

From: William J. Kimpton <bill@kimptonlaw.com>
Sent: Tuesday, April 26, 2022 9:22 AM
To: Gray, Corey A <cagray@co.pinellas.fl.us>
Subject: RE: Questions

Hello Corey:

A review of the matter as follows:

- 1) First hearing at "magnolia" about 20 people showed up to object to my plan to split the site into 2 land parcels . the 2nd one would be at upper NE, where the site is relatively Flat, and easy to attenuate , as is required (" Parcel 2"). Following my presentation an endless stream of objectors spoke against my proposal and several other topics including Traffic in Pinellas, need for speed bumps on Brady etc. Neighbors spoke of concern that I would develop a 5 lot subdivision. A group of 4 to 6 complained that their properties at the intersection of Brady and Neigel area were flooding during extensive rain episodes, which are not unusual in Florida. Before this hearing I didn't know there was a drainage issue affecting these properties. I did see that the normally dry area at the far South end of my site became a pond, which eventually dried up. At the end of the hearing the objectors and I gathered outside of the building. Pretty much they all admitted that the problem was caused by construction of the last couple of homes on Neigel in Dunedin and that this had blocked off the historic outfall, and created the usually dry Pond area. The objectors all seemed to know each other and we all agreed to meet and discuss the matter to see what could be done. One of the objectors who lives on the street to the South agreed to gather all names and numbers and to coordinate with me for a group to meeting. I shook hands with the interested group, and they agreed that if I only wanted to add 1 home, that they would no longer object, as they felt 1 additional home would make no difference. The impromptu meeting broke up, and I have never heard from any of them again, except for the Lady who lives on the corner of Brady & Neigel. She has come from Chicago, and recently , I think, acquired this home. I think her name is Penny.
- 2) The second Hearing was I believe at magnolia again. Prior to this hearing, in aid of getting educated on the drainage problem, and also to see if their was a solution I contacted Dunedin officials and received a visit from the top people from Engineering and drainage. They provided the history of the drainage problem that occurred when Dunedin granted building permits for the Home between Penny's home, and another objector 2 doors to the South. The builder built a home between them, after he raised the land substantially, and built a solid wood wall that spans the entire back of my property, from end to end. The Dunedin officials explained that they tried to do some grading on the Niegel street side of the Wall, but it didn't work. They also explained that there is no solution for a drainage pipe , as the land has been filled and raised so high that no pipe can work, as "water won't run up hill". I offered them an access easement for a drainage system involving a structure, pump, pipe etc., but they explained that they didn't want to be involved with such a system as they didn't want the responsibility or the maintenance. After that, I showed them the location for the Parcel 2 home. They indicated that this home would not be an issue with increasing the drainage problem. Said it was easy to attenuate, and told me how to do it and agreed to consult on it. We then went on to the next hearing and a smaller group of objectors made their same complaints about the drainage. There are now 3 main objectors Penny on the corner, her neighbors to the immediate East, on Brady, and her neighbor 2 doors over to the South. The one to the East on Brady explained that he has lived there for 26 years and that he saw the whole problem created

in Dunedin when the drainage outfall was blocked off to create a homesite between Penny and her Neighbor to the South on Neigel. He has a very Large garage at the back of his home containing a car collection with a large amount of cars, that are being damaged by flooding, which he clearly blames on Dunedin. The hearing continued, and the planners attending suggested an overlay limiting my property to 2 homesites. They explained that this could easily be attenuated, as required by law. I publicly agreed and openly invited the objectors to meet and discuss the matter, but they have not been receptive to a meeting. I think it became clear at this meeting that the adding of another home would make no difference at all during torrential rains.

- 3) Following the 2nd hearing, I called the planning dept., and my application was amended to add the 2 home overlay.
- 4) After the Application was amended, the County required a restart on the hearing process, so the first 2 hearings were held again with pretty much the same results, only in a different location.
- 5) Somewhere in the process of these hearings, penny called me and we had a chat. I told her that I would be happy to meet, and asked her to see if her neighbors would agree to meet so we could discuss solutions. She didn't call again and no meeting was set.
- 6) Recently, we had the meeting with the board of adjustment . This was a 4 member board who for an hour carefully reviewed the situation and the evidences and decided that a second home would have no affect during the substantial rains. The County official from Storm Water ("Randy"), said it would have no effect. With that, the board voted 3 to 1 to approve the Application with the overlay. The objectors restated their positions, and penny called in from Chicago.
- 7) REALITY is that I live on a ridge line, as Topo will show. The properties behind me to the West continuously drop in Elevation and the Rain runoff flows downhill following the topo through Dunedin. Historically, this flowed as centuries or longer designed, until Dunedin allowed a home builder to alter the positive out flow, by essentially Damming it up. No thought was given or measurements taken to determine the results of this permitting when it was done. This action by Dunedin redirected the water flow into adjoining Dunedin homes during extensive rains. I remain willing to meet with my neighbors to solve the problem. I believe there is a solution. Recently, I have discussed it with an Engineer and we are planning a study and a Plan. The components are a built structure with one or more pumps inside, activated by rising water entering the Structure. Electricity to run the pumps is necessary, and an exit drainage pipe will be required. The pipe will need to run through one of the properties of the objectors yards by a drainage easement. Some construction will be required. Once constructed, the system will require maintenance. Dunedin has indicated that they will NOT participate. From what I gather, the county is not interested in solving a problem created in Dunedin pursuant to Dunedin permits, that only affects Dunedin residents. This will take PRIVATE INVESTMENT. So far, the affected Dunedin residents have indicated that they are not willing to participate in solving the problem, despite the flooding damages they experience. Moreover, they continuously object to any increased usage of our property even though the Drainage experts have testified that our requests will be attenuated and cause no additional drainage issues to their properties.

Bill Kimpton.

From: Gray, Corey A <cagray@co.pinellas.fl.us>
Sent: Monday, April 25, 2022 10:46 AM
To: William J. Kimpton <bill@kimptonlaw.com>
Subject: Questions

Bill,

Can you send me a quick synopsis of the following questions,

- 1) How have you attempted to work with the neighbors to attempt to resolve the drainage issue?
- 2) Did you meet with them personally?
- 3) What discussions has he had with the City of Dunedin?

This was requested from Glenn, and I appreciate the response.

Best,

Corey Gray
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