

2008 JUL 25 AM 10:36

ORDINANCE NO. 2008-067

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

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 Rezone Petition No. 07-07, 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 District OUE-1 (Open Use Estate, 1 unit/5 acres) to District RSF-4/PUD

(Residential, Single Family, 5.5 units/acre/Planned Unit Development Overlay) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being south of East Venice Avenue and 650 feet west of Havana Road and being more particularly described as follows:

TRACTS 131 AND 136, VENICE FARMS. ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 179, 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. Development shall take place in substantial compliance with the Development Concept Plan date stamped February 14, 2008 and attached hereto as Exhibit "A," except as necessary to comply with the stipulations herein. This does not imply or confer any variances from applicable zoning or land development regulations.
2. The following modifications on the Development Concept Plan date stamped February 14, 2008 shall be permitted:
 - Modification of eastern side yard buffer from 15 feet to 10 feet,
 - Waiver of Condition Nos. 4.10.7.e.3.iii.(a), (b) and (c) of East Venice Avenue Overlay requiring upgrading of platted roads (Gladesview Drive), and
 - Waiver of Condition No. 4.10.7.e.3.v.(a) of East Venice Avenue Overlay regarding multi-use trails with upgrading of the platted roads (along Gladesview Drive).
3. Prior to Construction Authorization, the improvements to the Jacaranda Boulevard and Venice Avenue intersection (the "improvements") as contained in the County's Capital Improvements Plan shall have available transportation facility capacity consistent with the Concurrency Management Regulations.
4. The County will close the full median opening on Venice Avenue from the subject parcel when Venice Avenue is widened to a four-lane roadway.
5. The Master Surface Water Management Plan shall be consistent with the Curry Creek Basin Master Plan.
6. Prior to receiving Site and Development approval, the Developer shall make provisions within the design of the central utility system to interconnect utility lines through the cross access points to neighboring developments to prevent the creation of an isolated system.

7. The Developer shall be responsible for all off-site improvements necessary to accommodate the flows from this development.
8. Prior to site and development approval the owner/applicant shall commission, and provide the results of an environmental site assessment (Phase I and Phase II as necessary) demonstrating the presence/absence of environmental contamination on the subject property. The developer shall take all appropriate actions required by county, state, and federal agencies in the event that contamination is found on the subject parcel. These actions shall be performed prior to the commencement of site development.
9. The subject parcel shall be developed using Mediterranean Tuscan design style architecture.
10. The clubhouse as depicted on the Development Concept Plan date stamped February 14, 2008, and attached hereto as Exhibit A shall be capable of serving as a hurricane shelter for residents living in the Bella Mia Village development.
11. The project buildings shall be constructed using green building principles, consistent with the standards of the Sarasota County Green Building Program as outlined in Sarasota County Resolution No. 2005-048.
12. The Developer shall construct a full access to/from Gladesview Drive. The developer shall not be required to improve Gladesview Drive.
13. A minimum .3 opacity landscape buffer shall be provided along the southern property boundary along Gladesview Drive, and shall be maintained in a natural state.

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 22nd day of July, 2008.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA



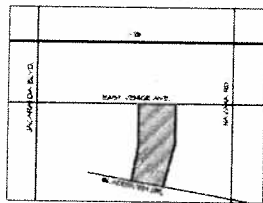
Chair

ATTEST:

KAREN E. RUSHING, Clerk of
the Circuit Court and Ex-
Officio Clerk of the Board of
County Commissioners of
Sarasota County, Florida.

By: Paula J. Montoman
Deputy Clerk

LPI LEGEND	
	PROPERTY LINE
	BUFFER & SETBACK

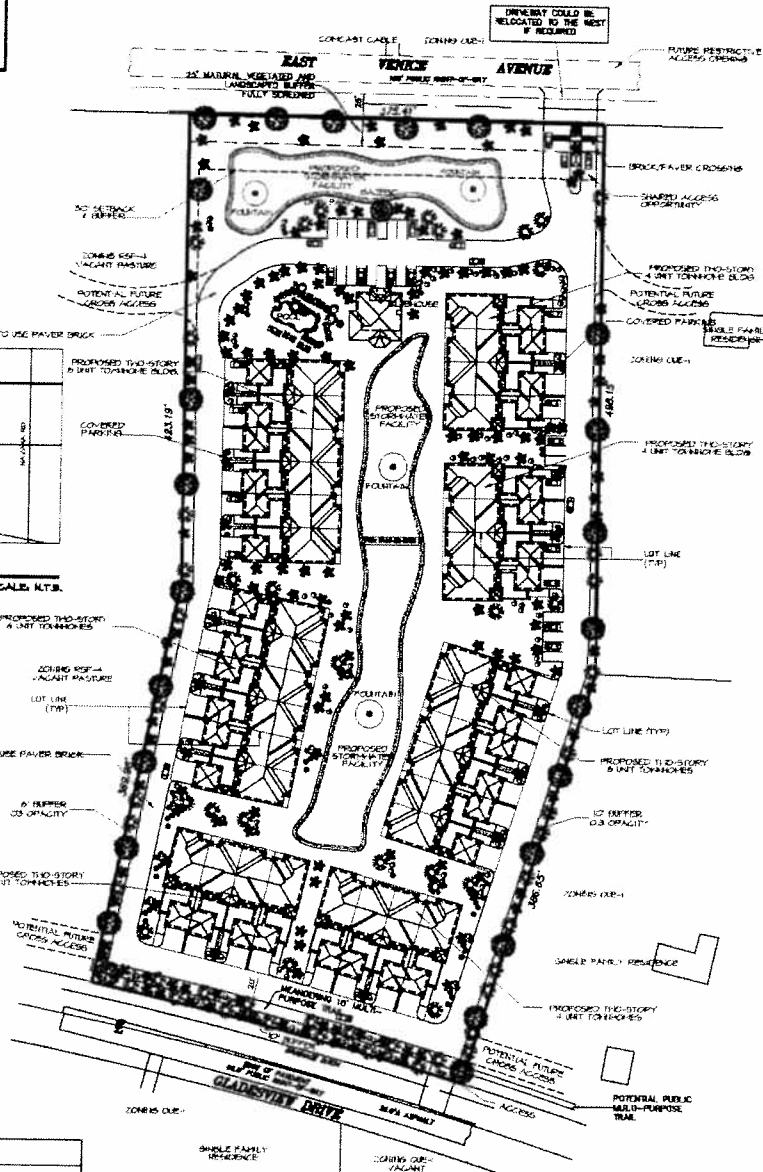


LOCATION MAP

SCALE, N.T.S.



GRAPHIC SCALE



REQUESTED PUD MODIFICATIONS

- Request waiver of Condition No. 4.10.7.a.2.B. (a), (b) and (c) of Ordinance No. 2008-088 regarding upgrading 18 alleys to roads.
- Request waiver of Condition No. 4.10.7.a.2.C. (a) of Ordinance No. 2008-088 regarding multi use trails with upgraded platted roads.

BELLA MIA VILLAGE
VENICE, FLORIDA

EXHIBIT A
DEVELOPMENT CONCEPT PLAN (BINDING)

REVISED 11/30/07, 01/18/08, 02/14/08

SITE DATA & NOTES	
EXISTING SITE AREA:	22.00 ACRES
EXISTING USE:	SINGLE FAMILY NON/AGRICULTURE FUTURE LAND
EXISTING ZONING:	ONE-4 OPEN USE ESTABLISHING (SINGLE-FAMILY RES.)
FUTURE LANE, USE PLAN OR ZONATION:	LOW DENSITY RESIDENTIAL TRAIL, CONCEPTUALLY PROGRESSING SHALL AREA COMPREHENSIVE PLAN ALIGNMENT TO REDESIGNATE MODERATE DENSITY RESIDENTIAL
PROPOSED ZONING:	RSP-4 RESIDENTIAL SINGLE-FAMILY (14 UNITS PER ACRE)
PROPOSED USE:	RESIDENTIAL DEVELOPMENT
PROPOSED DENSITY:	30 CONDENSED UNITS AND ASSOCIATED ON-SITE AMENITIES
PROPOSED PARKING:	1.06 OF BELONGING UNITS PER ACRE
PROPOSED OPEN SPACE:	APPROX. 82 PARKING SPACES
MAXIMUM BUILDING HEIGHT:	35 TO 40 FEET OR ROOF
ARCHITECTURAL STYLE:	TRADITIONAL MEDITERRANEAN
NOTES:	1. ALL EXISTING UTILITIES TO BE REMOVED 2. EXISTING TREES TO BE REMOVED TO THE MAXIMUM EXTENT FEASIBLE 3. ANY EXISTING WELLS TO BE CAPPED & REPORTED TO THE HEALTH DEPARTMENT 4. ALL UTILITIES SHALL BE DETAILING DRAWINGS

Date stamped February 14, 2008

02108-0117

