

Subject: Omission of restrictive covenants by Applicant from CPA 2022-B and related DOCC application

From: Susan Schoettle <spgumm@mailmt.com>

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Matt, Bret and Hannah - I have reviewed most of the materials submitted by the Applicant for CPA 2022-B and the related DOCC application. I have not found any reference to the attached restrictive covenants that apply to lands north of the north boundary of the Bern Creek Ranches rural subdivision and east of Gum Slough. These restrictions were part of a cooperative settlement related to the location of a major transmission corridor by FPL. A group of residents of eastern Sarasota County successfully engaged in the administrative approval process and, with the support of FPL, were able to have the corridor relocated from the north boundary of Bern Creek and other areas negatively impacted by the proposed corridor. If I am mistaken about the absence of these recorded restrictions from the development review and the applications, please provide me with details on the location of this information in both applications and with how the County will require that the covenants are fully complied with and will be into perpetuity. The covenants do allow for transfer of development rights from the wetland area; however, they do not allow any impervious surfaces, pavement, structures, or other development within or affecting the protected area.

These covenants apply to linear wetland systems and were recorded and are intended to apply in perpetuity. The omission of these restrictive covenants from the application materials relating to CPA 2022-B and associated DOCC is difficult to comprehend as the consultant that has submitted the applications for these development proposals (Stantec) is the same consulting firm that has provided at least one annual monitoring report on the linear wetlands. I have been in touch with Glenn Compton, President of Manasota-88, and it is his intention to insure that the covenants and commitments regarding this land are followed and the wetlands protected in perpetuity. Mr. Compton is out of the country at the present time but will be following up on this matter with the County and the Applicant. Please feel free to contact me if you have questions about these restrictions as I was one of the citizen leaders opposing the initial corridor for the FPL major transmission line and may be able to provide some additional background information.

I look forward to hearing from the County regarding the necessity of including these restrictive covenants in any development approvals related to the affected land.

Regards, Susan Schoettle

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—Attachments:—

Recorded Restrictions with Management Plan.pdf

2.3 MB