



ZONING MAP AMENDMENT APPLICATION

Submit a complete application package to the Planning and Zoning Division. All information must be legible and will become a permanent part of the public record. Incomplete applications will not be reviewed and will be returned to the applicant/agent. Refer to the City of Venice Code of Ordinances Section 86-130 for Planned Unit Development district submittal requirements. After this application package is deemed complete, any new development will be scheduled for a Pre-Hearing Conference at the Planning Commission (Section 86-130(t)(4)).

Project Name: Hurt Property

Brief Project Description: Rezone from Sarasota County OUE to City of Venice RMF3 w/ stipulation limiting residential density to 9 du/ac., & CG

Address/Location: Knights Trail Road

Parcel Identification No.(s): 0364-10-0001 and 0377-02-0001

Parcel Size: 214 +/- acres

Current Zoning Designation(s): Sarasota County-OUE

Proposed Zoning Designation(s): RMF3 w/ stipulation limiting residential density to 9 du/ac, and CG

☒ Residential ☒ Non-Residential

FLUM Designation(s): Proposed Mixed Use Corridor JPA Area 1

Fee: The Zoning Administrator determines if a project is a minor or major amendment. A 35% reduction will be applied to concurrently filed land use petitions that qualify. Some projects may be assessed an extended technical review fee of \$1400:

☐ New \$2908

Additional fees: Per Code Section 86-586, legal advertising and public notice fees in excess of \$50 will be billed after all public hearings, regardless of approval status. Other fees may include review of transportation/environmental reports and studies by the City's consultant, verification by a consultant of the accuracy of the legal description provided by the applicant/agent and City Attorney fees. These fees are billed separately and must be paid before the Planning Commission public hearing. If these fees are not paid, approvals and further City of Venice permits are subject to delay. **BILL TO:** ☐ APPLICANT ☐ AGENT (SELECT ONE)

Applicant/Property Owner Name: Mary H. McMullen, Joseph W. Hurt and Randall C. Hurt, Trustees of the Shacket Creek Trust u/a/d November 25, 2002

Address: 1720 Sweetland St, Nokomis, FL 34275

Email:

Phone:

Design Professional or Attorney: Jeffery A. Boone, Esq.

Address: 1001 Avenida Del Circo, Venice, FL 34285

Email: jboone@boone-law.com

Phone: 941-488-6716

Authorized Agent (1 person to be the point of contact): Jeffery A. Boone, Esq

Address: .1001 Avenida Del Circo, Venice FL 34285

Email: jboone@boone-law.com

Phone: 941-416-6998

Staff Use Only

Petition No. 19-07RZ

Fee:

Application packages are reviewed by Planning Staff for completeness within 3 business days, as outlined in the Technical Review Committee (TRC) Calendar. Packages must be submitted via hard & electronic copies, and additional copies may be requested. Large plans should be collated and folded to allow the bottom right corner visible. Concurrently filed applications must be packaged separately. Please indicate N/A if the document is not being submitted.

☒ **Application:** (15 copies)

☒ **Project Narrative:** Provide A statement describing in detail the character and intended use of the development, in addition to the short description on page one of the application (15 copies).

☒ **CD with Electronic Files:** Provide PDF's of ALL documents, appropriately identified by name on one CD. *The legal description for each parcel must be submitted in text format and will be verified by a consultant.*

☒ **Agent Authorization Letter:** A signed letter from the property owner, authorizing one individual to submit an application and represent the owner throughout the application process. This individual will be the single point of contact for staff (1 copy).

☒ **Statement of Ownership and Control:** Documentation of ownership and control of the subject property (deed). Sarasota County Property Appraiser or Tax Collector records will not suffice. Corporations or similar entities must provide documents recognizing a person authorized to act on behalf of the entity (1 copy).

☒ **Survey of the Property:** Signed and sealed survey that accurately reflects the current state of the property. Each parcel must have its own legal description listed separately on the survey, correctly labeled by parcel id. (1 copy) **Date of Survey:**

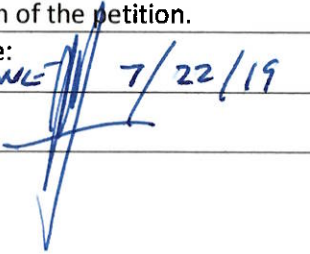
☒ **School Concurrency (RESIDENTIAL ONLY):** School Impact Analysis Receipt from Sarasota County dated within 10 days of petition submittal (1 copy).

☒ **Public Workshop Requirements:** (Section 86-41) ☒ Newspaper advertisement ☒ Notice to property owners ☒ Sign-in sheet ☒ Written summary of public workshop (1 copy)

☒ **Planning Commission Report:** (15 copies) Per Code Section 86-47(f)(1), prepare a statement for each of the following considerations/ findings: a. Whether the proposed change is in conformity to the comprehensive plan; b. The existing land use pattern; c. Possible creation of an isolated district unrelated to adjacent and nearby districts; d. The population density pattern and possible increase or overtaking of the load on public facilities such as schools, utilities, streets, etc.; e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change; f. Whether changed or changing conditions make the passage of the proposed amendment necessary; g. Whether the proposed change will adversely influence living conditions in the neighborhood; h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety; i. Whether the proposed change will create a drainage problem; j. Whether the proposed change will seriously reduce light and air to adjacent areas; k. Whether the proposed change will adversely affect property values in the adjacent area; l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations; m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare; n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning; o. Whether the change suggested is out of scale with the needs of the neighborhood or the city; and p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.

☒ **Comprehensive Plan Compliance Report:** Prepare a report addressing the appropriate areas of the Comprehensive Plan in order to determine compliance.

Technical compliance must be confirmed 30 days before a public hearing will be scheduled. The applicant or agent MUST be present at the public hearing and will be contacted by staff regarding availability. By submitting this application the owner(s) of the subject property does hereby grant his/her consent to the Zoning Official and his/her designee, to enter upon the subject property for the purposes of making any examinations, surveys, measurements, and inspections deemed necessary to evaluate the subject property for the duration of the petition.

Authorized Agent Name & Date: <i>JEFFREY A. BOONLE 7/22/19</i>	Applicant Name & Date:
Authorized Agent Signature: 	Applicant Signature:

Hurt Property Rezone- Project Narrative

The subject property is a 214 +/- acre property comprised of PID # 0364-10-0001 and PID # 0377-02-0001. The property is located west of Knights Trail Drive, east of I-75, north of the Triple Diamond Commerce Plaza, and south of Rustic Road, and is located within JPA Area # 1 of the JPA/ILSBA between the City and Sarasota County. The JPA/ILSBA designates the property for annexation to the City and allows for a range of uses including residential development up to 9 dwelling units per acre, and non-residential (retail, office, industrial and manufacturing) A concurrent Annexation Application and Comprehensive Plan Amendment Application have been filed with the City. The proposed Future Land Use designation for the property is Mixed Use Corridor.

Consistent with the JPA/ILSBA and the proposed Mixed Use Corridor-JPA Area No. 1 land use designation, the proposal is to rezone the subject property to the RMF-3 (PID # 0364-10-0001) and CG (PID # 0377-02-0001) zoning districts. For the RMF-3 property the applicant further proposes a stipulation to limit the residential density for the property to nine (9) dwelling units per acre. The property owner does not have immediate development plans for the property, but is moving forward with the proposed rezoning in order to place City of Venice zoning designations on the property necessitated by the annexation of the property by the City. The proposed zoning designations provide for a reasonable transition of uses between the industrial uses to the south, the low density residential uses to the north, and high density residential zoning to the northeast.

The proposed rezoning is consistent with the JPA/ILSBA, and consistent with the Mixed Use Corridor Land Use designation as proposed.

Finally, the proposed rezoning is consistent with Comprehensive Plan Police 8.2 as evaluated below.

Policy 8.2 Land Use Compatibility Review Procedures. Ensure that the character and design of infill and new development are compatible with existing neighborhoods.

Compatibility review shall include the evaluation of the following items with regard to annexation, rezoning, conditional use, special exception, and site and development plan petitions:

- A. Land use density and intensity.

The proposed rezoning to RMF3 with a stipulation limiting density to nine (9) dwelling units per acre, and CG is consistent with the JPA/ILSBA and provides a compatible transition of uses between the existing land uses in the neighborhood.

- B. Building heights and setbacks.

Building heights and setbacks for the RMF3 and CG zoning districts are compatible with the permitted existing heights and setbacks in the neighborhood.

- C. Character or type of use proposed.

The proposed rezoning to RMF3 with a stipulation limiting density to nine (9) dwelling units per acre, and CG is consistent with the JPA/ILSBA and provides a compatible transition of uses between the existing land uses in the neighborhood.

- D. Site and architectural mitigation design techniques.

Site and architectural mitigation design techniques, if necessary, will be established through the Site & Development Plan or Preliminary Plat process at the time of a specific development plan for the property.

Considerations for determining compatibility shall include, but are not limited to, the following:

- E. Protection of single-family neighborhoods from the intrusion of incompatible uses.

The proposed rezoning to the RMF3 with a stipulation limiting density to nine (9) dwelling units per acre, and CG zoning districts provides an appropriate transition of uses to protect single-family neighborhoods from the intrusion of incompatible uses.

- F. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.

The proposed rezoning to the RMF3 with a stipulation limiting density to nine (9) dwelling units per acre, and CG zoning districts provides an appropriate transition of uses to prevent location of commercial uses in areas where such uses are incompatible with existing uses.

- G. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.

Not applicable.

- H. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

The proposed rezoning to the RMF3 with a stipulation limiting density to nine (9) dwelling units per acre, and CG zoning districts provides an appropriate transition of densities and intensities of uses compared to existing density and intensity of uses in the neighborhood.

Potential incompatibility shall be mitigated through techniques including, but not limited to:

- I. Providing open space, perimeter buffers, landscaping and berms.

The proposed rezoning does not authorize development on the property. Open space, buffers, landscaping and berms will be evaluated at the time of a Site & Development Plan or Preliminary Plat for a specific proposed development for the property.

- J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.

The proposed rezoning does not authorize development on the property. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas will be evaluated at the time of a Site & Development Plan or Preliminary Plat application for a specific proposed development for the property.

- K. Locating road access to minimize adverse impacts.

The proposed rezoning does not authorize development on the property. Road access will be evaluated at the time of a Site & Development Plan or Preliminary Plat application for a specific proposed development for the property.

- L. Adjusting building setbacks to transition between different uses.

The proposed rezoning does not authorize development on the property. Building setbacks will be evaluated at the time of a Site & Development Plan or Preliminary Plat application for a specific proposed development for the property.

- M. Applying step-down or tiered building heights to transition between different uses.

The proposed rezoning does not authorize development on the property. Building heights will be evaluated at the time of a Site & Development Plan or Preliminary Plat application for a specific proposed development for the property.

- N. Lowering density or intensity of land uses to transition between different uses.

The proposed rezoning does not authorize development on the property. Density and intensity of land uses and transition between different uses will be evaluated at the time of a Site & Development Plan or Preliminary Plat application for a specific proposed development for the property.

Sec. 86-47. (f) (1)

Rezoning amendments. When pertaining to the rezoning of land, the report and recommendations of the planning commission to the city council shall show that the planning commission has studied and considered the proposed change in relation to the following, where applicable:

- A. Whether the proposed change is in conformity to the comprehensive plan.
The proposed change is in conformity with the proposed concurrent Comprehensive Plan Amendment designating the property Mixed Use Corridor.
- B. The existing land use pattern.
The proposed rezoning to the RMF-3 with a stipulation limiting density to nine (9) dwelling units per acre, and Commercial General zoning districts is consistent and compatible with the land use pattern in the area which consists of a mix of industrial, low density residential and agricultural uses.
- C. Possible creation of an isolated district unrelated to adjacent and nearby districts.
The proposed RMF-3 with a stipulation limiting density to nine (9) dwelling units per acre, and CG districts will not create unrelated isolated district as they are adjacent to nearby districts with wide mix of uses.
- D. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.
The proposed rezoning to the RMF-3 with a stipulation limiting density to nine (9) dwelling units per acre, and CG zoning districts will not overtax the load on public facilities such as schools, utilities and streets. Specific impacts to public facilities will be evaluated at the time of a development proposal for the property and impact fees will be paid at that time in order to support such public facilities
- E. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.
The current County OUE zoning designation is illogical for a property annexed by the City of Venice and a City zoning designation(s) is needed prior to commencing development.
- F. Whether changed or changing conditions make the passage of the proposed amendment necessary.
Annexation of the property by the City of Venice consistent with the JPA/ILSBA makes the proposed amendment necessary.
- G. Whether the proposed change will adversely influence living conditions in the neighborhood.
The proposed change will not adversely affect living conditions in the neighborhood as appropriate the uses. At the time of a proposed development for the property, potential adverse impacts to the neighborhood will be evaluated, and mitigated if necessary.
- H. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.
The proposed change will not excessively increase traffic congestion or otherwise affect public safety. A transportation impact study will be required at the time of a development proposal for the property to analyze potential transportation impacts, and mobility fees will be paid at the time of development to support transportation improvements.
- I. Whether the proposed change will create a drainage problem.
The proposed change will not create a drainage problem and will be required to meet all City of Venice standards related to drainage. A drainage plan will be required to be submitted at the time of a development proposal for the property to ensure no off-site drainage impacts.

- J. Whether the proposed change will seriously reduce light and air to adjacent areas.
The proposed change will not seriously reduce light or air to adjacent areas. At the time of a proposed development for the property, potential reductions of light and air to adjacent areas will be evaluated, and mitigated if necessary.
- K. Whether the proposed change will adversely affect property values in the adjacent area.
The proposed change will not adversely affect property values in the area.
- L. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.
The proposed change will not be a deterrent to the improvement or development of adjacent property.
- M. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.
The proposed change will not constitute a grant of special privilege and is consistent with the long term plan for the property as determined by the JPA/ILSBA between the City and Sarasota County.
- N. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.
Annexation of the property by the City of Venice requires a rezoning to a City zoning designation.
- O. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
The change is not out of scale with the needs of the neighborhood or the City.
- P. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.
Not applicable, the annexation of the property by the City requires a rezoning from the current Sarasota County OUE zoning district.