

**ORDINANCE NO. 2007 - 078**

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. 07-23, 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 PID (Planned Industrial Development) to District ILW (Industrial Light Manufacturing and Warehousing) for the following described property located in Sarasota County, Florida:

The legal description of said property which is the subject of Rezone Petition No. 07-23, is located in Sarasota County, Florida, being south of Clark Road and east of Honore Avenue, and being more particularly described as follows:

BEGIN AT THE NORTHWEST CORNER OF PREMISES DESCRIBED IN OFFICIAL RECORDS INSTRUMENT NO. 2001117143 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA (THE FOLLOWING FOUR CALLS ARE ALONG THE WESTERLY LINE OF SAID PREMISES AND THE EASTERLY LINE OF A 73 FOOT WIDE PERMANENT EASEMENT DESCRIBED IN OFFICIAL RECORDS INSTRUMENT NO. 2000060186 OF SAID PUBLIC RECORDS): THENCE S.00°34' 15"W., A DISTANCE OF 297.21 FEET TO THE POINT OF CURVE (PC) OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1190.73 FEET AND A CENTRAL ANGLE OF 02°56'43"; THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 61.21 FEET TO THE POINT OF REVERSE CURVE (PRC) OF A CURVE TO THE LEFT HAVING A RADIUS OF 1122.73 FEET AND A CENTRAL ANGLE OF 03°30'59"; THENCE SOUTHWESTERLY ALONG THE ARC, A DISTANCE OF 68.90 FEET; THENCE S.00°00'00"E. A DISTANCE OF 82.25 FEET; THENCE N.84°08'13"W., A DISTANCE OF 33.61 FEET; THENCE S.00°24'03"E. A DISTANCE OF 54.53 FEET; THENCE S.83°50'13"W., A DISTANCE OF 240.94 FEET; THENCE S.57°11'16"W., A DISTANCE OF 558.39 FEET TO THE NORTHERLY LINE OF PREMISES DESCRIBED AS PARCEL 123 "C" IN OFFICIAL RECORDS BOOK 2581 AT PAGE 2366 OF SAID PUBLIC RECORDS (THE FOLLOWING FOUR CALLS ARE ALONG SAID NORTHERLY LINE AND THE NORTHERLY AND EASTERLY LINES OF PALMER PARK OF COMMERCE RECORDED IN PLAT BOOK 35 AT PAGE 32 OF SAID PUBLIC RECORDS); THENCE N.66°57'45"W, A DISTANCE OF 1133.02 FEET; THENCE N.17°37'11"W. A DISTANCE OF 145.00 FEET; THENCE N.66°57'45"W., A DISTANCE OF 126.48 FEET; THENCE N.00°13'09"E., A DISTANCE OF 273.23 FEET TO THE SOUTHERLY LINE OF PREMISES DESCRIBED AS PARCEL 123 "A" IN OFFICIAL RECORDS BOOK 2581 AT PAGE 2366 OF SAID PUBLIC RECORDS (THE FOLLOWING TWO CALLS ARE ALONG SAID SOUTHERLY LINE); THENCE N.87°29'51"E., A DISTANCE OF 77.21 FEET; THENCE S.89°25'45"E., A DISTANCE OF 1874.02 FEET TO THE POINT OF BEGINNING.

LESS THAT PORTION OF THE ABOVE DESCRIBED PROPERTY IN WARRANTY DEED TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RECORDED IN INSTRUMENT NUMBER 2003170117, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

LESS THAT PORTION OF THE ABOVE DESCRIBED PROPERTY IN WARRANTY DEED TO NORTHRIDGE DEVELOPMENT, LLC RECORDED IN INSTRUMENT NUMBER 2002026011, 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 of the subject parcel shall be consistent with all applicable conditions of the Clark Road Corridor Plan (Ordinance No. 95-020).
2. The developer shall provide an ADA-compliant bus stop shelter and 2 bicycle racks along the subject parcel's Clark Road frontage. The details shall be included in the construction plans for the subject development.
3. The Master Surface Water Management Plan shall be consistent with the Catfish Creek Basin Master Plan.
4. The developer shall extend the existing 6" diameter potable water line located on the east side of the property for water service to the property. No additional connections to the existing 20" diameter potable water transmission main are permitted.
5. The developer shall connect to the sanitary sewer system by extending the gravity collection system located on the east side of the property.
6. Any car wash facilities within the development shall incorporate a closed-loop recycle water system.
7. 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.

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 11th day of September 2007.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

Nora Patterson  
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. Clustman  
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 9/12/07  
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

By: Paula J. Clustman  
DEPUTY CLERK