

THE CITY OF CORAL GABLES



OFFICE OF THE MAYOR

CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

The City Beautiful

November 2, 2016

The Hon. Ileana Ros-Lehtinen
U.S. Representative
Miami, Florida Office
4960 SW 72 Avenue
Suite 208
Miami, Florida 33155

Re: Request for assistance regarding assessment of structure located at 803 Alhambra Circle, Coral Gables, Florida ("Property") by the U.S. Fish and Wildlife Service ("Service") for removal of the Florida bonneted bats ("Protected Bats")

Dear Congresswoman Ros-Lehtinen:

Firstly, thank you for your support of the City of Coral Gables ("City") in the past. Once again, I am writing to ask for your assistance on behalf of the City. The attic or roof of the single-family home ("Structure") on the above-described Property is a roost for Protected Bats that are regulated by the U.S. Fish and Wildlife Service ("Service"). The Service has notified both the Property owner and the City that no development can occur until the Service approves the proper process for authorized removal or exclusion of the Protected Bats.

In the meantime, the Property is in violation of the City Code of Ordinances because renovations began without the required development approvals ("Permits"). In addition, the Structure is deteriorating because of roof leaks. The City is extremely concerned that the Structure, which is historic, may suffer demolition by neglect, also in violation of the City Code, if the renovations do not resume soon. While the Owner's consultant has been working with the City to obtain the Permits and bring the Structure into compliance, the City cannot issue the Permits while the Protected Bats continue to roost in the Structure.

Consequently, the City has been working with the owner's consultant to monitor and help expedite the process to remove the Protected Bats. To that end, the City first contacted the Service on May 10, 2016. The Service informed the Property owner and the City that, once the breeding season ended on August 14, 2016, the Service would assess the site to begin the removal process. On August 25, 2016, the City and consultant began following up with the Service to schedule a date for the assessment. While the Service had repeatedly stated that it would conduct the assessment within two weeks, the Service

did not set a date for the assessment until this week and the site visit is now scheduled to take place on November 3, 2016 at 3 p.m.

As a result of the delays, the City and Owner are very concerned that the process to remove the Protected Bats, which the Service has already indicated may involve multiple site visits, may not be concluded before the next mating season begins, on April 14, 2017, or in time to preserve the historic Structure. The City is also concerned that the delay the Service is imposing on the Owner's efforts to preserve the Structure may amount to a regulatory taking of the Property in violation of the Fifth Amendment. Please find attached a copy of the letter the City sent to the Service requesting that it expedite its assessment of the Property.

Any support your office could provide the City on this matter would be most appreciated, and we specially request your assistance in asking the Service to expedite the approval of the removal of the Protected Bats. If you need any further information, please do not hesitate to call me at 305-460-5220.

Thank you for your consideration of this request.

Very truly yours,


Mayor Jim Cason

cc: 803 Alhambra HFL LLC, ✓
c/o Hubert Weisslinger and Lucy Lusette Lopez
Roxanna Hinzman, Field Supervisor, U.S. Fish and Wildlife Service
South Florida Ecological Services Office
Craig E. Leen, City Attorney

Enc.