

Criteria Responses – Sec. 87-1-2.C.10

This application requests a Zoning Map Amendment to rezone the property from the Sarasota County zoning district OUE to the City of Venice zoning district Residential Single Family, 3 (RSF-3). Please see responses to land use compatibility of Section 87-1-2.C.10 in **bold** below:

- (i) Demonstrate that the character and design of infill and new development are compatible with existing neighborhoods. The compatibility review shall include the evaluation of the following items with regard to annexation, rezoning, height exception, conditional use, and site and development plan petitions:

A. Land use density and intensity.

The future land use for the Property and the immediate surrounding area is Low Density Residential (“LDR”). Under the Future Land Use (“FLU”) Strategy L.U. 1.2.3, low density residential supports single family detached homes and limited attached homes to establish and maintain single family areas within neighborhoods. RSF-3 is an implementing zoning district for this land use classification. This Property is also within JPA/ILSBA Area No. 2a, which allows 3 dwelling units/acre and allows the following uses Residential, Retail, Office Space, Commercial, and Equestrian Uses.

The use and intensity of Cassata Oaks is compatible with the surrounding neighborhoods because the Cassata Oaks development will consist of single family homes with a density of 1.5 dwelling units per acre and the majority of the surrounding area is single-family home developments with a density ranging from 1.8 to 3.67 dwelling units per acre.

Cassata Oaks will have the lowest density per land area than the other existing developments. The only improved property that is not a single family residential development is the property located directly to the south of Cassata Oaks, which is used for equestrian shows, events venue, and RV rentals. Since the property to the south is a more intense use, Cassata Oaks is proposing a 100ft natural buffer, a 15ft landscape buffer (to include a 3ft berm and an 8ft wall), an additional 155ft buffer area which includes a private lake with additional landscaping. In total, the estate lots will have a depth of 450ft, with a rear yard setback of 270ft to a 180ft building pad. These estate lots provide a transition to the equestrian use to the south. See also Figure 1 and 2 for details location of the surrounding housing developments of the total 450 ft estate lot to transition from the equestrian use to the south.

See Figure 1 for a list of the density of the surrounding developments and Figure 2 for location of the developments in relation to the proposed Cassata Oaks project.

	Zoning	Density	Design/Use
Milano	PUD	2.56 +/-	Single family mixed size lots
Waterford	PUD	3.67 +/-	Single family mixed size lots
Sawgrass	PUD	1.8 +/-	Single family lots
Palencia	PUD	2.5 +/-	Single family lots
Auburn Lakes	RMF-2	5.1 to 9 +/-	Condominium
Auburn Hammocks	RMF-2	5.1 to 9 +/-	Villas
Cassata Oaks (Proposed)	RSF-3	1.5 +/-	50 single family lots and 10 estate size single family lots
Fox Lea Farms	OUR	Commercial Use / FLU 5.1 – 9 DU/acre	Used for horse shows, event venue, RV Rentals

Figure 1 – Density of Cassata Oaks and surrounding developments

BUFFERS				
	NORTH	SOUTH	EAST	WEST
Buffer Requirement	10' with a 6' fence and no berm required	10' with a 6' fence and no berm required	10' with a 6' fence and no berm required	10' with a 6' fence, no wall or berm required
Proposed Plan	40' with 3' berm and 6' wall	115' with 3' berm and 8' wall	50' with 3' berm and 8' wall	20' with a 3' berm and 8' wall. Plus 6' sidewalk

Figure 3 Buffers Required and Provided

(ii) Considerations for determining compatibility shall include, but are not limited to, the following:

A. Protection of single-family neighborhoods from the intrusion of incompatible uses.

The FLU of the surrounding City of Venice properties are LDR and the FLU for the Sarasota County property is Moderate Density Residential, which allows two (2) to five (5) dwelling units acre. Per the FLU Compatibility Review Matrix, the properties are presumed compatible. See Strategy LU 1.2.8 – Compatibility between uses.

Figure LU-8: FLU Compatibility Review Matrix

		Adjacent (Existing) FLU									
		LDR	MODR	MEDR	HDR	IP	COMM	GOVT	IND	OS-F	OS-C
FLU Proposed	LDR										
	MODR										
	MEDR										
	HDR										
	IP										
	COMM										
	GOVT										
	IND										
	OS-F										
	OS-C										

Presumed Compatible
 Potentially Incompatible

Figure 3: FLU Compatibility Review Matrix from Venice 2017-2027 Comprehensive Plan

Additionally, the use and intensity of Cassata Oaks is compatible with the surrounding neighborhoods because the Cassata Oaks development will consist of single family homes with a density of 1.5 dwelling units per acre and the majority of the surrounding area is single-family home developments with a density ranging from 1.8 to 3.67 dwelling units per acre. Since the property to the south is a more intense use, Cassata Oaks is proposing a 100ft natural buffer, a 15ft landscape buffer (to include a 3ft berm and an 8ft wall), an additional 155ft buffer area which includes a private lake with additional landscaping. In total, the estate lots will have a depth of 450ft, with a rear yard setback of 270ft to a 180ft building pad. These estate lots provide a transition to the equestrian use to the south. See also Figure 1 and 2 for details location of the surrounding housing developments.

B. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.

The Applicant is not proposing a commercial or industrial use.

- C. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.

The Property is currently zoned Open Use Estate (“OUE”) under the Sarasota County zoning Code. Rezoning the Property to City of Venice zoning RSF-3 will resolve the current non-conforming zoning designated on the Property. The Property was annexed from Sarasota County to City of Venice on February 26, 2008, pursuant to Ordinance No. 2008-04 (“Annexation Ordinance”) and the Pre-Annexation Agreement dated February 12, 2008 (“Pre-Annexation Agreement”). The City of Venice Comprehensive Plan 2017-2027 (“Comprehensive Plan”) designates the Future Land Use on the Property as Low Density Residential. The Property is also subject to the Joint Planning and Interlocal Service Boundary Agreement dated October 26, 2010 between the City of Venice and Sarasota County (the “JPA”).

Under the above referenced Ordinance, Agreements, and Comprehensive Plan, the property must be rezoned to a City zoning district to be conforming with the Comprehensive Plan. RSF-3 is an implementing zoning district for the FLU category LDR under the Comprehensive Plan and therefore would ensure a conforming and compatible use with the Comprehensive Plan and surrounding neighborhoods.

Furthermore, the City has recently approached property owners to rezone, at its own expense, all of the properties annexed into the City of Venice that still retain the Sarasota County zoning designation. Here, the property owner is paying for the rezoning and saving the City this expense.

- D. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

There are no density and intensities to compare. The Property is currently zoned Sarasota County OUE. As it is now, the Property cannot be developed until it is rezoned. Currently City of Venice does not have a zoning district that is the equivalent to the Sarasota County OUE zoning district. The Future Land Use is Low Density Residential, which will allow a zoning to RSF 1, 2, 3 or GOV.

As a residential development, Cassata Oaks will have the same or less intensity and density of use as the surrounding single family residential developments. The applicant is providing less density than the RSF-1 zoning district, which allows 2.5 dwelling units per acre. Whereas, Cassata Oaks is only requesting 1.5 dwelling units per acre. The Applicant has chosen to rezone to RSF-3 to utilize the development standards to allow for a variety of housing. Cassata Oaks will have a less intense use than the property located directly to the south which is used for equestrian shows and an event venue.

For purposes of illustration, Figure 4 below compares the Sarasota County OUE uses with the proposed City of Venice uses for RSF-3.

Current Sarasota County OUE	Proposed RSF-3
Residential 1DU/Acre	Single-Family Detached Dwelling
Agricultural and livestock production	Manufactured Home Dwelling
Animal boarding	In Home Day Care (6 or fewer persons)
Plant nurseries	Group Living
Borrow pit	
Nursery	
Cemetery/Crematory	

Figure 4 - Current uses in Sarasota County OUE versus proposed uses in City of Venice RSF-3.