



BENTLEY GOODRICH KISON

A COMMERCIAL LITIGATION LAW FIRM

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February 10, 2023

Mr. Rick Russ, Sr.
Code Enforcement Officer
Planning & Development Services
1001 Sarasota Center Boulevard
Sarasota, FL 34240-7850

Re: 4413 Ocean Boulevard, Sarasota, FL 34242

Dear Rick:

As you know, we represent Mr. and Mrs. Grinstead in regard to the rental issues on the above property. Attached are the records you recently requested. I am writing this letter to remind you of the chronology of this case in hopes that what appears to be a targeted campaign against the Grinsteads will cease.

As you may recall, the Grinsteads were originally cited for failing to comply with Chapter 124, Sec. 124-131(a) and a hearing was scheduled initially for June 24, 2022. At that point, the Grinsteads were unaware of the Ordinance, but thereafter came into compliance and that case was resolved.

Some months later, the Grinsteads received another Notice of Hearing (oddly in the already resolved case number as a "recurrence case"), and a hearing scheduled for January 27, 2023. Again, the Grinsteads provided proof of compliance with the Ordinance and both the original case and the "recurrence case" were dismissed.

The Grinsteads have now received the attached Order to Correct Violation which was sent 1) without any prior request for this information and 2) was literally taped to a sign in the Grinsteads' yard, and they also received a copy via U.S. Mail several days later at their primary residence. Moreover, the Order includes an order to "cease the rental/advertising for rental of the dwelling unit". This Order to Correct is repugnant on its face for two reasons:

1. The request for information from a valid lessor assumes the ability to rent. Therefore, asking for that information while simultaneously ordering the cessation of rental is a complete contradiction; and
2. The Ordinance nowhere provides any ability to regulate commercial speech; nor do I suspect the County wants to enter into the arena of regulating commercial speech directly.

At this point, the evidence is uncontested and unassailable that the Grinsteeds are in full compliance with the Ordinance and have been for some time. Please direct any future correspondence on this matter to me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Morgan R. Bentley". The signature is fluid and cursive, with the first name being the most prominent.

Morgan R. Bentley
For the Firm

cc: Scott Bossard, Esq. (via e-mail)

Enclosures

Rentals for 4413 Ocean Blvd.

Bold dates notate VRBO rentals, all other dates are AirBnB or individual contracts

2021

Sept 26th-Oct 28th: Marcia Hamelin & Casey

Nov - 0

Dec - 0

2022

Jan 9th-16th: Mason Staib

Jan 24th-31st: Sheila Stolorena

Feb 19-March 19th: Katelyn Vonmyhr, husband, children and in- laws

March 20th-26th: Rhonda Lengacher (V)

April 1-9th: Shelley Brown, husband and children

April 9-16th: Kristen Neal (V)

April 16th-23rd: Becky Meritt, husband, children

May 7th-14th: Sara Moe

May 14th-21st: Lauren Rivard

June 4-10th: Jordan Counts (V)

11-18th: Vickie Moss (V)

19-26th: Constance Wilson

30-July 6th : German Varela (V)

July 9th-16th: Laura Boswell

July 20-27th: Karyn Parker and family

Aug. 14th-21st: Dawn Troyer

The following are rentals from our last court date Aug 10th, 2022

Oct. 12th-Nov 12th - James Staples

Nov.19th-27th - Donna Novickis

2023

January- Cathy & Jay Sudkamp: (859) 492-6343

February- Cathy & Jay Sudkamp: (859) 492-6343

Post Site

Sarasota County

SARASOTA COUNTY CODE ENFORCEMENT NOTICE OF VIOLATION AND ORDER TO CORRECT VIOLATION

CASE NUMBER: CZ-23-217

DATE: JANUARY 31, 2023

PROPERTY OWNER:
DANIEL WESLEY GRINDSTEAD
LISA ANN GRINDSTEAD
9521 SHORT LINE CT
WEST CHESTER OH 45069

LOCATION OF VIOLATION: 4413 OCEAN BLVD SARASOTA FL 34242

PROPERTY IDENTIFICATION NUMBER: 0079060013

NOTICE OF VIOLATION: Pursuant to Chapter 2, Article VIII, Sarasota County Code, and Chapter 162, Florida Statutes, you are notified that a violation of the following Sarasota County Codes exists:

Sarasota County Unified Development Code Chapter 124, Sec. 131(a)(3). Rental of Dwelling Units in OUA, OUR, OUE, RE, RSF, RMF, RC, and RMH Districts.

The owner or managing agent of real property that is offered for rent or lease shall maintain records, including the names and addresses of the lessees, that are adequate to establish the period for which a unit is rented and the names of family members or unrelated individuals occupying the premises during each rental period. Such records shall be provided upon request to inspectors authorized by the County to enforce this UNIFIED DEVELOPMENT CODE.

DESCRIPTION OF CONDITIONS CONSTITUTING THE VIOLATION: Rental of Dwelling Units in OUA, OUR, OUE, RE, RSF, RMF, RC, and RMH Districts.
Section 124-131(a)(3) Rental of Dwelling Units in OUA, OUR, OUE, RE, RSF, RMF, RC, and RMH Districts.

Failure to provide adequate rental records per rental records request sent April 8, 2022.

ORDER TO CORRECT VIOLATION: You are directed by this notice to make the following corrective actions: Cease the rental/leasing and advertising for rental of the dwelling unit on this parcel in accordance with Sec 124-131(a)(3);

The owner or managing agent of real property shall provide requested records to inspectors authorized by the County to enforce this UDC.

ON OR BEFORE: FEBRUARY 10, 2022

PENALTIES MAY BE IMPOSED: Failure to correct the deficiencies on the date specified above will result in an Affidavit or Statement of Violation to be filed the Code Enforcement Special Magistrate, charging you with the violations set out above, upon which a hearing will be held which you may attend. If the Code Enforcement Special Magistrate finds a violation exists, penalties up to \$250.00 per day for each day the violation exists may be imposed. Penalties up to \$500.00 per day for each repeat violation may be imposed.



RICK RUSS, SR.
(cell: 941-264-4988) russ@scgov.net
Code Enforcement Officer
Planning & Development Services
1001 Sarasota Center Blvd.
Sarasota FL 34240-7850