

**NOTE: THE FOLLOWING DOCUMENTATION
WAS SUBMITTED FOR THE RECORD BEFORE
OR AT THE PLANNING COMMISSION HEARING
ON THIS ITEM WHICH IS NOW APPEARING
BEFORE THE CITY COUNCIL**

Hi Corey

Please abey my date for the application of variance until the March 11th meeting.

Please accept my apologies for the previous sign removal.

I will prob not find out who moved it until my return, it has by default helped me as I would have been unable to attend Feb 11th meeting.

Regards
Paul

Sent on the move
from my iPhone

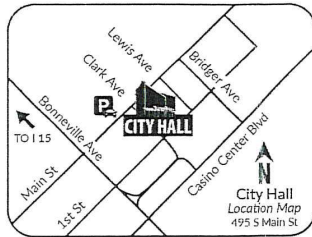
pandppropertyservicesllc@gmail.com

~~Submitted after final agenda~~

RECEIVED 02/03/25
02/11/25 PC MEETING
ITEM 10

City of Las Vegas, Department of Community Development
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



Scan or go to:

www.lasvegasnevada.gov/meetings

For additional information, scan the QR Code, select the meeting date shown below and then find the referenced project. To file your protest or support on this request, check one box below and return this card in an envelope with postage to the Department of Community Development at the above address, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov/planningcomments. To contact your Council Representative, please call (702) 229-6405.



I SUPPORT
this Request



I OPPOSE
this Request

Please use available blank space on card for your comments.

24-0640-VAR1

Planning Commission Meeting of **02/11/2025**

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

RECEIVED
FEB 11 2025
Dept of Planning
City of Las Vegas

24-0640-VAR1

13816215052

TULLI FAMILY TRUST

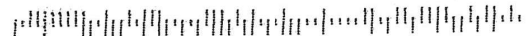
TULLI GABRIEL R & DEBORAH E TRS

2925 STERLING COVE DR

LAS VEGAS NV 89128-7752

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23 LRD FNP1 89128



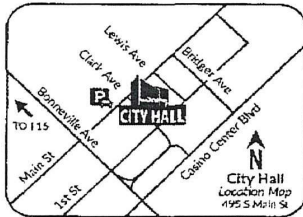
Feb 06 25, 05:10p Doug Beckland

7023639389

p.1

City of Las Vegas, Department of Community Development
495 South Main Street
Las Vegas, Nevada 89101

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I SUPPORT
this Request



I OPPOSE
this Request

Please use available blank space on card for your comments.

24-0640-VAR1

Planning Commission Meeting of **02/11/2025**

24-0640-VAR1

13816611019

LAPLANTE BRUCE LIVING TRUST

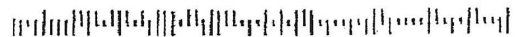
LAPLANTE BRUCE R TRS

2251 N RAMPART BLVD # 351

LAS VEGAS NV 89521

Item 10
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23 LRDFFP1 05125

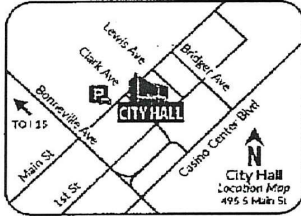


Feb 07 2025 4:15pm

1

City of Las Vegas, Department of Community Development
495 South Main Street
Las Vegas, Nevada 89101

Return Service Requested
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I SUPPORT
this Request



I OPPOSE
this Request

Please use available blank space on card for your comments.

24-0640-VAR1

Planning Commission Meeting of 02/11/2025

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Las Vegas, NV
Permit No. 1530

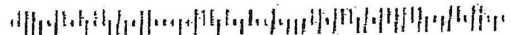
RECEIVED
FEB 10 2025
Dept of Planning
City of Las Vegas

Parcel # 1

24-0640-VAR1
13816213028
PETTESCH FAMILY TRUST
PETTESCH JOHANN & MARY TRS
8133 LAKE HILLS DR
LAS VEGAS NV 89128-7089

Item 10
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23 LRDENP1 89128

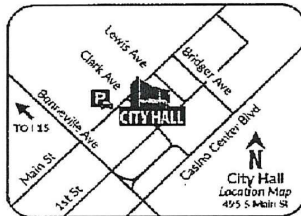


Feb 07 2025 4:17pm

1

City of Las Vegas, Department of Community Development
495 South Main Street
Las Vegas, Nevada 89101

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Official Notice of Public Hearing



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Parcel #2

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☐ I SUPPORT
this Request

☒ I OPPOSE
this Request

Please use available blank space on card for your comments.

24-0640-VAR1

Planning Commission Meeting of 02/11/2025

24-0640-VAR1

13816213049

PETTESCH FAMILY TRUST

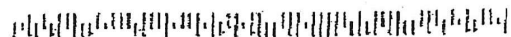
PETTESCH JOHANN & MARY TRS

8133 LAKE HILL DR

LAS VEGAS NV 89128-7089

Item 10
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24-0640-VAR1 02/11/2025



City of Las Vegas,
Department of Community Development
 495 South Main Street
 Las Vegas, Nevada 89101

Sent by fax to: (702) 464-7499

Regarding 24-0640-VARI for Planning Commission Meeting of 02/11/2025

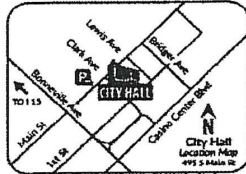
Dear Planning Commission and Staff:

I submit the following objection to the above referenced item on your agenda for February 11, 2025.

Image of Post card received on 2/5/2025

City of Las Vegas, Department of Community Development
 495 South Main Street
 Las Vegas, Nevada 89101

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Official Notice of Public Hearing



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I SUPPORT
this Request



I OPPOSE
this Request

Please use available blank space on card for your comments.

24-0640-VARI

Planning Commission Meeting of 02/11/2025



RECEIVED

FEB 10 2025

Dept of Planning
City of Las Vegas

24-0640-VARI

13816611034

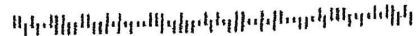
DAVIS SETH R & CELESTINE A

8112 PACIFIC COVE DR

LAS VEGAS NV 89128

Item 10
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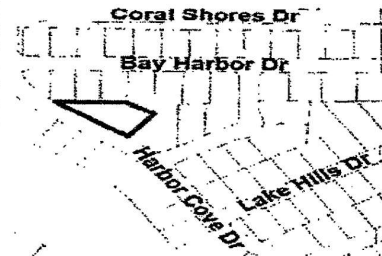
23 LRDFNP1 89128



Davis Letter**Regarding 24-0640-VARI for Planning Commission Meeting of 02/11/2025 Page - 2****Application Information**

24-0640-VARI - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER:
 HARBOR COVE PROPERTIES, LLC - For possible action 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).

See accompanying comments below.

Application Location

The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting: Planning Commission
 Date: 02/11/2025
 Time: 6:00 PM
 Location: Council Chambers
 495 South Main St, 2nd Fl.
 Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request, or may, prior to this meeting, file a written objection thereto or approval thereof with the Department of Community Development, 495 South Main Street, 3rd Floor, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezoning will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For more information, including the full staff report, please call (702) 229-6300 (TTY 7-1-1) or go to www.lasvegasnevada.gov/meetings.

Regarding Variance 24-0640-VARI set for the Planning Commission Meeting on February 11, 2025. (Item #10 on the agenda.)

This item should be removed from the "One Motion - One Vote" agenda due to concerns about proper notice and process and objections not noted in the write-up.

- This project was not approved by Harbor Cove or Desert Shore appropriately. Harbor Cove HOA is within Desert Shore HOA and thus should require approval from **both** homeowner's associations.
- The HC Board is aware of the situation and has consulted its attorney. The board and the attorney are expected to comment at the meeting on the 11th. Any approval by the HC HOA was improperly issued as it was not before the properly constituted HOA Board.
- Notice requirements for this hearing were not fulfilled because the sign placed by the city on the property was removed by a third party one day after posting. The city was notified but did not replace the sign. Mail notices were not received in sufficient time for review.
- The applicant cited privacy and pets using his property as reasons for the application. All front yards are subject to pet waste, and HOA regulations address this issue. Blocking the frontage access with walls is not an appropriate solution.
- Landscaping can address privacy concerns at a lower cost and community impact.

Davis Letter**Regarding 24-0640-VARI for Planning Commission Meeting of 02/11/2025 Page - 3**

- No analysis of underground utilities was conducted. It is possible that common area infrastructure could be negatively impacted by the proposed construction, or access to that infrastructure for repair and replacement purposes could be impeded.
- All high walls in the community are alongside yards, not frontage. High walls were constructed to address topographic variances and retaining wall demands, not privacy concerns. If walls are allowed to be raised for privacy, it could lead to raising the height of walls throughout the community. Landscaping has been the general solution for privacy since the community's inception.
- Notification by mail to residents within 1000 feet of the project is inadequate for HC, a 120-unit gated community, with only two streets for ingress and egress. All homeowners should have been contacted. The proposed project directly impacts every homeowner in the community both visually and in other aspects.
- The applicant operates a handyman business out of his home, which is impermissible per HOA covenants, and uses his garages to store construction materials. This has been a concern for neighbors and reported to the HC for years.
- Another concern is the possibility of the applicant constructing storage above and/or below ground behind the higher wall without conditions stating specific prohibitions against building structures or engaging in commercial activity on the property.

Respectfully submitted,

Seth R Davis

8112 Pacific Cove Drive
Las Vegas, NV 89128
(206) 849.8002
seth@srdassoc.com

Planning Comments

From: noreply@formstack.com
Sent: Monday, February 10, 2025 10:56 AM
To: Planning Comments
Subject: Planning Application Comments Form

CAUTION: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your City of Las Vegas account credentials.**



Formstack Submission For: Planning App Comments Submitted at 02/10/25 10:55 AM

RECEIVED
FEB 10 2025
Dept of Planning
City of Las Vegas

Meeting Date: Tuesday, February 11, 2025

Project Number: 24-0640

Position: I OPPOSE the project and all related applications.

Name: Dennis DuRoff

Residential or Business Address: 8133 Bay Harbor Drive
Las Vegas, NV 89128

Phone: 12066508510

Email: dduroff@icloud.com

Comments:

Dear Members of the Planning Commission,
I am writing to express my opposition to the proposed application for the construction of a wall on 2980 Harbor Cove Drive within the Harbor Cove community. As a concerned homeowner whose property borders the site in question, I want to share my concerns regarding both the process and the impact this project may have on our neighborhood.
First and foremost, I believe the notification process has not allowed for adequate community awareness or input. While I understand that the Planning Commission is responsible for posting notice, I have not seen any such notice for the past

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month. Given that this is a small, gated community of only 121 single-family homes, it is important that homeowners are fully informed and given the opportunity to review and comment on the proposed project.

Additionally, the construction of this wall raises broader concerns about setting a precedent that could alter the character of Harbor Cove. Currently, there are no such front-facing walls in the community—only side walls that serve as necessary retaining structures. The property in question sits on one of the two main roads used for entry and exit, making this proposal particularly impactful. Approving this wall may encourage similar requests in the future, leading to a shift in the visual and structural landscape of our neighborhood.

I also take issue with the staff report's conclusion that this project will not negatively impact surrounding homeowners or the area in general. As someone whose property directly borders the site, I strongly disagree. The current open setback provides a pleasant greenspace, contributing to property values and the overall aesthetics of our community. Moving the wall closer to the sidewalk and raising its height would diminish these benefits, negatively affecting the quality of life for homeowners and altering the open feel of the neighborhood.

Given these concerns, I respectfully request that the Planning Commission repost the notice so that all homeowners have the opportunity to fully understand and comment on the proposed project. A one-motion, one-vote decision does not serve the best interests of the community without first allowing open discussion. I urge the Commission to postpone this meeting and provide homeowners with the time needed to review and respond to the application.

Thank you for your time and consideration. I appreciate the Commission's efforts to ensure thoughtful planning that reflects the interests of the entire Harbor Cove community. I look forward to your response and hope that you will support a process that values homeowner input.

Sincerely,

Dennis DuRoff

Planning Comments

From: noreply@formstack.com
Sent: Monday, February 10, 2025 11:50 AM
To: Planning Comments
Subject: Planning Application Comments Form

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Dept of Planning
City of Las Vegas

Formstack Submission For: Planning App Comments
Submitted at 02/10/25 11:50 AM

Meeting Date: Tuesday, February 11, 2025

Project Number: 24-0640-

Position: I OPPOSE the project and all related applications.

Name: Vicki Csizmadia

Residential or Business Address: 8104 Lake Hills Dr
Harbor Cove. Desert Shores
Las Vegas, NV 89128

Phone: 17028719951

Email: vicsbus1968@yahoo.com

Comments: WE OPPOSE BLOCK WALL VARIANCE AT 2980 HARBOR COVE
DR IN DESERT SHORES 89128
24-0640-VARI

VICKI LEE CSIZMADIA
ALBERT GRANZOW

Item 10
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David Bray, Esq.

Bray Law Group LLC

1180 N. Town Center Dr., Ste. 100

Las Vegas, NV 89144

702-623-0046

BrayLawGroup.com

david@braylawgroup.com

Date: February 10, 2025

BY ELECTRONIC MAIL

City of Las Vegas - Department of Community Development

Planning Commission

planningcomments@lasvegasnevada.gov

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FEB 10 2025

Dept of Planning
City of Las Vegas

Re: Confirmation That Variance Request 24-0640-VAR1 Will Be Held in Abeyance Until March 11, 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 February 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 February 11, 2025, hearing is solely to formalize the continuance of this matter to the March 11, 2025 Planning Commission meeting.

The Association intends to submit its formal opposition in advance of the March 11, 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

Item 10
P

City of Las Vegas
Department of Community Development
495 South Main Street
Las Vegas, Nevada 89101

Sent by fax to: (702)-464-7499

Re: 24—0640-VARI for Planning Commission Meeting of 02/11/2025

RECEIVED
FEB 10 2025
Dept of Planning
City of Las Vegas

To Whom It May Concern:

I am submitting an objection to the above referenced item on your agenda for February 11, 2025. For all the reasons stated below, I request that the item be continued until a future session in order that residents of Harbor Cove HOA, the Harbor Cove HOA Board of Directors and the Desert Shores HOA may fully and adequately prepare comments for submittal to the Planning Commission. If the item is not continued, then I request that the item be removed from the "One Motion-One Vote" agenda and be considered as a separate item with opportunity for discussion and comment before the Planning Commission.

1. Notice requirements for this hearing were inadequate:

- a. Harbor Cove is a gated community with 121 homes, ranging in price from \$800k to \$1.4M. There are two streets for ingress and egress. Applicant's property is on one of those streets. Everyone in the community travels these streets daily. The proposed project impacts all Harbor Cove residents. The 1000' foot perimeter defining the notice area omits homes within the Harbor Cove community while including homes in other gated and non-gated communities that will not be directly impacted by the proposed project.
- b. On 01-31-25 the City posted signage on the subject property providing notice of the 02-11-25 hearing. Harbor Cove HOA is in possession of a video showing the unlawful removal of the signage by a third party on 02-01-25. On 02-03-25, I telephoned planning commission staff and made them aware that the sign had been removed. No replacement sign was ever posted. The unlawful removal of the signage deprived residents of the Harbor Cove HOA notice as required by applicable regulations. My understanding is that only the City may post and remove the notification signage and that unauthorized removal by a third party is unlawful. It is also my understanding that representatives of the Harbor Cove

Board of Directors and the association's attorney will provide written and video evidence to the Planning Commission substantiating unlawful removal of the sign.

- c. Notice of the proposed project describes the project as an application for a variance on wall height. The proposed project involves far more than a height variance. It involves relocation of the wall along property frontage. The staff report states that Desert Shores does not provide wall standards. It is my understanding that Desert Shores Architectural Policies and Guidelines do provide applicable wall height and setback standards for frontage walls.
- d. It appears that the noticed agenda item and supporting documents recommend approval of a wall 6' in height. Applicant appears to have requested a wall 5'8" in height. To the extent that noticed documents inaccurately describe the proposed project they should be revised and the project place in abeyance pending the posting of accurate documentation.
- e. Title 19 regulations state that the "The president or head of any registered local neighborhood organization whose organizational boundaries are located within a minimum of one mile of the property ..." must be given notice of the proposed variance hearing.
 - i. Members of the current Harbor Cove HOA Board stated to me that no notice of the 02-11-25 hearing was received. The applicant currently serves as President of the Harbor Cove Board. If he received notice of the hearing directly, it is unclear why that notice was not forwarded to all other member of the Board in a timely fashion.
 - ii. Likewise, Desert Shores HOA management stated to me that they never received notice of the 02-11-25 hearing.
- f. There appears to be a recorded easement on the property in favor of the Southern Nevada Water District. Easement holders should be afforded notice and an opportunity to be heard.
- g. There appears to be a recorded Lis Pendens on this property. If there is pending litigation involving the parcel where the proposed project is located, proper notice of the matter should be provided to the litigant parties.

2. The proposed project was not approved by either the Harbor Cove HOA Board of Directors or the Harbor Cove Architectural Review Committee:

- a. The Planning Commission staff reports states that "The applicant has provided a copy of an approval letter from their Homeowner's Association." In fact, neither the Harbor Cove HOA nor its Architectural review committee reviewed or approved the proposed project. It is my understanding that representatives of the Harbor Cove HOA Board, its attorney and its management company will provide the Planning Commission further evidence on this subject.

- b. Harbor Cove sits within the master community of Desert Shores. The applicant failed to notify Desert Shores HOA of the proposed project and did not receive any of the required approvals from Desert Shores HOA Board of Directors or its Architectural Review Committee.
 - c. If the letter of Approval by the Harbor Cove HOA is deemed invalid, it should be expunged from the record.
- 3. The proposed project should not be categorized as a "One Motion – One Vote" item on the agenda. It should be considered as a separate and distinct agenda item with appropriate opportunity for public discussion, comment and response.**
 - a. Due to its complexities and nature, this proposed project should not be categorized as a general consent item.
- 4. A neighborhood meeting should be conducted to address the complexities of this proposed project:**
 - a. The Staff Report states that no neighborhood meeting was required. Even if such a meeting is not required by regulation, it should be conducted under the circumstances. The project alters structural and aesthetic aspects of the community that have existed since its inception. Harbor Cove is a small, gated community and its residents deserve to fully understand the scope and impact of the proposed project.
- 5. The staff report concludes that the proposed project will not negatively impact the surrounding area. This may be a hasty conclusion considering the following:**
 - a. No analysis of underground utilities was conducted. It is possible that the proposed project could damage or impede access to critical underground utilities, thereby, imposing a burden on the Harbor Cove HOA and its residents.
 - b. There appears to be a recorded easement on the property in favor of the Southern Nevada Water District. It is very possible that the shape of the lot and the placement of the original wall was part of the original plan of the community to accommodate that easement. The proposed project may impede or prevent access to vital water infrastructure, thereby imposing a burden on residents and water purveyors.
 - c. Should the wall be moved to the proposed location, it is possible that maintenance and repair of the wall would be a shared burden of the applicant and the Harbor Cove HOA. If the existing wall is not a shared burden, then movement of the wall may impose a financial burden on the Harbor Cove HOA.

- d. Movement of the wall closer to the street and directly adjacent to the HOA common area could create liabilities for the Harbor Cove HOA that don't currently exist.
- e. The only high walls in the community are bordering side yards and rear property lines. The height of walls is part of the original recorded plat plan. Some parcels have higher side and rear walls than other parcels solely because of topographic and grading considerations during the original construction. There are no walls in the Harbor Cove community along frontage lines. Changing frontage wall location and height substantively impacts the architectural and visual sight lines of the community.

6. The hardships cited by the applicant do not constitute "... peculiar and exceptional practical difficulties to, or exceptional and undue hardships ... to the owner" as required by Title 19.16.140(L):

- a. The applicant cites privacy concerns as a justification. This wall is located along the frontage of the subject property. No homes in Harbor Cove have walls along their frontage. All homeowners must contend with the same privacy concerns cited by the applicant. By planting trees or a hedge along the existing wall, applicant can achieve his privacy needs. This is how other homeowners have addressed similar privacy concerns.
- b. Applicant cites pet waste on his property as a justification. Pet waste is not a problem in the community. Generally, residents are very considerate in removing pet waste. The HOA has specific regulations to deal with residents who do not properly walk their pets or remove pet waste. The HOA has installed pet waste stations throughout the community, and one is in the common area park adjacent to applicant's property. The proper way to deal with pet waste issues is to report offenders to the HOA.
- c. Applicant cites workers sitting on his property under shade trees as a justification. There is a community park adjacent to the applicant's property and the HOA landscapers do occasionally take their breaks in that park under the shade trees. Once again, there are simple and much less impactful ways for applicant to address his trespassing concerns.
- d. The Applicant cites trash as a justification. The community is immaculately maintained and there are trash stations throughout the community for residents. Applicant's proper remedy is to contact the HOA and address any trash problems through existing rules and regulations.

- 7. The proposed variance should be denied in accordance with Title 19.16.140(B) because applicant requests the variance to "...relieve a hardship which is solely personal, self-created or financial in nature..."**
- a. Applicant appears to operate a handyman business out of his property. He uses two of his three garages to store equipment and construction materials. This has been a long-standing matter of concern for residents, HOA board members and the HOA management company. These issues are relevant to the proposed project because there is a well-founded concern that applicant's stated justifications for the wall are a mere pretext for enlarging his backyard area to create open storage and/or storage structures for his commercial construction materials and equipment.
 - b. Please note that the applicant's diagram for the "proposed wall position" includes a 25' segment parallel to the street with a setback adequate for a driveway. There is concern that this design element exists for the sole purpose of installing a driveway and rolling gate "after-the-fact" to accommodate movement of equipment and materials into the applicant's backyard. Why else does that design element exist? Afterall, the setback for that 25' segment is subject to all the alleged nuisances that the applicant cites in his justifications for the proposed project.
 - c. There is also a concern that the sole reason that the applicant seeks to construct the wall is to increase the livable footprint of his backyard which would likely enhance overall value of his parcel.

This is matter of great concern to the community. There has be very little time to prepare this response, I hope that it will be taken seriously and given appropriate consideration.

Sincerely,



Robert Krimmer
8109 Sunset Cove Drive
Las Vegas, NV 89028

Robertscottkrimmer@gmail.com

Cc: Councilwoman Francis Allen-Palenske; Director Ellen Schunk Harbor Cove HOA