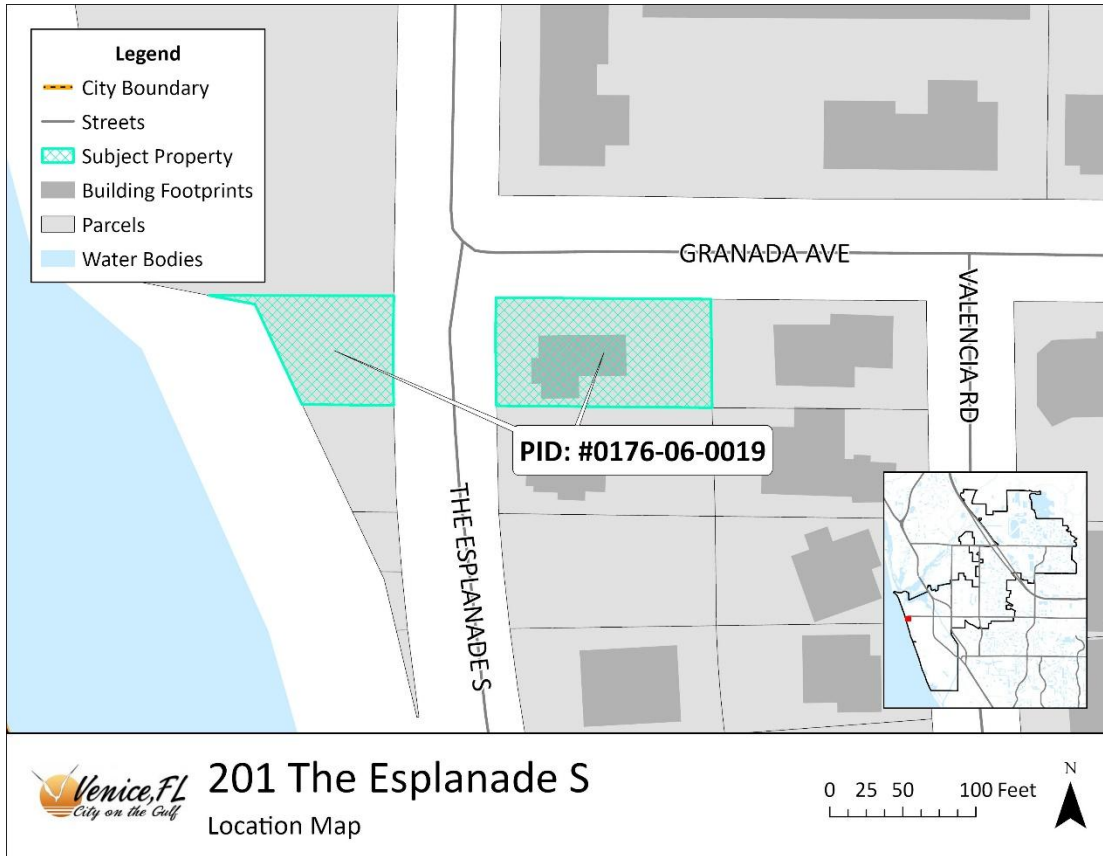


26-20VZ 201 The Esplanade S Staff Report



GENERAL INFORMATION

Address:	201 The Esplanade S
Request:	Variance to Chapter 89-Sec 2.11.4 Construction or Excavation Seward of the Gulf Beach Setback Line, and Chapter 87 Section 3.1.8.F.2-Visibility Triangle for the construction of a perimeter wall.
Owner:	Mr. Edward W. Hinz
Agent:	Jackson R. Boone, Esq., Boone Law Firm
Parcel ID:	0176-06-0019
Parcel Size:	±.558 acres
Future Land Use:	Low Density Residential
Zoning:	Residential Single Family-2 (RSF-2) and Conservation (CON)
Code Variance Requested Section:	Chapter 89 Section 2.11.4.A and Chapter 87 Section 3.1.8.F.2

I. VARIANCE REQUEST AND SUBJECT PROPERTY INFORMATION

The subject property is located at 201 The Esplanade S. The applicant is requesting a variance from the Gulf Beach Setback Line (GBSL) regulations to allow construction of a portion of a privacy wall seaward of the established setback. Specifically, relief is requested from Chapter 89, Section 2.11.4 – Construction and Excavation Seaward of the Gulf-Beach Setback Line.

Additionally, the applicant is requesting a variance from Chapter 87, Section 3.1.8.F.2 – Visibility Triangle regulations, to reduce the required 20-foot leg length at the property's corner to 10 feet. This reduction is necessary to accommodate placement of the proposed privacy wall near the northwest corner of the property.

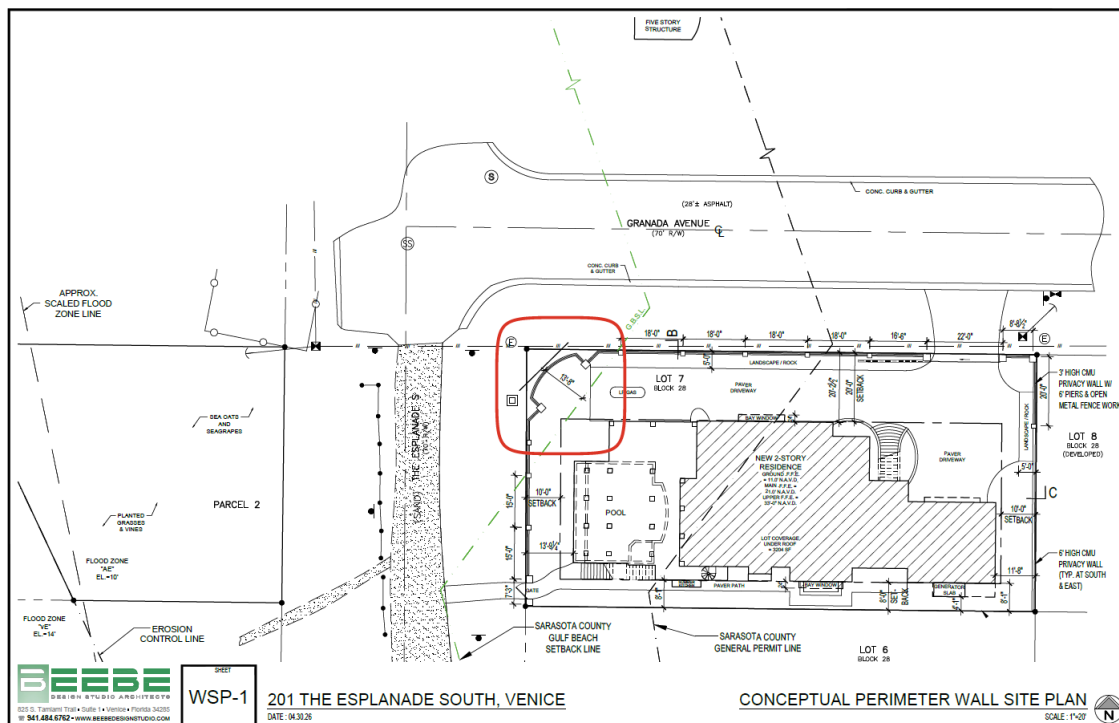
The applicant states that the privacy wall is proposed to provide enhanced privacy due to the property's proximity to a public parking area, which primarily impacts the corner of the site. The wall is also intended to assist in minimizing erosion, mitigating flooding impacts, and preserving existing vegetation.

A Letter of No Objection (LONO) for the proposed project was issued in March 2025. During that review process, it was identified that a portion of the proposed wall located seaward of the GBSL would require variance approval.

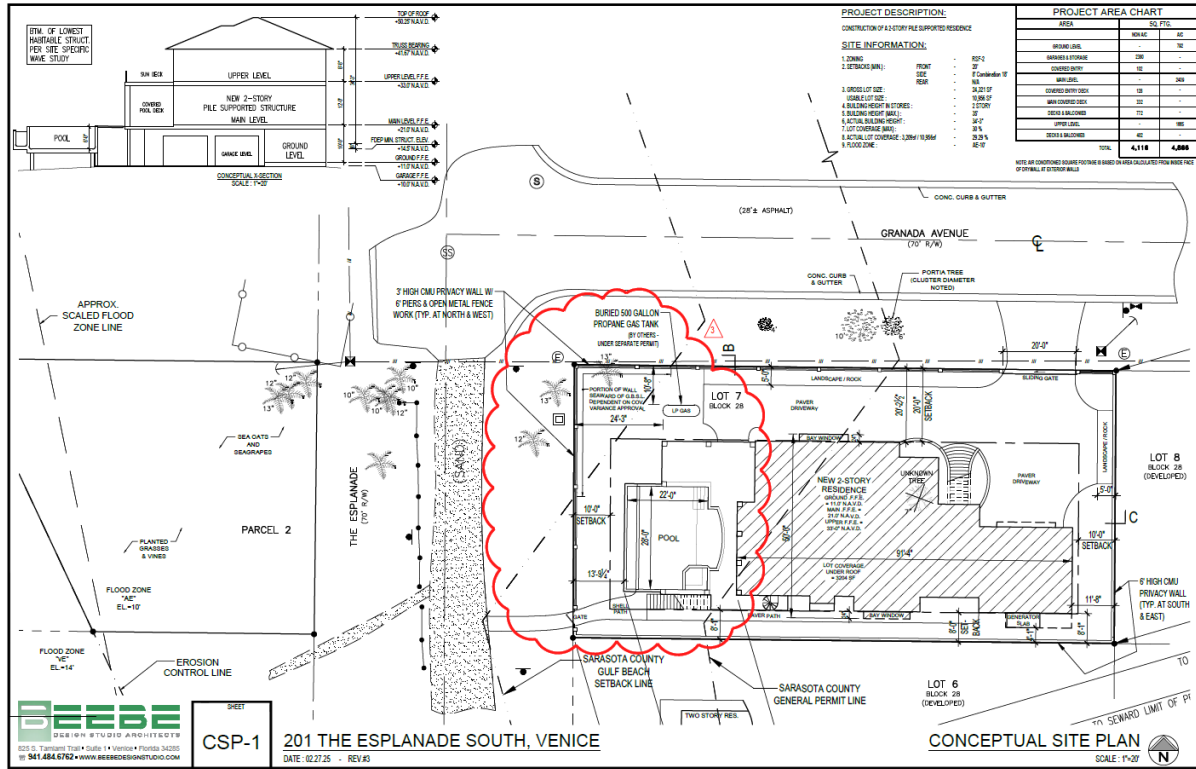
The property owner previously sought similar relief at the November 4, 2025, Planning Commission meeting. At that time, the request was denied, with the Planning Commission finding that the variance was not the minimum necessary to allow reasonable use of the property.

Following the denial, the property owner worked with project consultants to evaluate alternative design options for the privacy wall. This effort resulted in a revised proposal and the current variance application. During coordination with City staff on the redesigned plan, it was further determined that a variance from the Visibility Triangle requirements would also be required for the proposed improvements.

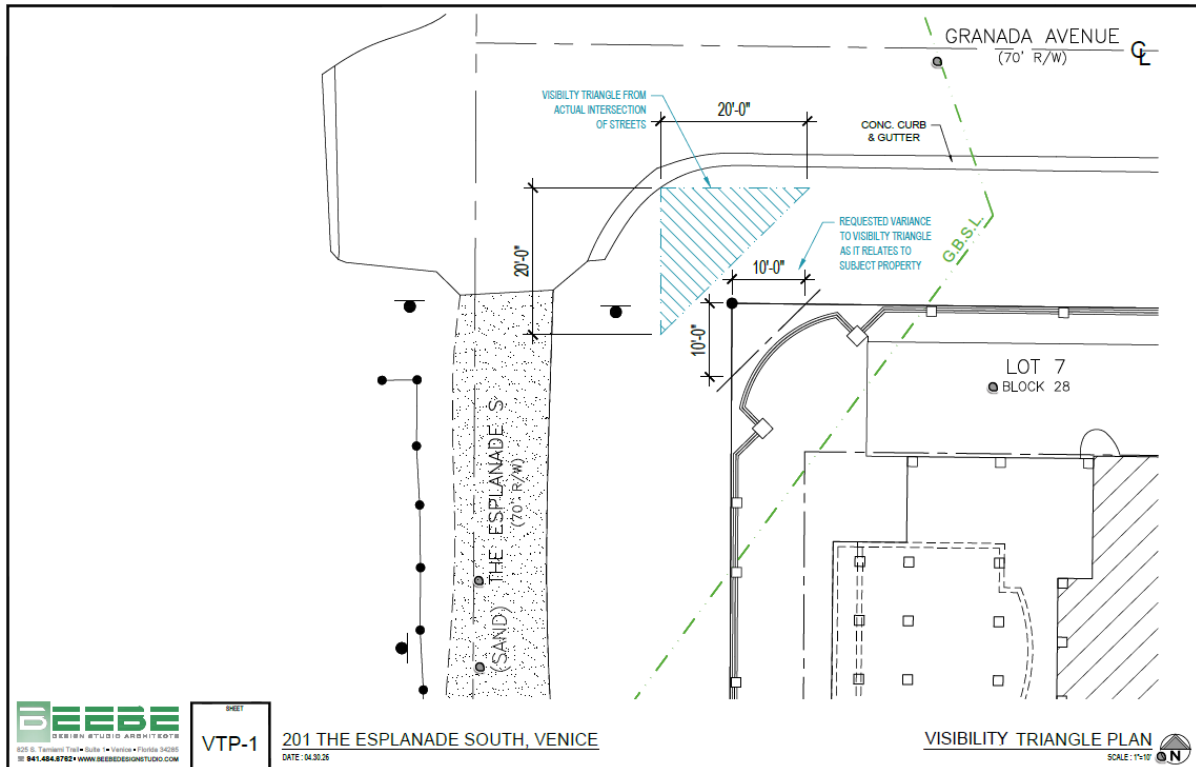
Current Site Plan



Previous Site Plan



Visibility Triangle Request Graphic



Site Photographs

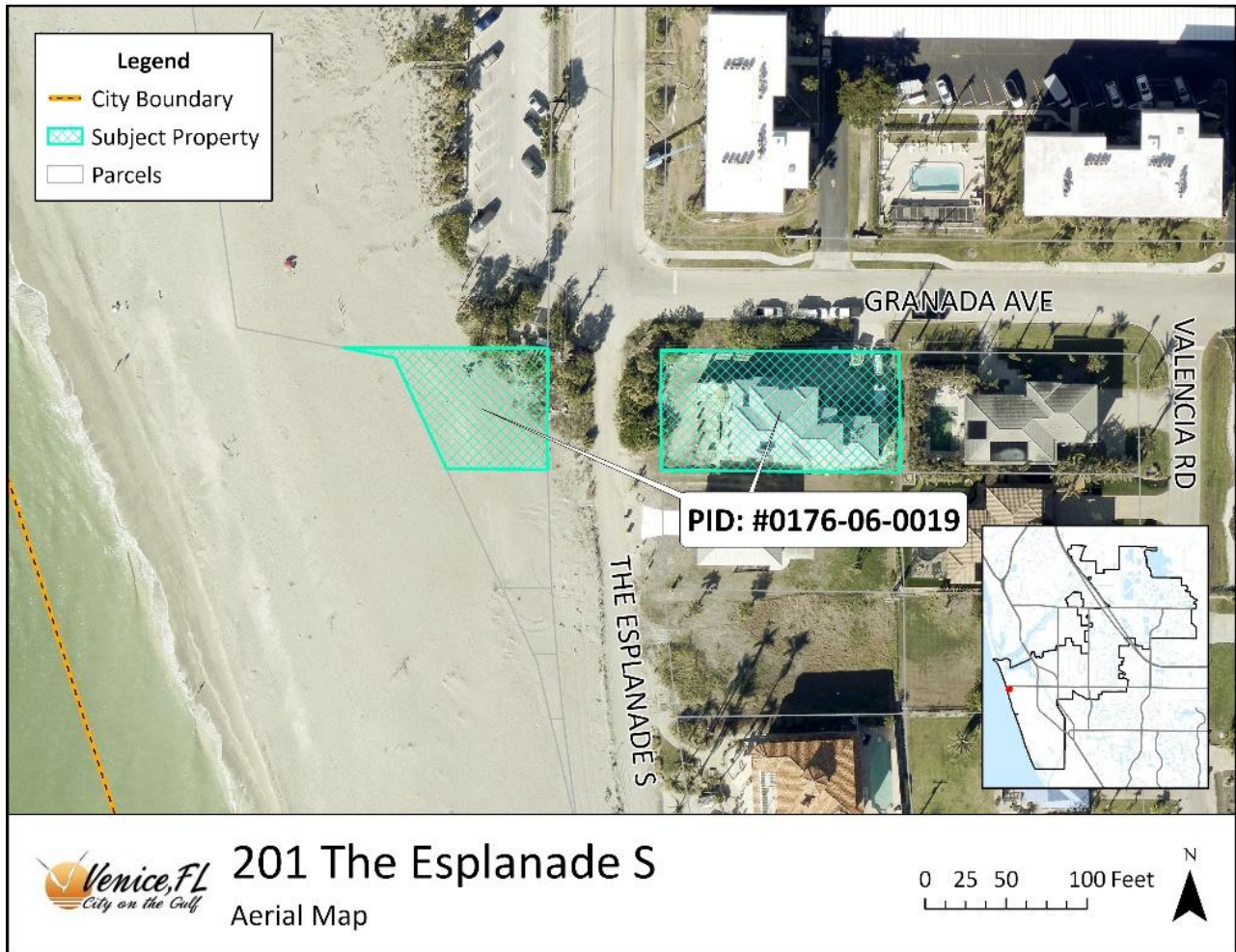
Site Photo 1



Site Photo 2



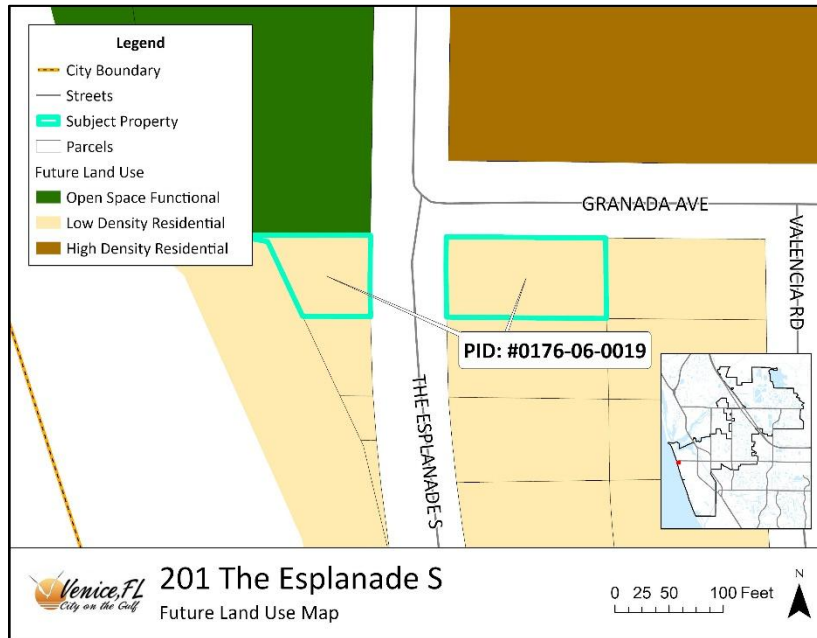
Aerial Map



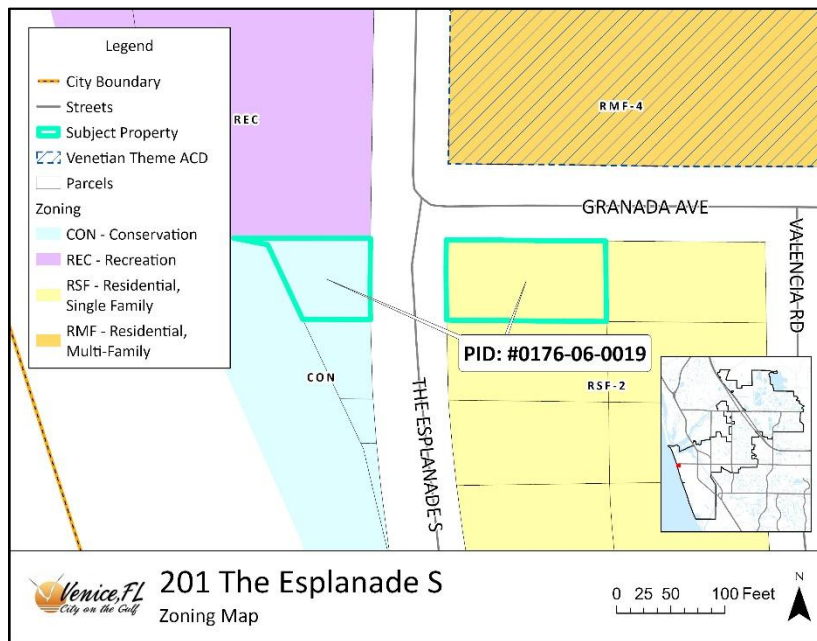
Future Land Use and Zoning

This property has a Low Density Residential Future Land Use (FLU) designation, and other properties to the east and south have the same designation. To the north are Open Space Functional and High Density Residential designations. This property is in the Residential Single Family-2 zoning district and properties to the north are zoned Residential Multi-Family 4 and Recreation. The property is not within an Architectural Control District.

Future Land Use Map



Zoning Map



II. PROCEDURAL REQUIREMENTS FOR VARIANCE REVIEW

The procedural requirements contained in Chapter 87 Section 1.2 concerning receipt of written petition, notice of public hearing and scheduling of hearing have been satisfied. Chapter 87- Section 1.13.3 specifies that the Planning Commission shall, based upon substantial and competent evidence, make an affirmative finding on each consideration in granting a variance application or find that variance will correct a bona fide staff error that has led to design or construction that does not comply with the LDR:

- 1. The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.**

Applicant Response: *The particular physical surroundings and other physical and environmental condition of the Property result in particular hardship upon the owner as the harm to the beach and beachfront habitat the GBSL regulations are intended to prevent does not apply to the Property. This is compounded by the extremely unique northeastern jog the GBSL makes on the Property, and the Property is additionally unique due to its location at the Granada Ave/The Esplanade S intersection and the Venice Public Beach Access and Parking Area and on-street parking along Granada Ave, resulting in the desire to enclose the Property with a privacy wall for privacy and security.*

- 2. The conditions upon which the request for a variance is based are unique to the parcel and would not be applicable, generally, to other property within the vicinity.**

Applicant Response: *The impact of the GBSL regulations on the Property, and particularly the unique northeastern jog of the GBSL on the Property, both in that the beachfront habitat sought to be protected by the GBSL is historically located west of the improved The Esplanade S right-of-way west of the Property and the Property is the only location in the city where the GBSL makes a northeastern jog.*

- 3. The variance is not based on any conditions, including financial, occupational, or ability, which are personal to the applicant as applied to the property involved in the application.**

Applicant's Response: *The proposed variance is not based on any conditions which are personal to the applicant as applied the Property, and any owner of the property would need the variance for the reasonable use of their property for a wall to secure their property.*

- 4. The alleged hardship has not been created by any person presently having an interest in the property or, it was it was created as a result of a bona fide error.**

Applicant's Response: *The hardship created by the GBSL on the Property was not created by the owner and likely was created as a result of a mapping error when the GBSL was established by Sarasota County in 1978.*

- 5. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.**

Applicant's Response: *The proposed variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.*

- 6. The variance granted is the minimum variance that will make possible the reasonable use of the property.**

Applicant's Response: *It is the minimum variance that will make possible reasonable use of the Property and provide the desired security.*

- 7. The property cannot be put to a reasonable use which complies fully with the requirements of the Code unless the variance is granted.**

Applicant's Response: *The Property cannot be put to a reasonable use which complies fully with the requirements of the Code unless the variance is granted as the owner would be forced to lose private enclosed yard area directly adjacent to the Granada Ave/The Esplanade intersection and Venice Public Beach Access and Parking area where the protections sought via the GBSL regulations do not apply.*

Summary Staff Comment: The responses provided here are sufficient to allow the Planning Commission to take action on the subject petition.