

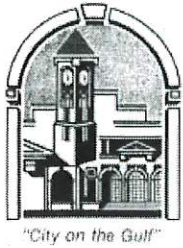
# CITY OF VENICE

Planning and Zoning Department  
 401 W. Venice Avenue, Venice, FL 34285  
 (941)486-2626 ext. 7434 [www.venicegov.com](http://www.venicegov.com)

## VARIANCE APPLICATION

Submit a complete application package to the Planning and Zoning Department. All information must be legible and will become a permanent part of the public record. Incomplete applications will be returned to the applicant/agent. Refer to the City of Venice Code of Ordinances Section 86-46 for variance submittal requirements.

<b>PROJECT NAME:</b> Spaney Canopy	
<b>Brief project description and applicable code sections:</b> Install a slatted canopy over existing paver patio. 2 Posts with footings will be set within the minimum yard to support the the Canopy Applicant is requesting a variance of Code Section 86-82(j)(1) d.	
Address/Location: 872 Whitecap Cir. #29, Venice, FL 34285	
Parcel Identification No.(s): 0173-14-1025	Parcel Size: 4,881 sq. ft.
Zoning Designation(s): RMF-2	FLUM Designation(s): Moderate Density Residential
<i>Fees: A review fee shall be deposited to be drawn upon by the city as payment for costs, including but not limited to advertising and mailing expenses, professional services and reviews, and legal fees. If review fee funds fall below 25%, additional funds may be required for expenses. See Section 86-586 (b-d) for complete code. *Extended technical review fee of \$1400 charged at third resubmittal.</i>	
<input type="checkbox"/> Application Fee \$430.76 <input type="checkbox"/> Review Fee \$376.91	
<b>Applicant/Property Owner Name (will be used for billing):</b> Lucinda Spaney	
Address: 57 Hampton Meadows, Hampton, NH 03842-1814	
Email: lucints@yahoo.com	Phone: 617-733-8715
<b>Design Professional or Attorney:</b> Gregory C. Roberts	
Address: 341 W. Venice Avenue, Venice, FL 34285	
Email: greg@k-rlaw.com	Phone: (941) 485-2900
<b>Authorized Agent (project point of contact):</b> Gregory C. Roberts	
Address: 341 W. Venice Avenue, Venice, FL 34285	
Email: greg@k-rlaw.com	Phone: (941) 485-2900



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## VARIANCE Checklist

Application package is reviewed for completeness by Planning staff. If a document is not being submitted, please indicate N/A and the reason why it is not being submitted.

<input type="checkbox"/> <b>Application:</b> Signed by agent and applicant.
<input type="checkbox"/> <b>Narrative:</b> Provide a statement describing in detail the character and intended use of the development, and confirm consistency with all applicable elements of the City's Comprehensive Plan.
<input type="checkbox"/> <b>Agent Authorization Letter:</b> A signed letter from the property owner, authorizing one individual to submit an application and represent the owner throughout the application process. Authorization should not be for a corporation or similar entity. This individual will be the single point of contact for staff.
<input type="checkbox"/> <b>Statement of Ownership and Control:</b> Documentation of ownership and control of the subject property (deed). Sarasota County Property Appraiser or Tax Collector records will not suffice. Corporations or similar entities must provide documents recognizing a person authorized to act on behalf of the entity. For multiple parcels collate by parcel the deeds, agent authorizations, and Sunbiz information.
<input type="checkbox"/> <b>Legal Description:</b> Must indicate the PID with each respective description in Word format.
<input type="checkbox"/> <b>Survey of Property:</b> Signed and sealed survey that accurately reflects the current state of the property. Each parcel must have its own legal description listed separately on the survey, correctly labeled by parcel id. <b>Date of Survey:</b>
<input type="checkbox"/> <b>Planning Commission Report:</b> Address findings for each Code Section 86-46(4) <i>Considerations in granting</i> . The planning commission shall, based upon substantial and competent evidence, make an affirmative finding on each of the following in granting a variance petition: a. Special circumstances exist in relation to the land, structures or buildings as compared to other land, structures or buildings in the same zoning district and the special circumstances are not the fault of the applicant; b. The literal interpretation of the provisions of this chapter would result in unnecessary and undue hardship to the property; c. The variance, if granted, is the minimum variance necessary to meet the requested use of the land, building or structure; and d. The grant of the variance will be in harmony with the general intent and purpose of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
<input type="checkbox"/> <b>Site Plan:</b> Electronic file of site plan, containing the project address, code variance drawn to a scale of sufficient size to show: a. Boundaries of the project, any existing streets, buildings, watercourses, easements and section lines; b. Exact location of all existing and proposed buildings and structures; and c. All screens and buffers.
<input type="checkbox"/> <b>Electronic Files submitted:</b> Provide PDF's of ALL documents, appropriately identified by name. Submit each document as one pdf (not each sheet in an individual pdf). Please title all documents with a clear and concise title (e.g. Application, Narrative, Agent Authorization Letter, Statement of Ownership, Legal Description, etc.).

Technical compliance must be confirmed 30 days before a public hearing will be scheduled. The applicant or agent MUST be present at the public hearing and will be contacted by staff regarding availability. By submitting this application the owner(s) of the subject property does hereby grant his/her consent to the Zoning Official and his/her designee, to enter upon the subject property for the purposes of making any examinations, surveys, measurements, and inspections deemed necessary to evaluate the subject property for the duration of the petition.

Authorized Agent Name: Gregory C. Roberts	Applicant Name:
Authorized Agent Signature:	Applicant Signature:
Date: 12/19/22	Date:

## **NARRATIVE**

The Applicant, Lucinda Spaney, is requesting a variance from the Land Development Code, Section 86-82(j)(1)d –Minimum yard requirements in the RMF-2 district. Waterfront yards require minimum yard of 20 feet.

The Applicant proposes to construct a movable slat canopy over the existing paver brick patio. Two 6' x 6" posts with footings supporting the canopy will be placed within the required 20 foot yard minimum. The requested variance is for six (6) feet with a new setback of fourteen (14) feet. The canopy is a site-specific design and hurricane rated.

The purpose of the canopy is to provide adaptable shade from the sun for the paver patio and the inside of the dwelling, with the adjustable angle of the canopy slats allowing protection while maximizing natural light during times when the sun is not shining. The canopy will not have a solid roof and will not impact the view of the any other unit in Point Whitecap. The plans have been reviewed and approved by adjacent and potentially affected neighboring unit owners, as well as the Board of Directors of Point Whitecap Corporation, the governing homeowner's association.