

BOATS / Noise bothers lake neighbors

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Burger said the noise is a nuisance, even if it doesn't violate decibel limits. He cited a city code provision that defines noise disturbance as any sound that "annoys or disturbs a reasonable person of normal sensitivities."

But getting a conviction in court under that provision would be difficult, said John Wolfe, chief assistant city attorney.

"What's a person of normal sensitivities?" Wolfe asked.

The issue first surfaced in 1997, when 55 homeowners near the lake signed a petition opposing the model boats' operation because of the noise.

The Disston Heights Neighborhood Association responded by restricting when hobbyists could use the pond — Fridays and Saturdays, from 10 a.m. to 3 p.m.

"We sat down with them and worked out what their complaints were," said Jim Biggerstaff, the neighborhood association's president at the time. "Their complaint was they didn't want them here on Sundays. I've got people who totally agree with them being here."

Burger contends the restrictions, posted on a sign by the lake, were to have lasted only for a 90-day trial period — at which point the association was to have gotten back to residents.

That never happened, Burger said, and the situation has continued despite his complaints to his city council representative, Jay Lasita, and Mayor David Fischer.

Wally Cravens, the neighborhood association's new president, doesn't know what to do about the sticky problem he inherited.

"When I took over, I was told that it was resolved," he said.

Model boaters and Biggerstaff downplayed the dispute — which

said he doesn't mind people having fun on the lake.

"But when it infringes upon everybody's rights in the neighborhood, that's wrong," he said.

Burger said the hobbyists can move to another pond, at Ninth Avenue North and 17th Street, that they already use on Sundays.

"They can make all the noise over there they want, because it's a commercial area and it's right off the interstate," he said.

“I don't see where any objection could come from anybody. If somebody is just hardheaded, well that's tough.”

Alfred Luck
Lake neighbor

police at times have been forced to referee — by saying Burger is the only homeowner who is complaining. But several of Burger's neighbors said they, too, are fed up with the noisy boats.

"Try being in the middle of your sleep, and it sounds like somebody hacking away at trees outside your window," said Angela Riskowitz. "They wake me up every Saturday morning, and I get tired of it."

Dan Winkler, a 50-year resident,

But Dale Erich, a model boater from Seminole, said that pond is too small, has no straightaway and is populated by alligators.

Laymon said the hobbyists have tried to be good neighbors by helping residents plant trees and install benches near the pond and keeping the area clean of trash and debris.

They've even removed railroad ties from the water they suspect were dumped by residents looking to damage the miniature boats.

The boats are commonly made of wood or fiberglass. They are built from scratch or from kits and can require 100 to 250 hours of la-

bor. Depending on a boat's size, the cost can range from \$700 to more than \$1,000.

Some homeowners say they enjoy watching the model boats and chatting with their owners.

"I take an interest in what they do here," said Alfred Luck, a 46-year resident. "I don't see where any objection could come from anybody. If somebody is just hardheaded, well that's tough."

The boats are powered not by gasoline but by an alcohol-oil fuel that has raised water-quality concerns among some residents. But Erich said the fuel is discharged into the air, not the water.

Contrary to what some homeowners say, the boats are never run without mufflers, although sometimes the devices will "pop off," Erich said. When that happens, the engine shuts off because no fuel is coming into the carburetor, he said.

Erich bemoaned the lack of public places in Pinellas County where model boaters can enjoy their hobby.

"They have everything here for the biker, the hiker, the people who just want to walk on the Pinellas Trail," he said. "They've put millions of millions of dollars into this sort of stuff. But they've got nothing for the hobbyist who happens to have a model race car or a model boat."

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