

Requested by: Planning Commission
Prepared by: City Clerk

ORDINANCE NO. 2016-16

AN ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF VENICE, FLORIDA, RELATING TO PROPERTIES LOCATED AT 490, 492, 494, AND 505 HAUSER LANE, AS REFLECTED IN REZONING PETITION NO. 16-1RZ, RONALD J. SIEGRIST REVOCABLE LIVING TRUST, RONALD J. SIEGRIST, TRUSTEE, FOR THE REZONING OF THE PROPERTY DESCRIBED THEREIN, FROM SARASOTA COUNTY RESIDENTIAL, MULTIPLE-FAMILY 1 (RMF-1) ZONING DISTRICT TO CITY OF VENICE RESIDENTIAL, MULTIPLE-FAMILY 4 (RMF-4) ZONING DISTRICT; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Rezone Petition No. 16-1RZ to rezone property, has been filed with the City of Venice to change the official City of Venice Zoning Map from Sarasota County Residential, Multiple-Family 1 (RMF-1) zoning district to City of Venice Residential Multiple-Family 4 (RMF-4) zoning district; and

WHEREAS, the subject property described in Section 3 below 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 public hearing on July 19, 2016 on the rezone petition, for which public notice was provided, and based upon testimony and public comment received at the public hearing, the staff report, and discussion by the Planning Commission, voted to recommend approval of Rezone Petition No. 16-1RZ; and

WHEREAS, the Venice City Council has received and considered the report of the Planning Commission concerning Rezone Petition No. 16-1RZ requesting rezoning of the property described herein; and

WHEREAS, 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, City Council finds that Rezone Petition No. 16-1RZ is in compliance with and meets the requirements of the city's Land Development Regulations 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. 16-1RZ.

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 Land Development Code.

SECTION 3. 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 Residential, Multiple-Family 1 (RMF-1) zoning district to City of Venice Residential Multiple-Family 4 (RMF-4) zoning district.

Parcel ID #: 0407-09-0016 and 0407-09-0017 as depicted on the location map shown below consisting of approximately 73,599 square feet or 1.69 acres and as further described as exhibits below:

Parcel ID # 0407-09-0017:

Description: Exhibit A

The Southerly 142.00 feet of the following described lands:

The E 1/3 of SE 1/4 of NW 1/4 of SE 1/4 of NE 1/4 Section 7, Township 39S, Range 19E, further described as follows:

Commence at NE corner of Section 7, Township 39S, Range 19E, running South 0 degrees 06' 08" West, a distance of 1,995.11 feet; thence run North 89 degrees 53' 48" West, a distance of 665.48 feet to the SE corner of the SE 1/4 of the NW 1/4 of the SE 1/4 of the NE 1/4, Section 7, Township 39S, Range 19E, being the point of beginning; thence run North 0 degrees 08' East 332.38 feet to an iron stake; thence North 89 degrees 53' 35" West 110.89 feet to an iron stake; thence run South 0 degrees 08' 18" West 332.36 feet to an iron stake; thence South 89 degrees 53' 48" East 110.92 feet to an iron stake, the point of beginning. All lying and being in Sarasota County, Florida.

Together with Easement recorded in Official Record Book 1015, Page 1248.

Together with Access Easement described as follows:

The Southerly 20 feet of the Northerly 27 feet of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 7, Township 39 South, Range 19 East, lying Westerly of the Westerly line of lands described in Official Records Book 1279, Page 1935 and Official Records Book 1886, Page 0508, Public Records of Sarasota County, Florida.

Also

The Northerly 27 feet of the Easterly 110.71 feet of the East Half of the Southwest quarter of the Southeast Quarter of the Northeast Quarter of Section 7, Township 39 South, Range 19 East, Sarasota County, Florida.

Parcel ID #0407-09-0017:

Description: Exhibit B

Commencing at the Northeast corner of Section 7, Township 39 South, Range 19 East, of Tallahassee base and meridian, running South 0° 06' 08" West a distance of 1995.11'; thence run North 89° 53' 48" West a distance of 665.48' to the Southeast corner of the Southeast quarter of the Northwest quarter of the Southeast quarter of the Northeast quarter of Section 7, Township 39 South, Range 19 East, being the point of beginning; thence run North 0° 08' East 332.38' to an iron stake; thence North 89° 53' 35" West 332.67' to an iron stake; thence run South 0° 08' 55" West 166.15' to an iron stake; thence South 89° 53' 41" East 221.79' to an iron stake; thence South 0° 08' 18" West 166.18' to an iron stake; thence run South 89° 53' 48" East 110.92' to an iron stake, to the point of beginning.

All of said property being in the Southeast quarter of the Northwest quarter of the Southeast quarter of the Northeast quarter of Section 7, Township 39 South, Range 19 East, Sarasota County, Florida.

Less:

The East 1/3 of the Southeast quarter of the Northwest quarter of the Southeast quarter of the Northeast quarter, Section 7, Township 39 South, Range 19 East, further described as follows: Commence at Northeast corner of Section 7, township 39 South, Range 19 East, running South 0° 06' 08" West a distance of 1995.11'; thence run North 89° 53' 48" West a distance of 665.48' to the Southeast corner of the Southeast quarter of the Northwest quarter of the Southeast quarter of the Northeast quarter, Section 7, Township 39 South, Range 19 East, being the point of beginning; thence run North 0° 08' East, 332.38' to an iron stake, thence run North 89° 53' 35" West, 110.89 to an iron stake; thence run South 0° 08' 18" West, 332.36' to an iron stake, thence South 89° 53' 48" East, 110.92' to an iron stake, the Point of Beginning.

Together with access easements recorded in Official Records Book 1015, Page 1248, and Official Records Book 2174, Pages 1869 and 1871 of the Public Records of Sarasota County, Florida.

Description: Exhibit C

The E 1/3 of SE 1/4 of NW 1/4 of SE 1/4 of NE 1/4, Section 7, Township 39S, Range 19E, further described as follows:

Commence at NE corner of Section 7, Township 39S, Range 19E, running South 0 degrees 06' 08"

West, a distance of 1995.11 feet; thence run North 89 degrees 53' 48" West a distance of 665.48 feet to the SE corner of the SE 1/4 of the NW 1/4 of the SE 1/4 of the NE 1/4 Section 7, Township 39S, Range 19E, being the point of beginning; thence run North 0 degrees 08' East 332.38 feet to an iron stake; thence North 89 degrees 53' 35" West 110.89 feet to an iron stake, thence run South 0 degrees 08' 18" West 332.36 feet to an iron stake; thence South 89 degrees 53' 48" East 110.92 feet to an iron stake, the point of beginning.

Less the Southerly 142.00 feet thereof. All lying and being in Sarasota County, Florida.

Together with Access Easement recorded in Official Records Book 1015, Page 1248.

Together with Access Easement described as follows:

The Southerly 20 feet of the Northerly 27 feet of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter of Section, 7 Township 39 South, Range 19 East, lying westerly of the westerly line of lands described in Official Records Book 1279, Page 1935 and Official Records Book 1886, Page 0508, Public Records of Sarasota County, Florida.

Also

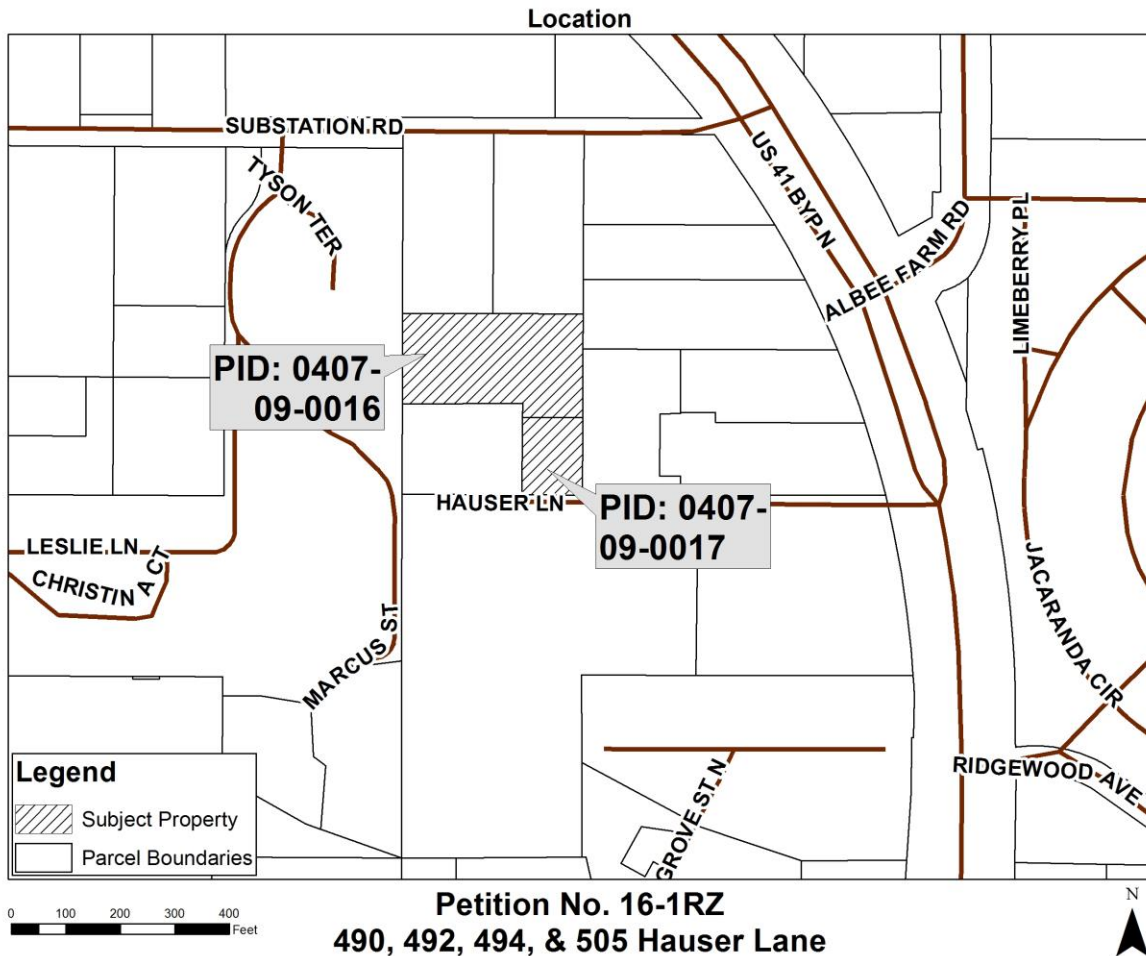
The Northerly 27 feet of the easterly 110.71 feet of the East Half of the Southwest quarter of the Southeast Quarter of the Northeast Quarter of Section 7, Township 39 South, Range 19 East, Sarasota County, Florida.

Together with Access Easement over the West 20 feet of property described below:

The Southerly 142.00 feet of the following described lands:

The E 1/3 of SE 1/4 of NW 1/4 of SE 1/4 of NE 1/4, Section 7, Township 39S, Range 19E, further described as follows:

Commence at NE corner of Section 7, Township 39S, Range 19E, running South 0 degrees 06' 08" West, a distance of 1,995.11 feet; thence run North 89 degrees 53' 48" West, a distance of 665.48 feet to the SE corner of the SE 1/4 of the NW 1/4 of the SE 1/4 of the NE 1/4, Section 7, Township 39S, Range 19E, being the point of beginning; thence run North 0 degrees 08' East 332.38 feet to an iron stake; thence North 89 degrees 53' 35" West 110.89 feet to an iron stake; thence run South 0 degrees 08' 18" West 332.36 feet to an iron stake; thence South 89 degrees 53' 48" East 110.92 feet to an iron stake, the point of beginning. All lying and being in Sarasota County, Florida.



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 OCTOBER 2016.

First Reading: September 27, 2016

Final Reading: October 11, 2016

Adoption: October 11, 2016

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 October, 2016 a quorum being present.

WITNESS my hand and the official seal of said City this 11th day of October 2016.

Lori Stelzer, MMC, City Clerk

Approved as to form:

David Persson, City Attorney