



ZONING MAP AMENDMENT

Rezone Petition Number: 16-2RZ

Staff Report

Owners: George A. Ronald and Noreen M. Ronald

Agent: Ronald J. Siegrist

Address: 501 Hauser Lane

Parcel ID #: 0407-09-0015

Parcel Size: 36,820 square feet/0.845 acres

Existing Zoning District: Sarasota County Residential, Multiple-Family 1 (RMF-1)

Proposed Zoning District: City of Venice Residential, Multiple-Family 4 (RMF-4)

Future Land Use Designation: Seaboard Sector, Planning Area G

I. INTRODUCTION / SUMMARY FINDINGS OF FACT

On October 8, 2002, Resolution No. 2002-26 was approved and adopted by City Council formalizing an interlocal agreement between the City of Venice and Sarasota County regarding the annexation of enclaves and other property in unincorporated Sarasota County. The interlocal agreement established the means to involuntarily annex 118 properties, including the subject property, into the corporate limits of the city. The annexation of the subject property became effective on December 27, 2002. Due to the involuntary annexation, the city needs to give the subject property some City of Venice zoning designation.

The subject property has maintained its existing county Residential, Multiple-Family 1 (RMF-1) zoning since its annexation and the applicant is now proposing through Zoning Map Amendment Petition No. 16-2RZ to establish City of Venice RMF-4 zoning for the subject property.

On February 9, 2016, pursuant to Section 86-41(d), City Council approved a request by the owner to waive the requirement of conducting a public workshop. Consequently, there is not public workshop information in the submitted application materials.

The subject property has a City of Venice future land use designation of Seaboard Sector (Planning Area G). The planning intent of the Seaboard Sector includes the provision of housing opportunities. The density range for the sector is up to 18 dwelling units per acre.



Based on its current Sarasota County RMF-1 zoning and size of the parcel, the subject property is entitled to develop a maximum of five dwelling units. The proposed City of Venice RMF-4 zoning permits a maximum of 18 units per acre; based on the size of the parcel, a maximum of 15 dwelling units could be developed under the proposed RMF-4 zoning.

The following summary findings of fact provide an overview of the staff analysis included in this report:

Staff Summary / Findings of Fact

- 1) **Finding of Fact (Comprehensive Plan):** *The proposed RMF-4 district is consistent with the Seaboard Sector planning intent, and the sector's maximum residential density standards. The proposed RMF-4 district can be found compatible with adjacent properties. Land use compatibility will be further evaluated when a specific development proposal for the subject property is submitted. In summary, the proposed RMF-4 district can be found consistent with the comprehensive plan.*
- 2) **Finding of Fact (Concurrency):** *Preliminary concurrency analysis indicates that there are adequate public facilities available to accommodate the increased development potential from the proposed RMF-4 zoning. Further concurrency analysis and the issuance of a certificate of concurrency will be required prior to development of the subject property.*
- 3) **Findings of Fact (Applicable Rezoning Considerations):** *Based on the planning analysis provided in this report, sufficient information has been provided to make the findings of fact for each of the rezoning considerations contained in Section 86-47 (f) a-p, of the Land Development Code.*

Based upon the above analysis, there is sufficient basis to take action on Zoning Map Amendment Petition No. 16-2RZ.

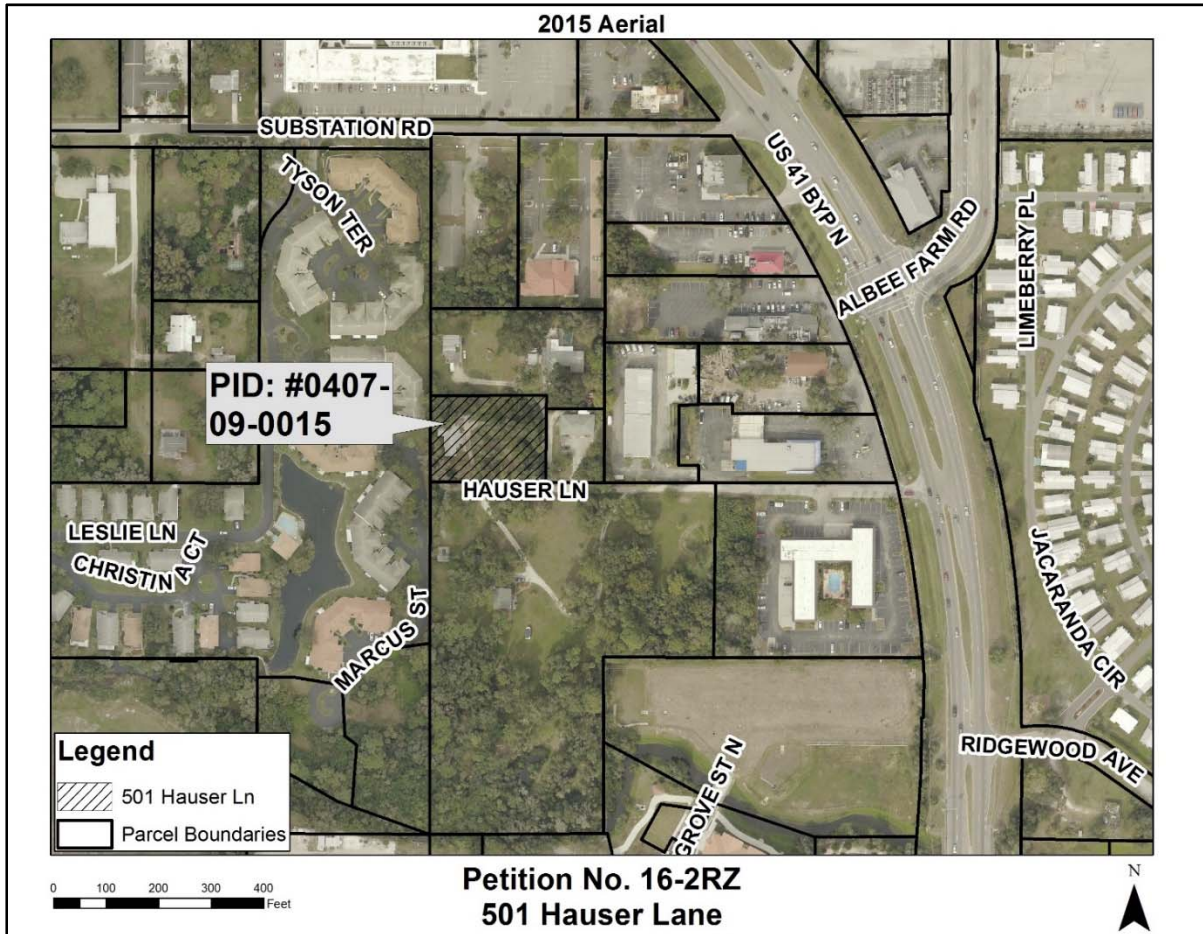
II. SUBJECT PROPERTY/SURROUNDING AREA INFORMATION

Subject Property Information:

The subject property is comprised of one parcel of land totaling approximately 0.845 acres as shown on Map 1 (see following page). Access to U.S. 41 By-pass is provided via Hauser Lane which is a private street. The subject property has a single-family detached structure and accessory structures.

Following Map 1 are a series of photos which show on-site conditions and properties adjacent to the subject property.

MAP 1: Aerial Photograph



View of Hauser Lane from US 41 Bypass; motel on the left, carwash on the right



Single-family residence on
subject property



Two-family residential
structure on abutting
property to the east



One of two single-family
residential structures on the
abutting property to the north



The second single-family
residential structure on the
abutting property to the north



Residential condominium development abutting the subject property to the west



Single-family property across Hauser Lane from the subject property

Existing uses, current zoning and future land use designations of the abutting properties are provided in the following table.

Direction	Existing Use(s)	Current Zoning	Future Land Use Designation
North	Two single-family residences on a parcel	Sarasota County Residential, Multiple-Family 1 (RMF-1)	Seaboard Sector (Planning Area G)
West	Multi-family residential	City of Venice RMF-1	Seaboard Sector (Planning Area G)
South	Single-family residential	City of Venice RMF-3	Seaboard Sector (Planning Area G)
East	Two-family residential	Sarasota County Residential, Multiple-Family 1 (RMF-1)	Seaboard Sector (Planning Area G)

Flood Zone Information:

While flooding or the potential for flooding is typically relevant at the time of development, it is also important information for consideration for any changes to/development of the property. For the subject property, a survey was submitted with the application for rezoning indicating that the subject property lies within two flood zone designations in accordance with FEMA Flood Insurance Rate Maps (FIRM panel #1251440331E). Most of PID #0407-09-0015 (north/central portions) lies within flood zone X-shaded designation. The southern portion of PID #0407-09-0015 lies within flood zone AE designation. FEMA defines these flood zones as follows:

Zone X-Shaded: moderate flood zone hazards or “areas of minimal flood hazard, which are between the limits of the SFHA and the 0.2-percent-annual-chance flood.”

Zone AE: special flood hazard area (SFHA – high flood risk) or “areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage.”



However, FEMA is in the process of updating the nation's FIRMs to reflect current flood risks. Updated FIRMS will be adopted and in effect as of November 4th, 2016. With the update, the northern half of PID #0407-09-0015 lies within new flood zone X. The southern half of PID #0407-09-0015 lies within new flood zone AE designation, with a base flood elevation (BFE) of 10ft NAVD, in accordance with preliminary FIRM panel #12115C00331F. FEMA defines new flood zone AE as follows:

***Zone X:** low flood zone hazard area or "areas of minimal flood hazard, which are above the 0.2-percent-annual-chance flood."*

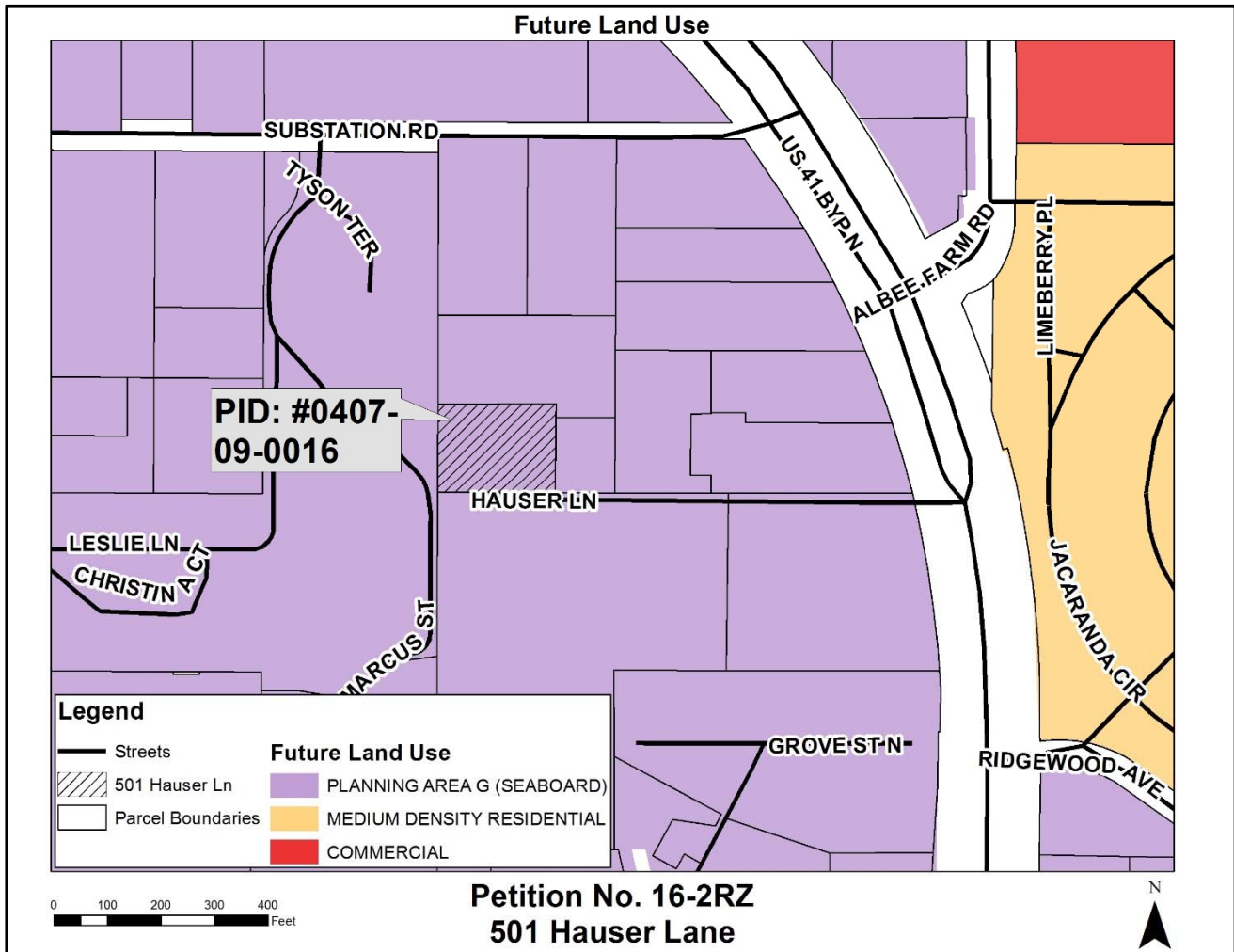
***Zone AE:** special flood hazard area (SFHA - high flood risk) known as "areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage. The BFE is the water surface elevation of the 1% annual chance flood."*

In summary, the subject property currently lies within moderate and high risk flood zones. However, the new draft FIRMs places only the southern portion of PID #0407-09-0015 within a high risk flood zone (flood zone AE with a base flood elevation of 10ft NAVD/11.13ft NGVD).

Future Land Use:

Map 2 (see following page) shows the subject property having a Future Land Use designation of Seaboard Sector (Planning Area G). The planning intent of the Seaboard Sector is to make the best use of the central location, water-oriented resources, and grid-pattern street network by establishing a walkable mixed use community sector. The intent is further specified to foster an integrated sector that includes housing opportunities, professional businesses and offices, service businesses, recreational and service resources, restaurants, water-oriented activities, and parks and public spaces. Policy 16.14, Seaboard Sector Standards, has to provisions with address residential density. Sub-policy 16.14.A specifies the density range for the sector shall be up to 18 dwelling units per acre. Sub-policy 16.14.B specifies the maximum residential density average in this sector will not exceed 18 units per acre, calculated on a gross acreage basis.

MAP 2: Future Land Use Map

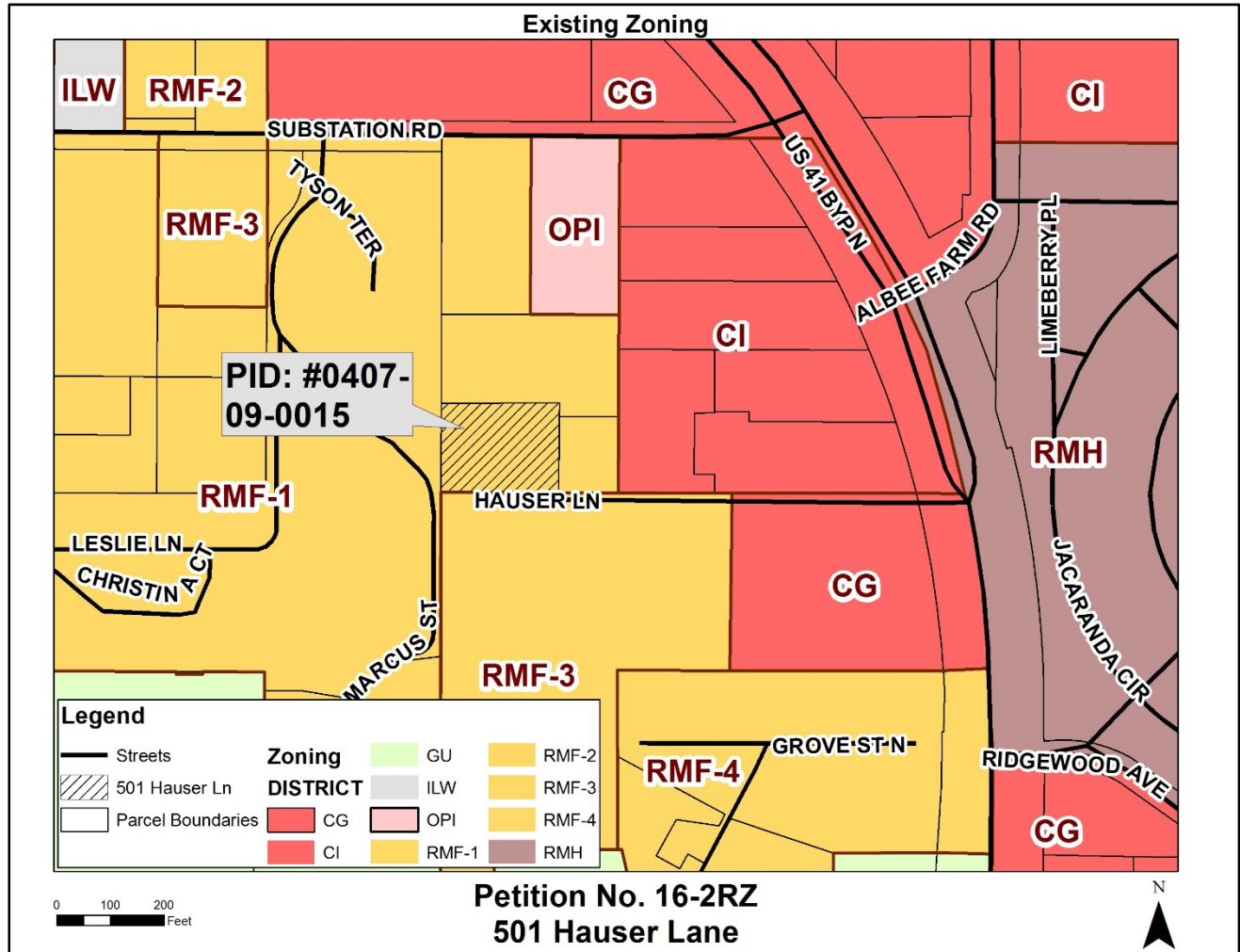


Existing Zoning:

Map 3 (see following page) shows the existing zoning of the subject and surrounding properties. The subject property has Sarasota County Residential, Multiple-Family 1 (RMF-1) zoning. The maximum residential density in the Sarasota County RMF-1 district is six units per acre.

All properties that abut the subject property have Residential, Multiple-Family (RMF) zoning. The zoning districts that abut the subject property include Sarasota County Residential, Multiple-Family 1 (RMF-1) to the north and east, City of Venice Residential, Multiple-Family 3 (RMF-3) to the south and City of Venice Residential, Multiple-Family 1 (RMF-1) to the west.

MAP 3: Existing Zoning Map



III. PROPOSED ZONING

The applicant has submitted an application requesting to rezone the subject property from Sarasota County Residential, Multiple-Family 1 (RMF-1) to City of Venice Residential, Multiple-Family 4 (RMF-4).

Map 4 (see following page) shows how the zoning map will be amended if the subject petition is approved by the city. If the requested RMF-4 zoning is approved, the subject property will continue to be surrounded with RMF-zoned property.

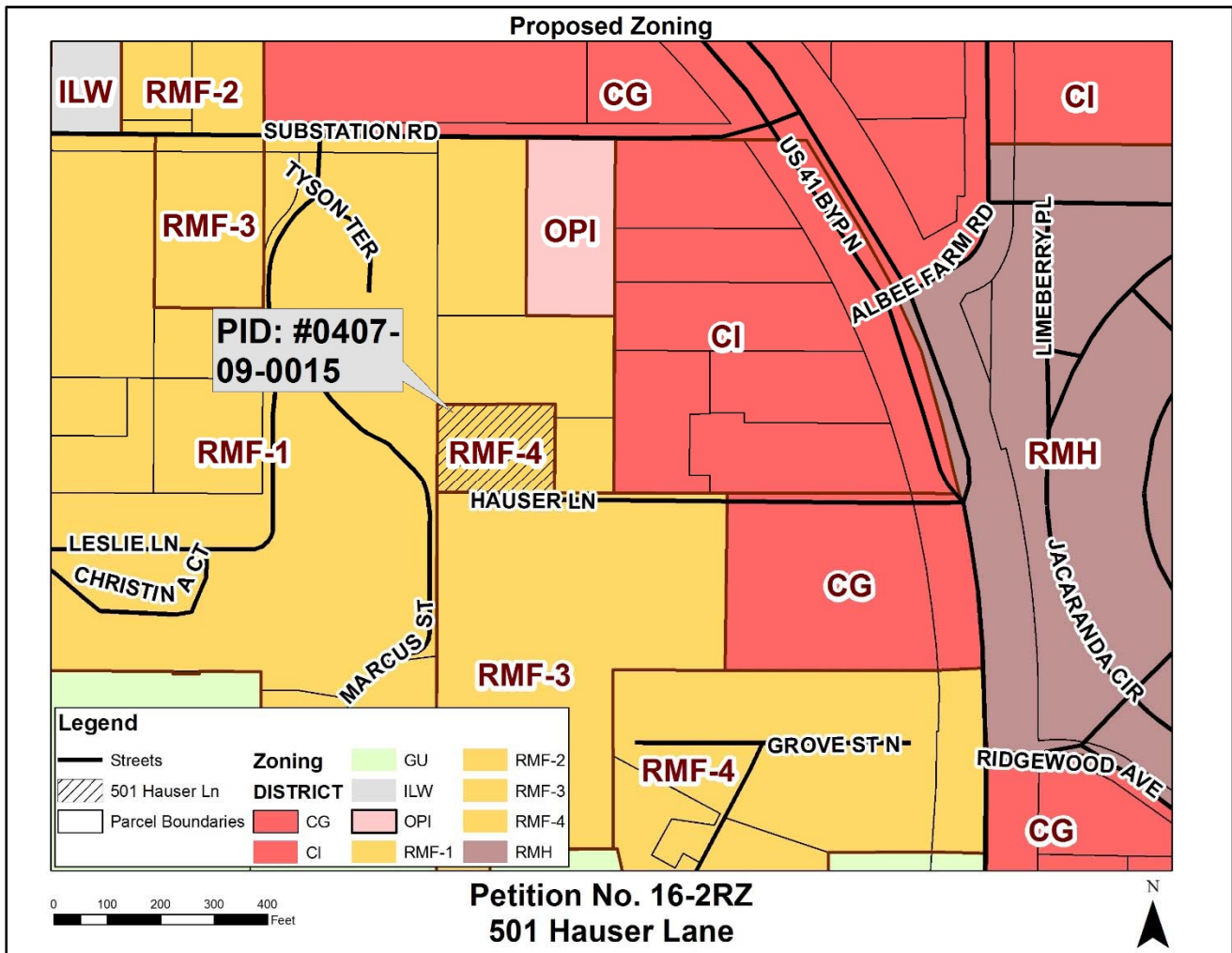
Permitted uses in the RMF districts include:

- A variety of residential uses, including townhouses,
- Civic uses, including parks, schools and essential services, and
- Houses of worship and bed and breakfast inns.



The maximum residential density in the proposed RMF-4 district is 18 units per acre. Per the RMF-4 district, the maximum height of structures is 45 feet with a provision for an additional ten feet for one story devoted primarily to parking within the structure may be added to the limit. However, the more restrictive Seaboard Sector maximum height standard of 3 stories, up to 42 feet, including parking is the effective maximum height standard. The effective maximum lot coverage in the RMF-4 district due to the comprehensive plan maximum height standard, is either 28% or 30%, depending on the height of structures.

MAP 4: Proposed Zoning Map (Proposed RMF-4 Zoning)



IV. PLANNING ANALYSIS

a) Evaluation of Proposed RMF-4 Zoning:

For the subject property to develop beyond its current level of development (number of dwelling units) a City of Venice zoning designation is required. The subject zoning map amendment petition represents an effort by the property owner to obtain a City of Venice zoning map designation. The following table provides an overview of the maximum residential density allowed by the comprehensive plan and existing and proposed zoning, and the maximum number of dwelling units allowed based on the size of the subject property.



	Maximum Residential Density	Total Dwelling Units / Acre (0.845 Acres)
Comprehensive Plan: Seaboard Sector Future Land Use Designation	18 units per acre	15 dwelling units
Existing Zoning: Sarasota County RMF-1	6 units per acre	5 dwelling units
Proposed Zoning: City of Venice RMF-4	18 units per acre	15 dwelling units

As indicated in the table above, the proposed City of Venice RMF-4 zoning allows a maximum density of 18 units per acre or a maximum of 15 dwelling units, an increase of ten dwelling units allowed by existing zoning.

b) Consistency with the Comprehensive Plan:

The subject property is located in the Seaboard Sector (Planning Area G). The planning intent of the Seaboard Sector is to make the best use of the central location, water-oriented resources, and grid-pattern street network by establishing a walkable mixed use community sector. The intent is further specified to foster an integrated sector that includes housing opportunities, professional businesses and offices, service businesses, recreational and service resources, restaurants, water-oriented activities, and parks and public spaces. The proposed RMF-4 zoning allows for the provision with housing opportunities and it therefore consistent with sector's planning intent.

There are two sub-policies that address maximum residential density in the sector. The first is Policy 16.14.A which states "the density range for the sector shall be up to 18 units per acre." The proposed RMF-4 zoning district allows a maximum residential density of 18 units per acre, which is maximum density allowed in the Seaboard Sector.

Policy 16.14.B is the second sub-policy for the sector that addresses maximum residential density. This sub-policy states "the maximum residential density average in this sector will not exceed 18 units per acre, calculated on a gross acreage basis." Sarasota County Property Appraiser data (the best available data) was used to compute the current residential density average in the Seaboard Sector. Within the entire 262.9-acre sector, there are 169 residential properties with a total of 465 residential dwelling units and a residential density average of 1.77 units per acre. The net effect of the proposed zoning map amendment is to add up to 10 additional units on the subject property. These additional units would increase the residential density average to 1.81 units per acre, significantly below the 18 units per acre maximum established by Policy 16.14.B. The residential density average was also computed accounting for only residential properties in the sector. The 169 residential parcels have a total area of 55.4 acres and a residential density average of 8.39 units per acre. With the 10 additional units resulting from the proposed zoning map amendment, the residential density average in the sector increases to 8.57 units per acre.

Land Use Compatibility:



Policy 13.1 requires that proposed rezoning petitions be reviewed for consistency with the compatibility criteria set forth in Policy 8.2 of the Future Land Use & Design Element and is not entitled to the maximum allowable density of the Future Land Use Map category absent an affirmative finding of the City Council on each consideration set forth in Policy 8.2 E through H which is relevant to the rezoning. The following excerpt from Policy 13.1 provides general guidance on the appropriateness of adjacent residential densities.

Appropriate densities within each density range shall be determined, in part, by the land uses and land use designations surrounding the parcel. Generally, densities at the higher end of the range will be most appropriate next to residential development or designations of comparable or higher density and intensive non-residential land uses or land use designations such as commercial, office, professional and institutional uses. Densities at the lower end of the range will be more appropriate adjacent to lower density residential uses or designations.

The following provides planning analysis for the considerations contained in Policy 8.2 E through H.

E. Protection of single-family neighborhoods from the intrusion of incompatible uses.

The comprehensive plan defines the term compatibility as a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition. The comprehensive plan does not specify what land uses are compatible and what land uses are incompatible. However, it is generally accepted in the planning profession that residential uses are compatible with other residential uses. This is particularly the case when properties with RMF zoning abut other properties with RMF zoning.

All four of the properties that abut the subject property have existing RMF zoning. The existing zoning of abutting properties is Sarasota County RMF-1 to the north and east, City of Venice RMF-3 to the south and City of Venice RMF-1 to the west.

Other properties in the neighborhood have existing Commercial, Intensive (CI), Commercial, General (CG), Office, Professional and Institutional (OPI), Government Use (GU), or Residential, Multiple Family 1, 3 and 4 (RMF-1, RMF-3 and RMF-4) zoning. The existing zoning in the neighborhood, which does not include Residential, Single Family (RSF) zoning, is consistent with the planning intent of the Seaboard Sector of establishing a “mixed use community sector”. The area is best described as a mixed use neighborhood, not a single family neighborhood.

The above excerpt from Policy 13.1 provides additional guidance on how to evaluate the compatibility of the proposed RMF-4 district. It states that densities at the higher end of the allowable density ranges (as is the case for the proposed RMF-4 zoning) will be most appropriate next to residential development or designations of comparable or higher density and intensive non-residential land uses or designations such as commercial, office, professional and institutional uses.

The subject property is in close proximity to existing non-residential uses and zoning. Within 200 feet of the subject property there is a CI-zoned warehouse building, a CI-zoned restaurant and an OPI-zoned professional office building. As noted above, all properties which abut the subject



property have RMF zoning. Along its west boundary the subject property abuts the Villa Le Grand multi-family project developed at a density of 6.3 units per acre. Within 400 feet of the subject property is property zoned RMF-3 and RMF-4.

The proposed RMF-4 zoning on the subject property is generally consistent with the guidance provided by Policy 13.1, as indicated by the subject property being in close proximity (within 200 feet) to three commercial properties and being surrounded by RMF-zoned property.

- F. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.

This consideration is not applicable to the subject zoning map amendment petition. Commercial and industrial uses are not permitted in the proposed RMF-4 district.

- G. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current comprehensive plan.

This consideration is not applicable to the subject zoning map amendment petition. There are no nonconforming uses on the subject property.

- H. Densities and intensities of proposed uses are compared to densities and intensities of existing uses.

The information and planning analysis for this consideration is provided in report on consideration E, above.

Finding of Fact (Comprehensive Plan): *The proposed RMF-4 district is consistent with the Seaboard Sector planning intent, and the sector's maximum residential density standards. The proposed RMF-4 district can be found compatible with adjacent properties. Land use compatibility will be further evaluated when a specific development proposal for the subject property is submitted. In summary, the proposed RMF-4 district is consistent with the comprehensive plan.*

c) Concurrency/Adequate Public Facilities:

Staff has conducted a preliminary concurrency analysis based on the differential of maximum number of dwelling units with existing and proposed zoning, which is ten dwelling units. At this stage of development, there currently are adequate public facilities available to accommodate the increased development potential of the property with the proposed RMF-4 zoning. Additional review for concurrency, including the issuance of a certificate of concurrency, will be required prior to further development of the subject property.

Finding of Fact (Concurrency): *Currently there are adequate public facilities available to accommodate the increased development potential from the proposed RMF-4 zoning. Further concurrency analysis and the issuance of a certificate of concurrency will be required prior to development of the subject property.*

d) Applicable Zoning Map Amendment Considerations



Section 86-47(f) of the Land Development Code states “When pertaining to the rezoning of land, the report and recommendations of the Planning Commission to the City Council shall show that the Planning Commission has studied and considered the proposed change in relation to the following, where applicable:” To facilitate the Planning Commission’s review of the subject petition staff has provided the applicant’s response to each of the following considerations and when appropriate staff has provided comments with additional information.

- (a) Whether the proposed change is in conformity to the comprehensive plan.

Applicant’s Response: “The subject property is located within the Seaboard Sector Planning Area and the proposed change is consistent with the high density RMF Planning Intent of Policy 16.13 with the intent to foster an *integrated* sector *including housing opportunities*. The Development Standards of Policy 16.14 are specific to the Seaboard Sector Standards part A. showing density range up to 18 units per acre. Policy 8.1 of Objective 8: Petition Review Criteria: references Smart Growth and Sustainable Development Practices which provides for Implementation into the City’s livable community planning framework and development standards consistent with the City’s Strategic Plan 2030. Policy 8.1A: provides for a balance of land use and infrastructure capacity through a focus on *infill*. Policy 8.18: fosters compact forms of development *within* designated *infill*, and redevelopment areas.

Therefore, the proposed change to RMF-4 is fully consistent with current, ongoing discussions by the City Planning Commission, City Staff, and City Council regarding the need for localized affordable workforce housing.”

Staff Comment: *Based on the analysis provided in this report, staff finds the proposed zoning map amendment is consistent with the comprehensive plan.*

- (b) The existing land use pattern.

Applicant’s Response: “The subject property is surrounded by a mix of uses including commercial, restaurants, a hotel, OPI, and multi-family to the north, multi-family developments to the north, east, west and south. Another hotel, car wash, liquor store, restaurants, automotive repair, landscaping supplies, and other CI designation including high density mini- storage warehouse condominiums directly to the east. The proposed rezoning will allow for residential use at a density which is consistent with surrounding development. The RMF-4 zoning will have potential density capability to promote affordable workforce housing which has been desperately needed in the City for decades.”

Staff Comment: *See Map 1 for aerial photography of existing land uses surrounding the subject property and the photographs of properties that abut the subject property.*

- (c) Possible creation of an isolated district unrelated to adjacent and nearby districts.

Applicant’s Response: “The property is currently designated RMF-1 (Sarasota County). The proposed RMF-4 zoning is consistent with the planning intent for the neighborhood and is a complementary use to the mix of uses which currently exist, and again offers a better potential for development of affordable workforce housing which is desperately needed in



the City. My good neighbor Mr. Don O'Connell has approximately 6.5 (+1) acres directly adjacent to the South of the property under consideration which is already zoned high density RMF on Hauser Lane.”

Staff Comment: *The subject property abuts related RMF-zoned property. The subject property abuts RMF-1 zoned property to the west, north and east; and abuts a RMF-3 zoned property to the south. In addition, located less than 400 feet from the subject property is a RMF-3 zoned property to the northwest and a RMF-4 zoned property to the southeast of the subject property.*

- (d) The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

Applicant's Response: “The proposed change to rezone the property from RMF-1 (Sarasota County) to City of Venice RMF-4 will not overtax the load on public facilities.”

Staff Comment: *Staff conducted a preliminary concurrency analysis based on the differential of maximum number of dwelling units with existing and proposed zoning, which is ten dwelling units. At this stage of development, there currently are adequate public facilities available to accommodate the increased development potential of the property with the proposed RMF-4 zoning. Additional review for concurrency, including the issuance of a certificate of concurrency, will be required prior to further development of the subject property.*

- (e) Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Applicant's Response: “Not applicable. The involuntary annexations of the property by the City necessitates the proposed amendment to apply a City zoning designation to the property.”

Staff Comment: *No additional comment.*

- (f) Whether changed or changing conditions make the passage of the proposed amendment necessary.

Applicant's Response: “The involuntary annexation of the property by the City necessitates the proposed amendment to apply a City zoning designation to the property as the action by the City 15 years ago was never completed, thus creating property that is currently non-conforming. This non-conforming status places unnecessary and egregious restrictions on the property and the owner as they currently exist. The property is currently unable to be developed without any City zoning designation thus making a City zoning designation necessary, and the zoning to RMF-4 is in full compliance with the City FLUM and proper as it relates to current City intent to provide for workforce housing which is consistent with the financial constraints and abilities of the workforce.”

Staff Comment: *The subject property was involuntary annexed by the city. The rezoning of the property to some city zoning district is necessary to make the property consistent with the comprehensive plan.*



- (g) Whether the proposed change will adversely influence living conditions in the neighborhood.

Applicant's Response: "The proposed change will not adversely influence living conditions in the neighborhood. Hauser Lane is a private road that only encompasses 10 RMF acres and ends at the Western boundary of 500 and the subject property - 501 Hauser Lane. Everything else East of these 10 acres along Hauser Lane is zoned C1 to Highway 41. This request is consistent with existing uses and zoning."

Staff Comment: Staff conducted a preliminary concurrency analysis based on the differential of maximum number of dwelling units with existing and proposed zoning, which is ten dwelling units. At this stage of development, there currently are adequate public facilities available to accommodate the increased development potential of the property with the proposed RMF-4 zoning. Additional review for concurrency will be required prior to further development of the subject property to ensure living conditions in the neighborhood are not adversely impacted. Potential land use impacts will be evaluated and, if necessary, mitigated during the review of any future development proposal.

- (h) Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

Applicant's Response: "The proposed change will create additional traffic, however, it will not excessively increase traffic congestion or otherwise affect public safety. The highway department is currently upgrading highway 41 intersecting Hauser Lane to accommodate such future growth. The addition of high density RMF is minimal compared to the area traffic flow from the existing motels, hotels, restaurants, and other C1 establishments currently servicing the community for decades."

Staff Comment: Staff conducted a preliminary concurrency analysis based on the differential of maximum number of dwelling units with existing and proposed zoning, which is ten dwelling units. At this stage of development, there currently are adequate public facilities available to accommodate the increased development potential of the property with the proposed RMF-4 zoning. Further review for concurrency, including the issuance of a certificate of concurrency, will be required prior to further development of the subject property.

- (i) Whether the proposed change will create a drainage problem.

Applicant's Response: "The proposed change will not create a drainage problem. According to conversations with the current owner, George Ronald and his parents, the previous land owners, and 34 years of observances myself, Ronald Siegrist, the neighbor at 490 Hauser, there is a considerable "natural drainage slope" to the land beginning with the NW portion of 490 Hauser and has flowed naturally across 501 Hauser toward the SE section of 500 Hauser Lane and into Hatchett Creek. Doug Arnall (first postmaster for City), and Betty Arnall-Hauser (former City Historian), descendant of George Hauser informed me, Ronald Siegrist of this fact in 1981 when I bought the adjoining property. George Ronald, and his mother Betty Hauser, were born and raised on the 501 property. There will be,



however, compliance with any and all appropriate permits required by the City or with "SWIFTMUD" which will be applicable in the future planning and development stage."

Staff Comment: *A zoning change does not create a drainage problem. Applicable stormwater management design and permits will be required prior to the development of the subject property.*

- (j) Whether the proposed change will seriously reduce light and air to adjacent areas.

Applicant's Response: "The proposed change will not reduce light and air to adjacent areas."

Staff Comment: *Potential impacts to light and air to adjacent areas will be evaluated and, if necessary, mitigated during the review of any future development proposal.*

- (k) Whether the proposed change will adversely affect property values in the adjacent area.

Applicant's Response: "The proposed change will not adversely affect property values in adjacent areas. Conversely, the RMF-4 designation may possibly increase the property values as a direct result of the infill development producing additional revenue to the City."

Staff Comment: *The zoning change is not expected to adversely affect property values in the surrounding area; the zoning change is consistent with the comprehensive plan and development of the property is required by the comprehensive plan to be compatible with surrounding properties.*

- (l) Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

Applicant's Response: "The proposed change will not be a deterrent to the improvement or development of adjacent property and the designation of a City zoning amendment is necessitated by the City's involuntary annexation of the property. All adjacent properties surrounding these remaining portions of a total 10 acres West of the CI businesses to highway 41 along Hauser Lane have been developed to the highest and best use. The larger portion of the enclave has recently been given high density multi-family City zoning. The final portions yet retaining County zoning designation are approximately 2 & 1/2 acres of that 10± acres owned by the 2 remaining residents, and these are concurrently in review."

Staff Comment: *Staff concurs with the applicant's response; the proposed zoning map amendment will not be a deterrent to the improvement or development of adjacent properties.*

- (m) Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

Applicant's Response: "The proposed change is necessitated by the City's involuntary annexation of the property and will not constitute a grant of special privilege to an individual



owner as contrasted with the public welfare. The zoning designation to RMF-4 is fully consistent with the FLUM and the need for more localized affordable workforce housing.”

Staff Comment: *Approval of the requested zoning map amendment will not constitute a special privilege to the owner of the subject property. The city involuntarily annexed the property and the city needs to give the property a city zoning designation.*

- (n) Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

Applicant’s Response: “The involuntary annexation of the property by the City necessitates the proposed amendment to apply a City zoning designation to the property. It cannot be developed without a City zoning designation. The probability of resale of the property is greatly diminished as well without a proper City zoning. A simultaneous change to RMF-4 will bring the property into better alignment with City FLUM and City intent of Planning Commission supporting the probability of more affordable workforce housing. Affordable workforce housing in close proximity to "the Island", Seaboard Area, and Bird Bay is greatly needed and currently a main topic with City Council, City Officials and Staff.”

Staff Comment: *Development of the subject property using city water and sewer is not possible with the property’s current county zoning.*

- (o) Whether the change suggested is out of scale with the needs of the neighborhood or the city.

Applicant’s Response: “The proposed change is not out of scale with the needs of the neighborhood or the City. In fact, the proposed change to RMF-4 is highly consistent with the current needs of the neighborhood and intent of the City to provide for more localized affordable workforce housing. The agent for this property’s owner, fully understands the need for this as he has been supplying such affordable workforce housing in Venice and Nokomis for 34 years. The agent is active in the area as a member of the Venice Area Board of Realtors. He is a licensed Florida Real Estate Agent for approximately 3 decades. As an Insurance agent he is in regular contact with the workforce offering employee benefits to local small and mid-size companies and their employees. The agent is also the adjacent property owner having 34 years of insight in the very real and ongoing needs for additional affordable workforce housing in close proximity to "the island" the Seaboard District, and Bird Bay area businesses. This can be better achieved with the proposed RMF-4 zoning designation, consistent with FLUM and current City discussions. Furthermore, the owner of the adjacent properties, and agent for the owner of this property has a keen understanding of the need for affordable workforce housing in the community as he has been offering same to the local workforce for 34 years as a local owner/manager of residential rental properties in the Venice/Nokomis area since 1982. The agent communicates regularly with other local multi-family residential property landlords who also take a pro-active approach to management/maintenance duties.”

Staff Comment: *The proposed zoning map amendment is consistent with the Seaboard Sector planning intent of providing housing opportunities, specifically multi-family housing.*



- (p) Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

Applicant's Response: "Not applicable, the involuntary annexation of the property by the City necessitates the proposed amendment to apply a City zoning designation to the property. However, there are few other sites in the City that are in such close proximity to "the island", the Seaboard District and Bird Bay area, which are currently available to provide for additional affordable workforce housing such as this property will provide, and which is within and most appropriate for the current FLUM designation being RMF-4."

Staff Comment: *This consideration is not applicable. The city involuntarily annexed the subject property and the city needs to give the property a city zoning designation.*

Findings of Fact (Applicable Rezoning Considerations): *Based on the above evaluation, sufficient information has been provided to make the findings of fact for each of the rezoning considerations contained in Section 86-47 (f) a-p, of the Land Development Code.*

V. CITY ACTION ON ZONING MAP AMENDMENT PETITION NO. 16-2RZ

Upon review of the petition and associated documents, comprehensive plan, land development code, staff report and analysis, and testimony provided during the public hearing, there is sufficient information on the record to take action on Zoning Map Amendment Petition No. 16-2RZ.