

# **Exhibit**

# **F**

**ORDINANCE NO. 2008-23**

AN ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF VENICE, FLORIDA RELATING TO VICA, REZONING PETITION NO. 08-3RZ FOR THE REZONING OF THE FOLLOWING DESCRIBED PROPERTY FROM SARASOTA COUNTY PLANNED COMMERCE DEVELOPMENT (PCD) AND OPEN USE ESTATE (OUE) ZONING DISTRICTS TO CITY OF VENICE RESIDENTIAL, MULTIPLE-FAMILY-1 (RMF-1) ZONING DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA:**

**SECTION 1.** The City Council finds as follows:

A. The Council has received and considered the report of the Planning Commission recommending approval, with additional conditions or stipulations governing permitted uses within the "Residential, Multiple-family-1 (RMF-1)" zoning district, of Zoning Map Amendment Petition No. 08-3RZ requesting rezoning of the property described herein.

B. The Council has held a public hearing on the petition and has considered the information received at said public hearing.

C. The proposed rezoning of the property described herein is in accordance with and meets the requirements of the City of Venice Comprehensive Plan and the Joint Planning Agreement/Interlocal Service Boundary Agreement and any amendments thereto.

**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 Sarasota County "Planned Commerce Development (PCD)" and "Open Use Estate (OUE)" zoning districts to City of Venice "Residential, Multiple-Family-1 (RMF-1)" 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 3.** Restrictions or stipulations governing permitted uses. The use of the property described in Section 2 hereof, in addition to applicable restrictions imposed by City of Venice Code of Ordinances Chapter 86 Land Development Code, is limited by and subject to the following additional restrictions or stipulations governing permitted uses:

1. Residential density shall not exceed five dwelling units per acre.
2. Consistent with the pre-annexation agreement, alignment of the Jacaranda Extension between Laurel Road and Border Road shall be determined at the time of site and development plan approval or preliminary plat approval. Once the alignment is determined, owner shall convey the right-of-way corridor to the city or its designee by warranty deed within 120 days of notice from the city. Developer shall build Jacaranda Boulevard Extension as required, and as necessary for the applicant's project, to meet concurrency requirements.
3. Consistent with the pre-annexation agreement, at the time of site and development plan approval or preliminary plat approval the applicant shall dedicate necessary right-of-way along Laurel Road and construct up to two additional eastbound lanes of Laurel Road along the development westward from the alignment of the proposed intersection of the Jacaranda Boulevard Extension to the western limit of the subject property.
4. At the time of application for site and development plan or preliminary plat approval, the developer will demonstrate compliance with the comprehensive plan level of service requirements of seven acres of dedicated or designated parks for each 1,000 functional population.
5. Building height shall be limited to 35 feet with an additional ten feet for one story devoted primarily to parking within the structure, except within 200 feet of Laurel Road and Border Road where building height shall be limited to 35 feet with no additional height for under structure parking permitted, measured from finished grade to the mid-point of the roof.
6. Landscape buffers along Laurel Road and Border Road shall have a minimum width of 30 feet. The first 25 feet, shall consist of natural landscape buffer consisting of a variety of plant material, a berm three to four feet in height, and shall be .60 opacity. The remaining buffer area will be comprised of natural and or environmentally sensitive areas, associated with wetlands, and or natural, or preservation areas protected from development.
7. Vehicular/Pedestrian Cross Connectivity. At the time of site and development plan review, the developer will commit to exploring vehicular cross connectivity with the properties directly to the east and west, based upon environmental, utility and adjacent property owner considerations.
8. Jacaranda Boulevard with Laurel Road Alignment. The future alignment of Jacaranda Boulevard and Laurel Road will be to the west of the main entrance to the Venetian Golf and River Club. The final location will be subject to avoidance where possible, and

minimization of impacts to wetland and other environmentally sensitive areas.

**SECTION 4.** 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 9TH DAY OF DECEMBER 2008.**

First Reading: November 25, 2008

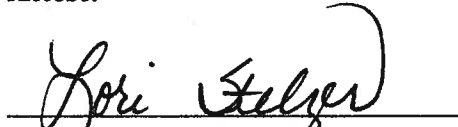
Final Reading: December 9, 2008

Adoption: December 9, 2008




Ed Martin, 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 9th day of December 2008, a quorum being present.

**WITNESS** my hand and the official seal of said City this 10th day of December 2008.

  
Lori Stelzer, MMC, City Clerk

Approved as to form:

  
Robert Anderson, City Attorney