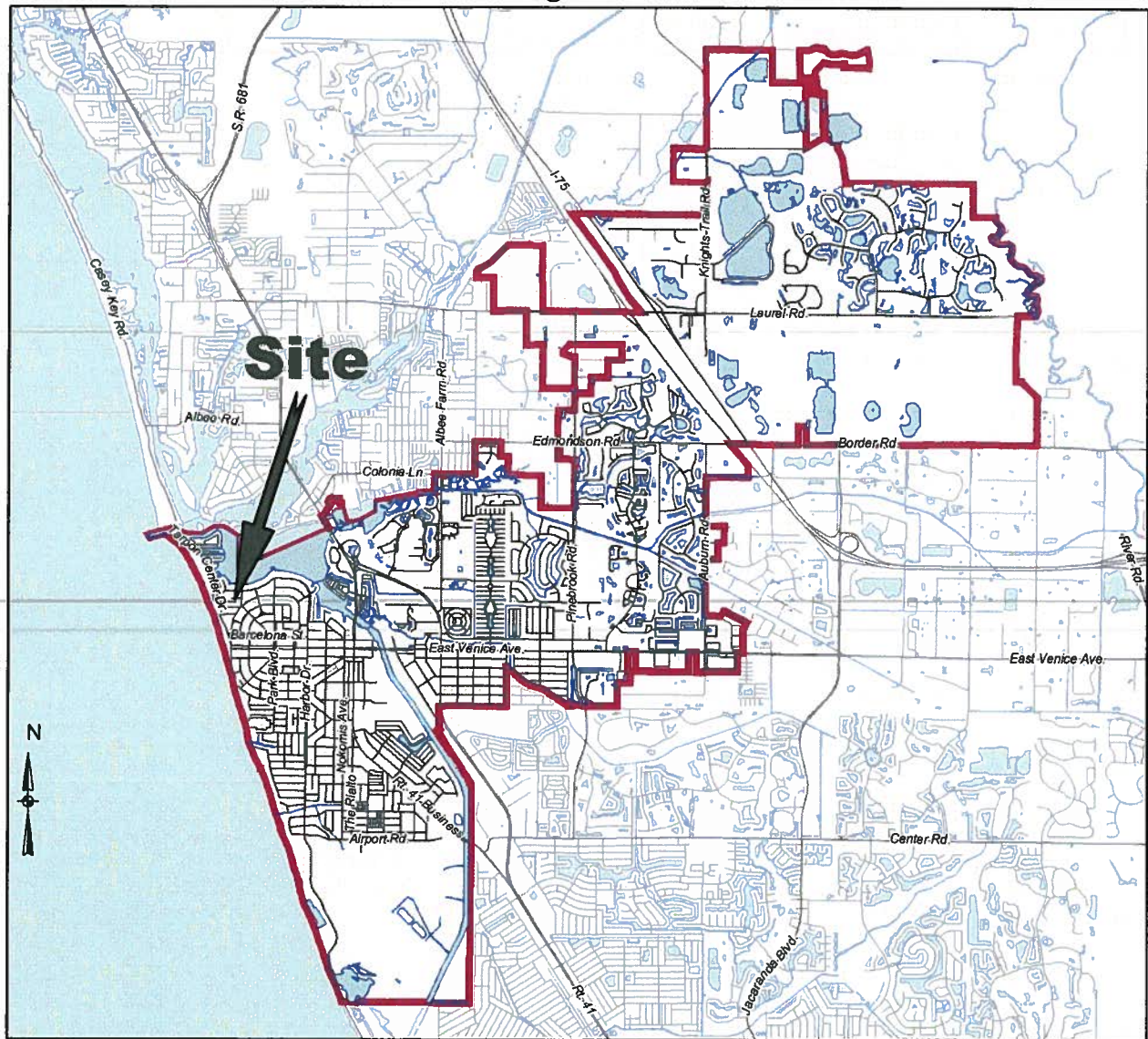

City of Venice Planning Commission Information Packet

PRELIMINARY PLAT (No. 13-1PP) Higelville



Prepared by the Planning and Zoning Department
City of Venice, Florida

I. GENERAL INFORMATION

Request: The applicant is requesting Preliminary Plat approval for development of a five-lot single-family subdivision on 1.73 acres.

Owner: 0413, LLC.

Agent: Jeffrey A. Boone, Esquire

General Location: The property is located at 800 Higél Drive. The property is bounded by Osprey Street to the east, Higél Drive to the south, the Casa Seville Condominium to the west, and Pillitteri Place to the north.

Property Size: 1.73 ± acres.



II. LAND USE

- A. Existing Land Use:** Vacant.
- B. Future Land Use Map Designation:** Low Density Residential.
- C. Zoning Atlas Map Designation:** RSF-3.
- D. Adjacent Land Uses**

| Regulatory Standards | North | West | South | East |
|--|---------------------------|---|---------------------------|--------------------------|
| Existing Land Uses | Single Family Residential | Multi-Family Residential (Casa Seville) | Single Family Residential | Osprey Storm Water Ditch |
| Future Land Use Map Designation | Low Density Residential | Tarpon Center/Esplanade Planning Area | Low Density Residential | Low Density Residential |
| Zoning Map Designation | RSF-3 and RSF-4 | RMF-4 | RSF-3 | RSF-2 |

E. Joint Planning Agreement / Interlocal Service Boundary Agreement:

The subject property is not within the joint planning area.

III. PROJECT OVERVIEW

The applicant is requesting Preliminary Plat approval for a five-lot single family subdivision. Vehicular access to the subdivision is provided by Pillitteri Place, a private drive located within an access easement. A private stormwater management system is proposed which will be subject to SWFWMD permitting. A proposed Road and Stormwater System Maintenance Declaration establishes the responsibility of the lot owners to maintain the private road and stormwater system.

A. Requested Modification from Subdivision Standards:

Pursuant to Section 86-230(d) and 86-520(c), the applicant has requested the following modifications to the city subdivision standards:

1. Sidewalks along Pillitteri Place and Osprey Street. The applicant proposes modifications from Sections 86-520 and 86-232(12) to not provide sidewalks along Pillitteri Place and

Osprey Street.

2. Curb and Gutter. The applicant proposes modifications from Section 86-232(5) to not construct curb and gutter along Pillitteri Place.
3. Dead-end Road with no Cul-de-sac. The applicant proposes to improve and widen Pillitteri Place from twelve (12) feet to twenty (20) feet. The private road will be approximately 560 feet long, requiring a cul-de-sac. The applicant proposes to install fire suppression systems (e.g. sprinkler systems) in each residential structure in the subdivision in exchange for not constructing a cul-de-sac required by Section 86-232(5). This request has been approved by the city's Fire Department.

B. Proposed Vehicular Access:

Vehicular access to the five proposed lots is provided by a private access easement which was created in April 1999. At the time the easement was granted, it allowed access to the one single family home which existed on the subject property. Since Florida law generally prohibits increasing the use of an easement over what was intended by the grantors, the city requested evidence from the applicant that the easement grantors contemplated the heightened use of the easement proposed by the applicant approximately fourteen years ago when the easement was created. In response, the applicant provided an affidavit from one of the easement grantors and a family member of a second grantor stating that the easement grantors intended that the easement serve somewhere between 10 and 15 residential homesites. No affidavits were provided for the remaining four easement grantors. As all grantors did not provide affidavits, the city may be at risk if the heightened use of the easement were to be challenged. In such an event, the city may incur liability for approving a preliminary plat which relies on the easement for access to a public street.

III. ENVIRONMENTAL

There are numerous trees on the property that will be subject to Sarasota County Tree Removal permitting.

- A. **Conservation:** The site is not located within any recognized conservation area as determined by the Biodiversity Hotspots Map which identifies occurrences of endangered or listed species ("Closing the Gaps in Florida's Wildlife Habitat Conservation System," Florida Game and Fresh Water Fish Commission).
- B. **Flora and Fauna:** No presence of listed or protected species was observed during site visits.
- C. **Flood Zone:** The property lies within FEMA Flood Zone "AE", with a minimum base flood elevation of eleven (11) feet.
- D. **Wetlands:** A Southwest Florida Water Management District permit is required for development of the property.

IV. SERVICES AND FACILITIES

- A. **Potable Water:** The proposed preliminary plat will be served by City of Venice water through an existing water line within the Pillitteri Place easement.
- B. **Sanitary Sewer:** The proposed preliminary plat will be served by City of Venice sewer through an existing sewer line within the Pillitteri Place easement.
- C. **Stormwater:** The developer is required to control and treat post runoff stormwater (24 hour / 25 year storm event). The City's Engineering Department and Southwest Florida Water Management District will review any potential development to ensure drainage issues are mitigated.
- D. **Transportation:** The project has been reviewed by both Sarasota County and the city's traffic consultant to confirm that concurrency management and access management requirements have been satisfied.

V. CONSISTENCY WITH COMPREHENSIVE PLAN

A. Future Land Use Map:

The property is designated as "Low Density Residential" on the city's Future Land Use Map. The intent statement and development standards for this designation are found below.

Low Density. Residential areas consisting of up to five (5) dwelling units per acre or less. These areas are intended to accommodate single-family and other similar residential uses. High intensity and auto-centric uses are prohibited in areas designated for low-density residential land uses. This land use type is sensitive to the encroachment of incompatible uses and protective strategies, such as those described in Objective 8, Policy 8.2 of this Element, may be required to ensure the compatibility of adjacent uses.

Staff has reviewed the Preliminary Plat application to ensure consistency with the Venice Comprehensive Plan. Subject to approval of staff recommended condition of approval provided in Section VII regarding land use compatibility, staff has determined the proposed preliminary plat is consistent with the Venice Comprehensive Plan.

VI. COMPLIANCE WITH LAND DEVELOPMENT REGULATIONS

Staff has reviewed the Preliminary Plat application to ensure compliance with applicable land development regulations. Subject to approval of the requested modifications from subdivision improvement requirements identified above and the staff recommended condition requiring the sprinkling of residential structures, staff has determined that the proposed subdivision meets the requirements contained within Subdivision Regulations, Section 86-231, of the Venice Code of Ordinances.

VII. RECOMMENDED CONDITIONS OF APPROVAL

To mitigate the potential impacts of the proposed subdivision on the residences located on the south side of Higel Drive, the applicant has proposed a five (5) foot wide landscape buffer adjacent to Higel Drive. To ensure the development of a high-quality and effective landscape buffer, staff recommends the following condition of approval:

The developer of the project shall provide landscaping improvements in the five (5) foot wide landscape buffer for each of the proposed five (5) new lots located along the South property line adjacent to Higel Drive. The improvements in the landscape buffer shall comply with the following:

- 1. The landscaping improvements for each individual lot shall be completed prior the issuance of a certificate of occupancy for that lot.*
- 2. A six (6) foot high opaque durable fence or wall shall be provided along the entire length of the landscape buffer. The fence or wall shall have a uniform design and appearance along the entire length of the landscape buffer. Each individual lot may have one (1) optional gate in the fence or wall.*
- 3. Trees or shrubs shall be installed on the south side of the fence or wall. The trees or shrubs shall be spaced a minimum of ten (10) feet apart. Shrubs shall have a minimum height of three (3) feet at the time of installation and trees shall have a minimum caliper of three (3) inches, a minimum spread of four (4) feet and a minimum height of ten (10) feet at the time of installation. Dead or dying trees or shrubs shall be promptly removed and replaced by trees or shrubs meeting the requirements of this condition.*
- 4. Individual owners of lots shall be responsible for the maintenance and upkeep of all landscaping improvements located on their respective lots.*
- 5. A signed and sealed, scaled landscape plan and associated details describing compliance with this condition shall be submitted to the City's Planning and Zoning Department for review and approval prior to the issuance of the first building permit for a residential structure.*

In lieu of providing a cul-de-sac at the end of Pillitteri Place, the applicant proposes to sprinkle all residential structures in the subdivision. The Venice Fire Department has reviewed the proposal and finds it acceptable subject to approval of the following staff recommended condition of approval:

All principal residential structures constructed in the Higelville Preliminary Plat shall be sprinkled in accordance with NFPA 13D.

VIII. ACTION REQUIRED BY THE PLANNING COMMISSION

A. Planning Commission Determination:

The order and action of processing the petition will first be a recommendation by the Planning Commission to the City Council. The Planning Commission shall base its recommendation upon findings contained within the staff report and public input presented during the public session. The

findings and recommendation are forwarded to City Council for final action. Approval of the Preliminary Plat will require one public hearing by City Council.

The Subdivision Regulations, Section 86-231, provide the Planning Commission considerations for determining the appropriateness for preliminary plat approval along with the submittal requirements provided below. The preliminary plat shall be submitted by the zoning administrator along with all pertinent comment and criticism in writing by appropriate city officers and departments to the Planning Commission for the following recommendation alternatives:

1. Preliminary plat approval.
2. Preliminary plat approval with conditions.
3. Preliminary plat disapproval.

B. Planning Commission Preliminary Plat Considerations and Submittal Requirements:

Sec. 86-231(b)(3). Planning Commission Public Session.

The planning commission shall consider the recommendations and statements of the zoning administrator and appropriate city officials as to the compliance of the preliminary plat with the requirements of this chapter and the applicable laws of the state. The planning commission shall also review the design of the preliminary plat in relationship to the adjacent land uses to ensure compatibility. After the planning commission reviews the plat they shall recommend either approval or disapproval of the plat to city council. No public notice and hearing is required for a preliminary plat and/or subdivision plans consideration by the planning commission, but such matters shall be handled in a public session, as part of a prepared agenda. All matters relating to planning commission consideration shall be a public record and approval shall require formal action of the planning commission. Approval by the planning commission of a preliminary plat and/or subdivision plans is required prior to approval of construction or building permits.

Sec. 86-231(c). Format; required information.

- (1) *Preliminary plat. The preliminary plat shall be submitted in accordance with the planning and zoning submittal requirements, include the required fees, and include the following:*
 - a. *The location of present property and section lines, boundaries of incorporated areas, streets, buildings and existing easements.*
 - b. *Any existing wastewater collection systems, storm sewers, water mains, reclaimed water lines, and culverts within the tract or immediately adjacent and within 150 feet thereof. The location, size and invert elevations of the nearest water main, wastewater collection system, reclaimed water lines, storm sewer or outlet are to be indicated on the plat.*
 - c. *The proposed location and width of streets, alleys and easements, all lot dimensions, and proposed street names.*
 - d. *Natural features, such as lakes, marshes, swamps, watercourses, land subject to flooding and wooded areas.*
 - e. *A flood hazard report including the location of the proposed project boundary and the flood designations from the Federal Emergency Management Agency Flood Insurance Rate Map.*

- f. The title under which the proposed subdivision is to be recorded and the name of the owner platting the tract.*
- g. The names and adjoining boundaries of all adjoining subdivisions and names of recorded owners of adjoining parcels or unsubdivided land.*
- h. The north point, scale (numerical and graphic) and date.*
- i. General information and specifications regarding the grades of proposed streets, the facilities for stormwater drainage, proposed finished floor elevations, and any other proposed improvements within the subdivision. If a drainage well for the disposal of surface drainage water is proposed, a written statement from the state department of health and rehabilitative services shall be submitted indicating that agency's approval.*
- j. A topographical survey signed and sealed by a state-licensed professional land surveyor indicating the property boundary, existing improvements, natural features, and topographic elevations of the tract to be subdivided and the property immediately adjacent to the parcel. The map indicating ground elevations of the tract to be subdivided shall show contours with an elevation interval of one foot based on the NGVD or the NAVD88. Datum basis must be stated on the survey.*
- k. In order to ascertain the subsurface soil conditions existing on the tract proposed for development, a soil investigation report shall be submitted to the zoning administrator during code compliance review including the following information:*
 - 1. Location and results of soil boring tests with relation to subsurface soil, rock and groundwater conditions.*
 - 2. Recommendations as to suitability for development purposes by a state-licensed professional engineer based on the results of these tests. Land determined by a state-licensed professional engineer to be unsuitable for development due to poor soil quality, flooding, inadequate drainage or other unacceptable characteristics shall not be subdivided.*
- l. The names, addresses and telephone numbers of the utility suppliers, the engineer of record and the surveyor of record.*
- m. Such other information as the zoning administrator or planning commission may deem necessary or advisable for decision making, such as ecological surveys, traffic surveys, financial or feasibility studies, aerial photos, etc.*

SITE PHOTOS



View of site from Osprey Street



**Western-most portion of the site
looking east toward Osprey
Street**



Looking east across Osprey Street



**Casa Seville Condominiums
adjacent to the west side of the site**

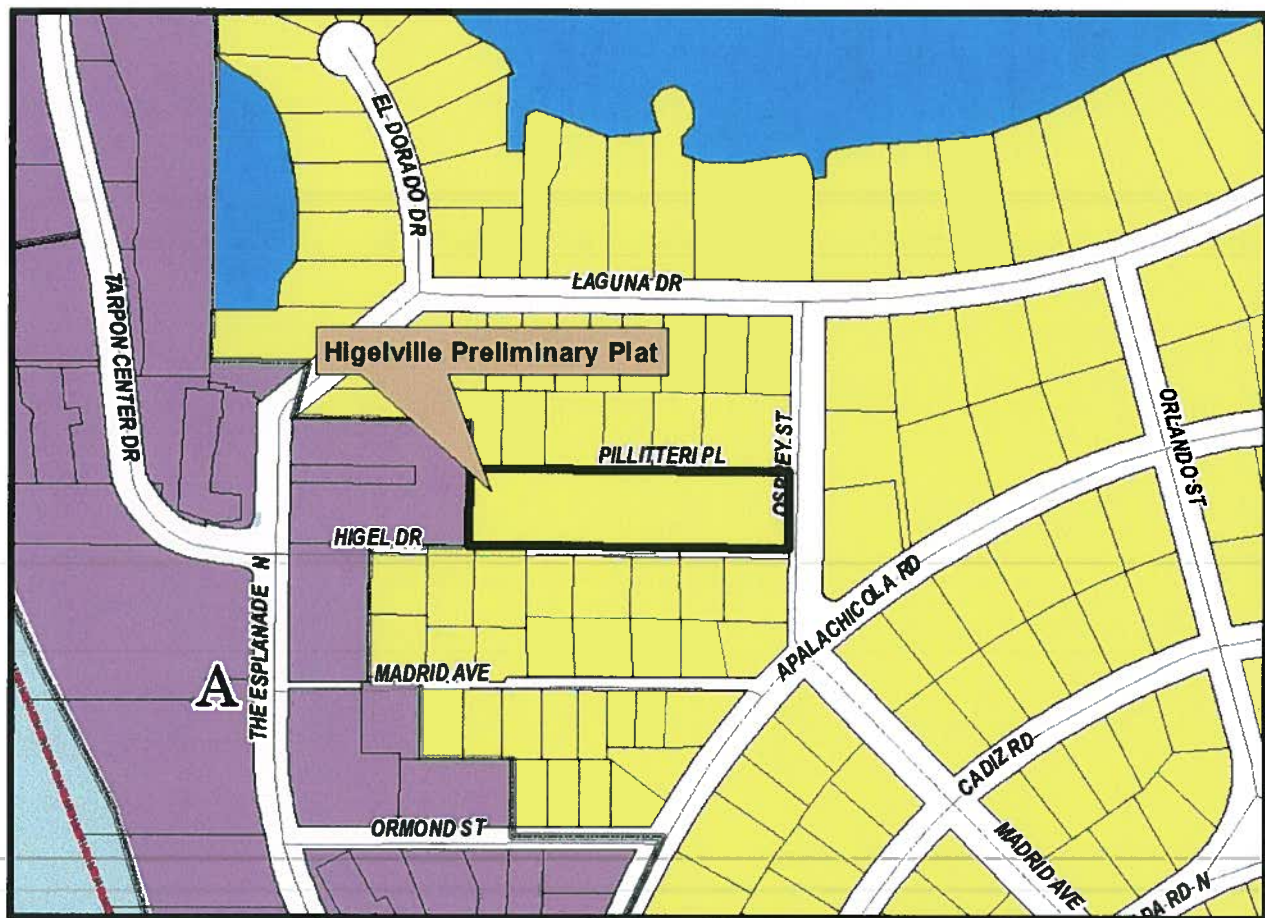


**Access to lots proposed via
Pillitteri Place**



**Adjacent residential properties on
south side of Higel Drive**

FUTURE LAND USE MAP



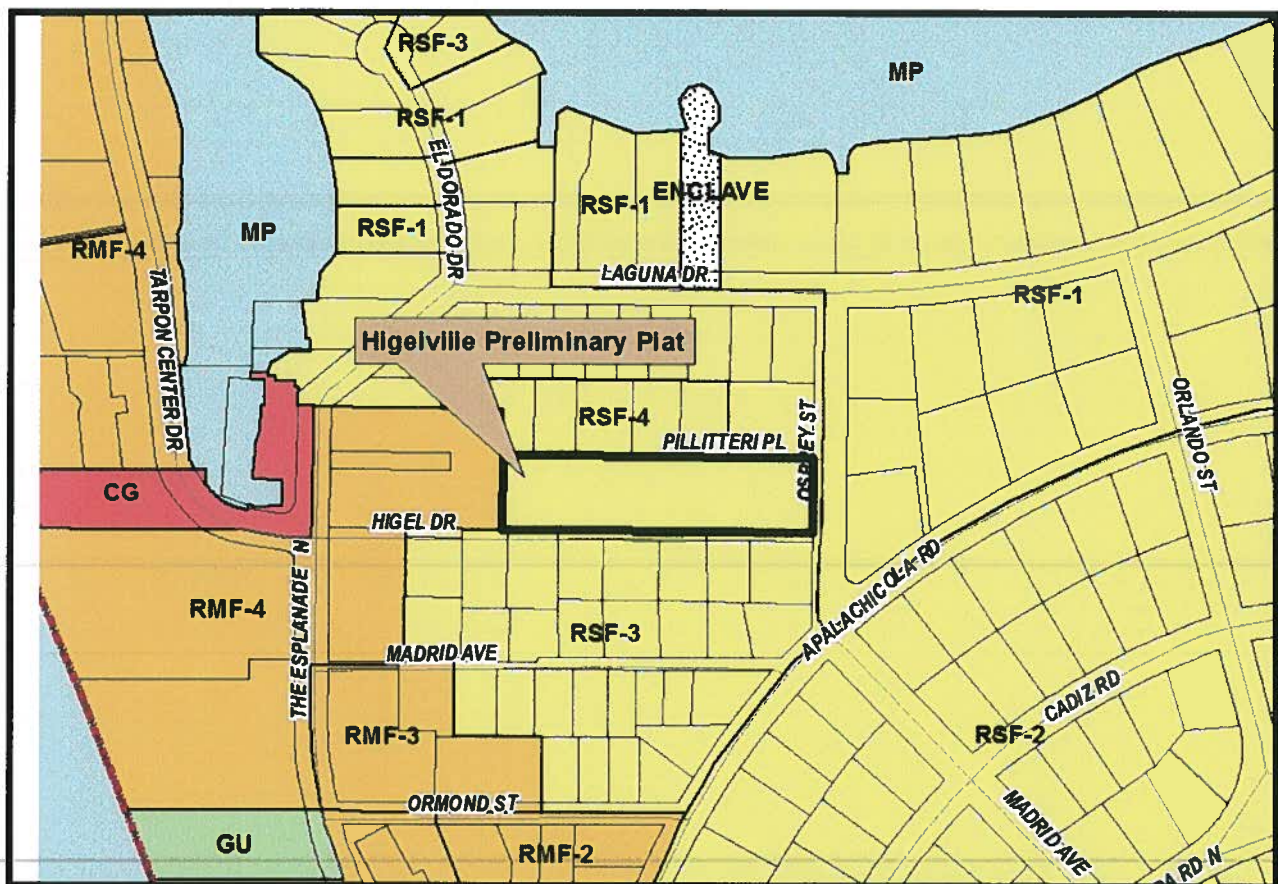
Boundaries & Features

| | | | |
|--|--------------------------------------|--|-------------------|
| | CITY OF VENICE LIMITS, 2010 | | PARCEL BOUNDARIES |
| | POTENTIAL VOLUNTARY ANNEXATION AREAS | | MAJOR ROADS |
| | POTENTIAL COORDINATION AREAS | | PLANNING AREAS |

Future Land Use

| | | | |
|--|----------------------------|--|-------------------------|
| | LOW DENSITY RESIDENTIAL | | GOVERNMENT USE |
| | MEDIUM DENSITY RESIDENTIAL | | RECREATION & OPEN SPACE |
| | HIGH DENSITY RESIDENTIAL | | CONSERVATION |
| | MIXED USE RESIDENTIAL | | MARINE PARK |
| | COMMERCIAL | | GREENWAY/RIVER BUFFER |
| | INSTITUTIONAL-PROFESSIONAL | | WATERWAYS |
| | AIRPORT OPERATIONS | | |
| | INDUSTRIAL | | |
| | INDUSTRIAL- COMMERCIAL | | |

ZONING MAP



Legend

| | | | |
|--|--|--|---------------------------------------|
| | OUC - Open Use, Conservation | | PCD - Planned Commercial Development |
| | MP - Marine Park | | PID - Planned Industrial Development |
| | GU - Government Use | | ILW - Industrial, Light & Warehousing |
| | PUD - Planned Unit Development | | CN - Commercial, Neighborhood |
| | RE - Residential, Estate | | CG - Commercial, General |
| | RSF - Residential, Single Family | | CI - Commercial, Intensive |
| | RMF - Residential, Multi-Family | | CBD - Commercial, Business District |
| | RMH - Residential, Manufactured Home | | CSC - Commercial, Shopping Center |
| | RTR - Residential, Tourist Resort | | CHI - Commercial, Highway Interchange |
| | OPI - Office, Professional & Institutional | | Venetian Gateway Overlay District |
| | OMI - Office, Medical & Institutional | | Neighborhood Height Overlay |
| | Venice City Boundary | | Venetian Urban Design Overlay |