

[REDACTED]

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**From:** William Romond <[REDACTED]>  
**Sent:** Monday, November 21, 2016 11:42 AM  
**To:** billromond  
**Cc:** gpanasec  
**Subject:** HDZ Special use request for LOT 9 of THE ENCLAVES subdivision, Board Meeting 11/12/16

NOV 21 15PM 04:04 PC CLK OF BD

DEAR COUNTY SUPERVISORS:

WE ARE EMAILING IN REGARDS TO THE HDZ SPECIAL USE REQUEST FOR LOT 9 OF THE ENCLAVES, A SUBDIVISION ONCE IN BANKRUPTCY, LOCATED ON W. SPEEDWAY ABOUT A MILE EAST OF ANKLAM.

THE OWNER OF ENCLAVE LOT #9 IS REQUESTING THE PIMA COUNTY BOARD OF SUPERVISORS GRANT A VARIANCE OR EXCEPTION TO ALLOW THE DEVELOPMENT OF A 3500 SQUARE FOOT RESIDENCE ON A RIDGE THAT WOULD OTHERWISE BE PROTECTED BY THE PIMA COUNTY PEAKS AND RIDGES PROTECTION PLAN, ADOPTED BY THE PIMA COUNTY BOARD OF SUPERVISORS ON 9/23/2003.

THE OWNER BOUGHT THIS PROPERTY 5 YEARS AFTER THE RIDGE PROTECTION WENT INTO EFFECT AND SHOULD HAVE KNOWN OF THE SLOPE ORDINANCE BUILDING RESTRICTIONS WHEN THE BANK-REPOSSESSED ACREAGE WAS PURCHASED IN OCT 2009. WE ARE AGAINST THIS REQUEST FOR THREE REASONS:

1. IT WOULD DEGRADE THE RIDGE LINE & ADVERSELY IMPACT SCENIC VIEWS.
2. MORE IMPORTANTLY IT WOULD ENCOURAGE THE DEVELOPMENT OF OTHER DESIGNATED PROTECTED PEAKS/RIDGE LINES THROUGHOUT PIMA COUNTY.
3. *MOST IMPORTANTLY* IT WOULD FINANCIALLY REWARD AND ENCOURAGE DEVELOPERS TO PURCHASE PARCELS WITH PROTECTED PEAKS/RIDGES TO LATER OBTAIN A VARIANCE TO BUILD ON THESE PEAKS/RIDGE LINES

PLEASE CONSIDER THE FUTURE IMPLICATIONS THIS REQUEST WOULD HAVE UPON AN AREA OF INCREDIBLE BEAUTY AS WELL AS ANY NUMBER OF OTHER RIDGELINES THROUGHOUT THE COUNTY AND DENY THIS REQUEST.

RESPECTFULLY,

WILLIAM J. ROMOND AND CHRISTOPHER R. SARGEANT  
4900 W. MONTE CARLO DRIVE, 85745

[REDACTED]

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**From:** Donna Snyder <[REDACTED]>  
**Sent:** Monday, November 21, 2016 2:18 PM  
**To:** District5; District1; DIST2; District3; District4  
**Subject:** HDZ special use request for Lot 9, Enclaves Subdivision -- Please Deny!

As residents living in the Tucson Mountains, we urge you to respect Protected Peaks and disallow a variance that would OK the building a private home on Lot 9 of the Enclaves Subdivision. The law was clear when this property was purchased that building on the protected ridge was not allowed. The lot owners were aware of this. Should the Board of Supervisors agree to give a green light to the project, it would create a precedent for builders and developers in Pima County. Please continue to work to maintain the beauty and scenic views of our Sonoran Desert.

--  
Donna and Robert Snyder  
1661 N Placita Tuberia  
Tucson, AZ 85745

NOV 21 16M 04P CLOKFB  
RS

[REDACTED]

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**From:** Suzie Faulkner <[REDACTED]>  
**Sent:** Monday, November 21, 2016 11:12 AM  
**To:** District5  
**Cc:** District4; District3; DIST2; District1; Barbara Fleming  
**Subject:** Decline HDZ SPECIAL USE REQUEST FOR LOT 9 OF THE ENCLAVES SUBDIVISION/  
BOARD MEETING OF 11/22/16

Dear Mr. Elias:

*We are writing this letter jointly and severally in vehement opposition to the requested variance and/or exception to allow the owner of Enclave Lot #9, to encroach and/or otherwise impede the protection of our ridges. We strongly urge that these ridges be preserved without any encroachment.*

*When the owner purchased said lot in approximately 2009, they were made fully aware of the county's ordinances and regulations in effect regarding the scenic preservation of our Tucson Mountains including but not by way of limitation, the slope ordinance building restrictions. This ridge was protected by both a legal settlement with the developers and through the Slope Ordinance at least five years before this owner purchased the property.*

*Allowing this variance or encroachment will degrade, adversely and intensely impact the scenic views of the Tucson Mountains. Further, allowing this variance would set a precedent on future building and growth. We are owners that will be adversely impacted should this encroachment be allowed, which would devalue our property value. Owners of property in the Gates Pass and Tucson Mountains have long fought to preserve the Tucson landmarks, and scenic peace. This encroachment would furthermore allow the Lot #9 property owners to enhance their property values, at a detrimental cost to other property owners.*

*Therefore, we respectfully request that this variance and/or exception be declined.*

*Very truly yours,*

*Donald D. Faulkner and Suzie Faulkner  
4940 West Monte Carlo Dr.  
Tucson, AZ 85745  
Phone: (520) [REDACTED]*

NOV 21 16 PM 04:40 PC CLK/FED  
[Handwritten initials]

**From:** Nisi <[REDACTED]>  
**Sent:** Monday, November 21, 2016 10:25 AM  
**To:** District1; DIST2; District4; District5; District3  
**Subject:** MEETING OF 11/22/16 - HDZ SPECIAL USE REQUEST FOR LOT 9 OF THE ENCLAVES SUBDIVISION/BOARD

November 20, 2016

Honorable Members of the Pima County Board of Supervisors,

As members of the Gates Pass Neighborhood we are in receipt of a request for development on a protected peak/ridge in the Enclaves Subdivision at Gates Pass. We oppose this development as it would destroy the ridge line and adversely impact our views. It would encourage the development of other designated protected peaks/ridge lines throughout Pima County. It would also financially reward and encourage developers to purchase parcels with protected peaks/ridges to later obtain a variance to build on these peaks/ridge lines.

The individual who purchased this lot did this exact thing, purchase this lot at a fraction of the going rate for lots in this area, well aware that it was a ridge top and that there was a ridge top protection ordinance, knowing that she would just go against laws and ordinances and still build her ridge top home. What is to keep anyone else from purchasing protected ridge top lots for this same reason if we grant her permission to build?

Accordingly, we humbly request that you reject this variance application.

Respectfully,

Dr. Eric Vindiola  
Eunice Vindiola  
1310 N. Dusty Hollow Court  
Tucson, AZ 85745

NOV 21 16 PM 04:04 P.C. CLK/CF/BD

[REDACTED]

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**From:** GPANA Board <[REDACTED]>  
**Sent:** Monday, November 21, 2016 7:20 AM  
**To:** District1; DIST2; District4; District5; District3  
**Subject:** HDZ Special Use Permit for Lot 9 of Enclaves Subdivision

As President of the Grants Pass Area Neighborhood Association (GPANA), I am writing to let you know that our organization opposes the HDZ Special Use Request for Lot 9 of the Enclaves Subdivision. Many of our 249 members residing among the Tucson Mountains have already contacted you directly; not a single one of our membership has spoken out in favor of the Petitioner.

The whole idea of granting a variance or exception to the owner of Enclave Lot #9 to allow the building of a residence on a restricted slope is in direct conflict with the Pima County Peaks and Ridges Protection Plan adopted by the Pima County Board of Supervisors in 2003.

We are very concerned that allowing this variance or exception would set a dangerous precedent, and encourage the development of other designated protected peaks and ridge lines throughout Pima County. The results of that domino effect would be devastating to the existing peaks, ridge lines, vistas and horizons that ALL citizens in Pima County value and enjoy.

We respectfully request that you deny the development petition for HDZ Special Use for Lot 9 of the Enclaves Subdivision and continue to uphold the strictures of the Peaks and Ridges Protection Plan.

Thank you for your time and attention regarding this matter,

-- Sincerely, Barbara Fleming, President GPANA  
for the Board of Directors  
Gates Pass Area Neighborhood Association  
November 21, 2016



NOV 21 15:04:04 PC CLK OF BD

[REDACTED]

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**From:** Mary Alt <[REDACTED]>  
**Sent:** Monday, November 21, 2016 6:04 AM  
**To:** District1  
**Subject:** HDZ SPECIAL USE REQUEST FOR LOT 9 OF THE ENCLAVES SUBDIVISION'/ BOARD MEETING OF 11/22/16

Dear Supervisor Miller,

I strongly urge you to vote against the variance to build on a protected ridge in Lot 9 of the Enclaves Subdivision tomorrow. We have the Peaks and Ridges Protection Program for a reason, and there is no compelling reason to ignore this ordinance. Allowing this variance would not only degrade the ridge line, but would encourage others to seek variances, further eroding the Protection Program.

Thank you for considering this citizen's request.

Sincerely,

Mary Alt  
4175 W. Ironwood Hill Dr.

NOV 21 16:04:04 PC CLK/DFB  
[Handwritten signature]

[REDACTED]

**From:** Marc Ligon <[REDACTED]>  
**Sent:** Sunday, November 20, 2016 8:25 PM  
**To:** District5; District1; DIST2; District3  
**Subject:** 'HDZ SPECIAL USE REQUEST FOR LOT 9 OF THE ENCLAVES SUBDIVISION' / BOARD MEETING OF 11/22/16'

Dear Supervisors,

As Members of the Grants Pass Neighborhood Association (GPNA), we are writing to let you know that we oppose the HDZ Special Use Request for Lot 9 of the Enclaves Subdivision and are requesting you take into consideration the following facts and concerns in hopes that you deny this request because, we strongly feel, by granting to the Owner of Enclave Lot #9 a variance or exception to allow the development of a 3500 SF residence on a building restricted slope is in direct conflict with the Pima County Peaks and Ridges Protection Plan (adopted by the Pima County Board of Supervisors on 9/23/03).

As you are aware, this planned residence would be built on Lot 9 of the Enclaves Subdivision on a ridge that would otherwise be protected. While the property owner should have known of the slope ordinance building restrictions when the bank-repossessed acreage was purchased in 2009, we are strongly concerned that allowing this variance or exception would encourage the development this and other designated protected peaks and/or ridge lines throughout Pima County (thereby setting a precedence for such actions) - potentially allowing for developers and others to purchase other similar parcels with protected peaks and/or ridges designations and to later process permissions to obtain variance or exceptions to developing or building on these protected peaks and/or ridge lines...thereby greatly adversely affecting the preservation of existing peaks, ridge lines and vistas and environmental degradation of these in the Pima County area.

For these reasons, along with other members of the GPNA, we are requesting that you oppose and deny this request for HDZ Special Use for Lot 9 of the Enclaves Subdivision and, further, to make certain other future attempts or requests at such variances or exceptions for development and construction on similar areas designated by the Pima County Peaks and Ridges Protection plan be opposed and denied.

Thank you for your time and attention regarding this matter,

Marc and Pam Ligon

NOV 21 16:04:04 PC CLK OF PD  
[Handwritten signature]

Members, GPNA  
PO Box 85934  
Tucson, AZ. 85754



[REDACTED]

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**From:** Rosie Joe-Heirshberg <rosieposie [REDACTED]>  
**Sent:** Saturday, November 19, 2016 4:00 PM  
**To:** District1; DIST2; District4; District5; District3  
**Subject:** HDZ SPECIAL USE REQUEST FOR LOT 9 OF THE ENCLAVES SUBDIVISION/BOARD MEETING OF 11/22/16

November 19, 2016

Honorable Members of the Pima County Board of Supervisors,

As members of the Gates Pass Neighborhood we are in receipt of a request for development on a protected peak/ridge in the Enclaves Subdivision at Gates Pass. We oppose this development as it would destroy the ridge line and adversely impact our views. It would encourage the development of other designated protected peaks/ridge lines throughout Pima County. It would also financially reward and encourage developers to purchase parcels with protected peaks/ridges to later obtain a variance to build on these peaks/ridge lines.

Accordingly, we humbly request that you reject this variance application.

Respectfully,

Daniel N. Heirshberg  
Rosie M. Joe-Heirshberg  
1332 N. Dusty Hollow Court  
Tucson, AZ 85745

NOV 21 16 04 04 PC CLK OF BB

[REDACTED]

**From:** Wendy L Beardsley <[REDACTED]>  
**Sent:** Friday, November 18, 2016 12:17 PM  
**To:** District1; DIST2; District3; District4; District5  
**Subject:** HDZ SPECIAL USE REQUEST FOR LOT 9 OF THE ENCLAVE SUBDIVISION / BOARD MEETING OF 11/22/2016

NOV 21 15:04:55 POC/KCF/D  
[Handwritten signature]

Dear Supervisor Ally Miller, Ramon Valadez, Sharon Bronson, Ray Carroll and Richard Elias,

This message is in reference to item 36, "Hillside Development Overlay Zone (HDZ) Special Use Permit/Plat Note Waiver", on the agenda for the November 22<sup>nd</sup> meeting of the Board of Supervisors. The property owner of lot #9 in the Enclave at Gates Pass subdivision is requesting a Special Use Permit to construct a single residence, pool, and driveway within a designated HDZ Level One protected ridge area. The Pima County Board of Supervisors adopted the HDZ ordinance in September of 2003 to preserve existing peaks, ridge lines and vistas and to protect against environmental degradation.

We are urging the supervisors to REJECT this request for a Special Use Permit for the following reasons:

- 1) The final plat for the Enclave subdivision was approved in November of 2003, two months after the HDZ ordinance was approved by the supervisors. Lots 8, 9, 10 and 11 in the subdivision have been designated as being protected by the HDZ ordinance ever since the plat was approved by Pima County on November 18, 2003. The property owner purchased lot #9 in October of 2009 and should have known of the HDZ building restrictions on the lot.
- 2) Building a large residence on lot #9 would go against the intent and purpose of the HDZ ordinance, and it would degrade the protected ridge line and adversely impact scenic views.
- 3) If just one property owner is allowed to build in a designated HDZ area, others will be encouraged to develop on designated peaks and ridges throughout Pima County.
- 4) The Enclave subdivision has a history of being a troubled development. One of the last developers filed for bankruptcy in July of 2009 and the property was repossessed by the bank. Lot #9 was purchased by the current owner following the repossession of the subdivision. Allowing a large residence to be built on this lot would financially reward and encourage developers to purchase land with protected peaks and ridges, and then later obtain a variance to the HDZ ordinance.

We have lived on the west side of Tucson in the area of Tucson Mountain Park for the past 36 years. We see the value of enforcing building ordinances like the HDZ every day. Gates Pass Road is a designated major street and scenic route, and thousands of locals and visitors drive the road each year. It is critical that the peaks, ridge lines and scenic views along Gates Pass Road be protected for everyone to enjoy.

Please uphold the purpose and intent of the HDZ ordinance at the November 22<sup>nd</sup> meeting.

Respectfully Submitted,

Wendy and Burt Beardsley  
4941 West Monte Carlo Drive  
Tucson, Arizona 85745

[REDACTED]

**From:** Carol Crouse <[REDACTED]>  
**Sent:** Friday, November 18, 2016 10:22 AM  
**To:** District1  
**Subject:** Please OPPOSE 'HDZ SPECIAL USE REQUEST FOR LOT 9 OF THE ENCLAVES SUBDIVISION'

AK  
NOV 21 15:04:05 PCKKFB

Supervisor Miller,

Please oppose the this special use request for lot 9 of the Enclaves subdivision. Vote to preserve the beauty of the peaks and ridges of the Tucson Mountains. Our children and grandchildren will thank you for years to come. Please uphold the 2003 protections of peaks and ridges.

Thank you

Carol Crouse  
5161 W. Monte Carlo Dr.  
Tucson, AZ 85745

[REDACTED]

**From:** donna zadrozny <[REDACTED]>  
**Sent:** Friday, November 18, 2016 8:54 AM  
**To:** District1  
**Subject:** HDZ special use request for lot # 9 of the Enclaves Subdivision

NOV 21 16 04 05 P C U K D E B D

Supervisor Miller

I am writing to ask you to not approve building on a protected peak in the Enclaves subdivision of the Tucson Mountains. Though we can anticipate growth in this area, the beauty and value of this area is because of the ridges, mountains and beautiful desert.

We are concerned that changing an accepted and important ordinance allowing building on this protected peak will lead to more variances and more building in the future which will continue to ruin the unique desert and scenery in this area.

Thank you

Donna Zadrozny  
North Camino De Oeste, Tucson Mountains

PO Box 87799  
Tucson, Az 85754

**From:** Peter Chesson <pchesson@u.arizona.edu>  
**Sent:** Thursday, November 17, 2016 10:51 PM  
**To:** District1  
**Subject:** HDZ Special Use Permit and Plat Note Waiver Requests, 1685 N. Enclave Place  
**Attachments:** TMA letter to Ally Miller on the protected ridge at the enclaves.pdf

Dear Supervisor Miller

Please find attached a letter from TMA opposing the HDZ Special Use Permit and Plat Note Waiver Requests, 1685 N. Enclave Place.

Sincerely

Peter Chesson

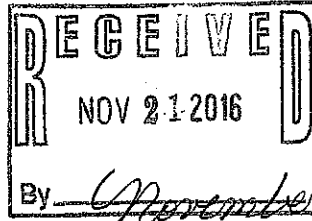
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Peter Chesson  
Dept of Ecology and Evolutionary Biology  
BSW 218  
University of Arizona  
Tucson, AZ 85721  
USA

Phone: 520-626-1451  
Fax: 520-621-9190  
email: pchesson@u.arizona.edu

Websites  
The Chesson lab:  
<http://www.eebweb.arizona.edu/Faculty/chesson/index.htm>  
Advice to applicants:  
[http://www.eebweb.arizona.edu/Faculty/chesson/Advice\\_to\\_applicants.htm](http://www.eebweb.arizona.edu/Faculty/chesson/Advice_to_applicants.htm)

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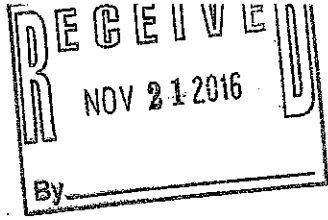
Pima County Development Service  
Planning Division  
201 N. Stone Avenue 2nd Floor  
Tucson, Arizona 85701

Ref: Case # P16SA00011/P1200-125  
Case name MOUSSA

Please be advised that this letter  
serves as my written approval for  
special permit as per above mention case.

Regards,

Catherine Gattuso  
owner of property at  
1971 N. El Moraga Drive  
Tucson, Arizona 85745



November 17, 2016

Pima County Development Services Department  
Planning Division  
201 N. Stone Ave. 2nd Floor  
Tucson, AZ 85701

Re: P16SA00011 Moussa – N. Enclave Place Hillside Development Overlay Zone  
(HDZ) Special Use Permit

Dear Sir or Madam:

I received the Notice of Public Hearing dated November 4, 2016 advising of the Public Hearing to be held by the Pima County Board of Supervisors on Tuesday November 22, 2016. Unfortunately, I am unable to attend the Hearing and therefore submit this letter.

I am writing to protest the Hillside Development Overlay Zone Special Use Permit requested by Ms. Renee Moussa, represented by Burton and Associates Architect.

As you know, Pima County Zoning Code § 18.61.041(A)(1) prohibits development within the protected area of a level one peak or ridge. One purpose of this code was to protect the natural landscape of our desert. No permit shall be issued that is contrary to the purpose and intent of the code, or that allows a use that substantially injures the use of adjacent property (*See*, Code § 18.61.042(A)(2)).

I have resided at an adjacent property, 4000 W. Speedway, since 1982. The most important use of our property is its proximity to the natural landscape of the Tucson Mountains. The construction of a house that violates the protected level one peak or ridge would both substantially injure the use of our property, as well as violate the very purpose and intent of the code: to protect the natural ridge line. Our desert is disappearing, and a special permit such as the one requested flies in the face of the very code that serves to protect it. I therefore respectfully request that the special use permit requested by Ms. Moussa (P16SA00011) be denied.

Very truly yours,

A handwritten signature in black ink, appearing to read "Blair A. Feldman", with a long horizontal flourish extending to the right.

Blair A. Feldman

BAF/baf/ncBAF-01



PO BOX 86117 • TUCSON, AZ 85754-6117

Supervisor Ally Miller  
Pima County

Re: HDZ Special Use Permit and Plat Note Waiver Requests, 1685 N. Enclave Place (Lot 9, The Enclave at Gates Pass Subdivision). A. Hillside Development Overlay Zone (HDZ) Special Use Permit P16SA00011, MOUSSA - N. ENCLAVE PLACE HILLSIDE DEVELOPMENT OVERLAY ZONE (HDZ) SPECIAL USE PERMIT, **November 22 agenda item 36**

Dear Supervisor Miller

The Tucson Mountains Association strongly opposes the request to build on a protected ridge at 1685 N. Enclave Place. The property was purchased several years after the protection of that ridge had gone fully into effect. The applicant was fully aware of these protections, which were agreed upon after a lengthy process involving much compromise and consent of the people of this County. The property was evidently purchased with the expectation that the County would disavow its ordinance and profit the applicant. Granting this waiver request would set a dangerous precedent. It is simply not appropriate for anyone to purchase property with the expectation that they can count on the Board of Supervisors to negate our Zoning Code. This property was purchased in a distress sale, at a greatly reduced price, precisely because of the restrictions. A claim of hardship should not be entertained. The applicant should be required to abide by the restrictions placed on the land.

The applicant makes several arguments in favor of the application.

Claim 1: Building a residence would bring in tax revenue to the County that outweighs the need for protection. This claim is false on multiple grounds. First, building the residence would significantly impair the values of surrounding properties eliminating any gain from taxing this particular property. Moreover, the County goes to great expense to gain open space for scenic and conservation purposes. Allowing building on a scenic site for the purpose of increasing the tax base, even if it would achieve that, would be at variance with the County's long-standing publicly-supported demonstrated interest in preserving scenic and habitat values.

Claim 2a: The ridge is already impaired by the presence of two residences, and adding one more would not significantly increase the damage. This claim is misleading. The proposal would mean that three residences would be lined up on the ridge. This residence would be in the center at the highest point of 2,670 feet, which is the highest point north of Speedway Blvd east of Camino De Oeste. Attempts to mitigate the impact by design choices for the residence are not convincing. The ridge is an especially sharp and complex land form with beautiful rock formations on the north side. It is hard to see how a structure in the center of this ridge would not significantly impair the view from many directions. The particular ridge is located near Feliz Paseo Park and the Painted Hills and is a major addition to the local topographic diversity. As the highest landform in the locality, it is visible from both of these County parks, as well as from





Speedway Blvd, Camino De Oeste and Ironwood Hills Road. These areas are valued for their scenery, and should not have protections removed lightly.

Moreover, ridges are not just scenic locations. They are used by wildlife. They provide unique habitat elements that enhance habitat diversity and hence biological diversity. The location of this ridge near the Camino De Oeste wash, the Feliz Paseo Park and the Painted Hills, makes it an important contributor to habitat diversity in an area prized for natural values. The presence of this residence in the middle of the ridge would severely impact its value as a habitat element.

Claim 2c: There would be no injury to adjacent properties. This claim is false. Building on this ridge would impact the views, and potentially the wildlife enjoyed by local residents. Many residents buy properties with the expectation that the County will enforce its ordinances, which contribute to the values of their properties. Indeed, many neighbors are greatly concerned about the development of this particular ridge.

Claim 3a: There is no profit motive. The claim is false because a residence is a more profitable use than open space.

In summary, the applicant has no right to claim hardship. The property was purchased with full knowledge of the building restrictions. If the aim was to build a residence on the protected ridge then it was built with intent to force the granting of a variance. The County should never grant a variance in such circumstances as it is the most dangerous precedent that can be set. There are multiple grounds for maintaining the protection of the ridge, as outlined above, and we ask that you vote to deny the request for a variance.

The Peaks and Ridges Ordinance was established because the people of this County recognized the importance of preserving the view sheds of our mountainous areas for the enjoyment of residents and visitors, to maintain land values for the area as a whole, and for wildlife habitat preservation. By long-fought ultimate agreement, this specific ridge-top and numerous others were listed to remain undeveloped. It is contrary to the underlying agreement forged then to simply set it aside for a subsequent owner. How many of our protected peaks and ridges would be so compromised? Why should this owner have special privileges to override the will of the people as a whole?

Sincerely



Peter Chesson  
President  
Tucson Mountains Association

**From:** [Robin Brigode](#)  
**To:** [COB\\_mail](#)  
**Subject:** FW: Moussa request  
**Date:** Tuesday, November 22, 2016 7:57:07 AM

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

**From:** Chris Mullen [mailto:████████████████████]  
**Sent:** Monday, November 21, 2016 9:38 PM  
**To:** Robin Brigode <Robin.Brigode@pima.gov>  
**Subject:** Moussa request

Christopher and Carol Mullen  
1941 N El Moraga Drive  
Tucson, AZ 85745  
11/16/2016

Subject: Case # P16SA00011/P1200-125  
Case Name: Moussa- N Enclave Place Hillside Development Zone Special Use Permit/The Enclave At Gates Pass (Lot 9) Plat Note Waiver  
Tax Code: 116-07-1780

As property owners within 300 feet of the lot in question we protest this requested waiver of the Protected Ridge Ordinance. I won't write a long letter and I won't go into great detail about why in general it would be a mistake to back off from enforcing the ridge ordinance, but it does appear that the owner is trying create the blue print for many future requests for ridge ordinance exemptions. Buy ridge property cheap because you can't build on it, and then petition over time that it's not fair to prevent you from building on it because it makes your property worth less.

Specifically, this proposal has a very large impact on my property. The assurances given that purport to minimize the impact sound very hollow and seem completely directed to minimizing the effect on the south side of the ridge. A statement that "there would be no injuries to adjacent properties" is disingenuous at best as this house would be built directly above properties with houses directly underneath it in a neighborhood that has a history of significant drainage problems that continue to cost the neighborhood to repair. I am not comforted by the applicant's assurance. Will there be recourse if they are wrong about this? On a personal level I get up every morning to let my dogs out on the back patio. My view is directly at the proposed site of the house. As I look up the couple hundred feet to the top I get great joy in scanning for the javelinas, deer, and coyotes that use that spot for their journey

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over the ridge. It is almost always right in the area the owner plans to build on. I wonder where they will go when the 3400 square foot house, pool, and garage block their path.

Thank you for your consideration,  
Chris and Carol Mullen