

Prepared by: City Clerk

**ORDINANCE NO. 2023-06**

**AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, GRANTING PUD AMENDMENT PETITION NO. 22-26RZ FOR THE BIRD BAY PLANNED UNIT DEVELOPMENT (PUD) FOR HAWKS RUN LOCATED AT 602 BIRD BAY DRIVE (198.6± ACRES), ALLOWING FOR THE REDEVELOPMENT OF THE GOLF COURSE TO INCLUDE 45 RESIDENTIAL DWELLINGS, AN AMENITY AREA, A REDESIGNED 12-HOLE GOLF COURSE ALONG WITH RENOVATION OF THE EXISTING GOLF COURSE, AND UPDATED GOLF COURSE AMENITIES OF A CLUBHOUSE, PRO SHOP AND RESTAURANT; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, PUD Amendment Petition No. 22-26RZ requests an amendment to the Bird Bay Planned Unit Development Master Plan to allow the redevelopment of the golf course to include 45 residential dwellings, an amenity area, a redesigned 12-hole golf course along with renovation of the existing golf course, and updated golf course amenities of a clubhouse, pro shop and restaurant; and

**WHEREAS**, Petition No. 22-26RZ was filed prior to the City's adoption of its new Land Development Regulations on July 12, 2022; and

**WHEREAS**, land development applications filed prior to July 12, 2022 are subject to the City's previously existing Land Development Code; 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 November 15, 2022 regarding the Petition and, based upon the evidence and testimony received at the public hearing, voted to recommend denial 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 denial of the Petition.

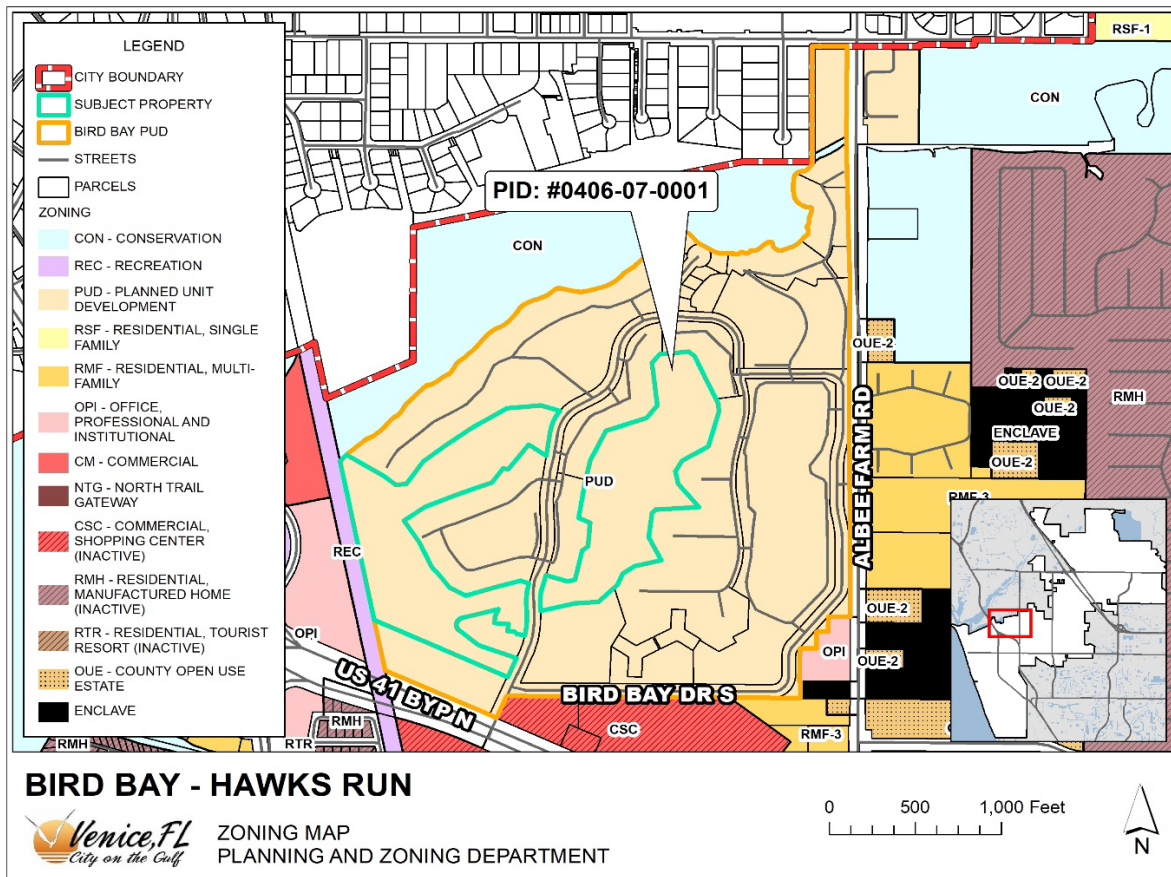
B. The Council held, after due public notice, a public hearing on the Petition and considered the evidence and testimony received at said public hearing.

C. The proposed PUD amendment of the property described herein is in accordance with and meets the requirements of the Land Development Code (as it existed on July 11, 2022) and is consistent with the City of Venice Comprehensive Plan.

**SECTION 3.** PUD Amendment Petition No. 22-26RZ, and the Bird Bay PUD Hawks Run Amendment dated September 9, 2022 attached hereto as Exhibit "A", are hereby approved, amending the Bird Bay Planned Unit Development Master Plan, to allow the redevelopment of the golf course to include 45 residential dwellings, an amenity area, a redesigned 12-hole golf course along with renovation of the existing golf course, and updated golf course amenities of a clubhouse, pro shop and restaurant.

The 33.3 acre proposed development area of the 198.6± acre Bird Bay PUD is designated as Parcel Identification No. 0406-07-0001 as is described below and depicted on the location map.

Tract "A" & Tract "B" Bird Bay Golf Course, according to the Plat Thereof as Recorded in Plat Book 30, Page 42 of the Public Records of Sarasota County, Florida. Section 06, Township 39 S., Range 19 E.



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 immediately upon its approval and adoption as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, THIS 28<sup>TH</sup> DAY OF FEBRUARY 2023.**

First Reading: February 14, 2023

Final Reading: February 28, 2023

Adoption: February 28, 2023

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Nick Pachota, Mayor

Attest:

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Kelly Michaels, MMC, City Clerk

I, Kelly Michaels, 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 28<sup>th</sup> day of February 2023 a quorum being present.

**WITNESS** my hand and the official seal of said City this 28<sup>th</sup> day of February 2023.

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Kelly Michaels, MMC, City Clerk

Approved as to form:

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Kelly Fernandez, City Attorney

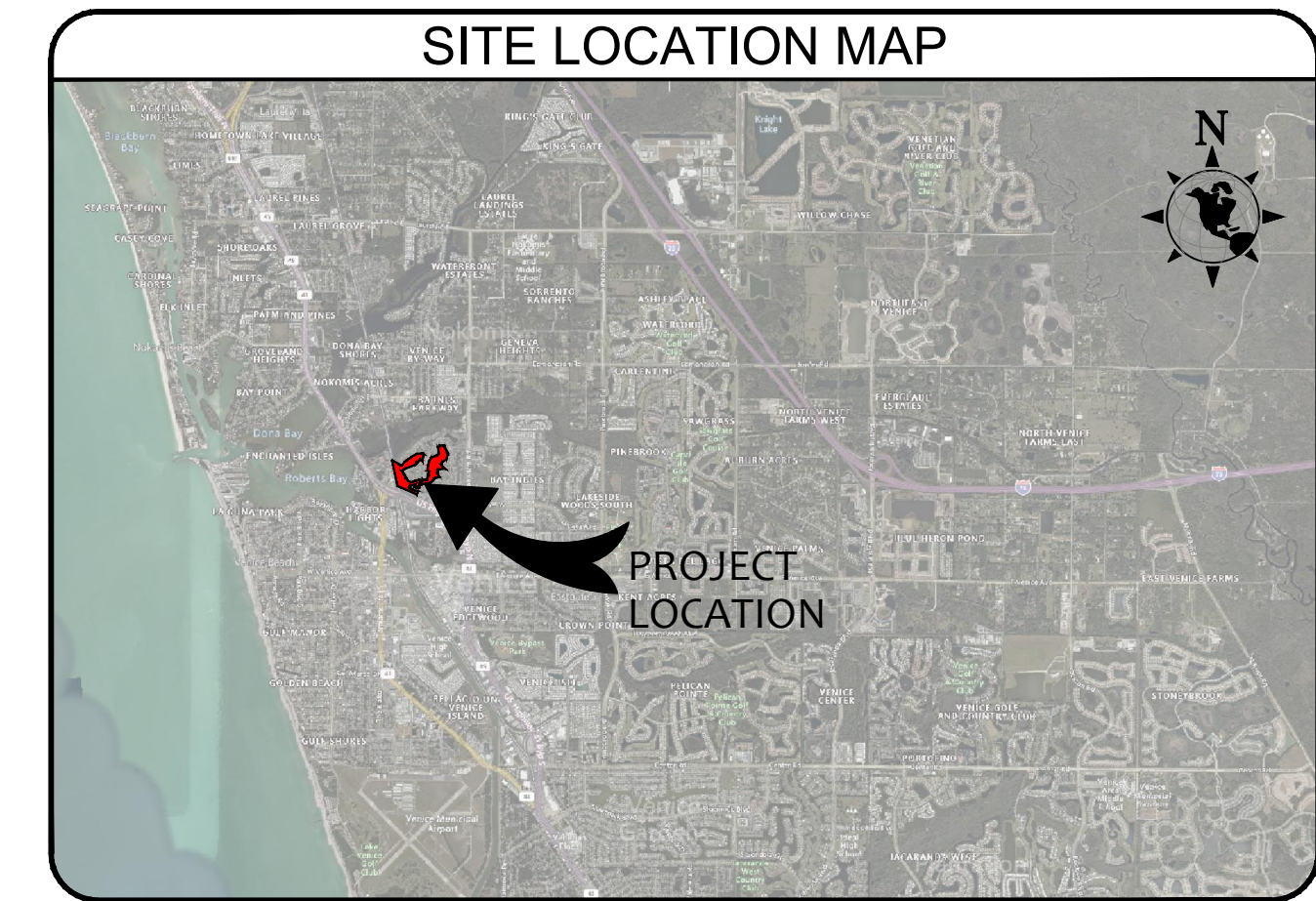
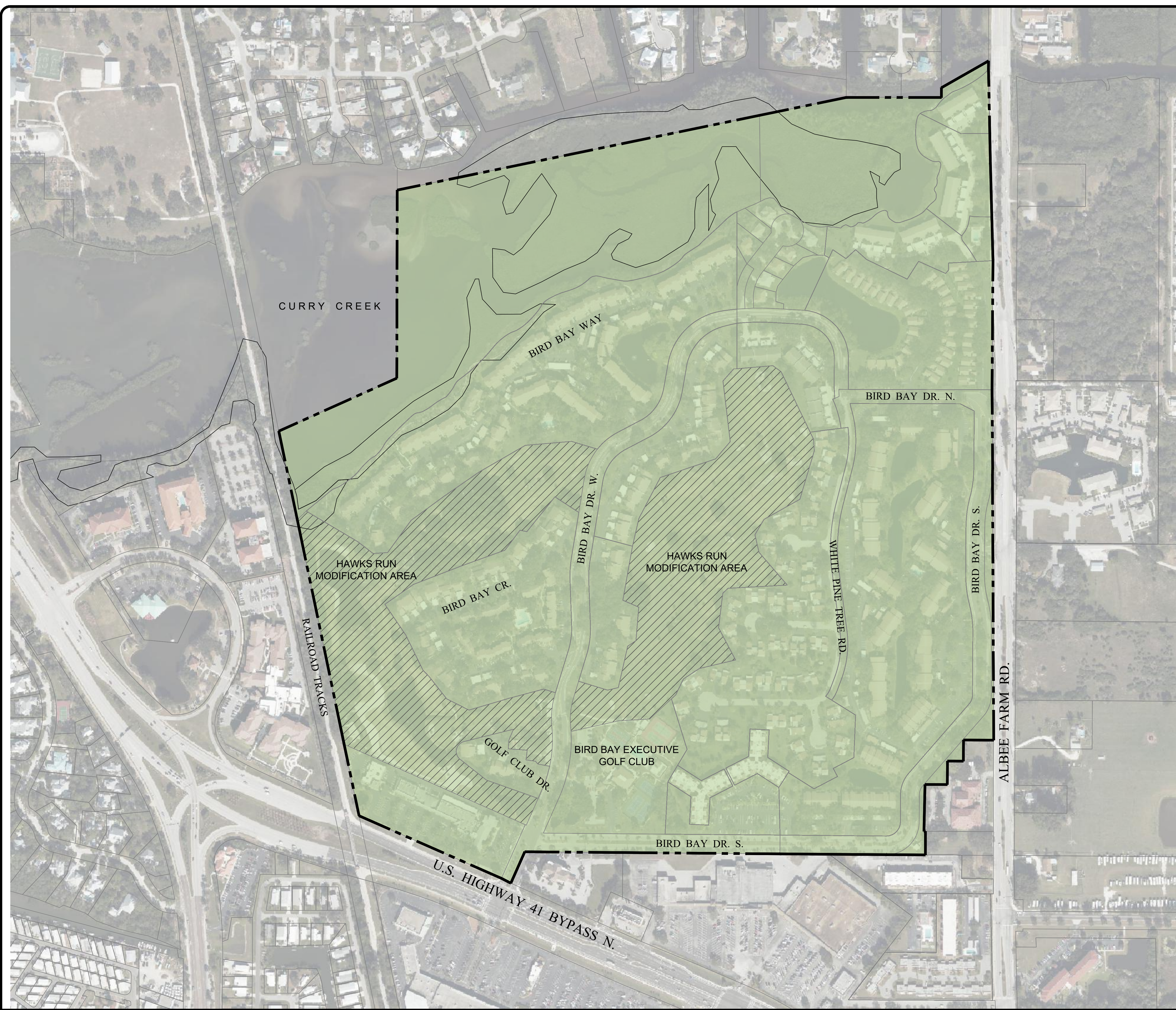
Exhibit "A"



NOTE:  
AREAS MAY HAVE BEEN DIGITIZED FROM A SCALED PDF.  
COUNTY GIS AND/OR AERIAL IMAGERY LINEWORK  
GENERATED USING THIS METHOD MAY BE OFF AS MUCH AS  
3 TO 5%. ALL CALLS SHOULD BE DEEMED APPROXIMATE  
UNTIL SURVEY HAS BEEN PROVIDED.

**PROPOSED MODIFICATION TO PUD STANDARDS**

- Modification to the requirements of Sec. 86-130(p) to reduce the required setback from the perimeter property line adjacent to the Legacy Trail from two times the building height to 10 feet for the Hawks Run amendment area.



NO.	DATE	REVISION DESCRIPTION	BY

**M** MORRIS ENGINEERING AND CONSULTING, LLC  
 Civil Engineering and Land Development Consulting  
 6997 Professional Parkway East, Suite B, Sarasota, Florida 34240 C.A.28780 941-444-6644 www.morrisengineering.net

DATE 2022-09-20
PROJECT HAWKS RUN
DRAWING HR-SP10
DRAWN SMI
CHECKED MJM

BIRD BAY PUD  
**HAWKS RUN AMENDMENT**  
 SARASOTA COUNTY, FLORIDA

SCALE 1:200
SEC. - TSP - RING. XX, XXS, XXE
SHEET <b>1</b>
OF <b>3</b>

MATHEW J. MORRIS  
 FL LICENSE NO. 68434  
 Page 4 of 6, Ord. No. 2023-06

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- TOTAL PROPOSED RESIDENTIAL  
ACREAGE = 5.28 AC
- TOTAL GOLF COURSE  
ACREAGE = 28.02 AC

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BIRD BAY PUD  
**HAWKS RUN AMENDMENT**  
 SARASOTA COUNTY, FLORIDA

SCALE	1:100
SEC. - TSP. - RING.	XX, XXS, XXE
SHEET	OF
<b>2</b>	<b>3</b>

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 FL LICENSE NO. 68434

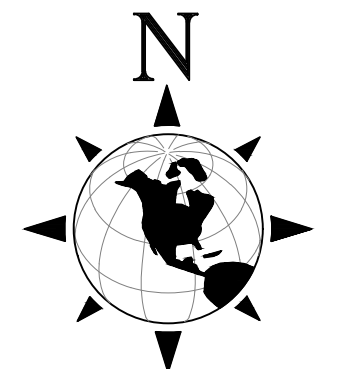
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**CURRENTLY APPROVED**

OPEN SPACE DATA	
GOLF CORSE (Including Lakes w/in Golf Course)	34.0 Acres
OTHER LAKES	5.9 Acres
MISCELLANEOUS (Around Units, etc.)	25.4 Acres
CURRY CREEK, ROBERTS BAY & MANGROVE FLATS	44.6 Acres
<hr/>	
TOTAL OPEN SPACE	109.9 Acres
TOTAL PROJECT AREA	198.6 Acres
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OPEN SPACE PERCENTAGE	55.3%

DWELLING UNIT SUMMARY						
PROPOSED UNITS	I	II	III	IV	V	VI
BIRD BAY VILLAGES						
Villas	80	78		9		44
Garden Apartments	48	110	36			60
Mid-Rise Units		85			268	
Single Family Lots						8
	128	273	36	9	268	112
TOTAL PROPOSED UNITS / RAMAR	826					
TOTAL APPROVED UNITS	998					
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EXISTING UNITS / Prior to Bird Bay Villages						
Villas	86					
Mid-Rise Units	114					
	200					
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OVERALL UNITS	1026	5.17 DU/Gross Ac/Avg				
OVERALL ACRES	198.6					



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**PROPOSED**

OPEN SPACE DATA		
GOLF CORSE (including lakes w/in Golf Course)	34.0 Acres	28.02
OTHER LAKES	5.9 Acres	
MISCELLANEOUS (around Units, etc.)	25.4 Acres	
CURRY CREEK, ROBERTS BAY & MANGROVE FLATS	44.6 Acres	
<hr/>		
TOTAL OPEN SPACE	109.9 Acres	103.92
TOTAL PROJECT AREA	198.6 Acres	
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OPEN SPACE PERCENTAGE	<del>55.30%</del>	52.32%

DWELLING UNIT SUMMARY	I	II	III	IV	V	VI	
PROPOSED UNITS							
BIRD BAY VILLAGES							HAWKS RUN
Villas	80	78		9		44	
Garden Apartments	48	110	36			60	
Mid - Rise Units		85			268		
Single Family Lots						8	45
	128	273	36	9	268	112	45
TOTAL PROPOSED UNITS / RAMAR	826						
TOTAL APPROVED UNITS	998						
<b>TOTAL CURRENTLY APPROVED UNBUILT UNITS</b>	<b>172</b>						
<hr/>							
EXISTING UNITS / Prior to Bird Bay Villages							
Villas	86						
Mid- Rise Units	114						
	200						
<hr/>							
OVERALL UNITS	1026	1071	5.17 DU/Ae.	5.39 DU/Ac.			
OVERALL ACRES	198.6						

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