



REQUEST TO SPEAK

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Request to Speak cards must be submitted to City Staff **BEFORE** public testimony begins.
Public testimony is limited to three (3) minutes per speaker.
Additional time MAY be granted to speakers representing two or more persons.
Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) Jerry Wortham MEETING DATE 11/7/19

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS Rancho Vista Dr ZIP 85251

HOME PHONE 662-397-0707 WORK PHONE _____

E-MAIL ADDRESS (optional) jerry.wortham@yahoo.com

☐ I WISH TO SPEAK ON AGENDA ITEM # 4 ☒ I WISH TO DONATE MY TIME TO Colleen Klapac

☐ I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.

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NAME (print) Patti Frinzi MEETING DATE 11-7-19

NAME OF GROUP/ORGANIZATION (if applicable) VM

ADDRESS 7831 E Highland Ave ZIP 85251

HOME PHONE _____ WORK PHONE _____

E-MAIL ADDRESS (optional) _____

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NAME (print) SUSAN MONAN MEETING DATE 11/7/19

NAME OF GROUP/ORGANIZATION (if applicable) _____

ADDRESS 7713 E Rancho Vista Drive ZIP 85251

HOME PHONE 716-632-0911 WORK PHONE _____

E-MAIL ADDRESS (optional) smmonan@gmail.com

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NAME (print) Michael Sikes PhD MEETING DATE 11/7

NAME OF GROUP/ORGANIZATION (if applicable) Villa Monkey 5/5A

ADDRESS 7831 E. Highland ZIP 85251

HOME PHONE 805-448-7713 WORK PHONE Same

E-MAIL ADDRESS (optional) _____

☐ I WISH TO SPEAK ON AGENDA ITEM # 4 ☒ I WISH TO DONATE MY TIME TO Colleen Klapak

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NAME (print) Helen Dowell MEETING DATE 11/7/19
NAME OF GROUP/ORGANIZATION (if applicable) VILLA MONTEREY III
ADDRESS 7701 E. RANCHO VISTA DR. ZIP _____
HOME PHONE 602-999-5554 WORK PHONE _____
E-MAIL ADDRESS (optional) _____

☒ I WISH TO SPEAK ON AGENDA ITEM # 4 ☒ I WISH TO DONATE MY TIME TO Colleen Klapac

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NAME (print) Bernice Stilger MEETING DATE 11-07-19
NAME OF GROUP/ORGANIZATION (if applicable) _____
ADDRESS 7664 E Rancho Vista Dr. ZIP _____
HOME PHONE 406-945-2416 WORK PHONE _____
E-MAIL ADDRESS (optional) stilgerb@gmail.com

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NAME (print) Deborah Benson MEETING DATE 11/7/2019

NAME OF GROUP/ORGANIZATION (if applicable) Villz Monterey

ADDRESS 7056 E Chaperreal Rd ZIP 85250

HOME PHONE 760-574-0817 WORK PHONE _____

E-MAIL ADDRESS (optional) benson7705@msn.com

☒ I WISH TO SPEAK ON AGENDA ITEM # 4 ☐ I WISH TO DONATE MY TIME TO Donating my time to
collective

☐ I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

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NAME (print) DEBRA LENTZ MEETING DATE 11-7-19

NAME OF GROUP/ORGANIZATION (if applicable) VMIV

ADDRESS 7714 E Northland Dr ZIP 85251

HOME PHONE 602-743-9544 WORK PHONE _____

E-MAIL ADDRESS (optional) _____

☒ I WISH TO SPEAK ON AGENDA ITEM # 4 ☐ I WISH TO DONATE MY TIME TO _____

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NAME (print) Philip Ellis MEETING DATE 11-7-19

NAME OF GROUP/ORGANIZATION (if applicable) Villa Monterey Recreation Assn.

ADDRESS 7687 E. Hazelwood St ZIP 85251

HOME PHONE 480.946.1703 ^{CELL} WORK PHONE 307.331.0451

E-MAIL ADDRESS (optional) vp4vmra2@gmail.com

☒ I WISH TO SPEAK ON AGENDA ITEM # 4 ☐ I WISH TO DONATE MY TIME TO _____

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NAME: Colleen Klapac

Name of GROUP/ORGANIZATION: Villa Monterey Unit 3, & Board Member

ADDRESS: 4810 N 78 Street, Scottsdale, AZ 85251

HOME PHONE: 480-219-3227

E-MAIL ADDRESS: das3fre@cox.net

*Exceeded time
10 min*

☒ I WISH TO SPEAK ON AGENDA ITEM # 4 ☐ I WISH TO DONATE MY TIME TO _____

☐ I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

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WRITTEN COMMENTS

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This card is used to submit written comments to the Board or Commission.
Written comment cards may be submitted to the Staff at any time. Cards submitted after public testimony has begun will be provided to the Board or Commission at the conclusion of the testimony for that item.

NAME: Colleen Klapac

Name of GROUP/ORGANIZATION: Villa Monterey Unit 3, & Board Member

ADDRESS: 4810 N 78 Street, Scottsdale, AZ 85251

HOME PHONE: 480-219-3227

E-MAIL ADDRESS: das3fre@cox.net

E-MAIL ADDRESS(optional) _____

AGENDA ITEM # 4 (Non-Action Agenda) ☐ SUPPORT ☐ OPPOSE

COMMENTS (additional space is provided on the back) 3 Attachments 1 = Comments 1 page
2 = 10-25-19 Email + Attachments = 8 pages
3 = 10-18-19 Email + Attachments = 11 pages

HPC 11-7-19 Meeting Submission by Colleen Klapac (VM3) on the Scottsdale yellow card "Written Comments"

Before we go **ANY** further there are Two Core Fundamental Issues:

1. Fact Sheet - Scottsdale's Historic Preservation (HP) Program

This document was developed by HP before VM became a Historic District. This document states what the purpose, the effects, and oversight of HP would be for VM if VM were to become part of the HP program. (see attachments)

This is what the basis and parameters of the current Draft document should be based upon and limited should be. What is needed to have this implemented?

2. Scottsdale Revised Code

What is the interpretation that Scottsdale and the HP Commission has of the Code as it relates to Historic Districts?

What authority does HPO and HPC have to deviate from the Code?

Does the Fact Sheet above fall within the parameters of the Code?

If not, how can HPC remedy the code so that the HPC authority is limited to what is stated in the Fact Sheet? (see attachments)

Correction to 10-3-19 Letter from Colleen Klapac to each of the Historic Preservation Commissioners and Staff

See Note 1. following "Attachment" at the end of the letter on page two, Note 1. reads as follows:

"Note 1. Please remember that our residents/owners are 55 years old and older; and that many do NOT have access to a computer and do not know how to use a computer (and can not readily go to the library for assistance to use a computer and to print the HP document, as one Commissioner Buzzelo suggested); and that some owners are 'snowbirds' or are not here year round so that they do NOT have excessive time to submit, have reviewed, and get approval so that they can additionally complete their house related repairs and projects."

Please delete the name "Buzzelo" at the beginning of line 4.

HP Commissioner Buzzelo contacted me in writing and therein stated, "You will note at the 2:04 mark of the recording that the comment regarding the library was made...NOT by me. My voice is distinctly recognizable throughout the recording and clearly it was not me who made that comment!"

Commissioner Buzzelo is correct, I can **not** tell by the voice recording which of the HP Commissioners made that statement.

Please accept my profound apologies for not being able to positively identify the correct Commissioner. And I extend my profound apologies to Commissioner Buzzelo.

Further, please correct my statements in writing in my 10-3-19 Letter and in the voice recording of that HPC Meeting.

Sincerely and respectfully,



Colleen Klapac

VM3

Historic Preservation Plan and Guidelines VM 1-7 + Records Pre Historic Designation + 3-9-18 Email to Steve Venker

COLLEEN KLAPAC

10/25/2019 5:49 PM

To svenker@scottsdaleaz.gov Copy [Colleen](#)

Actions

3 attachments

Dear Mr. Venker, Commissioners, and Staff,

Please forward and distribute this email and the 3 attachments to each Commissioner, your Staff, and any and all individuals involved with Villa Monterey Historic Preservation before the November 7, 2019 HPC Meeting, so that each person can be prepared to address the contents of this email and each of the attachments. I request that this email and each attachment be submitted for the permanent record for the HPC November 7, 2019 Meeting. Further, I would appreciate having sufficient copies of this email and Attachment 3 available for all guests at the HPC November Meeting.

Attached:

1. Copy of 3-9-18 email from Penelope Meyers to Steve Venker, RE: " "Historic Preservation Plan and Guidelines" - for Villa Monterey Units 1-7".
2. **Talking points w Debbie Abele's edits of Scottsdale's Historic Preservation (HP) Program - Fact Sheet.**
3. **Talking points - Final document of 2 above shared with residents (developed jointly by HPC with assistance from Penelope Meyers).**

Background:

When HPC was interested and studying Villa Monterey as a potential historic designation, a series of meetings were held with The Commission and VM homeowners. Many questions were asked and responded to especially by Don Meserve and Debbie Abele. Support from the residents was questionable so the decision was made that VM representatives would

contact fellow owners and share the implications of HPC on a one-to-one basis and ask whether or not they were supportive. To that end, Penelope Meyers worked with Debbie Abele, then HPC's historic consultant, to draft talking points, and then to finalize information and a "Fact Sheet" for each owner. Please see Attachment 2 for the working copy, and Attachment 3 for the final "Fact Sheet". Then great effort was made to share this information with each homeowner and thereupon to survey each as "supportive" or "not supportive" of becoming a Historic District. **Their decisions were based upon the information that HPC gave VM before we became a HP.**

Please read Attachment 1. On 3-9-18 Penelope Meyers (VM3) emailed Mr. Venker and attached the Fact Sheet referenced in Attachments 2 and 3 above.

On March 12, 2018 Mr. Venker responded to Penelope Meyers by email. His email response included, " Your comments will be passed on to the HPC for consideration".

Please read Attachment 3. Please read each statement and bullet carefully. The facts that defined what HP would be for VM were repeatedly and directly told to VM. **The original facts that were told to VM by HP are NOT the facts that HPC and the HPO are currently telling VM and implementing today. They are blatantly different.**

More Recently:

This is one paramount reason why so many of the VM representatives and VM3 have continued to request dramatic changes to the current document repeatedly in writing, and verbally during HPC formal Meetings, during informal meetings, and casually (also refer to Colleen Klapac's submissions, letters, and attachments for the 9-5-19, 10-3-19, 10-17-10 HPC Meetings, etc. that are on record).

One excerpt from my 10-3-17 Letter to HPC follows:

"When VM3 was first considering becoming a Historic District, residents listened hard and worked well with City representatives to see what this would mean. Then, residents worked hard and long to become a HD, including attending many City Council Meetings. Most unfortunately though, after being designated as a HD we have been experiencing a much wider definition, a much more highly controlled and most often lengthy process, conflicts in definitions, etc., etc.....What we were originally told to expect is NOT what we are experiencing! The subject draft document is a vastly greater over reach than what we were originally told. The document is too vast and too long."

Questions for the Historic Preservation Office and each Historic Preservation Commissioner follow:

1. Please address **every line** of Attachments 3 at the November 7, 2019 HPC Meeting as they stand.

2.. How can you rectify each difference between the attached "Fact Sheet" and the "Villa Monterey Units 1-7 Historic District Historic Preservation Plan and Guidelines and the VM 1-7 Appendixes" so that in the event of any inconsistency the Order of Precedence shall be as follows and in the following order:

- (1) "Fact Sheet" (Attachment 3),
- (2) VM 1-7 Appendixes of the Historic Preservation Plan and Guidelines VM 1-7,
- (3) Historic Preservation Plan and Guidelines VM 1-7, and
- (4) Any subsequent submissions or documents?

Note: This is the order that must prevail.

3. After you were in receipt of the "Fact Sheet" , was the "Fact Sheet" shared during any of the HPC Meetings with representative from VM 1-7? If so when and with whom? If not, why?

4. Was the "Fact Sheet" shared 'up the ladder' with those persons and groups that oversee HPO and HPC? If so when and with whom? If not, why?

5. Outside of the HPC Minutes (and the availability of meeting audio recording), has ongoing verbal input, letters and attachments from VM been shared 'up the ladder' with those persons and groups that oversee HPO and HPC? If so when and with whom? If not, why?

Thank you for your efforts to resolve our requests.

Feel free to share this email and information as you deem appropriate.

Respectfully submitted,

Colleen Klapac, VM3 Board

phone: 480-219-3227

email:

3 Attachments

Note: Bcc were sent to additional representatives.

From: Penelope Meyers

Subject: "Historic Preservation Plan and Guidelines" for Villa Monterey Units 1-7

Date: March 9, 2018 at 12:42:58 PM MST

To: Venker Steve Mr Venker:

While at VM 3's annual meeting, you provided a web address that could be used by residents to submit comments to you and members of the Historic Preservation Commission. Although I'm able to access that site, I'm having difficulty populating the 'comments' section (perhaps my message is too lengthy). So instead of using that site, the attached document outlines my thoughts. I'm asking that you forward the document to the HPC members so that they may see them in addition to yourself.

Confirmation of this email, and acknowledgement that my comments were forwarded, would be appreciated.

[Note: this was sent with and Attachment.]

Those items written in are in red ink on the original. Since my copier does not copy red ink, I hand wrote them.

Scottsdale's Historic Preservation

Fact Sheet

- Mission:** To preserve individual properties and neighborhoods deemed to have significant historic and architectural importance.
- Registry:** A "Historic District" designation would be registered on Scottsdale's Historic Register. This is not a state or federal designation.
- Status:** Currently, Scottsdale's Historic Register consists of 15 individual buildings & 2 neighborhoods.

Facts Regarding Historic Designation

Taxes

- There are no tax implications associated with being named a Historic District—taxes neither go up nor down.

Property Values

- AZ statistics show that, homes in Historic Districts have a higher than normal resale value and sell more quickly.

Property Modification

- HP is committed to ensuring that neighborhoods remain viable. They, therefore, encourage and support home upgrades & remodels
- HP District guidelines are not as restrictive as most CC&Rs.
- Historic Preservation staff or Commissioners only reviews property modification plans when the proposed change affects the exterior of a home, and only when a building permit is required for the work to be performed. Changes to a home not visible from the street are considered of little consequence. There is no review of interior changes.
- HPC does not have input regarding: paint colors, window coverings, installation of front patio doors and door and window replacement that does not affect the structure, or landscaping.
- To support residents in their remodeling efforts, HP program offers complimentary services:
 - Consultations with licensed architects, at no charge
 - Free workshops

Financial Support

- HPC has a grant program aimed to assist residents in maintaining their homes.
 - Residents can apply for 50% matching funds to maintain rehabilitate + improve the exterior of designated properties.

Political Support

- HPC will be a strong political advocate as we face issues over development & traffic.

Scottsdale's Historic Preservation (HP) Program

Fact Sheet

- Mission:** To **preserve** individual properties and neighborhoods deemed to have significant historic and architectural importance.
- Registry:** A "Historic District" designation would be registered on Scottsdale's Historic Register. This is not a state or federal designation.
- Status:** Currently, Scottsdale's Historic Register consists of 16 individual buildings or complexes & 2 neighborhoods.

Facts Regarding Historic Designation

Taxes

- There are no tax implications associated with being named a Historic District—taxes neither go up nor down.

Property Values

- AZ statistics show that, homes in Historic Districts have a higher than normal resale value and sell more quickly.

Property Modification

- HP is committed to ensuring that neighborhoods remain viable. They, therefore, encourage and support home upgrades & remodels.
- HP District guidelines are not as restrictive as most CC&Rs.
- Historic Preservation staff or Commission only reviews property modification plans when the proposed change affects the exterior of a home, and only when a building permit is required for the work to be performed. Changes to a home not visible from the street are considered of little consequence. There is no review of interior changes.
- HPC does not have input regarding: paint colors, window coverings, installation of front patio doors and door and window replacement that does not affect the structural opening, or landscaping.
- To support residents in their remodeling efforts, HP program offers complimentary services:
 - Consultations with licensed architects, at no charge
 - Free workshops

Financial Support


- HPC has a grant program aimed to assist residents in maintaining their homes.
- Residents can apply for 50% matching funds to maintain, rehabilitate and improve the exteriors of designated properties.


Political Support

- HPC will be a strong political advocate as we face issues over development & traffic.

Historic Preservation Commission - Submissions for Review and Agenda

COLLEEN KLAPAC <das3fre@cox.net>
To Steve Venker

10/18/2019 11:34 AM 

▶  3 attachments View Download

Hello Mr. Venker,

After the 10-3-19 HPC Meeting, Chairwoman Blair Schweiger asked that if at all possible I submit any information, recommendations, questions, etc., before each HPC Meeting to you so that you could forward said; and so that she, each Chairperson, you and your staff could read the documents and be prepared to respond to all items and questions during the forthcoming HPC Meeting.

Please submit this email and each of the following attachments to each HP Commissioner, yourself and your staff, and any other appropriate persons as soon as possible so that each person can respond during the next November meeting. Please let me know if I can be of any assistance.

The attached are in PDF Format. I can also provide them in Pages format if it would be helpful.

Attachments:

1. Letter to from Colleen Klapac, Villa Monterey Unit 3 dated 10-17-19.
2. Casita Colony Recreation Association, Villa Monterey Unit III, Home Modification Appendix, Scottsdale Historic Preservation Commission, dated April 09, 2019.
3. HPC Answers from Steve Venker to questions raised at 9-5-19 HPC Meeting & provided at 10-3-19 Mtg regarding Historic Preservation Plan and Guidelines for Villa Monterey Units 1-7 Historic District with VM3 requests.

Thank you for your continued assistance.

Colleen Klapac

Villa Monterey Unit 3

phone 480-219-3227

email:

Feedback

Colleen Klapac,
Villa Monterey Unit 3, Board Director
4810 N 78 Street
Scottsdale, AZ 85251

October 17, 2019

Blair Schweiger, Commissioner & Chair
Ben Brosseau, Commissioner
Regina Buzzello, Commissioner
Linda Davis, Commissioner
Melissa Fedock, Commissioner
Peter Hosmer, Commissioner
Christie Lee Kinchen, Commissioner
Steve Venker, Staff Representative

3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251

Subject: "Villa Monterey Units 1-7 Historic District Historic Preservation Plan and Guidelines"
and Related Subjects

Dear Historic Preservation Commissioners and Staff,

Thank you for your time and efforts to improve the subject Document so that it is a reasonable, constructive, efficient tool for Villa Monterey Unit 3. To this end I am submitting this letter and attachments. I request that this be submitted to the formal record of the November 07, 2019, HPC Meeting. Further, please be prepared to respond to all contents herein, and my previous submissions during the 10-3-19 and 9-5-19 HPC Meetings.

Item 1.

Casita Colony Recreation Association, Villa Monterey Unit III, Home Modification

Appendix, Scottsdale Historic Preservation Commission, dated April 09, 2019.

(COPY ATTACHED.)

Concern: The Appendix for Villa Monterey Unit 3 was NOT included and did **NOT** appear in the above document that was used in the last 10-3-19 HPC Meeting. This is of paramount concern to VM3. VM3 continues to use this as part of our formal documents. Further, this Appendix is on the 11-7-19 HPC Agenda.

Request: Please include the Villa Monterey Unit 3 Appendix in any and all forthcoming versions of the subject document. If this is not possible, please respond in writing.

Item 2.

Scottsdale Revised Code. Sec. 6.121, A., B., and C., - Alteration of historic resources, approvals required. (also see Endnote.)

I have been trying to discern what the fundamental reason(s) might be so as to explain why so many of the VM3 and the other VM requests do **NOT** seem to be headed in the direction we are requesting in changing the subject document and approval processes. Then when Mr. Venker responded in writing to a few of our questions raised at the 9-5-19 HPC Meeting, I noted that he at times referred to the Scottsdale Revised Code. Note: **Sec.6.121, A.** seems to address "erected...restored,

Continued on Page 2 of 6

rehabilitated, **altered or changed in exterior appearance**", and **Sec.6.121, C.** seems to address "**maintenance or repair**". In reading and re-reading the Code, the codes and my interpretation of these sections follows:

A. Scottsdale Revised Code

Sec. 6.121, A. - Alteration of historic resources; approvals required

A. No building, permanent sign, or other structure in an HP District shall be erected, demolished, moved, restored, rehabilitated, reconstructed, altered, or changed in exterior appearance, nor shall any historic resource be altered, moved, remodeled, demolished, enlarged or extended contrary to the Historic Preservation Plan for the HP District or historic resource until plans for such activities have been submitted to and approved by the Historic Preservation Officer or the Historic Preservation Commission, and the City has issued a Certificate of No Effect, a Certificate of Appropriateness, or a Certificate of Demolition Approval for the subject property. This requirement is in addition to any other permit or approval required by law.

Concern:

My interpretation of A. above is that **ANY** alteration and or change in the exterior appearance must and shall be approved by the HP Officer or HP Commission. This was of such concern to VM3 that I asked Mr. Venker by phone on 10-08-19 if this was his interpretation as well. Mr. Venker confirmed that this is his interpretation.

This would mean that VM3 would have no exclusive authority for such items as removing or adding a tree, bush, or plant; changing a door with a similar door; painting the exterior with colors on the Color Palette already approved by VM3 and the HP Office; etc., etc., etc. It would mean that our VM3 Appendix under "Modifications That Do Not Need to Be Submitted To The Association For Approval" would be void.

This means to us that the VM autonomy discussed and promised by HP and City representatives before we became a historic district were not correct and could never have been respected. The state of being independent, free, and self-directed would no longer exist for VM3 for any items referenced in this section of the Code. This would mean that the HPO and the HPC never did have the authority to approve or implement many of our collective VM requests included in this Section of the Code. We are trusting that this is not true; that we have not been naive or unsuspecting; and that the VM Units and HPC can continue openly and accurately.

Request:

1. Provide your interpretation of the Code.
2. Recommend Remedy (Remedies) so that VM3 would retain exclusive authority (meaning no HPO or HPC approvals needed) for those items we have been requesting.
3. Provide in writing what the procedure is to 1. Request a change to the Code, and 2. What the probability of a favorable outcome to VM3 would be. (Note: On 10-8-19 I also asked Mr. Venker to provide this.)

B. Scottsdale Revised Code

Sec. 6.121, B. - Alteration of historic resources; approvals required

B. Failure to comply with a stipulation, standard, or plan made a part of any of these approvals shall constitute a violation of _____ of the Zoning Ordinance. An approved plan shall be binding upon the property owner. No permit shall be issued for any building or structure not in compliance with the plan, except that temporary facilities shall be permitted in conjunction with construction. No structure or other element specified on the Historic Preservation Plan shall be eliminated, or altered or provided in another manner, unless an amendment is approved in conjunction with the procedures for original approval.

Concern: This section addresses violations, and the referenced section 6.100 above (see endnote 1. at the end of this letter) addresses classifications of penalties and actual penalties. A violation is subject to a civil sanction. A second or subsequent violation of any of the provisions of _____, (HP) Historic Property, within a two-year period following a finding of responsible to a civil violation of _____ shall be charged as a Class One misdemeanor offense. The court shall impose a civil sanction not to exceed one thousand dollars (\$1,000.00), nor less than a fine of two hundred fifty dollars (\$250.00). Each day any violation of any provision of _____, (HP) Historic Property, or the failure to perform any act or duty required by _____ continues shall constitute a separate violation. Upon a conviction of a misdemeanor the court may impose a sentence in accordance with section 1-8(a) of the Scottsdale Revised Code and State law for class one misdemeanors. And the code continues.... see endnote 1. below.

This suggests that the potential disadvantages may immensely outweigh any advantages of being a Historic District.

Request: Recommend Remedy (Remedies) for violations, penalties and fees that are acceptable to VM residential homeowners.

C. Scottsdale Revised Code

Sec 6.121, C. - Alteration of historic resources; approvals required

C. Maintenance of the historic resource pursuant to the Historic Preservation Plan is required. Ordinary maintenance or repair of any structure in the HP District that does not alter or modify the historic character of the structure will not require a Certificate of No Effect or a Certificate of Appropriateness.

(Ord. No. 3242, § 7, 7-13-99; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 128), 5-6-14)

This refers to **ordinary maintenance or repair** of any structure in the HP District that does not alter or modify the historic character of the structure will NOT require a Certificate of No Effect or a Certificate of Appropriateness.

Concern: This has not been upheld.

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Request:

That HPC provide VM3 the exclusive authority to manage ANY and ALL repairs to exterior items that do not alter the character. This shall include walls, roofs, doors, ground coverings including driveways and carports, landscaping, approved color palette paints, etc.

Item 3.

HPC Answers from Steve Venker to questions raised at 9-5-19 HPC Meeting & provided at 10-3-19 Meeting regarding Historic Preservation Plan and Guidelines for Villa Monterey Units 1-7 Historic District

Response and Requests (See Attached)

Item 4.

Recommendations for Chapter 9 and the Appendixes of the Historic Preservation Plan and Guidelines for Villa Monterey Units 1-7 Historic District

A. Chapter 9: Building Additions and New Construction

Policies and Guidelines for Building Additions and New Construction (pages 54 and 55)

Policy 9.A.1: b. and c.

b. A townhouse on the end of a row of townhouses that have one side yard may have room for an addition on the side of the house. Such additions should be in line with or behind the front façade **and should be one-story.**

Request: Delete “and should be one-story” . It is a contradiction of the following sentence in c. as follows:

c. If a second story addition is proposed, construct it at the same width and height of the existing second floor, and so that it will be parallel to the street and match the one and two-story massing of townhouses in the area.

Policy 9.A.2: Design an addition so that it is compatible with the existing house. Guidelines:

a. Additions should be one-story in height, in most cases, and have similar proportions and massing as existing townhouse.

Request: Delete “ Additions should be one-story in height, in most cases”. Since some townhomes are one story and some townhomes are two stories this is inaccurate and misleading.

f. The height of a new accessory structure or building in rear yards should not exceed the height of homes and structures on adjacent lots.

Request: Preferably delete f. in its entirety. Some townhouses are one story and some townhouses are two story; and a one story townhouse is often adjacent to a two story. Thus f. above does not make sense and is confusing.

B. VM3 Appendix

1. See Item 1. Above.

2. It is imperative that HPO and HPC support all statements in the VM3 Appendix.

If there is ever any conflict or confusion between the VM3 Appendix, the VM3 Appendix shall prevail.

Thank you for your attention and help with this project.

Please do not hesitate to contact me if I can be of any assistance.

Most respectfully submitted,

Colleen Klapac
Villa Monterey Unit 3
phone 480-219-3227
email: das3fre@cox.net

Attachments 2

Endnote 1.

ARTICLE VI - Supplementary Districts

Sec. 6.100. - (HP) Historic Property.

Sec. 6.131. - Classification of penalty.

(A) Any person, firm, corporation, partnership, or association whether as principal, owner, agent, tenant, or otherwise who violates, disobeys, omits, or refuses to comply with, or who resists the enforcement of any of the provisions of section 6.100, (HP) Historic Property, is subject to a civil sanction.

(B) A second or subsequent violation of any of the provisions of section 6.100, (HP) Historic Property, within a two-year period following a finding of responsible to a civil violation of section 6.100 shall be charged as a Class One misdemeanor offense.

(C) Each day any violation of any provision of section 6.100, (HP) Historic Property, or the failure to perform any act or duty required by section 6.100 continues shall constitute a separate violation.

(Ord. No. 3242, § 8, 7-13-99)

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ARTICLE VI - Supplementary Districts

Sec. 6.100. - (HP) Historic Property.

Sec. 6.132. - Penalties.

(A) Upon a finding of responsible to a civil violation, the court shall impose a civil sanction not to exceed one thousand dollars (\$1,000.00), nor less than a fine of two hundred fifty dollars (\$250.00). Each day any violation of any provision of section 6.100, (HP) Historic Property, or the failure to perform any act or duty required by Section 6.100 continues shall constitute a separate violation.

(B) Upon a conviction of a misdemeanor the court may impose a sentence in accordance with section 1-8(a) of the Scottsdale Revised Code and State law for class one misdemeanors.

(C) Additional penalties for violation of any section or other part of section 6.100, (HP) Historic Property:

(1) Any person who constructs, reconstructs, alters, restores, renovates, relocates, stabilizes, repairs or demolishes any historic or archaeological resource or landmark in violation of any section of this ordinance shall be required to restore the resource or landmark to its appearance or setting prior to the violation. Any action to enforce this provision shall be brought by the City of Scottsdale. This civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty.

(2) If construction, reconstruction, alteration, restoration, renovation, relocation, or stabilization of an archaeological or historic resource or landmark located in an HP District, or on publicly-owned land, or on a public right-of-way occurs without a Certificate of No Effect, a Certificate of Demolition Approval, or a Certificate of Appropriateness, then the Scottsdale business license of the company, individual, principal owner, or its or his successor in interest initiating (such as the developer or property owner) such construction, reconstruction, alteration, restoration, renovation, relocation, or stabilization shall be revoked for a period of three (3) years.

(3) If demolition of an archaeological or historic resource or landmark located in an HP District, or located on publicly-owned property, or on a public right-of-way occurs without a permit or a Certificate of Demolition Approval, then any permits on subject property will be denied for a period of three (3) years. In addition, the property owner shall not be entitled to a permit allowing any curb cuts on the subject property for a period of three (3) years from and after the date of such demolition.

**Casita Colony Recreation Association
Villa Monterey Unit III
Home Modification Appendix
Scottsdale Historic Preservation Commission**

Changes to the exterior of the home that are visible from the street or walkway should maintain the architectural style of the home by utilizing similar elements, building materials and techniques. Do not attempt to combine elements, materials or techniques of more than one architectural style.

Modifications That Will Be Considered For Approval By The Association

- Exterior paint color; exterior paint colors that are on the CCRA palette will be approved; colors not on the CCRA palette will require consideration by the Board.
- Enclosing a carport with a garage door
- Front patio with a wall; height of wall should be suitable for seating and shall never exceed 36 inches
- Front patio without a wall
- The area of a front patio, with or without a wall, shall not exceed 40% of the area from the sidewalk to the front of the house, not including the area of the driveway.
- Replacing the front window with a door, provided that the opening is not greater than 60"
- Window additions & modifications (different type or style)
- Redesign of the front door/entry
- Awnings
- Changes to make the home handicap accessible, provided that a handicapped person resides in the home
- Hardscaping materials; these materials must be from a "natural" color palette
- Modification of the carport or driveway pad; carport pad colors must be from a "natural" color palette
- Addition of a security feature to doors or windows
- Side yard gates or doors
- Solar Energy Devices

**Casita Colony Recreation Association
Villa Monterey Unit III
Home Modification Appendix
Scottsdale Historic Preservation Commission**

1. In planning the installation of a solar energy device the applicant should design the installation so that the solar energy device is not visible from the street or an adjacent property to the extent practical.
2. To the extent that the installation of a proposed solar energy device will be visible from the street or an adjacent property, the plans shall include architectural treatment, consistent with the style of the residences of Villa Monterey III and its historic designation, to minimize the visual impact of the installation.
3. Nothing in these rules shall be applied or interpreted to prohibit the installation or use of solar energy devices, to impair the function of a solar energy device, restrict its use, or adversely affect the cost or efficiency of the solar energy device.

Modifications That Will Not Be Approved By The Association

- Walls taller than 36 inches that enclose the front yard
- Stand-alone structures in the front yard
- Storage structures in the carport
- Removal of original medallion
- Paint or other liquid coatings

Modifications That Do Not Need To Be Submitted To The Association For Approval

- Landscaping (not including any hardscaping); landscaping should not completely obstruct the view of the home
- Lamppost selection
(Lampposts should be black and placed at the corner of the driveway and sidewalk.)
(CC&Rs 6-k)
- Like kind replacement of HVAC equipment in the same location
- Like kind replacement of driveway in the same location
- Satellite Dish less than 3' in diameter
- TV antenna less than 6' long

Reference - **HPC Answers from Steve Venker to questions raised at 9-5-19 HPC Meeting and provided at 10-3-19 HPC Meeting (16 questions & statements)**

Review, Comments & Recommendations from VM3. Submitted by Colleen Klapac 10-17-19.
The following numbers refer to the specific 1 through 16 questions and answers:

Question 1. Do we have to keep exact number of palm trees?

Answer: Not directly not given. Answer states that "....aerial photographs will be used to determine the number of trees...."

Request: Answer NO. HOA's should be able to remove a tree or add an appropriate tree without HP review or approval, and without having to have HP resort to looking at aerial photographs.

Question 2. Can we keep tree mixture choices within the HOA approval exclusively?

Answer: No. Zoning Ordinance Section 6:111- Purposes and Section 6.121-Alteration of historic resources, approvals required, requires approval by either the Historic Preservation Officer or the Historic Preservation Commission.

Request: See 10-17-19 Letter from Colleen Klapac to the HPC and HPO.
The answer needs to be Yes. **[Very important.]**

Question 6. What are the consequences for being part of an HP district?

Answer: The answer gives numerous suggested advantages.

Request: Include in the answer the disadvantages. Please see the cover letter which covers many disadvantages, all of which should be included in this answer.
Hopefully HPC can remedy these disadvantages as requested.

Question 7. Does the purview end at the front of every house or does it include the back patio as well?

Answer: If the owner proposes a project at the back of the townhouse, such as window replacement or a building addition both of which require a permit, then the owner must obtain approval from the Historic Preservation Officer or the Historic Preservation Commission.

Request: Add to the answer, "If the owner proposes a project at the back of the townhouse that does not require a permit, **then no approval will be required** from the Historic Preservation Officer or the Historic Preservation Commission.

Question 9. Are you going to be able to meet often enough to address all changes regarding 700-800 people in a timely fashion?"

Answer: Yes. Currently there are 9 staff members in the"

Request:

- A. That there be a staff member available during ALL working hours who is fully educated in all aspects of HP, who has the authority to approve any and all items not requiring a permit, and who is always available to review and approve requests at the same time owners submit their requests, unless the request requires a permit.

Continued on page 2 of 2

Page 2 continued. 10-17-19 Review, Comments & Recommendations from VM3 to Steve Venker's 10-3-19 Answers to HPC questions.

B. For items requiring the review and the approval of HPC. HPC meets once a month (and it is possible that a HPC meeting can be cancelled); it takes additional time (and can be up to a month) to get an item on the HPC Agenda; further time is often needed if the item requires a permit. Consequently, this does not meet the question of "in a timely fashion". Therefore, this process has to be greatly streamlined.

Question 13. Can we keep simple things like paint colors and window changes to the HOA?

Answer: No. Zoning Ordinance Section 6.121 - Alterations of historic resources....."

Request: See 10-17-19 Letter from Colleen Klapac to the HPC and HPO. The answer needs to be Yes. **[Very important.]**