



NEWSLETTER January 2010

Siesta Key Association

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See our newly updated website:
www.siestakeyassociation.com

Siesta Key Association Annual Breakfast

Saturday, March 20th, 2010 at 9 AM.

Breakfast Buffet \$10.00

St. Boniface Community Center, 5615 Midnight Pass Road.

The guest speaker will be Sarasota County Commissioner Nora Patterson who will discuss the future of Siesta Key including economic development, post disaster redevelopment and other Siesta Key issues that require our support.

SKA's legal challenge

Siesta Key Association (SKA) has been active in local zoning and land use issues for over 60 years. It was the basis of our foundation in 1948. On behalf of our members we regularly stand up to Sarasota County or developers that attempt to develop or use land in conflict with our laws. We also work tirelessly to make sure that new local laws are to the benefit of our property owners and residents as well as ensure that they are properly enforced.

In that spirit, in 2007, SKA objected to a new village bar/restaurant's lack of parking as required in the zoning code. There is already a deficit of 400 parking spaces in the village which causes constant parking problems. According to the 2007 zoning code, new bars must provide a certain amount of parking for the amount of seats they are requesting. The SK Village Merchants Assn. and the SK Chamber of Commerce asked SKA to join with them in insisting the County enforce their parking requirements for this new business, the Hub Baja Grill (Hub).

SKA (along with Village Merchants and Chamber) pointed out that the County had issued a permit to the Hub that violated the zoning code. The County did offer the Hub the opportunity to open with 99

seats as per the zoning code (instead of the 151 seats they wanted). For some unknown reason the Hub did not reapply for the 99 seat permit until 3 months later and then sued the County in 2008 for delaying their opening even though it was their choice to wait 3 months. In March 2009, the County changed the zoning code to allow restaurants to expand their seating without a requirement for more parking. This allowed the Hub to expand from 99 to the 151 seats as they originally wanted. Then in August of 2009 the Hub added SKA as a defendant in their lawsuit against the County. They alleged that SKA also delayed their planned opening by 3 months in 2007 when we notified the County that the 1st permit violated the zoning code.

Even though SKA's Board of Directors knew we were within our first amendment rights to voice our concerns to the County regarding any type of development on Siesta Key that would adversely affect our residents and visitors, we were forced to defend this right in court. SKA's Directors are prepared and determined to insure that, now and in the future, any citizen or citizens' group will continue to have the right to speak up on issues that adversely impact their quality of life.

In November of 2009 the County's attorneys voluntarily offered to settle their lawsuit with the Hub by making major concessions to them including circumventing the zoning code to change their status to a nightclub which allows louder music later into the night, legalizing the patio they built on public land and monetary compensation. Nora Patterson was the only County Commissioner who voted against the settlement offered in November.

SKA has continually refused to concede to a settlement and in late November, days after our last refusal, the Hub notified SKA's attorneys that they will drop the lawsuit against our association. However, we still had to use some of our resources to defend this unjust court action and we appreciate any contribution to our legal fund to offset our current legal expenses and continue to have legal representation into the future.

Lourdes Ramirez—President

