

2008 JUN 16 10:53 AM
KARL E. JOHNSON
CLERK OF COUNTY
SARASOTA
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. 07-09, 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 RE-1 (Residential Estate, 1 unit/2 acres) to District OPI/PD (Planned Office, Professional, and Institutional for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being south of University Parkway and east of Tuttle Avenue and being more particularly described as follows:

Lot 1, Block D, Desoto Acres, as per plat thereof recorded in Plat Book 4, Page 41 and 42, of the Public Records of Sarasota County, Florida; LESS AND EXCEPT that portion of Lot 1, Block D, conveyed to Sarasota County, by

Warranty Deed recorded in Official Records Instrument #2004164060, Public records of Sarasota County, Florida

and

The West 177.56 feet of Lot 2, Block D, Desoto Acres, as per plat thereof recorded in Plat Book 4, Page 41 and 42, 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 occur in substantial accordance with the Development Concept Plan date stamped October 18, 2007, and attached hereto as Exhibit "A", except as necessary to comply with the stipulations herein. This does not imply or confer any variance from applicable zoning or land development regulations.
2. All development shall be consistent with the adopted University Parkway Corridor Plan – West No. 92-01-SP-West.
3. Provided at subsequent review of the proposed development of the subject parcel seeking issuance of Final Development Order there shall be a determination that the below improvement is necessary to restore acceptable Level of Service prior to or concurrent with development of the subject parcel, the developer shall construct an eastbound to southbound right turn lane at the intersection of Tuttle Avenue and Desoto Road. The right turn lane shall be designed in accordance with Indexes 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 development.
4. During Site and Development the Developer shall provide a planting plan for the proposed conservation and restored open space areas consisting of pine flatwood species.

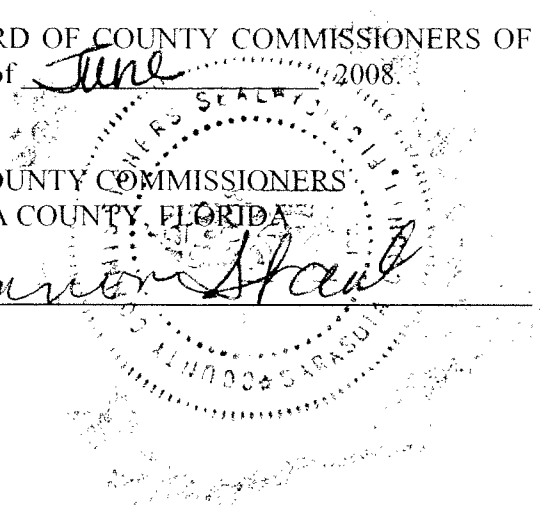
02008-0711

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 June, 2008.

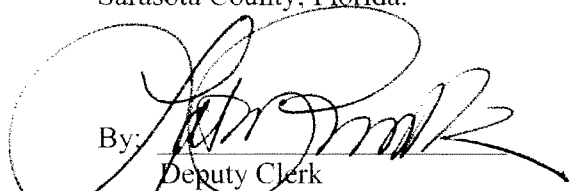
BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


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

02008-071

