

AUG 27 2010 AM 09:11

To: Trailer Estates Trustees
Cc: ARC
Subject: Marina Dr vs New Jersey

AUG 27, 2010
~~April 27, 2010~~

In a recent article posted in the Tribune by ARC, I responded to their request for residents to report any changes or updates to property that does not have a permit. Friday April 23, 2010 I attended their meeting. I found the meeting very informative, productive and cordial.

I presented them with an issue that was brought about by a resident updating their property with a new gate and fence in what appears to be a non-conforming fence.

The property in question is located 6706 Marina Drive. The Southwest corner of Marina Dr and Florida Blvd.. The fence runs along Florida Blvd from Marina Dr to the Bridge on Florida Blvd. There may be a chance that the fence belongs to the County. But, if it does, I doubt very seriously they would put a new gate in for the resident of Trailer Estates.

The fence appears to be on the Property line. It presents a safety hazard and park liability. It blocks the visibility when entering onto Florida Blvd from the South. If the park condones this non-conforming fence which blocks the vision of those entering onto Florida Blvd, then, they must accept the liability should someone get hurt or perhaps killed at that intersection when crossing while walking, on a golf cart, bicycle, or vehicle. This fence should have never been allowed.

A new gate was installed and some new supporting fence. This is similar to the property on New Jersey which the owners put in a new fence right where the old one was and the park took them to court at the cost of \$13,000.00 and forced the owner to move it within 30 days. It also cost the resident a like amount of court cost.

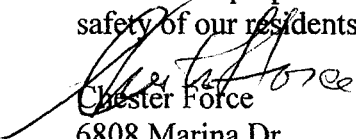
Let us compare similarities under the assumption that the fence in which a new gate was placed is non-conforming.

01. Both properties are on Florida Blvd.
02. Both issues are fences
03. Both are non-conforming (New Jersey is now conforming)
04. New Jersey filed for a permit
05. Marina Dr did not file for a permit
06. Marina Dr IMPEDES VISION and is a liability to the park
07. New Jersey DID NOT IMPEDE VISION.
08. Marina Dr. puts the Park at a liability risk.
09. New Jersey DID NOT put the park at a liability risk.
10. New Jersey was taken to Court to enforce the deed restriction.
11. Marina Dr. is now in question.
12. Marina Dr. is owned by a park official
13. New Jersey is not.

I think what is extremely important here is obeying the deed restrictions and fairness. I can not believe that I am the only one disturbed by the fact that an official of the park did not file for a permit? Having a leader display, this attitude toward our deed restrictions is appalling. It bothers me to the point that this should rise to the level of malfeasance. It seems that the one who files for a permit, tries to do the right thing, gets hit with a \$13,000.00 thank you bill . That tells us, when in doubt; do not apply for a permit.

If nothing is done to correct Marina Dr. , the least this park should do is pay the owners of New Jersey \$13,000.00, and put their fence back where it was.

I am asking ARC to write an opinion as to why Marina Dr. property is treated differently then New Jersey property. If we find that the owners of Marina Dr are not at fault and the fence belongs to the County, we will ask the County to remove this visual hazard, as it serves no purpose. We should be willing to pay the County to remove it, as it is for the safety of our residents.


Chester Force
6808 Marina Dr