

**Correspondence received after DRC Packets were distributed to DRC Board Members.
Case Number: ZON-22-08 (Cypress Run of FL, LLC)**

From: Terri Whetzel <twhetzel@innovativecms.com>

Sent: Friday, September 8, 2023 10:06 AM

To: Brinson, Ryan <rbrinson@pinellas.gov>

Subject: RE: Cypress Run Master Plan 1982

CAUTION: *This message has originated from outside of the organization. Do not click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe.* Good morning Mr. Brinson,

First and foremost, I wish to express my thanks for you giving me a call yesterday regarding the upcoming DRC public meeting for Case No. ZON-22-08. I would like to reiterate the important points of our conversation and the anticipation that you and your department will be instrumental in ensuring an effective and fair process:

- I retrieved the public notice for this meeting, which was dated August 30, 2023, from my mailbox during the late afternoon/early evening of Thursday, August 31, 2023. After examining the notice, I understood that any information I, or others, may like to provide for consideration by the DRC would need to be submitted the following day in order to comply with the 7-day advance submission requirement. Not only did the Labor Day Weekend interfere with and reduce the available time to respond, many Tarpon Springs residents and businesses were dealing with the aftermath flooding conditions of Idalia. I respectfully request, in the interest of fairness and due process, that this hearing be postponed or continued to the next DRC meeting date to allow for the submission of substantive and competent information to the DRC for consideration in accordance with the advance submission requirements.
- As we discussed, this zoning change is for the purpose of modifying a Development Master Plan on a Residential Planned Development to allow for an addition of acreage for the sole purpose of increasing the allowable number of units that can be built within Cypress Run. I believe that there may be errors in the calculation of allowable units. I would like to have the time necessary to review this issue further and request that the zoning department review this as well.
- Most importantly, I believe that “the cart has been placed before the horse” as the addition of acreage into Cypress Run requires a two-thirds (2/3) approval of the membership. This has not yet occurred. Should that super majority vote not be achieved, all of the work of those involved will be for naught. I believe common sense dictates that this approval be attained prior to any approval by the county. Any representation that sufficient members of Cypress Run support this plan, is not accurate. This vote, while not impossible, will be difficult to achieve even though the applicant is entitled to 25% of the total vote. Should the affirmative vote be attained, the county will be able to base a favorable decision supported by the membership of Cypress Run. Please see below the portion of the governing documents (*Amended and Restated Declaration of Covenants and Restrictions of Cypress Run*) which address this approval requirement.

ARTICLE II
Property Subject to This Declaration:
Additions Thereto

Section 1. Existing Property. The real property which has been conveyed and otherwise made subject to this Declaration, is located in the County of Pinellas and State of Florida, includes the property described in Schedule "A" annexed to the original Declaration of Covenants, which is incorporated herein, as well as all of the property shown and described in the following plats: Cypress Run Unit I – Plat Book 86, Pages 27 through 32; Cypress Run Unit II – Plat Book 87, Pages 65 through 68; Villas at Cypress Run – Plat Book 86, Pages 19 through 21; and Villas at Cypress Run West – Plat Book 87, Pages 63 through 64. Additionally, the Golf Course property, as described above in the definitions, and as may also have been described on Schedule "B" to the original Declaration of Covenants, is part of the existing property.

Section 2. Additions to Existing Property. Lands in addition to the Existing Property described above may hereafter become subject to this Declaration in the following manner:

A. Additions Approved by Members. Upon approval in writing by the Board of Directors and the members of the Association, pursuant to authorization of the vote of two-thirds (2/3) of its members, voting as provided in Section 3 of Article III hereof, and in the Articles of Incorporation of the Association, the Association and the owner of any property who desires to add such property to the scheme of this Declaration and subject such property to the jurisdiction of the Association, may file of record a Supplementary Declaration of Covenants and Restrictions. The voting rights and assessment obligations of all Owners will be adjusted accordingly.

Again, thank you for your time and consideration.

Respectfully,

Terri B. Whetzel, CMCA, AMS
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Note: This correspondence was sent via email to:

Ryan A. Brinson, FRA-RA
Principal Planner
Housing and Community Development Department
[Tell us how we are doing!](#)
Phone (727) 464-5642
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