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October 4, 2018

Via US MAIL/email – aroddy@scgov.net

Alan W. Roddy, Esq.
Office of the County Attorney
1660 Ringling Blvd Fl 2
Sarasota, FL 34236

Re: Siesta Promenade

Dear Alan:

In researching the County's web site today, I found a completed application No. 1787 submitted requesting Transient Accommodations for the Siesta Promenade project. The date of the application received by the Planning Department was August 7, 2018. The Application does not have a traditional cover letter to go along with the application, so it is still very difficult to know exactly what they are requesting other than a Special Exception to request Transient Accommodation.

It looks like Benderson had never applied for a Special Exception which is required of all transient accommodations in the CG zoning district. Accordingly, they had to get something submitted to be able to get the Special Exception to catch up to the CAP and rezoning to CG. It has never been referenced in any of the previous submittals or in the latest press release.

In reviewing the 17-page application, I have identified the following problems with the application for Special Exception No. 1787:

1. There is no cover memo with a narrative of what is being requested which is required of all Special Exception Applications.
2. There is no Binding Development Concept Plan required of all Special Exception Applications.
3. There is no discussion of a Neighborhood Workshop which is a requirement before the application is can be submitted. This means they will need to hold another Neighborhood Workshop.

Alan W. Roddy, Esq.

October 4, 2018

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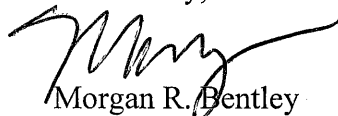
4. There is no discussion of a required Development Review Committee (DRC) which is a requirement before the application can be submitted. Staff should have not accepted the application without either a neighborhood Workshop or a DRC meeting being held.
5. There is a reference to previously adopted Ordinance No. 95-049 which was a rezoning through Petition No. 94-27 to rezone a 47-acre parcel from OPI to CG. In the adopting Ordinance, there are a number of stipulations labeled 1 thru 8 along with a reference to a site plan that was supposed to have been submitted within 90 days after adoption of Ordinance No. 95-049. One of the stipulations, No. 6, indicated all structures shall be limited to a height of 25 feet.
6. Although Ordinance No. 95-049 was submitted with Special Exception No. 1787, it is always required by Staff to have the Applicant prepare a strike through and underline of all previous stipulations to determine which ones are still valid and which are proposed to be eliminated. This was never supplied.
7. There is a reference to previously adopted Rezone Petition No. Petition No. 94-29, however, nothing was attached. Accordingly, the Applicant has not prepared a strike through and underline of all previous stipulations to determine which ones are still valid and which are proposed to be eliminated.

I can probably identify other missing pieces, but for now this should suffice.

I would also note that there is nothing on the on the County's GIS site to include Special Exception No. 1787. If it was filed on August 7, 2018 it should certainly be on the GIS as an open petition.

Thank you for your time and attention to this matter. I look forward to hearing from you.

Yours truly,



Morgan R. Bentley
For the Firm

cc: Mike Lepore
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