

City of Las Vegas  
Department of Community Development  
495 South Main Street  
Las Vegas, Nevada 89101 FAX#: 702-464-7499

**Reference: 24-0640-VARI**  
**Planning Commission Meeting: March 11, 2025**

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To Whom It May Concern:

In light of updated information, I request that this objection letter supersede the objection letter I previously submitted prior to the February 11, 2025, Planning Commission Meeting.

I object to the proposed relocation of the frontage wall at 2980 Harbor Cove Drive, Las Vegas, NV 89128. The variance (24-0640-VARI) should be denied for the following reasons:

- 1. The existing wall does not present "... peculiar and exceptional difficulties ..., or exceptional and undue hardships ... to the owner" as required by Title 19.16.140(L). Hardships cited by applicant include privacy, loitering, trash and pet waste.**
  - a. Privacy:** The existing wall is located along the frontage of the property with a setback of approximately 16 feet. Pedestrians on the sidewalk cannot see into applicant's yard from the sidewalk. The proposed wall will be located 16 inches from the common area sidewalk and will allow pedestrians on the sidewalk to view applicant's entire yard. Therefore, the proposed wall does not solve a privacy concern, it creates one. By planting trees or bushes along the existing wall, applicant can effectively address his privacy concerns without moving the existing wall.
  - b. Loitering:** There are no loitering issues in our community. Any loitering issues can be adequately addressed through the HOA.
  - c. Trash:** Littering is not an issue in the HOA. The community is well-maintained and there are trash stations throughout the common areas. One is located next to applicant's property. Any littering issues can be adequately addressed through the HOA.
  - d. Pet Waste:** Pet waste is not a problem in the community. The HOA has installed pet waste stations throughout the community, and one is in the park next to applicant's property. The HOA has specific rules governing walking pets and the disposal of pet waste. Any littering issues can be adequately addressed through the HOA.
- 2. The City of Las Vegas cannot grant a variance when the applicant seeks the variance to "...relieve a hardship which is solely personal, self-created or financial in nature" (Title 19.16140(B)).**

Submitted after final agenda

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- a. The applicant appears to operate a handyman/construction business and use his garages for storage of construction-related materials. There is reasonable concern that the applicant's stated justifications are a pretext for enlarging his backyard area to create open storage and/or storage structures for construction materials, equipment, vehicles and miscellaneous items.
- b. There is also reasonable concern that applicant desires to construct the proposed wall to increase the footprint of his usable yard which would increase the overall economic value of his parcel.
- c. There is reasonable concern that the applicant could eventually seek to construct a rolling-gate access to his yard to facilitate his commercial activity.

**3. The proposed project was not submitted and approved by either Harbor Cove HOA or Desert Shores HOA.**

- a. The Planning Commission's Staff report states that "The applicant has provided a copy an approval letter from the Homeowner's Association." In fact, neither Desert Shores HOA or Harbor Cove HOA have duly reviewed or approved the proposed project.

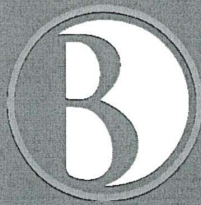
**4. The proposed wall alters the architectural integrity of the Harbor Cove community, creates uncertainty in terms of maintenance and liability and fails to comply with HOA rules governing frontage walls and setbacks.**

- a. Desert Shores and Harbor Cove governing documents only allow walls of the type proposed by applicant to be constructed on side yard and backyard property lines.
- b. Frontage walls like the one being proposed do not exist in Harbor Cove and are prohibited by the Harbor Cove and Desert Shores governing documents. (See Harbor Cove Architectural Standard & Guidelines, Revised August 8, 2002, Section II, p.6; Desert Shores Community Association Architectural Guidelines, Article II, p.12)
- c. Changing applicant's frontage wall location and height substantially impacts the architectural and visual sight lines of the parcel from the standpoint of pedestrians using the common areas.
- d. Locating the proposed wall adjacent to the HOA common area creates potential HOA maintenance issues and liabilities.
- e. The proposed wall may impede access to underground utilities now or in the future, including utilities which were originally designed to serve the HOA common areas.

Signature: Robert Krimmer

Print: ROBERT KRIMMER

Address: 8109 SUNSET COVE DRIVE, LV, NV 89128



**David Bray, Esq.**  
*Bray Law Group LLC*

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Date: March 10, 2025

**BY ELECTRONIC MAIL**

City of Las Vegas - Department of Community Development  
Planning Commission  
[planningcomments@lasvegasnevada.gov](mailto:planningcomments@lasvegasnevada.gov)

**Re: Confirmation That Variance Request 24-0640-VAR1 Will Be Held in Abeyance Until April 8, 2025**

City of Las Vegas Planning Department:

I am writing in my capacity as corporate counsel for the Harbor Cove Homeowners Association (hereinafter referred to as the "Association"). The Association has retained my firm to represent its interests in connection with the variance request submitted by Harbor Cove Properties, LLC (Variance Request 24-0640-VAR1), currently scheduled as Agenda Item 10 for the March 11, 2025, City of Las Vegas Planning Commission meeting.

I recently spoke with a representative from the Planning Department who confirmed that the item is set to be voted on for abeyance at tomorrow's meeting and that no ruling on the merits of the variance request will take place at this time. The Association appreciates this clarification and submits this correspondence as further confirmation of our understanding that the March 11, 2025, hearing is solely to formalize the continuance of this matter to the April 8, 2025 Planning Commission meeting.

Further, the Association understands that the continuance is necessary to allow the City of Las Vegas Planning Department and its vendor to re-install the requisite signage on the front yard of the subject property to provide adequate public notice of the rescheduled hearing date, in accordance with the City's procedural requirements.

The Association intends to submit its formal opposition in advance of the April 8, 2025 hearing to ensure a full and fair opportunity to present its position before the Planning Commission. At that time, the Association will address concerns related to procedural notice deficiencies, the lack of required approvals from both the Association and the Desert Shores Community Association, potential impacts on community infrastructure and recorded easements, and the material deviation from the community's established architectural design standards.

Sincerely,

/s/ David M. Bray

David M. Bray, Esq.

Corporate Counsel for Harbor Cove Homeowners Association

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