at least have to agree that the property -- the face of the property has been improved. The appearance is very nice. If there's an objection to the number of cars there, there are several -- I think that there are currently a group of three bachelors who are renting the three-bedroom house. One bachelor who rented the house then with two other roommates, two additional roommates.

COMMISSIONER MYERS: Isn't that illegal too?

ROBERT CLEMMER: Well, in a single-family dwelling, you can rent three rooms to three persons outside the immediate family and that should not constitute an additional unit. You cannot have a kitchen and all those rooms must have interior access to one another.

COMMISSIONER MYERS: Okay. I assumed we had something where we had two people who wanted to live together and it was not being --

TIMOTHY S. CORY: Excuse me, I'm at a slight disadvantage because a lot of my information is secondhand from Mrs. Garside. If I may, I believe that if I can indicate the way this came about -- the property was improved. The face of the property needed to be improved and it was improved. There was new -- and that was all that -- it was my understanding that it was done with a contractor and there were permits and so on and so forth.

JOE SEDAR: There was no permits. Not one permit was issued for that apartment.

COMMISSIONER MYERS: No, he's talking about the paving.

TIMOTHY S. CORY: I can't believe that. I don't know that for sure.

VICE-CHAIRMAN JUNIEL: No, there were perhaps construction permits, but not --

JOE SEDAR: There was no construction permits or anything because we called the Planning Commission and they said there was no permits issued.

VICE-CHAIRMAN JUNIEL: Is there anyone else here for or against this application?

TIMOTHY S. CORY: May I say, I can't believe that that's true. There was a contractor.

VICE-CHAIRMAN JUNIEL: Well, that really doesn't have much to do with this.

TIMOTHY S. CORY: I'm not sure that that's an issue. I did want to just so the Board doesn't think we're pulling a fast one on anybody -- the property was -- the face was improved. That garage was also improved and was going to be rented as nothing more than an additional room without a kitchen, without those items in it. It was improved so that that could be done in the future because it was -- the garage was already in that condition. It had already been improved to that point that at some point in the future, a kitchen and what have you could be put in there. Then what happened was the people, and there again I'm going on what's been related to me, the people who were going to rent the three-bedroom did not want to rent the three-bedroom -- they were a young couple and they only wanted to rent the one apartment and that's how they came to be in there.

EXCERPT - BOARD OF ZONING ADJUSTMENT MEETING - JUNE 28, 1984
ITEM 9 - V-71-84 - APPLICATION OF VALLEY BANK OF NEVADA, TRUSTEE FOR BETH CORY
GARFIDE FAMILY TRUST

PAGE 9

VICE-CHAIRMAN JUNIEL: Any more questions, Commissioners? The public hearing is closed. May I have a motion.

COMMISSIONER MYERS: I'M GOING TO MOVE TO DENY.

VICE-CHAIRMAN JUNIEL: Your application has been denied. (Motion carried unanimously with Bugbee and Emmett excused)

END OF EXCERPT

VICE-CHAIRMAN JUNIEL: Public Hearing Item 14, V-76-84, application of Larry Larkin for a variance to allow an arbor to extend to the south side property line where a 10 foot setback is required on property located at 1216 Strong Drive in Zoning District R-E (Residence Estates).

ROBERT CLEMMER: This is, again, a regular R-E lot. The proposed addition is to the south -- to the south property line. Staff doesn't see any hardship and, therefore, must recommend DENIAL. We have one protest of record. This proposal is for an arbor and I'll show you a picture of it.

VICE-CHAIRMAN JUNIEL: Please state your name and address and sign in.

LARRY S. LARKIN: Larry S. Larkin, 1216 Strong Drive.

COMMISSIONER MYERS: And the arbor is there?

LARRY S. LARKIN: Yes, no question about that in this case.

VICE-CHAIRMAN JUNIEL: No question about that. The arbor is there. How does your next door neighbor feel about it?

LARRY S. LARKIN: Well, I don't really know. I've made an effort to contact, but haven't been able to do so and I see that she's here so we possibly ought to hear what her concern is.

COMMISSIONER MYERS: I think we definitely need to hear what your neighbor has to say.

LARRY S. LARKIN: I think that would be appropriate.

VICE-CHAIRMAN JUNIEL: Well, let's hear what he has to say. It's already existing so I don't know what you want to tell us -- to let it stay.

LARRY S. LARKIN: Well, I'm not sure I understand what you're trying to say.

VICE-CHAIRMAN JUNIEL: Well, we want to hear something about your application.

LARRY S. LARKIN: Oh, I see.

VICE-CHAIRMAN JUNIEL: I'm saying, I don't know what you have to say because usually people tell us what they propose to do.

LARRY S. LARKIN: I see and you want me to tell you what I have done. I see.

COMMISSIONER MYERS: No, actually what we want you to do is to convince us to let it stay.

LARRY S. LARKIN: Okay. We were having a wedding and this started out in somewhat a simplistic manner and grew into more proportions than I had intended actually. However, it's still a simple lattice work arbor and I really had no idea that it would cause a problem or be objectionable or even that it would require a formal permit circumstance and I'm involved in construction and do have some cognizance of those types of things and so I went ahead to construct it, and, of course, during that construction period, my neighbor became concerned and I'd like to hear what that concern is because if it's justified, I'd feel, you know, embarrassed, but it's a lovely thing. It enhances our home dramatically.

VICE-CHAIRMAN JUNIEL: How tall is it?

LARRY S. LARKIN: What?

VICE-CHAIRMAN JUNIEL: How high is it?

LARRY S. LARKIN: It's probably -- to the top of it, it's about 9 feet. It's 8 feet inside and it's on a 2x8 joist. So it'd be about 9 feet to the top of it and 8 feet inside. I built the fence dividing our properties on my property originally because I built the fence and desired to have control of it and so I did build it on our property and I feel confident -- have not encroached property-wise and I just -- it's just kind of gotten out of hand. I really had no idea that I'd be creating a problem. It's a beautiful thing. Where it abuts the adjacent property, that is a driveway. There's a boat about 16 feet high, a motor home and an old van and a number of vehicles which separate that property from mine, therefore, I couldn't see how it could really -- I have some additional pictures if you'd like to see them, and also, the area that's immediately adjacent to me there is not an area of beautification to the adjacent property and I just -- I'd like to hear what the objection is because I do want to certainly consider that.

COMMISSIONER GILES: Do you have any intentions of developing that beginnings of an arbor any further than that, Mr. Larkin?

LARRY S. LARKIN: No, no, none whatsoever.

COMMISSIONER GILES: Do you use it regularly? I see a swing there in the picture we're looking at.

LARRY S. LARKIN: Yes, yes, we've enjoyed it a great deal and, of course, we have some hanging plants in it and we've kind of made it a beauty spot in our home, and, of course, we've enjoyed it, but I certainly had no idea when I started to make this move that it would really cause any problem.

LARRY S. LARKIN: I'm embarrassed being here under these circumstances so I certainly would like to know what the objection is and what can be done to --

VICE-CHAIRMAN JUNIEL: We'll find out. This is a public hearing. Is there anyone for or against the applicant? Please state your name and address and sign in.

SALLY LOEHRER: My name is Sally Loehrer. I'm an attorney at 302 East Carson, Suite 520. I'm here representing the neighbors to the south side, Mrs. Suzanne Squires. She has asked me to come tonight to address you rather than herself because even though she has lived here for 40 years, she is somewhat embarrassed with her accent and she feels that it would be better if I were to present her objections to this lattice house --

COMMISSIONER GILES: We'd rather hear of the issue rather than worry about the accent or the qualifications to present it.

SALLY LOEHRER: Mrs. Squires has lived on her lot since 1966. At the time she bought that lot and that house, the Larkin property was vacant property. Sometime in the 1970's, the Larkins bought the property and built a huge home that is evident from the drawing provided by staff. It's also evident that the lot is a very large lot. It's about 135 by 150 feet. The -- this particular lattice house is not the first source of aggravation between the Squires and the Larkins. Mr. Larkin has indicated to you tonight that he built the fence on his property. The first thing that happened to the Squires when the Larkins bought the lot was that they tore the fence down.

VICE-CHARIMAN JUNIEL: Ma'am, unless -- just keep to the objection of the arbor.

COMMISSIONER MYERS: We can only deal with this one issue.

SALLY LOEHRER: Okay, I understand that, but you have to also understand the -- he wants to know what the source of the --

VICE-CHAIRMAN JUNIEL: He just wants to know what complaints there are, so he may be willing to take -- you know he wants to hear --

SALLY LOEHRER: The objector feels the fence is on her property, the block wall fence is on her property. That the arbor is in fact hooked to the fence. That it is underneath a power line and is underneath the power line easement and that it is observable from every point in her back yard and she has tried to park her boat, her large boat, so that it blocks it. She has been unable to do so. It sticks up over a 6 foot block fence about 3 feet and

SALLY LOEHRER:

what she gets to see -- from the inside it's beautiful. She doesn't get to see the inside of it. She doesn't get to sit in the swing. She gets to look at a big white box with a big 6 inch frame or 8 inch frame around the top of it and she has to look at it from every place where she is in her back yard. Mr. Larkin has been kind enough to admit to you that he built this without going to get the proposed variance and I think that this evidence is a very cavalier attitude on his part. He may have intended it to be used just at a wedding, if so, then I think the time has now come for him to move it to the rear portion of his yard. He has a very large rear yard and I'm sure it would be just as beautiful and just as much use and enjoyment to him in his back yard and the objecting neighbor could not see it if it were in the back yard; and the Squire's household is the only household in the neighborhood which can see this arbor.

VICE-CHAIRMAN JUNIEL: Thank you. Mr. Larkin.

LARRY S. LARKIN:

Well, it isn't my intent or desire to contest. I didn't come here for that purpose. The absurdity to me of these remarks is unfortunate. I don't know what I can say really. It's a lovely thing. It presents no eyesore. I have some additional pictures of the adjacent yard and the condition of the driveway and circumstances that are immediately over the fence and I think those hardly justify this level of concern for the appearance.

VICE-CHAIRMAN JUNIEL: Is that floor cement, is it a cement floor?

LARRY S. LARKIN:

Yes, yes, it had a pad under it that I put there for a trampoline originally for my kids around that side of the house and then, we decided to cover that thinking about the wedding primarily and as I say it become a little bit more extensive and full-blown than we had originally intended, but it still is just a simple lattice structure and I might add that it would not be a simplistic thing to move it. It'll either have to be demolished -- if it has to be removed, it'll have to be demolished. It's not a simplistic thing to move it and so -- that's not a simple matter, but I really have a degree of concern for the feeling that's been expressed because in my mind, it just isn't accurate and, of course, it's a difficult thing to see back there really, but I don't want to contest the issue. There's no reason or sense in it.

VICE-CHAIRMAN JUNIEL: Are there any more questions?

COMMISSIONER MYERS: Mr. Larkin, on this it goes to the fence?

LARRY S. LARKIN: Yes, it actually is right up to the fence, yes. It doesn't rest on the fence. We supported it independent of the fence, but it is right up to the fence, yes.

SALLY LOEHRER: But there's a 2x6 that lays right on top of the fence.

LARRY S. LARKIN: Now, the fence actually --

COMMISSIONER MYERS: Well, let me finish my question.

LARRY S. LARKIN: Yes.

COMMISSIONER MYERS: My question is based on what happens, God, if it ever rains? Does it drain off into your neighbor's yard or does it drain into your yard?

LARRY S. LARKIN: No, it's a lattice roof.

COMMISSIONER MYERS: Oh, so the water just goes through it, it's not a solid roof.

LARRY S. LARKIN: Yes, the water would go right through it, be no drainage, no -- I really -- in that regard, you know, I don't think it creates any objections.

COMMISSIONER MYERS: Well, from the picture we cannot tell whether it's a solid roof or not.

VICE-CHAIRMAN JUNIEL: Thank you. The public hearing's closed.

COMMISSIONER GILES: I'm going to move for APPROVAL. I don't find a great deal of problems with that. I have a little problem with the insinuation that the property line is not accurate there and it's not up to this Board to get that clarified, but I think it needs to be clarified if that block wall is, in fact, on the line or not on the line. That's not the issue here, but I'm sure you'd want to get that clarified.

LARRY S. LARKIN: I'm very sure, Commissioner, that I could substantiate that. When I built the home there was some contest and, of course, the reluctance on the part of my neighbor to participate in the fence, so I made very sure by survey and etc. that the fence was on my property.

SALLY LOEHRER: Before you vote, I would like to beg your indulgence for just one more matter and that concerns the upkeep of this lattice house. It is wood and it will require painting and there is no way that it can be painted from the lot on which it sits. It's going to have to be painted -- to paint it on the Squire's side, they're going to have to come onto the Squire's property to paint it. It just absolutely cannot be painted -- it's about 14 feet long.

VICE-CHAIRMAN JUNIEL: Oh, excuse me. He will probably have to deal with that at the time because the meeting is closed and we're ready for --

COMMISSIONER GILES: I MOVE FOR APPROVAL.

ROBERT CLEMMER: Excuse me a second. Would that be with conformance to this -- the plot plan as submitted and the elevations that it not be altered, that it would stay the same as it is now?

COMMISSIONER MYERS: Yes.

ROBERT CLEMMER: So, it's conformance to the plot plan and elevations.

COMMISSIONER GILES: Is that acceptable to Mr. Larkin?

LARRY S. LARKIN: That's acceptable, of course.

COMMISSIONER GILES: So, move in that fashion.

VICE-CHAIRMAN JUNIEL: The application has been approved. (Motion passed unanimously with Bugbee and Emmett excused)

END OF EXCERPT

NAME

ADDRESS

B2A
6-28-84

CARL HENRY	C&H COUNTRY V-70-84 apr	4610 WYNN RD LV
Joe & Edna	V-71-84 pr	2521 Green St
Wayne Stewart	V-73-84	708 KERRY WAY
Long & Clark	V-76-84	1216 STARK DR
Sally Kocher	V-76-84 pr	302 E CANN #520
S Momot	V-78-84 apr	704 KERRY WAY
P Crowley	V-79-84 apr	4192 Blue Heron Ct
N. BOHLEN	V-35-72 apr	1920 SUTER
MIKE SLOAN	V-40-84 apr	600 E Charleston Blvd
CLARENCE CATTING	V-51-65	413 NEW CANN RD

NAME

ADDRESS

B2A
06-28-84

Samuel Cooper	V-67-84 aprl	509 Lacey Ln. L.V.
Don WAGGONMASTER	V-68-84 aprl	
Bob Schmitt	V-69-84 aprl	710 S 9th
Timothy Co. y	V-71-84 aprl	1609 E. Sahar
Helmut Degen	V-74-84 aprl	2810 W. Chankab
W. J. Smith	V-75-84 aprl	3236 meade ave.
Eliabeth Thompson	V-77-84 aprl	1000 Spraul Ct.
John A. Hunt	V-79-84 aprl	30 S. Third Street.
Walt Graham	V-81-84 aprl	5820 Lasolka Way L.V.
E. Jay Downer	V-35-72 aprl	5160 Vancay View.
M. McTulch	V-62-82 aprl	4125 Montemosa Ct.
A. F. Lee	V-8-59 aprl	2365 RENAISSANCE DR.
Betty Pomeroy	V-60-84 aprl	5309 Halmby L.V. L.V.

INTER-OFFICE MEMORANDUM

Date

JUNE 25, 1984

TO:

FOSTER

FROM:

CLEMMER

SUBJECT:

BOARD OF ZONING ADJUSTMENT MEETING

JUNE 28, 1984

AGENDA ITEM CONDITIONS

COPIES TO:

VAL STEED
RICK WILLIAMS
JOANNA DANIELLO
SANDY LE BOEUFNEW BUSINESS:

1. U-40-84(HO)

This is a parliamentary law consulting business in which she goes to the client's home or place of business. The questionnaire has been answered favorably.

Staff recommends approval, subject to: ✓

1. Conformance to the criteria for Home Occupations. ✓

PROTESTS: N/A
NOT A PUBLIC HEARING

BZA FINAL ACTION

2. U-41-84(HO)

This is a pamphlet mail order business. The questionnaire has been answered favorably.

Staff recommends approval, subject to:

1. Conformance to the criteria for Home Occupations.

PROTESTS: N/A
NOT A PUBLIC HEARING

BZA FINAL ACTION

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BZA Conditions

3. U-42-84(HO)

This is a proposed radio commercial producer who will have no employees. The questionnaire has been answered favorably.

Staff recommends approval, subject to:

1. Conformance to the criteria for Home Occupations.

PROTESTS: N/A
NOT A PUBLIC HEARING

BZA FINAL ACTION

4. U-43-84(HO)

This proposal is to assemble dolls to be sold on a wholesale basis. The questionnaire has been answered favorably.

Staff recommends approval, subject to:

1. Conformance to the criteria for Home Occupations.

PROTESTS: N/A
NOT A PUBLIC HEARING

BZA FINAL ACTION

5. V-67-84

This proposal to create 2 - 9,200 square foot lots, one containing a Single Family dwelling with existing non-conforming setbacks nearly corrects the setbacks by lot reorientation to a large R-1 type lot, although the R.E. classification will remain.

The current General Plan reflects that R-1 would be appropriate, but the new General Plan Profile shows rural, but that could be up to 3 units per acre, and these 9,200 square foot lots would not be far from that.

The applicant intends to build a new home, so it might help stabilize the residential, due to new residential construction from further requests for P.R. south of Mountain View.

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BZA Conditions

There is a flaw in this application in that the citation is for reduced setbacks for the lot where the existing residence exists, but not for the new lot which is absolutely necessary or an 18 foot deep building would be all that could be built. Staff feels remiss in not including the same reduced setbacks for the new lots and does feel that the open meeting law will be violated by so providing.

Val Steed feels that an adjacent property owner could read the notice and assume a 50' setback and he would be most affected, so if the applicant obtains a waiver of notice from the 2 adjacent property owners, we can deal with it at this meeting, otherwise we should hold it till next meeting and give the notice relative to the front and rear setback problems.

This lot was originally created by V-23-64 at 18,400 square feet.

Staff recommends approval. ✓

If approved, subject to:

1. Conformance to the plot plan. ✓
2. Enter an assessment district agreement for street improvements on Arville Street and Mountain View Boulevard as required by the Department of Engineering Services. ✓
3. Recording of a Parcel Map. ✓
4. Move the existing driveway as required by the Department of Engineering Services. ✓

PROTESTS: 4 ✓
PUBLIC HEARING ITEM

BZA FINAL ACTION

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BZA Conditions

6. V-68-84

This proposal is to allow the use of a portion of the property for parking of vans for transporting infirm persons. Z-70-82 was approved to P.R. with the thought of a variance for this same use. That variance application was never made under the P.R. and it expired February 2, 1984 and is within the reinstatement period until August 2, 1984. It appears that they will continue the residential use and use only a small portion of the house for office.

The applicant did not comply with the conditions of the P.R. and was never licensed, but he is currently using the area for the parking of vehicles.

Staff feels that if the variance is granted this will be an improperly developed site for many years, i.e., low density residential and commercial combined, no pavement with dust problems, no dedication or street improvements as he will continue to operate without a business license as it seems to be a marginal use which can't support its weight based on City standards.

Staff recommends denial. If approved, subject to:

1. Conformance to the plot plan amended to provide 5 gallon evergreens at 5 feet on center along Alturas Avenue.
2. Standard conditions 2-8.
3. Dedicate the radius corner at the intersection of Shadow Lane and Alturas Avenue as required by Engineering Services.
4. Install street improvements on Alturas Avenue and sidewalk on Shadow Lane as required by the Department of Engineering Services.
5. All Residential use shall cease.

PROTESTS: 0
PUBLIC HEARING ITEM

APPROVALS: 2
BZA FINAL ACTION

6. Pave the parking area

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7. V-69-84

This request is for a rear setback variance where they have provided a large front yard for parking. There is commercial to the south. A variance was granted to the properties to the east due to the same circumstances and staff supported that for a 10' rear yard.

Staff recommends approval, subject to: ✓

1. Conformance to the plot plan. ✓
2. Approval of and conformance to the conditions and approval of Z-40-84. ✓
3. Recording of a Parcel Map. ✓

PROTESTS: 0 ✓

PUBLIC HEARING ITEM

BZA FINAL ACTION

8. V-70-84

This is for a 1st and 2nd floor addition to a 2-story dwelling in the required side yard.

The lot is regular. There appears to be room in the rear area for an addition.

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

9. V-71-84

This proposal is to allow a duplex due to the allegation that Valley View has become a heavily traveled street. City removed parking from

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Valley View is cited which would be a reason to retain low density.

This is a regular lot. Fire Department wants hydrant.

Staff recommends denial. If approved, subject to:

1. Conformance to the plot plan and elevations.

PROTESTS: 0
PUBLIC HEARING ITEM

BZA FINAL ACTION

10. V-72-84

This type of request has been approved in another Quail Park Development and staff's position was that in P.R. Projects of this scale there would be no problem.

Fire Department wants on-site hydrant added I suppose due to this use as it is a new development and should meet current standards. 10 consultees maximum.

Staff recommends approval, subject to:

1. Conformance to the plot plan.
2. The maximum number of persons consulted in a group shall not exceed 10.

PROTESTS: 0
PUBLIC HEARING ITEM

CC: 7/18/84

11. V-73-84

This is a regular lot. There is no hardship.

Staff recommends denial. If approved, subject to:

1. Conformance to the plot plan and elevations.

PROTESTS: 0
PUBLIC HEARING ITEM

BZA FINAL ACTION

12. V-74-84

This tract has 41' - 45' frontages and code provides for tandem parking on 31' - 35' lots to conserve curb spaces. Staff feels if these types of variances are approved it will allow degeneration to tandem spaces in all Single Family tracts, which is not desirable.

Engineering Services is asking for a 21' setback of the garage and staff has not been able to hold 18', which covers most cars. The site plan shows 21', so it is moot.

Staff recommends denial. If approved, subject to:

1. Conformance to the plot plan.
2. Provide a deed restriction; restricting garage conversion to any other use.

PROTESTS: 0

PUBLIC HEARING ITEM

BZA FINAL ACTION

13. V-75-84

The proposal is to have a 10' rear yard setback for a warehouse where mobile homes are immediately north of the site. Staff feels that the warehouse use is not a problem to the adjacent residential. The building is 17' - 4", which includes a 3' parapet which is not an undue height.

Fire Department calls for fire hydrant again when this development is not that old.

Staff recommends approval, subject to:

1. Conformance to the plot plan and elevations.
2. Standard condition #8.

PROTESTS: 0

PUBLIC HEARING ITEM

BZA FINAL ACTION

14. V-76-84

There is a previous variance on this to allow the rear yard at 32' - 6" (breakfast nook bay window). The proposed arbor is a landscaping measure which most often doesn't even come to our attention. This arbor is 13' x 14' and extends to the south property line.

Staff is not opposed, but due to its being a structure which extends to the property line, would defer to the local concerns. I understand that there is a complaint. ✓ Arbor is neatly done.

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-77-84

This is a regular lot. ✓ There is no hardship. ✓

Staff recommends denial. If approved, subject to: ✓

1. Conformance to the plot plan. ✓

PROTESTS: 0 ✓
PUBLIC HEARING ITEM

BZA FINAL ACTION

16. V-78-84

This is a regular R-E lot. The existing carport goes to the property line and there is no variance of record. ✓

Staff recommends denial. If approved, subject to: ✓

1. Conformance to the plot plan. ✓

PROTESTS: 0 ✓
PUBLIC HEARING ITEM

APPROVALS: 1 ✓
BZA FINAL ACTION

17. V-79-84

This property was the subject of a variance application in 1961 when it was shown as a Single Family Residence and a proposed detached guest house (V-1-61) was requested, which was denied. On October 5, 1961, Crawley and Hansen were owners. The 1961 photographs did not indicate the rear portion of the triplex shown on the current plan.

On October 5, 1961, a permit to add 2 bedrooms and a rumpus room was issued and a building inspection indicated the addition was not to plan. 2 baths instead of one (1), and new addition not a part of house, although attached. Constituted separate living quarters for 3 families. No further action to indicate reconversion back to Single Family Residence. City Council denied additional guest facilities.

Staff recommends denial. If approved, subject to: ✓

1. Conformance to the plot plan. ✓
2. Provide 2 additional paved parking spaces 9' x 16'. ✓
3. Dedicate a 15' property line radius at the intersection of 16th Street at Lewis Avenue as required by the Department of Engineering Services. ✓
4. Install smoke detectors in the sleeping areas as required by the Department of Fire Services. ✓

PROTESTS: 0 ✓
PUBLIC HEARING ITEM

CC: 7/18/84 ✓
(IF APPROVED)

18. V-80-84

There is a variance to allow the offices, V-124-83, and a variance for tandem parking, V-27-84. Staff was concerned with an intensification of development which leads to additional variances of the type crowding the developments in the area where historic preservation is a goal.

There was a call relative to withdrawal by a representative of the contractor. Joanna advised that a letter was required for withdrawal. No letter has been received to date. A person stating he represented the applicant came to the office requesting a refund of the \$100.00 fee, but it was after the expenditure of funds, therefore, Harry advised a refund couldn't be given.

Staff recommends denial. If approved, subject to:

1. Conformance to the plot plan and elevations.

PROTESTS: 0
PUBLIC HEARING ITEM

BZA FINAL ACTION

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19. V-81-84

This is similar to the request to the west, i.e., it is a short cul-de-sac with common ownership where the 1' variation will only affect this area.

Staff recommends approval, subject to: ✓

1. Conformance to the plot plan and elevations. ✓

PROTESTS: 0 ✓

PUBLIC HEARING ITEM

BZA FINAL ACTION

20. U-35-72

Focus, which was approved for housing 20 children, will vacate these premises. Mizpah Boys Home, who were denied a Use Permit in Bonanza Village, are proposing to continue using this facility for similar purposes; however, nothing in the Mizpah application indicates any past antisocial behavior in its group, which, therefore, should be less a potential problem than the Focus use. You re-advertised this request.

Staff recommends approval, subject to: ✓

1. This approval is for a maximum of 20 children and subject to the vacating of the premises by Focus. ✓

PROTESTS: 0 ✓

PUBLIC HEARING ITEM

BZA FINAL ACTION

21. V-40-84

This is a request to eliminate conditions pertinent to off-site improvements and dedication. The original Use Permit authorizing rental of motorcycles did not require these improvements which involved the total property. In this case involving only a rear portion of the building, the Fire and Engineering Services Departments requested extensive improvements. The attorney's office in the past has advised Right-Of-Way, Engineering Services and our department to be

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*Plot Plan Conf
Handwritten
9*

careful not to ask for improvements which cannot be justified by the changes of use.

An appeal has been filed, which will be withdrawn if BZA approves these modifications.

Staff feels that this request is justified and would recommend approval, subject to: ✓

1. Conditions 2, 3, 4, 6, 7, 8 and 10 are hereby expunged. ✓

PROTESTS: 0

NOT A PUBLIC HEARING

BZA FINAL ACTION

22. U-51-65

The proposed location of this temporary classroom is north of existing buildings, so will be masked from Oakley for the most part. The classrooms will be used for Sunday School class only, and not during the week as a school, per se.

Staff recommends approval, subject to: ✓

1. Conformance to the ^{amended} plot plan. ✓
2. The temporary classrooms shall be removed on or before August 1, 1985. ✓
3. Provide smoke detectors, fire extinguishers and exits as required by the Department of Fire Services. ✓

PROTESTS: 0 ✓

NOT A PUBLIC HEARING

BZA FINAL ACTION

FOSTER
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BZA Conditions

23. U-56-80

The proposed 545 square foot addition to an existing 900 square foot office brings the total area to 1,445 square feet and 6 spaces are required. They will provide 6 spaces and take the planter east along Bonneville Avenue. This should not trigger rear alley paving provision.

Staff recommends approval, subject to: ✓

1. Conformance to the revised plot plan. ✓
2. Elevation shall be approved by the Department of Community Planning and Development. ✓

PROTESTS: 0 ✓

NOT A PUBLIC HEARING

BZA FINAL ACTION

24. V-62-82

This was approved for the cover to be within 6' to 13' of the rear property line, which is coterminous with Mobile Home Estates, and where the mobile homes are permitted within 10' of the rear property line. The enclosure will be 8' to 15' from the rear property line as it's being set in 2' from the eave.

Staff feels that a rear setback of 6' to 13' has been allowed, so would not oppose this enclosure.

Staff recommends approval, subject to: ✓

1. Conformance to the plot plan. ✓

PROTESTS: N/A

NOT A PUBLIC HEARING

BZA FINAL ACTION

SUPPLEMENTAL AGENDA:

1. U-8-59

The proposed 1,200 square foot addition is as shown on the original plan for future expansion. They will probably shift the canopy slightly, but the plot plan is not available. Guy Weibling is bringing in two

FOSTER
June 25, 1984
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copies. The changes are so slight that an administrative approval would have been in order.

Staff recommends approval, subject to: ✓

1. Conformance to the plot plan and elevations. ✓
2. Standard conditions 2-8. ✓

PROTESTS: 0 ✓

NOT A PUBLIC HEARING

BZA FINAL ACTION

2. V-60-84

The request originally read "To allow 21 children - 12 infants", and that was interpreted as 9 children other than the 12 infants for a maximum of 21 children. Infants are also children, but a subset. What the applicant intended was 33, i.e., 21 + 12.

Now she found from Child Welfare that the facility will allow 36 and is clarifying and modifying to the maximum. There were no protests to the original request.

Staff does not feel a public hearing is necessary for 33, but the Board may wish to re-notify. A re-hearing is necessary to go to 36.

Staff recommends approval, subject to:

1. Condition #6 of the original approval is amended to "The use shall be limited to 36 children, and the outdoor activity level shall not exceed 12 children at any one time".

PROTESTS: 0

NOT A PUBLIC HEARING

BZA FINAL ACTION