



Planning and Zoning Department  
 401 W. Venice Avenue  
 Venice, FL 34285  
 941-486-2626 ext. 7434  
[www.venicegov.com](http://www.venicegov.com)

CITY OF VENICE

APR 29 2016 13:44

# Appeal Application for City Council

## Section 1.16 Appeals Applications (Quasi-Judicial)

Submit a completed application, supporting documents and fees to the City Clerk. All information will become a permanent part of the public record. Incomplete applications will be returned to the applicant/agent.

Project Name: Venitownhouse

Address: 816 Ormond Street

Parcel Identification No.: 0175110025

Parcel Size: 0.51 ac

Property Owner: Martin Pouliot

### Application Fees:



Total Fees = \$594.35 (Application Fee: \$356.61/Review Fee Deposit: \$237.74) Prs Check 1563

Being the owner or agent of the parcel of land involved, I hereby appeal the final decision rendered by a city board or commission in accordance with the LDR, with reference to:

This appeal is based upon 13+ home owners directly effected by the misinterpretation of City of Venice Code Section 4 Compatibility where as this proposed development is not compatible specific surrounding properties on Ormond Street, Madrid Avenue and Apalachicola. Also drainage design is questionable based on real tropical storm events capacity. Finally, pre-demolition asbestos survey not provided based on year of house circa 1945.

And hereby petition reversal or modification of the decision by city board or commission dated: 04/21/2026

Please provide a detailed narrative stating the full explanation of the alleged error committed in the interpretation or application of the Land Development Regulations (attach as necessary):

Please review the attached narrative and exhibits pertaining to the above.

Applicant/Owner Name (for billing purposes): David Topian

Address: 825 Madrid Avenue

Email: dtopian@wreadvisors.com

Phone Number: 585-414-9491

Signature: 

Date: 5/1/26

TO: The Honorable Members of City Council

FR: Property Owners in the area of 816 Ormond Street (Authored by David Topian)

DATE: April 27, 2026

RE: Proposed Development project located:

**816 Ormond Street, Venice Fl 34285 Parcel #0175-11-0225;**

**City Petition #25-45SP**

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Council Members:

My name is David Topian and I reside at 825 Madrid Avenue, Venice FL 34285. My wife and I purchased this property in March of 2021 and after nearly a full gut renovation project on Madrid Avenue we moved in July of 2023.

I have been in construction for over 40 years as a degreed Civil Engineer. Within the last year I have relocated my Construction Management business to Florida. In addition to construction management, we complete worksite inspections, review plans/specifications with construction-related budgets and act as Owners Representative.

I am writing to you on behalf of the directly affected 13+ property owners/voter/tax payers and 30+ signatures of concerned neighbors in proximity to 816 Ormond Street where this proposed development is being reviewed which involves a building containing six residential units with a footprint area of 159.67' long x 51.67' deep and a mean roof height of 47.5' located on an oversized lot (0.51 acres) on the north side of Ormond Street approximately 230 LF east of The Esplanade.

This proposed development is located in a RMF-3 Residential Multi-Family area which allows up to six units, a building height of 55' and up to two road cuts in which these criteria have been met inclusive of required setbacks as this building size utilizes every foot up to the set-back limits as outlined to date. The neighbors understand that the criterion on the proposed plans is within these zoning parameters, however, we have several major concerns with as outlined within Section 4 of the City of Venice Code "Compatibility" (Exhibit 1). We are asking the City Council to intensely look at overall mass of proposed structure, drainage as it relates to the neighboring properties and compatibility, specific to this street and neighborhood, not a 1 mile diameter circle. We have outlined the following items in no order of importance:

- **Asbestos.** Potential Life safety issue. The age of the house per records was constructed in 1945, we would like to see an Pre-Demo Asbestos survey completed by outside consultant licensed in the State of Florida prior to any demolition. This is

to ensure the safety of neighboring properties that no friable asbestos material is air born during construction related demolition which could end up in homes, latent dust on pool water areas and outdoor furniture. Lead paint could also be an issue for workers if present.

- **Drainage.** The mean elevation on the proposed site is +/-11.0 feet from front to rear and side to side. The north elevation west side dips to an area where Che Vista has, from their development added two catch basins one leads to the Gulf and the second to their respective detention facility along The Esplanade. DMK Drawing #6 dated 2/11/26 shows a black dotted line for 15" RCP pipe from the proposed 19,180+ gallon underground detention system on the north elevation at 816 Ormond to drain via concentrated sheet flow to of approximately 314 gallon per min (GPM) to one of the catch basins on Che Vista property through rip rap, however **there is no easement , no executed recorded paperwork by both parties at the time of Che Vista construction for permitted use or permission granted for this added water flow to be placed therefore should NOT be shown for use thereby misleading the Council.** If all property owners are responsible for their respective runoffs, how is this allowed. This additional runoff will tax an already undersized system as evidenced during small rain falls of 2"-3" as this area ponds for several hours after these smaller events. Homes to the direct north of the proposed development area 817/825/821/829 Madrid Avenue are additionally at approximately +/-11' as is the home directly to the east of 816 Ormond. Once the site is raised above road crown where will the perimeter water runoff drain to? Small 2.4" swales are shown on the north property line which will hold nothing during rain events thereby emanating on to adjacent lots running behind the proposed retaining wall. The question is, the proposed development is suggesting that underground storm water detention on the north be placed, to "detain" amount of approximately 19,180+ gallons of water however, once the containment is full and the catch basin they identify is already overloaded the only outcome is 12" yard drains become fountains undermining properties and creating scour. Then when full and we have a tropical storm what happens? Who will be responsible for repair of these areas on adjacent properties due to undersized system. The designer will state "this is an act of God". As we understand the calculations provided there, is zero safety factor involved for major events such as Ian, Debbie and Milton as we have all witnessed. This storm water removal should independent of all properties and designed as such to mitigate any related issues to neighboring properties if properly designed with this in mind.

This item is a huge concern to the neighboring properties and should also be for the City of Venice, a reasonable design to eliminate constant wet areas, flooding and general removal of water is critical and should be contained and removed from this site . Again they have no permission, easement or documented drainage relief as designed.

- **Venice, FL Code of Ordinances, Section #4 COMPATABILITY (attached Exhibit 1)**

Section 4.1 Introduction, Section A Purpose and Intent

...”Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other. Some elements affecting compatibility include the following; Height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking Impacts, landscaping, lighting, noise, odor and architecture. **It is the purpose and intent of this section to implement specific regulations to achieve compatibility considering the existing zoning, context of proposed development and use compared to the zoning and uses of surrounding properties.**”

Let’s look at each of these based upon the current proposed development plan submitted by VentiTownHouse.

1. **Height.** The current proposed height of this six-unit structure has a roof height of 47.5 feet (Coastal Architecture drawing A2.00 date 11/24). Building heights on Ormond and Madrid have a maximum height of 30’ (1 structure) with many below 20’ but an average of 21 feet. This proposed building clearly dwarfs all surrounding structures inclusive of all properties on Madrid, Heigl, Ormond and Apalachicola. We as neighbors (**Exhibit #4 Petition**) feel this is unjustified and unacceptable in height based upon surrounding existing homes. Lowering the building “compatible” with the neighborhood still allows 6 units but respects other neighbors and respects privacy. **We look to the Council for this amendment to documents.**
2. **Scale.** This proposed development on Ormond Street with have a floor footprint of 8,248 ft<sup>2</sup>. This proposed development does not correlate with any residential building structure on Ormond Street and will dwarf any existing single-family homes on Ormond Street, Apalachicola or Madrid Avenue. The average home size of the single- and two-story homes on this residential street average +/- 2,200 ft<sup>2</sup> footprints. Che Vista is located on the Esplanade some 230+ LF west of this location, in addition Ormond Street is residential street where The Esplanade is commercial residential of

compatible design and look. The proposed development is utilizing 100% of the land area from setback to setback (with exception of rear due to underground detention) which further compounds the overall scale of this structure to its surrounding homes. We have not seen coverage calculations to verify it meets the standard. **We ask the assistance from the Council on this issue on reducing the overall footprint.**

3. **Mass.** A building structure measuring 189.98' x 56.05' x 47.5' in height situated amongst single- and two-story homes has a visual and relationship negative impact to entire surrounding area of the residential street it rests upon. This out of context building will negatively impact the established character, values and visual landscape of the neighborhood. A building of this mass "could" also affect wind loads during storm events which could cause wind tunnels at ground level and issues with adjacent properties. Additionally, as mentioned the mass of this structure will lead to faster run-off which will exacerbate flooding and erosion.
4. **Bulk of Structure.** As this relates to primary framework of the structure, it is our understanding this will be a block/elevated slab design. Is it confirmed that deep foundations are not required in this area such a helical piles or another method of stabilization by the water versus slab on grade relatively "light weight in comparison" of single/two story buildings that surround the neighborhood.
5. **Pedestrian/Vehicular Traffic. Circulation. Access and Parking.** Based on DMK Drawing #5 dated 6/26/25, it appears a 5' wide sidewalk will be placed along the south elevation for pedestrians. It is unclear how the driveways of the six proposed units will operate and how traffic will flow with only two road cuts by Zoning allowed. Since they will need the area to get to driveways where will the proposed vehicles now park in over and above the garage unit. Clearly six families could easily generate 12+ cars. Currently on Ormond Street beach goes park in the front of this location (see attached pictures **Exhibit 3**) causing street narrowing and dangerous situations with walkers and emergency vehicles. With the mass of the proposed building is no room for circulation or parking on the site area.
6. **Landscaping.** Based upon the landscape plan LS-2 date 5/25/25, it appears that 75%-85% of all existing tree's on the existing lot will be removed to fit the

proposed building structure. The palm tree canopy that now lines the north side of Ormond Street will be removed. Please refer to the attached pictures(**Exhibit 3**) as to what the tree canopy looks like today from the third floor level of Che Vista and from the street elevation. When reviewing the new landscape plan it appears to be minimal with little to no greenscape to hide the building mass from neighboring properties with emphasis to the north. They discuss how the landscaping plan is over an above the requirements but this landscape plan in no way provides a buffer to attempt to soften the building structure as they are 3-gallon in size or 1.5" caliper 6' high trees.

7. **Lighting.** Light pollution is a major factor in a building with this proposed mass. A lighting plan has not been provided to date however it appears by the elevation drawings A2.00 there are second and third floor balconies that look into Madrid Avenue residences backyard areas, it is assume these balconies will have a lights associated with them and/or additional strings of light set in place later by new unit owners shedding additional light on neighboring residences. **We look to the Council to protect existing neighboring properties.**
8. **Noise.** The current residence on this lot is one. The proposed six units allowed will with certainty increase the uncontrolled latent noise on the quite street. People, cars, trucks where there was one family will now have six families.
9. **Odor.** We can only hope that the new residents of these units are responsible for and respective of others sanitary needs and act accordingly.

The proposed height for the new six-unit development at 816 Ormond Street, Venice, Florida, deeply concerns us. As residents and taxpayers of the area, we are highly concerned that the lack of specific compatibility regarding the points outlined in Section 4 have not been appropriately applied. Venice is a community known for its charm and close-knit neighborhoods of which this clearly is out of scale and magnitude.

Many of us chose to live in this area because of the serene environment and the sense of community spirit where each home is harmoniously integrated with its surroundings. An imposing structure in which the design appears commercial is not Compatible.

Studies have shown that rapid urban development without adequate community input can

lead to decreased property values and increased tension among residents. According to the National Association of Realtors, maintaining neighborhood aesthetics significantly contributes to property satisfaction and value retention.

It is crucial for the City Council to acknowledge the voices of local residents (**Exhibit 4 Petition**) before approving projects that could have long-term negative impacts on our neighborhood character and valuation. Adjusting the building plans to align with the existing architectural style and respecting the community & heritage is what should be approved. There are many different type designs that still afford the 6 units they are looking for the investment made. There by a win for the city, developer and residing neighbors. The building height could easy be reduced to and still accommodate first floor parking, second and third levels.

We urge City Council to reconsider the proposed development plans and require a redesign taking other tax paying properties into account. By aligning new projects with the existing neighborhood appeal, we can ensure that growth does not come at the expense of our community essence and tranquility.

Let's work together to protect our neighborhood's character and privacy.

Respectfully Submitted;

Neighborhood Concerned Residents

# EXHIBIT 1

## Compatibility Code

### Section 4

SECTION 4. - COMPATIBILITY 

## 4.1. - Introduction

- A. **Purpose and Intent.** The purpose of this section is to integrate the compatibility standards from Comprehensive Plan Strategy LU 4.1.1. Land Development Code and Transition Strategies and Strategy LU 1.2.8 Compatibility Between Land Uses. These compatibility standards provide the criteria for which development and land use petitions are reviewed and approved. Compatibility is defined as the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other. Some elements affecting compatibility include the following: height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. It is the purpose and intent of this section to implement specific regulations to achieve compatibility considering the existing zoning, context of proposed development, and use compared to the zoning and uses of surrounding properties.
- B. **Development Subject to the Joint Planning and Interlocal Service Boundary Agreement (JPA/ILSBA).** For the purpose of this section, the City has incorporated the compatibility standards and mitigation techniques identified within the JPA/ISBLA into the standards of this section. Meeting the requirements for compatibility in this section will serve as confirmation that the compatibility requirements of the JPA/ILSBA have been satisfied.
- C. **Applicability.** Zoning amendments, site and development plans, preliminary plats, and conditional use petitions are subject to the compatibility standards defined in this section.
1. **Mixed Use Districts.** Mixed Use Districts are deemed to be internally compatible and do not require compatibility setbacks or additional buffering standards unless required in Section 4.5: Mixed Use Considerations.
- D. **Design Alternatives.** Consistent with Section 1.11: Design Alternatives, design alternatives may be considered for any of the standards within this section; however, seeking a design alternative requires a finding that the alternative meets or exceeds the intent of the standards of this section. It is not the purpose of a design alternative to provide for a total waiver of the standards in this section. Design alternatives may be based upon, but not limited to, building setbacks, building step-backs, and buffering. Stipulations may be required for any design alternative request, as deemed appropriate by the Planning Commission.

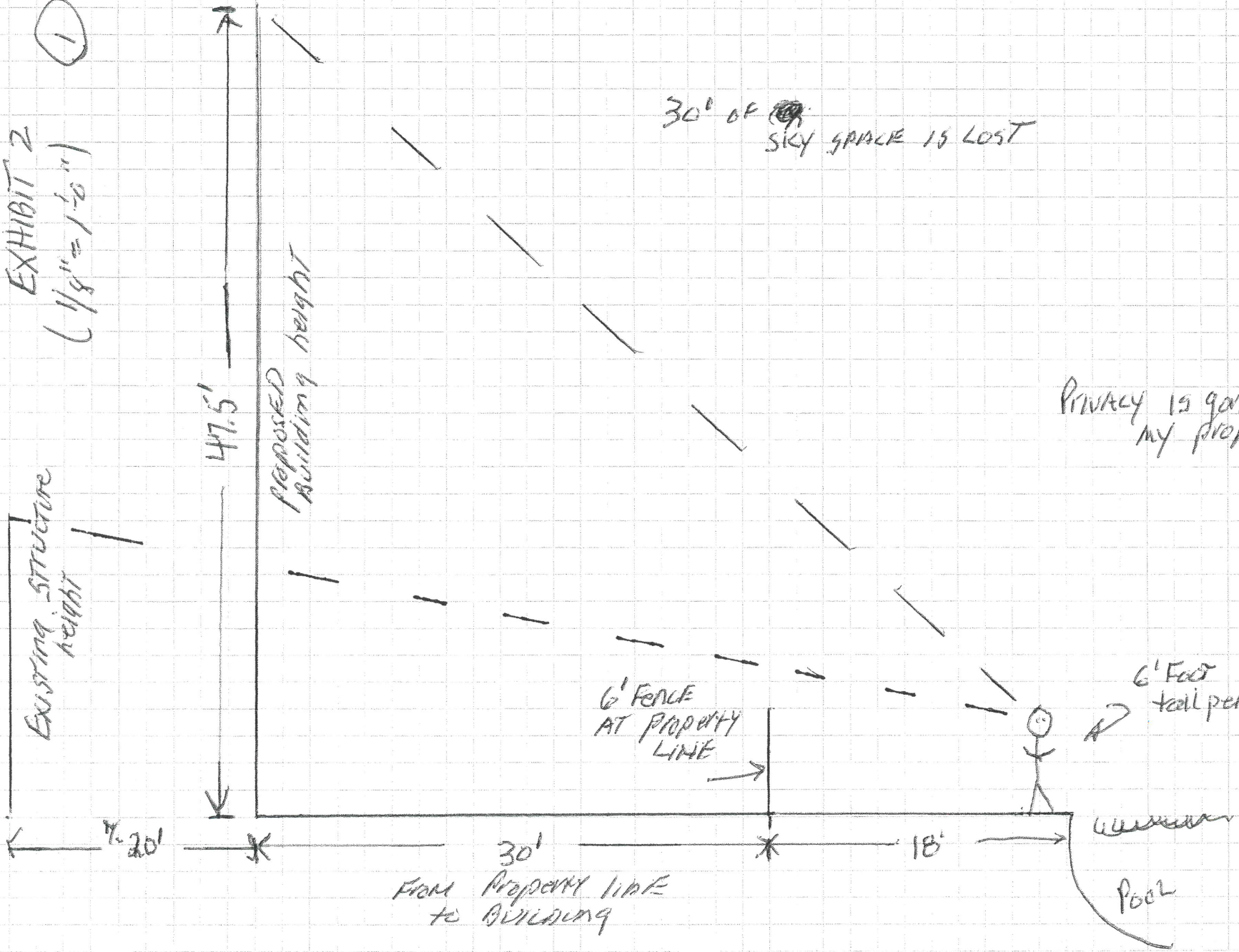
(Ord. No. 2022-15, § 3(Exh. B), 7-12-22)

## 4.2. - Perimeter Buffer Types

# EXHIBIT 2

## Perspective Views

EXHIBIT 2  
①  
(1/8" = 1'-0")



30' OF ~~THE~~ SICKY SPACE IS LOST

PRIVACY IS GONE ON MY PROPERTY

6' FOOT tall person

Pool

# EXHIBIT 3

## Pictures



Photos by David Topian

**Photo - 1** existing single family +/- 13 feet in height  
800 Ormond St



Photos by David Topian

**Photo - 2** existing single family home +/- 14 feet in height  
804 Ormond St



Photos by David Topian

**Photo - 3** looking west  
Ormond Street



Photos by David Topian

**Photo - 4** existing two family home +/- 17 feet in height  
714-716 Apalach

Pictures which show existing conditions for building heights  
tree scapes and parking issues.

**Petition for Development Redesign**  
816 Ormond Street  
Parcel #0175-11-0025 City # Petition 25-45SP



Photos by David Topian

**Photo - 5** existing single family home +/- 24 feet in height  
812 Ormond



Photos by David Topian

**Photo - 6** empty lot across from proposed development  
805 Ormond



Photos by David Topian

**Photo - 7** existing single family home +/-14 feet in height  
813 Ormond

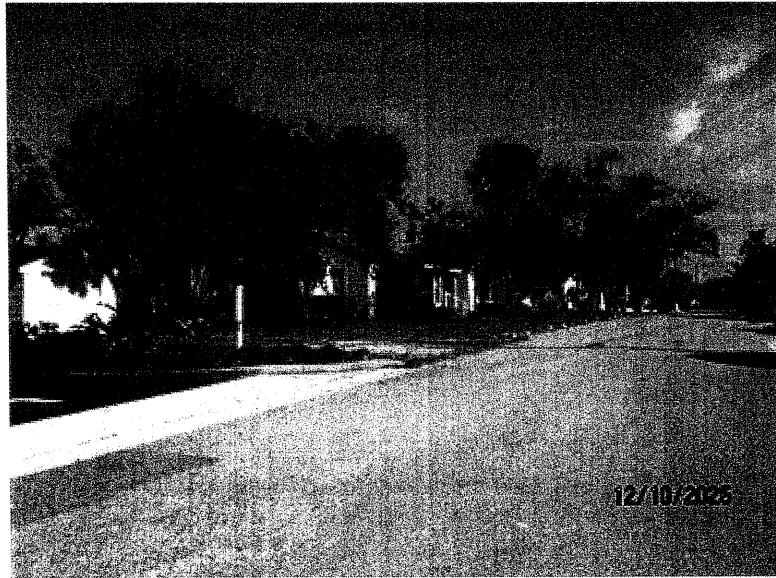


Photos by David Topian

**Photo - 8** existing single family home +/- 22 feet in height  
809 Ormond

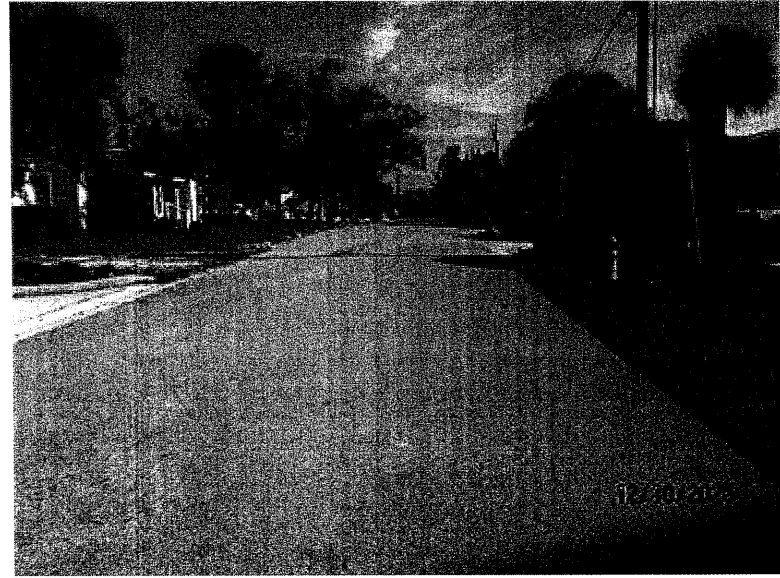
Pictures which show existing conditions for building heights  
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Photos by David Topian

**Photo - 9** view of property looking east  
816 Ormond Stre



Photos by David Topian

**Photo - 10** view of street looking east tree's  
816 Ormond Stre



Photos by David Topian

**Photo - 11** air space above whit house will be covered  
Madrid Ave



Photos by David Topian

**Photo - 12** current parking on street for beach goers  
816 Ormond Stre

Pictures which show existing conditions for building heights  
tree scapes and parking issues.

**Petition for Development Redesign**  
816 Ormond Street  
Parcel #0175-11-0025 City # Petition 25-45SP



Photos by David Topian

**Photo - 13** a separate day of parking for beach goers  
816 Ormond Stre



Photos by David Topian

**Photo - 14** these tree's and total view will be eliminated with  
825 Madrid development



Photos by David Topian

**Photo - 15** air space and privacy will be eliminated  
825 Madrid



Photos by David Topian

**Photo - 16** view of drill rig at foundation wall location 30'  
816 Ormond from fence line

Pictures which show existing conditions for building heights  
tree scapes and parking issues.

**Petition for Development Redesign**  
816 Ormond Street  
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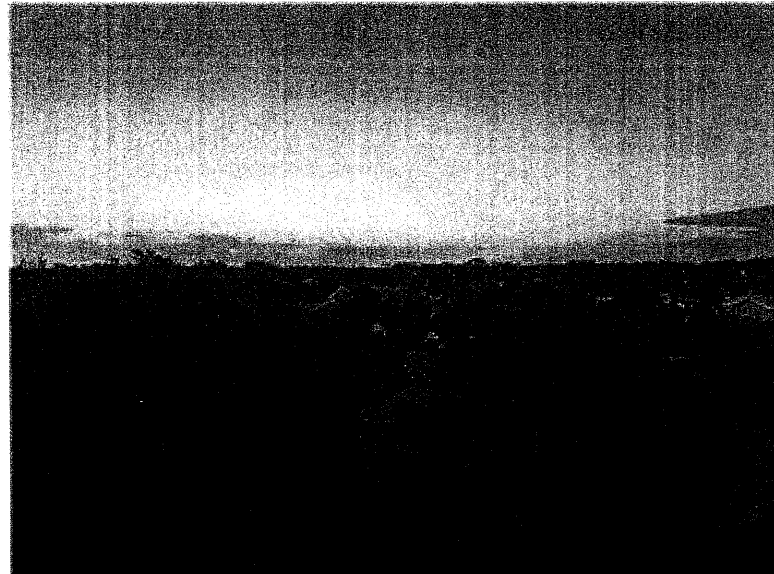
Photos by David Topian

**Photo - 17** tree top view all will be removed  
816 Ormond



Photos by David Topian

**Photo - 18** trees will be removed in development  
816 Ormond



Photos by David Topian

**Photo - 19** view of tree canopy will be gone  
816 Ormond



Photos by David Topian

**Photo - 20** existing home with tree's surrounding  
816 Ormond

Pictures which show existing conditions for building heights  
tree scapes and parking issues.

**Petition for Development Redesign**  
816 Ormond Street  
Parcel #0175-11-0025 City # Petition 25-45SP

# EXHIBIT 4

## Neighbors Petition



## PETITION

To the honorable members of the Planning and Zoning Commission in the City of Venice Florida, 34285. The petition of the undersigned residents of City of Venice neighboring properties are strongly against the proposed height, footprint size and non-compatibility of the this proposed project as compared to the surrounding structures and other site issues to the project located at 816 Ormond Street, Parcel ID #0175-11-0025, City Petition #25-45SP VentiTownHouse.

**Argument:**

The current plot as outlined is located on the north side of Ormond Street approximately 230 LF East of The Esplanade. The current neighboring structures of comprised of 1 and 2 story homes on a residential street. The property is in a Zoned RMF-3 allowing up to 57' tall structure with understory parking and up to six units with two allowed roadcuts, however all surrounding properties are in a RSF single family zoning area directly adjacent and behind (north) to 816 Ormond. The developer is currently proposing a 47.5' tall structure which towers over all other residences on Ormond Street by a margin of 24'. Additionally, the property offers no drainage alternative after underground detention to rid the property of storm water as no easements exist. We are additionally concerned that the size of the structure (168.98' x56.05') encroaches on neighboring privacy, does not allow for proper parking for six families and removes all established tree's and vegetation.

As proposed the current design is within the RMF-3 Zoning (assuming lot coverage percentages are under what is allowed) however the structure we feel violates Section 4 of the City of Venice Code "compatibility" on each bullet presented in that Section. Based on this we request the Commission to conduct an in depth review to allow the proposed project however protect the privacy and nature of the neighborhood.

Name /Phone	Signatures	Address
Robert Mathews 615.390-7231	<i>Bob Mathews</i>	809 Ormond St
Brooks Mathews	<i>Brooks Mathews</i>	809 Ormond St
Gregg Apfelbaum	<i>Gregg Apfelbaum</i>	813 Madrid Ave
RONNIE APPLING	<i>Ron Appling</i>	816 MADRID AVE.
Michael Parsons	<i>Michael Parsons</i>	816 MADRID AVE
Stephen Rost 717-360-9456	<i>Step C. Rost</i>	817 Madrid Ave - Venice
Shawn Rost - n 860-3965	<i>Shawn Rost</i>	817 Madrid Ave
THOMAS C. GOTTWAS	<i>Thomas C. Gottwas</i>	700 APALACHICOLA
Elizabeth Gottwas 941-412-2318 305-276-2412	<i>Elizabeth Gottwas</i>	700 APALACHICOLA
FRANK CHASSENE 954-868-1136	<i>Frank Chasse</i>	714 APALACHICOLA
RANDY CHASEN	<i>Randy Chasen</i>	714 APALACHICOLA
Michael Reedy	<i>Michael Reedy</i>	805 Ormond St.
DAVID TOPPAN 541-414-9441	<i>David Toppan</i>	825 MADRID AVE



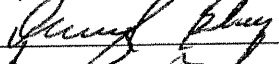
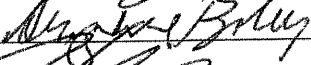

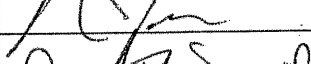


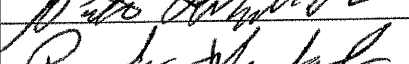
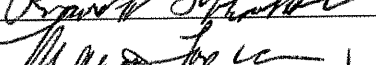

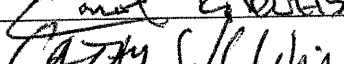

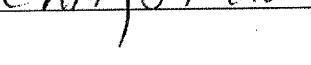
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Name	Signatures	Address
Audre M-Jones		812 Ormond St Venice
Hugh Jones		812 Ormond St. Venice
Dorothy Bobey		813 Ormond St Unit C
Suzanne Bobey		813 Ormond St Unit C
Matt Taylor		822 Madrid Ave
Mandie Taylor		822 Madrid Ave
Ana L. Santos		829 Madrid Ave.
Jose Rodriguez		829 Madrid Ave
Peter Harback		804 Madrid Ave
Roberta Harback		804 Madrid Ave
MARY TOPIAN		825 Madrid Ave,
		820 Madrid Ave
Cathy S. Clark		805 Madrid Ave

ANA SANTOS  
e dante  
PROPER  
COOL.