

Greg Stuart [greg@stuarturbandesign.com]

Sun 2/22/2015 4:53 PM

To: Buchanan

Phil, I would appreciate it if you copy me on future correspondence regarding the Pine Island Plan.

Greg

Dear Pine Islander's, if you want to stay informed, read the Pine Island Eagle. If you want to be misinformed, read Phil Buchanan's recent letter to the Editor.

I am not sure what BOCC workshop Phil was talking about. I was at the same meeting last week and the Board did not "tie the Pine Island Plan to the railroad tracks". The Board did not say that the Pine Island Plan needs to "be rewritten so to not restrict development." What the Board listened to and discussed from independent, outside counsel was that as currently constructed, the Pine Island Plan does have a number of regulatory elements that are legally indefensible. From a professional planning and legal perspective, this fact, primarily brought about by the Bert Harris Private Property Rights Act, is indisputable. It cannot be wished away! It does not matter that 1,000's of residents have worked on the plan for 30 years (including this 18 year Matlacha resident). If a comprehensive plan is not legally sustainable, then it is without merit. It is like building a house without a foundation.

The Board agreed that, when facing legally vulnerable land use regulations, the responsible approach for all Pine Island and Lee Co. citizens is to be proactive. Rather than wait for tens of millions of lawsuits to be litigated and paid out, the Board will be instructing counsel and Staff to get in front of the curve. Both Commissioner Mann and Chairman Hamman were very clear that Pine Islanders will be involved to rebuild the Plan to make it more legally defensible.

Now is not the time for breathless overstatement and gross mischaracterization. Yes, the Pine Island Plan is going to change. It has to. But what the BOCC wants is to explore any and all opportunities to maintain the various quality of life objectives of the Pine Island Plan while reducing multiple millions of dollars of real liabilities. The challenge is great, but so are the opportunities.

Greg Stuart
11860 Island Ave.
Matlacha, FL 33993

GREGSTUART
(c) 239 677 6126
www.Stuarturbandesign.com
www.GregStuartFineArt.com