

Thomas Martens

04/22/2025

392 Tavernier St.  
Boulder City NV, 89005  
1-702-860-0103  
[Tlmartenssr@gmail.com](mailto:Tlmartenssr@gmail.com)

Subject: Approval of Breach of Confidentiality Request for Thomas Martens.

To whom it may concern,

I, Thomas Martens knowingly and willfully consent to the breach of my confidentiality request and allow all personal records, documents, effects etc. to be utilized for the purpose of the public appeal process to the Boulder City Council for the appeal of V25-683 from the Boulder City Planning Commission.

Thank you for your time.

Sincerely,

A handwritten signature in black ink that reads "Thomas Martens". The signature is written in a cursive style with a large, stylized 'T' and 'M'.

Thomas Martens



## CITY OF BOULDER CITY

401 California Avenue, Boulder City, NV 89005

### APPLICATION FOR APPEAL

For Office Use Only / Appeal Number: CAP- 25-03

Pursuant to the City of Boulder City Municipal Code, the undersigned hereby submits attached information and requests a hearing before the City Council to appeal a decision made by a (check one):

☐ Staff Member Name/Title: \_\_\_\_\_

☒ Board\* Board Name: Planning Commission

File/Case # (if applicable): V-25-683

\* Per Section 3.1.3 of the Boulder City Municipal Code: "Board" includes any permanent or temporary commission, board, committee, council, or task force created pursuant to state law, city ordinance, or city resolution. (Excludes an advisory board which does not have formal authority to issue directives.)

Name of Appellant: Thomas Martens

Appellant Address: 392 Tavernier St. Boulder City NV, 89005

Phone #: 1-702-860-0103 Email: Tlmartenssr@gmail.com

Address of Property Involved: 3 Linda Ln. Boulder City NV, 89005

**Attach** information clearly stating your basis for appeal along with any applicable additional or new information.

APPELLANT:

Thomas Martens  
Signature

Date

04/22/2025

STAFF / ACCEPTED BY:

Nakeisha Lyon  
Signature

04/23/2025

Date

CONDITIONS: Relative to decisions per Title 11, Zoning and Subdivisions: Section 11-34-4: Appeals must be filed within seven (7) calendar days after the date of the decision. Section 11-34-2.B: As per NRS 278.3195.1, an appeal may only be filed by a person who appeared, either in person, through an authorized representative or in writing, before an administrative officer or the Planning Commission regarding the matter being appealed.



## CITY OF BOULDER CITY

401 California Avenue, Boulder City, NV 89005

### APPLICATION FOR APPEAL

#### Page 2

Considered by: \_\_\_\_ City Manager \_\_\_\_ License Review Board ☒ City Council

May 27, 2025

*Date Considered*

\_\_\_\_\_  
Date of Hearing (if applicable)

May 15, 2025

\_\_\_\_\_  
Date of Public Notice (if applicable)

Action taken: \_\_\_\_\_

Thomas Martens

04/22/2025

392 Tavernier St.  
Boulder City NV, 89005  
1-702-860-0103  
[Tlmartenssr@gmail.com](mailto:Tlmartenssr@gmail.com)

Subject: Appeal of Planning Commission Decision for 3 Linda Ln. on 04/16/2025

Dear Boulder City Council Members,

This letter is to formally appeal the decision made by the Planning Commission on 04/16/2025 regarding the application by John Swatzell for 3 Linda Ln.

At the April 16th Boulder City Planning Commission, my wife and I were denied the approval of Agenda Item #4 Variance Request (V25-683) request to exceed the 25 ft. roof height of a new residential home by 10 inches and request to exceed the 16 ft. roof height of a new accessory building (garage) by 3 ft. 10 inches. Our variance request had no public opposition. The Planning Commission heard our variance after Jensen Precast had their height variance heard. There were quite a few members of the community opposing Jensen's variance. We feel that our variance was not given the consideration it should have given how contentious the Jensen Precast variance was.

The extraordinary topography of this property creates challenges when building a home on it because the parcel is cut into the side of a hill with two separate levels. Access to the parcel from Linda Ln. is a very steep grade and is much narrower than others. Leveling the lot is not feasible due to retention requirements for the adjoining hillside property which is a City Easement. Also, the dimensions of the parcel are long and narrow. Because of this, we have incorporated the topography into the architecture of the house by building it into the hill utilizing both ground levels, and have rotated the position of the home to fit within the side setbacks to maximize use of the parcel within the constraints of the setback.

The request of these height variances are necessary for the design of the home and our use of the accessory garage. We believe the 10-inch increase for the home's roof, and the 3 ft. 10 inches for the garage is a minimal ask. The 10-inch increase accommodates a slanted roof design which serves as a cantilevered protective shade and weather cover for the proposed deck. Our design includes a row of windows near the top of the roof to maximize natural light to conserve energy. If the variance is not granted, the windows would need to be eliminated, or the cantilevered roof would need to be reduced in length causing more exposure to the elements. Due to there being limited boat storage in Boulder City, our boat and trailer are stored in 2 different locations. The accessory garage is designed to match the house. To keep the design and accommodate the taller garage door and the indoor storage of our boat and its trailer. The roof height is slightly higher than standard auxiliary buildings. Because of the extraordinary topography of the lot and access to the garage, it is in the back of the lot.

There are no other houses or properties nearby whose view may be impacted by the height of the garage. At the Planning Commission meeting, there were no citizen or neighbor resistance or public comments against our request.

Planning Department Staff notes state; There is no evidence at this time that the granting of such variance will be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located.

The Community Development Department, Utilities Department, Fire Department, and Public Works Department have reviewed the proposed request, drawings and materials provided by the applicant and had no comments or revisions.

The Comprehensive Plan (2003 Master Plan) is a general policy guide for the future development of the City, and it is not site (property) specific. Therefore, the requested variance would not be detrimental to the plan or its implementation.

The allowance of this requested variance would not set a precedent for a general or recurrent pattern so as to formulate a general regulation. Variance requests specific to building height are dependent on the specific conditions related to the subject property. We have worked with the Planning Department before the purchase of the property and throughout the design process to meet building codes. We have attached page 9 from the staff report from the Planning Commission meeting which lists several variances that were approved that exceed our request.

We both are public servants that live in Boulder City and have been saving up money to build our dream home for our retirement. Prior to purchasing the property, we met with planning at least twice as well as utilities. Since purchasing the property, we have been meeting with Ms. Nekisha Lyons on a regular basis to discuss plans and architecture to ensure that we are doing our due diligence.

Therefore, I respectfully request that the City Council consider approving the height variance for the house and garage plans for 3 Linda Lane.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Martens", written in a cursive style.

Thomas Martens









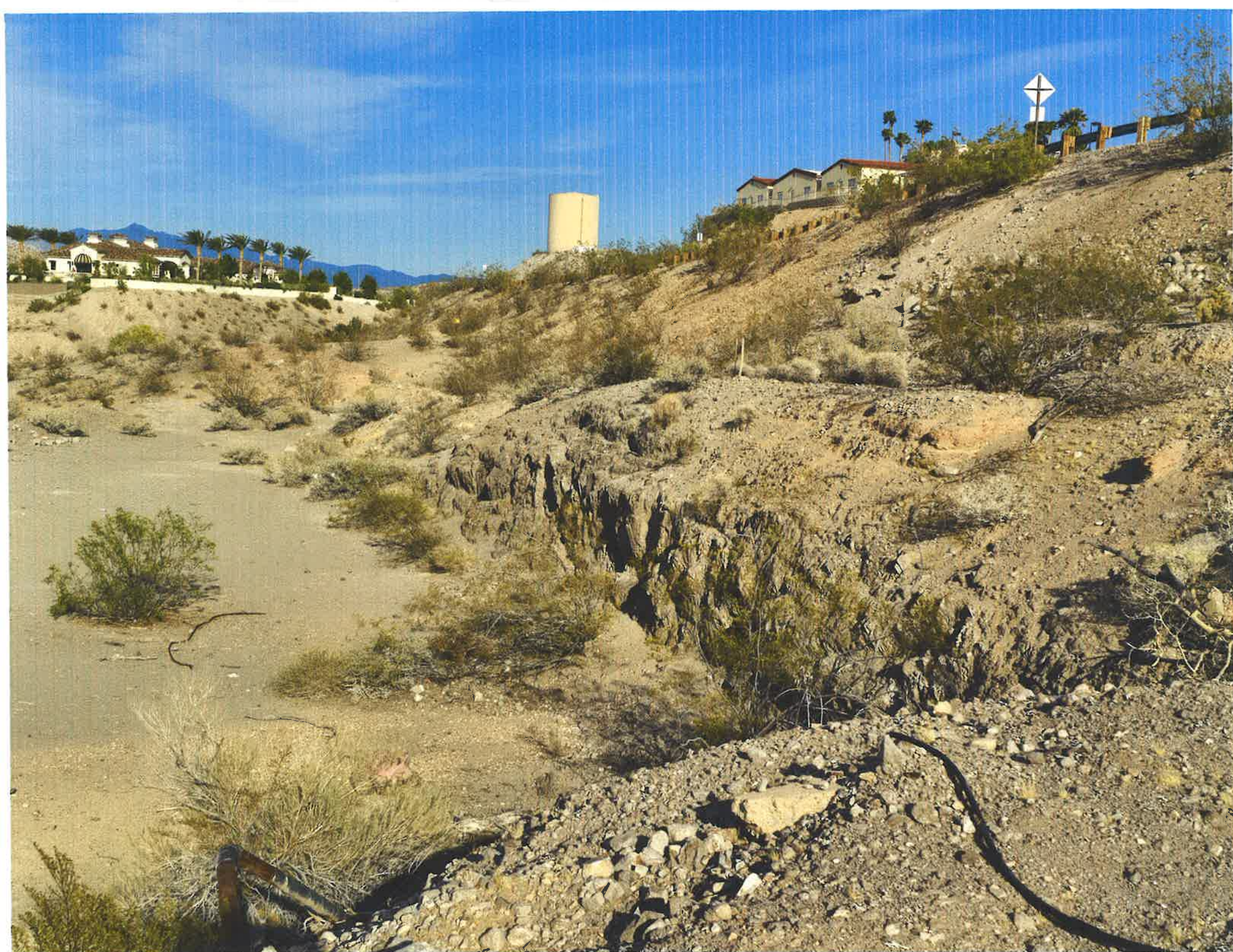




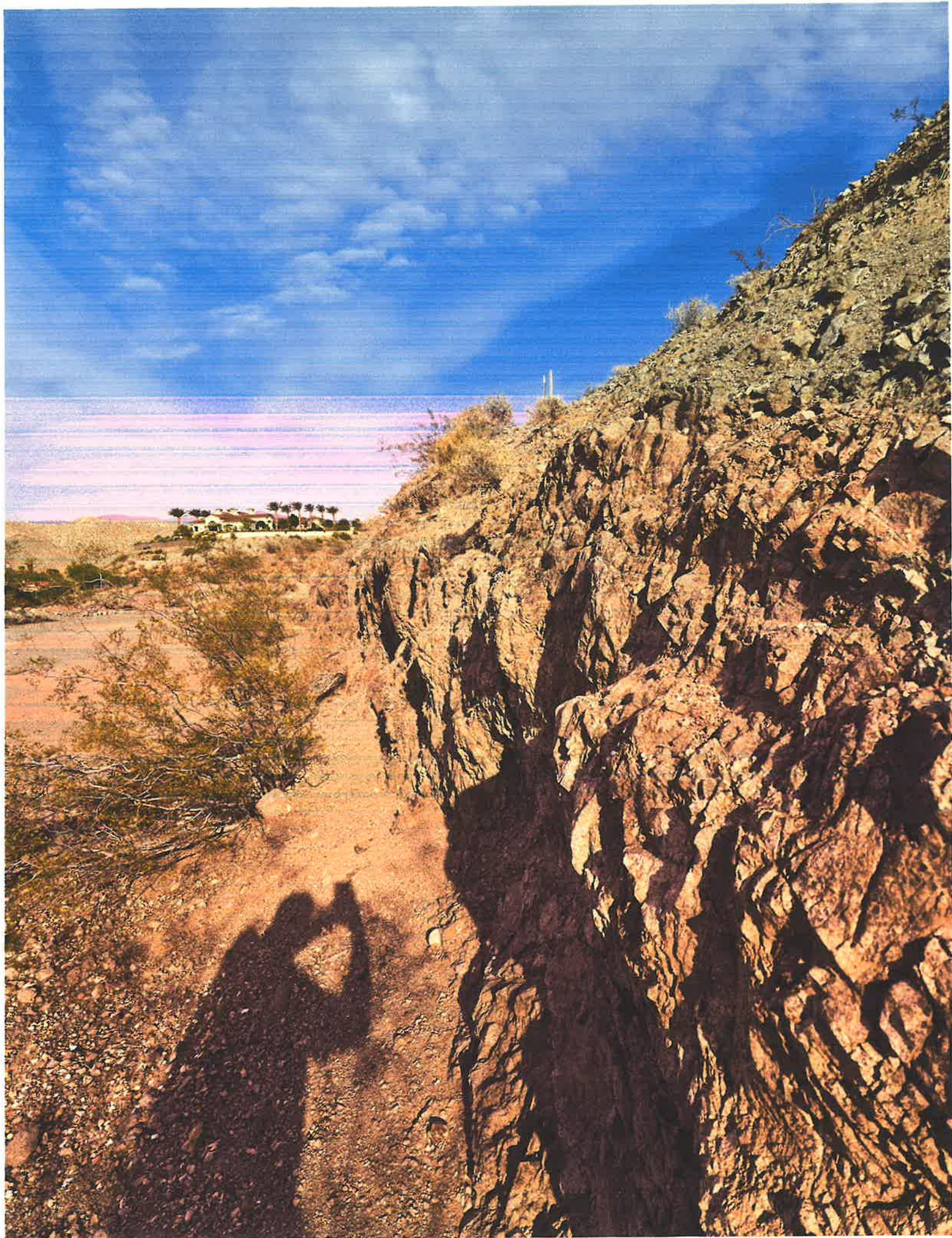






























- V-02-470 – 1501 Veterans Memorial Drive: **Approval** of a variance in the SR zoning district for a building height of 36' (principal). **Justification:** Met variance criteria.
- V-00-430 – 1431 Pueblo Drive: **Approval** of a variance in the R1-20 zoning district to permit an accessory building in the front yard with an area of 2,328 sf, at two stories, and 21' 6" in height. **Justification:** Met variance criteria.
- V-99-422 – 110 Ville Drive: **Approval** of a variance in the C2 zoning district for a building height of 35' (principal). **Justification:** Met variance criteria.
- V-98-406 – 1414 Pueblo Drive: **Approval** of a variance in the R1-20 zoning district to permit an accessory building with a height of 18' 8". **Justification:** Met variance criteria.
- V-97-384 - 526 Jani Place: **Denial** of a variance in the R1-8 zoning district for a building height of 47' (principal). **Justification:** Criterion A and B were not met.
- V-96-368 – 1400 and 1401 Wyoming Street: **Approval** of a variance in the C2 zoning district for a building height of 25' at a 0' front lot line (principal). **Justification:** Met variance criteria.
- V-93-298 – 600 Yucca Street: **Approval** of a variance in the CM zoning district for a building height of 55' (principal). **Justification:** Criterion A and B were not met.
- V-92-288 – 867 Judi Lane: **Approval** of a variance in the R1-8 zoning district for a building height of 27' (principal). **Justification:** Met variance criteria.
- V-91-215 – 600 Veterans Memorial Drive: **Approval** of a variance in the BC zoning district for a building height of 36.5' (principal). **Justification:** Met variance criteria.

For approval of a variance, the Commission has the option to associate conditions or modifications to the request (e.g. a lesser variance than requested, modifying findings or conditions, requirement to submit building permits or requiring additional conditions).

Public Notice Requirements: This variance was noticed in accordance with Sec. 11-35-3.A. Notice of the public hearing and application request were mailed to all property owners within 500' of the subject property on April 3, 2025. No written public comments have been received as of the writing of this staff report.







