

**CITY OF VENICE, FLORIDA  
CITY COUNCIL  
ORDER NO. 16-01PC**

AN ORDER OF THE VENICE CITY COUNCIL APPROVING CHANGES IN PLANS PETITION NO. 16-01PC FOR THE EYE ASSOCIATES, LOCATED AT 1550 VENICE AVENUE EAST, TO ALLOW FOR 8,532 SQUARE FEET OF MEDICAL USE AND 1,008 SQUARE FEET OF RETAIL USE IN PLACE OF 12,000 SQUARE FEET OF RETAIL USE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Practice Management, LLC, through its agent Jeffery A. Boone, Esq., has submitted Changes in Plans Petition No. 16-01PC, for the Eye Associates, located at 1550 E. Venice Ave.; Parcel Identification No. 0411-15-0089 (further described in Exhibit A); comprised of a **Concept Plan**, prepared by Joseph S. Menen, P.E., of Charlotte Engineering & Surveying, Inc., consisting of **one sheet**, received by the City on April 14, 2017, to request a change to the Ventura Commerce Park Concept Plan associated with an approved Planned Unit Development (which allows for 12,000 square feet of retail use on Parcel No. 0411-15-0089), to allow for 8,532 square feet of medical use and 1,008 square feet of retail use; and,

WHEREAS, the Planning Commission held a noticed public hearing on June 20, 2017, during which the Planning Commission received the application, staff report, and testimony provided by staff, the applicant, and interested parties; and

WHEREAS, the Planning Commission was guided in its decision and exercise of its discretion to recommend approval or denial of the Changes in Plans application by the standards contained in Section 86-130(v) of the Land Development Code and other applicable sections of City Code of Ordinances; and

WHEREAS, the Planning Commission voted to recommend to City Council approval of Changes in Plans Petition No. 16-01PC; and,

WHEREAS, the Venice City Council received and considered the report of the Planning Commission recommending approval of Changes in Plans Petition No. 16-01PC, and on September 12, 2017 held a noticed public hearing on the application; and

WHEREAS, City Council finds that Changes in Plans Petition No. 16-01PC is in compliance with the Land Development Code, is consistent with the Comprehensive Plan and any amendments thereto.

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

Section 1. The Whereas clauses above are ratified and confirmed as true and correct.

Section 2. Changes in Plans Petition No. 16-01PC, which allows 8,532 square feet of medical use and 1,008 square feet of retail use in place of 12,000 square feet of retail use, is hereby approved by the City Council.

Section 3. This Order shall become effective immediately upon adoption by City Council.

**PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS 12TH DAY OF SEPTEMBER 2017.**

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John W. Holic, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lori Stelzer, MMC, City Clerk

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City Attorney

## Exhibit A

PARCEL NO. 0411-15-0089:

A PART OF SECTION 9, TOWNSHIP 39 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 39 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA; THENCE N.89°35'07"E., ALONG THE NORTH LINE OF SAID SECTION 9 A DISTANCE OF 1324.61 FEET TO THE NORTHWEST CORNER OF THE WEST 1/2 OF THE EAST 3/4, OF SAID SECTION 9; THENCE S.00°31'18"E. ALONG THE WEST LINE OF SAID WEST 1/2 OF THE EAST 3/4, A DISTANCE OF 2360.46 FEET; THENCE N.89°34'18"E., A DISTANCE OF 995.93 FEET TO A POINT ON THE BOUNDARY LINE OF BLOCK "A", CAPRI ISLES UNIT NO. 3 RECORDED IN PLAT BOOK 22, PAGE 8, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE S.00°40'04"E., ALONG SAID BOUNDARY LINE OF BLOCK "A", A DISTANCE OF 679.04 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF VENICE AVENUE (136' WIDE) AS SHOWN ON ROAD PLAT BOOK 4, PAGE 3, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N.89°35'26"E. ALONG SAID NORTHERLY RIGHT OF WAY LINE OF VENICE AVENUE, A DISTANCE OF 377.76 FEET TO THE POINT OF BEGINNING, SAME BEING A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 29.50 FEET, A CENTRAL ANGLE OF 51°37'45", A CHORD BEARING OF N.26°35'56"W., AND A CHORD LENGTH OF 25.69 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 26.58 FEET TO THE END OF SAID CURVE; THENCE N.00°40'42"W., A DISTANCE OF 143.07 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 19.50 FEET, A CENTRAL ANGLE OF 41°57'43", A CHORD BEARING OF N.20°18'47"E., AND A CHORD LENGTH OF 13.96 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 14.28 FEET TO THE END OF SAID CURVE; THENCE N.00°40'04"W., A DISTANCE OF 6.64 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 20.56 FEET, A CENTRAL ANGLE OF 26°08'39", A CHORD BEARING OF N.63°33'09"E., AND A CHORD LENGTH OF 9.30 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 9.38 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 11.21 FEET, A CENTRAL ANGLE OF 48°41'56", A CHORD BEARING OF S.79°01'34"E., AND A CHORD LENGTH OF 9.25 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 9.53 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 9.88 FEET, A CENTRAL ANGLE OF 55°46'43", A CHORD BEARING OF S.26°47'14"E., AND A CHORD LENGTH OF 9.25 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 9.62 FEET TO THE END OF SAID CURVE; THENCE N.89°19'56"E., A DISTANCE OF 25.00 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 10.53 FEET, A CENTRAL ANGLE OF 47°18'27", A CHORD BEARING OF N.20°40'42"E., AND A CHORD LENGTH OF 8.45 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 8.69 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 10.50 FEET, A CENTRAL ANGLE OF 45°00'00", A CHORD BEARING OF N.66°49'56"E., AND A CHORD LENGTH OF 8.04 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 8.25 FEET TO THE END OF SAID CURVE; THENCE N.89°19'56"E., A DISTANCE OF 0.99 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 2.50 FEET, A CENTRAL ANGLE OF 90°00'00", A CHORD BEARING OF S.45°40'04"E., AND A CHORD LENGTH OF 3.54 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 3.93 FEET TO THE END OF SAID CURVE; THENCE S.00°40'04"E., A DISTANCE OF 15.50 FEET; THENCE N.89°19'56"E., A DISTANCE OF 91.00 FEET; THENCE N.00°40'04"W., A DISTANCE OF 15.50 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 2.50 FEET, A CENTRAL ANGLE OF 90°00'00", A CHORD BEARING OF N.44°19'56"E., AND A CHORD LENGTH OF 3.54 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 3.93 FEET TO THE END OF SAID CURVE; THENCE N.89°19'56"E., A DISTANCE OF 4.00 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 2.50 FEET, A CENTRAL ANGLE OF 90°00'00", A CHORD BEARING OF S.45°40'04"E., AND A CHORD LENGTH OF 3.54 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 3.93 FEET TO THE END OF SAID CURVE; THENCE S.00°40'04"E., A DISTANCE OF 15.50 FEET; THENCE N.89°19'56"E., A DISTANCE OF 91.00 FEET; THENCE N.00°40'04"W., A DISTANCE OF 15.50 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 2.50 FEET, A CENTRAL ANGLE OF 91°44'25", A CHORD BEARING OF N.45°12'08"E., AND A CHORD LENGTH OF 3.59 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 4.00 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 7.90 FEET, A CENTRAL ANGLE OF 42°04'14", A CHORD BEARING OF S.67°53'33"E., AND A CHORD LENGTH OF 5.67 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 5.80 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 7.12 FEET, A CENTRAL ANGLE OF 47°30'15", A CHORD BEARING OF S.23°06'19"E., AND A CHORD LENGTH OF 5.74 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 5.91 FEET TO THE END OF SAID CURVE; THENCE N.89°19'56"E., A DISTANCE OF 40.01 FEET TO THE WEST LINE OF CASA DEL LAGO, A CONDOMINIUM, RECORDED IN CONDOMINIUM BOOK 35, PAGE 28, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE S.00°40'04"E., ALONG SAID WEST LINE OF CASA DEL LAGO, A DISTANCE OF 184.51 FEET TO SAID NORTHERLY RIGHT OF WAY LINE OF VENICE AVENUE; THENCE S.89°35'26"W., ALONG SAID NORTHERLY RIGHT OF WAY LINE OF VENICE AVENUE, A DISTANCE OF 295.23 FEET TO THE POINT OF BEGINNING.