

Requested by: Planning Commission
Prepared by: City Clerk

ORDINANCE NO. 2017-20

AN ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF VENICE, FLORIDA, RELATING TO PROPERTY LOCATED AT 2201 KNIGHTS TRAIL, AS REFLECTED IN ZONING MAP AMENDMENT PETITION NO. 17-08RZ, ROWCO, LLC, (JOHN NOLEN GARDENS), REZONING THE PROPERTY FROM RESIDENTIAL, MULTIPLE-FAMILY 2 (RMF-2) ZONING DISTRICT WITH STIPULATIONS TO RESIDENTIAL, MULTIPLE-FAMILY 4 (RMF-4) ZONING DISTRICT WITH STIPULATIONS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Zoning Map Amendment Petition No. 17-08RZ requests a change to the City of Venice Zoning Map for the subject property described in Section 3, below, from Residential, Multiple-Family 2 (RMF-2) zoning district with stipulations to Residential, Multiple-Family 4 (RMF-4) zoning district with stipulations; and

WHEREAS, the subject property is 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 Section 163.3174, F.S.; and

WHEREAS, the Planning Commission held a public hearing on May 16, 2017, for which public notice was provided, regarding the petition, and based upon the evidence and public comment received at the public hearing, the staff report, and discussion by the Planning Commission, it voted to recommend approval of Zoning Map Amendment Petition No. 17-08RZ; and

WHEREAS, the Venice City Council has received and considered the report of the Planning Commission concerning Petition No. 17-08RZ; and

WHEREAS, City Council held a public hearing on the proposed rezoning of the property described herein, all in accordance with the requirements of the city's code of ordinances, and has considered the information received at said public hearing; and

WHEREAS, City Council finds that Petition No. 17-08RZ is in compliance with and meets the requirements of the city's Land Development Code and Comprehensive Plan.

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 finds as follows:

A. The Council has received and considered the report of the Planning Commission recommending approval of Zoning Map Amendment Petition No. 17-08RZ.

B. The Council has held a public hearing on the petition and has considered the information 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 Comprehensive Plan.

SECTION 3. The Official Zoning Atlas is hereby amended, by changing the zoning classification for the property described below located in the City of Venice as follows:

~~Residential, Multiple family 2 (RMF-2) with the following stipulations:~~

- ~~1. Density shall be limited to no more than 240 dwelling units, along with a community club;~~
- ~~2. Height of all structures shall not exceed 35 feet;~~
- ~~3. Compliance with design standards consistent with the "Venetian Gateway" district.~~

to:

Residential, Multiple-Family 4 (RMF-4) with the following stipulations:

1. The property will only be used for multi-family rental units;
2. The height limit will be 35 feet;
3. There will be no understructure parking.

Property Description:

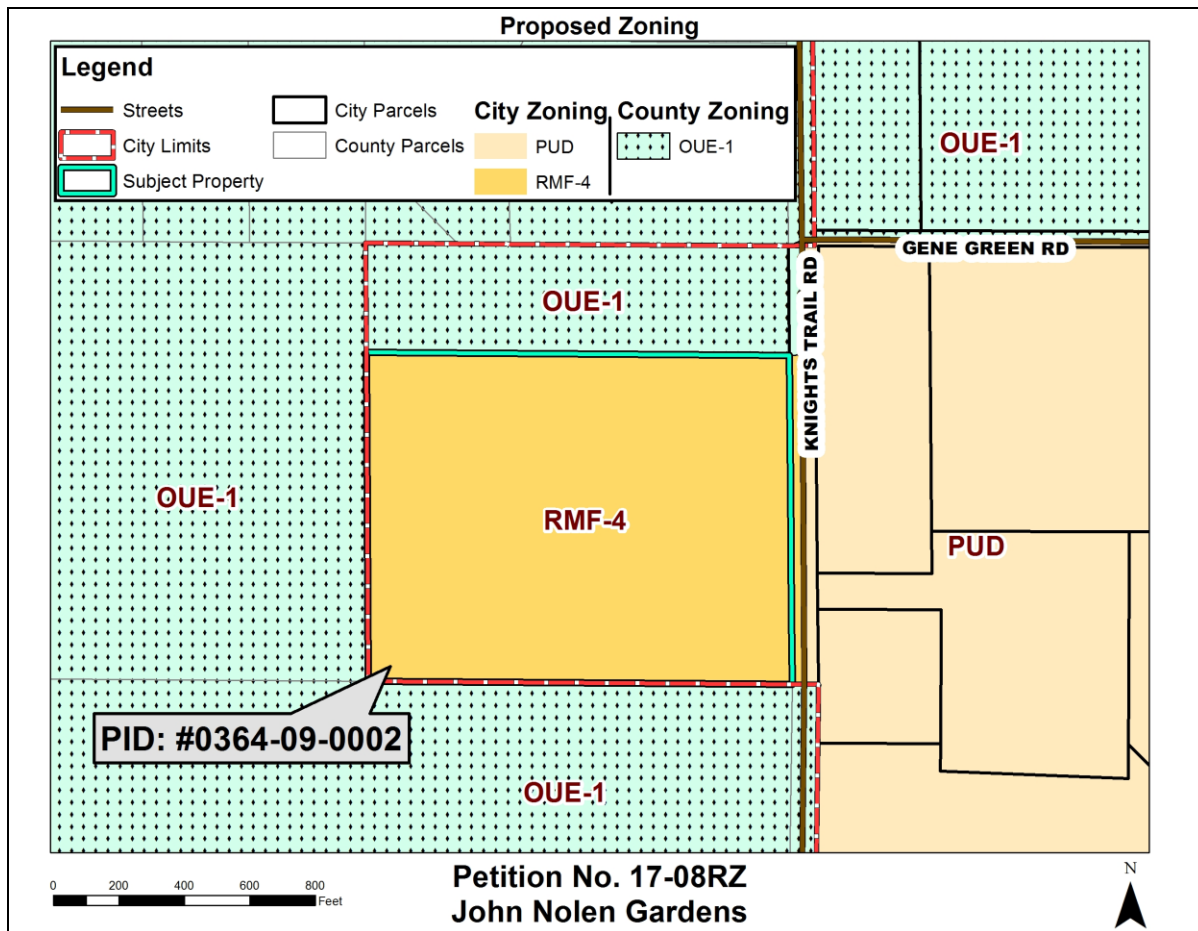
Parcel ID 0364-09-0002 as depicted on the zoning map shown below consisting of approximately 29.89 acres and as further described:

A parcel of land lying in Section 21, Township 38 South, Range 19 East, Sarasota County, Florida, described as the Southeast 1/4 of the Southeast 1/4, Less the North 334.5 feet thereof, and also Less the East 40 feet thereof, more particularly described as follows:

COMMENCE at a 4X6" Concrete Monument, FDEP CCR 086481 for the South 1/4 Corner of Section 21, Township 38 South, Range 19 East, Sarasota County, Florida, thence S.89°35'19"E., along the South line of said Section 21, a distance of 2672.33 feet to a 4" Concrete Monument, stamped PLS4661, at the Southwest Corner of the Southeast 1/4 of the Southeast 1/4 of said Section 21, for the POINT OF BEGINNING; thence continue S.89°35'19"E., along said South line a distance of 1296.16 feet to the intersection with the West Right-of-Way line of KNIGHTS TRAIL ROAD, being an 80 feet wide Public Right-of-Way, as per Road Plat Book 3, Page 52, Public Records of Sarasota County, Florida; thence N.00°29'24"W., along said West Right-of-Way line, a distance of 1004.56 feet; thence N.89°32'01"W., a distance of 1293.13 feet to the intersection with the West line of

said Southeast 1/4 of the Southeast 1/4; thence S.00°18'58"E., along said West line, a distance of 1005.76 feet to the POINT OF BEGINNING.

Parcel contains 1,301,180 Square Feet, or 29.8710 Acres more or less.



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 11TH DAY OF JULY 2017.

First Reading: June 27, 2017

Final Reading: July 11, 2017

Adoption: July 11, 2017

John W. Holic, Mayor

Attest:

Lori Stelzer, MMC, City Clerk

I, Lori Stelzer, 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 11th day of July 2017 a quorum being present.

WITNESS my hand and the official seal of said City this 11th day of July 2017.

Lori Stelzer, MMC, City Clerk

Approved as to form:

David Persson, City Attorney