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April 27, 2023

***Via Certified Mail and
Email Delivery to
srudacille@blalockwalters.com***

Scott E. Rudacille, Esq.
Blalock Walters, P.A.
802 11th Street W.
Bradenton, FL 34205

Re: Notice of Regulatory Impact dated March 17, 2023 concerning 24 North Polk
LLC, 24 N. Polk Drive, Sarasota, FL 34236

Dear Mr. Rudacille:

Please be advised that I am in receipt of and thank you for the aforementioned
Notice of Regulatory Impact.

Pursuant to § 70.001 (11) (a) 1.b., Fla. Stat. (effective Oct. 1, 2021), this
correspondence is intended to “describe the limitations” imposed upon the subject property
by the Ordinance referenced in the Notice but, in doing so, the City does not concede that
it is required to provide this response or that the Ordinance described imposes any
actionable limitation upon the property.

As you have noted, the property is located in the City’s RSF-1 zoning district and,
as such, its use is governed by the applicable provisions of Article VI, Division 2 of the
City of Sarasota Zoning Code and Chapter 34.5 – Vacation Rentals of the City’s Code. On
May 4, 2021, the City adopted Ordinance No. 21-5353, which created Chapter 34.5 of the
Code, a comprehensive regulatory framework for the City to contend with the proliferation
and deleterious effects of vacation rentals in its residential zones. Inasmuch as Ordinance
No. 21-5353 may be said to have “impose[d] limitations” upon your client’s property, all
such limitations may be found in Chapter 34.5.

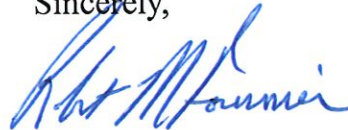
The Notice states that § 34.5-16 of the City’s Code, governing the occupancy of
vacation rentals in the City’s residential zoning districts, “is restrictive of uses allowed on

the Property prior to the enactment of the Ordinance.” To the extent that such regulation can be described as a limitation, the subject Property has a maximum occupancy of the lesser of ten persons or two (2) persons per bedroom, plus two (2) additional persons. Children under six (6) years of age are not included in the calculation of maximum occupancy. The City’s records indicate that the subject Property contains six (6) bedrooms, resulting in maximum occupancy of ten (10) persons, not including children under six (6) years old. Because the subject Property was not utilized as a vacation rental prior to May 4, 2021, the maximum occupancy set forth herein became effective on June 1, 2022, as provided for in Section 4 of Ordinance No. 21-5353. On January 3, 2022, the City adopted Ordinance 22-5392, which amended other sections of Chapter 34.5 but not section 34.5-16 governing maximum occupancy.

Without conceding the necessity of this response or waiving any objection to the characterizations set forth in the Notice, I trust that this correspondence fully complies with § 70.001 (11) (a) 1.b., Fla. Stat. (effective October 1, 2021) and request that you advise me at your earliest convenience of any perceived deficiencies herein.

Finally, I look forward to working with you on behalf of the City to resolve this matter.

Sincerely,



Robert M. Fournier
City Attorney
City of Sarasota

RMF/lg