

From: [Mike Rafferty](#)
To: [City Council](#); [Lori Stelzer](#)
Cc: earle.kimel@heraldtribune.com; ggiles@venicegondolier.com; [Bob Mudge](#)
Subject: City Council Meeting 12/10/19 - Item 18-01 WV 925 Tamiami Trail
Date: Monday, December 9, 2019 11:17:41 AM
Attachments: [Att A VUD Waiver No 18 02.pdf](#)

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Mr. Mayor and Members of Council,

Congratulations to our new Council Members.

As a new Council, I want to remind those newly elected members of their commitment to enforce our zoning and land use regulations.

Specifically, each of you stated that no more modifications/waivers/variances would be supported by you if elected (League of Women's Voters Candidates Night at the Island Library...last question posed to which you all agreed you would not support modifications/waivers/variances)

This project proposes a waiver of some of the requirements of the Venetian Urban Design overlay district. The attached states the specific elements to be eliminated and the criteria for granting such a request.

The application lacks sufficient documentation to demonstrate any unreasonable burden upon the property and/or unique difficulty in developing the property that would justify granting of the waiver(s). The term in the regulations "PROHIBITED", regarding parking located in front of buildings should be sufficient to not consider any waivers of this provision!

There is adequate area available within the property to locate parking away from the front of the building; the statement that doing so would be a hardship on abutting neighbors has not been adequately documented.

The proposal appears to adequately landscape/screen activity and therefore requested waiver is not appropriate.

Suggest consideration of project approval without any waivers.

Thank you for consideration of these comments and please see that they are included in the public hearing record.

Regards,

Mike Rafferty

925 S. Tamiami Trail

VUD Waiver Petition No. 18-02WV

Project Owner and Agent:

Owner: Dunn Haven Holdings, LLC

Agent: Timothy Roane, P.E., DMK Associates



VUD Waiver Petition
STAFF REPORT

October 15, 2019
18-02WV

ASSOCIATED DOCUMENTS

A. Application Information (completed petition)

I. EXECUTIVE SUMMARY

The applicant has submitted a concurrent site and development plan amendment petition for the approximately 1.3-acre subject property for the construction of a surface parking lot to include 37 total parking spaces for an existing mixed use facility and has indicated the use as a commercial parking lot as well. The project is governed by the requirements of the Venetian Urban Design (VUD) overlay district that indicates "Parking is prohibited in front of buildings and structures", "shall not be visible at street level" and "shall be screened from view, from adjacent properties, and from adjacent streets." Consistent with Code Section 86-122(f)(2), the applicant is requesting a waiver of this requirement. Currently on the site, is a temporary shell parking facility, that was approved through a temporary use permit and, it is the applicant's desire to convert this temporary improvement into a permanent facility. Appropriate lighting and landscaping is also included in the proposed plan.

**Regarding the indication in the table above that indicates the inclusion of the County Residential, Single-Family*

VUD Waiver Findings

Section 86-122(f)(2) has the following provision which addresses the review of waiver requests:

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.

The above provision contains two findings which need to be evaluated and reached in taking action on a requested waiver. The two findings are as follows:

Specific application of the site or design requirement makes strict compliance:

1. *An unreasonable burden upon the property, and*
2. *Presents a difficulty unique to the development of the property.*

