

**ORDINANCE NO. 2008 -045**

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  
2009 APR -9 PM 7:56  
KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FL

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. 07-27, 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-2 (Open Use Estate, 1 dwelling/2 acres) to District RMF-2/PUD (Residential, Multifamily, 9 units/acre/Planned Unit Development) for the following described property located in Sarasota County, Florida:

FILED  
APR 14 PM 2:00  
KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA

The legal description of said property in Sarasota County, Florida, being north of Desoto Road and approximately 330 feet east of Honore Avenue and being more particularly described as follows:

**THE SOUTH ½ OF THE EAST ½ OF THE WEST ½ OF THE NW ¼ OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, LESS SOUTH 40 FEET FOR ROAD RIGHT-OF-WAY AND BEING IN SARASOTA COUNTY, FLORIDA.**

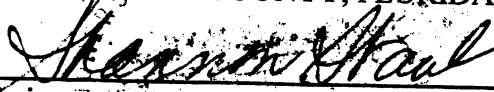
**Section 3. Restrictions, Stipulations and Safeguards.** As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section 2 and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations 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. All future development shall be consistent with the adopted University Parkway Corridor Plan – East (No. 92-01-SP-East) as adopted by Ordinance No. 2001-027.
2. Development shall occur in substantial accordance with the Development Concept Plan date stamped August 21, 2007, attached hereto as Exhibit "A", except as necessary to comply with the stipulations herein. This does not imply nor confer any variances from applicable zoning or land development regulations.
3. Development shall be limited to a maximum of 6.17 dwelling units per acre.
4. Prior to or concurrent with development of the subject parcel, Desoto Road shall be constructed as a divided, two-lane arterial from Honore Avenue to North Cattlemen Road.
5. Access to Desoto Road shall be restricted to right-in/right-out.
6. At the time Sarasota County Area Transit (SCAT) service is available on Desoto Road, the developer and/or owner shall construct an ADA Accessible Bus Stop Pad and Shelter Facility. The facility shall be connected to the public sidewalk and any adjacent development. The facility shall be located along the frontage of Desoto Road between the proposed access and the start of the westbound to northbound right turn lane. The exact location and design of the facility will be determined during the Site and Development review process in coordination with SCAT.
7. The Developer shall design and construct a sanitary sewer system to service the proposed project that connects to the central sewer system by means of a centrally located lift station.

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 5<sup>th</sup> day of April, 2008.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

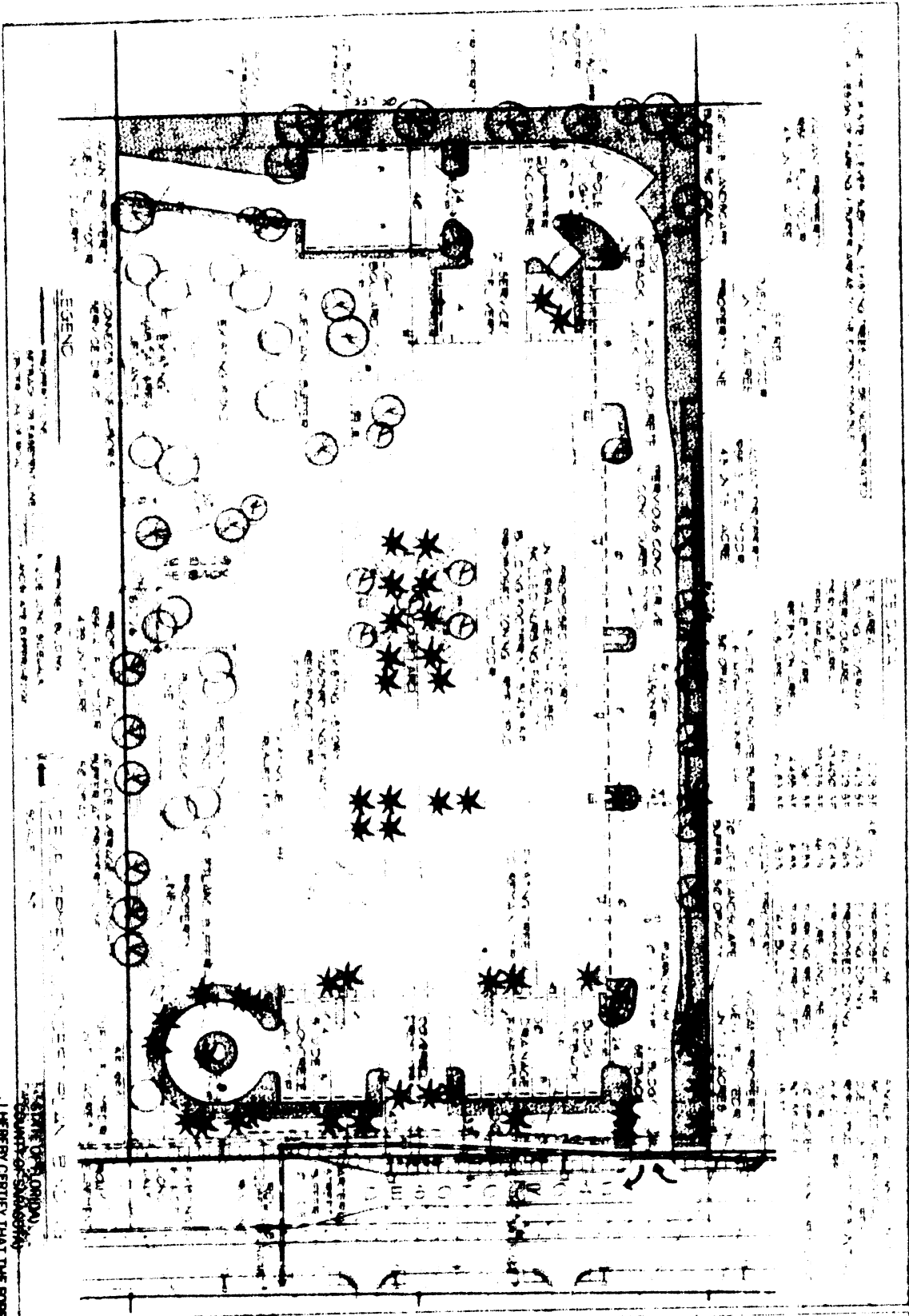
  
Chair

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

EXHIBIT A



LEGEND

1. EXISTING TREES  
 2. PROPOSED TREES  
 3. PROPOSED PLANTINGS  
 4. PROPOSED LANDSCAPING  
 5. PROPOSED BUILDING FOOTPRINT  
 6. PROPOSED DRIVEWAY  
 7. PROPOSED SIDEWALK  
 8. PROPOSED FENCE  
 9. PROPOSED LIGHT FIXTURES  
 10. PROPOSED UTILITY LINES  
 11. PROPOSED EROSION CONTROL MEASURES  
 12. PROPOSED SIGNAGE  
 13. PROPOSED BENCHES  
 14. PROPOSED BIKE RACKS  
 15. PROPOSED TRASH ENCLOSURES  
 16. PROPOSED WATER FEATURES  
 17. PROPOSED SEATING  
 18. PROPOSED PLAY EQUIPMENT  
 19. PROPOSED ART INSTALLATIONS  
 20. PROPOSED SOUND BARRIERS  
 21. PROPOSED SECURITY LIGHTS  
 22. PROPOSED EMERGENCY LIGHTS  
 23. PROPOSED ACCESSIBLE PATHWAYS  
 24. PROPOSED BIKEWAYS  
 25. PROPOSED PEDESTRIAN CROSSINGS  
 26. PROPOSED VEHICLE CROSSINGS  
 27. PROPOSED TRAFFIC SIGNALS  
 28. PROPOSED STOP SIGNS  
 29. PROPOSED YIELD SIGNS  
 30. PROPOSED SPEED LIMIT SIGNS  
 31. PROPOSED WARNING SIGNS  
 32. PROPOSED INFORMATION SIGNS  
 33. PROPOSED DIRECTIONAL SIGNS  
 34. PROPOSED REGULATORY SIGNS  
 35. PROPOSED ARTISTIC SIGNS  
 36. PROPOSED COMMUNITY SIGNS  
 37. PROPOSED HISTORIC SIGNS  
 38. PROPOSED CULTURAL SIGNS  
 39. PROPOSED ENVIRONMENTAL SIGNS  
 40. PROPOSED SCENIC SIGNS  
 41. PROPOSED RECREATION SIGNS  
 42. PROPOSED EDUCATIONAL SIGNS  
 43. PROPOSED RESEARCH SIGNS  
 44. PROPOSED INTERPRETIVE SIGNS  
 45. PROPOSED MONITORING SIGNS  
 46. PROPOSED MANAGEMENT SIGNS  
 47. PROPOSED PROTECTION SIGNS  
 48. PROPOSED RESTRICTION SIGNS  
 49. PROPOSED DANGER SIGNS  
 50. PROPOSED CAUTION SIGNS  
 51. PROPOSED NO ENTRY SIGNS  
 52. PROPOSED NO PARKING SIGNS  
 53. PROPOSED NO STOPPING SIGNS  
 54. PROPOSED NO LOADING SIGNS  
 55. PROPOSED NO UNLOADING SIGNS  
 56. PROPOSED NO RIGHT TURN SIGNS  
 57. PROPOSED NO LEFT TURN SIGNS  
 58. PROPOSED NO U-TURN SIGNS  
 59. PROPOSED NO SWERVING SIGNS  
 60. PROPOSED NO OVERTAKING SIGNS  
 61. PROPOSED NO PASSING SIGNS  
 62. PROPOSED NO TRUCKS SIGNS  
 63. PROPOSED NO TRAILERS SIGNS  
 64. PROPOSED NO BUSES SIGNS  
 65. PROPOSED NO MOTORCYCLES SIGNS  
 66. PROPOSED NO BICYCLES SIGNS  
 67. PROPOSED NO SKATEBOARDS SIGNS  
 68. PROPOSED NO IN-SKATE SIGNS  
 69. PROPOSED NO WHEELCHAIRS SIGNS  
 70. PROPOSED NO STROLLERS SIGNS  
 71. PROPOSED NO CARRIAGES SIGNS  
 72. PROPOSED NO HORSE CARRIAGES SIGNS  
 73. PROPOSED NO ROLLER SKATES SIGNS  
 74. PROPOSED NO SCOOTERS SIGNS  
 75. PROPOSED NO KICKSCOOTERS SIGNS  
 76. PROPOSED NO MOTOR VEHICLES SIGNS  
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 99. PROPOSED NO KICKSCOOTERS SIGNS  
 100. PROPOSED NO MOTOR VEHICLES SIGNS

Keefe Architects inc.

I HEREBY CERTIFY THAT THE FOREGOING IS A  
 TRUE AND CORRECT COPY OF THE ORIGINAL FILES  
 IN THIS OFFICE WITNESS MY HAND AND OFFICIAL  
 SEAL THIS DATE April 10, 2008  
 KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
 BY OFFICIO CLERK TO THE BOARD OF COUNTY  
 COMMISSIONERS, SARASOTA COUNTY, FLORIDA  
 Karen E. Rushing  
 Clerk