

Testimony of Enrique Rodriguez

Petition of Lionel Warrell –Requesting that Parcel No. Remainder 30C Estate Elizabeth, No. 8i Great Northside Quarter. St. Thomas from R-2 (Residential-Low Density One and Two Family) to C (Commercial)

OCTOBER 24, 2020

Good Morning

I am here representing my parents Enrique and Maria Rodriguez, my sister's Daughter Charlotte Van Heurck and myself as adjacent properties owners to the property requesting rezoning; Remainder 30C Estate Elizabeth.

I will say it now for the record: We are all against this rezoning request.

When we met our new neighbor, Mr. Warrell, he announced to us that he was going to build his family home. As we got to know him we found out he was a Veteran, a Fireman and a first responder, We welcomed him as our neighbor. My sister and I were particularly pleased to know that next to our aging parents would be someone that would risk his life for his fellow citizen. Someone who was law abiding and a family man.

After a period of time, Mr Warrell commenced earth change work. We were surprised to see the work occurring so close to the gut and that no earth change permit was posted. We asked Mr. Warrell several times to post his permit and his response was that he would do so. He never did. Finally, we went to DPNR to ask about it and were informed that he had no permit. We inquired how DPNR allowed the work and we were told that Mr. Warrell claimed he was not doing any work on his property and that vandals were using his property to dump fill illegally when he was not around. Completely amazed by Mr Warrell's claims, we proceeded to advise DPNR that we saw him directing all the work on his property.

DPNR advised us to take pictures next time it occurred. He did earth change

work several more times and we did take pictures and forwarded them on to DPNR. DPNR issued a stop work order and Mr Warrel was involved in a choke hold incident with DPNR officers when he was served. So much for our initial opinion of Mr Warrell.

At some point after this Mr. Warrell announced to us in person his plan for commercial development on his property. We advised him that he needed to rezone his property first. His response was that he did not need to rezone his property. We did not understand his answer but advised him that he was misinformed.

He proceeded to put a shipping container on the property and somehow he was able to open up a bar that served refreshments with a business license from DLCA.

The license was revoked after DLCA realized application was incorrect and that the property was not zoned for commercial activity. So much for building his family home.

Mr. Warrell also claimed that the property across the street from his property his property. Mafolie #6 belongs to our family. What Mr. Warrell did next was unbelievable. One Sunday, Mr Warrell erected a fence across the public road from his property enclosing the public property across the street and at the same time barricading the public road. At this point the police were called and the police removed the barricade. Mr Warrell was no where to be found and the officers advised us that should he do it again to please call 911.

During the last 2 public meetings held by DPNR, in regards to this rezoning, it was a full house. Ninety percent of those present were against the rezoning and were also all neighbors. The ten percent that were for the rezoning were not neighbors.

Also at this meeting was Brian Turnbull, who was helping Mr. Warrell with his presentation at the time. Both Mr Turnbull and Mr, Warrell refused to answer any questions after their presentation. It was so surreal, this was a public meeting so that Mr Warrell could present his project to the public and

answer questions or concerns and both gentleman refused. Instead, Mr Turnbull advised the public to turn in their written questions and he would respond. Afterwards Mr Turnbull stopped helping Mr Warrell and all questions were left unanswered.

This is a representation of Mr. Warrell's track record. Should he be rewarded with a rezoning? This rezoning would allow for a multitude of business activity in a primarily residential area. DPNR has over the years given this rezoning 5 unfavorable marks. With every new Senate body, Mr Warrell resubmits his rezoning requests without any changes to a plan that is unrealistic for the property. Imagine a square, then transect that square from one corner to the opposite corner. That line represents the gut that cuts this property into two triangles. Once all set backs are taken into consideration, thirty feet from the gut on each side, ten feet from each road and fifteen feet from each neighbor there are only two small building areas that do not accommodate Mr Warrell's plans. This is the reason the previous owner sold this property, with the proximity to the gut, the lot was basically unbuildable except for a small home.

After Hurricanes Irma and Maria, it became quite evident why the property has never been developed. It is a gut. The amount of water that passed through that property makes it unlikely that even a home can be built on that lot. However, if Mr Warrell builds his home there we will welcome him to the neighborhood with open arms.

Applicant claims in the presentation that there is public water and sewage, that is incorrect. There is none.

Applicant's document called Conceptual Plan states:

“Current project includes 45-foot modular structure which will house kitchen, storage and serving area. Parking will be adjacent to business.”

“Future Plans include a concrete structure with a seating area for 25-30 people, parking for 15-20 vehicles and 2 restrooms.”

No plans for the modular structure and parking was submitted. An no time line included for future expansion. This is unacceptable.

Thank you

Enrique Rodriguez and Family