

## **Press Release December 2, 2021**

### **Wallace et al v. Sarasota County**

On Monday November 29, 2021, the plaintiffs in the Wallace case have filed a circuit court action to the Sarasota Board of County Commissioners (BOCC)'s removal of Siesta Key's hotel room density requirements from the Sarasota County's Land Development Code as well as the all but immediate BOCC approval of two new hotels on Siesta Key in violation of the Sarasota County Comprehensive plan.

The complaint alleges that, on October 27, 2021, the Sarasota BOCC acted illegally and in violation of their own procedures by adopting the Land Development Code changes without first amending their Comprehensive Plan policy 2.9.1 which for Siesta Key limits hotel room density to a 26 units per acre maximum.

Also, on October 27, 2021, the BOCC approved a new hotel in the Siesta Key North village and then, on November 2, 2021 approved another new hotel this time on Old Stickney Point Rd - the latter clearly negatively impacting Siesta Key's primary access over the South Bridge via Stickney Point Road.

Even one, much less both hotels, would vastly exceed the maximum density room requirements of the Sarasota Comprehensive Plan Policy 2.9.1 that adopted the Siesta Key land development code as it existed in 1989 -which established a maximum of 26 rooms per acre.

A number of plaintiffs are involved in the Wallace case. All of the plaintiffs would be adversely affected by the increase in hotel room density and the associated increase in pedestrian and vehicular traffic and other issues arising from this high-density development. For example, the resultant increase in emergency medical vehicle travel times were never even assessed by the County.

Further exacerbating the barrier island's existing access problems, the County approved a new hotel on Old Stickney Point Road that would severely negatively impact traffic flow on and off Siesta Key via its primary Stickney Point Rd and South Bridge access. Clearly this would significantly increase hurricane evacuation as well as EMS hospital travel times. But these Sarasota BOCC decisions do not just negatively impact Siesta Key property owners and businesses. Mainland residents and tourists seeking access to Siesta Key public beaches and other amenities will find travel to and from Siesta simply not worth the trouble, if not all but impossible many months of the year.

The five member BOCC some time ago approved a massive Benderson new mainland project on the ten-year vacant, 24-acre NW corner of Stickney Point and US 41. This new development that is currently underway demands a new intersection and stop light on Stickney Point Road between US 41 and the South Bridge which stop light, per FDOT, will stop East West traffic dead in its tracks about every 75 seconds. The FDOT approval is still being litigated with Wallace as plaintiff in that appeal to the Second District Court of Appeals.

This Siesta Key related madness is the result of totally irresponsible and illegal Barrier Island land use planning and BOCC decision making.

One County Commissioner did get it right, voting no - Commissioner Nancy Dietert stated before the final vote at the October 27, 2021 BOCC meeting: "I cannot be proud of something to be dictated with policy by someone who owns one acre, and that policy is for the entire County, makes me very uncomfortable." "We should take the time to do this right. As we sit here, this is probably the most important vote you will ever take in your political life."

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