

To: Ron Feinsod, Mayor of Venice and Chair of City Council  
Barry Snyder, Chairman of Venice Planning Commission

From: Anthony J. Pirrotti, Esq  
114 Medici Terrace, North Venice, Florida 34275

I am a retired litigator and respectfully submit my personal legal opinion based on more than 50 years of litigation and appeals in New York, Connecticut, Colorado, Tennessee and Florida. I won the first whistleblower case in the history of the state of New York. I personally perfected over 40 appeals in New York and Federal Courts in the First, Second and Ninth Circuits.

The Venetian Golf and River Club CDD has notified owners that they will be submitting to the city of Venice a request for a permit to build 4 pickleball courts, a dog park and a parking lot between the power lines on an FPL easement located at 200 Pesaro Drive. It is important for you to be aware that: a) The CDD is proceeding without legitimate legal authority; b) the proposed location of these amenities pose a public health risk of electrocution and other negative effects of electric waves from the overhead power towers; c) The CDD is engaging in an agreement with FPL that waives the rights of the CDD, which puts our community at undue financial risk by acquiring FPL's liability.

The legal arguments pertaining to paragraphs of the "right of way agreement" are as follows:

1. The "right of way agreement" with FPL signed by Mr. Bracco in his capacity as "Licensee" is yet to be signed by FPL. According to Mr. Bracco, FPL wants to submit additional wording.

**2. We respectfully submit that Mr. Bracco has no authority to sign as a "Licensee"** since that term does not exist in the powers that were given to the CDD by 190 or the master plan or the ordinance of this council. Moreover, the CDD cannot diminish it's status to that of a squatter and abandon its legal duties to protect we homeowners.

**3. The Licensee is nothing more than a squatter with no rights.** Paragraph 2 of the right of way agreement provides at the outset that the "Licensee" is a mere squatter: "Licensee agrees to relocate, alter or remove said facilities, equipment and other improvements within thirty days (30) of receiving notice from the company to do so." The notice does not have to be in writing. After all, the "Licensee" has no rights.

4. When the CDD decided to give its lot to the FPL for the exclusive use as an easement to build high tension wires, **it gave up its right to execute any construction on that lot.**

5. According to paragraph 8, the "Licensee" agrees to warn its invitees of the possibility of electrocution because of the high tension wires. ***The fact that FPL has made the licensee provide such a warning is a de facto indication that electrocution is possible. This is evidence of a public safety risk which we hope is of concern to the City of Venice.***

6. Paragraph 10 states that the Licensee shall be responsible for any injuries incurred on this lot". ***It is unacceptable that our CDD's proposed actions will result in our community becoming responsible for FPL's legal liabilities related to their electric towers.***

7. Paragraph 15 states that the so-called "Licensee" sacrifices our due process rights in cases where the "Licensee" must provide a written notice but FPL is only required to provide a bare oral notice. ***This is an unequal arrangement which puts our community at unfair disadvantage.***

8. Paragraph 6 provides for outdoor lighting installed or to be installed by the "Licensee" up to and including 14 feet. However, the CDD Board had approved this proposed project on the condition that lights not be installed. ***Therefore, the reference to lights should not be included in the right of way agreement, nor should they be approved by the City of Venice for installation.***

9. Paragraph 18 states that this fictional "Licensee" has asked for and has received permission to assign its rights to a non party. ***There is nothing in 190 of the Florida Statute, the master plan or the ordinance of this council which permits this fictional "Licensee" to assign any right to a non party.***

In addition to the above, it is important to note that the Master Plan which governs the CDD states that a lot under 1.26 means "a subdivided lot for residential use through the construction of a house thereon". ***Therefore, the construction of amenities on this parcel of land is not authorized in the Master Plan.***

***Conclusion:*** We object to the construction of the pickleball courts, dog park and a parking lot on property that we do not control. We further object to the danger and liability of exposing users of the proposed amenities to the high voltage electro-magnetic field, due to possible electrocution and injuries, including cancer.

Respectfully submitted,

Anthony J. Pirrotti, Esq.

***Documents Reviewed:***

1. Proposed agreement with FPL "right of way consent agreement" signed by VCDD Richard Bracco, not signed by FPL.
2. Ordinance of City Council 2002.32
3. Easement Agreement Book 866, page 973, Public Record of Sarasota County
4. Master Plan dated April 23, 2003
5. 190 of the Florida Statute including 190.006, 190.011, 190.012
6. Objections sent to the VCDD by neighbors on Medici Terrace, Cathy and Danilo Cardona, Jim Bender, Anthony J. Pirrotto, Tom Kissinger, Bill Saro, K. Cottrell, Shirley Mahew

In addition, a visual inspection of the proposed site, (which is right in the middle of residential homes), shows 3 rows of electrical high voltage towers and wires stretching approximately 525 feet from Pesaro Drive to Laurel Road.

**From:** Kelly Root <laughing17@gmail.com>

**Sent:** Sunday, January 17, 2021 11:28 AM

**To:** Lori Stelzer <LStelzer@Venicegov.com>

**Subject:** Comments for Feb 2nd Public Hearing for Venetian Golf & River Club Pickleball Courts

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I am a resident of the Venetian Golf and River Club (VG&RC) and would like to provide my comments for the construction of pickleball courts in our community.

I am an avid pickleball player as are others in our community. A development our size (1377 units) is very much in need of this amenity. I have traveled to many of the newer communities (most much smaller than ours) and almost all of them have 4 or more pickleball courts. And the older communities are either adding pickleball courts or converting tennis courts to pickleball courts and/or making tennis courts dual purpose. Realtors have expressed the need for the VG&RC to add pickleball courts in order to stay competitive with other communities. This is the fastest growing sport in the U.S. Other points to consider are:

- The only dedicated outdoor pickleball courts are located at Foxworthy Park. This is a 14-mile drive round trip. In season, like now, the waiting times to play are very long, sometimes 20 people waiting at a time.
- As an alternative, I drive 25 miles round trip to play with a friend in Islandwalk in the West Villages, which by comparison has 12 courts with plans to build more.
- Some have expressed concern over the planned location having no restrooms. This is a non-issue. While there is now a port-o-potty at Foxworthy, there wasn't one until recently, and they removed it during the off-season. We all played an entire summer and fall without one. If worst comes to worst, we can hop in our cars or golf carts, or bike or walk home to use the restroom.
- Sarasota County has leagues for communities in Sarasota county to compete with one another in pickleball. Because our community doesn't have any pickleball courts, VG&RC residents cannot be part of the league offered by our county.
- The location has already been vetted by the VCDD.

I urge the city to move forward with the approval process in a timely fashion. I plan on attending the Zoom meeting.

Thank you,  
Kelly Root

**From:**  
**To:**  
**Subject:**  
**Date:**

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**From:** Katherine Souza <[ksouza001@gmail.com](mailto:ksouza001@gmail.com)>  
**Sent:** Tuesday, January 19, 2021 4:10 PM  
**To:** Lori Stelzer <[LStelzer@Venicegov.com](mailto:LStelzer@Venicegov.com)>  
**Subject:** Fwd: Dog Park and Courts

----- Forwarded message -----

From: **Katherine Souza** <[ksouza001@gmail.com](mailto:ksouza001@gmail.com)>  
Date: Tue, Jan 19, 2021 at 4:06 PM  
Subject: Dog Park and Courts  
To: <[LStelzer@venicegov.com](mailto:LStelzer@venicegov.com)>

My husband and I live in Venetian Golf and River Club. We strongly urge the Planning Commission to approve the pickleball courts and the dog park in our community. We do not have either courts or a dog park anywhere in the vicinity. They would truly be a wonderful addition to our community.

Sincerely,  
Alan and Katherine Souza  
289 Pesaro Dr.  
N. Venice

**From:** [Lori Stelzer](#)  
**To:** [Lisa Olson](#); [Rebecca Paul](#)  
**Subject:** FW: 20-37rz  
**Date:** Wednesday, January 20, 2021 9:00:20 AM

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**From:** byron reynolds <byronsr75@gmail.com>  
**Sent:** Tuesday, January 19, 2021 6:53 PM  
**To:** Lori Stelzer <LStelzer@Venicegov.com>  
**Subject:** 20-37rz

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I support the proposal to construct a dog park and Pickleball courts in the Venetian G&RC.  
Byron Reynolds, 238 Montelluna Dr, North Venice, FL 34275

**From:** [Lori Stelzer](#)  
**To:** [Lisa Olson](#); [Rebecca Paul](#)  
**Subject:** FW: Request to relocate the VGRC proposed pickle ball courts/dog park to a safe location that does not jeopardize public health and safety  
**Date:** Wednesday, January 20, 2021 3:11:22 PM

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**From:** William Saro <oras18@aol.com>  
**Sent:** Tuesday, December 29, 2020 1:35 PM  
**To:** City Council <CityCouncil@Venicegov.com>  
**Cc:** rdbracco@vcdd.org; skleinglass@vcdd.org; EBooker@vcdd.org; rmccafferty@vcdd.org; CChorba@vcdd.org; William Saro <oras18@aol.com>; cathy.cardona@gmail.com; carnescassell@msn.com; leepirrotti@hotmail.com; dickfoster@comcast.net; maryraufoster@gmail.com  
**Subject:** Request to relocate the VGRC proposed pickle ball courts/dog park to a safe location that does not jeopardize public health and safety

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This email is being sent from a different email address than it's original author. Please respond to Mr Anthony Pirrotti, ESQ at [leepirrotti@hotmail.com](mailto:leepirrotti@hotmail.com) should you have any questions or comments. Thank you.

**From:** Mr Anthony Pirrotti

**To:** Honorable Members of the Venice City Council.

**SUBJECT:** Request to relocate the VGRC proposed pickleball courts/dog park to a safe location that does not jeopardize public health and safety

Honorable members of the Venice City Council and VGRC CDD Board of Supervisors,

**This is an update to my previous email communications making the case for why this project should not be built at the proposed location.**

As a result of FPL's failure to provide the residents of the VGRC with copies of their reports of no less than 3 explosions which occurred on Sept 17, Oct 17 and November 11 of 2020, we filed a complaint with the Public Service Commission. The PSC directed FPL to provide the residents with a copy of their reports. We also researched the dangers of electrocution from high tension wires. ***We are advising once again that the CDD's motion, which approved the pickleball courts under high tension wires, is a danger to the public health and safety of our residents and guests.***

On November 13, **we met with Mr. Gabriel Pinheiro, FPL Area Manager, who confirmed our worst fears that should a power line fall, it could result in death by electrocution.**

Indeed, the Right of Way Agreement, which the CDD signed, specifically confirms in paragraph #8 of the danger of electrocution. Paragraph #8 states: "Licensee agrees to warn its employees, agents, contractors and invitees of the fact that the electrical facilities and appurtenances installed or to be installed by Company within the Lands are of high voltage electricity and agrees to use all safety and precautionary measures when working under or near Company's facilities. Licensee hereby acknowledges the receipt and required execution of Form 360 "Exhibit C" prior to the commencement of construction within these Lands."

Paragraph #10 of the Right of Way Agreement regrettably passes all FPL liability to the CDD, and hence to the VGRC homeowners. Para #10 states: "The use of Lands by Licensee (CDD) shall be at the sole risk and expense of Licensee and Company, (FPL ), is specifically relieved of any responsibility for damage or loss to Licensee or other persons resulting from Company's use of the Lands for its purposes."

**The fact that FPL has passed the liability to the CDD is evidence that FPL is legally acknowledging the danger and liability. We believe the homeowners should not be obliged to take on this risk, and the CDD Board should seek another location for this project.**

One member of the CDD Board indicated that the CDD insurance policy would protect us, as if the value of a human life could be measured in dollars and cents. There is no such insurance policy that exists in this world that would insulate our CDD of such wanton negligence.

The reports submitted by FPL of September 17 and October 17 show an ominous connection. Both involve malfunctions of a phase switch which allegedly malfunctioned. The C Phase switch on October 17 as set forth in the report states: "All three phases of the switch are to be replaced by 3/31/2021". Why should there be a delay of five months, when the switch is designed to reduce the likelihood of high voltage damage? Such delays in reparations increase the risk of danger and liability for the CDD and thereby pose a financial and moral liability for ALL homeowners in the VGRC.

**We discovered that the three malfunction "events" were connected to the same substation, located near the site of the proposed pickleball courts. These events are evidence that malfunctions can take place in the area where the pickleball courts are proposed, which is yet another reason why they should not be built there.**

Our research about the dangers of high voltage electricity has confirmed the following:

The National Electric Safety Code sets minimum clearance distances between power lines and obstructions on the ground. In addition, the Federal Government has strict reliability standards for high voltage transmission lines. Obstructions in the right of way can be too close to the power lines causing reliability problems and safety issues. Anything that is too close to high volume lines can cause electricity from the lines to "flash" or cause a short circuit. For safety and to keep the power on for you and



your neighbors, the National Safety Code enforces a strict “no obstruction policy in the rights of way for high voltage power lines”. According to the Code: “It is of paramount importance to not erect buildings and structures such as swimming pools, shacks, decks, billboards, playground equipment, tall fences and other obstructions under high voltage lines. Obstructions in the right of way are dangerous and lead to power outages. They become even more of a problem during periods of peak electricity usage such as summer heat waves, when power lines can sag significantly due to heavy loading.”

The Occupational Safety Health Administration (OSHA) Controlling Electrical Hazards Handbook describes what causes electrical shocks: “Electricity travels in closed circuits. Normally through a conductor. But sometimes a person's body, an efficient conductor of electricity, mistakenly becomes part of the electricity circuit. This can cause an electrical shock. Shocks occur when a person's body completes the circuit path with:

- both wires of an electric circuit,
- one wire of an energized circuit
- one wire of an energized circuit and the ground
- a metal part that accidentally becomes energized due to for example, to a break in its insulator; or
- another conductor that is carrying a current.

When a person receives a shock, electricity flows through parts of the body or through the body to the ground or the earth.

The effects that electrical shocks on the body According to the handbook depends on the severity of the following:

- the amount of current flowing through the body,
- the current's path through the body,
- the length of time the body remains in the circuit,
- the current's frequency.”

The following table from the above referenced OSHA Handbook shows the general relationship between the amount of current received and the reaction when current flows from the hand to the feet for just 1 second.

Amount of Electricity	Impact on Person
Below 1 milliamperes*	- generally not perceptible

1 milliamperes	- faint tingle
5 milliamperes	- slight shock; not painful but disturbing. Average individual can let go. Strong individual reactions can lead to other injuries.
6 – 25 milliamperes	- painful shocks, loss of muscular control,
9-30 milliamperes- (women) 9-30 milliamperes (men)	- painful shocks, loss of muscular control, - the freezing current or “let go” range. Individual can let go but can be thrown away from the circuit if extensor muscles are stimulated
T0 -150 milliamperes	- extreme pain, respiratory arrest, severe muscular contractions, death is possible
1,000-4,300 milliamperes	- rhythmic pumping action of the heart ceases. Muscular contraction and nerve damage occur; death likely,
10,000 milliamperes	- cardiac arrest, severe burns; death possible.

\*A milliampere is one thousandth of an ampere, a measure for small electric current.

**In summary, this letter respectfully notifies you in writing of some of the dangers related to this project and we have done our best to put you on notice for the public good. Before it is too late, we implore you to consider building the pickle ball courts at a safe location that does not jeopardize our public health, safety and financial well-being. If it is predictable, it is preventable. Thank you.**

Anthony Pirrotti esq.  
[leepirrotti@hotmail.com](mailto:leepirrotti@hotmail.com),

**From:** [Lori Stelzer](#)  
**To:** [Lisa Olson](#); [Rebecca Paul](#)  
**Subject:** FW: opposition to proposed pickleball court/dog park  
**Date:** Friday, January 22, 2021 9:40:44 AM

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Lori Stelzer, MMC  
City Clerk  
City of Venice  
401 W. Venice Avenue  
Venice, FL 34285  
941-882-7390  
941-303-3486 (cell)

-----Original Message-----

From: Jeff Rasmussen <[jeffrey.rasmussen@comcast.net](mailto:jeffrey.rasmussen@comcast.net)>  
Sent: Friday, January 22, 2021 9:37 AM  
To: Lori Stelzer <[LStelzer@Venicegov.com](mailto:LStelzer@Venicegov.com)>  
Subject: opposition to proposed pickleball court/dog park

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I live in the Venetian Golf and River Club and I am 100% against the proposed pickleball/dog park. We currently have 6 tennis courts. They can convert one of them into a pickleball court.

Somebody is wanting to put all this right into the middle of a residential neighborhood. It will be an eyesore.

Has anyone considered what will happen to property values for the homes in the vicinity of the proposed park? 218 Pesaro is currently for sale since the owner died. I doubt if the heirs have any idea about the proposal. Who would want to live next to a noisy pickleball court with players yelling etc. Who would want to live next to a park with barking dogs. Also, a parking lot will be even more of an eyesore.

I suggest that this needs to be put to a vote by all residents not just 5 board members.

Let me know that you received my e-mail.

--

Jeff Rasmussen  
114 Montelluna Drive  
N.Venice Fl 34275

941-5872188

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This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

**From:** [Lori Stelzer](#)  
**To:** [Lisa Olson](#); [Rebecca Paul](#)  
**Subject:** FW: PICKLEBALL COURTS AT VENETIAN GOLF AND RIVER CLUB  
**Date:** Monday, January 25, 2021 9:16:55 AM

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Lori Stelzer, MMC  
City Clerk  
City of Venice  
401 W. Venice Avenue  
Venice, FL 34285  
941-882-7390  
941-303-3486 (cell)

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**From:** loft1000@aol.com <loft1000@aol.com>  
**Sent:** Sunday, January 24, 2021 8:13 PM  
**To:** Lori Stelzer <LStelzer@Venicegov.com>  
**Subject:** PICKLEBALL COURTS AT VENETIAN GOLF AND RIVER CLUB

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Subject: PICKLEBALL COURTS AT VENETIAN GOLF AND RIVER CLUB

To The Planning Board Commission:

I am writing to you to let you know I am in support of the PUD Amendment Request to add Pickleball Courts & a Dog Park as a permitted use in the Venetian Golf & River Club. Pickleball is the fastest growing sport in the country. All of the new communities in the area have included pickleball courts. Also, this amenity will be an asset to attract new buyers. We have over 1300 residencies in the community and there are a lot of pickleball players.

Please consider passing this Amendment on February 2nd. Thanking you in advance.

Sincerely,

Jeri Quinn  
101 Mestre Ct.  
North Venice, FL 34275

**From:** [Lori Stelzer](#)  
**To:** [Lisa Olson](#); [Rebecca Paul](#)  
**Subject:** FW: Pickleball  
**Date:** Monday, January 25, 2021 9:18:33 AM

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Lori Stelzer, MMC  
City Clerk  
City of Venice  
401 W. Venice Avenue  
Venice, FL 34285  
941-882-7390  
941-303-3486 (cell)

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**From:** joann ali <joann.venice@gmail.com>  
**Sent:** Sunday, January 24, 2021 10:19 AM  
**To:** Lori Stelzer <LStelzer@Venicegov.com>  
**Subject:** Pickleball

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Please support pickleball courts at VGRC.  
Thank you.  
Jo Ann Ali at 134B Bella Vista Ter.

**From:** [Lori Stelzer](#)  
**To:** [Lisa Olson](#); [Rebecca Paul](#)  
**Subject:** FW: Pickleball courts  
**Date:** Monday, January 25, 2021 9:19:03 AM

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Lori Stelzer, MMC  
City Clerk  
City of Venice  
401 W. Venice Avenue  
Venice, FL 34285  
941-882-7390  
941-303-3486 (cell)

-----Original Message-----

From: MARY ABBRUZZESE <maryabb113@comcast.net>  
Sent: Sunday, January 24, 2021 7:34 AM  
To: Lori Stelzer <LStelzer@Venicegov.com>  
Subject: Pickleball courts

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> I've been a resident at the Venetian for 13 years and an active tennis and Pickleball player. As more communities are built Pickleball is the #1 focus for activity. Many of us at the Venetian have been active in Pickleball but unfortunately have to go outside the community. Community activities are a drawing card for sales, Pickleball certainly is on the top of the list.

>

> The amenities at the Venetian are wonderful. Adding Pickleball within our community will keep our resales competitive and be nothing but a positive compliment to the Venetian.

>

> Respectfully,  
> Mary Abbruzzese  
> 113 Tiziano Way

>

>

>

> Sent from my iPhone

**From:**  
**To:**  
**Subject:**  
**Date:**

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**From:** John Thackray <jcthackray@gmail.com>  
**Sent:** Monday, January 25, 2021 2:41 PM  
**To:** Lori Stelzer <LStelzer@Venicegov.com>  
**Cc:** rbracco@vcdd.org; Rick McCafferty <rmccafferty@vcdd.org>; skleinglass@vcdd.org; ebooker@vcdd.org; cchorba@vcdd.org; Richard Cautero <RCautero@Venicegov.com>; Mitzie Fiedler <MFiedler@Venicegov.com>  
**Subject:** Venetian Golf and River Club Requests 20-37RZ and 20-38SP

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To Whom it May Concern:

I am a home owner in the Venetian Golf and River Club, and I am going on record as being in complete opposition to the proposed Pickleball and Dog Park projects.

The reasons for my opposition are as follows:

1. The location of these two facilities will be injurious to VGRC residents who live immediately adjacent to this location. The play of Pickleball is considerably louder than tennis, for example, the ball/racket strike results in a loud "Pop" sound which will carry for a long distance. There is no doubt that the neighbors near the proposed courts will find this extremely annoying as it will continue for hours at a time. Add to that coming and going of vehicles to both of the proposed facilities will further be maddening to the nearby residents. Lastly, the proximity of the proposed Dog Park will bring additional noise(dogs barking) and potential odor and health issues from dog feces and urine to this neighborhood. These issues will serve to make the lifestyle of the nearby residents intolerable. These factors will no doubt have a negative impact on property values in that neighborhood.

2. The fact that the proposed location is on a FPL easement raises the inevitability that FPL will require access to the easement. That will result in the VCDD encountering additional expense to accommodate the FPL access. An expense the VGRC can ill afford. Furthermore, the proposed facilities will encumber FPL from easy and rapid access to the easement should the need arise.

3. The proposed location being immediately beneath the FPL power lines raises the potential for exposure to stray voltage. While the possibility of stray voltage occurring may be small, it still is possible, and exposure to stray voltage can be damaging and even fatal to both humans and animals. This is an unacceptable risk.

Therefore, I urge the Venice Planning Commission and the Venice City Council to deny both requests by VCDD for the proposed Pickleball Courts and Dog Park, for the facts cited above. The proposed location is a horrible choice for these two facilities.

John Thackray  
 124 Sevilla Place

**From:**  
**To:**  
**Subject:**  
**Date:**

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**From:** bros1950 <bros1950@aol.com>  
**Sent:** Monday, January 25, 2021 2:55 PM  
**To:** Lori Stelzer <LStelzer@Venicegov.com>  
**Subject:** PUD request 20-37RZ; Site&dev request 20-38SP

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As advised by the City of Venice public hearing notice regarding above requests for the Pickleball and dog park located in the Venetian golf and river club; owner being the Venetian CDD, I submit to you my objection to these projects.

Stated that as a resident in the above, these projects will impact the quality of life in this development in a negative way due to increased traffic and noise, especially to residents in the immediate vicinity. Also, the location potentially allows for non residents to enter the rear exit of the development without clearance which is a security issue further enhanced by all new developments in this North Venice area.

With the City looking into a park in this area, there is no need for these projects within the VCDD; residents bought into the VG&RC for other reasons while nearby developers provided these amenities. Enhancing and maintaining current amenities should be the priority; long term this request will not have an impact on sales except maybe to increase our fee to the VCDD.

Beverly Rosignolo  
134 Bella Vista

Sent from the all new Aol app for iOS



**From:** Karen Happer <karen@champagnetennis.com> **Sent:**

12.

Saturday, January 23, 2021 10:19 PM

**To:** Lori Stelzer <LStelzer@Venicegov.com>

**Subject:** Pickle Ball Courts at The Venetian Golf and River Club

Dear Sir or Madam:

I am Australian by birth and have thoroughly enjoyed my 15 years living at the above club.

I am an avid tennis player but truly believe that pickle ball courts will be a major addition to our club and I intend to take up this sport.

During my fifteen years of residency, I have observed so many changed and buildouts.....but I still believe that our club has more facilities than any of our neighbors.....HOWEVER pickle ball courts are needed to keep up with the trend and I thoroughly endorse their development at our club.

May I also say that as I drive through downtown Venice I am SO very proud of our City. Please allow me to compliment you and your fellow officers for making this is special. The hanging baskets and mini gardens are truly magnificent and reflect a City which is LOVED by its residents.....

In sincere appreciation, Karen S.  
Happer.

Karen Scott Happer  
CEO  
Champagne Tennis Etcetera, Inc.  
117 Martellago Drive  
North Venice, FL 34275  
[karen@champagnetennis.com](mailto:karen@champagnetennis.com)  
941-480-0266



**From:** [Lori Stelzer](#)  
**To:** [Lisa Olson](#); [Rebecca Paul](#)  
**Subject:** FW: PUD Amendment request 20-37RZ  
**Date:** Monday, January 25, 2021 8:49:20 AM

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**From:** sandnic <sandnic@comcast.net>  
**Sent:** Saturday, January 23, 2021 5:07 PM  
**To:** Lori Stelzer <LStelzer@Venicegov.com>  
**Subject:** PUD Amendment request 20-37RZ

Please consider approving without changes the request to add pickleball courts to the Venetian Golf & River Club.

We have waited a long time for this to be approved & our community is waiting for their courts!!!!

Thank you  
Sandra Nick  
118 Palazzo Ct, Venice, FL

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

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**From:** [Lori Stelzer](#)  
**To:** [Lisa Olson](#); [Rebecca Paul](#)  
**Subject:** FW: Pud amendment Venetian G&RC 2/02/21  
**Date:** Thursday, January 21, 2021 1:33:49 PM

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**From:** Jack Wilson <[wilsjack@gmail.com](mailto:wilsjack@gmail.com)>  
**Sent:** Thursday, January 21, 2021 12:48 PM  
**To:** Lori Stelzer <[LStelzer@Venicegov.com](mailto:LStelzer@Venicegov.com)>  
**Subject:** Pud amendment Venetian G&RC 2/02/21

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Regarding adding pickleball and a dog park in the Venetian to be reviewed in the upcoming meeting of 2/02/21.

This issue has been funded by the governing VCDD after much discussion and research by a committee set up to determine if these amenities would be beneficial to homeowners in the community. The CDD Board of Supervisors voted 4 of 5 to fund these amenities as valuable new assets to the community. The primary objections to these two amenities is the placement under FPL high tension lines, by some homeowners, who do not attend CDD meetings. They are not aware that after much research this property owned by the CDD is the only viable option in the entire community for these amenities as we are completely built out here in the Venetian. The other main concern is noise level. A sound barrier attached to the 8 foot high fence has been budgeted at significant expense to ensure that adjacent homes will definitely not be offended by the sound coming off rackets meeting balls and conversation. The process of adding these two amenities has taken almost three years with significant expense for various engineering and legal fees. I sincerely believe that the vast majority of homeowners in the Venetian G&RC recognise the need to offer these two amenities to prospective home buyers and present owners.

Jack M. Wilson  
Chair Pickleball Committee, VCDD  
941 441 6500

**Sent:** Sunday, January 24, 2021 10:19 AM  
**To:** Lori Stelzer <[LStelzer@Venicegov.com](mailto:LStelzer@Venicegov.com)>  
**Subject:** Pickleball

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Please support pickleball courts at VGRC.  
Thank you.  
Jo Ann Ali at 134B Bella Vista Ter.

**From:** [Lee Pirrotti](#)  
**To:** [rbracco@vcdd.org](mailto:rbracco@vcdd.org)  
**Cc:** [slentile@vcdd.org](mailto:slentile@vcdd.org); [skleinglass@vcdd.org](mailto:skleinglass@vcdd.org); [rmccafferty@vcdd.org](mailto:rmccafferty@vcdd.org); [dlusty@vcdd.org](mailto:dlusty@vcdd.org); Ernest Booker; Kenneth Smaha; Jill Pozarek; Carl Wayne Chorba ([carlchorba@gmail.com](mailto:carlchorba@gmail.com)); Peter Lisowski ([plisowski1213@gmail.com](mailto:plisowski1213@gmail.com)); City Council; Planning Commission; [carnescassell@msn.com](mailto:carnescassell@msn.com)  
**Subject:** Update of two explosions at FP&L Substation, Laurel Road  
**Date:** Tuesday, October 27, 2020 11:34:32 AM

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Current CDD board members and candidates, Venice City Planning Commission, Venice City Council

The record of the two explosions at the FP&L substation located at 1201 Laurel Road East was finally put to bed on October 26, 2020, when three separate emails were sent by FP&L, Mr. Chris Shannon, who confirmed in writing that FP&L was required to respond to complaints of two separate loud booming explosions which threaten public safety. On his first email, dated 10/26/20 @ 12:40 PM, Mr. Shannon confirms a " malfunction within his substation, #477 Laurelwoods, 1201 Laurel Road East. He added that the explosion on September 17th shows that the equipment was repaired and that on October 17th, the equipment in question was isolated and will be repaired or replaced March 31, 2021.

After reviewing Mr. Shannon's first email, I called a Miss Sadia and told her that his email was unsatisfactory. I and my neighbors wanted to see copies of the incident reports of September 17th and October 17th. I received a second email dated October 26, 2020, @ 1:39 PM containing more detail of the equipment involved in these incidents. Mr. Shannon explained that the " C " switch at the capacitor bank malfunctioned ( isolated, all 3 phases of the switch to be replaced 3/31/2021). Both pieces of the equipment were located inside the substation located at 1201 Laurel Road East, #477-Laurelwoods.

I again spoke to Miss Sadia and told her that we had spent more than 40 hours trying to get copies of the reports and no one responded until an investigation was conducted by the Public Service Commission responding to my request. I told them that my neighbors demanded to see the actual reports. There was a third email, this time it finally contained the reports which we demanded. The time of the email was 4:54 PM, on October 26th, 2020.

The September 17th report showed that FP&L arrived at 12:40 PM but that the due date of completion of repair did not occur until four days later on September 21st. The second report showed that the explosion on October 17th, was a greater threat to our safety than the previous explosion of September 17th. This time the report shows that the explosion on October 17th was due to a failed interrupter and that it will take 6 months to replace with a date on March 31, 2021.

So that we can see how dangerous the explosions were, it took 4 days to repair the September 17th incident and will take 6 months to repair the October 17th explosion. Thus, we can see that Mr. Shannon's email at 1:38 PM on October 26th, that at no point was any danger to the general public of FP&L personnel was a gratuitous CYA explanation. Indeed, Mr. Shannon identifies and confirms the so-called bangs as " Loud bangs at one of their facilities on two occasions ".

Therefore, I submit to you that the proposed location of the pickle ball courts and dog park are ill advised considering their location directly under the high-tension wires and close proximity to the substation in question. I respectfully refer you to previous emails and discussions regarding the "right of way" agreement which we showed you was illegal as a matter of law. The counsel for the CDD of the Venetian Gulf and River Club, Mr. Andrew Cohen, describes the agreement as containing pitfalls and he so advised the CDD board of his concerns should the VCDD decide to move forward with this motion.

We feel that the addition of these two amenities would an enhancement to the community but not under high tension wires.

Respectfully Yours  
Anthony J. Pirrotti, Esq

**From:**  
**To:**  
**Subject:**  
**Date:**

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**From:** Karen Wilson <karenwils@gmail.com>

**Sent:** Tuesday, January 26, 2021 1:06 PM **To:**

Lori Stelzer <LStelzer@Venicegov.com>

**Subject:** Venetian Pickleball courts

My name is Karen Wilson and I have been a resident of the Venetian Golf & River Club for 15 years.

I am an avid pickleball player and it is

very difficult to find unoccupied courts during prime time in the morning in this area.

Pickleball is the fastest growing sport in this country and with a bountiful number of retirees in this area, existing courts are scarce.

We are a community of 1300+ residences and there is a tremendous need for courts here. Even communities in the area with far fewer residences have pickleball courts. The value of our homes will be enhanced by this new amenity.

Thank you for your consideration.

Sincerely, Karen Wilson

941 441 6501

[karenwils@gmail.com](mailto:karenwils@gmail.com)

**From:**  
**To:**  
**Subject:**  
**Date:**

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**From:** LEWIS PERRY <lperry45@comcast.net>  
**Sent:** Tuesday, January 26, 2021 12:21 PM  
**To:** Lori Stelzer <LStelzer@Venicegov.com>  
**Subject:** Pickleball Courts at Venetian Golf & River Club

I am writing to request the Planning Commission's support to approve pickleball courts at the Venetian Golf & River Club. As you probably know, pickleball is the fastest growing sport in the country. New communities are being built all around us, and they are including pickleball courts. Having this amenity at the Venetian will be an asset to attract buyers. With 1,300+ homes in our community there is plenty of interest in playing pickleball.

Thank you.

Pamela Perry  
317 Montelluna Drive  
Venetian Golf & River Club



**From:**  
**To:**  
**Subject:**  
**Date:**

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**From:** David Lusty <dlusty61@gmail.com>  
**Sent:** Tuesday, January 26, 2021 2:40 PM  
**To:** Lori Stelzer <LStelzer@Venicegov.com>  
**Cc:** lstelzer@venice.gov  
**Subject:** Support for pickle ball and dog park at Venetian Golf & River Club

**Dear Venice Planning Commission:**

As a fulltime resident of The Venetian Golf and River Club I am in full support of the proposed new pickle ball courts and dog park.

The site is not perfect, however it is the ONLY site which the Venetian Community Development District owns on which these new amenities, (the first since the Venetian was opened in 2003), may be constructed. I strongly urge the planning commission to approve both the pickle ball courts and dog park as they are desperately needed for the benefit of our community.

Regards,

David Lusty

109 Asti Ct.

North Venice, FL 34275

Cell: [740-707-0753](tel:740-707-0753)

E-mail: [dlusty61@gmail.com](mailto:dlusty61@gmail.com)

From: Renee <reneepearlman113@gmail.com>

Sent: Wednesday, January 20, 2021 9:59 AM

To: Rebecca Paul <RPaul@Venicegov.com>

Subject: response to building Pickleball courts at the Venetian Golf and River Club

Planning commission of the City of Venice, Florida

We live on Medici Terrace, just around the corner from the proposed site for the Pickleball courts and Dog Park. We do not support the location of 200 Pesaro for several reasons:

1. Additional traffic on Pesaro Drive
2. Limited parking which may lead to street parking
3. Noise from the courts which the neighboring homes will be in hearing range.
4. no restrooms
5. We do not support a dog park. A dog park is not supported by many Veterinarians and will require daily maintenance to keep it clean and mowed

We would love Pickleball Courts in the community but not in this location which will disturb the residents who live near the proposed site.

Renee and Ron Pearlman

**From:**  
**To:**  
**Subject:**  
**Date:**

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-----Original Message-----

From: shirley mayhew <shirlmay@sbcglobal.net>  
Sent: Tuesday, January 26, 2021 5:16 PM  
To: Lori Stelzer <LStelzer@Venicegov.com>  
Subject: City of Venice Public Hearing Feb. 2, 2021 at 1:30pm

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TO THE CITY OF VENICE PLANNING COMMISSION IN REGARDS TO:

PUD AMENDMENT REQUEST 20-37RZ

SITE AND DEVELOPMENT PLAN  
REQUEST 20-38SP

We are residents of Venetian Golf & River Club within 250' of the proposed Pickle ball Courts and Dog Park.

We are in support of Anthony Pirrotti's  
presentation, explanation and request  
today to relocate the proposed pickle ball courts and dog park to a safe location that doesn't jeopardize health and safety!

Ken & Shirley Mayhew  
122 Medici Terrace  
North Venice, Florida 34275

Sent from my iPhone

January 27, 2021

Dear Members of the Venice Planning Commission,

I am aware that you have before you, plans for the proposed dog park and pickleball park at the Venetian Golf and River Club. I support this project based on the following:

- The location is in an area not directly across from any homes. In fact it is across from the golf course.
- The CDD has done a very thorough job of looking at the location with plenty of professional input from the long time CDD engineer assigned to the project along with the CDD attorney. as well
- A committee of residents was organized about two years ago and provided recommendations to the CDD.
- From my perspective, the interest is very high in our community for both sites.
- The CDD has given numerous opportunities to address this issue ranging from holding meetings where hearing the public was open to any resident to residents reacting to the topic when it was specifically on the agenda. Let no resident tell you that there was not sufficient opportunity to comment on the dog park and/or pickleball courts since the topic has been on the plate of the CDD for approximately 2 years.
- The closet pickle ball site is the Laurel Nokomis School however, this site is not available when school is in session.
- A discussion of a park in northeast Venice is only in a preliminary stage with no details about what features it will bring.
- I believe these two amenities will enhance the property values of homes in the VGRC.

Again, I strongly support the plan for the pickleball court and dog park at the VGRC.

Thank you

Roger Effron  
293 Mestre Pl.  
Venetian Golf and River Club

**From:** Cathy Cardona <cathy.cardona@gmail.com>

23.

**Sent:** Wednesday, January 27, 2021 2:06 PM

**To:** Lori Stelzer <LStelzer@Venicegov.com>

**Subject:** Please do not approve the VGRC pickleball courts/dog park at the proposed location due to public safety issues

REFERENCE: City of Venice Public Hearing Notice Feb 2, 2021

Ms. Stelzer and City of Venice Planning and Zoning authorities:

I support the points made by email communications sent by Anthony Pirrotti, Esq. including his most recent one of December 29, 2020, addressed to the City Council. I also support Mr. Tyler Cassell's alternative suggestions to be explored.

The pickleball courts should not be built on the easement under the FPL high voltage wires for the following reasons:

**1. The serious safety risk for Venetian residents and guests should not be underestimated.** On November 13, 2020, we met with Mr. Gabriel Pinheiro, FPL Area Manager, who confirmed that should a powerline fall, it would result in death by electrocution. There have been at least 3 recent documented "events" of electrical malfunction in the vicinity, which are evidence that malfunctions can happen.

**2. This safety risk is substantiated by the National Safety Code** which states: "It is of paramount importance not to erect buildings and structures, such as ...billboards, playground equipment, tall fences and other obstructions under high voltage lines. Obstructions in the right of way are dangerous...They become even more of a problem during periods of peak electricity usage, when power lines can sag significantly due to heavy loading".

3. The safety risk is also legally acknowledged by FPL in the right of way Agreement signed by the Venetian Golf and River Club CDD Board Paragraph #8 states: "Licensee agrees to warn its employees, agents, contractors and invitees of the fact that the electrical facilities...are of high voltage electricity." This requirement is "beyond a doubt" proof of hazard.

4. The right of way Agreement allows FPL to pass an unnecessary financial risk to the CDD and homeowners. Paragraph #10 of the Agreement states: "The use of Lands by Licensee (CDD) shall be at the sole risk and expense of Licensee and FPL is specifically relieved of any responsibility for damage or loss..." We homeowners should not be obliged to take on such a financial risk and the CDD Board should seek a safe location. Although the CDD Board says they have insurance, how can we be sure it would be sufficient coverage?

5. The plan has no restrooms, and will result in noise levels and lighting that will lower the property values of affected homes. This is totally unacceptable and unfair to those who purchased homes in the area with the understanding that no activity would be undertaken on the FPL easement.

**PLEASE DO NOT APPROVE THE PERMIT for PICKLEBALL COURTS/DOG PARK AT THE VGRC PROPOSED LOCATION.**

Thank you,

Catherine Cardona

118 Medici Terrace, North Venice, FL 34275