

BOARD RECORDS
FILED FOR RECORD

ORDINANCE NO. 2009-002

2009 JAN 16 PM 1:07

KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

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. 07-42, 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 OUR (Open Use Rural, 1 unit/10 acres) to IR (Industrial and Research) zone district for the
following described property located in Sarasota County, Florida:

THE LEGAL DESCRIPTION OF SAID PROPERTY IN
SARASOTA COUNTY, FLORIDA, BEING NORTH OF
FRUITVILLE ROAD AND WEST OF BETHEL LANE AND
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING AND BEING IN THE NORTHWEST
¼ OF SECTION 22, TOWNSHIP 36 SOUTH, RANGE 19 EAST.

SARASOTA COUNTY, FLORIDA ALSO BEING A PORTION OF TRACT 33, PALMER FARMS, THIRD UNIT AS PER THE PLAT THEROF RECORDED IN PLAT BOOK 3, PAGE 39. OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH WEST CORNER OF THE NORTH WEST ¼ OF SECTION 22, TOWNSHIP 36 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA; THENCE S.00°31'15" W. ALONG THE WEST LINE OF THE NORTH WEST ¼ OF SECTION 22, TOWNSHIP 36, RANGE 19 EAST, A DISTANCE OF 231.44' TO THE POINT OF BEGINNING. THENCE N.89°11'02"E., A DISTANCE OF 424.68' TO THE EAST LINE OF BETHEL LANE A 60' WIDE ACCESS EASEMENT, THENCE S.00°31'15" W, A DISTANCE OF 1025.61' ALONG THE EAST LINE OF BETHEL LANE, TO THE NORTH MAINTAINED RIGHT OF WAY LINE OF FRUITVILLE ROAD AS RECORDED IN ROAD PLAT BOOK 2, PAGE 7, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, THENCE S.89°21'15"W. ALONG SAID NORTH RIGHT OF WAY A DISTANCE OF 424.65' TO THE INTERSECTION OF THE WEST LINE OF THE NORTH WEST ¼ OF SECTION 22, TOWNSHIP 36, RANGE 19 EAST, THENCE N.00°31'15"E. ALONG SAID ¼ SECTION LINE A DISTANCE OF 1024.35' TO THE POINT OF BEGINNING. CONTAINING 435,273.1 SQUARE FEET OR 9.99 ACRES, MORE OR LESS.

SAID PROPERTY SUBJECT TO THE 60' WIDE ACCESS EASEMENT FOR BETHEL LANE, WITH THE EAST LINE OF SAID EASEMENT AND THE SOUTH LINE OF SAID EASEMENT COMMON TO THE EAST LINE OF THE ABOVE DESCRIBED PROPERTY AND THE SOUTH LINE OF SAID EASEMENT COMMON TO THE NORTH MAINTAINED RIGHT OF WAY LINE OF FRUITVILLE ROAD.

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 construction authorization for the proposed development, Fruitville Road from I-75 to Sarasota Center Boulevard shall be found to meet the criteria to find the roadway network has available transportation facility capacity consistent with the Concurrency Management Regulations (Chapter 94, Article VII, Exhibit A, Sarasota County Code).

2. Cross access shall be provided to the adjacent parcels to the west.
3. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.

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 13th day of January, 2009.

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:

Paula J. Chestman

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

WITNESS MY HAND AND OFFICIAL
THIS DATE 1/16/2009
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

Paula J. Chestman

