

From: [White, Jewel](#)
To: [Carpenter, Katherine](#)
Subject: FW: Restoration Bay/Case No. Z/LU-14-09-19
Date: Tuesday, May 11, 2021 9:29:38 AM

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From: Sadowsky, David S <dsadowsk@co.pinellas.fl.us>
Sent: Monday, May 3, 2021 2:55 PM
To: White, Jewel <jwhite@co.pinellas.fl.us>
Subject: FW: Restoration Bay/Case No. Z/LU-14-09-19

Jewel, Tew's request for a 45 minute presentation time for the applicant in the Restoration Bay case is below. I will work with Blake to have it forwarded to Barry.

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From: Joel Tew <JTew@tewlaw.us>
Sent: Monday, May 3, 2021 12:17 PM
To: Lyon, Blake G <blyon@co.pinellas.fl.us>; Sadowsky, David S <dsadowsk@co.pinellas.fl.us>
Cc: Ron Carpenter (ron@CarpenterCoFL.com) <ron@carpentercofl.com>; 'Clark Lohmiller' <clohmiller@eisenhowerpropertygroup.com>; Laura A. Garcia (lgarcia@ardurra.com) <lgarcia@ardurra.com>; Brian K. Skidmore (bskidmore@ardurra.com) <bskidmore@ardurra.com>; Steven Henry <shenry@lincks.com>; Michael O. Sznajstajler (Michael.Sznajstajler@Cobbcole.com) <Michael.Sznajstajler@cobbcole.com>; David Smolker <DavidS@sblfirm.com>
Subject: Restoration Bay/Case No. Z/LU-14-09-19

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As you know, this matter is noticed for hearing by the Board of County Commissioners on May 25, 2021. Pursuant to LDC Section 134-14 (d)(1)(b), the Applicant TTGC, LLC, hereby requests additional time to equal 45 minutes of total presentation time (including any rebuttal), instead of the standard 20 minutes of time provided in the LDC.

To support its showing of “good cause,” the Applicant respectfully submits that:

1. The combined application required by the County for this matter includes (i) a Zoning change, (ii) a FLU map amendment, (iii) a Development Master Plan, and (iv) a Development Agreement. The Housing & Community Development review process for this consolidated application therefore has required numerous plans and other submittals, documents and responses to establish the complete record of proceedings. Consequently, there is much more material to present to the BCC than is customary for typical land use applications, and the subject matter includes multiple subjects which require separate professional disciplines to address under applicable review standards.
2. The County has combined the two (2) meetings before the Development Review Committee and the quasi-judicial hearing before the Local Planning Agency to include all four (4) of the foregoing items. In addition, the Local Planning Agency Staff Report relies upon the combined information submitted in all four (4) matters to reach its conclusions and recommendations. Similarly, the Local Planning Agency heard and relied upon the combined information set forth in the four items as the basis for its recommendation to the BCC. Consequently the Applicant must address all of the information set forth in all four matters, as that is the record of proceedings before the BCC.
3. At the two (2) DRC meetings, and at the LPA hearing, the Applicant was provided forty-five (45) minutes for its presentation. This time allowed each of the Applicant’s consultants to present their disciplinary subject in a brief 5-6 minute segment, which allowed a more complete and thoughtful presentation of the issues. The DRC and LPA meetings were concise and to the point, and the Applicant did not provide repetitive information or waste time in its presentation.
4. There is considerable community interest in this matter, and the community stakeholders also have retained multiple professional consultants to present for them on the various substantive issues. Because the resident group is allowed by the LDC to delegate their individual 3-minute segments to a consultant, this process results in the community residents effectively having 3 to 4 (or more) consultants with 10 minutes each to present (which was the result at the LPA hearing). Then, in addition, other individual residents still have 3 minutes each to present. At each hearing thus far, the aggregate community time has far exceeded the 45 minutes that were allowed for the Applicant. Consequently, in the interest of fairness and to meet the essential requirements for the proceeding, 45 minutes of time therefore should be allowed for the Applicant.
5. The Applicant has no objection if the BCC chooses to allow the Applicant a total of 45 minutes (including any rebuttal), and also allowing the community residents (including any delegated consultants) to have the same 45 minutes, in the aggregate. Then each side has the same 45-minute total time period to present, which would be more fair than the unlimited time essentially allowed to the opposition based upon numbers.

Finally, because all parties need to know the extent of time which will be allowed (in order to prepare effectively), it would be greatly appreciated if the BCC could be asked to consider this procedural matter at its upcoming meeting on May 11th, in advance of the Restoration Bay hearing on May 25th, so all parties can be notified in advance as to the allowed time for each side to present.

Respectfully submitted,

Joel R. Tew, Counsel for the Applicant
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