Melissa Dodge

From: noreply@civicplus.com
Sent: Monday, April 20, 2020 9:51 AM
To: Melissa Dodge; Missy Arocha; Greg Truitt; Olga Cadaval
Subject: Online Form Submittal: Public Comments Form

CAUTION: EXTERNAL SENDER -- Please avoid opening any unexpected attachments or clicking any strange links.

Public Comments Form

Meeting Date	April 20, 2020
Meeting Type	Zoning Hearing
Name	Francis Ucci
Email Address	Ucci12@bellsouth.net
Address	17441 SW 84th CT
City	Palmetto Bay
State	FL
Zip Code	33157
	(Section Break)
General Public Comments - Agenda Item No. 5 - Requests, Petitions & Public Comment	I object to this virtual zoning hearing in it's entirety. In light of the current sequestration of the citizens of this city, I find this hearing to be untimely, inappropriate, specious and illegitimate on it's face. While citizens of Palmetto Bay are dealing with the greatest threat to the safety of this country since World War II, many of them without knowledge of where their next meal might come from, to ask them to parse this complex and all-encompassing zoning re-write is an outrage which borders on a gross abuse of power. I call on the Council to vote now to postpone this hearing until such time as ALL restrictions on the movement of city residents have been lifted.
	(Section Break)
Agenda Item No.	4.

Comments (type your comments in the box below)	I object to the entire content of this item and it's timing as well.
Agenda Item No.	5.
Comments (type your comments in the box below)	I object to the entire content of this item and it's timing as well.
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*

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Melissa Dodge

From: James.Williams@hklaw.com
Sent: Monday, April 20, 2020 10:03 AM
To: Melissa Dodge
Subject: FW: April 20, 2020 - Item No. 2 - Correspondence - Continuance Acknowledgment
Attachments: Continuance Acknowledgment - Windsor Investments, LLC - April 20, 2020 Agenda - Item No. 2.pdf

Importance: High

CAUTION: EXTERNAL SENDER -- Please avoid opening any unexpected attachments or clicking any strange links.

Good morning,

Please see below email send Friday, April 17, 2020.

Attached please find the following continuance acknowledgment regarding Item No.2 scheduled for the Agenda on April 20, 2020, as referenced above.

Please let me know if you have any questions, concerns, or comments.

Best,

James Williams | Holland & Knight
Associate
Holland & Knight LLP
701 Brickell Avenue, Suite 3300 | Miami, Florida 33131
Phone 305.789.7413 | Fax 305.789.7799
james.williams@hklaw.com | www.hklaw.com

Add to address book | View professional biography

From: Williams, James R (MIA - X27413)
Sent: Friday, April 17, 2020 12:22 PM
To: Mark Alvarez <malvarez@palmettobay-fl.gov>; 'jdellagloria@palmettobay-fl.gov' <jdellagloria@palmettobay-fl.gov>
Cc: Missy Arocha <marocha@palmettobay-fl.gov>; Arza, Hugo P (MIA - X27783) <Hugo.Arza@hklaw.com>
Subject: April 20, 2020 - Item No. 2 - Correspondence - Continuance Acknowledgment
Importance: High

Good afternoon,

Attached please find the following continuance acknowledgment regarding Item No.2 scheduled for the Agenda on April 20, 2020, as referenced above.

Please let me know if you have any questions, concerns, or comments.

Best,

James Williams | Holland & Knight
Associate
Holland & Knight LLP
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Phone 305.789.7413 | Fax 305.789.7799
james.williams@hklaw.com | www.hklaw.com

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Holland & Knight
701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.789.7413 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

James R. Williams Jr.
(305) 789-7413
james.williams@hklaw.com

April 17, 2020

Mr. Mark Alvarez
Village of Palmetto Bay
Interim Planning and Zoning Director
9705 East Hibiscus Street
Palmetto Bay, FL 33157

John Dellagloria
Village of Palmetto Bay
Village Attorney
9705 East Hibiscus Street
Palmetto Bay, FL 33157

Re: Windsor Investments (Westminster Manor), LLC / Folio No. 33-5023-000-0582 / Item 2 – April 20, 2020 Zoning Meeting / Approval of Continuance

Dear Mr. Alvarez:

This law firm represents Windsor Investments (Westminster Manor, LLC ("Applicant"), in connection with the parcel located north of SW 152 Street (Coral Reef Drive) between SW 71 Court and SW 69 Court (the "Property"), in the Village of Palmetto Bay (the "Village"). Specifically, the Applicant has submitted a rezoning application from "Estate – Single Family (E-1)" to "Estate Suburban Single Family District (E-S)", pursuant to Section 30-30.7 of the Village Code of Ordinances ("Village Code"), and a small scale amendment to the Village's Comprehensive Master Plan Future Land Use Map ("FLUM") to re-designate the Property from "Environmental Protected" to "Estate Density Residential", both applications are identified as Item 2 on the April 20, 2020 Agenda (the "Application").

On Thursday, April 9, 2020, we were informed by Mark Alvarez, the Planning and Zoning Director for the Village, that all quasi-judicial items, including the Application, would be continued at the April 20, 2020 zoning meeting to the next calendared zoning meeting. The purpose of this letter is to serve as the Applicant's confirmation and acceptance of the continuance based on such conversation with Mr. Alvarez. As such, neither Applicant, nor any of its representatives, will be in attendance at the meeting.

Thank you in advance for your considerate attention to this application. If you should have any questions or require any additional information, please do not hesitate to contact me at (305) 789-7413.

Respectfully submitted,

HOLLAND & KNIGHT LLP

James R. Williams Jr., Esq.

Melissa Dodge

From: noreply@civicplus.com
Sent: Monday, April 20, 2020 11:59 AM
To: Melissa Dodge; Missy Arocha; Greg Truitt; Olga Cadaval
Subject: Online Form Submittal: Public Comments Form

CAUTION: EXTERNAL SENDER -- Please avoid opening any unexpected attachments or clicking any strange links.

Public Comments Form

Meeting Date	April 20, 2020
Meeting Type	Zoning Hearing
Name	Eric Tullberg
Email Address	e341@bellsouth.net
Address	7884 SW 179 Tr.
City	Palmetto Bay
State	FL
Zip Code	33157-6213
	(Section Break)
General Public Comments - Agenda Item No. 5 - Requests, Petitions & Public Comment	7884 SW 179 Tr.
	(Section Break)
Agenda Item No.	2
Comments (type your comments in the box below)	The DUV will not be a truly walk-able area unless there is a grocery store included. Many of the other stores are optional but everyone needs to eat. The Cutler Bay Publix is not easily reached from most of the DUV and requires crossing a busy street. Other grocery stores (ALDI, Publix at Colonial Dr.) are 2 miles away.
Agenda Item No.	3

Comments (type your comments in the box below)	Few students walk or bike to school anymore. The school should be required to provide van service for those not close by.
Agenda Item No.	4
Comments (type your comments in the box below)	Parking for Theaters should be 1 space for every 40 SF of seating area. My reasoning is as follows: The front to back pitch is about 4 ft. The side to side pitch is about 2.5 ft. Therefore each seat takes up about 10 SF. Assume aisles etc. take up another 10 SF. That is 20 SF per patron. It is reasonable to assume that there will be 1 car for every 2 people (some may walk, but others will drive alone). Therefore there should be 1 space for every 40 SF, 2.5 x the number in the required parking.
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*

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Melissa Dodge

From: noreply@civicplus.com
Sent: Monday, April 20, 2020 5:36 PM
To: Melissa Dodge; Missy Arocha; Greg Truitt; Olga Cadaval
Subject: Online Form Submittal: Public Comments Form

CAUTION: EXTERNAL SENDER -- Please avoid opening any unexpected attachments or clicking any strange links.

Public Comments Form

Meeting Date	4-20-20
Meeting Type	Zoning Hearing
Name	Timo Wright
Email Address	twriton@aol.com
Address	15450 SW 67 Ct
City	Palmetto Bay
State	florida
Zip Code	33157
	(Section Break)
General Public Comments - Agenda Item No. 5 - Requests, Petitions & Public Comment	*Field not completed.*
	(Section Break)
Agenda Item No.	2
Comments (type your comments in the box below)	From AGENDA, Virtual Zoning Hearing of Monday, April 20, 2020 Page 3 of 5 Item 2: The item being considered pursuant to Section(s) 30-30-8, and 30-10.5 of the Village's land Development Code. Applicant: Windsor Investments (West minster Manor), LLC Folio: 33-5023-000-0582 File No.: VPB-19-007 Location: North od SW 142nd Street, South of SW 149th Terrace, between SW 71st Ct and SW 69th Court. STATEMENT: Why is this piece of land (now that was filled in)

or lake/sinkhole/pond, even being considered for a change from Environmental Protection (EP) to Estate Density, EDR (for Section 30-30.8) then even further degrading the area by the downgrading of Section 30-10.5 from E-1 to E-S?
This (now filled in) Pond area, is contiguous (separated by SW 152 St) with the Environmentally protected Deering estate. It is also close to the FPL swath of protected land 2 streets to the north which can be considered an Urban natural area, with its pinelands and other S, Florida indigenous plant and animal species. This FPL area is very close to the USDA Agricultural area which in turn borders on the Chapman Field, another Environmentally protected area.
Knowing all this, why was the developer, Windsor Investments allowed to fill this pond area?
Dis they aver obtain the proper DERM and South Florida Water Management District approval. The SFWMD always requires a permit for filling wetlands, ponds like this.

Agenda Item No. 2

Comments (type your comments in the box below)

Agenda Item #2 Continued:Was an environmental study ever done? Or did the developer just bungle their way into this and cause lawsuits because they did not properly survey the area? It is known that one homeowner on this pond sued because their property extended into the pond.
This suggests that proper research was not accomplished before the developer planned this development and in their representations of the permits needed (if they did pull the correct permits). NOTE: during the entire time the developer filler the pond, I never saw any type permit posted. It looked as if they had decided to do it and went ahead and filled it in without asking or inquiring about permits.
What they did not disclose, even if they knew, is that there were Otters living in the pond. The otters probably came at night, after having established themselves in the new swampland inside the Deering Estate, after the creation of the 37 new acres of wetland caused by the CERN project in 2007. This is the SFWMD project that re-connected the canal to the old creek that passes under the Chinese Bridge on the Deering Estate. I was not aware of the otters, until shortly after the developer started the filling of the pond. I found out one morning when I was driving by the site. After work one day, the workers had obtained a carcass of an otter (by poisoning or?) and wrapper it into a plastic bag and threw it into the east bound lane of SW 152 St. After it being run over a couple hundred times, I could ascertain that it was a dead Otter.
What they did not know, was that there were endangered crocodiles in the pond. After seeing the dead Otter, I was very

	concerned about the remaining wildlife in the water. One day I looked closer and saw the swirls of the crocodile tails which I had seen numerous times before in the mangrove drainage canals of the Blackpoint area (then called Snapper point).
Agenda Item No.	2
Comments (type your comments in the box below)	Agenda Item #2 Continued: That pond has history. It was the original water source of the FPL steam plant that used to be situated at the corner of SW 152 St and SW 67 Ave. I think that one time, it was also connected to one of the canals just north and west of the Royal Harbor Yacht Club Development. It could have been that the endangered crocodiles entered the pond through this network of canals and underground pipes that was used by the old steam plant. Was this even taken into consideration by DERM and or SFWMD? Another item is that immediately after the pond was being filled, I saw my first coyote in Florida. I saw it at the entrance of the service road to the FPL natural area easement, on SW 67 Ave. This and other Coyotes subsequently moved into the Deering Estate area and started attacking local people's small pets. It probably was bound to happen but was exacerbated by the filling and demolishing of the Pond's natural system, that should have been more thoroughly researched before permits were issued, if they were. Thanks for your consideration. Tim W., a concerned Palmetto Bay Citizen.
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*
Agenda Item No.	*Field not completed.*
Comments (type your comments in the box below)	*Field not completed.*
Agenda Item No.	*Field not completed.*

Comments (type your comments in the box below)	*Field not completed.*

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Melissa Dodge

From: Wright, Timothy (WASD) <Timothy.Wright@miamidade.gov>
Sent: Monday, April 20, 2020 5:39 PM
To: Village Council
Subject: Vote against Item @2 on tonight's virtual meeting, stop Windsor Investments
Attachments: Letter to Palmetto Bay, against the Winsdor Development Corp.docx

CAUTION: EXTERNAL SENDER -- Please avoid opening any unexpected attachments or clicking any strange links.

From AGENDA, Virtual Zoning Hearing of Monday, April 20, 2020 Page 3 of 5
Item 2: The item being considered pursuant to Section(s) 30-30-8, and 30-10.5 of the Village's land Development Code.
Applicant: Windsor Investments (West minster Manor), LLC
Folio: 33-5023-000-0582
File No.: VPB-19-007
Location: North od SW 142nd Street, South of SW 149th Terrace, between SW 71st Ct and SW 69th Court.

STATEMENT: Why is this piece of land (now that was filled in) or lake/sinkhole/pond, even being considered for a change from Environmental Protection (EP) to Estate Density, EDR (for Section 30-30.8) then even further degrading the area by the downgrading of Section 30-10.5 from E-1 to E-S?

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Thanks for your consideration.
Tim W., a concerned Palmetto Bay Citizen.

Thank You;

Timothy Wright
Construction Manager II
I / I Program Management & Construction Division
Miami-Dade Water and Sewer Department
Miami-Dade WASD Le Jeune Offices
3575 South Le Jeune Rd.
Miami, Fl 33144
Off: 786-552-4446
Cell: 786-478-8936
www.miamidade.gov/water

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Statement against the Village of palmetto Bay Public hearing #2, on Monday 4-20-2020.

From AGENDA, Virtual Zoning Hearing of Monday, April 20, 2020 Page 3 of 5

Item 2: The item being considered pursuant to Section(s) 30-30-8, and 30-10.5 of the Village's land Development Code.

Applicant: Windsor Investments (West minster Manor), LLC

Folio: 33-5023-000-0582

File No.: VPB-19-007

Location: North od SW 142nd Street, South of SW 149th Terrace, between SW 71st Ct and SW 69th Court.

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Statement against the Village of palmetto Bay Public hearing #2, on Monday 4-20-2020.

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