

ORDINANCE NO. 2007 - 046

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.

2007 JUN 28 AM 8:04
BOARD RECORDS
FILED FOR PUBLIC

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. 07-03, 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 OPI (Office, Professional and Institutional) CG (Commercial General) to CG (Commercial General) for the following described property located in Sarasota County, Florida:

Northwest corner of Albee Road and U.S. 41 – Nokomis and being more particularly described as follows:

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PARCEL 1:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 36; THENCE NORTH 00°25' WEST 678 FEET, THENCE WEST ALONG THE NORTH RIGHT-OF-WAY OF ALBEE ROAD 423 FOR A POINT OF BEGINNING; THENCE NORTH 00°25' WEST 624 FEET; THENCE WEST 236 FEET; THENCE SOUTH 00°25' EAST 624 FEET; THENCE EAST 236 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN O.R. BOOK 694, PAGE 210, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, TO-WIT:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 38 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA; THENCE NORTH 00°17'20" EAST, 678 FEET; THENCE NORTH 89°17'20" WEST 72 FEET TO THE NORTHWEST INTERSECTION OF ALBEE ROAD (50-FOOT R/W) AND STATE ROAD No. 45(204-FOOT R/W) FOR A POINT OF BEGINNING; THENCE CONTINUE NORTH 89°17'20" WEST ALONG THE NORTH LINE OF ALBEE ROAD, 351 FEET; THENCE NORTH 00°13'01" EAST, 205.95 FEET; THENCE SOUTH 89°45'50" EAST, 351.24 FEET TO THE WESTERLY R/W LINE OF STATE ROAD No. 45; THENCE SOUTH 00°17'20" WEST, 208.85 FEET TO THE POINT OF BEGINNING.

ALL LYING AND BEING IN SECTION 36, TOWNSHIP 38 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA.

LESS ADDITIONAL RIGHT-OF-WAY FOR ALBEE ROAD DESCRIBED IN OFFICIAL RECORDS INSTRUMENT #2002148424, & OFFICIAL RECORDS INSTRUMENT # 2002205674 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. Development shall take place in substantial compliance with the Development Concept Plan dated March 28, 2007. This does not imply or confer any variances from applicable zoning or land development regulations.

2. Development of the subject parcel shall be consistent with all applicable conditions of the Nokomis Center Revitalization Plan (Ordinance No. 2001-008).
3. Vaulted stormwater facilities shall include above ground stormwater treatment in all Site and Development Plans and Construction Plans.
4. Access to the property from U.S. 41 shall be limited to right-in only.
5. Development shall be connected to and served by central water and sewer. The subject parcel shall be required to connect to Sarasota County Environmental Utilities for water and sewer. Connections shall be made to existing water and sewer lines on Albee Road.
6. If the construction of the master lift station necessary to serve the development is not completed by other parties prior to construction plan approval for the subject parcel, the developer shall complete construction of the master lift station pursuant to Sarasota County's final design specifications. These improvements shall be included in the construction plans for the proposed development and shall be made subject to a development agreement or oversize agreement.
7. The buildings approved for the subject parcel as depicted on the Development Concept Plan shall be constructed using the green building principles consistent with the standards of the Sarasota County Green Building Program outlined in Sarasota County Resolution No. 2005-048.

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 26th day of JUNE, 2007

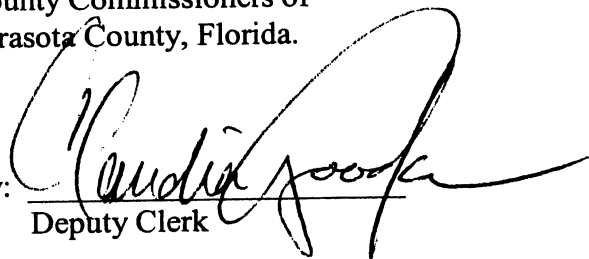
BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA



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