

Prepared by: City Clerk

ORDINANCE NO. 2022-23

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, GRANTING ZONING MAP AMENDMENT PETITION NO. 22-07RZ FOR THE MILANO PLANNED UNIT DEVELOPMENT (PUD) LOCATED AT LAUREL ROAD AND BORDER ROAD BETWEEN JACARANDA BOULEVARD AND I-75 (553.39± ACRES), BY REMOVING 24.1± ACRES OF OPEN SPACE; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Zoning Map Amendment Petition No. 22-07RZ requests the removal of 24.1± acres of open space from the Milano Planned Unit Development (PUD) in order to add it to the neighboring GCCF Planned Unit Development (PUD); and

WHEREAS, Petition No. 22-07RZ 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, Ordinance No. 2017-25 established the current zoning of the subject property with specific conditions and stipulations; 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; and

WHEREAS, the Planning Commission held a noticed public hearing on July 5, 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.

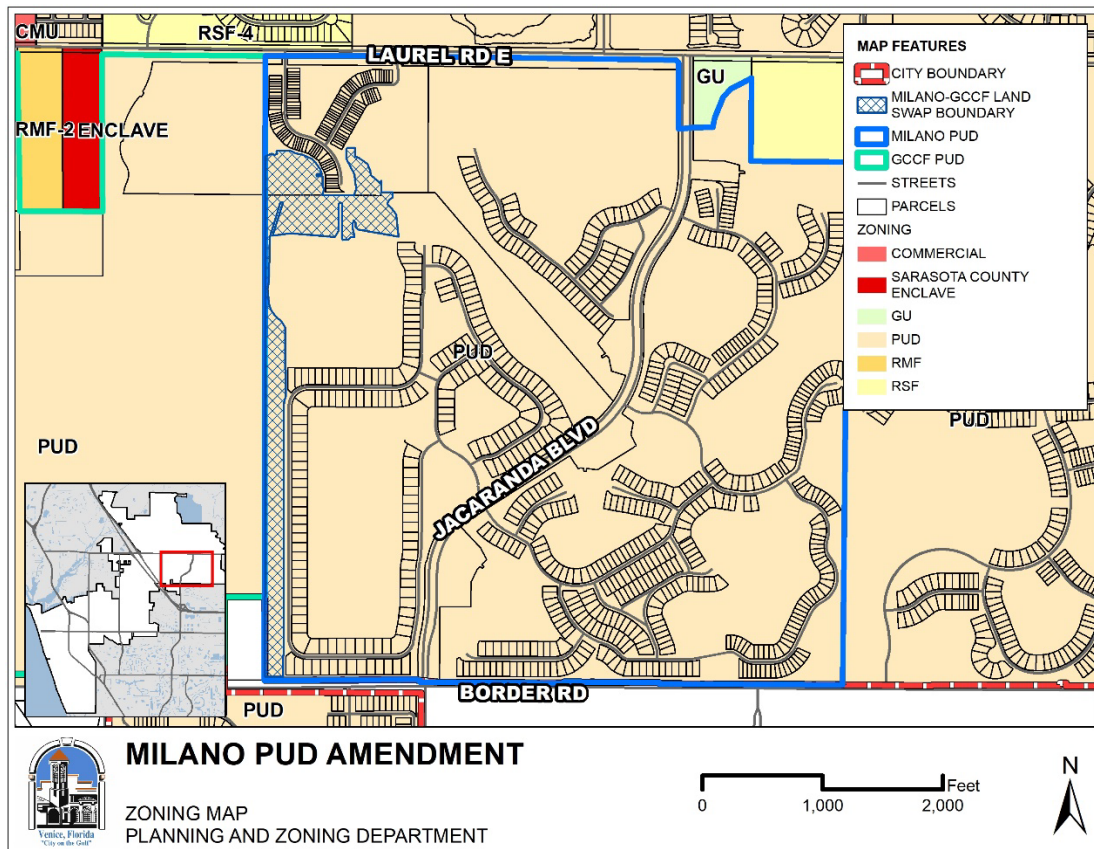
B. The Council held, after due public notice, a public hearing on the Petition and considered the evidence and testimony received at said public hearing.

C. The proposed zoning map amendment of the property described herein is in accordance with and meets the requirements of the Land Development Code (as it existed on July 11, 2022) and is consistent with the City of Venice Comprehensive Plan.

SECTION 3. Zoning Map Amendment Petition No. 22-07RZ is hereby approved, allowing for the removal of 24.1± acres of open space from the Milano Planned Unit Development (PUD).

Property Description:

As depicted on the zoning map shown below consisting of 553.39± acres (minus 24.1± acres) and as further described in Exhibit “A”.



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"

LEGAL DESCRIPTION (553.39± acres)

A Parcel of land located in Section 34 and 35, Township 38 South Range 19 East more particularly described as follows; Commencing at the North 1/4 Corner of said Section 35 and considering the North line of the Northeast 1/4 of said Section 35 to bear South 89°28'20" East with all bearings contained herein relative thereto; thence South 00°23'03" West a distance of 139.90 feet along the West line of the Northeast 1/4 of said Section 35 to the true point of beginning;

thence continuing along the West line of the Northeast 1/4 of said Section 35 South 00°23'03" West, a distance of 690.17 feet; thence South 89°28'25" East, a distance of 807.08 feet; thence South 00°23'38" West, along the East line of the West 807 feet of the East 1/2 of said Section 35 a distance of 4337.87 feet to a point on the North Right-of-Way of Border Road as described in Official Records Book 2404 at Page 2678, Sarasota County, Florida ; Thence along the North Right-of-Way of Border Road as described in Official Records Book 2404 at Page 2678, Sarasota County, Florida the next 5 calls; thence North 89°49'49" West, a distance of 1524.84 feet; thence North 00°10'11" East, a distance of 10.00 feet; thence North 89°49'49" West, a distance of 793.07 feet; thence South 00°10'11" West, a distance of 10.00 feet; thence North 89°49'49" West, to the easterly Right-of-Way of Jacaranda Boulevard as recorded in Official Records Instrument Number 2013007710, Sarasota County, Florida a distance of 1034.63 feet; thence North 84°06'47" West, to the Westerly Right-of-Way of Jacaranda Boulevard as recorded in Official Records Instrument Number 2013007710, Sarasota County, Florida a distance of 201.57 feet; thence South 89°40'40" West, along the North Right-of Way of Border Road as recorded in Official Records Instrument 2004242187, Sarasota County, Florida a distance of 1251.79 feet; thence North 00°08'51" West, along the West line of the E1/2 of the E1/2 of said Section 34 a distance of 5193.31 feet; thence South 89°32'09" East, along the North line of the NE1/4 of the NE1/4 of said Section 34 a distance of 1359.82 feet; thence South 89°20'49" East, along the North line of the NW1/4 of said Section 35 a distance of 2055.54 feet to a point on the West Right-of-Way of Jacaranda Boulevard as recorded in Official Records Instrument Number 2013007710, Sarasota County, Florida; thence South 44°45'27" East, along said West Right-of-Way of Jacaranda Boulevard as recorded in Official Records Instrument Number 2013007710, Sarasota County, Florida a distance of 35.69 feet; thence South 00°10'09" East, along said West Right-of-Way of Jacaranda Boulevard as recorded in Official Records Instrument Number 2013007710, Sarasota County, Florida a distance of 532.10 feet; thence North 89°50'40" East, leaving said West Right-of-Way a distance of 282.32 feet; thence North 11°00'51" East, a distance of 81.98 feet; thence North 22°08'01" East, a distance of 183.81 feet; thence North 41°46'18" East, a distance of 94.62 feet; thence North 63°21'42" East, a distance of 93.59 feet; thence North 62°42'21" East, a distance of 101.00 feet to the Point of Beginning. Containing 553.39 Acres, more or less. Less and accept that portion of Jacaranda Boulevard as recorded in Official Records Instrument Number 2013007710, Sarasota County, Florida and a parcel as described in Official Records Book 2043 Page 2352 Sarasota County, Florida.

LEGAL DESCRIPTION (24.1± acres)

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

BEGINNING AT THE SOUTHWEST CORNER OF FIORE, A SUBDIVISION RECORDED AS PLAT BOOK 55, PAGE 249 OF THE SARASOTA COUNTY RECORDS (FIORE), ALSO BEING THE NORTHWEST CORNER OF ARIA, A SUBDIVISION RECORDED AS PLAT BOOK 52, PAGE 428 OF SARASOTA COUNTY RECORDS (ARIA);

THENCE NORTH 0°01'38" EAST, 318.40 FEET ALONG THE WEST LINE OF SAID FIORE SUBDIVISION TO THE NORTHWEST CORNER OF TRACT 321, FIORE;

THENCE DEPARTING SAID WEST LINE AND ALONG THE NORTHERLY, EASTERLY AND SOUTHERLY LINES OF SAID TRACT 321 THE FOLLOWING TWENTY-TWO (22) COURSES:

- 1) NORTH 68°40'34" EAST, 58.64 FEET;
- 2) SOUTH 65°35'02" EAST, 25.15 FEET;
- 3) NORTH 62°38'08" EAST, 24.30 FEET;
- 4) NORTH 14°37'44" WEST, 15.26 FEET;
- 5) NORTH 3°41'33" WEST, 6.25 FEET;
- 6) NORTH 84°22'40" EAST, 43.17 FEET;
- 7) SOUTH 88°14'14" EAST, 75.55 FEET;
- 8) SOUTH 63°25'24" EAST, 39.01 FEET;
- 9) SOUTH 73°13'24" EAST, 39.01 FEET;
- 10) NORTH 89°28'33" EAST, 18.44 FEET;
- 11) SOUTH 65°23'00" EAST, 87.15 FEET;
- 12) SOUTH 49°27'37" EAST, 44.82 FEET;
- 13) SOUTH 26°06'08" EAST, 11.80 FEET;
- 14) SOUTH 36°12'27" EAST, 49.65 FEET;
- 15) SOUTH 22°40'07" EAST, 50.82 FEET;
- 16) SOUTH 89°56'51" WEST, 44.13 FEET;
- 17) SOUTH 0°03'09" EAST, 20.00 FEET;
- 18) NORTH 89°56'51" EAST, 47.05 FEET;
- 19) SOUTH 9°07'48" EAST, 28.31 FEET;
- 20) SOUTH 4°24'32" WEST, 49.65 FEET;
- 21) SOUTH 26°21'55" EAST, 31.24 FEET;
- 22) SOUTH 16°40'15" WEST, 52.74 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 321;

THENCE SOUTH 89°30'15" EAST, 260.72 FEET ALONG THE SOUTHERLY LINE OF FIORE TO THE SOUTHWEST CORNER OF TRACT 320, FIORE;

THENCE ALONG THE WESTERLY, NORTHERLY AND EASTERLY LINES OF SAID TRACT 320 THE FOLLOWING SIXTEEN (16) COURSES:

- 1) NORTH 73°28'13" EAST, 11.69 FEET;
- 2) NORTH 4°21'02" WEST, 18.00 FEET;
- 3) NORTH 20°12'41" EAST, 38.29 FEET;
- 4) NORTH 9°02'37" WEST, 40.26 FEET;
- 5) NORTH 6°23'30" WEST, 76.76 FEET;

- 6) NORTH 27°21'34" WEST, 145.97 FEET;
- 7) NORTH 0°26'06" WEST, 82.01 FEET;
- 8) NORTH 37°29'41" EAST, 15.81 FEET;
- 9) SOUTH 85°51'16" EAST, 61.52 FEET;
- 10) SOUTH 2°12'14" WEST, 67.24 FEET;
- 11) SOUTH 67°37'16" EAST, 38.77 FEET;
- 12) SOUTH 55°15'49" EAST, 87.52 FEET;
- 13) SOUTH 21°53'20" EAST, 56.25 FEET;
- 14) SOUTH 6°34'07" EAST, 39.94 FEET;
- 15) SOUTH 49°37'17" EAST, 98.66 FEET;
- 16) NORTH 39°00'25" EAST, 18.86 FEET;

THENCE DEPARTING SAID NORTHERLY LINE TRACT 321, SOUTH 0°08'44" WEST, 95.62 FEET TO THE SOUTH LINE OF SAID FIORE SUBDIVISION;

THENCE SOUTH 89°30'35" EAST, 97.99 FEET ALONG SAID SOUTH LINE TO THE NORTHEAST CORNER OF TRACT 302, ARIA SUBDIVISION;

THENCE ALONG THE EASTERLY LINE OF SAID TRACT 302 THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 3°10'58" EAST, 3.88 FEET;
- 2) SOUTH 5°08'24" WEST, 36.95 FEET;
- 3) SOUTH 54°37'40" WEST, 33.28 FEET TO THE NORTHEAST CORNER OF TRACT 602 OF SAID ARIA SUBDIVISION;

THENCE SOUTH 27°52'44" WEST, 36.98 FEET ALONG THE EAST LINE OF SAID TRACT 602 TO THE NORTHEAST CORNER OF TRACT 303, ARIA SUBDIVISION;

THENCE ALONG THE EASTERLY LINE OF SAID TRACT 303 THE FOLLOWING TWO (2) COURSES:

- 1) SOUTH 42°55'28" EAST, 67.72 FEET;
 - 2) SOUTH 35°44'39" EAST, 49.94 FEET TO THE EASTERLY CORNER OF SAID TRACT 303;
- LEGAL DESCRIPTION

THENCE SOUTH 6°21'33" EAST, 184.58 FEET;

THENCE NORTH 80°07'20" WEST, 340.47 FEET;

THENCE NORTH 51°27'46" WEST, 28.02 FEET;

THENCE NORTH 0°17'59" EAST, 36.84 FEET;

THENCE NORTH 35°25'22" WEST, 29.13 FEET;

THENCE SOUTH 17°34'07" WEST, 26.39 FEET;

THENCE SOUTH 0°11'02" EAST, 47.72 FEET;

THENCE SOUTH 13°54'55" EAST, 46.51 FEET;

THENCE SOUTH 8°25'23" EAST, 23.81 FEET TO THE NORTHERLY LINE OF TRACT 502, ARIA SUBDIVISION;

THENCE ALONG SAID NORTHERLY LINE TRACT 502 THE FOLLOWING THIRTEEN (13) COURSES:

- 1) NORTH 88°56'48" WEST, 30.75 FEET;
- 2) SOUTH 48°22'17" WEST, 31.66 FEET;

- 3) SOUTH 83°35'19" WEST, 42.10 FEET;
- 4) NORTH 23°21'53" WEST, 17.15 FEET;
- 5) NORTH 1°06'02" WEST, 63.66 FEET;
- 6) NORTH 0°35'40" EAST, 193.02 FEET;
- 7) NORTH 5°48'24" EAST, 28.59 FEET;
- 8) NORTH 57°55'22" WEST, 21.47 FEET;
- 9) SOUTH 48°11'18" WEST, 19.32 FEET;
- 10) SOUTH 0°01'06" EAST, 217.44 FEET;
- 11) SOUTH 28°51'35" WEST, 64.30 FEET;
- 12) NORTH 85°21'25" WEST, 369.24 FEET;
- 13) SOUTH 83°20'28" WEST, 151.31 FEET;

THENCE DEPARTING SAID NORTHERLY LINE TRACT 502, NORTH 17°17'51" EAST, 289.69 FEET;

THENCE SOUTH 86°12'32" WEST, 21.44 FEET;

THENCE SOUTH 17°17'51" WEST, 288.58 FEET TO THE NORTHERLY LINE OF TRACT 604;

THENCE CONTINUE SOUTH 17°17'51" WEST, 8.73 FEET;

THENCE SOUTH 0°24'10" WEST, 64.09 FEET;

THENCE SOUTH 1°09'16" WEST, 79.00 FEET;

THENCE SOUTH 0°48'05" WEST, 73.32 FEET;

THENCE SOUTH 1°18'59" WEST, 56.87 FEET;

THENCE SOUTH 2°55'55" WEST, 57.42 FEET;

THENCE SOUTH 4°04'47" WEST, 52.66 FEET;

THENCE SOUTH 7°28'17" WEST, 51.71 FEET;

THENCE SOUTH 4°47'03" EAST, 63.29 FEET;

THENCE SOUTH 6°01'34" EAST, 56.88 FEET;

THENCE SOUTH 15°25'11" EAST, 48.81 FEET;

THENCE SOUTH 33°54'21" EAST, 55.72 FEET;

THENCE SOUTH 46°03'38" EAST, 51.78 FEET;

THENCE SOUTH 47°50'33" EAST, 35.29 FEET;

THENCE SOUTH 28°50'05" EAST, 58.37 FEET;

THENCE SOUTH 0°05'59" WEST, 338.36 FEET TO A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, AND WHOSE CHORD BEARS SOUTH 21°55'27" EAST, 15.00 FEET;

THENCE SOUTHEASTERLY 15.38 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF 44°02'51";

THENCE SOUTH 0°19'37" WEST, 218.29 FEET TO A NON-TANGENTIAL CURVE TO THE LEFT, HAVING A RADIUS OF 195.00 FEET AND WHOSE CHORD BEARS SOUTH 11°08'01" WEST, 75.09 FEET;

THENCE SOUTHERLY 75.56 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF 22°12'04";

THENCE SOUTH 0°01'59" WEST, 2,065.27 FEET TO A NON-TANGENTIAL CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET AND WHOSE CHORD BEARS SOUTH 19°18'31" WEST, 13.32 FEET;

THENCE SOUTHERLY 13.57 FEET ALONG LAST SAID CURVE THROUGH A CENTRAL ANGLE OF 38°53'19";

THENCE SOUTH 0°08'09" EAST, 170.61 FEET;

THENCE SOUTH 89°51'15" WEST, 152.82 FEET ALONG A LINE 30.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTHERLY LINE OF ARIA SUBDIVISION TO THE WEST LINE OF SAID ARIA SUBDIVISION;

THENCE NORTH 0°01'38" EAST, 4,001.15 FEET ALONG SAID WEST LINE OF ARIA TO THE POINT OF BEGINNING.

CONTAINING 24.106 ACRES, MORE OR LESS.