

**CITY OF VENICE, FLORIDA
CITY COUNCIL
ORDER NO. 21-63CU**

AN ORDER OF THE VENICE CITY COUNCIL APPROVING CONDITIONAL USE PETITION NO. 21-63CU FOR THE PROPERTY LOCATED AT 2600 RUSTIC ROAD AND 1700 RANCH ROAD, PID NOS. 0362001007, 00362001015, AND 0362001002, TO ALLOW FOR HEIGHTS ABOVE 42' IN A PLANNED UNIT DEVELOPMENT ZONING DISTRICT FOR DEVELOPMENT OF SIX MULTIFAMILY BUILDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, South City Partners, through its agent Jackson R. Boone, Esq. of Boone Law Firm, submitted **Conditional Use Petition No. 21-63CU** for **Ranch Road Multifamily**, located at 2600 Rustic Road and 1700 Ranch Road, Parcel Identification Nos. 0362001007, 00362001015, and 0362001002, (further described in Exhibit A); comprised of **Site and Development Plans**, signed and sealed by Andrew J. Pluta, P.E., of Kimley-Horn and Associates, Inc., consisting of **twenty-one sheets**, received by the City on **July 18, 2022**; **Landscape Plans**, prepared by b+c studio, consisting of **five sheets**, received by the City on **May 10, 2022**; and **Color Elevations**, prepared by Dynamik Design, consisting of **twelve sheets**, received by the City on **July 18, 2022**; and

WHEREAS, Petition No. 21-63CU was filed prior to the City's adoption of its new Land Development Regulations and, therefore, was reviewed and approved under the Land Development Code existing as of the date of its filing; and

WHEREAS, the Planning Commission held a noticed public hearing on August 16, 2022, during which the Planning Commission received the Petition, staff report, and testimony provided by staff, the applicant, and interested parties, and recommended approval to the City Council; and,

WHEREAS, the City Council held a noticed public hearing on September 13, 2022, during which the City Council received the Petition, staff report, and testimony provided by staff, the applicant, and interested parties; and,

WHEREAS, the City Council finds that there is competent substantial evidence that the Petition demonstrates compliance with the applicable standards and criteria of the City Land Development Code, including Section 86-42, and is consistent with the 2017-2027 Comprehensive Plan; and,

WHEREAS, the City Council voted for approval of Conditional Use Petition No. 21-63CU.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL, THAT:

Section 1. The above whereas clauses are ratified and confirmed as true and correct.

Section 2. Conditional Use Petition No. 21-63CU for heights above 42' in a Planned Unit Development zoning district for development of six multifamily buildings, as described above, is hereby approved.

Section 3. This Order shall become effective immediately upon adoption by City Council. The City Council or any aggrieved person may have recourse to such remedies in law and equity as may be necessary to ensure compliance with the provisions hereof.

Section 4. This Development Order shall expire and be void 24 months from the date of grant unless a complete building permit application has been filed for the development approved in Site and Development Plan Petition No. 21-61SP which this conditional use relates to. However, at the written request of the property owner prior to the expiration of the 24-month period, the City Council may extend the 24-month period for an additional 12 months, provided that the property owner can demonstrate by competent and substantive evidence that financial or legal constraints or other events beyond the control of the applicant prevented application for a building permit.

ORDERED at a meeting of the Venice City Council on the 13th day of September, 2022.

Ron Feinsod, Mayor

ATTEST:

Kelly Michaels, MMC, City Clerk

APPROVED AS TO FORM

Kelly Fernandez, City Attorney

Exhibit A

LEGAL DESCRIPTION

A Parcel of land being and lying in Section 20, Township 38 South, Range 19 East, Sarasota County, Florida, and being more particularly described as follows:

Commence at the Southwest corner of the Northwest $\frac{1}{4}$ of Section 20, Township 38 South, Range 19 East, Sarasota County, Florida; thence N 39°55'73" E, a distance of 2606.83 feet to the POINT OF BEGINNING; thence continue, N 89°55'13" E, a distance of 1054.23 feet; thence Southeasterly, 21.80 feet along the arc of a non-tangent curve to the left having a radius of 230.00 feet and a central angle of 05°25'52" (chord bearing of S 65°00'54" E, 21.79 feet); thence Southeasterly, 45.53 feet along the arc of a reverse curve to the right having a radius of 30.00 feet and a central angle of 35°57'07" (chord bearing of S 24°75'7 7" E, 41.28 feet) to the Westerly right-of-way of the Access Road under I-75; thence along said Westerly right- of-way, S 79°73'77" W a distance of 1133.95 feet to the Northeasterly limited access right-of-way of 1-75 (also known as State Road 93), thence along said Northeasterly limited access right-of- way, Northwesterly, 1255.91 feet along the arc of a non-tangent curve To the right having a radius of 17975.40 feet and a central angle of 04°00'11" (chord bearing N 37°06'52" W, 1255.66 feet); thence departing said limited access right-of-way, N 19°73'53" E, a distance of 121.60 feet; to the POINT OF BEGINNING