

**CITY OF VENICE, FLORIDA
CITY COUNCIL
ORDER NO. 18-02WV**

AN ORDER OF THE VENICE CITY COUNCIL APPROVING A WAIVER FROM THE VENETIAN URBAN DESIGN OVERLAY DISTRICT STANDARDS, FOR THE **925 SOUTH TAMiami TRAIL PARKING LOT PROJECT**, WAIVER PETITION NO. 18-02WV, FOR WAIVERS FROM SECTION 86-122(l)(4)(b), SECTION 86-122(m)(4)(c), AND SECTION 86-122(o)(1); PROVIDING AN EFFECTIVE DATE.

WHEREAS, Leslie Dunn of Dunn Haven Holdings, LLC, through their agent, Timothy Roane, P.E., of DMK Associates, has submitted Waiver Petition No. 18-02WV for a waiver from the Venetian Urban Design (VUD) overlay district standards for the construction of a parking lot; located at 925 South Tamiami Trail, Parcel Identification No. 0430-08-0004 (further described in Exhibit A); comprised of the following: **Site & Development Plans**, prepared by Timothy E. Roane, P.E., of DMK Associates, consisting of **nine sheets**, received by the City on July 16, 2019; a **Landscape Plan**, prepared by Yvonne R. Hall, R.L.A., of Terrescape, Inc., consisting of **one sheet**, received by the City on July 16, 2019; **Lighting Plans**, prepared by William Scott Crawford, P.E., of DMK Associates, consisting of **three sheets**, received by the City on August 26, 2019; and,

WHEREAS, the Petition requests waivers from the following VUD standards in the City Land Development Code for the project identified in Site and Development Plan Petition No. 17-11SP.1.:

1. Section 86-122(l)(4)(b) to allow on-site parking visible at the street level;
2. Section 86-122(m)(4)(c) to allow surface parking spaces and vehicle use areas to be screened from view, from adjacent properties, and from adjacent streets; and,
3. Section 86-122(o)(1) to allow parking in front of buildings and structures.

WHEREAS, the Planning Commission held a noticed public hearing on October 15, 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 the Petition; and,

WHEREAS, on December 10, 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 pursuant to Section 86-122(f)(2) of the Land Development Code, the site or design requirements makes strict compliance with the VUD standards sought to be waived an unreasonable burden upon the property and presents a difficulty unique to the development of the property, and the granting of such waivers is consistent with the Comprehensive Plan; and,

WHEREAS, the City Council voted to approve the Petition; and,

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. Waiver Petition No. 18-02WV for the 925 South Tamiami Trail Parking Lot, as described above, is hereby approved.

Section 3. This Development Order shall become effective immediately upon execution. 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.

ORDERED at a meeting of the Venice City Council on 10th of December 2019.

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney

Exhibit A – Legal Description

DESCRIPTION:

PARCEL A:

A PART OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA. BEGIN AT THE SOUTHWEST CORNER OF LOT 7, BLOCK F, COUNTRY CLUB ESTATES UNIT NO. THREE, AS RECORDED IN PLAT BOOK 6, PAGE 74, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA FOR A POINT OF BEGINNING; RUN THENCE NORTH 80° 43' EAST ALONG THE SOUTHERLY BOUNDARY OF SAID BLOCK "F", 281.26 FEET; THENCE SOUTH 39° 45' 00" WEST 257.40 FEET, THENCE NORTH 50° 15' 00" WEST ALONG A LINE THAT IS 150 FEET NORTHWESTERLY AND PARALLEL TO THE EASTERLY BOUNDARY OF STATE ROAD NO. 45, 50.00 FEET; THENCE SOUTH 39° 45' 00" WEST, 150.00 FEET TO A POINT THAT IS ON THE EASTERLY BOUNDARY OF STATE ROAD NO. 45; THENCE NORTH 50° 15' 00" WEST, 140.00 FEET ALONG THE EASTERLY BOUNDARY OF STATE ROAD NO. 45; THENCE NORTH 39° 45' 00" EAST, 195.10 FEET TO THE SOUTHWESTERLY BOUNDARY OF BLOCK "F" OF UNIT THREE COUNTRY CLUB ESTATES; THENCE SOUTH 50° 15' 00" EAST ALONG THE SOUTHWESTERLY BOUNDARY OF BLOCK "F", 5.60 FEET TO THE POINT OF BEGINNING. ALL BEING LOCATED IN SARASOTA COUNTY, FLORIDA.

TOGETHER WITH:

PARCEL B:

A PART OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 19 EAST, BEING A TRACT OF 50 FEET ON STATE ROAD 45 AND 150 FEET DEEP; FROM THE SW CORNER OF LOT 7, BLOCK F, COUNTRY CLUB ESTATES, UNIT 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 74, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; RUN THENCE NORTH 80° 43' EAST ALONG THE SOUTHERLY BOUNDARY OF SAID BLOCK F, 52.47 FEET; THENCE SOUTH 39° 45' WEST 234.72 FEET TO THE EASTERLY BOUNDARY OF STATE ROAD 45 (A 100 FOOT R/W); THENCE SOUTH 50° 15' EAST 100 FEET ALONG SAID EASTERLY BOUNDARY OF STATE ROAD FOR A POINT OF BEGINNING; THENCE CONTINUE 50° 15' EAST, 50 FEET ALONG THE SAID EASTERLY BOUNDARY OF STATE ROAD; THENCE NORTH 39° 45' EAST, 150 FEET; THENCE NORTH 50° 15' WEST 50 FEET; THENCE SOUTH 39° 45' WEST, 150 FEET TO THE POINT OF BEGINNING.