

**CITY OF VENICE, FLORIDA
CITY COUNCIL
ORDER NO. 18-04PP**

AN ORDER OF THE VENICE CITY COUNCIL APPROVING PRELIMINARY PLAT PETITION NO. 18-04PP FOR **ARCATA DEL SOL**, A SUBDIVISION WITH 20 SINGLE-FAMILY LOTS FOR TOWNHOUSES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING RIGHT TO ENFORCE DEVELOPER'S BOND.

WHEREAS, Edgewood Gardens Corporation c/o Gayle Geagan, through its agent, Jeffery A. Boone, Esq., Boone Law Firm, has submitted Preliminary Plat Petition No. 18-04PP for Arcata Del Sol, located at 914, 934, 950, 968 and 988 East Venice Avenue, Parcel Identification Nos 0410-03-0051, 0410-03-0046, 0410-03-0036, 0410-03-0026, and 0410-03-0017 (further described in Exhibit A); comprised of a signed and sealed **Preliminary Plat**, prepared by Paul V. Sherma P.E., of PEER, comprised of 23 sheets, received by the City on **February 11, 2019**; and signed and sealed **Landscape Plans**, prepared by Richard Augustus Harrison, IV., RLA, of Hazeltine Nurseries, comprised of 15 sheets, received by the City on **September 26, 2018**; **Line Elevation Drawings**, prepared by Capstone Project Services, comprised of 5 sheets, submitted to the City on **December 26, 2018**; and **Color Elevation Drawings**, prepared by Capstone Project Services, comprised of 6 sheets, submitted to the City on **December 26, 2018**; and

WHEREAS, the Planning Commission held a noticed public hearing on March 19, 2019, during which the Planning Commission received the Petition, staff report, and testimony provided by staff, the applicant, and interested parties; and voted to recommend to City Council approval of Preliminary Plat Petition No. 18-04PP with the 11 requested Code modifications and two stipulations; and,

WHEREAS, November 12, 2019, City Council held a noticed public hearing during which the City Council received the Petition, staff report, and testimony provided by staff, the applicant, and interested parties; and,

WHEREAS, the City Council finds that there is competent substantial evidence that the Petition demonstrates compliance with the applicable standards and criteria of the city Land Development Code, including Section 86-231, and is consistent with the 2017 Comprehensive Plan and,

WHEREAS, the City Council voted to approve Preliminary Plat Petition No. 18-04PP for Arcata Del Sol, with the stipulations referenced below.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL, THAT:

Section 1. The above whereas clauses are ratified and confirmed as true and correct.

Section 2. Preliminary Plat Petition No. 18-04PP for Arcata Del Sol, as described above, is hereby approved with the 11 requested Code modifications and the following stipulations:

1. Authorization shall be obtained from City Council for the use of the 20' platted alley adjacent to the subject property's southern border to construct a drainage swale to be maintained in perpetuity by the Arcata Del Sol homeowners' association. Development in the 20' platted alley may not impact existing utilities or the ability to provide access to utilities for all utility purveyors.
2. The homeowners' association documents and preliminary plat shall be modified to state that the operation and maintenance of the swale within the 20' platted alley for the benefit of the development will be the responsibility of the Arcata Del Sol homeowners' association.

Section 3. This Order shall become effective immediately upon adoption by City Council. The City Council or any aggrieved person may have recourse to such remedies in law and equity as may be necessary to ensure compliance with the provisions hereof.

Section 4. The City Council may enforce any required developer’s bond as provided by law.

ORDERED at a meeting of the Venice City Council on the 12th of November, 2019.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM

City Attorney

Exhibit A – Legal Description

Lots 1 thru 49 inclusive, Block 229, Replat of a portion of the; Venice, NORTH EDGEWOOD SECTION, as recorded in Plat Book 10, Page 94, of the Public Records of Sarasota County, Florida.

Being in Section 8, Township 39 South, Range 19 East, Sarasota County, Florida.