

MINUTES, February 18, 2009: Manasota and Sandpiper Key Advisory Committee

The meeting was called to order at 9:40AM by BJ Galberaith, Chairman. In attendance were Committee members Betty Sue Carroll, John Dubowik, Randy Dahl, BJ Galberaith, and Norb Trohoski, as well as a number of residents and interested parties.

#### Secretary's Report

The minutes of the last meeting were accepted.

#### Architectural Review Committee

BJ Galberaith, reporting for ARC, told the Committee that the Holske project, 3065 N. Beach Rd., needed more information and would return on 2.20.09. The Committee recommended approval of a pool for Garcia, 1465 Gulf Blvd, provided that the pool equipment storage was moved out of the setbacks.

#### New Business

Because an effort had been made to encourage citizens to familiarize themselves with the Community Plan and the Overlay Code, the Chairman proceeded directly to citizen input and discussion, beginning with the "Unresolved Issues Matrix" that had been included in the Staff packet for P&Z.

Regarding Pile Driving, among the participants were Janet Potts, Becky Dexter, Betty Ryan, Ken Jackson, Phil Eason, Linda McCraney, Judy Hoffstatter, and Bill Stiver. There was general agreement that pile driving would be detrimental to tourism and imposed mental hardship and possible property damage. It was suggested that the solution differentiate between single family and condo development and require posting of bonds and time limits. It was also mentioned that property owners needed proof of damage for litigation and suggested that the County file for exception to the State Building Code as do other communities. It was mentioned that a signed petition to the BCC might demonstrate the concern of the residents.

Turning to Fire Hydrants, the Chairman briefly explained the need for a larger water main on the south end of the Island and the need for more hydrants on the north end. Participants included Bill Stiver, Janet Potts, Ken Jackson, and Nell and Troy Gills. It was suggested that data be gathered on how insurance companies rated the area, along with a comment that pressure and volume are tested before permitting. It was mentioned that the MSTU had offered to pay for an enlarged main and had found that tax dollars could not be spent in such a way. It was suggested that residents keep the Commissioners and Englewood Water District aware of the situation.

The Second Entrance suggested for MPD (planned developments) had been discussed with Staff, with the resolution that need for a second entrance be determined according to size of the project (frontage and number of units) rather than zoning designation. The discussion got off-topic and included disaster recovery and other issues. Those with input on various subjects were Phil Eason, Judy Hoffstatter, Bill Stiver, Nel Dryer, Paul Dailey, Dolores Carter, Lee Kennett, Ken Jackson, and Troy Gills. There was a comment

that single family dwellings also needed extra entrances and one about properties that could not provide room for a second entrance. There was a comment about “inadequacies”, and one about thinking preventively. There was discussion of the Overlay Code giving a post disaster choice of re-building on the original footprint or building from scratch using current codes. One Condo owner had been told by Staff that they would lose units after a disaster and were having trouble getting re-financing their mortgage. It was mentioned that lot lines might change. Mobile homes were mentioned. There was a question about single family construction in multi-family zoning. Clarification was requested about fencing rules and wildlife openings and pet fencing. There was an objection to measuring from NGVD rather than FEMA. There was an opinion that buildings should be allowed to keep non-conforming setbacks but add structural elements and greater building mass. There was a comment that the Overlay Code and the Advisory Committee were too restrictive.

With regard to Aggregating Lots for Development, the Chairman summarized the issue and the Advisory Committee’s position on adding units of density and suggested compromise. There was little discussion, although Bill Stiver stated that there was no time limit on Bert Harris lawsuits and that the County would and should be sued on a number of issues from the Overlay Code.

On the subject of Structures in the Setbacks, a number of people voiced opinions, including Becky Dexter, Phil Eason, Bill Stiver, Mary Capecci, Betty Ryan, Judy Hoffstatter, Troy Gills, Nell Dryer, and Lee Kennett. Several felt that easing the rules to allow minimal, or substantial, intrusion of setbacks by roof overhangs would prevent boxy building styles, and some would like setbacks used for decks, bahama shutters, air conditioning units, trash can pads, driveways, parking and various other items. One person stated that all available land should be used for parking. One commented that the Advisory Committee seemed adversarial. One stated that the MPD was too strict and unfair, that condo parking requirements were too strict, that setbacks should be driveways, and that threats and lawsuits would result when multi-family construction resumes. Opposing this view, a number of people were in favor of keeping unobstructed setbacks, and preserving the light, air circulation, greenery, sunshine, and water quality and water views that characterize the area. Several felt that the Community Plan and Overlay code had “saved” the area from becoming a wall of condos. There was one question about the Advisory Committee’s new relationship with Staff.

Due to time constraints, the Chairman said the discussion will be continued at another meeting. She thanked everyone for coming and encouraged them to attend.

The meeting was adjourned at 12:30PM. The next meeting will be March 4, 2009.

Respectfully submitted,  
Betty Sue Carroll, Secretary