

## Attachment E

**David O Simmons**

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**From:** Brian Fulton <brian@imgventures.com>  
**Sent:** Wednesday, May 12, 2021 12:34 PM  
**To:** David O Simmons  
**Cc:** James Lockhart  
**Subject:** Opposition to Application No: Z-35-17  
**Attachments:** Property Owner Notice.pdf

Dear Mr. Simmons:

As owners in this community the purpose of this letter is to express our opposition to the recently filed rezoning request of the properties located at 21435 & 21449 N 24<sup>th</sup> Avenue (the "Site"), which is located in the Deer Valley Airport Overlay ("DVOA") District. The Site is zoned R-5 Residential and all of the surrounding properties are zoned R-5 Residential. The applicant, Mr. Rupp, seeks to rezone the Site to A-1 light industrial, which in effect would allow any use from electrical appliance manufacturing to freight yards to massage establishments to medical marijuana cultivation and dispensaries, and beyond, right in the middle of residentially zoned properties.

The requested rezoning makes no land use sense. It directly conflicts with the City's General Plan, which states that "The goals and policies that are outlined in the General Plan were created so residents have a reasonable expectation and level of certainty while living in our great city; certainty in regards to quality of life and compatibility." P. 106. It also states in pertinent part the following Land Use Principles:

- "Protect residential areas from concentrations of incompatible land uses that could change their character or destabilize land values." P. 106.
- "Residential Conversion Policy: Encourage properties and neighborhoods planned for residential use to continue as residential uses rather than being assembled for nonresidential development." P. 106.

Allowing for A-1 uses in the middle of a neighborhood planned for residential use would directly violate the stated land use principles of the City – it would actually do the opposite of encouraging neighborhoods "planned for residential use to continue as residential uses."

Because granting the request would violate the City's General Plan, I would respectfully ask that the applicant's request be denied.

Can you please provide us the virtual login for tomorrow meeting?

Respectfully,

**Brian Fulton**  
VP Acquisitions & Development



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