

April 30, 2007

City Clerk
City of Las Vegas
1st Floor
400 East Stewart Street
Las Vegas, NV 89101

SENT VIA FAX TO DAMITI SIMPSON 382-4803

RE: ITEM #83 VAR 11759 -- APN# 163-01-404-022 REQUIRED SIX MONTH REVIEW

RAR-20054

City Clerk:

I Carl D. Marcello owner of Las Vegas Development Company, Ilc represents Dan Towbin Cardan Lindell North, Ilc the owner of the above-mentioned property.

When we originally submitted our application on February 20, 2007 we were told that we would be going before the Planning Commission on April 26, 2007. When I checked the agenda for the Planning Commission I saw that we were not on it. I called planning and spoke with and was notified that we had been moved to the City Council meeting on May 2, 2007 item # 83.

My client Dan Towbin will be out of town that day and I would like to request that the item be held in abeyance until the next City Council meeting on May 16, 2007.

Also, please send all further notices to me at 4069 Dean Martin Drive Las Vegas, NV 89103

I would very much appreciate your consideration in this matter.

Sincerely,

Carl D. Marcello
Managing Member / Broker

Submitted after final agenda

Date *4-30-07* Item # *83*

◆ 4069 Dean Martin Drive ♥ Las Vegas, Nevada 89103 ♣ Phone (702) 798-4800 ♠ Fax (702) 798-8484



Charles M. Damus & Associates
A Professional Law Corporation

RECEIVED
CITY CLERK

April 26, 2007 2007 APR 30 A 10: 46

Protest

City Clerk
First Floor, City Hall
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: *RQR-20054*
City Counsel Meeting scheduled for
May 2, 2007 at 1:00 p.m.
Applicant: Las Vegas Development Co.

Members of the Council:

My name is Charles Damus, and I reside at 2243 S. Mohawk Street, Las Vegas, Nevada, within about 600 feet of the hundred-foot tall flagpole and gigantic flag. I have been a resident since 1955, and have maintained a law office in downtown Las Vegas since 1974. Although the property owner, Dan Tobin, is a nice guy, my neighbors and myself strongly feel that the hundred-foot flagpole and the gigantic flag on the pole are totally out of proportion with the dealership and especially with our rural-type neighborhood. Additionally, on windy days (which we have several) the flag makes a tremendous amount of noise that invades our neighborhood.

Unlike the situation with the McCarran right turn flights, the abatement of this noise requires no expenditure of City funds. The dealership's grand opening is over, and they no longer need this huge flag. Accordingly, it is hoped that you will not approve an extension of the variance, and require the dealership to remove the giant flagpole and flag. My neighbors and myself are as patriotic as anyone, but the sheer size is inappropriate.

Very truly yours,

CHARLES M. DAMUS, ESQ.

CMD/bs

Submitted after final agenda

Date 4-30-07 Item # 83

RQR-20054

City of Las Vegas
Councilpersons/Mayor Goodman, City Attorney
400 Stewart Ave.
Las Vegas, NV 89101

Dear Council Members;

June 27, 2006

I want it to be on the record that Towbin Hummers has a entirely too large flag which pops in the wind and can be heard at my home which is on O'Bannon and Westwind. This was our concern with a flag of that size being allowed within a neighborhood. If for some reason the neighborhood is not notified of the 6 months review of this flag we shall feel partial treatment given to Towbin dealership again.

I also have been called by Jennifer Hardman, Gary Swanciger, T.J. and Coleen Rice, Shreela Chakmian, Marianne Jorgensen, Paul and Susie Schofield concerning this noise. All of these people called because of the wind blowing last night!

As Mr. Towbin told the residents at the neighborhood meeting when this entire hummer dealership fiasco started; "I will get what I want!" I ask the City, "Is there some reason he knew he would get whatever he wanted?"

Once again for the record, Towbin Hummer flag is too large for a neighborhood and makes a lot of noise when the wind blows! It would be better suited for a business located along the freeway and not within a neighborhood.

We are by know means anti flag. I myself served in the military. I was offended and still am offended that Towbin dealership would use the United States flag for a way to sell a vehicle.

Thank you,

Conita Jones
5645 O'Bannon Drive
Las Vegas, NV 89146
702-364-1395/cell702-381-4923

Cc: Dan Towbin

Submitted after final agenda

Date 4-30-07 Item #83

2007 APR 30 A 9:00

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Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

① Allowing the variance would establish a precedent for future requests in regards to flagpole height allowances and/or a possible permanent change in flagpole height allowances.

② The height of the pole requires a larger flag which OVERWHELMS surrounding areas, as well as making the NV flag look ridiculous due to size difference. In addition, the larger flag "pops" with such a loud sound that it resounds throughout the neighborhood.

Printed Name: Connie King Date 4/27/07

Signature: Connie King Address 5640 O'Bannon Dr, LV 89146

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CITY CLERK
2007 APR 30 A 9:05

Submitted after final agenda

Date 4-30-07 Item # 83

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

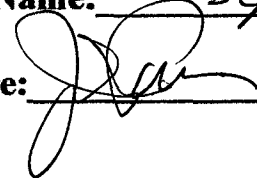
I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

Noise factor - especially at night
Visual factor - too large out
proportion
too high also

RECEIVED
CITY CLERK
2011 APR 25 03:04 A: 8505

Printed Name: Joseph Piracci Date Apr 25, 07

Signature:  Address 2330 Westwind
LV NV 89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

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My reason for opposing this 100 foot tall flagpole is:

FLAG IS OVERSIZED AND VERY NOISY

RECEIVED
CITY CLERK
2007 APR 30 A 9:05

Printed Name: PAUL O'BANNON Date 4-25-07

Signature:  Address 5710 W. O'BANNON DR

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

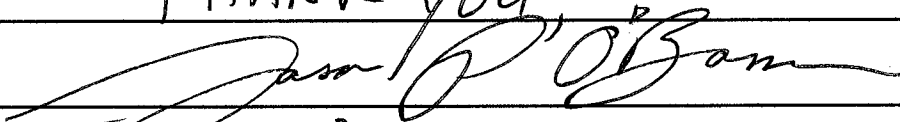
SIX MONTH REVIEW OF
RQR-20054

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My reason for opposing this 100 foot tall flagpole is:

TO CLOSE TO OUR HOMES! KEEPS US
UP AT NIGHT! GOOD GRIEF, IT'S JUST
TO BIG TOO BE SO CLOSE TO OUR HOMES.
HAVE MERCY, CANCEL THERE VARIANCE
AND ALLOW THEM A 40 FOOT POLE.
GOD BLESS AMERICA.

THANK YOU,



Printed Name: JASON P O'BANNON Date 04-25-07

Signature:  Address 5710 W O'BANNON DR
LV NV 89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

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My reason for opposing this 100 foot tall flagpole is:

The noise factor as it is right in front of the property.
The other reason is due to the size as it looks to be an eye sore and takes it away from the residential look.

2007 APR 30
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Printed Name: SHRELA CHAKMIAN Date: 4/24/07

Signature:  Address: 2325 WESTBOND RD.
L.V. NV 89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

I do not object to anyone flying the American flag; in fact, I am for it as a patriotic gesture.

In this case, however, the flag is so large that when the wind blows it makes a loud flapping noise which throughout the night (the flag flies 24 hours) ^{is} so loud it affects my sleeping.

Printed Name: John B. DuBois Date 8-7-1831

Signature: John B. DuBois Address 2047 Westwind Rd.,
Las Vegas 89146

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CITY CLERK
APR 30

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

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My reason for opposing this 100 foot tall flagpole is:

*Needs to be smaller
not so loud!*

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CITY CLERK
2007 APR 30 A 9:06

Printed Name: Mary E Earl Date 4/27/07

Signature: *Mary Earl* Address 2967 Westwind Rd
Las Vegas, NV 89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

The flag is too large - decrease in size please.

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CITY CLERK
7:07 APR 30 A 9:06

Printed Name: Dolly L. Earl Date 4-27-07

Signature: *Dolly L Earl* Address 2260 Westwind Rd
LIVINU 89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

The flag that is flown is too big and when the wind blows as it frequently does, especially at night it is noisy and interferes with restful sleep.

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CITY CLERK
APR 30 9:06

Printed Name: Harold Wayne Earl Date 4/27/07

Signature: Harold Wayne Earl Address 2260 Westward Rd
Las Vegas, NV 89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

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My reason for opposing this 100 foot tall flagpole is:

I do not care for the huge flag whipping around & snapping noise that when the wind is blowing over way we are kept awake at night.

2007 APR 30 A
CITY CLERK

Printed Name: JUDITH A DUBOIS Date 4/24/07

Signature: Judith A Dubois Address 2047 WESTWIND RD
89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

It is awfully big, noisy &
there is no memorial as first
said.

Printed Name: Terry Hanley Date 4/26/07
Signature: Terry Hanley Address 2250 Westwind Rd.

2007 APR 26 10:41 AM
CITY CLERK
06

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

Current noise in ward is obnoxious
Potential exists for future noise from
flags installed by other dealerships on
Sahara

Donald K. Parker
2813 Dineville
Las Vegas, NV 89146-3160

2007 APR 30
CITY CLERK
APR 30 9:06

Printed Name:

Date

04/28/07

Signature:

Donald K. Parker

Address

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

1. Sets a precedence for other businesses.
2. The size of the flag produces significant noise in windy weather and is disruptive to the neighborhood.

RECEIVED
CITY CLERK
2001 APR 30 A 9:06

Printed Name: Merideth J Parker Date 4-28-09

Signature: Merideth J Parker Address 2313 Durvill St
89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

In the short amount of time the flag has been in place, it's free edge is tattered, torn and dirty, creating an unattractive attempt at patriotism. The large flag flaps & snaps on breezy days, disrupting the quiet, and creating more noise for an inner city neighborhood. Please do not allow this variance.

Printed Name: Marianne Sampson Date 4-28-07

Signature: Marianne Sampson Address 5625 O'Bannon Dr

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CITY CLERK
APR 30 9:06

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

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My reason for opposing this 100 foot tall flagpole is:

Noise plus poss. of noise flags to come.

Printed Name: F. Franky Date 4/29/07
Signature: [Handwritten Signature] Address 2180 Lindell Rd.

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CITY CLERK

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

I DON'T KNOW WHAT THEY INTEND TO FLY ON IT. & A POLE THAT IS 2 1/2 TIMES TALLER THAN ALLOWED. ITS TIME TO STOP THESE VARIANCES. WHAT WILL THEY ASK FOR NEXT???

Printed Name: HUGH WINESETT

Date 4-26-07

Signature: 

Address _____

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CITY CLERK
2007 APR 30 AM 9:01

WINESETT
5620 O'BANNON DR.
LAS VEGAS, NEVADA 89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

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My reason for opposing this 100 foot tall flagpole is:

Excessive noise - depending on direction of wind - also - somewhat unsightly in that it is simply too large for the entire area

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CITY CLERK
2007 APR 30 A 9:01

Printed Name: Ralph H. Schofield Date: 4-26-07

Signature: [Handwritten Signature] Address: 2210 Westwind Rd
Las Vegas 89146

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

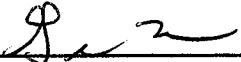
My reason for opposing this 100 foot tall flagpole is:

Pole too tall. Extra large flag causes
excessive noise in neighborhood on
windy days.

2001 APR 30 A 9 09

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Printed Name: Glen Hardman Date 4-26-01

Signature:  Address 2260 Lindell Rd

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

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My reason for opposing this 100 foot tall flagpole is:

Flapping is noisy. Dont oppose the flag, just noise is disturbing when windy.

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CITY CLERK
1001 APR 30 A 9:07

Printed Name: Vicki Battley Date 4-26-07

Signature: Vicki Battley Address 2320 Lindell

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

SIX MONTH REVIEW OF
RQR-20054

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My reason for opposing this 100 foot tall flagpole is:

Lighting of ^{flag} pole at night is

disturbing - interperes with

The peaceful "rest" in the neighborhood

too bright and up so high it is visible from almost every window in my home.

Printed Name: Suzanne Bruner Date 4/23/07

Signature: Suzanne Bruner Address 5540 O'Bannon

2007 APR 23 10:17 AM RECEIVED CITY CLERK

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

I am in DEFINITE OPPOSITION of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

THE FLAPPING IS VERY NOISY

Printed Name: JERRY STERN Date 4-28-07

Signature: [Handwritten Signature] Address 2175 Westwind

2007 APR 30 AM 9:07
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CITY CLERK

Las Vegas City Council
400 Stewart Avenue
Las Vegas, Nevada

**SIX MONTH REVIEW OF
RQR-20054**

I am in **DEFINITE OPPOSITION** of Cardan Lindell North, L.L.C. located at 5550 West Sahara (APN163-01-404-022) to be allowed a variance of a 100-foot tall flagpole where 40 feet is the maximum height allowed.

My reason for opposing this 100 foot tall flagpole is:

The Pole Is To High Which Allows The Flapping Noise From The Flag To Travel Across The Neighborhood. This Flagpole Is Suited For A Business Area Along A Freeway and Not Beside A Neighborhood. This Would Also ~~Set~~ Set A Precedent For Others To Put Such A Tall Flag Pole Up. This Variance Needs To Be Denied. I Also Am A Veteran And

Printed Name: Carita Jones Date 4-29-07

Signature: [Handwritten Signature] Address 5645 Obannon Dr

For A Business To Sell Vehicles Under This Pretense Is An Insult.