

**ORDINANCE NO. 2008-010**

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.

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

2008 FEB 22 PM 1:05

**FILED**

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. 07-31, 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 unit/2 acres) to District RSF-3

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(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 situated in Section 36, Township 36 South, Range 18 East, Sarasota County, Florida and being the easterly 90.59 feet of the Southwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 36, less the northerly 300 feet thereof; Said parcel also being more particularly described as follows:

Commence at the northeast corner of the Southwest Quarter of the Northwest Quarter of the Northeast Quarter of Section 36, Township 36 South, Range 18 East; Thence along the easterly line of said Southwest Quarter, South 00°27'41" West 300.00 feet to the Point-of-Beginning;

Thence from said Point-of-Beginning and continuing South 00°27'41" West 364.37 feet; Thence South 89°33'22" West 90.60 feet into the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of said Section 36; Thence North 00°27'41" East 364.28 feet; and Thence North 89°29'58" East 90.60 feet to the Point-of-Beginning containing 0.7577 acres ±.

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. The Owner shall be required to maintain the appearance and function of any private drainage facilities to be constructed on the site, including retention ponds and drainage ditches, at its own expense in accordance with applicable federal, state or local regulations. At the time of recording a plat or prior to final construction approval, the Owner shall be required to record in the public records, a Notice to Purchaser, approved by Sarasota County, putting purchasers on notice that the maintenance of drainage facilities is a private responsibility.
2. Access from Cattlemen Road to the subject parcel shall be limited to right-in/right-out only.
3. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.

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4. The location and extent of dripline for all on-site grand trees shall be depicted on site and development plans. Development on the subject property shall occur in such a manner that all grand trees are adequately protected pursuant to Chapter 54, Article XVIII of the Sarasota County Code.
5. During development of the subject property, all vegetative species contained within Section 54-621 of Sarasota County's Exotic Plant Code, state regulations (Chapters 5B-57.007 and 62C-52.011, FAC), and the Florida Exotic Pest Council's list of Category I and II invasive species, as appropriate to this geographic region, shall be removed from the property. Any such vegetation removed from required landscape buffers shall be replaced with native species as part of an approved landscape plan. Removed vegetation shall be disposed of in a County-approved landfill or by another method approved by Resource Protection.
6. Prior to or concurrent with submittal of site and development plans, listed species surveys shall be conducted at the subject property using State-accepted sampling techniques to identify endangered, threatened, and species of special concern. The results of the surveys, including details of the methodologies used (i.e., location of transects, dates and times of surveys, etc.), shall be forwarded to Resource Protection along with any documentation from appropriate regulatory agencies regarding listed species issues associated with the site.
7. Development of the subject parcel shall comply with all applicable conditions contained in the I-75 Corridor Plan.

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 19<sup>th</sup> day of February, 2008.

BOARD OF COUNTY COMMISSIONERS,  
OF SARASOTA COUNTY, FLORIDA



Chair

ATTEST:

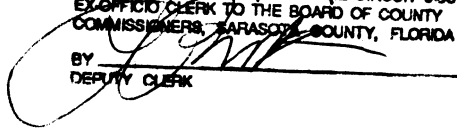
KAREN E. RUSHING, Clerk of  
the Circuit Court and Ex-  
Officio Clerk of the Board of  
County Commissioners of  
Sarasota County, Florida.

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 OFFICE:

SEAL THIS DATE 2/20/2008  
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
EX OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY   
DEPUTY CLERK

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