

ORDINANCE NO. 2020-32

AN ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF VENICE, FLORIDA, PURSUANT TO ZONING MAP AMENDMENT PETITION NO. 20-10RZ, TO CHANGE THE ZONING DESIGNATION FOR THE PROPERTY GENERALLY LOCATED WEST OF THE ESPLANADE N AND WEST OF THE TERMINUS OF BARCELONA AVENUE, COMMONLY KNOWN AS 225 THE ESPLANADE N. (0.37± ACRES), FROM CITY OF VENICE COMMERCIAL, NEIGHBORHOOD (CN) TO CITY OF VENICE RESIDENTIAL, MULTI-FAMILY (RMF-3); PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Zoning Map Amendment Petition No. 20-10RZ (“Petition”) has been filed by MPS Development and Construction, LLC and Thomas B. Salem to change the official City of Venice Zoning Map designation for the property described in Section 3 below from City of Venice Commercial, Neighborhood (CN) to City of Venice Residential, Multi-Family (RMF-3); and

WHEREAS, the subject property 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 noticed public hearing on September 1, 2020 regarding the Petition and, based upon the evidence and testimony received at the public hearing, voted to recommend approval of the Petition; and

WHEREAS, the Venice City Council has received and considered the report of the Planning Commission concerning the Petition; and

WHEREAS, City Council held a duly noticed public hearing on the Petition in accordance with the requirements of the City’s Code of Ordinances, and has considered the evidence and testimony received at said public hearing.

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 hereby makes the following findings of fact:

A. The Council has received and considered the report of the Planning Commission recommending approval of the Petition.

B. The Council held, after due public notice, a public hearing on the Petition and considered the evidence and testimony 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 City of Venice Comprehensive Plan.

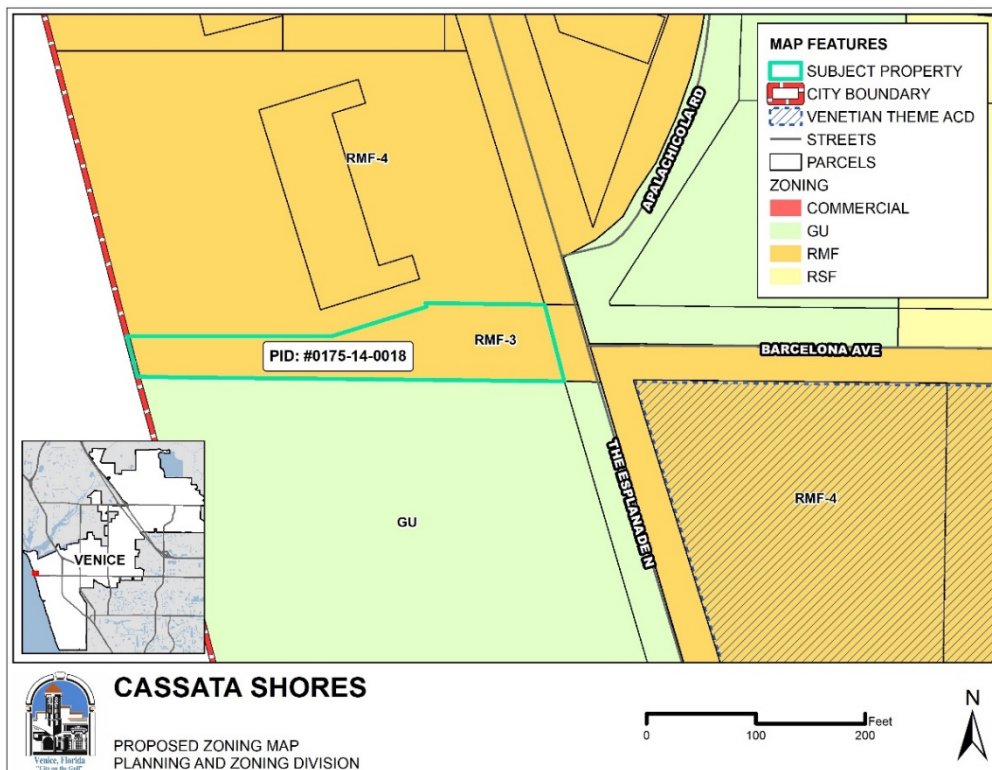
SECTION 3. The Official Zoning Atlas is hereby amended, by changing the zoning classification for the following described property located in the City of Venice from City of Venice Commercial, Neighborhood (CN) to City of Venice Residential, Multi-Family (RMF-3).

The subject 0.37+ acre property is designated as Parcel Identification No. 0175-14-0018 as depicted on the location map shown below and is further described as follows:

Legal Description

BEGIN AT THE NORTHEASTERLY CORNER OF LOT 2, BLOCK 4, VENICE, AMENDED REPLAT OF A PORTION OF GULF VIEW SECTION, RECORDED IN PLAT BOOK 9, PAGE 30, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.85'; THENCE S. 17°10' E. PARALLEL TO THE WESTERLY R/W LINE OF "THE ESPLANADE", AND 104.0' THEREFROM, A DISTANCE OF 3.31' TO A CONCRETE MONUMENT; THENCE S. 72°50' W. 90.93' TO THE POINT OF INTERSECTION OF SAID LINE, AND A LINE LYING 30' SOUTH OF, AND PARALLEL TO SAID NORTH LINE OF LOT 2; THENCE WEST, PARALLEL TO SAID NORTH LINE OF LOT 2, AND 30' THEREFROM, 108' MORE OR LESS, TO THE WATERS OF THE GULF OF MEXICO; THENCE SOUTHEASTERLY ALONG SAID WATERS, 41.86', MORE OR LESS, TO THE POINT OF INTERSECTION OF SAID WATERS, AND A LINE LYING 70' SOUTH OF, AND PARALLEL TO SAID NORTH LINE OF LOT 2; THENCE EAST, PARALLEL TO SAID NORTH LINE OF SAID LOT 2, AND 70' THEREFROM, 312' MORE OR LESS, TO A POINT ON THE WESTERLY R/W LINE OF "THE ESPLANADE"; THENCE N 17° 10' W, ALONG SAID R/W, 73.26' TO THE POINT OF BEGINNING. ALL LYING AND BEING IN SECTION 12, TOWNSHIP 39 SOUTH. RANGE 18 EAST. SARASOTA COUNTY, FLORIDA.

Any discrepancy between the legal description and the map shall resolve in favor of the map.



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 when Ordinance 2020-31 for Comprehensive Plan Amendment Petition No. 20-09CP becomes effective.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, THIS 27TH DAY OF OCTOBER 2020.

First Reading: October 13, 2020

Final Reading: October 27, 2020

Adoption: October 27, 2020

Ron Feinsod, 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 27th day of October 2020 a quorum being present.

WITNESS my hand and the official seal of said City this 27th day of October 2020.

Lori Stelzer, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney