



Planning and Zoning Department
401 W. Venice Avenue
Venice, FL 34285
941-486-2626 ext. 7434
www.venicegov.com

Conditional Use Application

Section 1.8 Conditional Uses / Section 1.8.4 Density Bonus (Quasi- Judicial Application)

Submit a completed application and supporting documents to the Planning and Zoning Department. Checklist on page 2 must be executed for application to be considered complete. All information will become a permanent part of the public record. Incomplete applications will be returned to the applicant/agent.

Project Name: MRT Lawn & Garden Center

Brief Project Description: Garden Center with Outdoor Sale and Display

Property Information

Address/Location(s): 385 & 395 US 41 Bypass N.

Parcel Identification No.(s): 0407-09-0004 and 0407-09-0005

Parcel Size: 2.1 +/- acres

Zoning Designation: CM

FLUM Designation: Commercial

☒ Conditional Use (select one) 2.2.7 Traditional Zoning District Use Table

Commercial

List specific classification: 2..4.8.K. Outdoor Sales and Display

☐ Attainable Housing Density Bonus

Application Fees:

☒ Conditional Use Total Fees: \$869.77 (Application Fee \$463.88 / Review Fee \$405.89)

☐ Attainable Housing Density Bonus Total Fees: \$6222.93 (Application Fee \$5063.23 / Review Fee \$1159.70)

A review fee shall be deposited to be drawn upon by the city as payment for costs, including but not limited to advertising and mailing expenses, professional services and reviews, and legal fees.

Applicant/Owner Name (for billing purposes): MRT Lawn & Garden Center, Inc.

Address: 2775 El Jobean Road, Port Charlotte, FL 33953

Email:

Phone Number:

Signature:

Date:

Authorized Agent (project point of contact): Jackson R. Boone, Esq.

Address: 1001 Avenida Del Circo, Venice, FL 34285

Email: jackson.boone@boone-law.com

Phone Number: 941-488-6716

Signature:

Date:

10/23/24

By submitting this application the owner(s) of the subject property does hereby grant his/her consent to the Zoning Administrator and his/her designee, to enter upon the subject property for the purposes of making any examinations, surveys, measurements, and inspections deemed necessary to evaluate the subject property and the application.

CONDITIONAL USE APPLICATION Checklist

Please check box for each document submitted; if not applicable, please indicate with N/A.

Application General Requirements (Section 1.2):

- ☒ **NARRATIVE** – a document describing the project in detail.
- ☒ **LOCATION MAP** - General location map, showing the relation of the site to major streets, schools, important landmarks or other physical features in and adjoining the project.
- ☒ **NEIGHBORHOOD WORKSHOP** - Summary of the neighborhood workshop (if applicable) per Section 1.2.F including mailing list, list of attendees, and a summary of comments provided and applicant responses.
- ☒ **SURVEY** - Accurate survey, reflecting existing conditions, no more than two years old.
- ☒ **LEGAL DESCRIPTION** – copyable electronic format (i.e. Microsoft Word).
- ☒ **AGENT AUTHORIZATION** (if applicable)
- ☒ **STATEMENT OF OWNERSHIP AND CONTROL** – documentation of ownership and control of the subject property (deed).
- ☒ **LAND USE COMPATIBILITY ANALYSIS** – see Section 1.2.C.8.a-b for requirements

Conditional Use - Specific Application Requirements (Section 1.8.2):

- ☒ A site plan at an appropriate scale, showing:
 1. proposed placement of structures on the property
 2. provisions for ingress and egress
 3. off-street parking and off-street loading areas
 4. refuse and service areas
 5. required yards and other open spaces
- ☒ Proposed landscaping, screening, and buffering, including provisions for trees protected by City regulations.
- ☒ Proposed signs and lighting, including type, dimensions and character.

Conditional Use Decision Criteria (Section 1.8.3.A):

Before any conditional use shall be approved, the Commission shall make a finding that the granting of the conditional use will not adversely affect the public interest and that satisfactory provision and arrangement has been made concerning the following matters, where applicable.

- ☒ In a separate document, please restate and address each item:
 1. Compliance with all applicable elements of the Comprehensive Plan.
 2. General compatibility with adjacent properties and other property in the district.
 3. Any special requirements set out in Section 2 in this chapter for the particular use involved.

Attainable Housing Density Bonus - Additional Requirements (Section 1.8.4):

- ☐ Responses to each of the nine locational considerations in Comprehensive Plan Strategy HG 1.2 – Targeted Attainable Housing Locations
- ☐ A detailed narrative describing:
 1. The level of affordability proposed and
 2. The number of additional units sought through the density bonus incentive, including
 3. Calculations confirming that the requested number of additional units meet the standards set by the Housing Element of the Comprehensive Plan and the corresponding categories set by the United States Department of Housing and Urban Development; and
- ☐ Concurrency Application (If applicable; see Section 5)
 - ☐ School (when required)
 - ☐ Public facilities (potable water, wastewater, solid waste, parks, stormwater)
- ☐ Traffic Study – Required if new or net trip generation exceeds 50 PM peak hour trips (Section 5.2: Mobility). Prior to the study being performed, a methodology meeting must be held with the applicant, City staff and County staff (if applicable).
- ☐ Documentation of a binding commitment to maintain attainability for at least ten (10) years, or a longer timeframe if required by Council at the time of approval, including information about how the project will be monitored and by whom.

Attainable Housing Density Bonus Decision Criteria (Section 1.8.4.D):

The Commission shall make a recommendation to Council based on the availability of units in the reserve density established through Comprehensive Plan Strategy HG 1.5.3 and the criteria applied to all Conditional Use applications through Section 1.8.3 of this LDR.