

ORDINANCE NO. 2008-003

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 AMENDMENT OF THE ZONING ATLAS; PROVIDING RESTRICTIONS, STIPULATIONS AND SAFEGUARDS; PROVIDING AN EFFECTIVE DATE.

2008 APR 23 PM 4:36

BOARD RECORDS
FILED FOR RECORD

OFFICE OF THE CLERK
SARASOTA COUNTY
FLORIDA

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS 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. 07-14, 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 RSF-2 (Residential, Single-Family, 3.5 units/ acre) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being:

DEPARTMENT OF
TALLAHASSEE, FL

2008 APR 28 PM

FILED

The North ½ of the North ½ of Lot 6, Block 1, Sarasota Venice Company's Subdivision of Section 11, Township 37 South, Range 18 East, according to the map or plat thereof as recorded in Plat Book A, Page 70, Public Records of Sarasota County, Florida.

and

The South ½ of the North ½ of Lot 6, Block 1, Sarasota Venice Company's Subdivision of Section 11, Township 37 South, Range 18 East, according to the map or plat thereof as recorded in Plat Book A, Page 70, 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. Prior to Construction Authorization, the Ashton Road and Honore Avenue intersection shall meet criteria to find the intersection has available transportation facility capacity for the proposed project consistent with the Concurrency Management Regulations (Chapter 94, Article VII, Exhibit A, Sarasota County Code).
2. Prior to or concurrent with development of the subject parcel, Bliss Road shall be widened to two 11-foot wide travel lanes and resurfaced over the entire roadway. The improvements shall be completed between the asphalt cross section of Proctor Road and the subject parcel's access. Transition from the improved cross section to the existing pavement shall be provided south of the access. The improvements shall be included in the construction plans for the proposed development.
3. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.
4. The developer shall extend an 8" diameter potable water line the full frontage of the property along Bliss Road. The internal potable water line shall be looped with the parcel to the north.
5. Development shall connect to the sanitary sewer system by extending a gravity collection system terminating at the lift station serving the parcel to the north.
6. The Applicant shall provide a six foot high wall or PVC fence along the southern property line of the project, not including the area of the southern property line adjacent to Lot 13 as identified on the non-binding Development Concept Plan

date stamped May 2, 2007, in addition to the landscaping required under Section 7.3.8. of the Zoning Regulations for project boundary buffers. All required landscaping shall be located between the fence and the Applicant's property line, and the height of the fence will be measured from the highest proposed grade within the buffer area of the approved construction plan. The responsibility for maintenance of the required buffer and wall or fence shall remain with the owners of the property, his or her successors, assignees or consenting grantees.

7. All trees designated by Resource Protection staff as Grand Trees shall be preserved, unless it is determined by staff that the tree(s) may adversely affect the public's health, safety and welfare.
8. The owner shall record in the Public Records of Sarasota County, Florida, a Notice of Proximity to OUE-1 zoned property to the south. The Notice shall be submitted to Sarasota County and recorded at the time of the recording of a final plat or condominium plat survey and the O.R. Book and Page shall be set forth within such plat. The Notice shall also be referenced as a part of all Deed Restrictions and Condominium Documents. The Notice shall indicate a description of rural uses allowed in the OUE-1 zone district.

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.

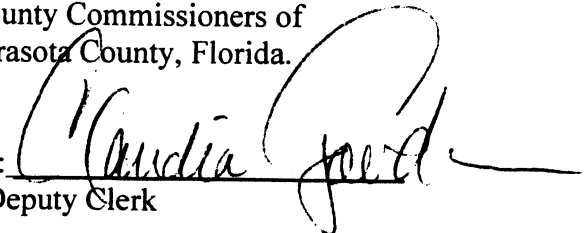
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 22nd day of April, 2008.

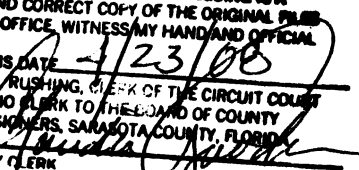
BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


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

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 4/23/08
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY: 
DEPUTY CLERK

