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29-633-207  
51985-9-26

# AGENDA

*City of Las Vegas*

September 26, 1985

## BOARD OF ZONING ADJUSTMENT

Page 1

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6301

### CALL TO ORDER:

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

### ROLL CALL:

### 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 August 22, 1985 Board of Zoning Adjustment Meeting.  
Nevada State Library

SEP 1 1985

### ABEYANCE ITEMS:

#### Documents Section

#### 1. V-73-85

Application of SHERMA CONVERSE for a Variance to create a 91.24 foot wide lot with a lot area of 16,348 square feet where a minimum width of 100 feet and 20,000 square feet of lot area is required on property located at Oakley Boulevard between Rancho Road and Pine Street, in Zoning District R-E.

### NEW BUSINESS:

#### 1. U-59-85(HO)

##### HOME OCCUPATION PERMIT

Application of RICHARD P. STRAHAN for a Home Occupation Use Permit for the production of ceramic pieces, to be released for consignment to Stores, on property located at 1804 Jansen Avenue, in Zoning District R-1.

#### 2. V-82-85

Application of JOSEPH AND DOROTHY AURELIO for a Variance to allow a 9'4" high block wall on the north property line and east side property line where a maximum height of six feet (6') is permitted on property located at 6232 Lanning Lane, in Zoning District R-1.

#### 3. V-83-85

Application of GEORGE MAGNETT for a Variance to allow an offset printing business where such use is not permitted on property located at 1905 South Eastern Avenue, in Zoning District P-R.

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4. V-84-85      Application of NELLIS MINI STORAGE SOUTH for a Variance to allow residential use for a manager's quarters where such residential use is not permitted, on property located at 1441 North Nellis Boulevard in Zoning District C-2.
  
5. V-85-85      Application of JAMES B. AND PATRICIA K. ROSS for a Variance to allow a television and stereo equipment repair business on property located at 824 Dusk Street, in Zoning District R-1.
  
6. U-57-85      Application of WILLIAM F. CURRAN, TRUSTEE, AND DENNIS P. CURRAN for a Use Permit to allow a 306-unit residential development for the elderly, on property generally located on the north side of Washington Avenue, between Rancho Drive and Robin Street, in Zoning District R-1, (under Resolution of Intent to C-1).
  
7. V-88-85      Application of B. G. AND SHIRLEY A. DICKSTEIN for a Variance to allow detached accessory structures (carports) to occupy a portion of the front yard areas where such structures are not permitted on property located at 4229, 4237 and 4261 East Stewart Avenue, in Zoning District R-3.
  
8. V-89-85      Application of MICHAEL L. MILLER for a Variance to allow a rear patio cover to be constructed 14'2" from the rear property line where 15' is required, support posts 1'6" from the west side property line where 5' is required, with the overhang 6" from the property line where 3' is required; and to allow the existing house 3'6" from the east side property line where 5'3" is required, on property located at 2504 Canosa Avenue, in Zoning District R-1.
  
9. U-58-85      Application of HELEN E. DOYLE ON BEHALF OF GEORGE LIGUORI for a Use Permit to allow the salvage of paper products and non-ferrous metals on property located at 3100 Sirius Avenue, in Zoning District M.
  
10. V-90-85      Application of HILDEGARD FURNESS for a Variance to allow construction of a room addition three feet (3') from the rear property line where twenty feet (20') is required on property at 319 South 10th Street, in Zoning District R-4.
  
11. V-91-85      Application of DEXTER R. BREWER for a Variance to allow a room addition with a north side yard setback of five feet (5') where nine feet (9') is required on property located at 2221 Obispo Circle, in Zoning District R-1.

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12. V-92-85 Application of JANE E. CLAYTON AKA JANE E. STERNBERG for a Variance to allow a six foot (6') high wrought iron fence in the front yard where a maximum height of four feet (4') is allowed on property located at 3905 San Bernardino Avenue, in Zoning District R-1.
13. V-93-85 Application of ERNEST A. BECKER for a Variance to allow a New Car Dealership and Service Facility on property generally located on the west side of Decatur Boulevard between Oakey Boulevard and Doe Avenue, in Zoning District R-1 and R-3 (under Resolution of Intent to C-1).
14. V-94-85 Application of BALDOMERO ARANGO for a Variance to allow the creation of three lots; each having a frontage width of 55.5 feet where a 65 foot width is required on property generally located on the north side of Alpine Place, between Jones Boulevard and Mohawk Street, in Zoning District R-1.
15. V-95-85 Application of JAMES W. McGAUGHEY for a Variance to allow the construction of a four-plex on a 6500 square foot lot where only three units are permitted on each property located at 419 and 423 N. 15th Street, in Zoning District R-3.
16. V-96-85 Application of KENNETH F. JOHANN for a Variance to allow the operation of a Retail Clothing Boutique and Manicure Shop where such uses are not permitted on property located at 1610 South Maryland Parkway, in Zoning District R-1 (under Resolution of Intent to P-R).
17. V-97-85 Application of HERBERT FREY, TRUSTEE for a Variance to allow the manufacturing of clothing with more than seven employees engaged in the production activity where a maximum of seven persons is permitted on property located at 501 North Eastern Avenue, in Zoning District R-1 (under Resolution of Intent to C-1).
18. V-98-85 Application of ANDRE AND KATHERINE SIMETEYS for a Variance to allow the construction of a carport five feet (5') from the front property line where twenty feet (20') is required, and to allow an existing detached storage shed in the side yard area where detached accessory structures are not permitted on property located at 1801 South Fourteenth Street, in Zoning District R-1.

**BOARD OF ZONING ADJUSTMENT**

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19. V-99-85

Application of JEFFREY N. AND LAURA L. CLONTZ for a Variance to allow a garage addition eight feet (8') from the front property line (Westwood Drive) where twenty feet (20') is required on property located at 1229 Park Circle, in Zoning District R-1.

DIRECTOR'S BUSINESS:1. RESCHEDULE  
MEETINGS

Consideration of rescheduling the November 28, 1985 and the December 26, 1985, Board of Zoning Adjustment Meetings.

ci  
29-433-207  
5:985-9-26

S U P P L E M E N T A L   A G E N D A

**AGENDA**

*City of Las Vegas*

September 26, 1985

**BOARD OF ZONING ADJUSTMENT**

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

ITEM

BOARD ACTION

- |                                                              |                                                                                                                                                                                                                                                                                                                 |
|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. U-60-85(HO)<br><br>HOME OCCUPATION<br>PERMIT              | Application of FLOYD P. & SHEILA BENEDICT for a Home Occupation Use Permit to allow a telemarketing business on property located at 3928 Gaviota Avenue, in Zoning District R-1.                                                                                                                                |
| 2. U-61-85(HO)<br><br>HOME OCCUPATION<br>PERMIT              | Application of A. W. MCGREGOR ON BEHALF OF PATRICIA BLASCO for a Home Occupation Use Permit to allow an interior design consulting business on property located at 1201 Eaton Drive, in Zoning District R-1.                                                                                                    |
| 3. U-62-85(HO)<br><br>HOME OCCUPATION<br>PERMIT              | Application of GEORGE ALLEN COATE for a Home Occupation Use Permit to conduct a nutritional consultant business including the sale of vitamins on property located at 3805 West Casa Grande Avenue, in Zoning District R-1.                                                                                     |
| 4. V-50-83<br><br>PLOT PLAN REVIEW<br>& EXTENSION OF<br>TIME | Application of LLOYD E. HARRIS for a Plot Plan Review and Extension of Time on an approved Variance which allowed a commercial printing company where such use is not permitted on property located at 1201 Arville Street, in Zoning District R-E (under Resolution of Intent to P-R).                         |
| 5. V-35-75<br><br>EXTENSION OF<br>TIME                       | Application of DOROTHY PANE for an Extension of Time on an approved Variance which allowed the commercial use of the existing building located within the required 25' rear yard setback area where no commercial use is allowed on property located at 3216 West Charleston Boulevard, in Zoning District C-D. |
| 6. U-49-85<br><br>REVIEW OF<br>CONDITION                     | Application of EMPIRE AUTO for a Review of Condition to allow the use of artificial shrubs across the front of the property at 1700 East Fremont Street, in Zoning District C-2.                                                                                                                                |

Nevada State Library

SEP 26 1985

Documents Section

JA-133-207  
4:985-9-26.  
**GENDA**

*City of Las Vegas*

**BOARD OF ZONING ADJUSTMENT**

Page 1

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 - Excused  
Keith Ashworth - Present  
Robert Bugbee - Present  
Carole Sorensen - Present  
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 August 22, 1985 Board of Zoning Adjustment meeting.

ABEYANCE ITEMS:

1. V-73-85 - SHERMA CONVERSE

Application of SHERMA CONVERSE for a Variance to create a 91.24 foot wide lot with a lot area of 16,348 square feet where a minimum width of 100 feet and 20,000 square feet of lot area is required on property located at Oakey Boulevard between Rancho Road and Pine Street, in Zoning District R-E.

Staff Recommends APPROVAL, subject to:

1. Conformance to the plot plan.

PROTESTS: 0

Vice Chairman Sorensen called the meeting to order.

STAFF PRESENT

Harold Foster, Dir., Dept of Comm. Planning and Development  
Rick Williams, Dept. of Comm. Planning and Development  
Rick Heitkemper, Dept. of Comm. Planning and Development  
Mike Clark, Dept. of Comm. Planning and Development  
Val Steed, Deputy City Attorney  
Sandra LeBoeuf, Deputy City Clerk

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

Vice Chairman Sorensen read the appeal requirements.

*Nevada State Library  
OCT 15 1985  
Documents Section*

BUGBEE  
APPROVED  
Unanimous  
(Juniel excused)

BUGBEE  
APPROVED, subject to staff's conditions.  
Unanimous  
(Juniel excused)

Rick Williams stated there was some justification in supporting the request because the widening of Rancho Drive reduced the size of the property. The remaining size of the parcel resulted in smaller lots when dividing the property. Staff recommended APPROVAL.

James Arrendale appeared on behalf of the applicant.

No one appeared in opposition.

(19:36 - 19:38)

BOARD OF ZONING ADJUSTMENT

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

BOARD ACTION

ITEM

NEW BUSINESS.

1. U-59-85(HO) - RICHARD P. STRAHAN

Application of RICHARD P. STRAHAN for a Home Occupation Use Permit for the production of ceramic pieces, to be released for consignment to Stores, on property located at 1804 Jansen Avenue, in Zoning District R-1.

Staff Recommends APPROVAL, subject to:

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

2. V-82-85 - JOSEPH AND DOROTHY AURELIO

Application of JOSEPH AND DOROTHY AURELIO for a Variance to allow a 9'4" high block wall on the north property line and east side property line where a maximum height of six feet (6') is permitted on property located at 6232 Lanning Lane, in Zoning District R-1.

Staff Recommends APPROVAL, subject to:

1. Conformance to the plot plan.
2. Obtain a building permit, necessary inspections, and final approval for code compliance as required by the Department of Building and Safety.
3. Standard condition number 5.

PROTESTS: 1 letter

APPROVALS: 1 letter

BUGBEE

APPROVED Item 1 and Items 1 thru 3 on the Supplemental Agenda.

Unanimous

(Juniel excused)

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

The applicant was present.

(19:38 - 19:40)

BUGBEE

APPROVED, subject to staff's conditions.

Unanimous

(Juniel excused)

Rick Williams stated the applicant added to the already existing block wall to provide a buffer between his property and the 4-plexes being constructed behind him. Staff recommends approval.

Joseph Aurelio appeared on behalf of the application. He stated his neighbor was in favor and was in the audience.

No one appeared in opposition.

(19:40 - 19:45)

BOARD OF ZONING ADJUSTMENT

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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ITEM

BOARD ACTION

3. V-83-85 - GEORGE MAGNETT

Application of GEORGE MAGNETT for a Variance to allow an offset printing business where such use is not permitted on property located at 1905 South Eastern Avenue, in Zoning District P-R.

Staff recommends DENIAL; if approved, subject to:

1. Submission of a detailed plot plan showing landscaped areas, parking spaces and circulation as required by the Department of Community Planning and Development.
2. All products produced, whether primary or incidental, shall be sold at retail on the premises, and not more than two persons shall be engaged in such production.
3. There shall be no audible or noticeable indication of the business outside the building except for advertising.
4. There shall be no smoke, dust or foreign matter emitted from the site.
5. Machinery used in the printing operation shall be driven by electric motors not exceeding one horse power.
6. Standard conditions 1 through 8.

PROTESTS: 0

APPROVALS: 1 letter

4. V-84-85 - NELLIS MINI STORAGE SOUTH

Application of NELLIS MINI STORAGE SOUTH for a Variance to allow residential use for a manager's quarters where such residential use is not permitted, on property located at 1441 North Nellis Boulevard in Zoning District C-2.

Staff recommends APPROVAL, subject to:

1. Conformance to the plot plan.

PROTESTS: 0

APPROVALS: 1

ASHWORTH  
APPROVED, subject to staff's conditions.  
Unanimous  
(Juniel excused)

Rick Williams stated this proposal was not consistent with the intent of the P-R Zone and that it would be more appropriately located in a commercially zoned district. Staff recommends denial.

Neil Beller, Atty., appeared on behalf of the applicant. He claimed the applicant would be assembling corporate kits and printing the certificates.

George Magnett appeared. He stated he would be the only one working there.

No one appeared in opposition.

(19:45 - 19:52)

ASHWORTH  
APPROVED, subject to staff's condition.  
Unanimous  
(Juniel excused)

Rick Williams stated this proposed use would be in conjunction with an existing commercial storage unit complex. Staff recommends approval.

The applicant appeared.

No one appeared in opposition.

(19:52 - 19:56)

## BOARD OF ZONING ADJUSTMENT

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

BOARD ACTION

ITEM

5. V-85-85 - JAMES B. AND PATRICIA K. ROSS

Application of JAMES B. AND PATRICIA K. ROSS for a Variance to allow a television and stereo equipment repair business on property located at 824 Dusk Street, in Zoning District R-1.

Staff recommends DENIAL.

PROTESTS: 2 on record

BUGBEE

APPROVED, subject to the use on this site cease at such time the applicant vacates the premises.

Unanimous

(Juniel excused)

Rick Williams stated there was no unusual circumstances to warrant the variance. Staff recommends denial.

James Ross appeared on behalf of the application. He stated this would only be a part-time business as he was in the Air Force and was away from home 4 or 5 days a week.

No one appeared in opposition.

(20:03 - 20:10)

6. U-57-85 - WILLIAM F. CURRAN, TRUSTEE, AND DENNIS P. CURRAN

Application of WILLIAM F. CURRAN, TRUSTEE, AND DENNIS P. CURRAN for a Use Permit to allow a 306-unit residential development for the elderly, on property generally located on the north side of Washington Avenue, between Rancho Drive and Robin Street, in Zoning District R-1, (under Resolution of Intent to C-1).

Staff recommends APPROVAL, subject to:

1. Conformance to the plot plan and elevations.
2. Approval of a plot plan review by the City Council on zoning action Z-62-75.
3. Standard conditions 2 through 8.

PROTESTS: 1

BUGBEE

APPROVED, subject to staff's conditions.

Unanimous

(Juniel excused)

Rick Williams stated these residential uses are consistent with the development plan for this health care facility. Staff recommends approval.

The applicant appeared on behalf of the application.

No one appeared in opposition.

(19:56 - 20:03)

BOARD OF ZONING ADJUSTMENT

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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BOARD ACTION

ITEM

7. V-88-85 - B. G. AND SHIRLEY A. DICKSTEIN

Application of B. G. AND SHIRLEY A. DICKSTEIN for a Variance to allow detached accessory structures (carports) to occupy a portion of the front yard areas where such structures are not permitted on property located at 4229, 4237 and 4261 East Stewart Avenue, in Zoning District R-3.

BUGBEE  
ABEYANCE to 10/24/85 meeting.  
Unanimous  
(Juniel excused)  
  
Applicant was not present

8. V-89-85 - MICHAEL L. MILLER

Application of MICHAEL L. MILLER for a Variance to allow a rear patio cover to be constructed 14'2" from the rear property line where 15' is required, support posts 1'6" from the west side property line where 5' is required, with the overhang 6" from the property line where 3' is required; and to allow the existing house 3'6" from the east side property line where 5'3" is required, on property located at 2504 Canosa Avenue, in Zoning District R-1.

Staff recommends DENIAL; if approved, subject to:

1. Conformance to the plot plan.

PROTESTS: 0

APPROVALS: 1 letter

MYERS  
APPROVED both the patio setback and the existing house setback, subject to staff's condition.  
Unanimous  
(Juniel excused)

Rick Williams stated the applicant could reduce the size of the patio and be within the necessary setback. Staff has no objection to the house setback. Staff recommends denial of the patio setback and approval of the existing house setback.

Michael Miller appeared on behalf of the application. He stated he needed a larger patio area for his family.

No one appeared in opposition.

(20:11 - 20:17)

BOARD OF ZONING ADJUSTMENT

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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BOARD ACTION

ITEM

9. U-58-85 - HELEN E. DOYLE ON BEHALF OF GEORGE LIGUORI

Application of HELEN E. DOYLE ON BEHALF OF GEORGE LIGUORI for a Use Permit to allow the salvage of paper products and non-ferrous metals on property located at 3100 Sirius Avenue, in Zoning District M.

Staff recommends APPROVAL, subject to:

1. Conformance to the plot plan and elevations.
2. That a detailed parking and driveway plan be submitted for approval by the Department of Community Planning and Development.
3. This use be limited to the buying of scrap aluminum cans and paper only.
4. That any materials or activities outside the building be screened from view by a six foot (6') opaque fence.

PROTESTS: 2

BUGBEE

APPROVED, subject to staff's conditions.

Unanimous  
(Juniel excused)

Rick Williams stated the proposed use was consistent with the M Zoning. Staff recommends approval.

George Liguori appeared on behalf of the application.

No one appeared in opposition.

(20:17 - 20:24)

10. V-90-85 - HILDEGARD FURNESS

Application of HILDEGARD FURNESS for a Variance to allow construction of a room addition three feet (3') from the rear property line where twenty feet (20') is required on property at 319 South 10th Street, in Zoning District R-4.

Staff recommends DENIAL; if approved, subject to:

1. Conformance to the plot plan amended to provide the code required on-site parking for the number of existing units or reduce the number of units to four.

PROTESTS: 0

BUGBEE

ABEYANCE to 10/24/85 meeting.

Unanimous  
(Juniel excused)

Tom Barber, 1604 Eaton, appeared on behalf of the applicant.

Note: A previous motion by Ashworth for approval ended in a tie vote.

Note: A previous motion by Myers for denial ended in a tie vote.

(20:24 - 20:40)

BOARD OF ZONING ADJUSTMENT

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

BOARD ACTION

ITEM

11. V-91-85 - DEXTER R. BREWER

Application of DEXTER R. BREWER for a variance to allow a room addition with a north side yard setback of five feet (5') where nine feet (9') is required on property located at 2221 Obispo Circle, in Zoning District R-1.

Staff recommends DENIAL; if approved, subject to:

- 1. Conformance to the plot plan.
- 2. Standard conditions 5 and 7.

PROTESTS: 0

BUGBEE

APPROVED, subject to staff's conditions.

Unanimous  
(Juniel excused)

Rick Williams stated if this were to be approved, it would reduce the combined side yard widths to ten feet. Only the corner of the proposed addition would extend to within the five feet of the adjacent property. Staff recommends denial.

Dexter Brewer and his wife appeared on behalf of the application. He stated he was building it this way to conform with the rest of the homes.

George Preston appeared on behalf of the applicant.

No one appeared in opposition.

(20:40 - 20:44)

12. V-92-85 - JANE E. CLAYTON AKA JANE E. STERNBERG

Application of JANE E. CLAYTON AKA JANE E. STERNBERG for a Variance to allow a six foot (6') high wrought iron fence in the front yard where a maximum height of four feet (4') is allowed on property located at 3905 San Bernardino Avenue, in Zoning District R-1.

Staff recommends DENIAL; if approved, subject to:

- 1. Conformance to the plot plan.

PROTESTS: 0

MYERS

APPROVED, subject to staff's condition.

Unanimous  
(Juniel excused)

Rick Williams stated there was no unusual circumstances to warrant the variance. Staff recommends denial.

The applicant appeared. She stated she wanted the additional height for the safety of her children.

No one appeared in opposition.

(20:44 - 20:47)

BOARD OF ZONING ADJUSTMENT

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

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BOARD ACTION

ITEM

13. V-93-85 - ERNEST A. BECKER

Application of ERNEST A. BECKER for a Variance to allow a New Car Dealership and Service Facility on property generally located on the west side of Decatur Boulevard between Oakey Boulevard and Doe Avenue, in Zoning District R-1 and R-3 (under Resolution of Intent to C-1).

Staff recommends DENIAL; if approved, subject to:

- 1. Conformance to the plot plan and elevations.
- 2. No major repair or paint and body shop is permitted.
- 3. No outdoor public address system is permitted.
- 4. Conformance to the conditions of Z-76-79.
- 5. Installation of sidewalks on Decatur Boulevard as required by the Division of Land Development of the Department of Community Planning and Development.

PROTESTS: 0

14. V-94-85 - BALDOMERO ARANGO

Application of BALDOMERO ARANGO for a Variance to allow the creation of three lots, each having a frontage width of 55.5 feet where a 65 foot width is required on property generally located on the north side of Alpine Place, between Jones Boulevard and Mohawk Street, in Zoning District R-1.

Staff recommends DENIAL; if approved, subject to:

- 1. Approval of a parcel map.
- 2. Standard conditions 5 and 8.

PROTESTS: 0

BUGBEE

APPROVED, subject to staff's conditions except condition number 2 to be amended to read no paint and body shop to be permitted.

Unanimous  
(Juniel excused)

Rick Williams stated this use should be located in a C-2 Zone. There are no unusual circumstances to warrant the variance.

Ernie Becker, Jr., appeared on behalf of the application. He stated that there were other car dealerships on Decatur.

Al Kingham, representing the car dealership, appeared on behalf of the application. He stated they wanted the same privileges allotted the other car dealers.

No one appeared in opposition.

(20:47 - 20:57)

ASHWORTH

APPROVED, subject to staff's conditions.

Unanimous  
(Juniel excused)

Rick Williams stated the other lots in the area are a minimum of 66 feet wide, but that most are 82 feet wide. Staff recommends denial.

Baldomero Arango appeared on behalf of the application. He stated the three lots would actually have more area than the required minimum for R-1 lots.

No one appeared in opposition.

(20:57 - 21:04)

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BOARD ACTION

ITEM

15. V-95-85 - JAMES W. McGAUGHEY

Application of JAMES W. McGAUGHEY for a Variance to allow the construction of a four-plex on a 6500 square foot lot where only three units are permitted on each property located at 419 and 423 N. 15th Street, in Zoning District R-3.

Staff recommends APPROVAL, subject to:

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

PROTESTS: 0

ASHWORTH

APPROVED, subject to staff's conditions.

Unanimous

(Juniel excused)

Rick Williams stated several variances for similar uses have already been approved in the area due to topographic conditions. Staff recommends approval.

The applicant appeared.

No one appeared in opposition.

(21:04 - 21:06)

16. V-96-85 - KENNETH F. JOHANN

Application of KENNETH F. JOHANN for a Variance to allow the operation of a Retail Clothing Boutique and Manicure Shop where such uses are not permitted on property located at 1610 South Maryland Parkway, in Zoning District R-1 (under Resolution of Intent to P-R).

WITHDRAWN BY THE APPLICANT

BOARD OF ZONING ADJUSTMENT

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

BOARD ACTION

ITEM

17. V-97-85 - HERBERT FREY, TRUSTEE

Application of HERBERT FREY, TRUSTEE for a Variance to allow the manufacturing of clothing with more than seven employees engaged in the production activity where a maximum of seven persons is permitted on property located at 501 North Eastern Avenue, in Zoning District R-1 (under Resolution of Intent to C-1).

Staff recommends DENIAL; if approved, subject to:

1. Conformance to the plot plan.
2. Conformance to the conditions of Z-43-81.
3. Standard conditions 2 through 8.

PROTESTS: 1 appeared with petition with 26 signatures

MYERS

APPROVED, subject to staff's conditions and a maximum of 12 employees. Unanimous (Juniel excused)

Rick Williams stated there were no exceptional circumstances to warrant the variance. He indicated the use would take up most of the parking for all the commercial businesses in this development. Staff recommends denial.

Michael Pancero appeared on behalf of the application. He stated the applicant at times needed more employees than the allowed number when he received a large contract. Five of the employees are family members.

Rhonda Pancero appeared on behalf of the application. She stated the employees that were hired were paid minimum wage and did not have their own transportation.

Charles Gerling, 2306 E. Walnut, appeared in opposition. He presented the Board with a petition with 26 signatures. They were protesting the parking and traffic problems this would create.

NOTE: A verbatim transcript will be made part of Final Minutes.

(21:06 - 21:25)

18. V-98-85 - ANDRE AND KATHERINE SIMETEYS

Application of ANDRE AND KATHERINE SIMETEYS for a Variance to allow the construction of a carport five feet (5') from the front property line where twenty feet (20') is required, and to allow an existing detached storage shed in the side yard area where detached accessory structures are not permitted on property located at 1801 South Fourteenth Street, in Zoning District R-1.

Staff recommends DENIAL; if approved, subject to:

1. Conformance to the plot plan.

PROTESTS: 3

BUGBEE

APPROVED, subject to staff's condition. Unanimous (Juniel excused)

Rick Williams stated there was no unusual circumstance to warrant a variance.

Mark McGaig appeared on behalf of the applicant. He presented the Board with a letter of approval with two signatures. He stated the driveway was very narrow and they could only have protection from the sun for one vehicle and they wanted to protect both of their vehicles. The shed is used for garden tools and has been in existence for 15 years.

Katherine Simeteys appeared on behalf of the application,

No one appeared in opposition.

(21:25 - 21:33)

BOARD OF ZONING ADJUSTMENT

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

BOARD ACTION

ITEM

19. V-99-85 - JEFFREY N. AND LAURA L. CLONTZ

Application of JEFFREY N. AND LAURA L. CLONTZ for a Variance to allow a garage addition eight feet (8') from the front property line (Westwood Drive) where twenty feet (20') is required on property located at 1229 Park Circle, in Zoning District R-1.

Staff recommends DENIAL; if approved, subject to:

- 1. Conformance to the plot plan.

PROTESTS: 0

BUGBEE  
APPROVED, subject to staff's condition.  
Unanimous  
(Juniel excused)

Rick Williams stated this addition would reduce the visibility for traffic turning the corner of Waldman Avenue and Westwood Drive. Also, with the construction of the proposed wall along Waldman, the visibility of the vehicles backing out of the garage would be impaired.

Jeffrey Clontz appeared on behalf of the application. He stated the garage was designed to be compatible with the area. The two streets are wide and are not very busy.

No one appeared in opposition.

(21:33 - 21:38)

DIRECTOR'S BUSINESS:

1. RESCHEDULE MEETINGS

Consideration of rescheduling the November 28, 1985 and the December 26, 1985, Board of Zoning Adjustment Meetings.

BUGBEE  
APPROVED rescheduling of November 28, 1985 meeting to November 19, 1985 and the December 26, 1985 meeting to December 19, 1985.  
Unanimous  
(Juniel excused)

SUPPLEMENTAL AGENDA

1. U-60-85(HO) - FLOYD P. & SHELIA BENEDICT

Application of FLOYD P. & SHEILA BENEDICT for a Home Occupation Use Permit to allow a telemarketing business on property located at 3928 Gaviota Avenue, in Zoning District R-1.

Staff recommends APPROVAL, subject to:

- 1. This business shall conform to the restrictions governing Home Occupation Permits.

BUGBEE  
APPROVED Item 1 and Items 1 thru 3 on the Supplemental Agenda.  
Unanimous  
(Juniel excused)

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

The applicant was present.

(19:38 - 19:40)

BOARD OF ZONING ADJUSTMENT

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

BOARD ACTION

ITEM

2. U-61-85(HO) - A. W. MCGREGOR ON BEHALF OF PATRICIA BLASCO

Application of A. W. MCGREGOR ON BEHALF OF PATRICIA BLASCO for a Home Occupation Use Permit to allow an interior design consulting business on property located at 1201 Eaton Drive, in Zoning District R-1.

Staff recommends APPROVAL, subject to:

1. This business shall conform to the restrictions governing Home Occupation Permits.

BUGBEE

APPROVED Item 1 and Items 1 thru 3 on the Supplemental Agenda.

Unanimous

(Juniel excused)

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

The applicant was present.

(19:38 - 19:40)

3. U-62-85(HO) - GEORGE ALLEN COATE

Application of GEORGE ALLEN COATE for a Home Occupation Use Permit to conduct a nutritional consultant business including the sale of vitamins on property located at 3805 West Casa Grande Avenue, in Zoning District R-1.

Staff recommends APPROVAL, subject to:

1. This business shall conform to the restrictions governing Home Occupation Permits.

BUGBEE

APPROVED Item 1 and Items 1 thru 3 on the Supplemental Agenda.

Unanimous

(Juniel excused)

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

The applicant was present.

(19:38 - 19:40)

4. V-50-83 - LLOYD E. HARRIS - PLOT PLAN REVIEW & EXTENSION OF TIME

Application of LLOYD E. HARRIS for a Plot Plan Review and Extension of Time on an approved Variance which allowed a commercial printing company where such use is not permitted on property located at 1201 Arville Street, in Zoning District R-E (under Resolution of Intent to P-R).

BUGBEE

ABEYANCE

Unanimous

(Juniel excused)

Rick Williams stated because this is a plot plan review the surrounding property owners were not notified and staff is concerned about permitting a change of this magnitude without input from these neighbors.

The applicant was present.

(21:38 - 21:41)

BOARD OF ZONING ADJUSTMENT

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

ITEM

BOARD ACTION

5. V-35-75 - DOROTHY PANE - EXTENSION OF TIME

Application of DOROTHY PANE for an Extension of Time on an approved Variance which allowed the commercial use of the existing building located within the required 25' rear yard area where no commercial use is allowed on property located at 3216 West Charleston in Zoning District C-D.

Staff recommends APPROVAL, subject to:

- 1. This use shall be limited to a five-year time period and will expire on September 26, 1990.
- 2. Conformance to the plot plan.

MYERS  
APPROVED, subject to staff's conditions.  
Unanimous  
(Juniel excused)

Rick Williams stated staff had no problem with allowing another five-year extension. Staff recommends approval.

Maxine Deacon appeared on behalf of the applicant.

To be heard by the City Council on October 16, 1985.

(21:41 - 21:44)

6. U-49-85 - EMPIRE AUTO - REVIEW OF CONDITION

Application of EMPIRE AUTO for a Review of Condition to allow the use of artificial shrubs across the front of the property at 1700 East Fremont Street, in Zoning District C-2.

Staff recommends DENIAL.

BUGBEE  
APPROVED  
Unanimous  
(Juniel excused)

Rick Williams stated the approval of this request wouldnot be in keeping with the City's effort to encourage the upgrading of Fremont Street properties. Staff recommends denial.

Joseph LaVoie appeared on behalf of the applicant. He stated this would be a financial hardship and would only be destroyed by the transients.

(21:44 - 21:48)

BOARD OF ZONING ADJUSTMENT

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

BOARD ACTION

ITEM

MEETING ADJOURNED AT APPROXIMATELY 10:00 P.M.  
DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT

  
HAROLD P. FOSTER, DIRECTOR