

**CITY OF VENICE, FLORIDA  
CITY COUNCIL  
ORDER NO. 21-52CU**

AN ORDER OF THE VENICE CITY COUNCIL APPROVING CONDITIONAL USE PETITION NO. 21-52CU FOR THE PROPERTY LOCATED AT 3480 EAST LAUREL ROAD, PID NO. 0387010001, TO ALLOW FOR AN INCREASE OF 4.76 FEET IN HEIGHT TO DEVELOP A HOTEL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Hotel 75 Investments, LLC, through its agent Jackson R. Boone, Esq. of Boone Law Firm, submitted **Conditional Use Petition No. 21-52CU for I-75 Hotel**, located at 3480 East Laurel Road, Parcel Identification No. 0387010001, (further described in Exhibit A); comprised of **Conditional Use Plans** (signed and sealed), prepared by Steven Sonberg, P.E., of Banks Engineering, consisting of **seven sheets**, received by the City on **January 14, 2022**; **Landscape Plans** (signed and sealed) prepared by John T. Swen, R.L.A., consisting of **three sheets**, received by the City on **January 14, 2022**; and **Color Elevations** prepared by BASE4 consisting of **one sheet**, received by the City on **January 14, 2022**; and,

WHEREAS, Petition No. 21-52CU was filed prior to the City's adoption of its new Land Development Regulations and, therefore, was reviewed and approved under the Land Development Code existing as of the date of its filing; and

WHEREAS, the Planning Commission held a noticed public hearing on May 17, 2022, during which the Planning Commission received the Petition, staff report, and testimony provided by staff, the applicant, and interested parties; and,

WHEREAS, the City Council held a noticed public hearing on August 23, 2022, 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, including Section 86-42, and is consistent with the 2017-2027 Comprehensive Plan; and,

WHEREAS, the City Council voted for approval of Conditional Use Petition No. 21-52CU.

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. 21-52CU for an increase of 4.76 feet in height to develop a hotel, 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. This Development Order shall expire and be void 24 months from the date of grant unless a complete building permit application has been filed for the gated community for which the conditional use was approved. However, at the written request of the property owner prior to the expiration of the 24-month period, the City Council may extend the 24-month period for an additional 12 months, provided that the property owner can demonstrate by competent and substantive evidence that financial or legal constraints or other events beyond the control of the applicant prevented application for a building permit.

ORDERED at a meeting of the Venice City Council on the 23<sup>rd</sup> day of August, 2022.

\_\_\_\_\_  
Ron Feinsod, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Michaels, MMC, City Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
Kelly Fernandez, City Attorney

## Exhibit A

### **LEGAL DESCRIPTION**

#### DESCRIPTION: (DEED)

A parcel of land lying in a part of Section 33, Township 38 South, Range 19 East, Sarasota County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the above-described Section 33; thence North 89 degrees 19'54"W., along the Northerly Boundary Line of said Section 33, 976.59 feet; thence South 1 degree 11'45"E., along a line that is parallel with the Easterly Boundary Line of said Section 33, 60.0 feet for a Point of Beginning; Said Point being on the Southerly Right-of-Way line of those lands taken by the Department of Transportation for 1-75 Right-of-Way; thence continue South 1 degree 11'45"E., along said parallel line 320.02 feet; thence South 78 degrees 45'38"W., 518.83 feet to the Easterly Right-of-Way line of 1-75; thence North 35 degrees 01'47"W., along said Right-of-Way line, 445.59 feet to the Southerly Right-of-Way line said 1-75; thence South 89 degrees 19'54"E., along said Right-of-Way Line 314.88 feet; thence North 76 degrees 05'36"E., along said Right-of-Way line 258.45 feet; thence South 89 degrees 19'54"E., along said Right-of-Way line 192.25 feet to the Point of Beginning; Being subject to an easement over and across the Easterly 20.0 feet thereof.

LESS

Property described in Order of Taking, Case No. 92-997CA, recorded in O.R. Book 2432, Page 1354, Public Records of Sarasota County, Florida.

#### DESCRIPTION: (AS SURVEYED)

A parcel of land lying in Section 33, Township 38 South, Range 19 East, Sarasota County, Florida, being more particularly described as follows:

Commence at the Northeast corner of Section 33, Township 38 South, Range 19 East; thence N.89°19'32"W, along the North line of said Section 33, a distance of 976.59 feet; thence S.00°50'10"E., leaving the North line of said Section 33, a distance of 175.30 feet to the Boundary line of Order of Taking described in Official Records Book 2432, Page 1354, of the Public Records of Sarasota County, Florida for the POINT OF BEGINNING; thence continue S.00°50'10"E., a distance of 204.96 feet; thence S.79°07'13"W., a distance of 346.26 feet to a point on the Right of Way line of 1-75, per said Order of Taking described in Official Records Book 2432, Page 1354; thence along said Right of Way line the following three (3) courses; (1) N.20°18'38"W., a distance of 39.17 feet; thence (2) N.25°36'07"W., a distance of 265.50 feet; thence (3) S.89°16'38"E., a distance of 465.41 feet to the POINT OF BEGINNING.

Parcel contains 98,345 Square Feet or 2.2577 Acres.