

## 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:** June 22, 2021

**Meeting date:** July 2, 2021

**Subject:** Ordinance 2021-07, Request for Referendum for Property Located at 597 Buttonwood Drive

### **Recommended Action**

Adopt Ordinance 2021-07.

### **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. The referendum is 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.

The Town Commission considered the request at their May 18, 2021 Regular Workshop Meeting, and directed staff to develop Ordinance 2021-07 for consideration at the June 7, 2021 Regular Meeting for first reading.

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 ballot language in the Ordinance references the requested zoning classification of either R-3MX or R-3SF to achieve this site density.

Ordinance 2021-07 provides that the property owner shall pay all costs associated with posing the density referendum question, including the costs and fees imposed by the Supervisors of Elections for both Sarasota and Manatee for conducting such an election, inclusive of early voting (which the applicant intends to request). The Ordinance also provides that the Town Commission's willingness to accommodate the property owner's request to place the requested referendum question before the Town's electors relating to the density increase request is not an endorsement by the Town Commission of the property owner's future land use, rezoning or future development plans.

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.

Ordinance 2021-06 includes the following ballot question that, if approved, would be placed before the qualified electors on the November 2, 2021 ballot:

**May the Town allow the property located at 597 Buttonwood Drive (Property ID# 0005080027) and comprising approximately 0.86 acres, to increase density from OI office-institutional uses (which allows no density) to either R-3MX or R-3SF residential use (which allow a maximum of three (3) residential units per acre), for a maximum total of 2 residential units on the property?**

**YES - IN FAVOR OF \_\_\_\_\_**

**NO - AGAINST \_\_\_\_\_**

The Town Commission held first reading of Ordinance 2021-06 at its June 7, 2021 Regular Meeting and forwarded it to the July 2, 2021 Regular Meeting for second reading, public hearing, and adoption.

Adoption of Ordinance 2021-06 on second reading will allow for the Supervisor of Elections’ to place the item on the November 2, 2021 ballot.

**Staff Recommendation**

Adopt Ordinance 2021-07.

**Attachments**

Ordinance 2021-07 (Available in Town Clerk’s Office)

**End of Agenda Item**