

**From:** [Joanne Nicholson](#)  
**To:** [City Council](#)  
**Subject:** RE: Objections to Application 22-26 RZ  
**Date:** Wednesday, December 28, 2022 2:27:29 PM

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Joanne Nicholson  
694 White Pine Tree Rd  
Venice, FL 34285  
Dec. 28, 2022

Dear Mr. Pachota,

I have been a resident and owner in the Bird Bay Community since 2000. I would like to see the first Warranty Deed signed by Mr. Thomas John Robertson stating that the 34 acre golf course would remain a golf course and not be developed, to be honored. Please let Bird Bay keep the green space as originally platted in the official Bird Bay plat from 1985. Please let us keep this small open green space.

Thank you for your attention to this matter.

Sincerely,  
Joanne Nicholson

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**Marie Maidhof**  
**990 Bird Bay Way**  
**Venice, Florida**

December 22, 2022

**Venice City Council**  
401 West Venice Avenue  
Venice, FL 34285

RE:Regarding Application 22-26 RZ Bird Bay PUD/Hawks Run Development

**Dear Council Members,**

My name is Marie Maidhof and I am a resident of the Bird Bay Village community in Venice Florida. I am writing to express my opposition to any additional housing units that are proposed by the developer. In accordance with the 1992 Master Plan, which is the plan of record, specifying a density of 5.17 units per acre (grandfathered in over the 4.5 standard), and 1026 units. This plan has been the approved plan for 30 years, and there are no "available" approved units for residential development within Bird Bay Village.

I oppose this for several reasons, mainly because of the impact this will have on the residents of the community and consequential environmental impacts.

Who is going to maintain existing roads, water, infrastructure for this proposed housing and entertainment complex? The Bird Bay infrastructure was built in the 1970s, and was well planned as a community, centered around this golf course land. The golf course owner is planning to build a commercial restaurant/entertainment complex, and housing, in the BB development. with part of the golf course, which would also need additional parking lots, a pro shop, golf parking etc.... I enjoy riding my bicycle on the safe and quiet streets within the community and this will not be the same.

If additional condos were built on this location, the community have a significant amount of traffic and non-resident commercial business patrons within the community confines.. These individuals would be extremely close in proximity to our swimming pools, tennis courts, and other facilities. We will lose the open space and be stuck with an overcrowded section of the new housing development and inadequate access roadway design.

There are also the environmental impact concerns that I have relative to the bird population that make their homes in the protected 100 year old trees that are on this property, not to mention what the environmental impact on Roberts

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Bay and the mangroves this would cause with the additional infrastructure required for this construction. The beautiful legacy trail will be adversely impacted as well, due to proposed changes to the building setback regulations which would be violated by the plan presented by the builder and would require a variance.

My husband and I have owned multiple properties in BBV and have always believed that this was a “Golf Community” as the sign at the entrance to the community states. We do not want to see that change in any way, shape or form.

I understand that there is a legal promise made to the BB community when the golf course owner purchased the property from the city. This document states that it would remain a golf course.

The city of Venice would lose a very well designed community that is very close to the island of Venice. Losing the golf course and open space will adversely effect the value of Bird Bay Village.

Thank you for taking the time to read this letter.

Sincerely,

Marie Maidhof

**From:** [Linda Kaminski](#)  
**To:** [City Council](#)  
**Subject:** Objections to Application 22-26 RZ Bird Bay PUD/Hawks Run Development  
**Date:** Thursday, December 22, 2022 9:03:50 AM

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Re: Application 22-26 RZ Bird Bay PUD/Hawks Run Development

Dear Mayor Pachota and City Council Members:

The application by Hawks Run Development must be denied by the Venice City Council as it does not conform with the City's Comprehensive Plan Strategy LU-PB 1.1.1 that states, "The City shall require that functional and conservation open spaces within existing residential development including those zoned Planned Unit Development (PUD) be protected from redevelopment and infill development which may negatively affect their use..."

Furthermore, despite what is being presented in the application, the 1992 Master Plan is the plan of record with a density of 5.17 units per acre (grandfathered in over the standard) and 1026 units. This plan has been the approved plan of record for thirty years and there are no "available" approved units for residential development within Bird Bay Village, despite the current argument that the 1992 density ratio is not the density for the Bird Bay PUD.

There are multiple inconsistencies being presented by Hawks Run Development as factual. It concerns me that those of us who have invested our life savings with the knowledge that legal documents such as the City's Land Development Codes LDC 86-130(i)(3) and LDC 86-130(k)(3) protected us from further development for 99 years are now argued as invalid.

Bird Bay Village's open space is one of the last remaining undeveloped areas close to the Island. Please listen to the voices being raised from our community, and please understand that I chose to retire to Venice and live out the remainder of my life in Bird Bay Village because of the documented promise to retain its open spaces.

Thank you for your time and attention to this matter.

Linda L. Kaminski  
646 Bird Bay Drive East #202  
Venice, FL 34285

**From:** [Gene Shepherd](#)  
**To:** [City Council](#)  
**Subject:** Regarding application 22-26 RZ Bird Bay PUD/Hawks Run Development  
**Date:** Tuesday, December 20, 2022 4:31:55 PM

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Dear City Council Members,

My wife Opal and I bought in Bird Bay because of the green space, mature trees and Roberts Bay. I am also a golfer and understood that the golf course was part of Bird Bay. We were led to believe that if it were not a golf course, it would remain an open space. We love to walk and observe birds and wildlife. The open green space provides habitat for many species to survive and thrive. We want to live in a natural space, not in a congested area with more condos. We have been residents at Bird Bay Village since 2016 and our children plan to live at the condo in the future.

Sincerely,

Gene and Opal Shepherd  
1004 Bird Bay Way  
Venice, FL

**From:** [Laura Slobey](#)  
**To:** [City Council](#)  
**Subject:** FW: Regarding Application 22-26 RZ Bird Bay PUD/Hawks Run Development  
**Date:** Tuesday, December 20, 2022 8:31:17 AM

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**From:** [Laura Slobey](#)  
**Sent:** Thursday, December 15, 2022 1:45 PM  
**To:** [Gregg Wiitala](#)  
**Subject:** Regarding Application 22-26 RZ Bird Bay PUD/Hawks Run Development

My mother, Ruth Slobey purchased 1056 Bird Bay in May 1988. My mother and I combined our resources in order to make this purchase with the expectation that our family would be able to enjoy the facilities and the open spaces for years to come. When my husband and I came to visit my mother our two young children were able to play in the open spaces.. Over the years my husband and I decided to make this our home, with the expectation that we would be able to continue to enjoy the beautiful grounds, including the golf course, the pool and the chance to walk in an open environment. and the pool in peaceful environment. We are hopeful that our children and grandchildren can continue to enjoy the Bird Bay environment as it was meant to be and as written in the land use agreement.

Sincerely, Laura Slobey  
Sent from [Mail](#) for Windows

**From:** [Barbara Ward](#)  
**To:** [City Council](#)  
**Subject:** Regarding Application 22-26 RZ PUD/Hawks Run Development,  
**Date:** Monday, December 19, 2022 10:29:28 PM

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>> Dear City Counsel Members:

>> We are sending this e mail to show our total support for the Bird Bay/Hawks Run project to move forward, as we understand it will becoming before the city council soon. We are sure you will receive “tons” of e mails and letters to the contrary as a group of disgruntled residents have set out on a writing campaign, going so far as to hold “e mail and letter writing workshops” to encourage residents to voice negative opinions on this project. Many of them have based these negative opinions on receiving only information critical to their agenda and are therefore not open to any change.

>> My husband and I have been full time residents in Bird Bay for the last 8 years and before that, winter residents for about 13 years. Sadly, the attractive and coveted “open spaces” that once were, are no longer. Due to unfortunate circumstances they have become unsightly, less than desirable fields of overgrown weeds, and, in our opinion, a desirable haven for snakes, rodents and other undesirable wildlife. Also there are portions of Bird Bay that could certainly use a face lift to say the least and with all the new construction going on around us, how could it be a bad decision to keep up with progress. The plan to redesign and improve the golf course with its planned amenities could breathe a lot of new life and revenue into Bird Bay Village and the community, and, esthetically, has to garner more beautiful “open spaces” than what is currently there. For sure, the closed, deteriorating, golf course can not be attractive to current resident’s or an enticement to future residents and, for sure, has to have a negative effect on all property values within Bird Bay Village which can no longer enjoy the title of a “golf course community”.

>> In summing up, we are asking that your decision not be swayed by a lot of negative emotion that will keep Bird Bay Village a stagnating, old, community with decreasing property values that can’t compete with all the new and fresh construction going on all around us in Venice. We thank you for your consideration.

>> Barbara and Tom Ward

Bird Bay Residents

**From:** [Tom Dyer](#)  
**To:** [City Council](#)  
**Subject:** Regarding Application 22-26 RZ Bird Bay PUD/Hawks Run Development  
**Date:** Sunday, December 18, 2022 7:10:32 AM

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### **Subject: Bird Bay Village and the Golf Course**

For over 50 years the golf course inside Bird Bay Village has been a recreation spot for the people in the Venice Area and Bird Bay Village. Providing 18 holes of golf, night glow golf and frisbee golf. Par 3 golf and frisbee golf is a great and popular Family activity. 50yrs that's 2 and 3 generations of BBV and local family memories.

I am opposed to ANY development on the current golf course inside Bird Bay Village. Although it is in disrepair and poor condition it still should be a golf course. Any improvements should be made to the golf course to make it better.

The original layout of Bird Bay Village included the golf course and even reads "A golfing Community" on our entry signs.

Do we really need more homes? All the surrounding development of new homes in Venice can and will make the golf course profitable if it was a nice course. It just needs to be managed properly and golfers will flock to a golf course in nice condition. The last 5 yrs the golf course has been kept in very poor condition. So people don't play it. Rarely are there more than a couple cars in the parking lot.

Lake Venice GC is packed everyday in season. Venice needs more public golf courses and green space NOT LESS in order to provide recreation for all the new inhabitants. Bird Bay Village and the golf course are part of the history of Venice going back to the 1970s. Both are a valuable asset to the area. The City of Venice should support Bird Bay Village in keeping the golf course as it was originally designed. The golf course is a public course and would be enjoyed by Venice community if it was just properly maintained and managed.

PLEASE Don't lose this valuable asset to our community. VOTE NO to change the zoning.

Thanks for reading. 16yr resident Tom Dyer 932 Bird Bay Way. Venice Fl 34285

Sent from my iPad



**From:** [Armstrong Family](#)  
**To:** [City Council](#)  
**Subject:** Comments regarding Application 22-26 RZ Bird Bay PUD/Hawks Run Development under future consideration by Council - Possibly January 10 Council Meeting  
**Date:** Saturday, December 17, 2022 1:18:38 PM

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Dear City Council Members and Mayor Pachota,

We are sending this to inform you of our opposition to the proposed Hawk's Run Amendment to the Bird Bay Planned Unit Development (Application 22-26 RZ Bird Bay PUD/Hawks Run Development) **and request that you not approve the proposed amendment** at any upcoming City Council Meeting. As owners of a condominium in Bird Bay, we strongly object to the petitioner's unilateral efforts to develop what has previously been promised as perpetual green space in the Bird Bay PUD, and which was unanimously Not Approved for recommendation at the November 15, 2022 City Planning Commission Meeting.

Bird Bay is a wonderful community as it has been planned and developed, and we think it is unique in the Venice area. If you look at aerial photographs of our city, there are no other developments located within 1 mile of the Gulf that reflect Bird Bay's planning of open green space between residential units. This was achieved by placing most of the residents in adjoining, multi-tenant buildings around the perimeters so that we could enjoy the unobstructed views between. When the PUD was being developed and the condominiums were being marketed, in accordance with zoning applications and master plans approved by the city, the golf course lands were represented to be used for green space in perpetuity. The 1983 Warranty deed for the golf course property specifically states that " ... the parties covenant and agree that the property may be used for Golf Course purposes and related uses only. This restriction shall constitute a covenant running with the lands and shall be binding upon the parties hereto, their successor and assigns, ...." This covenant was included when the golf course property transfer was signed by Mr. Robertson in 1983 to protect the other Bird Bay PUD property owners (like us) from changes exactly like those proposed by the current golf course owner. How such formal obligations can disappear from subsequent official records is beyond us!

Long term commitments were also made in the 1992 PUD master plan. Do not allow one owner to affect the lives of more than 1,000 other property owners within the PUD by breaking the covenant that they agreed to when the property was acquired in 1983. The covenant was recorded specifically to avoid this type of situation. We respectfully request that you vote to disapprove of any amendment to the PUD that attempts to dramatically change the agreed-upon long term land use as stipulated in the historic golf course property deed and Master Plan.

In addition, your disapproval of this self-serving application of the new golf course owners will signal to current and future developers that the representations made to the citizens and property owners of Venice during the Planning and Zoning Process must be adhered to.

- The currently-approved 1992 PUD Master Plan, which includes the golf course property, is approved for 1,026 units and a density of 5.17 units per acre (which is grandfathered above the current and recent Venice density standards). It does not contemplate approved, but unbuilt, dwelling units.
- The City's adopted and published 2017-2027 Comprehensive Plan, pages 148 and 149, indicates that:

***“Strategy LU-PB 1.1.1 - Neighborhood Open Space Protection***

*The City shall require that functional and conservation open spaces within existing residential developments including those zoned Planned Unit Development (PUD) be protected from redevelopment and infill development which may negatively affect their use. Reduction and or elimination of open spaces developed consistent with the underlying PUD zoning shall not be supported by the City. “{emphasis added}*

Clearly, **if you support the City's established planning process and adopted comprehensive plan, you should vote against the proposed amendment.**

We respectfully request that you not allow one owner within to PUD to ignore the historic commitments and completely change our community to serve its unilateral greed. Recognize that this a precedent-setting decision. If you allow the loss of a portion of the PUD's green space at the request of a single owner, over the objections of numerous other owners in the PUD, what good are our development processes and regulations? What is to stop them from coming back to you again in the future to request approval to build the other 70 villas that they originally proposed to build on other parts of the green space? What is there to stop owners of parcels within other PUDs to request changes to their approved plans, without formal approval from the other owners? Don't open up this can of worms!

Please uphold the Planning Commissions unanimous November 15, 2022 decision against the proposal! **Say – “No” to the proposed amendment!** Enforce the historic agreements. Protect the Bird Bay PUD's established and historic green space!

Thank you for your time and consideration,

Glenn and Janice Armstrong  
878 Bird Bay Way  
Venice, Florida 34285  
armstr2@cinci.rr.com

**From:** [Mark Lutsky](#)  
**To:** [City Council](#)  
**Subject:** Re: Hawks Run Golf Course Application  
**Date:** Saturday, December 17, 2022 1:11:01 PM

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On Sat, Dec 17, 2022 at 9:00 AM Mark Lutsky <[marklutsky@gmail.com](mailto:marklutsky@gmail.com)> wrote:

I have been a resident of Venice since 2012. I live in Bird Bay Village and hope that our feelings have some impact on your decision. I like the majority of my neighbors were impressed by Venice and its open space when we originally bought her. Over the years, there has been way too much development which is apparent when one attempts to drive anywhere and we see the open space surrounding us disappearing.

I strongly object to Hawks Run application for the following reasons:

1. The existing Master Plan for the last 30 years needs to be honored since there is no space available to build more units other than on the existing golf course.
2. There is documentation and past agreements that clearly state the golf course should remain a golf course.
3. We invested because it was our understanding that the open space would remain open.
4. The proximity to the Legacy Trail and the idea of affecting this open space is another reason for denying their application.

Please listen to the voices being raised in our community that there has been too much development in our city which is permanently changing our community!

**From:** [nancy flynn](#)  
**To:** [City Council](#)  
**Subject:** Regarding Application 22-26 RZ Bird Bay PUD/Hawks Run Development  
**Date:** Friday, December 16, 2022 7:04:05 PM

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Dear Mayor and City Council Members of Venice, Florida Community,

I am very happy that my in-laws bought a unit in Bird Bay in the early 1980's. Now my husband and I carry on the tradition of welcoming friends and family to this old, quiet community. People take pride in updating their units, and management takes pride in maintaining the buildings and assuring that the landscape is well kept.

It has also remained well established because of the agreement made thirty years ago (1992) between the golf course and Bird Bay regarding the density ratio: The City Council said 1026 units top amount, with the golf course accepting the role of the required open space for Bird Bay. No more units are to be built. Now, your task is to NOT allow the golf course to proceed with their condo dreams.

Nokomis Groves has disappeared for the development of units. Bird Bay Village has a city street that runs through it. These two facts together may mean an increase of city traffic through Bird Bay Village.

I do not want more units built close to the Bird Bay 4 area in Bird Bay Village, nor the Legacy Trail.

Venice has some great "open spaces", such as Blalock Park and the greenway in downtown Venice. Keep **our open space in Bird Bay open** for generations to come. Help us to create another gem for our city.

PROTECT THE PROMISES

Nancy Flynn  
732 Bird Bay Dr WEST

Sent from [Mail](#) for Windows