

Narrative

The property owner of 201 The Esplanade S (the “Property”) is requesting a variance to the Gulf-Beach Setback Line (the “GBSL”) regulations and the applicable Visibility Triangle regulations for corner lots as they impact the Property. The Property is zoned RSF-2, is approximately 0.56 acres, and is located near the southern Venice Beach Public Access and Parking Lot area at the intersection of Granada Avenue and The Esplanade S.

The property owner previously requested a variance for relief from the GBSL regulations for a portion of their privacy wall at the November 4, 2025, Planning Commission meeting. A denial was received with the Planning Commissioners making a finding that the variance requested was not the minimum variance necessary to make reasonable use of the property.

After this Planning Commission meeting, the property owner reconvened with project consultants to analyze other options for the portion of the privacy wall and resulted in the preparation of this variance application. During conversations with staff about the proposed redesign of the privacy wall and associated variance application to be filed, it was discovered relief would also need to be requested from the Visibility Triangle regulations for corner lots.

Variance Request to Gulf-Beach Setback Line

The variance request concerning the GBSL regulations is to allow for relief from the *Chapter 89, Section 2.11.4 – Construction and Excavation Seaward of the Gulf-Beach Setback Line* regulations to allow for construction of a portion of a privacy wall as depicted on the attached plans.

This request is to allow for the portion of the privacy wall to be located 13’8” seaward of the GBSL, incorporating a rounded design rather than running along the property boundary and decreasing the amount of variance previously requested.

The Property and associated portion of the privacy wall subject to the variance request is located east of the 70’ wide The Esplanade S right-of-way established via the 1925 Venice Gulf View Section Plat where the famous “John Nolen Plan” for Venice was created. The Esplanade S creates a boundary separating residential lots to the east from the apparent beach area to the west and serves as the vehicular and pedestrian access for residential lots located south of the Property, connecting with the Ocala Street right-of-way further to the south.

The GBSL impacts the Property in a unique manner as it takes a sharp jog to the northeast and cuts through its northwest corner rather than running in the north/northwest manner as it does for all of the similarly situated properties to the south. It is unclear why the GBSL makes this northeast jog at this specific location aside from a need to move this setback line slightly to the

east before beginning the northwest trajectory for the remainder of the island of Venice, and conversations with Sarasota County staff did not produce a definitive rationale behind the jog. As such, we believe the indiscriminate clipping of the northwest portion of the Property could be attributed to a mapping error as the intersection of Granada Ave and The Esplanade S, where a logical movement east of the GBSL could occur without impacting private property rights, is in the immediate vicinity, approximately 20' to the northwest.

Per *Chapter 89, Sec. 2.11.4.A*, the purpose and intent of the GBSL regulations are to:

1. *Protect the coastal areas of the City directly exposed to the Gulf of Mexico from erosion and flooding;*
2. *Minimize future public expenditures for flood and erosion control measures;*
3. *Minimize future public expenditures for relief and/or restoration of projects following natural disasters or gradual erosion;*
4. *Ensure public access along the public beaches of the Gulf of Mexico;*
5. *Minimize erosion damage to adjacent property resulting from manmade structures;*
6. *Protect beaches, beachfront dunes, beachfront bluffs, and beachfront vegetation necessary for maintaining shoreline stability; and*
7. *Ensure that coastal property and coastal waters retain their economic recreational and aesthetic value for coastal property owners and the general public.*

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 Esplanade S right-of-way seaward of the GBSL can be seen in historical imagery as far back as 1948, with a well-established improved but unpaved right-of-way to the west of the Property dating back to no later than 1974, four years prior to Sarasota County's establishment of the GBSL. This right-of-way has established a historically impacted area to the west of the Property and other platted lots, serving as a 70' wide boundary between the public beach and beach dune system and the platted lots located to the east.

The northwest corner of the Property is also unique in the fact that it is approximately 70' from the southern Venice Public Beach Access and Parking Lot area where additional public parking for beachgoers is also provided along Granda Ave. This location brings pedestrians and vehicles to the immediate area continuously throughout the year, creating an understandable desire to construct a privacy wall on the Property, particularly at the corner of the Property closest to the beach access area.

The Sarasota County GBSL regulations from which the City's GBSL regulations are derived identifies certain categories of requests for construction and excavation beyond the GBSL, where written conditioned exceptions to the prohibition on construction and excavation located seaward of the GBSL can be obtained administratively from the designated Code Administrator, exempting certain activities from the Sarasota County variance requirement. These activities can obtain a written condition exception approval provided they do not adversely impact lateral pedestrian access or listed species, are not located within a native habitat protected by the Sarasota County Unified Development Code, and are consistent with the Sarasota County Comprehensive Plan.

If processed under the Sarasota County GBSL regulations, the proposed portion of the privacy wall would qualify for a written conditioned exception approval as a "professionally engineered breakaway privacy wall that is (sic) not installed on or within and does (sic) not adversely impact Dune, Beach, or Coastal Hammock" per *Sec. 54-723(h)(6) Written conditioned exceptions to the prohibition on Construction and Excavation located Seaward of the GBSL or Waterward of the PHL, Article XXII, Coastal Setback Code* of Sarasota County.

In summary, the proposed portion of the privacy wall on the Property is compliant with the *Sec. 1.13.3.A* variance criteria as detailed above and as further stated in the Decision Criteria responses. The particular physical surroundings and other physical conditions of the Property result in a 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 as mentioned above. The requested variance is the minimum necessary for a reasonable use and security of the Property, and approval is hereby requested.

Variance to the Visibility Triangle corner lot regulations

The variance request for relief from the *Ch. 87, Section 3.1.8.F.2 – Visibility Triangle* regulations is to reduce the required 20' leg length from the subject corner of the Property to 10' to allow for placement of the requested portion of the privacy wall near the northwest corner of the Property.

The visibility triangle requirements as they apply to the Property are unique due to the particular surroundings including the limited use of the unpaved segment of The Esplanade S, the existing mature vegetation in The Esplanade S and Granada Ave rights-of-way that effectively block the view through the required visibility triangle, and the permitted parking along the south side of the Granada Ave right-of-way which also serves to obstruct the view through the visibility triangle if applied to the Property.

Additionally, as depicted on the provided Visibility Triangle exhibit, a code compliant visibility triangle measured from the actual curbed corner of the Granada Ave/The Esplanade S intersection would not cover any portion of the Property. City clearing of the mature vegetation in the intersection, and possibly the restriction on the number of parking spaces along Granada Ave, would be necessary to provide the intended safety measures sought via the visibility triangle regulations as they pertain to the subject intersection.

Altogether, these unique conditions make the implementation of the applicable visibility triangle regulations on the Property impractical. The implementation of the visibility triangle regulations on the Property would provide no meaningful benefit to public safety, and a variance from the required leg lengths is requested to allow for the construction of the proposed portion of the privacy wall subject to the GBSL regulations.

This requested variance is compliant with the *Sec. 1.13.3.A* variance criteria as detailed above and as further stated in the Decision Criteria responses provided. The particular physical surroundings and conditions of the Property, with the extended right-of-way area to the curb at the Granada Ave/The Esplanade S intersection and the existing mature vegetation within the right-of-way, make enforcement of the applicable visibility triangle regulations on the Property an unnecessary hardship on the owner, and the intended result of the visibility triangle regulations would be achieved if implemented at the curbed corner of this intersection and not at the northwestern corner of the Property. The requested variance is the minimum necessary to allow for the proposed portion of the privacy wall and has no negative impact on public safety, public welfare, or property in the immediate area, and approval is hereby requested.