

Project Narrative

The owner of the subject property located at 412 Hunter Drive, PID # 0177020051 (the "Property"), is requesting a variance to the Chapter 89, Section 2.11.4 – Construction and Excavation Seaward of the Gulf-Beach Setback Line regulations to allow for construction of a privacy fence along the property boundaries seaward of the Gulf-Beach Setback line (the "GBSL").

The Property is a beachfront lot zoned RSF-1, is approximately 0.60 acres, and it is immediately south of the Valencia Condominiums near the Alhambra Road beach access. The Valencia Condominiums property has a parking lot and drive area near its southern boundary which includes an improved walkway to the beach. This walkway runs along the northern boundary of the Property, and while it is intended for the residents of the Valencia Condominiums, it also can be utilized by members of the public as a convenient cut-through to the beach rather than using beach access at the terminus of Alhambra Road.

The beach along the island was severely impacted by hurricanes Irene and Milton in 2024, where a substantial amount of beach dune habitat and vegetation was flooded by storm surge and ultimately covered by newly deposited sand. Prior to these hurricanes, the westernmost portion of the Property included varying stages of beach dune habitat and vegetation; however, following Hurricane Milton, this portion of the Property was covered by newly deposited sand.

In response to this change in condition on the Property and as a result of issues experienced with trespassing over the northwest portion of the Property, the owner had sod installed and erected a 4' black aluminum fence to enclose the Property. The fence was erected to match the location of the adjacent wall along the beach for the Valencia Condominium property to the north, and it runs along the same bearing to the southern property line.

After the installation of the sod and fence, and in anticipation of the city's beach renourishment project taking place this summer, the owner began discussions with the Sarasota County Property Appraiser's office regarding the location of the western property boundary. As a result of these discussions, the Sarasota County Property Appraiser's Office determined that the Erosion Control Line, rather than the Mean-High Water Line, serves as the western property boundary for this and all other similarly situated properties along the beach on the Island.

This change in property boundaries moved the western boundary line for the Property to the east, and it resulted in the westernmost portion of the sod and 4' black aluminum fence being located just outside of its boundaries.

The owner desires to permit a 4' black aluminum fence along its northern, western, and southern property boundaries as depicted on the Site Plan provided as part of the Variance application. The farthest the proposed fence extends beyond the GBSL is 110', which represents the distance to the southwest corner of the Property from the GBSL. The western portion of the fence runs approximately 105' seaward of the GBSL, and the northern portion of the fence extends an additional 60'8" from an existing wall located beyond the GBSL.

The proposed fence is consistent and compatible with the adjacent condominium property to the north where their beachfront wall serves to separate the beach area on their property from their sodded lawn and pool area. These improvements on the condominium property are farther seaward than the proposed fence and therefore allow the proposed fence to serve as a natural taper to the additional single-family properties to the south. The proposed fence is also consistent and compatible with the adjacent single-family property to the south where an improved private beach access and fence and deck are located seaward of the GBSL.

Additionally, the proposed fence serves to enclose the pool located on the western side of the house and deter people on the public beach from trespassing on the Property to use it. The proposed fence is designed to provide a residential swimming pool barrier consistent with the requirements of the Residential Pool Safety Act, Ch. 515, Florida Statutes.

The proposed variance does not conflict with the stated purpose and intent of the Chapter 89, Section 2.11.4.A regulations, as there is:

- No increased exposure to flooding or erosion from the Gulf of Mexico;
- No potential increase for public expenditures for flood and erosion control measures;
- No potential increase for public expenditures for relief and/or restoration projects following natural disasters or gradual erosion;
- No impact to public beach access;
- No proposed impact to beach, beachfront dune, beachfront bluff, or beachfront vegetation areas, creating no impact on shoreline stability;
- No increased susceptibility to erosion damage to adjacent property; and,
- No impact to coastal property and coastal waters regarding their economic, recreational, and aesthetic values for both coastal property owners and the general public.

The proposed fence beyond the GBSL is consistent with the adjacent properties, is not injurious to the public or property within the vicinity, and does not impact protected beach or beachfront habitat, and it is the minimum variance request necessary to sufficiently enclose the Property and swimming pool from the adjacent walkway to the north and from the public beach area to the west. The variance is compliant with the Sec. 1.13.3.A variance criteria, and approval is hereby requested.