

**Re: 131 Seaview Ave Severe Iguana Feces Problem**  
**Strong partial Objection to Application: #Z-20-00260, ARCOM B-0033-2020**  
**Town Council hearing July 15, 2020, 9:30 A.M.**

Dear Council, Mayor and Staff:

Thank you very much for taking the time to read this letter, which contains a strong objection in part to the above plan. Per Town Sec 134-328 we notify Council of great hazards in part of the applicants' plan. **This letter is 23 pages in total including photos below.**

**FACTS:**

For over three years iguanas would climb up a tree hedge located on the lot behind us, **131 Seaview**. Iguanas climbed it to go on our roof **daily**, leaving large amounts of feces on all sides of the roof of our apartment/garage building (at **128 Seaspray Ave**).

**Iguana feces would come down with rain water on our heads when walking to our garage, when dressed to go out for dinner.** Even after I had sprayed water for an hour to remove the feces, iguanas often would leave more feces again later in the day, or at different spots I could not reach.

Two summers ago, after being away for 2 months, we returned to find at least **40 square feet of dried iguana feces** all over our roof. It took our worker a dangerous full day to clean the dried hard iguana feces, risking harm to himself. Detergents on a roof are slippery, iguana feces are dangerous.

We had to immediately clean feces off our roof countless times the past 3 or more years, carefully, and *cleaning our driveway*, from roof feces that fall (see photos of feces on plastic). Cleaning properly to remove all residue and bacteria is difficult, time consuming and expensive. You can't just leave feces sitting on a roof, it will come down later when it is raining, on our heads. We would hose *what could reach* immediately, no matter how busy we were.

Iguana feces were never by our pool or anywhere on our property. **We were otherwise not bothered by iguanas. Only on our roof were feces left by iguanas, always climbing the 131 Seaview tree hedge.** Often more than one iguana at a time, sometimes daily.

Iguanas would climb up the 131 Seaview tree hedge, traveling toward and onto our roof. **We actually witnessed exactly how iguanas did this many times.** We saw many iguanas on the back and front of our garage roof many times. **The 131 Seaview tree hedge was an "iguana ladder."**

**There was no other way iguanas were getting on the roof**, as any other possible avenues were completely eliminated.

We have never seen iguanas on our property, except when the iguana is *climbing their hedge to (or from) our roof*. Currently there are no iguana nests on our lot, and we look repeatedly. But that is not a concern. *It is when iguanas have a way to the roof, that there is a real danger* (see links below to videos and articles).

**FECES WOULD ALSO SPLASH INTO THE PATIO AREA OF 131 SEAVIEW:** Iguana feces from our *rear* garage roof area would fall with rain water down onto our mutual wall, and then splash onto 131 Seaview's rear patio floor. I saw feces on our mutual wall every time I looked, and also on the edge of our rear roof. I told the prior owner. When removing feces from the wall in the past using a ladder, I looked over the wall and saw feces on their patio floor.

For over 3 years it often **smelled like an open toilet sewer** from iguana feces bacteria and residue at their northwest corner, and our Southwest corner. *Their outdoor grill is just under the common wall that would have lots of feces on it (see photo attached). The feces were from iguanas on our roof that climbed their tree hedge*. Feces would fall onto the wall below. *Rain would splash feces from our roof onto the wide common wall, then splash feces down to their patio*. My wife and I tried everything to stop this, but nothing worked.

**Cutting the 131 Seaview hedge by some 6 feet away from my soffits was the only remedy for all of this** (more on this below below). **This was 100% effective.** I can also detail about the many other unsuccessful remedies we attempted if you wish (see *notes* below).

**IGUANAS HAD BEEN CLAWING OUR ROOF VENT to enter our ATTIC:** Iguanas had been clawing our long roof vent system, bending it, almost entering our attic. The vent system is at the very top of our roof, extends about 15 feet, and is about 1.5 ft wide. We had to seal that entire vent system with roof asphalt, to stop iguanas from entering our attic. *Anyone can come by our house and see how we did this*. Iguanas still pick at the area, and we had to repair that (Links below, iguanas with sharp powerful claws must be kept off of roofs).

See the link below of a family that had many iguanas living in their attic. The best plan for avoiding all of this is **simply to not plant trees anywhere near a neighbor's house or soffits**. Experts tell us this, it is common sense.

**AN ONGOING PROBLEM:** We've had a remarkably trouble free home for 23 years. The only ongoing issue has actually been the 131 Seaview tree hedge. Years ago the problem was the same tree hedge causing insects to swarm into our soffits and attic. Years later that same tree hedge caused the problem of iguanas climbing our roof. The prior owner would never cut it enough, and the limited hedge cutting I was thereafter "allowed" by the owner was not adequate to keep iguanas away. In a week the hedge would provide the same bridge for determined iguanas. And often we were out of town (we can explain more on this if anyone wants).

Now several months ago, that prior owner died. While the property was in his name, **our landscapers cut a proper 6 feet of hedge away. Finally after years, the iguana problem that threatened to make our home uninhabitable ended completely** (it also seems to have solved the original bug swarm problem completely).

We placed devices to stop the iguanas from walking on the Comcast/ATT cable, but this 131 Seaview tree hedge was the real problem, as it could *provide a detour for iguanas around such devices*. The tree hedge provided a ladder directly to our roof (even if there was no cable). Their tree hedge provided ways for many iguanas to evade, and make their way to our roof.

**CURRENTLY THE PROBLEM WAS SOLVED:** *Now the problem is solved 100 percent.* Our landscapers in December properly cut away 6 feet of tree hedges properly, just as counties and municipalities recommend on their websites. *It is recommended by experts (some we spoke with): (1) never let iguanas have access to roofs. And (2) avoid planting any vegetation that iguanas can use to access roofs.* Pretty simple. And that is how this problem of iguanas was completely solved.

Since we cut away 6 feet of the tree hedge in late December 2019, there is *no iguana feces odor* whatsoever at our common wall, *no feces on the 131 Seaview side (using a ladder I had a look), nor any feces on our common wall. No iguana feces on our garage roof, nor iguanas clawing at our roof.* This can remain a success, unless tall trees are once again planted anywhere near our soffits. This Council has full authority to require a landscape plan that avoids known potential harm. In this case *it would be an easy plan of avoidance that would cost the applicants nothing and would benefit them.*

**APPLICANTS' PLAN to plant TALL TREES and huge HEDGES AT OUR SOFFITS AGAIN, AMAZING BUT TRUE:** Their complete plan includes variances, reduction and utilization of green space, etc. Towns see this as a key point when applicants must also **reveal to the town** any known problems affecting neighbors, including how their plantings could affect neighbors in the **future**. *Have these applicants done that?*

I did write their planners 2 letters (and had 2 phone calls) in a friendly way, carefully describing the known hazard of iguana feces all over our roof, falling on both our properties, caused by iguanas climbing their tree hedges near our building. *Have they revealed this to the town?*

Applicants' plan is to install **tall trees** with **large branches**, and **tall hedges**, to be **at our roof soffits**, amazingly described exactly so in their plan! That plan is detailed in the notes below (photos too). Their project person admitted to me: *"these already grown trees will continue to grow tall and wide easily, along with large hedges"* and *"will be planted at the north border edges of their clients' lot on the west side"* to be right at our roof soffits! Unbelievable but true, **their plan is to provide the same tree ladder as before for iguanas, to our roof.**

This landscape project person admitted clearly to me: *“yes, these trees and hedges can be expected to continue to grow tall and wide.”*

We otherwise have no problem with applicants planting trees or hedges anywhere. We don't care if their trees or hedges grow 200 feet tall. But where their trees or hedges would be directly at or near our roof soffits, we will soon have many iguanas once again leaving hazardous feces all over our roof.

**OUR HOME UNINHABITABLE VS “THE LOOK THEY PREFER”** Iguanas in no time at all will climb up their planned trees to our roof. The iguana feces will once again be on our garage roof, front and back, making our home (and their patio area) to a great extent uninhabitable.

This in exchange for a small area of 131 Seaview to *“look the way the owner wants it, what they prefer.”* This was actually *stated* to me by their landscape project manager. We are talking about a very small area of the 131 Seaview lot, where *many other creative things can be done*.

Council has full authority under Florida Law to make sure this small area of 131 Seaview does not make our home uninhabitable. For over 3 years **we could not use our garage or driveway reliably, for fear of hazardous iguana feces falling on our heads when going out to dinner.**

It would take me hours to clean feces *behind* our garage, cleaning feces from the top of our mutual wall (just above the prior owner's grill) using many bottles of clorox. I had to immediately **spray away feces I could barely reach on the roof with a power hose, often 3 times per week, often using ladders.** Iguana feces and ladders are dangerous.

**MY WIFE AND I ARE REASONABLE, WE ARE GOOD NEIGHBORS:** Even today on sending this letter, I have written applicants (via their lawyer) and separately the landscape architects, that **we are still always available to discuss this.**

We are reasonable. There is another big construction next door (east of us). Applicants' will now be a *second side by side large project* at our house, while we are mostly home during Covid-19. But we are not complaining.

As to applicants' variance requests, there would be no complaint about that. Our concern is how the variances shape their landscape plans they propose to the town. *We would have absolutely no problem with whatever they want to build or plant, unless it is hazardous to our home, health and safety.* We have a “good neighbor” threshold.

*We are also OK if applicants plant trees right next to their own house, with iguanas all over their own roof. Perfectly fine with us.* No problem with that.

My wife and I are busy people. We would not write this kind of letter, spending time unless there **really** was the critical problem described.

We wanted to be good neighbors, to inform applicants of the severe iguana problem *they also have*, and we can solve together.

This was explained to them in **2 friendly letters** (with iguanas photos, and of feces, to the landscape group also) and **2 friendly phone calls**. I was told all of this was forwarded to the applicants, including our *friendly invite* for applicants to phone us, to *work on this together as good neighbors* (we are happy to provide copies of these letters).

***The applicants have not phoned us, ever. Their landscape architects have never phoned us ever, nor responded to our letters.*** Their project manager took my call, and basically said his clients will do as they please. There needs to be a *real* method of trust and assurance from these applicants at this Town planning stage.

**THE SIMPLE REMEDY:** I am sure you by now have thought of the *simple remedy, that will cost these applicants nothing*, will benefit them, and give their planners a chance to show some *nice creativity: simply plant types of vegetation that look great, but won't grow tall if near our building*. This will stop iguanas from getting on our roof (and also stop feces splashing from our roof to their patio).

This remedy would benefit applicants, and involve a tiny percent **2.96% of 131 Seaview's total lot**. About **288** square feet [48 ft L x 6 ft W] of their total **9,712** sq foot lot. Applicants can plant other wonderful things in this small area. Our home will remain liveable, and their patio area will not have feces all over it. This would only involve the area near our garage building. Simple.

**Our request is so small it is amazing applicants would not respond, and I had to send this letter and have this matter heard at Council.** Again, this small area would *only* be our small common wall area near our garage building, beginning at the iguana device nearby (device that stops iguanas from walking on the cable). Anyone is welcome to come here and measure this. It is about **2.96% of their total 9,712 sq foot lot**. (The simple math: about 48 ft Length x 6 ft Wide = **288** sq ft. The percentage:  $288 / 9,712 \times 100 = 2.96\%$  of their 9,712 Sq foot lot).

**HARDSHIP?** This tiny measure (**2.96%**) really should be as to their total **lot size**, rather than their green space. *It is applicants who are claiming a "hardship" if their greenspace is not allowed to be reduced (by variance)*. Their greenspace "hardship" reduction plan includes squeezing as many trees and hedges as possible to grow tall and wide right at our *roof soffits*, providing iguanas a fine ladder to our roof (their plan details & photos are below).

**Where is the Hardship?** We all know the applicants' repeated use of the word "hardship" in their application for variances is just a term, and does not refer to its true meaning. (See at: 20

Connecticut Law. Review, at page 669 (1987-1988). *Replacing the Hardship Doctrine: A Workable Test for Zoning Variances*). Link:  
<https://heinonline.org/HOL/LandingPage?handle=hein.journals/conlr20&div=32&id=&page=>

**A true hardship is my wife and I parking our car in the garage in the rain at night, and having iguana feces fall on our heads** because a neighbor desires trees that iguanas can use to climb our roof.

Uniform zoning laws in the US and Florida require applicants show by the variance requests as a whole: *“that substantial justice is achieved.”* The applicant also must show that the variance requests *“do not harm public safety.”* And *“applicants must present competent, material, and substantial evidence that they meet all of the standards.”* **UNC Law Review: Variance Standards: What is hardship? And when it is unnecessary?** Link:  
<https://canons.sog.unc.edu/variance-standards-what-is-hardship-and-when-is-it-unnecessary/>

**APPLICANTS HAVE THE HEAVY BURDEN OF PROOF AT THIS HEARING:** The **burden of proof** for all issues related at variance hearings is **squarely on the applicants, not their neighbors or the town.** Council may look critically at the entire related plan. *Gomez v. City of St. Petersburg*, 550 So.2d 7 (Fla. 2d DCA 1989). *If the owner presents no evidence that the property cannot be used without a part of their plans in question, there must be a denial.* *Herrera v. Miami*, 600 So.2d 561 (Fla. 3rd DCA 1992). And per the court: *“the burden is more extensive than for a party seeking a permissible use by special exception.”* Cf. *Gomez with Pollard v. Palm Beach City*, 560 So.2d 1358 (Fla. 4th DCA 1990).

**MY WIFE AND I HAVE NO BURDEN OF PROOF AT ALL IN THIS HEARING. Applicants have the burden to prove many things.** Florida also provided the requirement at F.S. 163.170(8) sub (c) *“that anything related to “the grant of the variance will be harmonious and non injurious to the surrounding land.”* The Florida statute uses the words clearly **“harmonious, non-injurious to the surrounding land.”**

It is well known Florida law that variances and their related effects *“should not be granted where the use ... will interfere with other property.”* *Elwyn v. City Of Miami*, 113 So.2d 849 (Fla. 3rd DCA 1959).

**Nor can applicants complain about the large soffits at our home built in 1925, nor our house situation:** Applicants bought their property months ago, with advice likely from architects, designers, builders, landscape planners, lawyer, broker, etc. If the applicants' large trees are denied, it is not a “taking” in any way. *Namon v. State Dep't of Env'tl. Reg.*, 558 So.2d 504 (Fla 3rd DCA 1990) the Court said **no taking where the new owner should have been aware** *“even if no construction or economic use can be made of the property.”* The Court's words: **“if you bought a swamp you must have wanted a swamp”.**



A mere disadvantage due to the **owner's preference as to what "he would like to do" with the property is not sufficient** to constitute a hardship. Burger King v. Metropolitan Dade County, 349 So.2d 210 (Fla 3rd DCA 1977); Metropolitan Dade County v. Reineng, 399 So.2d 379 (Fla. 3rd DCA 1981); Nance, supra; Crossroads Lounge v. City of Miami, 195 So.2d 232 (Fla. 3rd DCA 1967).

*"A subjective expectation that the land **could be developed in a certain way**, is no more than **an expectancy**, and does **not translate into a vested right**" to develop the property the way they want. Graham v. Estuary Properties, Inc., 399 So.2d 1374, 1382, 1383 (Fla.), cert. denied sub nom. Taylor v. Graham, 454 U.S. 1083, 102 S. Ct. 640, 70 L. Ed. 2d 618 (1981)*

*"If the owner participated in an affirmative act which created the hardship [buying an imperfect small lot] then the **hardship** should be ruled **self-created**." Coral Gables v. Geary, 383 So.2d 1127 (Fla. 3rd DCA 1980). Are these applicants' creating their own "hardship", **stuffing too much buildings and large wide trees** (and hedges) **on a very small lot**?*

*'...[a]n owner of land has no absolute and unlimited right to change the essential natural character of his land so as to use it for a purpose for which it was unsuited ... and which **[injures] the rights of others**." Namon at 505, (original citation omitted) see also Ruckelshaus v. Monsanto Co., 467 U.S. 986, 1005, 104 S. Ct. 2862, 2874, 81 L.E.2d 815, 834 (1984).*

*"A person who purchases land with notice of ... impediments ... to develop that land **can justify few, if any, legitimate expectations** of development rights **which rise to the level of constitutionally protected property rights**"; cf. Elwyn v. City of Miami, 113 So.2d 849, 852 (Fla. 3d DCA 1959).*

*"A 'reasonable expectation' must be more than a '**unilateral expectation or an abstract need**'"; Namon citing Claridge v. New Hampshire Wetlands Board, 125 N.H. 745, 485 A.2d 287, 291 (1984)*

**IGUANA FECES ARE A SERIOUS HEALTH HAZARD:** The iguanas on our roof (see our pics) carry **diarrheogenic escherichia coli** (DEC) pathotypes. A known environmental health hazard as "... a high proportion of DEC strains are **resistant**, or non-susceptible, to [even] carbenicillin, amikacin, and ampicillin." Diseases from iguana feces are **resistant to very strong antibiotics. That is serious.**

Iguana feces mixed with rainwater is a hazard, falling from a roof, falling on driveway, onto walking areas, onto applicants' own patio! This is a hazard to our dog as well as my wife and I, to applicants themselves, and guests. See the link to the science. There are many such articles: [Captive Green Iguana Carries Diarrheogenic Escherichia coli Pathotypes](#) See also: [Captive green iguana is a reservoir of diarrheogenic Escherichia coli pathotypes](#)

**The TOWN OF PALM BEACH also warns of this known serious health hazard:** *“Green iguanas can transmit the infectious bacterium Salmonella to humans through contact with water or surfaces contaminated by their feces”*. Town link:

<https://www.townofpalmbeach.com/909/What-is-a-Green-Iguana>

**PREVENTING THE FECES ON OUR ROOF WILL BENEFIT APPLICANTS:** Feces are a dangerous hazard left by iguanas climbing above by using their tree hedge. Feces residue also would fall on their rear outdoor living area.

We were concerned for our little dog, but the applicants have a young child. Strange for them to not be concerned. Diseases iguanas carry are **resistant to most antibiotics** (see article link above). *An easy solution: to not plant tall growing trees that cause iguanas to climb a roof and leave feces that will stream with rainfall onto their own patio living area.*

**Applicants may surprise with a “CHANGE of PLANS” at the last minute; all should still be placed on the record:** Applicants may at this hearing “update” Council that they have “changed their minds,” and are not planning tall trees there after all. Either way, such tall trees are in fact their plan *filed with the town as of this writing*. And they could easily plant at a later date, or plant close enough to still be a problem. An understanding from applicants fully on the record is necessary and warranted that no tall growing plants be anywhere near our building. This is not asking much of these applicants, if they are truly changing plans.

**Applicants’ expected proposal of a height limit solves nothing:** Trees grow fast (and both parties may be out of town). Applicants’ expected “proposal” of a 14 foot tree limit by our 15 foot high soffits would obviously not solve this severe problem at all. Especially given the climbing ability of iguanas (see links, articles: *Iguanas are amazing climbers*; *“if they can get near a roof they can get on it”*).

**Height limits alone** are not practical, no matter what the “limit.” The “limits” are useless to enforce, as *people have a tendency to just let trees and hedges grow tall*.

And keeping huge trees like those proposed by applicants cut “low” is impossible, *given their species* (below are detail, photos, info on the species). Applicants have shown no sign they will take on the impossible, *their tree hedges even now are out of control*, and they have owned the house for months (see attached photos).

**PERHAPS A SIMPLE TOWN CODE WOULD BE HELPFUL:** We all know of the iguana explosion in Florida. Most critical is to not aid iguanas in climbing **neighbors’** roofs. With sensible landscape planning that’s easy to prevent (see links to articles, experts below).

A simple Town Code may be enacted that **tall growing vegetation not be planted near or under a neighbor’s roofs, soffits, buildings, etc.** And explaining in the code *purpose: “to prevent iguanas from climbing neighbors’ roofs.”*



Currently the Town has no code that addresses this novel yet critical problem at the planning/planting stage. Town codes are a way municipal officials avoid making the same ruling individually over and over again, and avoid wasted staff and police time on these issues.

Landscape planners and owners will know this simple rule in advance as to **neighbors' roofs**, a rule that will cost them nothing to follow. No problem if an owner wants trees near, and iguanas on **their own roof**. But **not** a neighbor's roof.

This would codify what is really common sense. Council has full authority under Section **163.315, Florida Statutes**: *"this act ... shall be interpreted as a recognition of [officials'] broad statutory and constitutional powers to plan for and regulate the use of land."*

***Thank you for your time and service.***

*Respectfully submitted, **Martha and Steven Jeffrey Greenwald, Esq.**  
128 Seaspray Ave., Palm Beach*

**The next pages ahead are LINKS, articles, videos and actual PHOTOS**

(Click blue links twice if a problem with video to view)

**Iguanas must be kept off roofs.** Recent news of iguanas **living in a FAMILY'S ATTIC**. It happens all over Florida. Iguanas are a problem Palm Beach never had in the past, now here to stay. **Planting trees or hedges away from a neighbors' roof is an easy solution.** News link: <https://www.youtube.com/watch?v=SNZaJedOLqQ>

**CBS News report.** It explains that most "methods" of stopping iguanas are not practical against the current Florida iguana explosion. The methods do not work, are dangerous or could be illegal. See this **CBS** report link: <https://www.youtube.com/watch?v=wwk05LAXMFg>  
And See the **NBC report**: <https://www.youtube.com/watch?v=ufqHYyA0Vdc>

See also **BLOOMBERG TV** report:  
[https://www.youtube.com/watch?v=mPwZ\\_zIFuY](https://www.youtube.com/watch?v=mPwZ_zIFuY)

**January 2020 article, *South Florida Overrun with Iguanas:***  
<https://animals.howstuffworks.com/animal-facts/iguana.htm>

**Iguana experts say never plant trees anywhere near homes in Florida.** Iguanas are a bit of a nuisance, but on **roofs** they are a danger. Iguanas damage roofing, underlayment, and may get into the attic and house. See this link, experienced iguana handlers' warning of **hazards of iguana feces on a roof dripping down with rain water**. Iguanas can also climb down roof

exhaust pipes and appear in your toilet. See the link:

<https://www.iguana-solutions.com/roof-iguanas>

**Experts we consulted said:** *“If near a roof, then iguanas can find a way on it.”* Experts were puzzled about how tree hedges were allowed anywhere near our soffits: *“why did the neighbor even plant a hedge there.”* We were told: *“they need to cut that hedge far from your roof.”* They had no other remedies, and if hired all said they would do that first. So that is what **we** did, and it was **100% successful**.

**Some unsuccessful iguana remedies we tried during the past 3 years:** more than 40 tubes (caulk size) of BIRD-X clear sticky goop repellant placed all over the south side of my roof: useless, ineffective. Gallons of *Iguana Rid* sprayed everywhere around our roof and on the 131 Seaview hedge: useless, ineffective. Hanging many compact disks and other reflective things: totally useless. Other things were attempted. All attempted remedies cost quite a bit in total, for hired manpower and products, all were useless. I can elaborate more if you wish, I have receipts.

**APPLICANTS’ TREE PLAN is actually far more hazardous than the prior owner.** Applicants now plan to have huge trees all the way **across most of our 35 feet of roof soffits!** The prior owner’s tree hedge only extended 4 feet across, and yet that 4 feet caused severe iguana feces problems for years. **A simple viewing at our home will show the seriousness of this.** I will be happy to meet anyone at our home.

**ALEXANDER PALMS:** Applicants’ drawing, top of their page **45/63** states: **“(3) ALEXANDER PALM 14’ [14 feet height] CT., MATCHING TRUNKS”** to be planted just at their north/west at our mutual boundary wall. Oddly, their page **52/63** drawing shows there will be **4 of these trees**, and not 3. Their drawing shows planned **14 foot tall** grown/still growing tall trees (at their page **52/63**) **all across our roof soffits!** Our **roof soffits** are only **15 feet high**, and are located a **couple inches from the property line** where these will be planted, at our wall.

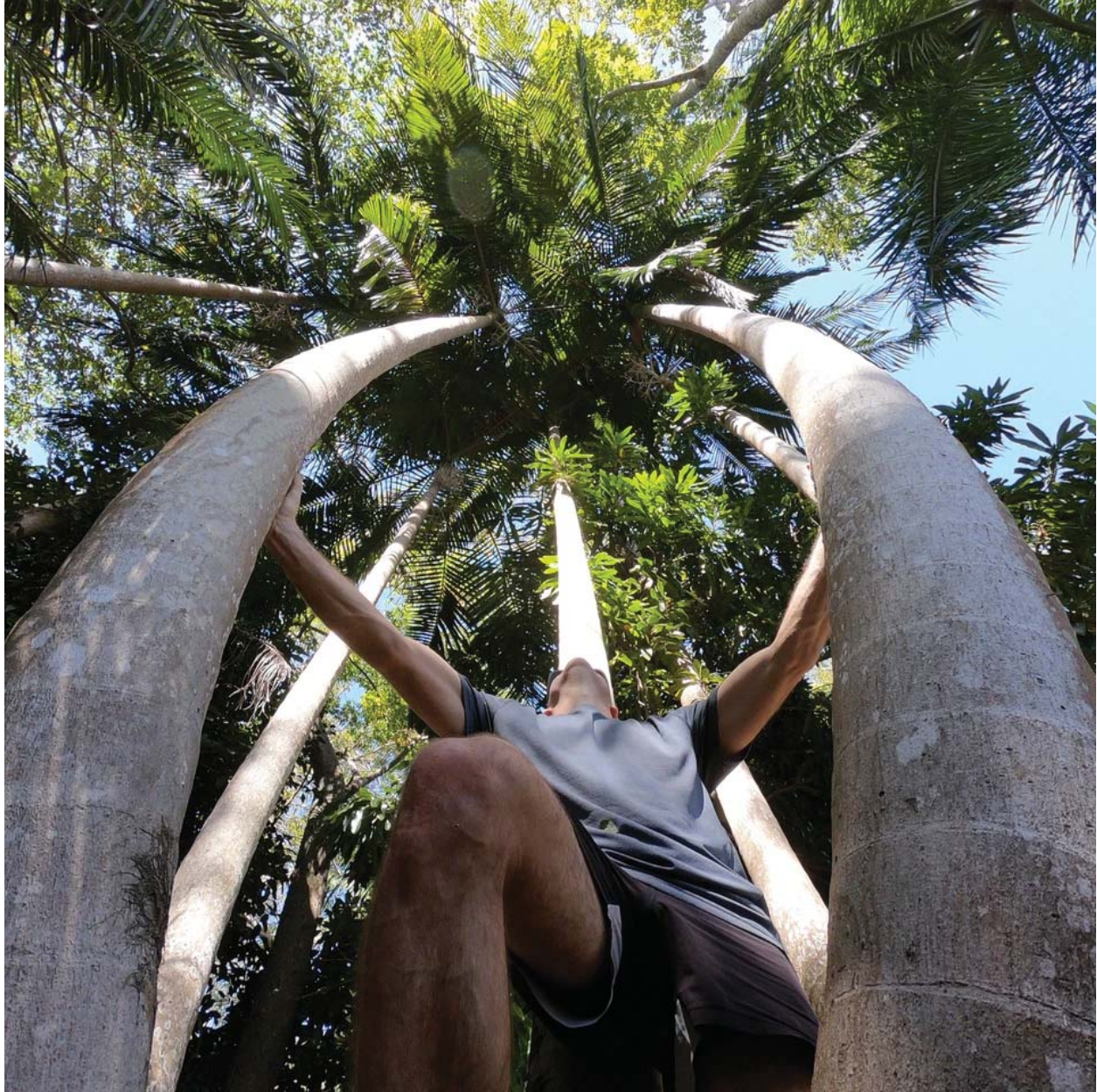
**Their drawing actually shows these 4 palm trees’ big branches will be right at our roof soffits!** (see their plan at page **52/63**). Behind what is drawn as palms on page **52/63**, **are our roof soffits 2 inches from the property line**. There is really no distance at all. And their page **45/63** shows the planting of these large palms to be **just at the wall**, our mutual property line.

**Alexander palms are just large growing palms**, nothing magic about them. They are a large wide branch tree that iguanas would easily climb to get to our roof. Applicants’ drawing shows large palms and hedges to be at our common wall, with branches just at our soffits and roof.

**Palm trees obviously cannot be “trimmed lower” or you’d be left with a tall stump.**

Their computer renderings, drawings all show **huge hedges and trees** all to be planted exactly where **their branches would be at our roof soffits** (at their pages **52/63** and **45/63**).





Here is what **Alexander Palms** *really* look like. They do grow! Photos at: <https://themoderngardeneronline.com/products/copy-of-alexander-palm-archontophoenix-alexandra-100lt-bag>

See more pics of **alexander palms** at <https://www.pinterest.com/pin/358176976584377694/>

**PITCH APPLE TREES:** Applicants' drawing also states "(2) PITCH APPLE 18' OA HT [18 feet overall average height] 8' SPR., FORM ARCH" at the top of their page **45/63**. These will be directly at our roof soffits. Most ominous, the **two huge 18 foot pitch apple trees** are also positioned in their drawings, **between our critical iguana cable guards** (at the ATT/COMCAST CABLE) that are currently preventing iguanas from travelling on the cable.





**Pitch Apple trees**, more huge trees planned. They *really look like* this photo. *Link to pics at:* <https://www.plantsmap.com/organizations/25206/plants/67499>

**Our iguana cable guards are now protecting both our properties from iguana feces falling from our roof.** Their trees and hedges planned, will render the cable guards useless, iguanas will climb to the cables and onto our roof and leave feces. Roof feces will once again fall on our heads, and feces will become many square feet on our roof, when we are out of town. **Those feces will once again fall in rainstorms onto applicants' own patio.**

**Applicants' drawing** (page 52/63) actually **shows pitch apple and other large hedges** planned for their north border, which would be **exactly at our roof soffits**. Same problem as the alexander palms. These and **other huge hedges** are shown to be planted **just at and under our soffits in their renderings**. (see their pages 52/63, and 45/63).

Applicants have on their drawings a symbol signifying a *hedge* (page 45/63). They also use the word "**arch**" for the two pitch apple trees. Call it hedge or not, **they are planning 14 and 18 foot tall trees and tall large hedges**, just at our roof soffits (their drawing page 52/63). All of this is over **a far greater area near our roof soffits than the prior owner!**

If applicants claim their tree branches will grow above our roof, that is also no answer. We have seen iguanas purposely drop down from hedges, and they are fine. Iguanas are sturdy and will find a way to our roof using these planned trees and hedges.



Photo shows **iguana stopping on approach at our bird spikes**. We also have a similar video of another iguana. Our devices will work fine unless trees or hedges are planted that provide a way iguanas can go around them. Applicants' trees and hedges planned will do just that.





**ABOUT OUR PHOTOS OF THE IGUANA FECES ON PLASTIC:** My wife and I ourselves would place plastic in front of our garage door to catch the iguana feces. The feces were so routine (often daily) **we would place the plastic, so the feces would fall on it**, so we could carry it away. We had to spray the roof (and driveway with clorox cleanup). Difficult to do daily. Roof and driveway cleanup of feces could be 2 hours a day. At times iguanas would leave feces a second time *after* we cleaned up. **Feces would then fall on our heads as we were walking to our cars.** My wife says we will never allow this to happen again.





Photo of another iguana heading away after confronting our bird spikes.



More feces on plastic in the front of our garage where we walk to our cars. This was a daily horror for months. Awful when **it fell on our heads in the rain**. Feces got everywhere. In this photo the feces you can see are elsewhere on the driveway also. And feces are on the very edge of the roof.



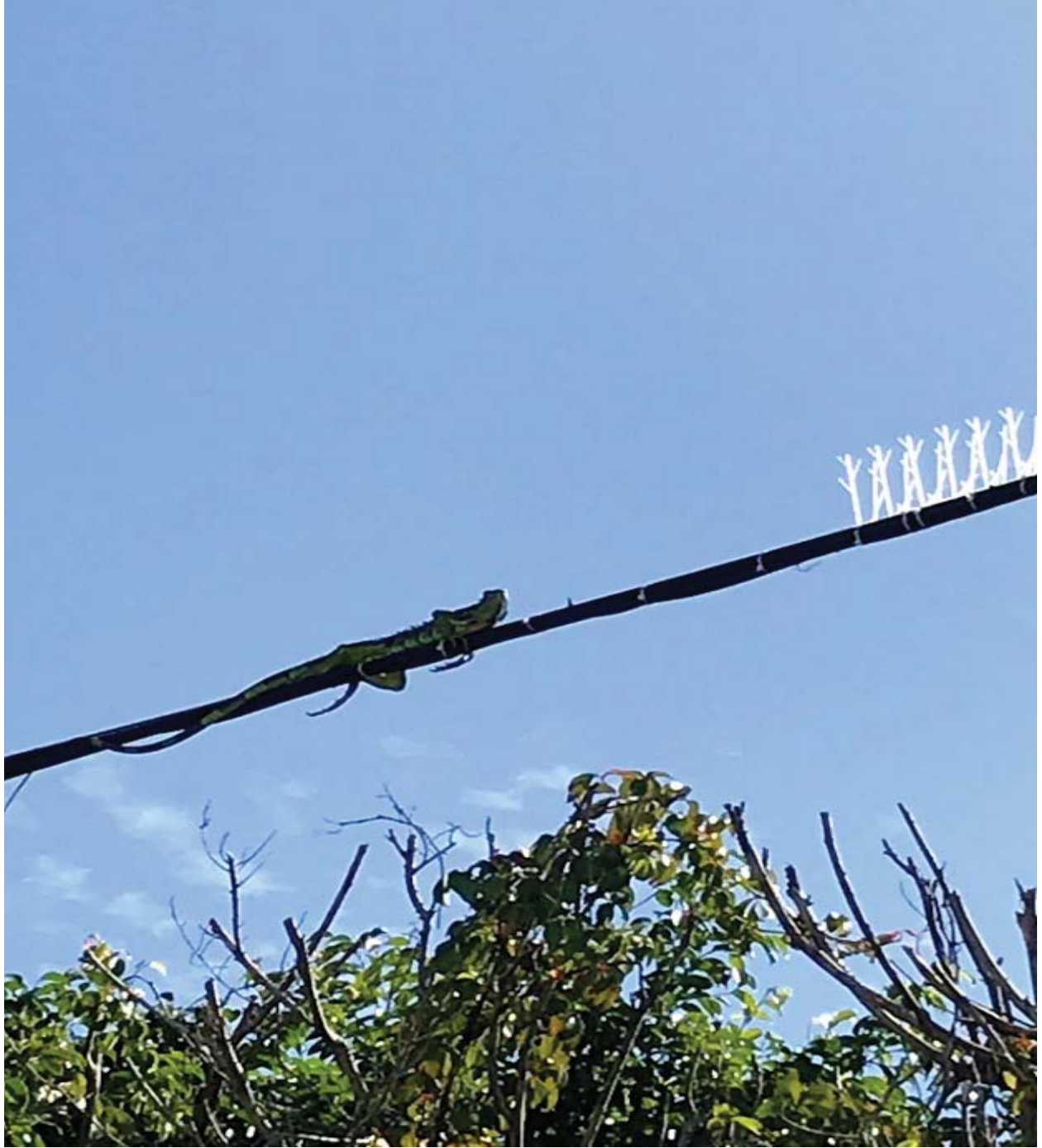


Photo: Iguana stopped by our spikes. These cable stopping devices are a safe humane way to deter. Iguanas simply head in the other direction. An **ATT tech** in the area told us our light plastic bird spikes and wheel are perfectly OK, not a problem for them. He said *"it will all be undergrounded soon anyways"* (**which will be great!**) He warned: *"get these tree hedges cut more, or **iguanas will be on your roof even with no cables.**"* So we did.



This Photo easily shows it all. Why **APPLICANTS' PLAN IS OUTRAGEOUS**. It shows the **mutual wall (property line) is exactly at our ROOF EDGE**. Applicants' property is on the left of the wall shown. Our newly painted yellow building and white soffits on the right of this wall. You see there is only an inch or two between our soffits and the property line (the wall). There is no real distance. **Applicants want their tall wide growing trees and hedges to be planted just at the left side of this wall, with branches at our roof soffits!** (pages 45/63 & 52/63 of their plan drawings). Given that, iguanas will be climbing back on our roof in no time at all, causing feces to land on both our properties once again.

It can also be seen in this photo that **feces** on our rear roof have nowhere to go in a rainstorm, except straight down onto our mutual wall and **splash onto applicants' patio area!** *Applicants should want no way for iguanas to climb near our rear garage roof.* Yet their new plan is to provide easy ways for iguanas to climb there. Strange but true.





**PHOTO OF THE MUTUAL WALL OVER THEIR GRILL:** At times feces were all over the mutual wall above their grill, and along the entire wall shown in the photo. Often it smelled like open toilets with feces. This photo was taken 7 months after **we cut away the tree hedge by 6 feet, which instantly stopped all iguana feces.** The wall is totally clean now, as seen in the photo. I spent hours spraying loads of clorox and power hosing the top of the wall, some 7 months ago. No *new* feces for 7 months. **Now applicants' want a plan that would return feces to that wall, and onto both of our properties.** Unknown why.





**RECENT PICS OF HEDGES. Awful:** Recent pics show applicants' current tree hedges are now out of control, though applicants have owned 131 Seaview for months. Their trees are a mangled mess, white fly everywhere (not sure they even spray). Their tree hedge is now laying on cable wires for 80 feet. Should we trust them to make an impossible **effort** to keep larger, **more difficult tree species** constantly cut away? (how does one "cut" large palm trees "lower"? ) And see their planned *huge hedges* at our soffits in their drawings? (page **52/63**).





**The RECENT PHOTO OF OUR IGNANA CABLE DEVICES PROTECTING US FROM APPLICANTS' OUT OF CONTROL HEDGES:**

Our devices have proven **100%** successful stopping iguanas from traveling on the cable, unless a tree grows a "path" for iguanas to climb around it. You can see in our photo we have cut deep across the hedge tops with great effort to prevent that detour ability. **Applicants have done nothing to help, same as the prior owner.** These applicants have owned 131 Seaview for months.



Another **pic** shows how my landscapers had to cut their very thick tree hedge not only down, but **6 feet away** from our soffits. **Our large cutting stopped all iguana problems instantly.** That tree hedge area you can see in the pic was only *4 feet across our soffits*, and was very difficult to cut. Imagine applicants' new plan of trees across our entire *35 feet of roof soffits*. That will be an onerous effort to continuously cut the huge trees and hedges they are planning. For their planned alexander palms, it will obviously be impossible to "cut them lower."





*Smaller iguana heading away from our device on the cable that deters them.*

**Our cable bird spikes and devices are currently protecting applicants' back patio also from iguana feces. Since placing the devices, and cutting their hedge 6 feet, no iguanas have been on our roof, and no feces falling from our roof onto either property. 100% success for seven months. *Instead of being grateful* for our time, hard work and expense, these applicants' propose to make the situation far worse.**