

HEARING OFFICER DECISION ORDER
ON CASE NOS. BLD23-03075 and BLD23-05279

This matter involves the City of Reno's approval of a fence permit application BLD23-03075 on October 17, 2023, and a grading permit application BLD23-05279 on December 6, 2023, for grading and a fence on top of a retaining wall at the property boundary between two residences: the applicant's property at 2600 Outlook Drive, and Appellant's property at 2640 Outlook Drive in Reno, Nevada. The Reno City Clerk's Office received an appeal of BLD23-03075 by Michael Powell on October 31, 2023. The Reno City Clerk's Office received an appeal of BLD23-05279 by Michael Powell on December 18, 2023. The administrative appeal hearing on BLD23-03075 was commenced on November 14, 2023, and was continued to January 9, 2024, via Zoom. The administrative appeal hearing on BLD23-05279 also was held on January 9, 2024, via Zoom.

Appellant appeared on his own behalf at both hearings. Assistant City Attorney Jon Shipman appeared on behalf of the City of Reno at the November 14, 2023, hearing, and Deputy City Attorney Jasmine Mehta, Esq. appeared on behalf of the City of Reno on January 9, 2024.

At the November 14, 2023, hearing, Chris Pingree, Director of Development Services, Mike Railey, Planning Manager, Michael Mischel, Engineering Manager, James Pehrson, Senior Civil Engineer and Joseph Marynak, Assistant Planner, provided testimony on behalf of the City of Reno and Appellant testified on his own behalf. At the January 9, 2024, hearing, Chris Pingree, Director of Development Services and Mike Railey, Planning Manager, provided testimony on behalf of the City of Reno and Appellant testified on his own behalf. All exhibits offered by both parties are admitted into evidence, with numbers assigned to the City's exhibits and letters assigned to Appellant's exhibits.

Based upon careful consideration of the evidence and authorities presented, this Hearing Officer finds that the City did not abuse its discretion in approving permits BLD23-03075 and BLD23-05279. Therefore, the Hearing Officer affirms the City's decision and hereby denies Appellant's appeal.

Pursuant to Reno Municipal Code 18.08.307(j)(3), any person aggrieved by the decision of the Hearing Examiner may appeal such decision by completing an appeal form and filing it with the City Clerk within ten business days after the date of filing of notice of the final action, decision, or order with the Clerk accompanied by the required fees. The appeal form may be found online at <https://www.reno.gov/government/departments/city-clerk/appeal-forms>.

IT IS SO ORDERED.

Dated this 23rd day of January 2024.



Nancy Moss Ghusn, Esq.,
Administrative Hearing Officer