



**MINUTES
TOWN OF HILLSBORO BEACH
REGULAR COMMISSION MEETING**

TUESDAY

SEPTEMBER 10, 2024

10:00 A.M

CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Dawn Miller called the meeting to order at 10:17 A.M. Roll was called with the Commission members and staff present as listed below.

Town Commission:

Mayor Dawn Miller
Commissioner Jane Reiser
Commissioner David A. Ravanese

Vice Mayor Barbara Baldassarre
Commissioner Vinnie Andreano

Town Staff:

Town Manager William "Mac" Serda, ICMA-CM
Donald J. Doody, Town Attorney, Esq.
Town Clerk Sherry D. Henderson, CMC
Police Chief, Jay Szesnat

APPROVAL OF AGENDA

Motion made by Commissioner Ravanese, seconded by Commissioner Reiser, to amend the agenda by removing Item E, Resolution No. 2024-37, and bring it back at a later date. In a roll call vote, the **motion** passed unanimously. (5-0)

I. APPROVAL OF MINUTES

A. July 9, 2024 Board of Zoning & Appeals

Motion made by Commissioner Baldassarre, seconded by Commissioner Andreano, to approve the minutes of the July 9, 2024 Board of Zoning and Appeals as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

**B. July 9, 2024 Regular Commission Meeting, and
C. July 23, 2024 Special Commission Meeting**

Motion made by Commissioner Ravanese, seconded by Commissioner Andreano, to approve the minutes of the July 9 Regular Commission Meeting and the July 23, 2024 Special Commission Meeting collectively, both as presented. In a roll vote, the **motion** passed unanimously. (5/0)

II. PRESENTATIONS

None.

III. SITE PLAN REVIEW

A. PUBLIC HEARING - 1085 Hillsboro Mile, Hillsboro Beach, FL 33062

Authorized Agent for Property Owner is Seeking Extension of Site Plan Approval and an Amendment to the Final Site Plan, Per Section 12-48(G) of the Town's Code of Ordinance.

Owner: Land Banc Trust
Property Owner: Morris Flancbaum
Staff: Graham Long, Development Planner, CG&A
Date of Original Site Plan Approval: Development Order Granted and Issued 7/11/2023
(Applicant Requested Postponement for 10/1/2024)

Mayor Miller read the item into the record by name and title only. She stated that it had been tabled at the last meeting, and that the applicant requested that the item be postponed until October 1, 2024.

Motion by Commissioner Reiser, seconded by Commissioner Ravanese, to table the variance request hearing for property located at 1085 Hillsboro Beach, FL 33062 until October 1, 2024. In a roll vote, the **motion** passed unanimously. (5/0)

B. PUBLIC HEARING - 925 Hillsboro Mile, Hillsboro Beach, FL 33062

Authorized Agent for Property Owner is Seeking Extension of Site Plan Approval and an Amendment to the Final Site Plan, Per Section 12-48 (G) of the Town's Code of Ordinance.

Owner: 925 Land Trust

Authorized Agent: Brian Horowitz

Staff: Graham Long, Development Planner CG&A

Date of Original Site Plan Approval: Development Order Granted and Issued 4/5/2022

Town Attorney DJ Doody swore in those giving testimony at the hearing.

Graham Long, Development Planner, CG&A, explained that this application is for an extension to the original approved site plan and for an amendment to the final site plan. The original site plan was approved on April 5, 2022 but had expired. The West side of the parcel had a building permit issued, and the East side parcel did not have a building permit issued; that permit was issued after the site plan expired so they are attempting to clean that up by seeking an extension for one year for the full lot given that it is technically one lot. Mr. Long affirmed that the applicant is in agreement with the request as stated.

The applicant did not wish to speak about this item.

Motion by Commissioner Andreano, seconded by Commissioner Reiser, to extend the site plan approval for the full lot for a period of one year. In a roll vote, the **motion** passed unanimously. (5/0)

Town Attorney DJ Doody stated that the second action before the Commission is the amendment to the final site plan. He inquired about the position of the applicant, given that the variance was denied.

Mr. Long explained that the site plan before the Commission is for the full lot and includes the gate that triggered the variance request at the previous meeting. He stated that the site plan, as amended, would not be compliant because of that gate, and that there were other items that are non-compliant as stated in his report. Mr. Long recommended that the application be tabled, and the applicant come back with a revised site plan with the minor change of removing the gate. As an alternative, the Commission could condition approval, subject to removal of the gate. He stated that the better option would be to table the item and the other changes.

Mr. Mark Rothenberg of 2766 N.E. 29 Street, Lighthouse Point, stated that he is the owner of the company that will construct the main house, and that he had built the guest house on the property. Mr. Rothenberg requested that the Commission approve the site plan modification for the main house with the understanding that the gate on the West side has been denied so that they can commence construction.

Mayor Miller opened the public hearing, however there being none to speak, she closed the public hearing.

Mr. Rothenberg confirmed he would be happy to submit a modified site plan absent of the gate.

Motion by Commissioner Baldasarre, seconded by Commissioner Reiser, to approve the site plan, subject to the amendment removing the gate being made and submitted in a timely manner. In a roll vote, the **motion** passed unanimously. (5/0)

IV. ORDINANCES

A. Ordinance No. 2024-05 - Construction Site Management to Include Sodding of Vacant Lots and Designation of Development Review Official (SECOND READING)

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING CHAPTER 12 ENTITLED "LAND DEVELOPMENT CODE", BY AMENDING SECTION 12-2 ENTITLED "DEVELOPMENT REVIEW ADMINISTRATION", PROVIDING FOR THE DESIGNATION OF A DEVELOPMENT REVIEW OFFICIAL (DRO); PROVIDING FOR AN AMENDMENT TO SECTION 12-50 ENTITLED "CONSTRUCTION SITE MANAGEMENT" TO REQUIRE SODDING OF VACANT LOTS IN THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney DJ Doody read the item into the record.

Graham Long, Development Planner, CG&A, highlighted that this was the second reading, and the Commission would be addressing identification of who the DRO is and the role of the Commission. Mr. Long stated that what was added between the first and this second reading was the qualifier related to sod for parcels that are scheduled for demolition. A time-certain was added of 90 days from either the approval or start of the demolition before requiring that the parcel be sodded. Mr. Long indicated that the areas added were on Page 3 of the Ordinance, in lines 9-21, as was discussed at the last meeting.

Mayor Miller opened the public hearing on Ordinance No. 2024-05.

Ms. Deb Tarrant of 1083 Hillsboro Mile provided comments by via Zoom. Ms. Tarrant wanted to ensure that the grass being planned would not require irrigation given that there are periods of drought; she recommended that it be stipulated.

Town Manager Serda clarified that Ms. Tarrant was referring to the 'highway' grass and that could be a consideration, he would have to think through that since dead grass

would require maintenance and be a code issue as well. Mr. Serda added that they could require a specific type of grass.

Mayor Miller closed the public hearing on Ordinance No. 2024-05, there being no others that wished to speak.

Mayor Miller stated upon reviewing the changes made to the Ordinance, she was not certain that they comported with changes discussed and voted on at the first reading; she pointed to language in Section 12-2. Town Manager Serda agreed it was not correct as the Commission was to appoint the DRO, and recommended the item be tabled so they could also look at the grass and make the necessary edits.

Motion by Commissioner Ravanese, seconded by Commissioner Reiser, to table Ordinance No. 2024-05. In a roll vote, the **motion** passed. (5/0)

B. Ordinance No. 2024-06 Coastal Dune Conservation District (SECOND READING)

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING CHAPTER 12 ENTITLED "LAND DEVELOPMENT CODE", BY AMENDING SECTION 12-100 ENTITLED "IN GENERAL" TO CREATE A NEW DISTRICT ENTITLED "COASTAL DUNE CONSERVATION DISTRICT"; PROVIDING FOR THE CREATION OF A NEW DISTRICT WHICH SHALL COMPRISE THE DESCRIBED LANDS, SITUATE, LYING AND BEING IN HILLSBORO BEACH IN BROWARD COUNTY, FLORIDA, PROVIDING FOR DISTRICT REGULATIONS; PROVIDING FOR THE PURPOSE OF THE DISTRICT; PROVIDING FOR QUALIFYING DEVELOPMENTS; PROVIDING FOR PERMITTED USES; PROVIDING FOR HEIGHT REGULATIONS FOR BOTH THE EAST SIDE AND WEST SIDE OF A1A; PROVIDING FOR PARKING AND YARD REGULATIONS; PROVIDING FOR EXCLUSIONS TO YARD REGULATION; PROVIDING FOR AREA AND DENSITY REGULATION BASED ON PLOT SIZE, AREA DENSITY, AND GROUND COVERAGE; PROVIDING OPEN AREA REGULATIONS; PROVIDING FOR FLOOR AREA REGULATIONS; PROVIDING FOR EMERGENCY POWER REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney DJ Doody read the item into the record by name and title only. He then directed the attention of the Town Commission to the memo received from Planning Consultant Jim Hickey dated September 10, 2024. He highlighted the amendments made after the first reading on July 9, 2024 and stated that the ordinance is before the Commission based on a proposed text amendment submitted by a property owner

represented by counsel. The property owner is seeking development of the parcel, and this ordinance is being brought forward based on the proposed text amendment.

Mr. Hickey stated that the staff report he had was based on the draft from August 15, 2024, then referenced the two potential changes proposed by the Commission: (1) Amend the minimum acreage from 5 acres to 10 acres; and (2) Amend the density from 12 units to the acre to 10 units to the acre. Mr. Hickey then presented his analysis and stated that the applicant would present additional changes being requested.

Mr. Hickey clarified that the total number of properties is four, including this property, and five acres would be the minimum.

Mr. Jeffrey Bass of 1515 Sunset Drive, attorney/agent for the owner, circulated a document that he described as containing recommended clarifying language from a technical drafting perspective. Mr. Bass presented proposed language for formulating new policy relative to the new zoning district category. In addition, he suggested the Commission consider whether the height proposed was suitable for the scale of the land, instead of height alone. Mr. Bass stated that the applicant agrees with the staff report and that the City Planner found the ordinance to be consistent with the comprehensive plan for the City as well as the Broward County plan. Mr. Bass argued that this was the most potent evidence that the proposal was not spot zoning because it was consistent with the comprehensive plan.

Mr. Doody amplified for the benefit of the public that this is indicated as a legislative act; that the Commission is considering adding another zoning classification to the Code of Ordinances, and that it would by no means rezone any property. Mr. Doody recommended that should this ordinance be adopted; it be brought back before the Commission for a third reading in October in its final form. He added that this was for purposes of clarity and consistency due to the number of suggested revisions. Mr. Bass stated that the applicant did not object to that recommendation.

Mayor Miller opened the public hearing.

Siobahn Carty of 1187 Hillsboro Mile stated that her property was just North of the proposed development and that Virginia Kaye would be the most impacted by the development of this large structure. She added that there appeared to be a disregard for the tenants of the community and that they were here because the builder continues to search for loopholes, instead of adhering to the established codes in place when the property was purchased. Ms. Carty referenced the earlier mention of scale by Mr. Bass, and stated given the large scale of this property, the size of the structure built should be 'even more considered' within the scale of the community. Ms. Carty is opposed to approval of the ordinance.

Mary Beth Williams of 1170 Hillsboro Mile stated she had been a resident for 30 years and that many residents share the concern of overdevelopment of the unique and fragile piece of coastal property. She cited traffic congestion, lack of aesthetics and green space, in addition to overdevelopment. Ms. Williams mentioned allowing overdevelopment with rising water lines, beach erosion, exposure to catastrophic hurricanes, traffic density, police and EMS services, wild life and environmental conservation as concerns and questioned how the Commission could approve a '145-foot structure', that the charm and character of the unique town will be forever changed with the developer making huge profits. Ms. Williams also expressed concern for the construction impact on surrounding mature structures. She is opposed to the 2024-06 ordinance citing overdevelopment as her primary concern.

Paul Phillips of 1161 Hillsboro Mile stated that his family had owned his condominium since 1967 and highlighted logistical concerns with the construction including storage of materials, use of cranes and associated the timeline, traffic congestion with heavy trucks and large industrial forklifts parking on A1A. He said he agreed with the thoughts of previous speakers.

Beverly Olini of 1170 Hillsboro Mile said she reiterated what previous speakers had said, and she had been a resident for 36 years because of the charm and beauty of the town which will be eliminated. She observed that the density study was done in the Summer instead of the Winter season, and the Town is not ready to handle the height and scale of the building proposed.

Mark Ginsberg of 1221 Hillsboro Mile participated via Zoom; he pointed out what he felt Mr. Bass had left out about legislative policy. Mr. Ginsberg cited the decision being made to trade 20-25% of land for conservation area in exchange for granting a 300% height increase, stating that it warranted instead a 25% increase in height. He stated that a massive financial interest is dictating an ordinance which will impact other properties in the area and cause the loss of historic buildings as well as green space at the cost of possibly four 135-foot buildings. Mr. Ginsberg stated he had no objection to a coastal zone district as long as it is within reason, and asked the Commission to develop their own plan without influence from those with financial interest to do it in their favor.

Manny Penate of 1170 Hillsboro Mile stated he is on the board of Harborside, and he felt the previous speaker voiced his concern very well. Mr. Penate acknowledged that the Commission was trying to improve the circumstances and tax basis of the Town to improve property values, general ambiance, and maintenance of the community. He asked that they bring the two opposing sides together; strive to find a happy medium, and reconsider the size while continuing progress.

Kim Williams of 1251 Hillsboro Mile inquired about the purpose of the original ordinance tapping the height at 35 feet and asked what had changed since then. Ms. Williams stated that she did not understand why the developer would purchase the property knowing the restrictions, unless they felt they could go around the Town's Code. She added that the situation compromises the integrity of everyone: the Town, Commission and the developer; that it was a 'slippery slope' and the Town would look like Galt Ocean Mile in Fort Lauderdale.

Jim Lambert of 981 Hillsboro Mile stated he had lived on both ends of town, had been a resident since the early 1990s and was a former Commissioner. He pointed out the development had been approved by the previous Commission and that he had received many communications with a range of comments; this included comments on the 20% that goes to taxes. Mr. Lambert stated that 20% is a large sum of money in this case and many do not realize how much it costs to run the Town. Mr. Lambert explained 2,500 taxable units at \$6 million is approximately \$2,500 per address whereas the project would bring \$28,000 per address which would be windfall of funding for the community; those funds could solve the beach renourishment financing problems and other issues.

Javier Garcia 1203 Hillsboro Mile stated that the proposed budget will have a 9% increase in funding, and a 7% increase on expenditures. He thanked the Commission for running a tight budget and noted that 70% of the residents are on a fixed income. Mr. Garcia felt that the Town had been left behind in development; the code is ancient; there is no such thing as cheap land and the past Commission made a decision, so the Town needs to learn how to evolve. He stated that he is not against development as long as it helps to sustain the budget, and everyone can live in the community. Mr. Garcia asked that the Commission 'figure out a way.'

Richard Crusco of 1194 Hillsboro Mile provided comments via Zoom. He stated that for the past three years, supporters of Save Hillsboro Beach have voiced their opposition to this massive project. His observation was that the developer came up with another attempt to circumvent court decisions which said this is 'wrong and illegal'. Mr. Crusco objected to the excessive height and stated that a long legal fight was not their intention, so he is hoping to come to a compromise. Mr. Crusco stated that the sole benefactor would be the developer who would make a windfall at the expense of their neighbors and it is not fair to the residents as the small town 'feel' will be lost. Mr. Crusco also stated that according to Florida law, spot zoning in certain instances is illegal so they will continue to pursue legal action and opposition. Mr. Crusco stated that he had contacted Mr. Serda regarding preliminary construction on the West side after observing that the developer was not complying with DEP laws and was issued multiple violations for failure to protect the waterway. Mr. Crusco objected to the passing of ORD. 2024-06.

Jonathan Azoulai of 1169 Hillsboro Mile provided comments via Zoom. He stated that the proposed change offers much needed funding to the Town, and it is essential that any such change reflects fairness and shared responsibility. He added that developers can provide financial benefits, but if the Commission permits increased building height on the Rosewood site and the other 4 parcels, they should adjust all other locations within the Town as well to ensure the benefits and impacts of the zoning change are equally distributed.

Michael Weinberg of 1169 Hillsboro Mile participated via Zoom and stated that he strongly agrees with most of the prior comments, except for those given by the gentleman at 981 Hillsboro Mile. He stated, 'we can fund the sand if we need to' and that he recently saw a rendering of the building proposed. Mr. Weinberg was shocked to see how it dwarfed the surrounding area and is against an ordinance that would allow 10 floors. He inquired what safe guards are being put in place to ensure the project follows all rules and regulations from all government bodies. Mr. Weinberg suggested the Commission require, for the public record, that the developer commit to curing verifiable damages without question or litigation.

Charles Doherty of 1194 Hillsborough Mile provided comments via Zoom and stated that he objects to Ordinance 2024-06. Mr. Doherty said that the change from 10 acres to 5 acres appears to be a cynical workaround of spot zoning laws by Related. He felt that by trying to lower acreage to 5 acres, they would make three additional properties eligible for similar heights and he is not in favor of changing the character of the Town. Mr. Doherty suggested the Commission look at the long-term ramifications because the Town could eventually have four buildings 135 feet in height which would not be good for the community. Mr. Doherty indicated that Related paid \$30 million for the property, and the zoning change would significantly increase the value so the Town should get more than \$4 million in enhancements.

Claudio Petrocelli of 1170 Hillsboro Mile provided comments via Zoom. He inquired how the developer could buy the property knowing about the 35-foot limitation, and obtain a variance for 10 floors. He suggested that they must have had a sense they would receive an increase in density and that this should be explained. Mr. Petrocelli felt the infrastructure would have to be improved and that land speculators are benefitting instead of the community.

Brock Erickson of 1069 Hillsboro Mile stated that he did not feel that the Town is hurting for money. He questioned the quality of life the project would bring as that area is already one of the 'denser' parts of the Town, and a choke point on a normal weekend. He stated his issue is about the precedence the Commission would be setting and added it would be a 'Pandora's box and slippery road' with no control over the density or traffic patterns.

Laura Fish of 1169 Hillsboro Mile acknowledged that she wrote some very strong letters and stated that she felt the community is being disrespected by the project. She added that the 10 stories would dwarf and not represent the community if the Commission allowed it to be built.

Carla Palmore of 1057 Hillsboro Mile provided comments via Zoom. She stated that the height variance would be ridiculous based on the initial 35-foot maximum limit. Ms. Palmore referenced the wording of an article in the Town newsletter about the Coastal Conservation District and inquired what builder would build on the front section of the property along the ocean's edge. Ms. Palmore felt the 25% area is common sense and stated that she is against allowing an increased height variance without a specified limit. She stated the Commission should specify the absolute maximum height that would be allowed.

Dana Topper of 1169 Hillsboro Mile provided comments via Zoom, and stated that she came to the Town for its charm and lack of high-rises. She felt the owner of the property decided to purchase it with a hidden agenda because they knew the parameters of the law. Ms. Topper felt the Town would be dwarfed and the project is not acceptable. She recalled when the hotel first opened, that there was grave concern about the number of people it would bring to the beaches so she is against allowing a large building that will impact the beaches, infrastructure, human resources, and landscape of the Town.

Deb Tarrant of 1083 Hillsboro Beach provided comments via Zoom. She thanked the persons who understood the finances of the Town for speaking earlier and stated that the property is zoned for 188 units whereas the developer is proposing 92 units, making the project 'tremendously favorable' for the Town in terms of density. Ms. Tarrant added that is important to understand the parameters, and there will be construction regardless of what eventually goes there. She stated that this is not a wealthy town; there are many properties that pay zero dollars in taxes due to exemptions, and many that are capped by the Save a Home 3% cap so the income base is drastically reduced. Ms. Tarrant pointed out that single family homes subsidize fire protection and sanitation as Hillsboro Beach is the only ad valorem tax-based town.

Mayor Miller closed the public hearing as there were no others to speak.

Commissioner Ravanesi stated that this is a tough issue to vote on. He stated that he went back to when the property was first considered by the Commission and there were 41 buildings between two and 15 floors; he added that none of those would give over \$2 million in taxes or \$4.5 million to underground utility lines and provide easement to the beach. The town does not currently have an easement to the beach. Commissioner Ravanesi said no one wants additional assessments for beach nourishment given the other assessments and insurance they will already need to pay. He added that one more

10 story building would not change the ambience with condominiums priced at \$5 million to \$17 million, especially considering the blight currently in that space. Commissioner Ravanese did not believe that traffic would be considerably impacted and stated that the project would increase property values for all property owners in Town.

Commissioner Baldassarre stated that she was part of the Commission when it was decided to pursue the project and had major reservations at first until she talked to people in the town over the past 7-8 years; she found that the majority support the project and trust that the Commission makes the best decision for the Town. Commissioner Baldassarre stated that she believes the project will be a benefit to the whole town and agreed with Commissioner Ravanese on the financial impact of assessments he referenced; she felt a lot of people will find it hard to afford to live in the Town so any financial support for the residents is favorable. She referenced the comment about only 20% in taxes and advised that some areas only collect 12% so the project is certainly an advantage to the Town tax base.

Commissioner Reiser stated that both Commissioners Baldassarre and Ravanese had made good points and added that she was also on the Commission when the development was initially considered. She stated that the Town needs an influx of money, and she realized residents would now have to pay for fully funded reserves in addition to rising insurance rates. She encouraged people that criticize the Commission to run for it and inquired whether anyone had been to the sales office to see what they are offering. Commissioner Reiser felt the project will bring a good quality of life to the Town and asked that those present try to see the big picture of what the developer has laid out; she stated it would change the perspective of the community because it is gorgeous and something the Town needs.

Commissioner Andreano added that the Town needs a reserve because hurricanes and windstorms are becoming more prevalent; everyone is being burdened with increasing maintenance fees and other rising costs. He added that the Town had no toll roads or other funding mechanisms aside from major assessments in the future; he stated that the Town needs to manage improvements so the funds can be generated. Commissioner Andreano stated that the building would be 10 floors and that he sees many buildings of similar height; the proposed building will be beautiful with a setback of 100 feet which none of the other buildings have so it will enhance the neighborhood and generate the reserves that are needed.

Mayor Miller stated that before the Commission is a Coastal Conservation District ordinance which addresses their priorities; she recapped that it allows certain properties of 5 acres or more to build taller so long as they set aside 20% of the property for conservation; for half the density in going from 16 to 10 units per acre, and 100-foot setbacks on either side. She pointed out that the ordinance stipulates a maximum allowed

height of 130 feet under (D) Height Regulations on Page 3. Mayor Miller clarified that this is not about four more properties; that three additional would be eligible if they apply for and meet the requirements.

Mayor Miller stated that Hillsboro Beach is faced with a very heavy burden and challenge to keep and protect the things that mean the most to the Town. She cited the beach as one of those things and the Town has to have money to retain it; the police force is another important and expensive item in the budget which must be funded, preferably without assessments; and she also does not want more traffic. She highlighted that instead of 188 rental units, the project will have 92 units which is half the number so less strain and burden on infrastructure. Mayor Miller explained that they have a responsibility and obligation to fulfill; the Commission hears that no one wants a tall building next to them but the 100-foot setback must be considered. She stated that if the project does not go forward, she did not know what would happen in the future.

Mayor Miller acknowledged that it was an important consideration that the Related Groupo was willing to subsidize some of their impact with \$2.2 million for burying the power lines at one point in construction, and another \$2.2 million in another. She stated that would improve the quality of life, and added they are at a point in the Town journey where properties need to be improved and maintained. Rosewood is proposing an extraordinary, beautiful property and she knows they will maintain it. She pointed out that tall buildings are distributed from the South to North side of town.

Mayer Miller said she appreciates everyone taking the time to come and have their voices heard and while she respects their opinion, they will be unable to satisfy everyone and the Commission is trying to do their job, which is the best for the Town.

Commissioner Ravanese shared that he had heard from a number of people via email that were in favor of this project, and they will be part of the public record.

Mayor Miller stated that she read all the letters and that one expressed a concern about the payment not going to the Town; she briefly explained it is based on 27.650 in taxes paid per year to the Town which is over \$2 million. She added that the Town has to have money for the beach nourishments, and they are obligated to participate with Deerfield in order to receive government assistance. Mayor Mille highlighted that the Town beach is private so it has to be financially maintained without public contribution.

Mayor Miller said she had spoken to a lot of people who were overwhelmingly in favor of the Rosewood Residence property without discussion on the ordinance and hopes they can move forward from a policy standpoint as it comports with the vision of how the Town should move forward.

Town Attorney Doody emphasized this is the creation of a zoning classification, not the final approval of any particular project and the Commission would be focusing on the text of the proposed amendment, in consultation with Mr. Hickey.

Mr. Doody stated they were going to create a new zone category, the seventh, referred to as the Coastal Dune Conservation District. He recapped the recommendations, and indicated this is for four parcels. Discussions ensued and included the percentage of lot area to be designated as a conservation easement; Mr. Hickey recommended designating the area on the East parcel, maximizing it at 35% to preserve the strip along the beach. It was also clarified that the West side would still be limited to 35 feet in height. With regards to Plot Area and Density Regulation, Mr. Hickey recommended removing the words 'ground area' in reference to the 2,900 square feet; it should be 10 dwelling units. With regards to Ground Coverage, 30% of the net area was confirmed. Under Open Area, the minimum of the total area, including East and West was discussed; Mr. Hickey recommended keeping item (c). Under Provision L, Site Plan Approval was highlighted.

Motion made by Commissioner Ravanese, seconded by Commissioner Andreano, to incorporate the amendments as discussed into the ordinance. In a roll call vote, the **motion** passed unanimously. (5-0)

Town Attorney Mr. Doody reminded the Commission that the ordinance would come back for a third and final reading on October 1, 2024.

C. Ordinance No. 2024-07 - Prohibit Gas Powered Leaf Blowers (FIRST READING)

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING CHAPTER 6 ENTITLED "GARBAGE AND TRASH DISPOSAL" BY SPECIFICALLY AMENDING ARTICLE VI ENTITLED "NUISANCES"; PROVIDING FOR THE REGULATIONS ON THE USE OF LEAF BLOWERS; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney DJ Doody read the ordinance by name and title only.

Town Manager Serda illuminated that there is a window of opportunity to limit the use of gas-powered leaf blowers in town, he indicated this had been implemented in Miami Beach with a 9-month education period and 9-month warning period, but that was not his recommendation. Mr. Doody amplified a state legislative issue with Winter Park.

Motion made by Commissioner Ravanese, seconded by Commissioner Andreano, to consider the ordinance. In a roll call vote, the **motion** passed unanimously. (5-0)

It was determined this would begin on October 15, 2024 with a 3-month education period through January, followed by a 3-month warning period and enforcement beginning on May 1, 2025 to begin enforcement; the violator would be the parcel owner.

Motion made by Commissioner Ravanese, seconded by Commissioner Andreano, to incorporate the revisions discussed for this ordinance. In a roll call vote, the **motion** passed by majority vote. (4-1, with Vice Mayor Baldassarre opposed)

V. DISCUSSION & POSSIBLE ACTION

None

VI. RESOLUTIONS & CONTRACTS

A. Resolution No. 2024-33

Consideration to Approve and Authorize the Joint Filing of Local Government Funding Request (LGFR) with the City of Deerfield Beach for Beach Management Funding Assistance for Fiscal Year 2025/2026 with the Florida Department of Environmental Protection.

Mayor Miller introduced the resolution. County Attorney DJ Doody read the resolution by title only into the record.

Motion made by Commissioner Ravanese, seconded by Commissioner Reiser, for favorable action on the resolution. In a roll call vote, the **motion** passed unanimously. (5-0)

B. Resolution No. 2024-34

Consideration to Approve Calvin Giordano & Associates, Inc. (CG&A) Proposal No. 20-4197.4 for Necessary Professional Planning Services to Update the Town's Comprehensive Plan, Not to Exceed \$24,000; In Accordance with Terms and Conditions of Executed Agreement Per RFQ 2021-01 Continuing Professional Architectural and Engineering Services.

Town Attorney DJ Doody read the resolution by title only in to the record.

Motion made by Vice Mayor Baldassarre, seconded by Commissioner Ravanese, for favorable action on the resolution. In a roll call vote, the **motion** passed unanimously. (5-0)

C. Resolution No. 2024- 35

Consideration to Accept Recommendation of Award to TFR Enterprises, Inc. for RFP 2024-04-01 Disaster Debris Removal Services and Aftermath Disaster Recovery, Inc as the Secondary Contractor and Authorize the Appropriate Town Officials to Execute Agreements.

Town Attorney DJ Doody referred the Commission to the recommendation set forth by the Town Manager in a memorandum dated August 9, 2024, and read the resolution by title only in to the record. He stated that the action is to consider the award of a contract to a primary and secondary contractor for disaster debris removal. It was established by Town Manager Serda that an RFP was put out in compliance with FEMA regulations, as well as State regulations and the procurement policy of the town was complied with; he concurred with the selection committee recommendation of TFR as the primary contractor, and Aftermath Disaster Recovery as the secondary. It was clarified that the services would be on an as-needed basis, typically during a FEMA-declared recurring or non-recurring disasters. It was noted that the recommendation from Donna Rockwell, the procurement manager, is TFR for primary and Aftermath for secondary.

Motion made by Vice Mayor Baldasarre, seconded by Commissioner Reiser, to approve TFR Enterprises as the primary contractor and Aftermath Disaster Recovery as the secondary contractor. In a roll call vote, the **motion** passed unanimously. (5-0)

Town Attorney Doody read the resolution by title only, naming the approved primary and secondary contractors into the record.

Motion made by Commissioner Andreano, seconded by Commissioner Ravanese, to adopt the resolution. In a roll call vote, the **motion** passed unanimously. (5-0)

D. Resolution No. 2024-36

Consideration to Approve and Authorize the Purchase and Installation of 15 Ocean Regulatory Buoys with American Underwater Contractors for \$22,950 to include Installation, Freight, Mobilization, Commercial Dive Boat, Dive Team and All Equipment at Pre-identified Locations Along the Perimeter Line in the Atlantic Ocean East of the Town of Hillsboro Beach.

Town Attorney Doody read the resolution by title only into the record.

Mayor Miller referenced the agenda cover memo drafted by Town Manager Serda; it could be two months before the buoys are installed.

Motion made by Commissioner Andreano, seconded by Commissioner Ravanese, to approve and authorize the purchase and installation by American Underwater Contractors. In a roll call vote, the **motion** passed unanimously. (5-0)

E. Resolution No. 2024-37

Resolution of the Town of Hillsboro Beach Mayor and Commissioners Authorizing the Appropriate Town Officials to Execute the Law Enforcement Mutual Aid Agreement with Broward County Sheriff's Office for Boating Safety Enforcement and Enforcement of the Laws of Florida.

Mayor Miller stated that Resolution 2024-37 was removed from the agenda.

F. Resolution No. 2024-38

Resolution of the Town of Hillsboro Beach Mayor and Town Commissioners Authorizing the Appropriate Town Officials to Execute Agreement with Limousines of South Florida for Community Shuttle Services Piggybacking on the City of Margate, Florida Same Terms and Conditions of RFP 2023- 007 Community Shuttle Services.

Town Attorney Doody read the resolution by title only.

Town Manager Serda highlighted points for consideration by the Commission. Discussion ensued, including on shuttle and alternative transportation services; an app license option, pre-determined stop locations and ADA stop requirements.

Motion made by Commissioner Ravanese, seconded by Vice Mayor Baldassarre, to approve favorable action on resolution No. 2024-38. In a roll call vote, the **motion** passed unanimously. (5-0)

VII. CONSENT

A. CONSIDERATION FOR APPROVAL

	Vendor	Invoice #	Date	Amount	Description
1.	LSF	24-0630-26	June 2024	\$5,615.88	
2.	LSF	24-0731-26	July 2024	\$6,551.86	
3.	GCDE	60759	July 2024	\$2,102.40	Crusco & Doherty
4.	GCDE	60756	July 2024	\$6,657.90	General Matters
5.	GCDE	60757	July 2024	\$300.00	Development-Related
6.	GCDE	61032	Aug 2024	\$6,489.45	General Matters
7.	GCDE	1033	Aug 2024	\$188.50	Development-Related

8.	GCDE 61037	Aug 2024	\$2,490.00	Crusco & Doherty
9.	Inframark 129884	June 2024	\$88.49	
10.	Inframark 130325	July 2024	\$83.20	
11.	Inframark 130424	Aug 2024	\$8,398.29	
12.	Proclamation Recognizing the 7 th Annual Broward Mental Health Summit September 12, 2024			

Motion made by Vice Mayor Baldasarre, seconded by Commissioner Reiser, to approve the Consent Agenda as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

VIII. BEACH REPORT

None.

IX. STAFF UPDATES

A. Finance Department

FY2024 3rd Quarter Report - June 2024

Mr. Stephen Bloom, Finance Director, Inframark reviewed a PowerPoint slide presentation on the third quarter financial report which was favorable, a copy of which is available for the public record in conjunction with these minutes. There was a brief discussion regarding a workers' compensation insurance claim.

B. Police Department

Deputy Police Chief Rob O'Neil reviewed the Police report on behalf of Police Chief Szesnat, who could not be present. Police Chief O'Neil stated that the department had some success with ongoing investigations, and the recruit was voted president of his class in the academy. The Police Department looks forward to that recruit coming onboard in mid-November. The next Coffee with a Cop event was scheduled for September 11, 2024.

C. Building Department

Mr. George Folles, Building Official, CG&A provided his report. He stated that permitting and inspections have been steady, and the department is still working with property managers and engineers on their 25-year and 40-year reports. Mr. Folles reported that Parcel A of the Related Group is still going through the plan review and requires a resubmit for fire, engineering, and plumbing. He reported that they split the permit up between the building and site plan for Parcel B; the site plan had been approved for Parcel B. The Related Group is still working on their paperwork for the Parcel B building permit. After receiving some complaints, he now automatically receives

a text when they hit the vibration threshold so he can investigate and determine how to remedy those situations.

A vibration test pile will be conducted next month. Mr. Serda indicated that the Town would have representatives present for the test to experience the vibrations first-hand. Mr. Folles clarified the procedure that would be followed should vibrations exceed the FDOT threshold. Mr. Folles confirmed that the seawall work which caused complaints about vibrations was complete. It was clarified that Related hired the engineer that does the vibration monitoring as required in the building permit. The initial voluntary contribution of \$2.2 million for underground wiring would be made once the building permit is issued; that did not apply to the sales center. Mr. Serda highlighted the pre-site plan meeting which would set expectations as it relates to traffic, noise, litter, and other issues prior to the start of construction. It was confirmed that they had started to move dirt for the project.

D. Code Compliance

Bernard Pita, Code Compliance Supervisor, CG&A reviewed his June 2024 Code Compliance reports. The property that they had issues with had complied within a timely manner. Top violations were 40-year and 50-year inspections in June as well as in July report. There were 46 inspections and re-inspections in June 2024 with overgrown grass being the top violation. In July there were a total of 14 inspections and re-inspections; top violations were on construction sites. Mr. Pita explained the violations reported for Ocean Crest in the June Case Action Report.

X. TOWN MANAGER REPORT

A. RFP 2024-08-01 Police Department Communications & Interoperability Infrastructure Plan

Item was not discussed.

B. ITB No.2024-08-02 Water Treatment Plant Clearwell Storage Tank Replacement (ARPA Funded)

Item was not discussed.

C. Upcoming Town Events:

Town Manager Serda highlighted the following events:

- Coffee with a Cop - Wednesday, September 11, 2024, 10:00 A.M.
- Second and Final FY2025 Budget Hearing - Monday, September 16, 2024, 5:01 P.M.
- Ice Cream Social on September 18, 2024, 12:00 P.M.
- Music on the Green - Thursday, October 10, 2024, 7:00 PM
- Shred, Electronic Recycling & Blood Drive - Saturday, October 26, 2024, 9:00 A.M.-
 o 12:00 P.M.
- Christmas Tree and Menorah Lighting Holiday Event - Thursday, December 5, 2024,
 5:30 P.M.- 7:00 P.M.

XI. TOWN ATTORNEY REPORT

Nothing to report.

XII. TOWN COMMISSION COMMENTS/REPORTS

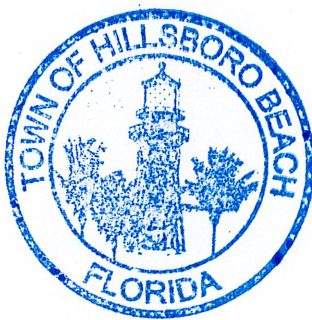
Nothing to report.

XIII. PUBLIC COMMENTS

Mayor Miller opened the public hearing, however there being none to speak, she closed the public hearing.

XIV. ADJOURNMENT

Motion made by Commissioner Baldassare, seconded by Commissioner Reiser, to adjourn the meeting at 1:52 P.M. All were in favor.



ADOPTED THIS 12th DAY OF November, 2024.

By: _____

Dawn Miller, Mayor

ATTEST: _____

Sherry D. Henderson, CMC Town Clerk

11/12/2024

**TOWN OF HILLSBORO BEACH
 1210 HILLSBORO MILE
 HILLSBORO BEACH, FL 33062**



*Hand-outs Provided or Presented at Meeting - Entered into the Record and/or
Written Comments emailed to Town Clerk, Entered into the Record.*

SEPTEMBER 10, 2024

REGULAR COMMISSION MEETING

Town of Hillsboro Beach
1210 Hillsboro Mile
Hillsboro Beach, FL 33062
TownofHillsboroBeach.com
954-427-4011

Sherry D. Henderson

From: frankjkolbjr@gmail.com
Sent: Monday, September 2, 2024 4:26 PM
To: shenderson@townofhillsborobeach.com
Subject: FW: Objection to Proposed Ordinance 2024-06
Attachments: Mayor August Newsletter and Town website.pdf

Madame Clerk,

Kindly make this correspondence part of the record with regard to Ordinance 2024-06

From: frankjkolbjr@gmail.com <frankjkolbjr@gmail.com>
Sent: Monday, September 2, 2024 4:23 PM
To: pdbm17@gmail.com; dmiller@townofhillsborobeach.com; Jane Reiser <jreiser@townofhillsborobeach.com>; Barbara Baldassarre <bbaldassarre@townofhillsborobeach.com>; vandreano@townofhillsborobeach.com; dravanesi@townofhillsborobeach.com; shenderson@townofhillsborobeach.com; mserda@townofhillsborobeach.com
Cc: Mary-Beth Williams <mbwilliams123@gmail.com>; 'Richard Crusco' <rcrusco28@gmail.com>; Charles Doherty <Cd@rebartonage.com>; 'Chris Fleck' <cfleck@yahoo.com>; 'Gardner Tony (tony@customplasticcard.com)' <tony@customplasticcard.com>; Mark RAPHAEL <mraphael@riverrealty.com>; joe@joecampanelli.com; Jan Tighe <tighes9613@gmail.com>; 'Nancy Davis' <nlmedia@icloud.com>; Koren C. Kolb <kory@ehlaw.com>; 'John Gonzalez' <zelagonz31@gmail.com>; twochamps@me.com; Alan Meltzer <ammeltzer@comcast.net>
Subject: Objection to Proposed Ordinance 2024-06

The Town of Hillsboro Beach website (copy attached) states, in part, “The Town official population is approximately 2,000, although the population increases significantly in the winter months as property owners return to seasonally occupy their residences”. It goes on to say there is only one hotel and no commercial properties. Looks to me like the intent is to give the impression that the Town is a small low key residential town. This sentiment was amplified by Mayor Miller in her August quarterly Newsletter (copy attached) she wrote, when referring to proposed ORDINANCE NO 2024-06, “The District would be consistent with the Town’s goals of creating and conserving green space and *keeping the number of new units low to minimize the stress on our infrastructure and to avoid increased traffic.*” (Copy attached)

For the last several years we have had a large, wealthy developer trying to change laws to increase their profits – attempting to build 10 stories in a 3-story zone. The Commission supported Related Group, granting permission to build a 10-story structure in what is a 3-story zone, but that granting was struck down in Court multiple times. Related Group now comes yet again before the Hillsboro Beach Commission with its proposal to amend the law governing the Related parcel and get permitted to build 10 stories in a 3-story zone. More than 3 times that was allowed under the

laws, codes and ordinances that were in place AT THE TIME OF THEIR PURCHASE of the PROPERTY NOW REFERRED TO AS ROSEWOOD.

When my wife and I purchased in 1992 we relied upon the zoning laws and regulations in effect that restricted the use of the Related property in part, in reliance on existing zoning on the large vacant lot to our immediate north then owned by John Kennerly that we would not have anything exceeding 3 stories and have to deal with all associated and incidental issues associated with a building height more than three times that allowed under the law at the time of our purchase and current law.

Everyone who owns property in town knew what the restrictions were on the property at the time of their purchase AS DID RELATED GROUP when they purchased. They purchased the property zoned for three stories at a purchase price based on the 3-story zone and now want the windfall which would be gifted to it if the zone change is granted.

The granting of the variance to allow 10 stories in a three-story zone was declared by two courts as illegal. Now we see an "end run" to achieve what courts have said was wrong and hence illegal.

I wonder time and time again how Related Group could have such stature, pull, influence etc. to get the Town of Hillsboro Beach Commission to grant 10 stories in a three-story zone.

Related in the past has used "scare tactics" such as we can build apartments under current law that would be less than pleasing or as they did in asking for 15 stories then "graciously" agreeing to reduce their request to 10 stories. Did they really want anyone to really believe they wanted to substantially cut their profits and build rental apartments?

Kindly recall that at prior Town meetings addressing this issue the number of taxpayers that spoke against the height of more than stories as opposed to those in favor. If my recollection is correct, it was less than 10 in favor.

Kindly keep in mind Related is allowed to build the three stories as allowed at the time of their purchase they just want to increase their profits approximately 233.33%.

Increased tax revenue due to a taller building to the Town has been touted as a benefit to the Town. That is disingenuous, at least in part for many reasons such as:

Look at your current tax bill and do it carefully and you will see about 20 % is earmarked for the Town and the remaining 80% goes to Broward County. Look again, I proffer no benefit to the Town. Related toots the tax benefit to the Town but, taxes are paid to the County and only about 20% of the tax payments come to the Town.

Property taxes are levied in an amount sufficient to fund necessary governmental services such as police, fire, employees, Town manager, Commission wages etc. but not to generate a profit.

Increased residents will cause an increase in the amount of taxes needed to provide necessary governmental services.

Our fire and EMS services are outsourced. Does anyone think the Provider (BSO) will not increase the charges proportionally increase the charges at contract renewal.

Does the entity who provides fire services to the Town have a ladder truck or any other apparatus to service a 10-story building?

I ask who will get the benefit of the increased taxes if Related is allowed to build a structure more than 3 times that allowed now and at the time of their purchase.

Traffic, tower cranes, loss of quiet enjoyment, be stuck in traffic three times longer than if only three stories were constructed, etc.

If granted you are taking negatively effecting current property owners' quality of life issues such as quiet enjoyment, increased traffic congestion, noise etc. and giving to Related roughly speaking, if 10 stories are built rather than, 3 as allowed, that is approximately 70 more residents above current law.

Why does this ONE new property owner get the windfall and benefit they want and leave the rest of the citizens and voters burdened.

So, at the end of the day, if ten stories are allowed Related Group fills their pockets and leaves Town. Those of us who lived in Town during the construction, experienced road closure, noise increased traffic, 3 times the period of construction and Tower Cranes and thereafter more traffic, stress on the infrastructure etc.?

Related is asking the Commission to waive its magic wand and transform 3 stories to 10. Good trick.



Quarterly Newsletter: August 2024

Dear Neighbors,

Happy Summer! I hope all of you are staying cool and safe during these extraordinarily high temperatures. I write to update you on town happenings.

ROSEWOOD: Site work for the Rosewood project has commenced and construction is expected to start in the fall. I will keep you updated. Plaintiffs in the lawsuit against the Town amended their filing on June 24, 2024, without adding material facts. A copy of the filing is available should you wish to review it.

COASTAL CONSERVATION DISTRICT: The Commission is considering a text amendment for the formation of a new Coastal Conservation District in Town, which would allow properties of more than 5 acres to build to an increased height so long as they dedicate 25 percent of the property as a coastal conservation area that will not be developed and substantially limit the number of units they build, capping it at 10 units per acre. The District would be consistent with the Town's goals of creating and preserving green space and keeping the numbers of new units low to minimize the stress on our infrastructure and to avoid increased traffic.

OCEAN CREST: Ocean Crest, at 1189 Hillsboro Mile, was sold. While a formal site plan has not been submitted, the owner has met informally with some residents and some Commissioners individually to discuss the possibility of building four stories, with 8 units on the ocean side and 12 units on the intracoastal side of A1A. The Town is not reviewing any applications related to the site at this time.

THE BUDGET: The Budget process has begun. Every year, between July and September, the Commission reviews the prior year's events and sets new goals as we develop our budget that starts in October. It is a time of reflection and priority-setting as we allocate our Town's resources in ways that are of greatest utility and benefit for our residents. We balance the budget each year while also considering all of the needs of the Town. In the past few months, we launched our new social media presence on X and Facebook, where residents can stay informed, especially during emergencies, such as hurricanes and evacuations. Additionally, the Police have rolled out SaferWatch, an app that enables users to send and receive information. Within Town Hall, we are using outside funds (not taxpayer money) to convert a storage room into a hi-tech multifunction room, where the Building Department can begin to accept and review plans digitally. The Building Department and Commissioners can utilize the room to meet with residents and contractors to discuss Town issues. The room will also serve as an overflow room when needed for Commission meetings.

THE BEACH: Our single greatest expense is related to our single greatest resource: our private beach. We will have to continue investing in beach nourishments going forward. We will not be able to fund them without raising new revenue. That revenue could come from projects such as Rosewood, or from substantial assessments for all residents, which is something the Commission does not want to be forced to do.

We are completing steps for our next beach nourishment, to be completed in March/April 2025. We have outside funding for approximately 87% of the \$5 million it is expected to cost. The Town will fund the remaining 13%.

WATER PLANT: Our Water Plant passed the state audit. We are now working with engineers to finish design and begin construction on a new water storage tank at our site in Pompano. This new tank will more than double the capacity of the current tank, ensuring a high-quality and adequate water supply for many years to come and additional surplus water for firefighting. The Town had secured partial funding from the state, but the governor vetoed all water projects throughout Florida. We have provided for funding in our current budget as we follow up with alternative funding recommended by the governor's office.

I welcome your input and would love to hear from you. It is my privilege to serve you.



About Hillsboro Beach



ABOUT TOWN OF HILLSBORO BEACH

Florida's Magnificent Mile

The Town of Hillsboro Beach is beautifully situated on a narrow peninsula between the shimmering Intracoastal Waterway and the clear blue Atlantic Ocean. The Town's Southern boundary is punctuated by the Hillsboro Inlet and the majestic and historic Hillsboro Lighthouse. The Town's total length is about 3 miles and at its widest part is only about 900 feet.

The Hillsboro Lighthouse is one of the Town's most prominent attractions. As early as 1855 this portion of the Atlantic Ocean was designated as being hazardous for the safe navigation of shipping, and the Federal government was requested to fund a lighthouse to provide the necessary warnings to mariners. This request, however, was rejected 17 times over the years, and took an additional 46 years before the Federal government in 1901 finally agreed to provide \$90,000 to build a "first-order light at or near Hillsboro Point". After various construction delays and with major components of the lighthouse coming from such diverse locations as Detroit, Michigan and

Paris, France, the light house was finally put into service in 1907. This structure marks the northern end of the Florida Reef and extends 138 feet skyward. It is capped with a 5.5 million candle power light, making it one of the tallest and most well-lit lighthouses on the east coast of The United States and provides an outstanding view in all directions. The lighthouse is open for tours on a very limited basis conducted by the Hillsboro Lighthouse Preservation Society.

Unique to the Town is that it has only one road, with this road running north-south for the entire length of the Town. Travelers through the Town will see views of large estate homes and beachside condominiums. The Town is almost exclusively residential. There are approximately 50 single-family residences, and the rest of those residing in Town live in condominiums. There is only one hotel for visitors and there are no commercial properties within the Town. The Town takes pride in its protection of its high concentration of sea turtle nests during the nesting season. At the south end of Town is the Hillsboro Inlet which provides safe navigational passage for boats crossing between the Intercoastal Waterway and the Atlantic Ocean. Located within the Hillsboro Inlet is a marina containing an extensive fleet of charter boats available for excellent daily deep water fishing trips and other marine excursions.

The Town's official population is approximately 2,000, although the population increases significantly in the winter months as property owners return to seasonally occupy their residences.



1210 Hillsboro Mile | Hillsboro Beach, Florida 33062 | Ph: [954-427-4011](tel:954-427-4011) | Fx: [954-427-4834](tel:954-427-4834)

[Contact Us](#) | [Site Map](#) | [Accessibility](#) | [Copyright Notices](#) | [Privacy Policy](#) | [Disclaimer](#) | [Government Websites by CivicPlus®](#)

Sherry D. Henderson

From: Sherry D. Henderson
Sent: Thursday, September 5, 2024 10:06 AM
To: 'Dawn Miller'; Vice Mayor Barbara Baldassarre; Commissioner Jane Reiser ; Commissioner David A. Ravanese; Commissioner Vinnie Andreano
Cc: Mac Serda
Subject: RE: Ordinance 2024-06 (Email from Marylou Carlson)

Hello Governing Body:

For reference, please note the attached email below submitted by a resident re: ORD 2024-06.

Sherry D. Henderson, Town Clerk
TOWN OF HILLSBORO BEACH

-----Original Message-----

From: Marylou Carlson <marcar602@aol.com>
Sent: Wednesday, September 4, 2024 5:57 PM
To: shenderson@townofhillsborobeach.com
Subject: Ordinance 2024-06

Please note for the public record Marylu and Don Carlson residents of 1169 Hillsboro mile unit 107 are against the ordinance 2024-06. The 150 ft height is almost double our 8 story building.

Regards, Marylu Carlson
Sent from my iPhone

Sherry D. Henderson

From: michael weinberg <yanks4@gmail.com> on behalf of michael weinberg
Sent: Wednesday, September 4, 2024 11:25 PM
To: jreiser@townofhillsborobeach.com; bbaldasarre@townofhillsborobeach.com; vandreano@townofhillsborobeach.com; dravanesi@townofhillsborobeach.com; Shenderson@townofhillsborobeach.com; mserda@townofhillsborobeach.com; dmiller@townofhillsborobeach.com
Subject: Rosewood project

I am an owner at the Hillsboro Windsor, have been for 17 years. Bought into the "Hidden Jewel" on the Magnificent Mile. Hillsboro Beach was the hidden jewel, with it's small town charm, pristine peaceful landscape, sacred dunes and rules that were in place to guarantee that feeling.

I would like to voice my displeasure with respect to the Related Rosewood project. Not only did they come in with their guns blazing, they felt that they could get what they wanted by throwing large sums of money at the Town to seemingly circumvent ordinances, use the dunes as their hardship and then disrespect the dunes once "in". As a Town we feel as if we were deceived, sure they went down quickly from 15 down to 10 stories, but 5 stories of garage below, that's 15 stories in my book!

Now that the project that will dwarf it's neighbors is being allowed to proceed, I believe that both the Town of Hillsboro Beach and the Related Group bear the responsibility to insure that their surrounding neighbors are well protected from their environmental disruptions, including monitoring of seismic vibrations emanating from the build site. The Town must enforce all regulations and Related should insure that their neighbors are not damaged in any way.

I would like my comments to be made part of the public record.

Thank you,
Michael Weinberg
Hillsboro Windsor

Sherry D. Henderson

From: Dawn Miller <dmiller@townofhillsborobeach.com> on behalf of Dawn Miller
Sent: Thursday, September 5, 2024 9:36 PM
To: michael weinberg
Cc: Shenderson@townofhillsborobeach.com; Mac Serda
Subject: Re: Rosewood project

Dear Mr. Weinberg,

Thank you for your email. I am happy to hear from long-time residents and appreciate you taking the time to write.

The Town requested, and Related/Rosewood agreed, to install vibration monitoring equipment. The Town's engineer confirms that the vibrations during the seawall construction did not exceed FDOT limits. I will be sending a letter to residents shortly that includes the Interval report related to activity from July through August.

Please feel free to reach out if you have further questions or concerns.

Best,
Dawn Miller
Mayor
Town of Hillsboro Beach

> On Sep 4, 2024, at 11:24 PM, michael weinberg <yanks4@gmail.com> wrote:

>

> I am an owner at the Hillsboro Windsor, have been for 17 years. Bought into the "Hidden Jewel" on the Magnificent Mile. Hillsboro Beach was the hidden jewel, with its small town charm, pristine peaceful landscape, sacred dunes and rules that were in place to guarantee that feeling.

> I would like to voice my displeasure with respect to the Related Rosewood project. Not only did they come in with their guns blazing, they felt that they could get what they wanted by throwing large sums of money at the Town to seemingly circumvent ordinances, use the dunes as their hardship and then disrespect the dunes once "in". As a Town we feel as if we were deceived, sure they went down quickly from 15 down to 10 stories, but 5 stories of garage below, that's 15 stories in my book!

> Now that the project that will dwarf its neighbors is being allowed to proceed, I believe that both the Town of Hillsboro Beach and the Related Group bear the responsibility to insure that their surrounding neighbors are well protected from their environmental disruptions, including monitoring of seismic vibrations emanating from the build site. The Town must enforce all regulations and Related should insure that their neighbors are not damaged in any way.

> I would like my comments to be made part of the public record.

> Thank you,

Sherry D. Henderson

From: Mac Serda <mserda@townofhillsborobeach.com> on behalf of Mac Serda
Sent: Thursday, September 5, 2024 3:00 PM
To: michael weinberg; Jane Reiser; Barbara Baldassarre; Vinnie andreano; David A. Ravanese; Sherry D. Henderson; Dawn Miller
Subject: RE: Rosewood project

Good afternoon Mr. Weinberg,

Thank you for the email and your interest in the Town's activities. You have a few details incorrect, and you may be unaware of some of the project's positive attributes that ultimately the Commission considered when voting in favor of the project.

If you'd like to discuss the project in person, or over the phone, I am happy to make myself available to you.

Thank you,

Mac Serda
Town Manager
Hillsboro Beach
Ofc: 954-427-4011

-----Original Message-----

From: michael weinberg <yanks4@gmail.com>
Sent: Wednesday, September 4, 2024 11:25 PM
To: jreiser@townofhillsborobeach.com; bbaldassarre@townofhillsborobeach.com; vandreano@townofhillsborobeach.com; dravanese@townofhillsborobeach.com; Shenderson@townofhillsborobeach.com; mserda@townofhillsborobeach.com; dmiller@townofhillsborobeach.com
Subject: Rosewood project

I am an owner at the Hillsboro Windsor, have been for 17 years. Bought into the "Hidden Jewel" on the Magnificent Mile. Hillsboro Beach was the hidden jewel, with it's small town charm, pristine peaceful landscape, sacred dunes and rules that were in place to guarantee that feeling.

I would like to voice my displeasure with respect to the Related Rosewood project. Not only did they come in with their guns blazing, they felt that they could get what they wanted by throwing large sums of money at the Town to seemingly circumvent ordinances, use the dunes as their hardship and then disrespect the dunes once "in". As a Town we feel as if we were deceived, sure they went down quickly from 15 down to 10 stories, but 5 stories of garage below, that's 15 stories in my book!

Now that the project that will dwarf it's neighbors is being allowed to proceed, I believe that both the Town of Hillsboro Beach and the Related Group bear the responsibility to insure that their surrounding neighbors are well protected from their environmental disruptions, including monitoring of seismic vibrations emanating from the build site. The Town must enforce all regulations and Related should insure that their neighbors are not damaged in any way.

I would like my comments to be made part of the public record.

Thank you,

Michael Weinberg

Hillsboro Windsor

Sherry D. Henderson

From: Scott Tuel <tuel_tractor@msn.com> on behalf of Scott Tuel
Sent: Friday, September 6, 2024 11:08 AM
To: shenderson@townofhillsborobeach.com
Subject: Opposition to Ordinance 2024-06

Please include my opposition to Ordinance 2024-06 (the Rosewood Project) as part of Public Record.

John Scott Tuel
1150 Hillsboro Mile Apt 904
Hillsboro Beach FL, 33062
Ph 303 680 0283

Sherry D. Henderson

From: Scott Tuel <tuel_tractor@msn.com> on behalf of Scott Tuel
Sent: Friday, September 6, 2024 10:44 AM
To: shenderson@townofhillsborobeach.com
Subject: Please respect the law!

NO to 150' buildings!

Sherry D. Henderson

From: rkelly6448@aol.com
Sent: Friday, September 6, 2024 10:35 AM
To: bbaldasarre@townofhillsborobeach.com; jreiser@townofhillsborobeach.com;
dravanesi@townofhillsborobeach.com; mserda@townofhillsborobeach.com;
shenderson@townofhillsborobeach.com; vandreano@townofhillsborobeach.com;
dmiller@townofhillsborobeach.com
Subject: Vacant Lot

Good morning to all, I hope you are all doing well. I just want to voice my opinion. I am against the proposed height of the new construction on the East side of Hillsboro Mile.

Even if you are in flavor of this, the only fair way to do it would be to have the residents of Hillsboro Beach vote for or against.

Thank you,

Robert & Jean Kelly
1161 Hillsboro Mile #201
Hillsboro Beach, FL 33062
954-895-6817

Sherry D. Henderson

From: Charles Doherty <cd@rebartonage.com> on behalf of Charles Doherty
Sent: Monday, September 9, 2024 4:24 PM
To: Commissioner Barbara Baldassarre;; Commissioner Jane Reiser;; David A. Ravanese; Mac Serda; Sherry D. Henderson; vandreano@townofhillsborobeach.com; dmiller@townofhillsborobeach.com
Cc: Richard Crusco; Ralf Brookes
Subject: Objection to Ordinance 2024-6
Attachments: cd ord 2024 06.pdf

Dear Ms Henderson and Mr Serda,

Please enter the following into the Public record at tomorrow's Town Commission meeting.

I am a Hillsboro Beach Resident and live within 500-0 feet of the Related/Rosewood property. I strongly object to Ordinance 2024-06. I, along with all of my neighbors, purchased our properties aware of, AND because of, the limitations of the **RM 16** zoning district.

I and my neighbors support smart development of the Related parcel **IN CONFORMANCE** with the current zoning laws. I, along with many members of the Hillsboro Beach community, are opposed to changing the character and charm of Hillsboro Beach by building a 150-0 highrise and are opposed to the Town Commission trading away the quiet enjoyment of our homes so that a deep pocketed developer can generate even more profit.

Further, I object to Ordinance 2024-06 because:

1. **Illegal Spot Zoning** The Ordinance as promulgated constitutes an illegal spot zoning by shifting allowable building heights for one large parcel over 400%, from 35-0 height to over 145-0. The illegal spot zoning of 145-0 is not compatible with the surrounding area, will only benefit one owner, and will be to the detriment of residents in the immediate neighborhood.
2. **Improper Notice** Ordinance 2024-6 constitutes a change to the Land Development Code and as such, the Town has failed to properly notice adjacent neighbors and nearby property owners.
3. **Financial Windfall** Ordinance 2024-06 will provide a substantial, inappropriate and unfair financial windfall to the owner at the expense of the neighboring properties. The Town Commission is giving away tens of millions of dollars in value to the developer for a few million in public improvements.
4. **Illegal Variance** The Town Commission had granted an illegal variance to Related. That illegal variance was struck down by the court and also found to be illegal by the appeals court. This is just another attempt by the Town Commission to circumvent the law and the Court's decision on behalf of a favored deep pocketed developer.
5. **Sensitive Environmental Area** According to the Florida Department of Environmental Protection, Related/Rosewood has already **FAILED** the community in its responsibility to build in an environmentally safe manner.

During preliminary construction, the **Florida Department of Environmental Protection** conducted a **Compliance Evaluation Inspection** and "**multiple violations were discovered.**" Specifically, "...perimeter controls were found to be **insufficient to protect surface waters from potential pollutants.**"

Additionally, the following potential violations were observed:

- **Failure** to conduct inspections according to the construction generic permit.
- **Failure** to maintain records for the construction generic permit.
- Failure to develop a Stormwater Pollution Prevention Plan for the construction generic permit.
- **Failure** to properly install/implement Best Management Practices for the construction generic permit.
- **Failure** to properly operate/maintain Best Management Practices for the construction generic permit.

Therefore, in order to protect our incredibly beautiful beach and intracoastal environment, Related/Rosewood **CANNOT be trusted** to be the manager of the proposed **Coastal Dune Conservation District**.

For all of the reasons stated above, I object to the passing of Ordinance 2024-06.

Thank you,

Charles Doherty
1194 Hillsboro Mile # 27
Hillsboro Beach, FL 33062

Charles Doherty
1194 Hillsboro Mile #27
Hillsboro Beach, FL 33062

I am a Hillsboro Beach Resident and live within 500-0 feet of the Related/Rosewood property. I strongly object to Ordinance 2024-06. I, along with all of my neighbors, purchased our properties aware of, AND because of, the limitations of the **RM 16** zoning district.

I and my neighbors support smart development of the Related parcel **IN CONFORMANCE** with the current zoning laws. I, along with many members of the Hillsboro Beach community, are opposed to changing the character and charm of Hillsboro Beach by building a 150-0 highrise and are opposed to the Town Commission trading away the quiet enjoyment of our homes so that a deep pocketed developer can generate even more profit.

Further, I object to Ordinance 2024-06 because:

1. **Illegal Spot Zoning** The Ordinance as promulgated constitutes an illegal spot zoning by shifting allowable building heights for one large parcel over 400%, from 35-0 height to over 145-0. The illegal spot zoning of 145-0 is not compatible with the surrounding area, will only benefit one owner, and will be to the detriment of residents in the immediate neighborhood.
2. **Improper Notice** Ordinance 2024-6 constitutes a change to the Land Development Code and as such, the Town has failed to properly notice adjacent neighbors and nearby property owners.
3. **Financial Windfall** Ordinance 2024-06 will provide a substantial, inappropriate and unfair financial windfall to the owner at the expense of the neighboring properties. The Town Commission is giving away tens of millions of dollars in value to the developer for a few million in public improvements.
4. **Illegal Variance** The Town Commission had granted an illegal variance to Related. That illegal variance was struck down by the court and also found to be illegal by the appeals court. This is just another attempt by the Town Commission to circumvent the law and the Court's decision on behalf of a favored deep pocketed developer.
5. **Sensitive Environmental Area** According to the Florida Department of Environmental Protection, Related/Rosewood has already **FAILED** the community in its responsibility to build in an environmentally safe manner.
During preliminary construction, the **Florida Department of Environmental Protection** conducted a **Compliance Evaluation Inspection** and "**multiple violations were discovered.**" Specifically, "...perimeter controls were found to be **insufficient to protect surface waters from potential pollutants.**"

Additionally, the following potential violations were observed:

- ***Failure*** to conduct inspections according to the construction generic permit.
- ***Failure*** to maintain records for the construction generic permit.
- *Failure to develop a Stormwater Pollution Prevention Plan for the construction generic permit.*
- ***Failure*** to properly install/implement Best Management Practices for the construction generic permit.
- ***Failure*** to properly operate/maintain Best Management Practices for the construction generic permit.

Therefore, in order to protect our incredibly beautiful beach and intracoastal environment, Related/Rosewood **CANNOT be trusted** to be the manager of the proposed **Coastal Dune Conservation District**.

For all of the reasons stated above, I object to the passing of Ordinance 2024-06.

Thank you,

Charles Doherty

Sherry D. Henderson

From: Sherry D. Henderson
Sent: Monday, September 9, 2024 3:27 PM
To: 'Pat Engle'; Barbara Baldassarre; Vinnie andreano; Jane Reiser; David A. Ravanese; Dawn Miller
Cc: 'Pat Engle'; Mac Serda
Subject: Oppose Ord 2024-06 (Email from Pat Engle)

Good Afternoon, Pat:

Thank you for stopping by Town Hall this afternoon, I regret you were having difficulties emailing our Town Commission.

But It looks like everything was sorted and the Town Commission received your email accordingly. I simply wanted to acknowledge receipt of your message for the record.

Thank you again for your time.

Mayor& Town Commission:

I oppose the adoption of any of the Related Groups Ordinance 20 24-6 requests to circumvent our current laws, including, but not limited to a change of zoning laws from RM-16: multifamily dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions.

Pat Engle
Hillsboro Windsor
Sent from my iPhone

Respectfully,



Sherry D. Henderson, CMC
TOWN CLERK
TOWN OF HILLSBORO BEACH
1210 Hillsboro Mile
Hillsboro Beach, FL 33062
954-427-4011 [Email](#) | [Website](#)

The State of Florida has a very broad public records law. Most written communications to Town Officials regarding Town business are public records available to the public and media upon request.

Your e-mail communications may be subject to public disclosure as set forth in the [Public Records Act Chapter 119, Florida Statutes](#).

-----Original Message-----

From: Pat Engle <putterduck42@gmail.com>
Sent: Monday, September 9, 2024 3:16 PM
To: bbaldassarre@townofhillsborobeach.com; vandreano@townofhillsborobeach.com; jreiser@townofhillsborobeach.com; dravanese@townofhillsborobeach.com; dmiller@townofhillsborobeach.com
Cc: Pat Engle <Putterduck42@gmail.com>; shenderson@townofhillsborobeach.com; mserda@townofhillsborobeach.com
Subject: Oppose Ord 2024-06

Mayor& Town Commission:

I oppose the adoption of any of the Related Groups Ordinance 20 24–6 requests to circumvent our current laws, including, but not limited to a change of zoning laws from RM-16: multifamily dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions.

Pat Engle
Hillsboro Windsor
Sent from my iPhone

Sherry D. Henderson

From: Jeff Tolmei <jeff@allseasonstravel.us> on behalf of Jeff Tolmei
Sent: Monday, September 9, 2024 2:50 PM
To: bbaldasarre@townofhillsborobeach.com; jreiser@townofhillsborobeach.com;
dravanesi@townofhillsborobeach.com; mserda@townofhillsborobeach.com;
shenderson@townofhillsborobeach.com
Subject: Rosewood

Dear Commissioners:

Please note for the record,

I oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumvent our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions.

Sincerely,
Jeff Tolmei
Hillsboro Imperial

Sherry D. Henderson

From: Janice Solis <janicesolis@mac.com> on behalf of Janice Solis
Sent: Monday, September 9, 2024 3:28 PM
To: shenderson@townofhillsborobeach.com
Subject: Hillsboro Beach Ordinance 2024-06

Please note for the record,

I oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumvent our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions.

Janice Solis Hillsboro Windsor

Sherry D. Henderson

From: Sherry D. Henderson <sherrydhenderson@gmail.com> on behalf of Sherry D. Henderson
Sent: Monday, September 9, 2024 2:40 PM
To: Sherry D. Henderson
Subject: Fwd: FW: Opposition to Ordinance 2024-06

From: Scott Tuel <tuel_tractor@msn.com>
Sent: Friday, September 6, 2024 11:07 AM
To: mserda@townofhillsborobeach.com
Subject: Opposition to Ordinance 2024-06

Please include my opposition to Ordinance 2024-06 (the Rosewood Project) as part of Public Record.

John Scott Tuel

1150 Hillsboro Mile Apt 904

Hillsboro Beach FL, 33062

Ph 303 680 0283

Sherry D. Henderson

From: Scott Williams <scott@wowadvisors.com> on behalf of Scott Williams
Sent: Monday, September 9, 2024 1:04 PM
To: bbaldasarre@townofhillsborobeach.com; jreiser@townofhillsborobeach.com; dravanesi@townofhillsborobeach.com; mserda@townofhillsborobeach.com; shenderson@townofhillsborobeach.com; vandreano@townofhillsborobeach.com; dmiller@townofhillsborobeach.com
Cc: mbwilliams123; Jacob
Subject: Town Ordinance 2024-06

Distinguished Commissioners:

Can you please record my objection to Ordinance 2024-06 at tomorrow's meeting as part of public record.

My reasons have been expressed by multiple neighbors so no need to reiterate here; however please note the following:

-the Ordinance seems to be moving forward in spite of the of our neighbors objections which seems to the vast majority of residents; why is it no board member is questioning the wisdom of this mass project.

-we are all aware of the tax benefits of a \$1billion dollar project vs. \$200million; but is the town so desperate for funds to give up a part of its character forever (and leading to future over-development)?

-is it possible that the difference in the two potential sales benefits (more than half a BILLION dollars) of the size projects is providing too much motivation for the developer to prevail at all costs over the residents?

-and aesthetics and overcrowding: have any of you driven past the two large Related developments two miles to the south in Pompano; is this what the commission wants the future of our town to look like?

In spite of my objections above, thank you for your service.

Scott & Mary Beth Williams

Sherry D. Henderson

From: Scott Williams <scott@wowadvisors.com> on behalf of Scott Williams
Sent: Monday, September 9, 2024 1:04 PM
To: bbaldasarre@townofhillsborobeach.com; jreiser@townofhillsborobeach.com;
dravanesi@townofhillsborobeach.com; mserda@townofhillsborobeach.com;
shenderson@townofhillsborobeach.com; vandreano@townofhillsborobeach.com;
dmiller@townofhillsborobeach.com
Cc: mbwilliams123; Jacob
Subject: Town Ordinance 2024-06

Distinguished Commissioners:

Can you please record my objection to Ordinance 2024-06 at tomorrow's meeting as part of public record.

My reasons have been expressed by multiple neighbors so no need to reiterate here; however please note the following:

-the Ordinance seems to be moving forward in spite of the of our neighbors objections which seems to the vast majority of residents; why is it no board member is questioning the wisdom of this mass project.

-we are all aware of the tax benefits of a \$1billion dollar project vs. \$200million; but is the town so desperate for funds to give up a part of its character forever (and leading to future over-development)?

-is it possible that the difference in the two potential sales benefits (more than half a BILLION dollars) of the size projects is providing too much motivation for the developer to prevail at all costs over the residents?

-and aesthetics and overcrowding: have any of you driven past the two large Related developments two miles to the south in Pompano; is this what the commission wants the future of our town to look like?

In spite of my objections above, thank you for your service.

Scott & Mary Beth Williams

Sherry D. Henderson

From: jimrauh@comcast.net
Sent: Monday, September 9, 2024 12:51 PM
To: bbaldasarre@townofhillsborobeach.com; jreiser@townofhillsborobeach.com; 'David A. Ravanese'; mserda@townofhillsborobeach.com; shenderson@townofhillsborobeach.com; vandreano@townofhillsborobeach.com; dmiller@townofhillsborobeach.com
Subject: NO Vote to ordinance adoption

Dear Commissioners:

Please note for the record,

I oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumvent our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions.

Please state to make this part of the public record

Sincerely,

James and Valorie Rauh

Hillsboro Windsor #603

Sherry D. Henderson

From: Mac Serda <mserda@townofhillsborobeach.com> on behalf of Mac Serda
Sent: Monday, September 9, 2024 2:02 PM
To: Dawn Miller; Barbara Baldassarre; David A. Ravanese; Jane Reiser; Vinnie andreaano
Cc: Sherry D. Henderson
Subject: FW: Rosewood Project

Importance: High

Pls see attached

-----Original Message-----

From: Alfred DiBlasi <dibs5@aol.com>
Sent: Monday, September 9, 2024 1:56 PM
To: Mac Serda <mserda@townofhillsborobeach.com>
Subject: Rosewood Project
Importance: High

To Mac Serda and the Commissioners of Hillsboro Beach:

Just a short note to state that I am in favor of the Rosewood project. From what I have read in addition to discussions with other neighbors, I feel that it will yield a great benefit to the Town of Hillsboro Beach and its residents. I look forward to seeing the result of tomorrow's vote.

Regards,

Alfred DiBlasi

Sherry D. Henderson

From: Mac Serda <mserda@townofhillsborobeach.com> on behalf of Mac Serda
Sent: Monday, September 9, 2024 2:11 PM
To: Sherry D. Henderson
Subject: FW: Town Ordinance 2024-06

Pls see below.

Mac

From: Scott Williams <scott@wowadvisors.com>
Sent: Monday, September 9, 2024 1:04 PM
To: bbaldasarre@townofhillsborobeach.com; jreiser@townofhillsborobeach.com; dravanesi@townofhillsborobeach.com; mserda@townofhillsborobeach.com; shenderson@townofhillsborobeach.com; vandreano@townofhillsborobeach.com; dmiller@townofhillsborobeach.com
Cc: mbwilliams123 <mbwilliams123@gmail.com>; Jacob <jacobwilliamssouthflorida@yahoo.com>
Subject: Town Ordinance 2024-06

Distinguished Commissioners:

Can you please record my objection to Ordinance 2024-06 at tomorrow's meeting as part of public record.

My reasons have been expressed by multiple neighbors so no need to reiterate here; however please note the following:

-the Ordinance seems to be moving forward in spite of the of our neighbors objections which seems to the vast majority of residents; why is it no board member is questioning the wisdom of this mass project.

-we are all aware of the tax benefits of a \$1billion dollar project vs. \$200million; but is the town so desperate for funds to give up a part of its character forever (and leading to future over-development)?

-is it possible that the difference in the two potential sales benefits (more than half a BILLION dollars) of the size projects is providing too much motivation for the developer to prevail at all costs over the residents?

-and aesthetics and overcrowding: have any of you driven past the two large Related developments two miles to the south in Pompano; is this what the commission wants the future of our town to look like?

In spite of my objections above, thank you for your service.

Scott & Mary Beth Williams

Sherry D. Henderson

From: Brian Ems <Brian_Ems@campbells.com> on behalf of Brian Ems
Sent: Monday, September 9, 2024 11:37 AM
To: bbaldasarre@townofhillsborobeach.com; jreiser@townofhillsborobeach.com;
dravanesi@townofhillsborobeach.com; mserda@townofhillsborobeach.com;
shenderson@townofhillsborobeach.com; vandreano@townofhillsborobeach.com;
dmiller@townofhillsborobeach.com
Subject: Rosewood ordinance

Dear Commissioners,

First of all, thank you for all your support and service.

Please note for the record,

I oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumvent our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions.

Please vote to preserve what is so unique and special about Hillsboro Beach!

Please make this part of the public record

Sincerely,

Brian Ems

Hillsboro Windsor Unit 605

This e-mail and any files transmitted with it may contain confidential information and is intended solely for use by the individual to whom it is addressed. If you received this e-mail in error, please notify the sender, do not disclose its contents to others and delete it from your system.

Sherry D. Henderson

From: Rosalie <703rga@gmail.com> on behalf of Rosalie
Sent: Monday, September 9, 2024 9:50 AM
To: bbaldasarre@townofhillsborobeach.com; jreiser@townofhillsborobeach.com;
dravanesi@townofhillsborobeach.com; mserda@townofhillsborobeach.com;
shenderson@townofhillsborobeach.com; vandreano@townofhillsborobeach.com;
dmiller@townofhillsborobeach.com
Subject: Ordinance 2024-6 Opposition

Dear Commissioners:

Please note for the record,

I oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumvent our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions.

Sincerely,

Rosalie Ambrosio

Antoinette Graziano

Hillsboro Windsor

Sherry D. Henderson

From: Mac Serda <mserda@townofhillsborobeach.com> on behalf of Mac Serda
Sent: Monday, September 9, 2024 10:37 AM
To: RG Ghattas; Barbara Baldassarre; Jane Reiser; David A. Ravanese; Sherry D. Henderson; Vinnie andreano; Dawn Miller
Subject: RE: Objection to Ordinance 2024-06 for Related project on Hillsboro Mile

Good Morning Dr Ghattas,

Thank you for your interest and involvement in our Town's activities.

If you have time today, or even this week, perhaps we can have a discussion on the phone. All of your concerns expressed below, will **benefit** from the change to the code because to qualify for the extra height, the developer must reduce the density, and therefore minimize the impact to all the services you identified (e.g. congestion, life-safety services, water, sewer and our beautiful beach).

Call or email me anytime.

Mac Serda
Town Manager
Hillsboro Beach
Ofc: 954-427-4011

From: RG Ghattas <rgdevry@gmail.com>
Sent: Monday, September 9, 2024 8:01 AM
To: bbaldassarre@townofhillsborobeach.com; jreiser@townofhillsborobeach.com; dravanese@townofhillsborobeach.com; mserda@townofhillsborobeach.com; shenderson@townofhillsborobeach.com; vandreano@townofhillsborobeach.com; dmiller@townofhillsborobeach.com
Subject: Objection to Ordinance 2024-06 for Related project on Hillsboro Mile

We object to the proposed change of building height from the current three stories to a taller building for the following reasons:

1. The cost of our services like Fire and police Departments will increase our taxes.
2. Traffic congestion on our section of A-1-A Will worsen especially in high season.
3. Safety of pedestrians and bike riders will be compromised.
4. Safety of elderly residents in this area depending on emergency services will be impacted.
5. Beach degradation.

Many more services like water, sewer, power, etc. Will be stressed.

The project will be handsomely profitable within the current restrictions..

We purchased our residence here on the basis of current densities and conditions. Very unfair to change them on us after the fact.

Sincerely,

Dr. R. Ghattas
Mrs. M Ghattas
1147 Hillsboro Mile
PH 6S
Hillsboro Beach, FL 33062
954-591-5494

Sherry D. Henderson

From: Melissa <melissapdm700@aol.com> on behalf of Melissa
Sent: Sunday, September 8, 2024 7:08 PM
To: Mac Serda town manager Hillsboro Beach; Sherry D. Henderson
Subject: Hillsboro Beach Rosewood property

I am in favor of the Rosewood project. I think our Hillsboro Beach commissioners have made good decisions regarding the Rosewood property development. I trust that they will continue to make decisions that are in the best interest of the town.

Melissa Waring
Port de Mer condo owner and resident

Sherry D. Henderson

From: markwboettcher@gmail.com
Sent: Monday, September 9, 2024 10:57 AM
To: bbaldasarre@townofhillsborobeach.com; jreiser@townofhillsborobeach.com; dravanesi@townofhillsborobeach.com; mserda@townofhillsborobeach.com; shenderson@townofhillsborobeach.com; vandreano@townofhillsborobeach.com; dmiller@townofhillsborobeach.com
Cc: Boettcher, Sue-main
Subject: Objection to the Proposed Height Variance for the Related Group property

To our Hillsboro Beach Commissioners and Mayor,

We oppose the proposed height variance for the Related Group property in Hillsboro Beach. Please vote NO this Tuesday.

Sincerely,

Susan and Mark Boettcher
1212 Hillsboro Mile, Villa 16
Hillsboro Beach, FL

Sherry D. Henderson

From: Mac Serda <mserda@townofhillsborobeach.com> on behalf of Mac Serda
Sent: Monday, September 9, 2024 10:37 AM
To: RG Ghattas; Barbara Baldassarre; Jane Reiser; David A. Ravanese; Sherry D. Henderson; Vinnie andreano; Dawn Miller
Subject: RE: Objection to Ordinance 2024-06 for Related project on Hillsboro Mile

Good Morning Dr Ghattas,

Thank you for your interest and involvement in our Town's activities.

If you have time today, or even this week, perhaps we can have a discussion on the phone. All of your concerns expressed below, will **benefit** from the change to the code because to qualify for the extra height, the developer must reduce the density, and therefore minimize the impact to all the services you identified (e.g. congestion, life-safety services, water, sewer and our beautiful beach).

Call or email me anytime.

Mac Serda
Town Manager
Hillsboro Beach
Ofc: 954-427-4011

From: RG Ghattas <rgdevry@gmail.com>
Sent: Monday, September 9, 2024 8:01 AM
To: bbaldassarre@townofhillsborobeach.com; jreiser@townofhillsborobeach.com; dravanese@townofhillsborobeach.com; mserda@townofhillsborobeach.com; shenderson@townofhillsborobeach.com; vandreano@townofhillsborobeach.com; dmiller@townofhillsborobeach.com
Subject: Objection to Ordinance 2024-06 for Related project on Hillsboro Mile

We object to the proposed change of building height from the current three stories to a taller building for the following reasons:

1. The cost of our services like Fire and police Departments will increase our taxes.
2. Traffic congestion on our section of A-1-A Will worsen especially in high season.
3. Safety of pedestrians and bike riders will be compromised.
4. Safety of elderly residents in this area depending on emergency services will be impacted.
5. Beach degradation.

Many more services like water, sewer, power, etc. Will be stressed.

The project will be handsomely profitable within the current restrictions..

We purchased our residence here on the basis of current densities and conditions. Very unfair to change them on us after the fact.

Sincerely,

Dr. R. Ghattas
Mrs. M Ghattas
1147 Hillsboro Mile
PH 6S
Hillsboro Beach, FL 33062
954-591-5494

Sherry D. Henderson

From: Mac Serda <mserda@townofhillsborobeach.com> on behalf of Mac Serda
Sent: Sunday, September 8, 2024 2:58 PM
To: dmiller@townofhillsborobeach.com; Barbara Baldassarre; Jane Reiser; Sherry Henderson; Vinnie andreano; David A. Ravanese
Cc: Sherry Henderson
Subject: Fwd:

Pls see below an email in support of the Rosewood project.

Mac Serda
Town Manager
Hillsboro Beach

Sent from my iPhone

Begin forwarded message:

From: AUSTIN IODICE <aiodice@aol.com>
Date: September 7, 2024 at 6:47:40 PM EDT
To: mserda@townofhillsborobeach.com

8/7/2024

Dear Mr Serda I live at the Mediterranean and own properties at Sunrise and Port De Mer. I want to express my strong support for the Rosewood Project. I personally think it's a positive move for the town and I would like to be on record as a strong supporter.

Sincerely
Austin Iodice

Sherry D. Henderson

From: Pamela Bialkin <pbialkin@gmail.com> on behalf of Pamela Bialkin
Sent: Monday, September 9, 2024 11:15 AM
To: bbaldasarre@townofhillsborobeach.com; dmiller@townofhillsborobeach.com;
dravanesi@townofhillsborobeach.com; jreiser@townofhillsborobeach.com;
mserda@townofhillsborobeach.com; shenderson@townofhillsborobeach.com;
vandreamo@townofhillsborobeach.com
Subject: Hillsboro Beach Ordinance 2024-06

Dear Commissioners:

Please note for the record,

I oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumvent our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions.

Please state to make this part of the public record.

Sincerely,

Pamela Bialkin (Apt. 715)

Hillsboro Windsor

Sherry D. Henderson

From: Lisa Goodlin <lgoodlin54@gmail.com> on behalf of Lisa Goodlin
Sent: Monday, September 9, 2024 4:28 PM
To: bbaldasarre@townofhillsborobeach.com; jreiser@townofhillsborobeach.com;
dravanesi@townofhillsborobeach.com; mserda@townofhillsborobeach.com;
shenderson@townofhillsborobeach.com; vandreano@townofhillsborobeach.com;
dmiller@townofhillsborobeach.com
Subject: Fwd: Hillsboro Beach Ordinance 2024-06

Forwarded Conversation

Subject: Hillsboro Beach Ordinance 2024-06

From: **Hillsboro Windsor** <noreply@goenumerate.com>
Date: Mon, Sep 9, 2024 at 8:52 AM
To: lgoodlin54@gmail.com <lgoodlin54@gmail.com>

**HILLSBORO WINDSOR CONDOMINIUM
INC.**

Powered
By
Enumerate
Central

Hillsboro Beach Ordinance 2024-06

If you oppose the Rosewood ordinance to vote NO. Please use the below message and send to the commissioners today.

Dear Commissioners:

Please note for the record,

I oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumvent our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions.

Sincerely, **Name of resident**

Hillsboro Windsor

bbaldasarre@townofhillsborobeach.com

jreiser@townofhillsborobeach.com

dravanesi@townofhillsborobeach.com

mserda@townofhillsborobeach.com

shenderson@townofhillsborobeach.com

vandreano@townofhillsborobeach.com

dmiller@townofhillsborobeach.com

For questions or comments, please reply to this email or contact Hillsboro Windsor at hwmanager@alliedpropertygroup.net. This email was generated by the Enumerate Central platform.

From: **Hillsboro Windsor** <noreply@goenumerate.com>
Date: Mon, Sep 9, 2024 at 10:25 AM
To: lgoodlin54@gmail.com <lgoodlin54@gmail.com>

**HILLSBORO WINDSOR CONDOMINIUM
INC.**

Powered
By
Enumerate
Central

Hillsboro Beach Ordinance 2024-06

If you oppose the Rosewood ordinance to vote NO. Please use the below message and send to the commissioners today.

Dear Commissioners:

Please note for the record,

I oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumvent our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions.

Please state to make this part of the public record

Sincerely, **Name of resident**

Hillsboro Windsor

bbaldasarre@townofhillsborobeach.com

jreiser@townofhillsborobeach.com

dravanesi@townofhillsborobeach.com

mserda@townofhillsborobeach.com

shenderson@townofhillsborobeach.com

vandreano@townofhillsborobeach.com

dmiller@townofhillsborobeach.com

For questions or comments, please reply to this email or contact Hillsboro Windsor at hwmanager@alliedpropertygroup.net. This email was generated by the Enumerate Central platform.

Sherry D. Henderson

From: Mac Serda <mserda@townofhillsborobeach.com> on behalf of Mac Serda
Sent: Monday, September 9, 2024 4:46 PM
To: Dawn Miller; Barbara Baldassarre; David A. Ravanese; Jane Reiser; Vinnie andreaano
Cc: Sherry D. Henderson
Subject: FW: Rosewood Residences

Pls see below.

Mac

From: Joel Rosenstein <jvrpt@verizon.net>
Sent: Monday, September 9, 2024 4:16 PM
To: mserda@townofhillsborobeach.com
Subject: Rosewood Residences

Mac,

Prior to tomorrow's commission meeting I would like to express my position with regard to Rosewood Residences. I am by no means an attorney nor an expert on zoning and variances, however, I trust that those making the decisions have satisfied those requirements. My feeling on the project is based on the trust that I have in our elected and appointed officials. I have seen 3 administrations all express that this project is in the best interest of the majority of Hillsboro Beach residents. As elected officials, they swear to adhere to their fiduciary responsibility to do what is best for the Town. I saw first hand how dedicated the Commissioners are to this duty when we were dealing with the Hotel. In the end, **that** decision was made based on what was best for the residents of the Town rather than the owners of the Hotel. This situation is similar, and there is no reason to think that their motivation is any different. I also feel that this last election was not specifically about Rosewood but rather a choice of Commissioners who the residents felt were committed to making the most prudent decisions on our behalf with Rosewood being one of those decisions.

Knowing the Commissioners first hand, I take exception to anyone questioning that their motivation with regards to this issue is anything but honest and sincere.

Thank you for hearing my position, and feel free to use it as you feel appropriate at tomorrow's meeting.

Joel Rosenstein

Sherry D. Henderson

From: Mac Serda <mserda@townofhillsborobeach.com> on behalf of Mac Serda
Sent: Monday, September 9, 2024 4:48 PM
To: Dawn Miller; Barbara Baldassarre; David A. Ravanese; Jane Reiser; Vinnie andreano
Cc: Sherry D. Henderson
Subject: FW: Hillsboro Beach Ordinance 2024-06

Was not asked to be part of the record, but sharing as FYI.

Mac

From: Janice Solis <janicesolis@mac.com>
Sent: Monday, September 9, 2024 3:28 PM
To: mserda@townofhillsborobeach.com
Subject: Hillsboro Beach Ordinance 2024-06

Please note for the record,

I oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumvent our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions.

Janice Solis Hillsboro Windsor

Sherry D. Henderson

From: Mac Serda <mserda@townofhillsborobeach.com> on behalf of Mac Serda
Sent: Monday, September 9, 2024 6:05 PM
To: Dawn Miller; Barbara Baldassarre; David A. Ravanese; Jane Reiser; Vinnie andreano
Cc: Sherry D. Henderson
Subject: FW: Rosewood Project

For the public record.

Thanks,
Mac

From: Xfinity <manter43@comcast.net>
Sent: Monday, September 9, 2024 5:31 PM
To: Mac Serda <mserda@townofhillsborobeach.com>
Subject: Rosewood Project

Mac Serda
Town Manager
Hillsboro Beach, Florida
33062

With reference to the upcoming Commissioners meeting regarding the Rosewood Development Project, I would like to humbly offer a few points to be considered:

1. Appropriateness of the geometric design of the site has been demonstrated by the architects and the developers, they in my opinion, have diligently researched the environment to allow the structures to blend into the surroundings.
2. The Developers have worked with our local authorities, regarding our great concern of the sewage issue and the safety of our dunes. They reduced the size of the original project to accommodate our reservations
3. Rosewood Development, in order to demonstrate good intentions, and certainly

show us that they want to improve the Mile, will be burying their electrical wires and will contribute appropriately \$4 million dollars to the town if we should choose to follow suit and bury all electrical on the mile.

4. Additional tax revenue will be generated to the town of Hillsboro Beach by an estimated \$1.5 to \$2 million dollars annually.

5. Rosewood Development will provide an Easement on the Eastern side of A1A. Thereby, providing emergency vehicles access, as well as enabling the town with a pathway for sand replacement or any other essential need required to keep the beach pristine and healthy.

In Conclusion, when the endowments are so beneficial, not significantly damaging, and can only increase our town's desirability, it seems best to be pragmatic, but not lose sight of the vision.

Respectfully,

Manny Hernandez

Please be so kind as to distribute to the Honorable Commissioners and make part of record.

Manny Hernandez Sent from my iPhone

Sherry D. Henderson

From: Mac Serda <mserda@townofhillsborobeach.com> on behalf of Mac Serda
Sent: Monday, September 9, 2024 5:22 PM
To: Dawn Miller; Barbara Baldassarre; David A. Ravanese; Jane Reiser; Vinnie andreano
Cc: Sherry D. Henderson
Subject: RE: How are you Mac? My name is Angelo gurino I live at 1228 Hillsboro mile apartment 301. I lived there for 25 years. I think what's going on with the rosewood project would be a plus for the community. I think it's gonna be bring a high-end element of p

The "email" was sent in an awkward format, but sharing.

Mac

RE: How are you Mac? My name is Angelo gurino I live at 1228 Hillsboro mile apartment 301. I lived there for 25 years. I think what's going on with the rosewood project would be a plus for the community. I think it's gonna be bring a high-end element of p

-----Original Message-----

From: Angelo Gurino <angelogurino@gmail.com>
Sent: Monday, September 9, 2024 11:03 AM
To: mserda@townofhillsborobeach.com
Subject: How are you Mac? My name is Angelo gurino I live at 1228 Hillsboro mile apartment 301. I lived there for 25 years. I think what's going on with the rosewood project would be a plus for the community. I think it's gonna be bring a high-end element of peopl

Sent from my iPhone

Sherry D. Henderson

From: Mac Serda <mserda@townofhillsborobeach.com> on behalf of Mac Serda
Sent: Monday, September 9, 2024 5:18 PM
To: Sherry D. Henderson
Subject: FW: Conservation Area Ordinance

Importance: High

From: Deborah Tarrant <deboraharrant@aol.com>
Sent: Monday, September 9, 2024 11:35 AM
To: Dawn Miller <dmiller@townofhillsborobeach.com>; Barbara Baldassarre <bbaldassarre@townofhillsborobeach.com>; David A. Ravanese <dravanese@townofhillsborobeach.com>; vandreano@townofhillsborobeach.com; Jane Reiser <jreiser@townofhillsborobeach.com>
Cc: Mac Serda <mserda@townofhillsborobeach.com>
Subject: Conservation Area Ordinance
Importance: High

Good morning Mayor, Vice Mayor and Commissioners. I wanted to take a moment to share my thoughts on the proposed amendment on tomorrow's agenda regarding future redevelopment/conservation areas. While change is never easy, sometimes it is necessary. Given the astronomical cost of trying to maintain a private beach here in Town, all potential revenue streams must be considered. Although the agreement we have with Deerfield Beach gives us the opportunity to apply for state funding every five years, there will always be times in the interim when Hillsboro Beach must address the health and sustainability of our beach because of natural conditions like storms and hurricanes. In order to do that, the Town MUST establish a beach reserve. In order to establish a beach reserve, a source of revenue has to be identified.

There are a number of communities in Town that are in need of extensive maintenance, and there is a possibility that redevelopment will be proposed. Before that happens, it would serve residents well to have a plan in place. The conservation ordinance being proposed addresses many aspects of potential redevelopment in a positive way. First and foremost, the days of allowing dune destruction during development are over, and in fact, protecting the dune and greenspaces should be a primary goal. For properties over five acres, requiring 25% of the property to be held as conservation area and requiring 100' side set-backs accomplishes this. In addition, the consideration of additional height in exchange for drastically reduced density addresses other concerns held by most residents – namely increased traffic and strain on our infrastructure.

Realistically speaking, given the crazy increase in the cost of beach nourishments and the lack of better alternatives, in order to be prepared the Town only has three options: 1) Become a public beach; 2) Levy huge assessments on current residents; or 3) Manage redevelopment in a thoughtful, controlled, advantageous fashion. When you consider the big picture, is there really any other choice but to lay out guidelines for redevelopment that allow Hillsboro Beach to remain a private enclave with a private beach?

Thank you for your service and for your consideration,

Deb Tarrant
1083 Hillsboro Mile.

Sherry D. Henderson

From: penny weinberg <artypenny@gmail.com> on behalf of penny weinberg
Sent: Monday, September 9, 2024 7:50 PM
To: Michael Weinberg; bbaldasarre@townofhillsborobeach.com;
jreiser@townofhillsborobeach.com; dravanesi@townofhillsborobeach.com;
mserda@townofhillsborobeach.com; shenderson@townofhillsborobeach.com;
vandreano@townofhillsborobeach.com; Dawn Miller
Subject: ordinance 2024-6

Dear Commissioners:

Please note for the record, I oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumvent our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions. Please vote with the majority of the community and just say NO!

Sincerely,

Penny Weinberg
Hillsboro Windsor

Sherry D. Henderson

From: michael weinberg <yanks4@gmail.com> on behalf of michael weinberg
Sent: Monday, September 9, 2024 7:06 PM
To: bbaldasarre@townofhillsborobeach.com; jreiser@townofhillsborobeach.com;
dravanesi@townofhillsborobeach.com; mserda@townofhillsborobeach.com;
shenderson@townofhillsborobeach.com; vandreano@townofhillsborobeach.com; Dawn
Miller
Subject: Ordinance 2024-6

Dear Commissioners:

Please note for the record, I oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumvent our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions. Please vote with the majority of the community and just say NO!

Sincerely,

Michael Weinberg
Hillsboro Windsor

Sherry D. Henderson

From: RAYMOND COLADONATO <rrcolad@cox.net> on behalf of RAYMOND COLADONATO
Sent: Monday, September 9, 2024 7:03 PM
To: bbaldasarre@townofhillsborobeach.com
Cc: jreiser@townofhillsborobeach.com; dravanesi@townofhillsborobeach.com; mserda@townofhillsborobeach.com; shenderson@townofhillsborobeach.com; dmiller@townofhillsborobeach.com
Subject: Opposition to related groups ordinance, 20 24-6

Dear Commissioners:

Please note for the record,

I oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumvent our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions.

Sincerely, **Raymond and Anna Coladonato**

Hillsboro Windsor Resident

Sherry D. Henderson

From: kwoody0322@aol.com
Sent: Monday, September 9, 2024 6:37 PM
To: Mayor Dawn Miller; bbaldasarre@townofhillsborobeach.com; Commissioner Jane Reiser; David A. Ravanesi; Vinnie Andreano
Cc: Mac Serda; shenderson@townofhillsborobeach.com
Subject: Re: Ordinance No. 2024 - 06

Dear Mayor and Commissioner's:

Most of you are aware from my previous emails that I am opposed to the 150ft. development of the Related project. Unfortunately once again, the Commission will be voting on another proposal by Related to amend the law governing the Related parcel zoned for 3 stories which they were well aware of when they purchased the parcels. They were successful once, why not try again.

When talking about the tax savings to the residents of Hillsboro Beach, you are being very disingenuous. It is quite obvious on our yearly tax statement where the majority of our County taxes go, and it is not to Hillsboro Beach.

It is also not surprising that Related once again brings another proposed amendment change to our Ordinance before the Commission this time of year when a majority of the residents are not here. Honestly, I am extremely disappointed at how the Related development has been handled from the beginning. The courts have said this was wrong and Related keeps coming back for another piece of the pie. That is what greedy, mega developers do. It turns my stomach.

Hillsboro Beach is a Town that many have gravitated to for the sheer fact that a large portion of the 3.2 miles is private homes, some high-rise condominiums, and then the quaintness of the North end where most other cities to our South and North are nothing but walls of concrete and glass. Some may look at it as progress and modernizing our look, but there is something to be said for remaining true to your beginnings of being special and unique.

It is my hope that a majority of you will vote against this proposed Ordinance change.

Requesting that my opinion be made part of public record.

Sincerely,

Karen Olsen
1160

Sherry D. Henderson

From: Mac Serda <mserda@townofhillsborobeach.com> on behalf of Mac Serda
Sent: Monday, September 9, 2024 5:20 PM
To: Sherry D. Henderson
Subject: FW: Hillsboro Beach Ordinance 2024-06

From: Pamela Bialkin <pbialkin@gmail.com>
Sent: Monday, September 9, 2024 11:15 AM
To: bbaldasarre@townofhillsborobeach.com; dmiller@townofhillsborobeach.com; dravanesi@townofhillsborobeach.com; jreiser@townofhillsborobeach.com; mserda@townofhillsborobeach.com; shenderson@townofhillsborobeach.com; vandreano@townofhillsborobeach.com
Subject: Hillsboro Beach Ordinance 2024-06

Dear Commissioners:

Please note for the record,

I oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumvent our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions.

Please state to make this part of the public record.

Sincerely,

Pamela Bialkin (Apt. 715)

Hillsboro Windsor

Sherry D. Henderson

From: Bob Dahlstrom <Rdahlstrom@clunegc.com> on behalf of Bob Dahlstrom
Sent: Tuesday, September 10, 2024 9:50 AM
To: bbaldasarre@townofhillsborobeach.com; jreiser@townofhillsborobeach.com;
dravanesi@townofhillsborobeach.com; mserda@townofhillsborobeach.com;
shenderson@townofhillsborobeach.com; vandreano@townofhillsborobeach.com;
dmiller@townofhillsborobeach.com
Cc: susanstarrdahlstrom@gmail.com
Subject: Hillsboro Beach Ordinance 2024-06

Dear Commissioners:

Please note for the record,

We oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumvent our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions.

Sincerely, **Susan & Bob Dahlstrom**

Hillsboro Windsor

Bob Dahlstrom and Susan Dahlstrom
213-760-8318

Sherry D. Henderson

From: Pamela Bialkin <pbialkin@gmail.com> on behalf of Pamela Bialkin
Sent: Tuesday, September 10, 2024 12:10 PM
To: bbaldasarre@townofhillsborobeach.com; dmiller@townofhillsborobeach.com;
dravanesi@townofhillsborobeach.com; jreiser@townofhillsborobeach.com;
mserda@townofhillsborobeach.com; shenderson@townofhillsborobeach.com;
vandreano@townofhillsborobeach.com
Subject: Re: Hillsboro Beach Ordinance 2024-06

Dear Commissioners:

With all due respect, it appears your minds were already made up well before this hearing. What was the purpose of the hearing today and listening to the resident's concerns? Sadly, the outcome was predictable.

Regards,
Pam

On Mon, Sep 9, 2024 at 11:15 AM Pamela Bialkin <pbialkin@gmail.com> wrote:

Dear Commissioners:

Please note for the record,

I oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumvent our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 foot additional rooftop additions.

Please state to make this part of the public record.

Sincerely,

Pamela Bialkin (Apt. 715)

Hillsboro Windsor

Sherry D. Henderson

From: PAUL GOLTZ <paulgoltz@cs.com> on behalf of PAUL GOLTZ
Sent: Friday, September 13, 2024 12:00 PM
To: bbaldasarre@townofhillsborobeach.com; jreiser@townofhillsborobeach.com;
dravanesi@townofhillsborobeach.com; mserda@townofhillsborobeach.com;
shenderson@townofhillsborobeach.com; vandreano@townofhillsborobeach.com;
dmiller@townofhillsborobeach.com
Subject: Fw: Hillsboro Beach Ordinance 2024-06

Dear Commissioners:

Please note for the record,

I oppose the adoption of any of the Related Group's Ordinance 2024-6 requests to circumscribe our current laws including but not limited to a change of zoning laws from RM-16 : Multi family dwelling residential district of maximum 35 foot limit to their request of 130 foot with +15 additional rooftop additions.

Sincerely, **Paul R. Goltz**

Hillsboro Windsor

bbaldasarre@townofhillsborobeach.com

jreiser@townofhillsborobeach.com

dravanesi@townofhillsborobeach.com

mserda@townofhillsborobeach.com

shenderson@townofhillsborobeach.com

vandreano@townofhillsborobeach.com

dmiller@townofhillsborobeach.com

Sherry D. Henderson

From: Mac Serda <mserda@townofhillsborobeach.com> on behalf of Mac Serda
Sent: Wednesday, September 11, 2024 3:51 PM
To: Sherry D. Henderson
Subject: FW: Sep 10, 2024 Meeting-Agenda Item: Second Reading Proposed Ordinance 2024-06

Mr. Ginsberg, despite speaking at the meeting, would like this email part of the record.

Mac

From: Marc Ginsberg <mginsbergseaclub@yahoo.com>
Sent: Tuesday, September 10, 2024 9:09 AM
To: Mac Serda <mserda@townofhillsborobeach.com>
Subject: Sep 10, 2024 Meeting-Agenda Item: Second Reading Proposed Ordinance 2024-06

Mr. Serda:

I am not certain I can attend the Sep 10, 2024 commission meeting and request this statement be made part of the official record.

Aside from the technical legal deficiencies with respect to Notice requirements, substantively the proposed ordinance is a clear attempt by the Town to grant this developer "spot zoning" so that its project can proceed despite the fact that a prior variance was rejected by the Courts and a second attempt by a likely doomed 2022 "property rights" ordinance will be rejected by the Courts for failure to follow statutory notice requirements.

The technical failures are that the proposed ordinance was (1) not legally and adequately described in the title and (2) was not legally noticed to neighboring property owners next to the parcel to be rezoned.

What is spot zoning? Spot zoning is not governed by the City Code, but by Florida common law as established in Florida case law. Spot zoning is "universally condemned" practice by Florida courts. See e.g. *Parking Facilities, Inc. v. City of Miami Beach*, 88 So. 2d 141, 143 (Fla. 1956). The Florida Supreme Court identified the following 4 factors when making a spot zoning determination:

- 1) the size of the spot;
- 2) the compatibility with the surrounding area;
- 3) the benefit to the owner and
- 4) the detriment to the immediate neighborhood.

The Town's insistence on granting the developer's *requested specific use of the parcel* as a 10 story 135' tall structure in what is a 35' height restricted zone is not "zoning." Zoning is for a large area encompassing multiple properties. Rather this ordinance is direct governmental control of the actual use of this parcel of land. The following cases have found this to be unlawful spot zoning. Porpoise Point P'ship v. St. Johns County, 470 So. 2d 850, 851 (Fla. 5th DCA 1985). Palmer Trinity Private Sch., Inc. v. Vill. of Palmetto Bay, 31 So. 3d 260, 263 (Fla. 3d DCA 2010). Elwyn v. City of Miami, 113 So.2d 849 (Fla.3rd D.C.A. 1959); Friedland v. City of Hollywood, 130 So.2d 306 (Fla.2nd D.C.A.1961); Board of Adjustment of City of Fort Lauderdale v. Kremer, 139 So.2d 448, (Fla.2nd D.C.A.1962); 35 Fla.Jur., Zoning Laws, § 16. Bd. of Cty. Comm'rs v. Lowas, 348 So. 2d 13, 18 (Fla. 3d DCA 1977)

The Florida Supreme Court has long held that "spot zoning generally connotes zoning in favor of a few at the expense of the general community. It has been characterized as "the worst thing that can happen to a city" Miami Beach United Lutheran Church v. City of Miami Beach, 82 So. 2d 880, 882 (Fla. 1955).

The Florida Supreme Court then described spot zoning as violating "the integrity of the district and plant therein a growth which could well spread and destroy the character of the neighborhood" Parking Facilities, Inc. v. City of Miami Beach, 88 So. 2d 141, 143 (Fla. 1956)." 3 Florida Real Estate Transactions § 38.10.

"In its discussion of the concept of spot zoning, Florida courts have characterized spot zoning as the piecemeal rezoning of small parcels of land to a greater density, leading to disharmony within surrounding areas and giving preferential treatment to one parcel at the expense of the zoning scheme as a whole. Southwest Ranchers Homeowners Ass'n, Inc. v. County of Broward, 502 So. 2d 931, 935–937 (Fla. 4th DCA 1987)." 3 Florida Real Estate Transactions § 38.10.

In City of Miami Beach v. Robbins, 702 So. 2d 1329 (Fla. 3d DCA 1997), a city rezoning ordinance was overturned as illegal spot zoning despite the fact that proposed amendments to the city's comprehensive plan as well as a study by local architectural experts were offered in support of the rezoning."

The Ordinance's provision that 25% of the parcel be undeveloped does not justify the 300% increase in height allowance. Rather, the height allowance should be commensurate with the area

designated by the ordinance to be undeveloped. Here, 25% of 35' equals 9 a foot height adjustment, not a 100' height adjustment.

Additionally, there does not appear to be other parcels in Hillsboro Beach that meet the dual requirements for qualification- (1) at least 5 acres **and** (2) be a designated area of Local Concern on the Broward County Nature Resource Map. I, for example, own at the Sea Club. We are more than 5 acres but as far as I can tell we are not a designated Local Area of Particular Concern. But even if we were designated as a Local Area of Particular Concern, this proposed ordinance could completely destroy the character of the Sea Club. For 70+ years we have almost 50% of our property as open space with 1 , 2 and 3 story structures constructed on the property edges. If this ordinance applies to the Sea Club, this ordinance would allow a developer to come in and build a massive 10 story condo on the beach side using significantly more land completely changing the character of the north area of Hillsboro Beach zoned for 35.'

Thank you,

Marc
Marc R Ginsberg, Esq.
marcginsberg@mg-trialattorneys.com
off: 305-358-1181 x 104
cel: 305-725-5993

CURRENT LANGUAGE PROPOSED

- (B) *Qualifying Developments.* The CD District is appropriate for developments constructed in whole or in part on land meeting the following requirements:
- (1) Designated as “Residential Medium” on the Town’s Future Land Use Map; and
 - (2) Includes a Local Area of Particular Concern (“LAPC”) as designated on the Nature Resource Map Series of the Broward County Land Use Plan containing more than 25% of the plot area or the designation of a conservation easement to be located on the parcel to be rezoned; and
 - (3) Shall be no less than five (5) gross acres or more.
 - (4) The designation of a conservation easement in favor of Broward County or the Town of Hillsboro Beach consisting of approximately _____ percent of the land.

PROPOSED CHANGE IN REDLINE

- (B) *Qualifying Developments.* The CD District is appropriate for developments constructed in whole or in part on land meeting the following requirements:
- (1) Designated as “Residential Medium” on the Town’s Future Land Use Map; and
 - (2) Includes a Local Area of Particular Concern (“LAPC”) as designated on the Nature Resource Map Series of the Broward County Land Use Plan ~~containing more than~~ consisting of twenty percent (20%) or more of the ~~plot area~~ land to be rezoned or, alternatively the designation of a conservation easement ~~in favor of Broward County or the Town of Hillsboro Beach consisting of twenty percent (20%) or more of the land to be located on the parcel to be~~ in favor of Broward County or the Town of Hillsboro Beach consisting of twenty percent (20%) or more of the land to be rezoned; and
 - (3) Shall be no less than five (5) gross acres or more.
 - ~~(4) The designation of a conservation easement in favor of Broward County or the Town of Hillsboro Beach consisting of approximately _____ percent of the land.~~

PROPOSED CHANGE IN CLEAN

- (B) *Qualifying Developments.* The CD District is appropriate for developments constructed in whole or in part on land meeting the following requirements:
- (1) Designated as “Residential Medium” on the Town’s Future Land Use Map; and
 - (2) Includes a Local Area of Particular Concern (“LAPC”) as designated on the Nature Resource Map Series of the Broward County Land Use Plan consisting of twenty percent (20%) or more of the land to be rezoned or, alternatively the designation of a conservation easement in favor of Broward County or the Town of Hillsboro Beach consisting of twenty percent (20%) or more of the land to be rezoned; and
 - (3) Shall be no less than five (5) gross acres or more.