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**News from the Town of Cutler Bay**  
For Immediate Release

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### **History of the Property Located at 18551 Old Cutler Road**

In 2003, Cutler Properties purchased a 138-acre property to the southeast of Eureka Drive and Old Cutler Road, of which the said 8.45 acres was a part of. The 138-acre property was made up of various land use designations under Miami-Dade County Land Use Plan that included Low Density Residential, Estate Density, and Environmentally Protected Areas. Cutler Properties planned to turn 40 acres of that land into a 341-residential unit development, while the remaining 90+ acres bordering Biscayne Bay would be kept as a preserve.

These plans, however, never came to fruition as the South Florida Water Management District (SFWMD)—along with the support and demand by many local residents—would not provide the Environmental Resource Permit required to develop the project. Instead, the District made plans to acquire the property for the Biscayne Bay Coastal Wetlands project. Around this time is when the Town of Cutler Bay residents voted to incorporate in 2005. Some may even argue that this particular project provided motivation for many residents to vote for incorporation, as a way to gain more control of the area to prevent the project from being developed.

In 2010, most of the 138-acre property was purchased by SFWMD. In an effort to reduce the purchase price and at the request of SFWMD, however, 8.45 acres of upland property was carved out of the transaction and remained under the ownership of Cutler Properties.

In 2014, Cutler Properties pursued plans to change the zoning of the 8.45 acres it still possessed from Single Family Residential to Mixed-Use. This plan did not receive the support of the Town's planning consultants and was eventually abandoned. In 2016, new plans were made to develop the parcel of land to an "as-of-right" development of 30-unit single-family homes. During the review process, however, Cutler Properties' application proposed for 77<sup>th</sup> Avenue to be an access point to the site, which is not a road on the Town's comprehensive plan. With the discrepancy of the access point on their side and with the support and urging of many Town residents, the Council denied the site application.

This denial led Cutler Properties to Request for a Relief in 2018, which triggered the Florida Land Use and Environmental Dispute Resolution Act (FLUEDRA)—which mandates that state and local governments first mediate disputes with any landowner who believes that a development

order, or an enforcement action of a governmental entity, is unreasonable or unfairly burdens the use of the owner's real property.

During the FLUEDRA process, multiple mediation sessions and a Special Magistrate hearing took place that resulted with the recommendation for the Town Council to approve Cutler Properties' alternate site plan (option D) that was identified during the process. When this alternate site plan was presented at the November 2019 Council Meeting, it was once again denied by the Council—who had the support of many Town residents. Soon after the meeting, the Town considered the possibility of purchasing this parcel of land, in order to prevent it from being developed and to preserve the property's environmental value.

After holding a workshop with the Town's financial planner on February 26, 2020, to discuss the Town's financial status, possibilities and resources this purchase would require, the Council decided to move forward with a Letter of Intent to purchase the property that, for so many years, had the makings of a big development. Instead, the Town Council is committed to acquiring the property for the sake of the Town's improvement and resiliency objectives.

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