

CITY OF VENICE, FLORIDA
CITY COUNCIL
ORDER NO. 21-48CU

AN ORDER OF THE VENICE CITY COUNCIL APPROVING CONDITIONAL USE PETITION NO. 21-48CU FOR THE PROPERTY LOCATED AT 0 LAUREL ROAD (BETWEEN JACARANDA BLVD AND I-75), PID NO. 0389001010, TO ALLOW FOR AN INCREASE IN HEIGHT FOR FOUR MULTI-FAMILY BUILDINGS CENTRALLY LOCATED WITHIN THE PARCEL TO 54.7 FT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The NRP Group, through its agent Jeffery R. Boone, Esq. of Boone Law Firm, submitted **Conditional Use Petition No. 21-48CU** for **Vistera of Venice Multi-family**, located at 0 Laurel Road (between Jacaranda Blvd. and I-75), Parcel Identification No. 0389001010, (further described in Exhibit A); comprised of a **Site and Development Plan** (signed and sealed), prepared by Bobbi R. Claybrooke, P.E., of AM Engineering, LLC, consisting of **thirty-seven sheets**, received by the City on **February 8, 2022**; **Landscape Plans** (signed and sealed) prepared by Matthew J. Allen of Foster Conant and Associates, consisting of **thirteen sheets**, received by the City on **February 8, 2022**; **Survey** (signed and sealed) by Brian C. Ritz, P.S.M., of AM Engineering, LLC., consisting of **one sheet**, received by the City on **October 20, 2021**; **Color Elevations** prepared by Slocum Platts Architects consisting of **twenty-two sheets**, received by the City on **April 04, 2022**; and,

WHEREAS, the Planning Commission held a noticed public hearing on June 7, 2022, during which the Planning Commission received the Petition, staff report, and testimony provided by staff, the applicant, and interested parties; and,

WHEREAS, the City Council held a noticed public hearing on July 12, 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. 21-48CU.

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. 21-48CU for an increase in height for four multi-family buildings centrally located within the parcel to 54.7 feet, 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 gated community for which the conditional use was approved. 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 12th day of July, 2022.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM

City Attorney

Exhibit A

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF SECTION 34, TOWNSHIP 38 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE ALONG THE WEST LINE OF SAID NORTHEAST QUARTER SECTION 34, SOUTH $00^{\circ}16'06''$ WEST, 68.01 FEET; THENCE SOUTH $89^{\circ}21'08''$ EAST ALONG A LINE 68.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER SECTION 34, 422.44 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID LINE, SOUTH $89^{\circ}21'08''$ EAST, 936.59 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE ALONG SAID EAST LINE, SOUTH $00^{\circ}01'38''$ WEST, 1094.18 FEET TO THE NORTHERLY LINE OF AN EASEMENT, BEING 170.00 FEET IN WIDTH, AS DESCRIBED IN OFFICIAL RECORD BOOK 1023, PAGE 989 OF THE SARASOTA COUNTY RECORDS; THENCE ALONG THE NORTHERLY LINE OF SAID EASEMENT NORTH $89^{\circ}29'36''$ WEST 1179.19 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 722.30 FEET AND WHOSE CHORD BEARS NORTH $10^{\circ}34'14''$ EAST 22.87 FEET; THENCE NORTHERLY 22.88 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF $01^{\circ}48'52''$ TO A COMPOUND CURVE TO THE RIGHT, HAVING A RADIUS OF 361.71 FEET AND WHOSE CHORD BEARS NORTH $18^{\circ}25'52''$ EAST, 73.17 FEET; THENCE NORTHERLY ALONG LAST SAID CURVE 73.29 FEET THROUGH A CENTRAL ANGLE OF $11^{\circ}36'35''$; THENCE NORTH $26^{\circ}13'44''$ EAST, 8.97 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 139.14 FEET AND WHOSE CHORD BEARS NORTH $05^{\circ}46'25''$ WEST, 139.73 FEET; THENCE NORTHERLY 146.39 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF $60^{\circ}16'58''$ TO A REVERSE COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 232.00 FEET AND WHOSE CHORD BEARS NORTH $15^{\circ}04'03''$ WEST, 165.13 FEET; THENCE NORTHERLY 168.83 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF $41^{\circ}41'42''$ TO A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 1017.81 FEET AND WHOSE CHORD BEARS NORTH $06^{\circ}19'05''$ EAST, 19.12 FEET; THENCE NORTHERLY 19.12 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF $01^{\circ}04'34''$ TO A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 17.00 FEET AND WHOSE CHORD BEARS NORTH $52^{\circ}46'46''$ EAST, 24.43 FEET; THENCE NORTHEASTERLY 27.25 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF $91^{\circ}50'48''$; THENCE NORTH $09^{\circ}12'22''$ EAST, 40.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 17.00 FEET AND WHOSE CHORD BEARS NORTH $35^{\circ}06'07''$ WEST, 24.54 FEET; THENCE NORTHWESTERLY 27.41 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF $92^{\circ}23'27''$ TO A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 1017.81 FEET AND WHOSE CHORD BEARS NORTH $13^{\circ}07'31''$ EAST, 72.17 FEET; THENCE NORTHERLY 72.18 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF $04^{\circ}03'48''$ TO A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 651.59 FEET AND WHOSE CHORD BEARS NORTH $26^{\circ}50'16''$ EAST, 250.41 FEET; THENCE NORTHEASTERLY 251.97 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF $22^{\circ}09'24''$ TO A REVERSE COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 598.12 FEET AND WHOSE CHORD BEARS NORTH $37^{\circ}35'34''$ EAST, 14.83 FEET; THENCE NORTHEASTERLY 14.83 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF $01^{\circ}25'13''$ TO A REVERSE COMPOUND CURVE TO THE RIGHT HAVING A RADIUS 17.00 FEET AND WHOSE CHORD BEARS NORTH $79^{\circ}59'27''$ EAST, 23.23 FEET; THENCE EASTERLY 25.58 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF $86^{\circ}13'01''$; THENCE SOUTH $56^{\circ}54'02''$ EAST, 0.43 FEET; THENCE NORTH $33^{\circ}05'58''$ EAST, 40.00 FEET TO A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 17.00 FEET AND WHOSE CHORD BEARS NORTH $13^{\circ}27'27''$ WEST, 23.38 FEET; THENCE NORTHWESTERLY 25.78 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF $86^{\circ}53'10''$ TO A REVERSE COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 598.12 FEET AND WHOSE CHORD BEARS NORTH $17^{\circ}57'41''$ EAST, 249.21 FEET; THENCE NORTHERLY 251.04 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF $24^{\circ}02'54''$ TO THE POINT OF BEGINNING.

CONTAINING 1,215,683 SQUARE FEET OR 27.908 ACRES, MORE OR LESS.