

February 04, 2026

VIA CERTIFIED AND REGULAR US MAIL

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Sarasota, FL 34236
debbie.trice@sarasotafl.gov

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Vice Mayor Kathy Kelley Ohlrich
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kyle.battie@sarasotafl.gov

**Re: Urgent Request for Coordinated Inspection & Enforcement Related to Safety
Concern
Restaurant Exhaust System — 100 Central Ave, Sarasota, FL 34236**

Dear Mayor Trice and Members of City Commission:

This firm represents One Hundred Central Condominium Association, Inc., and we write to request immediate City intervention to ensure coordinated inspection and enforcement regarding the commercial kitchen exhaust system at 100 Central Avenue.

The Association has repeatedly reported conditions implicating fire safety and nuisance impacts affecting the condominium's residents related to the restaurant's exhaust system, and prior inspections have documented violations. Nevertheless, the underlying conditions remain unremedied, and the currently vacant space is actively being marketed exclusively for use as a restaurant. The Association has reason to believe that the property's leasing agent is in the late stages of negotiating a lease of the premises to a new restaurant operator. For this reason, the Association requests that the City coordinate Building and Code Compliance functions with the Fire Marshal and DBPR to ensure the premises are not permitted to reopen as a restaurant unless and until all violations are corrected and full compliance is confirmed.

For the Commission's background and convenience, we are enclosing copies of (i) the Association's prior letter to relevant agencies dated October 21, 2025, and (ii) follow-up correspondence to agency officials, which together provide additional detail regarding the history, concerns, and requested enforcement actions.

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Bradenton, FL 34205

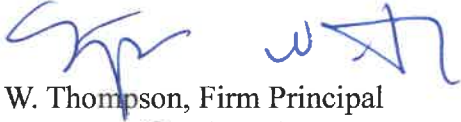
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The Association appreciates the City's service to the community and would welcome the opportunity to provide any additional information needed to facilitate prompt inspection and enforcement. Thank you for your attention to this public-safety concern.

Sincerely,

Najmy Thompson, P.L.

A handwritten signature in blue ink, appearing to read 'Stephen W. Thompson', is written over the printed name.

Stephen W. Thompson, Firm Principal

Email: SThompson@NajmyThompson.com

SWT/nat

February 4, 2026

VIA CERTIFIED AND REGULAR US MAIL

City of Sarasota Development Services Department
Code Compliance Division
Attn: Diane Kennedy, Manager
1575 Second Street, 3rd Floor
Sarasota, FL 34236
diane.kennedy@sarasotafl.gov

Sarasota County Fire Department
Office of the Fire Marshal
Attn: Anita L. Black, Fire Marshal
35 Vic Edwards Road
Sarasota, FL 34240
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Florida DBPR
Division of Hotels and Restaurants- District 7
Joseph P. D'Allessandro Center
2295 Victoria Avenue, Suite 263D
Fort Myers, Florida 33901

City of Sarasota Development Services Department
Code Compliance Division
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Sarasota County Fire Department
Attn: Susan Scott, Fire Safety Inspector
35 Vic Edwards Road
Sarasota, FL 34240
sscott@scgov.net

City of Sarasota Building Department
Attn: Michael Stevens
1575 2nd St., Second Floor
Sarasota, FL 34236

**Re: Follow-Up/Renewed Urgent Request for Coordinated Inspection and Enforcement
Restaurant Exhaust System — 100 Central Ave, Sarasota, FL 34236**

Dear Officials,

This firm represents One Hundred Central Condominium Association, Inc. (the "Association") regarding an ongoing fire-safety and public-welfare concern at 100 Central Avenue. This letter is a follow-up to the Association's prior correspondence dated October 21, 2025 (the "October Letter") requesting an inspection and compliance enforcement regarding the commercial cooking exhaust and ventilation system serving the ground-floor restaurant space at 100 Central Ave, Sarasota, Florida.

As of the date of this correspondence, the Association has not been advised of any inspection, enforcement action, or corrective remediation that addresses the hazardous and nuisance conditions described in the October Letter.

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The only responses received to date are as follows:

1. Fire Marshal Anita L. Black provided a copy of the most recent fire safety inspection materials for One Hundred Central (including violations identified in a November 2023 inspection and a February 2024 reinspection); and
2. Diane Kennedy, Code Compliance Manager, advised that she had shared the October Letter with Deputy Building Official Mike Taylor.

The Association appreciates these acknowledgments. However, we are deeply concerned that the underlying conditions and risks discussed in the October Letter have not been addressed. The inspection reports communicated by the Fire Department do not appear to relate to the restaurant or exhaust system at issue. Rather, these reports appear to relate to an inspection of the residential condominium areas of the building, which took place approximately two years ago.

New, Time-Sensitive Concern: Active Marketing of Vacant Space to New Restaurant Tenant

Although the space is presently vacant, the premises are actively being marketed exclusively for use as a restaurant by a leasing agent associated with Southeast Centers. A prospective tenant, an owner of an Indian restaurant, has been on site twice, each time with a different vendor, to evaluate the exhaust system. Given these recent developments, the Association believes time is of the essence to ensure the unsafe conditions arising from the kitchen's operation do not resume. The Association is deeply concerned that unless officials take action now, the restaurant will be placed back into operation without: (i) a meaningful inspection of the exhaust, duct, and termination configuration; (ii) verification that the system is serviceable, accessible for inspection/cleaning, and code compliant; and (iii) appropriate corrective work to mitigate the fire risk and abate the nuisance.

Given the history of repeated exhaust-related violations and the building-wide impacts described in our October Letter, the Association respectfully requests that the relevant agencies treat this matter as an urgent life-safety and public-welfare issue and take coordinated steps now, before any new restaurant operator begins buildout, permitting, or operations.

Renewed Request for Inspection, Enforcement, and Permit/Occupancy Hold

The Association renews its request that the City and County agencies coordinate with each other and, if appropriate, the DBPR Division of Hotels and Restaurants, to ensure consistent enforcement and information sharing.

In particular, the Association respectfully requests that the City's Building and Code Compliance functions and the Fire Marshal's Office coordinate to ensure that no new business tax receipt, operational approval, final permit, or certificate of occupancy (or equivalent authorization for restaurant operation) be issued for the premises unless and until a joint inspection confirms full compliance with NFPA 96 as incorporated into the Florida Fire Prevention Code, and with all applicable fire, mechanical, and building-code requirements.

Requested Actions

On behalf of the Association, we respectfully request that the City of Sarasota Building Department, City Code Compliance Division, Sarasota County Fire Marshal's Office, and DBPR (Hotels & Restaurants) jointly or in coordinated fashion:

1. Conduct a field inspection of the hood, ductwork, fans, suppression components, and termination assembly serving the restaurant space.
2. Review approved permits and plan sets (and any subsequent modifications) for compliance with applicable fire, mechanical, and building codes, including whether the system provides compliant access for inspection and cleaning on each level (or equivalent code-compliant access).
3. Evaluate the exhaust system's rooftop termination and related conditions, including clearance and separation from any operable windows, doors, and building air intakes, as well as any grease collection or containment requirements.
4. If noncompliance is found, issue formal notices of violation and require corrective measures sufficient to bring the system into compliance and abate the hazard and nuisance conditions (including, as necessary, the redesign or modification of the exhaust system, its termination, filtration, odor mitigation, or other corrective work).
5. Provide the Association with written findings and anticipated enforcement steps, including any scheduled reinspection dates and responsible points of contact.

Request for Written Response and Conclusion

To ensure accountability and to facilitate inter-agency coordination, the Association respectfully requests a written response within fifteen (15) business days of receipt of this letter identifying: (i) the intended course of action; (ii) whether an inspection has been scheduled; and (iii) which agency or official will serve as primary coordinator for this matter.

The Association stands ready to provide access, documentation, and cooperation to assist in prompt resolution. The Association continues to regard the present condition as a continuing nuisance and safety hazard, and it expects the responsible parties to be compelled to bring the system into compliance before any re-occupancy or operation is allowed.

The protection of the health, safety, and welfare of our residents is one of the most important responsibilities of all governmental agencies. The health and safety risks related to this restaurant should motivate all governmental agencies to enforce their rules and regulations and ensure this restaurant is compliant to protect the residents of this community. There is no greater responsibility of the governments than protecting their residents. We look forward to working together to make One Hundred Central a safer and healthier place to live, but we do need all of your help to do so.

Sincerely,

Najmy Thompson, P.L.



Stephen W. Thompson, Firm Principal
Email: SThompson@NajmyThompson.com
SWT/nat

Enclosure: October 21, 2025 Letter (the "October Letter")

Cc: City of Sarasota Mayor, Debbie Trice
City of Sarasota Commission
Madison-RTL Sarasota FL, LLC- Restaurant Property Owner
Tsunami Restaurant Services, LLC- Restaurant Operator
New York Life Insurance- Landlord
Southeast Centers, LLC – Agent for NY Life, Property Manager, and Leasing Agent

Najmy Thompson

ATTORNEYS AT LAW

October 21, 2025

VIA CERTIFIED AND REGULAR US MAIL

City of Sarasota Development Services Department
Code Compliance Division
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Sarasota County Fire Department
Office of the Fire Marshal
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Division of Hotels and Restaurants- District 7
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City of Sarasota Building Department
Attn: Michael Stevens
1575 2nd St., Second Floor
Sarasota, FL 34236

**Re: Urgent Request for Inspection and Enforcement
Restaurant Exhaust System — 100 Central Ave, Sarasota, FL 34236**

Dear Officials,

Please be advised that this firm represents One Hundred Central Condominium Association, Inc. (the "Association"). The purpose of this correspondence is to request your cooperation and assistance to ensure the safety and habitability of the condominium property consistent with State and local fire codes. The residents are very concerned about their safety because of the exhaust system that is located in the condominium building and goes from the restaurant on the ground floor all the way up through the building to the roof. This is eleven (11) stories that this exhaust system travels with this exhaust and waste through a residential condominium before release on the roof. This system has been problematic, and we believe it is out of compliance with applicable state and local laws and poses a significant safety risk to the residents. We feel immediate action is required to address the problems with this exhaust system before it results in additional health and safety risks to the residents of One Hundred Central. The following outlines the problems that we have identified with this system and are hoping that the appropriate government agencies take action to require the owners of the restaurant to make this exhaust system safe and protect the residents from the safety risks that are now associated with the current exhaust system.

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BACKGROUND

One Hundred Central Condominium Association, Inc. is a residential condominium association serving 95 homes with an 11-story mixed-use development in downtown Sarasota, located at 100 Central Ave, Sarasota, FL 34236.

This letter concerns a commercial cooking exhaust system that serves a restaurant kitchen located on the ground floor of the building. The exhaust system, which travels vertically through the interior of the condominium property and outlets on the condominium rooftop, is in a constant state of disrepair.

The system creates a continual nuisance by allowing largely unfiltered smoke, odors, and oil-laden air to be leaked into the building or discharged on the roof in such a way that it is then sucked into air intakes for the main part of the building.

The exhaust system stack does not have clean-outs on each floor, and must be cleaned from the top down, which we believe has only been done once. There is no way to inspect this exhaust system to determine if it is clear of grease build-up and free of breaches in the stack. We are seriously concerned that the configuration and failure to maintain presents a major fire and a health hazard.

The lack of proper maintenance, inspection, and cleaning by the responsible parties (property owner, manager, and restaurant operator) has allowed flammable oils to travel up the stack and coat a significant area of the roof surface and roof-mounted equipment. This includes the HVAC condensing units belonging to a number of units in the condominium.

Upon information and belief, this situation includes a violation of numerous provisions of relevant codes.

DBPR Division of Hotels and Restaurants Inspection Violations Related to System

This firm's investigation into the matter has included the review of the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, inspection records ranging from 2019 to 2025. During this time range, the restaurant's operator, Tsunami Restaurant Services LLC d/b/a Tsunami Sushi and Hibachi Grill ("Tsunami"), was cited every year, often multiple times each year, for violations that appear to be related to the exhaust and ventilation system. These inspections recorded eighteen (18) violations believed to be related to the system, with the following descriptions:

- Missing hood filters on the automatic fire suppression/exhaust system.
- Two hood filters missing on the hood exhaust in the kitchen.
- Inadequate ventilation evidenced by excessive steam and vapors in the kitchen.
- Hood ventilation fans not working. Floor fan attached to the hood as ventilation.
- Soiled fan covers.

- Ceiling/ceiling tiles/vents soiled with accumulated food debris, grease, dust, or mold like substance. All ceiling tiles in the kitchen soiled.
- Hood filters soiled.
- Ceiling/ceiling tiles/vents soiled with accumulated food debris, grease, dust, or mold-like substance. Several ceiling tiles and vents in the kitchen soiled.
- Build-up of grease/dust/debris on hood filters.
- Accumulation of debris on fan covers.
- Ceiling/ceiling tiles/vents soiled with accumulated food debris, grease, dust, or mold-like substance. Ceiling tiles and vents next to the dishwasher and on the cook line soiled.
- Build-up of grease/dust/debris on hood filters.
- Floor/table fan has an accumulation of food debris/dust/grease/soil residue. Observed fan located on the kitchen floor soiled with dust and debris.

It is our understanding that as recently as September 2025, *none* of the exhaust ventilation system's fans were properly functional, and, as a result, the restaurant was ordered to shut down until the fans were repaired or replaced. It is unclear whether the fans were ever repaired and replaced, but it is our understanding that Tsunami has decided to cease operations at the location and that the property owner and manager are making arrangements to lease the property to a new restaurant tenant without addressing the apparent underlying problematic design issues that are almost certainly City of Sarasota code violations that create a nuisance and substantial fire risk.

LEGAL DISCUSSION: DISCUSSION OF SUSPECTED VIOLATIONS, JURISDICITONAL AUTHORITY, AND REQUESTED ACTION

Under the Florida Fire Prevention Code, 8th Edition (2023), the State of Florida has adopted NFPA 1 (Fire Code) and NFPA 101 (Life Safety Code), and—by specific incorporation—NFPA 96 (2021 Edition) governing ventilation control and fire protection for commercial cooking operations.

Discussion of Likely Violations of NFPA 96, Chapter 4

Chapter 4 of NFPA 96 provides for the General Requirements for Cooking Operations in Buildings, and in pertinent parts, provides and requires that:

1. Cooking equipment must be equipped with exhaust systems that comply with all the requirements of NFPA standards (§4.1.1);
2. Equipment and its performance must be maintained in accordance with the requirements of applicable standards during all periods of operation (§4.1.2);
3. Equipment, including hoods, ducts, and fans, must be kept in working condition (§4.1.3);
4. Maintenance and repairs must be performed on all components at intervals necessary to maintain good working condition (§4.1.3.1);
5. All airflows shall be maintained. (§4.1.4);

6. Inspection, testing, maintenance, and cleanliness of the ventilation control and fire protection of the commercial cooking operations, including cooking appliances, generally will be the responsibility of the owner of the system (§4.1.5);
7. All interior surfaces of the exhaust system shall be accessible for cleaning and inspection purposes (§4.1.8);

Upon information and review of all provisions, the restaurant exhaust and ventilation system at issue has violated and continues to violate all the above-referenced provisions of code. More specifically, upon information and belief:

- The cooking equipment is not equipped with exhaust systems designed and installed in compliance with the requirements of NFPA 96, Chapter 7, in violation of §4.1.1.
- The equipment and its performance has not been maintained and kept in working condition during period of operation (as evidenced by the many DBPR Division Inspection Violations) in violation of §4.1.2, and §4.1.3., and maintenance and repairs have not been performed at intervals necessary to maintain good working condition in violation of §4.1.3.1, which has led to airflows not being maintained in violation of §4.1.4.
- This is likely due, in part, to the fact that the interior surfaces of the exhaust system are not accessible for cleaning and inspection purposes, in violation of §4.1.8.

Discussion of Likely Violations of NFPA 96, Chapter 7

Chapter 7 of NFPA 96 relates to Exhaust Duct Systems, and in pertinent part, provides and requires that:

1. All ducts shall lead directly to the exterior of the building, so as not to unduly increase any fire hazard. (§7.1.2);
2. Where personnel entry is not possible, adequate access for cleaning shall be provided on each floor. (§7.4.2.2);
3. Openings for installation, servicing, and inspection of listed fire protection system devices and for duct cleaning shall be provided in ducts and enclosures and shall conform to the requirements of Section 7.3 and 7.7.4.(§7.4.4.1);
4. In all buildings more than one story in height and in one-story buildings where the roof-ceiling assembly is required to have a fire resistance rating, the ducts shall be enclosed in a continuous enclosure extending from the lowest fire-rated ceiling or floor above the hood, through any concealed spaces, to or through the roof, to maintain the integrity of the fire separations required by the applicable building code provisions (§7.7.1.2)
5. The enclosure shall be sealed around the duct at the point of penetration of the first fire-rated barrier after the hood, to maintain the fire resistance rating of the enclosure. (§7.7.1.3)
6. Where openings in the enclosure walls are provided, they shall be protected by listed fire doors of proper rating.(§7.7.4.1)

7. The fire door shall be readily accessible, aligned, and of sufficient size to allow access to the rated access panels on the ductwork.(§7.7.4.4)

Upon information and belief, the restaurant exhaust and ventilation system at issue has violated and continues to violate most of the above-referenced provisions of code. More specifically, it is believed that the exhaust system, as designed and installed, does not allow personnel entry nor is adequate access for cleaning (compliant with the relevant standards) provided on each of the floors, in violation of §7.4.2.2 and others listed above. This is a significant violation and poses health and safety risks to all of the owners and occupants in this condominium.

Furthermore, we believe that the rooftop termination of the system likely violates numerous subsections of §7.8.2.1, which establishes requirements for minimum horizontal and vertical clearance and separation distances, as well as requirements for grease collection systems.

Discussion of Other Standards Likely Violated

Upon information and belief, the restaurant ventilation system does not provide adequate makeup air as required by NFPA 96, specifically violating section 8.3.1, which requires that "Replacement air quantity shall be adequate to prevent negative pressures in the commercial cooking area(s) from exceeding 4.9 Pa (0.02 in. water column)."

Additionally, based upon our understanding of the surrounding circumstances, we suspect that the system in place, and its operation, has violated numerous other NFPA 96 standards, including:

- §8.2 prescribed minimal airflow volume and velocity standards;
- §8.2.3 exhaust fan operation standards;
- §12.1 prescribed operating procedures, including the requirement that exhaust systems be operational when cooking equipment is turned on and that filter-equipped systems not be operated with filters removed;
- §12.4 requirement that systems serving high-volume cooking operations be inspected for grease buildup quarterly ;
- §12.6 requirement for the cleaning of exhaust systems

1. Enforcement Jurisdiction and Authority

The Association recognizes that both the City of Sarasota and Sarasota County Fire Department share responsibility for compliance with the Fire Prevention Code, as adopted pursuant to Section 633.206, Florida Statutes, and implemented through Florida Administrative Code, Rule 69A-60. These authorities, together with the City's Code of Ordinances, Chapter 14 (Fire Prevention and Protection) and Chapter 11 (Buildings and Building Regulations), expressly empower the Fire Marshal and Code Compliance Division to inspect and require corrective action for any condition constituting a fire hazard, code violation, or threat to public safety.

Accordingly, the Association respectfully requests that these agencies exercise their enforcement authority under the above-referenced provisions to inspect the system and compel corrective action as necessary to ensure compliance and protect public safety.

2. Multi-Agency Coordination

Given the multi-jurisdictional nature of this matter, the Association requests that the City Fire Marshal, Building Official, and Code Compliance Division coordinate directly with the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, to ensure consistent enforcement and information sharing. In particular, the Association requests that no new business license, operating permit, or certificate of occupancy be issued for the premises until a joint inspection confirms full compliance with NFPA 96 (2021 Edition) and all applicable fire and mechanical codes.

3. Notice to Future Tenants

The Association further requests that the property owner, landlord, and any leasing agent be required to provide written verification of compliance with NFPA 96 and the Florida Fire Prevention Code as a condition of any new tenant occupancy. The issuance of any future business tax receipt or certificate of occupancy should be contingent upon documented proof that the exhaust and ventilation system has been inspected, certified, and approved as safe and code compliant.

4. Interim Safety Measures

Given the extent of the apparent noncompliance and the documented history of mechanical failure, the Association requests that the exhaust system not be reactivated or used by any party until a qualified professional has verified that it is safe and code compliant. If the restaurant space remains unoccupied, interim measures should be implemented to prevent further leakage of grease, smoke, or odors onto the roof and adjacent air intakes, including capping the stack and cleaning affected roof surfaces to eliminate existing fire-load hazards.

5. Health and Safety Impacts

The conditions described herein are not merely aesthetic nuisances but represent a direct health and safety hazard to residents, employees, and service personnel. The uncontrolled release of cooking exhaust containing grease, smoke, and fine particulate matter may contribute to indoor air contamination through re-entrainment into the building's air handling systems. Additionally, the accumulation of grease residues on the roof creates a potential slip and fall hazard for maintenance contractors and fire personnel. These hazards underscore the need for immediate inspection and remediation.

6. Insurance and Liability Exposure

The Association is also concerned that the current configuration and maintenance deficiencies may expose both the building owner and the Association to heightened liability and insurance risk. The accumulation of combustible grease residues and the lack of accessible cleanouts materially increase the risk of fire and may jeopardize compliance with insurance underwriting standards. Prompt corrective action will mitigate the risk of loss and potential denial of coverage in the event of an incident.

7. Legal Notice of Nuisance

By this correspondence, the Association formally places the property owner, property manager, and restaurant operator on notice that the present condition of the restaurant exhaust system constitutes a continuing nuisance and a likely violation of City of Sarasota Ordinances prohibiting conditions that endanger life or property through fire hazard and offensive emissions. The Association expressly reserves all rights and remedies available at law and in equity, including actions for abatement and injunctive relief should the responsible parties fail to address these hazards.

8. Request for Written Response

To ensure proper coordination and accountability, the association respectfully requests that the recipient agencies provide a written response within fifteen (15) business days of receipt of this correspondence identifying the intended course of action, including any planned inspections, enforcement steps, or coordination with other agencies. The Association stands ready to provide full access to the relevant areas of the property and any documentation necessary to assist with this process.

The Association appreciates your prompt attention to this matter and your continued cooperation in protecting the safety and welfare of the residents of One Hundred Central Condominium.

The following requests summarize the immediate steps sought from the involved agencies:

REQUESTED ACTIONS

On behalf of the Association, I respectfully request that the Fire Prevention, City of Sarasota Building Department, and City of Sarasota Code Compliance Divisions jointly:

1. Conduct a field inspection of the restaurant's exhaust hood, ductwork, fan, and termination stack serving the affected premises.
2. Review the approved mechanical and fire permits, plan sets, and any subsequent modifications for compliance with NFPA 96 (2021) and the Florida Fire Prevention Code.
3. Measure all clearance distances from the exhaust termination to the nearest operable windows, doors, and air intakes of the residential tower and adjacent structures.
4. Evaluate discharge orientation and height to ensure compliance with NFPA 96.

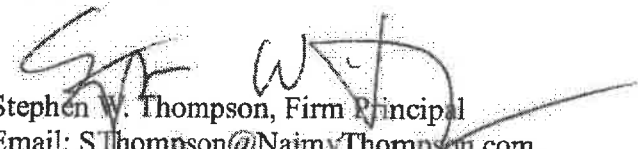
5. If noncompliance is found, issue a formal notice of violation and require corrective measures, such as extending or relocating the termination, adding approved filtration or odor-mitigation equipment, or redesigning the system as appropriate.
6. Provide written findings and anticipated enforcement steps to the Association.

Conclusion

The protection of the health, safety and welfare of our residents is one of the most important responsibilities of all governmental agencies. The health and safety risks related to this restaurant should motivate all governmental agencies to enforce their rules and regulations and make this restaurant compliant and protect the residents of this community. There is no greater responsibility of the governments than protecting its residents. We look forward to working together to make One Hundred Central a safer and healthier place to live, but we do need all of your help to do so.

Sincerely,

Najmy Thompson, P.L.


Stephen W. Thompson, Firm Principal
Email: S.Thompson@NajmyThompson.com
SWT/nat

Cc: Madison-RTL Sarasota FL, LLC- Restaurant Property Owner
Tsunami Restaurant Services, LLC- Restaurant Operator
New York Life Insurance- Landlord
Southeast Centers, LLC – Agent for New York Life, Restaurant Property Manager

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