

SIESTA KY ASSOCIATION MEETING MINUTES

April 7, 2011

St Boniface Church, Parrish Hall

1. CALL TO ORDER

President Catherine Luckner called the meeting to order. A quorum was present: Deet Jonker, Ann Kaplan, Joyce Kouba, Bob Tripp, Peter van Roekens, Joe Volpe, Gayle Wardner. Excused: Bob Waechter.

2. MINUTES – Joyce Kouba

Gayle Wardner moved, with Peter van Roekens seconding, to approve the March minutes. The motion passed unanimously.

3. PUBLIC/AUDIENCE COMMENT (23 Guests)

- Richard Garrett from radarsign, presented information about the benefits of traffic calming signs like those recently installed on Orange Avenue. These are solar or battery powered signs that reflect a driver's speed as he approaches the sign. The goal is to get a speeder to think about his speed and slow down. In the case studies provided, 50% of drivers were initially speeding. Speeders were reduced to 25% after the signs were installed. The signs record information that can be downloaded to a computer. Ryan Montague, with Sarasota County Government made additional comments on the permitting process and availability of county funding support. The majority of attendees wanted SKA to further investigate the possibility of using these signs to help reduce speeding on the Key. Joe Volpe will continue investigation.
- Sgt. Osbourne reported that the Sheriff's department ran three noise checks, with all establishments in compliance. The majority of spring breakers this month are high school students. 72 notices to appear were given in March, primarily for possession of alcohol under the age of 21. Marijuana was reported at some large beach gatherings; however, no citations were issued.
- An attendee recommended that a parking garage be built near the Village and a trolley used to transport people to/from the beach.
- Jim Graves complimented Sgt. Osbourne for the department's rapid response to a recent issue at Turtle Beach.
- An attendee reported two safety issues on south Siesta Key: joggers are running in the bicycle lanes and Ophelia's valet parking drivers are driving recklessly.
- Russ Matthes, President of Siesta Key Village Association (SKVA), reported that the Village Easter Egg Hunt will be held at Beach Access #5 on April 23rd. Peter van Roekens moved, with Joe Volpe seconding, to donate \$100 for eggs for the Hunt. Stickers, with the SKA logo, will seal the eggs. Volunteers are needed to fill eggs April 14th at 2 pm. Ocean Blvd will be closed in the Village for Siesta Fiesta, April 30 and May 1. Volunteers are also needed to help sell SKVA T-shirts at the event.
- Russ also reported that the County plans to move control of the Village Maintenance Corporation (VMC) from local business owners to the County. The VMC was established to oversee Village maintenance (i.e. landscaping, lighting, and hardscaping) that is paid for by assessments from Village business and property owners. SKVA opposes County administration because they believe that the funds will be spent elsewhere. He stated that local business owners will do a better job, and that they have spent many volunteer hours maintaining the Village. Russ requested that SKA support SKVA's request for local control of the VMC. Peter moved, with Bob Tripp seconding, to write to the Commission requesting local administration of the assessed funds. The motion passed unanimously.

4. **AD HOC COMMITTEE REPORTS:**

CODE ENFORCEMENT – John Lally (No Report)

INLET MANAGEMENT – Peter van Roekens

Big Pass is passable. Can BP 7 has been replaced in Big Pass .For more details check <http://www.sarasotayachtclub.org/Visitor-Info/Navigational-Items-of-Interest/Big-Pass-Information-405.html>

ENVIRONMENT – Gayle Wardner

Gayle reminded all that turtle-nesting season begins May 1st and therefore we should:

- Turn off lights at the beach
- Remove beach furniture at night
- Fill in holes and flatten sand sculptures
- Call FPL (or SKA) if the lights are not turned off at Turtle Beach

5. **STANDING COMMITTEE REPORTS**

MEMBERSHIP – Deet Jonker

Response to the second mailing has been good.

NOMINATING – Ann Kaplan

Ann Kaplan welcomed Helen Clifford and Michael Shay as new SKA Directors and Beverly Arias as a new member of the Publicity Committee.

6. **OLD/NEW BUSINESS**

- Peter van Roekens stated that proposed changes to the Temporary Use Permit regulations (jointly agreed upon by SKA, SKVA, and the Siesta Key Chamber of Commerce (SKCC), and Terrace East Condominium Board, were sent to the County Commission. The recommendation (see attachment) can be read on the SKA minutes link and County web site through Public Access.
- Bob Luckner reported that Sarasota Audubon still needs \$1000 to \$2000 to manage volunteers for the beach bird nesting season. Of the donations to date, half are from Audubon, a quarter from a grant, and a quarter from direct donations (\$1000 from an anonymous donor including and \$250 facilitated through the SKA website and advertising in the Pelican Press.) Gayle Wardner moved, with Joe Volpe seconding, to provide \$600 to support the project. The motion passed unanimously. Russ Matthes on behalf of SKVA and Cheryl Gaddie on behalf of SKCC each pledged \$200. Bob Luckner stated these added pledges will give the project an additional month. Volunteer training will be held April 16th and 30th at the public beach at 8:30 a.m.
- Catherine Luckner reported on the recent SKA e-blast (see attachment) asking members to write their state representatives objecting to House Bill 833 and Senate Bill 476. These bills provided that state regulation preempt local government regulations regarding “vacation rentals”. The bills make anything called a “vacation rental” the same as a residential piece of property. This also would override local zoning ordinance. With many SKA members responding, a letter from County Commissioners, and assistance from Rep. Doug Holder on House Bill 833, the language is now modified to allow existing local regulations to stand. The language in Senate Bill 476 is also similarly changed.
- The County will continue to fight state regulation overriding local regulation. All citizens are encouraged to communicate with State Representatives to retain local governance.

- In response to requests for an update on future north bridge repairs, Catherine Luckner reported that a letter is being drafted in coordination with SKVA, SKCC, and the Condominium Association, recommending no bridge closures, work to occur at night only, start up to occur in late summer and completion prior to mid-November. The letter will be sent to the County Commissioners and DOT project managers and engineers.

7. **ADJOURN** – President Luckner adjourned the meeting. .

Respectfully submitted,

Joyce Kouba
Secretary, Siesta Key Association

April 5, 2011

Sarasota County Commissioners
1660 Ringling Blvd.
Sarasota, FL 34236

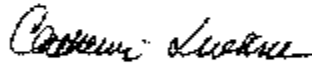
Honorable Commissioners:

We, the undersigned, have worked together to forge an agreement about Temporary Use Permits (TUPs) in the Siesta Key Overlay District (SKOD). All parties have been mindful of the needs of the other groups and this is a carefully blended agreement which has a delicate balance. We respectfully ask you to adopt the attached TUPs for SKOD with no changes in substance or even wording other than those that may be required for clarity or legal reasons.

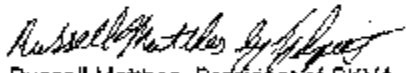
We anticipate that this will be the first of many such agreements as we all have the best interests of Siesta Key at heart.



Kevin Cooper, Executive Director of SKCC



Catherine Luckner, President of SKA



Russell Matthes, President of SKVA



Michael St. Clair, President of Terrace East HAS BEEN AND SUPPORTS THE PROPOSAL

I have worked with all of the above to reach this accord.

Attachment: Proposed changes to Temporary Use Permits



Proposed changes to TUPs

5.5.4. *Temporary Use Permit Required.*

a. The following temporary uses are allowed in the frequency stated below except that no property shall have more than four of the events listed in subsections a.1. through a.6. and a.10., below, in a calendar year.

EXAMPLE: A temporary use permit for a carnival would be counted in considering whether to issue a temporary use permit for a nonprofit special event.

1. *Commercial Circuses, Carnivals or Fairs.* Commercial circuses, carnivals or fairs, for not more than two consecutive weeks in any calendar year.

2. *Temporary Religious or Revival Activities.* Temporary religious or revival activities in tents in any Open Use District, or in any RE or RSF District in association with a place of worship, for not more than two consecutive weeks in any calendar year.

3. *Nonprofit Special Events.* Special events run by nonprofit, eleemosynary organizations, in any zoning district, and occurring no longer than seven consecutive days once every three months. Nonprofit charitable organization fund raising during common holidays is exempt from a temporary use permit, subject to permission from the property owner and provided that the owner or lessor derive no income from the fundraising.

4. *Tent Sales.* Tent sales by merchants occupying the premises on which the sale is conducted and having a valid certificate of occupancy, and occurring no longer than seven consecutive days once every three months.

5. *Grand Opening Sales.* Grand opening sales, including outside food and beverage vending, for three consecutive days, once per certificate of occupancy. A temporary sign advertising the grand opening sale may be displayed for a total of ten consecutive days including days prior to the sale and the sale days.

6. *Outdoor Vehicle Show or Sale.*

7. *Farmers Market.* Farmers' markets are intended to provide a location where agricultural and organic items and related goods and services may be offered for sale. These markets are not intended to be craft fairs or flea markets. Farmers' markets are allowed only on properties zoned Commercial General/Siesta Key Overlay District (CG/SKOD) on Siesta Key with approval of a temporary use permit (TUP) subject to the following standards:

8. *Capital Improvement Projects.* A temporary use permit may be issued in conjunction with a Sarasota County Capital Improvement Project for staging purposes subject to the following standards:

9. *Street Vendors.* Street vendors selling food and/or flowers from pushcarts may be approved by a Temporary Use Permit. The application shall be approved by the Board of County Commissioners as a Public Hearing at a regularly scheduled meeting, subject to the following standards:

10. *Other Temporary Uses.* Other temporary uses may be permitted that are similar in nature to the ones listed above, with corresponding limitations, as determined by the Zoning Administrator. These uses may include, but are not limited to, community events, neighborhood events, educational events, fishing tournaments, and, outside events at restaurants and bars for special events.

Proposed changes to TUPs

- i. Outside special events at restaurants and bars for special events shall be prohibited within the Siesta Key Overlay District in the Siesta Key Overlay commercial districts (CG/CI SKOD) may be permitted as follows:
- (a) TUPs may only be issued for the following major holidays and times:
 - a. New Year's Eve – valid to 12:30 AM on New Year's Day
 - b. St. Patrick's Day – valid to 10 PM
 - c. Memorial Day – valid to 10 PM
 - d. Independence day (4th of July) – valid to 12:30 AM on the 5th
 - e. Labor Day – valid to 10 PM
 - f. Thanksgiving – valid to 10 PM
 - (b) The TUP may include one additional day immediately before or immediately after the holiday which is valid to 10 PM. (If there is more than one TUP issued for a given holiday, if an additional day is requested, it must be on the same day as selected on the initial TUP for that holiday)
 - (c) Noise regulations will apply to all TUPs
 - (d) Outdoor entertainment will not be allowed past times listed above
 - (e) Additional parking arrangements on private property must be provided by the business holding the event
 - (f) Event must be located within the property lines of the individual business holding the event; event shall not spill over onto residential neighborhoods nor can TUP be transferred to another location without approval by Sarasota County
 - (g) All safety measures must be addressed (No fireworks, fires, etc).

11. *Special Events in County Parks.* Special Events (public or private) conducted in County Parks are not subject to frequency or duration limitations. The Parks Manager is authorized to limit or terminate any Special Event that becomes incompatible with surrounding uses or detrimental to the park.

5.5.6. *Temporary Use in Conjunction with Special Event Permit.* Where a valid permit has been issued by the County for use of adjacent right-of-way that makes the street unavailable to vehicular traffic, a temporary use permit may be issued for events on the grounds or in the parking lot of any adjacent parcel during the period of the special event permit in accordance with Section 5.5.

The provisions of this section (applicable section number if available) shall sunset one year from the date approved, unless reviewed and saved from repeal through reenactment by the Board of County Commissioners.

March 30, 2011

SKA Quick Links[SKA Website](#)[SKA Board/Committees](#)[SKA Board Minutes](#)[SKA Calendar](#)[SKA Projects/Goals](#)[SKA History](#)[Donate](#)[SKA Newsletters](#)[Become an SKA Member](#)***To our Siesta Key Association Members and Residents of Siesta Key:***

We are alerting you regarding two Florida legislative Bills, moving through both House and Senate Committees. The language in these bills could have much greater impact on the character of our neighborhoods and also eliminate the local governance of our County, for oversight and management of local zoning protections. This could lead to single family residential neighborhoods seeing overnight rentals, or weekly rentals of homes which are now protected with local zoning code.

These bills, in part, state " **notwithstanding any local law, ordinance, or regulation, a vacation rental, as described in statute 509.242(1)(c), is deemed residential property and may not be prohibited or treated differently than other residential property based solely on its classification, use or occupancy.**"

While SKA has contacted members of both Committees, our State Representatives and our Senator, every citizen has greater impact making a personal statement. We encourage you to write your concerns regarding local governance and residential property protection. These bills are moving through Committee revision process and can be amended before passing to a vote. We appreciate your action which is needed *today*.

Contact Links

SB 0476

jones.dennis.web@flsenate.gov

(Chair of Senate Committee on Regulated Industries)

flores.anitere.web@flsenate.gov

(Chair of Judiciary Committee)

HB 0883

teresa.tinker@myfloridahouse.gov

(Staff for House Economic Committee/Doug Holder Vice Chair of this bill out of this Committee)

doug.holder@myfloridahouse.gov

(Vice chair of the House Economic Committee)

[Representative Greg Steube](#)[Representative Ken Roberson](#)[Representative Doug Holder](#)[Representative Ray Pilon](#)detert.nancy.web@flsenate.gov

Senator Nancy Detert

bennett.mike.web@flsenate.gov

Senator Mike Bennett