

39-433-207
51-985-4-25

AGENDA

APRIL 25, 1985

City of Las Vegas
BOARD OF ZONING ADJUSTMENT

Page

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6301

ITEM

BOARD ACTION

CALL TO ORDER:

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

ROLL CALL:

Nevada State Library

APR 18 1985

ANNOUNCEMENTS:

Documents Section

Satisfaction of Open Meeting Law and reading of 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 Tuesday following the Board's meeting).

MINUTES:

Approval of the Minutes for the February 28, 1985 Board of Zoning Adjustment Meeting.

ABEYANCE ITEM:

1. U-12-85 - CHARLOTTE C. LOGSDON - (WITHDRAWN BY APPLICANT)

Application of CHARLOTTE C. LOGSDON for a Special Use Permit to allow the Church of Scientology to use the existing home for church purposes on property located at 1917 East Bonanza Road in Zoning District R-1.

NEW BUSINESS:

1. U-18-85(HO) - SHERRI TYRRELL ON BEHALF OF DR. OWEN W. FINDLEY (OCHI ENTERPRISES, INC.)

Application of SHERRI TYRRELL ON BEHALF OF DR. OWEN W. FINDLEY (OCHI ENTERPRISES, INC.,) for a Home Occupation to allow mail order sales of vitamins on property located at 2513 Mason Avenue in Zoning District R-1.

2. U-19-85(HO) - ANGEL DI BELONIA

Application of ANGEL DI BELONIA for a Home Occupation to allow the operation and management of an interior design service on property located at 4708 Montebello Avenue in Zoning District R-1.

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ITEM

3. V-16-81 - JOHN K. MAHLEIN, ET AL (EXTENSION OF TIME)

Request of JOHN K. MAHLEIN, ET AL, for a two-year Extension of Time on an approved Variance which allowed a watchman's trailer on property located at 3201 Meade Avenue in Zoning District "M".

4. V-28-85 - LARRY A. SHEELER

Application of LARRY A. SHEELER for a Variance to allow the two-story addition to an existing office building which will extend to the side property where a 5-foot setback is required, and to the rear property line where a 15-foot setback is required on property located at 530 East St. Louis Street in Zoning District P-R.

5. V-30-85 - BECKER/LAS VEGAS

Application of BECKER/LAS VEGAS for a Variance to allow a 6-foot block wall around the swimming pool in the front yard area where only a 4-foot high wall with the top 2 feet 50% open is permitted on property located at 6212 Camino De Rosa Drive in Zoning District R-3.

6. V-31-85 - ABE JAMARILLO

Application of ABE JAMARILLO for a Variance to allow an existing carport to the west side property line where a 5' setback is required, and 7'-6" from the front property line where 20' is required; and to allow an existing guesthouse (in the rear yard) where such use is not permitted on property located at 1038 Franklin Avenue in Zoning District R-1.

7. V-32-85 - HILLHAVEN, INC, (DBA TORREY PINES CARE CENTER, INC.), ET AL

Application of HILLHAVEN, INC, (DBA TORREY PINES CARE CENTER, INC.), ET AL, for a Variance to allow 104 parking spaces where 165 parking spaces are required for a proposed 152-unit elderly housing development on property generally located on the northeast corner of O'Bannon Drive and Torrey Pines Drive, in Zoning District R-E (PROPOSED R-PD19).

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8. V-33-85 - SIERRA OESTE PROPERTIES, INC., ET AL

Application of SIERRA OESTE PROPERTIES, INC., ET AL, for a Variance to allow a 6' high solid block wall (for a trash enclosure) in the front yard area where only a 4' high wall is permitted on property generally located south of Lake Mead Boulevard, between Jones Boulevard and Torrey Pines Drive in Zoning District R-3.

9. V-34-85 - SAMUEL MORREALE

Application of SAMUEL MORREALE for a Variance to allow the second-floor balconies in the Casa Salvatori apartment complex to extend into the front yard area 16 feet from the front property line where a 20' setback is required on property located at 5001 El Parque Avenue in Zoning District R-3.

10. V-36-85 - JERRY B. AND LA RUE LEWIS

Application of JERRY B. AND LA RUE LEWIS for a Variance to allow a professional office use where not permitted on property located at 510 South Ninth Street in Zoning District R-1.

11. V-37-85 - EDWARD DEEB

Application of EDWARD DEEB for a Variance to allow a six (6) foot high ornamental iron fence (with electric gates) in the front yard of an existing apartment complex where a maximum height of 4' with the top 2' 50% open is permitted on property located at 4600-4750 East Charleston Boulevard in Zoning District R-3.

12. V-38-85 - LEWIS HOMES OF NEVADA

Application of LEWIS HOMES OF NEVADA for a Variance to allow a convenience store with gasoline sales and a commercial child day-care center on property generally located at the southwest corner of Alta Drive and Rainbow Boulevard in Zoning District R-1 (Under Resolution of Intent to R-CL).

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13. V-39-85 - GERALD G. BEAL

Application of GERALD G. BEAL for a Variance to allow a landscaping business (in conjunction with existing residential use) with related vehicle and equipment storage where such use is not allowed on property located at 5004 and 5012 Donnie Avenue in Zoning District R-3.

14. U-17-85 - GLEN & MARLENE VAN BEVEREN

Application of GLEN & MARLENE VAN BEVEREN for a Special Use Permit to allow a group child-care operation for nine (9) children on property located at 7604 Charles Conrad Circle in Zoning District R-1.

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

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April 25, 1985

BOARD OF ZONING ADJUSTMENT

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

1. U-20-85 (HO) - ROBERT L. SPECK

Application of ROBERT L. SPECK for a Home Occupation Use Permit for the making of rubber stamps and small plastic name tags, etc. on property located at 300 Horn Street in Zoning District R-1.

2. U-17-84 - CHERYL LETTERIELLO

Request of CHERYL LETTERIELLO for a Review of Condition on property generally located at 1316 Wintergreen Drive, in Zoning District R-CL.

Nevada State Library

APR 25 1985

Documents Section

ci
29-L33-207
4: 985-4-25

ANNOTATED & FINAL MINUTES

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APRIL 25, 1985

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

ITEM

BOARD ACTION

CALL TO ORDER:

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

ROLL CALL:

Bonnie Juniel, Chairman - Present
Keith Ashworth - Excused
Robert Bugbee - Present
Carole Sorensen - Excused
Helen Myers - Present

ANNOUNCEMENTS:

Satisfaction of Open Meeting Law and reading of 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 Tuesday following the Board's meeting).

MINUTES:

Approval of the Minutes for the February 28, 1985 Board of Zoning Adjustment Meeting.

ABEYANCE ITEM:

1. U-12-85 - CHARLOTTE C. LOGSDON -
(WITHDRAWN BY APPLICANT)

Application of CHARLOTTE C. LOGSDON for a Special Use Permit to allow the Church of Scientology to use the existing home for church purposes on property located at 1917 East Bonanza Road in Zoning District R-1.

Chairman Juniel called the meeting to order.

Nevada State Library

MAY 23 1985

STAFF PRESENTMENTS Section

Harold Foster, Dir., Community Planning and Development
Rick Williams, Acting Chief of Zoning
Val Steed, Deputy City Attorney
Sandra LeBoeuf, Deputy City Clerk

Rick Williams announced the Open Meeting law requirements had been met and the standard conditions were read into the record.

Chairman Juniel read the appeal requirements.

MYERS
APPROVED
Unanimous
(Ashworth & Sorensen excused)

CHAIRMAN ANNOUNCED THAT THE APPLICATION HAD BEEN WITHDRAWN

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ITEM

BOARD ACTION

NEW BUSINESS:

1. U-18-85(HO) - SHERRI TYRRELL ON BEHALF OF DR. OWEN W. FINDLEY (OCHI ENTERPRISES,

Application of SHERRI TYRRELL ON BEHALF OF DR. OWEN W. FINDLEY (OCHI ENTERPRISES, INC.,) for a Home Occupation to allow mail order sales of vitamins on property located at 2513 Mason Avenue in Zoning District R-1.

Staff Recommendation: APPROVAL, subject to:

1. This business shall conform to the restrictions governing home occupations.

2. U-19-85(HO) - ANGEL DI BELONIA

Application of ANGEL DI BELONIA for a Home Occupation to allow the operation and management of an interior design service on property located at 4708 Montebello Avenue in Zoning District R-1.

Staff Recommendation: APPROVAL, subject to:

1. This business shall conform to the restrictions governing home occupations.

3. V-16-81 - JOHN K. MAHLEIN, ET AL (EXTENSION OF TIME)

Request of JOHN K. MAHLEIN, ET AL, for a two-year Extension of Time on an approved Variance which allowed a watchman's trailer on property located at 3201 Meade Avenue in Zoning District "M".

Staff Recommendation: APPROVAL, subject to:

1. This extension of time shall expire on April 23, 1987.

BUGBEE

APPROVED Items 1 and 2 and Item 1 on Supplemental Agenda, subject to staff's conditions.

Unanimous

(Ashworth & Sorensen excused)

Rick Williams stated that the questionnaire had been answered favorably. Staff recommended approval.

Applicant was present

BUGBEE

APPROVED Items 1 and 2 and Item 1 on Supplemental Agenda, subject to staff's conditions.

Unanimous

(Ashworth & Sorensen excused)

Rick Williams stated that the questionnaire had been answered favorably. Staff recommended approval

Applicant was present.

BUGBEE

APPROVED Time Extension for period of two years.

Unanimous

(Ashworth & Sorensen excused)

Rick Williams stated that this was the applicant's second request for an extension. Staff recommended approval

Dan De Carlos, 2284 Roan Ave., appeared on behalf of the applicant.

(19:34 - 19:35)

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(20:50 - 20:55)

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BOARD ACTION

4. V-28-85 - LARRY A. SHEELER

Application of LARRY A. SHEELER for a Variance to allow the two-story addition to an existing office building which will extend to the side property where a 5-foot setback is required, and to the rear property line where a 15-foot setback is required on property located at 530 East St. Louis Street in Zoning District P-R.

Staff Recommendation: DENIAL

PROTESTS: None on record
2 appeared

BUGBEE

APPROVED, subject to a 3 foot sideyard setback for the first floor and allow a one foot overhang for the second floor and a gutter along the roof. Motion carried with Myers voting "no" and Ashworth and Sorensen excused.

Rick Williams stated that this was a small sized lot and there was a limited amount of on-site parking. The provisions of the P-R Zone are designed to protect the residential area. Staff is concerned in trying to maintain the residential characteristics of the P-R Zone and feels that this two-story addition right on and immediately adjacent to the property line of this R-1 lot really isn't justified; and, therefore, recommended denial.

Larry Scheeler appeared on behalf of the application. He agreed to a 3 foot setback.

Protestors

Melvin Pekrul, 2008 Santa Paula, appeared. He objected to water drainage that could go on his property.

Len Petoske, 2013 Santa Paula, appeared. He objected to the parking in the area.

(19:35 - 19:51)

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5. V-30-85 - BECKER/LAS VEGAS

Application of BECKER/LAS VEGAS for a Variance to allow a 6-foot block wall around the swimming pool in the front yard area where only a 4-foot high wall with the top 2 feet 50% open is permitted on property located at 6212 Camino De Rosa Drive in Zoning District R-3.

Staff Recommendation: APPROVAL, subject to:

1. Conformance to the plot plan.

PROTESTS: 1

BUGBEE

APPROVED, subject to staff's conditions.

Unanimous

(Ashworth & Sorensen excused)

Rick Williams presented the plot plan. He stated that this was a very unusual shaped lot which limits the buildable area. Staff recommended approval.

Ernie Becker, Jr. appeared on behalf of the application.

No one appeared in opposition.

(19:51 - 19:53)

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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BOARD ACTION

6. V-31-85 - ABE JAMARILLO

Application of ABE JAMARILLO for a Variance to allow an existing carport to the west side property line where a 5' setback is required, and 7'-6" from the front property line where 20' is required; and to allow an existing guesthouse (in the rear yard) where such use is not permitted on property located at 1038 Franklin Avenue in Zoning District R-1.

Staff Recommendation: APPROVAL of guest house and DENIAL of carport. If approved, subject to:

- 1. Conformance to the plot plan.
- 2. The guest house shall be used for short term occupancy by guests only and not for rental purposes.

PROTESTS: 0

BUGBEE

APPROVED both guest house and carport, subject to staff's conditions. Unanimous (Ashworth & Sorensen excused)

Rick Williams presented the plot plan. He stated that both the guest house and carport exist on the property at the present time. The guest house is over 30 years old. Staff recommended approval of the guest house in that there are existing non-conforming uses in the area, but denial of the carport as it is too close to the property line.

Tim McCrea, 625 N. 23rd St., appeared on behalf of the applicant. He stated the applicant has been living on the property for 40 years.

No one appeared in opposition.

(19:53 - 19:57)

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BOARD ACTION

7. V-32-85 - HILLHAVEN, INC., (DBA TORREY PINES CARE CENTER, INC.), ET AL

Application of HILLHAVEN, INC., (DBA TORREY PINES CARE CENTER, INC.), ET AL, for a Variance to allow 104 parking spaces where 165 parking spaces are required for a proposed 152-unit elderly housing development on property generally located on the northeast corner of O'Bannon Drive and Torrey Pines Drive, in Zoning District R-E (PROPOSED R-PD19).

Staff Recommendation: APPROVAL, subject to:

- 1. Conformance to the plot plan and elevations.
- 2. Approval of zoning application Z-18-85 and conformance to the conditions of the approval of Z-18-85.

PROTESTS: None on record
1 spoke and 7 more were present in audience.

BUGBEE
DENIED
Unanimous
(Ashworth & Sorensen excused)

Rick Williams presented the plot plan. He stated that the Planning Commission had recommended denial of the zoning application, but that the applicant decided to proceed with the variance in the hope that the City Council would approve the zoning. The variance only deals with the parking aspect. It is a recognized fact that the elderly have a lower ratio of vehicle ownership; and, therefore, staff recommended approval.

Mike Farley, Tucson, Arizona, appeared on behalf of the application.

Al Schmidt, 6348 Vicuna, appeared in opposition. He stated that the neighbors wanted to keep the area residential.

Seven other people in the audience raised their hands in opposition.

(19:57 - 20:04)

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BOARD ACTION

8. V-33-85 - SIERRA OESTE PROPERTIES, INC.,
ET AL

Application of SIERRA OESTE PROPERTIES, INC., ET AL, for a Variance to allow a 6' high solid block wall (for a trash enclosure) in the front yard area where only a 4' high wall is permitted on property generally located south of Lake Mead Boulevard, between Jones Boulevard and Torrey Pines Drive in Zoning District R-3.

Staff Recommendation: APPROVAL, subject to:

- 1. Conformance to the plot plan and elevations.

PROTESTS: 0

MYERS
APPROVED, subject to staff's conditions.
Motion carried with Bugbee abstaining and Ashworth and Sorensen excused.

Rick Williams presented the plot plan. He stated that this request was for the balance of the lots not covered under the previous applications. Staff recommended approval.

The applicant was not present.

No one appeared in opposition.

(20:04 - 20:06)

BOARD OF ZONING ADJUSTMENT

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9. V-34-85 - SAMUEL MORREALE

Application of SAMUEL MORREALE for a Variance to allow the second-floor balconies in the Casa Salvatori apartment complex to extend into the front yard area 16 feet from the front property line where a 20' setback is required on property located at 5001 El Parque Avenue in Zoning District R-3.

Staff Recommendation: APPROVAL, subject to:

- 1. Conformance to the plot plan and elevations.

PROTESTS: 0

BUGBEE
APPROVED, subject to staff's conditions.
Unanimous
(Ashworth & Sorensen excused)

Rick Williams presented the plot plan. He stated that staff had no objection due to the fact that the balconies were relatively insignificant projections into the required yard, staff recommended approval.

Samuel Morreale appeared on behalf of the application.

No one appeared in opposition.

(20:06 - 20:08)

BOARD OF ZONING ADJUSTMENT

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

BOARD ACTION

10. V-36-85 - JERRY B. AND LA RUE LEWIS

Application of JERRY B. AND LA RUE LEWIS for a Variance to allow a professional office use where not permitted on property located at 510 South Ninth Street in Zoning District R-1.

Staff Recommendation: APPROVAL, subject to:

1. Conformance to the plot plan amended to provide the required five foot side yard setbacks.
2. Sign a Special Improvement District Agreement for alley paving and street lighting as required by the Department of Design and Development.
3. Installation of sidewalk on Ninth Street as required by the Division of Land Development and Flood Control of the Department of Community Planning and Development.
4. Conformance to the elevations.
5. Signs shall conform to the provisions of the P-R Zone and the elevations of the signs shall be approved by the Department of Planning and Development.
6. Standard conditions 2-8.

PROTESTS: 0

BUGBEE

APPROVED, subject to staff's conditions.

Unanimous

(Ashworth & Sorensen excused)

Rick Williams presented the plot plan. He stated there have been a number of offices allowed by variance in this area. The applicant will have to modify their site plan slightly to provide a five foot setback on the south side. Staff recommended approval.

Joe Gage, 4155 Flamingo, appeared on behalf of the applicant.

No one appeared in opposition.

(20:08 - 20:12)

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BOARD ACTION

11. V-37-85 - EDWARD DEEB

Application of EDWARD DEEB for a Variance to allow a six (6) foot high ornamental iron fence (with electric gates) in the front yard of an existing apartment complex where a maximum height of 4' with the top 2' 50% open is permitted on property located at 4600-4750 East Charleston Boulevard in Zoning District R-3.

Staff Recommendation: APPROVAL, subject to:

1. Conformance to the plot plan.

PROTESTS: 0

MYERS

APPROVED, subject to staff's conditions.

Unanimous
(Ashworth & Sorensen excused)

Rick Williams presented the plot plan. He stated that the apartment fence would have no greater affect upon the area as would a fence on the C-1 parcel on the west side of Marion.. Staff recommended approval.

Marion Deeb appeared on behalf of the application.

No one appeared in opposition.

(20:12 - 20:15)

BOARD OF ZONING ADJUSTMENT

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

BOARD ACTION

12. V-38-85 - LEWIS HOMES OF NEVADA

Application of LEWIS HOMES OF NEVADA for a Variance to allow a convenience store with gasoline sales and a commercial child day-care center on property generally located at the southwest corner of Alta Drive and Rainbow Boulevard in Zoning District R-1 (Under Resolution of Intent to R-CL).

Staff Recommendation: DENIAL. If approved, subject to:

1. Conformance to the plot plan and elevations.
2. The use of the store building be limited to a convenience market only. Any other use of this building must be approved by the Board of Zoning Adjustment.
3. A review of the child care facility prior to the issuance of a building permit.
4. Approval of a parcel map.
5. Dedication of 20 feet of right-of-way for Alta Drive on a 25 foot property line radius corner at the intersection of Alta Drive and Rainbow Boulevard as required by the Department of Design and Development.
6. Installation of sidewalks and streetlighting on Rainbow Boulevard and street improvements on Alta Drive as required by the Division of Land Development and Flood Control of the Department of Community Planning and Development.
7. Standard conditions 2-8.

PROTESTS: 0

BUGBEE

APPROVED, subject to staff's conditions.
(Ashworth & Sorensen excused)

Rick Williams presented the plot plan. He stated that staff felt that the commercial development should be restricted to the area around Charleston Boulevard or the existing C-1 at Westcliff Drive. Staff recommended denial.

Guy Weibling, 2275 Renaissance Drive, appeared on behalf of the application. He stated that the child care facility was being used as a buffer for the commercial.

Joel Laub appeared on behalf of the application.

No one appeared in opposition.

(20:15 - 20:29)

BOARD OF ZONING ADJUSTMENT

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BOARD ACTION

13. V-39-85 - GERALD G. BEAL

Application of GERALD G. BEAL for a Variance to allow a landscaping business (in conjunction with existing residential use) with related vehicle and equipment storage where such use is not allowed on property located at 5004 and 5012 Donnie Avenue in Zoning District R-3.

Staff Recommendation: DENIAL

PROTESTS: 9

BUGBEE
DENIED
Unanimous
(Ashworth & Sorensen)

Rick Williams presented the plot plan. He stated that staff does not encourage expansion of a commercial pattern where there is such an obvious over-supply and does not support the mix of commercial and residential uses. The applicant's proposal to store his trucks and other landscape business equipment is not conducive to a good residential environment. Staff recommended denial.

Gerald Beal appeared on behalf of the application. He stated that he wanted to park his vehicles on the property and that he was in the process of cleaning the property. He stated that the vehicles had only been on the property for two months.

Protestants

Diane Allen, 3305 Theresa, appeared. She stated that the vehicles had been on the property for at least one year. She stated that his property was an eyesore.

Gary Poe, 5000 Donnie, appeared. He said that this would be a detriment to the neighborhood.

(20:29 - 20:43)

BOARD OF ZONING ADJUSTMENT

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

BOARD ACTION

14. U-17-85 - GLEN & MARLENE VAN BEVEREN

Application of GLEN & MARLENE VAN BEVEREN for a Special Use Permit to allow a group child-care operation for nine (9) children on property located at 7604 Charles Conrad Circle in Zoning District R-1.

Staff recommendation: APPROVAL, subject to:

- 1. Conformance to the plot plan and elevations.

PROTESTS: 0

MYERS

APPROVED, subject to the hours of 9:00 A.M. to 11:00 A.M. on Tuesdays and Thursdays only and staff's condition. Unanimous

(Ashworth and Sorensen excused)

Rick Williams stated that this was a single-family dwelling with 2 driveway parking spaces in front. Staff recommended approval.

Marlene Van Beveren appeared on behalf of the application. She stated that the children would be dropped off by their parents and that it would not result in a parking problem.

James Lovell appeared. He wanted clarification as to the hours and the number of days this would be allowed.

(20:43 - 20:48)

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ANNOTATED & FINAL MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

BOARD ACTION

SUPPLEMENTAL AGENDA

1. U-20-85(HO) - ROBERT L. SPECK

Application of ROBERT L. SPECK for a home occupation Use Permit for the making of rubber stamps and small plastic name tags, etc. on property located at 300 Horn Street in Zoning District R-1.

Staff Recommendation: APPROVAL, subject to:

1. This business shall conform to the restrictions governing Home Occupations.

2. U-17-84 - CHERYL LETTERIELLO

Request of CHERYL LETTERIELLO for a Review of Condition on property generally located at 1316 Wintergreen Drive, in Zoning District R-CL.

Staff Recommendation: APPROVAL, subject to:

1. The approval is limited to Monday through Saturday from 6:00 A.M. to midnight only.
2. Subject to all other conditions of U-17-84.

MEETING ADJOURNED AT 9:00 P.M.

DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT


HAROLD P. FOSTER, DIRECTOR

/s/

BUGBEE

APPROVED Items 1 and 2 and Item 1 on the Supplemental, subject to staff's conditions.

Unanimous

(Ashworth & Sorensen excused)

Rick Williams stated that the questionnaire had been answered favorably. Staff recommended approval.

The applicant was present.

MYERS

APPROVED, subject to staff's conditions.

Unanimous

(Ashworth & Sorensen excused)

Rick Williams stated that the applicant wished to amend the original use to 6:00 A.M. to midnight and include Saturday as one of the days they can care for children. Staff recommended approval.

The applicant was present.

(20:48 - 20:50)