

From: Jack Duich <ждуич@outlook.com>

Sent: 14 September, 2021 19:15

To: Robert Lincoln <robert.lincoln@flandlaw.com>; Russell Ireland <irelandjr@aol.com>

Cc: Stacy Dillard-Spahn <stacy.dillard@flandlaw.com>; Amra Dillard-Rickwa <amra.dillard-rickwa@flandlaw.com>; board@saddlebagcreek.org; Communications@saddlebagcreek.org

Subject: RE: Special Permit application

Thanks Robert – having read the entire documentation, I believe there are key safety & security elements missing from the applicant.

As such, do you feel it worthwhile to contact Lewis, Longman, Walker sharing with them the 8 actions I identified in my email of September 8, with the intent of incorporating into their permit application and as demonstratable concern for adjacent homeowners should a public hearing be conducted?

Of particular note –

- pages 8 & 14 of the application indicates positioning of a LEO vehicle just to the East of the entrance to our subdivision. That PCMS could aid westbound traffic turning into our subdivision, however does nothing to aid our residents' protection from eastbound traffic suggesting an additional PCMS be positioned just to the West of our subdivision entrance. Recall that we have 60 properties with 30+ occupied residences within our community. With multiple vehicles per household there is typically a steady flow of traffic in & out of our community, especially on the weekends and during times the event is scheduled.
- Page 15 section III makes reference to Public, Safety, Health, and Welfare but makes no accommodation for physical security protecting our homeowners directly (& indirectly) bordering the Croteau property. At this time there is simply a 4' hog wire fence separating Croteau's property from Saddlebag Creek Ranches. My point 1 below states both a physical & opaque barrier to mitigate intrusion & "prying eyes" leading to trespass, theft, and possible harm to our residents (and ultimately fair goers). Further, no mention is made of off-duty LEO or other personnel serving as perimeter security staff.

Extract below:

1. Erection of 8' opaque security fencing between SBCRHOA & Mallaranny properties. Multiple posted No Trespassing signs on inside of fencing facing event goers.
2. Stationing of security personnel and/or security cameras with recording along our cojoined properties, with access to any recordings for a minimum of 30 days upon demand.
3. Stationing of LEOs managing traffic flow in & out of Saddlebag Creek's entrance during any event. This in addition to LEO traffic control at event entrance.
4. Cost reimbursement for any signage our HOA may deem necessary including vehicle passes for residents & guests to enter our community.
5. Positioning of event activities on far East & South sides of Mallaranny property.
6. Music and PA volumes not to interfere with quiet enjoyment of SBCR residents at any time, quiet hours to commence NLT 10pm.

7. SBCR HOA to be named as co-covered on event liability insurance including property damage & theft.

Clearly, the event application neglects serious concerns of our community, along with, in my opinion, several falsehoods, including your mentioning of the zoning irregularities, not discussed, actually ignored, in the application.

Your thoughts?

Lance/Patti – I believe it appropriate to post & reference, via our webpage, email & attachments documentation related to our ongoing mitigation efforts for this adjacent property and the intended Sarasota Medieval Fair.

BOD members - FYI

Thank you – Jack

Jack Duich
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From: Robert Lincoln <robert.lincoln@flalandlaw.com>
Sent: Tuesday, September 14, 2021 12:45 PM
To: Russell Ireland <irelandjr@aol.com>; Jack Duich <jduich@outlook.com>
Cc: Stacy Dillard-Spahn <stacy.dillard@flalandlaw.com>; Amra Dillard-Rickwa <amra.dillard-rickwa@flalandlaw.com>
Subject: Special Permit application

Russel and Jack:

Attached is Mallaranny's application for a special use permit for the fair, which was submitted on September 3 – I made the request on the 7th, and it's taken them a week to get this back to me. The application is being submitted "under protest" as Mallaranny is asserting that the fair is an "agri-tourism" activity and the County is preempted from regulating it pursuant to Sec. 570.85/86.

The application appears to remain flagged as "awaiting required documents" but I don't see any comment as to what documents need to be submitted, and I have not reviewed the application in detail to determine whether it includes all required materials. It does include layouts for the site and proposed traffic control – but no estimates I can tell of the expected attendance, etc.

The application notes indicate there was a pre-application meeting, but I was not provided any documentation regarding that meeting – I will be following up and asking for it.

The application does not seem to be set for a hearing before the Special Magistrate yet, but I will be checking on that. I suspect that Croteau and Kevin Hennessy (his attorney) may try to file a suit against the County to determine that the County is preempted.

I will update you as I get any new/additional information.

Best regards,
Robert

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