

ORDINANCE NO. 2006-10

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 VILLA PARADISO, REZONING PETITION NO. 04-14RZ FOR THE REZONING OF THE FOLLOWING DESCRIBED PROPERTY FROM OUE-1 (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. 04-14RZ 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-1 (Open Use, Estate) to PUD (Planned Unit Development) for the following described property located in the City of Venice:

DESCRIPTION OF PROPERTY:

Parcel I

Commence at the SE corner of the SE 1/4 of Section 34, Township 38 South, Range 19 East, Sarasota County, Florida; thence S 891 52' 24" E along the South line of said Section 34 a distance of 667.01 feet for the Point of Beginning; thence continue S 891 52' 24" E along said South line a distance of 332.66 feet; thence N 001 10' 44" W a distance of 100.00 feet to the SW corner of Wade property as recorded in Official Records Book 1037, Page 1561, of the Public Records of Sarasota County, Florida; thence N 891 52' 24" W along a line a distance of 100.00 feet from and parallel with said South line a distance of 332.66 feet to the SW corner of Prestia property as described in Official Records Book 1035, Page 1096, of the Public Records of Sarasota County, Florida; thence S 001 10' 44" E a distance of 100.00 feet to the Point of Beginning. LESS: The South 33.00 feet of the West 20.00 feet of the East 665.23 feet of the South 100.00 feet of the West 2 of the East 2 of Section 34, Township 38 South, Range 19 East, Sarasota County, Florida. TOGETHER WITH: Commence at a point 100.00 feet North and 667.11 feet East of the SW corner of the SE 1/4 of Section 34, Township 38 South, Range 19 East, Sarasota County, Florida, for a Point of Beginning; thence continue East a distance of 332.66 feet; thence N 01 16' 58" W a distance of 654.73 feet; thence West a distance of 332.66 feet; thence S 01 16' 58" E a distance of 654.73 feet to the Point of Beginning, all lying and being in the West 1/2 of the East 1/2 of Section 34, Township 38 South, Range 19 East, Sarasota County, Florida. Parcel No. 0390-00-3010

Parcel II

Commence at a concrete monument 100 feet North and 667.11 feet East of the SW corner of the SE 1/4, of

Section 34, Township 38 South, Range 19 East; thence run North 001 16' 58" West 654.73 feet to a concrete monument for a Point of Beginning; thence continue North 001 16' 58" West 654.73 feet; thence run East 665.32 feet; thence run South 001 16' 58" East 654.73 feet to a concrete monument; thence run West 665.32 feet to the Point of Beginning, all lying and being in the West 1/2 of the East 1/2 of Section 34, Township 38 South, Range 19 East, and containing 10 acres. TOGETHER WITH a non-exclusive access easement, 30 feet wide, for ingress and egress across the land described as follows: Begins at a point on the Section line lying 667.11 feet East of the SW corner of the SE 1/4, Section 34, Township 38 South, Range 19 East for a Point of Beginning; thence North 100 feet; thence North 001 16' 58" West 694.73 feet; thence West 30 feet; thence South 001 16' 58" East 694.73 feet; thence South 100 feet; thence East 30 feet to the Point of Beginning. Parcel No. 0390-00-3030

Parcel III

The W 1/2 of the E 1/2 of Section 34, Township 38 South, Range 19 East, LESS tracts described in O. R. Book 1035, Page 1096, in O. R. Book 1057, Page 1561, in O. R. Book 1075, Page 876, and in O. R. Book 1185, Page 1809, public records of Sarasota County, Florida. ALSO BEING MORE PARTICULARLY DESCRIBED AS: Begin at the NW corner of the NE 1/4 of Sec. 34, Twp. 38 S, Rge. 19 E.; thence S 891 34' 05" E 1359.48 feet along North line of said Sec. 34 to the NE corner of NW 1/4 of NE 1/4 of said Sec. 34; thence S 001 10' 46" E 2664.93 feet along the East line of W 1/2 of E 1/2 of said Sec. 34; thence continue along said East line S 001 10' 44" E 1183.64 feet to the NE corner of tract described in O. R. Book 1075, page 876; thence N 891 52' 24" W 665.32 feet to the NE corner of said tract; thence S 001 10' 44" E 1409.46 feet along the West line of said property and tract described in O. R. Book 1035, Page 1096, and tract described in O. R. 1185, Page 1809, to South line of said Sec. 34; thence N 891 52' 24" W 666.71 feet along said South line to the SW corner of E 1/2 of said Sec. 34; thence N 001 28' 38" W 5265.49 feet along West line of E 1/2 of said Sec. 34 to the Point of Beginning. LESS the Northerly 25 feet thereof. Parcel No. 0389-00-1010

More commonly known as 2112 Border Road, Venice, Florida and is located on the south side of Laurel Road, east of Knights Trail Road and west of the Myakka River.


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 86 Land Development Code, is limited by and subject to the following restriction, stipulation and safeguard:

1. To ensure mitigation of impact to the city's ISO rating system, the city shall require the developer to offset the cost of the purchase of new fire rescue apparatus for service to building structures greater than 35 feet in height through a proportional cost-sharing agreement for the North Venice fire service area. The city and property owner, prior to final site and development plan for the first multi-family building structure, shall establish final methodology.
2. Development of the major north-south collector roadway shall be designed and constructed as part of the first major phase of site and development plan/subdivision approval to ensure access between Laurel Road and Border Road upon certificate of occupancy of the first residential dwelling unit.
- 3- Conveyance by warranty deed of approximately 1.7 acres of property along Border Road to the city, as depicted on the conceptual site development plan, shall be provided within 120 days upon adoption of the rezoning ordinance.
 - a. Future use of the westerly 10 feet portion thereof for road access for adjacent development to and from Border Road shall provide adequate landscape buffer to mitigate any adverse impacts to this PUD.
 - b. Future improvements within the easterly 10 feet or portion thereof other than landscaping shall be limited to sidewalks or other pedestrian accesses.

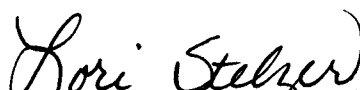
SECTION 4. Effective Date. This ordinance shall take effect immediately upon its approval and adoption, as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, THIS 28TH DAY OF FEBRUARY 2006.

First Reading: February 14, 2006
Final Reading: February 28, 2006
Adoption: February 28, 2006

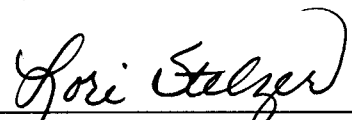

Dean Calamaras, Mayor

Attest:

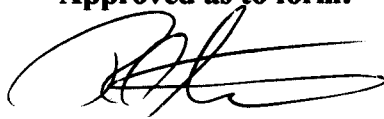

Lori Stelzer, MMC, City Clerk

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 28th day of February 2006, a quorum being present.

WITNESS my hand and the official seal of said City this 29th day of February 2006.


Lori Stelzer, MMC, City Clerk

Approved as to form:


City Attorney