

**ORDINANCE NO. 2019-28**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF VENICE, FLORIDA, FOR THE PROPERTY LOCATED AT 1775 EAST VENICE AVENUE AND OWNED BY GIRL SCOUTS OF GULF COAST FLORIDA, INC., PURSUANT TO ZONING MAP AMENDMENT PETITION NO. 19-11RZ, FROM SARASOTA COUNTY OPEN USE ESTATE-1 (OUE-1) AND CITY OF VENICE VENETIAN GATEWAY OVERLAY (OUE-1/VG) DISTRICT TO CITY OF VENICE RESIDENTIAL MULTI-FAMILY 2 (RMF-2) DISTRICT AND CITY OF VENICE VENETIAN GATEWAY OVERLAY (RMF-2/VG) DISTRICT; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Zoning Map Amendment Petition No. 19-11RZ has been filed with the City of Venice to change the official City of Venice Zoning Map designation for the property described in Section 3 below from Sarasota County Open Use Estate-1 (OUE-1) and City of Venice Venetian Gateway Overlay (OUE-1/VG) District to City of Venice Residential Multi-Family 2 (RMF-2) District and City of Venice Venetian Gateway Overlay (RMF-2/VG) District; 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 noticed public hearing on July 2, 2019 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 Zoning Map Amendment Petition No. 19-11RZ; and

**WHEREAS**, the Venice City Council has received and considered the report of the Planning Commission concerning Zoning Map Amendment Petition No. 19-11RZ; and

**WHEREAS**, City Council held a public hearing on Zoning Map Amendment Petition No. 19-11RZ in accordance with the requirements of the City's Code of Ordinances, and has considered the information received at said public hearing; and

**WHEREAS**, City Council finds that Zoning Map Amendment Petition No. 19-11RZ 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. 19-11RZ.

B. The Council held a public hearing on the Petition and 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.

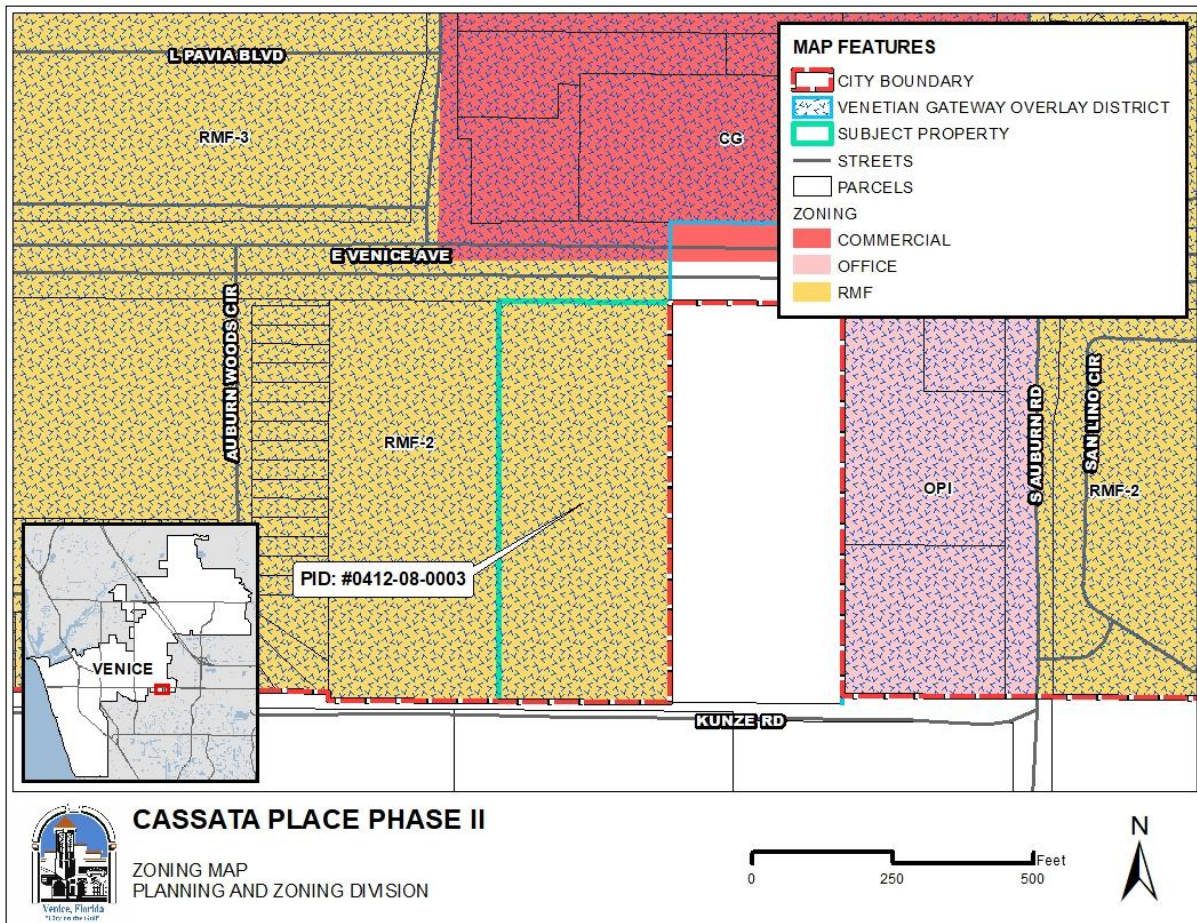
**SECTION 3.** The Official Zoning Atlas is hereby amended, by changing the zoning classification for the following described property located in the City of Venice from Sarasota County Open Use Estate-1 (OUE-1) and City of Venice Venetian Gateway Overlay (OUE-1/VG) District to City of Venice Residential Multi-Family 2 (RMF-2) District and Venetian Gateway Overlay (RMF-2/VG) District.

The subject 5.00+ acre property is designated as Parcel ID # 0412-08-0003 as depicted on the location map shown below and is further described as follows:

*TRACT 3, OF THE UNRECORDED PLAT OF KENT ACRES, MORE PARTICULARLY DESCRIBED AS FOLLOWS:*

*THE WEST 304 FEET OF THE EAST 945 FEET OF THE NORTH 726 FEET OF THAT PART OF SECTION 9, TOWNSHIP 39 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA LYING SOUTH OF THE EXISTING R/W OF VENICE AVENUE EAST; SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS OVER THE SOUTH 15 FEET THEREOF, RESERVED IN THAT CERTAIN DEED RECORDED IN O.R. BOOK 499, PAGE 562, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.*

Any discrepancy between the legal description and the map shall resolve in favor of the map.



**SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed.

**SECTION 5.** If any part, section, subsection, or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this ordinance, and all applications thereof not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

**SECTION 6. 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 10TH DAY OF SEPTEMBER 2019.**

First Reading: August 27, 2019

Final Reading: September 10, 2019

Adoption: September 10, 2019

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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 10th day of September 2019 a quorum being present.

**WITNESS** my hand and the official seal of said City this 10th day of September 2019.

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Lori Stelzer, MMC, City Clerk

Approved as to form:

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Kelly Fernandez, City Attorney