

ORDINANCE NO. 2004-079

2004 JUL 28 PM 4:17

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 I 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.

FILED
AUG - 2 PM 3:42
SARASOTA COUNTY FL
CLERK OF COUNTY COURT
JENNIFER R. RICHARDS
TALLAHASSEE, FLORIDA

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. 04-25, 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 I 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 1.53 acres ± from District ILW (Industrial, Light Manufacturing and Warehousing) to District CHI (Commercial Highway Interchange) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida being: The southwest quadrant of I-75 and Fruitville Road, north of Cattleman Road and west of Packinghouse Road, being more particularly described as follows; Parcel D, Fruitville Business Center as per the plat thereof recorded in Plat Book 42, Pages 16-16A, Public Records of Sarasota County, Florida.

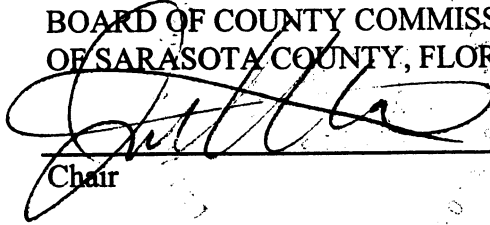
Section 3. Restrictions, Stipulations and Safeguards. As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section 2 and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations 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 Master Surface Water Management Plan shall be consistent with the Phillippi Creek Master Plan.
2. Prior to or concurrent with the development of the subject parcel, the developer shall construct two 11-foot wide travel lanes with a cul-de-sac and resurface the entire roadway width of North Packinghouse Road. The improvements shall be completed between the asphalt cross section of Cattleman Road and the parcel's northern most access. The improvements shall be included in the construction plans for the proposed development.
3. All development of the subject parcel shall be consistent with applicable conditions of the Fruitville Road Corridor Plan No. 88-01-SP.
4. Development shall occur in substantial compliance with the Development Concept Plan, as attached hereto as exhibit A, submitted to Planning Services on June 7, 2004, except as modified as necessary to comply with the stipulations contained herein. This does not imply or confer any variances from applicable zoning or land development regulations.

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 27th day of July, 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: Louise A. Shaw
Deputy Clerk

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