

From: [Robin Brigode](#)
To: [COB mail](#)
Subject: FW: Letter re waiver Lot 9
Date: November 21, 2016 7:58:59 AM

Robin Brigode
Pima County Clerk of the Board
130 W. Congress St., 5th Fl.
DT-AB5-130
Tucson, AZ 85701

-----Original Message-----

From: Eileen [mailto: [REDACTED]]
Sent: Sunday, November 20, 2016 7:40 PM
To: Robin Brigode <Robin.Brigode@pima.gov>
Subject: Letter re waiver Lot 9

James D. Farland
2051 N. El Moraga
Tucson, Az. 85745
[REDACTED]

To: Pima County Development Services, Planning Division

Regarding:

P16SA00011 Moussa-N Enclave Place Hillside Development Zone (HDZ) Special Use Permit & P1200-125 The Enclave at Gates Pass (Lot 9) Plat Note Waiver.

I have lived at 2051 N. EL Moraga for 26 years. I am approximately within 1,000 feet of Lot 9.

I have been notified only recently by my neighbors that a lot owner within a Hillside Development Overlay Zone has requested a waiver to build a house on a prohibited ridgeline in my neighborhood. I was not previously contacted by the county or the lot owner.

I object to the approval of this waiver. It will negatively impact views and privacy in our neighborhood and other neighborhoods. I worry that it may also impact my home value as well. Others within this prohibited zone at Enclave at Gates Pass subdivision, will no doubt also request waivers if this is approved. None of the property owners applied for a building permit within the permitted time period after the "slope ordinance" was adopted. I understand that grading was begun unlawfully, that does not bode well for working in good faith in my opinion. Thank you for acting on behalf of our neighbors and all Tucsonans who would like to preserve our natural skyline.

Sincerely,
James Farland

NOV 21 16 09:12 PM CLK/FB

From: [Robin Brigode](#)
To: [COB_mail](#)
Subject: FW: Objection to waiver allowing construction on Protected Ridge.
Date: November 21, 2016 7:57:00 AM

Robin Brigode
Pima County Clerk of the Board
130 W. Congress St., 5th Fl.
DT-AB5-130
Tucson, AZ 85701

From: Miller, Thomas P - (tpm) [mailto:tpm@email.arizona.edu]
Sent: Sunday, November 20, 2016 8:04 AM
To: Robin Brigode <Robin.Brigode@pima.gov>
Subject: Objection to waiver allowing construction on Protected Ridge.

Dear Robin Brigode, Clerk of the Pima County Board of Supervisors:

I am writing to object to the proposed violation of Pima County's Peaks and Ridge's Ordinance with respect to The Enclave at Gates Pass, Lot 9.

Like many Tucsonans, I value our natural habitats and scenic views tremendously. They are a big part of what makes Tucson so special. People buy and build homes in the assumption that Pima County leaders will enforce restrictions on building on peaks and ridges, and it is sad to see special interests pressure the county to waive our government policies to enable people to build homes that detract from our scenic vistas and disrupt our natural habitats.

Property owners and citizens expect our elected leaders to enforce our laws, and I hope you will do so and not grant special privileges that are clearly not in the public good, or in the interests of property owners who have made investments in the assumption that county leaders would enforce county laws.

Thank you for your leadership with this matter, and with all that you do to maintain the quality of life and the vital services we all depend upon.

Thomas Miller
7810 East Oakwood Place
Tucson, AZ 85750

NOV 21 10:09:12 PM '16

From: [Robin Brigode](#)
To: [COB mail](#)
Subject: FW: P16SA00011 Moussa -N Enclave Place HDZ Special Use Permit
Date: November 21, 2016 7:58:45 AM

Robin Brigode
Pima County Clerk of the Board
130 W. Congress St., 5th Fl.
DT-AB5-130
Tucson, AZ 85701

From: Jo Ann [mailto: [REDACTED]]
Sent: Sunday, November 20, 2016 2:55 PM
To: Robin Brigode <Robin.Brigode@pima.gov>
Subject: P16SA00011 Moussa -N Enclave Place HDZ Special Use Permit

Dear Pima County Board of Supervisors,

I reside at 3755 W. Placita Rancho Saguaro, and I am writing regarding P16SA00011 Moussa-N Enclave Place Hillside Development Zone (HDZ) Special Use Permit & P1200-125
The Enclave at Gates Pass (Lot 9) Plat Note Waiver.

I am just down the hill from the Moussa property. I have lived at this address for over twenty years. I object to the granting of the waiver because not only will we have a loss of privacy and views (which will adversely affect the valuation of our property), I am also objecting because this is a corridor for all forms of wildlife to travel and forage.

Furthermore, I was never contacted by the applicant or received a notice from the county that this change was being requested. Why have ridge protections but then make exceptions? Apparently they bought this property knowing that the ridge was protected. Please share this information with the entire County Board

NOV 21 16:09:12 POC/KCF/BD

of Supervisors and I urge you to keep the ridge protection passed in 2002 for this property.

Thank you,
Jo Ann Gelormine
[REDACTED]

From: [Robin Brigode](#)
To: [COB_mail](#)
Subject: FW: P16SA00011 Moussa -N Enclave Place HDZ Special Use Permit
Date: November 21, 2016 7:58:28 AM

Robin Brigode
Pima County Clerk of the Board
130 W. Congress St., 5th Fl.
DT-AB5-130
Tucson, AZ 85701

From: KATHY BELL [mailto: [REDACTED]]
Sent: Sunday, November 20, 2016 1:25 PM
To: Robin Brigode <Robin.Brigode@pima.gov>
Subject: P16SA00011 Moussa -N Enclave Place HDZ Special Use Permit

Dear Ms. Brigode,
My name is Kathryn Bell and I reside at 3755 W. Placita Rancho Saguaro.
I am writing concerning P16SA00011 Moussa-N Enclave Place Hillside Development Zone (HDZ) Special Use Permit & P1200-125 The Enclave at Gates Pass (Lot 9) Plat Note Waiver.
I am just down the hill from the Moussa property. We have lived at this address for 20 years. I object to the granting of the waiver because we will have a loss of privacy and views which will adversely affect the valuation of our property.
I am also objecting because this is a corridor for the deer to travel and forage.
I was never contacted by the applicant or received a notice from the county that this change was being requested.
Please share this information with the County Board of Supervisors to keep the ridge protection passed in 2002 for this property.
Thank you,
Kathryn E. Bell
[REDACTED]

NOV 21 15:09:12Z 2016

From: [Robin Brigode](#)
To: [COB_mail](#)
Subject: FW: P16SA00011 Moussa-N Enclave Place Hillside Development Zone (HDZ) Special Use Permit
Date: November 21, 2016 7:56:41 AM

Robin Brigode
Pima County Clerk of the Board
130 W. Congress St., 5th Fl.
DT-AB5-130
Tucson, AZ 85701

From: Stephen T. Jackson [mailto:Jackson@uwyo.edu]
Sent: Saturday, November 19, 2016 11:16 AM
To: Robin Brigode <Robin.Brigode@pima.gov>
Cc: Anne Bowen <[REDACTED]>
Subject: P16SA00011 Moussa-N Enclave Place Hillside Development Zone (HDZ) Special Use Permit

Dear Pima County Supervisors,


We are writing in reference to P16SA00011 Moussa-N Enclave Place Hillside Development Zone (HDZ) Special Use Permit & P1200-125 The Enclave at Gates Pass (Lot 9) Plat Note Waiver. For nearly four years (since December 2012), we have lived at 3956 West Bar Ranch Drive, approximately 0.3 miles north of the Moussa property. The ridgetop on which the Moussa property development is proposed is clearly in the viewshed of our house; in fact the entire ridge is in our viewshed.

One of the reasons we chose to buy our house was the open view to the south, which includes both the ridge in question and several peaks of the Tucson Mountains in the background. Our understanding was that the ridge would be protected under the 2002 rules on ridgeline development. Construction atop the ridge will adversely affect the value of our property, and will significantly reduce our enjoyment of our house and property.

We believe that the rationale for the waiver request is flimsy. The developer had two years to take action after the 2002 action was taken, and apparently did nothing. The current owner failed to perform due diligence before purchasing the property from the developer, and it appears that the developer did not inform the purchaser that the property could not be developed under existing rules. We do not believe that negligence on the part of the owner/purchaser, and what appears to be deception on the part of the original developer, constitute good reasons for granting a waiver.

One of us (Jackson) is a professional biologist with more than 35 years' experience as a researcher and senior administrator in universities and federal agencies. Infilling of the protected ridge in question will lead to further fragmentation of the landscape of the Tucson Mountain foothills, with adverse consequences for wildlife habitat and movement corridors.

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We note that we were never contacted by the applicant or notified by the County about this waiver request. In fact, we only learned of it in early November.

We regret that we will be unable to attend the Board meeting – one of us will be traveling on business and the other will be working. We hope you will consider our objections to this waiver.

Sincerely,

Stephen T. Jackson
Anne M. Bowen
3956 W. Bar Ranch Dr.
Tucson, AZ 85745