



City of Venice

401 West Venice Avenue
Venice, FL 34285
www.venicegov.com

Meeting Minutes Planning Commission

Tuesday, April 18, 2017

1:30 PM

Council Chambers

I. Call to Order

A Regular Meeting of the Planning Commission was held this date in Council Chambers at City Hall. Chair Barry Snyder called the meeting to order at 1:30 p.m.

II. Roll Call

Present: 5 - Chair Barry Snyder, Helen Moore, Jerry Towery, Tom Murphy and Charles Newsom

Excused: 1 - Janis Fawn

Absent: 1 - Shaun Graser

Also Present:

Liaison Councilmember Kit McKeon, City Attorney Dave Persson, Development Services Director Jeff Shrum, Senior Planner Scott Pickett, Senior Planner Roger Clark, and Assistant City Clerk Heather Taylor.

III. Approval of Minutes

[17-2642](#) Minutes of the April 4, 2017 Regular Meeting

A motion was made by Mr. Newsom, seconded by Ms. Moore, that the Minutes of the April 4, 2017 meeting be approved as written. The motion carried by voice vote unanimously.

IV. Public Hearings

[17-02AM](#) ZONING CODE TEXT AMENDMENT - DOG FRIENDLY DINING PROGRAM

Staff: Roger Clark, Senior Planner

Mr. Clark provided a background on the city ordinance and spoke to the removal of sunset provision to allow ordinance to remain in effect.

Mr. Towery arrived at 1:34 p.m.

Mr. Clark responded to board questions regarding Florida Statute

changes and code enforcement violations.

Discussion took place regarding fulfilling the requirements of the state.

A motion was made by Ms. Moore, seconded by Mr. Towery, that based on the staff presentation and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency and land development regulation commission, finds this petition consistent with the Land Development Code and the Comprehensive Plan and recommends to City Council approval of Text Amendment Petition 17-02AM.

Discussion took place regarding concern with violations, newspaper reporting of complaints, and enforcement of violations.

The motion carried by the following vote:

Yes: 4 - Chair Snyder, Ms. Moore, Mr. Towery and Mr. Murphy

No: 1 - Mr. Newsom

Excused: 1 - Ms. Fawn

Absent: 1 - Mr. Graser

[17-02RZ](#)

CITY ZONING MAP AMENDMENT - WOOLSCHLAGER

Planner: Scott Pickett, AICP, Senior Planner

Owner: Larry & Kay Combs

Mr. Snyder announced this is a quasi-judicial hearing, read memorandum regarding advertisement and written communications and opened the public hearing.

Mr. Persson queried board members on ex-parte communications and conflicts of interest. Mr. Snyder disclosed site visit with no communications.

Mr. Shrum, being duly sworn, provided a background on the petition to include resolution adoption to allow the city to initiate zoning designations, future adoption of a new city wide zoning map, and the procedure to deal with rezones on a quarterly basis and responded to board questions regarding all properties needing city initiated rezones being rectified together.

Mr. Pickett, being duly sworn, provided an introduction and staff report to include existing and proposed zoning designations, property annexation, aerial photograph of property, existing zoning map, comparison of county residential single family (RSF-3) and city RSF-3 zoning and summary findings of fact.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Murphy, seconded by Ms. Moore, that based on review of the application materials, the staff report and testimony provided

during the public hearing, the Planning Commission, sitting as the local planning agency and land development regulation commission, finds this petition consistent with the Comprehensive Plan, in compliance with the Land Development Code and with the affirmative Findings of Fact in the records, and recommends to City Council approval of Zoning Map Amendment Petition No. 17-02RZ. The motion failed by the following vote:

Yes: 5 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Murphy and Mr. Newsom

Excused: 1 - Ms. Fawn

Absent: 1 - Mr. Graser

17-03RZ

CITY ZONING MAP AMENDMENT - FURNITURE WAREHOUSE

Staff: Scott Pickett, AICP, Senior Planner

Owner: Mark Richmond Revocable Trust

Mr. Snyder announced this is a quasi-judicial hearing, read memorandum regarding advertisement and written communications, and opened the public hearing.

Mr. Persson queried board members regarding ex-parte communications and conflicts of interest. There were none.

Mr Pickett, being duly sworn, reviewed the petition to include existing and proposed zoning districts, future land use designations, aerial photograph of property, and responded to board questions regarding whether there was a pre-annexation agreement for the property.

Mr. Shrum, being duly sworn, spoke to not being able to annex the triangle portion of the property due to the joint planning agreement (JPA).

Mr. Pickett continued to review the existing zoning map, comparison of county Industrial, Light and Warehousing (ILW) and city ILW zoning and summary findings of fact and responded to board questions regarding the rezone being initiated by the city, and property owner understanding of the differences in zoning.

Mr. Snyder closed the public hearing.

A motion was made by Ms. Moore, seconded by Mr. Towery, that based on review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency and land development regulation commission, finds this petition consistent with the Comprehensive Plan, in compliance with the Land Development Code and with the affirmative Findings of Fact in the records, and recommends to City Council approval of Zoning Map Amendment Petition No. 17-03RZ. The motion carried by the following vote:

Yes: 5 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Murphy and Mr. Newsom

Excused: 1 - Ms. Fawn

Absent: 1 - Mr. Graser

17-04RZ

CITY ZONING MAP AMENDMENT - GULF HARBOR ESTATES

Planner: Scott Pickett, AICP, Senior Planner

Owner: Southbridge Investments, LLC.

Mr. Snyder announced this is a quasi-judicial hearing, read memorandum regarding advertisement and written communications, and opened the public hearing.

Mr. Persson queried board members on ex-parte communications and conflicts of interest. Mr. Snyder, Mr. Newsom and Mr. Towery disclosed site visits with no communications.

Mr. Persson stated there was a request for affected party status from Leora Nelson and explained the purpose and procedure for affected party status.

Leora Nelson, 1104 Sunset Dr., being duly sworn, spoke to why she should be granted affected party status.

A motion was made by Mr. Murphy, seconded by Mr. Newsom, to approve Ms. Nelson's request for affected party status. The motion carried by the following vote:

Yes: 5 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Murphy and Mr. Newsom

Excused: 1 - Ms. Fawn

Absent: 1 - Mr. Graser

Mr. Pickett, being duly sworn, noted that staff has not reviewed the written communication received by Ms. Nelson on April 17, 2017, reviewed the petition to include existing and proposed zoning districts, future land use designation, concurrent preliminary plat application, property annexation, city attorney input, aerial photograph of property, existing zoning maps, discrepancies in zoning maps, and comparison of county RSF-2 and city RSF-3 zoning and responded to board questions regarding city RSF-2 standards for development.

Mr. Pickett continued to discuss future land use designation, land use compatibility, compliance with the land development code (LDC), concurrency, and summary findings of fact and responded to board questions regarding lot sizes on the preliminary plat.

Roland Piccone, Gap Engineering and Planning, LLC., being duly sworn, spoke to not being notified there was an affected party status request, clarified the minimum size and largest sized lots proposed in

the preliminary plat, parcel design to ensure the number of lots coincide with the adjacent homes, additional square footage potentially increasing property value and requested board approval.

Discussion took place regarding approval of the preliminary plat.

Ms. Nelson spoke to the development to include the number of lots proposed, RSF-2 standard comparisons, zoning code discrepancies, planning department map disclaimer, annexation documentation, yard requirements in relation to additional square footage. maps received from the planning department, official zoning atlas, petition signatures obtained, flood zoning, planning and zoning analysis, personal analysis of neighborhood lots, and stormwater management and requested the board vote to comply with RSF-2 city designation.

Mr. Shrum spoke to research of the property and information retained over the last couple months and information provided by staff at meetings with the developer.

Mr. Piccone spoke to proposed lot sizes, not exceeding nine lots as noted in the preliminary plat and drainage.

Tom Ballenger, Gap Engineering and Planning, LLC., being duly sworn, spoke to proposed density.

Discussion took place regarding the architectural designs of the homes.

Mr. Pickett responded to board questions regarding the proposed preliminary plat site plan.

Ms. Nelson spoke to the size of lot one and merging lots one and two.

Gary Anderson, 1104 Sunset Dr., being duly sworn, expressed his concern with lot sizes, drainage treatment and landscaping.

Shirley Geoffrion, 409 Sunset Dr., being duly sworn, requested information on foliage and trees that will be removed.

Janice Riordon, 1127 Sunset Dr., being duly sworn, expressed concern with the number of proposed homes and drainage.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Murphy, that based on review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as local planning agency and land development regulation commission, finds this petition inconsistent with either the Comprehensive Plan or Land Development Code due to inconsistency with existing zoning and, therefore, recommends to City Council denial of Zoning Map

Amendment Petition No. 17-04RZ. The motion failed due to lack of a second.

A motion was made by Mr. Towery, seconded by Mr. Newsom, that based on review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency and land development regulation commission, finds this petition consistent with the Comprehensive Plan, in compliance with the Land Development Code and with the affirmative Findings of Fact in the records, and recommends to City Council approval of Zoning Map Amendment Petition No. 17-04RZ.

Discussion took place regarding lot size requirements, density and lot coverage being consistent with RSF-2, adjacent lot compatibility, drainage, foliage concerns, maintenance of records and city council hearing both zoning and the preliminary plat petitions at the same time.

The motion carried by the following vote:

Yes: 4 - Chair Snyder, Ms. Moore, Mr. Towery and Mr. Newsom

No: 1 - Mr. Murphy

Excused: 1 - Ms. Fawn

Absent: 1 - Mr. Graser

Recess was taken from 3:41 p.m. until 3:51 p.m.

Mr. Shrum clarified that the verbiage for all petitions are recommendations of approval or denial to city council.

16-05RZ

ZONING MAP AMENDMENT - LAUREL ROAD STORAGE - 3496 & 3500 LAUREL RD. EAST

Planner: Scott Pickett, AICP, Senior Planner

Agent: Jeffery A. Boone, Esq.

Owner: Gaylon & Laura Peters, Laurel Road Storage, LLC.

Mr. Snyder noted all three hearings would be heard at the same time, announced these are quasi-judicial hearings, read memorandum regarding advertisements and written communications, and opened the public hearings.

Mr. Persson queried board members on ex-parte communications and conflicts of interest. Mr. Murphy, Mr. Snyder and Mr. Newsom disclosed site visits with no communication.

Mr. Pickett, being duly sworn, reviewed the petitions to include existing and proposed zoning, future land use designations, concurrent applications, aerial photograph of property, photographs of on-site and off-site conditions, surrounding property information, future land use, existing zoning and proposed zoning maps, and in response to board questions Mr. Pickett stated the parcel lines are not being altered and that the zoning lines are being altered.

Mr. Pickett continued to review the zoning analysis, summary findings of fact for the rezone, provided a summary for the site and development plan and special exception petitions to include consistency with the comprehensive plan, review of the requested code modification and summary findings of fact.

Jeff Boone, Boone Law Firm, being duly sworn, spoke to the intent of the rezone and the proposed use for a self storage facility and responded to board questions regarding surrounding properties. He continued to provide information on the site and development plan and the special exception to include compliance with city codes and the comprehensive plan, parking standards and requested board approval of the petitions and responded to board questions regarding the proposed building layout.

Jessica Helny, Florida Engineering and Surveying, being duly sworn, spoke to the number and size of units per building, driveway widths and facility entrances.

Discussion took place regarding estimated frequency for building A, open storage area usage, elevators in building A, entrance width, franchise stores using storage facilities, additional parking options, drainage, the need for adequate buffering, removal of vegetation and fencing around the property.

Mr. Boone addressed the property annexation requirement that a five foot strip of property from the northern point be dedicated along the side of the road along the sewer pipe, noted the plan presented does not have the five foot strip, and spoke to the request to city council to amend the pre-annexation agreement to eliminate the five foot strip requirement. He stated there is no impact to the current development plan but there may be an impact on the sidewalk requirement and requested the planning commission approve a stipulation that would state that if city council votes to not amend the pre-annexation agreement to remove the five foot strip conveyance the property owner will leave five foot strip to city and the development services director will have administrative authority to approve any relocation adjustments to the site and development plan for sidewalks or signage.

Mr. Pickett noted the site and development plan petition is contingent upon approval of the rezone petition.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Towery, seconded by Mr. Murphy, that based on review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the local planning

agency and land development regulation commission, finds this petition consistent with the Comprehensive Plan, in compliance with the Land Development Code and with the affirmative Findings of Fact in the records, and recommends to City Council approval of Zoning Map Amendment Petition No. 16-05RZ. The motion carried by the following vote:

Yes: 5 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Murphy and Mr. Newsom

Excused: 1 - Ms. Fawn

Absent: 1 - Mr. Graser

16-01SE

SPECIAL EXCEPTION - LAUREL ROAD STORAGE - 3496 & 3500 LAUREL RD. EAST

Planner: Scott Pickett, AICP, Senior Planner

Agent: Jeffery A. Boone, Esq.

Owner: Gaylon & Laura Peters, Laurel Road Storage, LLC.

This item was discussed under Item No. 16-05RZ.

A motion was made by Ms. Moore, seconded by Mr. Towery, that based on review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency and land development regulation commission, finds this petition consistent with the Comprehensive Plan, in compliance with the Land Development Code and with the affirmative Findings of Fact in the records, and recommends to City Council approval of Special Exception Petition No. 16-01SE. The motion carried by the following vote:

Yes: 5 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Murphy and Mr. Newsom

Excused: 1 - Ms. Fawn

Absent: 1 - Mr. Graser

16-01SP

SITE & DEVELOPMENT PLAN - LAUREL ROAD STORAGE - 3496 & 3500 LAUREL RD. EAST

Planner: Scott Pickett, AICP, Senior Planner

Agent: Jeffery A. Boone, Esq.

Owner: Gaylon & Laura Peters, Laurel Road Storage, LLC.

This item was discussed under Item No. 16-05RZ.

A motion was made by Mr. Towery, seconded by Ms. Moore, that based on review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency and land development regulation commission, finds this petition consistent with the Comprehensive Plan, in compliance with the Land Development Code and with the affirmative Findings of Fact in the records, and recommends to City Council approval of Zoning Map Amendment Petition No. 17-02RZ with the stipulation that if City Council votes to not amend the pre-annexation agreement to remove the five foot strip conveyance the property owner will leave the five foot strip to the city and the Development Services Director will have administrative authority to approve any relocation adjustments to the site and development plan for sidewalks or signage. Approval of the subject site and

development plan petition is contingent on approval of Rezone Petition No. 16-05RZ. The motion carried by the following vote:

Yes: 5 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Murphy and Mr. Newsom

Excused: 1 - Ms. Fawn

Absent: 1 - Mr. Graser

17-01AM.1

LAND DEVELOPMENT CODE TEXT AMENDMENT

Staff: Scott Pickett, AICP, Senior Planner

Applicant: PGT Industries, Inc. c/o Cate Wells, Esq., Shumaker, Loop & Kendrick, LLP.

Mr. Pickett reviewed the petition to include previous action taken by the planning commission, consistency analysis, and review of the ordinance by the city clerk with the suggested amendment regarding the parking definition and responded to board questions regarding the purpose of the amendment.

Mr. Shrum responded to board questions regarding principal use of the parking garage, current allowance for a commercial parking, limited amounts of planned industrial development (PID) zoning, and concerns with revenue generated parking.

Mr. Persson commented regarding accessory versus principal use.

Discussion continued regarding labeling as accessory use, ancillary parking within the PID, best use of limited PID property, and the special exception process.

Cate Wells, Shumaker, Loop & Kendrick, LLP., proposed changing the ordinance verbiage regarding the definition of parking principal to eliminate the need for a special exception.

Bruce Wesner, PGT, displayed and reviewed the overall site plan.

A motion was made by Ms. Moore, seconded by Mr. Towery, that based on review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency and land development regulation commission, finds this petition consistent with the Comprehensive Plan, in compliance with the Land Development Code and with the affirmative Findings of Fact in the records, and recommends to City Council approval of Land Development Code Text Amendment Petition No. 17-01AM.1 as amended to add the verbiage "and is directly associated with a permitted use on abutting property or both parcels are under common ownership" to the parking principal definition. The motion carried by voice vote unanimously.

IX. Adjournment

There being no further business to come before this Commission, the

meeting was adjourned at 5:58 p.m.

Chair

Recording Secretary

[17-2531](#)

Comprehensive Plan Update Discussion

Staff: Jeff Shrum, AICP, Development Services Director

Public Comments Specific to Comprehensive Plan Update

Mr. Shrum reminded the board that staff is working with the consultant to finalize a draft plan, commented on correspondence received and responded to board questions regarding feedback received from the consultant.

Jim Collins and Jeff Boone, Boone Law Firm, commented on the Hurt's family property in regards to potential single family rezone to modify the property line and responded to board questions regarding the proposed rezone density. They continued to discuss the comprehensive plan not allowing for certain commercial areas to ask for multi-family zoning, the negative impact on redevelopment when not being able to mix commercial and residential, suggested verbiage adjustments to allow for multi-family zoning by special exception in certain areas, definition of functional open space, per parcel floor area ratios (FAR's), definition for open space connectivity, historic resources reviewed language and the open space policy requiring development to remove non-native species.

VI. Audience Participation

No one signed up to speak.

VII. Comments by Planning Division

There were none.

VIII. Comments by Planning Commission Members

There were none.

JoAnne Brewer

From: Kathleen Economides <kathleendecono@gmail.com>
Sent: Tuesday, April 18, 2017 12:54 PM
To: Jeff Shrum; Planning Commission; City Council
Subject: Re: Draft Comprehensive Plan

Mr. Shrum,

Thank you for your reply. If I understand correctly, all PUDs are being treated the same despite the fact that Pinebrook South is the only PUD with a nursing facility, but all nursing homes are not being treated the same because Pinebrook Nursing and Rehabilitation Center is the only one that is not OPI. Am I understanding this correctly?

Kathleen Economides
Sent from my iPad

> On Apr 17, 2017, at 12:19 PM, Kathleen Economides <kathleendecono@gmail.com> wrote:

>

> Many thanks for your hard work on updating the Comprehensive Plan for Venice. Having attended many of the Planning Commission meetings, I appreciate the time and effort spent on the Plan.

>

> I do, however, wish to reiterate my concern in the elimination of the Institutional/Professional designation for Pinebrook Rehabilitation Nursing Center and the adjacent lot. It is clear that this designation is the appropriate designation and it is also clear that Pinebrook Rehabilitation and Nursing Center is the only nursing facility in the Pinebrook neighborhood which has had its Institutional/Professional designation changed in the draft Comprehensive Plan. Harbor Chase on Pinebrook Road is still designated Institutional/Professional as is Bay Breeze Health and Rehabilitation Center on Albee Farm Road. Manor Care Health Care and Bella Vita Assisted Living on East Venice Avenue also continue to retain the Institutional/Professional designation. I fail to understand how the inconsistency with {Pinebrook Rehabilitation and Nursing Center is appropriate. There is an obvious disparity which could have long term implications for the Pinebrook neighborhood.

>

> Accordingly, I am requesting this issue once again be reviewed.

>

> Kathleen Economides

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Many thanks for your hard work on updating the Comprehensive Plan for Venice. Having attended many of the Planning Commission meetings, I appreciate the time and effort spent on the Plan.

I do, however, wish to reiterate my concern in the elimination of the Institutional/Professional designation for Pinebrook Rehabilitation Nursing Center and the adjacent lot. It is clear that this designation is the appropriate designation and it is also clear that Pinebrook Rehabilitation and Nursing Center is the only nursing facility in the Pinebrook neighborhood which has had its Institutional/Professional designation changed in the draft Comprehensive Plan. Harbor Chase on Pinebrook Road is still designated Institutional/Professional as is Bay Breeze Health and Rehabilitation Center on Albee Farm Road. Manor Care Health Care and Bella Vita Assisted Living on East Venice Avenue also continue to retain the Institutional/Professional designation. I fail to understand how the inconsistency with {Pinebrook Rehabilitation and Nursing Center is appropriate. There is an obvious disparity which could have long term implications for the Pinebrook neighborhood.

Accordingly, I am requesting this issue once again be reviewed.

Kathleen Economides

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Christina Rimes

To: JoAnne Brewer
Subject: RE: Draft Comprehensive Plan

From: Jeff Shrum
Sent: Tuesday, April 18, 2017 8:06 AM
To: Kathleen Economides; Planning Commission; City Council
Subject: RE: Draft Comprehensive Plan

Ms. Economides,

Thank you for your comments and I encourage you to continue to provide your input in writing or at upcoming meetings regarding the comprehensive plan. Although I am not sure it will answer your question, I can explain the rationale used in coming up with the proposed future land use map by the Planning Commission. First, it is important to understand the distinction between future land use and zoning. Future land use is the comprehensive plan allocation (map) of uses and development potential as a vision for where the City could be in the future. The zoning district is the allocation of uses and development potential (that is more specific to type and extent of allowable development) for properties right now – current development potential. This is important in that there is one distinction in the examples you provided. That main distinction being that the Pinebrook Rehabilitation and Nursing Center is located within the Pinebrook Planned Unit Development (PUD) zoning district. The Planning Commission had a long discussion about future land use and PUD zoned properties. In making the determination for properties to have the Mixed Use Residential Future Land Use designation in the comprehensive plan, the Planning Commission determined that the PUD zoning districts would be the appropriate underlying zoning district to implement the mixed use residential future land use designation. A primary reason for this determination was to ensure that the PUD zoned properties have a uniform future land use designation to provide for a uniform treatment of these developments providing consistency (unlike how they are under the current plan). It may also help to explain, by review the City's zoning map you will find that all of Pinebrook South (including the Nursing Center) is indicated with having one zoning district – PUD. It is only on the current comprehensive plan where different future land use designations for properties within Pinebrook South show up i.e. the Professional, Office, Institutional (OPI) designation. You may also be interested to know that the OPI future land use designation also allows for other types of uses/development including residential development up to 9 units per acre or 13 units with a conditional use. Keep in mind the PUD zoning is not being changed as a result of the comprehensive plan. Further, the protections of the PUD zoning are still in place and any changes to uses (location and/or types) not identified in the PUD zoning will require a change to that zoning designation (that is currently the status and the comprehensive plan is not changing that status). I believe the Planning Commission has acknowledged that the proposed change to the comprehensive plan map does eliminate the need for a comprehensive plan map amendment to develop something other than what is allowed in the OPI future land use district. I know I may not have provided the answer you would like to have and/or if I have added to your confusion, please do not hesitate to contact me if you would like to discuss further.

Jeff Shrum, AICP
Development Services Director
City of Venice
(941) 882-7431

From: Kathleen Economides [<mailto:kathleendecono@gmail.com>]

Sent: Monday, April 17, 2017 12:20 PM

To: Jeff Shrum <JShrum@Venicegov.com>; Planning Commission <PlanningCommission@venicegov.com>; City Council <CityCouncil@Venicegov.com>

Subject: Draft Comprehensive Plan

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Christina Rimes

To: JoAnne Brewer
Subject: RE: Draft Comprehensive Plan

From: Fred Fraize
Sent: Monday, April 17, 2017 3:57 PM
To: Kathleen Economides; Jeff Shrum; Planning Commission
Subject: Re: Draft Comprehensive Plan

Jeff, I would like to know the answer to Kathleen's concerns.
Please share with all in the stream.
Travel Safe
Fred Fraize

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From: Kathleen Economides <kathleendecono@gmail.com>
Sent: Monday, April 17, 2017 12:19:59 PM
To: Jeff Shrum; Planning Commission; City Council
Subject: Draft Comprehensive Plan

Many thanks for your hard work on updating the Comprehensive Plan for Venice. Having attended many of the Planning Commission meetings, I appreciate the time and effort spent on the Plan.

I do, however, wish to reiterate my concern in the elimination of the Institutional/Professional designation for Pinebrook Rehabilitation Nursing Center and the adjacent lot. It is clear that this designation is the appropriate designation and it is also clear that Pinebrook Rehabilitation and Nursing Center is the only nursing facility in the Pinebrook neighborhood which has had its Institutional/Professional designation changed in the draft Comprehensive Plan. Harbor Chase on Pinebrook Road is still designated Institutional/Professional as is Bay Breeze Health and Rehabilitation Center on Albee Farm Road. Manor Care Health Care and Bella Vita Assisted Living on East Venice Avenue also continue to retain the Institutional/Professional designation. I fail to understand how the inconsistency with Pinebrook Rehabilitation and Nursing Center is appropriate. There is an obvious disparity which could have long term implications for the Pinebrook neighborhood.

Accordingly, I am requesting this issue once again be reviewed.

Kathleen Economides

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William Smith

From: JoAnne Brewer
Sent: Monday, April 17, 2017 1:58 PM
To: William Smith
Subject: Fw: Draft Comprehensive Plan

From: Kathleen Economides <kathleendecono@gmail.com>
Sent: Monday, April 17, 2017 12:19 PM
To: Jeff Shrum; Planning Commission; City Council
Subject: Draft Comprehensive Plan

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Kathleen Economides

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PLANNING & ZONING

Written Correspondence

Comp Plan comments from
4/11/17 - 4/18/17

RCFalsani@falsanibalmer.com
tbfalsani@yahoo.com

Need to Report an Issue? SeeClickFix Venice Connect is available as an app for Android and iPhone. Select SeeClickFix from your app store on your device and choose Venice, Florida. There is also a link to the program on the city's website, www.venicegov.com, or go directly to SeeClickFix at <http://www.seeclickfix.com/Venice>

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Christina Rimes

To: JoAnne Brewer
Subject: RE: Parcel ID #: 0178-09-0023

From: Terry Falsani [<mailto:nxonagnew@aol.com>]

Sent: Monday, April 17, 2017 7:30 PM

To: Jerry Towery <JTowery@Venicegov.com>; Janis Fawn <JFawn@Venicegov.com>; Thomas Murphy <TMurphy@Venicegov.com>; Shaun Graser <SGraser@Venicegov.com>; Helen Moore <HMoore@Venicegov.com>; Barry Snyder <BSnyder@Venicegov.com>; Charles Newsom <CNewsom@Venicegov.com>; Kit McKeon <KMCKEON@venicegov.com>; Scott Pickett <SPickett@Venicegov.com>; Planning Commission <PlanningCommission@venicegov.com>

Cc: rcfalsani@falsanibalmer.com

Subject: Parcel ID #: 0178-09-0023

Dear Planning Commission Members:

In reference to the above Parcel and Southbridge Investments, LLC's request for a Zoning Map Amendment 17-04RZ: my husband and I, residents of 404 Shore Road, Venice, **strongly object to this request to re-zone the parcel to RSF 3, Venice City Code.**

All parcels in this area are zoned RSF 2, Venice City Code. As this parcel is located in the middle of the Gulf Shores Association properties, we believe it would be detrimental to our neighborhood and property values to allow such re-zoning, which reduces lot size restrictions, particularly the 80 ft. wide frontage requirement in RSF 2.

We also object to the plans as put forth by the developer, which threaten to remove all existing native vegetation along the creek. This parcel provides crucial habitat to many birds and other wildlife, and the tall slash pines contribute considerably to the beauty of our neighborhood. Perhaps more important, **we believe to remove totally this stately canopy and all the other native vegetation in the parcel would also threaten the drainage of the creek into the Gulf.**

Further, the plan as put forth now calls for adding unsightly and un-tested drainage ditches between and in front of the proposed lots, and planting non-native red maples (prolific leaf dropping trees!) directly along the creek bed, which would further impede the free flow of drainage.

We ask that you reconsider this development plan, and at the very least, restrict the entire parcel to the RSF 2 Venice City Code requirements.

Thank you all for your consideration.

Teresa B. Falsani--Cell: 218 390 6238
Robert C. Falsani--Cell: 218 591 4227

404 Shore Road, Venice, FL 34285

Email:

It has been pointed out to us that eventually there may be commercial buildings to the north of the storage facility that would serve the same purpose as the landscape screening. The concern here is that there is no known time frame as to when the commercial buildings may be constructed, if at all.

On behalf of the VGRC Community Association Board, I respectfully ask that our request be carefully considered in line with the efforts to improve the appearance along the Laurel Road Corridor.

Jerry Jasper

Chair, External Affairs Committee

VGRC Community Association

JoAnne Brewer

From: Jerry Jasper <jjaspernc@gmail.com>
Sent: Tuesday, April 18, 2017 9:04 AM
To: Barry Snyder; Planning Commission
Cc: Lori Stelzer
Subject: Proposed Site & Development Plan 16-01SP_ Laurel Road Storage

Chairman and Commissioners

City of Venice Planning Commission

Re: Proposed Site & Development Plan 16-01SP_ Laurel Road Storage

We have been working with the attorney representing the applicant on this proposed project for several months. Our main concern is the proper screening of the chain link fence on the north side of the facility as well as the Outdoor Storage Area when viewed from Laurel Road. Our request is that a minimum 80% opacity landscape buffer be provided on the north side of the chain link fence of sufficient height to screen the fence and any items stored in the Outdoor Storage Area such as RV's, boats and the like. We have reviewed the most recent revision of the Planting Plan (Rev 3 dated 12.9.16) which we believe would accommodate our request if the 2 feet high Walter's Viburnum interspaced among the red cedars were simply replaced with additional red cedars.

We are attempting to avoid a similar situation as recently described in an email exchange from the Mayor to the City Manager which read as follows:

John Holic <JHolic@Venicegov.com>

Tue 3 - 2017 3:43 PM

To:

Edward Lavallee <ELavallee@Venicegov.com>

Cc:

Roger Clark <RClark@Venicegov.com>;

Judy Gamel <JGamel@Venicegov.com>;

Jeff Shrum <JShrum@Venicegov.com>

Ed,

I spoke with Mrs. Russell about a problem she is having. Her home is for sale (lives on Lucaya near Albee Farm Road) where all the RV's and boats are stored. Her home is beautiful, but people are turning away due to the storage area. Please allow Jeff or someone in Planning to check on this to see if the storage land owner is living up to the zoning and to see if some type of barrier is required to lessen the visual impact of the storage area.

Thanks,

John

Replacing a few Walter's Viburnums (approximately 19 in total) with additional 10 ' minimum height red cedar should provide sufficient screening to assure we would not be faced with the undesirable circumstances encountered at the Albee Farm Road outdoor storage facility.



WRITTEN COMMUNICATIONS

Staff Comment: *The CI district does not have an open space standard and the Commercial future land use designation has no specific policy language on open space. The proposed self-storage buildings are setback more than the minimum setback required for front, side and rear yards.*

9. General compatibility with adjacent properties and other property in the district.

Applicant's Response: *The proposed use is compatible with adjacent properties and is an ideal use to provide transition from the industrial uses to the south and the proposed commercial general uses to the north.*

Staff Comment: *The compatibility of the proposed project in relation to adjacent properties and other property in the district is studied in detail in evaluation of the project's consistency with the comprehensive plan (See Section III of this report, Consistency with the Comprehensive Plan, beginning on pages 8 and 9). Analysis has been provided to evaluate this consideration and conclude that the project is compatible with adjacent and nearby properties. In addition, the proposed use is consistent with comprehensive plan and implement the comprehensive plan future land use map.*

10. Any special requirements set out in the schedule of district regulations of this chapter for the particular use involved.

Applicant's Response: *None.*

Staff Comment: *There are no CI district standards that specifically apply to the proposed self-storage facility, including the project's off-street parking facility.*

VI. SUMMARY OF STAFF FINDINGS FOR SPECIAL EXCEPTION PETITION

Based on the planning analysis provided in Section V of this report, staff finds the following regarding the subject special exception petition.

1. **Consistency with the Comprehensive Plan:** *The special exception petition is consistent with the comprehensive plan.*
2. **Required Planning Commission Findings for Special Exception Approval:** *Staff finds the special exception petition:*
 - *Will not adversely affect the public interest,*
 - *Satisfactory provision and arrangement have been made concerning the matters listed in Section 86-43(e), and*
 - *There is a reasonable and legitimate basis to allow the requested modification from Section 122-434(3)h.*

Applicant's Response: Off-street parking and loading is consistent with all City of Venice regulations and has been designed to ensure automotive and pedestrian safety and convenience while limiting any impacts to adjoining properties resulting from the proposed storage use.

Staff Comment: The proposed off-street parking and loading areas and the proposed self-storage facility are not expected to impact adjoining properties and properties generally in the district with regard to economic, noise, glare or odor.

4. Refuse and service areas, with particular reference to the items listed in subsections (e)(2) and (e)(3) of this section.

Applicant's Response: Refuse area have been located to limit impacts on automotive and pedestrian safety, or impacts to adjoining properties.

Staff Comment: The Public Works staff have no objection to the project's design and method for solid waste collection.

5. Utilities, with reference to location, availability and compatibility.

Applicant's Response: Utilities are available to the site and are located consistent with City of Venice requirements.

Staff Comment: The project will tie into existing city water and sewer lines with the Laurel Road East right-of-way. The Utilities Department in its concurrency review confirmed there is adequate water and sewer capacity to serve the proposed project.

6. Screening and buffering, with reference to type, dimensions and character.

Applicant's Response: The proposed storage facility will be screened from surrounding properties by a 6 foot high fence and landscaping to buffer any potential impacts of the proposed use.

Staff Comment: The proposed landscape plan complies with all applicable screening and buffering requirements. In addition, the landscape plan includes additional landscaping not required by code.

7. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district.

Applicant's Response: Signs and lighting have been designed consistent with City of Venice regulations and in harmony with other properties in the district.

Staff Comment: A 4' x 8' ground sign is proposed and will be required to comply with all applicable sign code standards.

8. Required yards and other open space.

Applicant's Response: The proposed storage facility meets or exceeds all City of Venice requirements for yards and open space.

Code Modification from Section 122.434(3)h

There is no policy or development standard for the Commercial future land use designation nor in the comprehensive plan in general that 1) establishes off-street parking standards for specific uses or 2) addresses the subject of modifications off-street parking standards. Many of the planning areas have parking policy that provides for alternative parking standards. However, the Commercial future land use map designation has no such policy on parking.

Staff Finding: *The proposed self-storage facility is a land use which is consistent with the Commercial future land use map designation. The comprehensive plan has no policy or development standards specific to off-street parking standards in the Commercial future land use designation. Therefore, staff finds the special exception petition consistent with the comprehensive plan.*

2. Required Planning Commission Findings for Special Exception Approval:

In accordance with Section 86-43(e), before any special exception shall be approved, the planning commission shall make a written finding that the granting of the special exception will not adversely affect the public interest and certify that the specific requirements governing the individual special exception, if any, have been met by the petitioner and that, further, satisfactory provision and arrangement has been made concerning the following matters, where applicable.

In addition to providing the applicant's response to each standard or finding, staff has provided commentary on each to facilitate the Planning Commission's review and evaluation of the special exception application.

1. Compliance with all applicable elements of the comprehensive plan.

Applicant's Response: *The proposed special exception is in compliance with all applicable elements of the comprehensive plan.*

Staff Comment: *Based on the comprehensive plan consistency analysis provided on this and the previous page, the special exception petition is consistent with the comprehensive plan.*

2. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Applicant's Response: *Ingress and egress to the property is consistent with all City of Venice regulations and has been designed to ensure automotive and pedestrian safety and convenience.*

Staff Comment: *Based on the planning analysis on this subject provided on pages 14 and 15, it appears the seven (7) parking spaces proposed for the self-storage facilities should be sufficient to accommodate the expected parking demand so as to not create issues related to automotive and pedestrian safety and convenience, traffic flow and control and emergency access.*

3. Off-street parking and loading areas, where required, with particular attention to the items listed in subsection (e)(2) of this section and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.

In the justification for the requested code modification, the applicant correctly notes that Section 122-434 does not include a parking standard for self-storage facilities. As a consequence, the parking standard for wholesale, warehouse and storage uses is applied to the proposed self-storage facility. The applicant also correctly notes that other jurisdictions has specific parking standards for self-storage facilities. Due to its unique operational characteristics, it is common current planning practice to provide off-street parking standards for self-storage facilities. Less current parking standards, like those for the City of Venice and other municipalities in the county, do not recognize self-storage facilities as an individual use.

The Sarasota County Zoning Code does have an off-street parking standard for self-storage facilities. It requires one off-street parking space for each 250 square feet of non-storage area. The proposed facilities will have 1,155 square feet of non-storage area (typically office and retail space). Applying the county standard to the proposed non-storage area would result in the requirement of five (5) off-street parking spaces. The requested code modification is to allow a total of seven (7) off-street parking spaces.

Staff conducted additional research to further evaluate the adequacy of the proposed number of off-street parking spaces. The Institute of Transportation Engineers (ITE) prepares a Parking Generation report which summarizes parking utilization studies for various types of land uses. Self-storage facility is one of the uses studied. Based on the 3rd Edition of the ITE Parking Generation report prepared in 2004, the average peak period parking demand on a weekday per 1,000 square feet of gross floor area of self-storage facility is 0.16 vehicles. Applying this finding to the 60,800 square foot self-storage facilities results in an average peak period parking demand of 9.7 vehicles.

It should also be noted that from an operational perspective, some if not most of the customers that already have rented storage units will park their vehicles inside the gates (beyond the parking area) next to their storage unit to load and unload items.

Based on the above analysis, it appears the seven (7) parking spaces proposed for the self-storage facilities should be sufficient to accommodate the expected parking demand so as to not create issues related to automotive and pedestrian safety and convenience, traffic flow and control and emergency access.

1. Consistency with the Comprehensive Plan:

The subject property has a Commercial future land use map designation. The commercial designation is planned for multi-purpose activity centers, such as downtowns or central business districts, commercial corridors, and shopping centers that include commercial uses such as retail, office, professional, service, and hotel/motel lodging activities. Total square footage of commercial uses shall not exceed a floor area ratio (FAR) of 1.0.

Self-Storage Facility Special Exception Use

The proposed self-storage facility special exception use is a service business that is consistent with the land uses planned for the commercial future land use designation.

1. **Consistency with the Comprehensive Plan:** *The proposed site and development plan is consistent with the comprehensive plan.*
2. **Compliance with the Land Development Code:** *Subject to approval of the requested code modification, the proposed site and development plan is in compliance with the Land Development Code.*
3. **Concurrency:** *The proposed site and development plan is in compliance with the city's concurrency management regulations. If approved, staff will issue the project a concurrency certificate.*

V. PLANNING ANALYSIS FOR SPECIAL EXCEPTION PETITION NO. 16-01SE

This section of the report evaluates the special exception petition's consistency with the comprehensive plan, and provides the applicant's response and staff's comments on the required findings for special exception approval contained in Section 86-43(e). The special exception petition includes the following two components:

- 1) A self-storage facility as a special exception use in the CI district
- 2) Modification from Section 122-434(3)h to reduce the minimum required number of off-street parking spaces for the proposed self-storage facility from 30 spaces to seven (7) spaces. It is important to note that the site plan drawing parking calculation (which states that 24 space are required) does not accurately account for the applicable parking standard which is based on gross floor area of the proposed buildings. The applicant mistakenly exempted floor area which, in this case, should not have been exempted. The total proposed building floor area is 60,800 square feet; applying the one space per 2,000 square feet of gross floor area standard yields a total of 30 required parking spaces.

Regarding the requested code modification, in the project narrative which is included in the Planning Commission materials on this petition, the applicant provided the following justification for the requested code modification.

"The request is justified based upon the unique nature of the proposed self-storage use. The City's code does not distinguish between the typical warehouse storage use and the retail type self-storage use. However, in other jurisdictions where the different types of storage are distinguished the standard is typically based upon the square footage of the retail square footage of the use and excludes the storage garage. A typical standard for self-storage is 1 space per 250 square feet of non-storage area. The non-storage area of the proposed self-storage facility is 1,155 square feet which would typically require 5 parking spaces. The proposed plan is for 7 parking spaces."

Having the appropriate number of off-street parking spaces on a property is one factor for ensuring automotive and pedestrian safety and convenience, traffic flow and control and emergency access. Section 122-434(3)h requires wholesale, warehouse or storage uses provide a minimum of one off-street parking space for every 2,000 square feet of gross floor area, plus one space for each vehicle based at the facility. There are no vehicles planned to be based at the facility so the 60,800 square foot self-storage facility is required to have a minimum of 30 off-street parking spaces. The requested code modification is to provide seven (7) off-street parking spaces.

- (10) General site arrangement, amenities and convenience, with particular reference to ensuring that appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area and will not be so at variance with other development in the area as to cause substantial depreciation of property values.

Applicant's Response: *The proposed self-storage facility will provide an appropriate transition between the CG zoning district along Laurel Road and the more intensive ILW zoning to the south. The proposed self-storage use is an ideal commercial use for transition between commercial and industrial zoning. The site layout will further insure compatibility and harmony with properties in the general area.*

Staff Comment: *The compatibility of the proposed project in relation to properties in the general area and the effect thereon is studied in detail in evaluation of the project's consistency with the comprehensive plan (See Section III of this report, Consistency with the Comprehensive Plan, beginning on pages 8 and 9). Analysis has been provided to evaluate this consideration and conclude that the project is compatible with adjacent and nearby properties. The proposed use is consistent with comprehensive plan and implementation of the comprehensive plan is generally expected to positively affect property values.*

- (11) Such other standards as may be imposed by this chapter on the particular use or activity involved.

Applicant's Response: *Not applicable.*

Staff Comment: *There are no other development standards in the Land Development Code that specifically apply to the proposed project.*

- (12) In the event that a site and development plan application is required, no variance to the height, parking, landscape, buffer or other standards as established herein may be considered by the Planning Commission. The Planning Commission may consider modifications to these standards under the provisions and requirements for special exceptions.

Applicant's Response: *A concurrent special exception application has been filed to vary parking standards (Sec. 122-434(3)h).*

Staff Comment: *As part of a concurrently processed special exception petition, the applicant has requested code modifications from Section 122-434(3)h to reduce the minimum required number of off-street parking spaces for the proposed self-storage facility from 30 spaces to seven (7) spaces. Staff's analysis of the requested special exception is provided in Sections V and VI of this staff report.*

Based upon the above analysis, staff has determined that sufficient information has been provided for the Planning Commission to make findings on each of the above considerations.

IV. SUMMARY OF STAFF FINDINGS

Based on the planning analysis provided in Section III of this report, staff has made the following findings regarding the site and development plan petition.

Applicant's Response: The proposed self-storage facility is sufficiently screened to preserve harmony and compatibility with uses inside and outside the proposed development. Additional screening will occur with development of the future development area along Laurel Road in front of the proposed self-storage facility.

Staff Comment: The parking lot was designed and constructed in compliance with all applicable Land Development Code screening and landscaping standards.

- (6) Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent and nearby properties and the consequences of such drainage on overall public drainage capacities.

Applicant's Response: The proposed drainage plan meets all City of Venice requirements without any negative impacts on adjacent and nearby properties.

Staff Comment: The Engineering Department confirmed compliance with applicable drainage requirements.

- (7) Adequacy of provision for sanitary sewers, with particular relationship to overall city sanitary sewer availability and capacities.

Applicant's Response: Adequate sanitary sewer capacity is available to serve the site.

Staff Comment on Sanitary Sewer: The project will tie into an existing sanitary sewer line located within the right-of-way of Laurel Road East (the north-south road). The Utilities Department in its concurrency review confirmed there is adequate sanitary sewer capacity to serve the proposed city project.

- (8) Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

Applicant's Response: Utilities locations are consistent with all City of Venice requirements and capacity is available to serve the property.

Staff Comment on Potable Water: The project will tie into existing water line located within the right-of-way of Laurel Road East (the north-south road). The Utilities Department in its concurrency review confirmed there is adequate water capacity to serve the proposed city project.

- (9) Recreation facilities and open spaces, with attention to the size, location and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the proposed development, and relationship to community or citywide open spaces and recreational facilities.

Applicant's Response: Not applicable.

Staff Comment: There are no recreation or open space standards in the Land Development Code that apply to the project. The proposed setbacks for the storage buildings exceed the minimum front, side and rear yard requirements.

Staff Comment: *A deed and survey have been submitted confirming ownership and control of the subject property.*

- (2) Intensity of use and/or purpose of the proposed development in relation to adjacent and nearby properties and the effect thereon; provided, however, that nothing in this subsection shall be construed as granting the planning commission the authority to reduce residential densities below that permitted by the schedule of district regulations set out in article IV, division 2 of this chapter.

Applicant's Response: *The proposed self-storage facility will provide an appropriate transition between the CG zoning district along Laurel Road and the more intensive ILW zoning to the south. The proposed self-storage use is an ideal commercial use for transition between commercial and industrial zoning.*

Staff Comment: *The intensity of the proposed project in relation to adjacent and nearby properties and the effect thereon is studied in detail in evaluation of the project's consistency with the comprehensive plan (See Section III of this report, Consistency with the Comprehensive Plan, beginning on pages 8 and 9). Analysis has been provided to evaluate this consideration and conclude that the project is compatible with adjacent and nearby properties.*

- (3) Ingress and egress to the development and proposed structures thereon, with particular reference to automotive and pedestrian safety, separation of automotive traffic and pedestrian and other traffic, traffic flow and control, provision of services and servicing utilities and refuse collection, and access in case of fire, catastrophe or emergency.

Applicant's Response: *Road access to the self-storage facility has been located to minimize adverse impacts, if any.*

Staff Comment: *Ingress and egress to the development has been designed in compliance with LDC standards. The Public Works Department raised no concern regarding solid waste collection and the Fire Department identified no issues related to access in case of fire, catastrophe or emergency.*

- (4) Location and relationship of off-street parking and off-street loading facilities to thoroughfares and internal traffic patterns within the proposed development, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscaping.

Applicant's Response: *Off-street parking and loading facilities have been located to maximize pedestrian safety, traffic flow and fire access. The screening of parking and loading facilities meet or exceeds the code requirements.*

Staff Comment: *The design of the proposed off-street parking and loading facilities have been reviewed for compliance with applicable LDC standards. No concerns were raised regarding pedestrian safety, traffic flow and control and access in case of fire or catastrophe. The proposed screening and landscaping of the parking areas is in compliance with LDC standards.*

- (5) Sufficiency of proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the proposed development.

3. Concurrency/Adequate Public Facilities:

The applicant has submitted a concurrency determination application and a concurrency review has been completed by staff. The following table shows the expected public facility impacts and the status of the departmental concurrency reviews.

Department	Facility	Project's Estimated Impact	Status
Utilities	Potable Water	3.30 ERUs	Concurrency confirmed by Utility Department
Utilities	Sanitary Sewer	3.78 ERUs	Concurrency confirmed by Utility Department
Public Works	Solid Waste	N/A	There is no adopted level of service for non-residential uses.
Public Works	Parks & Recreation	N/A	There is no adopted level of service for non-residential uses.
Engineering	Drainage	Compliance with SWFWMD permit	Concurrency confirmed by Engineering Department
Planning and Zoning	Transportation	9 p.m. peak hour trips	Concurrency confirmed by Planning & Zoning Division
School Board	Public Schools	N/A	The project is non-residential therefore not subject to school concurrency

Finding of Fact (Concurrency): *Adopted minimum levels of service for the above public facilities will be maintained after taking into account the estimated public facility impact of the proposed self-storage facility.*

4. Planning Commission Findings of Fact for the Site and Development Plan

Section 86-23(n) specifies the Planning Commission's role in taking action on a site and development plan application and reads in part, "..... the planning commission shall be guided in its decision and exercise of its discretion to approve, approve with conditions, or to deny by the following standards".

In addition to providing the applicant's response to each standard or finding, staff has provided commentary on each to facilitate the Planning Commission's review and evaluation of the site and development plan application.

- (1) Sufficiency of statements on ownership and control of the development and sufficiency of conditions of ownership or control, use and permanent maintenance of common open space, common facilities or common lands to ensure preservation of such lands and facilities for their intended purpose and to ensure that such common facilities will not become a future liability for the city.

Applicant's Response: *Statements of ownership and control have been provided with the application. No common open space is proposed.*

site. The self-storage facility has been designed to minimize impacts on the abutting commercial/residential property, with the more intensive components of the site plan (the two-story storage building and parking facility) being located furthest from the abutting property. In addition, compared to other uses allowed in the CI district, the proposed self-storage use has less frequent patronage and associated externalities (traffic, noise, etc.). For these reasons, the proposed self-storage facility is not considered incompatible with existing uses in the vicinity.

- 3) The degree to which the development phases out nonconforming uses in order to resolve incompatibilities with existing uses

This topic is not applicable, there are no nonconforming uses on the subject property.

- 4) Densities and intensities of proposed uses as compared to densities and intensities of existing uses

Compared to other non-residential uses in the area which include an excavation business with a recycling facility, a city wastewater treatment facility, drug store, commercial plaza and the gas station/convenience store/car wash business, the proposed self-storage can be considered less intensive in terms of traffic, noise and odor. In addition, the proposed self-storage facility is designed at a 0.24 FAR, considerably less than maximum FAR of 1.0 required in the commercial future land use designation.

Finding of Fact (Comprehensive Plan): *The proposed site and development plan is consistent with the commercial future land use designation and Policy 8.2 regarding land use compatibility.*

2. Compliance with the Land Development Code:

In a concurrently processed zoning map amendment, the applicant has requested a Commercial, Intensive (CI) zoning district for the portion of the property in which the self-storage facility is proposed to be developed. Without the zoning map amendment, the applicant cannot develop the proposed facility because the existing Commercial, Highway Interchange (CHI) zoning does not allow any type of storage facility. Staff's review for Land Development Code (LDC) compliance is based on the proposed CI zoning.

Self-storage facilities are a special exception use in the CI district, hence the concurrently processed special exception petition. The self-storage facility includes indoor storage in three buildings and an outdoor storage area. Unlike other uses in the CI district which are specifically restricted to be within a completely enclosed building, self-storage facilities have no such restriction. As such, the proposed self-storage facility, as designed, is an allowable special exception use in the CI district.

Staff has reviewed all submitted plan drawings for compliance with the CI district regulations and all other applicable LDC regulations. Except for the requested code modification from Section 122-434(3)h to reduce the minimum required number of off-street parking spaces from 30 spaces to 7 spaces, staff confirms the site and development plan is in compliance with all applicable standards contained in the Land Development Code (LDC).

Staff Finding: *Subject to the approval of the requested code modification, staff finds the site and development plan in compliance with the LDC.*

1. Consistency with the Comprehensive Plan:

The subject property has a Commercial future land use map designation. The commercial designation is planned for multi-purpose activity centers, such as downtowns or central business districts, commercial corridors, and shopping centers that include commercial uses such as retail, office, professional, service, and hotel/motel lodging activities. Total square footage of commercial uses shall not exceed a floor area ratio (FAR) of 1.0.

The proposed self-storage facility is a service business that is consistent with the land uses planned for the commercial future land use designation. The proposed facility has a total floor area of 60,800 square feet which over the entire 5.81-acre property represents a FAR of 0.24, less than the maximum FAR of 1.0 allowed in the commercial future land use map designation.

Policy 8.2, Land Use Compatibility Review Procedures, requires a land use compatibility review of the following:

- 1) Protection of single-family neighborhoods from the intrusion of incompatible uses,
- 2) Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses,
- 3) The degree to which the development phases out nonconforming uses in order to resolve incompatibilities with existing uses, and
- 4) Densities and intensities of proposed uses as compared to densities and intensities of existing uses.

In conducting the above review, land use density and intensity, building heights and setback, character or type of use proposed, and site and architectural mitigation design techniques are to be evaluated. If a potential incompatibility is identified the policy lists a several techniques which can be used to mitigate the potential incompatibility.

The following is a review of each of the four land use compatibility topics listed above.

- 1) Protection of single-family neighborhoods from the intrusion of incompatible uses

Based on the profile of existing land uses that surround the subject site, it is reasonable to conclude there is no single-family neighborhood in the vicinity of the subject property. Existing land uses adjacent to the subject property are either commercial, industrial or vacant commercial. The one exception is the 6.9-acre property which abuts the subject property to the south and west. This is a mixed use property with multiple residential structures and storage structures from which multiple businesses are conducted, including but not limited to a lawn service business and pool contractor.

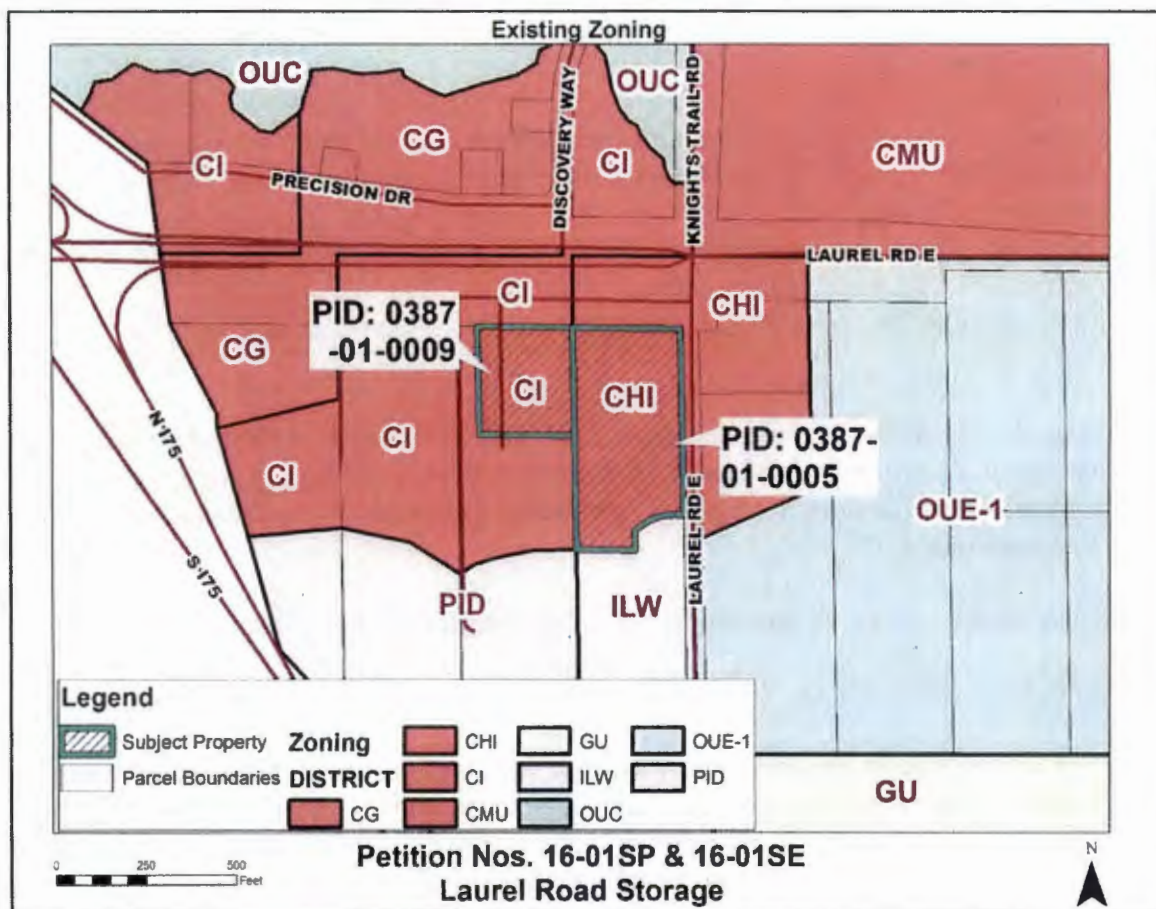
- 2) Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses

All properties surrounding the subject property have non-residential zoning. Except for the 6.9-acre property noted above, all properties adjacent to the subject property have existing land uses which are either commercial, industrial or vacant commercial. The 6.9-acre property is best characterized as a mixed commercial/residential use, with commercial activities present on the

zoning. Parcel no. 0387-01-0005 was rezoned from Sarasota County Open Use, Estate 1 (OUE-1) to City of Venice Commercial, Highway Interchange (CHI) on May 14, 2002 through the adoption of Ordinance No. 2002-25. Parcel no. 0387-01-0005 was rezoned from Sarasota County Open Use, Estate 1 (OUE-1) to City of Venice Commercial, Intensive (CI) on March 26, 1996 through the adoption of Ordinance No. 96-07 which included the following two stipulations:

1. The CI district is limited to automotive service stations, automotive convenience centers, convenience stores, restaurants, gift shops catering to the traveling public, transient accommodations, and banks with drive-up facilities.
2. Truck stops shall be allowed upon the granting of a special exception.

MAP 4: Existing Zoning Map



Surrounding properties to the north, west and east have either existing CHI, CI or CG zoning, while properties to the south have existing industrial zoning (Industrial, Light and Warehousing (ILW) and Planned Industrial Development (PID)).

III. PLANNING ANALYSIS FOR SITE AND DEVELOPMENT PLAN PETITION NO. 16-01SP

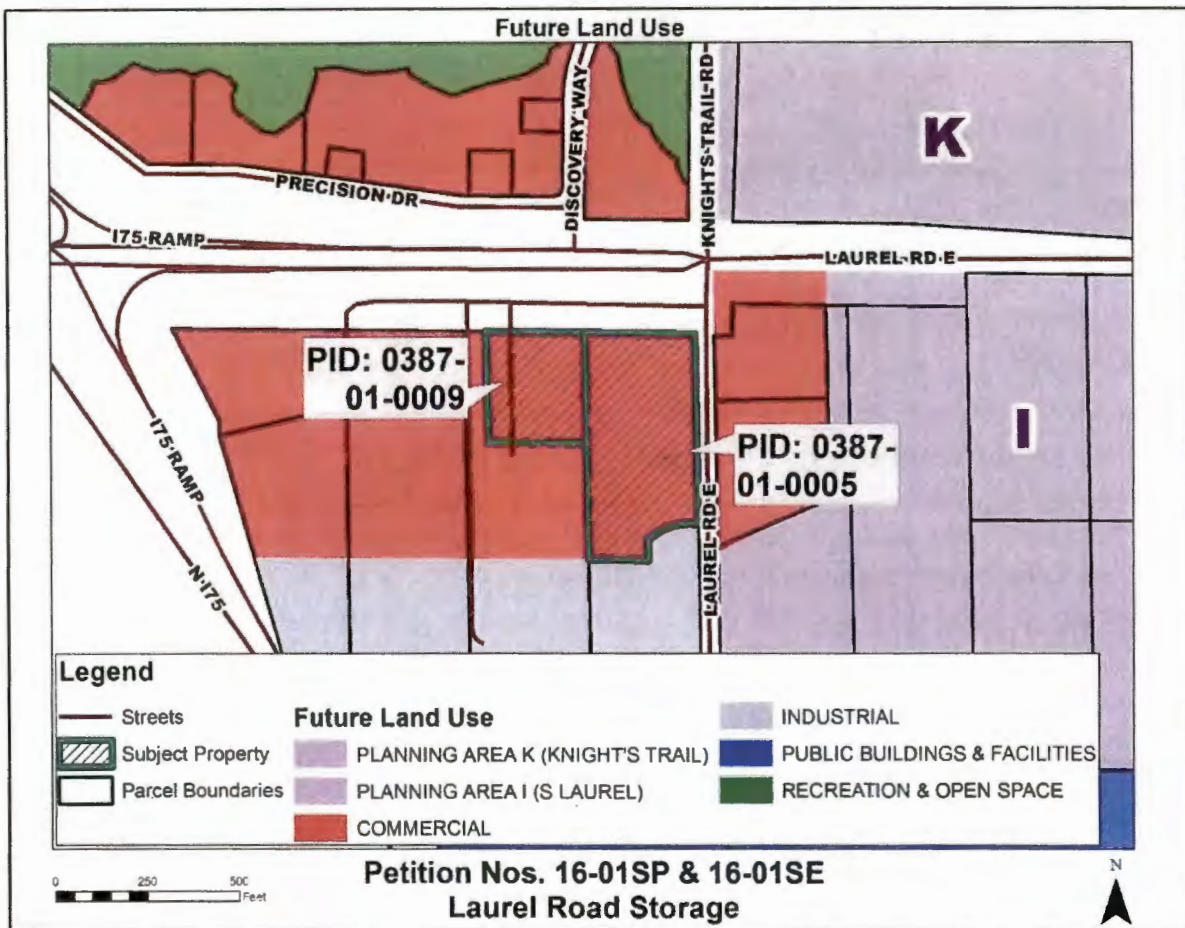
This section of the report evaluates the site and development plan petition for 1) consistency with the comprehensive plan, 2) compliance with the Land Development Code, and 3) compliance with the city's concurrency management regulations and the project's expected impacts on public facilities. For each of the three evaluations staff provides its finding and staff comments are provided for each of the required findings for site and development plan approval contained in Section 86-23(n).

The Zone X designation is not identified as a Special Flood Hazard Area and therefore not subject to based flood elevation requirements. Parcel no. 0387-01-0005 has a Zone X and an AE FIRM designation with high to low flood risk. The AE designated portion of the parcel is identified as a Special Flood Hazard Area and is subject to a base flood elevation of 14.7 feet. Any development of the property will be subject to compliance with FEMA requirements.

Future Land Use:

Map 3 (see following page) shows the subject property having a Commercial future land use map designation. The commercial designation is planned for multi-purpose activity centers, such as downtowns or central business districts, commercial corridors, and shopping centers that include commercial uses such as retail, office, professional, service, and hotel/motel lodging activities. Total square footage of commercial uses shall not exceed a floor area ratio (FAR) of 1.0. Properties to the north, west and east also have a commercial designation, while property to the south has an industrial future land use map designation.

MAP 3: Future Land Use Map



Existing Zoning:

Map 4 (see following page) shows the existing zoning of the subject and surrounding properties. The eastern parcel (parcel id. no. 0387-01-0005) currently has Commercial, Highway Interchange (CHI) zoning, and the western parcel (parcel id. no. 0387-01-0009) currently has Commercial, Intensive (CI) zoning.



Two of several buildings on the property abutting the subject property to the west



An adjacent CVS store to the east of the subject property

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

Direction	Existing Land Use(s)	Existing Zoning District(s)	Future Land Use Map Designation(s)
North	Gas station/convenience store and commercial plaza	Commercial, Intensive (CI) and Commercial, General (CG)	Commercial
West	Mixed use commercial and residential, and vacant land	CI	Commercial
South	Excavation company w/ recycling facility and city wastewater treatment facility	Industrial, Light and Warehousing (ILW) and Planned Industrial Development	Industrial
East	Drug store and vacant land	Commercial, Highway Interchange (CHI)	Commercial

Flood Zone Information:

The FEMA Flood Insurance Rate Map (FIRM) shows the subject property with two flood zone designations. Parcel no. 0387-01-0009 has a Zone X FIRM designation with moderate to low flood risk.



Access to the subject property is from two local roads, both named Laurel Road East



The northern portion of the subject property looking west



Abandoned residential structures on the property recently demolished



A light industrial business abutting the subject property to the south

II. SUBJECT PROPERTY/SURROUNDING AREA INFORMATION

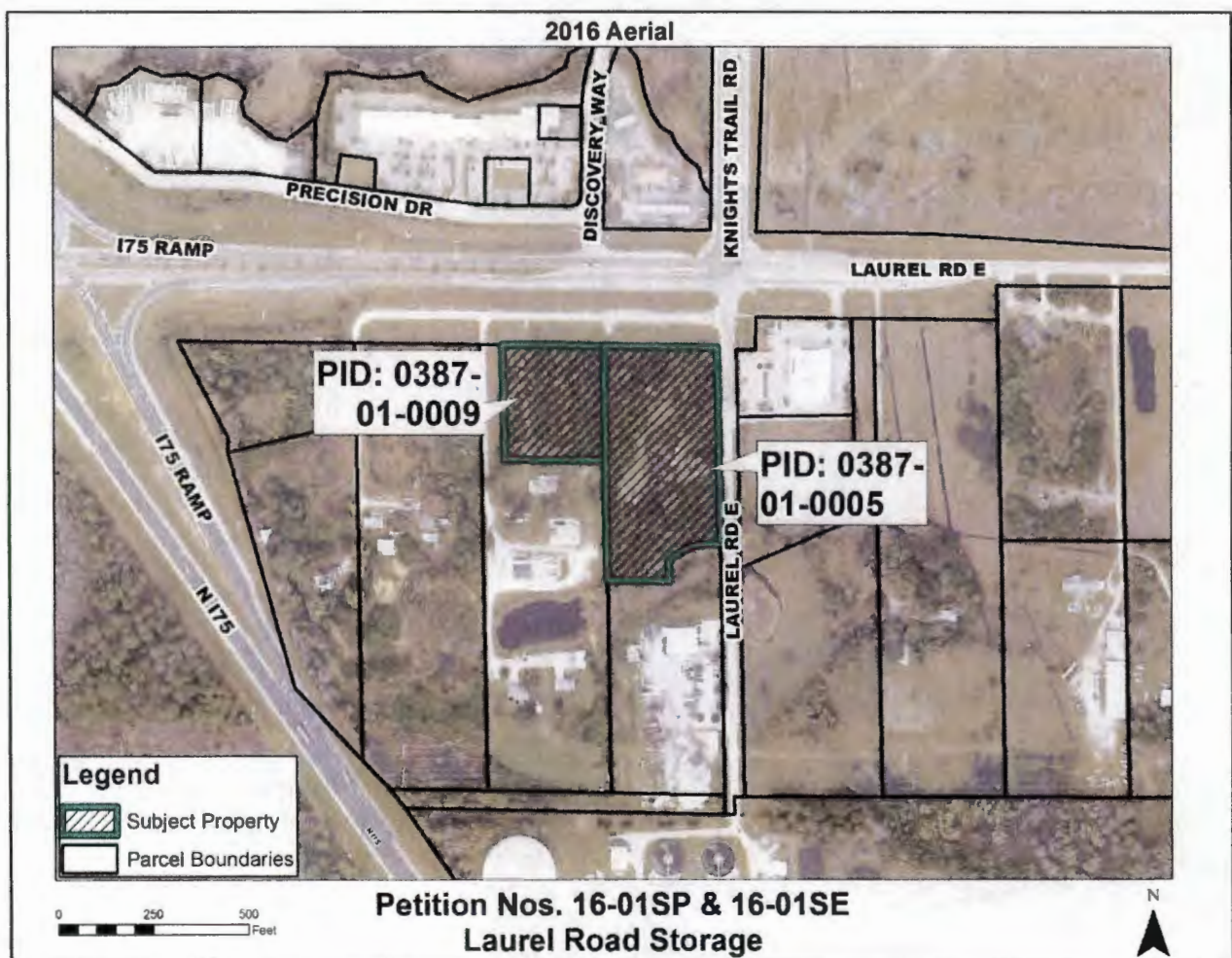
On- and Off-Site Conditions:

The subject property is comprised of two parcels of land totaling 5.81 acres as shown on Map 2 (see following page). With the recent demolition of a house and associated accessory structures on the eastern parcel (parcel id. no. 0387-01-005), both parcels are vacant.

The property has street frontage on two local streets, both of which are named Laurel Road East (the four-lane arterial roadway immediately to the north is also named Laurel Road East). The north-south local road which provides access to the Laurel Road East (the arterial roadway) at the intersection of Laurel Road East and Knight's Trail Road terminates to the south at the entrance of the City of Venice wastewater treatment plant. The east-west local road is a non-through road providing adjacent properties access to Laurel Road East.

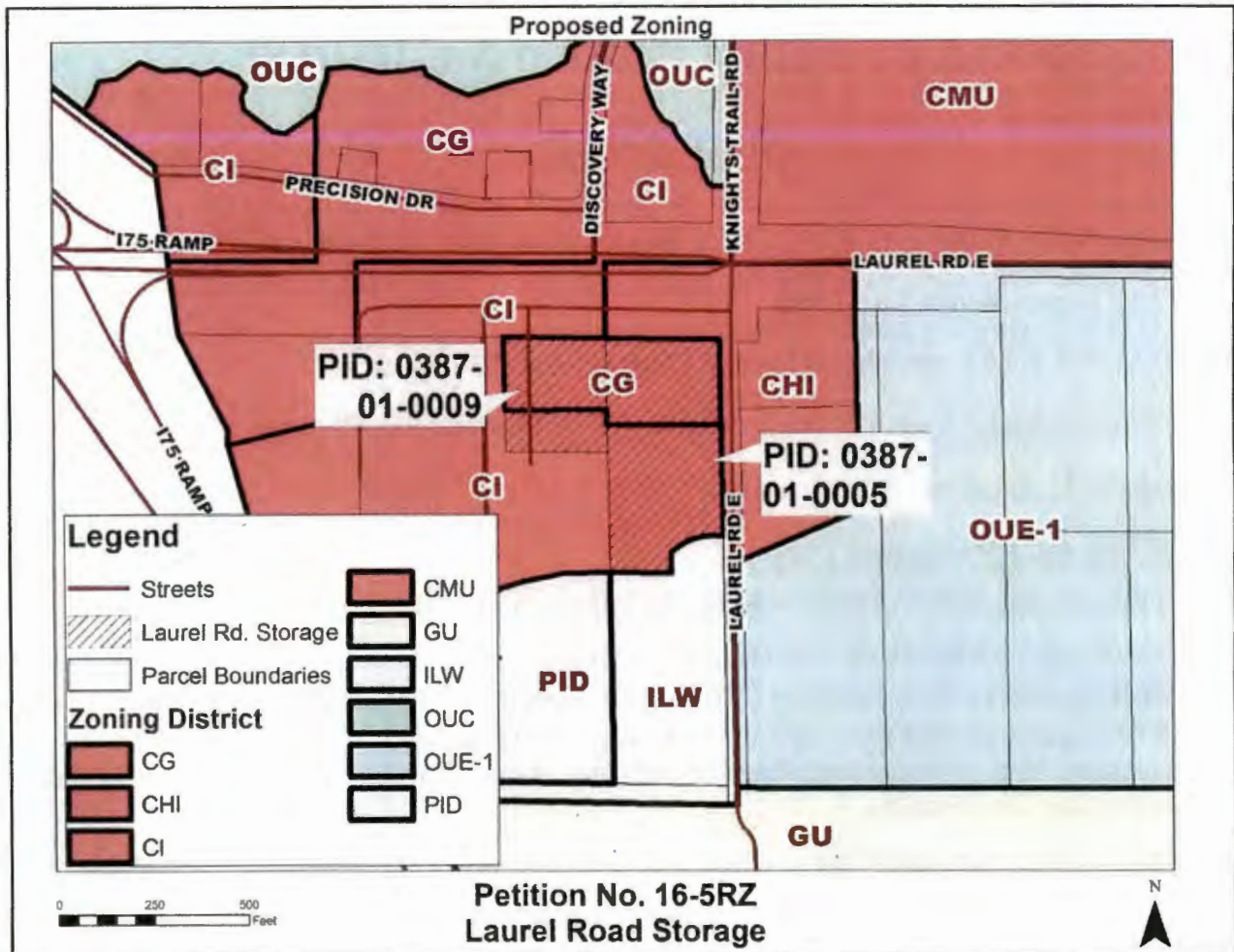
Following Map 2 are a series of photos which show on-site conditions and properties adjacent to the subject property.

MAP 2: Aerial Photograph



The project is dependent on a concurrently processed zoning map amendment that rezones the subject property from CHI and CI districts to CI and CG districts. The proposed self-storage facility is located on the portion of the property proposed for CI zoning as shown on the following map provided from the staff report for Zoning Map Amendment Petition No. 16-05RZ.

MAP 1: Proposed Zoning Map (Proposed CG and CI Zoning)



The proposed self-storage facility includes the following improvements:

- A two-story, 53,000 square foot storage building,
- Two one-story storage buildings (3,800 square foot and 4,000 square foot buildings),
- A fenced open storage yard west of the storage buildings, and
- Associated improvement including but not limited to drainage improvements, off-street parking and landscaping.

Additional information on the proposed improvements can be obtained from the Planning Commission packets which include engineering drawings, including the proposed site plan drawing, architectural elevation drawings and landscape plans.



Project: Laurel Road Storage
Site and Development Plan Petition No. 16-01SP
Special Exception Petition No. 16-01SE

Staff Report

Owner: Laurel Road Storage, LLC

Parcel ID #s: 0387-01-0009 & 0387-01-0005

Agent: Jeffery Boone, Boone Law Firm

Addresses: 3496 & 3500 Laurel Road East **Parcel Size:** 5.81 acres

Existing Zoning Districts: Commercial, Intensive (CI) & Commercial, Highway Interchange (CHI)

Future Land Use Designation: Commercial

Summary of Site and Development Plan:

A proposed self-storage facility which includes the following improvements:

- A two-story, 53,000 square foot storage building,
- Two one-story storage buildings (3,800 square foot and 4,000 square foot buildings),
- A fenced open storage yard west of the storage buildings, and
- Associated improvement including but not limited to drainage improvements, off-street parking and landscaping.

Summary of Special Exception Petition:

- 1) A proposed self-storage facility as a special exception use in the proposed Commercial, Intensive (CI) district.
- 2) In conjunction with the concurrently processed site and development plan petition a request for a modification from Section 122-434(3)h to reduce the minimum required number of off-street parking spaces for the proposed self-storage facility from 30 spaces to seven (7) spaces.

Concurrent Land Development Applications:

Zoning Map Amendment 16-05RZ to rezone the subject property from Commercial, Highway Interchange (CHI) and Commercial, Intensive (CI) to CI and Commercial, General (CG)

I. INTRODUCTION

The subject property is comprised of two abutting parcels with a combined area of 5.81 acres located southwest of the Laurel Road East/Knight's Trail Road intersection. The eastern parcel (parcel id. no. 0387-01-0005) currently has Commercial, Highway Interchange (CHI) zoning, and the western parcel (parcel id. no. 0387-01-0009) currently has Commercial, Intensive (CI) zoning (see Map 4 on page 7).

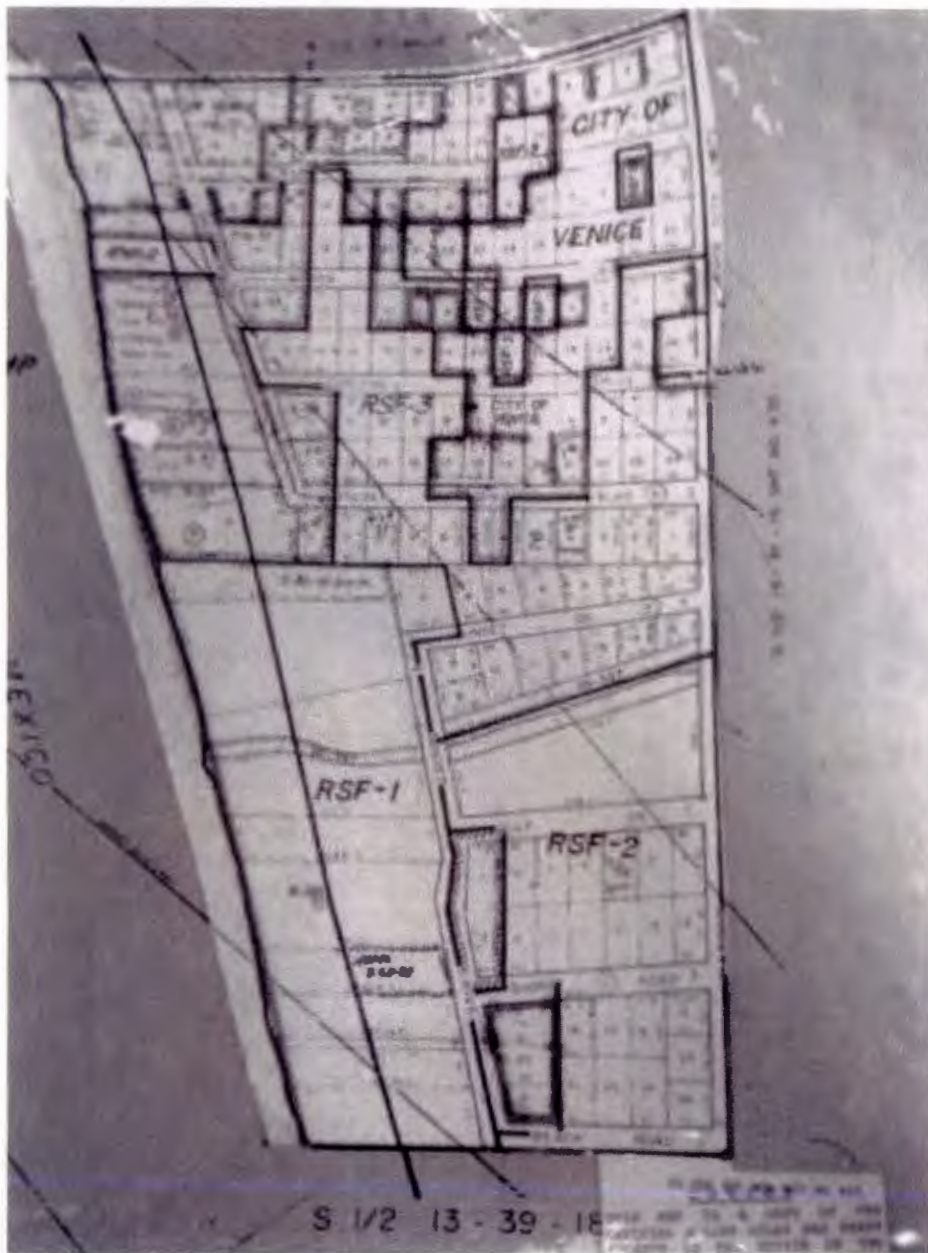


5045

10/10/01

~~SECRET~~



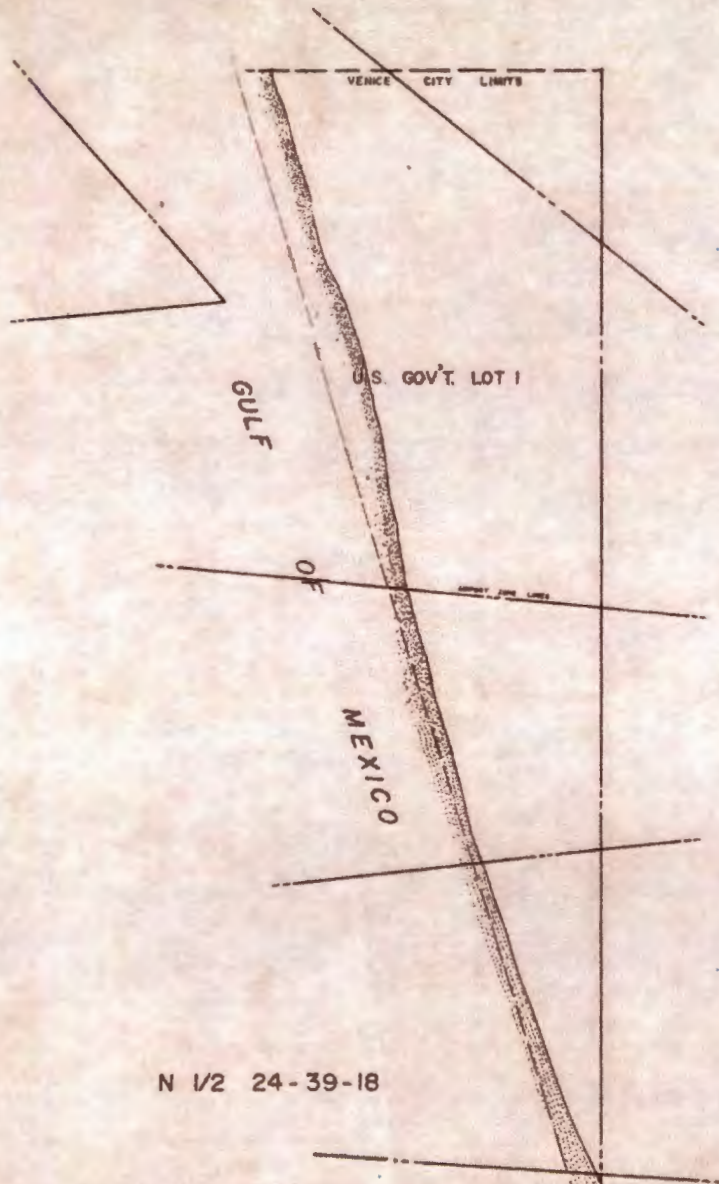


4 of 5



3085

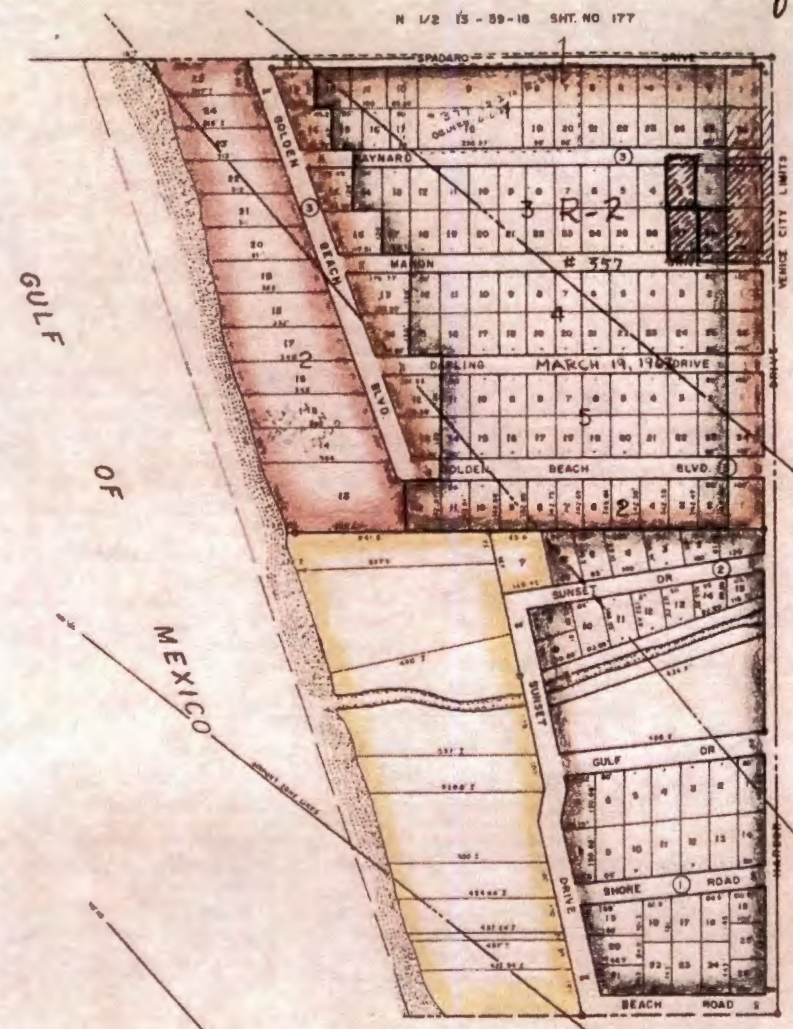
20 of 5



N 1/2 24-39-18

No.	Name	INDEX
1	GULF SHORES NO. 3	6/88
2	GULF SHORES NO. 3	7/37
3	GOLDEN BEACH	7/84A

- LEGEND
- 6 PERM. REF. BOLL (for Sub)
 - 9 CONC. MON.
 - 10 IRON PIPE
 - 11 CO. SEC. COR. MON.
 - 4 CO. BENCH MARK



S 1/2 13-39-18

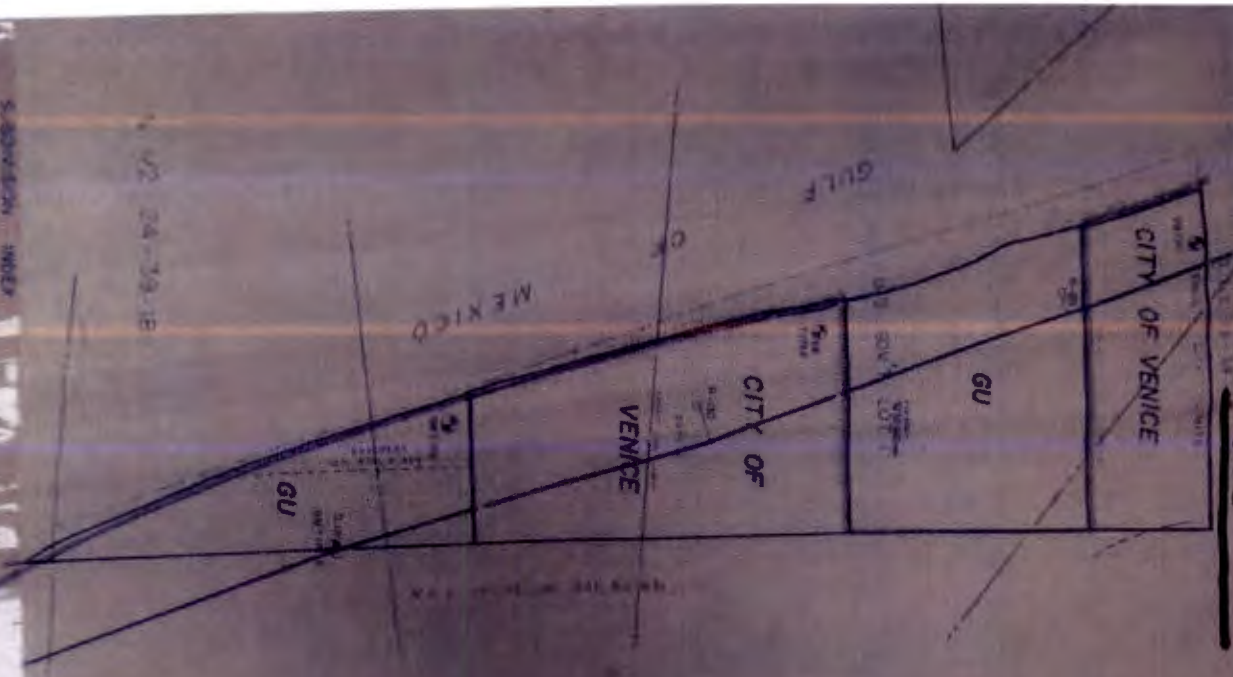
S 1/2 18-39-18 SHT. NO. 430

NO.	ALTERATIONS	DESCRIPTION
1	PERM. REF. BOLL (for Sub)	
2	CONC. MON.	
3	IRON PIPE	
4	CO. SEC. COR. MON.	
5	CO. BENCH MARK	

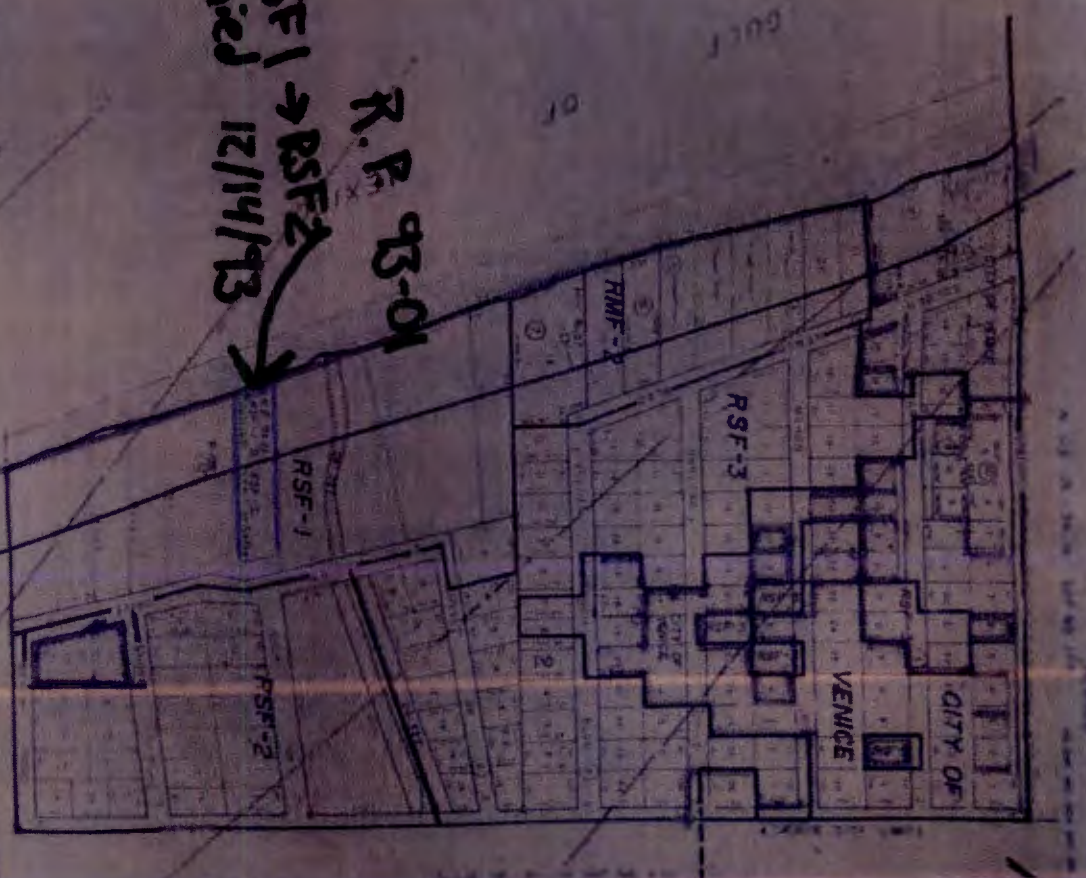
SARASOTA COUNTY FLORIDA
SCALE 1" = 800'
AUG. 1984
HANSSEN & ASSOCIATES
DESIGNED BY J. HANSSEN

S 1/2 SECTION 13
N 1/2 SECTION 24
TWP. 39 S. RNG. 18 E.

Sheet 178



R.P. 93-01
RSF 1 → RSF 2
Denied 12/14/93



NOTICE
This map is a copy of the original survey and has been prepared to the best of the Surveyor's ability. It is not a guarantee of accuracy and is not to be used for any purpose other than the one for which it was prepared.

03/08/2017

10/5

S 1/2 SECTION
N 1/2 SECTION
TWP 39 S. R. 15 E.

The attached 5 maps are of the parcel # 0178090023 owner Southbridge Investments LLC located in the City of Venice at the intersection of Harbor Drive and Gulf Drive. Proposed subdivision titled Gulf Harbor Estates clearly shows the property to be RSF 2 Sarasota County code.

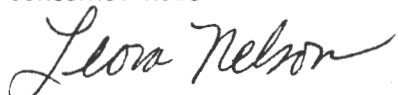
The first copy of the attached maps came from the City of Venice planning and zoning department. They use a system called Laserfiche. The map has a date stamp of 3-8-2017 on the bottom right hand corner. This date is the very day after the planning commission met on the Petition Number 16-4PP Gulf Harbor Estates.

I have spent my time doing the research on this property and I uncovered many different forms of maps from the City of Venice and also Sarasota County that lead me to believe that the developer of the proposed subdivision Gulf Harbor Estates did not do their due diligence.

They have said repeatedly "No Fault of their own". If they had not just relayed on a map on the wall in the City of Venice planning and zoning department but had done their due diligence this situation would not have occurred. I believe going to the Sarasota County Courthouse would be one of the first things a developer would do to get the lay of the land in the county in which they are planning their project. If they had gone to the Sarasota County Courthouse they would have discovered at that time the discrepancy with the RSF codes between the City of Venice information and the Sarasota County information on this parcel # 0178090023. They then could have brought it to the attention of the City of Venice and other avenues beside just the map on the wall would have been pursued.

One of the first things the planning and zoning should have done in my opinion would have been to check the annexation papers for this parcel. The annexations records are obtained in this office.

Concerned Citizen


Leora Nelson

1104 Sunset Drive

Venice FL 34285

April 17, 2017

202

- g. Distances not specifically indicated on the official zoning atlas shall be determined by the scale of the map.
- (2) *Interpretation by zoning administrator.* In cases not covered by subsection (d)(1) of this section, the zoning administrator shall interpret the official zoning atlas in accord with the intent and purpose of this chapter. Appeal of an interpretation of the zoning administrator shall be to the planning commission.

(Ord. No. 2013-10, § 3, 5-28-13)

Submitted By LEORA NELSON
4-17-17

1082

Sec. 86-60. - Official zoning atlas.

Ordinance No. 1-26-1,
City of Venice

- (a) *Establishment of districts; adoption of official zoning atlas.* The official zoning atlas of the city is hereby divided into zones or districts as shown on the official zoning atlas which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Code. The official zoning atlas shall be identified by the signature of the mayor and attested by the city clerk. It shall state: "This is to certify that as of the adoption of Ordinance No. _____ this is the official zoning atlas of the City of Venice, Florida" and shall state the date of the certification and bear the seal of the city.
- (b) *Unauthorized changes in official zoning atlas.* No changes of any nature shall be made in the official zoning atlas except in conformity with the procedures set forth in this chapter.
- (c) *Official zoning atlas to be final authority as to zoning status.* Regardless of the existence of purported copies of all or part of the official zoning atlas which may from time to time be made or published, the official zoning atlas, which shall be located in the office of the city clerk, shall be the final authority as to the current zoning status of all lands and waters in the city.
- (d) *Rules for interpretation of district boundaries.*
 - (1) *Uncertainty as to boundaries.* Where uncertainty exists as to the boundaries of districts as shown on the official zoning atlas, the following rules shall apply:
 - a. Boundaries indicated as approximately following the centerlines of streets or alleys shall be construed as following such centerlines as they exist on the ground, except where variation of actual location from mapped location would change the zoning status of a lot or parcel, in which case the boundary shall be interpreted in such a manner as to avoid changing the zoning status of any lot or parcel. In case of a street closure, the boundary shall be construed as remaining in its location except where ownership of the vacated street is divided other than at the center, in which case the boundary shall be construed as moving with the ownership.
 - b. Boundaries indicated as approximately following lot lines, public property lines and the like shall be construed as following such lines; provided, however, that, where such boundaries are adjacent to a street or alley and the zoning status of the street or alley is not indicated, the boundaries shall be construed as running to the middle of the street or alley. In the event of street or alley closure, interpretation shall be as provided in subsection (1)a, above.
 - c. Boundaries indicated as approximately following city limits shall be construed as following such city limits.
 - d. Boundaries indicated as following shorelines or centerlines of the Gulf of Mexico, bays, streams, canals, lakes or other bodies of water or indicated as following official bulkhead lines shall be construed as following such shorelines, centerlines or official bulkhead lines, except when an erosion control line is established in accordance with state law. In case of a natural change in shoreline, or of the course or extent of bodies of water, the boundaries shall be construed as moving with the change. In the case of changes in shoreline or of the course or extent of bodies of water made as a result of dredging or filling, the boundaries shall be constant, not moving with the change, and a zoning application review shall be required as provided herein.
 - e. Boundaries indicated as following physical features other than those mentioned in subsections (d)(1)a through d of this section shall be construed as following such physical features, except where variation of the actual location from the mapped location would change the zoning status of a lot or parcel, and in such case the boundary shall be interpreted in such manner as to avoid changing the zoning status of any lot or parcel.
 - f. Boundaries indicated as parallel to or extensions of features indicated in subsections (d)(1)a through e of this section shall be construed as being parallel to or extensions of such feature.

BUREAU OF ECONOMICS AND BUSINESS RESEARCH

ANNEXED AREAS

[illegible]

Certified by:

[Signature]
Deputy City Clerk

Date: March 24, 2004 Mailed

1068-P



1068.P

1068.P

CITY OF VENICE
City Clerk's Office
Interoffice Memorandum

TO: Engineering - Jaine
FROM: Linda Gamble Depew, Deputy City Clerk
DATE: 2/26/04
SUBJECT: Please Furnish Annexation Map of Subject Property

Subject Property:

Name: Rosemary Farley
Address: Sub Prime
Legal: M & B

TO: Zoning
SUBJECT: Annexation of Subject Property -
Must confirm Sarasota County Property Records.

PLEASE (FURNISH) and (VERIFY) (ADDRESS):

COUNTY ZONING IS:

RSF-2

DP#:

Parcel # 0178-09-0023

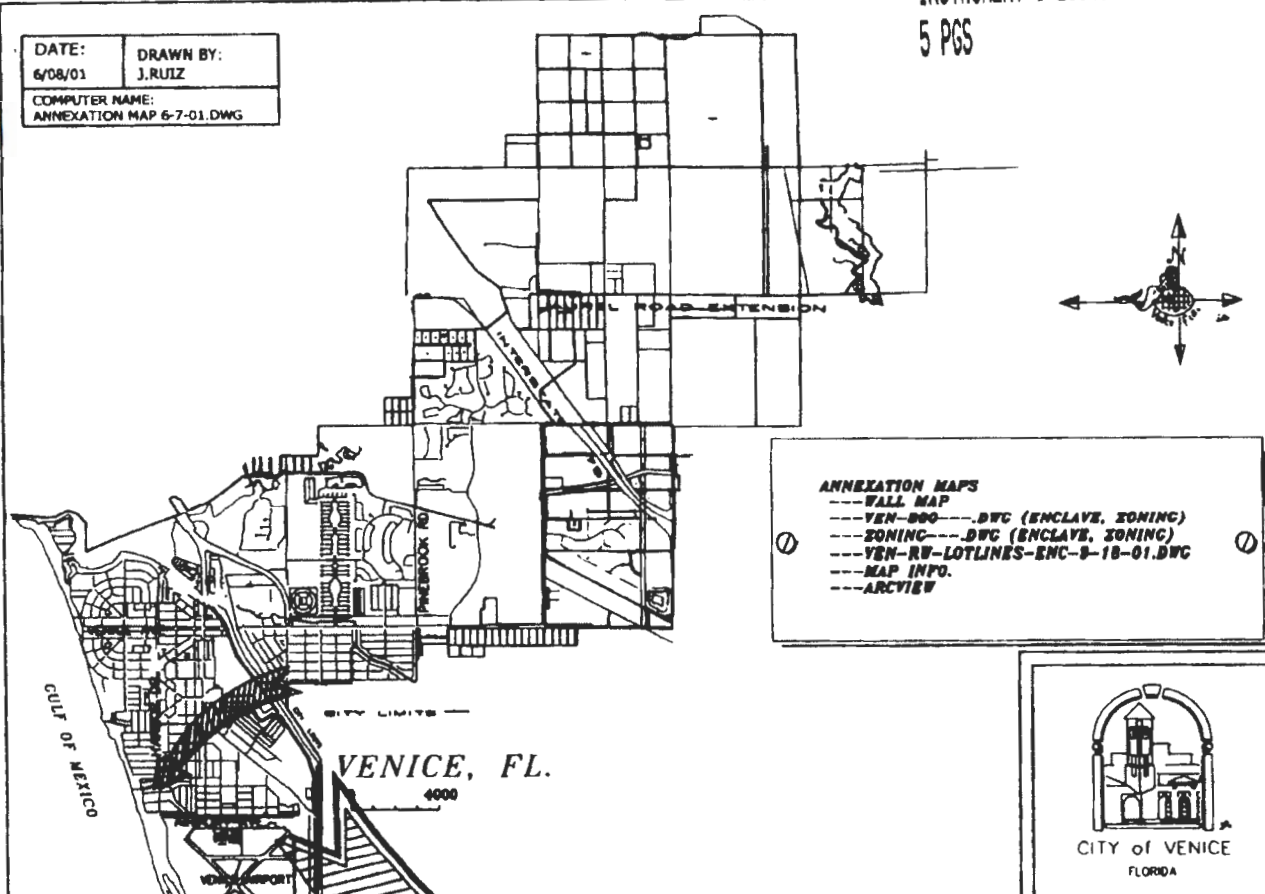
Completed by: _____ Date: _____

1068.P

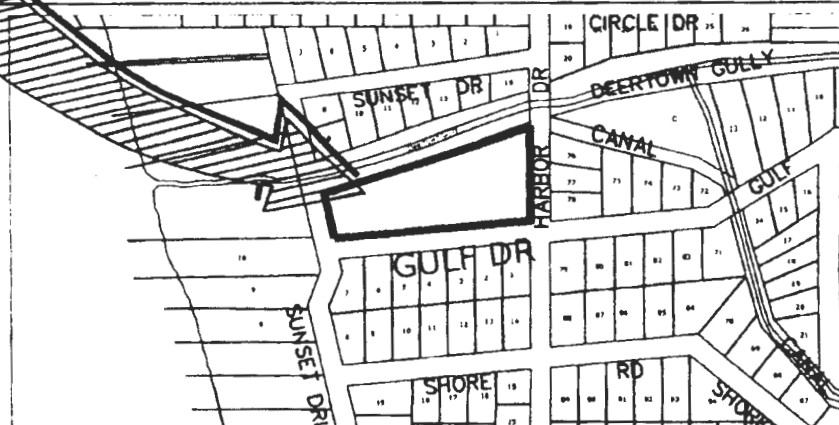
INSTRUMENT # 2004055205

5 PGS

DATE: 6/08/01	DRAWN BY: J.RUIZ
COMPUTER NAME: ANNEXATION MAP 6-7-01.DWG	

**PROPERTIES**

**ANNEXED TO THE
CITY OF
VENICE, FLORIDA**



Owner: Rosemary Farley, as Trustee
 Property Address: Vacant lot, Gulf Drive, Venice, Florida
 Legal Description: Metes and Bounds, S 13- T39S - R 18E
 Mailing Address: P.O. Box 1298, Venice, Florida 34284-1298
 Ordinance No.: 2004-16
 File No.: 2004-25
 County Zoning: RSF-2
 Date of First Reading: 03/09/04
 Date of Final Reading: 03/23/04
 Date Mailed: 03/24/04
 Parcel ID#: 0178-09-0023

ANNEXATION MAP MAILING LIST

FILE NO.: 2004-25 ORDINANCE NO.: 2004-16
 DATE ANNEXED: 3/23/04 PETITION NO.: 2004-25
 MAP OF ANNEXATION OF Vacant lot Gulf Drive
 SENT TO THE FOLLOWING ON: 3/24/04

*Executive Office of the Governor
 Office of Planning & Budgeting
 Attention: Kathy Reeves
 The Capitol, Room 1604
 Tallahassee, FL 32399-0001

*Bureau of Economic & Business Research
 Attention: Scott Cody
 221 Matherly Hall
 University of Florida
 Gainesville, Florida 32611

*State of Florida
 Attention: Liz Cloud
 Department of State
 Chief, Bureau of Administrative Code
 Room 1802, The Capitol
 Tallahassee, FL 32399-0250

Jim Todora
 Sarasota County Property Appraiser
 2001 Adams Lane
 Sarasota, Florida 34236

Sarasota County Transportation Dept.
 Attention: Bill Watts
 Mapping Department
 1301 Cattleman Road
 Sarasota, Florida 34234

Planning Department
 Sarasota County
 2033 Wood Street, Suite 200
 Sarasota, Florida 34237

Kathy Dent
 Supervisor of Elections
 P.O. Box 4194
 Sarasota, Florida 34230-4194

Robert Joseph Feller, Plans Examiner
 Sarasota County Zoning Department
 1301 Cattleman Road
 Sarasota, Florida 34234

*Verizon Florida, Inc.
 Government Relations
 P. O. Box 110 Mail Code 840
 Tampa, Florida 33601-0110

Transportation Dept. Room 14B
 South Sarasota County Courthouse
 4000 S. Tamiami Trail
 Venice, Florida 34293

Florida Power & Light
 Attention: George Mass
 P.O. Box 029100
 Miami, Florida 33102-9100

Suburban Propane
 350 S. Seaboard Avenue
 Venice, Florida 34292

Propane L.P. Gas Service
 P.O. Box 278
 Laurel, Florida 34272

Englewood Disposal
 5221 State Road #776
 Venice, Florida 34293

Comcast Cable TV
 214 Miami Avenue West
 Venice, Florida 34285

Nancy Miller
 Sarasota Co. Solid Waste Collection Div.
 2817 Cattleman Road
 Sarasota, Florida 34232

Ann Watson
 Emergency Management
 1660 Ringling Blvd., 6th Floor
 Sarasota, Florida 34236

Linda Smith
 Sarasota County Fire Department
 1660 Ringling Blvd., Fl. 6
 Sarasota, Florida 34236

*Verizon Telephone Operations
 Attn: Robert Mewes
 6414 14th Street West
 Bradenton, FL 34207

Cliff Jenkins
 Stormwater Utility
 1301 Cattleman Road
 Sarasota, FL 34232

Terrina Powell
 Elections Office
 4000 S. Tamiami Trail, Room 114
 Venice, Florida 34293

Florida Power and Light
 Attn: Meter Reading Supervisor
 P.O. Box 1119
 Sarasota, Florida 34230

Kelly Pluta
 Resource Protection Services
 1301 Cattleman Road
 Sarasota, Florida 3434

Paul M. Matthews
 Sarasota County Health Department
 4000 S. Tamiami Trail, Room B-27
 Venice, Florida 34293

Fire Chief (3)	Engineering
Police Chief	Building Dept.
Public Works (3)	Utilities
Growth Management	Cashier
Utility Billing (if previous agreement)	

*(Copy Ord. & Map) Exec. Office of Gov.
 *(Orig. Ord. only) State of FL. Dept of St.
 *(Pop. est. only) Bureau of Econ & Bus.
 *(Copy Ord. & Map) to both Verizon's

INSTRUMENT # 2004055205
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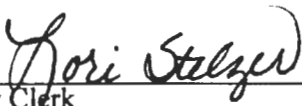
PASSED BY THE COUNCIL OF THE CITY OF VENICE, FLORIDA, THIS 23RD DAY OF MARCH 2004.

First Reading: March 9, 2004
Final Reading: March 23, 2004

ADOPTION: March 23, 2004

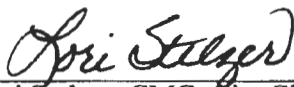

Dean Calamaras, Mayor

ATTEST:


City Clerk

I, LORI STELZER, 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 Venice City Council, at a meeting thereof duly convened and held on the 23rd day of March 2004, a quorum being present.

WITNESS my hand and the official seal of said City this 24th day of March 2004.


Lori Stelzer, CMC, City Clerk

Approved as to form:


City Attorney



Prepared by: City of Venice, 401 W. Venice Ave.
Venice, FL 34285
Return to: Same - Attn. Deputy City Clerk

INSTRUMENT # 2004055205
5 PGS

ORDINANCE NO. 2004-16

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, ANNEXING CERTAIN LANDS LYING CONTIGUOUS TO THE CITY LIMITS, AS PETITIONED BY ROSEMARY FARLEY, AS TRUSTEE INTO THE CORPORATE LIMITS OF THE CITY OF VENICE, FLORIDA, AND REDEFINING THE BOUNDARY LINES OF THE CITY TO INCLUDE SAID ADDITIONS.

WHEREAS, The City Council of the city of Venice, Florida received a sworn Petition from Rosemary Farley dated February 24, 2004, requesting the city to annex a certain parcel of real estate herein described, owned by Rosemary Farley into the corporate limits of the city of Venice, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA:

SECTION 1. After its evaluation of all evidence presented, and in reliance upon representations made by Rosemary Farley in said petition, the city of Venice, acting by and through its City Council by the authority and under the provisions of the Municipal Charter of the city of Venice, and the laws of Florida, hereby annexes into the corporate limits of the city of Venice, Florida, and redefines the boundary lines of said city so as to include the following described parcel of real property in Sarasota County, Florida:

Beginning at the Southeast corner of Section 13, Township 39 South, Range 18 East, run thence N 89° 59' W 30.0 feet along the South boundary line of said Section 13; thence N 0° 18' E 771.4 feet parallel to the East boundary line of said Section 13 for a point of beginning; thence continue N 0° 18' E 268.9 feet to the southerly bank of Canal; thence S 72° 12' W along said southerly bank of Canal 624.5 feet; thence S 12° 50' E 131.4 feet; thence N 84° 56' E 566.2 feet to the point of beginning. All lying and being in the Southeast ¼ of the Southeast ¼ of Section 13, Township 39 South, Range 18 East, Sarasota County, Florida.

Commonly known as vacant parcel on Gulf Drive, Venice, Florida

SECTION 2. The City Council hereby formally and according to law accepts the dedication of all easements, streets, parks, plazas, rights-of-way and other dedications to the public, which have heretofore been made by plat, deed or user within the area, so annexed.

SECTION 3. That the proper city officials of said city of Venice be, and they hereby are, authorized and directed to file with the Clerk of the Circuit Court of Sarasota County, Florida, a certified copy of this Ordinance, and to do and perform such other acts and things as may be necessary and proper to effectuate the true intent of this Ordinance.

SECTION 4. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 5. This Ordinance shall take effect immediately upon its adoption as provided by law.

PUBLIC HEARING**NOTICE OF INTENT TO CONSIDER THE ADOPTION OF****CITY OF VENICE ORDINANCE NO. 2004-16**

Please be notified that the City Council of the City of Venice, Florida at its regular meeting on the 23rd day of March, 2004, in City Hall, 401 West Venice Avenue, Venice, Florida at 1:30 p.m. or soon thereafter, will consider and act upon the adoption of the following proposed Ordinance.

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, ANNEXING CERTAIN LANDS LYING CONTIGUOUS TO THE CITY LIMITS, AS PETITIONED BY ROSEMARY FARLEY, AS TRUSTEE INTO THE CORPORATE LIMITS OF THE CITY OF VENICE, FLORIDA, AND REDEFINING THE BOUNDARY LINES OF THE CITY TO INCLUDE SAID ADDITIONS.

Commonly known as vacant parcel on Gulf Drive, Venice, Florida.

This notice is published pursuant to the requirements of Section 171.044 Voluntary Annexation Florida Statutes; accordingly the publication of same must be accomplished once a week for two (2) consecutive weeks prior to the meeting at which the above Ordinance is to be considered and acted upon. The proposed Ordinance is on file in the Office of the City Clerk for inspection by the public between the hours of 8 a.m. to 4 p.m. Monday through Friday.

This public hearing may be continued from time to time.

No stenographic record by a certified court reporter is made of this meeting. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at this meeting upon which any appeal is to be based.

All interested persons are invited to attend and be heard. Written comment filed with the City Clerk at the above address will be heard and considered.

If you are disabled and need assistance, please contact the City Clerk's office at least 24 hours prior to the meeting.

Lori Stelzer, CMC, City Clerk

Publish: March 13 and 20, 2004

Taken to Venice Gondolier: March 10, 2004

PLEASE FURNISH PROOF OF PUBLICATION

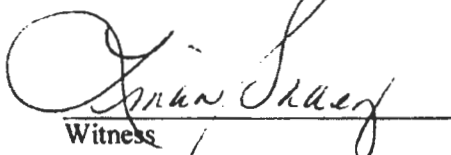
PLEASE PUBLISH IN LEGAL SECTION

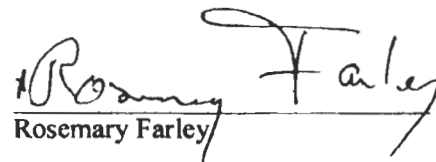
legislation, if and to the extent that the City shall continue to supply water, sewer, and other utility services to the affected area, it shall be entitled to charge therefore at such rates as may be prescribed from time to time by the City Council for comparable services outside the City limits. The Owner further covenants and agrees to waive any claim for refund of taxes levied by and paid to the City of Venice on property contained in the affected area for any period subsequent to the acceptance by the City of the Owner's Petition for Annexation and prior to the establishment of the invalidity thereof in the manner aforesaid.

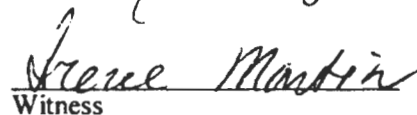
WHEREFORE, the undersigned requests that the City Council accept said proposed addition and annex all such lands and include same within the Corporate limits of the City of Venice, in accordance with the provisions for such action as set forth above.

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

OWNER:

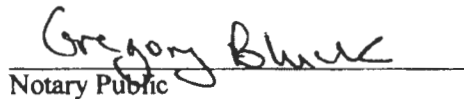

Witness

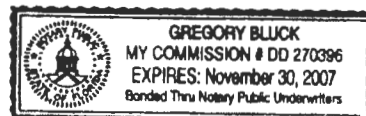

Rosemary Farley

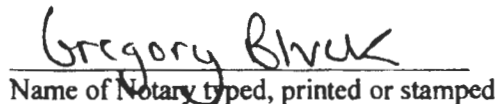

Witness

STATE OF FLORIDA
COUNTY OF SARASOTA

Rosemary L. Farley acknowledged the foregoing instrument before me this 24th day of February, 2004. They are personally known to me or have produced FLDLA F640 732-19-502-0 or is personally known as identification.


Notary Public




Name of Notary typed, printed or stamped



2004055205

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2004055205 5 PGS

2004 MAR 26 11:10 AM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA

CFOLKINS Receipt#452700

Prepared by: ✓ City of Venice - 401 W. Venice Ave.
Venice, Florida 34285
Return to: Same - Attn. Deputy City Clerk

1068.P

**PETITION FOR ANNEXATION OF CONTIGUOUS PROPERTY TO CITY OF VENICE
NO. 2004-02**

TO: THE HONORABLE MAYOR AND CITY COUNCIL, CITY OF VENICE, FLORIDA:

COMES NOW, **ROSEMARY L. FARLEY, TTEE**, owner(s) of the herein described real estate, respectfully request that said real estate be annexed to the now existing boundaries of the City of Venice, pursuant to Chapter 171, Florida Statutes, entitled Municipal Annexation or Contraction Act, and the undersigned represents that the following information, including that contained in the attached exhibits, is true and correct to the best of their knowledge and belief.

1. The legal description of the property embraced in this request is:

BEG AT SE COR OF SEC 13 RUN TH N -89-59-W 30 FT ALG S BDRY LINE OF SEC 13 TH N-0-18-E 771.4 FT PARALLEL TO E BDRY LINE OF SEC MIN E 771.4 FT PARALLEL 13 FOR POB CONT N-0-18-E 268.9 FT TO SLY BANK OF CANAL TH S-72- 12-W ALG SLY BANK OF CANAL 624.5 FT TH S-12-50-E 131.4 FT TH N-84 -56-E 566.2 FT TO POB BEING IN SE 1/4 OF SE 1/4

Commonly known as 1100 Sunset Drive, Venice, Florida, as shown on Exhibit A, attached hereto and made a part hereof.

2. Said property is contiguous as provided in Florida Statutes 171.031 (11) to the now existing boundaries of the City of Venice as shown on said Exhibit A.
3. All current and past County real estate taxes, as levied against said property are paid.
4. Title to the said property is vested in the undersigned.
5. The undersigned hereby covenant and agree, for themselves, their heirs, personal representatives, successor and assigns, that if said lands be incorporated within said City, they will abide by all laws and ordinances of the City of Venice that may be applicable thereto and will promptly pay all taxes and liens for special improvements that may be assessed thereon, and in the event sewer services are not available at the time of annexation whenever an approved sanitary sewer is made available, any individual sewage disposal system device or equipment shall be abandoned and the sewage wastes discharged to a sanitary sewer through a properly constructed house sewer within three hundred and sixty-five (365) days thereafter.
6. It is further agreed that if the City shall accept and include the Owner's lands for inclusion within its corporate limits pursuant to the Petition for Annexation, the Owner shall and will indemnify and save the City harmless of and from all costs, including reasonable attorney's fees, that may be incurred by it in defending any and all litigation involving the validity of such annexation proceedings. The Owner further covenants and agrees to and with the City that if the contemplated annexation shall ultimately be held invalid by Court proceedings, or excluded from the City limits by further

1068.P

** OFFICIAL RECORDS **
BOOK 2863 PAGE 2047

Subject to restrictions, reservations and easement of record, if any,
governmental regulations and taxes for the current and subsequent years

TO HAVE AND TO HOLD the said property in fee simple upon the trust and for the uses and purposes herein and in said Trust Agreement set forth. Full power and authority is hereby granted to said Trustee to improve, subdivide, protect, conserve, sell, lease, encumber and otherwise manage and dispose of said property or any part thereof, all as set forth in Florida Statutes 689.071.

NOTE TO PROPERTY APPRAISER: The Grantor confirms that under the terms of the Qualified Personal Residence Trust Agreement referred to above, the Grantor has reserved a beneficial interest in the above real property for a period of seven (7) years from date hereof, and she is entitled to homestead tax exemption pursuant to the provisions of Florida Statutes 196.031 and 196.041.

AND Grantor hereby covenants with Grantee that Grantor is lawfully seized of said property in fee simple, that Grantor has good right and lawful authority to sell and convey said property; that Grantor hereby fully warrants the title to said property and will defend the same against the lawful claims of all persons whomsoever and that said property is free of all encumbrances not set forth herein.

IN WITNESS WHEREOF, Grantor signed and sealed this deed on June 7, 1996.

Signed, sealed and delivered
in the presence of:

Judith A. Fenc
Sign name of witness JUDITH A. FENC

Rosemary Farley (SEAL)
ROSEMARY FARLEY, individually and
as Trustee aforesaid

Printed name

NAH

Sign name of witness

David J. Brown

Printed name

Address: 1100 ...

...

RECORDED IN OFFICIAL
RECORDS
95 JUN 14 PM 2:30
CLERK
COURT
CLERK
CLERK

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 7th day of June, 1996, by ROSEMARY FARLEY, individually, and as Trustee aforesaid, who is personally known to me or produced ... as identification and who did not take an oath.

Barbara Ann Kish
(NOTARIAL SEAL)

*(Print Name of Notary Public)
Notary Public - State of Florida
My Commission Expires
Commission Number

BARBARA ANN KISH
Notary Public, State of Florida
My Comm. Expires Feb. 9, 1998
No. CC 347272
Signed This Official Notary Seal

112
This Instrument Prepared by:
Daniel A. Bechtold, Esq.
KIRK PINKERTON
720 South Orange Avenue
Sarasota, FL 34236
WITHOUT EXAMINATION OF TITLE

Parcel 1: ID #0178 09 0001
Parcel 2: ID #0178 09 0023

Receipt #: 000000433578-01
Doc Stamp-Deed : 9.78
Karen A. Smith, Sarasota Co
By: Karen A. Smith D.C.

WARRANTY DEED

THIS WARRANTY DEED made by ROSEMARY FARLEY, individually, and as Trustee under Agreement dated May 21, 1992, herein called Grantor, to ROSEMARY L. FARLEY, as Trustee under the provisions of THE QUALIFIED PERSONAL RESIDENCE TRUST AGREEMENT DATED MAY 28, 1996, whose post office address is Box 1298, Gulf Breeze, FL 32561, herein called Grantee:

(The terms "Grantor" and "Grantee" include all the parties in each capacity to this instrument and their respective heirs, personal representatives, successors and assigns)

WITNESSETH:

That Grantor, in consideration of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby conveys to Grantee the following described real property in Sarasota County, Florida:

Parcel 1.

Commencing at the Northeast Corner of the South 1/2 of U.S. Govt. Lot 2, Section 13, Township 39 South, Range 18 East, thence S 89°50' W. along the North Boundary line of said South 1/2 of U.S. Govt. Lot 2, 795.6 feet to the Westerly right-of-way line of a 60-foot road; thence S. 12°45' E. along said right-of-way line 617.2 feet to a Point of Beginning; thence S. 89°50' W. 537 feet, more or less, to the waters of the Gulf of Mexico; thence Northwesterly along waters of said Gulf of Mexico to the center line of a 50-foot canal; thence Easterly along center line of said canal to a point on the Westerly right-of-way line of a 60-foot road (said point being N. 12°45' W. 158 feet from the Point of Beginning); thence S. 12°45' E. along the right-of-way line of said road a distance of 158 feet to the Point of Beginning.

Subject to restrictions, reservations and easement of record, if any, governmental regulations and taxes for the current and subsequent years

Parcel 2:

Beginning at the Southeast corner of Section 13, Township 39 South, Range 18 East, run thence N. 89°59' W. 30.0 feet along the South boundary line of said Section 13; thence N. 0°18' E. 771.4 feet parallel to the East boundary line of said Section 13 for a point of beginning; thence continue N. 0°18' E. 268.9 feet to the southerly bank of Canal; thence S. 72°12' W. along said southerly bank of Canal 624.5 feet; thence S 12°50' E. 131.4 feet; thence N. 84°56' E. 306.2 feet to the point of beginning. All lying and being in the Southeast 1/4 of the Southeast 1/4 of Section 13, Township 39 South, Range 18 East, Sarasota County, Florida

1068.P

2003 Full Property Description for 0178-09-0023

BEG AT SE COR OF SEC 13 RUN TH N -89-59-W 30 FT ALG S BDRY LINE OF SEC 13 TH N-0-18-E 771.4 FT PARALLEL TO E BDRY LINE OF SEC MIN E 771.4 FT PARALLEL 13 FOR POB CONT N-0-18-E 268.9 FT TO SLY BANK OF CANAL TH S-72- 12-W ALG SLY BANK OF CANAL 624.5 FT TH S-12-50-E 131.4 FT TH N-84 -56-E 566.2 FT TO POB BEING IN SE 1/4 OF SE 1/4

The information appearing on this website was extracted from the records of the Sarasota County Property Appraiser's Office. Our goal is to provide the most accurate information available. However, no warranties, expressed or implied, are provided for the data, its use or interpretation. The property values relate to the last valuation date. The data is subject to change. Copyright @ 2001 - 2004 Sarasota County Property Appraiser. All rights reserved.

Sarasota County Property Appraiser

2003 Detail Information for Parcel 0178-09-0023

1068.P

Parcel

Parcel ID:

Property Address: GULF DR

Address:

BEG AT SE COR OF SEC 13 RUN TH N -89-59-W
30 FT ALG S B**Use Code:** 0000**Incorporation:** Un-Incorporated

Tax ID:

Subdivision: 0000**Sec/Twp/Rge:** 13-39S-18E**New Search****Census Tract, 1990:** 002400**Zoning:** RSF2 (Verify with zoning authority)

Tax ID:

Parcel ID:

Parcel ID:

OwnershipFARLEY ROSEMARY L TTEE
PO BOX 1298
VENICE, FL 34284-1298**Value**

(as of 1/1/2003)

Just (Market) Value: \$642,100**Land Value:** \$642,100**Improvement Value:** \$0**Assessed Value:** \$642,100**Homestead:** No**Total Exemptions:** \$0**Total Taxable:** \$642,100**Property****Land Area:** 108,900**Vacant Lot:** No Building Details**Last Sale / Transfer****Sale Price:** \$100

Transfer ID:

Date Sold: 6/7/1996

Updated: 2/26/2004 1:24:00 AM

Instrument #: 2863/2046

The information appearing on this website was extracted from the records of the Sarasota County Property Appraiser's Office. Our goal is to provide the most accurate information available. However, no warranties, expressed or implied, are provided for the data, its use or interpretation. The property values relate to the last valuation date. The data is subject to change. Copyright © 2001 - 2004 Sarasota County Property Appraiser. All rights reserved.

3004-16

Sarasota County Property Appraiser ^{1068.P}

2003 Detail Information for Parcel 0178-09-0001

Parcel**Property Address:** 1100 SUNSET DR**COM AT NE COR OF S 1/2 OF US LOT 2 SEC 13
TH S-89-50-W****Use Code:** 0100**Incorporation:** City of Venice**Subdivision:** 0000**Sec/Twp/Rge:** 13-39S-18E**Census Tract, 1990:** 002400**Zoning:** RSF1 (Verify with zoning authority)**New Search****Tax District****Ownership****FARLEY TTEE ROSEMARY L
PO BOX 1298
VENICE, FL 34284-1298****Value***(as of 1/1/2003)***Just (Market) Value:** \$1,239,000**Land Value:** \$1,087,200**Improvement Value:** \$151,800**Assessed Value:** \$448,027**Homestead:** Yes**Total Exemptions:** \$25,500**Total Taxable:** \$422,527**Property****Land Area:** 56,628**Total Building Area:** 3,299**Total Living Area:** 2,987**Living Units:** 1**Bed / Bath:** 3 Bed / 2 Bath**Pool:** N**Year Built:** 1956**(All Structures)
(Enclosed Only)****Last Sale / Transfer****Sale Price:** \$100**Date Sold:** 6/7/1996**Instrument #:** 2863/2046**Transfer**

Updated: 2/23/2004 1:07:00 AM

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JIM TODORA
SARASOTA COUNTY PROPERTY APPRAISER
2001 ADAMS LANE
SARASOTA, FL 34237-7090

(941) 861-8200

THE UNDERSIGNED HEREBY REQUESTS THE PROPERTY APPRAISER TO SPLIT OR COMBINE THE FOLLOWING PARCEL(S) FOR ASSESSMENT PURPOSES.

- ☐ **SPLIT**
- ☒ **COMBINE** (RETAIN PROPERTY ID. NUMBER 0178-09-0001)
- ☐ **OTHER**

PROPERTY ID. NUMBERS:

0178-09-0001 _____
0178-09-0023 _____

PROPERTY DESCRIPTION:

(☒ SEE ATTACHED)

REMARKS: (☐ SEE ATTACHED)

Non-Contiguous Right of way between parcels
one within city limits & one out of limits

SPLIT OR COMBINATION IS REQUESTED FOR ASSESSMENT YEAR 2004

PLEASE NOTE: REQUESTS FOR PARCEL SPLITS OR COMBINATIONS MUST BE SUBMITTED TO THE PROPERTY APPRAISER'S OFFICE PRIOR TO THE CLOSE OF THE PRELIMINARY ASSESSMENT ROLL.

Robert Farley
SIGNATURE OF OWNER OR AGENT

941-488-6546
PHONE NUMBER

J. Lopez
SIGNATURE OF DEPUTY / EMPL. #

1 / 22 / 04
DATE

.....
FOR OFFICE USE ONLY. Processed by: _____ Date: _____ Edited by: _____

1068.P

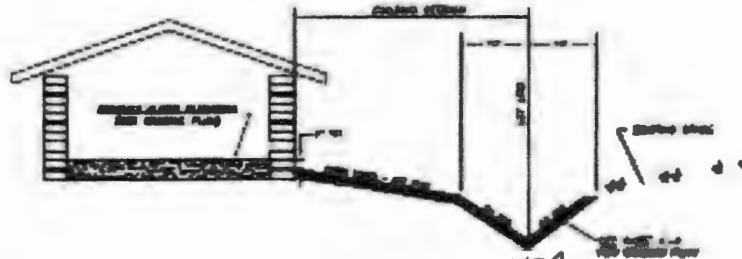
ANNEXATION CHECK LIST

NAME: Rosemary FarleyDATE RECEIVED: 2/25/04ADDRESS: Vacant lot on Surf DriveFIRST READING: 3/9/04FINAL READING: 3/23/04☒ Prepare Application & submit to Engineering for fee and contiguity.☒ Have customer sign application☒ Request Owner to get O & E (Certificate of Ownership).☒ Prepare an Annexation Fee Schedule. Pay for this with funds available or finance it with the City (6.3%) annually or on monthly utility bill.☒ Obtain check for balance of fees. Make 3 copies of check on the back of fee schedule; 1 file copy, 1 to Bldg.; 1 to customer. Customer to sign application for service & tap order. Make copy of drivers' license for cashier.☒ Enter Annexation information into computer under Planning and Zoning for the parcel.

minute book paper and 2 on bond paper).

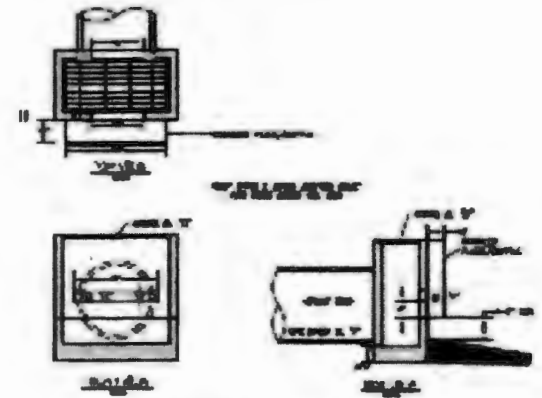
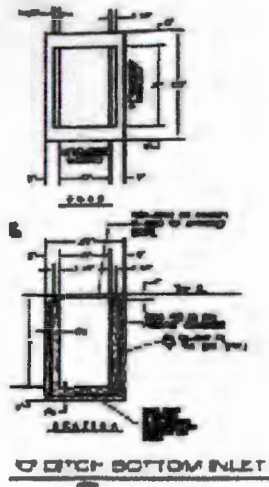
☒ Documents for recording: type on top: Prepared by: City of Venice, 401W. Venice Ave., Venice, FL Return to: Same - Attn. Deputy City Clerk.☒ Prepare letter to owner notifying of annexation.☒ Prepare letter to Liz Cloud, Department of State and send one of the original ordinances with letter.☒ Prepare Bureau of Economics form (population estimate).☒ Prepare letter to record documents.☒ On map white-out PROPOSED make ³⁵ 32 copies.☒ Prepare envelopes for map and stuff for mailing.☒ Include in envelopes with map a copy of the signed ordinance to the following 3: Verizon(2) and Governor.☒ Day after meeting: Distribute map in mail room. Mail envelopes with map and letters.☒ Notify Utility Billing (Pam) — if 25% surcharge comes off. (Applies to Annexation Agreements that are being annexed).3/25/04 Mail documents for recording to Karen Rushing.☒ Hold file until recording and letter from Liz Cloud returns.☒ If Utility Finance Agreement: send a recorded copy to Finance and the customer.☒ If Utility Easement: give a copy to Engineering and the customer.☒ Enter information in computer file listing: qpro\annexations and qpro/enclaves.☒ Enter Annexation information in Land Management under misc. address info.☒ Update Survey Spreadsheet. 2.5 AC☒ Color property on map (behind door) Annexations in pink and annexation agreements in green.☒ Give completed file to Records Department.2004-25 PETITION/FILE NO.☒ Prepare Utility Finance Agreement. Take a copy with fee schedule to Gloria in Finance.☒ Petition, ~~Utility Finance~~ Agt. received.☒ Order map from Engineering (Jaime) Date: 2/27/0404-16 ORDINANCE NUMBER☒ Enter First and Final readings in Rita's agenda book.☒ Prepare Ordinance & make 1 copy & submit to Rita, 1 copy for your file.☒ Prepare Public Hearing Notice. Make 4 copies & submit to Rita, 1 for your file.☒ Type information on the Map and make 2 copies for Rita.☒ Obtain estimate from Plumber of Record.☒ Prepare Plumbing Finance Agreement (if needed)☒ Make new tab for File Folder: file #, legal description, ordinance #, names, address, date of annexation. (Labels with coral border)☒ Request check from Finance for recording fee: \$6.00 for first page, \$4.50 for each additional page. 1 pg @ \$6 + # of pgs - 1 4 X \$4.50 = 24.00 5 pgs.☒ Before final reading, print 3 original Ordinances (1 on

THIS IS WHAT YOU WILL
SEE WHEN YOU DRIVE DOWN GULF DR



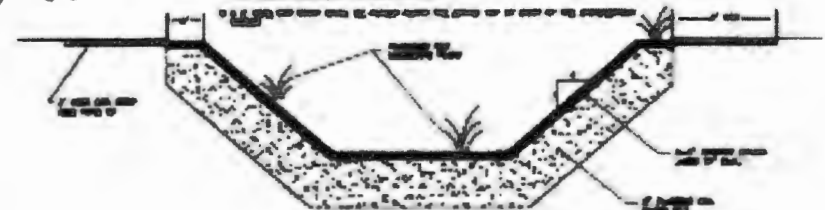
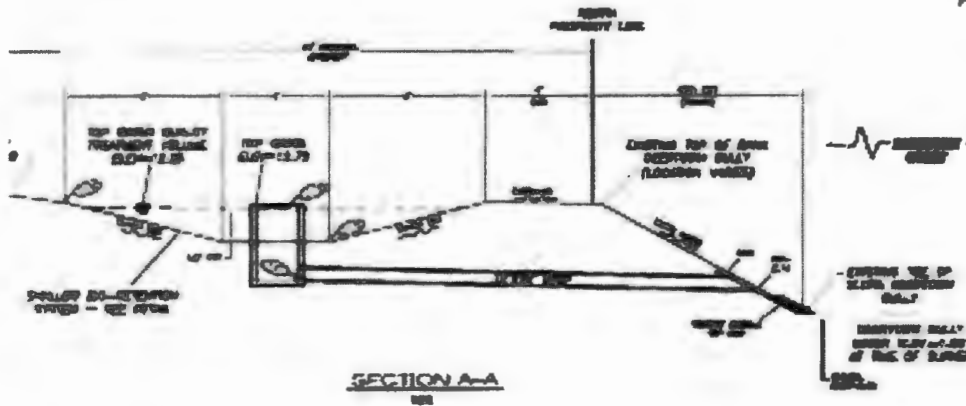
15 FT
TYPICAL LOT SECTION

indentation
Between
EACH LOT
NOT A pretty
picture

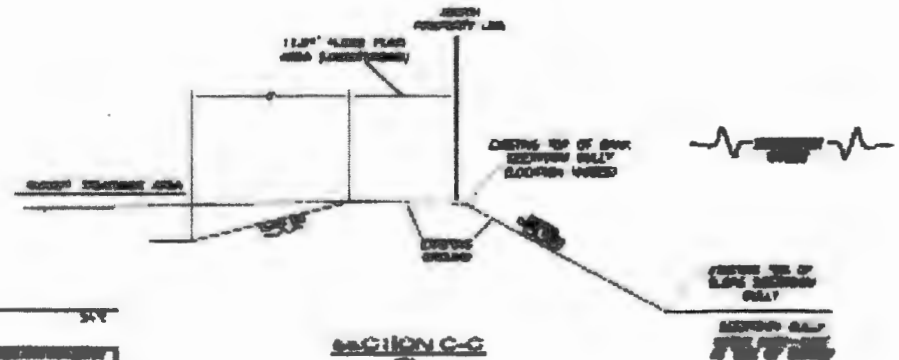
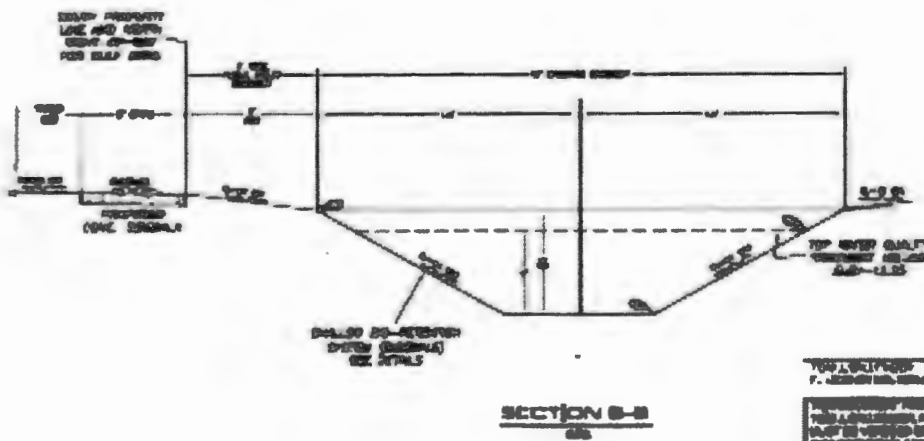


IN	OUT	IN	OUT	IN	OUT
12"	12"	12"	12"	12"	12"

TYPICAL CONTROL STRUCTURE
FOR 12" DIA. MANHOLE



SHALLOW BIO-RETENTION SYSTEM



NOT A pretty picture
THIS IS WHAT YOU WILL
SEE WHEN YOU DRIVE DOWN GULF DR

20/2

What does the developer mean when he says the drainage will be treated? Where and how?

Deertown Gully is the main northern drainage for the Venice City airport. Deertown Gully is also in the high flood zone. I have attached a copy of the flood map I received from the Venice City engineering department. I believe additional research needs to be done before this elaborate drainage system gets the go ahead.

Concerned Citizen


Leora Nelson

1104 Sunset Drive

Venice FL 34285

Drainage issue:

This project has a very involved system for draining the 2.68 acre parcel. The first major issue is the fact that there will be a 15 foot drainage ditch (swale) running between each lot (parcel) . So when you drive down Gulf Drive you will see an indentation covering a width of 15 feet between each property. So because this is such a unique piece of property with such an elaborate system for drainage it becomes even more important for each parcel to be larger in size to accommodate the swales surrounding the entire 2.68 acres. According to the submitted plans the drainage storm water management area covers .34 acres of the size of the total parcel which comes out to be over 12.5 percent of the whole project. What's even more worrisome is the fact that the system will be turned over to a Home Owners Association. The engineer on the project stated that this system is not at all common and will have bunches of swales instead of pond. Why wouldn't the City of Venice require the developer to provide a location that is already using this system before the City of Venice accepts the developer's plan. It looks good on paper but does it do the job. Why would we want the City of Venice to be the first to test this system and especially when you know that the property buyers (Home Owners Association) are going to be responsible for the system.

The second major issue with the drainage system is its proximity to Deertown Gully , the northern boundary of the 2.68 acre parcel. This outfall waterway is not free flowing and could be a real problem in the future because of the additional water coming from the drainage system into Deertown Gully. This waterway is in the high flood zone. So there could be problems with water inflow from the Gulf of Mexico in times of storm surges. Water will enter Deertown Gully from two planned drains. The water in Deertown Gully is supposed to flow into the Gulf of Mexico but backs up due to the buildup of sand dunes on the beach. The backup forms a small lake (pond). This is a serious situation because of stale water just sitting there. It could be a breeding ground for mosquito's and bacteria. The other concern is that in the staff report of March 7 they mentioned that the City of Venice is responsible for the maintenance of Deertown Gully not completely true. The area bordering the northern side of the 2.68 acres is maintained by the City of Venice but the Deertown Gully portion going from the planned Gulf Harbor Estates running westward is not maintain by the City of Venice at all. This portion from the southern boundary of the Gulf Harbor Estates going west is privately owned. The owners of the private properties are Manning to the north and owner Farley to the south.

The 18 interconnected swales around the perimeter of the 2.68 acre parcel pose a problem if the water does not permeate into the ground within the required 72 hour period. Mosquito's hatch within 24 to 48 hours so these swales could pose a health issue for the entire City of Venice. The possibility of pipes being clogged with tree roots is also a concern. Leafs blowing around the 2.68 acre parcel could cause clogging of the Deertown Gully. Leafs falling into Deertown Gully from the proposed Red Maple trees scheduled to be planted right along the top border of Deertown Gully could cause major problems at the western most end of the Gully, right on Venice City Beach . Leafs flowing into this area will cause backups at the beach. Because of shifting sands due to winds, tides and storms the Gully is seldom free flowing.

RSF-3

INTENT

The RSF districts are intended to be single-family residential areas of low density. The nature of the use of property is the same in all districts. Variation among the RSF-1, RSF-2, RSF-3 and RSF-4 districts is in requirements for lot area, width and certain yards. Certain structures and uses designed to serve governmental, educational, religious, noncommercial recreational and other immediate needs of such areas are permitted or are permissible as special exceptions within such districts. Maximum residential density in the RSF-3 district is 4.5 dwelling units per acre.

LOT REQUIREMENTS

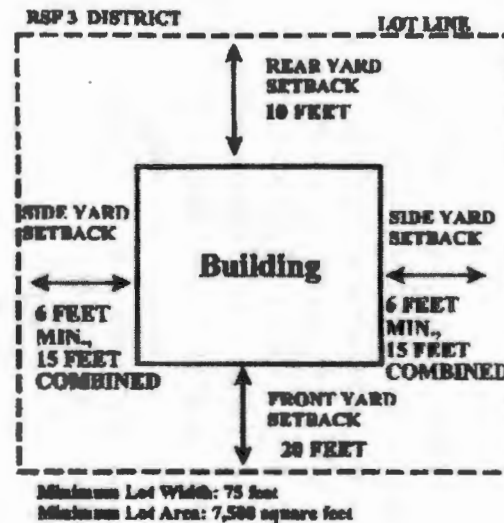
Minimum RSF-3 lot requirements:

- Width: 75 feet.
- Area: 7,500 square feet.

LOT COVERAGE

Maximum lot coverage by all buildings:

- Single-family dwellings and their accessory buildings: 35%.
- Cluster housing or townhouses: 30%.
- Other permitted or permissible buildings in connection with permitted or permissible uses, including accessory buildings: 25%.



YARD REQUIREMENTS

Minimum yard requirements:

Single-family dwellings:

- Front yard: 20 feet.
- Side yard: Six feet minimum, but in no case less than 15 feet combined side yards.
- Rear: 10 feet

Cluster housing:

As for single-family dwellings, except that internal side yards are subject to the following: No minimum except that adjacent structures shall be separated by at least 15 feet.

Townhouses:

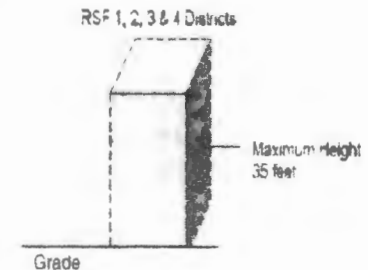
As for single-family dwellings, except that there is no minimum side yard.

Patio houses:

As for single-family dwellings, except for side yards, which must comply with the special exception standards for patio houses.

MAXIMUM HEIGHT OF STRUCTURES

No portion of a structure shall exceed 35 feet in height.



ADDITIONAL INFORMATION

This brochure provides general information concerning the RSF-3 district regulations but may not include all details. For more complete information on the City's zoning districts, refer to the City of Venice Land Development Code, which is available online at the City's website, www.venicegov.com. Select: [Departments / Planning and Zoning / Zoning / Land Development Code](#).

Planning & Zoning Division
401 W. Venice Ave.
Venice, FL 34285
Phone: 941.486.2626
Fax: 941.480.3031
www.venicegov.com

586

RSF-2

INTENT

The RSF districts are intended to be single-family residential areas of low density. The nature of the use of property is the same in all districts. Variation among the RSF-1, RSF-2, RSF-3 and RSF-4 districts is in requirements for lot area, width and certain yards. Certain structures and uses designed to serve governmental, educational, religious, noncommercial recreational and other immediate needs of such areas are permitted or are permissible as special exceptions within such districts. Maximum residential density in the RSF-2 district is 3.5 dwelling units per acre.

LOT REQUIREMENTS

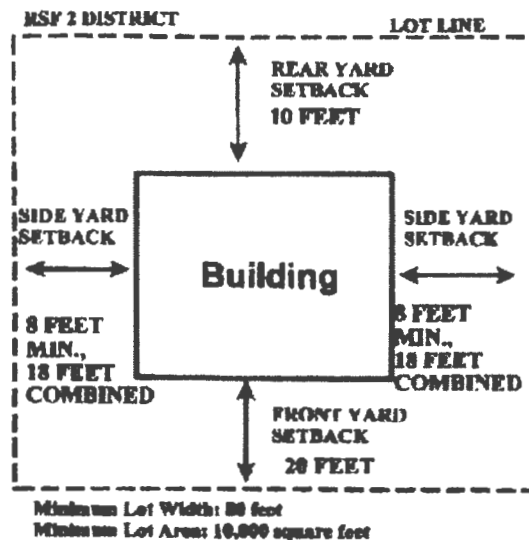
Minimum RSF-2 lot requirements:

- Width: 80 feet.
- Area: 10,000 square feet.

LOT COVERAGE

Maximum lot coverage by all buildings:

- Single-family dwellings and their accessory buildings: 30%.
- Cluster housing or townhouses: 30%.
- Other permitted or permissible buildings in connection with permitted or permissible uses, including accessory buildings: 25%.



YARD REQUIREMENTS

Minimum yard requirements:

Single-family dwellings:

- Front yard: 20 feet.
- Side yard: 8 feet minimum, but in no case less than 18 feet combined side yards.
- Rear: 10 feet

Cluster housing:

As for single-family dwellings, except that internal side yards are subject to the following: No minimum except that adjacent structures shall be separated by at least 20 feet.

Townhouses:

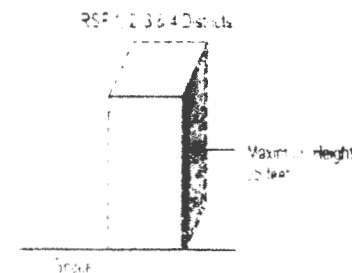
As for single-family dwellings, except that there is no minimum side yard.

Patio houses:

As for single-family dwellings, except for side yards, which must comply with the special exception standards for patio houses

MAXIMUM HEIGHT OF STRUCTURES

No portion of a structure shall exceed 35 feet in height.



ADDITIONAL INFORMATION

This brochure provides general information concerning the RSF-2 district regulations but may not include all details. For more complete information on the City's zoning districts, refer to the City of Venice Land Development Code, which is available or online at the City's website, www.venicegov.com. Select: Departments / Planning and Zoning / Zoning / Land Development Code



SARASOTA County Code

Yof b

Side Yard (total)	18	18	15	15
Rear Yard	10	10	10	10
Waterfront Yard*	20	20	20	20
Bulk (maximum)				
Height (feet)	35	35	35	35
Building Coverage	35%	35%	35%	35%

* See also Chapter 54, Article XXII, Section 54-721 through 54-724, Sarasota County Code, Gulf Beach Setback Line.

- c. *Cluster Subdivision.* A cluster subdivision provides a minimum of 30 percent common open space, exclusive of individual lots, and allows those housing types specified in Section 6.5.3. when occupied by a single family. All cluster subdivisions shall incorporate a common neighborhood use and benefit focal point within the development such as a park, play area, plaza, square, pavilion or other similar facility that can accommodate such activities as outdoor gatherings, neighborhood events, and picnicking. The focal point size shall be equal to at least one percent of the gross area of the subdivision. The focal point shall contain at a minimum, a community use facility. The focal point shall be specified at the time of preliminary plan submittal. Where single-family detached housing occurs within a cluster subdivision, such housing shall meet the standards shown below.

NOTE: For density limitations in cluster subdivisions, also see Section 6.2.3.

SARASOTA County Code

30 of 6

percent of the gross area of the subdivision. The focal point shall contain at a minimum, a community use facility. The focal point shall be specified at the time of preliminary plan submittal.

Conventional Subdivision	RSF-1	RSF-2	RSF-3	RSF-4
<i>Density</i>				
Gross Density (maximum)	2.50	3.50	4.50	5.50
<i>Lot Dimensions</i> (minimum)				
Lot Area (sq. ft.)	15,000	9,600	7,500	6,000
Lot Width (feet)	100	80	70	50
Yards (minimum feet)				
Street Yard	20	20	20	20
Side Yard (single)	8	8	6	6

Submitted by LEORA NELSON
Leora Nelson
4-16-17

10 of 6

Comparison of Sarasota County Code RSF 2 to Venice City Codes RSF 2 and RSF 3

	Sarasota County Code 2	Venice City Code 2	Venice City Code 3
Gross Density (maximum)	3.5	3.5	4.5
Lot Area (sq. ft.)	9600	10,000	7500
Lot Width (feet)	80	80	75
Street Yard	20	20	20
Side Yard (single)	8	8	6
Side Yard (total)	18	18	15
Rear Yard	10	10	10
Height (feet)	35	35	35
Building Coverage	35	30	35

The only difference between RSF 2 Sarasota County Code and RSF 2 Venice City code is

Lot area (sq. ft.) 9,600 for RSF 2 Sarasota County Code

Lot Area (sq. ft.) 10,000 for RSF 2 Venice City Code this is a plus side difference of 400 sq. ft.

Building Coverage RSF 2 Sarasota County Code is 35 %

Building Coverage RSF 2 Venice City Code is 30 %

Petition for Zoning to City of Venice

I want the city of Venice to make the parcel id#: 0178-09-0023 known as Gulf Harbor Estates a RSF2 Venice city code and NOT a RSF3 Venice city code. If this parcel were to be zoned RSF3 It would allow smaller lots in square footage and frontage. Thereby reducing the value of the larger neighboring properties.

No.	PRINT NAME	SIGNATURE	ADDRESS
67.	ELEANOR DOLNEY	Eleanor Dolney	700 Mirabella Cir Unit 104 Venice, FL 34292
68.	DONNA STORINO	Donna Storino	700 Mirabella Cir #102 Venice FL 34292
69.	CAROL DOWNEY	Carol Downey	800 MIRABELLA CIRCLE #204 VENICE FL 34292
70.	DAVE MOCKAY	Laundie Clay	200 Mirabella #211 Venice FL
71.	RUTH GERTSCH	Ruth Gertsch	400 Mirabella Circle #104 Venice FL 34292
72.	Palma Mordman	"	600 MIRABELLA Venice FL
	Rubal Foreman	"	" "
73.	Leonard Robertin	"	" "
	JOAN K. NOONE	JOAN K. NOONE	516 HARBOR DR. VENICE FL 34285
74.			
75.			
76.			
77.			

Petition for Zoning to City of Venice

I want the city of Venice to make the parcel id#: 0178-09-0023 known as Gulf Harbor Estates a RSF2 Venice city code and NOT a RSF3 Venice city code. If this parcel were to be zoned RSF3 It would allow smaller lots in square footage and frontage. Thereby reducing the value of the larger neighboring properties.

No.	PRINT NAME	SIGNATURE	ADDRESS
56.	ROBERT POGWIZD	Robert Pogwizd	1059 S. HARBOR DR.
	ELIZABETH POGWIZD - E Pogwizd		1059 S. HARBOR DR.
57.	Thelma A. Smith	Thelma A. Smith	320 GULF DR - Venice
	LES SMITH	Les Smith	320 GULF DR 34285
58.	Jane: A. Higdon	Jane A. Higdon	417 GULF DR Venice, FL 34285
59.	LINDA METRO	Linda Metro	120 HAWKASS DR. VENICE FL 34284
60.	WENUS KOZIO	Wenus Kozio	1905 SAN SILVESTRO DR. VENICE FL 34285
61.	COLIN IRWIN	Colin Irwin	600 MIRABELLA CIR. #103 34285
62.	ROBERT O. MAHLMAN	Robert O. Mahlman	919 PASADENA W. Venice, FL 34285
	LINDA CLEMINAW	Linda Cleminaw	979 HAITHAUSE VENICE 34285
63.	DOUGLAS CLEMINAW	Douglas Cleminaw	979 HAITHAUSE VENICE 34285
	MARIE ALTIER	Marie Altier	413 SILVER DR Venice 34285
64.	JANE VAUGHAN	Jane Vaughan	401 Shore Road Venice 34285
	ERNEST BIFFORD	Ernest Bifford	408 Shore Road Venice 34285
65.	George Dagon	George Dagon	417 SILVER DR Venice 34285
	H. Goetz	H. Goetz	10535 Harbor Dr Venice 34285
66.	H. Goetz	H. Goetz	10535 Harbor Dr Venice 34285

Petition for Zoning to City of Venice

I want the city of Venice to make the parcel id#: 0178-09-0023 known as Gulf Harbor Estates a RSF2 Venice city code and NOT a RSF3 Venice city code. If this parcel were to be zoned RSF3 It would allow smaller lots in square footage and frontage. Thereby reducing the value of the larger neighboring properties.

No.	PRINT NAME	SIGNATURE	ADDRESS
45.	Joseph Kaminski	<i>Joseph Kaminski</i>	401 Sunset Dr. Venice, FL 34285
46.	NORM Pokorny	<i>Norm</i>	900 DAVIS ST, Venice FL 34285
47.	JOE AUSTIN	<i>Joe Austin</i>	409 GULF DR. Venice, FL 34285
48.	PATRICIA S. HARK	<i>Patricia S. Hark</i>	409 GULF DR Venice FL 34285
49.	GARY M. ANDERSON	<i>Gary M. Anderson</i>	1104 Sunset Dr. Venice, FL 34285
50.	GARY BUNNELL	<i>Gary Bunnell</i>	412 SUNSET DR, Venice, FL 34285
51.	CAROL BUNNELL	<i>Carol Bunnell</i>	412 Sunset Dr, Venice, FL 34285
52.	CYNTHIA SKINNER	<i>Cynthia Skinner</i>	142 WADING BIRD DR Venice FL 34285
53.	LEWIS SKINNER	<i>Lewis Skinner</i>	142 WADING BIRD DR Venice FL 34285
54.	FLORENCE E. CONNOR	<i>Florence E. Connor</i>	652 Bird Bay Dr. W. Venice FL 34285
55.	CAROL L. REAGAN	<i>Carol Reagan</i>	820 TURT Venice FL 34285

Petition for Zoning to City of Venice

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No.	PRINT NAME	SIGNATURE	ADDRESS
34.	Karen Poole-Hermann	Karen Poole-Hermann	420 Shore Rd Venice, FL 34285
	SARAH DEANE-GILLET	Barbara Ann - Gillett	1410 NORFOLK AVE FL 34285
35.	DR. GILLET	" " " " "	" " " " "
	Teresa B. Falsani	Teresa B. Falsani	404 Shore Rd. Venice FL. 34285
36.	Robert C. Falsani	Robert C. Falsani	404 Shore Rd Venice 34285
37.	Wayne Thomas	Wayne Thomas	405 Shore Rd. Venice. 34285.
	Amy Ladehoff	Amy Ladehoff	236 Coral St, Venice 34285
38.	SHIRLEY GEOFFRION	SHIRLEY GEOFFRION	409 SUNSET DR. HAWAIIAN AVE
	William Davis	William Davis	419 Sunset Ven 34285
39.	Mary Towns	Mary Towns	419 Sunset Ven. 34285
40.	Mary D. White	Mary D. White	938 Sunset, 34285
	MARY + Joanne Cook	MARY + Joanne Cook	501 CIRCLE 34285
41.	Mark Heller	Mark Heller	405 Sunset Dr Venice
	Shelley Heller	Shelley Heller	405 Sunset Dr Venice
42.	George Hermann	George Hermann	420 SHORE RD, Venice, FL 34285
	TIMOTHY E SHEA	Timothy E Shea	417 SHORE RD, VENICE FL 34285
43.	Gloria A. Edwards	Gloria A. Edwards	417 SHORE RD - Venice
	SHIRLEY GEOFFRION	Shirley GeoFFrion	409 Sunset Dr Venice 34285
44.	HARRY SIDOLI	HARRY SIDOLI	413 Sunset Drive Venice 34285
	CHRISTINA SIDOLI	Christina Sidoli	413 Sunset Drive

Petition for Zoning to City of Venice

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No.	PRINT NAME	SIGNATURE	ADDRESS
23.	DONNA FINLEY	<i>Donna Finley</i>	204 SILVER LAKE DR #205 Venice, FL 34287
24.	DOUGLAS LEDGETT	<i>Douglas Ledgett</i>	204 SILVER LAKE DR #205, VENICE, FL
25.	FRANK BUZERA	<i>Frank E. Buzer</i>	659 LASALA, No. Port, FL 34287
26.	Janet Bryers	<i>Janet C. Bryers</i>	708 Tamiami Trls, 34285
27.	MaryAnn McDermott	<i>MaryAnn McDermott</i>	211 VESTALIA DR, Venice F
28.	Marybeth Cuccia	<i>Marybeth Cuccia</i>	1227 Steepy Hollow Rd. Ven
28.	Hans Peterson	<i>Hans Peterson</i>	12647 Harney St, Venice FL 34293
28.	Lynne Peterson	<i>Lynne Peterson</i>	12647 HARNAY ST, VENICE FL 34293
29.	PATRICIA CRAWFORD	<i>Patricia Crawford</i>	631 ALHAMBRA Rd AP 61 Venice F 342
30.	JEAN M. KITONIS	<i>Jean M. Kitonis</i>	1116 SUNSET DR. VENICE FL 34285
30.	WALT KITONIS	<i>Walt Kitonis</i>	1116 SUNSET DR. VENICE, FL 34285
31.	William Botton	<i>William Botton</i>	1120 SUNSET DR
32.	JAMES MAGERO	<i>James Magero</i>	1132 SUNSET DR. Venice, FL 3428
32.	Gwen Magero	<i>Gwen Magero</i>	1132 Sunset Dr. Venice FL 3428
33.	Jagice + Kevin Riordan	<i>Jagice + Kevin Riordan</i>	1127 Sunset Dr. Venice, FL 34287

Petition for Zoning to City of Venice

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- #28
- | No. | PRINT NAME | SIGNATURE | ADDRESS |
|-----|--------------------|------------------|--|
| 12. | WILLIAM HOFFMAN | William Hoffman | 503 ALBEE FARM RD |
| | DONNA LOFASO | Donna Lofaso | Venice, FL 34285 |
| 13. | | | 600 MILA BELLA CR #101 VENICE FL 34292 |
| | Sarah Barber | | 1696 Lancashire Dr Venice FL 34285 |
| 14. | Sarah Barber | | |
| | Virginia Combs | Virginia Combs | 411 Bayview Pky Nokomis, FL 34275 |
| 15. | John McDermott | John McDermott | 211 Vestavia Dr Venice FL 34292 |
| | Beverly McLaughlin | | 503 Auburn Court Venice 34285 |
| 16. | JACQUELYN JONES | Jacquelyn Jones | 1626 LISCAURT DR VENICE 34292 |
| | ALFRED W JONES | Alfred W Jones | 1626 LISCAURT DR VENICE FL 34292 |
| 17. | Constance Coling | | 3254 Meadow Run Dr Venice, FL 34285 |
| 18. | NANCY HART | Nancy Hart | 740 Groveland Ave, Venice 34285 |
| 19. | Marge Howe | M Lane | 11067 Campazzo Dr Venice 34292 |
| 20. | Connie Demming | - Connie Demming | 503 ALBEE FARM RD Venice Fla 34285 |
| 21. | Lon Doering | | 1260 Lakeside Woods, Venice 34285 |
| 22. | Elizabeth Doering | | 1260 Lakeside Woods Venice 34285. |

Petition for Zoning to City of Venice

I want the city of Venice to make the parcel id#: 0178-09-0023 known as Gulf Harbor Estates a RSF2 Venice city code and NOT a RSF3 Venice city code. If this parcel were to be zoned RSF3 It would allow smaller lots in square footage and frontage. Thereby reducing the value of the larger neighboring properties.

No.	PRINT NAME	SIGNATURE	ADDRESS
1.	ROBERT W LENTZ	<i>Robert W Lentz</i>	1258 N INDIES CIR VENICE
2.	NANCY LENTZ	<i>Nancy Lentz</i>	1258 N Indies Cir Venice
	Leanne Rodrik	<i>Leanne Rodrik</i>	1130 Tuscany Blvd Venice
3.	Betty Ann Rigg	<i>Betty Ann Rigg</i>	7470 Upperville, Venice
4.	HOWARD VAN NOSTRAND	<i>Howard Van Nostrand</i>	1130 TUSCANY BLVD VENICE FL
5.	Gene Raymond	<i>Gene Raymond</i>	740 Grearwood Ave Venice 34285
6.	Jim Coling	<i>Jim Coling</i>	3254 Meadow Run Dr 34293
7.	Russ Cuccia	<i>Russ Cuccia</i>	1227 Sloop Hollow Rd Venice 34285
	Maryanne Cuccia	<i>Maryanne Cuccia</i>	879 Chance Rd Venice 34285
8.			
9.	Harry W Brown	<i>Harry W Brown</i>	1720 Paradise Way, Venice, FL 34285
10.	MARK M. CLIFF	<i>Mark M. Cliff</i>	1520 Jasper Ct. Venice 34292
11.	LEONA NELSON	<i>Leona Nelson</i>	1104 Sunset Dr Venice FL 34285

1982
 PROPERTIES SOUTH OF PROPOSED
 GULF HARBOR ESTATES
 COMBINED TOTAL OF 241 FOR BOTH
 PAGES

GULF SHORES No 2

Being a continuation of a portion of the 226 of the 226 of Section 33: T 39 S; R 12 E; ... and more particularly described as follows: Beginning at the NW corner of Sec. 33, T 39 S, R 12 E, ...

179028



DEDICATION

This plat is approved for record as shown, and the streets and roads are dedicated for public use.

Witness: Jim W. Casperson
 Witness: Frank R. Casperson

F. Casperson
Frank R. Casperson

ACKNOWLEDGEMENT

State of Florida,
 County of Sarasota.
 Personally appeared before me this 18 day of May A.D. 1953 the undersigned authority, Jim W. Casperson, and Frank R. Casperson, his wife, to me well known and known to me to be the persons described in and who executed the foregoing instrument, and acknowledged the execution thereof to be their voluntary act for the purposes therein expressed.

Witness my hand and official seal at St. Petersburg, County of Sarasota, State of Florida, the date aforesaid.

Charles B. Thomas
 Notary Public, State of Florida at large.
 My commission expires: June 30, 1956

APPROVALS

This plat approved by the Board of Commissioners of Sarasota County, State of Florida, meeting by the Board of Commissioners of Sarasota County, State of Florida, on this 18 day of May A.D. 1953.

I hereby certify that this plat has been examined by me and found to conform with requirements of the Statutes of Florida, Acts of 1925, and that said plat was filed in the Public Records of the State of Florida on this 18 day of May A.D. 1953 in Plat Book No. 6, Page 18 of the Public Records of the State of Florida.

W. A. WUNNE
 Clerk of Circuit Court

Oliver C. P. ...
 Deputy Clerk

SURVEYORS REPORT

I hereby certify that a survey of the above described property was made under my supervision and that the plat herein is a true and accurate representation thereof to the best of my knowledge and belief and that permanent reference markers have been placed as required by Sec. 7, Survey Laws of 1925. (Sec. 177.07 of Florida Statutes)

MERRIM ENGINEERING COMPANY

By: [Signature]
 [Seal]

Date: May 9, 1953

179028

27.	0178160036	1120 Harbor Drive	9,959	99.59	Penovich, Anthony
28.	0178160019	420 Shore Drive	12,053	80	George Hermann
29.	0178160020	416 Shore Drive	12,053	78	Eaton, Jeffery
30.	0178160021	428 Shore Drive	12,053	80	Whittle, Robert
31.	0178160022	408 Shore Drive	12,053	80	Ernest T Gifford
32.	0178160023	404 Shore Drive	12,053	80	Falsani, Robert
33.	0178160029	417 Shore Drive	16,118	188	Shea, Timothy
34.	0178160028	413 Shore Drive	10,417	80.6	Altier, Joseph
35.	0178160027	409 Shore Drive	10,877	80.6	Malkerson, Charles
36.	0178160026	405 Shore Drive	11,771	80.6	Thomas, Clyde
37.	0178160025	401 Shore Drive	9,434	100.64	Vaughan, Joseph
38.	0178160032	412 Beach Drive	11,615	80	Elterman, Deborah
39.	0178160033	408 Beach Drive	11,615	80	1002403 Ontario, Inc
40.	0178160034	404 Beach Drive	11,615	80	Long, Cora
41.	0178160035	400 Beach Drive	10,000	100	Long, Cora

Total square footage
of entire 41 properties
listed

462,544

Total frontage in
feet of entire 41
properties listed

3,957.54

The average lot size based on the total area RSF 2 code for the streets listed above equals

$$462,544 / 41 = 11,281.56 \text{ square feet}$$

The average frontage for the entire 41 properties listed above equals

$$3957.54 / 41 = 96.5 \text{ feet}$$

Three (3) lots in the proposed Preliminary plat for Gulf Harbor Estates do not meet the Average lot size of 11,281.56 square feet based on the above calculations

Lot Number 1 has a total of 10,634 square feet

Lot Number 8 has a total of 10,355 square feet

Lot Number 9 has a total of 10,794 square feet

Submitted to the Planning and zoning department by:

Leora Nelson 4-13-2017

Leora Nelson

Concerned Citizen and property owner

I am very concerned about this proposed project devaluing my home and others in my neighborhood by reducing the size of the lots and the frontages to accommodate their plan.

Gulf Harbor Estates Petition Number: 16-4PP

April 11, 2017

Average lot size calculation

This is a listing of all RSF 2 properties of the Gulf Shores Subdivision on the west side of Harbor Drive being in close proximity to the proposed Gulf Harbor Estates. The total of 41 lots were used for this calculation. Properties north of the proposed Gulf Harbor Estates included Sunset Drive properties. The properties south of the proposed Gulf Harbor Estates, include Gulf Drive, Shore Drive, Beach Drive, east side of Sunset Drive and the west side section of Harbor Drive between Gulf Drive and Beach Drive.

	Parcel Number	Address	Lot size in Sq. Ft.	Lot Frontage in feet	Owner
1.	0178160021	939 Sunset Drive	9,136	85	Schwesinger, Henry
2.	0178090020	935 Sunset Drive	9,033	95.51	Peterson, Regina
3.	0178160019	419 Sunset Drive	12,875	85	Downs, William
4.	0178160018	417 Sunset Drive	11,804	85	Dagon, Mary
5.	0178160017	413 Sunset Drive	10,302	85	Sidoli, Christina
6.	0178160016	409 Sunset Drive	9,302	90	Geoffrion, William
7.	0178160015	405 Sunset Drive	8,423	95	Heller, Mark
8.	0178160014	401 Sunset Drive	8,588	113.7	Kaminski, Joseph
9.	0178090007	424 Sunset Drive	12,960	85.6	Brown, Joy
10.	0178090008	420 Sunset Drive	12,473	85	Goldberg, Johan
11.	0178090009	416 Sunset Drive	11,285	85	Cehlarik, Donna
12.	0178090010	412 Sunset Drive	12,224	100	Bunnell, Eugene
13.	0178090011	408 Sunset Drive	10,265	100	Coleman, Ernest
14.	0178090012	404 Sunset Drive	9,037	100	Madden, Sally
15.	0178090013	926 Harbor Drive	9,101	120	Quartler, Sylvia
16.	0178160017	1101 Sunset Drive	12,013	154.22	Vardi, Dan
17.	0178160018	1115 Sunset Drive	11,464	151.5	Oleary-Zwolak, Karen
18.	0178160030	1127 Sunset Drive	12,885	86.57	Riordan, Janice
19.	0178160031	1131 Sunset Drive	11,317	86.5	Brown, B.E.
20.	0178160016	421 Gulf Drive	12,053	80	Kanoski, John
21.	0178160015	417 Gulf Drive	12,053	80	Hightower, James
22.	0178160014	413 Gulf Drive	12,053	80	Fox, Arthur
23.	0178160013	409 Gulf Drive	12,053	80	Hawk, Patricia
24.	0178160012	405 Gulf Drive	12,053	80	Pokorny, Norman
25.	0178160011	1100 Harbor Drive	12,053	150.66	Altieri, Michael

that the storm water management takes .34 acres. This is 12.6 percent of the total parcel square footage which amounts to 14,732 square feet out of the total of 116,919 square feet for the entire 2.68 acre parcel. The lots as proposed for the Gulf Harbor Estates are not stand alone lots. A home owners association will have to be formed because each lot is dependent on the other to maintain this elaborate drainage system.

SUMMARY

Frontage is a critical concern for maintaining property value. My submitted listing of all the RSF 2 properties on the west side of Harbor Drive show 80 foot minimum frontages on all 41 properties with the exception of one. The average frontage for the entire 41 properties equals 96.5 feet.

It is my request based on the information submitted to this Planning and Zoning board by me, Leora Nelson a resident of this community that the proposed Gulf Harbor Estates is made to comply with the RSF 2 Venice City code and not receive the RSF 3 Venice City code they are requesting.

I offer this solution: The developer accepts the RSF 2 Venice City code. The developer redraws the plat to show 8 lots which would meet the requirements for a RSF 2 Venice City code. This will increase the square footage of each lot and meet the 80 foot minimum frontage requirement for a RSF 2 Venice City code thereby increasing the value of each lot.

Concerned Citizen, property owner and member of the community

A handwritten signature in black ink that reads "Leora Nelson" followed by the date "4-13-2017". The signature is written in a cursive, flowing style.

Leora Nelson
1104 Sunset Drive
Venice FL 34285

Research provided to support the RSF 2 Venice City Code requirements for the proposed Gulf Harbor Estates

The planning and zoning department of the City of Venice did an analysis of the study area using RSF 2 and RSF 3 zones from both sides of Harbor Drive and excluded the RSF 1 zones on the west side of Harbor Drive. They arrived at an average lot size of 12,639 square feet.

The preliminary plat of the Gulf Harbor Estates shows 9 lots and only 5 lots meet the average lot size as calculated by the planning and zoning department. The following lots do not meet the average lot size as calculated by the planning and zoning department

Lot # 1	10,634 sq. ft.	fails to meet the average lot size of 12,639 sq. ft.	by	2,005 sq. ft.
Lot # 2	11,909 sq. ft.	" " " " " " " " " " " "	"	730 sq. ft.
Lot # 8	10,355 sq. ft.	" " " " " " " " " " " "	"	2,284 sq. ft.
Lot # 9	10,794 sq. ft.	" " " " " " " " " " " "	"	1,845 sq. ft.

Average Lot Size		
Entire Study Area	Study Area Excluding RSF -1 Lots	Proposed Preliminary Plat
16,017 sq. ft.	12,639 sq. ft.	12,991 sq. ft.

If you look at column three in the box titled Average Lot Size on page 8 of 12 of the Staff Report for Petition Number: 16-4PP Gulf Harbor Estates, also shown above, you will find that you could list Lot # 7 as not having the Proposed Preliminary Plat square footage as well.

Lot # 7 12,840 sq. ft. fails to meet the average lot size of 12,991 sq. ft. by 151 sq. ft.

So 4 or 5 lots out of 9 lots do not meet the Average Lot Size Study Area

The 2.68 acre parcel cannot be divided into 9 equal lots because of the shape of the parcel and the necessary frontage requirements to arrive at 12,991 sq. ft. per lot.

The entire area I researched (west side of Harbor Drive) as well as the study area used by the Planning and Zoning department including RSF 3 codes (east of Harbor Drive) shows that very few properties have less than 80 foot minimum frontage. You will find a few 75 foot frontages on Circle Drive. Please consider the citizens of Venice living in the study area and make your decision based on what is currently the standard 80 feet minimum frontage in our area.

I would like to see a maximum of 8 lots or less on this parcel. In keeping with the RSF 2 Venice City code requirements the size of the lots would increase and they would also meet the 80 foot minimum frontages. The increase would make the lots sizes more compatible with the area.

The other main issue is the amount of square footage being used up on each lot for drainage. Drainage at the rear of the properties takes 20 feet across the width of the lot and drainage at the front of the properties takes 15 feet across the width of the lot. Another 15 feet is a swale running the total length between the lots. Having a larger lot size would also benefit the community by reducing the number of 15 foot swales running the full length between each lot to 7 swales instead of 8 swales. So having lots with more square footage makes sense because so much square footage is being used for the drainage system alone. On page C -5 of the preliminary plat for the proposed Gulf Harbor Estates you will find

If it is a concern to the planning and zoning board that the developer has invested so much money in this project under questionable facts about zoning then by giving the above exception it would make it possible for the developer to add value to each lot and raise the cost per lot. The larger lots with a 35% density would be attractive to buyers wishing to build larger homes. This would be a great solution for all parties.

Concerned Citizen

Leora Nelson 4-13-2017

Leora Nelson

1104 Sunset Dr.

Venice FL 34285

Considerations for rezoning parcel id# 0178-09-0023 also known as Gulf Harbor Estates to

RSF 2 Venice Code

FRONTAGE FRONTAGE FRONTAGE

80 FOOT MINIMUM LOT WIDTH

The City of Venice should consider changing the density requirement of 30 % to 35 % for RSF 2 Venice City code on this preliminary plat for the Gulf Harbor Estates, with the agreement that the developer will redo lots sizes and increase the frontage to the 80 foot minimum requirement. The plat would meet all the requirements of a RSF 2 Venice City code if this is done. Using the 80 foot minimum frontage requirements for this parcel would make 8 lots the maximum total on this parcel. The developer was given a preliminary exception for the required side walk on the west boundary of this parcel so why couldn't this request for an adjustment of the density from 30 % to 35 % be made? This exception could be made in this case only.

Because it has been told that a mistake was made about the correct zoning on this parcel an exception could be made without jeopardizing the standards of our neighborhood.

This parcel has a RSF 2 Sarasota County code at the present time. The difference in the requirements for the RSF 2 Sarasota County code is the density. It is 35% for RSF 2 Sarasota County code and it's 30% for RSF 2 Venice City code. RSF 2 Minimum lot requirements of 10,000 square feet for RSF 2 Sarasota County code and RSF 2 Venice City code were the same until the year 2003. The RSF 2 Sarasota County code reduced its requirement from 10,000 square feet to the current 9,600 square feet in 2003. The minimum width (frontage) of a lot is 80 feet, the same for both RSF 2 Sarasota County code and RSF 2 Venice City code. This parcel 2.68 acre divided into 8 lots more than meets the 10,000 minimum lot size and will meet the 80 foot minimum frontage requirement.

Because the current RSF 2 Sarasota County code is the current situation right now and this code has a density requirement of 35% it should be honored in this case without having to change from the RSF 2 Sarasota County code to the RSF 3 Venice City code to accommodate the developer's proposed preliminary plat for Gulf Harbor Estates for smaller lots sizes and smaller frontages.

The RSF 2 Venice City code is the most compatible zoning code for our neighborhood.

I know that more lots means more money for the developer but the planning and zoning department for the City of Venice needs to put the property owners concerns for maintaining the value of our property as their top priority. Money is just as important to us as it is to the developer. Frontage is not just a minor issue it is the main issue. The main reason for the developer to want a RSF 3 Venice City code is because of the minimum frontage requirement of 75 feet, having the smaller width of 75 feet makes it possible for the parcel to be divided into 9 lots and not the 8 lots that a RSF 2 Venice City code would limit. Requiring the minimum 80 foot frontage in the neighborhood, and the key word here is minimum, must be upheld. Make this subdivision a RSF 2 Venice City code.



WRITTEN COMMUNICATIONS

PLANNING & ZONING

APR 17 2017

RECEIVED

ZONE V
(EL 16)

ZO

ZO

4-17-17

James J. Nelson

I'm requesting affected
party status for
ZONING AND PLANNING 17-04 RZ
Meeting on 4-18-17

4-17-2017