

ORDINANCE NO. 2004-089

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO. 2003-052, 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. 03-02, 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. 2003-052, 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 Article 4 of the Zoning Ordinance, is hereby amended by changing the zoning district classification for 1 acre \pm from District RSF-3 (Residential Single Family, 4.5 units/acre) to District CN (Commercial Neighborhood) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida being: South of Proctor Road and 175' east of Swift Road, being more particularly described as follows; Commence at the Northwest corner of Lot 5, Block 2, Sarasota-Venice Company's Subdivision of Section 9, Township 37 South, Range 18 East, as per plat thereof recorded in Plat Book 2, Page 8, Public Records of Manatee County, Florida, [also recorded in Plat Book "A", page 68, Public Records of Sarasota County, Florida], said Northwest corner of said Lot 5 being the Northwest corner of Section 9, and located at the intersection of the centerlines of Swift Road and Madison Road (Proctor Road); thence run Easterly along the centerline of Madison Road (Proctor Road), a distance of 175 feet to a point; thence run Southerly and parallel to the centerline of Swift Road, a distance of 24 feet to the Southerly boundary of Madison Road for a **POINT OF BEGINNING**; thence continue Southerly and parallel to the centerline of Swift Road, a distance of 139.4 feet to a point; thence run Easterly and parallel to the centerline of Madison Road, a distance of 90 feet to a point; thence run Northerly and parallel to the centerline of Swift Road, a distance of 139.4 feet to a point on the Southerly boundary of Madison Road; thence run Westerly along the Southerly boundary of Madison Road, a distance of 90 feet to the Point of Beginning. The above described property is a portion of the above mentioned Lot 5, Block 2, Sarasota-Venice Company's Subdivision of said Section 9, Township 37 South, Range 18 East. **LESS** the North 6.0 feet thereof for additional Right of Way for Proctor Road.

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. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.

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 15th day of September, 2004.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Chair

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

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2004237927 4 PGS

2004 DEC 14 04:43 PM

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CBETHEL Receipt#559314



Please record and return to: (Via Inter-Office Mail)

Susan M. Anderson, Administrative Coordinator

Planning Services

1301 Cattlemen Road, Bldg. A

Sarasota, FL 34232

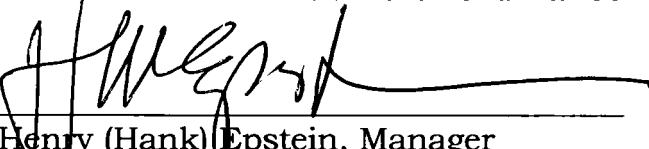
Charge to: Planning Services

Account# 51800100500489

**NOTICE OF STIPULATIONS
AND LIMITATIONS ENCUMBERING
REAL PROPERTY PURSUANT TO
THE SARASOTA COUNTY ZONING CODE**

The following property, located south of Proctor Road and 175' east of Swift Road in Sarasota County, Florida, owned by AJB Limited Partnership, and described in **Ordinance No. 2004-089** attached hereto, has been rezoned to a CN (Commercial Neighborhood) zone district pursuant to Rezone Petition No. 03-02 filed by George F. Young, Agent, and granted by Sarasota County on September 15, 2004, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

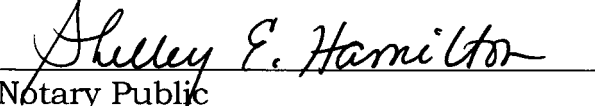
(Stipulations and limitations are those described in Section 3 of **Ordinance No. 2004-089**, attached hereto)


Henry (Hank) Epstein, Manager
Planning Services

**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Henry (Hank) Epstein, Manager, Planning Services, to me known to be the individual who executed the foregoing Notice of Stipulations and Limitations Encumbering Real Property pursuant to the Sarasota County Zoning Code, and he acknowledged before me that he executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 13th day of December, 2004.


Notary Public
State of Florida at Large

This instrument prepared by:
sma



Shelley E. Hamilton
MY COMMISSION # DD233335 EXPIRES
August 10, 2007
BONDED THRU TROY FAIN INSURANCE, INC

ORDINANCE NO. 2004-089

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO. 2003-052, 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.

CLERK OF COUNTY COURT
SARASOTA COUNTY, FLORIDA

2004 SEP 16 AM 8:17

BOARD RECORDS
FILED FOR RECORD

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. 03-02, 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. 2003-052, 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 Article 4 of the Zoning Ordinance, is hereby amended by changing the zoning district classification for 1 acre ± from District RSF-3 (Residential Single Family, 4.5 units/acre) to District CN (Commercial Neighborhood) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida being: South of Proctor Road and 175' east of Swift Road, being more particularly described as follows; Commence at the Northwest corner of Lot 5, Block 2, Sarasota-Venice Company's Subdivision of Section 9, Township 37 South, Range 18 East, as per plat thereof recorded in Plat Book 2, Page 8, Public Records of Manatee County, Florida, [also recorded in Plat Book "A", page 68, Public Records of Sarasota County, Florida], said Northwest corner of said Lot 5 being the Northwest corner of Section 9, and located at the intersection of the centerlines of Swift Road and Madison Road (Proctor Road); thence run Easterly along the centerline of Madison Road (Proctor Road), a distance of 175 feet to a point; thence run Southerly and parallel to the centerline of Swift Road, a distance of 24 feet to the Southerly boundary of Madison Road for a **POINT OF BEGINNING**; thence continue Southerly and parallel to the centerline of Swift Road, a distance of 139.4 feet to a point; thence run Easterly and parallel to the centerline of Madison Road, a distance of 90 feet to a point; thence run Northerly and parallel to the centerline of Swift Road, a distance of 139.4 feet to a point on the Southerly boundary of Madison Road; thence run Westerly along the Southerly boundary of Madison Road, a distance of 90 feet to the Point of Beginning. The above described property is a portion of the above mentioned Lot 5, Block 2, Sarasota-Venice Company's Subdivision of said Section 9, Township 37 South, Range 18 East. **LESS** the North 6.0 feet thereof for additional Right of Way for Proctor Road.

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

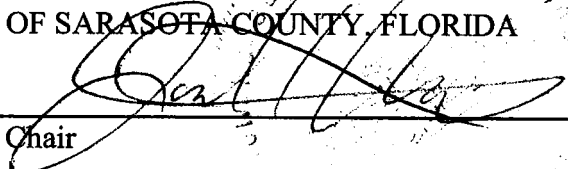
Owner shall be required to record in the public records, a Notice to Purchaser, approved by Sarasota County, putting purchasers on notice that the maintenance of drainage facilities is a private responsibility.

2. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.

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.

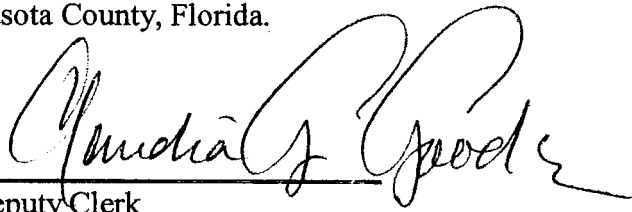
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 15th day of September, 2004.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


Chair

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

COUNTY OF SARASOTA, FLORIDA

Board of County Commissioners
Sarasota County Planning and Development Services Business Center
Date: December 21, 2004

MEMORANDUM TO:

George F. Young, Inc.
78 Sarasota Center Blvd.
Sarasota, FL 34240

Emergency Services, Fire Department (Jane Ross)
Environmental Services, Utilities (John Saraniero)
Environmental Services, Utilities (Mike Mylett)
Health/Human Services (Mike Berry)
History Center (Dan Hughes)
Planning & Development Services, Code Enforcement (Jim LeGay)
Planning & Development Services, County Surveyor (Gayle Fosness)
Planning & Development Services, Land Dev. (Isaac Brownman)
Planning & Development Services, Land Dev. (Mary Stephens)
Planning & Development Services, Landscape (Martha Horton)
Planning & Development Services (Steve Brown)
Planning & Development Services (Elaine Wickwire)
Planning & Development Services, Resource Protection (Paul Semenecc)
Property Appraiser (Jim Todora)
Public Works, Stormwater (Candace Hendrickson)
Public Works, Transportation (Lorraine Branzei)
School Board (Kathy Anderson)

SUBJECT:

Rezone Petition 03-02

PLANNER:

Matt Lewis

ORDINANCE NO. 2004-089 **PID#:** 0087-04-0045

ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:

On **September 15, 2004** the Sarasota County Board of County Commissioners **GRANTED** Rezone Petition No. 03-02 to rezone .275 acres \pm located south of Proctor Road and 175' east of Swift Road in Sarasota County, Florida, from District RSF-3 (Residential, Single Family, 4.5 units/acre) to District CN (Commercial Neighborhood) with stipulations.

A copy of **Ordinance No. 2004-089** is attached for your information.

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2004237927 4 PGS

2004 DEC 14 04:43 PM

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CBETHEL Receipt#559314



Please record and return to: **(Via Inter-Office Mail)**

Susan M. Anderson, Administrative Coordinator

Planning Services

1301 Cattlemen Road, Bldg. A

Sarasota, FL 34232

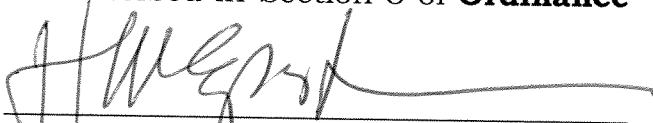
Charge to: **Planning Services**

Account# 51800100500489

**NOTICE OF STIPULATIONS
AND LIMITATIONS ENCUMBERING
REAL PROPERTY PURSUANT TO
THE SARASOTA COUNTY ZONING CODE**

The following property, located south of Proctor Road and 175' east of Swift Road in Sarasota County, Florida, owned by AJB Limited Partnership, and described in **Ordinance No. 2004-089** attached hereto, has been rezoned to a CN (Commercial Neighborhood) zone district pursuant to Rezone Petition No. 03-02 filed by George F. Young, Agent, and granted by Sarasota County on September 15, 2004, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

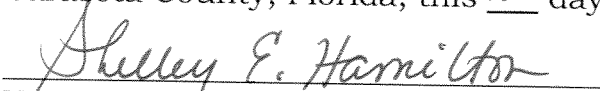
(Stipulations and limitations are those described in Section 3 of **Ordinance No. 2004-089**, attached hereto)


Henry (Hank) Epstein, Manager
Planning Services

**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Henry (Hank) Epstein, Manager, Planning Services, to me known to be the individual who executed the foregoing Notice of Stipulations and Limitations Encumbering Real Property pursuant to the Sarasota County Zoning Code, and he acknowledged before me that he executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 13th day of December, 2004.


Notary Public
State of Florida at Large

This instrument prepared by:
sma



Shelley E. Hamilton
MY COMMISSION # DD233335 EXPIRES
August 10, 2007
BONDED THRU TROY FAIN INSURANCE, INC

INSTRUMENT # 200423792
4 PGS

ORDINANCE NO. 2004-089

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO. 2003-052, 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.

2004 SEP 16 AM 8:17

BOARD RECORDS
FILED FOR RECORD

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. 03-02, 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. 2003-052, 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 Article 4 of the Zoning Ordinance, is hereby amended by changing the zoning district classification for 1 acre ± from District RSF-3 (Residential Single Family, 4.5 units/acre) to District CN (Commercial Neighborhood) for the following described property located in Sarasota County, Florida:

62004-089

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. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.

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 15th day of September, 2004.

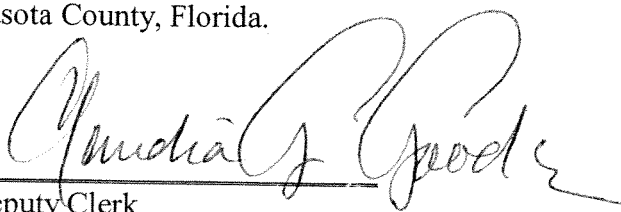
BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA



Chair

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