



City of Venice  
401 West Venice Ave., Venice, FL 34285  
941-486-2626

DEVELOPMENT SERVICES - PLANNING & ZONING  
**ZONING MAP AMENDMENT APPLICATION**

PZ-18-94  
\$1890.20

**ZONING MAP AMENDMENT** 18-02 RZ

**Project Name:** 7-Eleven

Parcel Identification No.: 0408-03-0016

Address: 116 N. Tamiami Trail

Parcel Size: 0.71 acres

FLUM designation: Mixed Use Downtown - Island Neighborhood

Current Zoning: CBD Proposed Zoning: CG

**Property Owner's Name:** Venice Palm, Inc.

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Mailing Address: 7916 Arcadia stree, Morton Grove, IL 60053

**Project Manager:** Jeffery A. Boone, Esq. (agent)

Telephone: (941) 488-6716

Mobile / Fax: (941) 488-7079

E-mail: jboone@boone-law.com

Mailing Address: 1001 Avenida Del Circo, Venice, FI 34285

**Project Engineer :** \_\_\_\_\_

Telephone: \_\_\_\_\_

Mobile / Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**Project Architect:** \_\_\_\_\_

Telephone: \_\_\_\_\_

Mobile / Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

*Incomplete applications cannot be processed - See reverse side for checklist*

**Applicant Signature / Date:**

*[Handwritten Signature]*  
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MAY 22 2018

5/16/18

Oper: CASHIERMM Type: OC Drawer: 1  
 Date: 5/17/18 00 Receipt no: 74537  
 2018 94  
 PZ PLANNING & ZONING \$1890.20  
 CK CHECK 212523881 \$3385.20  
 Trans date: 5/16/18 Time: 15:46:22

Revised 12/10

PLANNING & ZONING

# APPLICATION CHECKLIST

Required documentation (provide one copy of the following, unless otherwise noted):

- Statement of Ownership & Control**
- Signed, Sealed and Dated Survey of Property**
- Agent Authorization Letter**
- Narrative describing the petition**
- Public Workshop Requirements.** Date held April 12, 2018
  - Copy of newspaper ad.
  - Copy of notice to property owners.
  - Copy of sign-in sheet.
  - Written summary of public workshop.

When pertaining to the rezoning of land, the report and recommendations of the planning commission to the city council shall show that the planning commission has studied and considered the proposed change in relation to the following, where applicable:

- a. Whether the proposed change is in conformity to the comprehensive plan.
- b. The existing land use pattern.
- c. Possible creation of an isolated district unrelated to adjacent and nearby districts.
- d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.
- e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.
- f. Whether changed or changing conditions make the passage of the proposed amendment necessary.
- g. Whether the proposed change will adversely influence living conditions in the neighborhood.
- h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.
- i. Whether the proposed change will create a drainage problem.
- j. Whether the proposed change will seriously reduce light and air to adjacent areas.
- k. Whether the proposed change will adversely affect property values in the adjacent area.
- l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.
- m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.
- n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.
- o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
- p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

Please see attached

## Fees

Application filing fee \$2,908.

Application filing fee for the following zoning districts \$4,732: CMU, PUD, CSC, PCD, PID, RMH.

Public notice fee in excess of \$50 will be billed to applicant and is not included in application fee.

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PLANNING & ZONING

## Rezoning Project Narrative

The subject property is a 0.71 acre parcel located at 116 N. Tamiami Trail, and is the current location of an automotive convenience center. The property is designated Mixed Use Downtown (MUD)-Island Neighborhood and is currently zoned Central Business District (CBD). The existing automotive convenience center is a non-conforming use in the CBD district. The proposed rezoning to the Commercial General (CG) zoning district will allow for the redevelopment of the site with the automotive convenience center use, but will eliminate the existing non-conformity.

The proposed rezoning to CG is consistent with Strategy LU 1.2.9 which identifies CG as an implementing zoning district in the MUD land use designation, and the proposed rezoning to CG is consistent with Strategy LU-IS1.1.1 which supports the redevelopment of underutilized properties in the MUD.

The proposed rezoning is consistent with all other applicable elements of the City of Venice Comprehensive plan and specifically consistent with FLU Policy 8.2 as evaluated below.

### Policy 8.2

Policy 8.2 Land Use Compatibility Review Procedures. Ensure that the character and design of infill and new development are compatible with existing neighborhoods. Compatibility review shall include the evaluation of:

- A. Land use density and intensity.  
**The proposed zoning change from CBD to CG will not increase the density or intensity of permitted uses and will remain compatible with the neighborhoods.**
- B. Building heights and setbacks.  
**The proposed rezoning will allow not increase allowable building height and will result in larger required setbacks.**
- C. Character or type of use proposed.  
**The proposed rezoning will not result in a change in the character or type of uses currently existing on the site.**
- D. Site and architectural mitigation design techniques.  
**Site and architectural mitigation design techniques will be evaluated through the Site and Development plan process.**

Considerations for determining compatibility shall include, but are not limited to, the following:

- E. Protection of single-family neighborhoods from the intrusion of incompatible uses.  
**Not applicable.**
- F. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.  
**The use is consistent and compatible with the surrounding uses.**
- G. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.  
**The proposed rezoning will eliminate the non-conforming status of the existing use.**
- H. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.  
**The proposed rezoning will not increase the density or intensity of uses currently permitted on site.**

Potential incompatibility shall be mitigated through techniques including, but not limited to:

**No incompatibility exists, nevertheless, the applicant offers the following responses.**

- I. Providing open space, perimeter buffers, landscaping and berms.  
**Open space, buffers and landscaping will be reviewed through the S&D process.**
- J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.  
**Screening of sources of light, noise, mechanical equipment, refuse, and delivery and storage areas will be evaluated through the S&D process.**
- K. Locating road access to minimize adverse impacts.  
**Road access will be evaluated through the S&D process.**
- L. Adjusting building setbacks to transition between different uses.  
**Building setbacks will be evaluated through the S&D process.**
- M. Applying step-down or tiered building heights to transition between different uses.  
**Building heights will be evaluated through the S&D process.**
- N. Lowering density or intensity of land uses to transition between different uses.  
**Intensity of land uses will be evaluated through the S&D process.**

Sec. 86-47. (f)

(1) *Rezoning amendments.* When pertaining to the rezoning of land, the report and recommendations of the planning commission to the city council shall show that the planning commission has studied and considered the proposed change in relation to the following, where applicable:

a. Whether the proposed change is in conformity to the comprehensive plan.

**The subject property is designated Mixed Use Residential and the proposed rezoning is consistent with the future land use designation and all other applicable elements of the Comprehensive Plan.**

b. The existing land use pattern.

**The proposed rezoning will eliminate the existing non-conforming use of the site and allow for the redevelopment of the site with the same use, therefore preserving the existing land use pattern.**

c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

**The proposed rezoning will not create an isolated district unrelated to adjacent nearby districts.**

d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

**The proposed rezoning will not result in an overtaxing of the load on public facilities.**

e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

**The existing CBD zoning district does not permit the existing use on the property therefore it is illogically drawn in relation to the existing conditions on the property.**

f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

**The current non-conforming use of the property makes the proposed amendment necessary.**

g. Whether the proposed change will adversely influence living conditions in the neighborhood.

**The proposed change will not adversely influence living conditions as in the neighborhood as it will allow for the redevelopment of the site with the same use.**

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

**The proposed change will not excessively increase traffic congestion or otherwise affect public safety.**

i. Whether the proposed change will create a drainage problem.

**The proposed change will not create a drainage problem.**

j. Whether the proposed change will seriously reduce light and air to adjacent areas.

**The proposed change will not seriously reduce light and air to adjacent areas.**

k. Whether the proposed change will adversely affect property values in the adjacent area.

**The proposed change will not adversely affect property values in the adjacent area.**

l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

**The proposed change will not be a deterrent to the improvement or development of adjacent property.**

m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

**The proposed change will not constitute a grant of special privilege.**

n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

**The existing use on the property is a non-conforming use in the existing zoning district.**

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

**The proposed change is not out of scale with the needs of the neighborhood.**

p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

**Not applicable, the proposed use already exists on site.**