

# Fitzpatrick Ranch development remains in limbo

KATY O'GRADY  
DAILY NEWS-SUN

9-28-03

Sun City West residents awaiting ground-breaking on Fitzpatrick Ranch will have to keep on waiting.

Timothy Fitzpatrick, who has received Maricopa County preliminary approval to build 15 homes on five acres near Veterans Drive and Deer Valley Road, said he has no immediate plans to start construction.

"I wouldn't hold my breath," he said.

Fitzpatrick said his engineers have sent the final plat to the county, and he thought that's where it remains.

"It's been in there a year, and we keep doing everything the county said to do, and they keep sending it back," he said. "We've been waiting for so many years that it's kind of below our radar screen. We sort of think it'll never come out."

But Charles Hart, principal planner with Maricopa County, said the final plat has been returned to Fitzpatrick's

engineers with some technical questions.

"I was kind of wondering where they were at this point," he said.

Randy Fuller, president of the Sun City West Property Owners and Residents Association, said the last he heard was that county planners had technical questions on Fitzpatrick's plan and sent it back to him for revisions.

"I am surprised it hasn't gone forward since this step is just a minor issue," he said. "It's really just an administrative step."

If Fitzpatrick's engineers return the final plat to the county and it meets the county's requirements, it will be forwarded to the Maricopa County board of supervisors. If the supervisors approve it, Fitzpatrick can get permits and begin construction.

The project has been dragging out since Fitzpatrick first proposed it in 2000. Hart said Fitzpatrick and his brother own 15 acres at the site, which has

been rezoned from rural residential to R1-6, which allows for 6,000 square-foot single-family lots. He said Fitzpatrick's proposed homes are much larger.

Hart said plans call for the 15 acres to be developed in three five-acre stages. The first five acres, Hart said, are owned by Fitzpatrick's brother.

The developer has one year from the time the preliminary plat is approved to start construction, or else he must restart the preliminary plat process. Fitzpatrick said the year is up in December, but he believes final approval will be granted before then.

Still, Fitzpatrick said he wouldn't estimate when construction might start.

His former company, Senior Accessible Housing, was dissolved in December 2001, according to the Arizona Corporation Commission. Fitzpatrick said he wasn't sure when a new corporation would be formed, but Fitzpatrick Ranch would be built by a corporation.

"Right now, the individuals are just private citizens that own the property," he said. "We've lost a lot of things over the last few years, dealing with the county and PORA. There's just a lot of money that's been lost."

Hart said the county looks at who owns the property, and since the Fitzpatricks own it as individuals, the company's dissolution shouldn't have an impact on the process. He said, however, the 10 acres planned for future development are owned by Fitzpatrick and his former wife, Gail Thomas. The land may end up as part of divorce proceedings, which could delay development of the 10 acres.

Fitzpatrick said the conflict with PORA and the county is one of the reasons he isn't developing all 15 acres at once.

"That's why we're only doing five acres at a time, to see what happens with the five," he said.

In the meantime, PORA is keeping an eye on the property

to make sure it is maintained and that weeds don't become a fire hazard. Fuller said he recently got a complaint about mud running off the property.

"It's just a simple thing to clean it up, and Tim has been faced with it before and has been cooperative," Fuller said.

Fitzpatrick said he has not gotten any calls about the property's condition.

If the need arises, Fuller said, PORA will contact Fitzpatrick about maintaining the property.

"I was by there about a week ago and, yeah, it's pretty well built back up. Vegetation and weeds grow pretty fast," he said.

Fuller said PORA's biggest concern is that if Fitzpatrick starts construction, he is financially able to finish it.

"The bad part about this, and we were afraid this would happen in the first place, is if they start this and don't finish, then we've got a problem," he said.

Katy O'Grady can be reached at 876-2514 or kogrady@aztrib.com.



# PORA stands firm on reduced density of Fitzpatrick

## Might consider a temporary emergency opening of Williams Drive <sup>WESTER</sup> 8-30-01

By Ruth Borchardt

"The fat's in the fire," one might say, with PORA's adamant stance regarding the Fitzpatrick subdivision in Sun City West and the opening of Williams Drive adjacent to the Pleasant Valley Country Club property.

President of PORA, Randy Fuller, had even made a special trip back from Colorado the first part of August for a Planning and Zoning Commission meeting but, although on the agenda, the Fitzpatrick matter was postponed.

According to Fuller, it was hoped that there could be a closer

meeting of the minds in resolving the issues before they were taken before the Commission.

Tim Fitzpatrick, who had purchased his acreage in the 1970's, is a native Arizonan. His grandmother, although just a child, witnessed the shooting in Tombstone at the OK Corral with Wyatt Earp as one of the participants. His great-grandfather drove a stage coach.

Fitzpatrick's proposed new community, consisting of major streets North and West of Tom Ryan, South of Deer Valley and East of Veteran consists of 15 acres.

Earlier he had sold five of his 20 acres of the property to the Prince of Peace Church. At that time, according to Fitzpatrick, a 4 dwelling per acre density factor

was voted by the Board of Supervisors for the building of 60 homes.

The water and sewer had been extended to the property by Del Webb. Now comes the bone of contention.

With only 15 acres, according to Fuller, the correct density of 0-4 there only should be 45 homes constructed. Fitzpatrick claims they could go to a 4 dwelling density and 60 homes could be constructed since it was agreed in 1994 and signed for the 20 acres.

"Why should Fitzpatrick be allowed a density of 4.0 when PORA held out for 2.7 on the Bodine orchard during the period Continental Homes was considering it?" said Fuller.

On the other hand, Fitzpatrick

said, "It's all a smoke screen. The agreement was for 4.0 on the property, and even if I utilized less land, the density would still be the same. By the time we complete the project, it will probably amount to about 2.7. PORA is not taking into consideration that the golf courses and Rec Center buildings lower Sun City West's density factor."

It's not only the density that is bothering PORA, according to Fuller. There are three main issues to be considered: 1) Density, 2) Senior overlay, and 3) Appearance and value of property.

Fitzpatrick said that he will probably apply for a senior overlay. Fuller says if he doesn't, it

would put in jeopardy the status of the entire community as a retirement area.

If Fitzpatrick claims a senior overlay is not needed and C.C. & R.'s can take care of it, Fuller says from experience he knows C.C. & R.'s are very difficult to enforce.

Fitzpatrick says he will build very attractive homes, compatible with the ones in the neighborhood as to color and architecture. To this date, Fuller says PORA has not been able to get a picture of the planned elevations.

Fuller said there should not be 60 homes but 45 since now Fitzpatrick has only 15 acres. He claims to have a letter from Fitzpatrick where he said he ex-



**PORA: Stands firm on reduced density, from Page 1**

a request to answer three questions enclosed: "I hereby indicate my opinions as to the number of homes that should be allowed."

1) There are three choices to place an "x"—45 homes, 60 homes, no opinion.

2) Will you be able to attend the upcoming Planning and Zoning meeting tentatively scheduled for Oct. 4 at 9:30 a.m.? Yes \_\_\_\_, No \_\_\_\_.

3) If round trip transportation were made available to Phoenix, would you utilize it and agree to make a \$3 donation toward the cost involved? Yes \_\_\_\_, No \_\_\_\_.

Fitzpatrick contends he very much wants to please Westers and has had meetings with residents in the area. He said that he has done everything to try to work out issues with PORA and other groups, but as far as the density issue, he gave the impression he feels it's a "done deal" for his proposal to pass the Planning and Zoning Commission.

Regarding the Williams Drive outlet, Fuller stands firm that Williams Drive on the Pleasant Valley Country Club property should not be opened except, perhaps, for emergency purposes until the completion of the El Mirage Extension Road in 2004. But when it is, he feels Williams should be permanently closed.

The fire department said it needs openings on more than one street—not on the same street.

Fuller queries, "Then why did it give approval to Fitzpatrick to have two outlets on one street? There could be an opening at the Dysart Road alignment in the middle of the Pleasant Valley Country Club property. In 2004 off El Mirage, at the East side of the property, there will be another opening North and South off Loop 303 for an exit.

If PORA considered approving

the opening of Williams for emergencies, it would want Del Webb to put it in writing that the opening would be removed permanently when the access to the El Mirage extension is completed.

Fuller said, "I am disappointed the first district has taken a position on the opening of Williams Drive. I do not agree it as being a necessity."

Fitzpatrick seems to feel quite confident in the outcome of the acceptance of his proposal. On his part Fuller says he is not backing down on his opinions on both matters.

Fitzpatrick summed up by stating, "As an alternative, I want to provide 60 existing SCW couples (a way out of their existing SCW homes) a chance to buy a new home designed for extended independent living with dual functioning features that disappear when not needed. A house designed to be caregiver friendly (when that time comes and it is going to come) in order to extend a couple's self-help abilities as they continue to live independently and privately.

"The tool that I offer to those existing SCW residents seeking self-help is a home designed for them at 70 that won't embarrass them to enter before they actually need any self help because those features disappear when not needed.

"Remember, on Feb. 22, 1994, the County Board of Supervisors unanimously approved the development master plan (SCW Expansion Plan DMP 93-3) that included my land specifically at 4 dwellings per acre, period. They did not approve 60 houses on 20 acres. They approved 4 houses per acre. And 4 houses times 15 acres is 60 houses, and the County has already told PORA this fact."

pected to have to reduce the density by 25% after selling the five acres to the Church.

Fitzpatrick says, because the contract was signed 4.0 density, he feels sure the Planning and Zoning Commission will recommend his plans to the Board of Supervisors.

Again Fuller disagrees. "A designation of 4.0 clearly of itself does not automatically allow the consent for a developer to use the upper maximum limit."

To alert the community, Fuller stated that letters and e-mails have been sent to explain the questions at hand to residents from 300 to 600 linear feet near the property.

The facts will be outlined plus



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# Project's density fires debate

## SUN CITY WEST: Developer, community groups lock horns

STAFF REPORT

Tensions escalated this week over a proposed housing project near Sun City West when developer Tim Fitzpatrick and PORA sprinkled the community with letters supporting contrary positions.

Fitzpatrick's plans to develop 60 homes on 15 acres don't bode well for the Property Owners and Residents

Association, nor the Sun City West Coalition and the Recreation Centers of Sun City West.

The letters are a precursor to a zoning hearing for the proposed Fitzpatrick Ranch project that has been postponed until the Maricopa County Planning and Zoning Commission's tentative Oct. 4 meeting. The meeting, originally scheduled for Sept. 6, will begin at 9 a.m. at 205 W. Jefferson St., Phoenix.

PORA is considering providing round-trip transportation to the meeting if enough residents show interest in attending. It also is

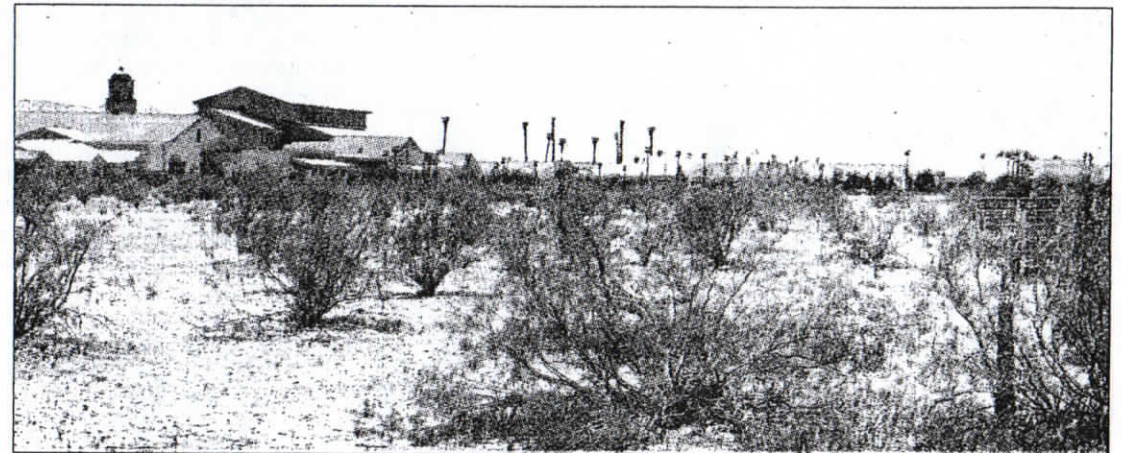
conducting a poll of residents to gauge their opinions on the situation.

Fitzpatrick is requesting approval from the county to develop 60 homes on 15 acres, or four homes per acre, on his land near Veterans Drive north of Deer Valley Road.

Fitzpatrick maintains he received county approval for the four homes per acre in 1994, but PORA is insisting he stick to three homes per acre, or a total of 45 homes on 15 acres.

The county approved a

**See Debate rages, A4**



DAILY NEWS-SUN FILE PHOTO

Property owned by Tim Fitzpatrick, completely surrounded by Sun City West boundaries, is being considered for rezoning. The Prince of Peace church is in the background.



## From A1

20-acre project in 1994, and Fitzpatrick said it doesn't matter that the land now has five fewer acres. The five acres were sold to the Diocese of Phoenix for parking at the Prince of Peace parish.

"I am the only one still around who knows what happened," Fitzpatrick said, adding that he believes PORA has overstepped its bounds.

Fitzpatrick began plans to develop the property in late 1997.

"The county tells you how many houses," he said. "It's four houses per acre — period. ... It's a done deal. The (county) has to do it, and PORA knows it. It's passed."

PORA President Randy Fuller, however, believes the community groups will convince the county otherwise.

"We are pretty firm in our belief that our position is well founded," he said. "Our position is: Density should be limited to 45 homes. We think planning and zoning will go with us."

Aside from the higher density that could cause a ripple effect with similar new developments getting approval near Sun City West, Fuller alleges PORA is concerned about Fitzpatrick's development not being age-restricted.

"Finally, there is definite doubt as to whether the developer will seek a senior citizens overlay from the county for this project," Fuller wrote in his community letter. "The absence of such an overlay may well end up allowing for the project to be multigenerational."

Fuller said concern about younger people being allowed to move in arose at an Aug. 7 meeting with the developer.

Fitzpatrick, however, says in his letter that the homes will be designed for seniors who no longer enjoy the recreation centers and are moving into their next phase in life when they may need some assisted-living services.

On July 1, the rec centers governing board increased the fee developers pay to gain membership from \$5,000 to \$8,000 per home, said Mauryne Hall, public relations coordinator for the centers. She said membership is "mandatory" for all homeowners in Sun City West. "Homeowners pay an annual assessment fee of \$170 per person," said Hall.

"PORA and the Sun City West Coalition want me to build 45 upscale trophy houses on the 15 acres, which would initially mean that the rec centers is going to get 90 new members excited about getting their money's worth out of the rec facilities," Fitzpatrick wrote. "As an alternative, I want to provide 60 existing Sun City West couples ... a chance to buy a new home designed for extended independent living with dual functioning features that disappear when not needed. A house designed to be caregiver friendly. ..."

In his letter, Fitzpatrick criticizes the Del Webb Corp., which he claims "sold out and left you all with a vacant lot in the middle of your neighborhood."

"Webb left but the county and I are still here," he wrote.

Fitzpatrick stated he "is

attempting to build an infill project on the vacant lot Webb left behind."

John Waldron, public relations spokesman for Del Webb Corp., said Webb supports PORA's stance on the Fitzpatrick subdivision — 45 homes on 15 acres as opposed to 60 homes on 15 acres.

Aside from requiring 80 percent of the homes be owned by people 55 and older, Fuller said PORA also wants to know what the homes will look like, their price range, and whether Fitzpatrick has the financial capability to complete the project.

"We've never been shown he's capable of completing the job," he said.

Fitzpatrick, in his letter, states the homes would start at \$170,000 for the 10 smallest, about 7,000 square feet.

Jan Brewer, chairwoman of the Maricopa County Board of Supervisors, said the supervisors will hear the case three weeks after planning and zoning makes a decision.

"I understand the controversies, but I don't have all the details to have an opinion," she said. "As always, we will be cognizant of neighborhoods and what is compatible with the Sun City West community."

"A lot of time, planning and zoning issues tend to be controversial. Residents want to make sure they have a voice," Brewer said. "There has been a great deal of controversy in Sun City West. We (supervisors) have listened and learned."



# Housing plan for Sun City West resurfaces

*DAILY NEWS SUN Jan 10, 2001 - FITZPATRICK*

## OPPOSITION

### MOUNTED: PORA, Del Webb deem proposal too dense

**BRUCE ELLISON**  
DAILY NEWS-SUN

A plan to build 60 homes on a vacant tract near Prince of Peace Catholic Church in Sun City West

that is opposed by PORA and Del Webb Corp. is back before county planning and zoning officials.

Timothy Fitzpatrick, whose family owned the land for years before developer Del Webb Corp. acquired the surrounding property, first filed the plans about a year ago, but the project then disappeared from the planners' agenda.

Now it's back, with some revisions. A technical advisory

committee meeting is slated for Jan. 16, PORA President Randy Fuller said at Tuesday's board meeting.

The advisory meeting looks at whether the developer's plans are feasible from the standpoint of such things as roads, water and sewer lines, other utility connections, drainage and fire protection. It does not handle rezoning matters, which are considered by the

county's planning commission and then by county supervisors.

The Sun City West Property Owners and Residents Association — and now Del Webb Corp., too — opposes the Fitzpatrick plan as too dense to be compatible with the surrounding community, Fuller said.

The 60 homes on 15 acres equates to four homes to the acre. Both PORA and Webb say three

homes to the acre would be appropriate.

Fitzpatrick originally owned 20 acres, but sold off a part of the land for the Prince of Peace parking lot.

The parcel now fronts only on Veterans Drive.

Fitzpatrick has told the county that he wants the development given age-overlay zoning, restricting

**See PORA, Del Webb, A5**

## PORA, Del Webb oppose plan

**From A1**

it to those 55 or older and prohibiting permanent residence by anyone younger than 19.

He also has asked the Recreation Centers of Sun City West to annex the area to the Centers so that residents have access to Centers facilities.

The Centers does not have to agree but has indicated interest in the past, as long as Fitzpatrick

is willing to pay a per-home buy-in fee and as long as the overall project is compatible with Sun City West.

Fuller said he hopes to meet soon with Recreation Centers officials to see if that board and his can present a united front to the county on the project.

In other developments:

● The county plans to install a traffic light on R.H. Johnson Boulevard where it intersects

with 151st Avenue/Granite Valley Drive, but the time is uncertain, said new traffic committee head Fred Berkenkamp.

"They need a certain minority percentage to let a contract, and no one is available to do the work," Berkenkamp reported. That problem, which earlier afflicted the light now at Granite Valley and Meeker Boulevard, was resolved when county employees did the work.

"But they don't have the staff now, so it's on hold," he said.

● Carole Hubbs, a member of the county's planning commission and former two-term president of the Recreation Centers of Sun City West, was named as PORA's unpaid legal adviser. An attorney licensed in both California and Arizona, Hubbs also is on the Centers Legal Affairs Committee.

## Nearby development half sold

BY DIANE HOLLOWAY

Fitzpatrick Ranch is dwindling down to its last few homes.

The new-home community offering homes in Sun City West has 22 of its original 45 home sites left for sale, and the developer is looking to offer incentives for people to buy.

"Summer sales incentives on all inventory homes include a \$15,000 to \$20,000 allowance for finishing touches, preferred lender and cash buyer allowances and up to \$10,000 in other incentives," said Tammy Barker, vice president of Granite Crest Homes that manages Fitzpatrick Ranch.

Homes start in the \$440,000s and include three-car garages or an optional guest casita in lieu of the single car garage. There are four floor plans of 2,600 to 3,085 square feet to choose from.

For information, visit the on-site sales office near the corner of Deer Valley Road and Veterans' Drive from 10 a.m. to 6 p.m. daily, or call 623-214-8414.



# Sale of Fitzpatrick Ranch no surprise to PORA president, director

Officials informed of pending transaction, agreed to delay announcement

By Jack Hawn <sup>WESTER</sup> 9-2-04

In response to a published report, PORA Pres. Chuck Ullman said Monday that he and another director for the Sun City West organization were aware of the pending sale of the Fitzpatrick housing development for the past six weeks but were asked "not to broadcast it until escrow closed."

An article last week in the Daily News-Sun stated that the sale of the Fitzpatrick Ranch at Veterans and Deer Valley drives to Granite Crest Homes of Scottsdale was news to PORA.

Ullman said the statement was incorrect, that he and PORA director Bill Hafeman, who oversees community land developments, had talked to Granite Crest Homes owner John Barker June 15.

"He said his company was in escrow to purchase the property," Ullman said, "but asked us not to broadcast it until escrow closes. We did that."

Ullman said he and Hafeman were on vacation last week and acknowledged that others in the PORA office may not have known about the pending transaction.

Ullman, who returned Sunday night from a month's vacation in California, Chicago and Michigan, said Granite Crest Homes agreed six weeks ago to the same stipulations Timothy Fitzpatrick agreed to previously, including age restriction.

Contacted in Oregon, Fitzpatrick confirmed that the sale had cleared escrow Aug. 24.

"I'm happy," he said. "I'm up here building another project. I wanted to build there, but four years went by. After awhile, you have to move on, so that's what I did."

For the last decade, the Fitzpatrick property has remained undeveloped despite efforts by the owner to start construction.

In 1994, the Recreation Centers Governing Board approved Fitzpatrick's request to build 60 single-family homes on 20 acres. Three years later, Fitzpatrick sold five of the original 20 acres to the Diocese of Phoenix to be used as a parking lot for the new Prince of Peace Catholic Church.

In 2000, Fitzpatrick sought approval to build 60 homes on his remaining 15 acres. A dispute over density ignited community protests and resulted in a 15-month delay before Maricopa County Planning and Zoning

approved a 3.0 density to more closely conform to Sun City West housing density. The commission's vote was 4-3 to reduce the number of houses to 45.

More delays followed, compounded by the owner's divorce, resulting in five of the 15 remaining acres going to ex-wife Gail Ann Thomas of Colorado.

Fitzpatrick ultimately received county approval to build 15 houses on the first five-acre phase to be followed by another 15 single-level houses on the next five acres.

The new developer plans to construct the same number of homes, but they will be more upscale than what Fitzpatrick had planned.

Rec Board Director Randy Fuller, a former PORA president who now chairs the Properties

See **FITZPATRICK RANCH**, Page 2

## SALE OF FITZPATRICK RANCH, from Page 1

Committee, has been close to the Fitzpatrick project from the start. He said he was pleased with the change in ownership and impressed by the company's website.

Tammy Austin, Granite Crest Homes' vice president of marketing and wife of the owner, said Monday her company "has not actually pursued" the acquisition of the additional five acres, reportedly on the market for \$900,000.

"We are fine-tuning all the details with attorneys to be in compliance with Sun City West," she said. "That's our main concern. We are waiting for the final

recording of the plat. We hope to start construction within 45 days."

Three model homes are expected to be open by Feb. 1 and the 10-acre project completed no later than 18 months from now.

Attorneys are preparing a contract for a facilities-use agreement, which the Rec Centers Governing Board approved at its Aug. 12 meeting. It calls for payment by the new developer of a \$6,000 fee per household, due upon signing the contract.

Homeowners will be responsible for their annual recreation center dues.



# PORA adds demands on Fitzpatrick Ranch

**MICHAEL MARESH**  
DAILY NEWS-SUN

PORA concerns remain about a subdivision that could soon be coming to Sun City West.

Property Owners and Residents Association officials are concerned over details of the planned Fitzpatrick Ranch subdivision. Another development planned near the community, Pleasant Valley Country Club, is proceeding with almost no problems.

The Maricopa County Board of Supervisors has approved both subdivisions with stipulations, but PORA

is now asking for additional concessions from one of the property owners.

PORA President Randy Fuller said his organization is demanding two things for Fitzpatrick Ranch, located near Veterans Drive north of Deer Valley Road: compatibility with Sun City West, and with its covenants, conditions and restrictions.

Developer Tim Fitzpatrick of Senior Accessible Housing said the subdivision will be age-restricted and follow the same CC&Rs as Sun City West.

A big concern to PORA is the about-face Fitzpatrick did when he decided to

build on only 5 acres instead of the 15 he owns at the site.

"It is a little disturbing he is only building on 5 acres," Fuller said. "That leaves 10 to be developed at a later time. I hope that will be resolved soon."

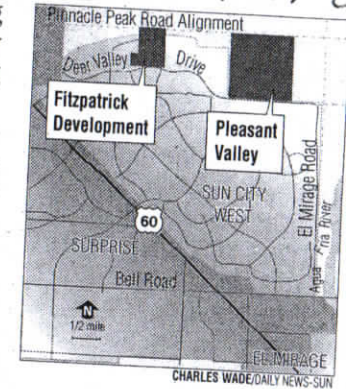
Fuller said he is concerned Fitzpatrick could build on the 5 acres and never develop the other 10, which he claims would drive down property values.

Fitzpatrick said the county still must give final approval to his plans for the 5 acres, which is all he plans on developing at this time. He said his engineer is

now waiting for a hearing before the Maricopa County Planning and Zoning Commission.

Pleasant Valley Country Club, located on 718 acres at El Mirage and Deer Valley roads, is on schedule for the first residents to move in by the end of 2003, according to John Waldron, spokesman for the Del Webb Group of Pulte Homes.

One-half of the orange trees on the property have been removed in preparation for development, with the other half to be removed in January and February, Waldron said, adding that



build-out of the community would take five to seven years.

Fuller said his organization has almost no problems with the Pleasant Valley plans.



# Commission limits Fitzpatrick project to lower density SC West officials pleased

*IND, 11-7-01*

By Mike Russo  
Independent Newspapers

Sun City West residents turned out in force and were not disappointed in the decision made by the Maricopa County Planning and Zoning Commission regarding the proposed Fitzpatrick subdivision in the community's midst.

By a 4-3 vote, the commission rejected developer Tim Fitzpatrick's plan to build 60 houses on 15 acres, a density of 4.0 homes per acre, he owns on Veterans Drive, about a block north of Deer Valley Drive. Instead, the commission opted for a plan endorsed by the Sun City West Property Owners and Residents Association,

Recreation Centers of Sun City West and the Sun City West Coalition, calling for 45 residences on the 15 acres, or 3.0 homes per acre.

Mr. Fitzpatrick has proposed building 60 detached homes with attached garages that would be wheelchair-accessible. Home sizes would range from 1,300 to 1,800 square feet, with lot sizes ranging from 7,000 to 10,000 square feet.

The development would be age-restricted, according to Mr. Fitzpatrick.

"I was elated that the vote came out our way, though it was close, 4-3," said Randy Fuller

See ■ FITZPATRICK, Page 10

## ■ FITZPATRICK

*IND. 11-7-01*

From Page 1

PORA president. "We proved our point."

PORA organized a bus trip to the commission hearing and about 70 people boarded the two buses for the trip to downtown Phoenix.

"We had good representation," Mr. Fuller continued, "Dee Hjermstad (Rec Centers board president) was there, and Chuck Gameros and one of his coalition steering committee members was there.

"There were also three directors from PORA," he added.

Mr. Fuller said he stressed three points of concern during his presentation to the commissioners.

"We believe the three significant points are density, absence of a senior citizen overlay and compatibility with existing homes in the area," Mr. Fuller said.

Mr. Fuller said that even though Mr. Fitzpatrick has said he would seek an age overlay, he has been told by county officials that no new overlays will be granted. "The developer would have to do it through CC&Rs," Mr. Fuller said.

"The age overlay issue is very important to Sun City West residents," he added.

Mr. Fuller also notified the commission of the community's concern over the compatibility issues.

"The lot is important but not as important as what goes on the property," Mr. Fuller said. "I have been trying to get elevations from Fitzpatrick for three years.

"A couple of commissioners were very concerned that we had not been furnished with elevations," Mr. Fuller said.

"We also brought to their attention our concerns with the financial structure," Mr. Fuller said. "There is a stipulation in there that you must be able to certify that you have the financial capability to carry this project from start to finish. We expressed our concern over whether he has that capability.

Mr. Fitzpatrick expressed his disappointment. "County staff had recommended the 60 houses," he said. "With 45 houses

instead of 60, the lots are going to be 12,000 square feet. The lots around it are like 6,000 to 7,000 square feet.

"I don't really know what we will do know," he continued.

"The project may not be economically feasible with 45 houses" Mr. Fitzpatrick said. "We may have to build more upscale homes if we are limited to 45."

"If they put up upscale homes, we would support them," Mr. Fuller said.

The proposal will now go to the Maricopa County Board of Supervisors for the ultimate decision. The matter is likely to be heard in either late November or early December, according to Mr. Fuller. "We will be there for that also," he said.



# Zoning hearing for Fitzpatrick project scheduled Nov. 1

## Developer wants to build 60 homes on 15 acres

By Mike Russo  
Independent Newspapers

The controversial zone change request that would allow a developer to build 60 houses on 15 acres of land in Sun City West is scheduled to be heard during the Nov. 1 Maricopa County Planning and Zoning Commission meeting.

The session begins at 9:30 a.m. in the Maricopa County Supervisors' auditorium, 205 W. Jefferson Ave., Phoenix.

The zone change was scheduled to be heard Oct. 4 but was postponed at the request of the

developer, Tim Fitzpatrick, because one of his partners in the endeavor was unable to attend the meeting.

Mr. Fitzpatrick has requested a zone change from R-43 to R1-6 so he can build 60 single-family houses, a density of four homes per acre, on his property on Veterans Drive, about a block north of Deer Valley Drive. There would be two access points off Veterans Drive to the subdivision.

The detached homes with attached garages would be

See ■ HEARING, Page 3

wheelchair-accessible. Home sizes would range from 1,300 to 1,800 square feet, with lot sizes ranging from 7,000 to 10,000 square feet.

The development would be age-restricted, according to Mr. Fitzpatrick.

The Recreation Centers of Sun City West, Property Owners and Residents Association and the Sun City West Coalition have joined forces to oppose the Fitzpatrick project because they believe the density would be too great. They want to have the density reduced to no more than 45 dwellings on the 15 acres, or three per acre.

PORA President Randy Fuller has also expressed concern about the age overlay.

He said he has received an e-mail from the county indicating no more age overlays would be granted.

"The developer will have to do it with CC&Rs," Mr. Fuller said he was told.

Mr. Fuller indicated that the age overlay is nearly as important to the residents as the density issue.

He also mentioned that PORA is still concerned with

compatibility issues, such as home style.

PORA recently conducted a survey of residents with 98 percent of respondents supporting PORA's position on the density issue, Mr. Fuller noted.

"Ninety-eight percent of the people responding supported PORA's position at holding the cap at 45 homes; 2 percent voted in favor of going to 60," Mr. Fuller said.

"There were 2,847 e-mail's sent, as well as 225 individual letters to people living in the immediate area," he continued. "Sixty-three of those people responded and of that, 59 people voted in favor of 45 homes; three voted for 60 (houses), and one had no opinion.

Of the 2,847 e-mails sent, responses were received from 735 people, or 26 percent, and 717 favored the construction of 45 houses, according to Mr. Fuller.

Despite the opposition, Mr. Fitzpatrick is encouraged that his project will get the green light.

"The county staff has recommended the project for approval," Mr. Fitzpatrick said.

"Pleasant Valley Country Club was recommended for approval by the county staff with same density as mine," he added.

The Maricopa County Planning and Zoning Commission unanimously approved Del Webb's proposal to build 1,850 single-family homes on 717.5 acres on the former Bodine Orchards property, northwest of Sun City West.

The community will be gated and age-restricted. Amenities will include an 18-hole championship golf course, driving range, practice facility, a fitness center, community center and restaurant.

Density will be similar to Sun City West, about 2.5 homes per acre.

Upon completion, an estimated 3,515 residents will call Pleasant Valley Country Club home.

PORA has planned to take a sizable delegation to the county hearing. It has made arrangements for at least one 47-passenger bus to travel to the hearing. "We are still working on a second bus," Mr. Fuller said.