

From: John Holic
Sent: Tuesday, May 27, 2014 3:30 PM
To: mary payne
Cc: David Persson; Edward Lavalley; Lori Stelzer
Subject: RE: Petition #14-IRZ, Ordinance 2014-16.

Dear Ms. Payne,
On behalf of Venice City Council, thank you for your comments.
Sincerely,
John Holic
Mayor, City of Venice

Sent using OWA for iPad

From: mary payne <mapyann1@yahoo.com>
Sent: Tuesday, May 27, 2014 11:56:05 AM
To: City Council
Subject: Petition #14-IRZ, Ordinance 2014-16.

Objection to VICA plan Petition #14-IRZ, Ordinance 2014-16.

Dear Mayor & City Council: For the record, I object to Petition #14, Ordinance 2014-16 because it provides no transition of density between the southern half of VICA and the existing lots along Border road. Border road is a Gateway to the Preserves and should not have homes backing up to Border frontage. Please do not allow homes in this area-we have enough empty new homes to accommodate any new growth in the area. The greed of developers will ruin our future. Please do not allow any growth in this natural beautiful land.
Thank you,

Mary Ann Payne
1030 Albee Farm Road
Venice, Florida 34285
941-549-1912

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this

entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: John Holic
Sent: Tuesday, May 27, 2014 4:58 PM
To: Michelle Powell
Cc: Lori Stelzer
Subject: RE: Objection to Petition # 14-IRZ, Ordinance 2014-16

Dear Ms. Powell,
On behalf of Venice City Council, thank you for your comments.
Sincerely,
John Holic
Mayor, City of Venice

Sent using OWA for iPad

From: Michelle Powell <michellepowell09@gmail.com>
Sent: Tuesday, May 27, 2014 2:25:19 PM
To: City Council
Subject: Objection to Petition # 14-IRZ, Ordinance 2014-16

Objection to Petition # 14-IRZ, Ordinance 2014-16

For the record, I object to Petition # 14-IRZ (VICA plan), because:

I am greatly concerned for the wildlife in the area. There are more and more homes being built and fewer places for the animals to call home. The city agreed to establish a wildlife corridor by 2013, and this property is a natural wildlife area which connects without crossing any major streets to existing preserves and the Carlton Reserve, the largest open space reserve in Sarasota county. Approving the VICA plan without concern for the wildlife corridor is potentially a "taking" from the wildlife corridor.

Border road is a naturally established Gateway to the Preserves and should not be impacted by a large density of homes.

I also do not understand why we need more homes in the Venice area when there are many many homes (old and new) for sale. Just how many people are projected to be moving into our small town in the near future? Where will they all work and where will their children go to school?

Please reject VICA.

Your neighbor,

Michelle Powell
941-525-2653

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: DONNALPUTT@aol.com
Sent: Thursday, June 05, 2014 4:58 PM
To: City Council
Cc: bsynder@venicegov.com; Jeff Shrum
Subject: Rezoning consideration on Border Road

To whom it may concern:

As a resident of Venice and would like to express my opinion on the pending rezoning of land on Border Road by Neal Communities. Specifically "The Woods" and "The Villages at Milano". The developer was aware of the zoning requirements when he purchased this property, we should not be jeopardizing the environment for profit. The sensitivity of this property and the bigger picture should take precedent and not the bottom line of a businessman. The presence of this builder and the impact that his subdivisions are and will have on our community is already at critical mass, to allow him further impact on our community will be detrimental to Venice.

Why are the taxpayers of Venice funding infrastructure for a large tract home development? Why is any developer not required to make the necessary infrastructure improvements as a part of doing business? How long before we as taxpayers will be funding the cost of building new schools, not the builder. What is wrong with this picture. Make the developer expand the infrastructure as it is done in many other states. Do not use my tax dollars to benefit a greedy, inferior builder. Has a sufficient traffic study done to the road? What will this many homes do to the area?

The bottom line is that the environment should take precedent! The wildlife, flooding, and cost to the taxpayer should be your top priority, not the maximum profit of a developer. We totally oppose any acquiescence to this builder or any builder that has no regard for the environment. Do the right thing and deny any rezoning change for this builder, he knew what the density was when he bought the property. Do not compromise our zoning; this is why we live within the city limits of Venice. We chose to live in a community that has high standards. Do not disappoint us.

Donna Putt
328 Otter Creek Dr
Venice, FL
34292

From: DONNALPUTT@aol.com
Sent: Sunday, June 08, 2014 4:57 PM
To: City Council
Subject: follow up

To whom it may concern:

As a follow up to the email that I sent last week voicing my objection to the rezoning of property on Border Road for the development by Neal Communities, what would be the impact on our water supply? Can the city or county supply the capacity necessary for domestic use as well as the fire protection needed while maintaining supply to the existing businesses and homes?

I appreciate this question being answered.

Donna Putt
328 Otter Creek Dr 34292

From: Lenox E. Bramble
Sent: Monday, June 09, 2014 9:21 AM
To: DONNALPUTT@aol.com
Cc: City Council; Edward Lavalley; Jeff Shrum; Timothy Hochuli
Subject: RE: follow up

Len Bramble, P.E., Director
Utilities Department
[200 North Warfield Avenue](#)
[Venice, FL 34285](#)
office: [\(941\) 480-3333 ext. 224](#)
fax: [\(941\) 486-2084](#)

"The greater part of our happiness depends on our disposition and not our circumstances." Martha Washington

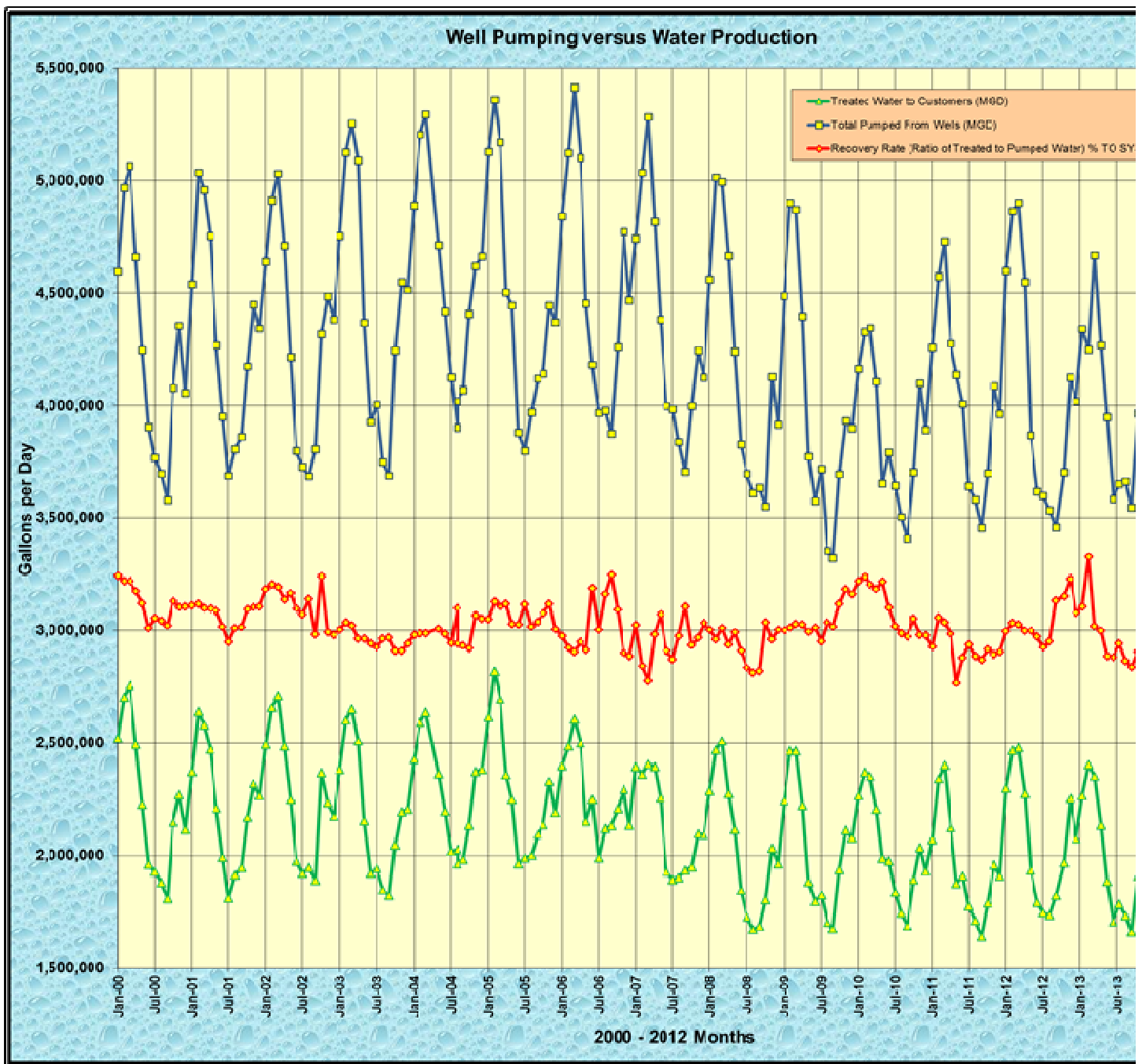
Serving the City with PRIDE
Productive; Responsible; Innovative; Dedicated; Ethical
Donna,

Bob Daniels forwarded your email on to me for a reply.

Your question is a good one, and it is encouraging to me when our customers and residents ask such important and insightful questions about such an important resource. We take both water quality and water quantity very serious as should everyone.

SHORT ANSWER: I believe we are in a very good position to meet water supply requirements for the foreseeable future. With the accomplish of our 2012 Water Master Plan, which includes the development of a water distribution model, we are able to simulate the impacts of additional customers and fire flows at any location in our service area. Using this model we have determined that we can meet both consumption water demands and fire flow demands resulting from the combined impacts of the projects in the Border Road area.

LONG ANSWER: Here in Venice we provide an annual daily average water demand of approximately 2.25 million gallons per day (MGD) to about 11,500 metered accounts and to about 21,000 citizens. This is indeed an annual average, and due to the population fluctuations during the year due to the arrival and departure of our northern visitors this number likewise varies as well, over the past 12 months ranging from a low of 1.66 MGD (occurs in September or October every year) to a high of 2.66 MGD (occurs in February or March every year). In order to supply these amounts of water we pump about twice as much water from our wells. This ratio, a function of our water treatment process, defines our treatment "recover rate" which in our case is 50% (i.e. 50% of the water from wells is turned into drinking water; the remaining water is combined with what is filtered from the well water in the treatment process and disposed of). The graphs below illustrates all of this over the past 14 years.



(LONG ANSWER continued). So this is our current water supply “picture”, and includes our reverse osmosis water treatment plant with a permitted capacity of 4.64 MGD, about twice what we are supplying on an annual average basis at present. So what are our short-to-medium time frame plans to increase both water supply and water production? They include:

- Current upgrades to the reverse osmosis membranes. Approximate increase in treatment production of 10%.
- Participation with SWFWMD (Southwest Florida Water Management District) to pilot “Freshkeeper” concept with new water supply well. Approximate increase in supply of 0.6 MGD.
- Construction of 2 additional water supply wells. Approximate increase in supply of 1.2 MGD.
- Addition of a new 2nd pass to our reverse osmosis treatment process, increasing recovery rate from 50% to about 75-80%. Approximate increase in treatment production of about 3.7 MGD.

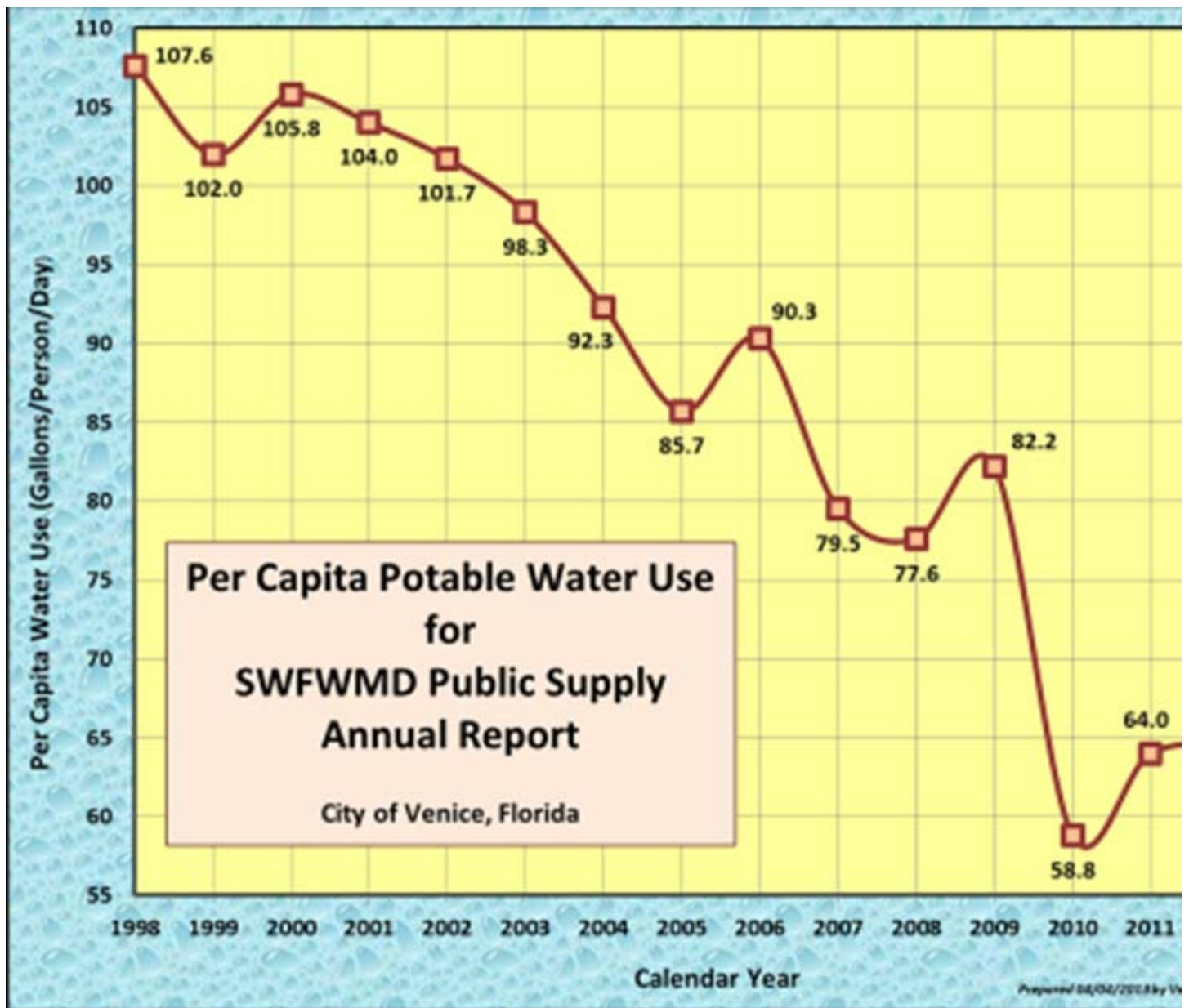
All of the short-to-medium term improvements increase our current permitted plant capacity from 4.64 MGD to about 9 MGD.

In the long-term we might expect any combination of the following, as well as other possibilities that are not listed:

- Construction of additional water supply wells. Each new well is estimated to produce about 0.6 MGD permitted supply. Possibly 6 or more new wells.
- Purchase drinking water from Peace River Manasota Regional Water Supply Authority; quantity varies but can readily be 1-5 MGD or more.
- Purchase drinking water from Sarasota County; quantity varies but can readily be 1-5 MGD or more.

These long-term improvements can readily increase our available drinking water to about 22 MGD or more.

An important part of the water supply “picture” is water conservation, and we are proud of our achievements in Venice. In spite of the very low per-capita water consumption numbers Venice has achieved (see graph below) we continue to be even more frugal with our drinking water. Over the past few years examples include programs to offset the costs of conversion of high-flow toilets and urinals to low-flow by \$100 per unit, which is available to all of our customers, as well as providing “water conservation kits” to all of our customers that include low-flow shower heads, faucet aerators, and dye tablets to help isolate toilet valve leaks.



I hope you find this information useful and that it adequately responds to your original request. Should you need any additional information, or have any questions at all, please feel free to contact me at your convenience.

From: Robert Daniels
Sent: Sunday, June 8, 2014 5:59 PM
To: Lenox E. Bramble; Jeff Shrum; Edward Lavallee
Cc: John Holic; Robert Daniels
Subject: Fwd: follow up

This question needs an answer from you

Regards,
Councilman Bob Daniels

Venice , Florida

Begin forwarded message:

From: DONNALPUTT@aol.com
Date: June 8, 2014 at 4:57:03 PM EDT
To: citycouncil@venicegov.com
Subject: follow up

To whom it may concern:

As a follow up to the email that I sent last week voicing my objection to the rezoning of property on Border Road for the development by Neal Communities, what would be the impact on our water supply? Can the city or county supply the capacity necessary for domestic use as well as the fire protection needed while maintaining supply to the existing businesses and homes?

I appreciate this question being answered.

Donna Putt
328 Otter Creek Dr 34292

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Robert Daniels
Sent: Wednesday, May 21, 2014 4:54 PM
To: Lori Stelzer
Cc: John Holic
Subject: Fwd: May 27 th meeting

Please respond to this request

Regards,
Councilman Bob Daniels
Venice , Florida

Begin forwarded message:

From: Sharon Quimby <s_quimbees@aol.com>
Date: May 21, 2014 at 4:44:57 PM EDT
To: "citycouncil@venicegov.com" <citycouncil@venicegov.com>
Subject: May 27 th meeting

Venice, city Council :

I am sorry that I am unable to attending on May 27th...but as I am concerned about proposed development

Near Jacaranda and Border....Please
send me meeting minutes.....Sincerely, Sharon Quimby

Sent from my iPad

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request.

If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Sharon Quimby <s_quimbees@aol.com>
Sent: Friday, June 06, 2014 12:08 PM
To: City Council
Cc: istelze@venicegov.com
Subject: Objection to Petition # 14 - IRZ ordinance 2014-16

>
>
> Dear City Council members,
>
> For the record, I object to petition #14-IRZ (VICA plan), because:
>
> 1. VICA is inconsistent with the existing neighborhood along Border Road. The lots along Border are currently 5 acres. The concentration of homes for this proposed development is located on the south side, east of Jacaranda, along Border Rd. In addition to minimizing the density of this project as it heads south towards Border Rd, the buffers for this development should be substantially increased from the 30 feet that is required now. The south portion of this development should be more compatible with the existing neighbors. As the plan is now, it is not compatible at all. Border Rd should retain its rural nature.
>
> 2. The city agreed to establish a wildlife corridor by 2013 and this property is a natural wildlife area which connects without crossing any major streets to existing preserves. Approving the VICA plan without concern for the wildlife corridor is potentially a "taking" from the corridor.
>
> 3. I am concerned about how this development will affect the more than 20 wetland areas that exist on the property. These types of developments use many chemicals to maintain their unnaturally green and weed free lawns.
>
> 4. Border road is a naturally established Gateway to the Preserves and should not be impacted by a large density of homes.
>
>
> Sincerely, Sharon A. Quimby

>

Scott Pickett

From: Sarasota CONA <conasarasota@hotmail.com>
Sent: Tuesday, April 15, 2014 1:10 PM
To: City Council; Scott Pickett; Jeff Shrum
Subject: Today's agenda item rezoning 14-1RZ

To City of Venice Planning Commissioners

cc: Scott Pickett, J. Shrum

RE: April 15 agenda item rezoning 14-1RZ

On behalf on the 72 neighborhoods of Sarasota County that are members of CONA (Sarasota Council of Neighborhood Associations), the Board of Directors of CONA urge you to consider larger buffers and setbacks for the proposed development along Border Road.

With larger setbacks and buffers along Border Road, the development will be more compatible with the rural environment of the area. The buffer should include native plants and be well vegetated.

CONA would have like to send a representative to your meeting today but unfortunately we would not be able to do so. Please consider our concerns in your deliberations today.

Sincerely

Lourdes Ramirez
President, CONA
www.conasarasota.org
<https://www.facebook.com/#!/conasarasota>

cc:
citycouncil@venicegov.com

spickett@venicegov.com

jshrum@venicegov.com

From: Deeana Reichmuth [mailto:dareichmuth@yahoo.com]

Sent: Monday, May 26, 2014 2:23 PM

To: City Council

Subject: zoning for The Woods and The Villages at Milano

We are adamantly opposed to the zoning to allow homes at the above sites! We are strongly opposed due to the environmental impact on the wet lands. We live across from Neals Grand Palm building site, and it too was a wet land, that it is now rumored to have problems. Also these above properties serve as a buffer for our wildlife.

The rare and endangered species need our protection. Also flooding would become a huge problem if the

above Neal properties are developed. There will be additional cost to we taxpayers, just so this ONE builder

gets to have his way building 963 additional homes. I implore our city council to say 'NO' to this rezone! It is

not the amount of building- IT IS THE LOCATION!!!!

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Jeff Shrum
Sent: Tuesday, May 27, 2014 9:00 AM
To: Lori Stelzer; Audrey Symowicz
Subject: FW: REZONE & NEAL BUILDER

This appears to be for the Woods but since it only mentions "Mr. Neal", please include in both the VICA and Woods application files as received correspondence. Thanks!

-Jeff Shrum

From: Deeana Reichmuth [mailto:dareichmuth@yahoo.com]
Sent: Monday, May 26, 2014 6:06 PM
To: Jeff Shrum
Subject: REZONE & NEAL BUILDER

I HAD ATTENDED A PLANNING MTG AT 1:30 PM IN AN AFTERNOON. MR NEALS PEOPLE HELD THE FLOOR UNTIL 4:00 P M. I WANTED TO SAY A BUILDING PROJECT OF THIS MAGNITUDE IS BEYOND COMPREHENSION !!!! MR NEAL HAS A WAY OF GETTING WHAT HE WANTS, WHEN HE WANTS IT!!!
I LIVE ACROSS FROM GRAND PALM...IT IS A WET LAND AND HAVE HEARD RUMORS THEY ARE HAVING PROBLEMS. I WAS ON THE BANDWAGON THEN, TRYING TO TELL SOMEONE WHO MIGHT CARE THAT IT IS A WETLAND...BUT TO NO AVAIL. YES, YES WE ARE VERY MUCH AGAINST THE REZONE FOR ALL THE REASON S LISTED IN YOUR FLYER. GOOD OLE COMMON SENSE SHOULD PREVAIL...IT IS TOO MUCH!!! ACCORDING TO MY FIGURES THE AMOUNT OF HOMES FOR THE 7 AREAS LISTED AMOUNT TO 4,750 NOT THE 3,700 STATED IN THE PAPER. IF YOU CARE TO READ MY ARTICLE PUBLISHED ON MAY 2ND 14 IT TELLS EXACTLY MY STAND. I IMPLORE THE POWERS THAT BE TO CREATE A COMPROMISE! THIS BUILDER IS OUT OF CONTROL!!!!
I WILL BE OUT OF TOWN, BUT CAN BE REACHED @ 219 781 9784 IF I CAN BE OF SERVICE.

THANK YOU
DEE ANA REICHMUTH

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: John Holic
Sent: Monday, May 26, 2014 8:32 PM
To: City Council; Deeana Reichmuth
Cc: Lori Stelzer
Subject: RE: REZONE & NEAL BUILDER

Dear Ms. Reichmuth,
On behalf of Venice City Council, thank you for your comments.
Sincerely,
John Holic
Mayor, City of Venice

Sent using OWA for iPad

From: Deeana Reichmuth <dareichmuth@yahoo.com>
Sent: Monday, May 26, 2014 5:52:48 PM
To: City Council
Subject: REZONE & NEAL BUILDER

TO GET A MORE CLEAR PICTURE EXACTLY HOW I FEEL ...PLEASE READ MY LETTER TO THE EDITOR IN OUR HERALD TRIBUNE DATED MAY 2 14 ENTITLED: TOO MUCH GROWTH NEAR ENVIRONMENTAL LANDS. I WISH YOU MUCH SUCCESS WITH THIS PROJECT, HOWEVER, I AM AFRAID IT IS A DONE DEAL, AS I HAVE DRIVEN OUT JACARANDA AND THERE IS A REASON ALL THAT CONSTRUCTION HAS BEEN DONE.....AT THE TAXPAYERS EXPENSE!!! IT IS THE LOCATION OF THIS BUILDING SITE, AND ALSO THE AMOUNT OF HOMES. IF YOU READ MY ARTICLE I TOTALED HOMES IN THE AMOUNT OF 4,750 NOT 3,700 AS WAS STATED IN THE SEVEN NEW AREAS. TSK TSK THANK YOU

SINCERELY

DEE ANA REICHMUTH

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: John Holic
Sent: Friday, June 20, 2014 6:11 AM
To: reifer3@verizon.net
Cc: Lori Stelzer
Subject: RE: no to neal communities

Dear Mr. And Mrs. Reifschneider,
Thank you both for taking time to express your concerns, they are noted.
Sincerely,
John Holic
Mayor, City of Venice

Sent using OWA for iPad

From: reifer3@verizon.net <reifer3@verizon.net>
Sent: Thursday, June 19, 2014 9:04:55 PM
To: John Holic
Subject: no to neal communities

Hello Mr. Holic,
My husband Tim and I want to let you know that we are against Neal Communities building more houses out on Border Rd. we do NOT need anymore houses in Venice but more importantly, we need to keep our trees and wildlife.
Please put Tim and me down to to "NO" votes.
Thank you for your time!
Have a great weekend!
Melissa Reifschneider

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: mark rom [mailto:markrom39@gmail.com]

Sent: Thursday, May 22, 2014 4:01 PM

To: City Council

Subject: Meetings

I am interested in attending as many of the meetings as possible. City Counsel and or Planning Comission. Evening meetings would be appreciated! Every one that lives in our RURAL neighborhood, lives there for a reason. Whether it is peace and quiet, privacy, space, nature/trees, organic gardening, wildlife, animals, farms, guns, goats, the dark, God, the Myakka River, the list goes on and on.....We should think, plan and discuss this very carefully, before we develop the last of the "sticks" in the Venice area. Remember people lived in the woods before they lived in condos and subdivisions! There are plenty of areas to put more walls, gates, stucco, lawns, sprinklers and street lights. Why out in the middle of nowhere? Because we can? Really? My wife Caren and I as well as our children Emily and Rebecca, are all graduates of Venice High Scool, and are proud residents and business owners in the Venice area. I think the more we include our neighbors in this discussion the better results we will get in the long term.

Mark Rom

1026 N. Jackson Road

Venice FL 34292

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Cadence <cadence@iloveimprint.com>
Sent: Friday, June 06, 2014 7:32 AM
To: City Council
Cc: Lori Stelzer
Subject: objection to petition #14-IRZ ordinance 2014-16

Dear City Council Members,

My name is Cadence Rossmann. I am 9 years old and I live in a neighborhood off of Border Road. I have attended many meetings concerning all the homes the City of Venice plans to build off of Border Road.

I would like to tell you some things that worry me. First, I think the buffer zones between the wetlands and the homes are too small. I would like them to make larger buffer zones. I think this will help the animals that live there now. Increasing the zones will also help protect the wetlands from pesticides, fertilizers, and herbicides. Frogs, fish, and insects are very sensitive to these chemical products. When birds and other animals eat these small creatures they also will be affected by the chemicals. We don't use these products in our yard, but I believe that this new development on the VICA property will.

I am also concerned that there will be no wildlife corridor. The animals need this to travel to the preserves located off of Border Road. Maybe Neal Communities would make a large buffer of land on the side of Border Road where there will be no houses and that could be the wildlife corridor.

I love my neighborhood and all the animals and plants (except brazilian pepper trees and potato vines) in it. I do my part to help Border Road by picking up trash with my Mom and I hope that you will also help do your part by keeping it as beautiful as it is now.

Sincerely, Cadence Rossmann

From: Robert Daniels
Sent: Thursday, June 05, 2014 8:25 AM
To: Jeff Shrum
Subject: Fwd: objection to petition # 14-IRZ, ordinance 2014-16

Regards,
Councilman Bob Daniels
Venice , Florida

Begin forwarded message:

From: Krista <krista@iloveimprint.com>
Date: June 5, 2014 at 2:56:52 AM EDT
To: <citycouncil@venicegov.com>
Cc: <lstelze@venicegov.com>
Subject: objection to petition # 14-IRZ, ordinance 2014-16

Dear City Council members,

For the record, I object to petition #14-IRZ(VICA plan), because:

1. It is contrary to common sense that the buffers for this proposed development along Border Rd and Laurel Rd would be the same. VICA is inconsistent with the existing neighborhood along Border Rd. The lots that currently exist along Border are a minimum of 5 acres and the VICA lots adjacent to Border are 10 lots per acre. This plan lacks a transition in density as required by various city codes. Requiring much wider buffers along Border would preserve the rural nature that the Border Rd community currently has.
2. The city agreed to establish a wildlife corridor by 2013 and this property is a natural wildlife area which connects to existing preserves. Approving the VICA plan without concern for the wildlife corridor is potentially a "taking" from the wildlife corridor.
3. Contrary to what the developer would like you to believe, this area is used by many species of

wildlife, including several families of Sandhill cranes, wild turkey, egrets, ibis , heron, otter, turtles, bobcat, quail , swallow tailed kite, hawks and migratory white pelican and countless other animals including amphibian, reptile and insect species. These animals do not exist solely in the wetlands they prepose to preserve, but they also use the upland portions of this property. Please consider expanding the politically acceptable 20 to 30 ft wetland buffer zones. Expanding these zones would go a long way in helping the wildlife that will be impacted by this development.

A wetland buffer functions as a visual , sound and light barrier for the animals. Most animals are stressed when they can be seen by humans. Movement and noise also stress wildlife. Lastly, the increased buffers will help protect the wetlands from the fertilizer, pesticides and herbicides that these types of developments will unfortunately use. Of course, requiring native Florida landscaping would eliminate the need for all those pollutants and create needed habitat.

4. Border Road is a naturally established Gateway to the Preserves and should not be impacted by a large density of homes.

I hope that the Venice City Council will give thoughtful consideration to the concerns that I and many others have expressed.

Thank you for your time, Krista Rossmann

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

-----Original Message-----

From: John Holic

Sent: Tuesday, May 27, 2014 4:08 PM

To: Walter Rossmann

Cc: David Persson; Lori Stelzer; Edward Lavallee

Subject: RE: Objection to Petition # 14-IRZ, Ordinance 2014-16

Dear Mr. Rossmann,

On behalf of Venice City Council, thank you for your comments.

Sincerely,

John Holic

Mayor, City of Venice

Sent using OWA for iPad

From: Walter Rossmann <gotwalp@me.com>

Sent: Tuesday, May 27, 2014 2:14:59 PM

To: City Council

Subject: Objection to Petition # 14-IRZ, Ordinance 2014-16

For the record, I object to Petition # 14-IRZ (VICA plan), because:

VICA is inconsistent with the existing neighborhood along Border road. The lots along Border are currently 5 acres, and the VICA lots adjacent to Border are 10 lots per acre. There is no transition in density, as required by various city codes and the Plan. In fact the highest density will be along Border Rd. Border Rd is our "Gateway to the Preserves". There has been a lot of public money spent to protect these areas. I feel it is irresponsible and against the city comp plan not to minimize the density on Border Rd. The density should be closer to Laurel Rd, which is annexed into the city. I feel I know what transition is. I would like to get a reply with the City's definition of transition.

2. The city agreed to establish a wildlife corridor by 2013, and this property is a natural wildlife area which connects without crossing any major streets to existing preserves and the Carlton Reserve, the largest open space reserve in Sarasota county. Approving the VICA plan without concern for the wildlife corridor is potentially a "taking" from the wildlife corridor. There should be a plan for a wildlife corridor before even taking this into consideration.

3. The VICA plan is incomplete, lacking details of height and placement of homes and easements. No incomplete plan should be accepted. The neighbors have a right to know exactly what will be built in this area.

VICA should be rejected.

Respectfully submitted,
Walter Rossmann
203 High Point Dr.
Venice, FL 34293

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Terri Rouhan <terrrouhan@gmail.com>
Sent: Thursday, June 12, 2014 12:21 PM
To: City Council
Subject: Rezone

PLEASE, PLEASE, PLEASE, Do NOT vote to rezone.
Terri Rouhan

From: Blanca Irma GRuiz <blancairma.ruiz1@gmail.com>
Sent: Monday, June 09, 2014 1:12 PM
To: City Council
Subject: Fwd: Objection to VICA plan Petition #14-IRZ, Ordinance 2014-16.

I failed to mention on my previous e-mail that my husband and I are full time Venice residents.

Cordially yours,

Blanca Ruiz

----- Forwarded message -----

From: **Blanca Irma GRuiz** <blancairma.ruiz1@gmail.com>
Date: Mon, Jun 9, 2014 at 1:00 PM
Subject: Objection to VICA plan Petition #14-IRZ, Ordinance 2014-16.
To: citycouncil@venicegov.com

Dear Mayor & City Council:

For the record, I object to Petition #14, Ordinance 2014-16 because:

- 1- It provides no transition of density between the southern half of VICA and the existing lots along Border road.
- 2- The wildlife corridor required by 2013 (in The Plan) is not yet identified, and the VICA property is a natural wildlife corridor. Development here is premature.
- 3- The VICA Plan does not show the required detail of heights and setbacks and easements and should be rejected, according to the LDC. (land development code)

Blanca Ruiz

From: Blanca Irma GRuiz <blancairma.ruiz1@gmail.com>
Sent: Monday, June 09, 2014 1:00 PM
To: City Council
Subject: Objection to VICA plan Petition #14-IRZ, Ordinance 2014-16.

Dear Mayor & City Council:

For the record, I object to Petition #14, Ordinance 2014-16 because:

- 1- It provides no transition of density between the southern half of VICA and the existing lots along Border road.
- 2- The wildlife corridor required by 2013 (in The Plan) is not yet identified, and the VICA property is a natural wildlife corridor. Development here is premature.
- 3- The VICA Plan does not show the required detail of heights and setbacks and easements and should be rejected, according to the LDC. (land development code)

Blanca Ruiz

From: John Holic
Sent: Thursday, June 05, 2014 3:59 PM
To: Julie See
Cc: Lori Stelzer
Subject: RE: Don't allow rezone east of I-75

Dear Ms. See,
On behalf of Venice City Council, thank you for your comments.
Sincerely,
John Holic
Mayor, City of Venice

Sent using OWA for iPad

From: Julie See <juliesee@comcast.net>
Sent: Thursday, June 5, 2014 3:48:27 PM
To: John Holic; James Bennett; Robert Daniels; gates@venicegov.com; Kit McKeon; David Sherman
Subject: Don't allow rezone east of I-75

Mayor John Holic
Jim Bennett
Bab Daniels
Jeanette Gates
Kit McKeon
David Sherman

I realize that expansion & growth in a community is looked upon favorably when considering financial gain by developers and many government entities, however it is imperative that we grow in a responsible manner.

I am writing to voice my concern over the possible rezoning of Venice east of I-75 - the property stretching along Border Road in Venice east of I-75 close to the Myakka River. Most of this property is low lying wetlands that are currently zoned OUE (Open Use Estate).

This property is environmentally sensitive and acts as a buffer for the wildlife along the Myakka

River. The wetlands on the property are vital to the health of the environment. The development of this property will require the land to be elevated several feet higher than the existing homes that neighbor this site. This change in elevation will redirect the natural floodwaters into the lower lying neighboring houses. This development will also increase flood waters in Sleeping Turtle Nature Preserve. The current building regulations only address rain watershed and do not hold Neal Communities responsible for its portion of the river's floodwaters.

Please take time to listen to all aspects of this potential rezoning, and realize that it is NOT what many of the citizens of Venice want. Please say NO to the REZONE!

Sincerely,

Julie See

971 Leeward Rd

Venice, FL 34293

941-492-4720

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Marcia Seigny <marcials1@msn.com>
Sent: Tuesday, May 06, 2014 12:37 PM
To: City Council
Subject: Neal Communities Rezone

Dear Mayor Holic and Venice City Council,

I have written to you in the past and have attended the first informal town hall type meeting a few months ago. I also attended a City Council meeting recently just to see how people present their concerns and issues, and to see how you address them. I have attended one of Pat Neal's neighborhood meetings and a CONA meeting at the Venice Library. I mention these two in the same sentence yet they could not be even remotely considered in the same category. Mr. Neal's meeting at the Loveland Center was a joke. I couldn't stomach going to the second one last week. The CONA meeting on the other hand was very informative and made me feel like there is a chance that what I am writing about is not in vane.

So as you have likely guessed I am talking about all the Neal over-development. Particularly "The Woods" at Border and Jackson Roads. I live on Palm Drive, and have lived there for the last 15 years. The property was purchased with the knowledge that it floods. We took a chance and decided that to live in Paradise with the chance of it being Hell at some point was worth it. We had 3 feet of water at one time in our house, in 2003. It was not easy to deal with. And that was just 2 years after Storm Gabriel in September 2001 where we had nearly 2 feet. So yes, it was a hassle, very very inconvenient, a little scary, and took lots of time and energy to get everything back to normal. But we did it. And we are always aware that it will happen again. But in the past where we were inconvenienced and annoyed with floods, with Neal's proposed development I am now literally scared that the higher flooding due to his fill dirt, berm, walls, and "drainage plan" will actually ruin my house.

I know that he is getting approval on all of his other projects up and down Border Road and all over Venice, Sarasota, Manatee, and now south. Do you have to approved the current 1 home per 5 acres to suit his plan? Just because he purchased the property is he guaranteed a rezone? Please consider what this rezone does in just my one little home. Not to mention other homes and property. Have you all made up your minds? Is he the only developer in town? His son John said there is no market for ranch estates in

Venice. Not so. I don't know where he got his information but it is wrong.

Flooding is just one of so very many problems with this project, and happens to be my number one concern. But right behind that is the environmental impact, displaced and killed off wildlife, congested roads all over Venice, polluted Myakka River, understudied overdevelopment in Venice, quality of life issues, infrastructure, police and fire coverage, and more I am too distressed to list.

I hope with all my heart that when this rezone is on the agenda for City Council to consider, that it is not just a formality and that your minds are not yet made up because so many Venice residents are very much against this development.

Thank you for your time once again.

Marcia Sevigny

From: Marcia Sevigny <marcials1@msn.com>
Sent: Friday, June 06, 2014 12:43 PM
To: City Council; Lori Stelzer
Subject: Objection to Petition # 14-IRZ, Ordinance 2014-16

Objection to Petition # 14-IRZ, Ordinance 2014-16

For the record, I object to Petition # 14-IRZ, Ordinance 2014-16 (VICA plan) for the following reasons:

1) Border Road is a naturally established Gateway to the Preserves and should not be impacted by such a large project containing such high density of homes. While realizing the VICA plan utilizes less than the allowed density, it is still inconsistent with all surrounding parcels on the south side and east of the plan. There is zero transition with this current plan; it does not blend in any way with current 1 house per 5 acre lots across Border Road, nor with all of the undeveloped land to the east. Reference Venice Comprehensive Plan Objective 8, Policy 8.2 - **H Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.**

2) The lots fronting Border Road should be 1 acre each to address number 1) above.

3) The City agreed to establish a wildlife corridor by 2013. This property is in an existing natural wildlife area which connects all the way down to the east on Border Road, without crossing any major streets, to existing preserves, including Sleeping Turtles. It is only separated from the Carlton Reserve by the Myakka River, Carlton Reserve being the largest open space reserve in Sarasota county. Additionally part of this natural corridor are large residential parcels which allow for the natural paths of wildlife as well.

4) The VICA plan is incomplete. It should not be considered at this time. Current neighboring residents have the right to know what is going to impact their front yards. An incomplete plan should not be rushed through the system to appease a developer.

5) Venice does not have the roads, sewers, services to support this unnecessary development.

6) Venice does not need to rush through a project that is unsupported by residents both directly impacted immediately and indirectly impacted in the long term.

7) Approving this VICA plan would demonstrate that there is no consideration for a long term vision for Venice. Once the land is ruined, it is ruined. There is no smart growth consideration in the VICA plan, only unnecessary, reckless, and thoughtless development.

Summary: Too much, too fast.

VICA should be rejected.

Respectfully submitted,

Marcia L. Seigny
941.685.0750

RECEIVED

MAY 28 2014

PLANNING
& ZONING

5/22/14

Dear Barry Snyder,

I Am writing to convey my concern for the possible rezoning of "the Woods" in the Jackson and Borden Road Area.

If it were to continue to proceed as zoned it would be possible to have sensible growth and not destroy important flood zones as well as keep the integrity of the area.

I am also greatly concerned how this impacts the wildlife that travel this corridor.

FN attending a recent meeting Neal Communities was unable to answer basic questions concerning the facts of how all this "building" works.

So with that I am asking for you to consider to
"Not make the area more "DENSE" with

Allowing it to be re-zoned!!
Don't BE DENSE!"

It would be the right thing to do
for the community.

Thank-you,
Sincerely
Christina Skelton

Ms. Christina Skelton

RECEIVED

MAY 29 2014

5/25/14

PLANNING
& ZONING

Dear Jeff Shrum,

I am writing to you as a concerned member of our community on the subject of rezoning the Area of Jackson & Borda road.

Neal Communities currently has it zoned for a density of 30 houses.

The rezoning would make the number of homes be closer to 263.

If this is allowed it would cause long term damage to the wildlife corridor, flood the existing homes and destroy sensitive wetland.

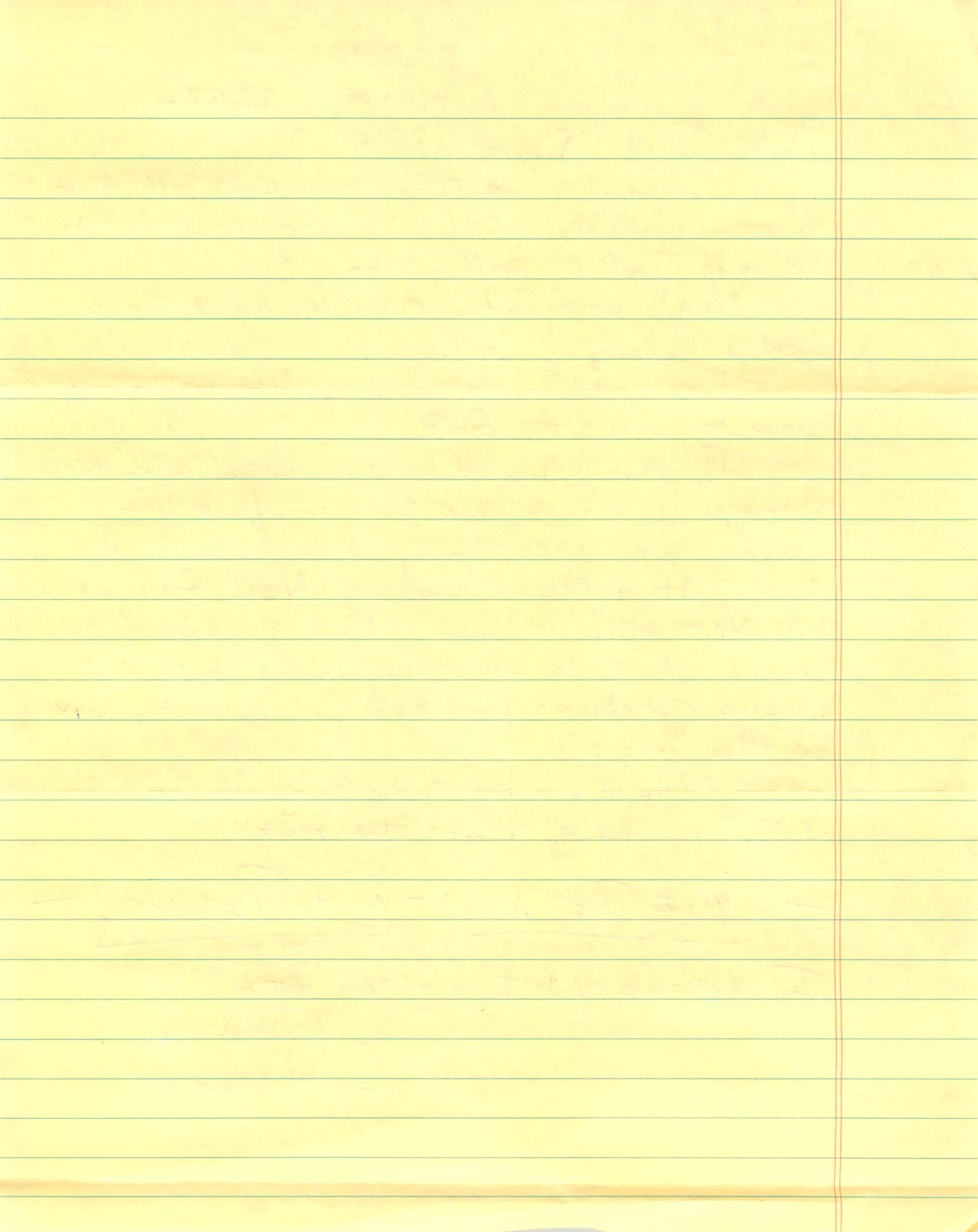
At a recent meeting Neal Communities was "Not Able" to answer basic questions of how they could build all these homes and not create problems for everyone currently living in this area.

This is not the right thing to do. So I am asking that the area:

"Not Be Dense" - No to Rezoning!

I appreciate your time on this matter.

Thank-you
Chris Skelton



From: melinfla@gmail.com
Sent: Thursday, June 05, 2014 2:12 PM
To: City Council
Subject: Rezoning on Jacaranda Blvd for Villages at Milano

Dear Council Members,
Please do not allow politics to destroy the neighborhood and ambience by allowing The Villages at Milano to be built.

Thank you for your consideration,
Melvin J. Smoke
932 Nogoya W
Venice, Fl. 34285

Sent from my iPad

From: Brett Stanley <bstanle2@mail.usf.edu>
Sent: Wednesday, June 11, 2014 10:19 PM
To: City Council
Subject: reckless development

Please don't let Neal communities build another horrible ugly neighborhood in the only place in Venice where there is actually some nature left. Honestly there are plenty of other better places to build some hideous gated community.

Your Sincerely,
Concerned citizen who likes to going to the preserve.

From: Laura Sullivan <loralin08@yahoo.com>
Sent: Thursday, June 26, 2014 4:15 PM
To: City Council
Subject: SAVING VENICE

June 26, 2014

We moved to Venice in 2002 because of the small town atmosphere on the beautiful Gulf of Mexico. Since we have moved here we have already noticed the growth and changes of the city, much to our dismay. But now we hear our city officials are taking it upon themselves to OK the development of land running along Border Road & along the Myakka River. We would like to have our voice heard, along with the many other Venice area residents that we are very much **against** this development!!

Where will the wild life that lives along the Myakka & in the wetlands that border it go? Where will the flood waters go, once you start messing with the elevation of this beautiful wetland? What happens when all the insecticides & fertilizers from the new housing enters the river & starts killing off the fish & wildlife & ruining the pristine waters of the Myakka River?

Does anyone there care about the environment & the animals or is it just always about the money??? **Please** think about the consequences of allowing this to happen **BEFORE** it happens. There are so many properties in the area that are developed & still vacant. Please do not let Neal Communities ruin more of our beautiful city!!! Let the people be heard!!!!!!

Thank you,

Dennis & Laura Sullivan

-----Original Message-----

From: John Holic
Sent: Wednesday, May 28, 2014 1:04 PM
To: Elaine Schwartz
Cc: David Persson; Lori Stelzer
Subject: RE: Petition #14-IRZ, Ordinance 2014-16

Dear Ms. Schwartz,
On behalf of Venice City Council, thank you for your comments.
Sincerely,
John Holic
Mayor, City of Venice

Sent using OWA for iPad

From: Elaine Schwartz <sealain@gmail.com>
Sent: Wednesday, May 28, 2014 11:28:16 AM
To: City Council
Subject: Petition #14-IRZ, Ordinance 2014-16

Elaine C. Schwartz
492-45374

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: John Holic
Sent: Tuesday, May 27, 2014 1:59 PM
To: Shannon Thinnies
Cc: Lori Stelzer; David Persson; Edward Lavallee
Subject: RE: VICA #14-IRZ

Dear Ms. Thinnies,
On behalf of Venice City Council, thank you for your comments.

John Holic
Mayor, City of Venice

Sent using OWA for iPad

From: Shannon Thinnies <shannon.thinnies@hotmail.com>
Sent: Tuesday, May 27, 2014 11:16:41 AM
To: City Council
Subject: VICA #14-IRZ

Objection to VICA plan Petition #14-IRZ, Ordinance 2014-16.

Dear Mayor & City Council,

For the record, I object to Petition #14, Ordinance 2014-16 because it provides no transition of density between the southern half of VICA and the existing lots along Border road.

The Wildlife corridor required by 2013 (in The Plan) is not yet identified, and the VICA property is a natural wildlife corridor. Development here is premature.

The VICA Plan does not show the required detail of heights and setbacks and easements and should be rejected, according to the LDC.

Border road is a Gateway to the Preserves and should not have homes backing up to Border frontage.

In addition, please be aware that there is a rapidly growing group of Venice Citizens that are not in agreement with this aggressive agenda to "grow" Venice. We feel that projects such as VICA will be a burden on taxpayers and further deteriorate our infrastructure.

Sincerely,

Shannon Thinnies
(941) 232-6182

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Lee Watts <leegwatts@gmail.com>
Sent: Thursday, June 05, 2014 2:41 PM
To: City Council
Subject: petition # 14-IRZ, ordinance 2014-16

Dear City Council

For the record I object to the above reference petition. This development is entirely out of place in this neighborhood.

The proposed area is entirely too dense for this part of town. This area of Venice and the county of Sarasota is home too many species of wildlife. Sand Hill Cranes, turkey, egrets herons, otter, bobcats, swallowed tail kites, along with many reptile species. The density and subsequent run off from this community will have a devastating and permanent impact on our community.

Once the decision is made and construction has begun, this can't be undone.

This is your chance to save a section of Florida from reckless development.

Please make the right decision.

Lee Watts, LCSW
106 Hanchey BLVD
Venice FL 34292
941-445-1413

>> objection to petition # 14-IRZ, ordinance 2014-16

From: pat wayman [mailto:pat.wayman@gmail.com]
Sent: Tuesday, April 15, 2014 10:17 AM
To: John Holic; Scott Pickett; Barry Snyder; City Council
Cc: Lori Stelzer; Judy Gamel
Subject: Re: Objection to VICA PUD

City leaders:

VICA PUD project – report & recommendations by neighbor

(My comments are in **highlighted text**.)

From the Comprehensive Plan: “These GOPs (Goals, Objectives and Policies) will be adopted as part of the City’s Evaluation and Appraisal (EAR) based Comprehensive Plan Amendment commonly referred to as Envision Venice.

FUTURE LAND USE & DESIGN ELEMENT

Policy 1.6 Sustainable Development Practices. Utilize the long-range planning and development review processes to implement the following sustainable housing practices:

- A. Smart growth.
- B. Traditional neighborhood design.
- C. Transportation-oriented design.
- D. Compact development.
- E. Green building.

- F. Native habitat preservation and wildlife corridor conservation.
- G. Conservation and energy efficiency.
- H. Resource efficient building practices.
- I. Discourage urban sprawl.

Policy 8.1 Smart Growth and Sustainable Development Practices. Ensure that all development projects utilize best practices for smart growth and sustainability by implementing the following sustainable development standards:

- A. Provide a balance of land use and infrastructure capacity in developed areas through a focus on infill and redevelopment projects consistent with the character of the City.
- B. Foster compact forms of development within designated infill, redevelopment, and new growth corridors.
- C. Protect natural habitats and environmental areas through conservation practices.
- D. Minimize sprawl by discouraging growth and development in undeveloped areas where infrastructure does not exist and where inconsistent with the environmental character of the area.
- E. Include transitioning and buffering between different heights, densities, and intensities.

****REPLY:** The development does not meet the goal of Policy 1.6-I and 8.1-D.

Definition: "Urban sprawl is the spreading out of development into rural lands in a manner where residents tend to live in single-family homes and commute by automobile to work." Tidal Creek Habitats, Sentinels of Coastal Health by NOAA. The Tidal Creek Project, South Carolina Sea Grant and NOAA at http://coastalhealth.noaa.gov/pdf/tidal_creek_booklet.pdf.

Neighborhood: Adjacent property at 2114 Border Rd is for sale. It sits on a 5.36 acres lot and includes a horse stall. The ratings for this property are as follows:

Walk Score 2/100 (Car-Dependent)

Transit score 0/100 (No Nearby Transit)

http://www.zillow.com/homedetails/2114-Border-Rd-Venice-FL-34292/47552951_zpid/

The development does not meet the goal of 8.1-E. All neighboring properties on the East, South and West are either undeveloped or have a density of 1 home/5 acres.

Policy 2.6 Landscape Design.

Definition: A landscape design is a plan that blends the built and natural environment together by incorporating landscape materials into the design and planning of the built environment.

Policy: Development projects shall promote community character and resource conservation by incorporating a landscape plan that addresses the development's visual appearance, neighborhood compatibility, and maintenance needs of the development. Criteria to consider when

developing landscape design plans include:

- A. Overall visual appeal of landscape design.
- B. Use of drought tolerant native species and plant materials, including low-maintenance groundcovers and perennials to offset carbon emissions and reduce irrigation demand.
- C. Provision of shade and sitting areas.
- D. Buffering of incompatible uses and structures with walls, fencing, and landscaping.
- E. Use of reclaimed water and ability to minimize irrigation schedules.
- F. Suitability of landscaping materials to the site based on the future health and maintenance of the plants, streetscape, and other structures.

G. Compatibility with abutting and/or adjacent properties.

****RESPONSE:** The development plan does not comply with 2.6-G. It is not compatible with the home listed for sale nor with the currently-existing neighborhood-style area. If it is not going to conform with the less dense areas to the south, it should reduce the southern density of the PUD.

Policy 3.5 Public Facility and Services Planning. Provide for the community's

public service needs by coordinating future development projects with

public service and facility planning by:

A. Coordinating land development practices with public facility and

service planning and budgeting.

B. Implementing established level of service standards for parks,

utilities, schools, and transportation systems.

C. Ensuring future development pays for its impacts.

D. Coordinating development practices with the Capital Improvement

Schedule.

**** RESPONSE:** The city should provide the scrutiny required by the Comp Plan.

Policy 11.1 Development Capacity and Resources. Coordinate the expansion of

public services, infrastructure and facilities with the development of

land to ensure:

A. Future development patterns are compatible with the City's

historic and small town character, built and natural environment,

physical infrastructure, and public services and facilities.

B. There are sufficient infrastructure and fiscal resources available to

meet the demands of the City's Comprehensive Plan.

C. The capacity of existing facilities and infrastructure is utilized

efficiently.

**** RESPONSE:** VICA fails to meet any of these policies. A small town does not turn it's rural area into a development. This is like building in a swamp. What town does that? Border Road is the gateway to the preserves, and should not be messed up.

Policy 11.2 Development Pay As You Grow. Ensure that growth pays for its impacts to the City's public facilities and infrastructure systems by preventing development from taking place until the funding has been programmed through the adopted Capital Improvements Schedule, private financing, or independent special purpose units of government including Community Development Districts. Such public facilities, infrastructure, and services include:

- A. Transportation (roads, bicycle lanes, and related infrastructure).
- B. Utilities (potable water, wastewater, stormwater, reclaimed water and solid waste).
- C. Emergency services (fire and police).
- D. Parks and recreation.
- E. Tree replacement, air quality mitigation, and other environmental measures.
- F. Other city services.

**** RESPONSE:** There is no public transportation to this area.

Policy 11.7 Environmental Best Management Practices. Incorporate best management practices for environmental protection into the City's

land development processes. These practices include:

- A. Maximizing existing public facilities and infrastructure systems prior to expanding the system.
- B. Preventing wastewater infiltration during a stormwater event.
- C. Minimizing stormwater system overflow during storm events and reducing water quality impacts to receiving waters.
- D. Protecting natural water sources and environmentally sensitive land areas from the impact of development.
- E. Coordinating water quality monitoring, waste disposal, and stormwater management practices with partner entities.
- F. Minimizing the impact of wastewater facilities on the environment.
- G. Managing new development within the coastal planning areas as defined in the Coastal and Waterway Management Element.
- H. Limiting fertilizer use to minimize the impact on environmental resources.

**** RESPONSE:** The VICA PUD does not meet the intent of Policy 11.7 A, B, C, D, G and H.

Policy 11.8 Green Design. Significantly reduce or eliminate the negative impact of buildings on the environment and on building occupants by utilizing the City's site and development processes to support and encourage the following site and green building design and construction practices:

- A. Sustainable site planning.
- B. Minimizing lawns and utilizing low maintenance ground covers.
- C. Safeguarding water and water efficiency.
- D. Energy efficiency.

E. Conservation of materials and resources.

F. Indoor environmental quality through nontoxic materials and adequate ventilation.

G. Florida Green Building Coalition (FGBC) or Leadership in Energy and Environmental Design (LEED) certification criteria.

**** RESPONSE:** Building a development in a rural environment is not sustainable.

Objective 12 Regional Development Coordination. Support a unified community character by coordinating land use and development practices with the other governments, non-profits, and development organizations.

Policy 12.1 Planning Coordination. Coordinate the planning and development of land, transportation, public facilities, and infrastructure systems with Sarasota County and other applicable local, regional, state, and federal private and public agencies. Development practices shall be sensitive to the City's design and architectural standards and environmental, historical, and cultural resources.

**** RESPONSE:** There is a relationship between human population density, impervious cover, physical/chemical environmental changes and living resource degradation. This is outlined under action WQ-F, on page 80 of the plan.

Policy 8.2 Land Use Compatibility Review Procedures. Ensure that the character and design of infill and new development are compatible with existing neighborhoods.

Compatibility review shall include the evaluation of:

A. Land use density and intensity.

**** The proposed PUD plan is more dense in the southern portion along Border Road, which is a less dense (1 home/5 or more acres) area. The plan should shift the density of the PUD to the Northern section along Laurel Road, where there is an existing PUD.**

B. Building heights and setbacks.

**** The proposed PUD southern border, along Border Road, should meet or exceed the setback currently in place on the existing properties on Border Road. Should there be a need to continue**

the widening of Border Road that was last constructed, the need for that land should be reserved. The setback should be measured from a straight line extending from the existing widened Border Road to the west.

C. Character or type of use proposed.

**** The proposed PUD rezoning should reflect less density as it approaches the less dense neighborhood to the south along Border Road.**

D. Site and architectural mitigation design techniques.

**** The proposed PUD rezoning will reduce density, increase perimeter setbacks and increase required open space while requiring architectural designs consistent with the surrounding neighborhood.... except the western, southern and eastern portions. More consideration should be given to conforming to the southern boundary area. Thought should be given to the result of allowing a PUD to more heavily impact a rural area. More consideration should be given to compensate for the wetlands. Should the entire PUD acreage be considered in a development or should the buildable area be the basis for the density? When the resulting density impacts an existing rural neighborhood, the intent of the Comp Plan is to consider the existing neighborhood.**

Considerations for determining compatibility shall include, but are not limited to, the following:

E. Protection of single-family neighborhoods from the intrusion of incompatible uses.

**** The proposed PUD rezoning will allow for the types of uses already existing in the area to the north along Laurel Road, but should reduce the density in the area along Border Road, which consists of a markedly different type of land use (1 house/5 acres).**

F. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.

**** Not applicable. No commercial or industrial uses are proposed.**

G. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.

****No opinion.**

H. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

**** The proposed PUD rezoning will reduce the density already approved for the property to a level comparable to existing uses in the area to the north, but should be less dense as it moves to the south to meet the level comparable to existing uses in the existing neighborhood to the south.**

I. Potential incompatibility shall be mitigated, through techniques including, but not limited to: Providing open space, perimeter buffers, landscaping and berms.

**** The proposed PUD rezoning should insure the buffers to the south meet or exceed the currently established setback and should preserve existing hardwood trees on the southern border.**

J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.

**** The proposed PUD should insure the lighting is reduced to be compatible with the surrounding nature corridor.**

K. Locating road access to minimize adverse impacts.

**** Access to the project via Border Road should be avoided in order to minimize impacts to existing developments. Access from Jacaranda, as proposed, is appropriate.**

L. Adjusting building setbacks to transition between different uses.

**** The perimeter setbacks are set forth in the Comprehensive Plan and should be considered the minimum. The southern border should be consistent with those already constructed on Border Road.**

M. Applying step-down or tiered building heights to transition between different uses.

**** Special consideration should be given to insure the southern portion of the property provides a transition to the existing neighborhood along Border Road.**

N. Lowering density of intensity of land uses to transition between different uses.

**** The proposed PUD should reflect the lower density of the southern neighborhood along Border Road by decreasing the density in the southern area of the PUD.**

Proposed VICA PUD MODIFICATION TO STANDARDS

**** 1) The proposed modification to reduce the required setback from perimeter property lines is inappropriate on any boundary except possibly the western boundary, since the developer owns that adjacent western property.**

The low intensity of a development plan does not justify reducing setbacks from neighboring property.

**** 2) The developer request to modify certain roadway design standards in order to provide protection of wetlands and their buffers. If developer is concerned about those environmental issues, he can reduce the density of the impervious structures (ie: housing units) on the development plan.**

**** 3) The citizens rely on the judgment of the planning staff and council members to decide the issue of building height. The impact of the PUD building heights to the Border Road neighborhood should be minimal.**

**** 4) The requested modification to allow off-site sign structures should be denied. Not only would it add more impervious structures, but it would also confuse the motorists as to the purpose of the surrounding public-access roadways. In addition, Section 86-130 of the PUD regulations state that " Prohibited uses and structures in PUD districts are as follows: Off-site signs."**

Rezoning Considerations:

Additional zoning review standards found in Section 86-47(f) Contents of Planning Commission Report, are also important for consideration of all rezoning petitions. The petitioners response to the following can be found in the petition application (see Exhibit G). Staff has included these standards below including staff comment as to the applicability to the proposed VICA PUD rezoning:

(1) Rezoning amendments. When pertaining to the rezoning of land, the report and recommendations of the Planning Commission to the City shall show that the Planning Commission has studied and considered the proposed change in relation to the following, where applicable:

(a) Whether the proposed change is in conformity to the comprehensive plan.

Staff Comment: Section IV above provides affirmation of the consistency with the comprehensive plan.

**** Except on the southern portion of the PUD, which makes no attempt to blend with the existing neighborhood. The developer also requests special considerations, which should be carefully considered so as not to set precedent.**

(b) The existing land use pattern.

Staff Comment: See Section IV General Comments

**** Only conforms with the existing land use pattern at the northern (Laurel Road) portion.**

(c) Possible creation of an isolated district unrelated to adjacent and nearby districts.

Staff Comment: residential uses are predominate in the surrounding area north and south with vacant properties to the east and west. The landscaped buffering promotes compatibility with nearby districts.

*** While the surrounding area north is similar, the surrounding area south is not. Additional setback, buffering and reduced density within the southern section of the PUD should be considered. In addition, the widening of Border Road should also be considered and built into the PUD plan. The PUD plan appears to place housing units extremely close to Border Road. The PUD southern section should conform to the existing Border Road neighborhood. For example, the set back at 3071 Border Road is 47 feet from the edge of the roadway, not including the bike path.*

(d) The population density pattern and possible increase or overtaking of the load on public facilities such as schools, utilities, streets, etc.

Staff Comment: section IV above provides a discussion of impact to public facilities (concurrency) with no significant issues identified.

*** The addition of approximately 1400 automobiles will have an impact on the already-burdened city roads and areas, especially the Island, the beach parking, US 41, and the traffic circle on Jacaranda.*

(e) Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Staff Comment: not applicable or an issue with the proposed rezone.

*** no opinion*

(f) Whether changed or changing conditions make the passage of the proposed amendment necessary.

Staff Comment: the petition represents development of infill vacant property promoting development of City

*** A delay in the PUD may be advisable to ascertain whether the economy and the roads can support the proposed number of homes, considering the other developments underway. The approved developments closer to the city should be completed, sold and evaluated for impact before the new projects. With the proposal of extensive build-out in the northern boundary, caution should be considered to monitor the impact.*

(g) Whether the proposed change will adversely influence living conditions in the neighborhood.

Staff Comment: not applicable, uses in the area are all residential in nature although lower in density.

Staff Comment: see transportation review in Section IV above (concurrency Information).

*** The neighbors to the south are already concerned about the increase in density and would request the density be calculated on the basis of developable land, rather than on the basis of the entire plot (which is largely undevelopable due to wildlife and wetlands).*

(h) Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

(i) Whether the proposed change will create a drainage problem.

Staff Comment: applicable drainage design and permits will need to be obtained prior to development.

**** The surrounding neighbors rely on the appropriate subject-matter experts to protect the area, which is already prone to flooding.**

(j) Whether the proposed change will seriously reduce light and air to adjacent areas.

Staff Comment: the proposed development is residential in nature limiting any impact to light and air to adjacent areas.

**** The adjacent areas would be more impacted by too much light, due to the environmental concerns. The PUD proposes no additional lighting.**

(k) Whether the proposed change will adversely affect property values in the adjacent area.

Staff Comment: should have a positive impact to adjacent property values.

**** Adjacent property values are not just monetary, but are also a matter of character. The adjacent area wishes to retain and preserve the rural character they chose to retire in. As the saying goes, "location, location, location."**

(l) Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

Staff Comment: the proposed development should promote improvement to surrounding properties.

**** The proposed development offers no improvement to the surrounding properties. The hope is that this development does not mess it up. This area is a gateway to the nature preserves and should be respected as such and reflected in the PUD plan.**

(m) Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

Staff Comment: nothing in the proposed PUD zoning would grant a special privilege.

**** The proposed PUD zoning requests: 1) special exemptions for signage, 2) special exemptions for sidewalks, 3) special exemptions for actual density and setback on the southern portion. When evaluated on an impact-basis, the resulting density in the southern/Border Road portion of the PUD plan exceeds the allowed density per acre. If any other individual owner presented a plan, they would be held to a stricter standard. By shifting the construction to the southern portion of the property, the PUD plan results in a higher density in the plan, itself, than what is allowed along Border Road. It is neither reasonable nor desirable to set aside 50% of the property for public land, then use that land to calculate the allowable density. What would happen if 90% of the land were to be set aside for protection? Would 700 homes still be allowed on 10% of the property?**

(n) Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

Staff Comment: the proposed zoning would significant reduce the possible density of development which is more appropriate to the area.

**** The density standards should match the existing zoning in the southern section of the proposed PUD. The Comprehensive Plan directs the city to consider the surrounding neighborhood density, and the city should exercise it's right and obligation to do so.**

(o) Whether the change suggested is out of scale with the needs of the neighborhood or the city.

Staff Comment: Planning Area I is predominately residential in nature consistent with the proposed PUD zoning request.

**** See discussion on density in the southern portion of the PUD and the rural nature of the surrounding southern neighborhood.**

(p) Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

Staff Comment: the subject property is vacant and the proposed project will provide needed infill development of the site.

Section III (Proposed Zoning Modifications) above included a discussion with staff comment regarding the modification requests. Staff did not concur with two of the request pertaining to street design (#2) to allow for constructions of sidewalks on one side of the road only and (#4) regarding allowance of an offsite sign.

**** Respondent supports the city's concern for consistency with the Comp Plan, and points out that three sides of the proposed PUD are inconsistent with neighboring existing use. Properties closer to the density in the city should be prioritized over the outlying properties, where density is sparse. The Comp Plan establishes the right of the city to consider the impact on the surrounding neighborhoods, and the city should not be flexible in deviating from the intent of the Comp Plan to comply with the surrounding neighborhood standards.**

Conclusions / Findings of Facts - Consistency with the Land Development Code: The VICA PUD rezoning complies with required Land Development Code regulations as stipulated in Section 86-130 pertaining to the PUD zoning district and Section 86-47(f) regarding consideration of zoning amendments.

**** The surrounding neighbors rely on the city to preserve and protect the existing development in the area and especially, the natural, rural setting.**

- The developer is responsible for meeting ALL standards, not pick and choose the ones he wants. The request for a PUD is already a special exemption to this property.
- The developer is an experienced builder and knew or should have known the challenges of the property he purchased, the requirements in the Comprehensive Plan, and the existing neighborhoods on all sides of the proposed PUD.
- Red flag - The respondent questions whether the developer was given special treatment in the construction of the Jacaranda extension. The Jacaranda extension: 1) was constructed in the manner of a winding, meandering, one-lane boulevard instead of a straight line connection to Laurel Road, 2) terminates at the eastern end of Laurel Road – farther from any Laurel merchants, thereby reducing the walk-ability factor, 3) cuts through the developer's proposed PUD as if it were a part of the PUD (The PUD plan actually requests signage in the median of the Jacaranda extension.), 4) reduces the speed limit from 45 mph to 35 mph as is typical of residential areas (even though no housing exists currently), and 5) provides pre-made sidewalk-step-downs (possibly entrances to the proposed PUD) (In the past, these sidewalk step-downs were constructed on Border and the planned development was not constructed, leaving the appearance of "roads to nowhere."), 6) deviated from the straight-line path that existed, and 7) is nothing like the advertised public "conduit" from Border Road to Laurel Road.

In summary, Border Road is the gateway to the Preserves. All effort should be made to retain the preserve-look of Border and protect the wetlands, protect the wildlife, protect their corridor, and protect the rural atmosphere of the Border Road neighborhood.

Respectfully submitted,
Pat Wayman

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: John Holic
Sent: Tuesday, May 27, 2014 3:39 PM
To: pat wayman
Cc: Edward Lavallee; David Persson; Lori Stelzer
Subject: RE: Objection to Petition #14-IRZ, Ordinance 2014-16

Dear Ms. Wayman,
On behalf of Venice City Council, thank you for your comments.
Sincerely,
John Holic
Mayor, City of Venice

Sent using OWA for iPad

From: pat wayman <pat.wayman@gmail.com>
Sent: Tuesday, May 27, 2014 12:19:11 PM
To: City Council
Subject: Objection to Petition #14-IRZ, Ordinance 2014-16

Dear Mayor and City Council members:

For the record.....

Below, please find my objection to the VICA PUD, Petition #14-IRZ, Ordinance 2014-16.

It is also attached, for your convenience.

Zoning Amendment # 14-IRZ, Ordinance 2014-16

VICA PUD

Objection to Zoning Amendment #14-IRZ

Introduction:

The proposed VICA PUD is a binding amendment to the Comprehensive Plan.


Many of the restrictions of the VICA property come from the natural layout of the land, not from any extraordinary requirements by the neighbors, citizens or the city.

No property owner has a right to have his property rezoned.

The VICA owner is not a resident of the city of Venice and does not plan to reside in the subject property.

Legal

Venice, Florida, Code of Ordinances, Subpart B – Land Development Regulations, Chapter 86 – Land Development Code – Article III. Comprehensive Plan

Sec. 86-32. Legal significance of the comprehensive plan. 

No development order shall be issued under the provisions of the LDC unless determined to be consistent with the comprehensive plan.

In recognition that the LDC has been and shall continue to be a major tool for the implementation of land use and development policies, land development applications requiring public hearing before the city council or planning commission shall be required to affirmatively establish the manner in which the development proposal and/or requested change in land use is consistent with the comprehensive plan.

The proposed VICA PUD violates the Venice Comprehensive Plan and the Venice Code of Ordinances:

1. The rezoning process requires notice to neighbors, allows consideration of neighbors and residents, and it is therefore intended that the city elected officials consider the voice of the people.
2. LDC, [Venice, Florida, Code of Ordinances](#) >> [Subpart B - LAND DEVELOPMENT REGULATIONS](#) >> [Chapter 122 - ZONING](#) >> [ARTICLE I. IN GENERAL](#) >> Sec. 122-1. "Interpretation of chapter; conflicting regulations.

In their interpretation and application, the provisions of this chapter shall be held to be minimum or maximum requirements, as the case may be, adopted for the promotion of the public health, safety, morals or general welfare. Wherever the requirements of this chapter are at variance with the requirements of any other lawfully

adopted statute, rule, regulation, ordinance or code, **the most restrictive, or that imposing the higher standards, shall govern.** “

- a. The VICA plan violates LDC Sec 86-49. Site and development plan review (b)(4)(a) Boundaries of the project, any existing streets, buildings, watercourses, easements and section lines. (Deficient as to easements – lift station, Border road easements)
- b. The VICA plan violates LDC Sec. 86-49. Site and development plan review (b)(4)(b) Exact location of all existing and proposed buildings and structures. (Deficient as to proposed buildings & well site – re: Mr Bramble’s statement)
- c. The VICA plan violates LDC Sec. 86-49. Site and development plan review (b)(4)(f) All screens and buffers/ (Deficient as to screens and buffers)
- d. City planning staff or commission has testified that the plan lacks detail. (4-15-14 quasi-judicial hearing before Planning commission) One planning commissioner noted, “It is hard for me to judge how this project will actually look.”
- e. One planning commissioner noted that master plans (by the city) for each of these development areas (FLUM map) were to have been completed in 2012.
- f. Amendments for the Border road area should not be approved until the city develops the master plans. Otherwise, the wildlife corridors could be prematurely developed and consequently lost. The Plan clearly states the anticipated establishment of a wildlife corridor by 2013.
- g. One planning commissioner noted that incomplete plans could be rejected or tabled until complete. He said VICA was one of these plans. (Rejecting incomplete plans would provide a needed reduction of the workload of the planning department.)
- h. Article III. Comprehensive Plan Section 86-33. Amendments to the comprehensive plan (5) *Planning and zoning department formal review.* The planning and zoning department shall conduct an analysis of a proposed comprehensive plan amendment upon submission of a complete application.

i. It was also stated by the commissioners or staff at the 4-45-14 Planning Commissioner meeting:

i. Property owners who live nearby have a right to know what is being built there. (In reference to plan details)

ii. Venetian Golf and River Club did file definitive plans and came back (to us) to have modifications approved.

iii. If I built a house on a piece of property you would require me to tell you exactly what kind of house I was going to build. The neighbors need to know. They (developers) should come to us to say this is what is proposed, this is what is planned... and they should come back before us with any changes.

j. The VICA plan remains incomplete and should be rejected until all required elements are depicted in the plan.

3. PUD Rules: Section (j) Land use intensity; open space; dedication of land for municipal uses.

In a PUD a maximum density of 4.5 dwelling units per gross acre shall be allowed, provided that such maximum density may be varied by city council, after recommendation by the planning commission, where a showing is made that such maximum density is inappropriate based upon the intensity and type of land use in the immediate vicinity and the intent of the comprehensive plan for the area requested.

- a. The VICA PUD shows an unusually dense settlement at the Border road (south) edge, with back yards as frontage on Border road. Although the number of homes and placement of the sizes and heights were not stated in the plan, a case can be made that 10.5 homes/acre can be located on the southern 1/3 of VICA.
- b. Border road is in the immediate vicinity and has a density of 1 home per 5-10 acres.
- c. The VICA PUD density is inappropriate on the Border road edge.
- d. The density may be varied by city council.
- e. The Border road residents have requested a reduction in density along Border road.
- f. Lot sizes within the southern portion of VICA and along Border road are 50 –100 times smaller than the lot sizes in the existing southern neighborhood.
- g. Southern VICA lot sizes should be increased to reflect and transition to the established neighborhood to the south.

4. The proposed VICA PUD violates many points in the Venice Comprehensive Plan (the Plan):

- a. From the Comprehensive Plan: “These GOPs (Goals, Objectives and Policies) will be adopted as part of the City’s Evaluation and Appraisal (EAR) based Comprehensive Plan Amendment commonly referred to as Envision Venice.

- b. From the Comprehensive Plan: “Comprehensive Plan Administration/ A. Introduction/ “Community input and support in the development and implementation of the Plan is essential to the Plan’s success, and ultimately the success of the City.”
- c. The VICA PUD is a binding amendment to The Plan and the citizens have a right and a duty to be involved.
- d. Objective 8, Policy 8.2 – H **Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.**

- i. Existing use along Border road and the immediate area is 1 home per 5-10 acres. Due to this existing density, only a few people on Border were required to be noticed, indicating how sparse the Border road density is.

- ii. The proposed VICA PUD density along Border road is actually 10.5 units per acre, which is 52.5x to 105x that which currently exists along Border road.

- 1. VICA home lots are 4,140 sq ft
 - 2. One acre = 43,560 sq ft
 - 3. VICA PUD compacts the lots along Border road
 - 4. Placing 4,140 sq ft lots side-by-side results in a density of 10.52 homes/acre.
 - 5. Border road existing home density is low density, with 1 home/5-10 acres.
 - 6. Comparing the two, that is 100.52 homes/10 acres to 1-2 homes/10 acres.
 - 7. There is no transition from high density to low density on the Border road side of the VICA PUD.
 - 8. The VICA PUD is inappropriate based upon the intensity of land use in the immediate vicinity.

- iii. The current ordinance for the VICA property establishes that this land contains wetlands and environmentally sensitive areas. Ordinance 2008-23 “Up to 5 homes per acre” does not mean anything in that range is allowed. It means if the other conditions are met, the density of UP TO 5 homes per acre is considered. As per testimony of the city planning staff, a PUD allows up to 4.5 housing units/acre.

- iv. The current proposal with heavy density at the Border road area does not meet the requirement “as compared to the densities and intensities of existing uses.”

e. **FUTURE LAND USE & DESIGN ELEMENT**

- i. Policy 1.6 Sustainable Development Practices. Utilize the long-range planning and development review processes to implement the following sustainable housing practices:

- A. Smart growth.
- B. Traditional neighborhood design.
- C. Transportation-oriented design.
- D. Compact development.
- E. Green building.
- F. Native habitat preservation and wildlife corridor conservation.
- G. Conservation and energy efficiency.
- H. Resource efficient building practices.
- I. Discourage urban sprawl.

ii. A,C,F and I conditions are the areas where VICA VIOLATES the intent of the Plan.

f. Policy 3.3 Effects of Pre-Construction Clearing of Native Habitats.

In developing the Land Development Regulations (LDRs), the City shall evaluate the effects of pre-construction clearing of native habitats, characterize the problem, and develop a strategy which may include new regulations to avoid the loss of native habitat functions and values.

A. As part of the development review process, the City shall require areawide wildlife surveys for determining wildlife corridors for both protected species and existing wildlife populations.

1. All wildlife corridors shall be integrated into Statewide or Countywide corridor systems whenever possible.

B. By 2013, ordinances shall be enacted and/or amended to protect significant native habitats.

i. The required 2013 ordinances have not been enacted or amended. This proposed PUD is situated on Border road, which is the gateway to the preserves – having a Wildlife Rescue Center, and leading directly to 2 preserves, plus the T. Mabry Carleton reserve, the largest open area in Sarasota county. In addition, Sarasota county advertises monthly biking trips in the Carleton Reserves, which are accessed through Border road.

ii. VICA should be postponed until the city enacts the required 2013 ordinances, or

iii. VICA should be planned to include a wildlife corridor, or

iv. VICA should be rejected due to the previously mentioned incomplete plans.

g. Environmental Chapter: Policy 1.6 Native Habitats Inventory and Assessment. By 2012, the City will coordinate with Sarasota County to inventory and assess significant native habitat remaining within the City limits.

A. The City shall partner with Sarasota County to identify, manage, and protect native habitats by conducting a baseline assessment of native habitats located in the City.

B. The City shall adopt or amend ordinances to protect native habitats.

C. The City shall partner with Sarasota County to complete an updated native habitat land cover map and risk assessment study for each native habitat identified within the Comprehensive Plan. Remnant native habitats contained within urban areas shall be included within this analysis along with alternatives to the use of regulatory powers to encourage restoration and protection of native habitats that are threatened due to current land use practices.

D. By 2013, the City shall consider developing and implementing a land management plan to expand and enhance native habitats.

i. References to 2013 requirements for plans and studies are found on pages 239 (2 times), 240, 246, 249, 250, 251, 252, and 268, of the Plan.

ii. The city has not completed the required plans and studies to legally and logically determine amendments to The Plan.

iii. Absent this planning, it falls upon the people to provide input in any binding plan amendments.

iv. A binding plan amendment is a legal re-writing of The Plan.

h. Policy 8.1 Smart Growth and Sustainable Development Practices.

i. See * “From the Venice Comprehensive Plan” below)

ii. VICA violates Policy 8.1: A, C, D and E. D and E have been shown previously.

i. Objective 8, Policy 8.2*

- i. (see *‘‘From the Venice Comprehensive Plan’’ below).
- ii. VICA violates policies A,C,D,E, H, L, M & N of Policy 8.2.
- iii. Incompatibility should be mitigated according to 8.2 .

j. Objective 13, Policy 13.1 Residential Future Land Uses.

... ‘‘Each of the Future Land Use Map categories that allow residential uses set forth the allowable density range for that category. The exact density appropriate for each land tract will be determined at the time of rezoning.

A proposed rezoning will be reviewed for consistency with the compatibility criteria set forth in Policy 8.2 of the Future Land Use & Design Element and is not entitled to the maximum allowable density for its Future Land Use Map category absent an affirmative finding of the City Council on each consideration set forth in Policy 8.2 E through H which is relevant to the rezoning. A proposed rezoning must also comply with all other policies applicable to a determination of density.

Appropriate densities within each density range shall be determined, in part, by the land uses and land use designations surrounding the parcel.

Generally, densities at the higher end of the range will be most appropriate next to residential development or designations of comparable or higher density and intensive non-residential land uses or land use designations such as commercial, office, professional and institutional uses. **Densities at the lower end of the range will be more appropriate adjacent to lower density residential uses or designations.’’**

VICA violates the density requirement: “Densities at the lower end of the range will be more appropriate adjacent to lower density residential uses or designation.”

* From The Venice Comprehensive Plan, Future Land Use & Design Element, Land Use & Development Chapter, Page 12 – 13.

Objective 8 Petition Review Criteria. Implement the City’s livable community planning framework and development standards consistent with the City’s Venice Strategic Plan 2030, Envision Venice Evaluation and Appraisal Report (EAR), Chapter 163, Part II, F.S., and Rule 9J-5, F.A.C. by utilizing the following planning practices, standards, review procedures, and criteria to evaluate annexation, rezoning, conditional use, special exception, and site and development plan petitions.

Policy 8.1 Smart Growth and Sustainable Development Practices. Ensure that all development projects utilize best practices for smart growth and sustainability by implementing the following sustainable development standards:

- A. Provide a balance of land use and infrastructure capacity in developed areas through a focus on infill and redevelopment projects consistent with the character of the City.
- B. Foster compact forms of development within designated infill, redevelopment, and new growth corridors.
- C. Protect natural habitats and environmental areas through conservation practices.
- D. Minimize sprawl by discouraging growth and development in undeveloped areas where infrastructure does not exist and where inconsistent with the environmental character of the area.
- E. Include transitioning and buffering between different heights, densities, and intensities.

Policy 8.2 Land Use Compatibility Review Procedures. Ensure that the character and design of infill and new development are compatible with existing neighborhoods.

Compatibility review shall include the evaluation of:

- A. Land use density and intensity.
- B. Building heights and setbacks.
- C. Character or type of use proposed.
- D. Site and architectural mitigation design techniques.

Considerations for determining compatibility shall include, but are not limited to, the following:

- E. Protection of single-family neighborhoods from the intrusion of incompatible uses.
- F. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.
- G. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.
- H. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

Potential incompatibility shall be mitigated through techniques including, but not limited to:

- I. Providing open space, perimeter buffers, landscaping and berms.
- J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.
- K. Locating road access to minimize adverse impacts.
- L. Adjusting building setbacks to transition between different uses.
- M. Applying step-down or tiered building heights to transition between different uses.
- N. Lowering density or intensity of land uses to transition between different uses.

In summary, the following should be noted:

- The Venice Comprehensive Plan clearly gives reasons to deny the current VICA PUD plan.
- The Land Development Code clearly gives reasons to deny the current VICA PUD plan.
- The VICA owner knew or should have known that all Comp Plan conditions must be met.
- The VICA owner purchased land with natural obstacles and should be required to file a plan that meets the current uses.
- The VICA owner is a large developer, has produced many developments and should be able to produce a plan in keeping with the desire of the city and the people.

- The people oppose the VICA PUD plan and are presenting to the elected representatives a chance to stop the violation of the Comp Plan.
- The city council members are elected by the people, to represent the people.
 - Mr. McKeon ran on the promise of listening to the people (protect and listen to the people + make ecologically sound decisions) and stated in his campaign speech, “I want the small town atmosphere.” He further indicated that building should logically transition, and he wants to be a part of protecting the citizens.(Well. we have another “Joe McGee” situation before us now regarding development along Border road.)
 - When Bob Daniels ran, he said, “I felt that in the city and at all levels of government, for that matter, there was a lack of accountability and responsiveness to the taxpayers. When we brought problems forth, viable solutions weren’t researched or offered. I wanted to change that.”
 - Some council members took campaign funding from commercial special interests and the local land use attorney. It is their duty to represent the people.
 - Note: I saw no council member who ran on a platform to not listen to the people.
 - Those who took donations from the building community and their legal representatives should work with said building community to fulfill the vision of Venice and develop in a responsible manner..
- Planning commission makes recommendations, is not an elected body, and does not have final approval of matters that come before the city council.
- The current VICA PUD plan is in violation of the Venice Comp Plan
- The VICA PUD plan can be changed to better meet the Venice Comp Plan, but it cannot meet all requirement of the Comp Plan, unless you throw out Policy 8.1 (Smart Growth and Sustainable Development Practices).... Or delay the VICA PUD plan until infill development is accomplished and city services and transportation services are moved to the area.... Then you will only need to deal with section C – the existing wildlife habitats.
- The JPA between Sarasota county and the city of Venice requires the establishment of a wildlife corridor. Since this is new development in a rural location near the Wildlife center and adjacent to the Border road “Gateway to the Preserves” – leading to the county’s largest reserve (T. Mabry Carleton Reserve), the wildlife corridor should be established and considered when considering the VICA plan. The owner/developer knew or should have known that the wildlife corridor was required in the JPA.
- Request the city of Venice, on behalf of the citizens, request the owner/developer to reduce the impact on Border road
- Request the city of Venice, on behalf of the citizens and as a means to reduce the workload of city staff, enforce the rules associated with filing plans – requiring a complete plan and rejecting any plans that are incomplete

Specific Objections to specific PUD plans:

- Signs should be limited to entrances. No sign should be placed on any area that would lead to confusion as to the ownership of the Jacaranda Extension – ie: no sign at Border & Jacaranda, no sign in the Jacaranda median, no sign at Laurel & Jacaranda.
- The Border road setback should be greater than the Laurel road setback and should be in keeping with the current setbacks on Border road.
- The Border road easement edge should be consistent with (a continuation of) the western portion of Border road, ie the width of Border road west of Jacaranda should continue without any narrowing... to provide for future expansion of Border road, to accommodate for future sidewalks and utilities, and to be consistent with the other 3 parcels at that intersection. The southern side of Border road is already built-out with 2 ditches. Allowing no easement on the VICA PUD would create a special exception for the VICA owner. Although no sidewalk on Border road is required, land should be reserved for it in the VICA PUD plan.
- The VICA plan should provide a transition of density to yield low density at the Border road portion (North to South) to match the existing density (1 home per 5-10 acres) at Border.
- Lot sizes in the VICA PUD should be larger along Border road, in keeping with the current lot sizes (5 acres) along Border road.
- A wildlife corridor should be established prior to the approval of VICA, or a portion of VICA should be set asides for the future establishment of said corridor.

Judicial Notice:

Venice could lose future grants and funding...

FL Statues 163.3184 Process for adoption of comprehensive plan or plan amendment -

(8)ADMINISTRATION COMMISSION.—

(a)If the Administration Commission, upon a hearing pursuant to subsection (5), finds that the comprehensive plan or plan amendment is not in compliance with this act, the commission shall specify remedial actions that would bring the comprehensive plan or plan amendment into compliance.

(b)The commission may specify the sanctions provided in subparagraphs 1. and 2. to which the local government will be subject if it elects to make the amendment effective notwithstanding the determination of noncompliance.

1.The commission may direct state agencies not to provide funds to increase the capacity of roads, bridges, or water and sewer systems within the boundaries of those local governmental entities which have comprehensive plans or plan elements that are determined not to be in compliance. The commission order may also specify that the local government is not eligible for grants administered under the following programs:

a.The Florida Small Cities Community Development Block Grant Program, as authorized by ss. [290.0401-290.048](#).

b.The Florida Recreation Development Assistance Program, as authorized by chapter 375.

c.Revenue sharing pursuant to ss. [206.60](#), [210.20](#), and [218.61](#) and chapter 212, to the extent not pledged to pay back bonds.

2.If the local government is one which is required to include a coastal management element in its comprehensive plan pursuant to s. [163.3177](#)(6)(g), the commission order may also specify that the local

government is not eligible for funding pursuant to s. [161.091](#). The commission order may also specify that the fact that the coastal management element has been determined to be not in compliance shall be a consideration when the department considers permits under s. [161.053](#) and when the Board of Trustees of the Internal Improvement Trust Fund considers whether to sell, convey any interest in, or lease any sovereignty lands or submerged lands until the element is brought into compliance.

3.The sanctions provided by subparagraphs 1. and 2. do not apply to a local government regarding any plan amendment, except for plan amendments that amend plans that have not been finally determined to be in compliance with this part, and except as provided in this paragraph.

Respectfully submitted,

Pat Wayman

941-412-0193

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: John Holic
Sent: Tuesday, June 03, 2014 10:11 AM
To: pat wayman
Cc: Lori Stelzer
Subject: RE: Signage on Jacaranda Extension

It has been done.
Thank you,
John Holic
Mayor, City of Venice

Sent using OWA for iPad

From: pat wayman <pat.wayman@gmail.com>
Sent: Tuesday, June 3, 2014 9:59:28 AM
To: John Holic
Subject: Re: Signage on Jacaranda Extension

Please make sure this signage objection gets into the VICA file: Petition #14-IRZ, Ordinance 2014-16.

Thanks!
Pat Wayman

On Tue, Jun 3, 2014 at 3:48 AM, John Holic <JHolic@venicegov.com> wrote:

Dear Ms. Wayman,

On behalf of Venice City Council, thank you for your comments.

Sincerely,

John Holic

Mayor, City of Venice

From: pat wayman <pat.wayman@gmail.com>

Sent: Tuesday, June 3, 2014 12:29 AM

To: commissioners@scgov.net; City Council

Subject: Signage on Jacaranda Extension

Community Leaders,

I should like to point out to you that impact fees were used to build the Jacaranda extension.

As you know, impact fees may be used for system (community) projects but not for specific projects. If VICA signs are constructed on Jacaranda extension, it would appear the impact fees for the common good were used for the good of a specific project. The fact that the improvement may provide incidental benefits to persons other than users of the particular project is not sufficient to make a project improvement into a system improvement.

Thus, signage on the median and at the ends of Jacaranda extension should not be allowed in the VICA project, per impact fee usage rules.

Respectfully submitted,

Pat Wayman

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: pat wayman <pat.wayman@gmail.com>
Sent: Monday, June 09, 2014 1:40 PM
To: City Council
Subject: Objection to VICA plan Petition #14-IRZ, Ordinance 2014-16 - Greenway River Buffer
Attachments: SWFWMD-VICA-Woodland_Pastures+overlay of houses.jpg; SWFWMD-Myakka River Basin vegetation + wetland.jpg; SWFWMD-VICA-Woodland_Pastures.jpg; SWFWMD-Myakka River Basin vegetation + wetland2.jpg

City Council

Please forward this to the appropriate people so that it is considered for the quasi-judicial hearing on this matter.

The Venice Comp Plan makes special note of development within Greenways, as quoted below.

Greenway River Buffer

Comp Plan (Future Land Use & Development Chapter -Volume 1: Goals, Objectives and Policies)

"Greenway/River Buffer. Public and private conservation lands and easements along the Myakka River established and intended to protect the river from impacts of human development. The Greenway/River Buffer shall be consistent with the Myakka River Wild and Scenic Designation and Preservation Act, the Myakka Wild and Scenic River Management Plan, and Sarasota County's Consolidated Myakka River Protection Code, which recommend a minimum upland buffer of 220 feet on each side of the Myakka River, measured from the maximum extent of wetlands vegetation landward of the river. The Greenway/River Buffer shall expand upon the 220 foot buffer to include an additional 580 feet if significant upland communities are present, including but not limited to oak hammock, cabbage palm hammock, pine flatwoods, or scrub vegetation.

Uses allowed within the Greenway/River Buffer are restricted to passive

and environmentally sensitive recreational activities including walking trails, boardwalks, nature walks, observation, and other similar uses. Use of lands in this area must 1) meet best management practices for environmentally sensitive lands and 2) minimize impact on the area's natural habitats and native environment. Motorized boat access is prohibited.

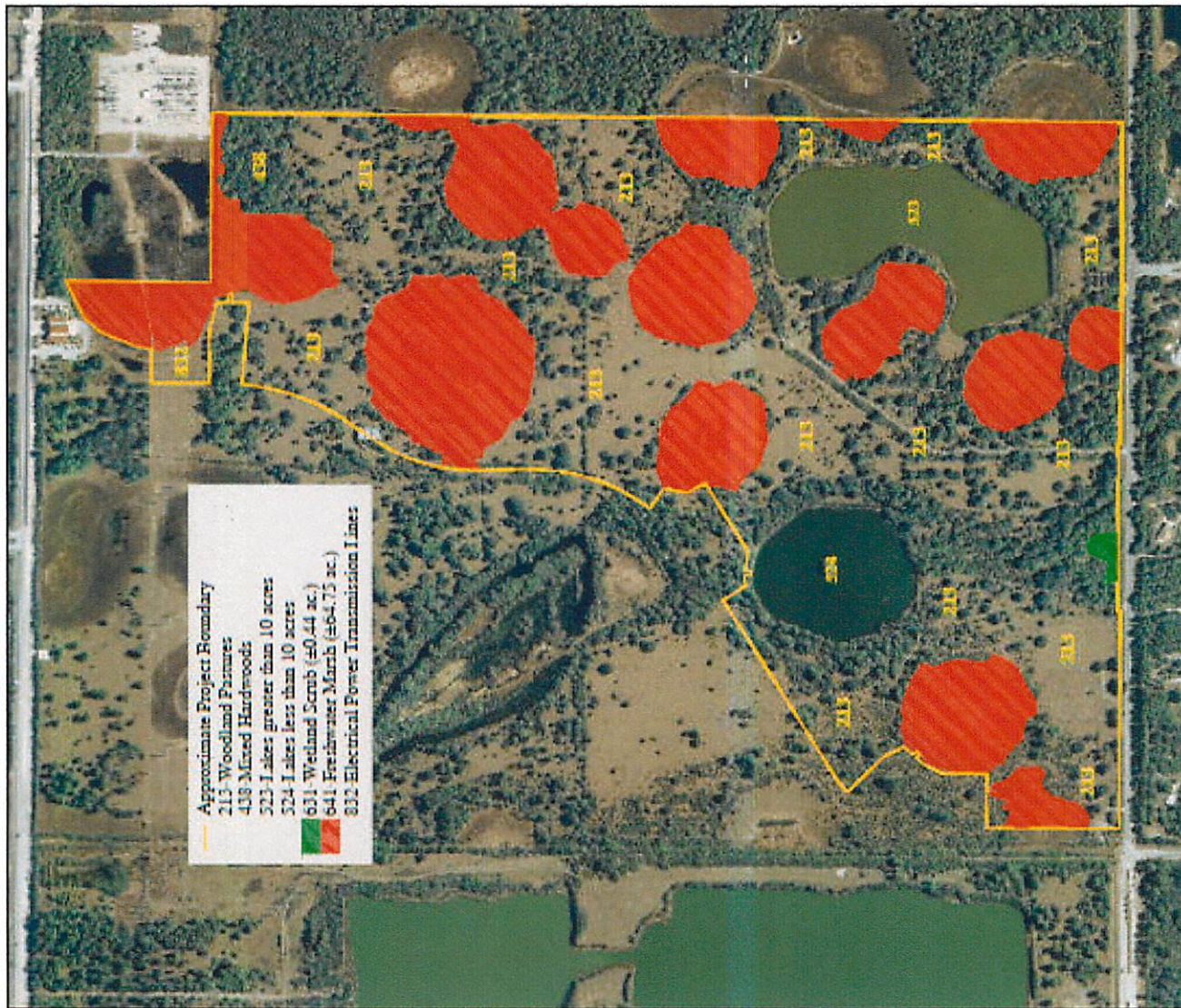
Waterway. Submerged lands comprising the City's marine waterways including the Intracoastal Waterway, Roberts Bay, and Dona Bay. Passive or active uses in such areas are discouraged and may only proceed after the environmental impacts are carefully evaluated. Any use that would negatively impact the area's natural ecosystems shall be prohibited."

The VICA PUD applicant has filed documents with SWFWMD indicating this area does lie within the Myakka River Basin and does contain said vegetation. (See attachments)

The subject property also lies within the Donna Bay and Roberts Bay areas.

Our local restrictions may be more restrictive than SWFWMD, and it should be proven that the VICA PUD plan meets the requirements of the Venice Comp Plan.

Respectfully submitted,
Pat Wayman



Client: Neal Communities

Project: Vica Parcel - East

Title: Existing Habitat Map

Date: December 26, 2013

File: R:\Development\2013\2013_Vica_Parcel_East\Habitat_Map_12/26/13.dwg

Scale: 1" = 600'

Date Drawn: 12/26/13

Drawn by: CW

Sheet: 1 of 1

ECO

CONSULTANTS INCORPORATED

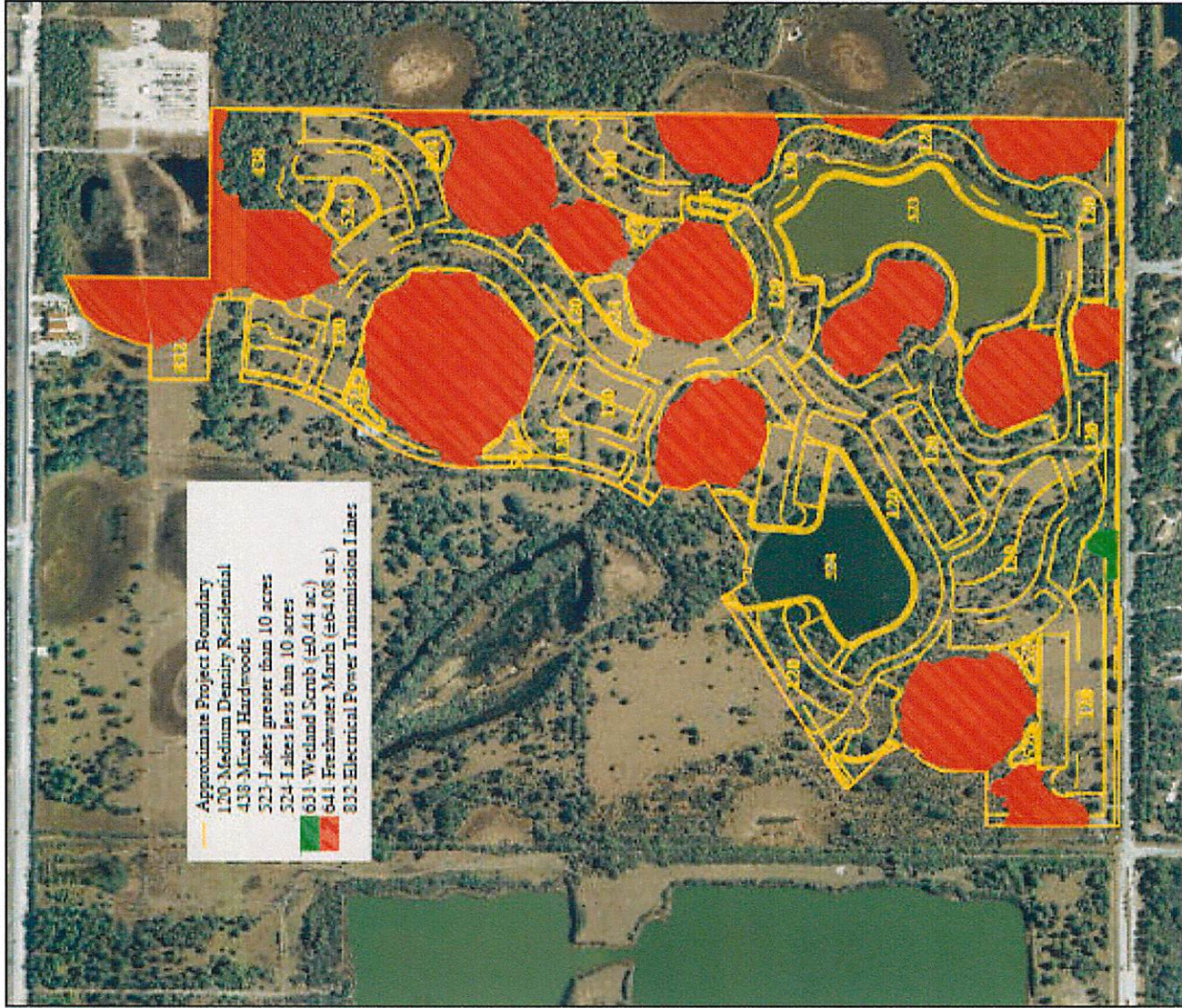
2215 Old County Road, Suite 100, Raleigh, NC 27612

Telephone: 919.333.8800 Fax: 919.333.8802

915.333.8800

2215 Old County Road, Suite 100, Raleigh, NC 27612

Telephone: 919.333.8800 Fax: 919.333.8802



Client: Neal Communities

Project: Vicia Parcel - East

Title: Proposed Habitat Map

Date: December 26, 2013

File: R:\Development\2013\2013_Vicia_East\Proposed_Habitat_12-26-13.dwg

Sheet: 1 of 1

Drawn by: CW

Date Drawn: 12/26/13

Scale: 1" = 600'

Dec 30 Typ: 365 Bays: 19E

ECO

CONSULTANTS INCORPORATED

2215 Old County Road, Suite 3, Palmdale, CA 93550

Palmdale, CA 93550-1001, Fax 818-712-4512

975 E. 112nd Avenue, Suite 100, Denver, CO 80231

2215 Old County Road, Suite 3, Palmdale, CA 93550

Telephone: 818/712-4512 Fax: 818/712-4513

ECO

CONSULTANTS INCORPORATED

2215 Old County Road, Suite 3, Palmdale, CA 93550

Palmdale, CA 93550-1001, Fax 818-712-4512

975 E. 112nd Avenue, Suite 100, Denver, CO 80231

2215 Old County Road, Suite 3, Palmdale, CA 93550

Telephone: 818/712-4512 Fax: 818/712-4513

PART I: QUALITATIVE DESCRIPTION (Impact)

Site project name: Vica Parcel	Application number:	Assessment name or number: Wetland M	
FLUCC's code: 641	Further classification (optional):	Impact or mitigation site Permanent Impact	Area: 0.03 ac.
Basin/watershed etc. Myakka River	Affected water body (class):	Special classification:	
<p>Geographic relationship to and hydrologic connection with wetlands, other surface waters, uplands</p> <p>The Vica Parcel has a series of marsh wetlands that vary from higher quality wetlands with good zonation to lower quality wetlands that have been affected by historical agricultural and ranching activities. There are several agricultural ditches that connect onsite wetlands, and several wetlands connect to other marsh wetlands offsite during high water conditions. There are wetlands that have historical impacts from construction of cattle ponds and placement of spoil material. The Vica parcel is located approximately one (1) mile west of the Myakka River. No wetlands onsite are directly connected to the Myakka River.</p>			
<p>Assessment area description:</p> <p>Wetland M impact area is located at the southern extent of this wetland. It is a slightly higher fringing area that is lower quality when compared to other portions of Wetland M. There are some desirable herbaceous wetland plant species including maidencane, yellow eyed-grass and few pickerelweed, but also Brazilian pepper, wax myrtle, cabbage palms, pines and oaks that are beginning to exploit the slightly higher elevation of the impact area.</p>			
<p>Significant nearby features:</p> <p>The Vica Parcel is located immediately east of Jacaranda, and between Laurel Road and Border Road. The Vica parcel is approximately 1.5 miles east of I-75 and 1 mile west of the Myakka River.</p>		<p>Uniqueness (considering the relative rarity in relation to the regional landscape):</p> <p>Wetland M impact area is not unique.</p>	
<p>Functions: The Wetland M impact area functions consistent with a typical, outer freshwater marsh zone where the wetland is transitioning into upland flatwoods. This area has some cabbage palms and Brazilian pepper, some the wetland function is somewhat diminished.</p>		<p>Mitigation for previous permit/other historic uses:</p> <p align="center">N/A</p>	
<p>Anticipated wildlife utilization based on literature review (list of species that are representative of the assessment area and reasonable expected to be found):</p> <p>Published data for a typical marsh within this region describes foraging habitat for regionally common wading birds, and typical marsh utilization by amphibian and fish use.</p>		<p>Anticipated utilization by Listed species (listed species, their legal classification (E,T SSC) type of use, and intensity of use on the assessment area)</p> <p>The area provides moderate quality wildlife habitat. Available for foraging by regionally common wading birds, and typical marsh utilization by amphibian and fish use.</p>	
<p>Observed evidence of wildlife utilization (list species directly observed or other signs such as tracks, dropping, etc):</p> <p>No wildlife utilization was observed during visits to the site.</p>			
<p>Additional Relevant Factors:</p>			
<p>Assessment conducted by:</p> <p>Alec Hoffner and Brett Solomon, E Co Consultants, Inc.</p>		<p>Assessment Date(s):</p> <p>February 2014</p>	

PART II: QUANTIFICATION OF ASSESSMENT AREA (Impact)

Site/Project Name: Vica Parcel	Application number:		Assessment name or number: Wetland M	
Impact or Mitigation Permanent Impact	Assessment conducted by: Alec Hoffner and Brett Solomon		Assessment date(s): February 2014	
Scoring guidance:	Optimal: 10	Moderate 7	Minimal 4	Not present 1
Scoring of each indicator is based on what would be suitable for the type of wetland or surface waters assessed	Condition is optimal and fully supports wetland/surface functions	Condition is less than optimal but sufficient to maintain most wetland surface water functions	Minimal level of support of wetland/surface water functions	Condition is insufficient to provide wetland/surface water functions
Location and landscape support	The impact area for Wetland M is at the southern extent of the wetland. There is a narrow band of pine, oak and cabbage palm canopy between Wetland M and M1. This canopy continues to the east and west of Wetland M. Beyond the canopy native lands is a large borrow pit to the east, an old haul road to the west and Border Road to south. The uplands within the Vica Parcel are largely cattle ranching lands. The project proposes to fill this portion of Wetland M to construct a residential roadway.			
Current with 6 0				
Water environment (n/a for uplands)	The water environment for the Wetland M impact area is less than optimal, but sufficient to maintain most of the wetland functions. The hydrology in this area is a transitional zone, so there is more saturation than inundation. The project proposes to fill the impact area for Wetland M to construct a residential roadway.			
Current with 7 0				
Community structure	The vegetation community structure is typical of a freshwater marsh outer zone that is transitioning into uplands. There are some herbaceous wetland plants including maidencane, yellow-eyed grass, and few pickerelweed. The uplands plants species including wax myrtle, Brazilian pepper, cabbage palms, slash pine and oaks are beginning to encroach into this area. The project proposes to fill the impact area for Wetland M to construct a residential roadway.			
Current with 6 0				

Score = sum of scores/30 (if upland divide by 20)	
Current	with
0.63	0

If preservation as mitigation:
Preservation adjustment factor =

For Impact Assessment areas
PL = delta x 0.03 ac.
-0.02

If mitigation
Time lag (t-factor) =
Risk factor =

For mitigation assessment areas
RFC = delta/(t-factor x risk)
=

Delta = (with - current)
-0.63

From: John Holic
Sent: Thursday, June 19, 2014 8:25 PM
To: pat wayman; City Council; Jeff Shrum; Roger Clark; Scott Pickett; Barry Snyder
Cc: David Persson; Edward Lavallee; Lori Stelzer
Subject: RE: Rezoning process

Dear Ms. Wayman,

Thank you for your comments, I do not believe we are deficient in our process, however, I have copied our City Attorney so that he can respond to Council at our next meeting.

Sincerely,

John Holic

Mayor, City of Venice

Sent using OWA for iPad

From: pat wayman <pat.wayman@gmail.com>
Sent: Thursday, June 19, 2014 9:06:41 AM
To: City Council; Jeff Shrum; Roger Clark; Scott Pickett; Barry Snyder
Subject: Rezoning process

I have observed the rezone process for VICA in Venice and find two areas of the process that are disturbing.

1- As per 1(a) below, it questions where the proposed change is in conformity to the comprehensive plan.

However, there was no communication regarding where it does not conform with the comprehensive plan. I believe, in fairness, both conformity and non-conformity issues should be disclosed and discussed.

2- In addition, plans that are incomplete or deficient should be rejected. Why create more work for staff? I think the city has enough staff if plans were properly submitted.

(1) Rezoning amendments. When pertaining to the rezoning of land, the report and recommendations of the Planning Commission to the City shall show that the Planning Commission has studied and considered the proposed change in relation to the following, where applicable:

(a) Whether the proposed change is in conformity to the comprehensive plan.

(b) The existing land use pattern.

(c) Possible creation of an isolated district unrelated to adjacent and nearby districts.

(d) The population density pattern and possible increase or overtaking of the load on public facilities such as schools, utilities, streets, etc.

(e) Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

(f) Whether changed or changing conditions make the passage of the proposed amendment necessary.

- (g) Whether the proposed change will adversely influence living conditions in the neighborhood.
- (h) Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.
- (i) Whether the proposed change will create a drainage problem.
- (j) Whether the proposed change will seriously reduce light and air to adjacent areas.
- (k) Whether the proposed change will adversely affect property values in the adjacent area.
- .
- (l) Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.
- (m) Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.
- (n) Whether there are substantial reasons why the property cannot be used in accord with existing zoning.
- (o) Whether the change suggested is out of scale with the needs of the neighborhood or the city.
- (p) Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

Respectfully submitted,
Pat Wayman

From: Jeff Shrum
Sent: Monday, June 23, 2014 2:04 PM
To: pat wayman
Cc: dpersson@swflgovlaw.com; Lori Stelzer; Jeffery A. Boone
Subject: RE: Question

Ms. Wayman,

I am going to copy the City attorney, applicants agent, and the clerks office in my response as it affords communication in the “sunshine” on an active petition. I would first point out that stipulations as part of a rezoning (unless requested by an applicant) can easily be confused with conditional / contract zoning and should be avoided in practice. Having said that I would further disagree with your assessment that existing zoning restrictions would continue to apply to a property after rezoning. Once a property is rezoned (effective date) it has full right and authority to enjoy the standards, allowances, and rights granted by the new zoning district. It is at this point in time (effective date of the rezone) that the existing zoning restrictions and any/all standards in place prior to the rezone cease to be effective. I would suggest that you seek legal counsel on this matter should you disagree.


Jeff Shrum, AICP
Community Development Director
City of Venice
401 W. Venice Avenue
Venice, FL 32485
(941) 486-2626 Ext. 28006
jshrum@venicegov.com

From: pat wayman [<mailto:pat.wayman@gmail.com>]
Sent: Monday, June 23, 2014 1:43 PM
To: Jeff Shrum
Cc: Lori Stelzer
Subject: Re: Question

Jeff,

Thank you for your response. (I am leaving out Mr. Persson, since he referred me to you for this question, and I agree with his referral.) I am also leaving out Mr. Boone, since it just doesn't feel right for me to contact him directly.

These land restrictions "attach to and run with the land," not with the zone. It is my belief that these restrictions are superior to any other restrictions. And further, the zoning code states:

Sec. 122-1. Interpretation of chapter; conflicting regulations. 

In their interpretation and application, the provisions of this chapter shall be held to be minimum or maximum requirements, as the case may be, adopted for the promotion of the public health, safety, morals or general welfare. Wherever the requirements of this chapter are at variance with the requirements of any other lawfully adopted statute, rule, regulation, ordinance or code, the most restrictive, or that imposing the higher standards, shall govern.

Regarding Exhibit F - Ordinance No. 2008-23

SECTION 3. The use of the property... in addition to applicable restrictions imposed by City of Venice Code of Ordinances.... is limited by and subject to the following additional restrictions or stipulations governing permitted uses:

1. **Residential density shall not exceed five dwelling units per acre.** This condition is not met along Border road. The five dwelling units per acre statement does not say it should be based on the entire acreage, but states "per acre." Parcels along Border road are >10 dwelling units per acre. This

number is arrived at using developer's own figures for plot sizes. I believe the intent of this land restriction was to reflect the urban atmosphere. The PUD attempts to get around this regulation by calculating the density as gross acreage. While the PUD could be calculated as 2 hu/acre, it is contrary to the spirit of this restriction.

2. It should be pointed out and acknowledged that the City of Venice built the Jacaranda extension, with citizen funds, per agreement with CNL Bank, who owned the property at the time... prior to the current owner/developer of the VICA property. The city has created a **special privilege** by expending citizen funds on the required road construction (Jacaranda extension). The developer should repay the city (and citizens) for the costs of the road, estimated to be between \$6-7 million. Yes, I know this will not happen, but the intent was for the developer to pay for this.

3. "(The) applicant shall construct up to two additional eastbound lanes of Laurel Road..." According to the VICA PUD plan, the petitioner intends to donate the property, but not construct the lanes. The stipulation lying with this land requires the developer to construct the lanes. Why should the city remove this stipulation?

4. "The developer will demonstrate compliance with the comprehensive plan level of service requirements of seven acres of dedicated or designated parks for each 1,000 functional population." City Council has indicated a need for additional ball parks. In the interest of the needs of the city, this should be required. It is a stipulation that lies with this land.

5. "Building height shall be limited to 35 feet ... except within 200 feet of Laurel Road and Border Road where building height shall be limited to 35 feet with no additional height"

6. The site plan is not specific enough to tell if #6 is met. I saw no mention of berm height.

7. The developer has not shown how this is accomplished due to the fact that there is no development in these areas. This development is premature... being neither infill nor reconstruction, as per The Comp Plan, and the fact that there is no east or west development supports this.

8. The City of Venice has already completed this for the developer. Removed by Ordinance 2012-14.

In fact, the city of Venice has done a lot for this property, as have the previous owners. Mr. Neal, however, as the new owner, requests special exceptions and removal of stipulations. Mr. Boone goes out of his way to tell us how much this property has given, but property cannot give - owners can, and Mr. Neal has given nothing... nor is he required to.

As an additional note, I realize the development in this area is coming before it was anticipated. In fact, the Plan calls for infill & redevelopment first. Perhaps you can make some code-specific LDR's for rural areas... such as no sidewalks, minimum lot-size requirements, larger setback or buffers, etc.

I know you talked about how they do it up north, but I do not believe Venice residents want to emulate northern development. What we keep hearing from the public is "don't mess it up," not build more, increase density and add more cars to our streets. If we grow larger than a small town, how will we be different and retain our unique charm? And just how many more HOA human settlements do we need here? Those HOA's require a certain type person, and they close off the land for their residents only. What about housing for people who do not want to live under HOA rules?

Thank you for addressing these concerns,

Pat Wayman

On Mon, Jun 23, 2014 at 10:31 AM, Jeff Shrum <JShrum@venicegov.com> wrote:

Ms. Wayman,

In all fairness to the petitioner, I have copied their agent on this response.

I believe that the staff report speaks directly to your question as found in Page 8. The information in the report is as follows:

“Existing Zoning Ordinance No. 2008-13 (Exhibit F) – It should be understood that the rezoning of a property provides all rights and allowances in accordance with the approved zoning designation, effectively eliminating the existing designation and any zoning specific stipulations. While the validity of stipulations included as part of the RMF-1 rezoning raises concern, the proposed VICA PUD and binding master plan essentially continues to address those prior stipulations (maintaining the 30 foot buffer width’s along Laurel and Border Road as an example). The applicant should be commended on continuing to provide these additional measures as they were obviously concerns by the City as part of Ordinance No. 2008-13. This ordinance also provided for different height regulations as compared to the comprehensive plan. Staff has also requested: where there is difference in the standards from the comprehensive plan and zoning (building height for example), that the comprehensive plan standard should be used in the Binding Master Plan for comprehensive plan and zoning consistency (basis for modification request # 3 in Section III of this report).”

To further clarify and put it another way, the purpose of any rezoning is to change the zoning district (standards) of a subject property from one designation to another. As such, any requirements/standards of an existing zoning are replaced by the new zoning category. However, also indicated in the staff report, the applicant has chosen to carry forward certain requirements from the current zoning (further restrictions from the proposed zoning district) in an effort to address previous community concerns. One such item clarified in the staff report pertains to the additional buffering as indicated along Laurel and Border roads. It is important to note that this buffering is not required by a PUD or by the previous zoning and is over and above City requirements. Various other requirements from the existing zoning have either already been met or are being changed as a result of request by staff. Staff specifically requested as part of this amendment that the height standards not be consistent with the existing zoning or PUD but rather be subject to the restrictions of the Comprehensive Plan and the applicant agreed to make their request consistent with the Plan. Other than these items I have discussed, what specifically do you think is not being applied?

Jeff Shrum, AICP

Community Development Director

City of Venice

401 W. Venice Avenue

Venice, FL 32485

[\(941\) 486-2626 Ext. 28006](tel:(941)486-2626)

ishrum@venicegov.com

From: Dave Persson - Persson & Cohen [mailto:dpersson@swflgovlaw.com]

Sent: Monday, June 23, 2014 6:26 AM

To: pat wayman

Cc: Jeff Shrum

Subject: RE: Question

Good Morning Mrs. Wayman,

The City Attorney's position is to address questions and legal issues asked of him (or her) by City officials and staff. I don't respond to citizen questions directly. And with over 20,000 city residents, I think you can understand why.

I'd suggest addressing your question to Community Development Director Jeff Shrum. I've taken the liberty of copying this email to him.

Best regards,

Dave Persson

David P. Persson

Persson & Cohen, P.A.

217 Nassau Street South

Venice, FL 34285

(941) 375 3565

From: pat wayman [<mailto:pat.wayman@gmail.com>]

Sent: Saturday, June 21, 2014 3:36 PM

To: Dave Persson - Persson & Cohen

Subject: Question

Mr. Persson,

I would like to ask you a legal question re: VICA

Could you tell me why the restrictions on that land, specifically those in Exhibit F (attached), are not being applied to that property?

Thanks!

Pat Wayman

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

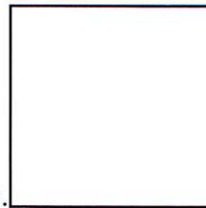
From: pat wayman [mailto:pat.wayman@gmail.com]
Sent: Monday, June 23, 2014 1:43 PM
To: Jeff Shrum
Cc: Lori Stelzer
Subject: Re: Question

Jeff,

Thank you for your response. (I am leaving out Mr. Persson, since he referred me to you for this question, and I agree with his referral.) I am also leaving out Mr. Boone, since it just doesn't feel right for me to contact him directly.

These land restrictions "attach to and run with the land," not with the zone. It is my belief that these restrictions are superior to any other restrictions. And further, the zoning code states:

Sec. 122-1. Interpretation of chapter; conflicting regulations.



In their interpretation and application, the provisions of this chapter shall be held to be minimum or maximum requirements, as the case may be, adopted for the promotion of the public health, safety, morals or general

welfare. Wherever the requirements of this chapter are at variance with the requirements of any other lawfully adopted statute, rule, regulation, ordinance or code, the most restrictive, or that imposing the higher standards, shall govern.

Regarding Exhibit F - Ordinance No. 2008-23

SECTION 3. The **use of the property**... in addition to applicable restrictions imposed by City of Venice Code of Ordinances.... is limited by and subject to the following **additional restrictions or stipulations governing permitted uses**:

1. **Residential density shall not exceed five dwelling units per acre.** This condition is not met along Border road. The five dwelling units per acre statement does not say it should be based on the entire acreage, but states “per acre.” Parcels along Border road are >10 dwelling units per acre. This number is arrived at using developer’s own figures for plot sizes. I believe the intent of this land restriction was to reflect the urban atmosphere. The PUD attempts to get around this regulation by calculating the density as gross acreage. While the PUD could be calculated as 2 hu/acre, it is contrary to the **spirit of this restriction**.
2. It should be pointed out and acknowledged that the City of Venice built the Jacaranda extension, with citizen funds, per agreement with CNL Bank, who owned the property at the time... prior to the current owner/developer of the VICA property. The city has created a **special privilege** by expending citizen funds on the required road construction (Jacaranda extension). The developer should repay the city (and citizens) for the costs of the road, estimated to be between \$6-7 million. Yes, I know this will not happen, but the intent was for the developer to pay for this.
3. "(The) applicant **shall construct** up to two additional eastbound lanes of Laurel Road..." According to the VICA PUD plan, the petitioner intends to donate the property, but not construct the lanes. The stipulation lying with

this land requires the developer to construct the lanes. Why should the city remove this stipulation?

4. "The developer will demonstrate compliance with the comprehensive plan level of service requirements of seven acres of dedicated or designated parks for each 1,000 functional population." City Council has indicated a need for additional ball parks. In the interest of the needs of the city, this should be required. It is a stipulation that lies with this land.

5. "Building height shall be limited to 35 feet ... except within 200 feet of Laurel Road and Border Road where building height shall be limited to 35 feet with no additional height"

6. The site plan is not specific enough to tell if #6 is met. I saw no mention of berm height.

7. The developer has not shown how this is accomplished due to the fact that there is no development in these areas. This development is premature... being neither infill nor reconstruction, as per The Comp Plan, and the fact that there is no east or west development supports this.

8. The City of Venice has already completed this for the developer. Removed by Ordinance 2012-14.

In fact, the city of Venice has done a lot for this property, as have the previous owners. Mr. Neal, however, as the new owner, requests special exceptions and removal of stipulations. Mr. Boone goes out of his way to tell us how much this property has given, but property cannot give - owners can, and Mr. Neal has given nothing... nor is he required to.

As an additional note, I realize the development in this area is coming before it was anticipated. In fact, the Plan calls for infill & redevelopment first. Perhaps you can make some code-specific LDR's for rural areas... such as no sidewalks, minimum lot-size requirements, larger setback or buffers, etc.

I know you talked about how they do it up north, but I do not believe Venice residents want to emulate northern development. What we keep hearing from the public is "don't mess it up," not build more, increase density and add more cars to our streets. If we grow larger than a small town, how will we be different and retain our unique charm? And just how many more HOA human settlements do we need here? Those HOA's require a certain type person, and they close off the land for their residents only. What about housing for people who do not want to live under HOA rules?

Thank you for addressing these concerns,

Pat Wayman

On Mon, Jun 23, 2014 at 10:31 AM, Jeff Shrum <JShrum@venicegov.com> wrote:

Ms. Wayman,

In all fairness to the petitioner, I have copied their agent on this response.

I believe that the staff report speaks directly to your question as found in Page 8. The information in the report is as follows:

“Existing Zoning Ordinance No. 2008-13 (Exhibit F) – It should be understood that the rezoning of a property provides all rights and allowances in accordance with the approved zoning designation, effectively eliminating the existing designation and any zoning specific stipulations. While the validity of stipulations included as part of the RMF-1 rezoning raises concern, the proposed VICA PUD and binding master plan essentially continues to address those prior stipulations (maintaining the 30 foot buffer width’s along Laurel and Border Road as an example). The applicant should be commended on continuing to provide these additional measures as they were obviously concerns by the City as part of Ordinance No. 2008-13. This ordinance also provided for different height regulations as compared to the comprehensive plan. Staff has also requested: where there is difference in the standards from the comprehensive plan and zoning (building height for example), that the comprehensive plan standard should be used in the Binding Master Plan for comprehensive plan and zoning consistency (basis for modification request # 3 in Section III of this report).”

To further clarify and put it another way, the purpose of any rezoning is to change the zoning district (standards) of a subject property from one designation to another. As such, any requirements/standards of an existing zoning are replaced by the new zoning category. However, also indicated in the staff report, the applicant has chosen to carry forward certain requirements from the current zoning (further restrictions from the proposed zoning district) in an effort to address previous community concerns. One such item clarified in the staff report pertains to the additional buffering as indicated along Laurel and Border roads. It is important to note that this buffering is not required by a PUD or by the previous zoning and is over and above City requirements. Various other requirements from the existing zoning have either already been met or are being changed as a result of request by staff. Staff specifically requested as part of this amendment that the height standards not be consistent with the existing zoning or PUD but rather be subject to the restrictions of the Comprehensive Plan and the applicant agreed to make their request consistent with the Plan. Other than these items I have discussed, what specifically do you think is not being applied?

Jeff Shrum, AICP

Community Development Director

City of Venice

401 W. Venice Avenue

Venice, FL 32485

[\(941\) 486-2626 Ext. 28006](tel:(941)486-2626)

jshrum@venicegov.com

From: Dave Persson - Persson & Cohen [mailto:dpersson@swflgovlaw.com]

Sent: Monday, June 23, 2014 6:26 AM

To: pat wayman

Cc: Jeff Shrum

Subject: RE: Question

Good Morning Mrs. Wayman,

The City Attorney's position is to address questions and legal issues asked of him (or her) by City officials and staff. I don't respond to citizen questions directly. And with over 20,000 city residents, I think you can understand why.

I'd suggest addressing your question to Community Development Director Jeff Shrum. I've taken the liberty of copying this email to him.

Best regards,

Dave Persson

David P. Persson

Persson & Cohen, P.A.

217 Nassau Street South

Venice, FL 34285

[\(941\) 375 3565](tel:9413753565)

From: pat wayman [<mailto:pat.wayman@gmail.com>]

Sent: Saturday, June 21, 2014 3:36 PM

To: Dave Persson - Persson & Cohen

Subject: Question

Mr. Persson,

I would like to ask you a legal question re: VICA

Could you tell me why the restrictions on that land, specifically those in Exhibit F (attached), are not being applied to that property?

Thanks!

Pat Wayman

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: pat wayman [mailto:pat.wayman@gmail.com]
Sent: Thursday, April 10, 2014 3:53 PM
To: Scott Pickett
Cc: City Council; Barry Snyder
Subject: Objection to VICA PUD

Dear Mr. Pickett,

VICA PUD

The VICA PUD is not consistent with the Venice Comprehensive Plan.

1. Surrounding development. The VICA plan includes “paired villas and multi-family homes.” There are none of those in the existing neighborhoods. To allow this is inconsistent with Policy 8.2 A, C, E and H below.
2. The development plan is inconsistent with the comprehensive plan because the multi family housing is not —comparable to or compatible with the adjacent single family, large lot usage.

Policy 8.2 Land Use Compatibility Review Procedures.

Ensure that the character and

design of infill and new development are compatible with existing neighborhoods.

Compatibility review shall include the evaluation of:

- A. Land use density and intensity.**
- B. Building heights and setbacks.
- C. Character or type of use proposed.**

D. Site and architectural mitigation design techniques.

Considerations for determining compatibility shall include, but are not limited to, the following:

E. Protection of single-family neighborhoods from the intrusion of incompatible uses.

F. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.

G. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.

H. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

Potential incompatibility shall be mitigated through techniques including, but not limited to:

I. Providing open space, perimeter buffers, landscaping and berms.

J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.

K. Locating road access to minimize adverse impacts.

L. Adjusting building setbacks to transition between different uses.

M. Applying step-down or tiered building heights to transition between different uses.

N. Lowering density or intensity of land uses to transition between different uses.

3. The planning statute allows affected individuals, broadly defined, to challenge such decisions on the basis of inconsistency with the plan, and the City's decision must be reviewed by strict scrutiny.

4. IN ADDITION....

A. This parcel is listed on the Florida DEP site and recognized as eligible for Mitigation Bank. http://ca.dep.state.fl.us/www.dep.state.fl.us/metadata.jsp?layer=DEP.MITIGATION_BANK_SERVICE_AREA

This is a statewide layer representing Mitigation Bank Service Areas of mitigation banks permitted under Ch. 373.4136, Florida Statutes. Mitigation Bank Service Areas may be permitted by the local Water Management District or by DEP. For more information on mitigation banking, go to http://www.dep.state.fl.us/water/wetlands/mitigation/mitigation_banking.htm Mitigation banking is a practice in which an environmental enhancement and preservation project is conducted by a public agency or private entity (?banker?) to provide mitigation for unavoidable wetland impacts within a defined region (mitigation service area). The bank is the site itself, and the currency sold by the banker to the impact permittee is a credit, which represents the wetland ecological value equivalent to the complete restoration of one acre. The number of potential credits permitted for the bank and the credit debits required for impact permits are determined by the permitting agencies. UMAM is the method of assessment for banks established after February 2, 2004.

- B. This parcel is the western portion of the wildlife corridor that extends to the Myakka River to the east.
- C. This parcel lies east of I-75, which was designated as an area for non-development in the Sarasota 2050 plan. To allow 700 homes on this parcel is excessive. To allow multi-family units is wildly excessive.
- D. Border Road is a county road with a 45 mph speed limit, and the neighborhoods along Border are 1 home per 5-10 acres. To allow this VICA PUD would be to change the atmosphere, ambiance, and living style of the existing neighborhoods. The surrounding neighborhoods are Venice Farms West, Everglade Estates, North Venice Farms East.... All names indicative of the current, existing country-style living..... not multi-family units, attached villas or clustered neighborhoods. The PUD site plan clusters the buildings very densely, presenting a highly compact urban development in a rural and environmentally valuable area and is inappropriate on its face.

5. Wetlands

A. This parcel contains wetlands. Policy 3.3 of the Venice Comprehensive Plans addresses wetlands, to wit:

Policy 3.3 Natural Environment. Protect the City's native environment by ensuring that future development mitigates impact on the natural environment by:

- A. Setting aside natural protective upland and wetland areas from development areas where appropriate.
- B. Protecting natural viewsheds, vistas, green spaces, and focal points.
- C. Ensuring development projects only utilize natural areas for low impact natural activities such as open space, walking trails, picnic areas, and canoe areas.

D. Preventing sprawl by protecting undeveloped natural habitats and promoting and directing new development, redevelopment, and infill of established areas.

E. Preserving and maintaining upland and wetland habitats.

B. The presence of wetlands indicates this area should lean toward preservation instead of a concentrated grouping of housing units, including multi-family units. To go from a previously undevelopable wetland area to a densely-clustered housing development is neither logical, reasonable nor desirable.

6. The developer's document filed 1-17-2014, refers to compliance with "South Laurel Neighborhood Planning Area, Policy 16.7;" however, the Comp Plan Policy 16.7 deals with Island Professional Neighborhood.

Policy 16.7 Island Professional Neighborhood.

Planning Intent: Expand upon established professional and medical uses by encouraging the redevelopment of underutilized properties and promote the development of mixed use residential/commercial buildings and construction of affordable community housing. This concept builds upon the area's close proximity to the hospital, downtown business district, civic area, and schools and provides professional and medical staff places to live near their work. The intent of this planning concept is to develop a mixed use area with medical facilities, professional and medical office space, multi-family residential areas, mixed use commercial areas, retail shops and services, and restaurants. Auto-centric uses would be discouraged in order to improve the neighborhood's pedestrian access, bikeability, and transit opportunities. *For the detailed map sheet that depicts this planning area, see Map FLUM-5.*

For these reasons, the VICA PUD should not be approved, as proposed.

Respectfully submitted,

Pat Wayman

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: pat wayman <pat.wayman@gmail.com>
Sent: Thursday, June 19, 2014 9:07 AM
To: City Council; Jeff Shrum; Roger Clark; Scott Pickett; Barry Snyder
Subject: Rezoning process

I have observed the rezone process for VICA in Venice and find two areas of the process that are disturbing.

1- As per 1(a) below, it questions where the proposed change is in conformity to the comprehensive plan.

However, there was no communication regarding where it does not conform with the comprehensive plan. I believe, in fairness, both conformity and non-conformity issues should be disclosed and discussed.

2- In addition, plans that are incomplete or deficient should be rejected. Why create more work for staff? I think the city has enough staff if plans were properly submitted.

(1) Rezoning amendments. When pertaining to the rezoning of land, the report and recommendations of the Planning Commission to the City shall show that the Planning Commission has studied and considered the proposed change in relation to the following, where applicable:

(a) Whether the proposed change is in conformity to the comprehensive plan.

(b) The existing land use pattern.

(c) Possible creation of an isolated district unrelated to adjacent and nearby districts.

(d) The population density pattern and possible increase or overtaking of the load on public facilities such as schools, utilities, streets, etc.

(e) Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

(f) Whether changed or changing conditions make the passage of the proposed amendment necessary.

(g) Whether the proposed change will adversely influence living conditions in the neighborhood.

(h) Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

(i) Whether the proposed change will create a drainage problem.

(j) Whether the proposed change will seriously reduce light and air to adjacent areas.

(k) Whether the proposed change will adversely affect property values in the adjacent area.

(l) Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

(m) Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

(n) Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

(o) Whether the change suggested is out of scale with the needs of the neighborhood or the city.

(p) Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

Respectfully submitted,
Pat Wayman

From: pat wayman <pat.wayman@gmail.com>
Sent: Saturday, July 12, 2014 2:40 PM
To: City Council
Subject: VICA ordinance

Council members,

I have read the proposed VICA ordinance and wonder why the stipulation regarding signs on Jacaranda Boulevard apply only to the Laurel Road intersection. I request you amend that stipulation by deleting "at Laurel Road".

1. b. No sign will be placed on the Jacaranda Boulevard median at Laurel Road.

Shouldn't you make sure no signs are placed on any portion of the median? Signs at the entrances should be enough, without using the median. Jacaranda is a major thoroughfare. No one is going to have any trouble locating this settlement. This subdivision should not set a precedent of allowing subdivision signs on a major thoroughfare median.

Thank you for your consideration.

Sincerely,
Pat Wayman

From: pat wayman <pat.wayman@gmail.com>
Sent: Saturday, July 12, 2014 2:40 PM
To: City Council
Subject: VICA ordinance

Council members,

I have read the proposed VICA ordinance and wonder why the stipulation regarding signs on Jacaranda Boulevard apply only to the Laurel Road intersection. I request you amend that stipulation by deleting "at Laurel Road".

1. b. No sign will be placed on the Jacaranda Boulevard median at Laurel Road.

Shouldn't you make sure no signs are placed on any portion of the median? Signs at the entrances should be enough, without using the median. Jacaranda is a major thoroughfare. No one is going to have any trouble locating this settlement. This subdivision should not set a precedent of allowing subdivision signs on a major thoroughfare median.

Thank you for your consideration.

Sincerely,
Pat Wayman

From: Linda White <lgirl11@msn.com>
Sent: Wednesday, June 11, 2014 9:15 AM
To: City Council
Subject: East of 75

What is the Venice politicians thinking about allowing residential homes being build in this sacred grounds around the Myakka River along Border Road?!?

I can only surmise that greed has wrapped around their brains and has choked off any ounce of sense.

This is deplorable and WE THE PEOPLE do NOT want this in our town. We have a say!!

If this goes through, everyone of you that vote in favor should be ousted from your position...period!!

Linda White

From: Annette Williams [mailto:anet.will@gmail.com]

Sent: Wednesday, May 28, 2014 7:22 AM

To: City Council

Subject: No

Please do not rezone border road. Its wring on so many levels

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Judy Witchey [mailto:snook.bear@yahoo.com]

Sent: Tuesday, May 27, 2014 1:49 PM

To: City Council

Subject: Petition #14-IRZ, Ordinance 2014-16

Dear Mayor & City Council: For the record, I object to Petition #14, Ordinance 2014-16 because it provides no transition of density between the southern half of VICA and the existing lots along Border road. Please protect this for our grandchildren. Wildlife corridor required by 2013 (in The Plan) is not yet identified, and the VICA property is a natural wildlife corridor. Development here is premature.

Michael & Judith Witchey

1810 Kilpatrick Rd

Nokomis FL 34275

9413237965

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Melissa Woods <melissa_333@live.com>
Sent: Wednesday, June 11, 2014 6:29 PM
To: City Council
Subject: Rezoning of Border Rd land

Florida is going to be nothing but concrete before long! The Border Rd area is special to my family and driving and exploring out there is one of our favorite pastimes. Venice is full of dilapidated foreclosed upon empty houses. Do we REALLY need yet another housing development??? Do NOT destroy the natural beauty of what little county area we have left just to cater to a bunch of rich land developers and hoighty-toighty homeowners. PLEASE say NO to the rezoning and ultimate destruction of this breathtakingly beautiful old world Florida wilderness.

Sent from my iPhone

From: Robert Daniels
Sent: Wednesday, June 04, 2014 11:47 AM
To: Jeff Shrum
Subject: Fwd: Objection to Petition #14-IRZ, Ordinance 2014-16

Regards,
Councilman Bob Daniels
Venice , Florida

Begin forwarded message:

From: Margaret Wypychoski <mdwyp@hotmail.com>
Date: June 4, 2014 at 9:44:41 AM EDT
To: "citycouncil@venicegov.com" <citycouncil@venicegov.com>
Subject: Objection to Petition #14-IRZ, Ordinance 2014-16

Dear Mayor & City Council:

For the record, I object to Petition #14, Ordinance 2014-16 because it provides no transition of density between the southern half of VICA and the existing lots along Border Road.

The Wildlife corridor required by 2013 (in The Plan) is not yet identified, and the VICA property is a natural wildlife corridor. I believe development here is premature.

Your consideration of these issues is appreciated.

Sincerely,
Margaret Wypychoski

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request. If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

PLEASE NOTE: This agency is a public entity and is subject to Chapter 119, Florida Statutes, concerning public records. Email communications are covered under such laws; therefore, email sent or received on this entity's computer system, including your email address, may be disclosed to the public and media upon request.

If you do not want your email address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Laurie Zuraw <lazfla@yahoo.com>
Sent: Sunday, June 08, 2014 11:05 PM
To: City Council
Cc: Istelze@venicegov.com
Subject: Objection to petition #14-1RZ (VICA Plan) ordinance 2014-16

To venice city council:

I frequently visit the Border Road area in Venice and have been made aware of the above petition. I OBJECT!!

This plan does not gel with the existing 5 acre lots along Border Road. The density for this proposed project makes no sense and will ruin the reason folks like myself come to visit the area. The southern portion of this development should have much lower density to retain its rural nature. In my research I have found that the City agreed to establish a wildlife corridor by 2013. This property is a natural wildlife area and connects directly to existing preserves. Please do not take from this existing corridor.

You must certainly be aware that these types of developments will dramatically affect the many wetlands in this area. The amount of phosphates and other chemicals used to maintain "Gated Communities" is the major reason (second to Golf courses) for algae blooms and dead wildlife.

Please try to keep Border Road as natural as possible. I know that growth is inevitable, but please do it sensibly.

Thank you for your time:

Laurie Zuraw
1286 Wrights Creek Road
Bonifay, FL 32425