

SIESTA KEY ASSOCIATION MEETING

Thursday, January 10, 2019

CALL

Present: Joyce Kouba, Erin Kreis, Gene Kusekoski, Dan Lundy, Catherine Luckner, Bob Miller, and Marilyn Romanus

MINUTES

Joyce Kouba

The December minutes were approved.

COMMUNITY REPORTS

Sheriff's Office

Home burglaries are down 70%; vehicle burglaries down 30%. The Sheriff's Office increased staff by 3 to 4 deputies on Siesta Key, increased mounted patrol, and rotated schedules to extend patrol into different hours of the day. Some recent issues include parking and teen activities at the beach. Deputies regularly patrol condominium properties. An attendee noted an increase of golf carts and inquired about regulations for them. Golf carts are legal, must be registered and licensed, have lights, can only drive on lower speed roads, and must be driven by a licensed driver. The Sheriff's office is determining the legality of the "Sippin Cycle (sp?)". If traffic is blocked, you can call the Sheriff's non-emergency number: 316-1201. An attendee noted that bicycle lanes are not being used correctly.

GUEST SPEAKER

Sarasota County Rental Regulations

Matt Osterhout	Director Sarasota County Planning and Development Services
Brad Johnson	Assistant County Administrator
Charlie Marcione	Code Enforcement Division
Susan Stahley	Code Enforcement Officer

Matt distributed sections of the County Unified Development Code regarding Rental Dwelling Units. According to section 124-131 dwelling

units in Residential Single Family zones can be rented for periods of greater than 30 days, provided that a dwelling unit cannot be rented more than once every 30 days.

For Residential Multi-family units on the barrier islands, Section 124-76 states that such dwelling units may be rented for periods of less than 30 days.

Proving that rental regulations are being broken is extremely difficult because the act of renting is not physically visible. However, code enforcement is using several new tools to enforce the regulations, including Transient Accommodations regulations, street yard parking regulations, and immediate violation citations. Code Enforcement is asking the County Commission to have a public hearing to be able to use the irreversible injury, irreparable harm clause, which can take the penalty up to \$5000. Other ideas are being explored.

The Florida Statute provides that “A local law, ordinance, or regulation **may not** prohibit vacation rentals or regulate the duration or frequency of rental or vacation rentals, except for ordinances adopted on or before June 1, 2011. Sarasota County regulations were adopted before that date. If the County enacts or amends ordinances governing rental of vacation units or regulating the duration or frequency of rental or vacation units, the State regulations would preempt the County codes.

An example of the challenge facing Code Enforcement: At one property several short term rentals were made over the phone, the magistrate found the owner guilty, but the case lost on appeal to the circuit court due to lack of documented evidence in the form of contracts and receipts.

Several issues were raised regarding rental through AirBnb and including rental agents as responsible parties.

BOARD REPORTS

Membership**Gene Kusekoski**

If you have not renewed your membership for 2019, please do. Please ask friends to join. If people haven't renewed for a reason, please let us know why.

Paid Parking**Gene Kusekoski**

The County will be holding a workshop on paid parking at Siesta Beach on February 27th. It is your opportunity to provide input on this issue and hopefully a whole access management plan for Siesta Key. This is a complex issue that should not be considered in a spot way. It involves more than parking at siesta Beach. It is important that consideration be given concurrently to parking at other County beaches.

Big Pass/Lido Status**Catherine Luckner**

The City of Sarasota has asked to have SKA's case dismissed. On December 20th SKA requested a Writ of Mandamus, asking that the City go to the County to see whether their plans are consistent with the County Comprehensive Plan. We await the judge's decision to either dismiss our case or to require the City to go to the County to ask for permission based on County ordinances.

Gulf Beach Setback Line (GBSL) Exceptions**Catherine Luckner**

Two properties have requested exceptions to the GBSL. There are no set hearings scheduled for these properties at this time. The area behind 636 Beach Road will not be touched. The property near Access 10 has not applied for the special engineering that would be required. An attendee said that he had heard that David Pearce had authorized the people to move forward on the Tenacity Lane property. SKA will check on that. SKA subsequently learned that the owners are requesting to an additional 185 ft seaward beyond their existing footprint forward of the GBSL. This does not affect Tenacity Lane or the Lot seaward which has Conservation Easement. The rule is 'to make it minimally habitable for its zoned use'. It also must be an existing structure prior to 1979.

Barrier Island League

Catherine Luckner

The Barrier Island League has been researching water quality issues. We are posting this information on our web site.

NEW BUSINESS

Siesta Promenade Challenge

Jim Wallace

Following the December 12th County Commission decision to approve the Siesta Promenade project, a legal challenge is being filed. Friday is the last day to file the brief to obtain a stay on the project. Sura Kochman will be the plaintiff for the initial filing and organizations will be added as plaintiffs later. The brief will address at least 12 errors in the process. When the development was considered, Siesta Key was not even considered even though this is the primary entrance to the Key. The traffic analysis was flawed. Timing for emergency vehicles was not considered. Funds are being collected, with a target of \$75,000 for the initial filing of the brief. Funds will be put in an attorney trust and will be returned if the brief is not filed. Unused funds will also be refunded proportionately. Much of the legal work was done in preparation for the County Commission meetings. Much of the legal work is being done pro bono. Information for donating funds was distributed.

ADJOURNMENT

Gene adjourned the meeting.

Respectfully submitted,

Joyce Kouba, Secretary
Siesta Key Association of Sarasota, Inc.

Next SKA monthly meeting is February 7, 2018 at 4:30 pm.