






Memorandum

Date: April 25, 2019

To: SOUTHERN NEVADA DISTRICT BOARD OF HEALTH

From: Jeremy Harper, REHS, Environmental Health Supervisor 
Karla Shoup, REHS, Environmental Health Manager  for Christopher Saxton,
REHS, Director of Environmental Health
Joseph P. Iser, MD, DrPH, MSc, Chief Health Officer 

Subject: Variance Request to Operate Two Public Bathing Places not in Compliance with the Nevada Administrative Code (NAC) 444.130, NAC 444.450; Headwind Property Co., LLC, dba Desert Rose Resort, located at 5051 Duke Ellington Way, Las Vegas, Nevada 89119; [Assessor's Parcel Number (APN) 162-28-101-008] for Health Permits PR0016297 and PR0016298, John Burgoon, for the Owner(s), Headwind Property Co., LLC.

I. BACKGROUND:

Headwind Property Co., LLC, DBA Desert Rose Resort is petitioning for a variance as requested by John Burgoon, representative for the owner, to construct and operate two public bathing places not in compliance with the following: Nevada Administrative Code (NAC) **444.130.3**, which states that *"The coping, decking or other material must have rounded, slip-resistant edges, and must not exceed 3 1/2 inches (8.89 centimeters) in thickness. The overhang of the coping, decking or other material must not exceed 2 inches (5.08 centimeters) nor be less than 1 inch (2.54 centimeters)."* and NAC **444.450.4**, which states that *"The overhang for coping or cantilevered decking: (a) Must not exceed 2 inches (5.08 centimeters) or be less than 1 inch (2.54 centimeters); (b) Must not exceed 2 1/2 inches (6.4 centimeters) in thickness for a spa for which an operating permit has been issued before January 16, 1996; (c) Must not exceed 3 1/2 inches (8.89 centimeters) in thickness for a spa for which an operating permit is issued on or after January 16, 1996."*

The public bathing places are located on APN 162-28-101-008, at 5101 Duke Ellington Way, Las Vegas, Nevada.

II. DISCUSSION:

The petitioner is requesting a variance from NAC 444.130, and NAC 444.450, which will apply to the pool and the spa. A deck remodel was conducted at the facility without the approval of the Southern Nevada Health District, which resulted in the coping being out of compliance with the

Nevada Administrative Code. The remodel included adding pavers to the deck, including the pavers making up the coping of the pool and spa. The unapproved coping tile dimensions exceeds the regulatory dimensions in thickness and overhang when the entirety of the coping tile is considered. The total overhang is between 2.5 and 3 inches, and the thickness is between 5 and 6 inches. The uppermost portion of the coping tile is within the requirements of the regulations (1 to 2" overhang; under 3.5" thickness), not including the lower portion overhang or thickness.

The evidence presented for granting a variance to permit Headwind Property Co., LLC to deviate from NAC 444.130, and 444.450, is listed below.

The petitioner states the following in regard to this requirement:

1. There must be circumstances or conditions which are unique to the applicant, and do not generally affect other persons subject to the regulation:

During our recent pool remodel, the rise of the top step on the pool height became 12.5 inches due to adding pavers on top of our existing deck. The new code (2018 Aquatic Facility Regulations) allows the tread riser heights to be no more than 12 inches high. We are working with the contractor to reduce the rise of the top step to 12 inches which would match the adjacent spa. *Note: The facility has corrected the rise of the top step so that the riser height is under 12", which is compliant with the Aquatic Facility Regulations.*

During the remodel, the contractor used a pool coping that was a one-piece design that goes over the old deck and covers the top of the pool down to the tile line. The one-piece design was used as a better way to keep water from penetrating the surface between the decks. Unfortunately, it was not found until the inspection that the overhang of the coping is between 2.5 and 3 inches.

2. There must be circumstances or conditions which make compliance with the regulation unduly burdensome and cause a hardship to and abridge a substantial property right of the applicant, and the variance is necessary to render substantial justice to and preserve the property rights of the applicant:

In order to be in compliance with the regulations, we would have to shut down our pool again. We would then have to remove the pool coping and replace it with a two-tile design. These modifications would be quite costly to rectify and have a negative impact to our owners and guests. Due to the pool coping being a custom product, it has approximately a 45-day lead time that would put us in the busiest time of the year when pool usage is heaviest.

Spring break and the summer months are coming fast, as you can imagine this is the start of our busiest time of the year. Along with the financial burden that we would incur to correct this issue, it would have a gross negative impact on our owners and guests.

3. Granting the variance will not be detrimental or pose a danger to the public health and safety:

We do not believe the variance for the new pool coping poses a danger as the coping has

a lip at the top of the coping that matches the 1 to 2" handhold. It is the thickness of the entire tile for the coping that makes the distance from the aquatic wall over the regulation.

III. RECOMMENDATION:

1. With regard to a variance from NAC 444.130, and 444.450 for the aquatic venues, staff is of the opinion that circumstances exist which satisfy the requirements for a variance, and that granting a variance from these regulations will not be detrimental or pose a danger to public health and safety.

Staff recommends approval of a variance with the conditions outlined below.

IV. CONDITIONS

1. The petitioner agrees to adhere to all other applicable requirements of the Public Bathing Places Public Spas Regulations, NAC 444 and Aquatic Facility Regulations;
2. Failure of the petitioner to prevent public health and safety issues, as determined by the health authority, will result in the voiding of this variance;
3. This variance is non-transferable upon closing of any sale transaction involving the subject property. New owners must apply in writing for continuation of any variance conditions

JH

Attachments:

- A. Nevada Secretary of State Corporate Information
- B. Variance Application Letter
- C. Variance Candidate Worksheet
- D. Assessor's Parcel Information
- E. Assessor's Map
- F. Site Photos and Details
- G. Public Notice

ATTACHMENT

A

HEADWIND PROPERTY CO., LIMITED LIABILITY COMPANY

Business Entity Information			
Status:	Active	File Date:	5/30/1996
Type:	Foreign Limited-Liability Company	Entity Number:	LLC11937-1996
Qualifying State:	DE	List of Officers Due:	5/31/2019
Managed By:	Managers	Expiration Date:	5/30/2026
Foreign Name:	HEADWIND PROPERTY CO., L.L.C.		
NV Business ID:	NV19961013794	Business License Exp:	5/31/2019

Additional Information	
Central Index Key:	

Registered Agent Information			
Name:	CORPORATE CREATIONS NETWORK INC.	Address 1:	8275 SOUTH EASTERN AVENUE #200
Address 2:		City:	LAS VEGAS
State:	NV	Zip Code:	89123
Phone:		Fax:	
Mailing Address 1:		Mailing Address 2:	
Mailing City:		Mailing State:	NV
Mailing Zip Code:			
Agent Type:	Commercial Registered Agent - Corporation		
Jurisdiction:	FLORIDA	Status:	Active

Financial Information			
No Par Share Count:	0	Capital Amount:	\$ 0
No stock records found for this company			

- Officers		<input type="checkbox"/> Include Inactive Officers	
Manager - NESBITT-SVC VEGAS, L.P.			
Address 1:	6277 SEA HARBOR DR	Address 2:	
City:	ORLANDO	State:	FL
Zip Code:	32821	Country:	
Status:	Active	Email:	

- Actions\Amendments	
Action Type:	Application for Foreign Registration

Document Number:	LLC11937-1996-001	# of Pages:	2
File Date:	5/30/1996	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	LLC11937-1996-008	# of Pages:	2
File Date:	6/10/1998	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	LLC11937-1996-007	# of Pages:	1
File Date:	5/19/1999	Effective Date:	
(No notes for this action)			
Action Type:	Registered Agent Address Change		
Document Number:	LLC11937-1996-003	# of Pages:	299
File Date:	10/29/1999	Effective Date:	
CORPORATION TRUST COMPANY OF NEVAD KFA			
ONE EAST FIRST STREET RENO NV 89501 KFA			
Action Type:	Annual List		
Document Number:	LLC11937-1996-009	# of Pages:	2
File Date:	6/6/2000	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	LLC11937-1996-005	# of Pages:	1
File Date:	5/24/2001	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	LLC11937-1996-006	# of Pages:	1
File Date:	4/29/2002	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	LLC11937-1996-004	# of Pages:	1
File Date:	5/7/2003	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	LLC11937-1996-002	# of Pages:	1
File Date:	6/30/2004	Effective Date:	
List of Officers for 2004 to 2005			
Action Type:	Registered Agent Change		
Document Number:	20050068322-38	# of Pages:	1
File Date:	3/17/2005	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20050376465-88	# of Pages:	1

File Date:	8/19/2005	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20060350920-87	# of Pages:	1
File Date:	5/30/2006	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20070450494-55	# of Pages:	1
File Date:	6/28/2007	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20080465068-29	# of Pages:	1
File Date:	7/11/2008	Effective Date:	
(No notes for this action)			
Action Type:	Registered Agent Change		
Document Number:	20090218444-74	# of Pages:	1
File Date:	3/4/2009	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20090454285-49	# of Pages:	1
File Date:	5/28/2009	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20100406137-74	# of Pages:	1
File Date:	6/7/2010	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20110336774-14	# of Pages:	1
File Date:	5/4/2011	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20120347338-83	# of Pages:	1
File Date:	5/16/2012	Effective Date:	
(No notes for this action)			
Action Type:	Registered Agent Change		
Document Number:	20120637712-71	# of Pages:	1
File Date:	9/18/2012	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20130252434-66	# of Pages:	1
File Date:	4/16/2013	Effective Date:	
(No notes for this action)			

Action Type:	Annual List		
Document Number:	20140283820-10	# of Pages:	1
File Date:	4/18/2014	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20150188941-79	# of Pages:	1
File Date:	4/27/2015	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20160144015-64	# of Pages:	1
File Date:	3/30/2016	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20170213831-38	# of Pages:	1
File Date:	5/16/2017	Effective Date:	
(No notes for this action)			
Action Type:	Annual List		
Document Number:	20180230555-61	# of Pages:	1
File Date:	5/21/2018	Effective Date:	
(No notes for this action)			

ATTACHMENT

B



SHELL VACATIONS CLUB

To whom it may concern,

This variance is being requested by Desert Rose Resort located at 5051 Duke Ellington Way, Las Vegas, NV 89119. This property is owned by Shell Vacations Inc "Shell Vacations Club, LLC." The resort direct number is 702-739-7000. The property General Manager is John Burgoon who can be reached by dialing the main number listed above. John can also be reached by cell at 757-362-2750 or by email at john.burgoon@wyn.com.

We recently remodeled our pool. That remodel included re-plastering, and laying a new deck around the pool. The cool deck we decided on raised the height of the coping and finish floor up about 2.5 inches once the sand and pavers were laid down. We also used a paver coping for the pool that was one piece that would go down to the tile line of the pool. The remodel caused us to be out of compliance of two regulations.

The first regulation NAC 444.128 states that stairs leading in to the pool must have a maximum rise of 10 inches. When the deck was remodeled the rise of the top step became 12.5 inches. We are working with the contractor to raise the height of the top step so that the rise will be less than 12 inches and still satisfy the requirements of no more than 10 inches for subsequent steps.

The second regulation NAC 444.130 requires that the overhang of the coping, decking or other material must not exceed 2 inches nor be less than 1 inch. During the remodel the contractor selected a one piece coping that would go down to the tile line. The contractor selected this coping as the best way to keep water from penetrating the area between the old deck and the pavers. This one piece design ended up with an overhang that ranged between 2.5 and 3 inches.

In order to be in compliance with the regulations, we would have to shut down our pool again. We would then have to tear out the treads and rebuild them. We also have to remove the pool coping and replace it with a two tile design. Both of these modifications would be quite costly to rectify and have a negative impact to our owners and guests. Due to the pool coping being a custom product it has approximately a 45 day lead time that would put us in to the busiest time of the year when the pool usage is the heaviest.

Desert Rose Resort
5051 Duke Ellington Way
Las Vegas, NV 89119
702-739-7000

SHELL VACATIONS CLUB

In conclusion we do not foresee any safety issues arising from being granted this variance. The proposed 12 inch rise of the top step of the pool will match the adjacent spa. The pool coping that was installed does have a lip for a handhold that is over 1 inch but less than 2 inches that the regulation calls for. It is the thickness of the entire tile that causes the overhang from the aquatic wall to exceed the regulation.

Respectfully,



John Burgoon

General Manager

Desert Rose Resort

5051 Duke Ellington Way

Las Vegas, NV 89119

Desert Rose Resort
5051 Duke Ellington Way
Las Vegas, NV 89119
702-739-7000

ATTACHMENT

C



VARIANCE CANDIDATE WORKSHEET

PART I:

ESTABLISHMENT INFORMATION

Name of Facility/Establishment: Desert Rose Resort
Health Permit Number: PR0016297 Date of Inquiry: 2/4/2019
Name of Operator/Agent: Shell Hospitality Inc
Address of Operator/Agent: Desert Rose Resort 5051 Duke Ellington Way Las Vegas, Nevada 89119-1143
Contact Information of Operator/Agent:
Office Phone: (702)739-7000 Cell Phone: (757)362-2750
Fax Number: (702)597-3345 Email Address: john.burgoon@wyn.com
If corporation, the name/title of individual to sign for Variance document:
Name: John Burgoon
Title: General Manager

OWNER INFORMATION

Name of Property Owner: Shell Hospitality Inc "Shell Vacations Club, LLC"
Address of Property Owner:
Contact Information of Property Owner:
Office Phone: Cell Phone:
Fax Number: Email Address:

PROPERTY INFORMATION

Property Address: 5051 Duke Ellington Way Las Vegas, Nevada 89119
Assessor's Parcel Number (APN): 162-28-101-008
Describe location within larger facility (i.e. hotel/casino/resort, etc.):
Pool

Describe Variance Issue (s): (Include sections of the Regulation or Nevada Administrative Code that applies to the request for a variance)

In the remodel of the pool the rise of the top step for the pool became 12.5 inches. NAC 444.128 Ladders and stairs - requires that stairs leading in to the pool must have a maximum rise of 10 inches.
Also in the remodel of our pool, our coping around the pool has an overhang of 2.5" to 3". NAC 444.130 states that Handholds - requires the overhang of the coping, decking or other material must not exceed 2 inches nor be less than 1 inch.

PART II:

Nevada Administrative Code 439.240 states in general that certain conditions or circumstances must be shown to exist in order for a Board of Health to approve a request for a Variance from adopted public health regulations. A variance application letter (as noted below in PART III) MUST specifically address each of the following issues:

1. There must be circumstances or conditions which are unique to the applicant, and do not generally affect other persons subject to the regulation. Please indicate how your request is unique to your situation and is, therefore, not likely to affect other persons subject to the regulations:

During our recent pool remodel the rise of the top step on our pool height became 12.5 inches due to adding pavers on top of our existing deck.
The new code that is expected to be adopted in the near future, allows for the tread riser heights to be no more than 12 inches high.
We are working with the contractor to reduce the rise of the top step to 12 inches which would match the adjacent spa.
During the remodel the contractor used a pool coping that was a one piece design that goes over the old deck and covers the top of the pool down to the tile line. The one piece design was used as a better way to keep water from penetrating the surface between the decks.
Unfortunately it was not found until the inspection that the overhang of the coping is between 2.5" to 3".

2. There must be circumstances or conditions which make compliance with the regulation unduly burdensome and cause a hardship to and abridge a substantial property right of the applicant, and the variance is necessary to render substantial justice to and preserve the property rights of the applicant. Please indicate in what manner compliance with the regulation would be burdensome or cause a hardship on your business or how the free use of your property may be affected (if economic factors are an issue, please include estimates regarding the costs that would incurred by compliance):

Spring break and the summer months are coming fast, as you can imagine this is the start of our busiest time of the year.
Along with the financial burden that we would incur to correct this issue, it would have a gross negative impact on our owners and guests.

3. Granting the variance will not be detrimental or pose a danger to the public health and safety. Please provide evidence that the variance request, if approved, will not adversely affect the safe and sanitary operation of the applicant(s) pool, spa, or food establishment:

We are working with the contractor to redo the steps to 12 inches. This will fall within the new code thats waiting to be adopted.
Section 2-304.4 of said code states tread riser shall not be no more than 12 inches in weight. That coupled with our existing spa, (which is in compliance) having tread risers that are at 12 inches we do not foresee any adverse affects on the publics health or safety if this variance is granted.
We do not believe the variance for the new pool coping poses a danger as the coping has a lip at the top of the coping that matches the 1" to 2" handhold. It is the thickness of the entire tile for the coping that makes the distance from the aquatic wall over the regulation.

NAC 439.240 Approval by State Board of Health. (NRS 439.150, 439.190, 439.200)

1. The State Board of Health will grant a variance from a regulation only if it finds from the evidence presented at the hearing that:
 - (a) There are circumstances or conditions which:
 - (1) Are unique to the applicant;
 - (2) Do not generally affect other persons subject to the regulation;
 - (3) Make compliance with the regulation unduly burdensome; and
 - (4) Cause a hardship to and abridge a substantial property right of the applicant; and
 - (b) Granting the variance:
 - (1) Is necessary to render substantial justice to the applicant and enable the applicant to preserve and enjoy his or her property right; and
 - (2) Will not be detrimental or pose a danger to public health and safety.
2. Whenever an applicant for a variance alleges that he or she suffers or will suffer economic hardship by complying with the regulation, the applicant must submit evidence demonstrating the costs of compliance with the regulation. The Board will consider the evidence and determine whether those costs are unreasonable.
[Bd. of Health, Variances Reg. §§ 2.7-2.8, eff. 10-16-80; A 2-5-82; 1-19-84]

PART III:

A Variance Application Letter, which includes all information provided by the applicant on his worksheet, must be submitted in writing to the Environmental Health Division (EHD) Director no later than 40 days before the monthly Board of Health Meeting. The Application letter must be on the owner's letterhead signed by the Owner/Corporate Officer specifically listing which part(s) of the Regulation the proposed Variance covers with this completed Worksheet as an attachment. The written Application Letter must take particular care in providing statements and evidence of circumstances or conditions and reasons why the District Board of Health should grant the Variance as listed in NAC 439.240 as shown at the top of this page. *ALL information you have provided in PART I and II of this Worksheet must be included in the body of the letter.* The evidence required may include 8 1/2" x 11" or 11" x 17" detailed drawings and/or photographs.

The Variance process is outlined in Nevada Administrative Code (NAC) 439.200 through 439.260 with the exception that an application fee is payable to SOUTHERN NEVADA HEALTH DISTRICT (SNHD).

This section to be completed by SNHD staff ONLY

Next closing date is: 02/15/19 for the 03/28/19 BOH Meeting.

Referred by: Ryan McGahen/Brian Penksa

(Print Name of REHS)

Completed by: Jeremy Harper Date: 02/08/19

(Print Name of REHS if not by supervisor)

Received by: _____ Date: _____

(Owner/Operator/Agent)

Reviewed by: _____ Date: _____

(Signature of SNHD Manager)

ATTACHMENT

D

GENERAL INFORMATION	
PARCEL NO.	162-28-101-008
OWNER AND MAILING ADDRESS	HEADWIND PROPERTY CO L L C %V VANGUILDER 5051 DUKE ELLINGTON WAY LAS VEGAS NV 89119
LOCATION ADDRESS CITY/UNINCORPORATED TOWN	5051 DUKE ELLINGTON WAY PARADISE
ASSESSOR DESCRIPTION	PARCEL MAP FILE 96 PAGE 81 LOT 2 & LOT 4
RECORDED DOCUMENT NO.	* 19960531:01306
RECORDED DATE	May 31 1996
VESTING	NS
COMMENTS	FR 162-28-101-5,7;CF 50-2007;L-20070628:2229

*Note: Only documents from September 15, 1999 through present are available for viewing.

ASSESSMENT INFORMATION AND VALUE EXCLUDED FROM PARTIAL ABATEMENT	
TAX DISTRICT	470
APPRAISAL YEAR	2018
FISCAL YEAR	2019-20
SUPPLEMENTAL IMPROVEMENT VALUE	0
INCREMENTAL LAND	0
INCREMENTAL IMPROVEMENTS	0

REAL PROPERTY ASSESSED VALUE		
FISCAL YEAR	2018-19	2019-20
LAND	2432500	2432500
IMPROVEMENTS	2281290	2326669
PERSONAL PROPERTY	0	0
EXEMPT	0	0
GROSS ASSESSED (SUBTOTAL)	4713790	4759169
TAXABLE LAND+IMP (SUBTOTAL)	13467971	13597626
COMMON ELEMENT ALLOCATION ASSD	0	0
TOTAL ASSESSED VALUE	4713790	4759169
TOTAL TAXABLE VALUE	13467971	13597626

ESTIMATED LOT SIZE AND APPRAISAL INFORMATION	
ESTIMATED SIZE	3.47 Acres
ORIGINAL CONST. YEAR	1989
LAST SALE PRICE MONTH/YEAR SALE TYPE	0
LAND USE	43.321 - Commercial Living Accommodations. Motels
DWELLING UNITS	139

PRIMARY RESIDENTIAL STRUCTURE					
1ST FLOOR SQ. FT.	0	CASITA SQ. FT.	0	ADDN/CONV	

Clark County Real Property

2ND FLOOR SQ. FT.	0	CARPORT SQ. FT.	0	POOL	YES
3RD FLOOR SQ. FT.	0	STYLE	Motel	SPA	YES
UNFINISHED BASEMENT SQ. FT.	0	BEDROOMS	0	TYPE OF CONSTRUCTION	
FINISHED BASEMENT SQ. FT.	0	BATHROOMS	0	ROOF TYPE	
BASEMENT GARAGE SQ. FT.	0	FIREPLACE	0		
TOTAL GARAGE SQ. FT.	0				

ATTACHMENT

E

ASSESSOR'S PARCELS - CLARK COUNTY, NV.
 Briana Johnson - Assessor



162-28-1

28

T21S R61E

138	139	140
163	162	161
176	177	178

001	002	003	004	005	006	007	008	009	010	011	012	013	014	015	016	017	018	019	020	021	022	023	024
001	002	003	004	005	006	007	008	009	010	011	012	013	014	015	016	017	018	019	020	021	022	023	024

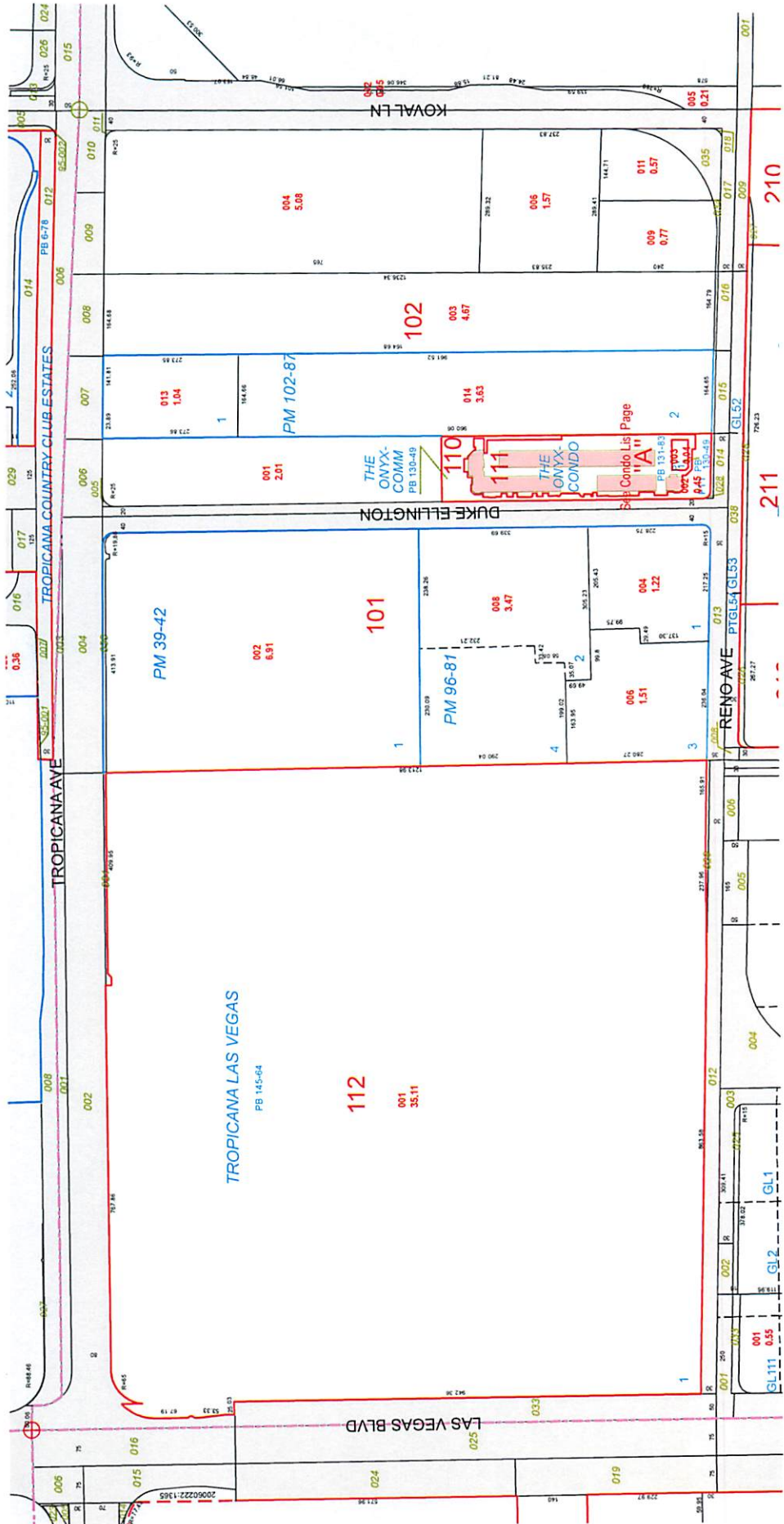
Scale: 1" = 200'

Rev: 1/8/2019

001 ROAD PARCEL NUMBER
 002 CONDOMINIUM UNIT
 003 AIR SPACE PCL
 004 RIGHT OF WAY PCL
 005 PARCEL NUMBER
 1.00 ACREAGE
 202 PARCEL SUBSEQ NUMBER
 PB 24-45 PLAT RECORDING NUMBER
 5 LOT NUMBER
 5 BLOCK NUMBER
 GL5 GOV LOT NUMBER

MAP LEGEND
 PARCEL BOUNDARY
 SUB BOUNDARY
 PM/D BOUNDARY
 ROAD EASEMENT
 MATCH/LEADER LINE
 HISTORIC LOT LINE
 HISTORIC SUB BOUNDARY
 HISTORIC PM/D BOUNDARY
 SECTION LINE

NOTES
 This map is for assessment use only and does NOT represent a survey.
 No liability is assumed for the accuracy of the data delineated herein.
 Information on roads and other non-assessed parcels may be obtained from the Road Document Listing in the Assessor's Office.
 This map is compiled from official records, including surveys and deeds, but only contains the information required for assessment. See the recorded documents for more detailed legal information.
 USE THIS SCALE (FEET) WHEN MAP REDUCED FROM 11X17 ORIGINAL



TAX DIST 470

ATTACHMENT

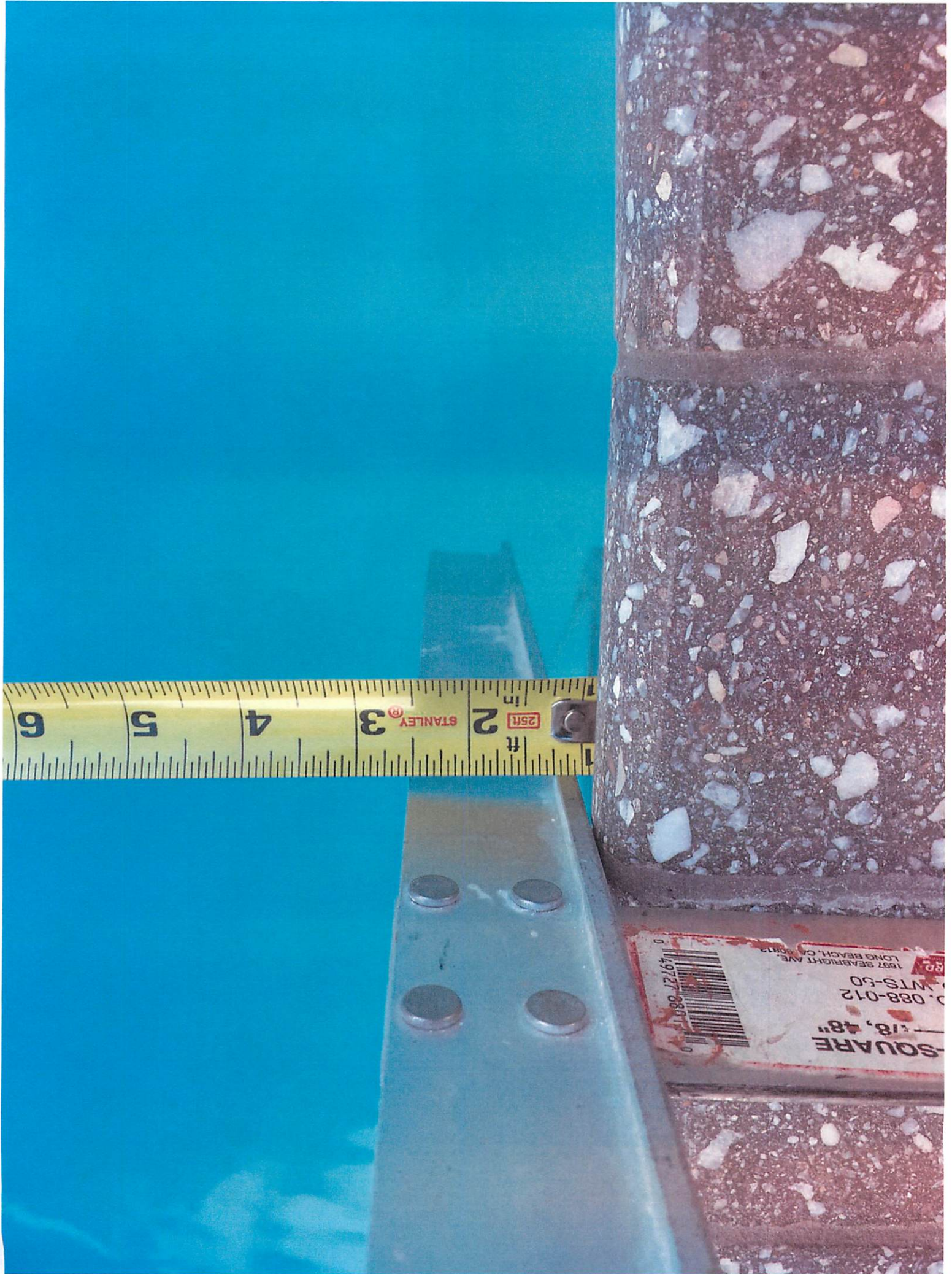
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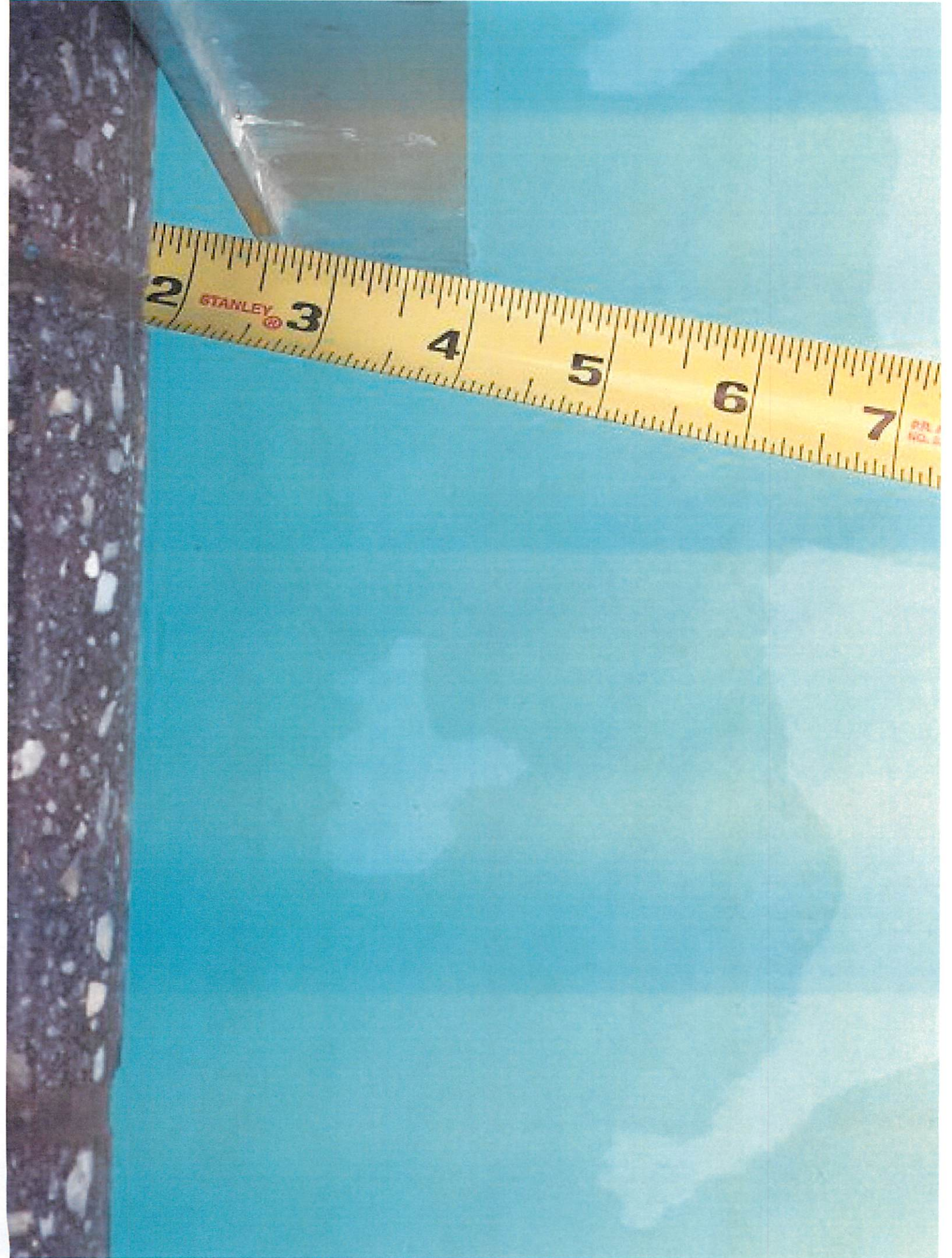
6 FT
NO SWIMMING







80
1697 SEABRIGHT AVE.
LONG BEACH, CA 90812
0.088-012
WTS-50
SQUARE
18, 48"
49727-0811
0



ATTACHMENT

G



PUBLIC NOTICE

The Southern Nevada Health District Board of Health will conduct a PUBLIC HEARING on April 25, 2019, at 8:30 a.m. during its monthly meeting held at 280 South Decatur Boulevard, Las Vegas, NV 89107, to approve or deny a variance request to operate a public bathing place not in compliance for Headwind Property Co, LLC, DBA Desert Rose Resort, located at 5051 Duke Ellington Way, Las Vegas, Nevada 89119, APN 162-28-101-008. Note, if this application is not presented at the April 25, 2019 meeting, it will be presented at the May 23, 2019 meeting.

The variance request is made to allow the Petitioner to operate aquatic venues not in accordance with the Nevada Administrative Code (NAC) 444 Public Bathing Places and Public Spas: NAC 444.130 - Handholds and NAC 444.450 - Handholds.

Interested persons may appear at the public hearing and present their views thereon. Written comments will also be considered by the Southern Nevada Health District Board of Health and must be forwarded to Jeremy Harper, Environmental Health Supervisor for the Aquatic Health Program, Southern Nevada Health District, P.O. Box 3902, Las Vegas, Nevada 89127-3902, or via email at harper@snhd.org, no later than April 24, 2019. The variance application request is available for review at the Southern Nevada Health District, Environmental Health Division, 333 N Rancho Drive, Las Vegas, NV 89106.

If there are special viewing needs, please contact Bonnie Archie at (702) 759-0572 or aquatic@snhd.org to schedule an appointment to review the permit application during normal business hours of 8:00 a.m. to 4:00 p.m. Copies of the documents may be requested during that time for \$1.00 per page.

-S-

Christopher Saxton, Environmental Health Director
Southern Nevada Health District

4/2/2019

Date