

ORDINANCE NO. 2007 - 099

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.

BOARD RECORDS
FILED FOR RECORD
2007 SEP 18 10 03 21 AM
SARASOTA COUNTY

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. 07-16, 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-3 (Residential Single Family, 4.5 units/acre) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being the Northeast Quadrant of Honore Avenue and Proctor Road and being more particularly described as follows:

THE WEST ONE-HALF OF LOT 8, BLOCK 3, LESS THAT PORTION CONTAINED IN ROAD BOOK 2, PAGE 24, ORDER OF TAKING AS DESCRIBED IN OFFICIAL RECORDS BOOK 2486, PAGE 75 AND OFFICIAL RECORDS BOOK 2634, PAGE 2601, SARASOTA – VENICE COMPANY SUBDIVISION OF SECTION 1, TOWNSHIP 37 SOUTH, RANGE 18 EAST, PLAT BOOK “A”, PAGE 12, 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:

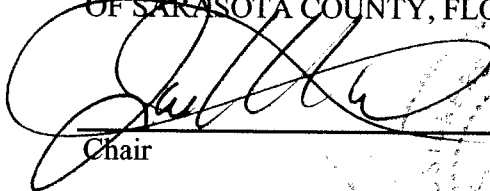
1. Access to Honore Avenue shall be limited to right-in/right-out only.
2. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.
3. Landscape buffers shall be provided as follows:
 - a. The north property line landscape buffer shall be 50 percent or greater opacity and 25-foot wide, and maintained in a natural state, with the exception of adding supplemental native species, if necessary, to ensure 50 percent or greater opacity is maintained.
 - b. The east property line landscape buffer shall be 50 percent or greater opacity and 25-foot wide, next to the developed portion of the site, and maintained in a natural state, with the exception of adding supplemental native species, if necessary, to ensure 50 percent or greater opacity is maintained.
4. A minimum of fifty percent (50%) of the subject parcel shall be maintained as open space.
5. The property shall be developed as a cluster subdivision but shall not include stacked townhouses, as otherwise permitted housing type in the RSF-3 zoning district.
6. No homes shall exceed 30 feet in height as measured to the midpoint of the roof.
7. No more than eight dwelling units shall be constructed on the subject parcel.
8. Residential development shall take place in substantial compliance with the Development Concept Plan date stamped September 12, 2008 and attached hereto as Exhibit “A.” This does not imply or confer any variances from applicable zoning or land development regulations.

9. The Development Concept Plan date stamped September 12, 2008 and attached hereto as Exhibit "A" depicts eight zero lot line single-family residences. The developer, however, may modify the plan to accommodate eight zero lot line or detached single-family residences as long as the development area on the Development Concept Plan is not expanded. Furthermore, should the two units as depicted at the southwest portion of the property be unable to be located on the southwest portion of the parcel due to avoidance or minimization of wetland impacts, the units may be relocated to the northern portion subject to the 25 foot buffer without the relocation being considered a major modification.

Section 4. 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 10 day of September, 2008.

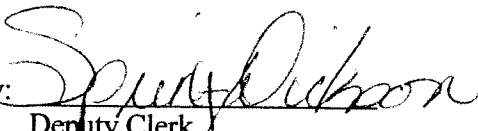
BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA



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

