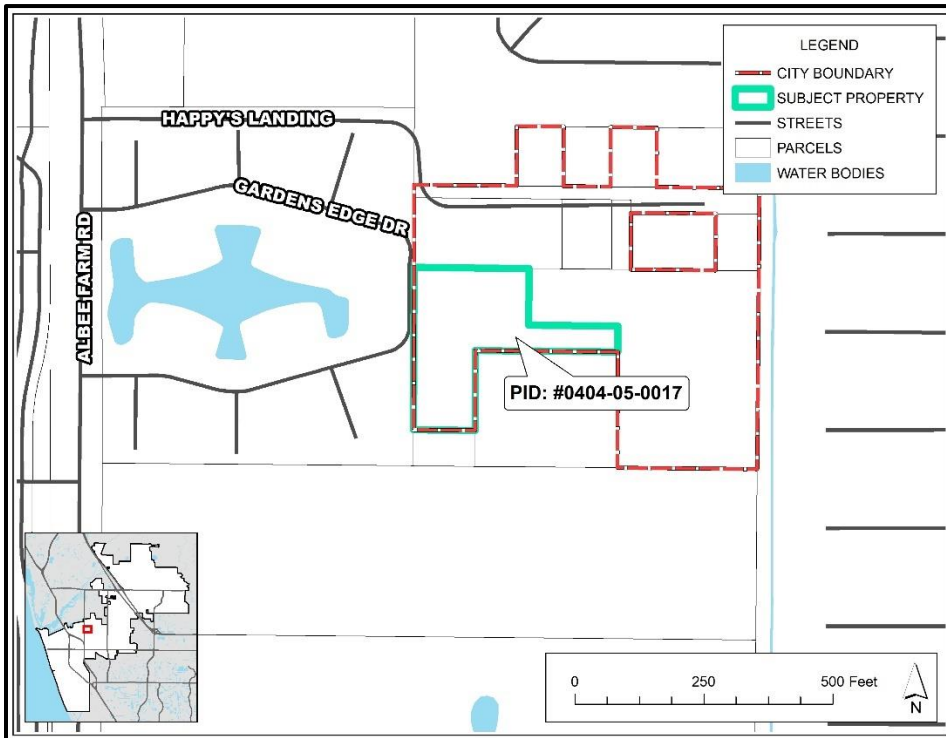


23-27AN - Oaks at Venice Annexation Staff Report



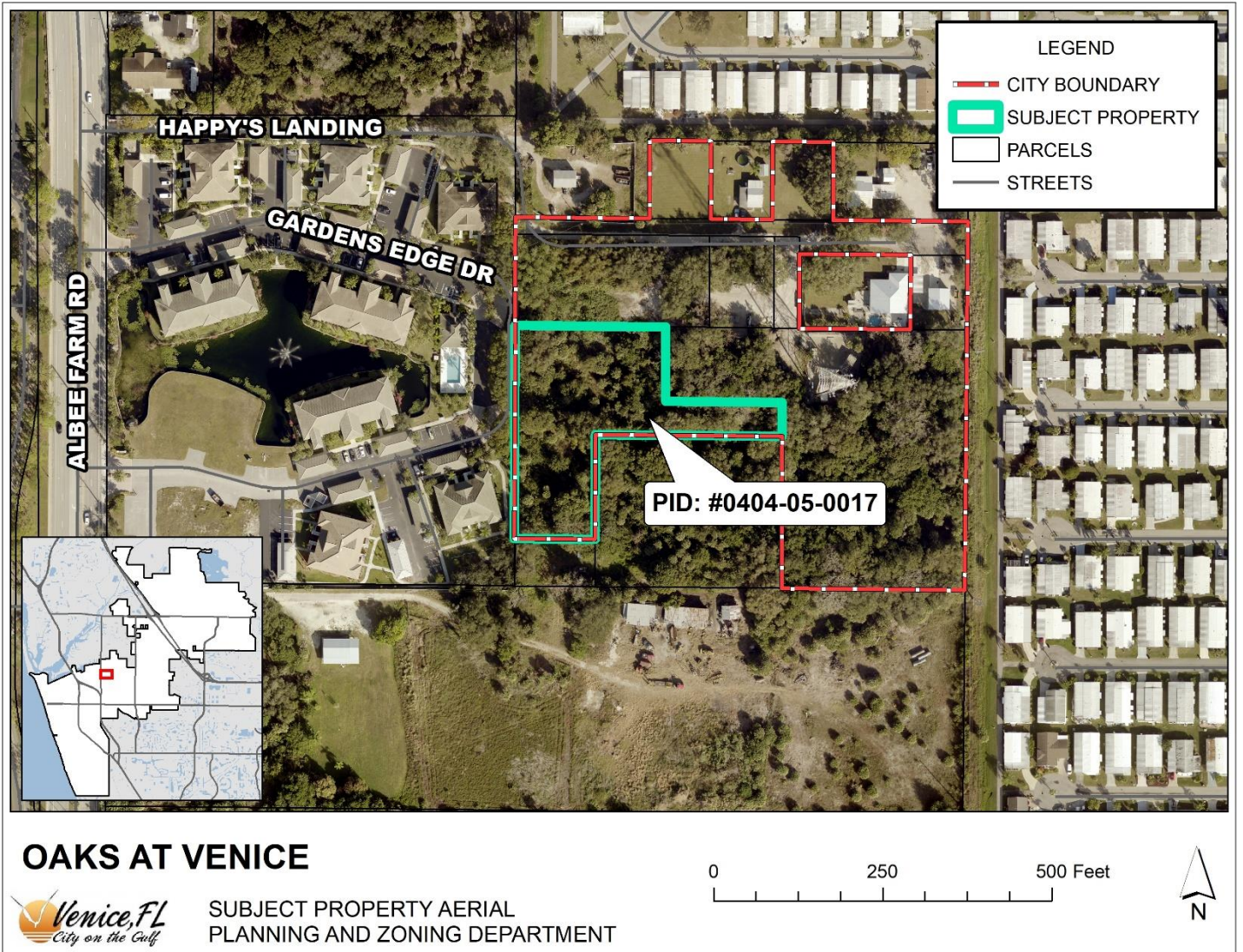
GENERAL INFORMATION

Address:	Unaddressed enclave east of Albee Farm Road
Request:	Annexation of 1.43 ± acres into the City’s jurisdiction
Applicant:	The Oaks at Venice, LLC
Owner:	Douglas G. Andrews
Agent:	Annette Boone, Boone Law Firm
Parcel ID:	0404050017
Parcel Size:	1.43 ± acres
Future Land Use:	Sarasota County Low Density Residential
Zoning:	Sarasota County Open Use Estate 2
Comprehensive Plan Neighborhood:	Pinebrook Avenue
Application Date:	April 19, 2023
Associated Petitions:	23-28CP, 23-29RZ

I. PROJECT DESCRIPTION AND EXISTING CONDITIONS

The subject proposal seeks to annex approximately 1.43 acres designated as an enclave for development of a multifamily project. Associated Comprehensive Plan Petition 23-28CP and Rezoning Petition 23-29RZ have been filed concurrently with the subject annexation petition.

Aerial Map



Site Photographs

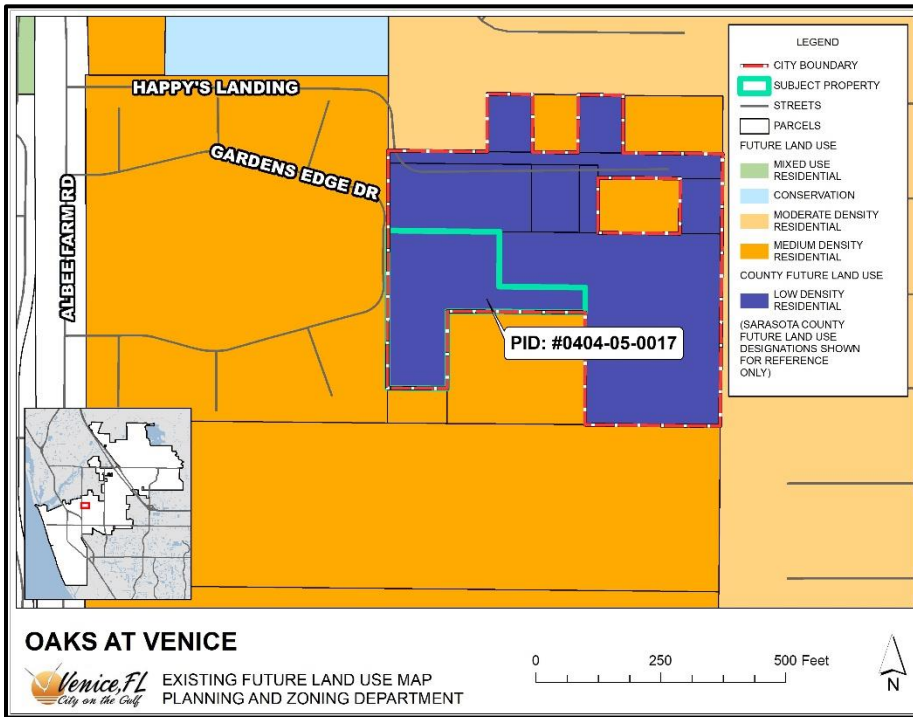




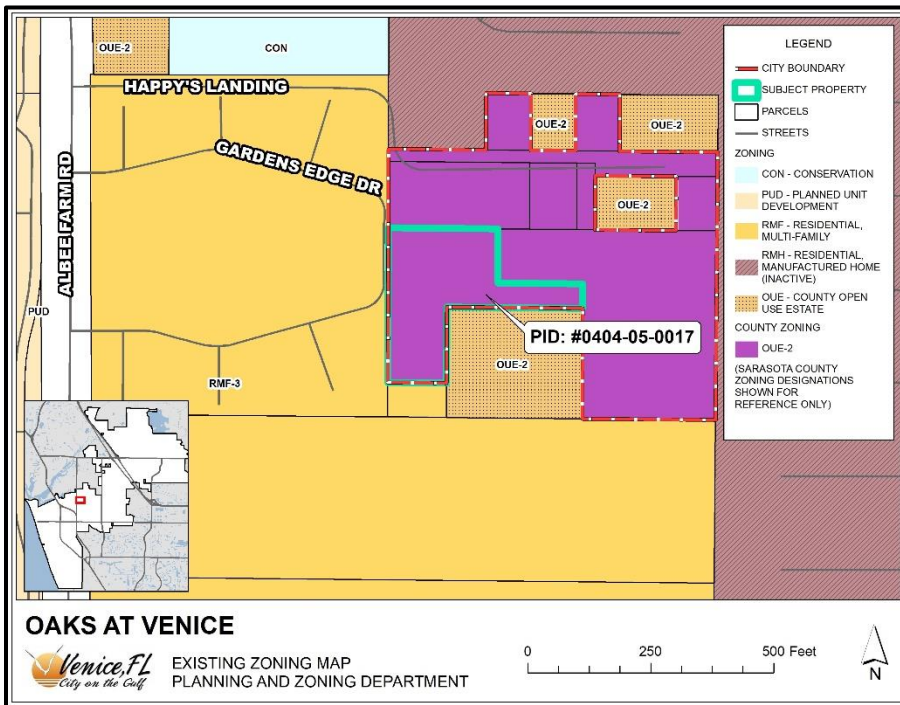
Zoning and Future Land Use

The subject property currently has a Sarasota County Future Land Use designation of Low Density Residential and a Sarasota County zoning designation of Open Use Estate 2. The Subject Property is an enclave and not located within a JPA/ILSBA area.

Existing Future Land Use Map



Existing Zoning Map



Surrounding Property Information

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Residential	Sarasota County Open Use Estate 2 (OUE-2)	Sarasota County Low Density Residential
South	Residential	OUE-2 & City of Venice Residential Multi-Family 3 (RMF-3)	Sarasota County and City of Venice Medium Density Residential
East	Residential	OUE-2	Sarasota County Low Density Residential
West	Residential	RMF-3	City of Venice Medium Density Residential

II. NOTIFICATION OF POTENTIAL ANNEXATION TO SARASOTA COUNTY

The Joint Planning Agreement and Interlocal Service Boundary Agreement (JPA/ILSBA) between the City and County provides procedures for communication about an annexation application received by the City. According to provision 3A of the JPA, "...[n]otwithstanding this provision, the County agrees that the City may annex enclaves, as defined in Chapter 171, Florida Statutes, in existence on the date of this agreement. The subject property is not in a JPA area but is an enclave. The subject annexation application was forwarded to Sarasota County staff and no comments were received.

III. PLANNING ANALYSIS

This section of the report provides planning analysis on consistency with Chapters 163 and 171 Florida Statutes, consistency with the City's Comprehensive Plan, and compliance with the land development code.

Consistency with Chapters 163 and 171 Florida Statutes and the City's Comprehensive Plan

Chapters 163 and 171 Florida Statutes

The applicant has submitted a petition for annexation of the subject property from the jurisdiction of Sarasota County into the jurisdiction of the City of Venice. The property is eligible for annexation into the City due to its status as an enclave. Chapter 171 of the Florida Statutes describes the eligibility of enclaves for annexation.

Consistency with the Comprehensive Plan

The Comprehensive Plan includes the JPA/ILSBA; therefore, the majority of the analysis for Comprehensive Plan consistency is related to this agreement. The subject petition has been processed consistent with the procedures identified in the JPA/ILSBA including notification of the potential annexation to Sarasota County. As the property is not contained within a JPA area, there are no specific density/intensity limits or other requirements that would apply.

The JPA/ILSBA indicates that the City may annex lands as long as the land is contiguous to the municipal boundaries of the City, as defined in Chapter 171, Florida Statutes. The area to be annexed should also be compact.

"Contiguous" means that a substantial part of a boundary of the territory sought to be annexed by a municipality is coterminous with a part of the boundary of the municipality. The subject property is contiguous to the City boundary along the entirety of its southern and western borders.

"Compactness" means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns. Any annexation proceeding in any county in the state shall be designed in such a manner as to ensure that the area will be reasonably compact.

The subject property is reasonably compact and is itself an enclave, which would be resolved through annexation.

The future land use (FLU) at this time is a Sarasota County designation. There are no existing uses on the property that would be nonconforming with either the existing or proposed FLU designation, and further analysis of Comprehensive Plan consistency will be included in subsequent petitions.

Summary Staff Comment: *This is an annexation petition and does not propose development or a change in future land use. Subsequent petitions will be reviewed regarding development and consistency with the Plan.*

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

Analysis has been provided to determine consistency with the Chapters 163 and 171 of the Florida Statutes, the Joint Planning and Interlocal Service Boundary Agreement (JPA/ILSBA) between the City and County. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

B. Compliance with the Land Development Code (LDC)

The City’s LDC in Code Section 87-1.4.2 provides instruction regarding annexation of land, indicating that in order to approve a petition for annexation, the Planning Commission and City Council must find that an application for annexation demonstrates:

1. Consistency with state statute regarding annexation;
2. Contiguousness and compactness of the property;
3. That the annexation does not create an enclave;
4. That the property is included in the annexation areas of the JPA/ILSBA or has been determined to be an existing enclave;
5. That the property has access to a public right-of-way; and
6. That a pre-annexation agreement addresses existing uses and any other relevant matters has been executed.

Note: the pre-annexation agreement for this property was continued from its original City Council hearing and will be heard on October 10, 2023.

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

The subject petition complies with all applicable Land Development Code requirements.

IV. CONCLUSION

Planning Commission Report and Action

Upon review of the petition, Florida Statutes, the Comprehensive Plan, Land Development Code, staff report and analysis, and testimony provided during the public hearing, there is sufficient information on the record for Planning Commission to make a recommendation to City Council on Annexation Petition No. 23-27AN.