

CITY OF VENICE, FLORIDA

CITY COUNCIL

ORDER NO. 18-01WV

AN ORDER OF THE VENICE CITY COUNCIL APPROVING WAIVER PETITION NO. 18-01WV FOR **FOUR POINTS BY SHERATON** LOCATED AT 775 AND 805 S. TAMiami TRAIL FOR WAIVERS FROM SECTION 86-122(l)(1), (l)(4)(a)&(b), and (o)(1) OF THE VENETIAN URBAN DESIGN (VUD) OVERLAY DISTRICT STANDARDS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Daus Capital, LLC, through its agent, Ron Edenfield, P.E., of RMEC, LLC, submitted Waiver Petition No. 18-01WV for the Four Points by Sheraton, located at 775 and 805 S. Tamiami Trail; Parcel Identification Nos. 0430-02-0001 and 0430-02-0014 (further described in Exhibit A); comprised of the following:

1. **Site and Development Plans** (signed and sealed), prepared by Ron Edenfield, P.E., of RMEC, LLC, consisting of **nine sheets**, received by the City on **July 19, 2019**;
2. **Black and White Architectural Elevations and Floor Plans** (signed and sealed) prepared by Mark Ray Leese, A.I.A., Architecture Leese & Associates, LLC, consisting of **six sheets**, received by the City on **April 22, 2019**;
3. **Landscape Plans** (signed and sealed), prepared by Gregory J. Diserio, R.L.A., David M. Jones, Jr. and Associates, Inc., consisting of **four sheets**, received by the City on **July 19, 2019**; and
4. **Lighting Plan** (signed and sealed), prepared by James M. McCord, R.L.A., of Land Consult, LLC consisting of **one sheet**, received by the City on **April 22, 2019**; and;

WHEREAS, the Petition requests waivers from the following VUD standards in the City Land Development Code for the Four Points by Sheraton project:

1. Section 86-122(l)(1) that requires the Northern Italian Renaissance style of architecture.
2. Section 86-122(l)(4)(a) that provides for a front setback of no greater than 15 feet.
3. Section 86-122(l)(4)(b) that indicates on-site parking shall not be visible at the street level.
4. Section 86-122(o)(1) that indicates parking is prohibited 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 January 14, 2020, 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) and (l)(1) of the Land Development Code, the site/design requirements make 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, the granting of such waivers is in the interest of the public safety, health and welfare, and the granting of the waiver request for Section 86-122(1)(1) is in compliance with the intent and purpose of 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. Waiver Petition No. 18-01WV for the Four Points by Sheraton, 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 14th of January 2020.

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney

Exhibit A – Legal Description

LOTS 9,10, 11, 12, 13 & 14, BLOCK D, COUNTRY CLUB ESTATES, UNIT 2, ACCORDING TO THE
PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 29A, OF THE PUBLIC RECORDS OF
SARASOTA COUNTY, FLORIDA

AND

A TRACT OF LAND IN THE SOUTH 112 OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 19 EAST,
PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID
SECTION 18; THENCE RUN NORTH ALONG THE EAST LINE OF SAID SECTION 869 FEET TO THE
NORTHERLY RIGHT-OF-WAY LINE OF THE TAMiami TRAIL (U.S. HIGHWAY 41); THENCE ALONG SAID
NORTHERLY RIGHT-OF-WAY LINE NORTH 50°15' WEST 2128.02 FEET FOR A POINT OF BEGINNING;
THENCE CONTINUE NORTH 50° 15' WEST 175 FEET TO THE EAST RIGHT-OF-WAY LINE OF PINE
GROVE DRIVE (FORMERLY WADIAC DRIVE –SAID POINT BEING THE SAME POINT DESCRIBED AS
POINT OF BEGINNING IN OFFICIAL RECORDS BOOK 685, PAGE 349) THENCE NORTH 39° 45' EAST
195 FEET; THENCE SOUTH 50° 15' EAST 175 FEET; THENCE SOUTH 39° 45' WEST 195 FEET TO
THE POINT OF BEGINNING. SAID PROPERTY BEING THE SAME PROPERTY HAVING THE SAME EXACT
BOUNDARIES AS THE PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 685, PAGES 349 AND
350, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.