

**CITY OF VENICE, FLORIDA
CITY COUNCIL
ORDER NO. 18-02CU**

AN ORDER OF THE VENICE CITY COUNCIL APPROVING CONDITIONAL USE PETITION NO. 18-02CU FOR THE MURPHY OAKS PUD, TO ALLOW A GATED COMMUNITY; AND PROVIDING AN EFFECTIVE DATE. .

WHEREAS, SSD Land Holdings, LLC, through its agent, Clint R. Cuffle, P.E. WRA Engineering, has submitted Conditional Use Petition No. 18-02CU for a gated community for the Murphy Oaks Planned Unit Development (PUD) located on the southeast corner of N. Auburn and Border Roads, Parcel Identification No. 0399-04-0001 (further described in Exhibit A), comprised of the following: 1) **Conceptual Entry/Signage** prepared by Water Resource Associates, consisting of one sheet, received by the City on **July 5, 2018**; 2) **Binding Master Plan** prepared by Clint R. Cuffle, P.E. WRA Engineering, consisting of **12 sheets**, received by the City on **August 23, 2018**; 3) **Landscape Plans** prepared by Jonathan L. Romine, RLA, of onsite, consisting of **eight sheets**, received by the City on **August 23, 2018**; and 4) **Binding Master Plan Layout** prepared by Water Resource Associates, consisting of **one sheet**, received by the City on **September 4, 2018**.

WHEREAS, the Planning Commission held a noticed public hearing on October 16, 2018, during which the Planning Commission received the Petition, staff report, and testimony provided by staff, the applicant, and interested parties; and voted to recommend to City Council approval of Conditional Use Petition No. 18-02CU; and,

WHEREAS, on November 27, 2018 City Council held a noticed public hearing 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, is consistent with the 2017 Comprehensive Plan, is compliant with the Murphy Oaks PUD Binding Master Plan; and,

WHEREAS, the City Council voted to approve Conditional Use Petition No. 18-02CU for a gated community in the Murphy Oaks PUD; and,

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. 18-01CU for the Murphy Oaks PUD, as described above, is hereby approved, with no stipulations.

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. The City Council may enforce any required developer's bond as provided by law.

ORDERED at a meeting of the Venice City Council on 27th of November 2018.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM

City Attorney

EXHIBIT A – LEGAL DESCRIPTION

PID: 0399-04-0001

TRACT 226, LESS AND EXCEPT THE NORTH 27 FEET OF THE WEST 167 FEET, AND TRACT 227 ,228, 230, 231, 232, 233 AND TRACTS 267, 268, 269, 270, 271, 272, 273 AND 274, NORTH VENICE FARMS, ACCORDING TO MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 203, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION ACQUIRED BY VENICE HIGH SCHOOL FOUNDATION, INC BY INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 2574 PAGE 2898, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. LESS AND EXCEPT THAT CERTAIN PARCEL ACQUIRED BY THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION BY INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 1202 PAGE 1127, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. LESS AND EXCEPT THAT CERTAIN PARCEL ACQUIRED BY SARASOTA COUNTY, FLORIDA BY INSTRUMENT RECORDED UNDER CN 2004242187 AND CN 2006186450, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. LESS AND EXCEPT THAT CERTAIN PARCEL ACQUIRED BY THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION BY INSTRUMENT RECORDED UNDER CN 2008036086, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. LESS AND EXCEPT THAT CERTAIN PARCEL OF LAND ACQUIRED BY THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION BY INSTRUMENT RECORDED UNDER CN 2008036088, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.