

NOV 18 2005

ORDINANCE NO. 2005-051 By: Sarasota County Planning

BOARD RECORDS
FILED FOR RECORD

2005 SEP 22 AM 7:29

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

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. 05-15**, 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 2.4 acres \pm from District RE-2 (Residential Estate, 1 unit/1 acre) to District RMF-2 (Residential Multifamily, 9 units/1 acre) for the following described property located in Sarasota County, Florida:

Q 2005-051

The legal description of said property in Sarasota County, Florida, being: West side of Pine Street across from Crestwood Road, being more particularly described as follows: LOT 627 (LESS THE EAST 7 FEET THEREOF, ENGLEWOOD GARDENS #2, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 36, OF THE 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. Prior to or concurrent with submittal of site and development plans, listed species surveys shall be conducted at the subject property by an appropriate professional using State-accepted sampling techniques to identify endangered, threatened, and species of special concern that may utilize on-site habitats. The results of the surveys, including details of the methodologies used (i.e., location of transects, dates and times of surveys, etc.), shall be submitted to Resource Protection along with any documentation from appropriate regulatory agencies regarding listed species issues associated with the site.
2. Prior to or concurrent with the development of the subject parcel, the developer shall construct a northbound to westbound left turn lane on Pine Street, if left turn warrants are met. The left turn lane shall be designed in accordance with Index 301 and 526 of the Florida Department of Transportation's Roadway and Traffic Design Standards. The improvements shall be included in the construction plans for the subject development.
3. Access to a full median opening will be prohibited once Pine Street is widened unless the access is aligned with Crestwood Road.
4. All development shall comply with the applicable

conditions for development approval contained in the adopted Pine Street, Dearborn Street and South River Road Sector Plan, adopted by Ordinance No. 93-059.

5. The approved architecture shall be consistent with the Englewood Town Center Architectural Design Guidelines.
6. The approved site plan shall include a community building and pool as community amenities.

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 14th day of September, 2005.

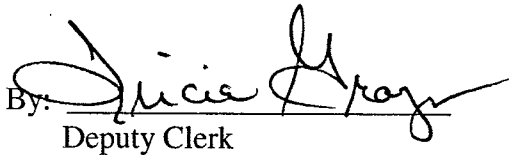
BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

A circular seal is partially visible behind the signature of the Chair. It contains the text "SEAL OF THE 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: A handwritten signature in cursive script, appearing to read "Alicia Gray".
Deputy Clerk