

**CITY OF VENICE, FLORIDA
CITY COUNCIL
ORDER NO. 22-32CU**

AN ORDER OF THE VENICE CITY COUNCIL APPROVING CONDITIONAL USE PETITION NO. 22-32CU FOR THE PROPERTY LOCATED AT NORTHEAST QUADRANT INTERSECTION OF KNIGHTS TRAIL ROAD AND GENE GREEN ROAD, PID NOS. 0366003010, 0366003011, 0366003020, TO ALLOW FOR A 7 FOOT HEIGHT INCREASE ABOVE THE 35 FOOT MAXIMUM ALLOWED IN THE COMMERCIAL, GENERAL DISTRICT FOR DEVELOPMENT OF MULTI-FAMILY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, CSP-Grand Oaks Venice Land I, LLC, through its agent Jackson R. Boone, Esq. of Boone Law Firm, submitted **Conditional Use Petition No. 22-32CU** for **Nokomis Groves Multi-family**, located at Northeast Quadrant Intersection of Knights Trail Road and Gene Green Road, Parcel Identification Nos. 0366003010, 0366003011, 0366003020, (further described in Exhibit A); comprised of **Conditional Use Plans** (signed and sealed), prepared by Andrew J. Pluta, P.E., of Kimley-Horn and Associates, Inc., consisting of **ten sheets**, received by the City on **August 19, 2022**; **Landscape Plans** (signed and sealed) prepared by Edward M. Dean, R.L.A., consisting of **seven sheets**, received by the City on **August 19, 2022**; and **Color Elevations** prepared by Passero Associates, consisting of **two sheets**, received by the City on **August 19, 2022**; and,

WHEREAS, Petition No. 22-32CU 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 September 20, 2022, during which the Planning Commission received the Petition, staff report, and testimony provided by staff, the applicant, and interested parties, and voted to recommend approval of the Petition; and,

WHEREAS, the City Council held a noticed public hearing on October 11, 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. 22-32CU.

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. 22-32CU for a 7 foot height increase above the 35 foot maximum allowed in the Commercial, General district, for development of multi-family residential, 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 project 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 11th day of October, 2022.

Ron Feinsod, Mayor

ATTEST:

Kelly Michaels, MMC, City Clerk

APPROVED AS TO FORM

Kelly Fernandez, City Attorney

Exhibit A

DESCRIPTION: PARCEL "A"

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.