



CITY OF VENICE

Planning and Zoning Division
401 W. Venice Avenue Venice, FL. 34285-2006
Phone: (941) 486-2626 Fax: (941) 480-3031

December 12, 2018

Jackson R. Boone
Boone, Boone, Boone & Koda, P.A.
P.O. Box 1596
Venice, Florida 34284

RE: Jewish Community Center of Venice, Inc. – Columbarium Zoning Determination Letter

Dear Mr. Boone:

The Planning and Zoning Division is in receipt of your request for a zoning determination for the above referenced property located at 600 N. Auburn Road, Venice, Florida (Parcel No. 0400050001). Your letter, dated October 2, 2018 indicates your request is confirmation of a "columbarium" as a permitted accessory use on the subject property. We are also in receipt of the letter dated October 11, 2018 submitted as an addendum to the original letter.

The parcel is designated as Low Density Residential on the City's Future Land Use Map and is zoned Residential, Single-Family-1 (RSF-1). It is our understanding that the applicant desires to install a columbarium within the portion of the property that is currently in use as a cemetery. Per Code Section 86-81(e)(6), both a cemetery and a columbaria require special exception approval by the Planning Commission.

Based on review of the documents provided by the applicant, it is important to note that the special exception that was approved on December 19, 2000, by Sarasota County, was for a house of worship with a child care center. No mention of any other existing or proposed uses, including a cemetery, was included. The site plan that is attached to the special exception is described as a "concept plan" and, based on current aerial photography, it appears that much of the concept plan has not been accomplished to date. In addition, stipulation 1 on page F-3 of the special exception approval indicates that development shall occur in substantial accordance with the plan. However, it also states that "This does not imply or confer any variances from applicable zoning or land development regulations." This language appears to indicate further approvals may be required to accomplish the plan. Finally, Section 3 of the pre-annexation agreement approved with Annexation Ordinance No. 2002-16 states that *"Following annexation, the Subject Property shall be subject to all codes, laws, ordinances, and regulations in force within the City."*

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Based on the above analysis, and the fact that there are no City records of an approved site and development plan that would approve and memorialize uses and structures, it is staff's determination that, based on Code Section 86-81(e)(6), a columbarium currently requires approval of a special

exception. Although the request indicates that the applicant's desire is that the columbarium be considered an accessory use, staff does not have the ability to administratively allow a use, accessory or principal, that requires special exception approval. Therefore, staff believes that a special exception is required for the installation of the columbarium.

This determination complies with, and is consistent with, zoning code determinations found in City of Venice Zoning Code Section 86-22(a), Zoning Administrator, General Duties. Appeals to this determination may be considered by the Planning Commission consistent with Section 86-23(i).

If you have any questions regarding this matter, please feel free to contact me at rclark@venicegov.com or 941-882-7432.

Sincerely,



Roger Clark, AICP
Planning Manager

cc: Jeff Shrum, Development Services Director
Zoning Determination File