

INSTRUMENT # 2003223502

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ORDINANCE NO. 2003-054

2003 SEP 29 PM 1:32

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

FILED

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO. 75-38, CODIFIED IN APPENDIX A TO THE SARASOTA COUNTY CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF SARASOTA COUNTY; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT OF THE ZONING ATLAS; PROVIDING RESTRICTIONS, STIPULATIONS AND SAFEGUARDS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA:

Section 1. Findings. The Board of County Commissioners, hereinafter referred to as the "Board," hereby makes the following findings:

A. The Board has received and considered the report of the Sarasota County Planning Commission concerning Rezoning Petition No. 02-56, requesting rezoning of the property described herein.

B. The Board has held a public hearing on the proposed rezoning of the property described herein in accordance with the requirements of Sarasota County Ordinance No. 75-38, codified in Appendix A of the Sarasota County Code (hereinafter "the Zoning Ordinance"), and has considered the information received at said public hearing.

C. The rezoning herein granted is consistent with the Sarasota County Comprehensive Plan and meets the requirements of the Zoning Ordinance.

D. Pursuant to the provisions of Article VII of Chapter 94 of the Sarasota County Code, an evaluation has been completed of the impacts that the proposed rezoning of the property described herein will have on the levels of service for parks, drainage, solid waste, roads, mass transit and water and sewer systems. With the exception of the provisions of Section 3 of this Ordinance, adequate levels of service are anticipated to be available.

Section 2. Amendment of the Zoning Ordinance. The Official Zoning Atlas, adopted under Section 2 of the Zoning Ordinance, is hereby amended by changing the zoning district classification for 21.0 acres ± from OUE-2 (Open Use Estate, 1 unit/2 acres) to RSF-3 (Residential, Single Family, 4.5 units/acre) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida being: The northwest corner of Cattlemen Road and Colonial Oaks Boulevard, being more particularly described as follows; In Section 36 Township 36S Range 18E Sarasota County and more particularly described as follows: The south 1/2 of the NW 1/4 of the NE 1/4 & the SE 1/4 of the NE 1/4 of the NW 1/4 of Section 36, T 36S. R18 E, less tract in OR Book 972/ page 1445 to Jeffrey less tract in

2003 SEP 24 AM 9:15

KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

BOARD RECORDS
FILED FOR RECORD

EXOS 01 VOM

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OR Book 1012 page 441 to Weigand less tract in OR Book 1013 page 478 to Guisby less Cattlemen Road right-of-way as described in Record Plat Book 2 page 56 less additional right-of-way described in OR Book 1785 page 1056 & OR Book 1785 page 1067 less Cattlemen Road right-of-way described in O.R.I. 2001041163 containing 15.8 AC more or less; Together with: The north 300 feet of the N ½ of SW ¼ of the NW ¼ of the NE ¼ & the north 20 feet of the SE ¼ of the NW ¼ of the NE ¼ of Sec. 36 Less Cattlemen Road right-of-way as described in Record Plat Book 2 page 56 & less additional right-of-way described as parcel 144.02 in OR Book 1769-2146 & 1769-2147.

Section 3. Restrictions, Stipulations and Safeguards. As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section 2 and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations shall be covenants running with the land. The use of the property described in Section 2 of this Ordinance, in addition to the applicable restrictions imposed by the Zoning Ordinance, is hereby further limited by and subject to the following restrictions, stipulations and safeguards:

1. The Owner shall be required to maintain the appearance and function of any private drainage facilities to be constructed on the site, including retention ponds and drainage ditches, at its own expense in accordance with applicable federal, state or local regulations. At the time of recording a plat or prior to final construction approval, the Owner shall be required to record in the public records a Notice to Purchaser, approved by Sarasota County, putting purchasers on notice that the maintenance of drainage facilities is a private responsibility.
2. There shall be no access (ingress or egress) to Cattlemen Road from the subject parcel, unless cross access connection is provided to the parcels lying to the east within three years of the effective date of this development order. Excluding the homestead lot, all lots shall only gain access to the subject parcel via Old Trenton Lane. The existing homestead lot shall only gain access to the subject parcel through Colonial Oaks Boulevard.
3. In addition to meeting the stormwater requirements of the Land Development Regulations (LDR), the site shall be designed utilizing the Phillippi Creek Watershed Model to demonstrate that there would be no adverse impact on off-site flood levels.
4. The Declaration of Covenants and Restrictions for the development shall include acknowledgement that the development was knowingly constructed in the 100-year floodplain.
5. Residential structures, yards, internal roadways, and driveways are to be constructed above the expected flood elevation for the 100-year storm event of ten inches of rainfall over 24 hours.
6. The Applicant shall provide certified surveys in support of any revisions proposed to the existing conditions model.
7. The Applicant shall demonstrate that development of the site shall not adversely increase any off-site flood stages for the 2-year, 5-year, 10-year, 25-year, and 100-year design storms.

8. Pursuant to management guidelines contained within the Environment Chapter of Apoxsee, should an appropriate agency determine that jurisdictional wetland limits encompass a portion of the subject property, the wetland and associated upland buffer shall be preserved and maintained consistent with the Guiding Principles of Apoxsee. All required plans shall be submitted to Resource Protection Services with site and development plans.
9. In accordance with Policy 5.4.3 of Apoxsee, prior to (or concurrent with) submittal of site and development plans, a listed species survey shall be conducted at the subject property, using recognized sampling techniques to identify endangered, threatened, and species of special concern. In addition, Resource Protection Services shall be provided with documentation, from appropriate regulatory agencies, regarding any listed species issues associated with the site.
10. **The maximum number of units allowed on the subject parcel shall be limited to 64. Four (4) additional lots (for a maximum of 68) shall be allowed on the subject parcel contingent on the acquisition of a second access (directly or indirectly) to Cattlemen Road.**

Section 4. Effective Date. This Ordinance shall take effect immediately upon receipt of official acknowledgment from the Office of the Secretary of State of Florida that this Ordinance has been filed with said office.

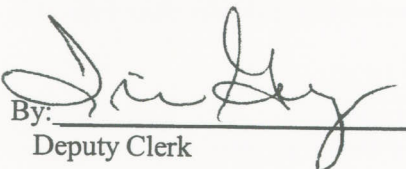
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 9th day of September, A.D. 2003.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


Chairman

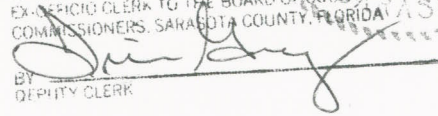
ATTEST:

KAREN E. RUSHING, Clerk of
the Circuit Court and Ex-
Officio Clerk of the Board of
County Commissioners of
Sarasota County, Florida.

By: 
Deputy Clerk

STATE OF FLORIDA
COUNTY OF SARASOTA
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILES
IN THIS OFFICE WITNESS MY HAND AND OFFICIAL

SEAL THIS DATE 9/24/03
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT,
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY: 
DEPUTY CLERK


2. Pursuant to management guidelines contained within the Environmental Impact of Aesthetics, should an appropriate agency determine that project activities will not have a significant adverse effect on the subject property, the wetland and associated riparian buffer shall be preserved and maintained consistent with the Florida Department of Agriculture. All riparian areas shall be submitted to Resource Protection Services with site and development plans.

3. In accordance with Policy 2.4.3 of Aesthetics, prior to (in concert with) substantial of the end development plan, a listed species survey shall be conducted at the subject property, using recognized sampling techniques to identify endangered, threatened, and species of special concern. In addition, Resource Protection Services shall be provided with documentation, from appropriate regulatory agencies, regarding any listed species issues associated with the site.

10. The maximum number of units allowed on the subject parcel shall be limited to 60 (sixty) residential lots (for a maximum of 60) shall be allowed on the subject parcel contingent on the acquisition of a second access (direct or indirect) to Collier Road.

Section 4. Effective Date. This Ordinance shall take effect immediately upon receipt of official acknowledgment from the Office of the Secretary of State of Florida that the Ordinance has been filed with said office.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF HARADELA COUNTY, FLORIDA, on this _____ day of _____, 2011.

BOARD OF COUNTY COMMISSIONERS
OF HARADELA COUNTY, FLORIDA

Chairman

ATTEST:

KAREN E. RUSHING, Clerk of
the Circuit Court and Ex-
Officio Clerk of the Board of
County Commissioners of
Haradela County, Florida


Clerk

