

**CITY OF VENICE, FLORIDA
CITY COUNCIL
ORDER NO. 20-20PP**

AN ORDER OF THE VENICE CITY COUNCIL APPROVING PRELIMINARY PLAT PETITION NO. 20-20PP FOR **PHASE TWO OF THE VICENZA SUBDIVISION**, CONSISTING OF SINGLE-FAMILY AND PAIRED DWELLINGS TOTALING 228 RESIDENTIAL UNITS; PROVIDING AN EFFECTIVE DATE; AND PROVIDING THE RIGHT TO ENFORCE DEVELOPER'S BOND.

WHEREAS, Pamlico Point Management, LLC, through their agent, D. Shawn Liens, P.E., of AM Engineering, LLC., have submitted Preliminary Plat Petition No. 20-20PP for Vicenza Phase 2, for property located between Border and Laurel Roads, east of Jacaranda Boulevard, with parcel identification number 0391031000 (further described in Exhibit A), comprised of the following:

- 1) **Preliminary Plat Plans** (signed and sealed) prepared by D. Shawn Liens, P.E., of AM Engineering, LLC, comprised of **eighteen** sheets, received by the City on **August 24, 2020**;
- 2) **Landscape Plans** (signed and sealed) prepared by Larry Washmuth, RLA, of Stewart-Washmuth and Company, Inc., comprised of **twenty-three** sheets, received by the City on **July 23, 2020**; and
- 3) **Architectural Elevations** prepared by Christopher J. Joiner of Joiner Architecture, comprised of one sheet, received by the City on **July 23, 2020**.

WHEREAS, the Planning Commission held a noticed public hearing on October 6, 2020, 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 the Petition; and,

WHEREAS, on November 17, 2020, 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 and is consistent with the Comprehensive Plan; and,

WHEREAS, the City Council voted to approve the Petition.

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. Preliminary Plat Petition No. 20-20PP for Vicenza, 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. The City Council may enforce any required developer's bond as provided by law.

ORDERED at a meeting of the Venice City Council on the 17th of November 2020.

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM

City Attorney

EXHIBIT A

LEGAL DESCRIPTION:

(1) The East one-half of Section 35, Township 38 South, Range 19 East, LESS therefrom the North 830 feet thereof, and also LESS the West 807 feet thereof.

(2) The West one-half of Section 36, Township 38 South, Range 19 East, LESS therefrom the following five parcels:

(a) Commencing at the SE corner of the SW 1/4 of said Section 36 for a Point of Beginning; thence run Northerly along the Easterly boundary of said SW 1/4 of Section 36 a distance of 1973.23 feet; thence turn an angle of 90° to the West and run a distance of 33 feet to a point; thence turn an angle of 90° to the South and run a distance of 1973.23 feet and parallel to the Easterly boundary of the said SW 1/4 of Section 36 to a point on the Southerly boundary of said SW 1/4 of Section 36; thence Easterly along the Southerly boundary of the said SW 1/4 of Section 36 a distance of 33 feet to the Point of Beginning;

b) Beginning at the SE corner of the NW 1/4 of said Section 36 for a Point of Beginning; thence S89°37'32"W along the 1/4 Section line a distance of 673.2 feet to a point; thence S10°42'46"E a distance of 47.67 feet to a point; thence S45°30'46"E a distance of 922.26 feet to a point on the 1/4 Section line; thence N0°32'14"E along the 1/4 Section line a distance of 685.48 feet to the Point of Beginning;

c) The East 890 feet of the South one-half of the NW 1/4 of said Section 36;

d) That part of the NE 1/4 of the NW 1/4 of said Section 36 lying East of that certain private road as shown on that certain plat attached to the Deed recorded in Deed Book 311, page 161, Public Records of Sarasota County, Florida (said road being indicated in said plat as "Relocation of Private Road") LESS therefrom the North 30 feet of the NE 1/4 of the NW 1/4 of Section 36 lying between said Private Road and the West bank of the Myakka River; and

e) Commence at the Northwest corner of Section 36, Township 38 South, Range 19 East, Sarasota County, Florida; thence N88°33'15"E, 1854.05' along the North line of said Section 36, to the East line of existing 40' private road; thence S2°30'45"W, 1153.53' along the East line of said road for the Point of Beginning; thence continue S2°30'45"W, 163.21' along said road to the South line of the Northeast 1/4 of the NW 1/4 of said Section 36; thence S88°31'19"W, 57.35' along said South line; thence S0°40'40"E, 1313.72' parallel with the East line of the Northwest 1/4 of said Section 36, to the South line of the Northwest 1/4 of said Section 36; thence N 88° 29' 25" E, 220.89 feet along said South line to the West line of said 40' private road; thence S11°00'46"E, 25.83' along said road; thence S45°48'52"E, 34.27' along said road; thence S88°29'25"W, 1380.97'; parallel with the South line of the Northwest 1/4 of said Section 36; thence N0°40'40"W, 1536.19' parallel with the East line of the Northwest 1/4 of said Section 36; thence N88°57'13"E, 1197.48' to the Point of Beginning.

Together with and subject to an easement for road right-of-way purposes (ingress and egress) over that certain private road as appears in plat attached to deed recorded in Deed Book 311, page 161, of the Public Records of Sarasota County, Florida, and marked "Relocation of Private Road."

Together with all riparian rights thereunto belonging and in anywise appertaining.

Subject to that certain right-of-way agreement with the FLORIDA POWER & LIGHT COMPANY, its successors and assigns, for an easement in, over, upon and across the South 170 feet of the North 830 feet of the NW 1/4 of Section 36 as recorded in Official Records Book 931, pages 684 and 686, of the Public Records of Sarasota County, Florida.

Less:

Lands conveyed to Sarasota County and recorded in Official Records, Book 2404, Page 2706; and Lands conveyed to Sarasota County and recorded in Official Records, Book 2404, Page 2700 Public Records, Sarasota County, Florida.

Less:

Lands conveyed to Jo-Anne Hurt and recorded in Official Records Book 2282-1280 Public Records, Sarasota County, Florida.

Less:

Lands conveyed to Sarasota County and recorded in Official Records Book 1325-1936 Public Records, Sarasota County, Florida.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

Parcel I

That part of the Southwest ¼ of Section 36, Township 38 South, Range 19 East, lying southerly and easterly of lands described in Official Records Instrument Number 2013080858, Public Records of Sarasota County, Florida, LESS therefrom the following parcels:

(a) Beginning at the SE corner of the NW 1/4 of said Section 36 for a Point of Beginning; thence S89°37'32"W, along the ¼ Section line a distance of 673.2 feet to a point; thence S10°42'46"E, a distance of 47.67 feet to a point; thence S45°30'46"E, a distance of 922.26 feet to a point on the ¼ Section line; thence N0°32'14"E, along the 1/4 Section line a distance of 685.48 feet to the Point of Beginning; and

(b) Lands conveyed to Sarasota County and recorded in Official Records Book 2404, Page 2700 of the Public Records of Sarasota County, Florida;

(c) Lands conveyed to Sarasota County and recorded in Official Records Book 1325, Page 1936 of the Public Records of Sarasota County, Florida;

Parcel 2: (Easement Parcel)

An Easement for road right-of-way purposes (ingress and egress) over that certain private road as appears in the plat attached to deed recorded in Deed Book 311, page 161, of the Public Records of Sarasota County, Florida, and marked "Relocation of Private Road"

SAID PARCEL I ALSO DESCRIBED AS FOLLOWS:

A parcel of land lying in the Southwest 1/4 of Section 36, Township 38 South, Range 19 East, Sarasota County, Florida and described as follows:

Commence at the Southeast corner of the Southwest 1/4 of said Section 36; thence N.89°40'40"W., along the south line of said Southwest 1/4, a distance of 999.58 feet; thence N.00°27'56"E., a distance of 61.80 feet to a point on the north right-of-way line of Border Road (variable width public right-of-way) as recorded in Official Records Book 2404, Page 2700, Public Records of Sarasota County, Florida for a POINT OF BEGINNING ; thence N.00°27'56"E., along the easterly line of "Parcel 2" as described in Official Record Instrument Number 2013080858 in said Public Records, a distance of 2,520.64 feet to a point 50.00 feet south of the north line of said Southwest 1/4., also being a point on the southerly line of "Parcel 1" as described in said Official Records Instrument Number 2013080858; thence N.88°40'46"E., along said southerly line and on a line 50.00 feet southerly of and parallel with said north line of the Southwest 1/4, a distance of 358.70 feet to a point on the westerly line of a 40.00 foot wide private road; thence S.45°22'16"E., along said westerly easement line, a distance of 886.83 feet to a point on the north right-of-way line of Jackson Road (66.00 foot wide public right-of-way) as recorded in Official Records Book 1325, Page 1936, said Public Records; thence N.89°34'38"W., along said north right-of-way line a distance of 29.60 feet to a point on the west right-of-way line of said Jackson Road; thence S.00°25'22"W., along said west right-of-way line, a distance of 1,829.39 feet to a point on the above mentioned additional right-of-way parcel recorded in Official Records Book 2404, Page 2700 ; thence along said additional right-of-way line for the following three calls; (1) thence N.89° 34'38"W., a distance of 20.00 feet; (2) thence S.00°25'22"W., a distance of 87.52 feet; (3) thence N.89°21'13"W., a distance of 946.54 feet to the POINT OF BEGINNING.