



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**CITY COUNCIL MEETING DATE: MAY 21, 2025**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT/OWNER: HARBOR COVE PROPERTIES, LLC**

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**\*\* STAFF RECOMMENDATION(S) \*\***

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>24-0640-VAR1</b>	Staff recommends APPROVAL, subject to conditions:	

**\*\* NOTIFICATION \*\***

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      31

**NOTICES MAILED**                      343 (by City Clerks)

**PROTESTS**                      5

**APPROVALS**                      0

**\*\* CONDITIONS \*\***

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**24-0640-VAR1 CONDITIONS**

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**Planning**

1. A Variance is hereby approved to allow a six-foot tall solid front yard wall where five feet with a two-solid base is the maximum height allowed.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Division.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a Variance request to allow a proposed front yard wall that exceeds Title 19 maximum height requirements at 2980 Harbor Cove Drive.

**ISSUES**

- A Variance is requested to allow a six-foot tall solid front yard wall where five feet with a two-solid base is the maximum height allowed. Staff supports the request.
- The applicant has provided a copy of an approval letter from their Home Owner's Association.

**ANALYSIS**

The subject 0.32-acre site is zoned R-PD5 (Residential Planned Development - 5 Units per Acre) and developed with an existing single-family dwelling. Development is subject to Desert Shores and Title 19 development standards. The applicant requests a Variance to allow a six-foot tall solid front yard wall where five feet with a two-solid base is the maximum height allowed. As Desert Shores does not provide wall standards, the following Title 19 wall requirements are being applied:

<b><i>Requirement</i></b>	<b><i>Request</i></b>	<b><i>Applicable code section</i></b>	<b><i>Staff Recommendation</i></b>
Max. Front Yard Wall/Fence Height - Five Feet with a two-foot solid base	6 Feet Solid	19.06.070	Approval

Per the submitted justification letter, the additional height is needed due to privacy. The proposed wall will match the material and colors of the surrounding walls in the subject subdivision. Staff is in support of the requested Variance and finds it will not negatively impact the surrounding area. The subject site is an irregularly shaped lot with an extended front yard property line. The proposed wall height and location will not be constructed directly in front of the principal dwelling onsite. Therefore, staff recommends approval of the Variance request, subject to conditions.

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**FINDINGS (24-0640-VAR1)**

In accordance with the provisions of Title 19.16.140(B), the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

Sufficient evidence of a unique or extraordinary circumstance has been presented, in that the subject site has an irregular shape with an extended front yard area. In view of this hardship imposed by the site's physical characteristics, it is concluded that the applicant's hardship is not preferential in nature, and it is thereby within the realm of NRS Chapter 278 for granting of Variances.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
02/11/25	The Planning Commission voted (7-0) to HOLD IN ABEYANCE the following Land Use Entitlement project request TO ALLOW A PROPOSED FRONT YARD WALL THAT DOES NOT CONFORM TO TITLE 19.06 DEVELOPMENT STANDARDS FOR HEIGHT on 0.32 acres at 2980 Harbor Cove Drive (APN 138-16-213-059), R-PD5 (Residential Planned Development - 5 Units per Acre) Zone, Ward 4 (Allen-Palenske).

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<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
03/11/25	The Planning Commission voted (6-0) to HOLD IN ABEYANCE the following Land Use Entitlement project request TO ALLOW A PROPOSED FRONT YARD WALL THAT DOES NOT CONFORM TO TITLE 19.06 DEVELOPMENT STANDARDS FOR HEIGHT on 0.32 acres at 2980 Harbor Cove Drive (APN 138-16-213-059), R-PD5 (Residential Planned Development - 5 Units per Acre) Zone, Ward 4 (Allen-Palenske).
04/08/25	The Planning Commission (7-0) to APPROVE on a Land Use Entitlement project request TO ALLOW A PROPOSED FRONT YARD WALL THAT DOES NOT CONFORM TO TITLE 19.06 DEVELOPMENT STANDARDS FOR HEIGHT on 0.32 acres at 2980 Harbor Cove Drive (APN 138-16-213-059), R-PD5 (Residential Planned Development - 5 Units per Acre) Zone, Ward 4 (Allen-Palenske). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

<b><i>Most Recent Change of Ownership</i></b>	
10/04/21	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>	
There are no related building permits/business licenses of note.	

<b><i>Pre-Application Meeting</i></b>	
12/03/24	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Variance.

<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	

<b><i>Field Check</i></b>	
01/08/25	Staff conducted a routine field check and found an existing single-family dwelling. No issues were noted.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	0.32

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<b><i>Surrounding Property</i></b>	<b><i>Existing Land Use Per Title 19.12</i></b>	<b><i>Planned or Special Land Use Designation</i></b>	<b><i>Existing Zoning District</i></b>
Subject Property	Residential, Single Family, Detached	L (Low Density Residential)	R-PD5 (Residential Planned Development - 5 Units per Acre)
North	Residential, Single Family, Detached	L (Low Density Residential)	R-PD5 (Residential Planned Development - 5 Units per Acre)
South	Residential, Single Family, Detached	L (Low Density Residential)	R-PD5 (Residential Planned Development - 5 Units per Acre)
East	Residential, Single Family, Detached	L (Low Density Residential)	R-PD5 (Residential Planned Development - 5 Units per Acre)
West	Residential, Single Family, Detached	L (Low Density Residential)	R-PD5 (Residential Planned Development - 5 Units per Acre)

<b><i>Master and Neighborhood Plan Areas</i></b>	<b><i>Compliance</i></b>
Las Vegas 2050 Master Plan Area: Twin Lakes	Y
Desert Shores	Y
<b><i>Special Area and Overlay Districts</i></b>	<b><i>Compliance</i></b>
No Applicable Special Area or Overlay Districts	N/A
<b><i>Other Plans or Special Requirements</i></b>	<b><i>Compliance</i></b>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

**DEVELOPMENT STANDARDS**

***Pursuant to the Desert Shores Design Guidelines and Title 19.06, the following standards apply:***

<b><i>Standard</i></b>	<b><i>Required/Allowed</i></b>	<b><i>Provided</i></b>	<b><i>Compliance</i></b>
Max. Front Yard Wall/Fence Height	Five Feet with a two-foot solid base	6 Feet Solid	N*

\*A Variance is requested to allow an increased wall height. The existing wall is setback approximately 11 feet from the property line. The proposed wall will be placed approximately one-foot from the property line.