

**From:** [aaa692@comcast.net](mailto:aaa692@comcast.net)  
**To:** [Citycouncil@venicegov.com](mailto:Citycouncil@venicegov.com)  
**Sent:** Sunday, April 3, 2016 10:32:53 PM  
**Subject:** Fwd: Venice FI house rental

To Whom it may concern:

I have been asked to send a letter in support of the weekly rental of property located on 425 Gulf St., Venice.

Our family rented the property three years ago so that we could attend the high school graduation of my nephew from Venice High School, which was REALLY close in location. I brought both my parents (to see their grandson Graduate) who are in their 80's, this was their first trip to Florida and both were delighted with the climate, the scenery, and Mr Murphy's comfortable home. My daughter and her husband also flew down and were able to join us( she is a nurse and her husband is a police officer), they too, enjoyed the property (her husband, in fact, replaced some outdoor lights around the pool to enhance the view at dusk). I am a Clinical Pharmacist at a Hospital in Virginia, in my late 50's (at that time) and was very pleased with the property. It was our first experience at that location and I was impressed by how quiet it was during all hours. We often went for morning walks to the beach and enjoyed looking at the beautifully landscaped homes on our walks. My parents napped during the afternoon, while the rest of us when shopping and trying new restaurants in the Venice area. We had such a pleasurable experience, my whole family wanted to rent the same property for my Neice's Graduation June 3rd Venice High School this year....we were terribly disappointed to learn that it was no longer available for weekly rentals! There are still some of us who work full-time that would like a week in your beautiful city, while enjoying the comforts of home...please consider us in your future decisions for rental! Thank you for your time, Linda L Parrish

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**From:** "Kevin Murphy" <[murphycapecod@comcast.net](mailto:murphycapecod@comcast.net)>  
**To:** [aaa692@comcast.net](mailto:aaa692@comcast.net)  
**Sent:** Wednesday, March 30, 2016 10:36:08 AM  
**Subject:** Fwd: Venice FI house rental

**From:** Kevin Murphy <[murphycapecod@comcast.net](mailto:murphycapecod@comcast.net)>  
**Date:** March 28, 2016 at 11:57:36 AM EDT  
**Subject:** Rental

I am sending this email to those of you who may have rented or inquired about renting my Venice home on 425 Gulf St. for a week or two in the past. As you may know the city of Venice has banned all further rentals of single family homes that are shorter than a month in length throughout the whole city. This ban was passed in July of 2009 but

enforcement was suspended while the city underwent many lawsuits over the issue. Now they have decided to begin again to enforce the ban and they have requested I stop renting by the week or biweekly. I have applied for a vested right determination arguing I should be grandfathered in my rental use as I bought the house before 2009 as a vacation rental house.

I have a city council hearing coming up on April 26 concerning this vested right determination. Unfortunately one of my neighbors has written a very negative letter about my weekly renters which I have attached below. most of my other neighbors have been very supportive and remarked that my renters have been respectful of the neighborhood. I am hoping some renters from the past may write an email to the city council explaining this is not how they treat the house and neighborhood. I know I often rent houses by the week and I don't have loud parties late into the evening every night etc. etc.

if you have the time to send off an email in support of my vested rights application from to be heard at the April 26 council meeting I would greatly appreciate it . Any emails should be sent to

[Citycouncil@venicegov.com](mailto:Citycouncil@venicegov.com). Subject: Kevin Murphy vested rights application

Thank you ,  
Kevin Murphy

**From:** John Holic

**Sent:** Friday, April 01, 2016 3:54 AM

**To:** Susanne & Oliver Doerr <[osdoerr@web.de](mailto:osdoerr@web.de)>; City Council <[CityCouncil@Venicegov.com](mailto:CityCouncil@Venicegov.com)>

**Cc:** Edward Lavallee <[ELavallee@Venicegov.com](mailto:ELavallee@Venicegov.com)>; Judy Gamel <[JGamel@Venicegov.com](mailto:JGamel@Venicegov.com)>; Lori Stelzer <[LStelzer@Venicegov.com](mailto:LStelzer@Venicegov.com)>; Dave Persson - Persson & Cohen <[dpersson@swflgovlaw.com](mailto:dpersson@swflgovlaw.com)>

**Subject:** Re: Kevin Murphy vested rights application, April 26

Dear Mr. and Mrs. Doerr,

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

Sincerely,

John Holic

Mayor, City of Venice

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**From:** Susanne & Oliver Doerr <[osdoerr@web.de](mailto:osdoerr@web.de)>

**Sent:** Friday, April 1, 2016 3:30 AM

**To:** City Council

**Subject:** Kevin Murphy vested rights application, April 26

Ladies and gentlemen!

We rented the property 425 Gulf St. in the spring 2015.

We valued the peace and quiet the neighborhood had to offer and showed the upmost respect to keep the situation that way.

We had no large parties, played no loud music and were usually indoors in the evening.

We had family that lives in Venice (some for over 20 years) visit us during the day. They also remarked what a lovely neighborhood the house is located in. We enjoyed sitting in the backyard and chatting, before moving indoors for the evening.

This is a property which shows the best Venice has to offer! Our stay at this property has prompted us to consider Venice as a residence for our retirement.

We are sure others who stay there feel the same!

Sincerely,

Susanne & Oliver Doerr

Frankfurt, Germany

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:** cynthia smith <[cinner29@hfx.eastlink.ca](mailto:cinner29@hfx.eastlink.ca)>

**Sent:** Friday, April 8, 2016 3:00 PM

**To:** City Council

**Cc:** 'Kevin Murphy'

**Subject:** Kevin Murphy vested rights application

To whom it may concern within Venice City Council.

I would like to present my comments for consideration on the upcoming hearing (April 26, 2016) regarding a ban on short term renters but enforcement was suspended in the Venice Island area. I understand that it is now being considered to activate the enforcement of weekly and biweekly renters in residential neighbourhoods.

I also understand that Mr. Kevin Murphy is applying for a vested right determination and that he should be grandfathered as he had purchased his home as a vacation rental house prior to this ban which was passed in 2009.

I am also aware that some negative comments have been presented to the council which would not be in favour of short term renters for reasons of late night parties, foul language and racial slurs. I understand this is from the back yard adjoining neighbour.

I cannot say that he was or was not subject to this type of activity. I can only hope he was not but would like to represent myself and my guests to offer or share a different view.

I was first introduced to Venice Island as a guest of Mr. Murphy's monthly renters. They loved the area so much that they have since purchased not one but now their second winter home in the area. At that time, I asked if Mr. Murphy would consider renting to me on a two week basis. Due to the fact that I and my companions are still working and vacation time is limited. Mr. Murphy made me aware that he does normally just do monthly rentals but would accept my reservation. I have continued with that same reservation for two weeks in April for the last several years.

Mr. Murphy and I have only dealt via e-mail and or via the phone as I reside in Nova Scotia, Canada.

We have always had a positive relationship and always a positive experience while staying at 425 Gulf St. Venice Island. Mr. Murphy has always reminded us of the neighbourhood environment and to keep noise down, be respectful of the neighbours and the neighbourhood in general. I believe we have always adhered to these rules. We are all in our 50's – 60's – I am 62. We have never had late night parties, and have never used foul language or uttered any racial slurs. Because of our jobs we have all had extensive training dealing with the public, our co-workers and our own neighbourhoods where we always strive to be politically correct and ever aware of multi cultural groups and the respect this all deserves.

Having said that, would we be guilty of laughing (maybe sometimes too loud) or enjoying a frolic in the pool which could be loud but we are not in the pool late at night. It would be in the afternoon and we may eat supper outside on a warm evening but again not to be a bother to the neighbours but yes could be talking at laughing. We would hope we would be told if we were too loud and or offensive in any way.

We as a group would entertain a beer or wine but not to a reckless state. The men always leave very early for a golf game every day and the women leave to go shopping and also some days are spent at the beach. Would the odd shriek get uttered if we stepped barefoot on a sharp stone or get startled by a local snake, fruit rat, large bugs etc. but this could happen anywhere you might be in Florida.

My point is we have fallen in love with your beautiful city and are so very happy to be able to return again and again to 425 Gulf St and to be afforded that opportunity by Mr. Murphy who always keeps his property inside and out well tended and we always leave it the same as we find it. In good order and we adopt your recycling laws and garbage disposal laws as well.

As we all near retirement age, we do not speed up and down the road, we are all non-smokers, non-drug users and would be considered at our own homes to be good neighbours. Our children and or our pets do not accompany us on our vacation stay.

I and my companions have been travelling for some 30 years sometimes different combinations of the same group. I have been to all inclusive's in the Caribbean many many times, have taken 6 or more cruises and have spent time travelling in Europe and the Mediterranean, not to mention the USA and Canada. I have been to Venice Island in Italy and stayed there in a residential rental for only 4 wonderful days. Which does remind me of your own area minus the gondolas. What if they had not offered short term rentals? (as did our same in Spain)

I cannot speak to the other short term renters but would hope that we would all not be painted with the same brush. If there is a guilty group, it should be identified to Mr. Murphy and trust he would make sure they did not return. I would also add that this vacation area has always given us a very safe environment but aware there is always bad wherever one may go and to be aware always.

As for our two weeks there over the last few years, we have spent many dollars there between golf games, shopping on Venice Blvd and surrounding areas and visiting the many wonderful restaurants etc. We have always felt welcomed there and have always enjoyed our experience as well. To lose this opportunity would be a great loss to us and if there are a lot of short term renters in the area I suspect a loss to the local economy as well.

Our first time association with Mr. Murphy has caused a tremendous spin off of more of our like minded friends to come to Venice Island and surrounding areas to vacation. Would it mean that we could not find another place elsewhere? Probably not but it is not the areas that we prefer. I have been to Orlando (Disney) etc. but much prefer Venice Island as my favourite vacation. Some of my companions have now bought homes and or trailer parks in the area. And some are counting the time when they can retire and make Venice Island their winter destination. I only say that as our connections and word of mouth have over the last few years brought a number of our acquaintances and family members to your area. I would hope all good visitors and all good for your economy. Even with our Canadian dollar being so poor right now, it did not stop us this year from returning (because of 425 Gulf). We would not have felt that same loyalty to a hotel type stay.

I sincerely hope that Mr. Murphy's vested right issue be favourably considered for the grandfather clause. It would be unfortunate for us all to have our plans and expectations changed or stopped.

I do not claim to understand all aspects of what the City council have to consider in their upcoming council meeting but again hope our position/comments can be weighed in at that time.

I find Mr. Murphy to always be kind to deal with, well aware of the tourism and service industry due to his own situation back in New Hampshire. I can vouch for his best treatment of our two week rental arrangement and always remind him what a beautiful experience he affords us by allowing us in his home each year.

If you do find you require any additional information from me (where I am the contact for the rental), please do not hesitate to contact me via e-mail or phone.

Thank you in advance to you all for taking the time to read my letter and to consider our situation (being (for now) short term renters (bi-weekly). .....And, never to cause any unfavourable experiences to the neighbours because of our stay.

Sincerely

Cynthia Smith  
15 John Brenton Drive

Dartmouth, Nova Scotia  
B2X 2V5  
902-435-1009

p.s I apologize for the length of my letter.

On Tue, Apr 19, 2016 at 7:51 AM -0700, "[evaulgang@comcast.net](mailto:evaulgang@comcast.net)" <[evaulgang@comcast.net](mailto:evaulgang@comcast.net)> wrote:

Lori and Heather, I've decided not to request "effective third party status" for next Tuesday's council meeting; however, I'd like my statement below included in the advance materials sent out today and also made a part of the permanent record of the April 26 council meeting. If you have any questions, please feel free to contact me at 412-4442.

Thank you.

Doug Evaul

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April 26,2016

Statement of Douglas S. Evaul, President, Golden Beach Associates, Inc., concerning 425 Gulf Street, Venice, Florida

Mayor Holic and Council Members:

My name is Doug Evaul. I am president of Golden Beach Associates, Inc., (GBAI), a voluntary neighborhood organization of 250 or so homeowners first organized in 1958. I am furnishing this statement on behalf of the GBAI board of directors and myself, as I reside within about 100 yards of the subject property.

Thank you for the opportunity to oppose the request of Mr. Kevin Murphy for the city to grant "vested rights" to rent his property at 425 Gulf Street on a short term basis, without regard for the current city ordinance controlling such rentals. This property is within the Golden Beach subdivision. GBAI supported the city in passing the short-term rental ordinance in 2009 and in enforcing it. We believe the ordinance is important to not only preserving our residential neighborhood, but also in ensuring the unique character and charm of the City of Venice. I know the council is familiar with the plight of Anna Maria Island and other beach communities, which have lost their neighborhood residential appeal, due to a proliferation of resort dwellings.

The Golden Beach neighborhood includes 317 properties, each with the property right to use the easement linking Golden Beach Boulevard to the Gulf of Mexico at the western end of Spadaro Drive. Our association is a voluntary group, primarily social. Over the years, through membership dues and contributions, we have landscaped the area, built a parking lot, bicycle rack, picnic shelter, barbecue pit, shower, a paver sidewalk and patio and added benches for enjoying the sunset. During 2015, our members contributed more than \$21,000 to pave the parking lot driveway with brick pavers, allowing rain and ground water to permeate the surface, eliminating polluted runoff, while enhancing the

beauty of the easement. These facilities are for the exclusive use of GBAI members, but any Golden Beach property owner, their guests or renters, may pass through, unrestricted, to the beach.

Kevin Murphy's Petition:

Mr. Murphy purchased his property in 2008. In 2009 he secured a Florida Annual Resales Certificate for Sales Tax. He has renewed that certificate each year since. At that time the city and state had requirements for legally operating a resort dwelling; that is prior to the city ordinance being passed. Mr. Murphy has never complied with those legal requirements, nor has he complied with the city's ordinance, since it was passed.

Relative to the law when he began renting:

1. He has not presented a local business tax receipt for the City of Venice or Sarasota County; and,
2. He has not secured a change in building occupancy from the Florida Building Code from "Single Family R-3" to "Transient Public Lodging R-1" (weekly rentals), which may necessitate additional building permitting requirements.

Our inquiry to building officials discloses that his property has not been inspected by fire officials from any jurisdiction, state or local, to assure safety of his tenants.

In the approximately seven years since the relevant city ordinance was passed and all residents were informed about the steps necessary for compliance with the ordinance, Mr. Murphy has not applied for, nor has he been granted, permission to rent for short terms. Under the city ordinance he could rent for one month or more without restraint, and up to three times a year for period less than that. He would, of course, have to satisfy health, safety and business license requirements. He has not attempted to do that.

In Conclusion:

We strongly believe that Mr. Murphy's petition is without merit. He never has met the legal requirements in place when he began renting. Further, it appears he may owe the county taxes for rentals over this seven year period.

Golden Beach has several "short-term" rental properties, previously grandfathered in by the city, and they are not an asset, frequently hosting noisy groups with multiple vehicles. In one situation a single family house on Villas Drive has been converted into a dwelling advertised for short-term rentals to groups of 12-16 people, the result of making two bedrooms out of a garage. A few Saturday's back, an interstate tour bus pulled up to this "residence" and disgorged a youth baseball team, certainly not in keeping with the residential character of our neighborhood, as Councilwoman Gates can attest.

We applaud the City of Venice for having an ordinance, which protects single family residential neighborhoods, and for enforcing it. Mr. Murphy's request fails on its face for his illegal rentals in the past, and approving it would provide a disastrous precedent for the future. We note the city's planning staff does not recommend approving this petition, and we support their professional analysis.

Thank you.