

**ORDINANCE NO. 2018-03**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF VENICE, FLORIDA, PURSUANT TO REZONE PETITION NO. 16-06RZ, RELATING TO PROPERTY IN THE CITY OF VENICE LOCATED ON 1041 ALBEE FARM ROAD AND OWNED BY SHYD, LLC, FOR THE REZONING OF THE PROPERTY DESCRIBED IN SECTION 3 BELOW, FROM SARASOTA COUNTY OPEN USE ESTATE 2 (OUE-2) TO CITY OF VENICE RESIDENTIAL, MULTIPLE-FAMILY 3 (RMF-3); PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Rezone Petition No. 16-06RZ to rezone property described in Section 3 below has been filed with the City of Venice to change the official City of Venice Zoning Map designation for the subject property from Sarasota County Open Use Estate 2 (OUE-2) to City of Venice Residential, Multiple-Family 3 (RMF-3); and

**WHEREAS**, the subject property described in Section 3 below has been found to be located within the corporate limits of the City of Venice; and

**WHEREAS**, the City of Venice Planning Commission has been designated as the local planning agency in accordance with F.S. 163.3174; and

**WHEREAS**, the Planning Commission held a public hearing on October 3, 2017, for which public notice was provided regarding the petition and, based upon the evidence and public comment received at the public hearing, the staff report and discussion by the Planning Commission, voted to recommend approval of Rezone Petition No. 16-06RZ; and

**WHEREAS**, the Venice City Council has received and considered the report of the Planning Commission concerning Rezone Petition No. 16-06RZ requesting rezoning of the property described herein; and

**WHEREAS**, City Council held a public hearing on the proposed rezoning of the property described herein, all in accordance with the requirements of city's code of ordinances, and has considered the information received at said public hearing; and

**WHEREAS**, City Council finds that Rezone Petition No. 16-06RZ is in compliance with and meets the requirements of the city's Land Development Regulations and Comprehensive Plan.

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

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

**SECTION 2.** The City Council finds as follows:

A. The Council has received and considered the report of the Planning Commission recommending approval of Zoning Map Amendment Petition No. 16-06RZ.

B. The Council has held a public hearing on the petition and has considered the information received at said public hearing.

C. The proposed rezoning of the property described herein is in accordance with and meets

the requirements of the Land Development Code and is consistent with the City of Venice Comprehensive Plan.

**SECTION 3.** The Official Zoning Atlas is hereby amended, by changing the zoning classification for the following described property located in the City of Venice from Sarasota County Open Use Estate 2 (OUE-2) to City of Venice Residential, Multiple-Family 3 (RMF-3), subject to the following stipulations:

1. Contingent upon approval of the concurrently processed Annexation Petition No. 16-01AN and Comprehensive Plan Amendment Petition No. 16-02CP.
2. The applicant shall remove the non-conforming uses from the subject properties dealing with the cattle grazing and the storage of heavy equipment within 120 days from final approval of Annexation Petition No. 16-01AN by City Council.

**Property Description:**

As depicted on the zoning map shown below consisting of 19.39± acres and as further described:

**Parcel A:**

Commence at the Southwest corner of the Southeast ¼ of the Northwest ¼ of Southwest ¼ of Section 5, run East along the Section line a distance of 118.1 feet to a point, thence turn at an angle of North 00°01' East a distance of 70.76 feet to a point; thence turn West at an angle of South 89°58' West and run 118.07 feet to a point on the ¼ Section line; thence turn South 0°01' West and run 70.72 feet to the Point of Beginning, which is the said Southwest corner of the Southeast ¼ of the Northwest ¼ of the Southwest ¼ of Section 5, Township 39 South, Range 19 East, Sarasota County, Florida.

Parcel ID No.: 0404-05-0002

**Parcel B:**

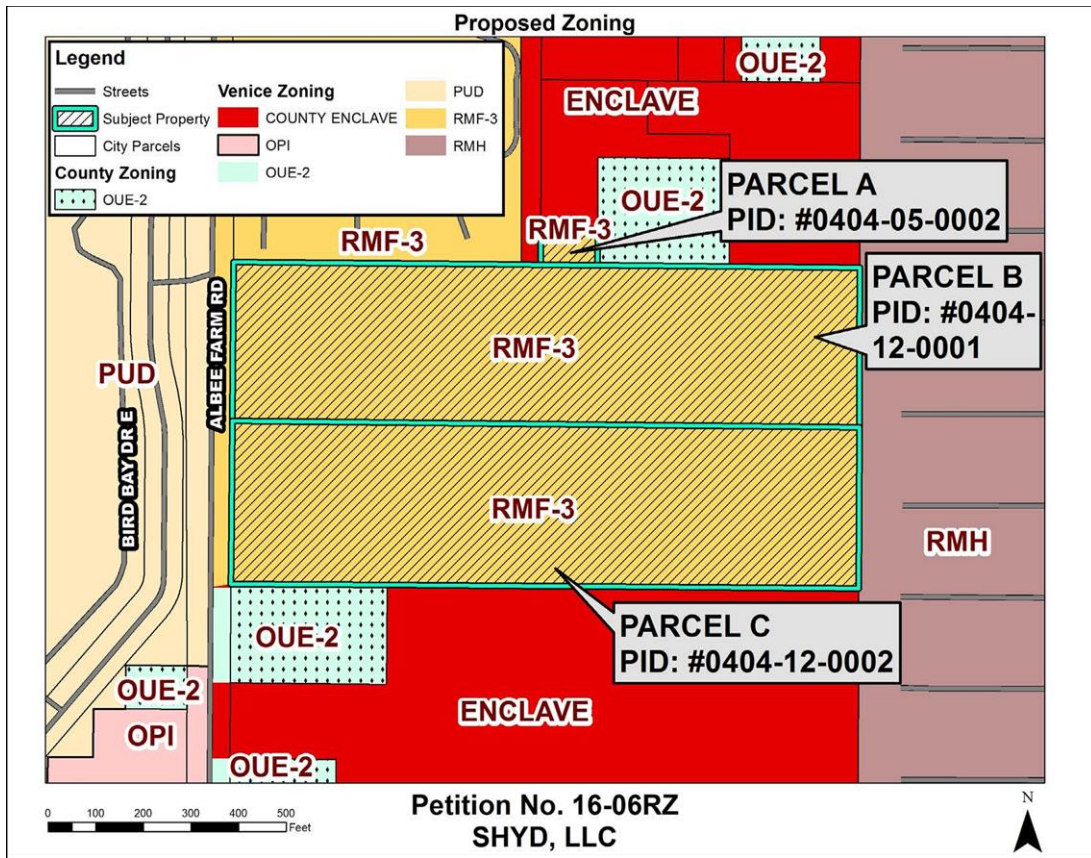
The North ½ of the North ½ of the SW ¼ of the SW ¼ of Section 5, Township 39 South, Range 19 East, Sarasota County, Florida, LESS Albee Farm Road right of way in RPB 3 Page 31, also LESS Westerly 58.75 feet for additional right of way for Albee Farm Road as described in O.R. Book 2623, Page 197, Public Records of Sarasota County, Florida.

Parcel ID No.: 0404-12-0001

**Parcel C:**

The South ½ of the North ½ of the SW ¼ of the SW ¼ of Section 5, Township 39 South, Range 19 East, Sarasota County, Florida, LESS Albee Farm Road right of way in RPB 3 page 31, also LESS Westerly 58.75 feet for additional right of way for Albee Farm Road as described in O.R. Book 2623, Page 197, Public Records of Sarasota County, Florida.

Parcel ID No.: 0404-12-0002



**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 23RD DAY OF JANUARY 2018.**

First Reading: January 9, 2018

Final Reading: January 23, 2018

Adoption: January 23, 2018

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John W. Holic, Mayor

**Attest:**

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Lori Stelzer, MMC, City Clerk

I, Lori Stelzer, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the City of Venice Council, a meeting thereof duly convened and held on the 23rd day of January 2018 a quorum being present.

**WITNESS** my hand and the official seal of said City this 23rd day of January 2018.

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Lori Stelzer, MMC, City Clerk

Approved as to form:

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David Persson, City Attorney