

2. What led to 2013 amendments to the Manasota and Sandpiper Key Overlay District?

Several things led to the Manasota Key Zoning Overlay Code revisions in 2013. The Overlay Code was adopted in several pieces and was unnecessarily long. Also during the course of implementation, it became clear that a more concise and more user-friendly Code would benefit property owners, builders and the community. There were issues raised by the development community regarding architectural and other standards. Narrow multi-family lots could not fit in driveways and condos on the beach side could not achieve their traditional three stories and rooftop access. The recession intervened and development ground to a halt. For the next several years the Manasota and Sandpiper Key Advisory Committee and the residents defended the Code while architects, developers and attorneys lobbied the Commissions and staff to weaken or repeal the Code. Various proposal and compromised went nowhere. With building picking back up and a major rewrite of the County Land Use code underway, the Advisory Committee decided to take the lead and draft revisions to the Overlay Code. The Board of County Commissioners was interested and supportive of the Community effort.

In July 2013, the Advisory Committee Recommendations Packet went before the BCC. The Commissioners affirmed retaining the green space on all lots, keeping caps on heights, and strongly discouraging pile driving; but asked the Advisory Committee and staff to address four issues:

- Changes needed to ensure 3 stories over parking for condos on the Beachside (seaward of the Coastal Construction Control line) where the State mandates that buildings be elevated almost 20 feet of the ground;
- Administrative waiver from the 10 foot green setback for parking and driveway on multifamily zoned lots 50 feet or less in width;
- Post-disaster language to ensure build-back of condos that exceed density limits; and
- Pile driving language to protect the County.

With two months “to work it out together” the Advisory Committee, with help from Tina Bernd-Cohen (SMKA vice-chair and retired coastal planning consultant) and Rob Berntsson (land- use attorney who donated his time to help out), as well as Tim Krebs (local architect), the County staff and Legal, spent countless hours hammering out a draft that all could accept. The Manasota and Sandpiper Key Advisory Committee submitted a revised packet which the Board of County Commissioners unanimously adopted the revised Overlay Code 9.24.13.

The Board of County Commissioners once again affirmed the need for an Overlay Code for Manasota and Sandpiper Keys that differs from County Code requirements in order to protect the old Florida lifestyle, and to ensure safety and environmental protection, provide stormwater management, appropriate land uses that avoid trip generation, and preservation of the ambience of Charlotte County’s most desirable beach and resort area.