

Requested by: Planning Commission
Prepared by: City Clerk

ORDINANCE NO. 2017-21

AN ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF VENICE, FLORIDA, RELATING TO PROPERTY LOCATED AT THE SOUTHEAST CORNER OF N. AUBURN ROAD AND BORDER ROAD, AS REFLECTED IN REZONING PETITION NO. 16-03RZ, SSD LAND HOLDING, LLC, (PRESERVES OF VENICE), REZONING THE PROPERTY FROM SARASOTA COUNTY OPEN USE ESTATE 1 (OUE-1) ZONING DISTRICT TO CITY OF VENICE RESIDENTIAL, SINGLE-FAMILY 2 (RSF-2) ZONING DISTRICT WITH A STIPULATION; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Zoning Map Amendment Petition No. 16-03RZ seeks to change the official City of Venice Zoning Map for the property described in Section 3 below from Sarasota County Open Use Estate 1 (OUE-1) zoning district to City of Venice Residential, Single-Family 2 (RSF-2) zoning district with a stipulation; and

WHEREAS, the subject property is 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 Section 163.3174, F.S.; and

WHEREAS, the Planning Commission held a public hearing on May 16, 2017, for which public notice was provided, regarding the petition, and based upon testimony and public comment received at the public hearing, the staff report, and discussion by the Planning Commission, it voted to recommend approval of Zoning Map Amendment Petition No. 16-03RZ; and

WHEREAS, the Venice City Council has received and considered the report of the Planning Commission concerning Petition No. 16-03RZ; and

WHEREAS, the City Council held a public hearing on the proposed rezoning of the property described herein, all in accordance with the requirements of the city's code of ordinances, and has considered the information received at said public hearing; and

WHEREAS, the City Council finds that Petition No. 16-03RZ is in compliance with and meets the requirements of the city's Land Development Code and Comprehensive Plan and any amendments thereto.

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 finds as follows:

A. The Council has received and considered the report of the Planning Commission recommending approval of Zoning Map Amendment Petition No. 16-03RZ.

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 compliance with the Land Development Code and consistent with the City of Venice Comprehensive Plan.

SECTION 3. The Official Zoning Atlas is hereby amended, by changing the zoning classification for the property described below located in the City of Venice from Sarasota County Open Use Estate 1 (OUE-1) zoning district to City of Venice Residential, Single-Family 2 (RSF-2) zoning district, subject to the following stipulation:

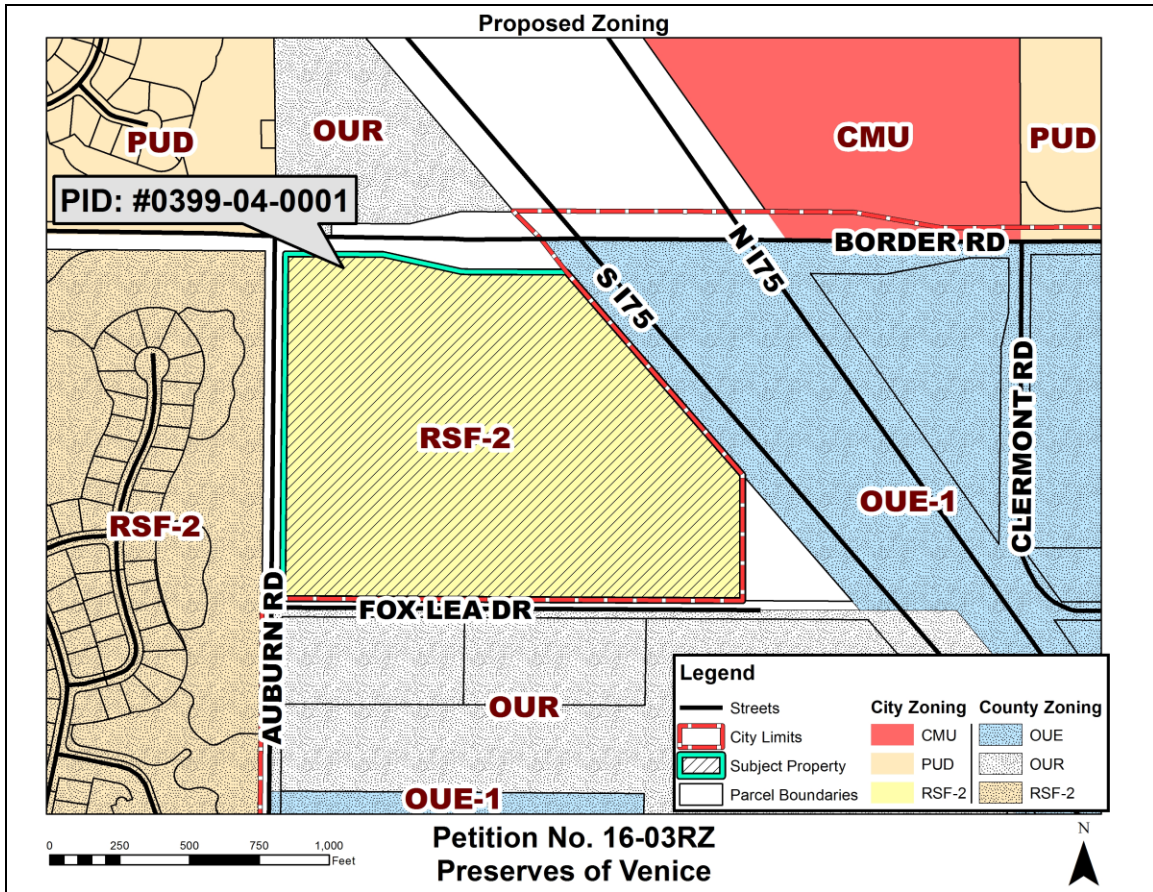
1. Residential density on the subject property is limited to a maximum of three units per acre.

Property Description:

Parcel ID # 0399-04-0001 as depicted on the zoning map shown below consisting of approximately 39.6 acres and as further described:

Commence at the Northwest Corner of the Northwest 1/4 of Section 3, Township 39 South, Range 19 East, Sarasota County, Florida; Thence S.00°34'01"W., Along the West Line of said Section 3, a Distance of 61.13 Feet; Thence N.89°43'24"E., a Distance of 33.38 Feet to the Intersection of the East Right of Way of N Auburn Road (73 Foot Wide) as Shown on Sawgrass Unit 1, Subdivision, as Recorded in Plat Book 38, Page 37, Public Records of Sarasota County, Florida and the South Right of Way Line of Border Road (Width Varies) also being the Point of Beginning; Thence Continue N.89°43'24"E.along said South Right of Way Line and the South Limited Access Right of Way Line of said Border Road (Width Varies) as Shown on State Road No. 93 (Interstate 75) Right of Way Map Section 17075-2406, a Distance of 343.76 Feet; Thence S.77°14'41"E., along said South Limited Access Right of Way Line, a Distance of 291.54 Feet; Thence S.89°43'39"E., along said South Limited Access Right of Way Line, a Distance of 382.98 Feet; Thence S.40°42'12"E., along the Westerly Limited Access Line of said State Road No. 93 (Interstate 75) (Width Varies), a Distance of 952.22 Feet; Thence S.00°02'30"W., along the West Line of that Certain Parcel of Land, as Described and Recorded in Official Records Instrument # 2008036086, said Public Records, a Distance of 453.60 Feet to the Intersection with the North Right of way Line of Ewing Drive (66 Foot Wide), as Shown on North Venice Farms, Subdivision, as Recorded in Plat Book 2, Page 203, said Public Records; Thence N.89°39'40"W., along said North Right of Way Line, a Distance of 1,644.32 Feet to the Intersection with said East Right of Way of N Auburn Road; Thence N.00°35'05"E., along said East Right of Way Line, a Distance of 1,230.35 Feet to the Point of Beginning. Being and lying in Section 3, Township 39 South, Range 18 East, Sarasota County, Florida.

Containing 1,726,587 Square Feet OR 39.64 Acres, More or Less.



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 11TH DAY OF JULY 2017.

First Reading: June 27, 2017

Final Reading: July 11, 2017

Adoption: July 11, 2017

John W. Holic, 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 11th day of July 2017 a quorum being present.

WITNESS my hand and the official seal of said City this 11th day of July 2017.

Lori Stelzer, MMC, City Clerk

Approved as to form:

David Persson, City Attorney