



City of Venice  
401 West Venice Ave., Venice, FL 34285  
941-486-2626  
DEVELOPMENT SERVICES - PLANNING & ZONING  
**WAIVER APPLICATION**

18-02-WV

<b>Project Name:</b>	925 Tamiami Trail - Off Street Parking Addition
Parcel Identification No.:	0430-08-0004
Address:	925 Tamiami Trail, Venice, FL 34285
Parcel Size:	1.30 acres
FLUM designation:	MIXED USE CORRIDOR
Zoning Map designation:	CI/VUD
<b>Property Owner's Name:</b>	Leslie Dunn, DUNN HAVEN HOLDINGS LLC
Telephone:	703-989-1995
Fax:	
E-mail:	srh@dunn-on-line.us
Mailing Address:	925 TAMIAMI TRAIL S, VENICE, FL, 34285
<b>Project Manager:</b>	NOT APPLICABLE
Telephone:	
Mobile / Fax:	
E-mail:	
Mailing Address:	
<b>Project Engineer :</b>	Timothy E. Roane, P.E., DMK ASSOCIATES, INC.
Telephone:	941-412-1293
Mobile / Fax:	
E-mail:	troane@dmkassoc.com
Mailing Address:	421 Commerical Court, Suite C-D, Venice, FL 34292
<b>Project Architect:</b>	NOT APPLICABLE
Telephone:	
Mobile / Fax:	
E-mail:	
Mailing Address:	

Incomplete applications cannot be processed - See reverse side for checklist

Applicant Signature / Date:

*Leslie Dunn*

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4/26/2018

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Revised 12/10

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# 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** (address Section 86-42(e) below)
- ☒ **Public Workshop Requirements.** Date held 6.5.18
  - ☒ Copy of newspaper ad.
  - ☒ Copy of notice to property owners.
  - ☒ Copy of sign-in sheet.
  - ☒ Written summary of public workshop.

**Required findings for approval.** City council may grant a waiver from the VUD standards based upon a recommendation from the planning commission. If specific application of the site or design requirements makes strict compliance an unreasonable burden upon the property and presents a difficulty unique to the development of that property, the property owner shall provide the city a waiver request which includes the following required information:

- a. Identification of the ordinance provision for which the variance is requested;
- b. Description, photos, drawings or plan views which are representative of the peculiar physical conditions pertaining to the land in question, and which do not pertain to other lands in the general area;
- c. Description that the benefit to the public in waiving the requirement outweighs the harm to the property owner in strictly enforcing the requirement;
- d. Description of the hardships, which will accrue to the detriment of the property owner, if the requested waiver is not granted;
- e. Description that the intent and purpose of the chapter and applicable articles are implemented and waiver from any requirement may be reasonably calculated to substantially secure the objectives of the ordinance and the comprehensive plan as well as the requirement so waived;
- f. City council shall approve or deny the waiver application upon a finding in the record that the issuance of the waiver will be in the interest of the public safety, health, or welfare.

**Architectural design standards.** The following architectural design standards for buildings and structures are applicable in the VUD district:

Architectural style. The Northern Italian Renaissance style of architecture, as defined elsewhere in this Code, is required. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to its surroundings.

- a. Application for waiver from this requirement shall be made to the planning commission for review and recommendation to city council.
- b. The planning commission shall make a written finding to city council that the granting of the waiver will or will not adversely affect the public interest. The report and recommendations of the planning commission shall be advisory only and shall not be binding upon city council.
- c. City council, after receiving the recommendation from the planning commission, may grant or deny such waiver application and may make the granting conditional upon such restrictions, stipulations and safeguards as it may deem necessary to ensure compliance with the intent and purpose of the comprehensive plan.

**Public Workshop Requirements - Waiver request.** An applicant may petition city council for a waiver from the requirements of conducting a public workshop meeting. The burden to show cause shall rest with the applicant. (Section 86-41)

## Fees

Application filing fee \$400 (district standards) or \$200 (waiver of public workshop requirements).

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

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**Project Narrative**  
**VUD Waiver**  
**925 Tamiami Trail S.**  
**Venice, Florida 34285**

The purpose and intent of this project is to construct additional parking for the existing 5,820 square foot office/residential building. The three (3) existing paved spaces located in front of the building, and the three (3) shell parking spaces in the back of the building do not sufficiently meet the needs of the current occupancy.

The subject property is located in Section 18, Township 39S, Range 19E in Sarasota County, Florida. The Sarasota County parcel identification number is 0430-08-0004. More specifically, the project is located in the City of Venice at 925 Tamiami Trail S, Venice, Florida 34285 and contains 1.30 acres, more or less.

The property is owned by Dunn Haven Holdings, LLC. For proof of ownership and legal description of the parcel, please refer to a copy of the Warranty Deed included with the S&D Petition.

The existing building is located in the southern corner of the property adjacent to US 41 (Tamiami Trail) and the easterly property line. The existing building contains a mixed use of office and residential, which is consistent with the Mixed-Use designation contained in the City's newly adopted Comprehensive Plan.

The property has an existing zoning designation of Commercial Intensive (CI) with a Venetian Urban Design (VUD) Overlay. The adjacent zoning districts are as follows:

North	Residential, Single Family (RSF-3)
South	Office, Professional & Institutional (OPI/VUD)
East	Residential, Single Family (RSF-3)
West	Commercial Intensive (CI/VUD)

The property has an existing driveway connection to US 41 which will remain unaltered. The remainder of the property, was previously developed with automobile service station, is now vacant. The old service station has been demolished and the impervious area has been removed. However, the old stormwater treatment system for the site still remains in place in the back of the property.

The proposed parking lot is to be located near the west side of the existing building adjacent to US 41. This location provides the shortest ADA accessible route possible to the front doors of the building. For location of the proposed parking, please refer to the site plan.

A pre-application meeting was held with City staff on March 16, 2018. Based on input provided by staff, the project requires major site and development plan review. In addition, due to the location of the proposed parking, a Waiver to VUD standards is also required.

City council may grant a waiver from the VUD standards based upon a recommendation from the planning commission. Application of the site design requirements makes strict compliance an unreasonable burden upon the property and presents a difficulty unique to the development of the property. Therefore, the property owner has submitted to the City a waiver request, which includes the following required information:

- a) Identification of the ordinance provision for which the variance is requested;
- b) Description, photos, drawings or plan views which are representative of the peculiar physical conditions pertaining to the land in question, and which do not pertain to other lands in the general area;
- c) Description that the benefit to the public in waiving the requirement outweighs the harm to the property owner in strictly enforcing the requirement;
- d) Description of the hardships, which will accrue to the detriment of the property owner, if the requested waiver is not granted;
- e) Description that the intent and purpose of the chapter and applicable articles are implemented and waiver from any requirement may be reasonably calculated to substantially secure the objectives of the ordinance and the comprehensive plan as well as the requirement so waived;
- f) City council shall approve or deny the waiver application upon a finding in the record that the issuance of the waiver will be in the interest of the public safety, health, or welfare.

The ordinance provision for which the variance is requested is for Sec. 86-122. - VUD Venetian urban design district. Specifically, the waiver is requested for the parking lot location. Although parking lot buffering is proposed per code, the on-site parking may be visible at the street level depending on your vantage point. In addition, existing parking is in front of the existing building and proposed parking is located to the side of the existing building near the frontage of US 41. The benefit to the public in waiving the requirement outweighs the harm to the property owner in strictly enforcing the requirement. As discussed by several residents who own property abutting the rear property line, placing the parking behind the existing building is an undesirable location. Concerns raised were, noise, headlights and visual impacts. Therefore, placing the parking in the proposed location would minimize these concerns.

With regards to the property owner, placing the proposed parking behind the existing building would be a burden to the occupants of the existing building as well as the clientele of the businesses occupying the building since the main entry to the building is located on the front of the building. With regards to ADA accessibility, placing the parking as proposed provides the shortest accessible route to the front door.

All other VUD architectural requirements pertain to building design and are not applicable to this parking lot project.

By approving this waiver, the project still meets the intent and purpose of the chapter and applicable articles implemented. A waiver from these requirements would not undermine the objectives of the City of Venice Code of Ordinances and the Comprehensive Plan. Therefore, we respectfully request that the Planning Commission and City Council approve the Waiver Application upon finding in the record that the issuance of the waiver will be in the interest of the public safety, health, or welfare.



March 8, 2019

City of Venice  
Planning & Zoning Division  
401 W. Venice Ave.  
Venice, FL 34285  
(941) 486-2626

**RE: Response to TRC Comments – Site & Development Plan Approval Criteria City of Venice  
Code of Ordinances – Sec. 86-122. – VUD Venetian urban design district.**

**Sec. 86-122. – VUD Venetian urban design district.**

(m) *Landscaping, screens, and buffers.* The visual appeal, character, and public environs of the street are established by the style and design of its landscaping, screens, and buffering. The more landscaping a street has, the greater the community's walkability is enhanced in the area. Additionally, screening ensures that certain uses are screened from public view. The resulting landscaping should feature a pleasing mixture of planting and structural accessories and enhance the overall environment of the Venetian urban design district. The site and development plans for any property located in the VUD shall follow these street-landscaping standards at minimum; however, additional landscaping treatments that further enhance the overall design plan are encouraged.

1) *General provisions:*

- a. The selection and placement of landscaping materials should promote natural cooling processes through the shading of buildings, streets, pedestrian walkways, bikeways and parking areas.
- b. The utilization of a mixture of native planting materials, including trees, bushes, flowering plants, and green foliage, should be encouraged to maintain healthy, varied, and energy-efficient vegetation throughout the VUD.
- c. The functional elements of the site and development plan, particularly the drainage systems and internal circulation systems for vehicles and pedestrians, should be integrated into the landscape plan. The landscaped areas should be integrated, especially to promote the continuity of on-site and off-site open space and pedestrian systems.
- d. The placement of natural, nonstructural drainage facilities in landscaped medians is encouraged.
- e. The utilization of natural screening materials that are compatible with the architectural design of the property is encouraged. Such materials shall include cut stone, intermixed or accent natural stone, pre-cast concrete, plaster and formed stucco, or other materials that have the same appearance as these materials.

**Response: Please refer to revised Landscape Plans for plant schedule, landscape materials, and details for screens and buffers.**

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www.dmkassoc.com

Englewood Office 4315 South Access Road, Englewood, FL 34224 • Phone (941) 475-6596 • Fax (941) 474-5060

Venice Office 421 Commercial Court, Suite C, Venice, FL 34292 • (941) 412-1293 • Fax (941) 412-1043

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- 2) *Properties with a front yard setback*: Properties with a front yard setback shall be landscaped with a variety of native natural plantings and accessory structures. All landscaped front yards shall be covered by grass, vegetative groundcoverings, or mulch in areas not utilized for planting materials or accessory structures. Rock or shell yards are prohibited.

**Response: Not applicable, property abuts US 41. No buildings are proposed.**

- 3) *Properties directly abutting streets*: Any property whose frontage abuts the street is not required to provide buffering in the front yard. However, those properties are required to screen parking areas in accordance with the standards set forth in these standards.

**Response: The property frontage abuts US 41, therefore buffering is not required. The proposed project provides screening of the parking area in accordance with the City of Venice VUD standards.**

- 4) *Parking landscaping, screens, or buffers*: These standards are intended to encourage better landscaped and screened surface parking lots that will improve the appearance of a proposed development by breaking up expanses of paved areas, reduce the significant solar heat gain from parked automobiles and paved parking areas, improve the management of stormwater runoff, and provide a more pedestrian-friendly environment and shall be subject to the following guidelines:
- a. *Pedestrian provisions in parking lots*: In order to reduce the scale of large surface parking areas, promote natural runoff water filtration, and make them more pedestrian-friendly, the total amount of surface parking provided shall be broken up by landscaping and pedestrian walkways. Landscaped sections of parking areas should be designed to encourage water filtration and minimize undue water runoff.
  - b. *Interior parking lot landscaping*: Trees and other planting materials in parking lot landscaping shall be evenly distributed throughout the parking lot to create a canopy effect in the parking lot that promotes natural shade and cooling effects, and shall be located to divide and break up expanses of paving and long rows of parking spaces. In addition, trees or other planting materials may be planted in the landscaped median or alongside a pedestrian walkway. The minimum standard shall be those as set by the parking standards.
  - c. *Perimeter parking lot screening*: Screening requirements shall apply to both perimeter and internal streets. Surface parking spaces and vehicle use areas shall be screened from view, from adjacent properties, and from adjacent streets by the use of a mixture of berms, plantings, buffers, and/or structures. Planting, screening, and buffering materials should follow the general standards for landscaping and screening in the VUD. At minimum, the perimeter buffering shall include one tree for each 25 feet or fraction along U.S. 41 Business built to right-of-way line. In addition, a hedge, wall, or other screening material of a minimum of five feet high shall be placed along the perimeter of the parking area behind the planting material so as to completely block the parking area from view of the street.

**Response: Parking landscaping, screens, and buffers have been implemented in to the Site and Development Plan shown on the Landscaping Sheet attached.**

- 5) *Streetscape buffers and landscaping*: The site and development plans for any property located in the VUD shall follow these street landscaping, screening, and buffering standards at minimum; however, additional planting or structural treatments that further enhance the overall design plan are encouraged.
- a. *Public right-of-way*: Landscaping, buffering, and screening materials shall be located in the public right-of-way with the exception of required site visibility triangle at street and driveway intersections. A mixture of such materials shall be used in order to enhance the streetscape environment and provide shade for the sidewalks and other public areas.
  - b. *Drive aisles, sidewalks, bikepaths*: Trees and other planting materials such as shrubs, bushes, or flowering plants shall be planted along all enhanced drive aisles and along sidewalk or bikepaths in order to provide natural cooling and shade. Accessory structures may be used to enhance the visual environs of the property.

**Response: The proposed streetscape buffers are not required as the property frontage abuts US 41, however the landscaping and screens have been enhanced, as shown on plans.**

- 6) *Equipment screening*: Building accessory structures necessary for the operation of businesses or maintenance of residential properties shall be screened from public view by a mixture of landscaping, buffering, and/or structural screening that at minimum exceeds the height of the structures being screened.

**Response: Not applicable, the existing building is not included within the limits of the project.**

- 7) *Incompatible landscape buffers and screens*: Landscape buffers and screens are one type of transition tool that can be used to separate and mitigate incompatible land uses that are either adjacent to or directly across from each other. Where used, landscape buffers and screening shall provide visual barriers between different land uses, enhance the streetscape, provide privacy, and protect uses from wind, dust, noise, traffic, glare, visual disorder, and harmful or noxious effects.

**Response: The proposed project shall maintain compatible landscape buffers and screens per the City of Venice Code of Ordinances.**