



PLANNING COMMISSION REGULAR MEETING  
MINUTES – DRAFT EXCERPT

COUNCIL CHAMBER, 401 CALIFORNIA AVENUE,  
BOULDER CITY NV 89005

JULY 17, 2024 - 5:00 PM

CALL TO ORDER

CONFIRMATION OF POSTING AND ROLL CALL

**Members present:** Chairman Fritz McDonald, Member Ernest Biacsi, Member Beth Bonnar, Member Matt Di Teresa, Member Lorene Krumm, Member Steve Rudd, Member Tony Scott (7)

**Absent:** None (0)

**Also present:** Community Development Director Michael Mays, City Planner Nakeisha Lyon, City Clerk Assistant Bridgette Rodriguez

Member Krumm participated via teleconference.

Motion Passed

3. For possible action: Matters pertaining to approximately 0.43 acres located at 601 Lido Drive:

- A. A **public hearing** on an application for a variance
- B. V-24-671: An application for a variance to permit portions of a 4' tall fence and gate (already built) within the public right of way adjacent to the front property line.

A staff report was submitted by City Planner Nakeisha Lyon and included in the July 17, 2024 Planning Commission agenda packet.

City Planner Lyon provided an overview of the staff report.

Member Rudd said 608 Lido also had a gate located on the back curb. He asked if there was a variance for the gate.

City Planner Lyon said there was a possibility there was a variance

Member Rudd said he wanted to distinguish if a precedent had been set in that neighborhood for variance.

City Planner Lyon said 606 Lido constructed a retaining wall and a gate without a variance or building permits. She said the applicant asked if the public right of way could be vacated 30 years ago and this was not the current policy the City implemented.

Member Rudd said 608 Lido was a vacant lot.

Chairman McDonald asked how the permitting process worked since the project was never originally permitted.

City Engineer Keene said the applicant would have to apply for a permit for encroachment into the Public Right-of-Way. He said the City was against having the fence in the location due to underground electric behind the curb.

Member Krumm asked if the variance was denied would the fence be required to be removed or could wait until work needed to be done in the Public Right-of-Way.

City Planner Lyon said the Code Enforcement Division would be in contact with the property owner and the City would move forward with having them remedy the situation to either conform with the standard or to remove the gate completely. She said the City recently passed fines and fees and the property owner would be fined in accordance if it did not conform with City Code.

In response to Chairman McDonald, City Planner Lyon said the rolling gates were included along with the pop out.

In response to Member Biacsi, City Planner Lyon said the applicant was in non-conformance by 6 ft.

Kristen Damm, on behalf of applicant Cynthia Kent said she was under the impression the issue was regarding street parking. She said the home was in a quiet cul-de-sac with 7-8 houses where street parking was needed. She said the purpose of the fence was to provide an enclosure for the animals since the property did not have a backyard. She noted the home was not occupied year-around. She noted the gate was costly to install and would be costly to redesign/relocate/remove.

In response to Member Bonnar, Ms. Damm said the applicants neighbor across the street had a wall right at the back of the curb and assumed it was appropriate placement.

Chairman McDonald noted this was the time and place scheduled to conduct a public

hearing and asked for public input.

No comments were offered in person or by phone and the hearing was declared closed.

**Motion:** Deny V-24-671 based on the findings contained on page 5 of the staff report.

**Moved by:** Member Ernest Biacsi      **Seconded by:** Member Steve Rudd

**Vote:**

**Aye:** Chairman Fritz McDonald, Member Ernest Biacsi, Member Beth Bonnar, Member Matt Di Teresa, Member Lorene Krumm, Member Steve Rudd, Member Tony Scott (7)

**Nay:** (0)

**Abstain:** (0)

**Absent:** (0)

Motion Passed