

ORDINANCE NO. 2008 - 109

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; PROVIDING FOR THE ADOPTION OF AN AMENDMENT TO THE VILLAGE ACTIVITY CENTER AT THE INTERSECTION OF JACARANDA BOULEVARD AND VENICE AVENUE SECTOR PLAN NO. 83-04-SP; AND PROVIDING AN EFFECTIVE DATE.

RECORDS
SECTION
NOV 30 4:11:36
SARASOTA COUNTY
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. 05-37, 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 OUE-1 (Open Use Estate, 1 unit/5 acres) to RMF-3 (Residential, Multifamily, 13 units/acre) zone district for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being the north of East Venice Avenue and west of Fellsmere Road and being more particularly described as follows:

A part of Section 11, Township 39 South, Range 19 East, Sarasota County, Florida, and a portion of Tracts 82 through 84 and 87 through 96, VENICE FARMS, recorded in Plat Book 2, Page 179, Public Records of Sarasota County, Florida, described as follows:

Commence at the Northwest corner of Section 11, Township 39 South, Range 19 East, Sarasota County, Florida; thence S.00044'37"W., along the West line of said Section 11, a distance of 1329.55 feet; thence S.89°27'51 "E., a distance of 170.38 feet to the Easterly Right of Way line of Jacaranda Boulevard, according to the Order of Taking recorded in Official Records Book 1150, at Page 941, Public Records of Sarasota County, Florida; thence S.00035'14"W., along said Easterly Right of Way line of Jacaranda Boulevard, a distance of 33.00 feet to the Southerly Right of Way line of Hardee Drive (66 foot wide Public Right of Way), as shown on the plat of VENICE FARMS, recorded in Plat Book 2, Page 179, Public Records of Sarasota County, Florida; thence S.89°27'51 "E., a distance of 803.61 feet to the POINT OF BEGINNING; thence continue along said Southerly Right of Way line of Hardee Drive, S.89°27'51 "E., a distance of 1663.71 feet to the West Right of Way line of Fellsmere Road (66 foot wide Public Right of Way) as shown on said Plat of Venice Farms; thence S.00042'31 "W., along said West Right of Way line of said Fellsmere Road a distance of 1,798.68 feet to the North Right of Way line of Venice Avenue as shown on said Plat of Venice Farms; thence N.88°36'34"W., along said North Right of Way line of Venice Avenue, a distance of 602.13 feet; thence S.01 °26'51 "W., a distance of 1 0.00 feet to the North Right of Way line of Venice Avenue as shown on Maintained Right of Way Map, recorded in Road Plat Book 2, Page 43, Public Records of Sarasota County, Florida; thence N.88°31 '47"W., a distance of 1201.43 feet; thence N.00035'14"E., leaving said North Right of Way of Venice Avenue a distance of 691.79 feet; thence S.89°32'06"E., a distance of 143.62 feet; thence N.00035'14"E., parallel with said Easterly Right of Way line of Jacaranda Boulevard, a distance of 1090.63 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. Development shall be consistent with applicable conditions of Sector Plan No. 83-04-SP.

2. A minimum 20 foot wide perimeter buffer shall be provided around the northern and western perimeter of the development, a minimum 25 foot wide perimeter buffer shall be provided around the southern perimeter of the development consistent with the East Venice Avenue Plan, and a minimum 30 foot wide perimeter buffer shall be provided around the eastern perimeter of the development. The minimum project boundary buffer along the eastern parcel boundary shall be 0.60 opacity.
3. Access to a full median opening on Venice Avenue shall be no closer than 1,320 feet east of the intersection of Jacaranda Boulevard and Venice Avenue.
4. Prior to or concurrent with development of the subject parcel, the developer shall construct an eastbound to northbound left turn lane at the project's access on Venice Avenue. The left turn lane shall be designed in accordance with Indexes 301 and 526 of the Florida Department of Transportation's Design Standards. The improvements shall be included in the construction plans for the subject development.
5. At the time Sarasota County Area Transit (SCAT) service is available on Venice Avenue east of Jacaranda Boulevard, the developer and/or owner shall construct an ADA accessible bus stop pad and shelter facility, including a bus bay/bus pull-off. The facility shall be connected to the public sidewalk and any adjacent development. The exact location and design of the facility will be determined during the Site and Development review process in coordination with SCAT.
6. The Master Surface Water Management Plan shall be consistent with the Curry Creek Basin Master Plan.
7. Development within 300 feet of the eastern parcel boundary shall be limited to a maximum of 35 feet in height above finished grade. Development within the area between 300 feet and 600 feet from the eastern parcel boundary shall be limited to a maximum of 45 feet in height above finished grade. The rest of the development from the eastern parcel boundary shall be limited to a maximum of 45 feet in height plus 12 feet of parking above finished grade.
8. The subject property shall have and maintain access to Jacaranda Boulevard that meets local street development standards.
9. Direct access to Fellsmere Road from the subject property is prohibited.
10. Buildings within 100 feet of the eastern parcel boundary shall be limited to a maximum of three (3) dwelling units per building.
11. The development is limited to a maximum of 757 development units.

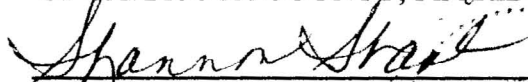
Section 4. Adoption of an Amendment to the Sector Plan for the Village Activity Center at the Intersection of Jacaranda Boulevard and Venice Avenue, No. 83-04-SP. Pursuant to the Sarasota County Comprehensive Plan and the Critical Area Planning Regulations adopted by Sarasota County Ordinance No. 97-074, Article IV, Chapter 94 of the Sarasota County Code and based upon the evidence and testimony and forgoing findings, the Board hereby redesignates the subject parcel from Low Density Residential to Office Multi-Family Residential and adopts the revised Sector Plan

“Exhibit A.”

Section 5. 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 28 day of October, 2008.

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

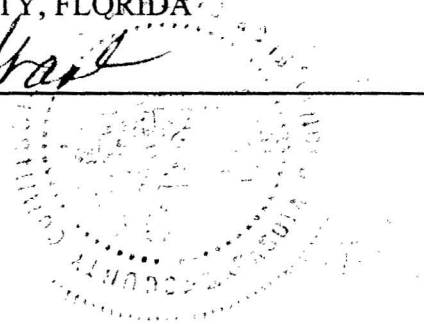
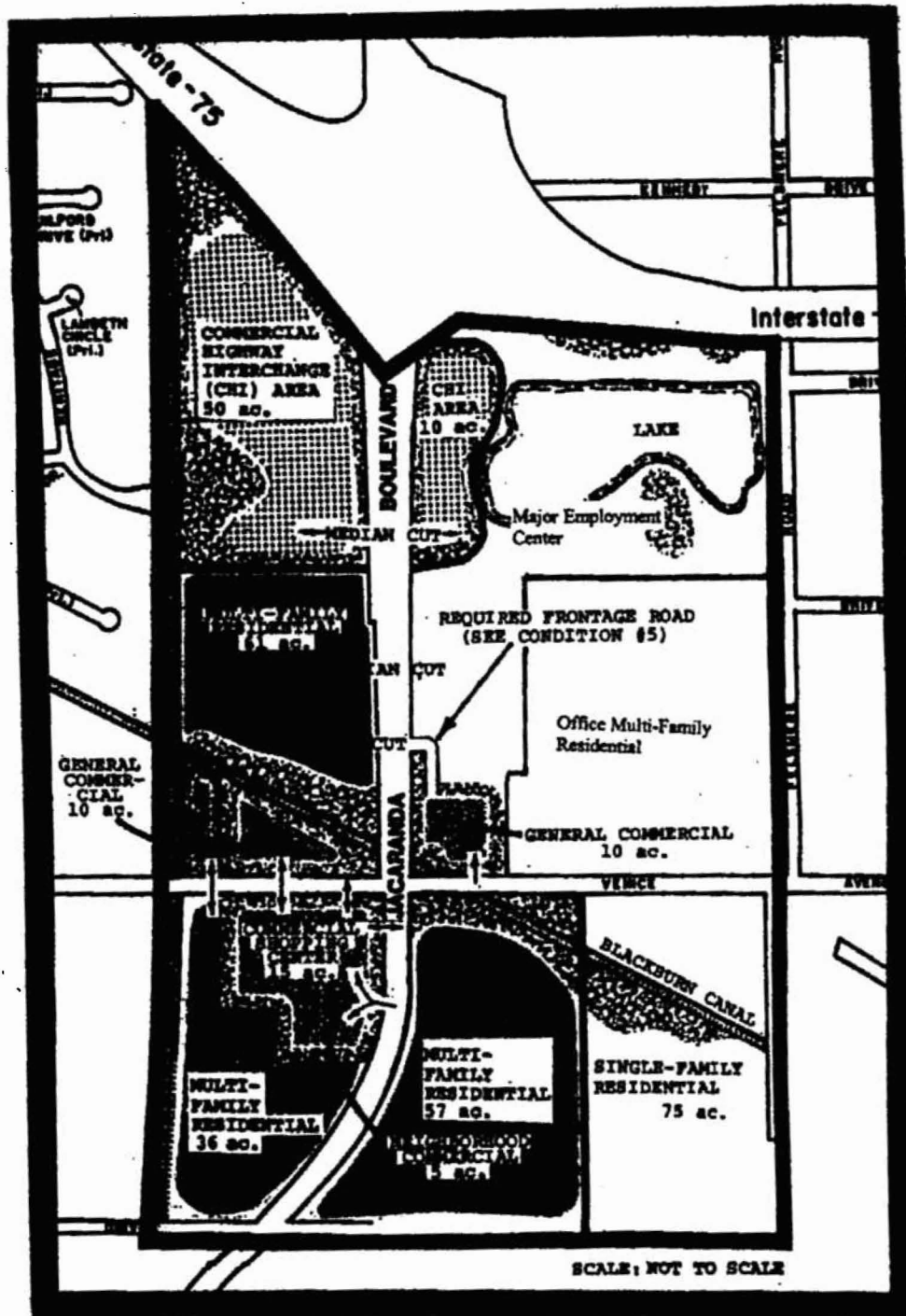


EXHIBIT "A"

FIGURE 3
 ADOPTED LAND USE MAP FOR SECTOR PLAN NO. 83-03-SF
 AND SECTOR PLAN NO. 83-04-SF (ORDINANCE NO. 90-90)



LAND USE ALLOCATION	GROSS ACREAGE
COMMERCIAL HIGHWAY INTERCHANGE	60 ac.
COMMERCIAL	40 ac.
MULTI-FAMILY RESIDENTIAL	154 ac.
(NO SCREEN) SINGLE-FAMILY RESIDENTIAL	245 ac.

SEWER P.P. & L. BASEMENT
 (Approx. 170' Wide
 Buffer Area
 Including Habitat Reserve)
 SECTOR PLAN BOUNDARY
 ACCESS POINT
 LAND USE BOUNDARY

SEAL THIS DATE 10/30/08
 KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
 EX-OFFICIO CLERK TO THE BOARD OF COUNTY
 COMMISSIONERS, SARASOTA COUNTY, FLORIDA

