

**CITY OF VENICE, FLORIDA
CITY COUNCIL
ORDER NO. 19-33PP**

AN ORDER OF THE VENICE CITY COUNCIL APPROVING A PRELIMINARY PLAT AMENDMENT TO THE **VENICE WOODLANDS (FORMERLY KNOWN AS THE WOODS AT VENICE)**, PETITION NO. 19-33PP, TO REVISE THE PREVIOUSLY APPROVED LANDSCAPE PLANS UNDER PETITION NO. 17-01PP; PROVIDING AN EFFECTIVE DATE; AND PROVIDING THE RIGHT TO ENFORCE DEVELOPER'S BOND.

WHEREAS, Meritage Homes of Florida, Inc., through their agent, Bill Conerly, P.E., Kimley-Horn and Associates, Inc. have submitted Preliminary Plat Amendment Petition No. 19-33PP for Venice Woodlands (formerly known as the Woods at Venice), for property located within the Venice Woodlands subdivision on the north side of border road and west of N. Jackson Road, Parcel Identification Nos. 0393002000, 0394003040, and 0394003020 (further described in Exhibit A), comprised of the following:

- 1) **Previously Approved Landscape Plans** (signed and sealed), prepared by Christopher D. Cianfaglione, RLA, of Kimley-Horn and Associates, Inc., prepared for Border Road Investments, LLC, comprised of **thirteen** sheets, received by the City on **August 30, 2019**
- 2) **Landscape Plans** (Sheets LS-1A through LS-1K and LS-2A through LS-2B), prepared by Christopher D. Cianfaglione, RLA, of Kimley-Horn and Associates, Inc., prepared for Meritage Homes of Florida, Inc., comprised of **thirteen** sheets, received by the City on **August 30, 2019**
- 3) **Tree Save Areas Map**, prepared by Eco Consultants, Inc., comprised of one sheet, received by the City on August 30, 2019
- 4) **Landscape Plan Comparison Exhibit 1**, prepared by Kimley-Horn and Associates, Inc., comprised of **one** sheet, received by the City on **August 30, 2019**; and

WHEREAS, the Planning Commission held a noticed public hearing on November 5, 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 there is competent substantial evidence that the Petition demonstrates compliance with the applicable standards and criteria of the city Land Development Code and is consistent with the Comprehensive Plan; and,

WHEREAS, the City Council voted to approve the Petition.

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 Amendment Petition No. 19-33PP for the Venice Woodlands (Formerly Known As The Woods At Venice), as described above, is hereby approved.

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 10th of December 2019.

ATTEST:

City Clerk

APPROVED AS TO FORM

Mayor

City Attorney

Exhibit A - Legal Description

VENICE WOODLANDS PHASE 1

LEGAL DESCRIPTION: (BY KING ENGINEERING)

A PARCEL OF LAND BEING A PORTION OF THAT CERTAIN PROPERTY DESCRIBED IN OFFICIAL RECORDS INSTRUMENT 2018045046 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, LYING IN SECTION 36, TOWNSHIP 38 SOUTH, RANGE 18 EAST, CITY OF VENICE, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 38 SOUTH, RANGE 18 EAST, CITY OF VENICE, SARASOTA COUNTY, FLORIDA; THENCE SOUTH 89°40'40" EAST, ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 666.29 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE EAST 1/2 OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 36; THENCE LEAVING SAID SOUTH LINE AND ALONG SAID WEST LINE, NORTH 00°30'41" EAST, A DISTANCE OF 64.58 FEET TO THE NORTH RIGHT-OF-WAY OF BORDER ROAD ACCORDING TO OFFICIAL RECORD BOOK 2404, PAGE 2658 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, SAME BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, NORTH 00°30'41" EAST, A DISTANCE OF 2,489.22 FEET; THENCE LEAVING SAID WEST LINE, SOUTH 88°40'46" WEST, A DISTANCE OF 23.77 FEET; THENCE NORTH 00°29'30" WEST, A DISTANCE OF 1,536.06 FEET; THENCE NORTH 89°07'11" EAST, A DISTANCE OF 1,197.38 FEET TO THE EAST LINE OF A 40.00 FEET WIDE PRIVATE ROAD INGRESS/EGRESS EASEMENT ACCORDING TO DEED BOOK 311, PAGE 161 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE SOUTH 02°42'50" WEST ALONG SAID EAST LINE, A DISTANCE OF 165.69 FEET; THENCE SOUTH 89°47'39" WEST, A DISTANCE OF 57.72 FEET; THENCE SOUTH 00°30'11" EAST, A DISTANCE OF 1,312.68 FEET TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF AFORESAID SECTION 36; THENCE NORTH 88°40'46" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 221.09 FEET TO THE WEST LINE OF AFORESAID 40.00 FEET WIDE PRIVATE ROAD INGRESS/EGRESS EASEMENT; THENCE ALONG SAID WEST LINE THE FOLLOWING TWO (2) COURSES: (1) SOUTH 11°12'17" EAST, A DISTANCE OF 26.04 FEET; (2) SOUTH 45°22'16" EAST, A DISTANCE OF 920.71 FEET TO THE WEST RIGHT-OF-WAY OF JACKSON ROAD ACCORDING TO RIVER PALMS AS RECORDED IN PLAT BOOK 7, PAGE 78 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID WEST RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES: (1) NORTH 89°34'38" WEST, A DISTANCE OF 29.60 FEET; (2) SOUTH 00°25'22" WEST, A DISTANCE OF 1,829.39 FEET TO THE NORTH RIGHT-OF-WAY OF BORDER ROAD ACCORDING TO OFFICIAL RECORDS BOOK 2404, PAGE 2700 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID NORTH RIGHT-OF-WAY, AND AFORESAID NORTH RIGHT-OF-WAY OF BORDER ROAD ACCORDING TO OFFICIAL RECORDS BOOK 2404, PAGE 2658 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, RESPECTIVELY, THE FOLLOWING FIVE (5) COURSES: (1) NORTH 89°34'38" WEST, A DISTANCE OF 20.00 FEET; (2) SOUTH 00°25'22" WEST, A DISTANCE OF 87.52 FEET; (3) NORTH 89°21'13" WEST, A DISTANCE OF 946.54 FEET; (4) NORTH 89°31'13" WEST, A DISTANCE OF 875.27 FEET; (5) NORTH 89°29'27" WEST, A DISTANCE OF 124.35 FEET TO THE POINT OF BEGINNING.

CONTAINING 149.661 ACRES.