

Bachteler, James J

From: Bachteler, James J
Sent: Tuesday, February 02, 2016 11:24 AM
To: Sadowsky, David S
Subject: FW: Public Participation in Q-JH on 2/9/2016 per Pinellas County Code 134-14
Attachments: BoCC-Q-JH.pdf.pdf; ATT00002.txt

Good Morning, David.....

Board records received the following information from Commissioner Dave Eggers' office relative to the Turtle Beach Site Plan Appeal that will be on the BCC Agenda for 9 February 2016.

This is forwarded to you as a point of information.

Have A Pleasant Day

Jim Bachteler
Board Records Department / Finance Division Office of Ken Burke, Clerk of the Circuit Court and Comptroller Pinellas County, Florida
315 Court St., 5th Floor, Clearwater, FL 33756
(727) 464-4334 | Fax (727) 464-4716
www.mypinellasclerk.org

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

From: Greenleaf, Kim
Sent: Tuesday, February 02, 2016 10:47 AM
To: BoardRecords
Subject: FW: Public Participation in Q-JH on 2/9/2016 per Pinellas County Code 134-14

For the record....Turtle Beach Site Plan Appeal scheduled for 2/9th

Kimberly H. Greenleaf
Executive Aide to Commissioner Dave Eggers Pinellas Board of County Commissioners, District 4
315 Court Street, Clearwater, FL 33756
727-464-3276 office
727-464-3022 fax
kgreenleaf@pinellascounty.org

www.pinellascounty.org

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

From: Lisa Hinton [<mailto:lisah@suncoastsierra.org>]
Sent: Tuesday, February 02, 2016 10:26 AM
To: Long, Janet C; Welch, Kenneth; Gerard, Pat; cjustisce@pinellascounty.org; Eggers, Dave; Seel, Karen; Morroni, John
Cc: White, Jewel; Bennett, Jim L
Subject: Public Participation in Q-JH on 2/9/2016 per Pinellas County Code 134-14

Bachteler, James J

From: Greenleaf, Kim
Sent: Tuesday, February 02, 2016 10:47 AM
To: BoardRecords
Subject: FW: Public Participation in Q-JH on 2/9/2016 per Pinellas County Code 134-14
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For the record...Turtle Beach Site Plan Appeal scheduled for 2/9th

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

From: Lisa Hinton [<mailto:lisah@suncoastsierra.org>]
Sent: Tuesday, February 02, 2016 10:26 AM
To: Long, Janet C; Welch, Kenneth; Gerard, Pat; cjustisce@pinellascounty.org; Eggers, Dave; Seel, Karen; Morroni, John
Cc: White, Jewel; Bennett, Jim L
Subject: Public Participation in Q-JH on 2/9/2016 per Pinellas County Code 134-14

Please read and review attached letter. Thank You.



Tuesday, February 2 2016

Re: Public participation in Q-JH (2/9/2016) per Pinellas County Code 134-14

Dear Pinellas Board of County Commissioners;

We are writing in reference to the recent appeal of SP#1858.11 and the quasi-judicial hearing scheduled before you on February 9, 2016. While Sierra Club makes no claims at this time on the merits of the appeal of SP#1858.11, we look to the Commissioners for assurance that the public right to comment at the quasi-judicial hearing will not be restricted in any way that is not outlined specifically in Pinellas County Code Sec. 134-14 - Quasi-judicial proceedings before the board of county commissioners (referred to here as "County Code"). Since time is of the essence, we respectfully request a response to our letter by close of business on Wednesday, February 3 2016.

Sierra Club is committed to the process of open government as set forth in the County Code. Public participation is a right and is central to the business of a public quasi-judicial hearing. Sierra Club, with over 3000 local group members, maintains that public participation is critical to the confidence that residents have in our county commissioners. Any impediments to this participation are contrary to County Code and will have the opposite effect on our confidence in county government. This issue was addressed in a letter to the County Attorney dated January 21, 2016. The response was – "The Board retains the discretion to allow citizen testimony at the February 9, 2016 hearing, however I cannot speculate as to what discretion the Board may choose to exercise that day." Sierra Club views this as an inadequate response to our inquiry and a potentially inadequate compliance with the code. We maintain that County Code already allows for public comment and that the Board can only disallow testimony if it will "*effectuate the effective presentation of evidence*".

While we are aware that there have been opportunities for public comment on the issue, now that the issue is under appeal and is to be addressed in a public quasi-judicial hearing the intent and the letter of the code must be observed. We understand that the commission retains certain rights as to the conduct of the hearing as outlined in County Code which addresses limiting citizen participation when testimony is off-topic, frivolous, unduly repetitive or out of order. Nowhere in any part of the referenced County Code is there mention of barring public participation as a means to "*effectuate the effective presentation of evidence*". Sierra Club maintains that County Code does provide for modifying procedures of the hearing but it does not convey the right to modify participants. Neither does the Appellant (June Barwick) nor the Intervener (Turtle Beach Land Company, LLC) have standing in limiting the rights of public participation.

Sierra Club is voicing this request for assurance of public participation due to the proceedings and motions approved during the December 15, 2015 meeting of the Board of County Commissioners: agenda item # 48, Appeal of Site Plan # 1858.11 (quasi-judicial item) (regular agenda item). Review of the video and draft minutes shows discussion of speaking time allowed in the appeal hearing to the three principal participants: the Staff, the Appellant and the Intervener. A motion was made by Commissioner Gerard, seconded by Commissioner Seel, that each be given 20 minutes to provide their testimony. There was no mention of inclusion or exclusion of public comment rights as outlined in County Code. We maintain that public testimony shall be included and although the Commissioners may have intended this, it was not stated at the December 15 meeting.

As noted before Sierra Club makes no claims at this time on the merits of the appeal of SP#1858.11. But, given the passing of more than thirty years of time and the inclusion of environmental concerns in the Pinellas County Code and Comprehensive Plan, it seems appropriate to expect a full site plan review for the property at issue.

We thank you in advance for your time and careful attention to the process of governing Pinellas County. Thank you for your service.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Hinton".

Lisa Hinton
Chair - Executive Committee
Suncoast Group of Sierra Club
CC: County Attorney Bennett, Chief Assistant County Attorney White

Suncoast Sierra Club Executive Committee
1990 Central Avenue, Saint Petersburg, FL 33712
www.suncoastsierra.org

Lisa Hinton, Chair

David Harbeitner

Andrea Andersen

Timothy Martin

Danielle Carapellucci

Michael Miller

Elise Caplan

George Root

Karen Elfallah

Bachteler, James J

From: Greenleaf, Kim
Sent: Tuesday, February 02, 2016 5:36 PM
To: BoardRecords; White, Jewel; Vandenberg, Courtney
Subject: FW: (Wisniewski email) File 15-960 Appeal of Site Plan # 1858.11 [Turtle Beach] w photos
Attachments: 2016 Latest truck peel out - bend ahead is where kids on golf cart were nearly run over by speeding 4x4 JUL 2015.JPG; ATT00013.htm; 2016 Crystal Beach Blight 0.jpg; ATT00014.htm; 2016 Crystal Beach Blight 1.JPG; ATT00015.htm; 2016 Crystal Beach Blight 2.JPG; ATT00016.htm; 2016 Crystal Beach Blight 3.JPG; ATT00017.htm; 2016 Crystal Beach Blight 4.JPG; ATT00018.htm; 2016 Crystal Beach Blight 5.JPG; ATT00019.htm; 2016 Crystal Beach Blight 6.jpg; ATT00020.htm; 2016 Crystal Beach Blight 7.JPG; ATT00021.htm; 2016 Crystal Beach Blight 8.JPG; ATT00022.htm; Last lamp standing in timeshare.jpg; ATT00023.htm; This house replaced a blighted timeshare on a large lot .jpg; ATT00024.htm

For some reason, this first came through without the message. Then Mr. Wisniewski, sent the message without the photos. So, two emails from this resident that should go together.

Kimberly H. Greenleaf

Executive Aide to Commissioner Dave Eggers
Pinellas Board of County Commissioners, District 4
315 Court Street, Clearwater, FL 33756
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RECEIVED
BOARD OF
2016 FEB -3 AM 8:08
COMMISSIONERS
PINELLAS COUNTY FLORIDA

From: Michael Wisniewski [<mailto:rbwiz@aol.com>]
Sent: Monday, February 01, 2016 10:50 PM
To: Public, AF; Eggers, Dave
Cc: James Terry; LORENZ LOCHNER; charlie hunt; Paul Warren; paulwar100@yahoo.com Warren; Stephanie Warren; Laura Hunt; i4getsue@aol.com; Jennifer Callahan; Steven Wisniewski; mark wisniewski
Subject: (Wisniewski email) File 15-960 Appeal of Site Plan # 1858.11 [Turtle Beach] w photos

Bachteler, James J

From: Greenleaf, Kim
Sent: Tuesday, February 02, 2016 5:34 PM
To: Michael Wisniewski
Cc: Vandenberg, Courtney; White, Jewel; BoardRecords
Subject: RE: (Wisniewski email) File 15-960 Appeal of Site Plan # 1858.11 [Turtle Beach] w photos

Mr. Wisniewski:

On behalf of Commissioner Eggers, thank you for your message. Please know that I will share this email and the photos with the Commissioner prior to the appeal hearing, so he is aware of your position regarding this case.

Your email and photos will be made part of the public record.

Kimberly H. Greenleaf

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RECEIVED
BOARD OF
COMMISSIONERS
PINELLAS COUNTY FLORIDA
2016 FEB -3 AM 8:08

From: Michael Wisniewski [mailto:rbwiz@aol.com]
Sent: Tuesday, February 02, 2016 5:19 PM
To: Greenleaf, Kim
Subject: Re: (Wisniewski email) File 15-960 Appeal of Site Plan # 1858.11 [Turtle Beach] w photos

Kim,

retransmitting without photos. v/r Mike Wisniewski

To whom it may concern,

My name is Michael Wisniewski. My wife and I, along with all other families are year-round residents of the Osprey Point development of Crystal Beach (CB). Our development is nested within the former Sutherland Crossing time-share resort area. This former resort is literally "our backyard." I am sending this email to you as I and many of our residents are still working stiffs and will not be able to attend the 9 February proceedings.

We have noted with concern the increasing blight and criminal activity taking place in this neighborhood and the road approaching the development. These issues are largely unknown to the rest of the CB community and are not mentioned by the Crystal Beach Watch when they make their one-sided pitch to the community in an effort to further delay development. However, it is a safe bet that if many of the people who are attempting to

further delay (again) this development had speeding trucks driving by their homes, strange people hiding in their neighborhood or a next-door house with all the windows broken, collapsed floors and the doors kicked in - they too would be upset at the continued delay in re-developing/replacing this neighborhood blight. Specifically, symptoms of this neighborhood decline includes but is not limited to:

- Truck/car racing and "mudding" within (and approaching) the development during all hours, but especially at night. This has been a long-standing safety issue that has generated several calls and some arrests/citations. For example, we came within seconds of tragedy this past Summer when a Ford F250 4x4 was barreling at high speed around a blind corner during dusk hours, and just missed running over a golf cart with five (oblivious) children onboard - the eldest being the ~13/14 year old golf cart driver. These children were not from this neighborhood and I doubt their parents are aware of how close they came to losing their kids. In our neighborhood, we don't let pre-teens out without an adult present.
- Utility boxes and lights destroyed by young adults and teenagers driving their trucks over this equipment
- The dumping of trash, appliances and yard waste. Within the past two months alone, there has been seven dump-truck size loads of tree stumps/trunks dumped in the development (Rutenberg has already cleaned up four of them) - two loads of logs (removed in Dec) were dumped on the road creating a hazard to night-time driving for those not aware of the hazard (The roads are unlit and there are a number of blind curves)
- 31 decrepit buildings. Our neighborhood now looks like the set of the "Walking Dead" TV series.
 - Graffiti on homes and utility boxes. 240+ (Over 70%) of all timeshare windows have been broken. All doors kicked in, floors have collapsed and many walls kicked out.
 - These places serve as a drug dens, vandalism targets, love nests (for teenagers and adults), clandestine meeting places for people not from CB and hideouts for vagrants and mentally ill people. Before moving here I called the police once in my life. Two years in, I have lost count of the police calls that I or my wife have made. My neighbors have also made several calls.
 - While these condos may be a teenage boy's dream, it is the adults with a harder edge frequenting these sites that put kids out for a good time in these abandoned homes at high risk. This harder element lurking in the neighborhood also discourages my neighbors and I from venturing outside after dark out of fear of being run over or meeting strange/unbalanced people (one example: a nude, obviously drugged out guy walking down the street) in the dark (there are now no functioning lights in the development... they've been knocked down by vandals)
 - Increasing number of coyotes using homes/land as a base of activity in CB
 - We would have a hard time selling our homes at a price any where near the current assessed tax base value. Note: As a group, we will be requesting a downward adjustment in our property taxes this year.... our homes would be a difficult sale given the state of the neighborhood.

As mentioned before, all homeowners in our neighborhood are still working to make a living, and the majority of us are out of town on a regular basis...hence this email. However, there have been a few occasions where we have had glimpses of the Watch's spoken and written pitch to get people to oppose the development. If we didn't know any better, we would probably sign their petition too based on what they say. Suffice to say, while the goals of the group are probably well-intentioned, much of what they have said is extremely hyperbolic, misleading or wrong (deliberate and otherwise), and very derogatory of county workers and the developer. If requested, my neighbors and I can provide examples of this activity.

In closing, we have worked with Mr Rutenberg and his crew the past two years - he has nothing to do with this email. We have found him to be reasonable, forthcoming and willing to work with the community. He has already made several concessions. This email is being sent because we (the IMBY, not NIMBY residents... because it is our backyard) are frustrated, mad and occasionally fearful for all the above reasons. We just want

to get on with it - before someone is seriously hurt or the opportunity for a first class, environmentally-sensitive development is diminished or lost.

Please see attached photos in this email. If unable to open please ask me to re-send

v/r Mike Wisniewski

Member of Osprey Point (aka Crystal Blight) HOA

On Feb 2, 2016, at 9:21 AM, Greenleaf, Kim <kgreenleaf@co.pinellas.fl.us> wrote:

Mr. Misniewski:

I am in receipt of the pictures you forwarded to Commissioner Eggers, but saw no message in your email. Are you just wanting him to see the blighted condition of the existing timeshare homes or did you intend to send a message as well? Please advise. Thank you!

Kimberly H. Greenleaf

Executive Aide to Commissioner Dave Eggers
Pinellas Board of County Commissioners, District 4
315 Court Street, Clearwater, FL 33756
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Sent: Monday, February 01, 2016 10:50 PM

To: Public, AF; Eggers, Dave

Cc: James Terry; LORENZ LOCHNER; charlie hunt; Paul Warren; paulwar100@yahoo.com Warren; Stephanie Warren; Laura Hunt; i4getsue@aol.com; Jennifer Callahan; Steven Wisniewski; mark wisniewski

Subject: (Wisniewski email) File 15-960 Appeal of Site Plan # 1858.11 [Turtle Beach] w photos

RECEIVED
BOARD OF
2016 FEB - 3 AM 8:08
SALVATORE COUNTY
COMMISSIONERS
PINELLAS COUNTY FLORIDA

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seriously hurt or the opportunity for a first class, environmentally-sensitive development is diminished or lost.

Please see attached photos in this email. If unable to open please ask me to re-send

v/r Mike Wisniewski

Member of Osprey Point (aka Crystal Blight) HOA



















HELLO Friend

38





Bachteler, James J

From: Greenleaf, Kim
Sent: Monday, February 08, 2016 2:29 PM
To: BoardRecords
Cc: Vandenberg, Courtney
Subject: FW: [BULK] Online Customer Service Contact Us Form Result #6064490

Importance: Low

Kimberly H. Greenleaf

Executive Aide to Commissioner Dave Eggers
Pinellas Board of County Commissioners, District 4
315 Court Street, Clearwater, FL 33756
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727-464-3022 fax
kgreenleaf@pinellascounty.org

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RECEIVED
BOARD OF
2016 FEB - 8 PM 2:38
COMMISSIONERS
PINELLAS COUNTY FLORIDA

From: form_engine@fs30.formsite.com [mailto:form_engine@fs30.formsite.com]
Sent: Monday, February 08, 2016 11:53 AM
To: Eggers, Dave
Subject: [BULK] Online Customer Service Contact Us Form Result #6064490
Importance: Low

This information is the result of a Pinellas Online Customer Service form submission from the Pinellas County web site.

Direction of inquiry * Commissioner Janet C. Long - District 1 (2016 Vice Chairman)
Commissioner Pat Gerard- District 2
Commissioner Charlie Justice - District 3 (2016 Chairman)
Commissioner Dave Eggers- District 4
Commissioner Karen Williams Seel - District 5
Commissioner John Morroni - District 6
Commissioner Kenneth T. Welch - District 7

Subject * Turtle Beach Development, Crystal Beach Appeal

Message * Dear Pinellas County Commissioners:

You may or may not be aware that the Clearwater Marine Aquarium (CMA) owns approximately 30 acres of land and bottom land in Crystal Beach some of which is adjacent to the Turtle Beach development project. We continue to hear from numerous residents in Crystal Beach of their concerns with the intensity of this

proposed project and the possible environmental impact to the surrounding area and more specifically, Lake Chautaugua.

Our land fronts the northwest side of the Lake and is treated as a conservation area so we are desirous that you consider the conservation aspect and impact to the environment of this planned development in the appeal process. CMA supports responsible development as long as it considers its impact to the surrounding environment and community and has been fully vetted to conform to development and environmental rules and regulations.

Thank you for your consideration.

Very truly yours,

Frank L. Dame
Chief Operating Officer

Your Name	Frank Dame, Clearwater Marine Aquarium
Your Street Address	249 Windward Passage
City/Unincorporated County	Clearwater
Zip Code	33767
Your Phone Number	727-692-2655
Your Email Address *	fdame@cmaquarium.org

Bachteler, James J

From: Greenleaf, Kim
Sent: Monday, February 08, 2016 2:29 PM
To: BoardRecords
Subject: FW: [BULK] Online Customer Service Contact Us Form Result #6065944
Importance: Low

Kimberly H. Greenleaf

Executive Aide to Commissioner Dave Eggers
Pinellas Board of County Commissioners, District 4
315 Court Street, Clearwater, FL 33756
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COMMISSIONERS
PINELLAS COUNTY FLORIDA
2016 FEB - 8 PM 2:38

From: form_engine@fs30.formsite.com [mailto:form_engine@fs30.formsite.com]
Sent: Monday, February 08, 2016 2:10 PM
To: Eggers, Dave
Subject: [BULK] Online Customer Service Contact Us Form Result #6065944
Importance: Low

This information is the result of a Pinellas Online Customer Service form submission from the Pinellas County web site.

Direction of inquiry * Commissioner Janet C. Long - District 1 (2016 Vice Chairman)
Commissioner Pat Gerard- District 2
Commissioner Charlie Justice - District 3 (2016 Chairman)
Commissioner Dave Eggers- District 4
Commissioner Karen Williams Seel - District 5
Commissioner John Morroni - District 6
Commissioner Kenneth T. Welch - District 7
County Administrator

Subject * Turtle Beach site plan

Message * Please revise the site plan again, the current one will cause too much traffic and congestion

Your Name Gerard Legrand

Your Street Address 242 Florida Blvd

City/Unincorporated County	Crystal Beach
Zip Code	34681
Your Phone Number	787 2031
Your Email Address *	ggl102@verizon.net

Bachteler, James J

From: Greenleaf, Kim
Sent: Monday, February 08, 2016 2:30 PM
To: BoardRecords
Cc: Vandenberg, Courtney
Subject: FW: [BULK] Online Customer Service Contact Us Form Result #6064530

Importance: Low

Kimberly H. Greenleaf

Executive Aide to Commissioner Dave Eggers
Pinellas Board of County Commissioners, District 4
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PINELLAS COUNTY FLORIDA

From: form_engine@fs30.formsite.com [mailto:form_engine@fs30.formsite.com]
Sent: Monday, February 08, 2016 11:56 AM
To: Eggers, Dave
Subject: [BULK] Online Customer Service Contact Us Form Result #6064530
Importance: Low

This information is the result of a Pinellas Online Customer Service form submission from the Pinellas County web site.

Direction of inquiry * Commissioner Janet C. Long - District 1 (2016 Vice Chairman)
Commissioner Pat Gerard- District 2
Commissioner Charlie Justice - District 3 (2016 Chairman)
Commissioner Dave Eggers- District 4
Commissioner Karen Williams Seel - District 5
Commissioner John Morroni - District 6
Commissioner Kenneth T. Welch - District 7
County Administrator

Subject * Turtle Beach Site Review

Message * Please do NOT adopt the "simple revision" plan for Turtle Beach. A full and current site review would be appropriate to preserve the special character of Crystal Beach.

Your Name Barbara Witlin

Your Street Address	562 Ontario Ave
City/Unincorporated County	Crystal Beach
Zip Code	34681
Your Phone Number	7277717228
Your Email Address *	varya1562@gmail.com

Bachteler, James J

From: Greenleaf, Kim
Sent: Monday, February 08, 2016 2:31 PM
To: BoardRecords
Cc: Vandenberg, Courtney
Subject: FW: Appeal of SP# 1858.11: Turtle Beach development (Feb. 9 appeal hearing)

Importance: High

Kimberly H. Greenleaf

Executive Aide to Commissioner Dave Eggers
Pinellas Board of County Commissioners, District 4
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RECEIVED
BOARD OF
2016 FEB - 8 PM 2:38
CLERK OF
COMMISSIONERS
PINELLAS COUNTY FLORIDA

From: C. Michael McCoy [mailto:cmm@mccoyresidentialdesigns.com]
Sent: Monday, February 08, 2016 9:25 AM
To: Gerard, Pat; Eggers, Dave
Cc: Long, Janet C; Justice, Charlie; Seel, Karen; Morroni, John; Welch, Kenneth
Subject: Appeal of SP# 1858.11: Turtle Beach development (Feb. 9 appeal hearing)
Importance: High

Dear Commissioners Gerard and Eggers,

I am writing you specifically as you are the Commissioners for my district. I reside in Crystal Beach, and more specifically in Seaside Sanctuary. Our subdivision is directly adjacent to the the proposed Turtle Beach development by Turtle Beach Land Company, LLC. In fact, one has to drive past our sub-division entrance to gain access to the proposed development.

In January of last year, I was very much involved in objecting to the developer's plans for a six-foot high privacy wall along Seaview Drive. Fortunately, our Crystal Beach community responded in large numbers and we were able to avert a circumvention of the County's Land Development Regulations. Here we are a year later, and the developer is still trying to skirt the rules. I've remained on the sidelines on this issue up to this point, but now it's time I lend my voice in opposing the developer's intentions.

Honestly, I find it absurd that our residents have to take the time and effort to fight this developer at every step in the process. I can't help but feel that the County has been complicit in providing assistance to the developer, and negligent in not enforcing the County Code. If Turtle Beach Land Company simply followed the Land Ordinance and acted like responsible neighbors, they could be well underway with this project. It appears to many of us that the County is fast-tracking this project with little regard to County Code or the impact it will

have on our community. I'm also concerned about a precedent being set which will allow for future requests of similar nature. Once you grant an exception, it's nearly impossible to say "no" to another applicant.

Following are just a few of my concerns. I'm quite certain that others have similarly expressed their opinions.

- The developer assumes that the site plan review conditions granted in 1982 (e.g. wetland buffers, traffic, environmental controls, etc.) to the previous property owner for Sutherland Crossings are somehow applicable. I'd argue that the previous exemptions and relaxation of the rules should not be considered perpetual. In fact, when development site plans are approved, they become null and void after a period of six months unless construction commences. This is a new owner with an entirely different site plan proposal for development. They should not be allowed to apply previous approvals with the view that this is a "simple revision" to the previous project. It is night and day, apples and oranges, so to speak. This a common sense approach and to think otherwise defies logic.
- It is my understanding that a previous reduction in front yard setbacks was granted for Seaview Circle, which is "private" property. However, for some unknown reason, this reduction appears to have been extended along Seaview Drive, which is a "public" right-of-way. If this is the case, this oversight should be corrected. It's never too late to do the right thing. I'm of the opinion that a reduction in setback along the public ROW is a safety concern (e.g free of obstruction sight lines).
- With all of the surrounding wetlands, shouldn't the DEP be involved? Perhaps I'm unaware of recent DEP reviews and approvals. I certainly hope that the appropriate state agencies have been consulted in this matter.
- As before, traffic still remains a concern of mine. There will be a greater impact to our traffic. We're now talking about permanent residents (with maximum daily travel for work, school, etc.) versus seasonal residents with light travel patterns. Has a traffic study been conducted? If not, shouldn't one be required?
- I am also very concerned about the property in its current state. The developer has elected not to demolish the existing structures. They are in a state of extreme disrepair. It may be private property, but it's a crime or lawsuit waiting to happen.

As our representatives, you should be the "voice" for our community. I implore each of you to place the wishes of our established residents ahead of anyone else. If you do that, then the right decision will be reached. I respectfully request you and your fellow Board members to vote in favor of our appeal. A new site plan should be submitted by the developer for a complete and proper review.

Respectfully yours,

Michael McCoy

C. Michael McCoy Residential Designs, Inc.
Post Office Box 1305 - Crystal Beach, Florida 34681
telephone & facsimile: 727.786.1292
web site: <http://mccoyresidentialdesigns.com>

Bachteler, James J

From: Greenleaf, Kim
Sent: Monday, February 08, 2016 2:32 PM
To: BoardRecords
Cc: Vandenberg, Courtney
Subject: FW: [BULK] Online Customer Service Contact Us Form Result #6059350
Importance: Low

Kimberly H. Greenleaf

Executive Aide to Commissioner Dave Eggers
Pinellas Board of County Commissioners, District 4
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2016 FEB - 8 PM 2: 38

From: form_engine@fs30.formsite.com [mailto:form_engine@fs30.formsite.com]
Sent: Sunday, February 07, 2016 2:32 PM
To: Eggers, Dave
Subject: [BULK] Online Customer Service Contact Us Form Result #6059350
Importance: Low

This information is the result of a Pinellas Online Customer Service form submission from the Pinellas County web site.

Direction of inquiry * Commissioner Janet C. Long - District 1 (2016 Vice Chairman)
Commissioner Pat Gerard- District 2
Commissioner Charlie Justice - District 3 (2016 Chairman)
Commissioner Dave Eggers- District 4
Commissioner Karen Williams Seel - District 5
Commissioner John Morroni - District 6
Commissioner Kenneth T. Welch - District 7

Subject * Turtle Beach Appeal

Message * Turtle Beach Appeal – Remarks of a Concerned Citizen

In preparing these remarks, I had the opportunity to review the documentation submitted by Joel Tew, Esq. to the Board of County Commissioners on behalf of and in support of Mr. Rutenberg's position that Ms. Barwick's appeal should be denied.

Much of what I have read of their position is based on the fact that no one in the County to date has questioned what was approved in 1982 relative to the Master Plan for Seaside Project which authorized up to 61 1982-era single-family residential units to include the Sutherland Crossing Timeshare development.

It seems Mr. Rutenberg and his consultants and legal advisors take the position that if it has not been questioned, challenged, or modified to date, why start now!! And why should they if no responsible authority is willing to require them to face 2016 environmental realities and associated regulations.

Consider the fact that the Klu Klux Klan (KKK) headquarters was located in Palm Harbor in 1982. Would we welcome them here today? If you smoked cigarettes in 1982 but have subsequently learned how bad smoking is for your health, would you continue to smoke? Would you continue to eat liver regularly if you knew that the fat content can clog your arteries? I think we all have seriously considered, if not taken action, to change our old habits! Should not the same logical thinking give the Commissioners pause to consider why old and outdated environmental regulations should be now applied to new development?

Let me explain my concerns which relate specifically to the potential negative environment impact of the size of the approved development to Sutherland Bayou and St. Joseph Sound.

There are old adages which we are all familiar with – when it rains hard the ground soaks; fire is hot and there are consequences. There are laws that apply to these adages and, since this is a quasi-legal hearing, I would like to review a few of these “laws” as I believe they apply to the subject at hand and consider the consequences.

1. The Law of Gravity – if development increases the impervious surface from the current impervious footprint of each of the timeshare units to 61 large homes with paved drives, swimming pools, tennis courts, out-buildings, etc., the proposed and existing storm drains and berms will not be sufficient to carry the runoff from the torrential downpours that are so prevalent in our area, particularly in summer months? Turtle Beach will flood!
2. Law of Physics – if we pave over the ground and have high tide, a full moon and high winds - where does the run-off go? Flooding into the Sound and Bayou will result.
3. Laws of Nature – Just because we have been spared for the past number of years (since the No Name Storm?) from serious tropical storms and hurricanes does not mean that one or more of these devastating storms are not in our near future! Again – can we afford the size of the proposed development and the total increase in impervious surfaces on the 61 approved building sites allotted to this development?
4. Law of Diminishing Returns – the more nitrogen, phosphorus and sediment that gets deposited into the water adjacent to the Turtle Beach development, the more detrimental to the aquatic life that currently populates our Bayou and Sound. The chemicals, pesticides, and sediment flowing into the water deplete the oxygen and kill the natural seagrass environment. Can we afford to watch our fish and shellfish population die like in so many other areas of our country due to under-anticipated and under-regulated environmental pollution? Will we watch the County’s current investment in the new Sutherland boat ramp languish because the natural canal is

clogged by silt run off?

5. Law of Probability – Nature and Probability go hand in hand – we are way overdue!! What will the consequences be of failing to consider these realities?

Just look at the first house Mr. Rutenberg's company has built in Turtle Beach – the home he has built for his daughter. I cannot deny that it is attractive and that the builder has taken care to address the need to eliminate invasive plant species. However, he has not addressed the environmental impacts on the lake because he did not install the swale that was indicated in the site plan. It is also evident that the total footprint of this new home is significantly larger than the timeshare unit with its mulch driveway and small concrete parking pad under the structure which previously occupied this lot. The new home's paver driveway alone can hold at least 7 cars!!! Is it not logical that the remaining 61 homes to be built will have AT LEAST the same or larger footprint?

I was born and raised in Maryland and have resided on or near the Chesapeake Bay for over 70 years. While I have been a Florida legal resident since 2011, I return to Maryland each summer where I still own property adjacent to the Chesapeake. As many of you are aware, the Chesapeake Bay is a seriously polluted and unhealthy body of water with dead spots throughout and drastically reduced fish and shellfish populations resulting in large part from runoff from homes, businesses, farms along its shores and tributaries.

When I put my last waterfront residence on the market several years ago, I became very aware of the drastic restrictions now imposed by County and State regulations on the amount of total impervious surface of existing and new home sites. New homes cannot be built within 100 yards of the water and each homeowner is levied a Rain Tax on the total impervious surface which is also limited to a percentage of the total lot size. One prospective buyer of our home backed out of their offer when they learned they would NOT be able to build a swimming pool on our 3/4-acre lot! These restrictions have been imposed to reduce and, hopefully, reverse the flow of pollutants into the Bay and improve its health and vitality. And, there is increasing evidence that these restrictions are having the desired effect!!!

Why do I bring this up to you – because I have the same concern for Southerland Bayou and St. Joseph Sound as Marylanders have had for the Chesapeake Bay. I am sure that the homes built by Mr. Rutenberg's company in Turtle Beach will be beautiful and add value to Crystal Beach. However, I do question the size of the expected "footprint" of each residence, the proposed total number of dwelling units, and the other impervious additions such as paved driveways and patios, decks, swimming pools, tennis courts, sheds, etc. – larger and more negatively impactful to the environment than the footprint of the current 34 timeshare units and the remaining up to 61 units originally approved for the Sutherland Crossing timeshare resort.

I and the others in support of Ms. Barwick's appeal are not asking to put a stop to reasonable development of Turtle Beach. And, like the homeowners whose properties are directly adjacent to Turtle Beach, we are hopeful that development of Turtle Beach can begin soon.

I am, however, asking the Board of County Commissioners to take pause and consider the fact that, if this were a newly proposed development in 2016 with current environmental regulations (not those in place in 1982-3), the current plans the builder has proposed (including the current site plan) to “protect” the environment would likely be considered inadequate and much more would be required to ensure, to the greatest extent possible, that our beautiful Sutherland Bayou and St. Joseph Sound would be better protected.

Are the current the environmental plans proposed by Mr. Rutenberg in conformance with outdated and insufficient 1982 standards and regulations truly sufficient??

Are our elected officials not responsible for ensuring responsible protection of our County assets? Should you not be concerned? Should you not require a “current” evaluation based on 2016 standards and regulations?

I respectfully request that you consider not only the position of the builder, but those of the citizens who elected you before you simply find of the side of the status quo!!

John P. McMahon, Jr.
253 Georgia Avenue
Crystal Beach, FL 34681

Your Name	John P. McMahon, Jr.
Your Street Address	253 Georgia Avenue
City/Unincorporated County	Crystal Beach
Zip Code	34681
Your Phone Number	727-787-4564
Your Email Address *	mchombre@gmail.com

Bachteler, James J

From: Greenleaf, Kim
Sent: Monday, February 08, 2016 2:32 PM
To: BoardRecords
Cc: Vandenberg, Courtney
Subject: FW: Environmental Issues Pertaining to SP#1858.11 - Turtle Beach
Attachments: CopyofBlankLetterhead2016.pdf; ATT00002.txt

Kimberly H. Greenleaf

Executive Aide to Commissioner Dave Eggers
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2016 FEB - 8 PM 2:38
DEANNE E. COULTER
COMMISSIONERS
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From: Lisa Hinton [<mailto:lisah@suncoastsierra.org>]
Sent: Monday, February 08, 2016 8:58 AM
To: Justice, Charlie; Long, Janet C; Gerard, Pat; Eggers, Dave; Seel, Karen; Morroni, John; Welch, Kenneth
Cc: Bennett, Jim L; White, Jewel
Subject: Environmental Issues Pertaining to SP#1858.11 - Turtle Beach

Monday, February 8, 2016



Re: Environmental Issues Pertaining to SP#1858.11

Dear Pinellas Board of County Commissioners:

Sierra Club has reviewed the historical record of the property currently referred to as Turtle Beach that is at issue in SP# 1858.11. It is Sierra Club's position that the Board of County Commissioners should find in favor of the Appellant and rescind SP# 1858.11 as a faulty continuation of the 30-year-old SP# 1858. We find no compelling reading of the County Code that would justify the exemption of this property from a full site plan review under current codes. The full site plan review would be an opportunity for the County and the landowner to demonstrate an awareness of the surrounding resources and demonstrate compliance with the County Code and the Comprehensive Plan for the betterment of commonwealth.

The location on and the ecologically inseparable connectedness of this property to Saint Joseph Sound is well established as integral to the health and vitality of our coastal resources. This relationship is described in: "**Comprehensive Conservation and Management Plan for Clearwater Harbor and Saint Joseph Sound**" Prepared for: Pinellas County Department of Environment and Infrastructure. Prepared by: Janicki Environmental, Inc. & Atkins. December 2011. Contract No: 089-0222-P.

With funding support from the United States Environmental Protection Agency, SWFWMD, Pinellas County, and several municipal governments within the watershed, this report, the Clearwater Harbor and Saint Joseph Sound Comprehensive Conservation and Management Plan, is a culmination of those efforts to develop protection and restoration strategies to ensure future stewardship of CHSJS natural resources. The preface of the CCMP sets the context – "Natural resource protection agencies must continue to look for ways to offset anthropogenic pressures to conserve the natural heritage of the CHSJS. These natural treasures include extensive seagrass meadows, barrier island preserves, critical sea turtle and bird nesting areas, mangrove forests, and forested and non-forested wetlands. This CCMP provides a management framework and priorities from which local governments can most effectively utilize their individual and collective resources to address natural resource protection for the collective benefit to the CHSJS." Specifically this CCMP calls for the use of low impact development and other best management practices in the Water Quality Action Plans (WQ-4).

Sierra Club recognizes that the landowner has rights as set forth in the statutes of Pinellas County and the State of Florida. While we would not seek to infringe on the rights of the landowner, we again request from the board a reasonable interpretation of the preponderance of codes directed towards the protection of our natural resources. We further recognize that the landowner and the county staff have worked to approve a site plan that satisfies most, but not all, County Code.

Historically, Florida had been suffering unregulated development that was leading to a death by a thousand cuts. Florida and Pinellas County have made great strides toward a more balanced approach to development and environmental protection. This progress, implemented by both business and government, has brought measurable improvements to the Saint Joseph Sound and Clearwater Harbor ecosystems. Sierra Club is committed to the protection and improvement of these ecosystems as outlined in the CCMP. Turtle Beach development must be reviewed with these considerations, but ultimately, it was not.

Sierra Club repeats the request to either maintain the vision of the original environmentally sensitive controls in the site plan or employ the contemporary standards any developer would have to abide by today. The result in either case will be the preservation rather than destruction of habitat.

We thank you in advance for your consideration of our common natural resources.

Sincerely,

A handwritten signature in black ink that reads "Lisa Hinton".

Lisa Hinton

Chair - Executive Committee

Suncoast Group of Sierra Club - on behalf of our 3,000+ members

CC: County Attorney Bennett, Chief Assistant County Attorney White

Suncoast Sierra Club Executive Committee

1990 Central Avenue, Saint Petersburg, FL 33712

www.suncoastsierra.org

Lisa Hinton, Chair

David Harbeitner

Andrea Andersen

Timothy Martin

Danielle Carapellucci

Michael Miller

Elise Caplan

George Root

Karen Elfallah

Bachteler, James J

From: Greenleaf, Kim
Sent: Monday, February 08, 2016 4:51 PM
To: BoardRecords
Cc: Vandenberg, Courtney
Subject: FW: [BULK] Online Customer Service Contact Us Form Result #6067480

Importance: Low

Kimberly H. Greenleaf

Executive Aide to Commissioner Dave Eggers
Pinellas Board of County Commissioners, District 4
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From: form_engine@fs30.formsite.com [mailto:form_engine@fs30.formsite.com]
Sent: Monday, February 08, 2016 4:40 PM
To: Eggers, Dave
Subject: [BULK] Online Customer Service Contact Us Form Result #6067480
Importance: Low

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Direction of inquiry * Commissioner Janet C. Long - District 1 (2016 Vice Chairman)
Commissioner Pat Gerard- District 2
Commissioner Charlie Justice - District 3 (2016 Chairman)
Commissioner Dave Eggers- District 4
Commissioner Karen Williams Seel - District 5
Commissioner John Morroni - District 6
Commissioner Kenneth T. Welch - District 7

Subject * Appeal of Turtle Beach site plan

Message * I am so glad that the Board of County Commisioners will have the opportunity to hear from citizens about the concerns we have related to the Turtle Beach Development. Unfortunately, many of my neighbors are not able to attend- we have full time jobs, families and other responsibilities to attend to. But that is why we have you

...and I trust our elected officials will do the right thing- keeping in mind the concerns of the community and the environment and not just the developers concerns.

I have lived in Crystal Beach for over 20 years. We have a very special community and we would like to maintain the quality of our special area. Although you may not have heard from everyone, I can tell you that many of the residents are very concerned about the Turtle Beach development.

I respectfully request that the Turtle Beach site plan be rescinded. We deserve to have a proper site review process for this new development in our area - one that is based on today's standards and not on 1982 standards.

I am especially concerned about the environmental impact. When I kayak in the shallow waters bordering that area, I can see juvenile fish swimming- it really is a nursery for fish in St. Joseph Sound. When I rented a time share at the previous development, the Sutherland Crossing staff demonstrated a real respect for the environment. For example- they had mulch/pervious driveways which helped to limit storm water runoff, they offered nature tours, and the development protected natural areas and habitat for wildlife.

We realize that the builder has a right to develop that property but...

PLEASE make sure that there is responsible development in our community- that follows CURRENT regulations.

ALSO, PLEASE consider how this development fits in with the Comprehensive Conservation and Management Plan for Clearwater Harbor and St Joseph Sound (from 2011 -which you will note is after the 1982 site plan)

THANKS!

Sue Conlon

Your Name	Sue Conlon
Your Street Address	609 Pennsylvania Ave
City/Unincorporated County	Crystal Beach
Zip Code	34681
Your Phone Number	727-786-5323
Your Email Address *	conlonsue@gmail.com

Bachteler, James J

From: Greenleaf, Kim
Sent: Tuesday, February 09, 2016 7:51 AM
To: BoardRecords
Cc: Vandenberg, Courtney
Subject: FW: Agenda item number 7 (Appeal of Site Plan No. 1858-11)

Kimberly H. Greenleaf

Executive Aide to Commissioner Dave Eggers
Pinellas Board of County Commissioners, District 4
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From: Chuck Wessell [<mailto:chuckwessell@msn.com>]
Sent: Monday, February 08, 2016 6:20 PM
To: Long, Janet C; Gerard, Pat; Justice, Charlie; Eggers, Dave; Seel, Karen; Morroni, John; Welch, Kenneth
Subject: Agenda item number 7 (Appeal of Site Plan No. 1858-11)

Dear Commissioner

I am writing in regard to item number 7 (Appeal of Site Plan No. 1858-11) on the agenda of The Pinellas County Board of County Commissioners, which meets at 9:30 am on February 9th.

It is my hope that you will vote to support that plan without revision. I had hoped to be able to attend the Commission meeting, but a late minute conflict has arisen. Ergo this last minute email.

I have been a resident of Crystal Beach for thirty-five years, and prior to that a regular visitor to the county since I became an adult. I've watched the Florida grow, I've watched Pinellas County grow, and yes even Crystal Beach grow. I think my input has some value.

There appears to be this ongoing influx of people relocating from dreary states and cities in the north, with the idea that the Crystal Beach community must remain in the same pristine condition as when they arrived.

Every time a resident or developer wants to do something new to their property that may require approval of the Commissioners, a table is set up at the post office, a petition is rolled out in opposition, and Crystal Beach residents picking up their mail are urged to sign the petition "saving Crystal Beach." If you were to poll the residents who have signed the petition, that you will undoubtedly receive on Tuesday morning, I'm sure you would discover a large majority cannot tell you the purpose of the petition.

In support of this I relate a meeting of my neighbors this past Saturday morning at which two people in favor of the petition presented their case, and indicated that we all could sign right then and there. Not one of my neighbors signed. There were approximately 20 individuals at that meeting.

I think my neighbors and I realize that revitalizing the southern end of Crystal Beach is not a bad idea. That growth is not a bad idea. That increasing the Counties tax base is not a bad idea. That having new blood in our community is not a bad idea. That the members of the county Planning Board are not fools and idiots, and finally, that developer is not a curse word. .

Its my sincere hope that you will vote in favor of the developer's plan, and reject the petition.

Thank you for your time.

Charles H Wessell
198 Kentucky Ave
PO Box 546
Crystal Beach, FL 34681-0546
727-785-6965
chuckwessell@msn.com

Bachteler, James J

From: Greenleaf, Kim
Sent: Tuesday, February 09, 2016 7:52 AM
To: BoardRecords
Cc: Vandenberg, Courtney
Subject: FW: [BULK] Online Customer Service Contact Us Form Result #6068139

Importance: Low

Kimberly H. Greenleaf

Executive Aide to Commissioner Dave Eggers
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From: form_engine@fs30.formsite.com [mailto:form_engine@fs30.formsite.com]
Sent: Monday, February 08, 2016 6:24 PM
To: Eggers, Dave
Subject: [BULK] Online Customer Service Contact Us Form Result #6068139
Importance: Low

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Direction of inquiry * Commissioner Janet C. Long - District 1 (2016 Vice Chairman)
Commissioner Pat Gerard- District 2
Commissioner Charlie Justice - District 3 (2016 Chairman)
Commissioner Dave Eggers- District 4
Commissioner Karen Williams Seel - District 5
Commissioner John Morroni - District 6
Commissioner Kenneth T. Welch - District 7

Subject * Turtle Beach Devopment Plan. Site Plan 1858.11

Message * As a resident of Crystal Beach I fully support the Crystal Beach Watch position of trying to protect the environmental concerns in the Turtle Beach redevelopment plan. There are so few precious land tracts remaining in Pinellas Cty and at times the development of environmentally endangered areas has not been as sensitive to the concerns of the citizens impacted by the development plans as they could have been. Please take these concerns into consideration with the approval of the development

plan of this area, which is at present a beautiful natural resource - home to numerous water birds along the shore who nest in the existing mangroves and in the numerous trees along the lake and throughout the area. This lovely natural area enhances our joy of living in this wonderful community.

Thanks for your consideration.

Your Name Dawn H. Hull
Your Street Address 204 Charleston Ave,
City/Unincorporated County Crystal Beach
Zip Code 34681
Your Phone Number 727-789-0507
Your Email Address * dawnh395@yahoo.com

Bachteler, James J

From: Greenleaf, Kim
Sent: Tuesday, February 09, 2016 7:52 AM
To: BoardRecords
Cc: Vandenberg, Courtney
Subject: FW: Pertaining to SP#1858.11

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Kimberly H. Greenleaf

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From: Terry C. Fortner [<mailto:tcf53@hotmail.com>]
Sent: Tuesday, February 09, 2016 7:07 AM
To: Justice, Charlie; Seel, Karen; Long, Jean; Welch, Kenneth; Morroni, John; Gerard, Pat; Eggers, Dave
Subject: Pertaining to SP#1858.11

Dear Chairman Justice and County Commissioners,

"Turtle Beach" proposal for redevelopment should be subject to a full site plan review under current codes.

This review would enable Pinellas County to either maintain the vision of the original environmentally sensitive controls in the site plan or employ the contemporary standards any developer would have to abide by today.

Sincerely,
Terry Fortner
P.O. Box 653 (319 Bay St.)
Ozona, Florida 34660