

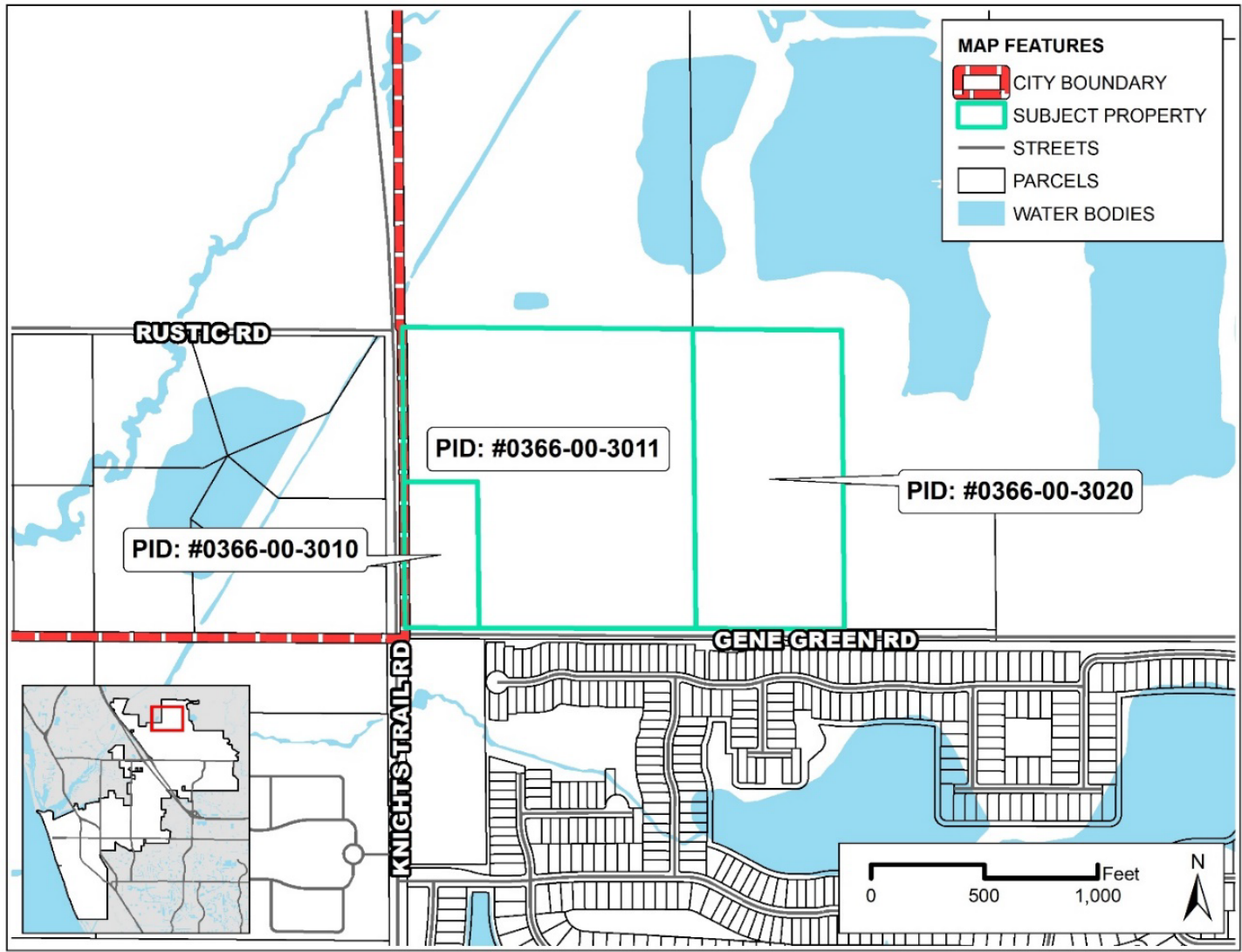
CONDITIONAL USE PETITION NO. 22-32CU

Agent: Jackson R. Boone, Esq., Boone Law Firm

Owner/Applicant: CSP-Grand Oaks Venice Land I,
LLC, & the Edwards Family Partnership

*Please note this petition was reviewed under the
old Code

GENERAL INFORMATION	
Petition Number:	22-32CU
Address:	Northeast quadrant of Knights Trail and Gene Green Road
Request:	Additional building height of 7' above the 35' maximum allowed for multi-family development in the Commercial, General (CG) District
Owner/Applicant:	CSP-Grand Oaks Venice Land I, LLC, & the Edwards Family Partnership
Agent:	Jackson R. Boone, Esq., Boone Law Firm
Parcel ID:	0366003010, 0366003011, 0366003020
Property Size:	53.27 ± acres
Future Land Use:	Mixed Use Corridor
Zoning:	Sarasota County Open Use Estate (OUE-1), requested CG
Comprehensive Plan Neighborhood:	Knights Trail
Related Applications:	Special Exception Petition No. 22-14SE, Site & Development Plan Petition No. 22-30SP, and Zoning Petition No. 22-13RZ



Location Map

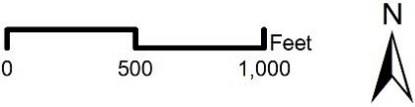


Aerial Map



NOKOMIS GROVES

SUBJECT PROPERTY AERIAL
PLANNING AND ZONING DEPARTMENT



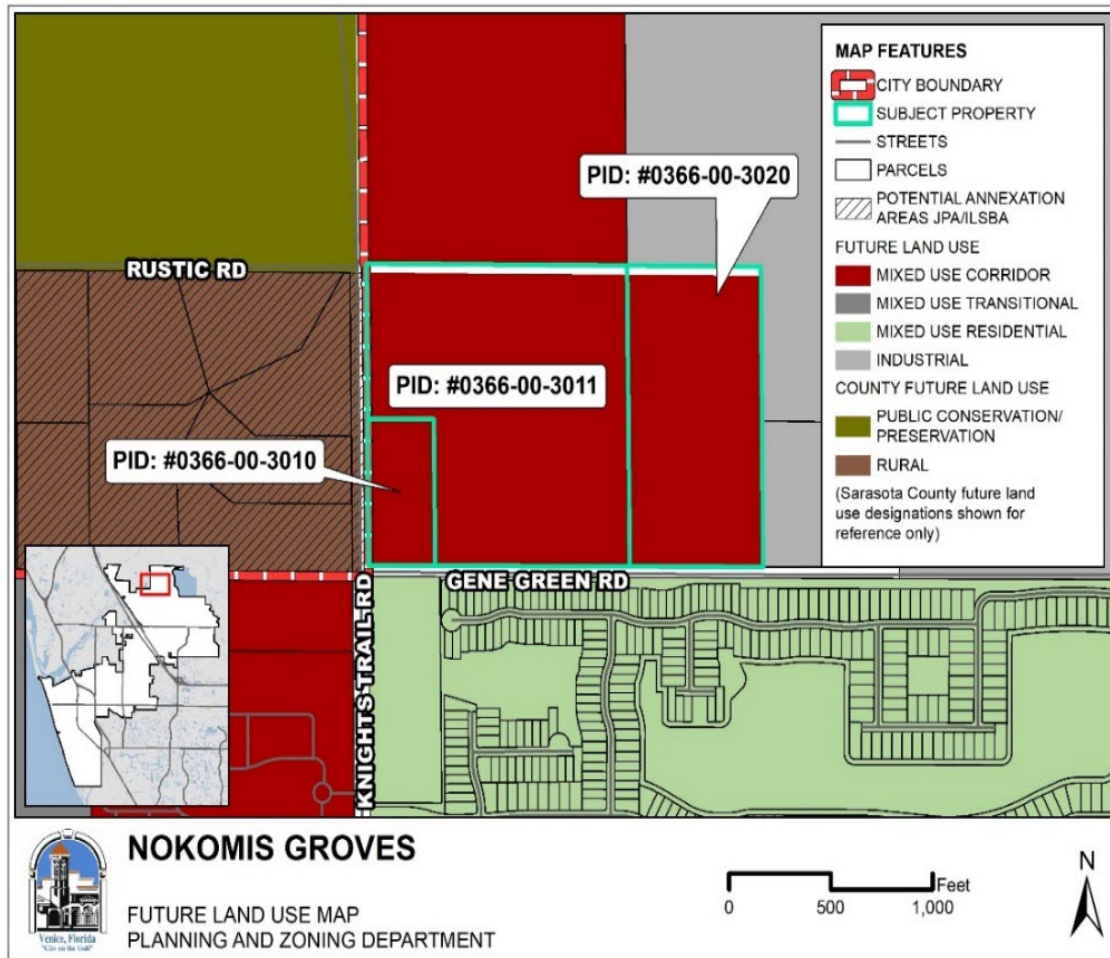
Project Description: Conditional Use

- Request for an additional 7' of building height above the 35' maximum allowed in the Commercial, General (CG) zoning district
- Sec. 86-92(k) allows up to 50' in additional height in CG to be approved by City Council after a recommendation from Planning Commission



Site Photos

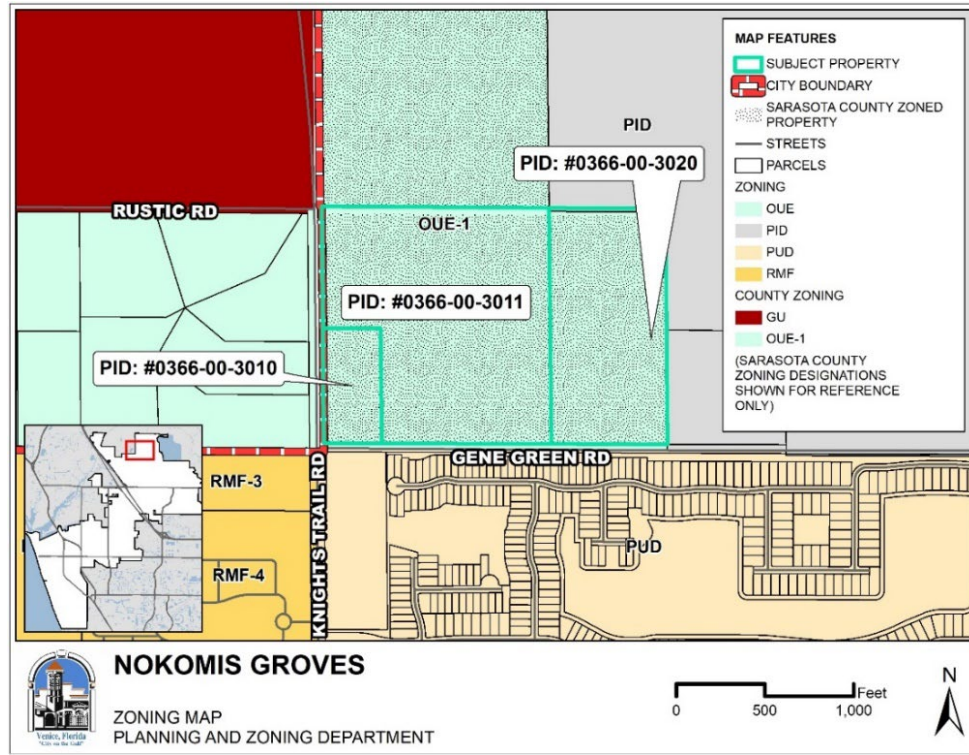




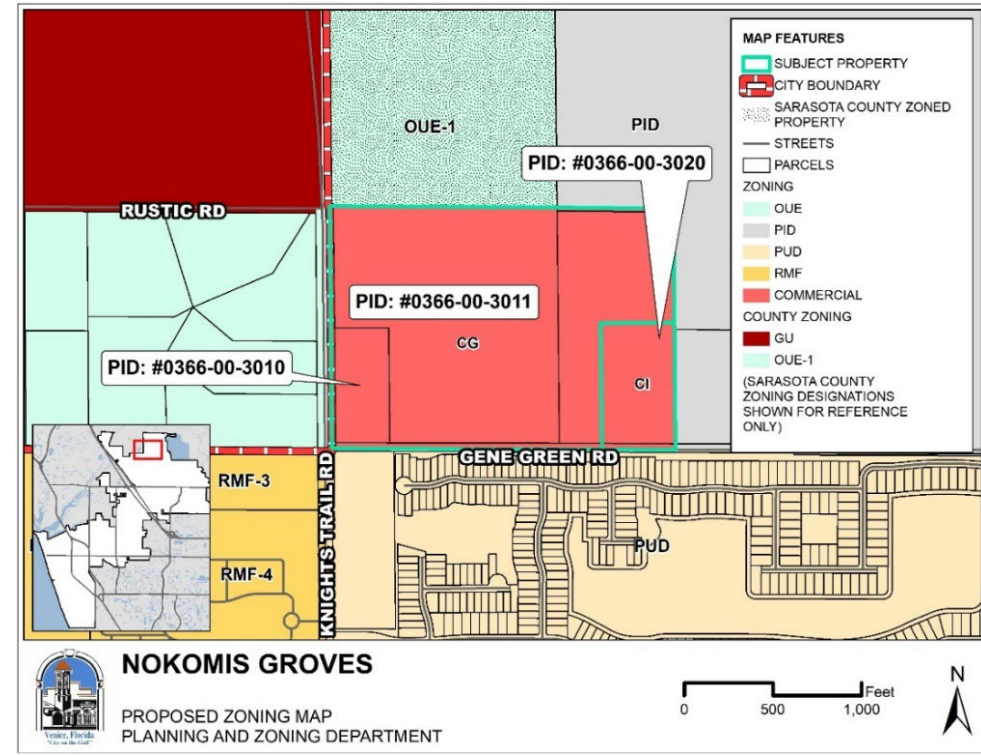
Future Land Use Map

Zoning Map

Existing



Proposed



Surrounding Land Uses

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Agricultural grazing land, cement plant	Open Use Estate (OUE-1), Planned Industrial Development (PID)	Mixed Use Corridor (MUC), Industrial
South	Single family detached (Toscana Isles)	PUD	MUR
East	Cement plant	PID	Industrial
West	Single family detached	County OUE-1	County Rural

Comprehensive Plan Consistency

A review of the Comprehensive Plan did not produce any relevant considerations for the Conditional Use request for 7' of additional building height, either in the Land Use Element or in the Knights Trail Neighborhood element.

Conclusions/Findings of Fact (Consistency with the Comprehensive Plan):

Analysis has been provided to determine consistency with the Land Use Element strategies applicable to the Mixed Use Corridor future land use designation, strategies found in the Knights Trail Neighborhood, and other plan elements. As indicated, no inconsistencies have been identified. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

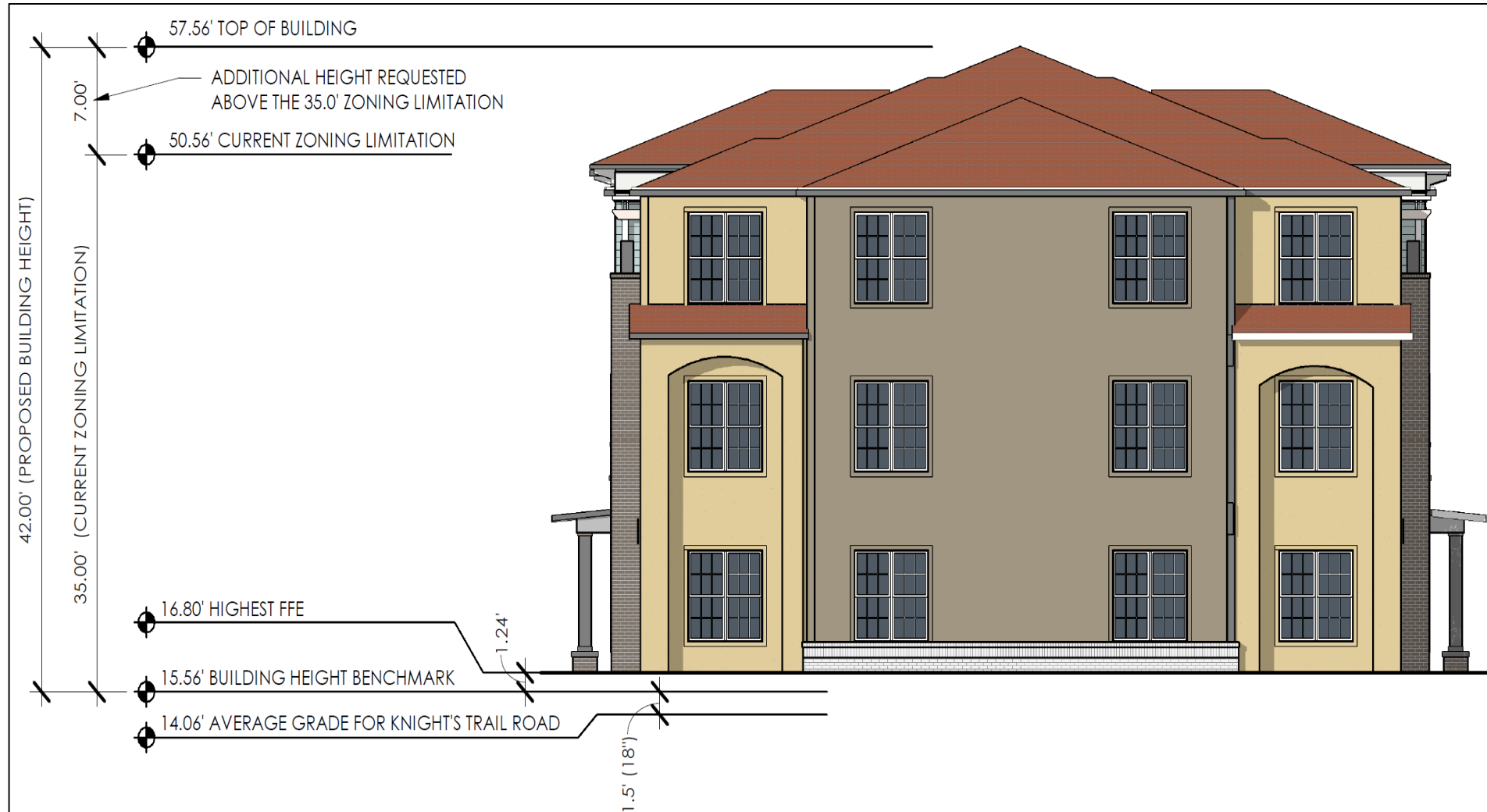
Land Development Code Compliance

- Applicant has provided a height exhibit demonstrating method of measurement
- Using definition in Sec. 86-570, the measurement begins at 18" above the average crown of the adjacent road:

Building, height of means the vertical distance measured from the greater of the following; FEMA first habitable floor requirement, 18 inches above the Florida Department of Environmental Protection requirement for the first habitable floor structural support, 18 inches above the elevation of the average crown of the adjacent roads, or the average natural grade unaltered by human intervention; to the peak of the roof or the highest point of any non-exempt appurtenance attached to the roof.

- Applicant has responded to the conditional use criteria in Sec. 86-42, and this is provided in the staff report

Representation of Height Request



Conclusions/Findings of Fact (Compliance with the Land Development Code):

The proposed conditional use is compliant, and no inconsistencies have been identified with the LDC.

Concurrency/Mobility

- Regarding public facilities concurrency, no issues were identified by the Technical Review Committee regarding the Conditional Use request. Concurrency is sought through the associated Site and Development Plan Petition No. 22-30SP.
- An analysis of transportation mobility for the subject petition is under final review by the City's traffic consultant and compliance will be confirmed through the site and development process.

- **Conclusions/Findings of Fact (Concurrency):**

No issues have been identified regarding adequate public facilities capacity to accommodate the development of the project per Chapter 94 of the Land Development Regulations.

- **Conclusions/Findings of Fact (Mobility):**

The applicant has provided traffic analysis through an associated petition for this property (Site and Development Plan Petition No. 22-30SP) which is under final review by the City's transportation consultant and Sarasota County. No additional issues have been identified.

Procedural Requirements for Variance Review

- Building height allowances less than ten feet over the maximum height of structures in each zoning district shall be handled as a variance, per Section 86-46.
- Section 86-46(a)(4) specifies that the Planning Commission shall, based on substantial and competent evidence, make an affirmative finding on each consideration in granting a variance. The applicant has provided a written response to each consideration as part of the submitted application material and this information is provided in the staff report.

Conclusion

Upon review of the petition and associated documents, comprehensive plan, land development code, staff report and analysis, and testimony provided during the public hearing, there is sufficient information on the record to make a decision on Conditional Use Petition No. 22-32CU.