

ORDINANCE NO. 2014-16

AN ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF VENICE, FLORIDA, RELATING TO PROPERTY LOCATED BETWEEN LAUREL AND BORDER ROAD, COMMONLY REFERRED TO AS THE VICA PROPERTY, AS REFLECTED IN REZONING PETITION NO. 14-1RZ FOR THE REZONING OF THE PROPERTY DESCRIBED THEREIN, FROM CITY OF VENICE RESIDENTIAL, MULTIPLE-FAMILY-1 (RMF-1) ZONING DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Rezone Petition No. 14-1RZ to rezone property described in Section 3 below commonly referred to as VICA, has been filed with the City of Venice to change the official City of Venice Zoning map from Residential, Multiple-Family-1 (RMF-1) zoning district to Planned Unit Development (PUD) zoning district; and

WHEREAS, the subject property described in Section 3 below 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 public hearing on April 15, 2014, for which public notice was provided regarding the petition and based upon public comment received at the public hearing, the staff report, and discussion by the Planning Commission, voted unanimously to recommend approval of Rezone Petition No. 14-1RZ with stipulations; and

WHEREAS, the Venice City Council has received and considered the report of the Planning Commission concerning Rezone Petition No. 14-1RZ requesting rezoning of the property described herein; and

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

WHEREAS, City Council finds that Rezone Petition No. 14-1RZ is in compliance with and meets the requirements of the city's Land Development Regulations and Comprehensive Plan and any amendments thereto.

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 Official Zoning Atlas is hereby amended, by changing the zoning classification for the following described property located in the City of Venice from City of Venice Residential,

Multiple-Family-1 (RMF-1) zoning district to Planned Unit Development (PUD) zoning district.

Property Description:

West ½ of Section 35, Township 38 South, Range 19 East; and the West 807 feet of the East one-half of Section 35, Township 38 South, Range 19 East, LESS the North 830 feet thereof and the Westerly 250 feet of the southerly 871.2 feet of the SE ¼ of Section 35, Township 38 South, Range 19 East; LESS, the road right-of-way for Border Road described in OR 2404/2678.

ALSO LESS the following described lands:

A parcel of land lying in Section 35, Township 38 South, Range 19 East, Sarasota County, Florida described as follows:

Commence at the Northeast corner of Section 35, Township 38 South, Range 19 East; thence N 89° 17' 54" W along the North line of Section 35 for a POINT OF BEGINNING; thence S 00° 33' 56" W, along the West line of the Northeast ¼ of said Section 35, a distance of 139.90 feet; thence leaving said West line of Section 35 S 62° 52' 34" W, a distance of 100.94 feet; thence S 42° 00' 05" W, a distance of 94.62 feet; thence S 22° 15' 48" W, a distance of 183.78 feet; thence S 11° 10' 11" W, a distance of 81.98 feet; thence West, a distance of 162.42 feet; thence North, a distance of 555.56 feet to the North line of said Section 35; thence S 89° 10' 16" E, along the North line of said Section 35, a distance of 486.26 feet to the POINT OF BEGINNING.

The property is located between Laurel Road and Border Road east of I-75 and south of the Venetian Golf & River Club. 394± acres.

SECTION 4. The "VICA Planned Unit Development (PUD) Binding Master Plan", dated April 4, 2012, consisting of 12 pages and all information and materials formally submitted with the application, together with the associated VICA Developer's Agreement establish the official record for the rezone petition and are hereby adopted by reference with the following conditions, safeguards, and stipulations which shall become the standard of development for the VICA planned unit development.

Conditions, Safeguards, and Stipulations:

1. The "Binding Master Plan" be updated as follows:
 - a. ~~Sidewalks will be required on one side of the street only. Sidewalks will be placed on both sides of the street. Exceptions: sidewalks will be required on one side of the street only, in locations where residential lots are present on only one side of the street or where there are no residential lots present.~~
 - b. No sign will be placed on the Jacaranda Boulevard median at Laurel Road.
 - c. Approval of only the first two sentences, page five staff summary (page 3, paragraph No. 1 of the Binding Master Plan), regarding staff authority as follows: "The Zoning Administrator shall have authority to administratively approve minor modifications of standards contained within the VICA Planned Unit Development, excluding standards related to density, building height, buffer widths, and the addition of permitted uses. Reasonable mitigation measures may be imposed by the Zoning Administrator to limit impacts from the requested adjustment of standards." Deleting the remaining (last two) sentences in paragraph No. 1.

- d. If the northwest optional access is utilized, developer may construct an additional subdivision sign on VICA property consistent with the sign code.

SECTION 5. 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 29 DAY OF JULY, 2014.

First Reading: July 22, 2014

Final Reading: July 29, 2014

Adoption: July 29, 2014

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 29 day of July, 2014 a quorum being present.

WITNESS my hand and the official seal of said City this 29 day of July, 2014.

Lori Stelzer, MMC, City Clerk

Approved as to form:

David Persson, City Attorney