

ORDINANCE NO. 2022-19

AN ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF VENICE, FLORIDA, PURSUANT TO ZONING MAP AMENDMENT PETITION NO. 22-13RZ, TO CHANGE THE ZONING DESIGNATION FOR THE PROPERTY GENERALLY LOCATED AT KNIGHTS TRAIL ROAD AND GENE GREEN ROAD (60.44± ACRES), FROM SARASOTA COUNTY OPEN USE ESTATE (OUE-1) TO CITY OF VENICE COMMERCIAL, GENERAL (CG) AND COMMERCIAL, INTENSIVE (CI); PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Zoning Map Amendment Petition No. 22-13RZ (“Petition”) has been filed by CSP-Grand Oaks Venice Land 1, LLC and the Edwards Family Partnership, 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-1) to City of Venice Commercial, General (CG) and Commercial, Intensive (CI); and

WHEREAS, Petition No. 22-13RZ was filed prior to the City’s adoption of its new Land Development Regulations on July 12, 2022; and

WHEREAS, land development applications filed prior to July 12, 2022 are subject to the City’s previously existing Land Development Code; 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 June 21, 2022 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:

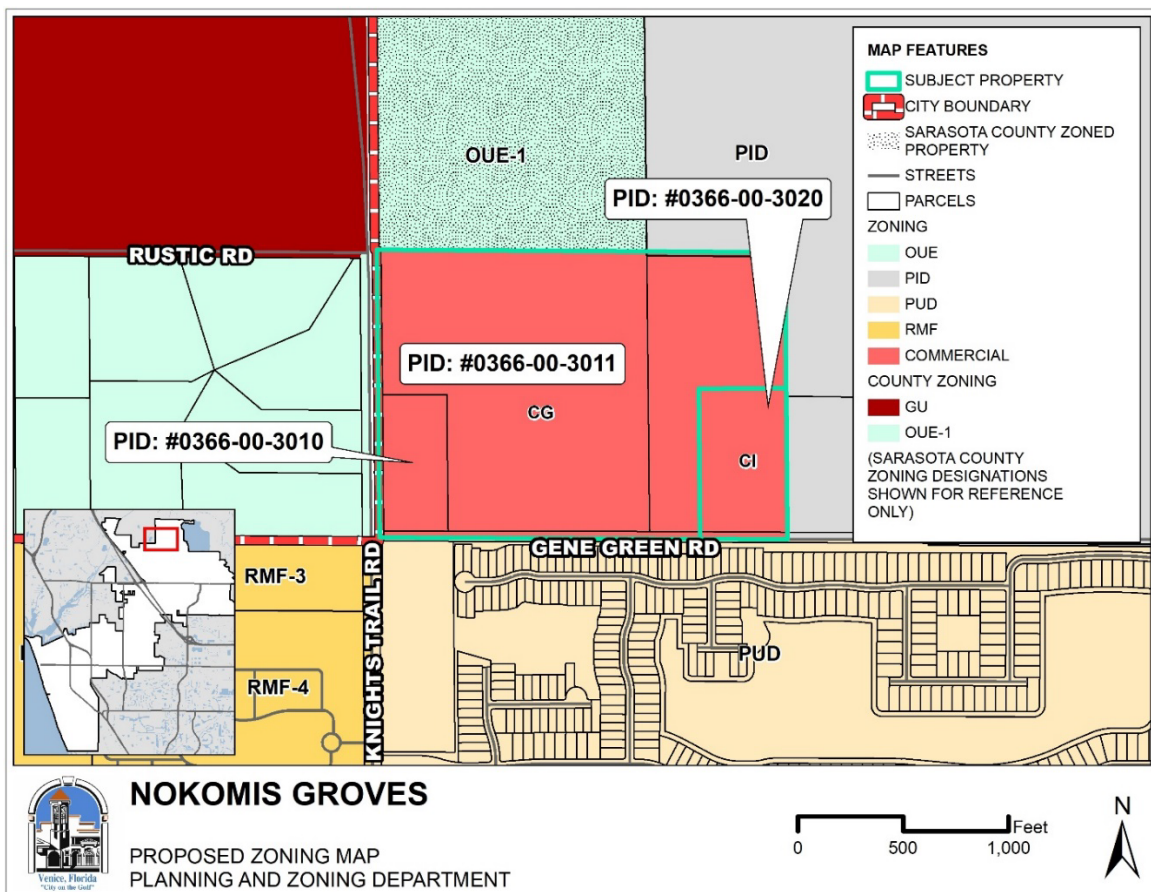
A. The Council has received and considered the report of the Planning Commission recommending approval of the Petition.

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 generally located at Knights Trail Road and Gene Green Road from Sarasota County Open Use Estate (OUE-1) to City of Venice Commercial, General (CG) and Commercial, Intensive (CI).

The subject 60.44± acre property is designated as Parcel Identification Nos. 0366-00-3010, 0366-00-3011, and 0366-00-3020, as depicted on the location map shown below, and is further described in Exhibit "A" for the Commercial, General (CG) Parcel and Exhibit "B" for the Commercial, Intensive (CI) Parcel.



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 13TH DAY OF SEPTEMBER 2022.

First Reading: August 23, 2022

Final Reading: September 13, 2022

Adoption: September 13, 2022

Ron Feinsod, Mayor

Attest:

Kelly Michaels, MMC, City Clerk

I, Kelly Michaels, 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 13th day of September 2022, a quorum being present.

WITNESS my hand and the official seal of said City this 13th day of September 2022.

Kelly Michaels, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney

Exhibit "A"

DESCRIPTION: PARCEL "A" (Commercial General Parcel)

Commence at the Northwest Corner of Section 22, Township 38 South, Range 19 East, Sarasota County, Florida; thence S.00°30'20"E., along the West line of the Northwest Quarter of said Section 22, a distance of 2620.84 feet to the Northwest corner of the South 60.00 feet of said Northwest Quarter of Section 22; thence S.89°43'52"E. along the North line of said South 60.00 feet as monumented, a distance of 40.00 feet to the East line of Knights Trail (80.00 foot wide Public Road), for the POINT OF BEGINNING; thence continue along said North line of the South 60.00 feet of the Northwest Quarter of Section 22, as monumented, S.89°43'52"E., a distance of 1960.16 feet to the Northeast corner of the South 60.00 feet of the West Half of the Southeast Quarter of the Northwest Quarter of Section 22, as monumented; thence S.00°56'32"E. along said East line of the South 60.00 feet of the West Half of the Southeast Quarter of the Northwest Quarter, and the East line of the West Half of the Northeast Quarter of the Southwest Quarter of Section 22, a distance of 625.90 feet; thence N.89°49'14"W. a distance of 430.89 feet; thence S.00°12'16"W. a distance of 712.56 feet to a line lying 60.00 feet Northerly of and parallel with the South line of the North Half of the Southwest Quarter of Section 22; thence N.89°46'54"W., along said line lying 60.00 feet Northerly of and parallel with the South line of the North Half of the Southwest Quarter of Section 22, a distance of 1525.47 feet to the said East Right of Way line of Knights Trail; thence along said East Right of Way line of Knights Trail, the following two (2) courses: (1) N.00°29'36"W., a distance of 1281.07 feet; (2) thence N.00°30'20"W. a distance of 59.39 feet to the POINT OF BEGINNING.

All being in Section 22, Township 38 South, Range 19 East, Sarasota County, Florida.

Exhibit "B"

DESCRIPTION: PARCEL "B" (Commercial Intensive Parcel)

Commence at the Northwest Corner of Section 22, Township 38 South, Range 19 East, Sarasota County, Florida; thence S.00°30'20"E., along the West line of the Northwest Quarter said Section 22, a distance of 2681.01 feet to the Southwest corner of the Northwest Quarter of said Section 22; thence S.00°29'36"E., along the West line of the Southwest Quarter of said Section 22, a distance of 1340.58 feet to the Southwest Corner of the North Half of the Southwest Quarter of said Section 22; thence S.89°46'54"E., along the South line of the North Half of the Southwest Quarter of said Section 22, a distance of 2011.09 feet to the Southeast corner of the West Half of the North Half of the Southeast Quarter of the Southwest Quarter of said Section 22; thence along the East line of the West Half of the North Half of the Southeast Quarter of the Southwest Quarter of said Section 22, N.00°56'32"W., a distance of 60.00 feet to the POINT OF BEGINNING; thence continue along said East line, N.00°56'32"W. a distance of 713.00 feet; thence N.89°49'14"W. a distance of 430.89 feet; thence S.00°12'16"W. a distance of 712.56 feet to a point on a line lying 60.00 feet northerly of said South line of the North Half of the Southwest Quarter; thence S.89°46'54"E. along said line lying 60.00 feet northerly of the South line of the North Half of the Southwest Quarter, a distance of 445.15 feet to the POINT OF BEGINNING.

All being in Section 22, Township 38 South, Range 19 East, Sarasota County, Florida.