

DANIEL J. LOBECK
MARK A. HANSON*

MICHELLE A. STELLACI
DAVID J. FREDERICKS
LEAH E. ELLINGTON

2033 MAIN STREET, SUITE 403
SARASOTA, FL 34237
(941) 955-5622
FAX (941) 951-1469

E-MAIL law@lobeckhanson.com
INTERNET www.lobeckhanson.com

THE LAW OFFICES OF
LOBECK & HANSON

PROFESSIONAL ASSOCIATION

CONDOMINIUM
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LAND USE LAW

ESTATES AND TRUSTS

September 6, 2016

**FLA. SUPR. CT. CERTIFIED MEDIATOR*

The Honorable John Holic, Mayor
City of Venice
401 West Venice Avenue
Venice, FL 34285

Transmitted by Email to LStelzer@Venicegov.com

Re: Rezone 07-07RZ.1 (S&J Properties)/ Request for Recognition of Party Status

Dear Mayor Holic:

As attorney for the following, this is to request that they be recognized and accepted as parties, with standing as such, in the public hearing of the Venice City Council on Rezone 07-07RZ.1 (S&J Properties) which is scheduled for September 13, 2016:

Sorrento Ranches Homeowners Association, Inc.

The Association is a homeowners association for the Subdivision which is immediately adjacent to the subject property. Approximately 670' of the 858.29' southern boundary of property which is the subject of the proposed rezoning is coincident with the northern boundary of Sorrento Ranches Subdivision at its northeast corner. All 19 homesites in Sorrento Ranches Subdivision and 4 homesites on the north of Kilpatrick Rd to the southeast of Sorrento Ranches Subdivision comprise the 23 homesites eligible for membership in Sorrento Ranches Homeowners Association, Inc. Membership in the Association is voluntary and its membership roster currently includes 16 members.

Dr. Robert S. Burrus, Jr. Ph.D and Dr. Barri Burrus, Ph.D.

Drs. Burrus own and reside in the home which is in close proximity to the subject property, specifically on Tract 7 of Sorrento Ranches Subdivision, which is adjacent to Tract 6, a portion of which adjoins the southern border of subject property.

Jody Skinner and Jean Skinner

Jody and Jean Skinner, together with their husbands, Stephen and Phillip respectively, together own Tract 5 of Sorrento Ranches Subdivision, which is directly adjacent to the subject S&J Property parcels. Jody and Stephen Skinner reside there as their principal residence and Jean and Phillip Skinner reside there part-time. The entirety of the 576' northern boundary of Tract 5 is coincident with a portion of the southern border of the property which is the subject of this rezone.

Jerod and Kristen Ballard

Mr. and Mrs. Ballard own and reside in their home in Tract 4 of Sorrento Ranches Subdivision, which is directly adjacent to the subject S&J Property parcels. Approximately 40.95' of the northern boundary of Tract 4 is coincident with a portion of the southern border of the property which is the subject of this rezone.

All of the foregoing are entitled to receive notice, and in fact did receive notice, by mail from the City of Venice for the subject rezoning.

Sorrento Ranches consists of large-lot homes with a density of one unit per five acres. The proposed rezoning would increase the maximum density on the subject property from 8 to 13 units per acre, as well as substantially increase the allowable height of the multi-family housing on that property. The foregoing allege that they would be aggrieved and adversely affected by the incompatibilities that would be allowed by the proposed rezoning, with regard to living conditions, including view, privacy, noise, property values and community character.

Accordingly, the foregoing are entitled to party status and standing under the applicable case law, including Renard v. Dade County, 261 So.2d 832 (Fla. 1972); Southwest Ranches Homeowners Association, Inc. v. County of Broward, 502 So.2d 931, 934-935 (Fla. 4th DCA 1987); Exch. Investments, Inc. v. Alachua County, 481 So. 2d 1223 (Fla. 1st DCA 1985); and Florida Rock Properties v. Keyser, 709 So. 2d 175, 177 (Fla. 5th DCA 1998).

Based on the considerations herein and after testimony by the Association, the Burrus' and the Skinners as to standing, and comments of counsel, the City of Venice Planning Commission voted unanimously to grant them party status and standing at the Planning Commission public hearing. Mr. and Mrs. Ballard did not request party status and standing at that time but do so now.

Please consider this request at the commencement of your September 13 public hearing. Thank you for your considerations and those of the Venice City Council.

Very truly yours,



Daniel J. Lobeck

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