

IN THE TWELFTH JUDICIAL CIRCUIT COURT
IN AND FOR SARASOTA COUNTY, FLORIDA

LOURDES RAMIREZ,
Plaintiff,

v.

CASE NO. 2021 CA 005551 NC
DIVISION C CIRCUIT

SARASOTA COUNTY,
Defendant.

FINAL JUDGMENT

The Court entered an Order Granting in Part and Denying in Part Multiple Motions for Summary Judgment dated August 21, 2023, which granted summary judgment in favor of Plaintiff Ramirez on the issues of (1) Plaintiff's standing to bring this action, and (2) the inconsistency of the challenged Development Order approving the Calle Miramar hotel with Future Land Use Policy 2.9.1 of the Sarasota County Comprehensive Plan, granted summary judgment in favor of the Defendants on the issue of the Development Order's consistency with Coastal Policy 1.2.3 and Future Land Use Policy 1.2.6 of the Comprehensive Plan, and ruled that there were disputed issues of fact precluding summary judgment on the issue of the Development Order's consistency with the remaining Comprehensive Plan objectives and policies raised by Plaintiff. The parties filed on September 20, 2023 a Joint Response as requested by the Court's Order, requesting that the Court enter a final judgment invalidating the Development Order and precluding the County from permitting development activities pursuant thereto, in light of the Court's granting of summary judgment as to inconsistency with FLU Policy 2.9.1, rather than proceeding to trial on the remaining claims of inconsistency, which are rendered moot by the Court's ruling regarding FLU Policy 2.9.1.

Accordingly, it is hereby ORDERED and ADJUDGED as follows:

1. **FINAL JUDGMENT is entered in favor of Plaintiff Lourdes Ramirez.**
2. Sarasota County Resolution No. 2021-208 adopted October 27, 2021 (the Development Order) is inconsistent with Sarasota County Comprehensive Plan Future Land Use Policy 2.9.1, and thus in violation of sections 163.3194 (1)(a), and (3), and 163.3215, Florida Statutes.
3. The Court's August 21, 2023 Order Granting in Part and Denying in Part Multiple Motions for Summary Judgment (DIN 209) is hereby adopted and incorporated as part of this FINAL JUDGMENT.
4. The inconsistency of the Development Order with Sarasota County Comprehensive Plan Future Land Use Policy 2.9.1 is dispositive of the issue of the Development Order's consistency with the Sarasota County Comprehensive Plan pursuant to sections 163.3194 (1)(a), and (3), and 163.3215, Florida Statutes.
5. Other allegations of Comprehensive Plan inconsistencies alleged by the Plaintiff are moot and no judicial labor remains for the Court.
6. The Development Order is null and void, and Sarasota County is precluded from permitting development activities pursuant to the Development Order, and the Intervenors are precluded from engaging in any development activities authorized by the Development Order.
7. The Court reserves jurisdiction to determine which party is the prevailing party for purposes of section 163.3215 (8)(c), Florida Statutes, and to award attorneys' fees or costs or both upon a timely filed motion.
8. The Court further reserves jurisdiction to enter any additional order necessary to effectuate this Final Judgment.

DONE AND ORDERED in Venice, Sarasota County, Florida, on October 09, 2023.


10/9/2023 1:13 PM 2021 CA
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e-Signed 10/9/2023 1:13 PM 2021 CA 005551 NC

HUNTER W CARROLL
Circuit Judge

SERVICE CERTIFICATE

On October 09, 2023, the Court caused the foregoing document to be served via the Clerk of Court's case management system, which served the following individuals via email (where indicated). On the same date, the Court also served a copy of the foregoing document via First Class U.S. Mail on the individuals who do not have an email address on file with the Clerk of Court.

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