

"City on the Gulf"

## City of Venice

Request to Speak (print legibly)

Name: Jeffery A. Boone Date: 5/8/18

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

Organization (if any): BOONE LAW FIRM

Please Check One

☐ Audience Participation.

☐ Agenda - Topic:

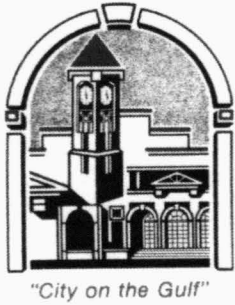
PINEBROOK PARK

If you are going to present evidence and/or testimony during a public hearing, you are required to complete and sign the following oath. You are not required to sign the oath if you are speaking at Audience Participation or at a workshop.

I swear or affirm, under penalty of perjury, that the evidence or factual representation, which I am about to give or present at the public hearing, held this 08 day of MAY 20 18 is truthful.

Signature: [Signature]

Comments at public hearing and during audience participation are limited to five minutes per speaker unless otherwise noted.



City of Venice  
Request to Speak (print legibly)

Name: Lowell Beatty Date: 5/8/18  
Address: 1328 Lucaya Ave  
City: Venice State FL Zip 34285  
Telephone: 786 2021866  
Organization (if any): Pinebrook South

Please Check One

☐ Audience Participation

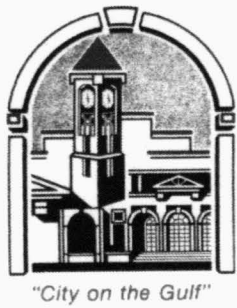
☐ Agenda - Topic: \_\_\_\_\_

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Signature: \_\_\_\_\_

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City of Venice  
Request to Speak (print legibly)

Name: ROGER LAWSON Date: 5/8/2018  
Address: 1350 LUCAYA AVE  
City: VENICE State FL Zip 34285  
Telephone: 802 999-5390  
Organization (if any): \_\_\_\_\_

Please Check One

☐ Audience Participation

☒ Agenda - Topic: PINEBROOK REZONE

If you are going to present evidence and/or testimony during a public hearing, you are required to complete and sign the following oath. You are not required to sign the oath if you are speaking at Audience Participation or at a workshop.

I swear or affirm, under penalty of perjury, that the evidence or factual representation, which I am about to give or present at the public hearing, held this 8 day of MAY 2018 is truthful.

Signature: Roger A. Lawson

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Honorable Mayor and City Council Members:

Thank you for your listening to our concerns. My name is Roger Lawson. My wife Elaine and I live on Lucaya Avenue in Pinebrook South. We are Florida residents; we pay taxes and we do our best to fulfill our civic duty. We are not lawyers and are not fond of these semi-judicial hearings, but here we are.

Eight years ago, after considerable research and two month-long visits, we chose to live in Venice because of its history of thoughtful urban planning with emphasis on green space and quality of life.

When we were shopping for a home, we were told that Venice was different from most Florida cities in that it was planned from the beginning to optimize quality of life — and not designed by developers just to maximize profit.

We purchased in Pinebrook South because we liked the peaceful, friendly, beautiful, and safe neighborhood of amiable people and their well-maintained homes and gorgeous landscapes. Deed restrictions have ensured that this pleasant ambiance has been maintained. And our neighbors are wonderful.

While the vacant lot behind our house initially worried us, our concerns were allayed when subsequent research revealed that the zoning was for a nursing home. Also, the existing nursing facility has been very quiet with only a modicum of traffic.

Furthermore, the vacant lot had been zoned institutional-professional for many years — precisely as it was when it was purchased by Pinebrook Park LLC in 2004.

A variety of appropriate uses were allowed under this zoning, but the owner failed to properly market the lot as zoned.

Rezone? Now the lot owner wants to change the zoning to high-density residential. Re-zoning would be a huge gift to the lot owner, and, in turn, would unfairly change the character of our neighborhood thereby damaging the value of existing Pinebrook South homes, especially those abutting the vacant lot. [photo of back yard]

The lot directly abuts 6 Lucaya homes. In our case the proposed high-density apartment complex would be directly on our boundary, a mere 8 feet from our patio, compromising our privacy and eroding our quality of life.

This would constitute, as real estate agents term it, an “incurable defect”. I know that we would never have purchased our Lucaya Avenue home had it bordered on a high-density

rental housing complex — nor would any of our friends. The looming threat of an adjacent apartment complex already makes the our properties harder to sell.

### Incompatible intrusion

The Comprehensive Plan calls for the “protection of single-family neighborhoods from the intrusion of incompatible uses and activities.”

Pinebrook South single-family homes are predominantly owned by older citizens who have purchased homes in this desirable low-density neighborhood expecting a peaceful, relaxed life. Allowing high-density multi-story rental units to be forced into a long-established single-family neighborhood would clearly present an incompatible intrusion.

We have heard that some folks think of us as geezers. While most of us may be in our 70s, 80s or even 90s, we are good citizens, pay taxes, no longer send children to school, place only a modest burden on police and other services, and we vote. I hope you can appreciate our need not to have our lives needlessly disrupted.

### Comprehensive Plan

Contrary to what Jeff Boone has publicly observed, we (along with Pinebrook neighbors) went to many Comprehensive Planning meetings. Plus at our HOA's request, Barry Snyder and Jeff Shrum came to separate HOA meetings to discuss planning changes. Because of Boone's pending rezone application, we were prohibited from directly discussing his application, but we were vocal and worried about changes that we feared would make it easier to force incompatible incursions — such as we are now facing. We were assured that it would not. Given the narrowness of the vacant lot, we believe that NO amount of buffering could adequately protect us from such high-density rental development.

While there are a few moderate-density condos within Pinebrook South, a lake separates them from the single family homes. They are part of the PUD and very good neighbors. None of the condos abuts single-family homes. On the other hand, in the case of this proposed high-density rezone, no separation from the high-density multi-story apartments has been proposed and none may be feasible because of the narrow lot.

### What is the purpose of Urban Planning?

Is it to make the places we live barely tolerable? Is it to make our neighborhoods unsightly? Or is it to make it our homes as pleasant and beautiful as possible?

As an example of proper mixed use Jeffery Boone, cites the apartments on Venice Avenue (which, as he says and I agree, is "jewel" of Venice) — with the possible exception of some apartments. See photo.

*^ I hope this is not what he has in mind.*

### Bay Indies Resort

I would have preferred not to bring this up, but we heard Bay Indies Resort maligned at the April 3rd Planning Commission hearing. Since the comments were also quoted in the Gondolier, I think we need to set the record straight. A commissioner asked rhetorically:

Why are Pinebrook residents so concerned about high-density rentals when there is already (and I quote) "the most density of any place in Venice" on their east boundary?

We are far less concerned BECAUSE:

- 1) Bay Indies is not within the our PUD boundaries.
- 2) Bay Indies' is certainly not the densest, not high-density; not even medium density. According to the a recent planning map, it is "moderate density".
- 3) The homes are 1-story, owner occupied, single family homes, separated from Pinebrook South homes by over 50 feet.
- 4) Bay Indies homes are well-maintained and pleasantly landscaped.
- 5) The residents take pride in their neighborhood and have been good neighbors.
- 6) They were already here when Pinebrook South first began.

But suppose there were were a some existing blight on our neighborhood. That would not excuse the a developer adding insult to injury nor would it excuse the City abrogating a PUD agreement.

### The Pinebrook Nursing Center

Common sense, and common courtesy, would suggest that the space adjacent to a nursing home be a quiet zone, and not for high-density rental housing. Also, that space should be available for nursing home expansion or related medical facilities.

### Growth Management and Quality of Life

We have seen discussion of the need to control growth in the papers and occasionally on the Venice City website. We are not against growth, just against poorly managed, thought-



less growth. Already Venice is suffering from poorly managed growth — albeit much of it coming from outside the City. But what about Venice City's role in controlling our own growth or in preserving residents' quality of life? Allowing high-density rental housing in the midst of a low-density PUD will feed, not control, growth; will damage, not preserve, quality of life.

The Pinebrook South PUD has been a well managed deed-restricted neighborhood for over 40 years. Overriding the thoughtful PUD planning to suit the needs of a land speculator would be contrary to good planning. The lot was intended for, and zoned for, a nursing home and related expansion. To change the zoning now would effectively throw the growing population of senior citizens under the bus for the benefit of the lot owner.

*Why has the lot not been used for its intended purpose?*

It's hard to know, but it appears from the for-sale signs that have been posted on the property over the years, that the owner failed to properly market the lot for its zoned purpose, but instead was marketing the lot for commercial or multi-family residential (neither of which were permitted) and seeking a price higher than the market will bear for institutional-professional use. ( 3.8 times what they paid in at the market peak in 2004).

Who will require housing — Everyone.

While there may well be a need for additional rental housing, trying to shoehorn multiple apartment buildings into the midst of a well-managed, deed-restricted neighborhood would be a unwise, unfair, and inconsistent with Venice's Comprehensive Plan.

Also, as we add housing units it will drive needs for more and better infrastructure which will, in turn, drive the need for more housing. Where does it stop? Florida has a history of boom and bust because we have not had the good sense to manage growth. Do we really want to become Miami, Tampa — or even Sarasota?

#### Ongoing Need for Skilled Nursing Facilities

Currently the Venice median age is over 69 and rising. The demand for more nursing home space can surely be expected to increase. Fortunately, early PUD planners zoned the lot to meet the now incipient need for skilled nursing facilities. Rezoning would result in a windfall profit for the land speculator, while likely making the lot unaffordable for its intended purpose.

#### Planning for Suitable Housing

While the onus is not on us to determine how to best meet this need, we would suggest that serving various housing needs could part of a larger, unified planning effort. It should not be determined by the ad hoc pressure from a land speculator. New developments could be designed with adequate space to meet a range of economic needs while incorporating appropriate setbacks, green space, and quality of life for all the residents. This rezone project provides NONE of those needs.

### Pinebrook Road

In the interest of brevity, I'm not going to spend a lot of time talking about the existing problems with Pinebrook Road and parking overflow. I assume you already know all about it. If not see my earlier submission.

~~Traffic on Pinebrook Road already exceeds its design capacity. Recently, we have observed traffic backed up from Venice Avenue to Edmundson Rd (1.5 mile). The proposed apartment complex is directly across the road from the Wellfield and the Pinebrook Nature Parks which are used mostly by school children, their families and senior citizens. This part of Pinebrook Road is already dangerous, with speeders, reckless drivers, and no crosswalk. No additional residential development should be allowed in this area until the Pinebrook Road traffic and safety issues have been addressed. Venice already has traffic issues during peak season — why intentionally create new ones?~~

~~Venice has plans to increase Pinebrook Road to four lanes. While it is not clear where the extra land will come from, it is likely that some would be carved out of the vacant lot. Does it make sense to facilitate development that would need to be condemned to make way for road widening?~~

### Parking space?

~~Already visitors to the Pinebrook Center nursing home park on the verge and on the side of Pinebrook Rd. They need more parking space. What will happen when the parking demand for 43 units exceeds their space? We fear that they will park along Sleepy Hollow and other Pinebrook South streets.~~



## What about compromise?

Jeffery Boone and we know that the Planning Commissions tend to favor compromise and has tried to paint us as uncompromising. Compromise can be a good thing, but he has NEVER offered the slightest indication of his client's willingness to compromise.

My wife and I went to the first neighborhood meeting. Because there had been virtually no notification to the affected parties, we were the only Pinebrook neighbors there. We never received the supposed written communication, but only heard about it the day before from one of the two who received the invitation.

When we saw how outrageous his "concept plan" was, we were appalled. We asked about green space and set backs. No real answer — what you see is what you get. Because of the outrageous nature of the plan, I suggested that this might be a "starting negotiation point" — to which he replied, "No, this is what my client intends to build."

When Mr. Boone subsequently attended a meeting with the PBS HOA, someone else asked a similar question, and his reply was essentially the same. When someone asked who his client was, he refused to answer implying that we would be prejudiced by the client's race. One of our more articulate residents set him straight on that matter, yet <sup>Mr Boone</sup> he still refused to respond. The client apparently prefers to hide behind his anonymous LLC. Why? We can only imagine that it related to the client's reputation?

Jeffery Boone has recently implied that the only alternative to his atrocious plan is "no development". That's just not true. As has been true since the land was purchased in 2004 the existing zoning allows for nursing home and a variety of related uses. He has never suggested anything less than 18 units per acre. It is possible that some residential use might be compatible (though this still would not meet the need for additional nursing home space), but Boone has never suggested anything less than 18 units per acre — and that will just not fly.

### In Summary

This proposal is wrong on so many levels, I hardly know where to start. But let me attempt to summarize:

1. Their plan calls for the highest possible density abutting the existing low density single family homes — this is highly incompatible and NOT consistent with the Comprehensive Plan.
2. Their plan would damage our quality of life and the value of Pinebrook South homes to benefit an anonymous and seemingly unscrupulous land speculator.
3. The rezone would require the City to abrogate the agreement with the Pinebrook South PUD — setting a very bad precedent.
4. The change would prevent the use as the lot was intended, i.e. for nursing home use. The nursing home clearly needs the

*space, but, as I understand it, does not wish to pay several times what the property is worth. As you can see on the map, the nursing home is very close to the boundary. Until a few years ago, their employees and visitors USED to use some of the lot for parking. Rather than negotiate a purchase, lease or rental agreement, the owner put up a chainlink fence. We don't know why.*

*5. Such a high-density apartment complex would add traffic and congestion to the already busy and hazardous Pinebrook Road.*

*6. Their plan crams 7 two-story buildings into an area between one-story, single family homes and a nursing home.*

*7. Their plan does not provide adequate green space or setbacks. If they were provided, 18 units/acre would not be feasible.*

### **Closing Thoughts**

Land speculators will be speculators; developers will be developers. We can't fault them for doing what comes naturally, but our planners must still be able to plan.

Our civic leaders' role is to serve the needs of the residents, NOT to be servants to developers, speculators, or their legal counsel.

We need to honor Venice's exceptional urban planning legacy and maintain the original thoughtful PUD planning; we must reject this attempt to damage a long established neighborhood. ***We're relying on you to do the right thing.***

I'll leave you with a few quotes from  
**John Nolen (Venice's planning patron saint):**

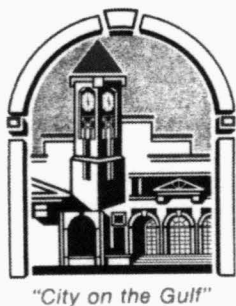
*"Venice offers an inspiration to those  
who would make this world a better place to live."*

*Nolen's plans rest on the  
"adequate control of private development."*

*"It has been said, and with reason, that man is the only animal  
who desecrates the surroundings of his own habitation."*

*"Venice, [is] an opportunity better...than any other in Florida  
to apply the most advanced and most practical ideas of regional  
planning."*

*"It was not to be a new Utopia. But it was to be a convenient,  
practical, and beautiful town; practical from the point of view of  
use; beautiful from the point of view of appearance."  
(in regard to another Nolen project)*



## City of Venice

Request to Speak (print legibly)

Name: Elaine F. Lawson Date: 05/08/2018  
Address: 1350 Lucaya Ave.  
City: Venice State FL Zip 34285  
Telephone: (802) 999-5389  
Organization (if any): Pinebrook HOA

Please Check One

☐ Audience Participation

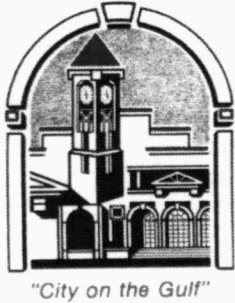
☒ Agenda - Topic: Pinebrook Zoning Amendment

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I swear or affirm, under penalty of perjury, that the evidence or factual representation, which I am about to give or present at the public hearing, held this 8 day of May 2018 is truthful.

Signature: Elaine F. Lawson

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# City of Venice

Request to Speak (print legibly)

Name: Dan Lobeck Date: 5/8/18

Address: 2033 Man St., Ste 403

City: Sarasota State: FL Zip: 34237

Telephone: (941) 955-5622

Organization (if any): Attorney for Pinebrook South HOA

Please Check One

☐ Audience Participation.

☒ Agenda - Topic: VI. A - Ord 2018-13/RZ 16-04 RZ

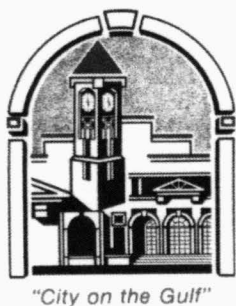
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Signature: [Signature]

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City of Venice  
Request to Speak (print legibly)

Name: Scott Pickett Date: 5/8/18

Address: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone: \_\_\_\_\_

Organization (if any): COV

Please Check One

☐ Audience Participation

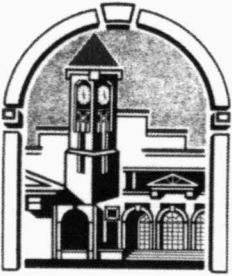
☒ Agenda - Topic: 16-04 RZ

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Signature: [Signature]

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"City on the Gulf"

## City of Venice

Request to Speak (print legibly)

Name: Jeff Shrum Date: \_\_\_\_\_

Address: City Hall

City: Venice State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

Please Check One

☐ Audience Participation

☒ Agenda - Topic: Rezoning - Pinelake

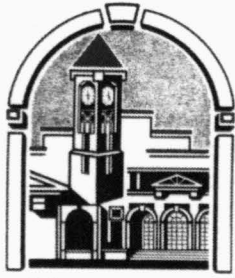
Organization (if any): COV

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Signature: [Signature]

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"City on the Gulf"

## City of Venice

Request to Speak (print legibly)

Name: FRAN NELSON Date: 5.8.2018

Address: 1245 WATERSIDE LANE

City: VENICE State: FL Zip: 33285

Telephone: 941.488.5317

Please Check One

☒ Audience Participation.

☐ Agenda - Topic: PINEBROOK RESORT

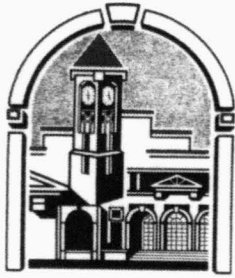
Organization (if any): PINEBROOK RESORT

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Signature: [Signature] (FRAN NELSON)

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"City on the Gulf"

## City of Venice

Request to Speak (print legibly)

Name: Holly Land Date: 05-08-2018  
Address: 1312 Whispering Lane  
City: Venice State: FL Zip: 34285  
Telephone: 941-488-8345

Please Check One

Organization (if any): \_\_\_\_\_

☒ Audience Participation

☒ Agenda - Topic: Petition - Pindbrook Park LLC

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Signature: Holly Land

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## City of Venice

Request to Speak (print legibly)

Name: JIM LANSING Date: 5/5/18  
Address: 809 CONNEMARA CIRCLE  
City: VENICE State FL Zip 34292  
Telephone: 941-549-0540  
Organization (if any): CENTRAL VENICE COALITION

Please Check One

☐ Audience Participation

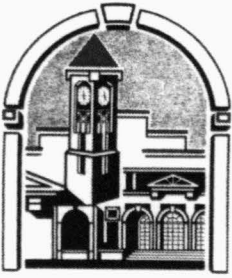
☒ Agenda - Topic: PINEBROOK ZONING

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Signature: [Signature]

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"City on the Gulf"

## City of Venice

Request to Speak (print legibly)

Name: David Greenberg Date: 5/8/18

Address: 612 Oak Hill Cir

City: SARASOTA State: FL Zip: 34232

Telephone: 941-386-7873

Please Check One

☐ Audience Participation

Organization (if any): Community Commercial R.E.

☒ Agenda - Topic: Pinebrook

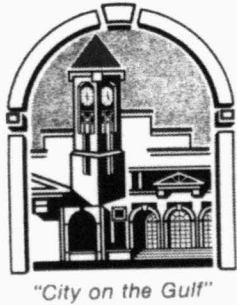
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Signature: David Greenberg

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# City of Venice

Request to Speak (print legibly)

Name:

Dick Longo

Date:

5/8/18

Address:

295 Yarn Creek Rd

City:

Venice

State:

FL

Zip:

33592

Telephone:

941 485 1269

Organization (if any):

CVC - LT COP

Please Check One

☐ Audience Participation.

☒ Agenda - Topic:

Ord. No. 2018-13

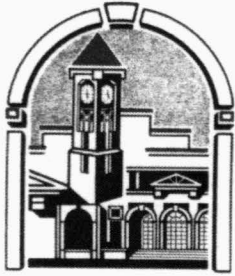
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Signature:

[Signature]

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"City on the Gulf"

## City of Venice

Request to Speak (print legibly)

Name: JAMES ECONOMIDES Date: 5/8/2018

Address: 1322 WHISPERING LANE

City: VENICE State: FL Zip: 34285

Telephone: (518) 727-6336

Please Check One

☐ Audience Participation.

☒ Agenda - Topic: PINEBROOK PARK LLC REZONE

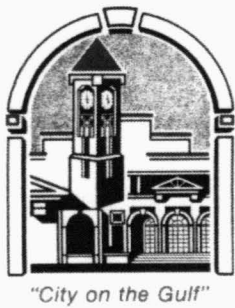
Organization (if any): Pinebrook South Homeowners Association

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Signature: James A. Economides

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## City of Venice

Request to Speak (print legibly)

Name: Kathleen Economides Date: 5/8/18  
Address: 1332 Whispering Lane  
City: Venice State: FL Zip: 341285  
Telephone: (c) 518-527-3778 (h) 941-445-5146  
Organization (if any): Pinebrook South

Please Check One

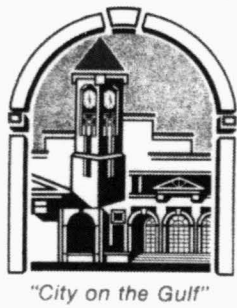
☐ Audience Participation  
☒ Agenda - Topic: Pinebrook Park, LLC

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Signature: Kathleen Economides

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## City of Venice

Request to Speak (print legibly)

Name: Dean Calamoras Date: 5/8/18  
Address: 13 Gulf Manor Dr.  
City: Venice State FL Zip 34285  
Telephone: 941-244-0833

Organization (if any): \_\_\_\_\_

Please Check One

☐ Audience Participation

☐ Agenda - Topic:

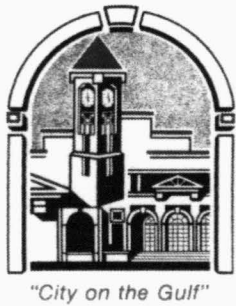
Pinebrook Re Zone

If you are going to present evidence and/or testimony during a public hearing, you are required to complete and sign the following oath. You are not required to sign the oath if you are speaking at Audience Participation or at a workshop.

I swear or affirm, under penalty of perjury, that the evidence or factual representation, which I am about to give or present at the public hearing, held this 8<sup>th</sup> day of May 20 18 is truthful.

Signature: Dean Calamoras

Comments at public hearing and during audience participation are limited to five minutes per speaker unless otherwise noted.



## City of Venice

Request to Speak (print legibly)

Name: LINDA STRANGE Date: 5/8/18

Address: 1247 LUCAYA AVE.

City: VENICE State FL Zip 34285

Telephone: 941-484-2135

Organization (if any): \_\_\_\_\_

Please Check One

☐ Audience Participation

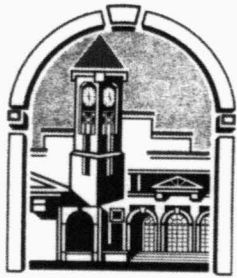
☒ Agenda - Topic: PINEBROOK PUB AMENDMENT

If you are going to present evidence and/or testimony during a public hearing, you are required to complete and sign the following oath. You are not required to sign the oath if you are speaking at Audience Participation or at a workshop.

I swear or affirm, under penalty of perjury, that the evidence or factual representation, which I am about to give or present at the public hearing, held this 8<sup>th</sup> day of MAY 2018 is truthful.

Signature: Linda A. Strange

Comments at public hearing and during audience participation are limited to five minutes per speaker unless otherwise noted.



"City on the Gulf"

## City of Venice

Request to Speak (print legibly)

Name: TIM COLLINS Date: 5/8/18

Address: 1001 AVENIDA DEL CIRIO

City: VENICE State: FL Zip: 34285

Telephone: 488-6716

Please Check One

☐ Audience Participation.

Organization (if any): BOONE LAW FIRM

☒ Agenda - Topic: ORD 2018-13

If you are going to present evidence and/or testimony during a public hearing, you are required to complete and sign the following oath. You are not required to sign the oath if you are speaking at Audience Participation or at a workshop.

I swear or affirm, under penalty of perjury, that the evidence or factual representation, which I am about to give or present at the public hearing, held this 8 day of MAY 2018 is truthful.

Signature: [Signature]

Comments at public hearing and during audience participation are limited to five minutes per speaker unless otherwise noted.