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DEPARTMENT OF COUNTY RECORDS
TALLAHASSEE, FLORIDA

BOARD RECORDS
FILED FOR RECORD
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ORDINANCE NO. 2008-011

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. 07-17, 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 RSF-1 (Residential, Single Family, 2.5 units/acre) to District RSF-3 (Residential, Single Family, 4.5 units/acre) for the following described property located in Sarasota County, Florida:

2008 011

The legal description of said property in Sarasota County, Florida, being the northwest corner of W. Bay Street and Pine Street (Avenue), Osprey and being more particularly described as follows:

Begin at the SE corner of the SE ¼ of the SW ¼ of Section 3, Township 38 South, Range 18 East, thence West 410.8 feet for a point of beginning, thence North 283.5 feet along the West side of Pine Street to an iron stake, thence West 577.1 feet to the waters of Little Sarasota Bay; thence Southerly along the high water mark of said Bay 316.5 feet; thence 512 feet to the point of beginning, saving and excepting there from a 12 foot strip on the South side of the above described property.

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:

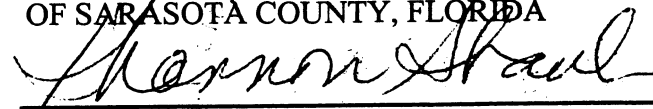
1. Prior to or concurrent with the development of the subject parcel, West Bay Street shall be widened to two 11-foot wide travel lanes and be resurfaced over the entire width of the road from US 41 to Pine Avenue. The transition from the widened portion of East Bay Street to the existing portion shall occur west of the intersection with Pine Avenue. The improvement shall be included in the construction plans for the development.
2. Prior to or concurrent with the development of the subject parcel, Pine Avenue shall be widened to two 11-foot wide travel lanes and be resurfaced over the entire width of the road from West Bay Street to the proposed access. The transition from the widened portion of Pine Avenue to the existing portion shall occur north of the proposed access on Pine Avenue. The improvement shall be included in the construction plans for the development.
3. Development of the subject parcel shall be consistent with all applicable conditions of the Osprey Revitalization Plan (Ordinance No. 2005-017).
4. The subject parcel shall contain a maximum of thirteen (13) single family dwelling units.
5. Interior lots shall be a minimum of 8,500 square feet.
6. Water front lots shall be a minimum of 12,000 square feet.
7. The access way shall be located so as to minimize lights from exiting vehicles on adjacent homes.

8. Construction traffic shall enter and exit the subject parcel using Bay Street to and from U.S. 41.
9. The location of the stormwater management facility shall be located as shown on the Development Concept Plan, date stamped February 13, 2007.
10. Any two-story portion of a home built on lots 12 and 13 shall maintain a 35 foot setback off the north property line for a period of 15 years from date of approval.
11. Access shall not contain a traffic gate.
12. Pursuant to Section 66-79(c)(4) of the Sarasota County Code, in order to mitigate the impacts of the proposed development on the identified significant historic house and barn ("Historic Structures") located on the property adjacent to Pine Street, the Owner/Developer shall, within one hundred twenty (120) days of the date this rezoning approval becomes final, make a payment to a 501(c)(3) corporation approved by the History Center of the sum of Twenty Thousand Dollars (\$20,000) for use in furtherance of historic preservation activities in Sarasota County. This payment shall be considered as full mitigation for all adverse impacts on historic structures on this site.
13. 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.

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 20th day of MAY, 2008.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

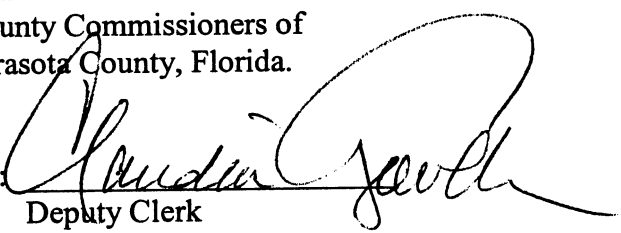


Chair

ATTEST:

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

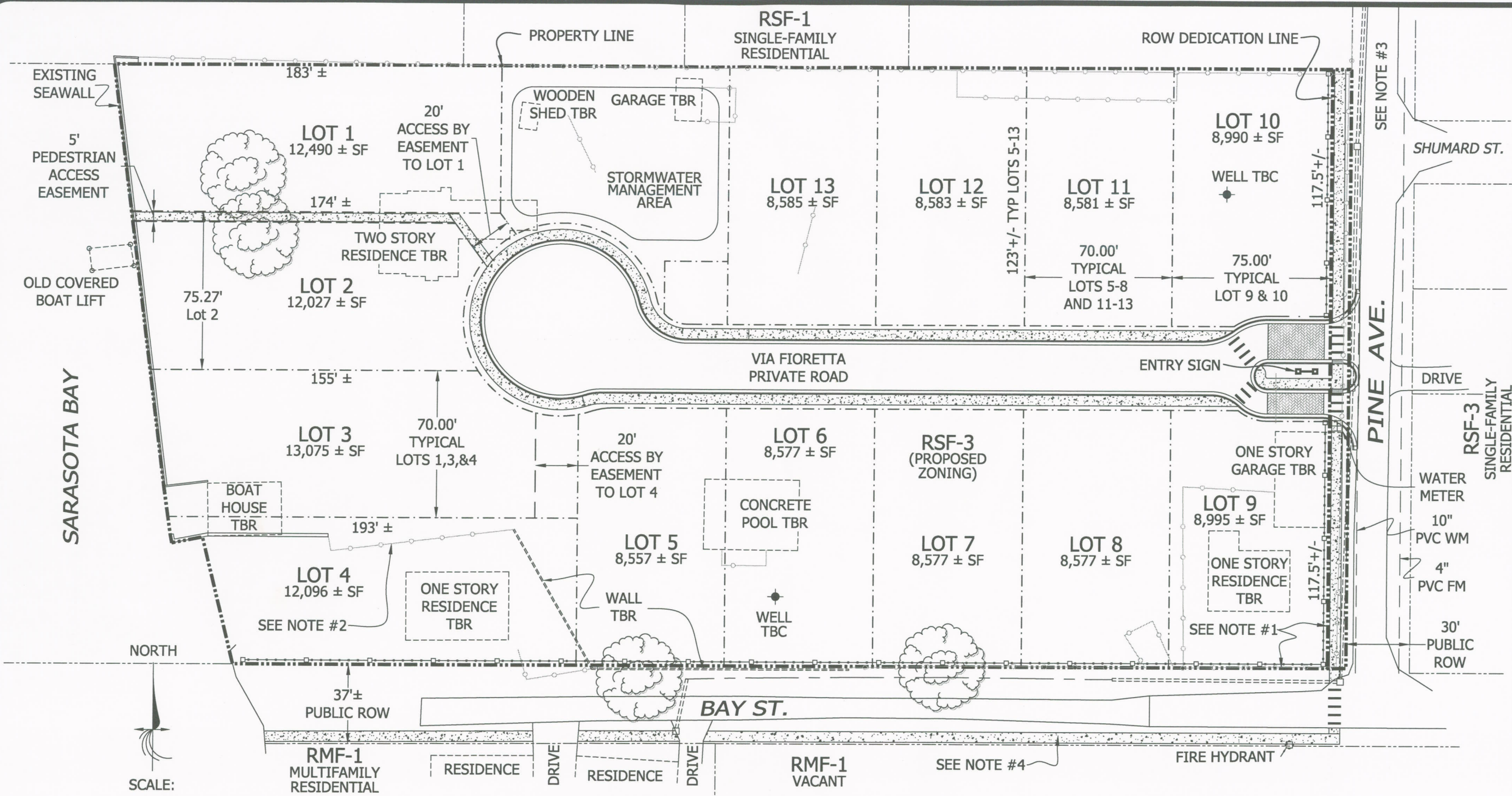
By:



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 5/29/08
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK OF THE BOARD OF COUNTY
COMMISSIONERS OF SARASOTA COUNTY, FLORIDA



- LEGEND**
- TBR = TO BE REMOVED
 - TBC = TO BE CAPPED
 - (Tree symbol) = GRAND TREE
 - = EXTERIOR PROPERTY BOUNDARY LINE
 - - - = INTERIOR PARCEL BOUNDARIES
 - = EXISTING OFF-SITE PROPERTY LINES
 - = PROPOSED FENCE
 - = EXISTING FENCE

PALM BAY SUBDIVISION

SITE DATA

EXISTING USE = SINGLE FAMILY RESIDENTIAL
 PROPOSED USE = SINGLE FAMILY RESIDENTIAL
 EXISTING ZONING = RSF-1 (2.5 DU/AC)
 PROPOSED ZONING = RSF-3 (4.5 DU/AC)
 PROPOSED LOTS = 13 SINGLE FAMILY (3.5 DU/AC)
 GROSS ACERAGE = 3.68 ACRES
 REQUIRED OPEN SPACE = 0 ACRES - NOT REQUIRED
 PHASING = SINGLE PHASE PROJECT
 EXISTING UTILITIES : 10" PVC WATER MAIN ON WEST SIDE OF PINE AVE.
 4" PVC SANITARY SEWER FORCE MAIN ON WEST SIDE OF PINE AVE.

- NOTES**
- #1 - 1' WIDE LIMITED ACCESS EASEMENT PROPOSED ON SOUTH AND EAST EXTERIOR PROPERTY BOUNDARY LINES.
 - #2 - EXISTING ON-SITE FENCING SHALL BE REMOVED.
 - #3 - PINE AVENUE IS DEFINED AS A CANOPY ROAD NORTH OF SHUMARD STREET.
 - #4 - PROPOSED 5' WIDE SIDEWALK ON WEST SIDE OF PINE AVE. AND SOUTH SIDE OF BAY ST.

Steven M. Houghton, P.E.
Florida Registration No. 22577

Seal

Steven M. Houghton, P.E., Inc.
6516 Superior Avenue
Sarasota, Florida 34231
Phone: (941) 927-0834
Fla. EB Certificate # 5427

ACAD

Stephany Inc.
2136 Gulf Gate Drive
Sarasota, Florida 34231

Palm Bay Subdivision

Date: 02/01/07	Scale: 1" = 50'	Sheet: 1 Of 1	Rev. X
Drawn By: R.J.S.			
Drawing No. 0602			