

Co10(4)15-01

EL CORTIJO, LLC - SOUTH OLD  
SPANISH TRAIL

ADDITIONAL MATERIAL  
SUBMITTED BEFORE AND  
THE SAME DAY OF THE MEETING  
(JULY 14, 2015)

**David W Robertson, D.O.  
3505 S Hunters Run  
Tucson, AZ 85730**

July 13, 2015

Board of Adjustment  
Public Works Center  
201 N. Stone Ave.  
Tucson, AZ 85701

Re: Co10(4)15-01 El Cortijo LLC- South Old Spanish Trial \_ Appeal of Zoning Interpretation

Members of the Board,

My name is David Robertson I am a 61 yr old native Tucsonan who has lived at 3505 S. Hunters Run for the last 5 years, and I am a cofounder of Save Saguaro National Park, LLC. My home is about 6-8 blocks from the property mentioned above.

I would like to thank the Panel for allowing me to speak on behalf of the members of our group who are present today, and also thank those who have submitted documentation pertinent to this hearing.

Throughout my time living at this address, the above mentioned property has never been used for short term rentals.

It is my experience from the early 1970s that this property has never been used for short term rentals.

At this point of our group submission, I would like to take the opportunity to have those neighbors with 50 plus years, 40 plus years, thirty plus years, twenty plus years, ten plus years, and under ten years to please stand.

There are people in this room who have lived in the area for over a half century, and know the Calvert family. Not one of them will state that this property was ever a motel or a transient rental, nor was it ever seriously considered. There is even an affidavit on record from one of the remaining Calverts, which states the property was never used for short term rentals. Public records also support these claims.

The developers are trying to 'grandfather' the intention of one individual from over 60 years ago, and ignore the facts of the matter. Mr. Calvert had dreams of building a motel, and his resources at the time could have made this attainable. But he never followed through. Construction was not timely, there are not submitted records of taxes paid, and ordinances weren't followed. What

was built was never used for transients. This property has been used only for long term housing and nothing else.

Save Saguaro National Park believes, that contrary to the developers' position, sixty one year old intentions that were never seriously pursued should not have standing in this matter.

To suggest otherwise insults the intelligence of this body, and the integrity of the people in this room.

The developers have not been transparent with the Board and the public in their manipulations to advance their project. They have tried to circumvent established processes, misrepresented many aspects of their plans while withholding truth on others, 'massaged' facts', and have lied to adjacent property owners to get support. They will speak glowingly of how they love Tucson, and how they want to make it better, but what this is all about is the exploitation of this location for them to make money, regardless of the negative impacts to the area.

The Saguaro National Park is not their private profit center.

We are not against making money, nor are we against proper development of resources. What we do take issue with in this case, is the opportunistic manipulation of established processes and the misrepresentation of facts in order to achieve their goal.

Therefore, we ask that the Board of Adjustment affirm the Deputy Chief Zoning Inspectors findings, and deny the appeal of El Cortijo, LLC.

Thank you,

A handwritten signature in black ink, appearing to be 'DR' or similar initials, written in a cursive style.

David Robertson, D.O.

Save Saguaro National Park, LLC

Date: July 14, 2015

To: Board of Adjustment, District #4

Re: Co10(4)15-01 El Cortijo LLC - South Old Spanish Trail

We the undersigned hereby state that to the best of our knowledge the houses on the subject property at 2700 South Old Spanish Trail have been used only as long term rentals for as long as we have lived in this area as demonstrated by such things as reoccurring "for rent" signs.

Name	Address	Years at address
STEVE JOAN W. WEINSTEIN	11655 E. OLD SPANISH TRAIL	18 yrs
Ann Effinger	3240 S. Saguaro Shadows	10 yrs
John & Kristin	4209 S. Melpomene Way	5 yrs
C. J. Franz	11631 E. Calle Javelina	16 years
Burdette Bee	11171 E. Escalante Rd.	44 years
TRACY SCHEINKMAN	11580 E. SAINT JAMES RD.	21 years
Catherine M. A. Gale	11651 E. Camino de Jano	18 years
LESLIE LOWELL	11361 E. ESCALANTE RD	55 yrs
GEORGE D. ASHBROOK	3655 S. HUNTERS RUN	37 yrs
R. Roy Johnson	3755 S. Hunters Run	26 yrs
Ellen D. Barnes	3501 S. Saguaro Shadows Dr	30 yrs
Harvey & Betty Ross	11707 E. Old Spanish Trail	18 yrs
Ron & Pat Jensen	11630 E. Pantano Trail	9 yrs.
Cedric & Barbara Berheim	11535 E. Escalante	5 yrs.
Hugh Harris	11786 E. Oldoos Pl.	10 yrs.
Dennis & Susan Norden	11180 E. Outback Rd.	42
Paul & Filomena Goff	1405 S. SUMATRA PLACE	15 yrs.
Marilyn & Bob Petersen	11550 E. Old Spanish Trail	20 yrs.
KATHRYN MCGUIRE	4000 S. JAVELINA RUN TRAIL	20 yrs.
NORMAN RUBIN	4000 S. JAVELINA RUN TRAIL	20 yrs.
Don-Shoon Mangrum	3655 S. Pure Paint Trl	12 yrs
Margaret & Dave Franz	11750 E. Irvington Rd	57 yrs
DAVID HOFFMAN	3505 S. HUNTERS RUN	25 yrs
Coral & Chuck Jones	3525 S. Saguaro Shadows Dr.	15 yrs

July 13, 2015

Dear Board of Adjustment for District 4,

Our names are Paul Goff and Filomena Blankenship. We reside at 1405 S. Sumatra Place, Tucson Az. 85748. Phone # 520-546-0552.

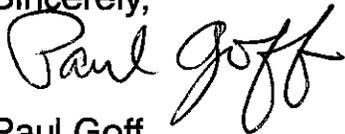
We have lived at that address for 10 years. In that time period, the property at address 3700 S. Old Spanish Trail, has never been used as a short term rental motel. Quite the opposite. The rentals have all been used as long term rentals.

I, Filomena Blankenship am a native Tucsonan born in 1956. I have been going to the Saguaro National Park since I was a child and to the best of my knowledge there has never been a time, ever, that the property was used as a motel. Paul Goff has been using the Park for the last 20 years and is also unaware of the said property being used for anything other than long term rentals.

We know the owners of the property are intent on finding a way to develop a commercial venture across from our National Treasure that is the Saguaro National Park, but we hope you will see through their attempt at trying to be "grandfathered in" as an "active" motel, because it is an untruthful, unsubstantiated, fabricated claim.

Thank you for your time and consideration in doing what is right for the community.

Sincerely,



Paul Goff



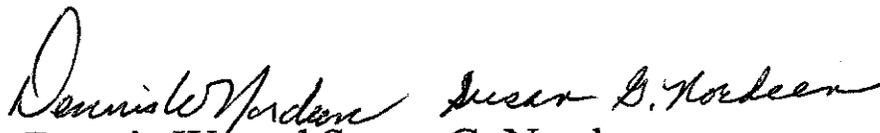
Filomena Blankenship

July 11, 2015

Board of Adjustment, District #4  
Public Works Center  
201 N. Stone Ave  
Tucson, AZ 85701

Reference zoning appeal #Co10(4)15-01 EL CORTIJO LLC

My wife and I, the undersigned, support the original decision of the county officials to reject the subject proposal. We have resided for over **42 years** less than a mile from the property in question and have never observed it identified or used as a Motel for short term occupancy, either by roadside signs, news paper advertisements or verbally when dining at Saguaro Corners.

  
Dennis W. and Susan G. Nordeen  
11180 E. Outback Rd  
Tucson, AZ 85730

July 13, 2015

Board of Adjustment District # 4

Co10(4)15-01 EL CORTIJO LLC – SOUTH OLD SPANISH TR.

We, the undersigned, purchased the property at 11707 E. Old Spanish Trail in 1995. Our property is within ½ mile of subject property.

To the best of our knowledge there has not been a Tourist Court ( motel, etc ) operating at the 3700 S. Old Spanish Tr. location.

  
Harvey Ross

  
Betty Ross

Board of Adjustment District #4  
Public Works Center  
201 N. Stone Ave  
Tucson, AZ 85701

Date: July 13, 2015

Adam Vimmerstedt  
11161 E. Escalante Rd  
Tucson, AZ 85730

Subject: Co10(4)15-01 El Cortijo LLC- South Old Spanish Trail - Appeal of Zoning Interpretation

My name is Adam Vimmerstedt and I have lived at 11161 E. Escalante Rd. since December 2014.

To my knowledge, the property at 3700 S. Old Spanish Trail has never been used for short term rentals, nor has it ever been advertised as a motel or used for short (less than 30 days) term rentals.

Sincerely,

Adam Vimmerstedt

Board of Adjustment District #4  
Public Works Center  
201 N. Stone Ave  
Tucson, AZ 85701

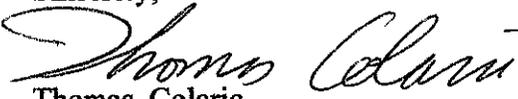
July 14, 2015  
Thomas and Georgia Colaric  
3500 S. Old Spanish Trail

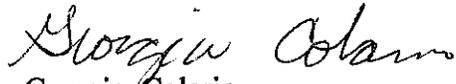
Subject: Co10(4)15-01 El Cortijo LLC- South Old Spanish Trail - Appeal of Zoning Interpretation

We are Thomas and Georgia Colaric and we live at 3500 S. Old Spanish Trail. We have lived at this address for the past 7 months, but have lived in close proximity to this area for the past 36 years.

To our knowledge, the property at 3700 S. Old Spanish Trail has never been used for short term rentals, nor has it ever been advertised as a motel or used for short (less than 30 days) term rentals.

Sincerely,

  
Thomas Colaric

  
Georgia Colaric

Pima County Board of Adjustment  
District 4

Re: Co10(4)15-01

To The Board,

My wife Joann Weinstein and I have lived at 11655 E Old Spanish since February of 1997. We chose this area due to its natural beauty and seclusion of the area from high density housing and large businesses. We understand that the appellants's are trying to contend that the property located at 3700 S. Old Spanish trail was once used as a motel. As stated, we have lived in this area for 18 years and have NEVER known this property to be used as a motel. I have lived on the eastside of Tucson all of my life and even prior to moving into our current home never knew of the subject property being used for short term (less than 30 days) rental.

Please uphold the decision of the Deputy Chief Zoning Inspector.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven C. Weinstein". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Steven C. Weinstein

Board of Adjustment District #4

Public Works Center

201 N. Stone Ave

Tucson, AZ 85701

July 14, 2015

Ron and Pat Jensen

11630 E. Pantano Trail

Tucson, AZ 85730

Subject: Co10(4)15-01 El Cortijo LLC- South Old Spanish Trail - Appeal of Zoning Interpretation

Our names are Ronald and Patricia Jensen and we live at 11630 E. Pantano Trail. We have owned the property since October 2006.

To my knowledge, the property at 3700 S. Old Spanish Trail has never been used for short term rentals, nor has it ever been advertised as a motel or used for short (less than 30 days) term rentals.

A friend of ours is a long time resident of Tucson. His brother worked at Saguaro Corners restaurant for many years. The structure adjacent to the restaurant alleged to be a "motel" was actually long term housing for the restaurant workers, not short term rentals. Our friend's name is available upon request.

Sincerely,

Handwritten signatures of Ronald and Patricia Jensen. The signature for Ronald is on the left and Patricia's is on the right.

Ronald and Patricia Jensen

11630 E. Pantano Trail

Tucson, AZ 85730

Board of Adjustment District #4  
Public Works Center  
201 N. Stone Ave  
Tucson, AZ 85701

July 13, 2015

W. Janice Kalthoff  
11715 E. Twin Hills Trail  
Tucson AZ 85748

Subject: Co 10(4)15-01 El Cortijo HC - South Old Spanish Trail -  
Appeal of Zoning Interpretation -

My name is W. Janice Kalthoff and I live at 11715 E. Twin Hills Trail, Tucson, AZ, 85748 and have lived here for thirty five (35) years. To my knowledge, the property at 3700 S Old Spanish Trail has never been used for short term rentals, nor has it ever been advertised as a motel/hotel or used for short (less than 30 (thirty) days) term rentals.

Through the thirty five years we have lived in our home we frequently pass the property in question on our way to Vail, AZ, the fair grounds, and relatives near Escalante & Melpomene for family gatherings.

Please do not approve the appeal of Zoning Interpretation.

Sincerely,

W. Janice Kalthoff

W. Janice Kalthoff

**TO: Board of Adjustment District #4  
Public Works Center  
201 N. Stone Ave.  
Tucson, AZ 8571**

**From: Ann Effinger  
3640 S. Saguaro Shadows Drive  
Tucson, AZ 85730**

**Date: July 13, 2015**

**Subject: Co10(4)15-01 El Cortijo LLC – South Old Spanish Trail – Appeal of Zoning Interpretation**

**My husband and I purchased the property at 3640 S. Saguaro Shadows Drive in December of 2004 and moved there in January of 2005. For eight years we were winter residents for 6 ½ consecutive months of the year and visited for 10 days each summer. Two years ago we became year-round residents of Tucson at this address. To our knowledge and observation, the property at 3700 Old Spanish Trail has NEVER been used for short term rentals. The property has also never been advertised as a motel or used for short-term (less than 30 days) rentals.**

**I frequently walk from my house along Saguaro Shadows to Escalante and continue east to Saguaro Corners. During the remodeling of the Saguaro Corners restaurant, I walked that route at daybreak nearly every day for six months. At the rental unit/house of the Old Spanish Trail property most visible from Escalante, I noted the same car parked there day after day. It would seem indicative of a long-term rental.**

**I agree with and support the findings and conclusion of Deputy Chief Zoning Inspector Tom Drzazgowski in his memorandum dated June 23, 2015.**

*Ann Effinger*

Board of Adjustment District #4  
Public Works Center  
201 N. Stone Ave  
Tucson. AZ 85701

July 14, 2015  
Leslie Lowell  
11361 E. Escalante Rd.  
Tucson, AZ 85730

Subject: Co10(4)15-01 El Cortijo LLC - South Old Spanish Trail - Appeal of Zoning Interpretation

My name is Leslie Lowell and I live at 11361 E. Escalante Rd. Tucson, AZ 85730, and have lived here for fifty-one years.

To my knowledge, the property at 3700 S. Old Spanish Trail has never been used for short term rentals, nor has it ever been advertised as a motel or used for short (less than 30 days) term rentals.

Over the years I have known many people who have lived there, my in-laws, Bob the bartender and his wife, and Bob Calvert himself (at least thirty-five years) just to name a few.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Kennedy Lowell". The signature is written in black ink and is positioned below the typed name "Leslie Lowell".

Board of Adjustments, District #4  
Public Works Building  
201 North Stone Avenue  
Tucson, Arizona 85701

July 14<sup>th</sup>, 2015

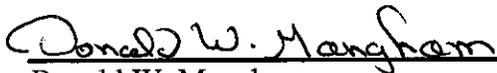
Donald W. Mangham & Sharon R. Gallaher-Mangham  
3655 South Pure Paint Trail, Tucson Arizona 85730

Subject: Co10(4)15-01 El Cortigo LLC – South Old Spanish Trail – Appeal of Zoning Interpretation

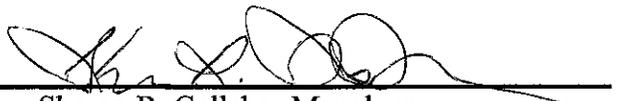
Our names are Donald W. Mangham and Sharon R. Gallaher-Mangham and we live at 3655 South Pure Paint Trail, Tucson, Arizona 85730 and we have lived there for the past 12 years. To our knowledge, the property at 3700 South Old Spanish Trail has never been used for short term rentals, nor has it ever been advertised as a motel or used for short term rentals.

There was a sign displayed for years that indicated “House for Rent”.

Sincerely,



Donald W. Mangham



Sharon R. Gallaher-Mangham

Board of Adjustment, District #4  
Public Works Center  
201 N. Stone Ave.  
Tucson, AZ. 85701

July 14, 2015  
PAMELA MORROW  
3650 S. PURE PAINT TRAIL  
TUCSON, AZ. 85730

Subject: COLO (4) 15-0121 Cortijo LLC -  
South Old Spanish Trail - Appeal of  
Zoning Interpretation

My name is PAMELA MORROW and I live at  
3650 S. PURE PAINT TRAIL and have lived  
there for 6 years. To my knowledge, the  
property at 3700 S. Old Spanish Trail  
has never been used for short term  
rentals nor has it ever been advertised  
as a 'motel' or used for short (less than  
30 days) term rentals.

Sincerely,  
Pamela Morrow

Board of Adjustment District #4  
Public Works Center  
201 N. Stone Ave  
Tucson, AZ 85701

Robert & Marilyn Petersen  
11550 E. Old Spanish Trail  
Tucson, AZ 85730

July 13, 2015

Subject: Co10(4)15-01 El Cortijo LLC- South Old Spanish Trail - Appeal of Zoning Interpretation

My wife and I have lived on Old Spanish Trail near the Saguaro National Monument for 20 years. To our knowledge and upon consulting with many long term residents, we are absolutely convinced that the property at 3700 S. Old Spanish Trail has never been used for short term rentals, nor has it ever been advertised as a motel or used for short (less than 30 days) term rentals.

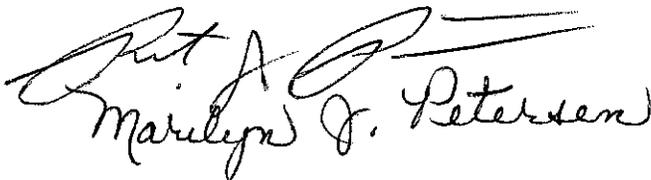
It is apparent that the **current owners are using this “motel strategy” as a blatant ploy to accomplish their financial objectives** by commercializing their acquired property.

Approval would have the severe adverse impact of:

1. sabotaging the environment of the Saguaro National Park as emphatically and eloquently stated by their administration at our last meeting.
2. allowing “+100 projected guests, 135 employees”, service people/deliveries and contractors, daily trafficking the area directly across from our national treasure.
3. risking the safety of current and future Tucson bicyclists, runners, walkers with a big increase in commercial traffic on twisting, turning two-lane Old Spanish Trail
4. alienating virtually every neighbor that purchased property based on the +3.5 acre restriction.

According to our Saguaro Monument staff's previous meeting statement, **approval of this request would give Tucson a deplorable distinction.** We'd have the only National Park in the USA with adjacent commercialization. **Do we really want to have this as part of our legacy?**

Sincerely,



Marilyn J. Petersen

My name is Steve Collins and I live at 1790 S Monument trail for the last 20 + years. There has never been to the best of my knowledge a motel or hotel in the area that is being looked at. The addition of a motel/hotel in in this area would only add to the demands on the limited water supply as well as coming up with a system to deal with waste water. I can not find one good reason to permit a hotel/motel to built in this area. I am strongly opposed to a hotel/motel in this area of Tucson, especially considering the proximity to the Saguaro National Park. The increase in traffic, illegal parking and so on is not worth the trouble caused for a few dollars.

Steve Collins

A handwritten signature in cursive script that reads "Steve Collins".

Constance J. Franz  
11631 East Calle Javelina  
Tucson, AZ 85748-8356  
520-546-0356  
cfranz1040@aol.com

July 14, 2015

Pima County  
Board of Adjustment District 4  
201 N. Stone Ave.  
Tucson, AZ 85701

Attention: Richard Schaefer, Jack Mann, Matt Gage, Steven C. Eddy, and Maureen Tozzi

Re: Co10(4)15-01 EL CORTIJO LLC – S. OLD SPANISH TR.

Please do not allow a lapsed non-conforming use on this property.

I have lived on the far east side of Tucson (near 22nd and Harrison), on and off, since 1956 and most recently at the above address since January 21, 1999. Never have I seen or heard of anything that would support the idea of the above referenced property as a motel or short term residence of any kind.

I have regularly seen a large "for rent" sign posted on the property, both in the last 16-plus years and the other times I have lived on the east side dating back to when the Calvert houses were originally built. Years ago, I was acquainted with several people who rented there, often for several years at a time.

Sincerely,

A handwritten signature in black ink, appearing to be 'CJ Franz', written over a horizontal line.

Constance J. Franz

7/13/15

Boad of Adjustment District #4  
Public Works Center  
201 N Stone AVE  
Tucson AZ 85701

Mr. & Mrs. David Franz  
11750 E Irvington Rd  
Tucson AZ 85747

Subject: Co10(4)15-01 El Cortijo LLC-South  
Old Spanish Trail-Appeal of Zoning  
interpretation

Our names are Margaret @ David Franz and we live at 11750 E Irvington Rd and have lived there for 57 years. To our knowledge the property at 3700 S. Old Spanish Trail has never been used for short time rentals or advertised as a motel or used 30 days or less for short time rentals.

Sincerely

Margaret & David Franz

July 14, 2015

Pima County Board of Adjustment Dist. 4  
201 North Stone Avenue  
Tucson, AZ 85701

Subject: Co10(4)15-01 El Cortijo LLC  
3700 S. Old Spanish Trail  
Appeal of Zoning Interpretation

For over 33 years, I have live in this neighborhood. During that time, nothing I have observed has ever caused me to think that the residences by Saguaro Corners were used as a motel of any kind.

I have never seen any advertising or signage that would indicate it was a motel.

To all appearances, the occupants and their possessions (many visible from Escalante) have seemed to be long-term residents.



Melinda Bee  
11171 E. Escalante  
Tucson, AZ 85730

Board of Adjustment District #4  
Public Works Center  
201 N. Stone Ave  
Tucson, AZ 85701

15 July 2015  
David Hoffman  
3505 S. Hunters Run  
Tucson, AZ 85730

Subject: Co10(4)15-01 El Cortijo LLC- South Old Spanish Trail - Appeal of Zoning Interpretation

My name is David Hoffman and I live at 3505 S. Hunters Run and have lived there for nearly three years. To my knowledge, the property at 3700 S. Old Spanish Trail has never been used for short term rentals, nor has it ever been advertised as a motel or used for short (less than 30 days) term rentals.

I have lived in Tucson since 1969 and been a frequent visitor to Saguaro National Park East for over 25 years. I have never seen any signage, advertising or materials at the disputed location stating it was a motel or available for short-term rentals. Simply put, it has NEVER been a motel.

Sincerely,

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

Law Offices

**ABOUD & ABOUD, P.C.**

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Michael J. Aboud  
John Eli Aboud  
Shelley Lynn Aboud (1954 - 2007)  
John Aboud, Sr. (1916 - 2000)  
Edward Aboud (1904 - 1980)

1661 North Swan Road, Suite 234  
Tucson, Arizona 85712-4053

Telephone  
(520) 623-5721  
Telefax  
(520) 623-5727  
E-Mail  
johneli@aboudlaw.com

July 13, 2015

Board of Adjustment  
Public Works Center  
201 N. Stone Ave  
Tucson, AZ 85701

Re: Co10(4)15-01 El Cortijo LLC- South Old Spanish Trail - Appeal of Zoning Interpretation

Members of the Board:

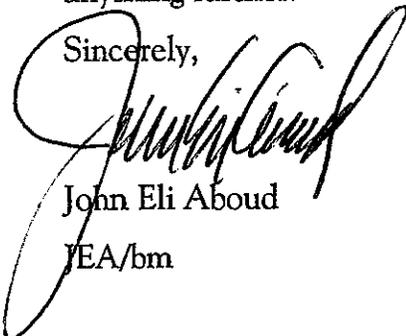
I have lived at 3650 S. Hunters Run since 1977 (38 years). My home is about 6 - 8 blocks from the property at 3700 S. Old Spanish Trail. However, I have known and been friends with the prior owner of that property, Frank Calvert, and his children. In fact for many years his son Dale was our law firm's CPA and I represented his daughter in some legal matters.

I am quite familiar with the property at 3700 S. Old Spanish Trail and its use. It has never been used for short term (less than 30 days) rentals nor has it ever been advertised as a motel or for short term rental. Quite to the contrary, the rental units there have been used only for LONG term rental. For example, I know as far back as 1977 the previous owners of my home, Mr. & Mrs. Don Jameson, moved into one of Frank's rentals at 3700 S. Old Spanish Trail and lived there for several years. Then in about 2000 - 2002 when my daughter was wanting to live on her own I talked with Frank and almost signed a year's lease for one of the units but then my daughter decided she didn't want to be that close to home.

However, to confirm this above information I called Dale Calvert today and he confirmed that his father rented the units only on a long term basis. He also told me he told the current owners of the property that it was never used for nor advertised as a motel or for short term renting.

I certainly hope this information helps in your decision. Feel free to call me if you need anything further.

Sincerely,



John Eli Aboud

JEAB/bm

Board of Adjustment District #4  
Public Works Center  
201 N. Stone Ave  
Tucson, AZ 85701

July 13, 2015

Subject: Co10(4)15-01 El Cortijo LLC- South Old Spanish Trail - Appeal of Zoning Interpretation

Dear Members,

My name is Jim Campbell and I represent Saguaro Corners (owned by OT Mesquite) which is adjacent to the property in question for this appeal. I strongly oppose this appeal as the owners are trying to circumvent the public process which is required for their Conditional Use Permit. A few salient points:

**This property has consistently been long term rentals.** OasisTucson, our company, had the property in question in escrow to purchase prior to the crash of 2008. In all of our research and determinations we found that the property had consistently been used as long term rentals. As we were looking to build single family homes there was much discussion about the transition of the long term renters from the project.

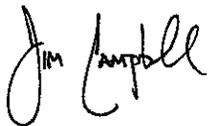
**Any non-conforming use was on our property not the Rentals property.** The non-conforming use was for an operating gas station and a cafe. When our parcel was rezoned to C-1 and the gas station abandoned our non-conforming uses were then made conforming to the zoning code. The Rentals was/is a separate parcel and is conforming as long term rentals on SR zoning.

**This property mandates a public process.** The owners of the appeal property are trying to bypass a much needed public process. This property is across the street from Saguaro National Park, one of the jewels of Pima County. Being along Old Spanish Trail and its proximity to the Park should mandate a public process for a Conditional Use Permit under SR.

**The owners have not been transparent.** Rather they have been manipulative in trying to get their project through. When I personally met with the owner (only once) I was guaranteed view sensitivity, single stories and open space. Three months later and to my surprise they were presenting to Pima County an open sewage pond next to my restaurant, a two story building and new residential where the open space was once promised.

I, as well as the Saguaro National Park and the other surrounding neighbors, would appreciate the owners following the correct guidelines for a Conditional Use Permit and proceed down the proper public process.

Sincerely,



Jim Campbell

**R. ROY JOHNSON & LOIS T. HAIGHT**

**3755 S. HUNTERS RUN**

**TUCSON, AZ 85730**

Phone:(520)721-5708

E-MAIL: rroylois@aol.com

July 13, 2015

Board of Adjustment District #4  
Public Works Center  
201 N. Stone Ave  
Tucson, AZ 85701

**Subject:** Co10(4)15-01 El Cortijo LLC- South Old Spanish Trail - Appeal of Zoning Interpretation

Please reject the proposal for a "Bike Ranch."

We have lived at 3755 S. Hunters Run since 1989, approximately one mile from 3700 S. Old Spanish Trail, the property in question.

During the past 26 years we have known individuals that have lived on that property. To our knowledge, the property has never been used for short term rentals, nor has it ever been advertised as a motel or used for short (less than 30 days) term rentals.

Tucson and vicinity profits from a large array of world-wide visitors to Saguaro National Park. We are greatly concerned with the probable impacts on the Park from a motel, associated commercial activities, and increased traffic at the boundary of the Park.

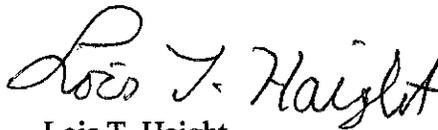
Roy is a PhD biologist, and had a joint appointment as a Senior Research Scientist for the National Park Service and Professor of Renewable Natural Resources at the University of Arizona until 1992. Research that Roy conducted at Saguaro National Park included projects with wildlife, including nocturnal birds, e.g., the Western Screech-Owl (*Megascops kennicottii*) and Elf Owl (*Micrathene whitneyi*).

Thank you.

Sincerely,



R. Roy Johnson PhD  
Research Scientist



Lois T. Haight

July 14, 2015

Pima County Board of Adjustment Dist. 4  
201 North Stone Avenue  
Tucson, AZ 85701

Subject: Co10(4)15-01 El Cortijo LLC  
3700 S. Old Spanish Trail  
Appeal of Zoning Interpretation

We have lived in our home for more than 44 years. To the best of our knowledge, the residential houses behind Saguaro Corners have never been used for the purpose of a motel.

In fact, a gentleman that we knew lived in one of the houses for several years as his primary residence.

*Burdette Bee*

*Jerry Bee*

Burdette & Jerry Bee  
11171 E. Escalante Rd.  
Tucson, AZ 85730

July 14, 2015

Board of Adjustment District #4

Public Works Center

201 N Stone Avenue

Tucson, AZ 85701

Subject: Co10(4)15-01 El Cortijo LLC-South Old Spanish Trail-

Appeal of Zoning Interpretation

My name is RICHARD HAGUE and I live at 3399 S. Saguario  
Shadows Drive and have lived there for 25 years. My home is in the 300 foot  
notification area for this zoning interpretation appeal. To my knowledge, the  
property at 3700 S Old Spanish Trail has never been used for short term rentals, nor  
has it ever been advertised as a motel or used for short (less than 30 days) term rentals.

Sincerely

R Hague

To  
The Board of Adjustment  
County - City Public Works Center  
Second Floor  
201 N Stone Ave  
Tucson, AZ 85701

Regarding Case Co10(4)15-01  
El Cortijo LLC - South Old Spanish Trail

As an abater living here 12 years, the Motel variance has never been in use when I've lived here, or when my neighbors (who have been here longer) have lived here. My husband and I bought here for the peace, quiet and unspoiled beauty of this area. This lake resort would encroach on my privacy and place of mind as an artist and writer. It's too big for the area, it was misrepresented from the beginning and it is unfair ~~to~~ and sneaky-handed to present this petition at a time when the people most affected are out of town. I am against this wholeheartedly

Valerie Kravette  
3635 S Saguaro Shadows  
Dr.  
Tucson, AZ 85730

(520) 256-9684

vafk@yahoo.com

**Courtney Ashbrook**

**3655 S Hunters Run**

**Tucson, AZ 85730**

July 13, 2015

Board of Adjustment District #4

Public Works Center

201 N Stone Ave

Tucson, AZ 85701

To Whom It May Concern:

My name is Courtney Ashbrook and I reside at 3655 S Hunters Run and have lived here since 1980, or 35 years.

During this time I became familiar with the Calvert family and their respective businesses, including restaurant, gas station, rental homes and the community water company they owned. To my knowledge the property in question, 3700 S Old Spanish Trail was never a motel, but rather long term rental homes.

Sincerely,

A handwritten signature in black ink that reads "Courtney Ashbrook". The signature is written in a cursive, flowing style.

Courtney Ashbrook

**George D. Ashbrook and Courtney J. Ashbrook  
3655 S. Hunters Run  
Tucson, Arizona 85730**

**July 12<sup>th</sup>, 2015**

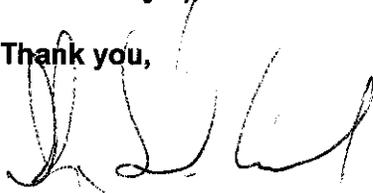
**Subject: Co10(4) 15-01 El Cortijo LLC – South Old Spanish Trail – Appeal of  
Zoning Interpretation - Located at 3700 S. Old Spanish Trail**

**To whom it may concern:**

**We have owned and lived at our primary residence at the above indicated address  
since 1980 or 35 years.**

**The rentals around Saguaro Corners were always one year or longer rentals. Mr  
Calvert, who was the property owner, also lived in one house, and his son, Bob,  
lived in another. This property has never been used for short term rentals,( less  
than 30 days ), nor has it been advertised as a motel.**

**Thank you,**

A handwritten signature in black ink, appearing to read 'G. Ashbrook', written over the 'Thank you,' text.

**George D. Ashbrook**

July 14, 2015

Board of Adjustment District #4

Public Works Center

201 N Stone Avenue

Tucson, AZ 85701

Subject: Co10(4)15-01 El Cortijo LLC-South Old Spanish Trail- Appeal of Zoning Interpretation

My name is Ellen D. Barnes and I live at 3501 S. Saguaro Shadows Drive, Tucson, Arizona, 85730. My husband and I have lived here since 1985. To my knowledge, the property at 3700 S. Old Spanish Trail has never been used for short term rentals, nor has it ever been advertised as a motel or used for short (less than 30 days) term rentals.

When I went to teach at Tanque Verde Elementary School in 1971, one of the secretaries was residing in Mr. Calvert's rentals at this address.

The area is zoned for Suburban Ranch homes. The owners of property within one mile west of Freeman Road to Melpomene Road, and south from Broadway Blvd. to Old Spanish Trail put covenants on their properties to protect the Park from having higher density residents and commercial property beside the Park. Covenants for the subdivisions west of the Calvert property, and north of Escalante Road already existed.

To the best of my knowledge all lots sold by Mr. Calvert in the last 30+ years, in the Old Spanish Trail, Escalante Road area were sold as Suburban Ranch lots.

The Calvert Family enjoyed the wildlife, obviously respected the Buffer Zone requirements, and after their father died, sold the above property as being SR zoned with the non-conforming, but grandfathered, 1950's rentals.

Sincerely,

A handwritten signature in cursive script that reads "Ellen D. Barnes". The signature is written in black ink and is positioned below the typed name "Ellen D. Barnes".

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Sent from my iPad  
Board of Adjustment District District 4  
Public Works Center  
Tucson, Arizona

July13,2015  
Nancy Shemroske  
3551 S. Saguaro Shadows PL

Subject: Co 10(4)15-01 ElCortijo LLC South Old Spanish Trail Appeal of zoning interpretation

My name is Nancy Shemroske, I live at 3551 S. Saguaro Shadows PL. I have lived here for over 20 years and to the best of my knowledge the property in question has never been used for short term rentals, nor has this property been used as a motel or advertised as such or short term rentals.

I believe that the ElCortijo LLC will go to any length to have the zoning changed on the afore mentioned property. The records should show if their was ever a motel on this property.

Please reject their asking for a zoning permit to allow this or any other short term rentals.

Sincerely,  
Nancy Shemroske

Board of Adjustment District #4  
Public Works Center  
201 N. Stone Ave  
Tucson, AZ 85701

July 14, 2015

Kathryn McGuire  
4000 S. Javelina Run Trail  
Pima County, Tucson, Az 85730

**Subject: Co10(4)15-01 El Cortijo LLC- South Old Spanish Trail :  
Appeal of Zoning Interpretation**

My name is Kathryn McGuire and I live at 4000 S. Javelina Run Trail and have lived there, full time, for over 20 years. Living about a half mile away from the property , 3700 S. Spanish Trail and the National Park, I have walked the area many times. I often noticed

the cute little houses that were rented, and the people who were there over the years.

I remember about 8 years ago, we met a young man, who was working for the park service, and rented one of the little houses for more than a year.

To my knowledge, the property at 3700 S. Old Spanish Trail has never been used for short term rentals, nor has it ever been advertised as a motel or used for short (less than 30 days) term rentals.

If you would like to contact me about this issue, I can be reached at 520-296-2735.

Thank you for giving this your attention.

Sincerely,



Board of Adjustment District #4  
Public Works Center  
201 N. Stone Ave  
Tucson, AZ 85701

July 14, 2015

Norman Rubin  
4000 S. Javelina Run Trail  
Tucson, Az 85730

**Subject: Co10(4)15-01 El Cortijo LLC- South Old Spanish Trail :  
Appeal of Zoning Interpretation**

My name is Norman Rubin and I live at 4000 S. Javelina Run Trail and have lived there, full time, for over 20 years.

To my knowledge, the property at 3700 S. Old Spanish Trail has never been used for short term rentals, nor has it ever been advertised as a motel or used for short (less than 30 days) term rentals.

I live about a half mile away from Saguaro Park East, which is across the street from this address. I have spent many years walking in that area. There were people living in those little houses for a long time. In fact my daughter dated a young man, who was living there for more than a year.

If you would like to contact me, I can be reached at 520-403-8947.

Sincerely,

A handwritten signature in cursive script, appearing to read "Norman Rubin". The signature is written in black ink on a white background.

Cedric and Barbara Berheim  
11535 E. Escalante Rd  
Tucson, AZ 85730

July 14, 2015

Board of Adjustment District #4  
Public Works Center  
201 N. Stone Ave  
Tucson, AZ 85701

**Subject:** Co10(4)15-01 El Cortijo LLC – South Old Spanish Trail – Appeal of Zoning Interpretation

Our names are Cedric and Barbara Berheim and we live at 11535 E. Escalante Rd. Our property borders the El Cortijo property on the western side. We purchased this home in 2009 and to our knowledge, the property at 3700 S. Old Spanish Trail has never been used for short term rentals, nor has it been advertised as a motel or used for short (less than 30 days) term rentals since 2009 when we have lived at this address.



July 13, 2015

D. J. & U. W. Fillman  
1440 S Monument Tr  
Tucson, Az 85748

Board of Adjustment District #4  
Public Works Center  
201 N. Stone Ave  
Tucson, Az 85701

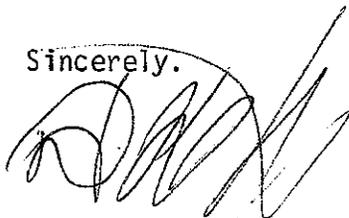
Subject: Co10(4) 15-01 El Cortijo LLC-South Old Spanish Trail- Appeal of Zoning Interpretation

Our names are D.J. and U.W. Fillman. We own and reside at 1440 S. Monument Tr., and have lived there for over 22years. To our knowledge, the property at 3700 S. Old Spanish Trail has never been used for short term rentals nor has it ever been advertised as a motel or available usage as short(less than 30 days) term rentals.

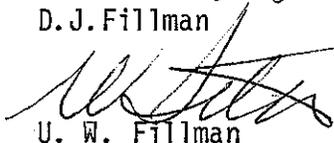
Our thanks to the Deputy Chief Zoning Inspector for his in-depth assessment of the subject/applicant's appeal and for his decision to deny this appeal request.

We as residents of the "buffer zone" are resolutely against any development that does not comply with the present SR zoning.

Sincerely,



D. J. Fillman



U. W. Fillman

July 13, 2015

Catherine M. A. Gale  
11651 E. Camino Lejano  
Tucson, AZ 85748

Board of Adjustment District 4  
Public Work Center  
201 N. Stone Avenue  
Tucson, 85701

Re: Co10(4)15-01 El Cortijo LLC- South Old Spanish Trail – Appeal of Zoning Interpretation

My name is Catherine M. A. Gale and I have been a resident in Tucson, Arizona, Pima County for 31 years. I own and reside at 11651 E. Camino Lejano, Tucson, Az. 85748 and have live there since 1996. To my knowledge and belief, the property at 3700 Old Spanish Trail has never been used for short term rentals nor has it ever been advertised as a motel or motor court or available usage as short (less than 30 days) term rentals.

As a property owner and resident in the Buffer Overlay Zone, I am adamantly against any development of this property as a motel, motor court or minor resort. To allow such will defeat the purpose of the Buffer Overlay Zoning, that is to protect Saguaro National Park.

Sincerely,

A handwritten signature in cursive script that reads "Catherine M.A. Gale".

Catherine M. A. Gale

Board of Adjustment District #4  
Public Works Center  
201 N. Stone Ave  
Tucson, AZ 85701

July 13, 2015

Subject: Co10(4)15-01 El Cortijo LLC- South Old Spanish Trail - Appeal of Zoning Interpretation

Dear Members,

My name is Jim Campbell and I represent Saguario Corners (owned by OT Mesquite) which is adjacent to the property in question for this appeal. I strongly oppose this appeal as the owners are trying to circumvent the public process which is required for their Conditional Use Permit. A few salient points:

**This property has consistently been long term rentals.** OasisTucson, our company, had the property in question in escrow to purchase prior to the crash of 2008. In all of our research and determinations we found that the property had consistently been used as long term rentals. As we were looking to build single family homes there was much discussion about the transition of the long term renters from the project.

**Any non-conforming use was on our property not the Rentals property.** The non-conforming use was for an operating gas station and a cafe. When our parcel was rezoned to C-1 and the gas station abandoned our non-conforming uses were then made conforming to the zoning code. The Rentals was/is a separate parcel and is conforming as long term rentals on SR zoning.

**This property mandates a public process.** The owners of the appeal property are trying to bypass a much needed public process. This property is across the street from Saguario National Park, one of the jewels of Pima County. Being along Old Spanish Trail and its proximity to the Park should mandate a public process for a Conditional Use Permit under SR.

**The owners have not been transparent.** Rather they have been manipulative in trying to get their project through. When I personally met with the owner (only once) I was guaranteed view sensitivity, single stories and open space. Three months later and to my surprise they were presenting to Pima County an open sewage pond next to my restaurant, a two story building and new residential where the open space was once promised.

I, as well as the Saguario National Park and the other surrounding neighbors, would appreciate the owners following the correct guidelines for a Conditional Use Permit and proceed down the proper public process.

Sincerely,



Jim Campbell

**Thomas Drzazgowski**

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**From:** Betty Sanchez  
**Sent:** Wednesday, July 8, 2015 2:25 PM  
**To:** Thomas Drzazgowski  
**Subject:** FW: Feedback Form 2015-07-08 02:11 PM Submission Notification

*Betty*

Pima County Development Services  
Director's Office  
520-724-6506  
Website: [http://webcms.pima.gov/government/development\\_services/](http://webcms.pima.gov/government/development_services/)

**From:** notification@pima.gov [mailto:notification@pima.gov]  
**Sent:** Wednesday, July 08, 2015 2:11 PM  
**To:** Director  
**Subject:** Feedback Form 2015-07-08 02:11 PM Submission Notification

**Feedback Form 2015-07-08 02:11 PM** was submitted by Guest on 7/8/2015 2:11:16 PM (GMT-07:00)  
US/Arizona

Name	Value
<b>First Name</b>	Joy
<b>Last Name</b>	Tucker
<b>Email</b>	<a href="mailto:joytucker55@gmail.com">joytucker55@gmail.com</a>
<b>Address</b>	12331 E Los Reales Rd
<b>City</b>	Tucson
<b>State</b>	AZ
<b>Zipcode</b>	85747

**Message Subject** El Cortijo-Old Spanish Trail Hearing Bike Ranch

Dear Mr. Drzazgowski: I have lived in the area for the past 6 years and know that the property in question where the Bike Ranch is proposed has never had short term rentals.  
**Comment** There has never been a motel there. I oppose the Bike Ranch as it will negatively impact our Saguaro National Park desert and all the area around Old Spanish Trail. I am not able to make the public hearing July 14th hence this email. Thank you, Joy Tucker

**Response requested** Yes

**Referred\_Page** <http://webcms.pima.gov/cms/One.aspx?portalId=169&pageId=63389>

Thank you, Pima County, Arizona

## Thomas Drzazgowski

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**From:** Plyn458 <plynn458@aol.com>  
**Sent:** Tuesday, July 14, 2015 10:56 AM  
**To:** Thomas Drzazgowski  
**Cc:** Betty Sanchez  
**Subject:** Co10(4)15-01 El Cortijo LLC- South Old Spanish Trail- Appeal of Zoning Interpretation

Dear Board of Adjustment District #4 Representatives,

My name is Paige Heath and I reside at 11478 E Old Spanish Trail. I have lived at my current address for almost 6 years, but have lived in this general area for a total of 38 years. To my knowledge, the property at 3700 S Old Spanish Trail has never been used for short term rentals, nor has it ever been advertised as a motel or used for short (less than 30 days) term rentals.

The parcel that they are trying to rezone lies in the buffer zone for Saguaro National Monument East. This buffer zone area has stipulations of what can be done with the land, because it is an area that needs to be left as natural as possible to protect the wildlife that abounds in the area surrounding the monument. This general location also contains many riparian areas that have to be left natural, as per advisory of the Pima County Developmental Services employee that I have spoken with. This parcel is in an area that contains residential ranch type homes on acreage. The only 2 roads that lead in and out of this area are both two lanes and they are filled with pot holes, and completely cracking apart. These roadways are already in dire need of repair, and additional traffic will only make them worse. More traffic will also have a negative effect on wildlife, joggers, and bicyclists that are in the area.

Old Spanish Trail is labeled a scenic byway, and we need to work hard to maintain the natural areas around Saguaro National Park. A resort in the area so close to the park would have negative impacts, and once built can not be undone.

Sincerely, Paige Heath

# 3700 South Old Spanish Trail

