

**HAND OUTS**

**CITY COUNCIL  
MEETING**

**JUNE 6, 2023**

# EARLY DAYS / DUPONT ESTATE



CITY COUNCIL MEETING - JUNE 6, 2023 - HAND-OUT BY RESIDENT LYNNE DANIELS  
MATTERS NOT ON THE AGENDA - HISTORICAL PHOTO OF THE "DUPONT ESTATE"

4/12/23

cc Dan Borow

## Flagpole Meeting

Thank you for taking the time to hear us out on this issue we have with this flagpole location on Sam Dickenson's property.

First said, we do not have a problem with Sam putting up a flag, But we do have a problem with the location he installed the flagpole. The pole is approx 1 ½ feet from our property line in the near corner where our property lines meet and the golf course starts The pole is now looming over our patio at 15" high and in site of our living room and bedroom windows.

As I noted the pole is approx. 15 feet with a shiny aluminum metal color that will also be up lit to reflect the metal and flag at night.

In the current location so close to the property line the flag will be waving over our property line and palm trees by 3 or 4 feet depending on prevailing winds. This will also affect our sight lines directly down our property line at times when the flag is over our property. Which I understand these sight lines cannot be impeded per the CC&R's?

PICTURES >>

We initially tried to work with Sam with some other possible options but he was not agreeable to any of them. He delayed the installation from Feb, and we were hoping there was some type of reconsideration but he installed the pole last Saturday and we saw the true impact to our view and our property. Of course the current location is not in view of his living room or bedroom and I would suspect his motive is to see it from his patio at times when he is outside and have the flag seen from the patrons of the golf course only. The problem is that it impacts us greatly and not him with this location. This structure , which it is, is literally 30' from our living room door and over 120' from his living room door.

As the pole sits now it affects our view , the natural beauty of Andalusia , and our way of life every time we walk thru our house and look out. Since this pole was put up it has affected Carol and myself physically and mentally to a point I do not even want to look out because of this affect. In ONE day it went from Andalusia the beautiful to Andalusia the industrial park. I would imagine it probably would also affect our property value having the aluminum pole so much displayed over the view of the golf course and beyond.

Many of our neighbors and friends who have seen the location of this pole to our property are amazed that this can be accepted as a proper location. The common comment is "WHO DOES THIS" to a neighbor.

There is a stipulation in the CCandR's under the flagpole requirements that states in section 5 page 12 under the lighting of the flag that this lighting "CANNOT impact the dark sky and the adjacent neighbors sleep or impact the quiet enjoyment of their residence" again this is visible from our bedroom and yesterday morning as I was getting up at 5am because I couldn't sleep, and saw all the landscape lights were out on all the adjacent properties including ours and it was dark in my patio with the dark sky and I realized that the flag and flagpole will still need to be illuminated thru the night. And this will impact our quiet enjoyment of our residence as it already has whether it is night or day.

Reading the CCand R's it was surprising there are no setback rules, rules for natural color or view rights associated with flagpoles. This is something that needs to be considered by the HOA for future issues that are sure to come. I would suggest that a 20' setback be set to each side unless the neighbors would

agree of a closer placement. The owner would be free to add a flag within these central parameters and I am sure would help with less conflicts and issues of this kind.

Again, we do not have a problem with the flag we just don't want it in our living room , bedroom or looming over us in the patio. There are other location options which I did discuss with Sam and I am willing to take care of any additional cost in moving the flag pole. It is a small footing and not a big deal to move the pole holder and be reset.

I invite all of you to come over to our house and see how this pole location has impacted our property and our way of life. We can do it today if you like after your meeting just let me know.

Thank you for your time and appreciate you hearing us out.

5/10/23  
ee D. Brown

**From:** Kari Martin  
**Sent:** Monday, May 1, 2023 12:09 PM  
**To:** steve grocott  
**Subject:** RE: Flagpole update

Steve,

Per our recent telephone conversation, the City of La Quinta has its own guidelines related to flag poles. I have been in contact with the Code Compliance department and have reported the flag pole to them so that they can inspect the installation of the installed pole from their end relative to their guidelines. I would encourage you to do the same. [760-777-7050](tel:760-777-7050), [codecompliancemail@laquintaca.gov](mailto:codecompliancemail@laquintaca.gov).

Kari

**From:** steve grocott <[groco72@gmail.com](mailto:groco72@gmail.com)>  
**Sent:** Sunday, April 30, 2023 11:47 AM  
**To:** Nolan Sparks <[nsparks@andalusiacc.com](mailto:nsparks@andalusiacc.com)>; Kari Martin <[KARI.MARTIN@managementtrust.com](mailto:KARI.MARTIN@managementtrust.com)>; [cmbarsamian@gmail.com](mailto:cmbarsamian@gmail.com); Rich Martin <[richfmartin@gmail.com](mailto:richfmartin@gmail.com)>  
**Subject:** FW: Flagpole update

More photos (night light flag from our patio) and videos from our bedroom window door as the winds blow

Please forward

Thanks

Steve Grocott  
Carol Shaw

Sent from Mail for Windows

**From:** [steve.grocott](mailto:steve.grocott)  
**Sent:** Sunday, April 30, 2023 7:31 AM  
**To:** [steve.grocott](mailto:steve.grocott)  
**Subject:** Flagpole update

5/10/23  
cc Dave Barrow

*(Hand out past correspondence as advised to all board members)*

**I am back here in front of you because of the Email we received telling us that the current 15 foot flag pole position that is 18 inches from our property line with a 5 foot flag flying and encroaching on our trees and property line is acceptable by this HOA. This flagpole is now illuminated at night with 3 lights and it is in front of our bedroom and living room and looming over our patio 23/7. This decision is unacceptable to us and affects our everyday life.**

**PICTURES (show videos)**

**Here is the latest video with the flag in place and flying over our property taken from our bedroom window door. How is this acceptable to the Design committee for any homeowner in Andalusia to deal with a flag ENCROACHING over his property and sight lines??**

**A little history here and mistakes made.**

**FIRST** When I first heard of this preposed flagpole I went to Kari at HOA and asked if the city has any enforcement in Andalusia. I was told NO and the HOA follows the state laws so I did not pursue the city of La Quinta. As we know now that was incorrect , the city requires a building permit and defined setbacks. If we had known this in the beginning we probably would not be here today.

**SECOND** It is clear to me that nobody did any due diligence in looking at defining where Sam was going to put the pole. The rules and regulations are vague and poorly written with no setback limits or even defines the size of the flag. And it is clear that this approval was rubber stamped with no real oversight.

**THIRD** In making this last decision nobody has come over and seen our perspective from our living room, bedroom and patio even after repeated requests on all of my responses you have in front of you.

**Nolan did come over before the flag was put UP and was seemingly surprised by the location and how close it was to our property , even citing the strong glare coming off the pole Not sure what happened between now and then?? But now the flag is up and flying over OUR property.**

**As stated , YOUR rules and regulations are vague and poorly written, but they do conclude that the design committee has the discretion and MAY approve or not approve locations. Nothing is guaranteed The rules also state the flag cannot fly over common areas which I would think is the golf course. If the rules state the flag cannot fly over a common area how can it be that it can fly over a neighbors property. The**

**Flag is part of the flag pole. BUT the biggest statement in the rules and regulations that applies to us is**

**Section 5 item C , page 12 in YOUR rules and regulations states clearly that the flag illumination CANNOT AFFECT A NEIGBORS SLEEP OR AFFECT THE QUIET ENJOYMENT OF THEIR RESIDENCE. So as these videos show with this flag flying 4 feet over our property line in perfect view of where we sleep and where we live is the exact definition of this rule. Again, Sam has now 3 separate lights lighting up the flagpole and per the video is in exact view of our bedroom and living room**

**I have a list here of neighbors and friends from this area that have seen this pole location and each one to the person has stated "HOW CAN THIS BE APPROVED BY THE HOA" each one has had this initial reaction after seeing this flag pole. The next reaction is "Who Does This"**

**Carla Lehman was here with the same reaction, and said this WILL affect my property values. As shown in the information I handed out. This is one of the primary goals of an HOA . to protect and increase property values along with enforcing rules that create a cohesive community. These flag poles WILL decrease values and is creating a devisive community.**

**Office Woods from the city, Same reaction "why was this approved by the HOA " he mentioned most HOA"S that he has worked with requires flags to be attached to the house and stated HOA rules should be stricter than the cities.**

**Rich and Nancy Martin , neighbors next to us and can see this lighted flag from their patio because it is so high and upfront on the golf course.**

**Crissy and Dan Krebsbach , who live across the fairway thought it was our flag because it was flying over our property and they have a problem looking across their view with this large flagpole. These 15' poles affects a lot of people.**

**Mitch and Debbie Creem**

**Laurie and Dale O'brien**

**Duncan and Gail Warden**

**Rick and Suzanne Roth**

**Jim and Mary Welch**

**Laurie Kilburn**

**Monica and Scott Walker**

**Helen Taylor**

**Chris Hartmen**

**Tom Angone / Sales/ Marketing >> all could not believe this is acceptable**

**The list goes on and I imagine it would be larger it were not the end of season.**

**What needs to happen here is that you need to conclude and do the RIGHT thing and NOT the easy thing and tell Sam that this pole position is not acceptable as placed 18" from my property line. He OVERREACHED THIS POLE LOCATION. Mistakes were made in not knowing the exact location and the impact it has on MY property. This is needed to help with the enforcement of the pole getting moved. Your sending a mix message here between you and the city requirements. We need both entities to be on the same page to help enforce the flag pole to be moved as quickly as possible.**

**This is also the time to change the rules and regulations for flagpoles.**

**I apologize for my demeanor but this affects our everyday life every time we look outside, and something needs to be done. How can a flag that is lighted and flying over and encroaching our property line by 4 feet be acceptable.**

**.Nolan Sparks / Dennis Miller / Julie Bloom / Dale Campbell / Mary Greening**

**Can anyone here answer that question or tell me that anything I have said is not true. Who here on the board would want a flag flying over their patio trees encroaching on our Andalusia view and in view of our bedroom and living room 24/7 AND LIGHTED UP AT NIGHT. This is affecting " THE QUIET ENJOYMENT OF OUR RESIDENCE" as stated in the rules and regulations.**

**Again I hope you can do the right thing and not the easy thing Thank you for your time >>>**

6/2/23

**From:** steve grocott

**Sent:** Friday, June 2, 2023 2:32 PM

**To:** Kari Martin; Nolan Sparks; Dave L. Baron; Carol Shaw

**Subject:** RE: Andalusia HOA Board of Directors - Meeting notes at 58226 Aracena 5/31/23

Good Afternoon Kari and Nolan,

Thanks again for the time to come over to our house and see our perspective of the flagpole and flag flying into our lives every time we look outside our house.

I wanted to put into writing the concerns and points that were brought up in our meeting with you on Wed 5/31.

As we expressed, we feel the best way to deal with Flags and flagpoles is to have them regulated to be attached to the house. I know this entails changes to the rules and regulations but in dealing with the few individuals that want a flagpole and the sentiment of the community against flagpoles (not flags) it is the best way to deal with current and future problems. Yes, the HOA does have the power to make these changes retroactive.

I feel you felt some of the concerns of the community during the last HOA meeting and I have a list of more homeowners (20) that have also voiced displeasure of these flagpole locations. These include the city inspector (Officer Woods) , Tom Angone (Sunrise Marketing) and Carla Lehman (Relator) As stated before, these poles affect property values.

If regulating flags to be attached to the house is not the case and in lieu of the flagpole needing to be moved to a new location I would imagine this new location would need to go through another approval process and approved by the HOA design committee.

In stating this, our concerns as the neighbor facing the flagpole we would want the design committee to consider and enforce the current Rules and Regulations. This includes

1. **Section 5 > Flag illumination and placement cannot affect a neighbors sleep or affect the quiet enjoyment of their residence.** As pointed out on Wed. , even with the 10' setback we will still have the lighted flag be in line with our bed and bedroom window affecting our sleep and quiet enjoyment our residence. This rule provides great latitude to the HOA in location approval. To remove this pole from our bedroom viewing area it would require it to be moved just 2-3 feet closer to Sam's house. If poles are still allowed we feel this is an acceptable solution and is in line with your own Rules and Regulations in which we hope you will enforce. Per your own R&R the HOA may approve poles and locations and nothing is guaranteed even if all conditions are met.

2. In your Rules and Regulations it allows the Flagpole to be no more than 15' from the GROUND LEVEL. The current pole is higher than 15' using the 4" base with an additional 3' gold top. This pole needs to be trimmed down to the 15' and under rule as stated in the HOA regulations.
3. As noted the Rules and Regulations are poorly written with no setback rules or rules for the flag sizes to be used. HOA should determine now that flags should not be over 4 feet in length. This current flag is 5 foot plus and as you know flies over our trees and property line.
4. Flags should be taken down due to any absence out of town and taken down when gone. This follows the flag protocol of not having an American Flag flying in inclement weather which would have to be monitored only when home. Last week during a nightly light rain this flag was flying. Our neighbor Sam has been gone for 3 weeks.
5. Pole color in the Rules and Regulations need to be changed to not allow shiny metal poles that reflect light be allowed especially when lit at night. This pole is a shiny metal pole where the other two poles are bronze/brown in color and are more natural to the Andalusia environment.

*We know the current pole position must be changed and we request in the interim the flag and flagpole be taken down. This can easily be done by slipping the pole out of its holder. We have endured this flagpole for over 2 months now and I think it is fair to remove it until a new location is approved by the HOA and the city.*

Again , thank you for your time on Wed and hope you have a great weekend.

Thanks

Steve Grocott  
Carol Shaw

Sent from [Mail](#) for Windows

**From:** [steve grocott](#)  
**Sent:** Thursday, May 18, 2023 6:14 AM  
**To:** [Kari Martin](#); [Nolan Sparks](#)  
**Subject:** RE: Andalusia HOA Board of Directors - Names and Title

Morning Kari

Requesting your legal team contact information.

Also, I will be sending you out some video clips that I could not get running yesterday at the meeting. I would appreciate it if you can forward these to the board who were present at the meeting.

Thanks

Sent from [Mail](#) for Windows

**From:** [Kari Martin](#)  
**Sent:** Wednesday, May 10, 2023 2:01 PM  
**To:** [steve grocott](#)  
**Subject:** Andalusia HOA Board of Directors - Names and Title

Dear Steve,

Per your request, the Board of Directors for the Andalusia HOA are as follows:

Nolan Sparks – President  
Julie Bloom – Vice President  
Dale Campbell – Secretary/Treasurer  
Dennis Miller – Director  
Mary Greening – Director

Please let me know if you have any questions.

Regards,

**Kari Martin, CMCA, CCAM, Andalusia Homeowners Association | General Manager**  
*Champion Employee Owner*



**81570 Carboneras • La Quinta, California 92253**  
**P: (760) 777-1009**



#### HOW DID WE DO?

*My goal as an employee owner is to create a wonderful customer experience. Please let me know how I am doing by taking this [brief survey](#).*

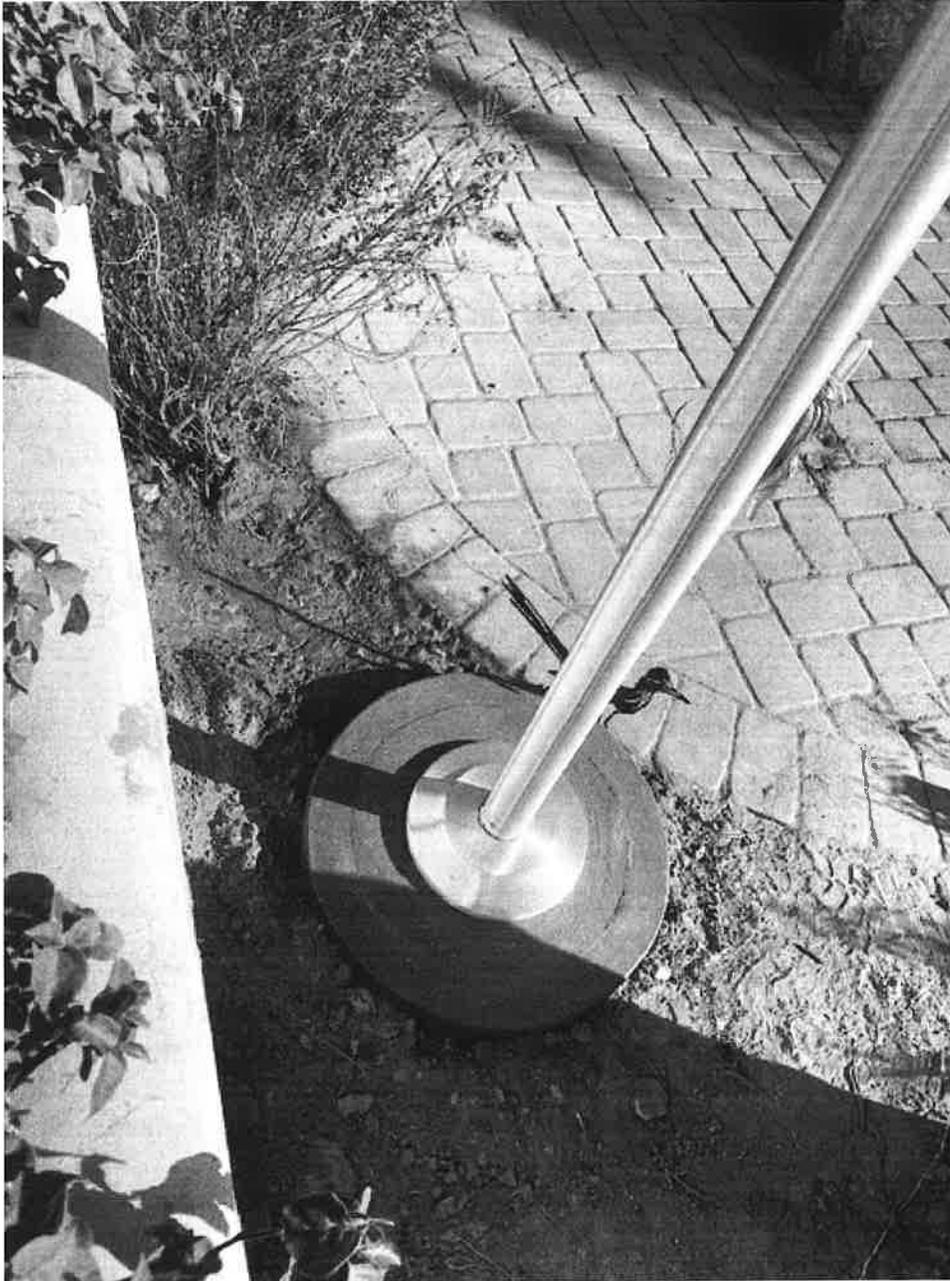
*If I exceeded your expectations, or you have other feedback about your experience, please let my supervisor **Cassie Gertz** know at [\(760\) 776-5100 x6337](tel:7607765100x6337) or by email at [cassie.gertz@managementtrust.com](mailto:cassie.gertz@managementtrust.com)*

**Steve Grocott**

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**From:** steve grocott <groco72@gmail.com>  
**Sent:** Tuesday, June 6, 2023 11:30 AM  
**To:** Steve Grocott  
**Subject:** Flagpole pics

External Sender: USE CAUTION. Report if suspicious.



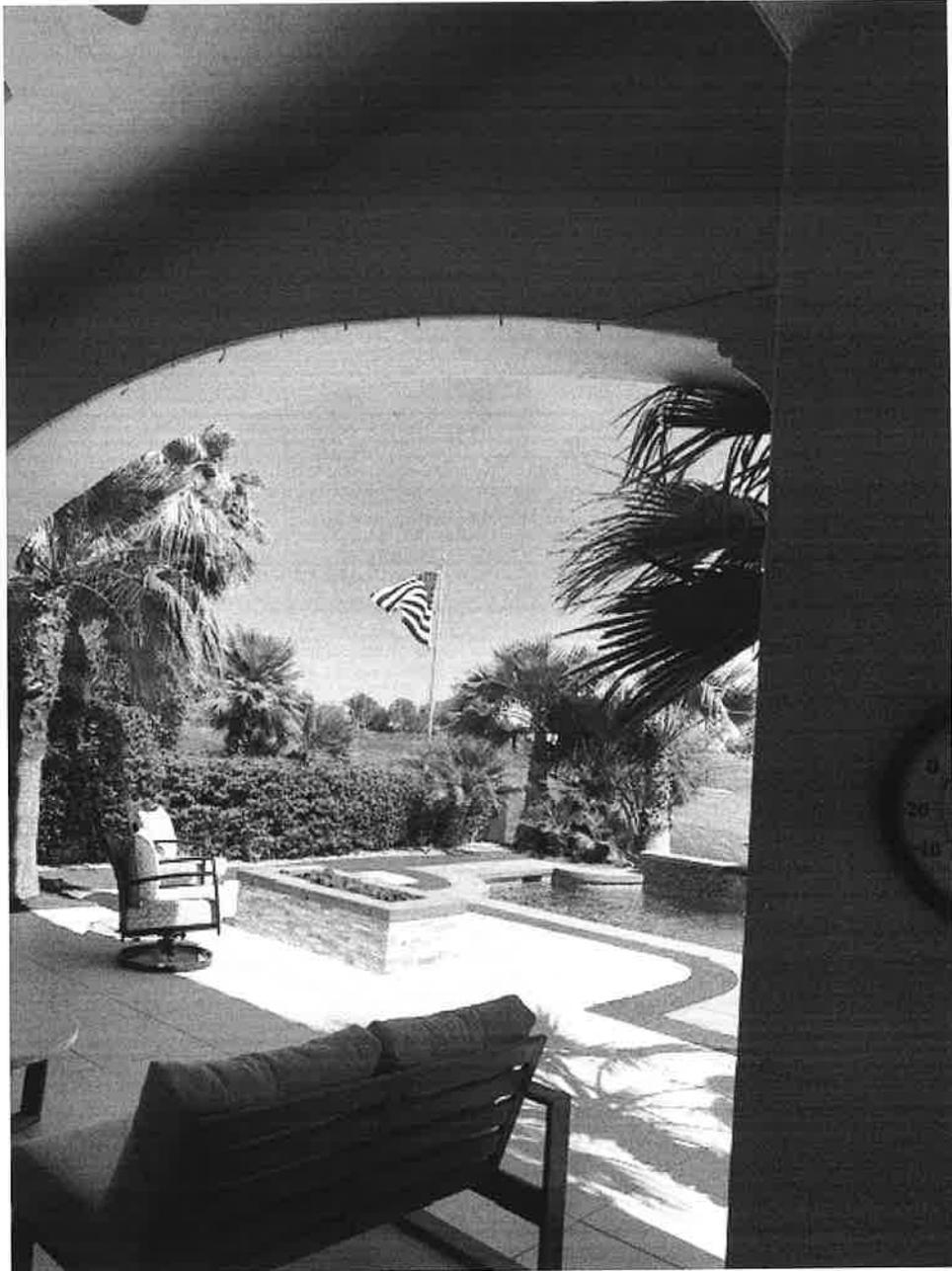
*18" from  
Property Line*



*Sam's House  
Not in front of his living  
Room / FAR Right Corner*



*From Patio / Living Rm*



*From our Bedroom*