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VIA ELECTRONIC SUBMISSION

September 25, 2023

Chairman Brian Elias
Planning Board
City of Miami Beach
1700 Convention Center Drive, 3rd Floor
Miami Beach, Florida 33139

Re: **PB23-0599 –** Neighbor Outreach Summary

Dear Chairman Elias:

This law firm represents Bay Drive Realty LLC (the "Applicant"), the Applicant with respect to the above-captioned lot split application applicable to the property located at 1120 Bay Drive and identified by Miami-Dade County Folio No. 02-3210-013-2170 (the "Property"). This letter summarizes all of the outreach efforts made by the Applicant to the surrounding neighborhood, including the representatives of the owners of neighboring property to the west of the Property, located at 1150 Bay Drive (Owned by RV Quinta, LLC - Managers Luis Fernando and Hector Rojas).

Community Outreach Summary. On June 20, 2023, the Applicant hand delivered a letter offering the Applicant's availability to discuss the proposed lot split application as well as plans depicting the proposed three (3) new residences to the homes surrounding the Property. See, Figure 1, Diagram of Outreach Letter. The letters contained the contact information for a member of the Applicant's team, David Zeledon (the "Applicant Contact") to facilitate coordinating a meeting or call about the application.

Community Outreach

No.	Address	Owner
1.	1101 Bay DR	LFC Miami Properties LLC Manager: Luca Cesari
2.	1123 Bay DR	Jorg Nowak
3.	1133 Bay DR	Rosa Katz
4.	1135 Bay DR	Tanguy Largeau Cecile Legras
5.	1145 Bay DR	Johannes A Van Beek TRS Johannes A Van Beek and Patricia Henao Van Beek Declaration of TR Patricia Henao Van Beek TRS
6.	1150 Bay DR	R V Quinta LLC Managers: Hector Rojas Luis Fernando Rojas



Figure 1: Letters and plans were delivered to the six (6) homes surrounding the Property.

Communications from Community, The Planning Board has received the following communications from members of the community with respect to the proposed lot split application:

- On July 21, 2023, a representative of the owner of the property at 1150 Bay Drive, Ivonne Regil, e-mailed a letter to the Planning Board from Luis Fernando and Hector Rojas (the "Rojas Brothers"), objecting to the proposed lot split. Notably, the Applicant Contact was copied on the e-mail and the plans that had been delivered to 1150 Bay Drive were included as attachments. The letter from the Rojas Brothers objected to the lot split based on perceived impacts to tranquility, traffic, and privacy, as a result of the proposed two-story home being developed on the Property.

- On July 22, 2023, Ms. Patty Henao e-mailed the Planning Board a list of questions and concerns regarding the construction logistics and timing of the proposed project.

- On September 22, 2023, after numerous attempts to contact the Rojas Brothers, Ivonne Regil again submitted a letter on behalf of the Rojas Brothers re-iterating the Rojas Brothers' objections to the proposed lot split. According to the September 22, 2023 letter, the Rojas Brothers prefer that one (1) home be developed on the Property, rather than three (3). Further, the September 22, 2023 letter claimed that "there has been no communication from the peoples of 1120 Bay Drive….".

Communications with RV Quinta LLC. The Applicant refutes the Rojas Brothers' statement that there has been no communication between the Applicant and the representatives of RV Quinta LLC. The following presents a timeline of all of the communications from the Applicant to the Rojas Brothers that rebuts the misleading claim that the Applicant has not attempted to communicate with the Rojas Brother with respect to their concerns about proposed lot split:

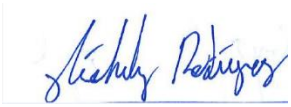
Date	Communication
July 24, 2023	The Applicant's attorney calls and speaks to Ms. Ivonne Regil to try to coordinate a meeting to discuss the Rojas Brothers' concerns. The Applicant's attorney e-mails Ms. Regil and the Rojas Brothers additional plans to address the Rojas Brothers' privacy concerns. See, **Exhibit A, 7.24.23 E-Mail**.
August 9, 2023	The Applicant Contact e-mails the Ms. Regil and the Rojas Brothers to attempt to coordinate a meeting or call to discuss the Rojas Brothers' concerns with the application. See **Exhibit B, 8.9.23 E-Mail**.
August 14, 2023	Applicant Contact calls Ms. Regil to follow up on offer to meet with Rojas Brothers and speaks to another individual who advises that Ms. Regil and the Rojas Brothers are out of town.
August 21, 2023	Applicant Contact calls Ms. Regil to follow up on offer to meet with Rojas Brothers and speaks to Ms. Regil.
August 31, 2023	The Applicant Contact calls and e-mails Ms. Regil and the Rojas Brothers to again offer availability to meet and discuss the concerns with the application. See **Exhibit C, 8.31.23 E-Mail**.
September 13, 2023	A representative of the Applicant, Daniel Salas, calls e-mails Ms. Regil and the Rojas Brothers with modified plans demonstrating additional architectural screening and landscaping on the westernmost proposed home (Lot 9) intended to address the Rojas Brothers' privacy concerns. See **Exhibit D, 9.13.23 E-Mail**.

The Applicant has repeatedly attempted to contact Ms. Regil and the Rojas Brothers to discuss their concerns. Even without response from the Rojas Brothers, the Applicant added architectural screening and additional enhanced landscaping to the proposed residence abutting 1150 Bay Drive to address the concerns about privacy. These updates were communicated to the Rojas Brothers by email on September 21, 2023. Therefore, it cannot truthfully be said that there have been "no communications" with the representatives of RV Quinta LLC, the entity that owns the property located at 1150 Bay Drive.

Communication with Ms. Henao. The Applicant's Principal, Mr. Jamie Lefrak, e-mailed Ms. Henao with responses to her concerns on September 13, 2023.

Conclusion. The Applicant conducted community outreach prior to the July 25th Planning Board meeting. The Rojas Brothers received this initial communication and responded to it by writing a letter of objection to the Planning Board and including the attachments received from the Applicant. Thereafter, the Applicant has made numerous attempts to contact the Rojas Brothers without response. The Applicant has modified the proposed design to add additional architectural screening and enhanced landscaping along the shared property lines between the Property and 1150 Bay Drive to address the Rojas Brothers' privacy concerns, and has responded to the construction logistics concerned raised by Ms. Henao. The Applicant respectfully requests that the Planning Board take notice of communications outlined and attached should this letter. Should you have any questions or concerns, please do not hesitate to contact our office,

Sincerely,



Nicholas Rodriguez

Enclosures

cc:

Honorable Planning Board Members
Nick Kallergis, Esq.
Rogelio Madan

From: Nicholas J. Rodriguez-Caballero <nrodriguez@brzoninglaw.com>
Sent: Monday, July 24, 2023 3:39 PM
To: Ivonne Regil <adminacct@ivorbearings.com>; Fernando Rojas <frojas@ivorbearingsint.com>
Cc: Andreina Tinoco <atinoco@ivorbearingsint.com>; 'hrojas@rodamientosrovi.com' <hrojas@rodamientosrovi.com>; David Zeledon <DZeledon@lefrak.com>
Subject: RE: Petition for PB23-0599 1120 BAY DRIVE Single family home lot split Subdivision of land

Exhibit A

[EXTERNAL SENDER]

Hi Ivonne,

As discussed, please see attached plans for the new home at 1120 Bay Drive, Lot 9, which neighbors 1150 Bay Drive, as well as the proposed landscape plans.

Please note the following regarding the plans:

1. The rooms on the second floor adjacent to the backyard of 1150 Bay Drive include the Master Closet and Master Bathroom. See Page 4 of the attached plans.
2. All windows on the second floor facing 1150 Bay Drive are screened with louvres. There are very few windows on the second floor facing 1150 Bay Drive. See Page 7 of the attached plans.
3. The landscape plans propose large trees and dense shrubbery along the shared property line between 1120 Bay Drive and 1150 Bay Drive.

4. Although permitted by right, the owners have not proposed any rooftop terrace. The design of the home with a sloped roof ensures that no rooftop terrace will ever be developed.

We are very sensitive to Luis and Hector's privacy concerns and have specifically designed the home with preserving privacy in mind. We would be glad to meet with Luis and Hector once they are back in town to discuss the design and how to preserve their privacy. Keep in mind that these homes must still go to hearing before the design review board before they project can proceed to obtain a building permit.

Feel free to reach out if you have any questions. Thank you!
Nick

Nicholas J. Rodriguez-Caballero
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Exhibit B

From: David Zeledon <DZeledon@lefrak.com>
Sent: Wednesday, August 9, 2023 10:39 AM
To: Nicholas J. Rodriguez-Caballero <nrodriguez@brzoninglaw.com>; Ivonne Regil <adminacct@ivorbearings.com>; Fernando Rojas <frojas@ivorbearingsint.com>
Cc: Andreina Tinoco <atinoco@ivorbearingsint.com>; 'hrojas@rodamientosrovi.com' <hrojas@rodamientosrovi.com>; David Zeledon <DZeledon@lefrak.com>
Subject: RE: Petition for PB23-0599 1120 BAY DRIVE Single family home lot split Subdivision of land

Good Morning Ivonne,

Following-up. Have Mr. and Mrs. Rojas had a chance to review the proposed plan for 1120 Bay Drive [Lot 9]?

It is our intention to maintain the integrity of the neighborhood, and to ensure that all neighbors have privacy and peace of mind in their homes.

We look forward to hearing from the Rojas to discuss any concerns they may have upon review of the plan.

Please let me know if you have any questions.

David

David Zeledon
Associate Counsel
Design and Development
LeFrak
2203 Sole Mia Square Lane
North Miami, FL 33181
Office: (305) 521-2822
DZeledon@lefrak.com

Exhibit C

From: David Zeledon <DZeledon@lefrak.com>
Sent: Thursday, August 31, 2023 12:03 PM
To: Nicholas J. Rodriguez-Caballero <nrodriguez@brzoninglaw.com>; Ivonne Regil <adminacct@ivorbearings.com>; Fernando Rojas <frojas@ivorbearingsint.com>
Cc: Andreina Tinoco <atinoco@ivorbearingsint.com>; 'hrojas@rodamientosrovi.com' <hrojas@rodamientosrovi.com>; David Zeledon <DZeledon@lefrak.com>
Subject: RE: Petition for PB23-0599 1120 BAY DRIVE Single family home lot split Subdivision of land

Hi Ivonne,

Good to chat with you earlier.

As previously discussed, it would be great if we arrange a meeting with the Rojas to address any concerns they may have in regard to the lot split. Please let me know the earliest convenient time for the Rojas, so we make ourselves available to meet and walk them through our plans.

Feel free to reach out if you have any questions.

Thanks,
David

David Zeledon
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Design and Development
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Office: (305) 521-2822
DZeledon@lefrak.com

@livesolemia

Exhibit D

From: "Salas, Daniel" <dsalas@solemia.com>
Date: September 13, 2023 at 2:10:00 PM EDT
To: Ivonne Regil <adminacct@ivorbearings.com>
Cc: Andreina Tinoco <atinoco@ivorbearingsint.com>, hrojas@rodamientosrovi.com, Fernando Rojas <frojas@ivorbearingsint.com>
Subject: RE: Petition for PB23-0599 1120 BAY DRIVE Single family home lot split Subdivision of land

Ivonne,

Thank you for taking the time to speak last week. It was a pleasure speaking with you. As you know, the owners of 1120 Bay Drive are looking to use the lot for their children as long term residences when they are eventually old enough to move out of their house. It is intended to be a long term investment for the family in the neighborhood because the Owners believe it's the perfect place for them to be near their children in the future. The three lots would actually be consistent with the original state of the neighborhood and equal to the size of many of the lots on the street. The reason the owners purchased the property is similar to the Rojas family, because they value the tranquility and privacy of the neighborhood and have designed these homes to provide mutual privacy. As you can see from the redesigned homes (renderings attached) the owners took your concerns to heart and have asked the Architects to add additional components to provide even more privacy in the form of louvers and landscaping. Furthermore, the current design eliminates the ability of the owners from using the roof as a terrace similar to what the Rojas's other neighbors (1166 Bay Drive) currently have. Also, if we were to build one home on the lot it would have a very similar setback to what is currently proposed without the need for approval from the City.

As we've discussed, the owners would love to meet with the Rojas family at their convenience as they intend to be friendly long term neighbors and would love to discuss any other issues they may have in person. We are also available by phone or Video Conference as well if that is easier.

Thank you again for your time and we hope to hear back from you soon. If you have any questions or concerns, please do not hesitate to contact me!

Thank you,