

Richard Neill

From: Richard Neill
Sent: Wednesday, November 17, 2021 5:32 PM
To: 'cody Danks'
Cc: William Thiess; Mary Fowler; Laura Marotta
Subject: RE: Variance

Mr. Danks,

Please get me any further request or explanation of your request for consideration, and any supporting documents by Monday, or just confirm that your email below is your request, and I can get it on the agenda for the December 13 meeting. (I suggest elaborating on what you request and why.)

As far as the fence, I seemed at the meetings that neither the Board of Aldermen nor the Board of Adjustment was fond of the fence, but no decision was made as far as your being required to take it down or getting anything in return for taking it down. So, I would suggest holding off on doing anything. But, that's just my thought.

Regards,

Richard V. Neill, Jr.
Town Attorney
Town of St. Lucie Village, Florida

Neill Griffin Marquis, PLLC
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richard.neill@stlucievillagefl.gov

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From: cody Danks <Suncamper@hotmail.com>
Sent: Monday, November 15, 2021 9:41 AM

To: Richard Neill <richard.neill@stlucievillagefl.gov>

Subject: Re: Variance

Mr. Neill,

I would like to ask the board to reconsider moving forward with the full pane or if they have any better solutions. I feel that it has been granted a few times and serves as a benefit for my renters. Please let me know when the next hearing will be. In the meantime, as I understand it, the board originally wanted was for me to move the fence to the property time. Is that how you understood it?

Thank you

Cody

From: Richard Neill <richard.neill@stlucievillagefl.gov>

Sent: Friday, November 5, 2021 3:55 PM

To: cody Danks <suncamper@hotmail.com>

Cc: Laura Marotta <LMarotta@neillgriffin.com>; William Thiess <william.thiess@stlucievillagefl.gov>; Mary Fowler <mary.fowler@stlucievillagefl.gov>

Subject: RE: Variance

Mr. Danks,

Thank you for your email below.

The result of the hearing will be an order denying your petition (in its entirety). Per the ordinance, you have a right to appeal in Court.

Having said that, though, I don't see any reason you cannot ask the Board to reconsider to specifically address the trees, or to reconsider the retention area question. Please understand that it would be up to the Board of Adjustment whether or not it is willing to reconsider or clarify in any respect. If you will submit a written request, I will bring it forward to the Board for consideration.

(I don't feel that you would need to pay a filing fee to ask for reconsideration; but, I do think that I would have to mail and publish notice again so there would be that expense.)

I feel I need to respond on a couple of other points.

As the Village Attorney, I am comfortable defending the Board's determination that Sun Campers' request did not meet the Ordinance's requirements for granting a variance, but I certainly understand your arguments, and I don't mean to dismiss them. I am just responding with the legal position.

Similarly, concerning your statement about continuing the prior use, I cannot agree with that. The variances which permitted commercial use on the Goff property were no longer effective at the time you acquired the property; and, they were also not assignable or transferable to a new owner, even if they had still been in effect.

Regards,

Richard

Richard V. Neill, Jr.

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Town of St. Lucie Village, Florida

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-----Original Message-----

From: cody Danks <suncamper@hotmail.com>
Sent: Tuesday, November 2, 2021 9:22 PM
To: Richard Neill <richard.neill@stlucievillagefl.gov>
Subject: Variance

Mr. Neill,

The variance meeting closed without a resolution on the landscaping buffer to the south side of the property. How do we go about handling that?

I feel as though I have been treated different then past village commercial owners based on the sins of another persons issues. I feel that we need to reopen this issue because it does in fact meet all requirements of a variance and I am being treated differently then similar businesses. I want to bring another variance to reinstate the past use of the commercial property as it was for the Geoff family. Since I purchased the company and my use is the same as Northside as far as sales and service and the buildings are being used in the same way. Shouldn't I be able to keep the use as it is?

Thank you

Cody

Sent from my iPhone