

MINUTES

Catalina Foothills Estates No. 9 Association

DIRECTORS MEETING

Held telephonically

Cat9.org

Meeting Date: **August 24, 2020**

Directors Present: Sherri Durand, Teri Ellen, Diane Frank, Pat Griffin, Larry Ivy, Nancy Kay, Paul Schwartz, Joyce Su

Directors Absent: Tung Bui - resigned

Guests present: See attached

1. **Call to Order:** The President, Patrick Griffin, called the meeting to order at 7:15 pm.
2. **Guest speakers.** Sean Myers and Alexander Winters gave an overview of the neighborhood concerns with the Moussa/Burton cluster application pending before the Design Review Committee in Deer Run Ranch. Sean and Alexander are requesting support from any owners or residents who can make an appearance at the November 19, 2020 public meeting. Owner support is needed to address the conditions and recommended remediations to the application to ensure consistency with neighboring communities and the sense of place in the Catalina Foothills. Please contact Sean Myers at 520 425 1676 seandmyers1@gmail.com.
3. **Owner Concerns.** Sherri gave an overview of the procurement process to obtain a new trash service provider. As of August 1, RES terminated collection and Whip N Spur was willing to provide service for the month of August in the interim. The board collected owner inputs on the priorities for trash collection, namely yard waste, cactus and recycling. The board emphasized the objectives of providing consistent and cost-effective trash collection for the entire neighborhood. One owner questioned the requirements for recycling. An owner also questioned whether RES would provide refunds for May – July. Another owner questioned whether hand collection or heavy truck collection are being considered as part of the selection process. Sherri emphasized that the board will be negotiating the contract for the entire neighborhood. Owners desiring trash collection need to use this service provider. Another owner made a comment that a later pick up for trash would be helpful, as well as

backdoor service. Another owner commented that pick up after 7:00 would be better and consistent with the rules for neighboring communities. Regarding cactus, the new provider will accept cactus and prefers that cactus be boxed. One owner also complimented the neighborhood for being organized and tidy when setting out trash for collection. More details to come as available.

4. Old Business.

a. Review Architectural Review Requests for:

o Lot 127 (McElwain Addition) Final Report – Kevin gave the report regarding the preliminary review of this addition as of last year, and indicated that the owner did not contact him to be part of the final review as required by the board’s conditions for construction. Kevin’s review of the as-built structure showed that the final design does not have a hallway like initially noted on the preliminary design review approval. Kevin also had a concern regarding potential use of a second kitchen. The owner read from the August 2019 report which stated that the structure was in compliance with Pima County requirements. Kevin emphasized that the CC&Rs have more strict requirements than Pima County, and that the approvals are different. Kevin said he approved an attached structure via a hallway and that per the CC&Rs the addition must be connected and attached forming one large structure.

Joyce confirmed the board’s receipt of the preliminary plans in February 2019. She confirmed that she has viewed the property and that the addition does not have a hallway but instead a patio with a shade covering in line with the roof of the house. She confirmed that at the May 6, 2019 meeting the board approved the parapet heights. She also confirmed that at her site visit of the property in June 2020 there was a sort of attachment of the house to the addition, although not a roof or a hallway. Kevin reiterated that the CC&Rs require one structure and that the owner should have involved him more in the final design changes, and should have obtained specific approval for the replacement of a hallway with a patio. After this discussion, Nancy made a motion to approve the McElwain structure as built, Joyce seconded the motion. Sherri took a roll call vote – Directors who approved the close-out were Joyce, Nancy, Dianne, Teri, Paul, and Sherri, with varying degrees on concern about this being a one-time exception for not only the two-story structure but also for the extent of the attachment. Directors who opposed the close out were Larry and Pat. Final comments included encouragement for all owners to work more closely with the board’s architect during the final construction phase to ensure timely and appropriate closeout in line with the CC&R requirements.

o Lot 40 (Schwartz Driveway) Preliminary Review. Nancy made a motion that the board approve Paul’s driveway review request to replace gravel with pavers. Diane seconded the motion. Paul confirmed that there are no changes to the existing pattern of the driveway and that the stones are similar to those in the neighborhood. No board members were opposed and the request was approved.

o **Lot 17** (Gazebo Shade for Pets). Kevin summarized the two proposals. The gazebo is a wood, earth-tone, pre-fabricated design, metal roof structure. No encroachments to setbacks. Pat had a question on the CC&R requirement 4.k that the structure should not be visible from neighboring properties. Pat commented that the board has received complaints regarding visibility, especially in light of the owner's removal last year of three large, mature trees, impact on neighboring lots, and lack of revegetation in that area. Pat added that neighboring owners have requested landscape screening as a condition to the board's approval of the gazebo. Kevin agreed that mitigating landscaping (such as box trees) planted in the fall would be helpful, and that the board could require irrigation and these landscaping improvements in the north and west sections of Lot 17.

Neighboring property owners to the west (Austin) made an appearance and voiced concerns with the prior removal of the large, mature tree which has now opened significant visibility into Lot 17. Pat suggested that as part of this gazebo request, the board could require revegetation and irrigation to the west to improve screening of the gazebo from neighboring properties in compliance with Section 4.k of the CC&Rs. Paul visited the properties impacted and confirmed a reasonable concern with the new visibility into Lot 17 from neighbors. The other neighbor to the north (Ivy) also complained of concerns with visibility of the gazebo and the need for additional landscape screening on the north and west. Pat confirmed that outdoor dog pens are allowed per CC&R Section 4.k., but that they may not be visible from neighboring properties. Ivy proposed a resolution of (in the fall) planting, irrigating and thereafter maintaining additional trees acceptable to neighbors in the 30 foot setback /easement surrounding Lot 17 as a condition to ensuring compliance with CC&R Section 4.k. Pat proposed and Valerie accepted a site visit for the following day with Paul Schwartz. No vote was taken.

3. New Business / Owner Concerns

a. **Lot 17** (Patio Remodel) – The board received a review request from the owner for a patio improvement to include a bbq area with forest green canvas awnings on the windows. An existing wall is being removed to allow pool access and pool visibility from the patio area, and will be replaced by a brown iron gated fence. No encroachments. No existing perimeter fence is being changed. Kevin has received the site plan, drawings and has visited the home for this request as required by the board's architectural review process. Paul moved to approve the patio. There was no second. There were no votes against the patio. The patio remodel is approved.

4. **Next Meeting.** The next Board meeting is to be held on September 14, 2020 at 7 pm.

5. **Adjournment.** The meeting was adjourned at 9:30 pm.

Submitted on behalf of the board,
Sherri Durand

Sherri Durand
Vice President and Secretary
August 2020



ATTENDEE LIST --- AUGUST 24, 2020

Dray Sterling
Kevin Paulus
Valerie Gervickas
Dr. Austin and Karen Austin
Sean Myers
Alfred Ciasca
Jeffry MacElwain
Robert Heindel
Sidney San Martin
Christy McCoy
Tom Horvath
Alexander Winters
Joyce Leissring
Ruth Feldman
Dave Shawm
Basil and Diana Callimanis
Jessica Toothman
Fred Fiastro
Jessica Andrews