



Bird Key Improvement Association

Handbook for Owners and Contractors

Prepared by
Bird Key Improvement Association
100 Bird Key Drive
Sarasota, FL 34236
(941) 366-0848

April 15, 2011

*Owners and contractors must ensure they are
using the most recent version of Bird Key rules and regulations.*

4. Building Height Limits

Bird Key Requirement

BKIA limits the height of buildings to 37 feet in height, to the highest ridge line, excluding decorative features such as chimneys, cupola's, etc., which may not exceed six (6) feet in height, measured from the elevation of the street center line.

Presently, the City measures building heights in a completely different manner from Bird Key. **The result is that by using only City measurements, a home of Bird Key could be twelve feet higher than allowed on Bird Key. Be sure proper Bird Key measurements are followed.**

The Figure and Table on the following page shows some of the many different reference points for measuring a house height.

Every property is different. There are slight variations of the street elevation across Bird Key. Owners must have a licensed surveyor carefully layout and compute what they can do with their specific property and still comply with Bird Key regulations.

The Impact of FEMA on Bird Key Building

FEMA (Federal Emergency Management Agency) has designated Bird Key as having four different FEMA zones (these overlay the residential zones that the City has designated). Each of these zones has different "Minimum Flood Elevations" that refer to the height of the first residential floor (the part you walk on) above mean sea level. The FEMA zone you are in can be found on your site survey or this information is available at the Bird Key Office. Since homes are limited to two stories, the combined FEMA and height restrictions will likely impact ceiling heights of the two allowed living levels. For some homes (i.e., those in Zone V17) a lower floor or basement is required so that the FEMA first floor height for the living space of the home is satisfied. Normally, these ground floors are required to have breakaway walls.

Most Bird Key streets are 8.0 feet above mean sea level (MSL) to the crown of the street. Thus, home heights are limited to 45 feet above mean sea level. The table and figure on a following page shows the relative heights in the diagram for the four FEMA zones on Bird Key.

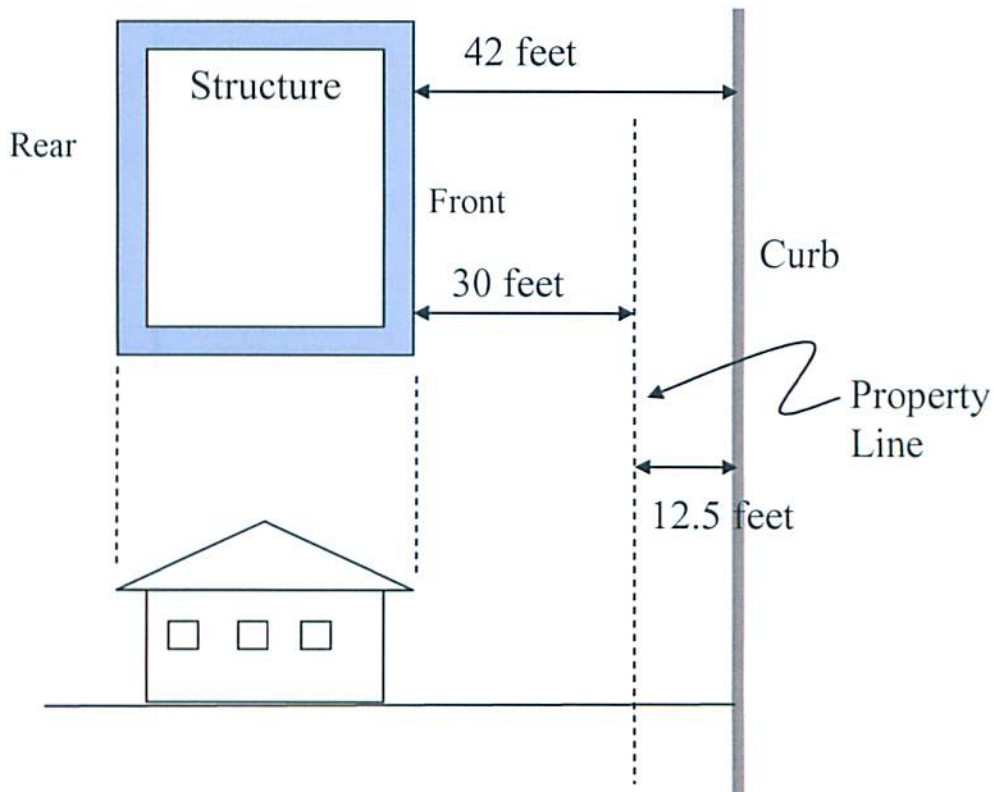
Owners and builders should note that the vertical space for living gets smaller as you move from right to left in the above table. This corresponds to moving from inland homes to homes with increasing bay front exposure. Thus, new bay front homes have more severe ceiling height limitations within the home than garden homes on Bird Key. Owners and builders should be aware of this when designed and planning new home construction.

Setback Requirements

Front Setback

The Bird Key setback requirement is 42 feet from the dirt side of the curb to the *closest point of any part of the house, including the eaves*. **The Bird Key front setback is more stringent than the City's Setback.**

The diagram below may help clarify various measurements to the front of a structure on a Bird Key property.

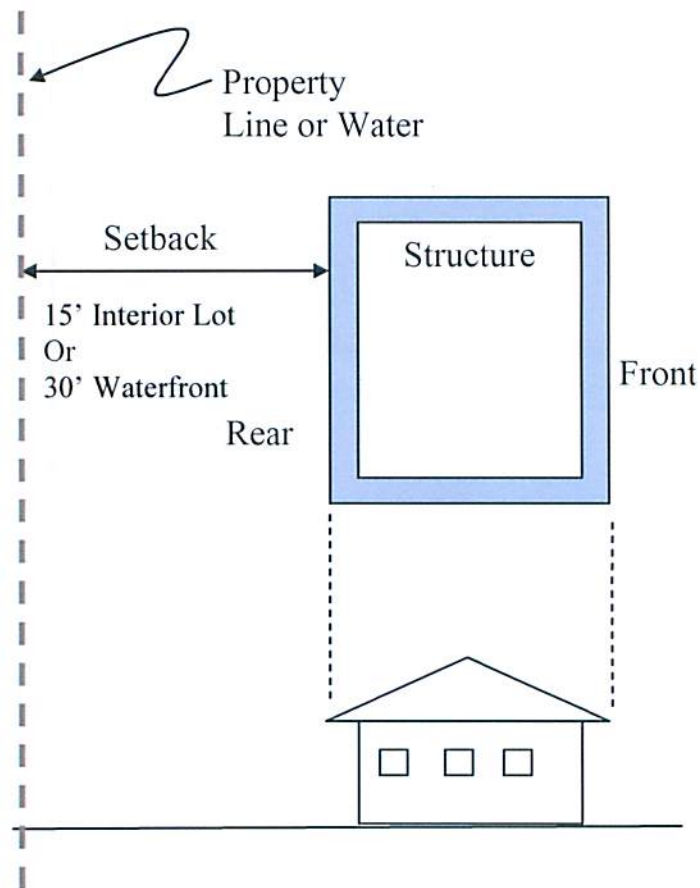


Rear Setback

The setback requirement for Bird Key structures is 15 feet from the property line for interior lots (garden homes) and **30 feet from the rear property line for waterfront property** (canal or bay front homes). The figure illustrates measurement.

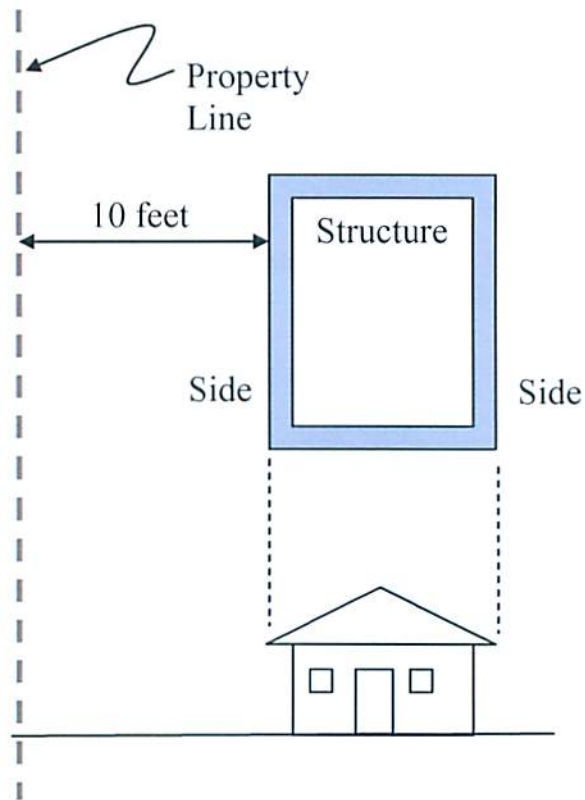
A structure is any part of the house, including the pool cage. Waterfront structures must be 30 feet from the water side of the retaining wall or the edge of the water. In both cases this is to the nearest part of the house, including the eaves.

Note: Pool cages on interior (garden) lots may be constructed to within five (5) feet of the rear property line. The side setback remains ten (10) feet.



Side Setback

The Bird Key side setback is more stringent than the City and is measured differently. All Bird Key measurements are from the side property line to the closest point of the structure. A **minimum** of ten feet to any part of the structure is required. This includes eaves.



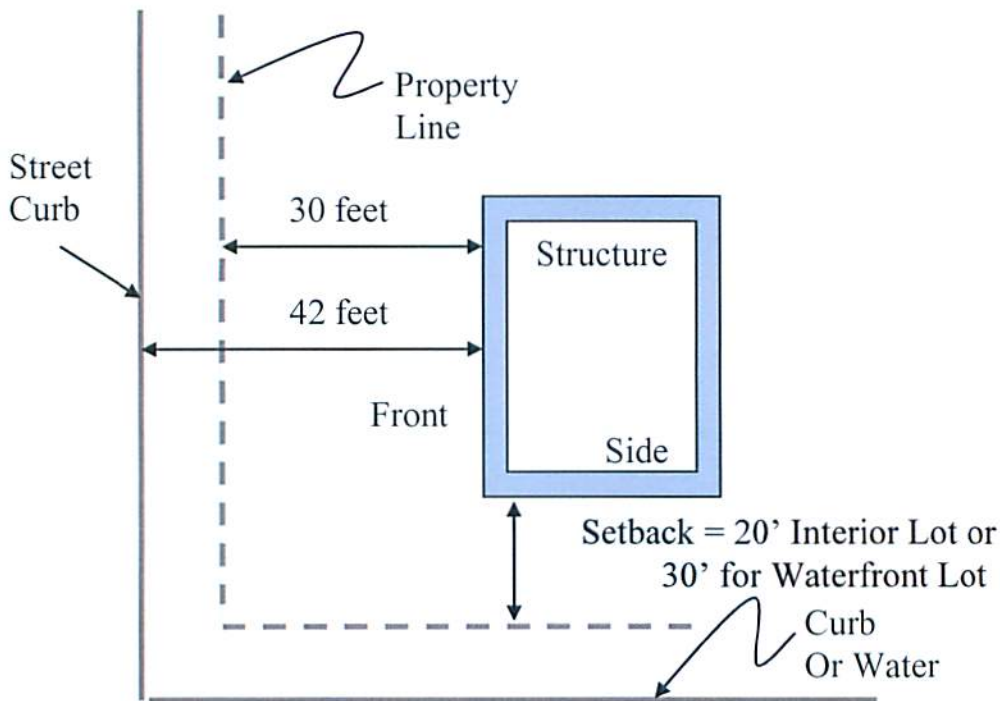
Corner Lot Setbacks (waterfront and interior)

Bird Key requirements for corner lots are different from the City of Sarasota. The reader should note a 12.5 foot measurement from the curb to the property line is present throughout Bird Key. This is a City of Sarasota law.

The designated front of the structure must be 30 feet from the property line to any part of the home, including the eaves. This is the case for both interior and waterfront homes.

For **interior lots**, the side of the structure must be 20 feet from the property line to the any part of the house.

For **waterfront lots**, Bird Key by-laws have the same setbacks as interior lots.



Pool Cage Setbacks

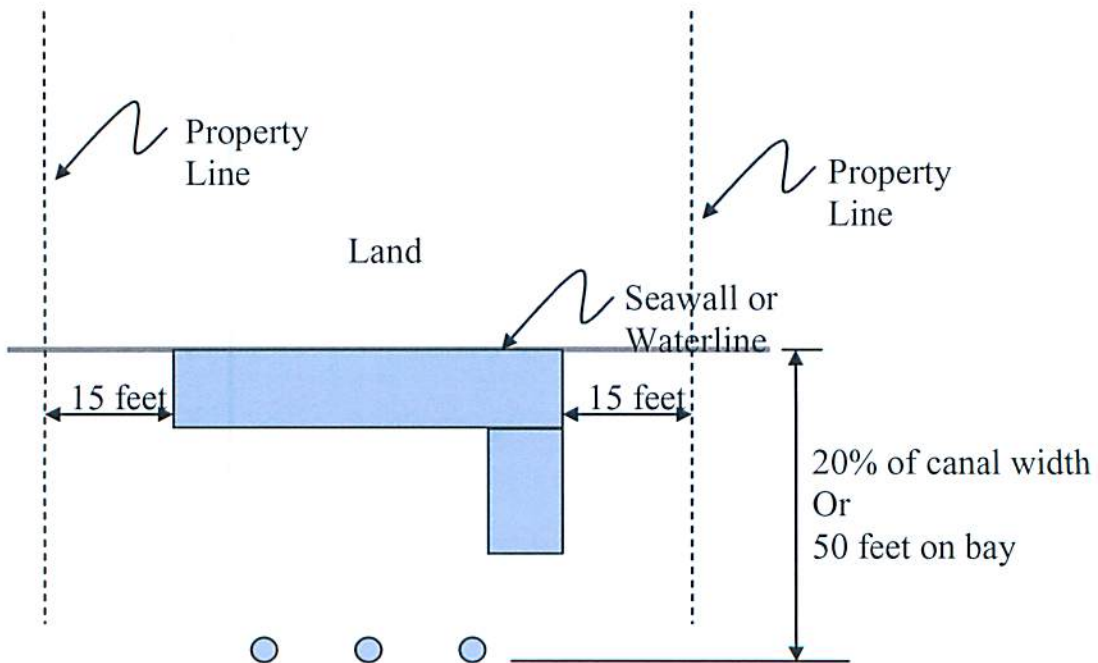
Bird Key considers pool cages as an integral part of the main building structure since they must be attached to a building. No detached pool cages are allowed. Thus, pool cages must adhere to all of the setbacks that a building structure must meet except garden lots which may have a 5 foot rear setback for the pool cage.

Docks and Pilings

With many homes on the water, Bird Key is especially concerned about how these waterfront homes look from both land and the water, as well as the preserving safe waterways around the Key.

In the measurements below, the terminology “docks” is meant to include docks and related piling, lifts, walkways, ramps, stairs, or any other structure outside the seawall or waterline.

Docks and pilings may not extend within 15 feet of the extended side property boundary. Docks and pilings may not extend more than 20 percent of the width of a canal into that canal. Docks may not extend more than 50 feet into the bay.



6. Roofs

Bird Key regulations do not allow for installation of an asphalt shingle roof, wood shingles or flat metal roofs. These products may not be used on new, renovated or replacement roofs. Barrel tile, metal barrel style and other roofing alternatives exist that are acceptable for roofing projects.

Further, unsightly, unrepaired and uncompleted roofs on Bird Key are considered a nuisance which must be repaired, cleaned or finished in an acceptable manner.

If you are contemplating a roofing project on Bird Key and you are uncertain about these requirements, please contact the office.

7. Fences and Walls

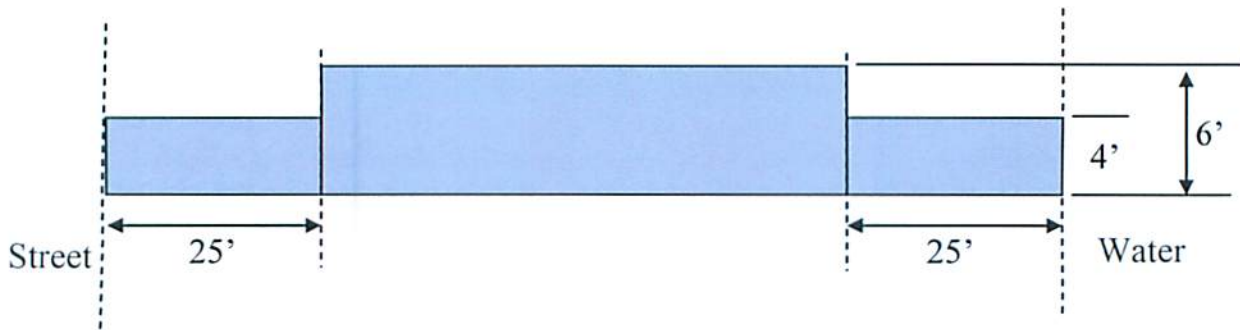
Bird Key restrictions emphasize **open sight lines**. For this reason open fences rather than walls are favored along property lines. There are numerous opportunities to establish both privacy and territorial claims, without destroying sight lines. Owners and contractors/designers are encouraged to discuss their plans for fences or walls with BKIA.

Further, bare walls are discouraged. Walls should be landscaped to offset the starkness of a long and undecorated expanse to your neighbors.

Chain link fences are not permitted.

Dimensionally, **fences or walls must be no higher than 48 inches within 25 feet of a street or water boundary, nor should they exceed six feet elsewhere**. Fence heights should be measured from the lower average property grade of each adjacent property.

Columns, pilasters, lights and decorations **must not exceed 18" above the wall or fence**. Owners requesting permits for fences or walls are required to submit detailed plans of the unit, including dimensions, design, and structure, as well as related landscape plans for the unit.



8. **Driveways and Landscaping**

Permits must be obtained for landscaping projects or any project that changes the exterior appearance of a residence.

BKIA does not support landscaping that does not enhance the Key. Landscaping must support the green belt that runs across the Key without encroaching on the sight lines so important to our community. It should not be left in an unkept condition. Landscaping should not be based solely on rocks, shells, or gravel without a green belt appearance included.

Similarly, driveways of gravel, stones, shells, asphalt or other unsuitable building materials are discouraged and unlikely to be approved. BKIA strongly supports the replacement or renovation of these types of driveways by owners.

To enhance the Key, BKIA is allowing residents to create a taller “green wall” using trees and landscaping between homes up to a height of 12 feet, providing the landscaping is maintained and does not appear unkempt. Within 25 feet of a street or waterway, all landscaping except trees must be kept below four feet in height.

New construction will not be permitted without a landscape plan. The landscaping must be completed within 60 days of issuance of the Certificate of Occupancy. Xeriscape landscaping is allowed and permitted. Shutting off the water to the lawn and plants and calling it xeriscape is not allowed. Xeriscape is defined as Florida plant life, not just rocks, sand, shell and/or gravel.