

THE SARASOTA

No. 44 — July 19, 2013

News Leader

The Progressive Voice Of Southwest Florida

MULTIPLE CAUSES FOR ALARM

PROPOSED 8 PERCENT JUMP

JUSTICE DELAYED

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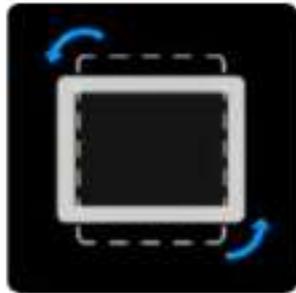
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A.K.A. HELP

SARASOTA NEWS LEADER

The Progressive Voice of Southwest Florida

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Welcome

Given the revenue losses newspapers nationwide have faced, staff reductions have been understandable. However, one bit of evident downsizing that never has made sense to me has been the loss of copy editors.

As much as I love to edit copy — yes, I really do! — I still miss things. When I am figuratively wearing my reporter's cap, I am prone to leave out a word here and there or not think about background information I should include in an article, leaving puzzling gaps.

Fortunately, we have an excellent copy editor in Vicki Chatley. Behind-the-scenes people at most publications never get the attention they deserve, but Vicki *really* should be in the spotlight every week. Sometimes she and I laugh after an issue is “put to bed,” because she had me scurrying around to fill in holes so you, our readers, would not have to scratch your heads over them.

This was one of those weeks when some things just did not make sense, so Vicki kept after us until they did. In the end, you have much more in-depth stories to savor.

All that being said, you will find greater diversity among the topics Vicki worked through this week — from former Sarasota GOP Chairman Bob Waechter's legal woes to city officials scrapping over the proposed budget to new development planned for Sarasota County.

Oh, and there is plenty happening again on Siesta Key — from serious county and FEMA code violations to more vandalism in endangered birds' nesting areas.

Rachel Brown Hackney

Editor and Publisher





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Front cover: *Basking in the late-day sun* - Norman Schimmel
Sarasota Leisure: *A lagoon for herons* - Robert Hackney



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MULTIPLE CAUSES FOR ALARM

The ground level part of the house at 6537 Sabal Drive has been enclosed with only one point of ingress or egress. Photo by Rachel Hackney

THE COUNTY FILES A LAWSUIT AGAINST SIESTA KEY PROPERTY OWNERS WHO HAVE NOT OFFERED ANY RESPONSE TO NOTICES AND LEGAL RULINGS THAT THEY HAVE VIOLATED BUILDING AND FLOOD CODES

By Rachel Brown Hackney
Editor

The listing on the Vacation Rentals by Owner (VRBO) [website](#) offers a glowing description of the house located at 6537 Sabal Drive on south Siesta Key:

“This is an absolutely beautiful enclave on Siesta Key. Beautifully and tastefully furnished to a very high standard. Pet and Family friendly!!! ... Newly built in 2012!! This is [a] 12 Bedroom/5 Bath divided residence ... Family

reunions, wedding receptions, multiple family ... or even the couple’s romantic get-away, we can cater to almost ANY occasion!! This EXPANSIVE home is situated on a double sided lakefront lot, with lots of room for kayak-

“*While we have aggressively pursued this through Code Enforcement, we believe it’s advantageous at this time to go to court and seek redress ...*”

Stephen DeMarsh
County Attorney
Sarasota County

ing, fishing, or paddle boating right in your backyard. Exclusively hidden neighborhood, very quiet, fantastic vacation enclave.”

The VRBO website listing says the house

rents for \$4,500 a week from January through April; that drops to \$3,900 a week from September through December.

But after Julie Miller Jones of Arden Hills, MN, and members of her family walked inside in early November 2012, Jones was alarmed, she wrote in a formal statement for Sarasota County Fire Safety Inspector Katelyn Qualey.

“[W]hen we got there we were concerned about the safety of all, but particularly families with babies staying in the lower level. None of the six rooms in the basement, billed as bedrooms, had windows, egress or sprinkler systems. For the entire space, there was only one door for egress and a plate glass window in the ‘kitchen’ which would need to be broken in the event of a fire blocking the other door.”

After researching Florida building codes on the Internet on Nov. 5, 2012, Jones continued in her email, she “started calling various agencies in the [county] ...” Once she and her family members had secured other accommodations, she invited Qualey and county Code Enforcement staff onto the property on Nov. 7 “and stayed with them while they took pictures and documented various areas where the property failed to meet standards set by the jurisdiction,” she added in her formal statement.

When Fire Inspector Qualey went into the house on Nov. 7, 2012, she noted in a report “several areas of concern related to safety — improper exits, TVs hung on walls with wire ...”



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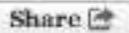
Arrival



Home | USA | Florida | Florida South West | Siesta Key | Private Homes | VRBO Listing #220236



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Expansive Beachside 12 Bedroom Siesta Key Enclave W/ Pool and Hot Tub



Photos

Video

Map

Calendar

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★★★★★ 31

12 Bedroom /
5 Bathroom
Sleeps 40

Arrival



Departure

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The website www.vrbo.com offers information to people interested in renting the house at 6537 Sabal Drive on Siesta Key. Image from www.vrbo.com

On Nov. 19, 2012, county Code Enforcement Officer John Lally issued a Notice of Violation/Notice to Obtain Permit to The Daniels Law Firm in downtown Sarasota, the registered agent for the property owner, Siesta Resorts LLC.

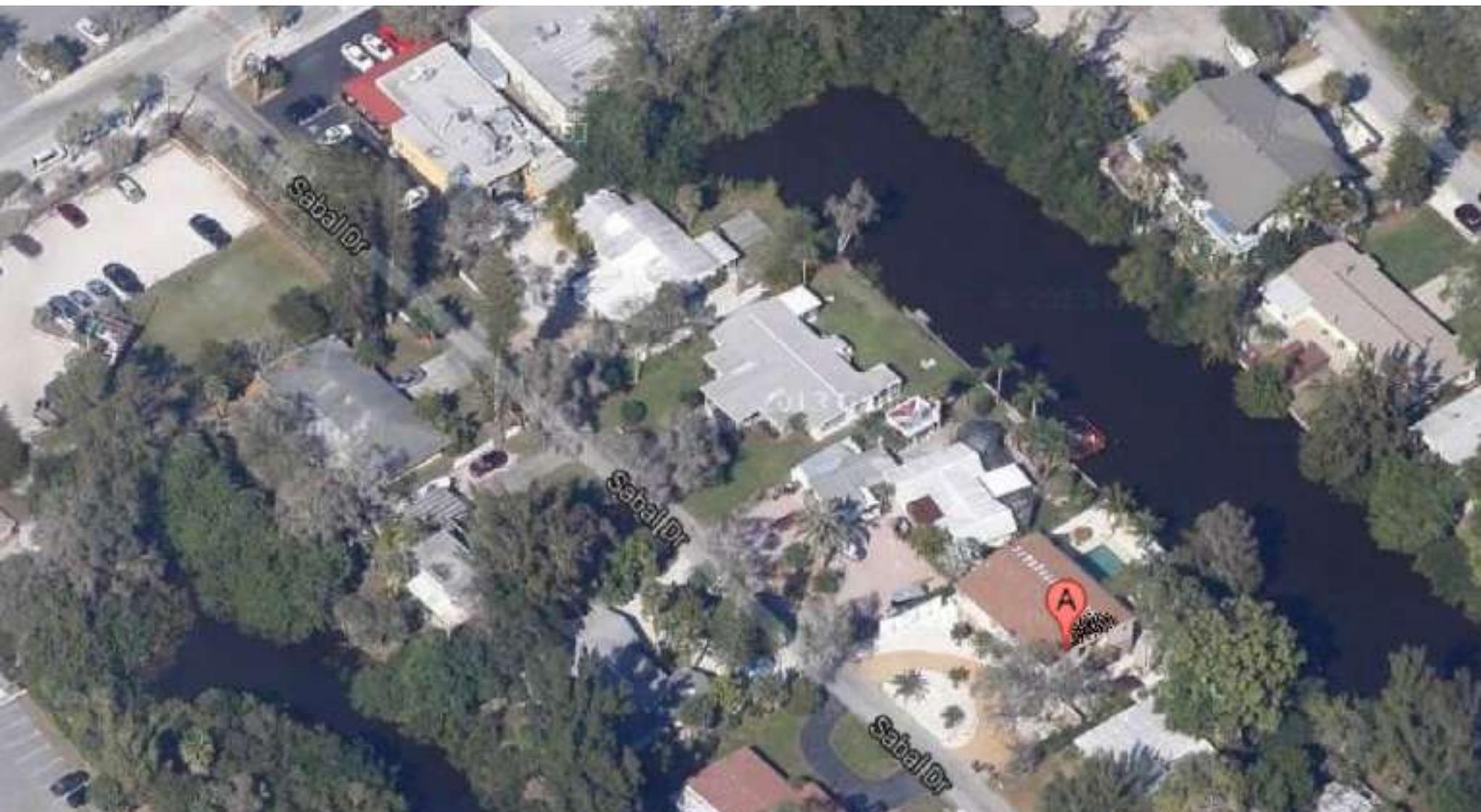
Under “Statement of Facts,” Lally wrote, “Residential alterations without a permit including windows, entry door, electric, plumbing, A/C and ductwork. A shed, deck & covered deck also installed without a permit. Obtain an after the fact permit for all items that are [allowed by the code]. Items that are not [allowed by permit] will have to be removed.”

During hearings before a Sarasota County Special Magistrate, neither anyone from The Daniels Law Firm nor the trustee of Siesta Resorts LLC — Sarasota chiropractor Dr. Craig

Siegel — showed up to offer any comments or defense. The Special Magistrate found the property in violation of both county ordinances and Federal Emergency Management Act (FEMA) regulations regarding construction in flood zones. As a result, on June 14, the magistrate imposed a fine of \$250 per day for the first day of noncompliance in each case and a fine of \$500 per day for each subsequent day the property remained in noncompliance.

With the fines mounting, there still has been no response from the Daniels firm or Siegel.

As a result, County Attorney Stephen DeMarsh on July 9 sought County Commission approval to file a civil lawsuit against Siesta Resorts LLC to seek remedies. “While we have aggressively pursued this through Code Enforcement,” DeMarsh explained to the board,



An aerial view shows the house at 6537 Sabal Drive located adjacent to a section of canal on the southern part of Siesta Key. Old Stickney Point Road runs diagonally across the upper left-hand part of the image. Photo from Google Maps



An outside staircase leads to the second floor of the house. Photo by Rachel Hackney

“we believe it’s advantageous at this time to go to court and seek redress ...”

Commissioner Nora Patterson — who lives on the north end of Siesta Key — did not hesitate to make a motion authorizing the filing of the lawsuit.

Referring to the law firm and Siegel, Commissioner Joe Barbetta asked DeMarsh, “Are they just non-responsive or do they just think they’re not in violation? I don’t understand what their defense would be.”

DeMarsh replied that both parties had been non-responsive.

“It’s incredible!” Barbetta said.

The motion passed unanimously.

Assistant Attorney David M. Pearce filed the complaint on July 17; he had shown *The Sarasota News Leader* a draft of it a day earlier.

CHANGES ON THE PROPERTY

Among documentation Sarasota County has accumulated for its lawsuit is a pair of print-outs from the county Property Appraiser’s Office. In 2012, the total building area listed for the house on Sabal Drive was 4,928 square feet, with the finished living area listed at 2,245 square feet. That reflects one living unit with four bedrooms and two bathrooms, the record shows.

The house also has a pool that was built in 2009.

The 2013 property record says the total living area has increased to 4,390 square feet. It also shows that the house encompasses two living units with a total of 10 bedrooms and five bathrooms.

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4090 S. Tamiami Trail, Venice, FL 34293 // Phone: (941) 861-3280

NC 00126

NOTICE OF VIOLATION / NOTICE TO OBTAIN PERMIT

CASE NO. CB-12-23

ISSUED TO: The Daniels Law Firm, P.C. Responsible For Siesta Resorts LLC

ADDRESS: 1105 Main Street, Sarasota, FL 34236 PHONE: _____

LOCATION OF VIOLATION: 6537 Sabal Drive, Sarasota, FL 34242

PROPERTY IDENTIFICATION NUMBER: 0108-09-0002

DATE OF VIOLATION: November 7, 2012 TIME: 1:40 pm

YOU ARE HEREBY NOTIFIED THAT YOU ARE IN VIOLATION OF SARASOTA COUNTY CODE, SECTION 22-34.184.1 AND/OR FLORIDA STATUTE 553.79 (1)

STATEMENT OF FACTS: Residential Alterations without a permit including Windows, Entry Door, Electrical, Plumbing, A/C + Dr. Trunks, a Shedy Deck + Concrete Deck also installed without a permit. Obvious. And AFTER THE FACT Permit For all items that are permissible. Items that are not permissible will have to be removed.

IMMEDIATELY STOP ALL WORK

CODE ENFORCEMENT OFFICER: John Lally PHONE: 941-915-7545

DATE OF ISSUANCE: November 19, 2012 TIME: 10:57 AM

RECEIVED BY: Certified Mail + Posting

YOU ARE REQUIRED TO TAKE THE FOLLOWING ACTION

Obtain an after-the-fact permit, which shall be charged the usual permit fee and a penalty fee of (3) three times the usual permit fee. Notify Code Enforcement at (941) 861-6403 or (941) 861-3280 when the permit is issued to avoid any further penalties. Failure to apply for the required permit within 30 days of the date of this notice will result in the issuance of a Citation.

NOTE: YOU MAY NOT BE ABLE TO OBTAIN AN AFTER-THE-FACT BUILDING PERMIT FOR THE WORK PERFORMED IF THE CONSTRUCTION VIOLATES THE SARASOTA COUNTY CODE OF ORDINANCES OR OTHER REGULATIONS, WHICH WOULD REQUIRE THE CONSTRUCTION TO BE REMOVED.

THIS FORM MUST BE SUBMITTED WITH YOUR PERMIT APPLICATION

WHITE - OFFICE YELLOW - VIOLATOR PINK - FILE

Sarasota County Code Enforcement Officer John Lally issued this Notice of Violation for the 6537 Sabal Drive property on Nov. 19, 2012. Image courtesy Sarasota County

The VRBO website has photos showing bunk beds and loft-type beds, by way of explaining how the house can accommodate up to 40 people.

The 2013 just market value of the property, which has a total land area of 10,206 square feet, is \$646,300.

On Dec. 31, 2012, it was deeded to Siesta Resorts LLC for zero dollars from Conrado Salas Jr., who had acquired it in October 2010 for \$100 from Siesta Vacations Inc. Dr. Craig Siegel is the trustee of the Siesta Resorts land trust, property tax records show.

According to county tax records, the principals of Siesta Resorts LLC are Jason Walsh and Susan Siegel.

Siegel has a practice called State Street Spine located at 1379 McAnsh Square in downtown Sarasota, according to www.sarasotaflorenchiropractors.com. The website also says he has been a chiropractic physician since 1998, having completed his doctorate in chiropractic medicine at Life University in Marietta, GA, in the spring of 1996.

Siegel recently applied for a homestead exemption for the house, according to county staff emails provided to *The Sarasota News Leader* through a public records request. Email exchanges show a Code Enforcement officer notified the Property Appraiser's Office that the house is used as a rental property.

TWO ISSUES

The county Code Enforcement cases revolve around two issues: construction that does not comply with the building code and the violation of FEMA regulations.

County documents show that Siegel submitted an application on Dec. 27, 2010 for construction on the site with an estimated total cost of \$94,000.

A Sarasota County permit was issued on Jan. 14, 2011 for the installation of "a single-family manufactured home" on the parcel. That permit included a FEMA Flood Insurance Program Elevation Certificate and Instructions.

To comply with flood zone rules, "the structure was elevated over [an] open unfinished storage enclosure of flood resistant materials and with flood openings," county records show.

However, contrary to code, the storage area was converted to a sleeping and living area with bathrooms and a laundry room. The required flood openings were sealed, says a report written on Jan. 14 of this year by Martin Duran, a Sarasota County Code Enforcement Officer.

A Notice of Violation and Order to Correct Violation issued by the county on Nov. 30, 2012 points out that in the flood zone where the house is located, "enclosed areas below the lowest floor shall be used solely for the parking of vehicles, building access or limited storage. And such areas shall be designed and constructed to automatically equalize flood hydrostatic focus on exterior and interior walls by allowing for the entry and exit of floodwater."

A Special Magistrate issued an Order to Correct and Notice of Penalty Hearing Form to Siesta Resorts LLC on March 22 of this year, detailing the violations of FEMA regulations. With no response from the Daniels Firm or Siegel, the case proceeded to the Special Magistrate hearing on June 14, when the penalty order imposing a fine was issued.

Regarding the building violations: Code Enforcement Officer Lally issued an Affidavit of Violation on March 25 of this year, providing details about the residential alterations undertaken without a permit, including electrical, plumbing and ductwork.

The Special Magistrate on June 14 then issued the penalty order imposing the fine in that case.

The Daniels Law Firm did not respond to messages left by the *News Leader* this week. 

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PROPOSED 8 PERCENT JUMP

The City Commission listens to a Parking Advisory Committee presentation this spring. Photo by Norman Schimmel

CITY TO TAP RESERVES, RAID INSURANCE FUNDS AND HIKE THE MILLAGE RATE TO BALANCE THE 2014 FISCAL YEAR BUDGET

By Stan Zimmerman

City Editor

It is an exercise that takes the U.S. Congress months, and it often misses the deadline. For Sarasota City government, it is an exercise that takes days and the commissioners never miss their deadline. It is the creation of an annual budget.

Make no mistake: Both are exercises in acrimony, because the process of deciding who gets what is as old as Alexander's knot-cutting sword. Fundamentally, the job of any government is the redistribution of wealth.

For thousands of years, that wealth went from the peasants to the king. In today's Sarasota, Florida, the process is a little more complicated.

THE NUB

Next month, city property owners will receive a Truth in Millage notice. The TRIM postcard will tell taxpayers how much each taxing body wants for the coming fiscal year. By law, it contains something called "the rollback rate," guaranteed to confuse many homeowners, because any tax rate higher than the "rollback" is often seen as a tax increase.

For Sarasota city property owners, the rollback rate this year is 2.8480 mills, or \$2.85 on every \$1,000 of appraised value of the taxable property. But the tax rate decided by city commissioners on July 17 is a tad higher, at 3.1738

“ *This is an extravagant budget [item]. We don't need spin doctors.*

Shannon Snyder
Mayor
City of Sarasota

”



City commissioners and staff continue to grapple with how to pay for parking enforcement. Photo by Norman Schimmel

mills. Kicking aside the decimals, the latter represents an 8.5 percent increase in taxes. For a home valued at \$200,000, that represents a tax bill \$49.58 higher than last year (or 14 cents per day).

Commissioner Susan Chapman made the motion to approve the proposed millage rate for the 2014 fiscal year; Commissioner Suzanne Atwell seconded it, and it passed 3-2 (Commissioners Paul Caragiulo and Mayor Shannon Snyder in the minority). The 3.1738 mills is a line in the sand; commissioners can lower the rate later, but they cannot go above it when they adopt the final FY 2014 budget.

It took two days of focused meetings to arrive at the final number. Between the opening prayer and the closing gavel, a great deal of information was traded between staffers and commissioners. Most of it was bleak.

The exercise began with a growing budget, up 8.4 percent over the current period. Revenues lagged \$3.4 million behind planned expenses. Instead of spending two days whittling away the deficit, commissioners piled on more expenses into the FY 2014 budget.

NEW INITIATIVES

A number of additional projects were conceived at a November strategic retreat involving the commissioners and staff. Two city parks will receive master plans next year, for example. North Water Tower Park and Gillespie Park will be examined for \$50,000 and \$30,000 respectively.

The city is budgeting \$300,000 for an “urban design studio” for two consultants to develop



City Auditor and Clerk Pam Nadalini. Photo by Norman Schimmel

a new zoning code for the city. The effort is expected to last three years in producing a “form-based code.”

Also new in the budget are a couple of initiatives proposed by City Manager Tom Barwin. One is \$100,000 for caseworkers to help homeless and vagrant people. Barwin also wants to encourage training for all city employees, and he budgeted that at \$15,000 along with a \$50,000 line item for employee development, including tuition reimbursement and professional training.

City Auditor and Clerk Pam Nadalini added \$200,000 to the budget, asking for the money to repair the city’s aging audio-visual equipment that allows meetings in City Hall to be broadcast on cable systems and streamed on the Internet. The system has begun to fail, she

said; it needs new cameras and a switcher. “We’re praying everything will keep working,” she noted.

All totaled, the “strategic plan funding needs” added nearly \$816,000 to the new budget.

THE FATE OF ONE WOMAN

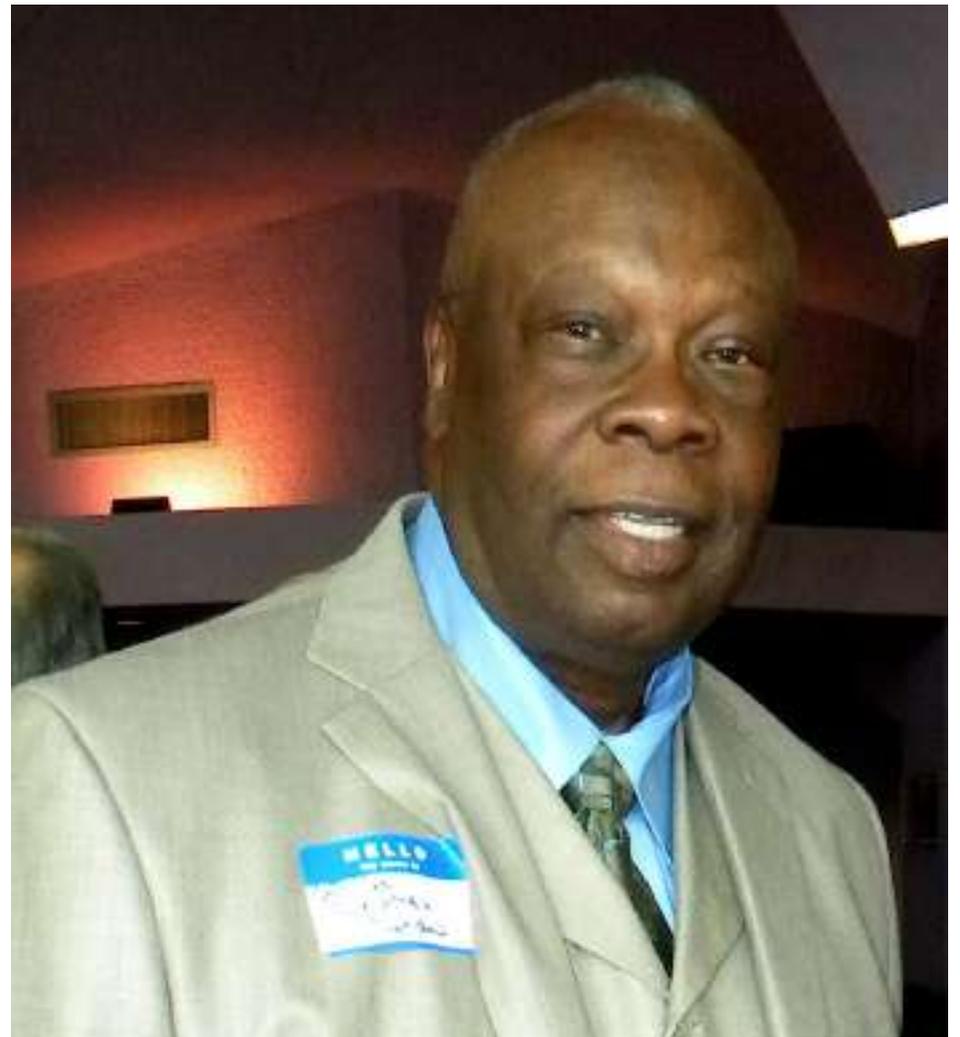
One issue kept popping up during the budget discussions — the fate of Jan Thornburg. She is the city’s public information officer, an eight-year veteran on the job and a former news reporter from Tampa. She has won multiple awards for her work with the city, but her boss decided she was not needed any more.

“My intention was to eliminate the position and reallocate those funds for a new internal auditor and repairs to the audio-visual system,” said Nadalini. At issue was the \$116,000 in pay and benefits for Thornburg.

Nadalini wanted to keep the money in her budget. At least two city commissioners thought otherwise. And Barwin wanted Thornburg to work in his office. It became a white-gloved battle of charter officers in front of their masters, the city commissioners. Then the gloves came off.

Did the city need a public information officer? “This is an extravagant budget [item]. We don’t need spin doctors,” said Mayor Shannon Snyder.

“I’m thinking of the taxpayers — to cut the position and keep the money, with no justification to keep the money,” said Commissioner Chapman. “And we have an unresolved legal issue.”



Vice Mayor Willie Shaw. Photo by Norman Schimmel

The “legal issue” revolves around a letter Thornburg sent to all five city commissioners earlier this month. At press time, the city attorney had not completed the redaction of legal and medical issues from the letter to make it public. Thornburg herself is out of the office until August.

The tug-of-war over who controls city public relations has been going on quietly for years. It eventually emerged into a public referendum on last November’s ballot to change the city charter, including stripping Nadalini’s office of the public information and information technology responsibilities. The initiative failed at the polls.

However, by a 4-1 vote (Snyder in the minority) the commissioners agreed to shift the public information position to Barwin’s office, but

they allowed Nadalini to keep the \$116,000 in her budget.

The battle continued when Chapman — with Commissioner Willie Shaw's second — moved to ask the Institute of Internal Auditors (IIA) to conduct an "external quality assessment" of Nadalini's auditors. Nadalini said such an audit would place a heavy responsibility on her auditing staff, so she wanted to hire a third person.

"Clearly, if my department is not adequately staffed, it takes a significant amount of work to cooperate with the IIA staff when they come in," she said.

The motion failed 2-3. Atwell and Chapman were in the minority; Shaw failed to support the motion he seconded. A subsequent motion to call for an audit of Nadalini's office after she hired a third auditor passed unanimously.

THE BOTTOM LINE

For a number of years, the city has tapped into one-time funds to keep the books in balance. For next year's budget, it will transfer \$500,000 from the reserves of the solid waste and self-insurance funds for the second year to help make ends meet. However, the commissioners were told those funds are now tapped out, and any future "raids" will require rate increases.

The one pot of money the commission continues to tap is the general fund reserves, known officially as the "revenue stabilization fund." And for next year, the commission proposes to pull out another \$1 million. The bottom, though, is in sight for those monies. There will

be about \$1.4 million left, meaning a year from now, when the fiscal year 2015 budget is being developed, the "revenue stabilization fund" will be good for one last drawdown.

In addition to hitting the reserves for \$1 million, the commissioners also called for a \$250,000 increase in parking revenues to balance the upcoming budget. The Parking Department next year will require a \$500,000 subsidy to stay in operation.

Parking Director Mark Lyons presented four options that had been discussed by his Parking Advisory Committee. Two were non-starters, calling for drivers to pay for on-street parking. One option was a continuation of the current — everything free — system that requires the half-million-dollar annual subsidy.

The fourth option was unanimously opposed by the Parking Advisory Committee, which said it is "not financially sustainable" even though it would seem to raise the money the City Commission needs. That option would continue free on-street parking, but it would demand payment at parking garages and establish a paid employee parking system.

Commissioner Shaw at one point offered a motion to cut through all the gimmickry and simply raise taxes to pay for the spending plan: no one-time transfers, parking gymnastics or raids on the reserves. The proposal would cover the \$3.4 million deficit with a 20 percent increase in the millage rate. The 3.5112 mills would cost the owner of a \$200,000 house an additional \$117 per year, or 32 cents per day.

Shaw's motion failed for lack of a second. 



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JUSTICE DELAYED

Bob Waechter (second row, far left) watches the swearing in of new county commissioners on Nov. 20, 2012. Photo by Norman Schimmel

FORMER GOP CHIEF'S DAY IN COURT PUSHED BACK

By Cooper Levey-Baker

Associate Editor

The trial of a former Sarasota County GOP chairman accused of a third-degree felony, originally slated to begin next month, has been pushed back to the fall because the Sheriff's Office has not yet finished a forensic analysis of computers seized during the investigation.

The jury trial of Bob Waechter, the head of the Sarasota Republican Party from 2004 to 2006, had been scheduled to begin Aug. 19, with a pre-trial docket sounding penciled in for July 29. But Assistant State Attorney Brian Iten and Waechter attorney Stephen Walker, citing "unexpected delays" in case preparation, agreed to push the trial back to Oct. 21, with a docket sounding now scheduled for Oct. 7.

"We're still waiting on the results of the forensic analysis of some of the computers," Iten

explains to *The Sarasota News Leader*. He says his office doesn't expect to pursue any additional investigations before the trial begins, and that the October court date should hold.

Walker did not respond to a phone call.

Waechter is facing a [Criminal Use of Personal Identification Information](#) charge stemming from a complaint lodged last year by Sarasota County Council of Neighborhood Associations President Lourdes Ramirez. Ramirez, a likely Republican candidate for the County Commission next year, went to authorities after she received a note sent by Democratic congressional candidate Keith Fitzgerald's campaign, thanking her for donating \$200 to the Fitzgerald effort in 2012.

Problem: Ramirez never donated anything to Fitzgerald, and she “felt someone had stolen her identity,” according to the probable cause affidavit filed for Waechter’s arrest.

The Sheriff’s Office was able to pinpoint the prepaid credit card used to make the false donation (a \$35 donation was also made to the campaign of Democratic state House candidate Liz Alpert), as well as the Bee Ridge Sweetbay where the card was purchased. Store surveillance footage showed someone resembling Waechter purchasing the card, and the investigating detective also discovered that the donations were made from an IP address affiliated with Waechter’s company, RWR Installations. Waechter turned himself in Dec. 14, 2012 and was released on a \$1,500 bond.

Since being arraigned, Walker has deposed a number of people involved in the case, including Alpert and Ramirez. Ramirez tells the *News Leader* her deposition lasted only a half-hour and was mostly pro forma. She says she’s waiting for the trial to conclude before officially launching her County Commission campaign because she wants to see who else knew about the false donation scheme so she can “avoid them.”

She’s also re-filed a complaint with the Federal Election Commission, which she argues should take civil action against Waechter: “I want to send a clear message that there’s an identity theft issue, but there’s also a federal election violation.”

She points out that on March 16, Sarasota Demands Accountability, a political committee registered at Waechter’s home address, donated \$28,000 to Citizens Have Rights in Sarasota,



Lourdes Ramirez addresses the County Commission regarding transfers of development rights. Photo by Norman Schimmel

a committee registered at the address of Eric Robinson’s CPA firm. Robinson served as local GOP chairman from 2006 to 2008; his wife, Christine, holds a seat on the County Commission. “They’re still out there working behind the scenes, as if nothing happened,” Ramirez says.

Since being arrested, Waechter has resigned from his position on the county’s Tourism Development Council and its Board of Zoning Appeals. He also withdrew from his post on the Sarasota Manatee Airport Authority.

Waechter has long been influential in local GOP politics: He co-chaired the county’s Bush-Cheney reelection campaign, and last year he supported the campaigns of County Commissioners Carolyn Mason, Christine Robinson and Charles Hines — all winners. 

A close-up photograph of a woman with long, dark, wavy hair, wearing a black top. She is holding a very large sandwich with both hands. The sandwich is made with a large, round, golden-brown roll. It is filled with fresh green lettuce, a thick slice of white onion, a slice of red tomato, and a dark, textured filling, possibly meat or a veggie patty. The woman's face is partially visible at the top of the frame, showing her nose and a slight smile.

This may take a while.

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DATE CERTAIN

The U.S. Capitol. Photo by Raul654 via Wikimedia Commons

JUDGE NAMES TRIAL DATE IN YEARS-OLD BUCHANAN DISPUTE

By Cooper Levey-Baker

Associate Editor

A years-old business dispute involving U.S. Rep. Vern Buchanan of Longboat Key may finally have an end point in sight: July.

July 2014, that is.

The dispute between Buchanan, the Sarasota Republican, and Sam Kazran, a former business partner, stretches all the way back to September 2008, when Kazran originally filed suit against the congressman and his company, 1099 Management. But the case has picked up steam since March 2012, when Kazran's attorneys [filed](#) a second amended motion.

That motion accuses Buchanan of “defrauding Kazran,” as well as “abusing the good offices of this Court to silence Kazran regarding numerous election laws which were knowingly violated by Buchanan during his run for public office.” The filing claims “Kazran lost his entire business” and more than \$40 million in the process. The judge in the case this year gave Kazran's attorneys leave to assert a claim for punitive damages.

“*The judge is pretty adamant that that is going to be the date.*”

Josh Kon
Attorney
Stok Folk + Kon

Kazran has repeatedly maintained that Buchanan instructed him to reimburse employees for \$67,900 worth of contributions to Bu-

chanan's 2006 and 2008 congressional campaigns, a violation of campaign finance rules. The Federal Election Commission filed suit against Kazran for the scheme in late 2010. Kazran has claimed he didn't know the reimbursements were illegal, but he settled with the FEC last year, agreeing to pay \$5,000. The Buchanan team has called Kazran's charges "ludicrous."

In a deposition taken by Buchanan's lawyers last June, Kazran said Buchanan pressured him in October 2008 to sign an affidavit clearing Buchanan of any campaign finance wrongdoings as part of an agreement to settle their business dispute. That echoed claims Kazran made to the FEC in 2009.

"[Buchanan attorney John Tosch] told me, 'Sam, you got five minutes to sign the affidavit, or the deal is off,'" Kazran said, according to a transcript of the deposition.

"Did you ever tell Sam that if he did not sign the affidavit in five minutes, the deal was off?" Kazran attorney Robert Stok asked Tosch during a deposition of Tosch recorded this January.

"No, sir," Tosch answered, according to the deposition transcript. "Sam said that under oath, and he's lying. He perjured himself. It never happened. That meeting never happened."

As that back-and-forth illustrates, the case is a thick stew of allegations and counter-allegations, with countless motions and appeals. But thanks to an order filed last month, some certainty is now in sight: A jury trial has been scheduled for July 2014.

Josh Kon, an attorney with Stok Folk + Kon, which is representing Kazran, tells *The Sara-*



U.S. Rep. Vern Buchanan. Photo from the U.S. Government via Wikimedia Commons

sota News Leader the long delay before the three-week trial starts is an effort to push the case to conclusion. He says an earlier date could have been set, but the case would have been bumped if there were any additional delays. Kon says the July time frame is solid: "The judge is pretty adamant that that is going to be the date."

Buchanan **avoided** being deposed last summer because, his team told the *Herald-Tribune*, his attorney, Mark Ornstein, became "seriously ill." Nonetheless, Kon thinks Buchanan will be deposed this fall.

Motions in the case continue to fly, even as of this writing, but Kon says the months leading up to the trial should be relatively calm: "There's not going to be much fireworks."

Somehow, that seems doubtful. 



BANKING ON A REAL ESTATE RECOVERY

Agricultural land and three existing buildings sit on the land currently zoned Open Use Estate (OUE-1) at 5005 McIntosh Road. Photo by Roger Drouin

TWO DEVELOPERS SEEK TO MOVE AHEAD WITH RESIDENTIAL PROJECTS: U.S. ASSETS GROUP III LLC WANTS TO BUILD 20 HOMES ON MCINTOSH ROAD; STALLED HUNTER CREEK ESTATES COMES BACK TO LIFE

By Roger Drouin
County Editor

As a sign of a strengthening real estate market, Sarasota-based development firm U.S. Assets Group III LLC is seeking to rezone 9.6 acres on McIntosh Road to clear the way for 20 single-family homes.

Steve Brown, a partner at U.S. Assets Group, is proposing two units per acre for a “cluster housing” development at 5005 McIntosh Road. The developer said he was unable to comment on the specifics of the project at this point in the approval process.

According a preliminary application filed with Sarasota County July 3, three existing buildings will be demolished to clear the way for 20 residential lots.

Cluster housing developments typically set aside smaller residential lots, usually allowing a portion of the land to be preserved as open space or a common area, according to the University of Minnesota. The idea was conceived by renowned New Urbanist architect Peter Calthroe of Sausalito, CA. Plans for U.S. Assets Group’s proposal submitted to the county show 80-foot by 120-foot typical lots with a required retention pond and open space on the northwest corner of the community. A gated private roadway is also evident in the plans.

The petition for the rezoning the developer is seeking will appear before the Planning Commission; the County Commission will have a final vote on the change.

The future land use for the property is moderate density residential, according to county documents.

The Amberlea neighborhood directly borders the property to the north and east.

The U.S. Assets development firm has been banking on a real estate economy that is projected to rebound. In 2012, it purchased 50 home sites in Bozeman, MT. Earlier this year, the development firm started construction of Grand Oaks, a gated residential community of 55 single-family homes in Venice.

In the past, the company has constructed projects ranging from the 17-story Beau Ciel downtown tower and marina to \$2-million luxury units at En Provence on Longboat Key. The latter project was completed in 2002.



A sign faces McIntosh Road on a portion of the 9.6-acre property. Photo by Roger Drouin



One of three existing buildings on the 9.6 acres. Photo by Roger Drouin

HUNTER CREEK ESTATES

As another sign of the recovering real estate market, the foreclosed Hunter Creek Estates subdivision appears to have a second life. A developer is applying for new approval of plans for the equestrian-orientated subdivision at 14567 Fruitville Road because the original permits have expired.

“What I am here today to do is to find out what we need to do to reactivate the approval of this project,” Ralph Rhodes, an engineer representing the developer, told county planners at the July 18 Development Review Committee meeting.

Under “Owner’s Name,” the application lists the contract purchaser as Terry Clayton. An Internet search located a Terry Clayton who is the managing partner of Florida Land &

Ranches in Jacksonville; he has the same telephone number as the one listed on the application. Florida Land & Ranches is a real estate development firm.

The subdivision, with lots ranging from 3 to 7.5 acres, was originally approved in 2005 as a conservation plat. Roads were built and sewer lines put in, but construction of the subdivision was halted during the real estate crash.

“The bank stopped funding,” Rhodes said.

SunTrust Bank took over ownership of the 330-acre parcel in January from Hunter Creek of Sarasota LLC, according to the Sarasota County Property Appraiser Office records.

Sarasota County planners said the developer has to resubmit plans and go through the approval process once again, since so much time has passed since the project originally was given the go-ahead. 



U.S. Assets Group III, LLC is requesting to rezone the 9.6-acre parcel at 5005 McIntosh Road from Open Use Estate (OUE-1) to Residential Single Family (RSF-2). Image courtesy Sarasota County

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SMA PLANS MIDDLE SCHOOL

According to county planning staff, a proposed charter middle school at the 8351 Fruitville site is compatible with surrounding properties. Image courtesy Sarasota County

THE ACADEMY IS SEEKING A REZONING FOR A 10.5-ACRE PORTION OF PROPERTY ON FRUITVILLE ROAD TO CONSTRUCT 35 TO 40 CLASSROOMS AND A LIGHTED ATHLETIC FIELD

By Roger Drouin
County Editor

Since Dan Kennedy opened Sarasota Military Academy 12 years ago, he has wanted to build a new middle school to prepare students for the charter high school.

There was not enough room at the academy's main campus on Orange Avenue in the Rosemary District downtown. Therefore, over the years, Kennedy had been looking for a piece of land large enough for the

middle school facility and within the Sarasota Military Academy's budget.

"I have been all over the county looking for sites," Kennedy said "I could never make the numbers work."

“ I have found through experience that middle school [graduates] often come to high school unprepared in certain areas.

Dan Kennedy
Headmaster and Co-Founder
Sarasota Military Academy



Then earlier this year, Kennedy discovered a 12-acre parcel east of Interstate 75. On July 17, Sarasota Military Academy's board of directors unanimously voted to move forward

with a project to build a campus that would house 35 to 40 classrooms. Plans show two single-story classroom buildings, an administrative and library structure, a gym and an athletic field to be used by both the middle school and high school.

Sarasota Military Academy (SMA) submitted its initial proposal to Sarasota County in May. On July 18, construction contractor Fred Starling, representing the school, presented preliminary plans during the county's Development Review Committee meeting. The academy is seeking a rezoning of the 10.5-acre parcel at 8351 Fruitville Road from Industrial and Research (IR) and Open Use Rural (OUR) to Planned Commercial Development (PCD).

The project is contingent on the rezoning of that portion of the property; the County Commission would have a final vote on the petition for that action.

"I think we can get you where you want to go, but it will be a little more complex than you might think it is," Kirk Crane, senior planner for Sarasota County, told SMA officials at the July 18 development review meeting.

If the rezoning is approved, Kennedy hopes to begin construction of the charter middle school in October and open it in August 2014.

"We have a very aggressive schedule, but we feel we can accomplish it," Starling said. The school plans to submit an application next week to the Sarasota County School Board, which approves the creation of new charter schools in the county.

The school would be constructed to initially house 400 students in the 2014 school year,



Since its opening, Sarasota Military Academy has proven one of the county's more popular charter schools. Image from the [website](#)

then expand to 600 to 650 students after a second phase of construction, Kennedy said.

Ultimately, plans call for 800 students in grades 6, 7 and 8. Kennedy said the academy would lease the property with the objective of purchasing it within five years.

"We did the same thing with our main campus," Kennedy noted.

When Sarasota Military Academy representatives met with county planning staff before the DRC meeting, staff told them they should seek a rezoning of the 9.5-acre parcel since educational institutions are an allowed use on property zoned as Planned Commercial Development.

According to county planning staff, a proposed charter middle school at the 8351 Fruit-

ville site is compatible with the surrounding church properties to the north and east of the site.

To the west, the property is bordered by land zoned as a major employment center (MEC), but county staff determined there is sufficient landscaping and space between the properties.

CENTERED AROUND A DRILL FIELD

The two single-story classroom buildings, administrative building/library and gym will all line a 200-foot long drill field, according to the plans submitted to the county.

“All students will be learning drill techniques,” Kennedy said.

Plans also call for a 360-foot by 150-foot lighted lacrosse and soccer field.

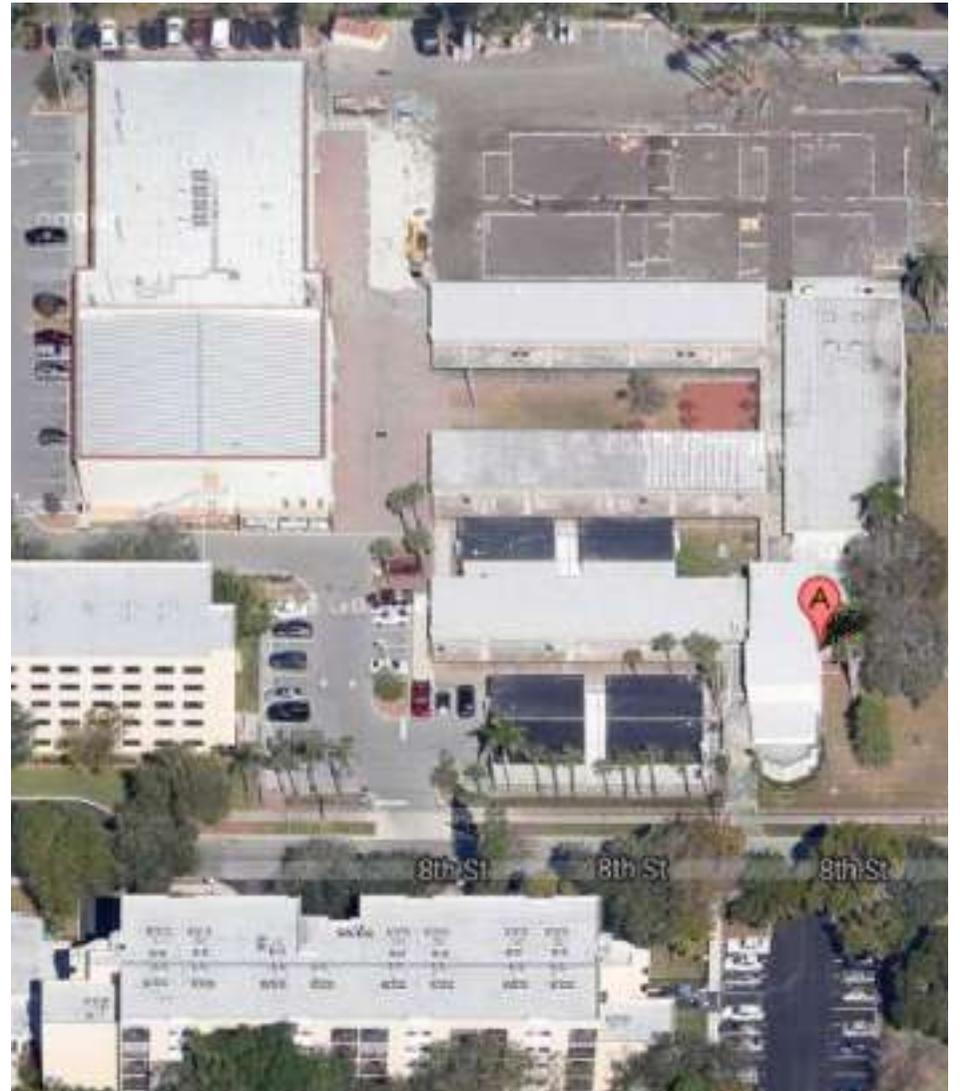
Both the middle school and high school teams will use the field. Currently, those Sarasota Military Academy teams must play at alternating parks because there is not enough space for a field at the Orange Avenue location.

“We need a home field,” Kennedy said.

There will be a total of 43,000 to 45,000 square feet in the structure on the new site, Sterling told the county planning staff.

The main impetus for a middle school comes down to preparation for the high school — where students participate in a vigorous curriculum that Kennedy describes as “not the easiest way to spend four years” and Army JROTC training.

“I have found through experience that middle school [graduates] often come to high school



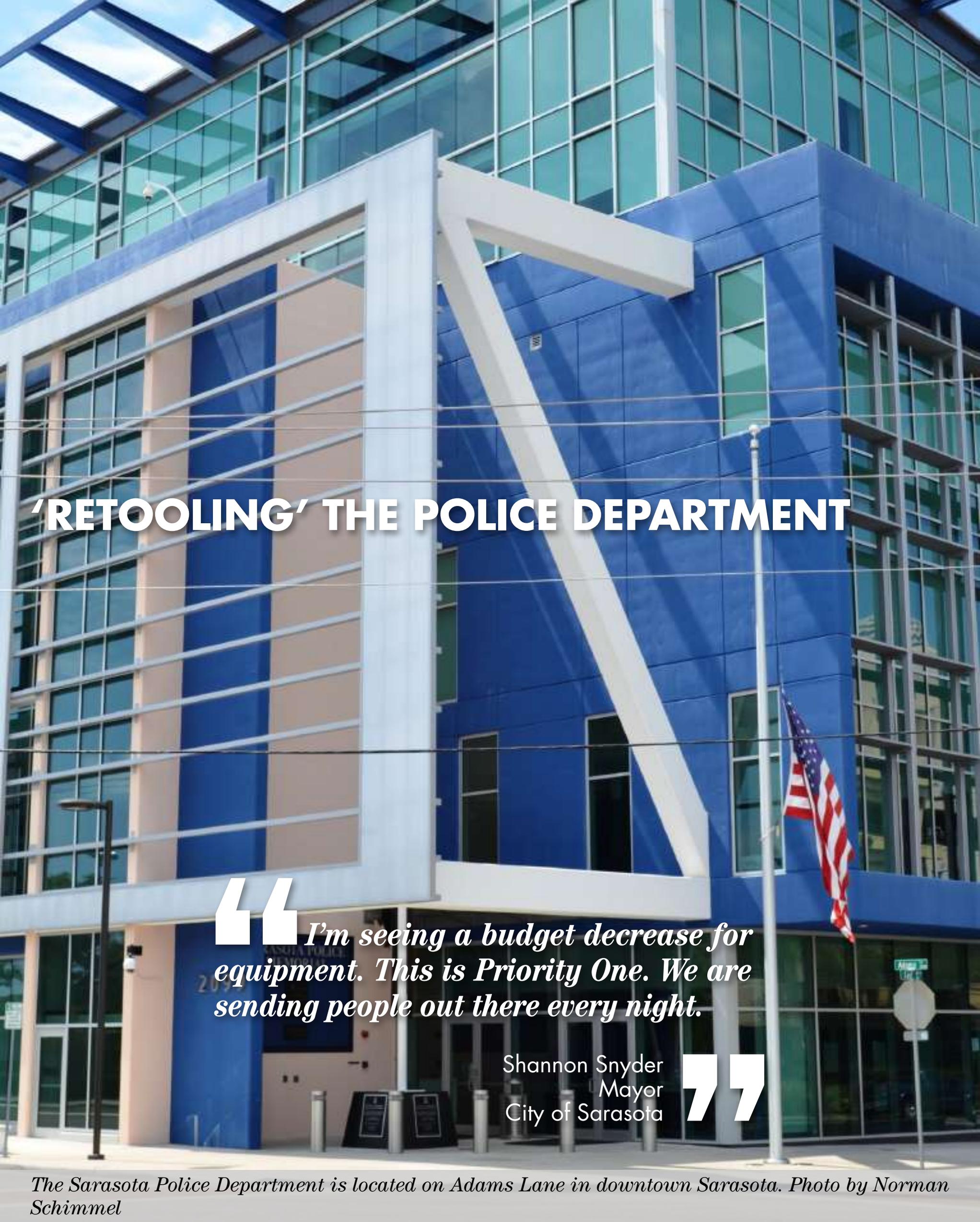
Sarasota Military Academy is located at 801 N. Orange Ave. in Sarasota. Image from Google Maps

unprepared in certain areas,” Kennedy pointed out.

The middle school would offer a “rigorous” academic curriculum, with electives modeled after some of the classes offered at the high school, including horsemanship, fencing, martial arts, drum line and forensics, Kennedy said.

Teachers will alternate between the high school and middle school so they know what is required of middle school students preparing for the high school, Kennedy added.

Sarasota Military Academy has been trying to meet demand for growth. A renovated main campus will be opening in September, Kennedy said. 



'RETOOLING' THE POLICE DEPARTMENT

“ *I'm seeing a budget decrease for equipment. This is Priority One. We are sending people out there every night.* ”

Shannon Snyder
Mayor
City of Sarasota



AS PART OF HER 2014 FISCAL YEAR BUDGET PRESENTATION TO THE CITY COMMISSION, CHIEF BERNADETTE DIPINO EXPLAINS HER REORGANIZATION OF UNITS

By Stan Zimmerman
City Editor

It is not the same city Police department anymore. In six months, a new chief has turned things upside down. Bernadette DiPino used her one-hour slot during the City Commission's budget workshop Wednesday, July 17, to explain the stamp she is putting on the department.

Starting at the top, she has remodeled the whole organization. The Sarasota Police Department is now divided into four bureaus. Two of them are headed by people DiPino recently promoted.

Six weeks ago, Pat Robinson was a police sergeant. Today he is the captain in charge of the largest of the four bureaus — Patrol Operations. When the current fiscal year began last Oct. 1, the SPD had 175 sworn police officers. When the new fiscal year begins, it will have 158 officers, and 98 of them will report to Robinson.

The Special Weapons and Tactics (SWAT) team, and the underwater search and rescue DIVE team also will report to Robinson — plus crisis negotiators, bomb defusers and other special operators.



Chief Bernadette DiPino (far right) addresses officers after their promotions in June. Photo by Stan Zimmerman

The new Office of Professional Standards will be run by veteran SPD Capt. Lucius Bonner. It will be home to the department's numerous volunteers, as well as the Crime Prevention Unit, the accreditation team, a planning and research section, and Internal Affairs. It also will be responsible for the [Citizens Police Academy](#), which begins July 31.

The department's first female captain — Corrine Stannish — is running the Bureau of Support Services, replacing the retired Capt. Jeff Carr on July 12. She will be in charge of records, training, the property and evidence unit, red-light cameras, special events, alarm enforcement and recruiting. The last is a critical function, because in five years, half of the serving officers will be retired.

The fourth new organization is the Bureau of Criminal Investigations, run by 28-year-veteran Det. Pat Ledwith. He is in charge of 24 sworn officers, including 17 detectives along with crime-scene technicians. His bureau is divided into four units — Crimes Against Property as well as those against persons and children, and the Vice/Narcotics Squad.

The Police Department has embarked upon a so-called High Point (NC) strategy of crime reduction, arresting serious criminals and threatening second-tier offenders with prison unless they promise to go straight. As *The Sarasota News Leader* has reported, the strategy has begun. Ledwith says the second-tier effort, using the carrot of deferred prosecution, is just getting under way.



Chief Bernadette DiPino. Photo by Norman Schimmel

WAIT, THERE IS MORE ...

Chief DiPino opened her presentation to the commission with a list of accomplishments. She has hired a deputy chief and a civilian public information officer, for example. In another organizational rearrangement, the Intelligence Unit now reports to the Office of the Chief.

Every sworn officer will receive 80 hours of "high-liability training per year," she said. That is a response to an analysis undertaken earlier this year by former SPD Chief John Lewis, indicating the force had nearly zero training over the past two years.

After Sarasota County Sheriff Tom Knight dropped his school resource officers stationed

in city schools, DiPino picked up the assignment, putting SPD officers in selected schools. The county School Board is picking up the tab for \$312,000. "We're embracing this," she said.

THE SAME PAGE

"The final budget request is a \$1,250,000 increase over last year's budget," DiPino told the commissioners. "Of the \$28.8 million total, \$16.4 million is for patrol, \$5.5 million is for support and administration, \$4.7 million for criminal investigation and \$2.1 million for the Office of the Chief," she added, referring to the four new bureaus.

Commissioners wanted to know how the city police worked with, and shared information with, the Sheriff's Office. None mentioned the June 18 appearance of the sheriff before the County Commission, when he said, "I can assure you we have rescued the City of Sarasota more in the past two months than we have in the previous four-plus years I have been sheriff."

Commissioner Suzanne Atwell asked if DiPino would share information with the Sheriff's Office. "We will be sharing back and forth," said DiPino.

However Mayor Shannon Snyder, a former sheriff's deputy, asked a series of pointed questions aimed at Adam Richter, the information technology manager for the SPD.

Richter replied, "They get a limited data set, a parsed-down version," referring to officers on the street.

"But not the details, the finer points," said Snyder. "Not the victim info or what was stolen or their procedures. Can our officers on the street look up records?"

"They have a limited ability," said Richter.

"Shouldn't there be a full integration of these two systems," asked Commissioner Paul Caragiulo, referring to records at headquarters and data available to patrol officers.

"Yes," said DiPino.

"Previously our radio systems were not coordinated with the county," said Commissioner Willie Shaw. "We could not talk with them and vice versa."

"We can communicate now," said DiPino. "Across North America," she added, referring to the city's new radio system.

Commissioners grilled DiPino further about equipment. "I'm seeing a budget decrease for equipment. This is Priority One. We are sending people out there every night," said Snyder. "How old are our firearms?"

"Every single one of them was broken down, parts replaced if necessary and redone," said Capt. Stannish. "We're trading some old Glocks for new ones."

"We don't have systems that interface. We need more cooperation, back and forth. We can no longer be parochial about this," Snyder responded. "We're all going to have to get on the same page." 

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Main Street improvements are under way in downtown Sarasota. Photo by Norman Schimmel

COUPLE CONVINCES COMMISSION TO HOLD OFF ON PART OF THE MAIN STREET IMPROVEMENTS; A NEW LAUREL PARK OVERLAY DISTRICT WINS APPROVAL; THE PROCLAMATION PROCESS MAY BE TWEAKED

By Stan Zimmerman
City Editor

A couple fights City Hall and succeeds. How can you qualify for a key to the city? And a neighborhood wins a possibly historic decision. These are the stories as we review the City Commission activity of July 15.

DO NOT LET ME DOWN

Louise and Parker Converse showed up before the meeting in a bit of a panic. They buttonholed the mayor to ask how they could speak to the commis-

sion about a city action they worried would put them out of business. By luck, the issue came up as the second item on the agenda.

The Downtown Improvement District is embarking on a \$1 million-plus series of improvements to Main Street. One of them will be the addition of \$57,000 worth of brick pavers to

the crosswalks at Main Street and Palm Avenue. The work will require a 16-day closure of the intersection, and that is what terrified the Converses.

“*We’ll be isolated and trapped on a dead-end block.*”

Parker Converse
Co-Owner
Artisan Cheese Co.

“We learned only this week the DID added in the brick,” said Parker. “We’ll be isolated and trapped on a dead-end block.”

The Converse couple owns Artisan Cheese Co. in the 1300 block of Main Street, across from the now-demolished Living Walls showroom and Sports Page bar and grill. The two businesses were razed to make way for an 18-story condo complex.

Louise Converse said their business dropped significantly when the rehabilitation of the sidewalks began. “We’re losing 50 percent,” she pointed out. “If the road is closed, we might as well go out of business.”

City commissioners seemed sympathetic. “Why not September?” asked Commissioner Susan Chapman. “Who wants it in July?” asked Commissioner Paul Caragiulo. “June and September are the lowest months [for economic activity].”

The contractor, who was in the audience, came forward. “We have no problem doing it in September,” said Jason Swift. “We can do it at any time.”

Commissioner Willie Shaw moved to switch the schedule to September, and the motion passed unanimously. As a petition for redress, the Converses’ plea may have set a record for alacrity.



Then Mayor Suzanne Atwell participates in a presentation to internationally known aerialist Nik Wallenda (right), as Pedro Reis, CEO of Circus Sarasota, listens at Sarasota-Bradenton International Airport in October 2012. Photo by Kelly French

THE RULES FOR SEEKING RECOGNITION

Government can be more than just a problem-solving entity. Sometimes government — acting for everybody — recognizes people and organizations that make a difference. Guide dog trainers, literacy coaches, record-setting athletes and people who improve the community are often recognized by the reading of a proclamation of the City Commission.

But who qualifies? Dolly Parton came to perform at the Van Wezel, and then-Mayor Suzanne Atwell gave her the key to the city. But the next performer did not get one. When the current mayor asked staff to develop some guidelines, the process stopped cold, and the local branch of the Literacy Council was denied a proclamation — as was Any Given

Child, a partnership between the local school system and the John F. Kennedy Center for the Performing Arts in Washington.

The denials spurred Chapman to question the entire procedure. “In the past, some have been mailed and were not part of the agenda,” she said. “Apparently, proclamations have been regularly granted. But now they have to be requested by the mayor or a commissioner. If one asks for it, who presents it?”

“I started this,” replied Mayor Shannon Snyder, who put the issue on the agenda. “I saw in other communities things were arbitrarily done.”

“I think I took proclamations and keys to the city to a new level in this community,” said



(From left) Vice Mayor Willie Shaw, Mayor Shannon Snyder and Commissioner Susan Chapman listen to a presentation. Photo by Norman Schimmel

Atwell. “I did any and all. How do you distinguish between one group and another? I want less rules and regs.”

Chapman moved to table the discussion to a future meeting, but that action failed 2-3 (Chapman and Atwell in the minority). Shaw then moved to send the issue back to staff, but that failed for lack of a second.

The commission was momentarily stumped. Then Chapman moved to ask Atwell to make “revisions to the policy as our senior commissioner.” Caragiulo seconded that, and the motion passed unanimously.

He later asked, “Does this mean we’re not giving any proclamations until we get this figured out?”

Atwell responded, “We should just use the status quo.”

A BLANKET BIG ENOUGH FOR A CITY?

Laurel Park is an enclave neighborhood, seldom visited because it is almost exclusively residential. It is a “time warp” neighborhood of Craftsman-style bungalows and duplexes built in the 1920s during that bright but brief time called the Florida Land Boom.

It is blessed and cursed to be adjacent to downtown, and it is surrounded by zoning allowing skyscrapers to loom over the cottages. It is a neighborhood that long stood in the trenches of land-use warfare in the city. Its residents are knowledgeable and tenacious, and they love where they live.

Over the years they have struggled to devise some mechanism to preserve their island of mostly one-story homes in the midst of a po-



The City Commission has approved a new overlay district for construction near Laurel Park. Photo by Norman Schimmel

tential high-rise sea. On Monday, July 15, they achieved a solution that may be embraced citywide.

It is called the Laurel Park Overlay District — the L-POD. The commission approved it on a 4-1 vote, with Caragiulo in the minority. It will use a procedure that is a compromise between current land-use regulations and new ones that will emerge over the next three years.

For most neighborhoods, a developer with big plans needs to go before the Planning Board and City Commission to win approval to make changes in the future land-use map, as well as to obtain variances and other changes to the status quo. And the developer must start by informing nearby residents and calling them to a neighborhood meeting to outline the plan. But downtown, the developer needs none of that. Only staff approval of the plan is required — so-called administrative site plan approval.

For Laurel Park residents, that meant a new skyscraper could be proposed and approved across the street before anybody heard about it. The proverbial “done deal” — and one the neighbors refused to accept.

A compromise arose. Neighbors would be told — officially notified — when a project on their perimeter was afoot. And they would have the opportunity to confront the developer at a public meeting, able to ask questions and make suggestions. Then, after the developer submitted a site plan, another public meeting would be held. At neither meeting would any binding decision be made.

If staff approved the site plan, neighbors could pay roughly \$1,600 to appeal that decision to the Planning Board; and they could pay another \$1,600 to appeal the Planning Board decision to the full Sarasota City Commission.

While they now will give up their automatic public hearings at the Planning Board and City Commission levels, the hearings will still be available as appeals for fees. Yet the compromise keeps alive the administrative site plan approval desired by developers, a point made by Chapman.

“It could become a model on how to resolve community differences with development interests,” she said. “It is a very valid compromise.” Chapman heard all the arguments as a Planning Board member before her election in May to the City Commission.

Mayor Snyder, also an alumnus of the Planning Board, but at an earlier time, said before the vote: “This is a solution good for downtown and good for the city.”

Passage of the Laurel Park Overlay District demonstrates commission support for a process to allow administrative site plan approval, but with safeguards for neighborhoods, including the right to appeal.

As the city begins the early work on creating a form-based code, the compromise with Laurel Park may prove a palatable standard acceptable to current residents and developers alike. The overlay in concept may be expanded to encompass the entire city. 





A CONTINUING PLIGHT

An adult Snowy Plover makes itself at home on Siesta Key in March. Photo courtesy of Catherine Luckner

NEW INCIDENTS OF VANDALISM ON SIESTA PUBLIC BEACH APPEAR TO HAVE RESULTED IN THE LOSS OF FOUR LEAST TERN CHICKS AS WELL AS MULTIPLE TERN AND SNOWY PLOVER NESTS

By Rachel Brown Hackney
Editor

Four recently hatched Least Terns — another endangered bird species — have disappeared on Siesta Public Beach and are feared dead after new incidents of vandalism in buffer areas designed to protect both the terns and Snowy Plovers, Sarasota Audubon volunteers have reported.

This latest incident follows episodes of vandalism in early June near Beach Accesses 9 and 10. That area has remained relatively problem-free, Sarasota

Audubon volunteers told *The Sarasota News Leader* this week.

Early on the morning of July 6, volunteers found signs of someone having dragged lawn furniture through the buffers near Beach Accesses 3 and 4, according to witness reports. Sarasota Audubon volunteer Catherine Luckner

told *The Sarasota News Leader* that people were able to identify a man who reportedly pulled heavy beach chairs about 2,000 feet down the

““ *They are a rare little bird ... and we don't want to lose the species.*

Dr. Allan Worms
Retired Wildlife Biologist



beach from Access 5 then along “the entire length of the beach” to the area Access 3; the marks showed the furniture was dragged up to that access.

One Snowy Plover nest in the area had eggs close to hatching before the incident occurred, Luckner added.

Then on July 17, Luckner emailed officers with the Sarasota County Sheriff’s Office and the Florida Fish and Wildlife Conservation Commission (FWC) as well as Sarasota County Natural Resources Department personnel, to report the following:

“This morning all of the south perimeter of the [Access 4] buffer had been torn down. Further, there were both human and dog tracks through the buffer from the south to north.

More bad news: after having lost multiple [Snowy Plover] nests in that buffer due to human acts and one crow attack, we now have lost all the [Least Tern] nests. A few days ago there were at least ten (10) least tern nests. Now there are none!” (Luckner added the emphasis.)

“It’s very disappointing,” she told the *News Leader* on the afternoon of July 17.

Luckner’s husband, Bob, is in charge of the volunteers monitoring the beach-nesting birds, she noted, so he receives daily updates about the birds’ activities.

Following the June vandalism near Beach Accesses 9 and 10 — and a similar incident in that location in March, along with a quickly extinguished brush fire — the Sheriff’s Office



A Least Tern stands near eggs in a nesting area disrupted by people apparently dragging lawn chairs. Photo courtesy of Bob Luckner



Drag marks are visible through a nesting area that had been marked off by Sarasota Audubon volunteers. Photo courtesy of Bob Luckner



Drag marks are visible over a swath of the beach. Photo courtesy of Bob Luckner

and the FWC had stepped up patrols and surveillance.

Sgt. Scott Osborne, leader of the Sheriff's Office's Community Policing Station in Siesta Village, told the *News Leader* earlier this month that shortly after Sheriff's deputies and FWC officers began surveillance near Accesses 9 and 10, an FWC officer saw someone acting suspiciously about 11 one night on the beach. That person was wearing night vision equipment, Osborne added. The man apparently spotted the FWC officer "and got out of there," Osborne said, although not before the officer observed him appearing to follow a few groups of people for a short while.

The FWC officer thought the man might have been one of the Sarasota Audubon volunteers, trying to keep a watch over the area as well, Osborne said. However, when officers

checked with the Audubon volunteers the next day, they learned that was not the case.

Osborne told the *News Leader* on July 17 that deputies and FWC officers would collaborate on more monitoring in the area of Accesses 3 and 4 through the remainder of the nesting season, which ends in early September.

He is hopeful they can catch the culprits, Osborne added.

Additionally, Investigator Scott Kirsch with the FWC is planning to visit Siesta Key on Monday, July 22, to investigate the July 6 buffer violations, Bob Luckner told the *News Leader*.

What has made the nesting area near Access 4 particularly vulnerable to disruptions, Osborne pointed out, is that it is "right out there in the center of the beach." Most of the other



A sign that advised people the area was being used by beach-nesting birds has been knocked to the sand. Photo courtesy of Bob Luckner

Siesta Beach is a nesting area for State and Federally protected SNOWY PLOVERS



- Please be cautious while walking through this area
- Nests are directly on the sand
- Eggs are the same color as the sand
- Adult birds are only five inches long
- Chicks the size of cotton balls



Sarasota County

Thank you for helping us protect our wildlife!
For additional info, please call 941-861-5000



FLORIDA SHOREBIRD ALLIANCE

TEMPORARY POSTING

Signage at Siesta Key beach accesses are designed to educate the public about beach-nesting birds, including the endangered Snowy Plovers. File photo

areas where the Snowy Plovers like to nest are closer to the dune line and therefore more protected, he added.

SYMBIOSIS

Although the Snowy Plovers in the past have nested more frequently near the dunes between Accesses 7 and 10, Catherine Luckner pointed out that this year, the Audubon volunteers had marveled over the number of plovers and Least Terns settling in in a symbiotic manner between Accesses 3 and 4.

One very positive aspect of that situation, she noted, is that terns fight off crows, which have snatched up many a Snowy Plover chick over the past years.

“It was just amazing to see this,” Luckner added of the multiple nests. “And we had every reason to believe [that symbiosis] would be successful” in terms of producing chicks.

Dr. Allan Worms, a retired wildlife biologist who also volunteers for what Sarasota Audubon members refer to affectionately as the “chick patrols,” told the *News Leader* this week that the latest information he had learned from Nancy Douglass, a well-known FWC wildlife biologist, was that only about 220 Snowy Plovers remain in Florida. “They are a rare little bird ... and we don’t want to lose the species,” he said.

GOOD NEWS AMID THE BAD

In spite of the heartbreaking news this week, Worms related the volunteers’ excitement regarding two Snowy Plover chicks that hatched this summer: They are getting close to fledging — being able to fly on their own.

“They still need protection, of course,” he pointed out, but the parents have been keeping a close watch over them — as have the volunteers.



A Snowy Plover is hard to spot against the Siesta sand. Photo courtesy of Sarasota County

Moreover, he said, it appeared a chick hatched in another nest on July 16, with one more preparing to come out of its shell in that same nest. Yet a third egg has been seen in the nest, Worms noted.

The mother hen in that case found good ground cover to camouflage herself from predators, he pointed out. New Audubon volunteers can stand just outside the buffer area and fail to spot her, he added. Veteran volunteers “can see the hen with the naked eye. ... That hen just picked a really good spot.”

Regarding the two older chicks, Worms said, “They are starting to stretch little wing-like structures.” Soon, he said, they should be able to wave their wings and try jumping into the air.

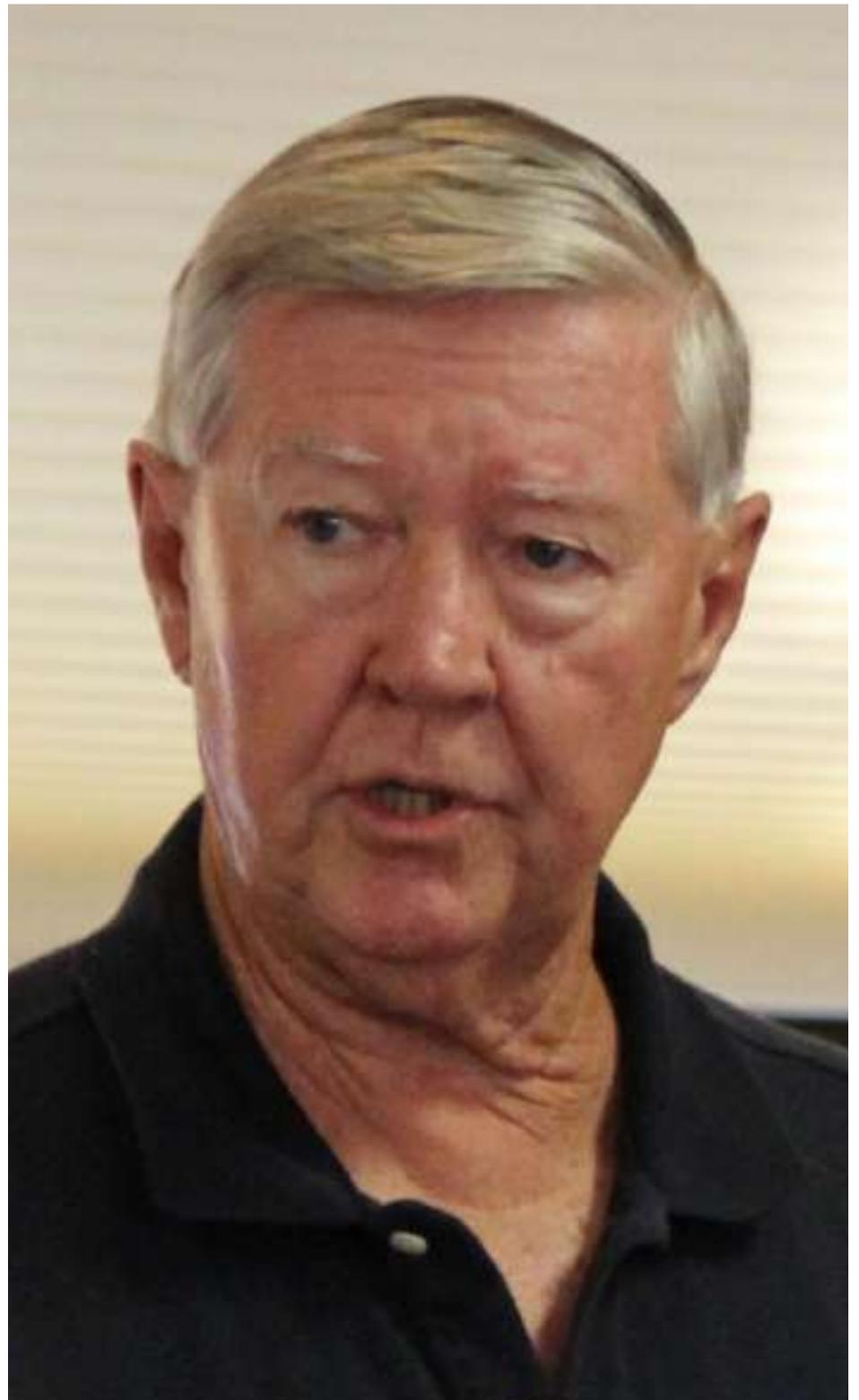
“Typically, for a few days, they fall on their beaks,” he pointed out. Then, at last, they fly about 6 or 8 feet on their first real airborne adventure.

Next thing the volunteers know, they are flying all over. “You don’t know where the heck they’ve gone,” he said with a chuckle.

MORE PROTECTIVE MEASURES

The key to helping these endangered bird species survive, Luckner said, is education. She is hopeful that Sarasota Audubon can begin working more closely with rental offices, condominium complex boards and the Siesta Key Chamber of Commerce on means to alert visitors to the presence of the endangered birds that nest on the beach each summer.

“That’s just going to have to take place,” she said of such an initiative.



Dr. Allan Worms. File photo

In the meantime, Worms said he could not offer sufficient praise for the volunteers who have been patrolling so diligently this year.

“They are the meat and soul of success out there on the beach,” he added.

Anyone interested in volunteering to work on the “chick patrol” may visit the Sarasota Audubon [website](#), where email addresses are available, or call the chapter at 364-9212. People also are welcome to call the [Siesta Key Association](#) at 364-4880. 

FROM THE FARM



The Farmers Market in downtown Sarasota has proven incredibly popular, especially during season. Photo by Norman Schimmel

A NEW FARMERS MARKET THAT WOULD BRING 30 TO 40 VENDORS TO SAWYER LOOP ROAD IN PALMER RANCH REQUIRES A COUNTY ZONING AMENDMENT

By Roger Drouin
County Editor

Sarasota could soon be getting another Saturday farmers market.

This one would be located about halfway between downtown Sarasota's popular market, which draws an estimated 350,000 people annually, and the market in downtown Venice.

Three local vendors have started a non-profit group to spearhead the effort. They

have been working with the Culverhouse family, which owns the undeveloped land on Palmer Ranch and controls the Palmer Ranch Master Association, to set aside property on Sawyer Loop Road, in Palmer Ranch, for the new venture.

The plan is in the preliminary phase, said Todd Underhill, president of the nonprofit that runs Manatee County-based Gerald-

“How would [their plans] affect the [downtown] Sarasota farmers market? I prefer they have an open communication and dialogue on that.”

Christine Robinson
Commissioner
Sarasota County



son Community Farm and a member of the group planning the Palmer Ranch initiative.

Underhill and the two other vendors — Tim Brown, who co-owns Brown's Grove with his wife, Heidi, and Mary Arndt, owner of Blissful Essence Spa Co. — have already met with three county commissioners to introduce their concept. Underhill, Brown and Arndt are vendors at the Wednesday Phillippi Farmhouse Market at Phillippi Estate Park on South Tamiami Trail in Sarasota; Brown is a vendor at the downtown Sarasota market as well.

The group has the OK from the Culverhouse family to lease land, with the understanding the property used for the market will likely be developed at some point. Then, the market

would have to relocate to a new home, Underhill said.

The biggest challenge will be the county's zoning code, which allows farmers markets only on properties in unincorporated Sarasota County that are zoned Commercial General/Siesta Key Overlay District (CG/SKOD) on Siesta Key or at a place of worship, with approval of a temporary use permit.

“Based on the underlying zoning district for the subject property on Sawyer Loop, an amendment to the current code would be required in order to have a farmer's market at that location,” Sarasota County Zoning Administrator Brad Bailey wrote to County Commissioner Christine Robinson in a July 17 email.



The downtown Sarasota Farmers Market is located along Lemon Avenue and State Street. Photo by Norman Schimmel

MARKET DETAILS

The Palmer Ranch outdoor market would specialize in foods such as meats, fish, baked goods and produce — although other consumable products such as soap would be sold, Underhill said. The plan is to have a total of 30 or 40 vendors.

“I think initially we will be able to start pretty quickly with 30 vendors,” added Underhill, who has spoken to other potential vendors.

Since locally grown items are the key ingredients for a successful farmers market, Underhill said, the group also plans to require that vendors who sell produce at the new market grow a portion of what they offer to the public.

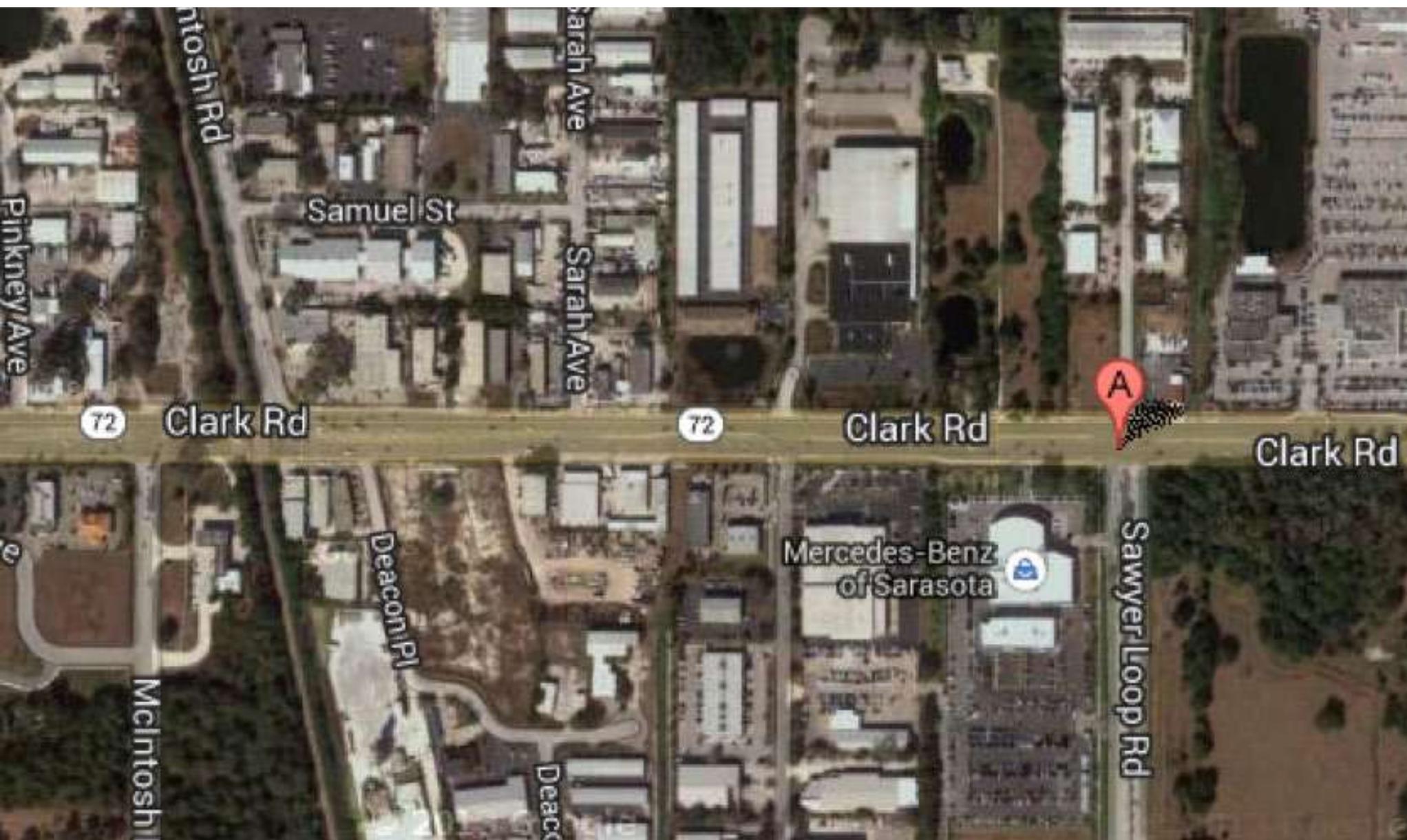
“We are trying to be a positive economic force for local ag producers,” he added.

Robinson met with the group July 3, and the commissioner likes what she has heard so far.

“There have been no decisions made on it,” Robinson said. “But I think exploring a new farmers market is an exciting thing. These folks are doing their homework. They have been involved in markets and the agricultural industry, and I am encouraged by the experience they have.”

Robinson added that she sometimes tries to schedule meetings so she can attend farmers markets, and having places where residents can buy farm-fresh produce and similar foods is a sign of a healthy community.

“If I have an appointment in Englewood, I will try to schedule it ... so I can swing by the market [in Venice],” Robinson said.



Sawyer Loop Road could become the site of a new farmers market in Palmer Ranch. Image from Google Maps

One concern Robinson has, however, is how a new market southeast of downtown Sarasota would impact that longstanding venture. She would like to see the group pushing for the new venture meet with the organizers of the market at the corner of Lemon Avenue and State Street in downtown Sarasota.

“How would [their plans] affect the [downtown] Sarasota farmers market? I prefer they have an open communication and dialogue on that,” Robinson said.

Phil Pagano, operations manager for the downtown market, told *The Sarasota News Leader* that Brown had approached him about the idea for the new venture.

“It is on our board agenda to discuss Aug. 6,” Pagano said, adding that he hopes such a venture in Palmer Ranch would not have a negative impact on the downtown market and its vendors.

“We are pretty established; we’ve been here for 34 years,” Pagano said. “I don’t know if it would be damaging to us.”

Since the downtown market changed its organizational leadership a few years ago — shifting to vendor control — it has grown even more in popularity, now bringing 350,000 visitors a year downtown on Saturdays, Pagano pointed out.

He worries that a Palmer Ranch market could have more of an impact on the Venice market because of its location.

Pagano also notes that new farmers markets often advertise fresh local food and produce, saying they plan to specialize in edible goods, but they end up selling mostly paintings and



*County Commissioner Christine Robinson.
Photo by Norman Schimmel*

other craft items after some time. He points to the Siesta Key Sunday market, which has “good vendors” but not as many food vendors, as one example.

“How many of these markets are true farmers markets,” Pagano asked.

He also has discovered, he added, that it can be difficult to find additional local farmers for the downtown Sarasota market — a reality that could prove a bigger challenge if another Saturday morning market were to open.

Robinson said many of the smaller markets she has attended seem to be self-governing, preventing farmers markets from becoming flea markets.

“That is a concern expressed,” Robinson said. “But they have done a pretty good job at all the markets I’ve been to.” 



A BIT OF A SNAFU

Cars fill the spaces in front of Eat Here on Avenida Madera. Photo by Rachel Hackney

THE EAT HERE SIESTA KEY RESTAURANT IS IN VIOLATION OF THE PARKING PLAN IT SUBMITTED TO SARASOTA COUNTY BEFORE OPENING LAST YEAR BECAUSE A REAL ESTATE OFFICE USES SOME OF THE SPACES AFTER 5 P.M.

By Rachel Brown Hackney
Editor

When restaurant entrepreneur Sean Murphy announced plans to open a new establishment in Siesta Village last year, some concern immediately arose about parking.

It took a lot of wrangling among business owners, residents and county officials, after all, to work out a revised parking ordinance in 2009 that was mostly satisfactory to everyone.

Murphy's Eat Here Siesta Key would be the first big test of that

new ordinance, because the restaurant was going to be designed to seat 150 people.

Longtime Siesta businessman John Davidson — the landlord for the new restaurant at 240 Avenida Madera — was able to ensure a sufficient number of parking spaces were available, Siesta architect Mark Smith explained

during the Nov. 1 Siesta Key Association meeting. The other businesses on the south side of Avenida Madera — Eat Here's neighbors — all closed

“It's a lot to do about nothing here.”

Mark Smith
Principal
Smith Architects



at 5 p.m., before the restaurant opened its doors in the evenings, Smith pointed out. That would give the business 52 spaces, but only 48 would be required under the new code, Smith added.

Well, as it turns out, all those businesses do not close at 5 p.m. The Coldwell Banker Residential Real Estate office located at 5145 Ocean Blvd., on the corner of Avenida Madera and Ocean, stays open seven nights a week until 8:30 p.m.

When Smith was working on county permit applications for Eat Here, Davidson informed him the real estate office closed at 5 p.m., Smith told *The Sarasota News Leader* this week. Moreover, Smith said, “I went by there [on July 17] and there’s nothing on the door” to indicate the hours of operation.

The actual business hours for Coldwell Banker have Sarasota County Zoning Department staff, a deputy county attorney and presumably Murphy — though he provided no comment to the *News Leader* this week — trying to figure out the best way to bring the restaurant into compliance.

John Lally, the county Code Enforcement officer who works on Siesta Key, told the *News Leader* on July 15 that the earliest the matter might be resolved would be next week. That is because Deputy County Attorney Alan W. Roddy, who is handling it, is on vacation.

Nonetheless, Smith told the *News Leader* he feels the situation can be remedied easily, possibly through valet parking on the site.



The Coldwell Banker real estate office located at Ocean Boulevard and Avenida Madera is open until 8:30 p.m., its Realtors have verified. Photo by Rachel Hackney

Lally said a valet parking permit costs \$1,000, noting that Davidson Plaza — also owned by John Davidson — could be utilized as an alternative valet parking area for Eat Here.

“It’s a lot to do about nothing here,” was how Smith characterized the matter to the *News Leader*.

After word began circulating recently in Siesta Village that Eat Here was not in compliance with the parking code, Lally sought verification of the Coldwell Banker office’s hours, according to email correspondence the *News Leader* obtained through a public records request.

Steve Bailey, the managing broker in that office, responded in a July 9 email to Lally that the office opens at 8:30 a.m. Monday through Friday and at 9 a.m. on Saturdays and Sundays. It remains open through 8:30 p.m. each

day, Bailey added, noting, “At times, depending on the business traffic, the office may be open later. Because of its location contiguous to a number of restaurants and shopping, we have extended hours.”

In response to a question from the *News Leader* on July 17, Bailey wrote in an email that the office hours he provided Lally had been in effect for at least a year. He added that at least one employee is on site on weekdays. On Saturdays and Sundays, independent contractor sales associates use the office.

“From Monday to Friday, my employee leaves at 5:30 pm, but the office remains open until approximately 8:30 to 9:30 p.m. depending on the prospect activity level,” he wrote. “On Sat. & Sun. the same closing hours are in effect except there is no employee onsite. The office is staffed by independent contractor sales associates who work three-hour shifts.”



Valet parking for Eat Here could utilize spaces in Davidson Plaza, across the street, county staff says. Photo by Rachel Hackney

Smith said that information was all the more reason he felt the parking non-compliance issue was not really a problem. “It’s a skeleton crew after 5,” Smith pointed out of the Coldwell Banker staffing.

Additionally, Smith emphasized Bailey’s comment to Lally — that the people most likely to stop in the office in the evening would be those walking around in the evenings in Siesta Village.

“In all honesty,” Smith said, “if I thought it was going to be a problem [with counting the Coldwell Banker parking spaces], I would have reduced the square footage of the restaurant” in the design process.

THE PERMITTING PROCESS

According to county records, Smith sent an email on Aug. 16, 2012 to Brad Bailey, the

county’s zoning administrator, notifying him that “A new restaurant is planning on moving into an existing retail and office space in the Avenida Madera South Plaza on Siesta Key.”

The email says the restaurant plan called for utilizing 2,378 square feet of dining area. “This would require 48 parking spaces at 1 space/50 sq. ft. of patron area,” Smith wrote, noting that 52 parking spaces surround the plaza and all the other businesses close at 5 p.m. or earlier.

“Before the tenant signs the lease agreement [he is] looking for assurances that Sarasota County is in agreement with this parking analysis to allow [him] to get the necessary permits to renovate and get a certificate of occupancy,” Smith added.

On Aug. 29, 2012, Bailey wrote Smith a letter pointing out that county zoning regulations allow applicants “to request approval of an



Part of the plaza where Eat Here is located used to be home to Total Tennis of Siesta Key. File photo

alternative parking plan when development or uses utilize different operating hours.”

Bailey continued that because Smith’s request indicated the restaurant would be open when the other businesses were closed, meaning no overlapping of hours, “your request for an Alternative Parking Plan is approved.”

THE CURRENT SITUATION

Since the restaurant has been open, Smith told the *News Leader*, the dumpster area has been expanded, which cost the site about 1½ parking spaces. However, a couple of spaces could be restriped and marked for scooter or motorcycle parking, he pointed out, to compensate for that loss.

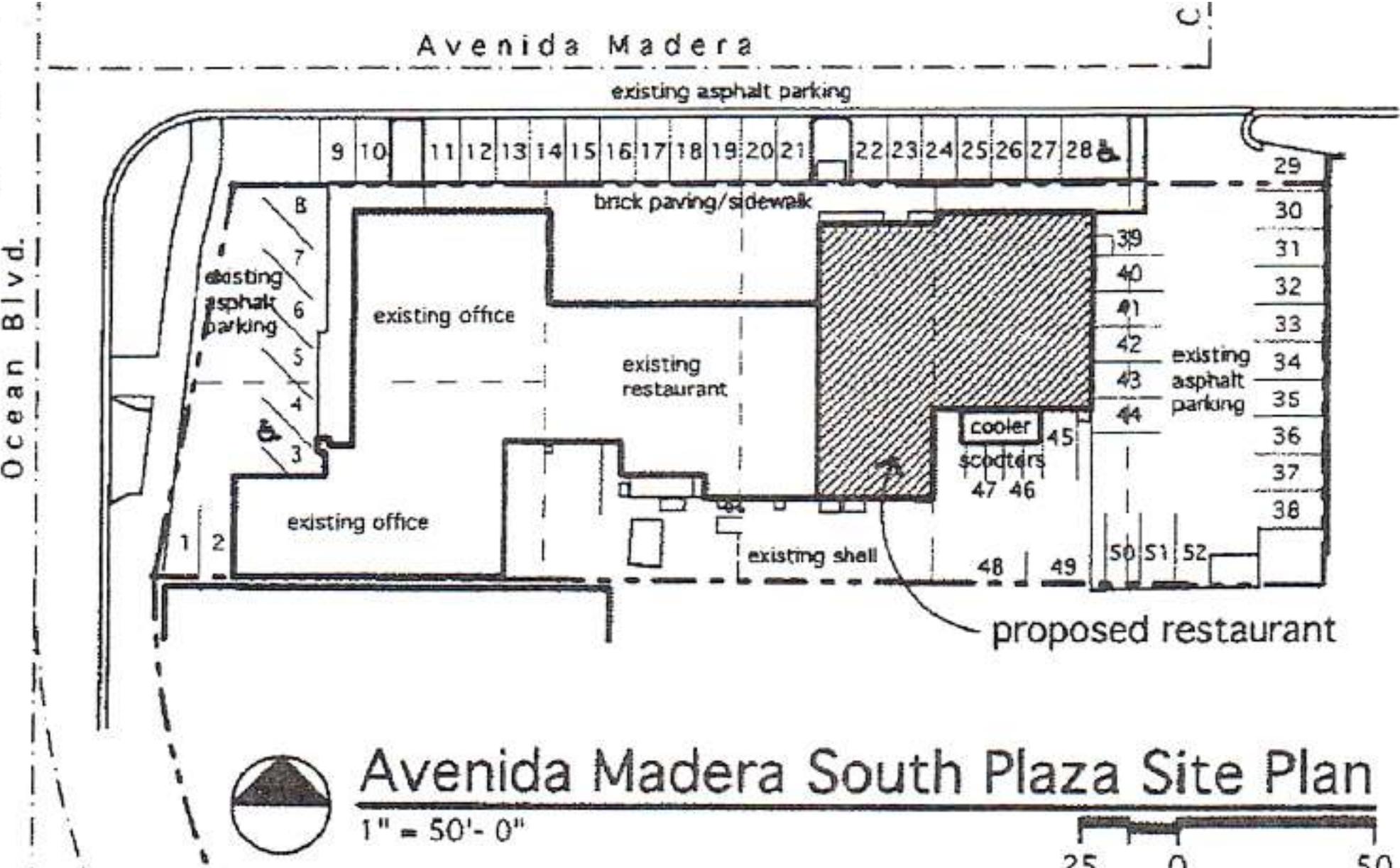
Another option, Smith noted, is for the restaurant to provide valet parking on the site. With

an additional parking area around the corner of the building, he said, valets should have no trouble getting plenty of vehicles into the space available. “I think there’s room there.”

“It’s just a matter of how they want to handle it,” Lally said.

In the meantime, Steven Bailey, the managing broker at Coldwell Banker, pointed out in his email to the *News Leader*, “I will state that [Eat Here] has been a good neighbor and there is a nice synergy among the business owners in our area of Siesta Key Village.”

That end of the shopping plaza was vacant for some time, Smith said. “Suddenly, you have a vibrant business,” he added of Eat Here. “Prosperity — it’s a good thing.” 



A diagram submitted by Smith Architects to the county planning staff shows the parking spaces for Eat Here on Siesta Key. Image courtesy Sarasota County



Paul Blacketter

Joe Barbetta

Larry Bustle

Randy Benderson

Ed Hunzeker

Randall Reid

WORLD ROWING CHAMPIONSHIPS PRESENTATION GOES WELL

Sarasota and Manatee county officials will learn in about a week whether Nathan Benderson Park will be recommended as the host for the 2017 World Rowing Championships, Sarasota County Administrator Randall Reid told *The Sarasota News Leader* this week.

Although the Ordinary Congress of the *Fédération Internationale des Sociétés d'Aviron* — the International Federation of Rowing Associations (FISA) — generally accepts the recommendation of its Council, Reid added, that is not a given.

(Above) Among the local delegates participating in the International Federation of Rowing Associations presentation in Switzerland were Paul Blacketter of the Suncoast Aquatic Nature Center Association, Sarasota County Commissioner Joe Barbetta, Manatee County Commissioner Larry Bustle; Randy Benderson, president of Benderson Development, Manatee County Manager Ed Hunzeker and Sarasota County Administrator Randall Reid. Contributed photo

Representatives of US Rowing joined the delegation of local government officials and business leaders from Sarasota and Manatee counties for the Benderson bid presentation to the Council in Lucerne, Switzerland on July 14.

“You very much had the feeling you were representing the United States,” Reid told the *News Leader*.

The formal announcement of the winning bid will be made in Chungju, Korea, on Sept. 2, according to FISA’s timeline.

US Rowing and U.S. Olympic Committee members previously joined county representatives in Washington this spring to secure support for the bid from President Barack Obama. The national organizations’ involvement in the effort underscores the significance of Benderson Park as a venue for the sport, Reid pointed out. The facility is considered the best in the Western Hemisphere, he added. With the increasing international publicity, he continued, area leaders hope they will begin to see teams from smaller countries without such facilities willing to travel to this area to train at Benderson Park.

“It’s huge,” Reid added of the worldwide recognition.

As for the appearance before the FISA Council: Reid said Paul Blacketter, the chief operating officer of the Suncoast Aquatic Nature Center Association — which manages events at Benderson Park — took the lead in the 15-minute presentation.

In a July 15 email to Sarasota and Manatee government officials, Blacketter wrote, “Our U.S. delegation visit to Lucerne went quite well and our TEAM came together as one, rehearsed, worked, rehearsed some more

[and] met the rowing federation officials from around the world; attended the FISA racing Championships [during which] the United States won [its] first World Cup in history” and participated in multiple meetings with FISA Council members. “We feel we hit it out of the park!”

Sarasota County Commissioner Joe Barbetta wrote his colleagues in a July 15 email, “Paul did a superb job in presenting the proposal.”

Reid told the *News Leader* that the entire appearance before the Council took about an hour, as FISA members asked numerous questions after Blacketter provided a PowerPoint presentation. The group received a standing ovation afterward, Reid noted.

The venue for the event was a large hotel in Lucerne, he added.

That evening, the Sarasota/Manatee delegation by happenstance encountered the delegation from Bulgaria, the only other entity bidding for the 2017 World Championships. They all were dining in the same restaurant, Reid said. “We celebrated with them,” he noted.

Altogether, he said, “We had a wonderful trip.”

Rachel Brown Hackney

CORRECTION

A June 6 article, *Fairness and the zoning code*, incorrectly identified one of the business owners interested in modifying the county zoning code to permit outdoor merchandise displays. James Ritter is the manager of Siesta Key Outfitters, located at 5121 Ocean Blvd. in Siesta Village. A separate business, Siesta Village Outfitters, also is located in Siesta Village, at 5200 Ocean Blvd.

NEWS LEADER WINS HONOR IN JOURNALISM COMPETITION

Robert Hackney, opinion editor of *The Sarasota News Leader*, has won second place in the Editorial Writing category of the 2013 Sunshine State Awards, sponsored by the Florida Pro Chapter of the Society of Professional Journalists.

The awards were presented in Miami on July 13. This is the 19th year of the competition.

Hackney was recognized for editorials on the City of Sarasota charter amendments that

appeared on the November 2012 election ballot, the homeless situation in Sarasota County and a call for vision and unity among city leaders.

The judges commented, "Well-reasoned opinions that leave no doubts about where the editors stand on these issues."

Hackney was competing against editorial writers from newspapers of all sizes in the state of Florida.

Staff Reports



FIRE DEPARTMENT ISSUES ADVISORY ABOUT PROPANE TANK RECALL

The Sarasota County Fire Department is advising the public of a nationwide recall of 55,000 propane tanks manufactured by the Lite Cylinder Company.

The emergency recall order was issued by the Pipeline and Hazardous Materials Safety Administration (PHMSA), a news release says. The order is directed at certain two-piece, fully wrapped fiber composite cylinders, the release notes. "According to PHMSA, these cylinders may leak flammable gas or suddenly rupture," it points out.

The recall order applies to cylinders manufactured by Lite Cylinder Co. with any of the following markings:

- DOT-SP 14562.

- DOT-SP 13957.
- DOT-SP 13105.
- Any cylinder requalified under requalification approval H706.
- Any cylinder manufactured under M5729.

Any person who has one of these cylinders is advised to stop using it, close the valve, safely disconnect the cylinder once the valve is closed, store the cylinder in a space that is well-ventilated and not enclosed and protect the cylinder from all heat sources, the release adds.

For more information, contact PHMSA's Hazmat Info Center at 800-467-4922 or visit www.phmsa.dot.gov.

PHMSA

Pipeline and Hazardous Materials
Safety Administration

U.S. Department of Transportation



Cylinder Recall

PHMSA was notified by The Lite Cylinder Company of the following:

"Please be advised that The Lite Cylinder Company is no longer in business and is currently evaluating its legal options. The company's facility is now closed and unable to receive cylinders returned per the instructions detailed in US DOT – PHMSA Emergency Order No. 2013-002. Furthermore, the company is financially insolvent and will not be able to recompense cylinder owners, dealers and distributors for the expenses incurred in complying with this Emergency Recall Order."

PHMSA developed this website so that cylinder owners and retailers accepting returns can report serial numbers of disposed cylinders. This reporting will help PHMSA track the effectiveness of the recall.

Instructions

Please use the tabs below to provide the serial numbers for the affected cylinders types. The first tab shows examples of the formats which can be used to enter the data. The second, third, fourth and fifth tabs are for cylinder types 10 pounds, 20 pounds, 25 pounds and 33 pounds respectively. Please feel free to copy/paste the data from another document, if desired.

Required fields are indicated by an asterisk (*).

Examples	10#	20#	25#	33#
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MYRTLE AVENUE/BRADENTON ROAD TRAFFIC DISRUPTED

As part of the City of Sarasota's Bradenton Road improvement project, traffic at the Myrtle Avenue/Bradenton Road intersection will be temporarily disrupted effective through today, July 19, the city has announced.

The eastbound lane on Myrtle Avenue adjacent to the intersection will be closed while utility crews prepare to relocate a water line, a news release points out.

Drivers will not be able to approach the intersection while driving eastbound on Myrtle Avenue. Likewise, motorists northbound or southbound on Bradenton Road will not be able to turn eastbound onto Myrtle Avenue, the release adds.

Although Bradenton Road from Dr. Martin Luther King Jr. Way to University Parkway will remain open during the improvement project, drivers are strongly encouraged to use alternate routes, the release says.

When the eastbound Myrtle Avenue lane reopens, utility crews will continue to relocate

a water line along a 1.5-mile stretch of Bradenton Road, which will require nearby residents to be placed under a boil water advisory, the release notes. Residents will be notified via door hangers before the advisory goes into effect and after the advisory is lifted. Approximately 11 boil water advisory notices are anticipated along different portions of Bradenton Road as the project moves forward, the release continues. The first advisory is expected to occur within the next two weeks.

As part of the improvement project, Old Bradenton Road will be reconfigured into a two lane divided roadway with a 5-foot raised median with landscaping and drip irrigation, and roundabouts will be constructed at Myrtle Avenue as well as 47th Street.

Residents are asked to be patient during this project, which is expected to be completed in January 2014, the release continues.

Register to receive email updates on the project by visiting www.SarasotaGov.com. Also, follow the progress on [Twitter @CityofSarasota](https://twitter.com/CityofSarasota).

STOP THE VIOLENCE CELEBRITY GAME PLANNED FOR JULY 19

Sarasota native and Green Bay Packers cornerback Sam Shields and Bradenton native and Denver Broncos cornerback Dominique Rodgers-Cromartie, will be among the participants in the Stop the Violence Celebrity Basketball Fundraiser to be held today, July 19, at Booker High School, the Sarasota Police Department has announced

The gates will open at 6 p.m. for the fundraiser; tipoff is set for 7 p.m., a news release says. The family event has been designed to focus

on non-violence and community building, the release adds.

Admission is \$5. All proceeds will go toward funding youth programs at the Robert L. Taylor Community Complex, the release notes.

"We do our best to convey to our youth that violence is not the path for them to reach their full potential," said Jerry Fogle, Taylor Complex manager, in the release.

Booker High School is located at 3201 N. Orange Ave. in Sarasota.

OFFICER RECOGNIZED FOR SAVING CHILDREN DURING A SQUALL

The Sarasota Police Department has honored Officer William “Bud” Johnson for rescuing several children during a summer storm on July 16, the department has announced.

At approximately 2:15 p.m., about 43 children in 25 boats were taking part in a local sailing camp when a rain squall caught them by surprise, a Police Department news release says. Because of the fast-changing weather conditions, the boats capsized near 1717 Ken Thompson Parkway in Sarasota.

All of the children were wearing life vests, and they used their training from camp to remain calm, the release points out.

Karen Tone, the camp administrator, told Sarasota Police officers that staff members were just starting to bring in the children when the squall hit. Nine safety powerboats with instructors in them and four squadron members in personal vessels began pulling the youngsters aboard and transporting them to shore, the release continues.

Johnson and several other officers responded to various locations around Ken Thompson Parkway in an attempt to locate other children, the release notes.

Johnson could see several in distress in the water, the release notes. “Without hesitation, he jumped onto a [type of] dingy ... with one of the camp instructors” and began pulling the youngsters onto the boat with him, the release adds.

Chief Bernadette DiPino said in the news release, “This officer exemplified exactly what police officers are: heroes. He was instrumental in the saving of the lives of many young



Officer William 'Bud' Johnson/Contributed photo

people. I'm really proud of Officer Johnson's performance and his example of fine, outstanding police work.”

Officers were able to confirm all the children attending the camp were accounted for; no injuries were reported, the release notes.

SHERIFF PRESENTS FORFEITURE FUNDS TO NONPROFIT GROUP

Sarasota County Sheriff Tom Knight this week presented a check for \$3,000 to students from Brothers and Sisters Doing the Right Thing (BSDRT), a Sarasota nonprofit group that provides tutorial services and summer camps for local children, the office has announced.

“Brothers and Sisters Doing the Right Thing is based at the Robert L. Taylor Community Center in Sarasota and is dedicated to keeping neighborhood children in school by ‘keeping them actively engaged in new experienc-

es and offering them opportunities that will lead them far beyond their present ten block boundaries,” a news release notes.

“I’m always happy to support organizations that provide positive, character-building activities for young people,” said Knight in the release. “When we can use money seized from criminals to better our community and support programs for young adults, we’re also doing the right thing.” 



Sheriff Tom Knight presents a \$3,000 check to representatives of Brothers and Sisters Doing the Right Thing. Contributed photo



SARASOTA COUNTY SHERIFF'S OFFICE MOST WANTED

CRIME BLOTTER



Darryl Lamar

Possession of
Cocaine w/ Intent to
Sell



Keith Mae

Agg. Battery on
pregnant victim



Carlos Longoria

Robbery with a
firearm



Derekia Keno

Fraud: 2 counts
Illegal use of credit
cards; identity theft



Brent Eutsler

Burglary of
Structure/
Larceny Theft



David Bragg

Resist Officer/
High Speed
Flee/Reckless
Driving



James Johnson

Agg. Battery on a
pregnant victim



Oliver Locke

9 counts of
Credit Card Fraud



Jason Lapp

Sale/Manufacture/
Deliver Narcotics



Roy Pandeloglou

Drug
Offender/Battery

The Sarasota County Sheriff's Office released a poster in March showing those on its 10 Most Wanted list. Image courtesy Sheriff's Office

VIOLENT FUGITIVE CAPTURED IN SARASOTA THIS WEEK

The Sarasota County Sheriff's Office has captured a violent fugitive who has been on the run and in violation of his state probation for the past 13 months, the office announced July 15.

On July 15, the Fugitive Apprehension Unit, working in conjunction with the U.S. Marshals

Florida Regional Fugitive Task Force, arrested Roy Pandeloglou, 55, in the 3400 block of Park Ridge Circle, Sarasota, according to a news release. He was on probation for a 2010 felony battery case in which he caused great bodily harm to the female victim, the report says. Pandeloglou absconded in June 2012, the report adds. He is being held without bond.

The arrest of Pandeloglou leaves just two fugitives on the initial list of Sarasota County's 10 Most Wanted, released in March of this year, the news release notes. Darryl Lamar has been wanted since 2011 for Possession of Cocaine with Intent to Sell, and Oliver Locke is wanted for nine counts of Credit Card Fraud, the release adds.

Anyone with information on either Lamar or Locke can contact Crime Stoppers by calling 366-TIPS (8477) or visiting www.sarasotacrimestoppers.com.



Roy Pandeloglou/Contributed photo



Darryl Lamar/Contributed photo



Oliver Locke/Contributed photo

SUSPECT ARRESTED IN SARASOTA SEXUAL BATTERY CASE

With the assistance of the Sarasota County Sheriff's Office, Kyle Riley, 25, has been arrested and charged with Capital Sexual Battery and Incest, the Sarasota Police Department announced on July 18.

Riley was arrested by deputies with the Sheriff's Office just after midnight on July 18 in the 6500 block of Gateway Avenue, in the Gulf Gate area, a news release says.

The crime with which Riley has been charged happened in the city of Sarasota, the release adds. The victim told detectives the battery and incest started the summer when she was 10. The victim said Riley would use a butter knife to unlock her bedroom door and come to her, the report adds. On June 27, the victim confided in a friend and detectives were called, a news release says.

A Capital Sexual Battery charge carries no bond and could carry a sentence of life in prison without parole, the release notes.



Kyle Riley/Contributed photo

On July 3, Joshua Riley, 22, was arrested and charged with Capital Sexual Battery and Incest in connection with the same case, the release adds. Reports provided by the Police Department do not indicate whether Joshua Riley and Kyle Riley are related.

SEARCH CONTINUING FOR SUSPECTS IN RESTAURANT INCIDENT

The Sarasota County Sheriff's Office is investigating the circumstances leading up to the discovery of a restaurant manager with severe head trauma on the night of July 14, the office has announced.

Deputies were called to New Dynasty Chinese Buffet, located at 6131 S. Tamiami Trail, Sarasota around 9:38 p.m. after customers found 51-year-old Tain "Andrew" Tian lying unconscious in the driveway of a nearby business, according to the report.

Employees and witnesses say the manager followed three male customers who left the restaurant without paying for dinner, the report adds. They heard tires squeal a short time later but did not find Tian for some time and did not know how he was injured, the report

notes. Tian was transported to Sarasota Memorial Hospital, where he underwent surgery for his injuries.

The suspects are described as three Hispanic males in their 20s with short hair, between 5 feet 8 inches and 6 feet tall and weighing 210 to 250 pounds. One has a pierced lip and eyebrow, and another has a distinct rosary tattoo on his wrist and hand, the report says.

Anyone with information is encouraged to call Criminal Investigations at 861-4900, leave an anonymous tip with Crime Stoppers by calling 941-366-TIPS (8477), go online at www.sarasotacrimestoppers.com or send a text message by texting TIP109 plus a message to CRIMES (274637). 

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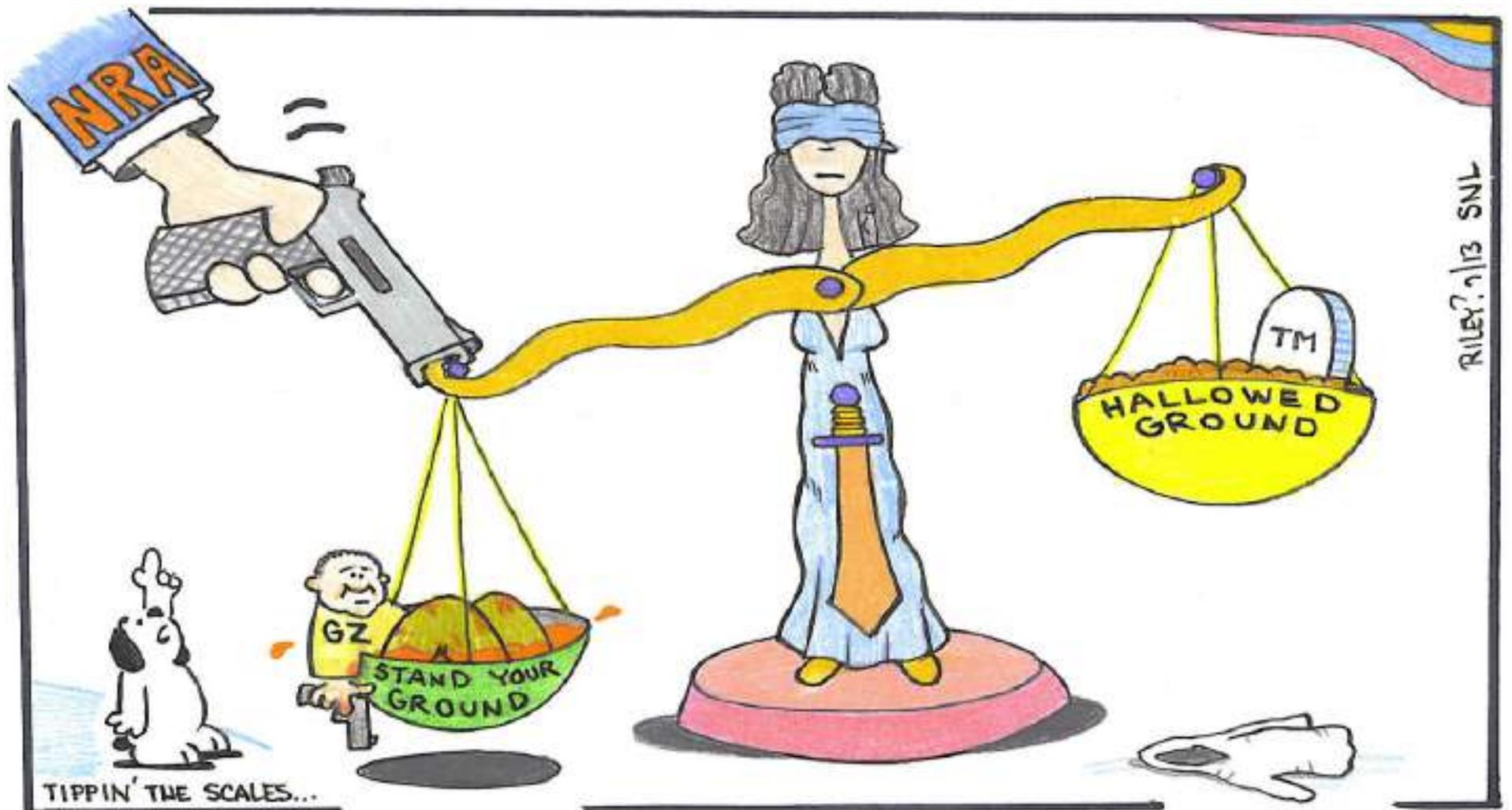
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OPINION



FLORIDA MUST RECONSIDER 'STAND YOUR GROUND' LAW

EDITORIAL

It has been 17 months since that fateful night in February 2012, when Trayvon Martin and George Zimmerman had their fatal encounter. Martin died that night, and Zimmerman found himself at the center of a storm of public controversy about vigilantism, race relations, gun rights and the new definition of self-defense known as “stand your ground.”

Eventually, and perhaps because of the national outcry, Zimmerman was charged with second-degree murder in Martin’s death. That process ended earlier this week when a Seminole County jury acquitted Zimmerman of criminal complicity in the killing.

Many legal experts maintained from the outset that there was virtually no chance that Zimmerman could be convicted of either manslaughter or second-degree murder, given the circumstances of the case. The reason most frequently offered for this expected outcome was chapter 776 of the Florida Statutes, titled, “Justified use of force.”

Under that statute, a provision now widely known as “stand your ground” allows someone to use deadly force against another when “[h]e or she believes such force is necessary to prevent imminent death or great bodily harm

“ *The infamous “stand your ground” law has lived up to its most dire predictions: Someone has killed someone else under questionable circumstances but could not be held accountable because the law shielded him from effective prosecution.* ”

OPINION

to himself or herself or to another or to prevent the imminent commission of a forcible felony.”

The previous standard of self-defense allowed the use of deadly force only when retreat from the peril was not an option. Now, of course, such prudence has been tossed out the window and the much lower standard of a personal “belief” that one is in imminent danger of death or harm allows one to proceed directly to the use of deadly force.

Tragically, the only witness to a shooter’s state of mind — that is, whether there was a legitimate reason to believe that death or great harm was imminent — generally is the shooter’s victim. And, as the saying goes, “Dead men tell no tales.”

Despite the outrage over a teenager being gunned down by an overzealous community watch member, only Zimmerman’s account of the events was available, as most legal authorities pointed out. Martin, who could have rebutted his version of what transpired that night, no longer was able to speak for himself.

A rickety conglomeration of frantic 911 calls and other circumstantial evidence collapsed in the face of that hard reality. As the law is written, Zimmerman had to be proven a liar beyond a reasonable doubt. The jury of six women could not find the evidence convincing enough to overrule his version of events, and thus voted for his acquittal.

In the aftermath of the verdict, many have called for some other avenue of retributive justice, from a federal charge that Zimmerman

violated Martin’s civil rights to a civil “wrongful death” suit against Zimmerman brought by Martin’s family.

But both actions are even more tenuous than the original homicide prosecution and likely to fail. Why? Because a criminal prosecution for violating Martin’s civil rights must prove that Zimmerman killed Martin not because the latter was a suspected criminal but only because he was black. And the civil action would be even more hampered by the state statute, now buttressed by the jury’s decision in the criminal case. (That is quite unlike the situation in California, when O.J. Simpson was acquitted of murder but found civilly liable in the deaths of Nicole Brown Simpson and Ronald Goldman.)

What made a criminal prosecution of George Zimmerman difficult, and any other criminal charges or civil actions unlikely, is Chapter 776 of the Florida Statutes. The infamous “stand your ground” law has lived up to its most dire predictions: Someone killed someone else under questionable circumstances but could not be held accountable because the law shielded him from effective prosecution.

So the question understandably becomes, “Why does Florida have such a law?” And the short answer is, “Because of the National Rifle Association.”

But the more complete answer is, “Because of a wholesale usurpation of the democratic process in Florida by corporations and their right-wing policy organizations.”

OPINION

For decades, Charles and David Koch, the right-wing billionaires famous for using their wealth to influence American elections, have funded an extremist organization known as the American Legislative Exchange Council, or ALEC. ALEC sends its minions into the offices of mostly Republican state legislators around the country and, with smooth words, copious cash and ready-made legislation, convinces these legislators to sponsor its initiatives.

As powerful as the NRA is, it could not have single-handedly pushed the “stand your ground” law through the Florida Legislature without the generous assistance of ALEC.

Passed in 2005, the law became a blueprint for the rest of the country; it has been adopted in 24 other states.

The NRA fiercely proclaims that “stand your ground” laws are about supporting a “fundamental human right” — the right of self-defense. However, such laws bypass centuries of common law that have defined a reasonable right to defend one’s self. Instead, the NRA’s “stand your ground” law appeals to the basest, most atavistic nature of humans, encouraging unthinking and reactionary responses to perceived threats. It would inculcate the imagining of an individual’s immersion in a hostile, prehistoric world, where danger lurks at every turn and is best resolved with extreme force.

The NRA leadership seems to laugh at the quaint notion of “the better angels of our nature,” as articulated by Abraham Lincoln. Instead, it encourages the devilish world of the violent troglodyte.

Admittedly, Florida has not devolved into a lawless, “Wild West” scenario of daily gun battles in the streets. But that is only because the people of Florida have kept their wits about them, and the better angels of their nature have resisted the urge for a more visceral, violent response to threats. But that does not lessen the need for corrective action.

The people of Florida must accept that, despite the small measure of comfort they might derive from carrying a concealed weapon to church or to the grocery store — or knowing they can shoot and kill any malefactor with impunity — their world has not grown safer as a result of those “rights.” In fact, they face a higher risk that they might instead become victims of someone who zealously but injudiciously decides to “stand his ground.”

They must demand of their Legislature a return to the carefully refined concept of self-defense that has served this nation and the civilized world for centuries: Deadly force only if safe retreat is not possible.

Doing so is not about a further rebuke to George Zimmerman or even a memorial to the slain Trayvon Martin. Rather, it is a firm rejection of the politics of fear that the Koch brothers and their fellow travelers would impose upon Florida and the rest of the nation.

Florida should be governed by Floridians, and carpetbaggers such as the Koch brothers and their NRA toadies should be sent packing. “Stand your ground” needs to receive the ultimate sanction it so cavalierly encourages. 

OPINION

FOR SPORTS FANS, IT IS INDEED A FEVER



By Harriet Cuthbert

Contributing Writer

COMMENTARY

Having been totally absorbed in the matches at Wimbledon for the previous week, and then, during the men's final, watching every second of the players' mastery with the intensity of the chair umpire, I decided to explore what I am calling "Sports Fever."

The match between Andy Murray and Novak Djokovich (an instant classic) — two geniuses at the game of tennis — will go down in history for many reasons. One of those is that it marked the occasion when another British male finally won at Wimbledon and succeeded Fred Perry's name as the last one belonging to a Brit on the Wall of Champions. The British and all Anglophiles the world over had been caught up in a waiting game for 77 years, and Andy Murray, their beloved Scot, finally relieved their anxiety.

Being a sports fan (or fan-atic, as I call it) is not easy for the fan or his/her loved ones. The latter simply do not understand how we can devote so much time — and pour so much emotion — into an activity in which we are not physically involved. We are NOT serving aces; NOT kicking a soccer goal; NOT scoring a touchdown. We are very actively engaged in our favorite sport, but we are viewing it from afar.

The good news is, we will not get hit by the ball. The bad news is, we do not have a prayer of getting hit by the ball.

However, as a sports fan-atic, when I watch a major tennis match, I feel no guilt or embarrassment if I yell out loud at the TV screen. And clapping is even more fun. So what if Rafa (Rafael Nadal) does not hear me? I am in the moment and participating in his match with as much fervor as possible.

Rooting for teams may be different from playing them. Nonetheless, the camaraderie of guys hanging out at their local sports bars — and bonding over their favorite teams — and my watching a tennis match alone are experiences probably just as emotionally charged as being on the courts or playing fields is for the competitors.

Let the games continue ... only five more weeks until the U.S. Open. 



LETTERS TO THE EDITOR

The Sarasota News Leader welcomes letters to the editor from its readers. Letters should be no more than 300 words in length, and include the name, street address and telephone number of the writer. Letters should be emailed to Letters@SarasotaNewsLeader.com, with "Letter to the Editor" in the subject line. Letters actually printed will be selected based on space available, subject matter and other factors. We reserve the right to edit any letters submitted for length, grammar, spelling, etc. All letters submitted become the property of *The Sarasota News Leader*.

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Sarasota Leisure

MAD FOR COWS

GOING NATIVE

SIESTA SEEN

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MAD FOR COWS

FLORIDA IS THE PLACE TO BE IF YOU ARE A FAN OF BOVINES

Story and Photos

By Fran Palmeri

Contributing Writer

Back then I could never get them to stop.

As a 6-year-old riding with my parents through the Pennsylvania countryside, we would pass acres and acres of cattle ranches, including an eastern extension of the Texas King Ranch. I sat in the back seat, pleading with them to stop so I could pet a cow. But the closest I ever got to one was the huge plastic one we kids took turns “riding” in front of the Guernsey Cow (known to locals as the Greasy Cow), an eatery in Lancaster, PA.

Nowadays, I get to stop wherever and whenever I want. Florida is a cow junkie’s dream. In the center of the state, they are everywhere

— pastured on innumerable ranches, grazing among ancient cypress trees or standing in the Myakka River in winter, when the river is reduced to a trickle. Drive out State Road 64 or 70, stop by a ranch and hang over the fence. Settings are picturesque, with cows grazing nearby or resting under huge live oaks. Keep an eye out for wild turkeys, sandhill cranes and caracara, which frequent pastures. Listen for the meadowlark. Deer and feral hogs feed alongside the cattle, which do not seem to mind.

Practice cow etiquette! Do not climb fences, chase cows or “moo” loudly. The landowner or the bull could be nearby.



Where there is a cow, there is a cattle egret. Originally from Africa, these small white birds capture grasshoppers and other insects stirred up by grazing cows. The egrets arrived in South America in 1877 and made their way up to the U.S. by 1941. They have done so well here that, unfortunately, they displace some of our native birds.

In Sarasota you can get a quick fix along Fruitville Road, where you will find what look like “prop” cows tucked in here and there on small parcels among the strip malls. Back roads in most jurisdictions have their share, too.

Cattle have been part of the Florida scene for centuries. The cow you see today may have ancestry going back to the ones Ponce de Leon unloaded here in 1521. Many more were brought by the Spaniards on later expeditions. Descendants of those Spanish And-

lusian cattle mixed with breeds introduced by the English colonists to become our “Cracker” cows, now considered critically endangered. Eating scrub plants and whatever else they could find, these cattle became inured to the heat, mosquitoes, ticks, flies and other challenges served up by Florida.

Historians tell us that as early as 1700 there were 34 ranches and approximately 20,000 head of cattle. Thousands were pastured in the Alachua Savanna when William Bartram met Cowkeeper, a Seminole chief in 1774.

After the Seminole wars, rustling was commonplace. Free-roaming cattle were to be had for the taking — though it took some doing, as Tobias MacIvey, the main character in Patrick Smith’s book, *A Land Remembered*, found out. Settlers built their fortunes on these cattle.





During the Civil War, tens of thousands of cattle were rounded up at Alachua and driven to Georgia to feed the troops on both sides.

Happily for those of us with a secret obsession with cows, in Florida they are as ubiquitous as sunshine and citrus. 





GOING NATIVE

Firebush is a Florida-native plant. Photo by Rick Wielgorecki

EVEN NATURAL PLANT SPECIES IN FLORIDA CAN REAP THE BENEFITS OF EXTRA ATTENTION FROM TIME TO TIME

By Rick Wielgorecki
Contributing Writer

There has been some controversy in our fair county recently about the use of native plants in landscapes. Without rehashing the details or taking sides, I thought this subject would be fodder for an interesting discussion.

There is a school of thought that is passionate about the idea that growing Florida native species is the only way to go when designing gardens. Implicit in this rationale is that these cultivars exist best in the environment in which they proliferate naturally. There also is an undeniably good argument that this approach conserves water and nutrients.

An additional benefit is the reduction of nitrogenous pollution, which leaches into groundwater and drainage that runs off into our marine and aquatic waterways. The resultant growth of algae in both salt and fresh bodies of water shuts down oxygen and stresses all forms of life in those habitats.

It is folly, however, to believe that native plants require no nutrition, moisture or regular care other than that which nature provides.

Most plants — regardless of their place of origin — will benefit from the moderate application of fertilizers, whether the plants are

natives or exotics. And organic products are available for those gardeners who want to impact the environment minimally.

Mother Nature is a fickle gardener herself, doling out excessive amounts of rain sometimes and withholding it for long periods at other times. Irrigating, especially during dry seasons and dry spells, enables all species to avoid excessive stress and survive those times.

Nature's way of pruning is primarily through storms, which occasionally remove small amounts of deadwood and foliage. But the more violent tempests may snap off major branches or even fell entire trees. The vigilant gardener knows that with proper pruning techniques, dense, ingrown foliage, deadwood and crossing branches can be removed to allow fierce winds to blow through trees and shrubs rather than knocking them down.

It is also a fact that pesky insects are completely unbiased about feasting on either native or exotic cultivars. I have spent many hours spraying popular natives, such as firebush, which have been attacked by aphids, scales, whiteflies and mealybugs. There just are not enough ladybugs, praying mantises and beneficial wasps to prey upon ravenous insect species.

And for the ecologically sensitive gardener, there is a host of soaps and oils that will do a minimal amount of environmental damage while controlling the interlopers.

So if you choose to use them exclusively or in concert with exotics, bear in mind that a little horticultural attention will keep the natives from getting restless.

Rick Wielgorecki may be contacted at 362-0600 or wielgo@hotmail.com. 



Hibiscus is a Florida native plant commonly seen in Sarasota County. Photo by Kurt Stueber via Wikimedia Commons



Marlberry produces white flowers. Photo by Homer Edward Prince via Wikimedia Commons



I like to take my time.

Sure, it's a temptation to rush. Each issue of *The Sarasota News Leader* is brimfull of in-depth coverage of all the news and goings-on in Sarasota County. And it has delightful and informative feature stories. Thanks to its partnership with *This Week In Sarasota*, I always know what the most exciting happenings are each week. Plus, it is simply so beautiful, with photography that takes my breath away.

There is so much there, I don't know where to begin. So it is hard to resist the urge to read it all at once. But I know better. Take your time and indulge in all that it has to offer.

You have a whole week.

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Siesta Seen

SIESTA VILLAGE BOLLARD INSTALLATION IS SET FOR AUGUST; COUNTY STAFF IS STILL WORKING ON NEW PEDESTRIAN WARNING LIGHTS FOR BEACH WAY AND AVENIDA DEL MARE AS WELL AS ILLUMINATION FOR OLD STICKNEY POINT ROAD



By Rachel Brown Hackney
Editor

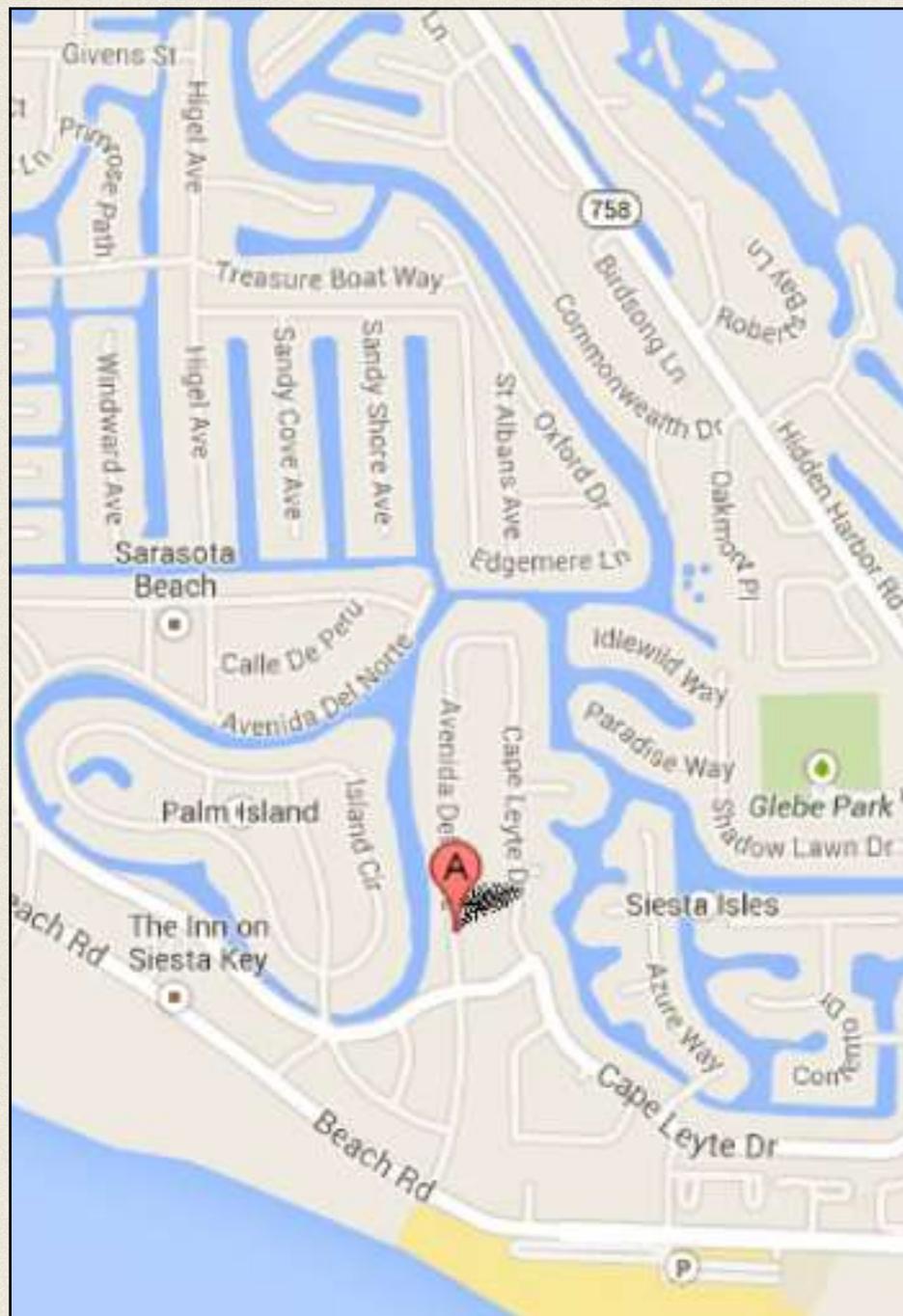
Some days, Peter van Roekens must feel like the voice crying in the wilderness.

More than a year and a half after he first broached the idea of better crosswalk lighting in Siesta Village, county staff finally appears on the verge of getting bollards installed to provide LED illumination at seven crosswalks.

Just as I was finishing up my column for this week, I found the following note in Sarasota County Chief Engineer James K. Harriott's July 8 report to the County Commission:

“The work assignment was issued to the contractor. A purchase order is scheduled to be issued the week of July 15, 2013. Preparation work, utility locates and permitting is scheduled to be completed by the end of July, 2013. Installation ... is [scheduled] to start by August 1, 2013. The entire project is scheduled to be completed by the end of August, 2013.”

Now it has been more than five months since van Roekens brought up the need to remedy another situation: constantly blinking lights at crosswalks for Siesta Public Beach-goers at Beach Way and Avenida Del Mare. That project is still in the “memo phase.”



A map shows the area of Avenida Del Mare on Siesta Key. Map courtesy of Google Maps



This young visitor to Siesta Public Beach for the July 4 holiday period seems fascinated by 'treasure' he found in the Gulf of Mexico. Photo courtesy of Peter van Roekens

Siesta Seen

Although there was a slim chance staff would have a report on the latter matter ready for the County Commission before its summer recess began last week, the memo evidently was not finalized in time.

Van Roekens — the secretary of the Siesta Key Association and a Terrace East condominium complex representative to the Siesta Key Village Association meetings — explained during the Feb. 5 SKVA meeting that the constant flashing of the lights at the two sets of crosswalks on Beach Road is dangerous because drivers who have become inured to them fail to look for pedestrians using the crosswalks. He suggested that county staff needed to adjust the lights to blink only on demand — in other words, a person getting ready to cross the street would press a button and the lights would begin flashing.

After raising the same point during the SKA meeting that February week, van Roekens ended up working on a compromise with fellow SKA Director Deet Jonker — a Siesta Isles resident. The request was that the county install the type of crosswalk lighting the Florida Department of Transportation put in last year along Midnight Pass Road.

“The Siesta Isles Association has fought for that light over the years,” Jonker said of the Beach Way flashing light during the February SKA meeting. But residents really liked the new Midnight Pass crosswalks, Jonker said.

Tom Maroney, general manager of business operations in the county’s Public Works De-

partment, recently gave me an update on the Beach Way/Avenida Del Mare request, and he sent one by email to Commissioner Nora Patterson, who lives on Siesta.

Maroney noted in his July 3 email to Patterson that “the rectangular rapid flashing beacon pedestrian sign (RRFB),” like those on Midnight Pass Road, is becoming pretty popular with people. Alternating, or “wig-wag,” flashing lights are mounted below each sign. Nonetheless, “There have been some unresolved corrosion issues with the circuits. This has been brought to FDOT’s attention and the manufacturer,” Maroney added. “Repairs were made and they are currently functioning. However, we continue to evaluate their reliability and await manufacture resolution to the corrosion problem before recommending further use,” he wrote.

The goal with the memo being prepared by staff is to provide all the relevant details to the County Commission, Maroney told me, so the board “has enough information to make a quality decision.”

In a related matter, Harriott, the county’s chief engineer, reported to the County Commission on June 17 that county staff recently had positioned a truck with a camera near the intersection of Beach Way and Beach Road to record vehicle and pedestrian movements. “Several citizens have requested a signal at the intersection,” he added. “This a repeated request, [but] studies have shown that the intersection does not meet warrants for a traffic signal.”

Siesta Seen

PLENTY OF PATHS TO THE BEACH

County staff email this week also provided an update about a popular path to Siesta Public Beach that will be eliminated as a result of the new stormwater project.

On July 13, Carolyn Brown, general manager of the county's Parks and Recreation Department, explained that the path by the county fire station on Beach Road will disappear, to be replaced by the new stormwater retention pond. That project tentatively is set to be completed in late fall.

Brown did offer aerial views showing multiple ways to enter the beach park without that path.

She wrote: "The solid yellow lines indicate actual sidewalks. The dashed yellow lines are paths on the sand. As you can see, there will be a path ... between the new parking [area] and where the new tennis courts will be repositioned. This is not too far from the original path." (See the accompanying image Brown provided.)



A county map shows where new parking spaces and the new tennis courts will be placed when improvements are completed at Siesta Public Beach. The solid yellow lines represent sidewalks, while dotted lines represent paths in the sand. Image courtesy Sarasota County

Siesta Seen

OLD STICKNEY POINT ROAD LIGHTING

Yet a third ongoing topic has been reprised in recent county memos to the commission. This one concerns the interest of business owners on or near Old Stickney Point Road in seeing better illumination installed in that area for pedestrians.

In early February, Commissioner Patterson asked staff to begin investigating what it would take to get lighting installed along the road. She was responding to a request from Dave Stewart, one of the owners of Captain Curt's Crab & Oyster Bar, and Aledia Tush, co-owner of CB's Saltwater Outfitters.

"They feel [Old Stickney Point Road] is very dark and dangerous at night and a deterrent to the folks visiting businesses and restaurants," Patterson wrote Chief Engineer Harriott in a Feb. 1 email. "Their preference would be decorative lighting as was originally planned when the area was improved with sidewalks and pedestrian crosswalks [about 10 years ago]. They believe the little park at the end would benefit as well and apparently the condo down at that end is supportive of that also."

During his report to the County Commission for the week of July 1, Harriott noted: "Cost estimates are being provided (as requested) to the property owners for two options:



Power lines are visible along Old Stickney Point Road, but no light poles stand on the street. Photo by Rachel Hackney



Captain Curt's Crab & Oyster Bar is at the corner of Midnight Pass Road and Old Stickney Point Road. Photo by Rachel Hackney

Siesta Seen

1) Florida Power and Light (FP&L) fixtures mounted on existing infrastructure and 2) County street lights mounted on new poles and infrastructure.”

Harriott added, “The FP&L option may not result in lights in the preferred locations [if existing poles are used]. Either option will require a new lighting district. The lights could be added to the existing Siesta Key lighting district, which would require a [vote] for inclusion by the entire existing district. Forming a new district is simpler and improves the likelihood for success.”

In a May 8 memo, Ryan Montague in the county’s Traffic/Mobility Office explained the steps for setting up a new lighting district:

“1. Meet with steering committee to determine type of lighting and lighting locations.

“2. Obtain feasibility and estimates from FPL/lighting vendors/electrical contractors.

“3. Present project plan along with estimates/assessments at a Public Meeting.

“4. Require steering committee to obtain petition from at least 67% of property owners from proposed district.

“5. Present project, estimates, and petition to [the County Commission] at a Public Hearing, request funds transfer to pay for initial year costs.

“6. If approved, construct project, and assess properties within district for project costs.

“Steps 1, 2, and 3 may repeat as necessary depending on comments and requests from

steering committee members and proposed district property owners. For instance, we may need to have three steering committee meetings before a lighting style is agreed upon, and we may need to have two or more public meetings depending on whether or not we reach a consensus from property owners.”

Earlier — on Feb. 1 — Montague emailed Paterson with the following information: “As I explained to Ms. Tush, Old Stickney [Point Road] is within the Siesta Key Lighting District, and there are several poles on the street available for overhead lights which can be provided by FPL at no up-front cost and a negligible increase in annual energy costs (less than 2% impact to the district’s annual budget). Ms. Tush is amenable to having that type of lighting installed.”

Tush and Stewart were both out of town this week, so I was unable to reach them for comments on the latest staff information for the commission.

CHAMBER IN NEW SPACE

As of July 1, the Siesta Key Chamber is in new quarters — 5114 Ocean Blvd., just a few steps from the old location, 5118 Ocean Blvd.

In its monthly newsletter, Chamber staff noted that the new offices include a completely updated Visitor Center, which serves more than 10,000 visitors each year. “We encourage you to attend an open house for the new location,” the newsletter adds. That event, scheduled for July 25, will be held in conjunction with a ribbon cutting for one of the Chamber’s new neighbors in Davidson Plaza, Senior Siesta. 



Kettle of Fish/Contributed photo

chicklinsrq

A&E BRIEFS

KETTLE OF FISH TO PERFORM AT FRIDAY FEST ON JULY 19

The Van Wezel Performing Arts Hall will host its second Friday Fest of the summer on Friday, July 19, from 5 to 9 p.m., featuring Kettle of Fish, the hall has announced.

“Playing the perfect mix of bluesy rock with a touch of soul, Kettle of Fish [has] become a staple of the Sarasota live music scene,” a news release says. “If you like [the] Rolling Stones, Tom Petty, Robert Cray, BB King, Stevie Wonder, The Allman Brothers, the Grateful Dead, or Eric Clapton, you will love Kettle of Fish,” the release adds.

“Be sure to bring a blanket or chair, and a good pair of dancing shoes, or feet!” it continues. Local vendors will have food and drinks for sale. Among them will be Mattison’s On The Bay, J&J Bar-B-Que, Snack It To Me!, Tasty Takeout, TCBY, SRQ Pizza, Suncoast Food

Trucks, Sweet Doctors and Lemonbar, the release notes.

The Van Wezel is located at 777 N. Tamiami Trail in Sarasota. For more information, visit www.vanwezel.org.

REVERBATION Home / Artists / Bands / Kettle of Fish / About / Contact / Store / Sign Up / Log In / Sign Up For Free

Kettle of Fish Rock / Blues / Jam Band - Sarasota, FL Rank #4

50% of sales go to the charity Love Hope Strength.

SONGS (New! Old! All! Free! All)

- Crooked Hairs [Like] [Dislike]
- I'd Rather Be... [Download] [Like]
- Damage [Download] [Like]
- Words You Long... [Like] [Dislike]
- Merry Go Round [Like] [Dislike]

QUICK ACTIONS

- Subscribe
- Send Direct Message
- Get Reviews
- Back Your Band

Support Your Favorite Artist
Help Kettle of Fish make 2013 a break out year!
[Give Gift Card Today](#)

ABOUT

Members: Dana Lawrence, Thomas Moore, Todd Cook & Garrett Egan's, and more

Band: Like Van Petty, John Bonham, Neil Young, Santana, Otis Redding, Led Zeppelin

Manager: Dana Lawrence

See Dana Lawrence - Vocals, Keyboards, Guitar, Tramon Moore - Vocals, Lead Guitar, Todd Cook - Vocals, Bass, Garrett Egan on drums, percussion, Matthew Foster on keyboards, Greg Moore's second lead guitar for special events primarily such as the regular Friday Fest, and many other rotating in-

VIDEOS

QUESTIONS

Be the first to ask Kettle of Fish a question!

Are you having trouble viewing this page? Please click here to help us help you!

MUSIC & MOVIES COMING TO THE MANATEE PERFORMING ARTS CENTER

A collaboration between Realize Bradenton and the Manatee Players will bring live cabaret and classic movies — *Music & Movies* — to Bradenton’s new Manatee Performing Arts Center July 21, Aug. 18 and Sept. 15, the center has announced.

The cabaret performance begins at 6 p.m. followed by the movie at 7 p.m. Food and beverages will be available for purchase. For more information, call the Manatee Players’ box office at 941-748-5875.

According to Janene Witham, executive director of the Manatee Players, the series is made possible, in part, by a generous grant from the William G. and Marie Selby Foundation.

“The Selby Foundation grant empowered us to purchase a state-of-the-art projector system for the facility,” says Witham in a news release. “With its live music and cinematic elements, this series is a great way to beat the summer heat and take our brand new facility for a test drive. We know audiences are going to love it!”



The series kicks off at 6 p.m. on July 21 with a performance by The Wirebeaters, “Manatee County’s high-energy bluegrass quintet,” the release notes. That performance will be followed at 7 p.m. with a screening of *Fried Green Tomatoes*, the 1991 film starring Kathy Bates as an unhappy housewife and Jessica Tandy as a lonely nursing home resident who entralls Bates with her tales of her life.

The series will continue at 6 p.m. on Aug. 18 with “vocalist Eve Caballero and the Manatee Players performing sultry jazz favorites and setting the mood for the 7 p.m. screening of *Chicago*, [director] Rob Marshall’s Academy Award-winning adaptation of the satirical musical exploring the themes of celebrity, scandal, murder and corruption in the Jazz Age,” the release adds.

The series will conclude at 6 p.m. on Sept. 15 with a performance by actor Berry Ayers, aka Beneva Fruitville, “the plucky Southern belle with a risqué mouth who hosts the popular Drag Queen Bingo series at area venues,” the release points out. Following the performance at 7 p.m. will be a showing of *The Birdcage*, Mike Nichols’ entertaining

remake of *La Cage aux Folles*, “about a gay cabaret owner and his drag queen companion who agree to put up a false straight front when their son’s fiancée’s parents come to dinner,” the release continues. This show is for adult audiences only.

“This series is an excellent way to introduce the community to its new, cutting-edge performing arts center,” says Johnette Isham,

Realize Bradenton’s executive director, in the release. “It’s our way of raising the curtain on this new venue and giving audiences a sneak peek at what they’ll be experiencing for years to come. Realize Bradenton, the Manatee Performing Arts Center and the Manatee Players are all about working together and thinking big for Bradenton’s future.”

The Manatee Performing Arts Center is located at 502 Third Ave. West in downtown Bradenton.



FST TO OPEN SOUTH BEACH BABYLON ON JULY 26

FST will open its third show of the summer season, *South Beach Babylon*, on July 26 in the Keating Theatre, FST has announced.

Written by one of south Florida's most celebrated playwrights, Michael McKeever, "this play tells the story of Jonas Blodgen who is fresh out of art school ... and ideas," a press release says. "When he lands a job in South Beach, he is thrown into a world full of intense artists, alluring models and cutthroat curators," the release adds.

"I am thrilled to have another one of my plays produced at Florida Studio Theatre," says McKeever in the release. "I have been fortunate enough to see my work produced at theaters around the world — and Florida Studio is one of the very best. The work that this theater produces is consistently top-notch. I can't wait to see what Artistic Director Richard Hopkins, Director Kate Alexander and their amazing cast and design crew come up with for *South Beach Babylon*."

McKeever has had two other plays produced at FST, *37 Postcards* in 1999 and *The Miamians* in 2008, the release notes. Hopkins praises McKeever's artistry, saying in the release, "Michael McKeever is a good and trusted friend of FST. His plays have been tremendously successful here in past seasons ... He is without a doubt Florida's favorite playwright in residence, and *South Beach Babylon* captures the style, fun and sexiness of Miami as no other play can. *South Beach Babylon* is an exciting adventure — a new play with a fresh look at south Florida and her variety of wacky characters."



(From left) Roger Clark, Priscilla Fernandez, Jeffrey Plunkett, Matthew DeCapua and Larissa Klinger star in *South Beach Babylon*. Contributed photo by Brian Braun

Associate Director, Kate Alexander will direct the production.

The cast includes, Jeffrey Plunkett, a returning company member whose previous FST credits include this past winter season's hit play, *The Columnist*, and previous season's successes: *Race* and *Sylvia*, the release continues.

Matt DeCapua, who previously performed in McKeever's FST production of *The Miamians* in 2008, will return to play the main character, Jonas Blodgen. Cindy De La Cruz will make her Mainstage debut in *South Beach Babylon*, the release points out. "You may recognize De La Cruz from *The Frog Prince*, *Under Six* and *Seven Up* this past year," the release notes: "De La Cruz spent the past nine months with FST's troupe of acting apprentices cultivating and honing her skills as an actress."

Tickets for the performances will be on sale through Aug. 18. They may be purchased by phone at 366-9000, online at FloridaStudioTheatre.org or by visiting the box office at 1241 N. Palm Ave. in downtown Sarasota. 



COMMUNITY CALENDAR

THE BEST OF UPCOMING EVENTS

19
JULY

Friday Fest at the Van Wezel, featuring Kettle of Fish

July 19, 5 p.m., Van Wezel Performing Arts Hall, 777 N. Tamiami Trail. Admission: Free. Information: 953-3368 or VanWezel.org.

19+
JULY

WBTT presents *The Best of Stevie Wonder*

July 19-28 (times vary), Westcoast Black Theatre Troupe, 1626 10th Way, Sarasota. Tickets: \$29.50. Information: 366-1505 or online at WBTTSRQ.org.

19+
JULY

Florida Studio Theatre presents *The Underpants*

Through Aug. 11 (times vary), Keating Theatre, 1241 N. Palm Ave. Tickets: \$18 to \$42. Information: 366-9000 or FloridaStudioTheatre.org.

19+
JULY

FST Summer Improv

Through Aug. 24, 8:30 p.m., John C. Court Cabaret, 1241 N. Palm Ave. Tickets: \$12. Information: 366-9000 or FloridaStudioTheatre.org.

19+
JULY

Dabbert Gallery presents *Summer Showcase*

Through Sept. 30, 76 S. Palm Ave., Sarasota. Admission: free. Information: 955-1315 or DabbertGallery.com.

20
JULY

WSLR presents *The Couple Conundrum* – a staged reading

July 20, 8:30 p.m., Fogartyville Community Media and Arts Center, 525 Kumquat Court. Tickets: \$10 in advance; \$12 at door. Information: 894-6469 or SarasotaPeacenter.org.

21
JULY

WSLR presents *A Social and Blues Jam*

July 21, 7 p.m., Ocean Blues, 1936 Hillview St. Admission: Free. Information: 894-6469 or SarasotaPeacenter.org.

'PERHAPS THIS WAS NOT A GREAT SPOT FOR MY NEST.'

PRESS



Norman Schimmel
Photographer

The Sarasota News Leader

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**SCHIMMEL
SIGHTINGS**



Each week, Staff Photographer Norman Schimmel searches Sarasota County for iconic shots that underscore why the community is a favorite with residents and tourists alike.