

M E M O R A N D U M

To: Tom Harmer, Town Manager

From: Allen Parsons, AICP
Director, Planning, Zoning & Building Department

Report date: May 7, 2021

Meeting date: May 18, 2021

Subject: Request for Referendum from Mr. Bruce Franklin, Land Resource Strategies, LLC., for Property Located at 597 Buttonwood Drive

Recommended Action

Provide direction to Manager.

Background

Mr. Bruce Franklin, representing American Momentum Bank, owner of property, and Brista Homes, Inc., contract purchaser of property located at 597 Buttonwood Drive (Sarasota County Parcel ID # 0005080027), has submitted a request for a referendum to be placed before the electors of the Town of Longboat Key to allow the Town to consider conversion of the property to a residential use with a maximum density not to exceed three (3) units per acre. Mr. Franklin, who will be present, requests that the Town Commission place the item before the electors, rather than requiring Mr. Franklin to obtain the requisite number of signatures as provided for in the Town Charter.

The property consists of approximately 0.86 acres of land. The property currently carries a Future Land Use designation of Office Institutional (OI) and is in an Office Institutional (OI) Zoning District. The OI Zoning District does not have a residential density allowance. The undeveloped property has frontage on Buttonwood Drive, and is located near the intersection with Gulf of Mexico Drive. Mr. Franklin's stated intent for the property is development of up to two (2) single-family detached homes.

The Town Charter (Article II, Sec. 22) provides that the density limitations that were in the Comprehensive Plan as adopted on March 12, 1984, "shall not be increased without the referendum approval of the electors of Longboat Key." Because the subject property did not have residential density assigned to it in the 1984 Comprehensive Plan, it is required to seek approval from the electors in order to add residential density.

The next step, if the Town Commission were to accept the request for a referendum to be placed before the electors¹, would be to direct staff to work with the requestor to develop an ordinance, with a clear and concise statement describing the request that would cause a referendum to be held. The ordinance would include a provision that the requestor would be responsible for all costs associated with the referendum.

¹ The Town Commission has historically approved prior requests for referendums for residential density increases and has not required requestors to provide written petitions.

Staff would work to prepare such an ordinance for consideration at the June 7, 2021 Regular Meeting for first reading. If recommended for approval, second reading and public hearing could then be scheduled for the July 6, 2021 Regular Meeting. Staff has been informed that the Supervisor of Elections' deadline for placement of items on the November 2, 2021 ballot is August 28, 2021.

Staff Recommendation

Provide direction to Manager.

Attachments

- A. May 3, 2021 Letter, Mr. Bruce Franklin to Mayor Ken Schneier (Available in Town Clerk's Office)
- B. Town Charter, Article II, Section 22 (Available in Town Clerk's Office)
- C. Town Code Chapter 160.04 (Available in Town Clerk's Office)
- D. Town Charter, Article VII, Section 2 (Available in Town Clerk's Office)

End of Agenda Item