

**ORDINANCE NO. 2020-39**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF VENICE, FLORIDA, PURSUANT TO ZONING MAP AMENDMENT PETITION NO. 20-18RZ, TO CHANGE THE ZONING DESIGNATION FOR THE PROPERTY GENERALLY LOCATED NORTH OF LAUREL ROAD AND WEST OF HONORE AVENUE, COMMONLY KNOWN AS 2001 LAUREL ROAD (60± ACRES), FROM SARASOTA COUNTY OPEN USE ESTATE (OUE) TO CITY OF VENICE COMMERCIAL, GENERAL (CG); PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Zoning Map Amendment Petition No. 20-18RZ (“Petition”) has been filed by Randall C. Hurt, Joseph W. Hurt, Mary McMullen, and Carlton J. Hurt Trust to change the official City of Venice Zoning Map designation for the property described in Section 3 below from Sarasota County Open Use Estate (OUE) to City of Venice Commercial, General (CG); and

**WHEREAS**, the subject property has been found to be located within the corporate limits of the City of Venice; and

**WHEREAS**, the City of Venice Planning Commission has been designated as the local planning agency in accordance with F.S. 163.3174;

**WHEREAS**, the Planning Commission held a noticed public hearing on October 6, 2020 regarding the Petition and, based upon the evidence and testimony received at the public hearing, voted to recommend approval of the Petition; and

**WHEREAS**, the Venice City Council has received and considered the report of the Planning Commission concerning the Petition; and

**WHEREAS**, City Council held a duly noticed public hearing on the Petition in accordance with the requirements of the City’s Code of Ordinances, and has considered the evidence and testimony received at said public hearing.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA:**

**SECTION 1.** The Whereas clauses above are ratified and confirmed as true and correct.

**SECTION 2.** The City Council hereby makes the following findings of fact:

A. The Council has received and considered the report of the Planning Commission recommending approval of the Petition.

B. The Council held, after due public notice, a public hearing on the Petition and considered the evidence and testimony received at said public hearing.

C. The proposed rezoning of the property described herein is in accordance with and meets the requirements of the Land Development Code and is consistent with the City of Venice Comprehensive Plan.

**SECTION 3.** The Official Zoning Atlas is hereby amended, by changing the zoning classification for the following described property located in the City of Venice from Sarasota County Open Use Estate (OUE) to City of Venice Commercial, General (CG).

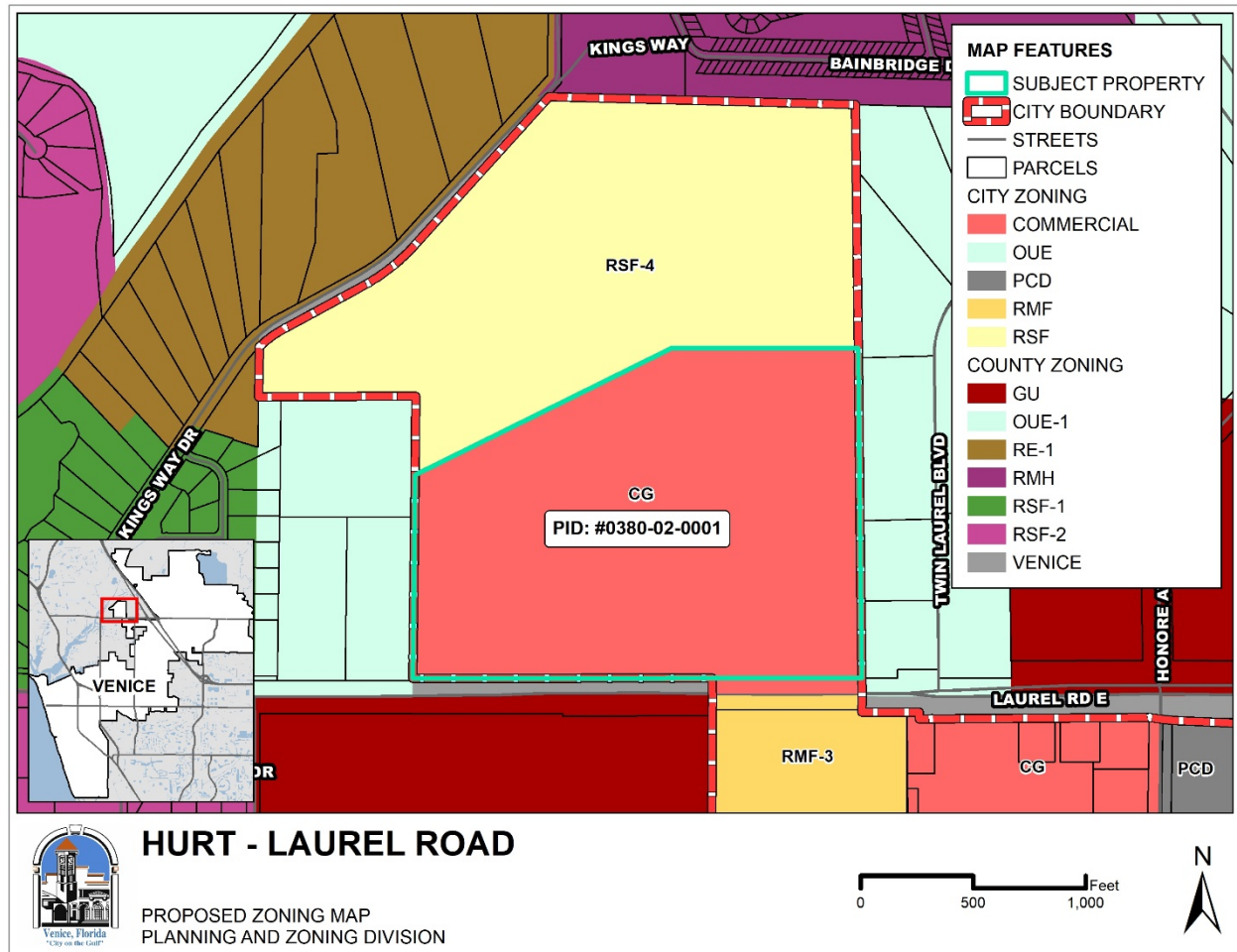
The subject 60+ acre property is designated as Parcel Identification No. 0380-02-0001 as depicted on the location map shown below and is further described as follows:

A part of Section 29, Township 38 South, Range 19 East, Sarasota County, Florida;

COMMENCE at the Northwest Corner of the Southeast Quarter of Section 29, Township 38 South, Range 19 East, Sarasota County, Florida; thence S.89°34'44"E., along the North line of said Southeast Quarter of Section 29, a distance of 1352.81 feet to the Northeast corner of the West Half of said Southeast Quarter of Section 29, same being a point on the northerly extension of the West Line of Twin Laurel Estates, recorded in Plat Book 24, Page 43, of the Public Records of Sarasota County, Florida; thence S.00°39'08"E., along the East line of said West Half of the Southeast Quarter of Section 29 and the West boundary line of said Twin Laurel Estates and it's northerly extension, a distance of 1081.19 feet to the POINT OF BEGINNING; thence continue S.00°39'08"E. along said West line of the West Half of the Southeast Quarter of Section 29, and the West boundary line of Twin Laurel Estates, a distance of 1480.43 feet to the North Right of Way Line of Laurel Road, Per Official Records Instrument #2002101175, of the Public Records of Sarasota County, Florida, thence along said North Right of Way Line of Laurel Road the following three (3) calls: (1) N.89°48'33"W, a distance of 1042.24 feet to a point on a curve to the left having a radius of 34577.65 feet, a central angle of 00°56'46", a chord bearing of S.89°43'04"W., and a chord length of 570.97 feet, (2) thence along the arc of said curve, an arc length of 570.98 feet; (3) thence S.89°14'41"W. a distance of 386.01 feet to the East boundary of lands described in Official Records Instrument #2001009621 of the Public Records of Sarasota County, Florida; thence N.00°42'19"E. along said East boundary line of lands described in Official Records Instrument #2001009621, a distance of 717.11 feet to the Southeast corner of lands described in Official Records Instrument #2016005618 of the Public Records of Sarasota County, Florida; thence along the East boundary line of lands described in Official Records Instrument #2016005618, N.00°42'19"E a distance of 202.89 feet to the southerly boundary line of lands described in Official Records Instrument #2019014339 of the Public Records of Sarasota County, Florida; thence along said southerly boundary line of lands described in Official Records Instrument #2019014339, the following two (2) course: (1) N.63°41'24"E. a distance of 1274.37 feet; (2) thence a bearing of EAST, a distance of 828.64 feet to the POINT OF BEGINNING.

Parcel contains 2610031.99 square feet, or 59.9181 acres, more or less.

Any discrepancy between the legal description and the map shall resolve in favor of the map.



**SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed.

**SECTION 5.** If any part, section, subsection, or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this ordinance, and all applications thereof not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

**SECTION 6. Effective date.** This Ordinance shall take effect immediately upon its approval and adoption as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, THIS 8<sup>TH</sup> DAY OF DECEMBER 2020.**

First Reading: November 17, 2020

Final Reading: December 8, 2020

Adoption: December 8, 2020

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Ron Feinsod, Mayor

**Attest:**

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Lori Stelzer, MMC, City Clerk

I, Lori Stelzer, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the City of Venice Council, a meeting thereof duly convened and held on the 8th day of December 2020 a quorum being present.

**WITNESS** my hand and the official seal of said City this 8th day of December 2020.

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Lori Stelzer, MMC, City Clerk

Approved as to form:

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Kelly Fernandez, City Attorney