



City of Venice, Florida

Petition for Vested Rights

Petitioner Windham Development, Inc. c/o Herbert Lawson as an authorized agent for SSD Land Holdings, LLC
owner of property located at 40+/- acres on the Southeast Corner of N. Auburn Rd. and Border Rd.

with a legal description of Parcel No. 0399040001

hereby petitions the city council of the City of Venice to grant petitioner's property vested rights pursuant to Section 86-48 and as grounds there for states:

1. The "vested right" that the petitioner seeks is described as follows:

Please See "Attachment 1"

2. The petitioner's reliance in good faith upon some act or omission of government is described as follows:

Please See "Attachment 1"

3. The petitioner's substantial change in position or incurrence of such extensive obligations and expenses that it would be highly inequitable and unjust to destroy the rights that have been acquired is described as follows:

Please See "Attachment 1"

4. Petitioner hereby swears or affirms that the statements contained herein are true and correct.

By:

Herbert Lawson HERBERT LAWSON

Printed Name

State of

Michigan

County of

Oakland

The foregoing instrument was before me, the undersigned notary public, this 9th day of March
20 18 by Breanna Weiner
(Name of person acknowledging)

Breanna Weiner

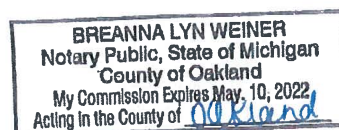
Notary Public

☐ Personally known to me, or

☐ Produced identification: _____

(Type of identification)

Notary Stamp



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PLANNING & ZONING

Attachment 1

Petition for Vested Rights

1. The “vested right” that the petitioner seeks is described as follows:

The Petitioner seeks the Vested Right to re-zone the property under the Comprehensive Plan, adopted by Ordinance Number 2010-21 and amended by Ordinance Number 2011-18, which was in place at the time of submittal.

2. The petitioner’s reliance in good faith upon some act or omission of government is described as follows:

The Petitioner has continuously pursued the rezoning of the property since it was placed under contract in February, 2015. The initial Euclidian Rezoning Application was submitted to City Staff in September, 2015. The Euclidian Rezoning Application received the Planning Commission Recommendation for Approval on May 16th, 2017. The City Council determined that the Euclidian Rezoning was not appropriate due to the amount of stipulations and strongly suggested that the application be withdrawn and a more appropriate PUD Rezoning Application be submitted. The Euclidian Rezoning Application was withdrawn at the meeting and the PUD Rezoning Application was submitted to City Staff on November 20th, 2017. The City Council subsequently adopted a new Comprehensive Plan on November 28, 2017 via Ordinance Number 2017-22. The Future Land Use Designation for the property was changed to Low Density Residential, which does not allow for a PUD district.

3. The petitioner’s substantial change in position or incurrence of such extensive obligations and expenses that it would be highly inequitable and unjust to destroy the rights that have been acquired is described as follows:

The Petitioner has pursued the rezoning of the property since September, 2015 which was 2 years and 2 months prior to the change in the Comprehensive Plan. The Petitioner has expended \$329,835.59 in professional consulting fees and hundreds of manhours. The development of the property is only feasible under the PUD zoning category.

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