

**ORDINANCE NO. 2001-110**

AN ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF VENICE, FLORIDA, AS PART OF CITY OF VENICE ORDINANCE NO. 725-78; RELATING TO REZONING PETITION NO. 01-1RZ FOR THE REZONING OF THE FOLLOWING DESCRIBED PROPERTY FROM OUE (OPEN USE, ESTATE) TO PUD (PLANNED UNIT DEVELOPMENT); RELATING TO ZONING WITHIN THE INCORPORATED AREA OF THE CITY OF VENICE; PROVIDING FOR THE REZONING OF CERTAIN LANDS; AND PROVIDING AN EFFECTIVE DATE.

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

**SECTION 1. Findings.** The City Council, hereinafter referred to as the "Council", hereby makes the following findings:

A. The Council has received and considered the report of the Planning Commission concerning Rezoning Petition No. 01-1RZ requesting rezoning of the property described herein.

B. The Council has held a public hearing on the proposed rezoning of the property described herein, all in accordance with the requirement of City of Venice Ordinance No. 725-78, and has considered the information received at said public hearing.

C. The proposed rezoning of the property described herein is in accordance with the City of Venice Comprehensive Plan and said rezoning, as granted hereby, meets the requirements of City of Venice Ordinance No. 725-78, and any amendments thereto.

**SECTION 2. Amendment of Ordinance No. 725-78.** The Official Zoning Atlas, as part of the City of Venice Ordinance No. 725-78, is hereby amended by changing the zoning classification from OUE (Open Use, Estate) to PUD (Planned Unit Development) for the following described property located in the City of Venice:

**DESCRIPTION OF PROPERTY:**

ALL OF THAT PORTION OF SECTION 25 LYING WEST OF THE MYAKKA RIVER EXCEPT THE NORTH 1/2 OF THE NW 1/4, ALL IN TOWNSHIP 38 SOUTH, RANGE 19 EAST.

ALSO SECTION 26, TOWNSHIP 38 SOUTH, RANGE 19 EAST. ALSO THE EAST 1/2 OF SECTION 27, TOWNSHIP 38 SOUTH, RANGE 19 EAST, LESS THE NW 1/4 OF THE NE 1/4 THEREOF;

AND LESS THE FOLLOWING FOUR 5.0 ACRE PARCELS:

PARCEL NO. 1

A PARCEL OF LAND LYING AND BEING IN THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 38 SOUTH, RANGE 19 EAST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 27; THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 27, 100.00' FOR A POINT OF BEGINNING; THENCE N.0°11'27"W. AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST 1/4, 660.00'; THENCE EAST AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 27, 330.00'; THENCE S.00°11'27"E. AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST 1/4, 660.00' TO INTERSECT THE SOUTH LINE OF SAID SECTION 27; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 27, 330.00' TO THE POINT OF BEGINNING AND CONTAINING 5.00 ACRES.

PARCEL NO. 2

A PARCEL OF LAND LYING AND BEING IN THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 38 SOUTH, RANGE 19 EAST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 27; THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 27, 430.00' FOR A POINT OF BEGINNING; THENCE N.0°11'27"W. AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST 1/4, 660.00'; THENCE EAST AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 27, 330.00'; THENCE S.0°11'27"E. AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST 1/4, 660.00' TO INTERSECT THE SOUTH LINE OF SAID SECTION 27; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 27, 330.00' TO THE POINT OF BEGINNING AND CONTAINING 5.00 ACRES.

PARCEL NO. 3

A PARCEL OF LAND LYING AND BEING IN THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 38 SOUTH, RANGE 19 EAST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 27; THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 27, 100.00'; THENCE N.0°11'27"W. AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST 1/4, 660.00' FOR A POINT OF BEGINNING; THENCE CONTINUE N.0°11'27"W. AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST 1/4, 330'; THENCE EAST AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 27, 660.00'; THENCE S.0°11'27"E AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST 1/4, 330.00'; THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 27, 660.00' TO THE POINT OF BEGINNING AND CONTAINING 5.00 ACRES.

PARCEL NO. 4

A PARCEL OF LAND LYING AND BEING IN THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 38 SOUTH, RANGE 19 EAST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 27; THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 27, 100.00'; THENCE N.0°11'27"W. AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST 1/4, 990.00' FOR A POINT OF BEGINNING; THENCE CONTINUE N.0°11'27"W. AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST 1/4, 330.00'; THENCE EAST AND PARALLEL WITH THE



SOUTHLINE OF SAID SECTION 27, 660.00'; THENCE S. 0°11'27"E. AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST 1/4, 330.00'; THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 27, 660.00' TO THE POINT OF BEGINNING AND CONTAINING 5.00 ACRES.

ALSO LESS:

PARCEL NO. 5

THAT PART OF THE SE 1/4 OF SECTION 27, TOWNSHIP 38 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT A 6"X6" CONCRETE MONUMENT WITH SARASOTA COUNTY BRASS SECTION CORNER DISK FOUND 8" BELOW THE PRESENT GRADE OF A SHELL ROAD MARKING THE SOUTH 1/4 CORNER OF SAID SECTION 27; THENCE ALONG THE SOUTH LINE OF THE SAID SE 1/4, N. 89°15'44"E., 759.96 FEET TO THE POINT OF BEGINNING OF LAND BEING DESCRIBED; THENCE N. 00°56'10"W., 1320.07 FEET TO A 4"X4" CONCRETE MONUMENT WITH DISK STAMPED RLS 2030; THENCE PARALLEL TO THE SOUTH LINE OF SAID SE 1/4, N. 89°15'44"E., 1320.00 FEET TO A 4"X4" CONCRETE MONUMENT WITH 2" ALUMINUM DISK STAMPED A MENG LB 4334 PRM PLS 4521 SURVEY MARKER; THENCE S. 00°56'10"E., 1320.07 FEET TO THE SOUTH LINE OF SAID SE 1/4; THENCE ALONG SAID SOUTHLINE, S. 89°15'44"W., 1320.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,742,481.96 SQUARE FEET OR 40.0 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS AND/OR RIGHTS OF WAY OF RECORD, IF ANY.

More commonly known as Venetian Golf and River Club (Henry Ranch) approximately 2 miles East of Exit 35-A of I-75.

**SECTION 3. Restrictions, stipulations and safeguards.** The use of the property described in Section 2 hereof, in addition to applicable restrictions imposed by City of Venice Code of Ordinances Chapter 122 Zoning, as amended, is limited by and subject to the following restrictions, stipulations and safeguards:

1. Traffic impacts will be addressed at the time of subdivision and site and development plan approval. The property owner will be expected to contribute a proportionate share of the costs for the signalization of the Knights Trail and Laurel Road intersection and construct the extension of Laurel Road in compliance with the pre-annexation agreement.
2. Designate the 10 acre Regional Park that is to be dedicated to the city as "Government Use" (GU) on the Zoning Atlas Map.
3. Acceptance of the 8 foot wide alternative sidewalk plan along a portion of the Entry Boulevard (private street, without median), as identified in the transportation element (appendix F.)
4. Pedestrian connections from the residential single family type "D" (Unit No. 4) to the 63 acre site to the south (identified as Industrial-Commercial on the Future Land Use Map) shall be established and demonstrated at the time of subdivision and site and development plan approval. Connection shall be made from Padova Way through the adjoining green space area and the alternate access point to the access easement/buffer.

5. All community parks shall provide pedestrian accessways into each park. Location and design shall be defined at the time of subdivision and site and development plan approval.

6. Correct the conceptual master site plan to designate the 73.65 acre community park as a "passive recreation area" which is consistent with standards established by the applicable comprehensive plan policies.

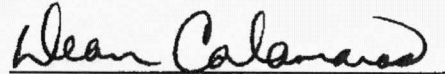
7. Correct the Summary Table Calculation typographical errors: total open space incorrectly indicated as 663.2 acres for total open space. Revise to 673.2 acres.

**SECTION 4. Effective Date.** This ordinance shall take effect immediately upon its approval and adoption, as provided by law.

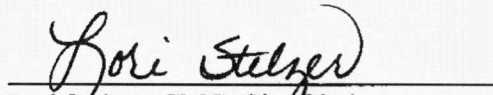
**PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, THIS 11TH DAY OF SEPTEMBER, 2001.**

First Reading: August 28, 2001  
Final Reading: September 11, 2001

Adoption: September 11, 2001

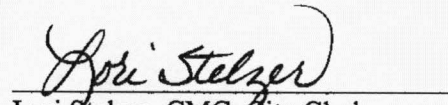
  
Dean Calamaras, Mayor

Attest:

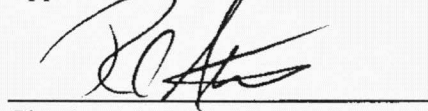
  
Lori Stelzer, CMC, City Clerk

I, Lori Stelzer, CMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the City of Venice Council, a meeting thereof duly convened and held on the 11<sup>th</sup> day of September, 2001, a quorum being present.

WITNESS my hand and the official seal of said City this 12<sup>th</sup> day of September, 2001.

  
Lori Stelzer, CMC, City Clerk

Approved as to form:

  
City Attorney