

## PETITION TO SPEAK AS AN AFFECTED PARTY STATUS

We, the homeowners in the Venetian Golf and River Club, who live in the affected area, designate Mr. Tyler D. Cassell to speak on our behalf at the City Council meeting on May 11, 2021. We are opposed to the VGRC Plan to put Pickleball courts and a Dog Park in the dangerous FPL location under the high voltage power lines and are concerned that noise from the courts will hurt our quality-of-life and devalue our homes.

We are asking the Venice City Council to allow Mr. Cassell to speak on our behalf for the full 30-minute allowed time segment.

	<u>Name (Print)</u>	<u>Address</u>	<u>Signature</u>
1	Michael W Miller	305 Savona Way	<i>[Signature]</i>
2	Ken Abram	313 Savona Way	<i>[Signature]</i>
3	Karlens Abram	"	<i>[Signature]</i>
4	BARBARA A. Miller	305 Savona Way	<i>[Signature]</i>
5	Richard Foster	221 Pesaro Dr	<i>[Signature]</i>
6	PAUL LeFEVRE	226 PESARO	<i>[Signature]</i>
7	JOE ESCUE	102 Savona Way	<i>[Signature]</i>
8	Mary ESCUE	102 Savona Way	<i>[Signature]</i>
9	FRANK BUTTRY	101 SAVONA WAY	<i>[Signature]</i>
10	Cheryl Buttry	101 SAVONAWAY	<i>[Signature]</i>
11	Roland Habicht	106 <i>[Address]</i>	<i>[Signature]</i>
12	LARRY + JANET KONKEL	122 SAVONA WAY	<i>[Signature]</i>
13	Jeanne McBride	130 Savona Way	<i>[Signature]</i>
14	Robert Pentecost	225 PESARO DR	<i>[Signature]</i>
15	Xuamed Pentecost	225 Pesaro Dr.	<i>[Signature]</i>

Date: 5/3/2021

Date: May 4, 2021

To: City Council

From: Tyler D. Cassell – Representative to speak for several members of those affected by Ordinance 2027-17. - To build Pickleball Courts and a Dog Park at 201 Pesaro.

Note: Since the Noise from the Pickleball courts cannot be mitigated, the number of affected residents extends to a radius circle of at least 350 feet (verified by Acoustical Engineers), and even up to 500-600 feet due to the water refraction principle that exists because there are ponds between the Site and many of these homes.

The 15 nearby residents and affected parties who signed this Request to Speak Petition and several other affected parties will be adversely affected by this Plan being approved for these reasons:

- The noise generated by playing Pickleball – Adequate noise abatement cannot be done due to the severe limitations in the FL&L Consent Agreement obtained by the Venetian Golf and River Club CDD. Since the noise cannot be abated, noise is guaranteed.
- The noise generated will negatively impact the quality-of-life of affected homes because their quiet times in their lanais that face the courts will be gone. The only noise they hear now is the occasional sound of a passing vehicle at 25 mph and the sounds of nature. Any noise beyond that will hurt their quality-of-life.
- The noise from the courts will decrease the value of their homes. Buyers do not like to buy homes that are noise-affected.
- The planned parking lot is much too small for full-capacity use. Due to its limited size, users at the Site will have to park in the swale, or on the street which will cause traffic congestion on Pesaro, an already busy street.
- Since no restrooms will be provided, players will have to go home, which means more traffic on the street.
- All residents would be affected by FP&L's limited ability to occupy the Site in times of emergency and for regular line maintenance. The restoration of power is the most important utility after storms and times of catastrophe. This space must be left clear of obstructions.
- The Consent Agreement signed by FP&L and the CDD passes all liability to the CDD. Even though the CDD says their insurance will cover any settlement claims, we residents, could still be assessed for legal costs, and cost that remain after deductibles. In addition, in the event that our insurance does not pay for settlements, we could be assessed several thousands of dollars in fees to cover settlement costs. We object to the CDD taking on this extra liability for a project that is optional and does not have to be constructed.
- The affected parties will resent those coming to the Site. This will pit neighbor against neighbor.



MAY 4 '21 PM 2:31

# CITY OF VENICE

CITY CLERK'S OFFICE

401 W. Venice Avenue, Venice, FL 34285

(941) 486-2626

[www.venicegov.com](http://www.venicegov.com)

## REQUEST FOR AFFECTED PERSON STATUS

**TO BE FILED WITH THE CITY CLERK AT LEAST THREE (3) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING**

Please see the back of this application for more information regarding affected person status.

Requestor Name: <u>Tyler D. Cassell</u>	
Address: <u>201 Medici Terrace, North Venice, Fl. 34275</u>	
Email: <u>carne@cassell2msn.com</u>	Phone: <u>941-882-4515-917-202-0448 cell</u>
Project Name/Petition No. <u>ORDINANCE 2027-17 - Pickleball Courts + Dog Park</u>	
This request is for the hearing before the:	
<input type="checkbox"/> Planning Commission	
<input checked="" type="checkbox"/> City Council	

Please check the applicable statement below and fill in blanks:

- I am an owner/resident/other occupant (individual or business entity) of property located approximately \_\_\_\_\_ feet from the property which is the subject of the quasi-judicial action.
- I am the authorized representative of an owner (individual or business entity) of property located approximately 50-350 feet from the property which is the subject of the quasi-judicial action.
- I am the authorized representative of a condominium or neighborhood association whose members consist of owners, residents or occupants of real property located approximately \_\_\_\_\_ feet from property which is the subject of the quasi-judicial action. Association name:

**NOTE: If you checked Item 2 or 3 above, unless you are an attorney you must have written authorization signed by the person, entity, or association you represent. In the case of an association, the authorization must be signed by an officer of the Board of Directors of the association.**

I will be adversely affected by the approval of the above referenced application because ( explain below how you will be adversely affected to a greater degree than other members of the community at large, attach a separate sheet if necessary):

see attached sheet and Petition

I understand that completion of this form does not substitute for speaking in person at the public hearing on the matter. I hereby certify that the statements on this form are true to the best of my knowledge and belief. I understand that I or someone on my behalf must be present at the public hearing to present my case to the Planning Commission and/or the City Council.

Signature: <u>Tyler D. Cassell</u>	Date: <u>5/4/2021</u>
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