

Tonto Hills Improvement Association

President: Michael Jans
Vice President: Nancy Nelson
Treasurer: Kathleen Kuchta
Secretary: Diana Cole

ACC meeting October 5th 2022

I. Call to Order

The ACC meeting was called to order at 6:31 PM on October 5th 2022. Committee members present; Rick Nelson, Gil Stedman, and Robyn Baker; via ZOOM and Mark Laliberte. Bud Tolp and Jim Gibbs are absent. Tonto Hills property owners present; Nick Tilley, Steve Rensel, via ZOOM, Bork-recording, Christine Nichols, Chris Prentice, Keith Heiman, Don Belousek. Robyn Baker chaired the meeting in Bud Tolp's absence.

II. Opening Comments

No opening comments.

III. Approval of Consent Agenda

Robyn Baker moved to accept the meeting agenda, Rick Nelson 2nd the motion passed 4-0-2.

Mark Laliberte moved to accept the minutes of June 29, 2022 meeting, Gil Stedman 2nd, motion passed 4-0-2.

IV Review of Projects - Pre-Permit Design Meeting Lot 54 (Revisions to Preliminary Design Submittal)

Mr. Nick Tilley, the owner of Lot 54, presented design plans for his new home. These plans had previously been approved by the county. Mr. Tilley stated that the only change to preliminary design version that was presented in June was the set-back on LaPlata Road had been increased from 40 feet to 50 feet. The set-back on E. Quail Lane remained at 40 feet. Mr. Tilley was reminded of the DofR Paragraph #9 which states, "No building of any kind shall be placed, erected, or permitted to exist within fifty (50) feet of the front or street side of any residential lot."

Since the Committee had not previously had an opportunity to review these plans, no decision would be made tonight. The Committee would hold a 'working group' meeting to review detail plans and then reconvene at a future scheduled meeting (TBD) to discuss the plans, do the due diligence, and follow the review process as defined in the Bylaws Addendum A. (Note - The Committee later decided to meet at the THFVD Fire Station on Saturday October 8th to review the Lot 54 plans.)

Mr. Tilley also provided a booklet he characterized as examples of properties that are out of compliance or approved variances to the DofRs by the Association. He also claimed the DofRs are poorly written and vague. Mr. Nelson pointed out that amongst all the vague language, there is nothing more definitive than the wording of

Paragraph 9 requiring the setbacks of 50' for corner lots. The examples initially presented by Mr. Tilley used the Maricopa County GIS site tools to estimate the setback distance. However, the photogrammetry method used by Maricopa County is not registered to a known fixed position and that induces just one of the potential errors in measurement. The errors can actually be many feet. A review of some of the building plans for lots identified by Mr. Tilley indicated that plans approved by past ACCs were in compliance with paragraph 9. Even if existing structures approved by previous ACC are out of compliance by accident or intent, Paragraph 4 of the DofRs state that the current Committee must follow the existing rules.

V. Final review of recommend changes to the ACC Addendum A

Tabled until next meeting

VI. Projects Tracking Sheet

Not discussed

VII. Adjourn

Robyn Baker moved to adjourn, Mark Laliberte 2nd, motion passed 4-0-2.

VIII. Executive Session (If necessary) - None

VII. Adjourn

VIII. Executive Session (If necessary)