

**CITY OF VENICE, FLORIDA
CITY COUNCIL
ORDER NO. 20-39CU**

AN ORDER OF THE VENICE CITY COUNCIL APPROVING CONDITIONAL USE PETITION NO. 20-39CU FOR THE PROPERTY LOCATED AT 1200 KINGS WAY DRIVE, TO ALLOW FOR A GATED COMMUNITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Cassata Properties, LLC, through its agent, Jeffery Boone, Esq., have submitted Conditional Use Petition No. 20-39CU to allow for a gated community located at 1200 Kings Way Drive, Parcel Identification No. 0380-03-0001 (as further described in Exhibit A); comprised of a **Conditional Use Plan** prepared by Paul V. Sherma, P.E., of PEER, Inc., consisting of **one sheet**, received by the City on **December 11, 2020**; and,

WHEREAS, the Planning Commission held a noticed public hearing on February 2, 2021, during which the Planning Commission received the Petition, staff report, and testimony provided by staff, the applicant, and interested parties; and,

WHEREAS, the City Council held a noticed public hearing on March 9, 2021, 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 2017-2027 Comprehensive Plan; and,

WHEREAS, the City Council voted for approval of 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. Conditional Use Petition No. 20-39CU for a gated community, 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. This Development Order shall expire and be void 24 months from the date of grant unless a complete building permit application has been filed for the gated community for which the conditional use was approved. However, at the written request of the property owner prior to the expiration of the 24-month period, the City Council may extend the 24-month period for an additional 12 months, provided that the property owner can demonstrate by competent and substantive evidence that financial or legal constraints or other events beyond the control of the applicant prevented application for a building permit.

ORDERED at a meeting of the Venice City Council on the 9th day of March 2021.

Mayor

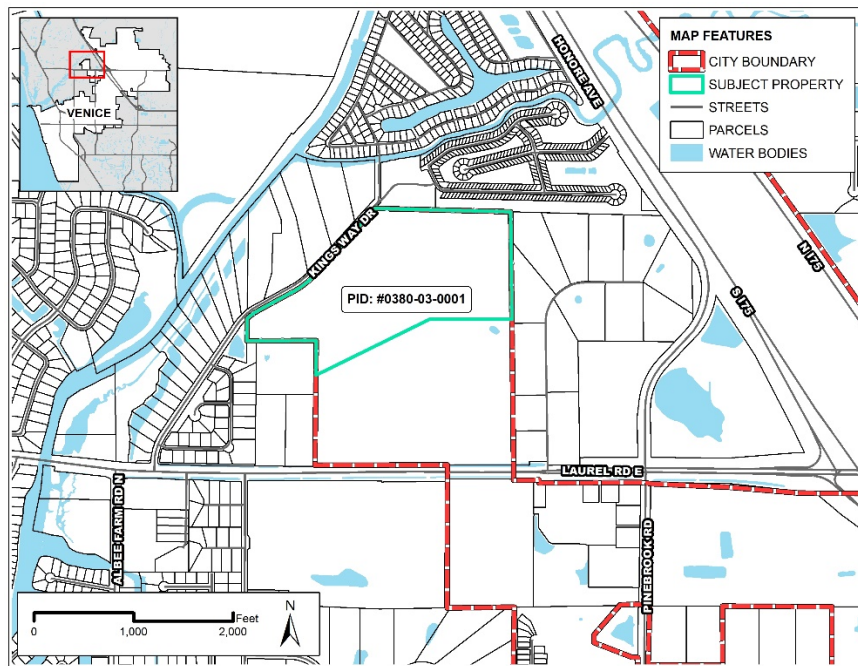
ATTEST:

City Clerk

APPROVED AS TO FORM

City Attorney

EXHIBIT A – LEGAL DESCRIPTION



Parcel 0380-03-0001

A part of Section 29, Township 38 South, Range 19 East, Sarasota County, Florida;

Begin at the NW corner of the SE 1/4 of Section 29, Township 38 South, Range 19 East, Sarasota County, Florida; thence S 88°35'02" E along the North line of said SE 1/4 of the Section 29, a distance of 1352.81 feet to the NE corner of the West 1/2 of said SE 1/4 of Section 29, same being a point on the Northerly extension of the West line of Twin Laurel Estates, recorded in Plat Book 24, Page 43, of the Public Records of Sarasota County, Florida; thence S 00°39'08" E, along the East line of said West 1/2 of the SE 1/4 of Section 29 and the West boundary line of said Twin Laurel Estates and its Northerly extension, a distance of 1081.19 feet; thence leaving said West boundary line of Twin Laurel Estates, N 90°00'00" W, a distance of 828.64 feet; thence S 63°41'24" W, a distance of 1274.37 feet, to the East boundary line of lands described in Official Records Instrument No. 2016005618; thence N 00°42'19" E, along said East boundary line of lands described in Official Records Instrument No. 2016005618, a distance of 309.57 feet to the NE corner of said lands described in Official Records Instrument No. 2016005618; thence S 89°40'16" W, along the North line of said lands described in Official Records Instrument No. 2016005618, same being the South line of the NE 1/4 of the SW 1/4 of said Section 29, a distance of 700.58 feet to the West line of said NE 1/4 of the SW 1/4 of Section 29, same being the East boundary line of Laurel Landing Estates, recorded in Plat Book 36, Page 23, of the Public Records of Sarasota County, Florida; thence N 00°41'00" E, along said East boundary line of Laurel Landing Estates, a distance of 246.77 feet to the Southeasterly line of Kings Way Drive, a 70 foot wide public right of way, Dedication of Road recorded in Official Records Book 1003, Page 1672, of the Public Records of Sarasota County, Florida, same being a point on a non-tangential curve to the right having: a radius of 595.14 feet, a central angle of 15°20'58", a chord bearing of N 52°58'08" E, and a chord length of 158.96 feet; thence along said Southeasterly line of Kings Way Drive the following four (4) courses: along the arc of said curve, an arc length of 159.44 feet; (2) thence N 60°38'37" E, a distance of 361.83 feet to a point on a curve to the left, having: a radius of 1045.04 feet, a central angle of 16°53'39", a chord bearing of N 52°11'48" E, and a chord length of 307.03 feet; (3) thence along the arc of said curve, an arc length of 308.14 feet; (4) thence N 43°44'57" E, a distance of 889.17 feet to the Point of Beginning.

Together with: Non-Exclusive Easement for drainage as set forth and created by that certain Warranty Deed by and between Jay C. Hurt, Joanne Hurt and William J. Hurt to Carlton J. Hurt recorded in Official Records Book 1673, Page 433, of the Public Records of Sarasota County, Florida.