

ORDINANCE NO. 2008 - 122

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.

2008 DEC 22 PM 2:13

FILED

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. 05-20, 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 from RSF-3 (Residential, Single Family, 4.5 units/ acre) to OPI (Office, Professional and Institutional) for the following described property located in Sarasota County, Florida:

This petition relates to the property described below:

East of State Road 776 (Englewood Road) and south of Whispering Pines Circle and more particularly described as follows:

COMMENCE at the East Quarter Corner of Section 14, Township 40 South, Range 19 East, Sarasota County, Florida, same being the Southeast Corner of the Plat of Englewood Pines, recorded in Plat Book 24, Page 48, Public Records of Sarasota County, Florida; thence S.89°58'18"W., along the South line of said plat of Englewood Pines and its westerly extension, a distance of 1356.43 feet to a point on the East line of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter of said Section 14, as established from existing monumentation found; thence S.00°59'22"W., along the East line of the North Half of said Northeast Quarter of the Northwest Quarter of the Southeast Quarter per monumentation, a distance of 6.20 feet to the Northeast Corner of lands described in Official Records Book 2625, Page 884 of the Public Records of Sarasota County, Florida for the POINT OF BEGINNING; thence continue S.00°59'22"W., along said East line of the North Half of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter per monumentation, a distance of 327.15 feet to the easterly extension of the South line of the North Half of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter per Theoretical Section Breakdown; thence S.89°58'50"W., along said South line and its easterly extension, a distance of 288.25 feet to the Southeast Corner of lands described in Official Records Book 2728, Page 1980, of the Public Records of Sarasota County, Florida; thence N.19°19'24"W., along the easterly line of said lands described in Official Records Book 2728, Page 1980, a distance of 178.02 feet to the easterly line of lands zoned "CN" per Resolution of the Board of County Commissioners of Sarasota County, Florida Rezone Petition 82-42; thence N.01°08'16"W., along said easterly line of lands zoned "CN", a distance of 152.17 feet to the North line of the Northwest Quarter of the Southeast Quarter per monumentation found and the South line of Lemon Bay Plaza per monumentation found; thence N.88°51'44"E., along said South line of said South line of the Northwest Quarter of the Southeast Quarter per monumentation found and the South line of Lemon Bay Plaza per monumentation found, a distance of 355.90 feet to the POINT OF BEGINNING.

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. Future development of the subject parcel shall be consistent with all applicable conditions of the S.R. 776 Corridor Plan, (Ordinance No. 2003-049, as amended).

2. The location of the dumpster shall be a minimum of 200 feet from the east property line of the subject property.
3. Prior to Construction Authorization, a right turn lane warrant analysis shall be conducted. If warrants are met, the developer/owner shall construct a northbound to eastbound right turn lane at the intersection of Englewood Road (S.R. 776) and Whispering Pines Circle. The improvement shall be included in the construction plans for the subject development.
4. The Master Surface Water Management Plan shall be consistent with the Forked Creek Basin Master Plan.
5. The development shall be limited to a maximum of one single-story office building or one single-story medical facility. The building shall not exceed 25,000 square feet, exclusive of an atrium, covered or uncovered, that will not contain any habitable space.

Section 4. Effective Date. This Ordinance shall take effect upon filing with the Department of State.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 16th day of December, 2008.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Shannon Stave
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: Paula J. Mintoman
Deputy Clerk

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

SEAL THIS DATE 12/18/08
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY Paula J. Mintoman
DEPUTY CLERK

