

ORDINANCE NO. 2008 - 077

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.

KAREN C. FLUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
2008 AUG 28 AM 9:18
BOARD RECORDS
FILED FOR RECORD

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. 8-05, 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.

E. The Board, sitting as the Sarasota County Land Development Regulation Commission (LDRC), has reviewed this Ordinance and found that it is consistent with the Sarasota County Comprehensive Plan.

Section 2. Amendment of the Zoning Ordinance, to Add RCTOD Overlay to Existing Zoning Districts. The Official Zoning Atlas, adopted under Article 4 of the Zoning Ordinance, is hereby amended by changing the zoning district classification from District RSF-3, RMF-1, RMF-4, RMH (Residential, Single Family, 4.5 units/acre, Residential, Multifamily, 6 units/acre, Residential, Multifamily, 18 units/acre, Residential, Manufactured Home, 5 units/acre) to District RSF-3/RCTOD, RMF-1/RCTOD, RMF-4/RCTOD, RMH/RCTOD (Residential, Single Family, 4.5 units/acre/Residential Commercial Transition Overlay District, Residential, Multifamily, 6 units/acre/Residential Commercial Transition Overlay District, Residential, Multifamily, 18 units/acre/Residential Commercial Transition Overlay District, Residential, Manufactured

02008-077

Home/Residential Commercial Transition Overlay District), respectively, for the following described property located in Sarasota County, Florida:

That part of Sections 25 and 36, Township 40 South, Range 19 East, Sarasota County, Florida. The legal description of said property in Sarasota County, Florida, being in the town of Englewood, west of McCall Road and being more particularly described as follows:

Begin northwest corner of a parcel recorded in Official Records Book 2644, Page 0935 of the Public Records of Sarasota County, Florida; thence run southerly for a distance of 1620 feet, more or less, to the southeast corner a parcel recorded in Official Records Book 1867, Page 0634 of said Public Records and being the intersection of the northerly Right-of-Way line of West Perry Street; thence run southwesterly for a distance of 40 feet, more or less to the northwest corner a parcel recorded in Official Records Instrument Number 2006176091 of said Public Records; thence run southerly for a distance of 275 feet, more or less along the easterly Right-of-Way line of Harbor Lane to the southwest corner a parcel recorded in Official Records Instrument Number 2005133612 of said Public Records; thence run easterly for a distance of 268 feet, more or less to the southeast corner a parcel recorded in Official Records Instrument Number 2004246378 of said Public Records; thence run northeasterly for a distance of 80 feet, more or less to the southwest corner a parcel recorded in Official Records Instrument Number 2007012547 of said Public Records; thence run easterly along the northerly Right-of-Way line of Cocoanut Avenue for a distance of 535 feet, more or less to the southeast corner a parcel recorded in Official Records Book 2852, Page 1555 of said Public Records; thence run southeasterly for a distance of 55 feet, more or less to the southwest corner a parcel recorded in Official Records Instrument Number 2000101054 of said Public Records; thence run easterly for a distance of 275 feet, more or less to the southeast corner of a parcel recorded in Official Records Instrument Number 2007131766 of said Public Records; thence run northerly along the easterly boundary of said parcel for a distance of 45 feet, more or less; thence run easterly for a distance of 278 feet, more or less to the southeast corner of a parcel recorded in Official Records Instrument Number 2003105946 of said Public Records; thence run northeasterly for a distance of 46 feet, more or less to the southwest corner of a parcel recorded in Official Records Book 2292, Page 2026 of said Public Records; thence run easterly for a distance of 1275 feet, more or less to the southeast corner of a parcel recorded in Official Records Book 2142, Page 1294 of said Public Records and being the westerly Right-of-Way line of South McCall Road; thence run northerly distance of 300 feet, more or less to the northeast corner of a parcel recorded in Official Records Book 3026, Page 1437 of said Public Records; thence run westerly for a distance of 1276 feet, more or less to the southwest corner of a parcel recorded in Official Records Book 1701, Page 1765 of said Public Records; thence run southwesterly for a distance of 58 feet, more or less to the southeast corner of a parcel recorded in Official Records Instrument Number 205255598 of said Public Records of said Public Records; thence run northerly along the westerly Right-of-Way line of North Elm Avenue for a

distance of 560 feet more or less to the northeast corner of a parcel recorded in Official Records Instrument Number 200140173 of said Public Records and being the southerly Right-of-Way line of West Wentworth Street; thence run westerly for a distance of 875 feet, more or less; thence run northerly for a distance of 50 feet, more or less to the southeast corner of a parcel recorded in Official Records Instrument Number 199117745 of said Public Records; thence run northerly for a distance of 550 feet, more or less, to the northeast corner a parcel recorded in Official Records Book 3046, Page 2576 of said Public Records; thence run northerly for a distance of 55 feet, more or less to the Southeast corner of a parcel recorded in Official Records Book 2202, Page 1257 of said Public Records; thence run northerly 130 feet, more or less; thence westerly 14 feet, more or less running along the easterly and northerly boundary of said parcel; thence run northerly 280 feet, more or less to the northeast corner of a parcel recorded in Official Records Instrument Number 2006209542 of said Public Records; thence run westerly 600 feet, more or less to the northwest corner of said parcel recorded in Official Records Book 2644, Page 0935 of said Public Records and also being the Point of Beginning.

Together with.

Begin the southwest corner a parcel recorded in Official Records Instrument Number 2001110410 of said Public Records; thence run northeasterly for a distance of 173 feet, more or less to the northeast corner of said parcel; thence run southeasterly for a distance of 109 feet, more or less to the northeast corner of a parcel recorded in Official Records Instrument Number 2004037175 of said Public Records; thence run northerly for a distance of 8 feet, more or less, to the northwest corner of a parcel recorded in Official Records Book 2542, Page 1087 of said Public Records; thence run easterly for a distance of 402 feet, more or less to the northeast corner of a parcel recorded in Official Records Instrument Number 2006166699 of said Public Records and the westerly Right-of-Way of Magnolia Avenue; thence run southerly along said westerly Right-of-Way of Magnolia Avenue for a distance 134 feet, more or less; thence run westerly along the northerly Right-of-Way of West Green Street for a distance of 525 feet, more or less; thence run southwesterly for a distance of 71.00 feet, more or less to the northeast corner a parcel recorded in Official Records Instrument Number 2006033186 of said Public Records; thence run southwesterly along the southeasterly boundary line of said parcel for a distance of 130 feet, more or less, thence run northeasterly for a distance of 310 feet, more or less to the southwest corner of a parcel recorded in Official Records Book 3104, Page 1597 of said Public Records; thence run northeasterly along the northwesterly boundary line of said parcel for a distance of 114 feet, more or less of the southwesterly Right-of-Way of West Green Street; thence run southeasterly for a distance of 310 feet, more or less along said southwesterly Right-of-Way of West Green Street for a distance of 252 feet, more or less; thence run northeasterly for a distance of 60 feet, more or less to the southwest corner a parcel recorded in Official Records Instrument Number 2001110410 of said Public Records and being the Point of Beginning.

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:

All development shall be consistent with the Conditions for Development Approval contained in the Englewood Town Center Revitalization Plan, as amended.

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 27th day of AUGUST, 2008.

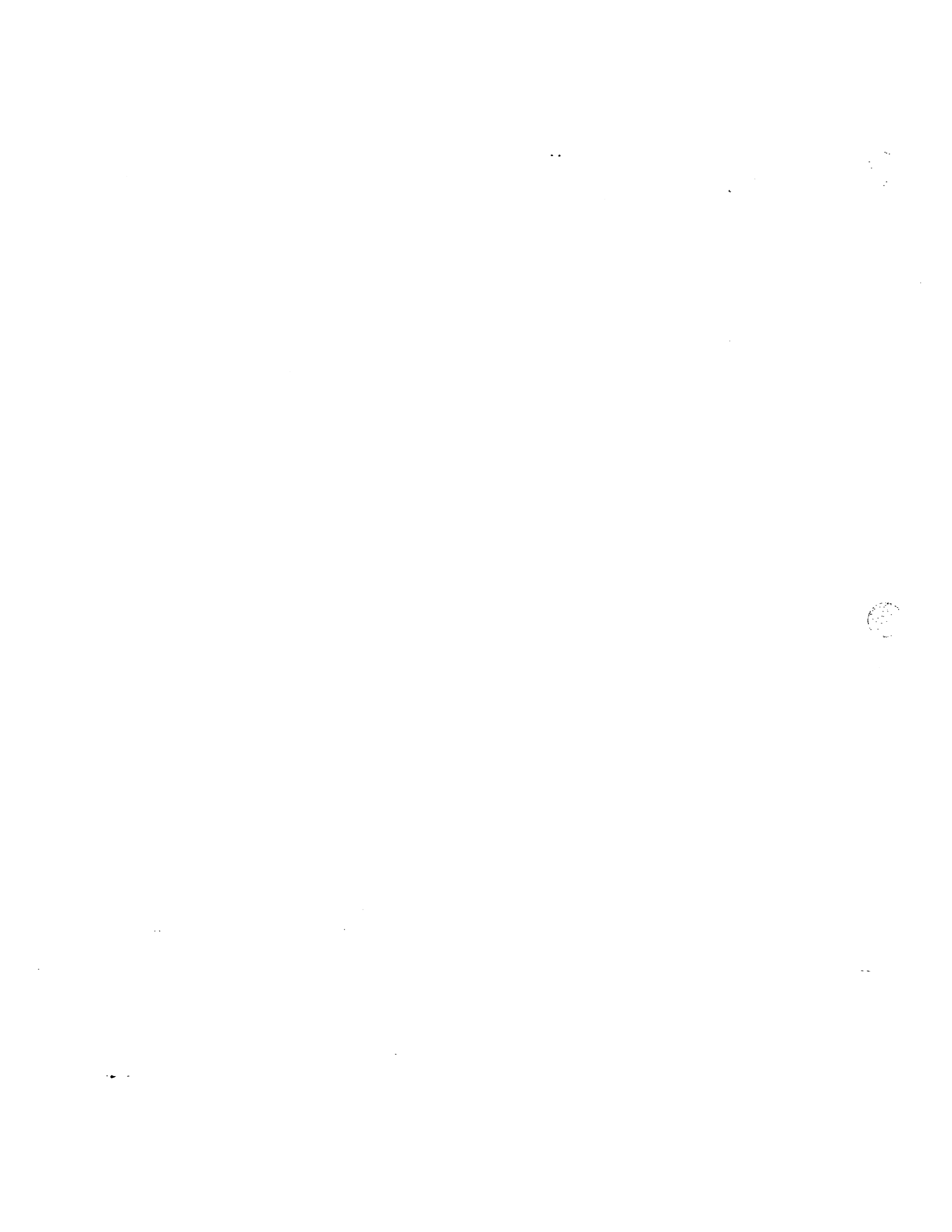
BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


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



ORDINANCE NO. 2008- 080

AN ORDINANCE OF THE COUNTY OF SARASOTA, RELATING TO THE REGULATION OF LAND USE AND THE IMPLEMENTATION OF THE SARASOTA COUNTY COMPREHENSIVE PLAN; PROVIDING FOR FINDINGS; PROVIDING FOR THE AMENDED AND RESTATED OR REPEALED AND READOPTED OF THE ENGLEWOOD TOWN CENTER REVITALIZATION PLAN NO 95-01-SP WITHIN THE UNINCORPORATED AREA OF SARASOTA COUNTY, UNDER THE PROVISIONS OF COUNTY ORDINANCE NO. 89-93; PROVIDING FOR THE RELATIONSHIP OF THIS ORDINANCE TO OTHER COUNTY REGULATIONS AND APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

KAREN E. HUSCHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL
2008 AUG 28 AM 9:17
BOARD RECORDS
FILED FOR INFO

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA:

SECTION 1. Findings. The Board of County Commissioners of Sarasota County, hereinafter referred to as "the Board" hereby makes the following findings:

1. The Board has authorized the Sarasota County Planning Department to prepare the Englewood Town Center Revitalization Plan No. 95-01-SP for the area located in unincorporated Sarasota County.
2. The Board directed the preparation of this Plan in Resolution No. 86-480 which approved the Englewood Sector Plan No. 85-01-SP. This ordinance does not supersede, replace or change any of the provisions of Resolution No. 86-480 or the Englewood Sector Plan No. 85-01-SP.
3. The Boundaries and Criteria Report for preparation of the Englewood Town Center Revitalization Plan No. 95-01-SP was duly reviewed and approved by Resolution No. 95-235 pursuant to Critical Area Planning Regulations (Ordinance No. 89-93).
4. The Englewood Town Center Revitalization Plan No. 95-01-SP, as prepared by the Sarasota County Planning Department, was duly reviewed by the County's Development Review Committee.
5. The Englewood Town Center Revitalization Plan No. 95-01-SP was duly reviewed by the Englewood Citizens Advisory Committee (CAC) at a public workshop held on October 9, 1996. The Englewood CAC recommended approval of the plan to the Sarasota County Planning Commission.
6. The Board, sitting as the Sarasota County Land Development Regulation Commission (LDRC), has reviewed this Ordinance and found that it is consistent with the Sarasota County Comprehensive Plan.
7. Based upon testimony at the Planning Commission public hearing held on May 15, 2008, the Planning Commission recommended approval of the amendment to the Englewood Town Center Revitalization Plan No. 95-01-SP with revisions for the hereinafter described area located in

Sarasota County pursuant to the Sarasota County Comprehensive Plan, and the Critical Area Planning Regulations:

PRIMARY STUDY AREA "A"

That part of Sections 25 and 36, Township 40 South, Range 19 East together with that part of Sections 30 and 21, Township 40 South, Range 20 East, Sarasota County Florida, described as follows:

Commence at the centerline Intersection of Indiana Avenue and Harvard Street, thence run West along the centerline of Harvard Street for a distance of 415 feet more or less to the Point of Beginning; thence continue along the centerline of Harvard Street for a distance of 235 feet more or less to the centerline of North New York Avenue; thence run South along the centerline of North New York Avenue for a distance of 650 feet more or less to the Intersection with the centerline of Wentworth Street; thence run West along the centerline of Wentworth Street for a distance of 2000 feet more or less to the Intersection with the centerline of North Elm Street; thence run South along the centerline of North Elm Street for a distance of 125 feet more or less to the Intersection of the centerline of Wentworth Street; thence run along the centerline of Wentworth Street for a distance of 895 feet more or less; thence leaving said centerline run North 1780 feet more or less to the Intersection with the centerline of Stewart Street; thence run West along the centerline of Stewart Street for a distance of 585 feet more or less; thence leaving said centerline run South for a distance of 2400 feet more or less to the Intersection of the Centerline of Perry Street; thence run West along the centerline of Perry Street for a distance of 100 feet more or less to the Intersection of the centerline of Harbour Lane, thence run South along the centerline of Harbour Lane for a distance of 580 feet more or less to the end of Harbour Lane; thence run Southwesterly to the shoreline of Lemon Bay for a distance of 150 feet more or less; thence meander along the shore line of Lemon Bay Southeasterly; Southerly, Southwesterly, Southerly, Southeasterly and Easterly; thence run North for a distance of 350 feet more or less to the Intersection of the Westerly extension of the centerline of West Palm Grove Avenue; thence run Southeasterly for a distance of 380 feet more or less along said Westerly extension of the centerline of West Palm Grove Avenue to the Intersection of the center lines of West Palm Grove Avenue and South Mango Street; thence run East along the centerline of West Palm Grove Avenue for a distance of 2022 feet more or less to the Intersection with the centerline of New York Avenue; thence run North along the centerline of New York Avenue for a distance of 660 feet more or less to the intersection of the centerline of Cowles Street; thence run East along the centerline of Cowles Street for a distance of 235 feet more or less; thence leaving said centerline run North 680 feet more or less to the Intersection of the centerline of Langsner Street; thence run East along the centerline of Langsner Street for a distance of 35 feet more or less; thence leaving said centerline run North for a distance of 170 feet more or less; thence run East for a distance of 405 feet more or less to the centerline of Indiana Avenue; thence run North along the centerline of Indiana Avenue for a distance of 930 feet more or less to the Intersection with the centerline of Cocoanut Avenue; thence run West along the center line of Cocoanut Avenue for a distance of 440 feet more or less; thence leaving said centerline run North for a distance of 220 feet more or less to the Intersection with the centerline of Perry Lane; thence run East along the centerline of Perry Lane for a distance of 30 feet more or less; thence leaving said centerline run North a distance of 530 feet more of less; thence run East a distance of 30 feet, more or less; thence run North a distance of 145 feet, more or less to the Intersection with the centerline of Wentworth Street; thence run West along the centerline of Wentworth Street for a distance of 35 feet more or less; thence leaving said centerline run North for a distance of 645 feet more or less to the Intersection with the centerline of Harvard Street and being the POINT OF BEGINNING.

Together with the following:

That part of Section 25, Township 40 South, Range 19 East, Sarasota County, Florida being more particularly described as follows:

Begin at the intersection of the center lines of Wentworth Street and North Elm Street; thence run northerly along said center line of North Elm Street for a distance of 584 feet, more or less; thence run westerly for a distance of 290 feet, more or less to the intersection with the southeast corner of a parcel recorded in Official Records Book 2275, Page 2213 of the Public Records of Sarasota County, Florida; thence run northerly for a distance of 272 feet, more or less to the intersection with the northeast corner of a parcel recorded in Official Records Book 2890, Page 0963 of said Public Records; thence run westerly for a distance of 594 feet, more or less to the northwest corner of a parcel recorded in Official Instrument Number 2007078648 of said Public Records; thence run southerly for a distance of 1035 feet, more or less to the intersection with the centerline of Wentworth Street; thence run easterly along said centerline for a distance of 895 feet, more or less to the intersection with said centerline of North Elm Street; thence run northerly along said centerline of North Elm Street for a distance of 125 feet, more or less to the intersection with the centerlines of Wentworth Street and North Elm Street and also being the Point of Beginning.

Also together with:

Begin at the intersection of the westerly Right-of-Way line of Harbor Lane and the southerly Right-of-Way line of West Dearborn Street and being the southeast corner of a parcel recorded in Official Records Instrument Number 2006134544 of said Public Records; thence run easterly along said southerly Right-of-Way line of West Dearborn Street for a distance of 93 feet, more or less to the northeast corner of a parcel recorded in Official Records Instrument Number 2005024172 of said Public Records; thence run southwesterly along the southeasterly boundary line of said parcel a distance of 109 feet, more or less to the shoreline of Lemon Bay; thence meander northwesterly along said shoreline of Lemon Bay for a distance of 160 feet, more or less to the intersection with the southerly boundary line of Lot 4, South Winds Harbor, recorded in Plat Book 10, Page 44 of said Public Records and also being said parcel recorded in Official Records Instrument Number 2006134544 of said Public Records; thence run the next four calls around the boundary line of said parcel, run westerly for a distance 100 feet, more or less, run northerly for a distance of 82 feet, more or less, run easterly for a distance of 150 feet, more or less to the intersection with said westerly Right-of-Way line of Harbor Lane; thence run southerly along said westerly Right-of-Way line for a distance of 82 feet, more or less to the southeast corner of said parcel recorded in Official Records Instrument Number 2006134544 of said Public Records and also being the Point of Beginning.

And together with the following:

Begin at the intersection centerline of West Palm Grove Avenue and Magnolia Avenue; thence run southeasterly along the said centerline of West Palm Grove Avenue for a distance of 125 feet, more or less; thence leaving said centerline run southerly for a distance of 200 feet, more or less to the southeast corner of a parcel recorded in Official Records Instrument Number 2007133689 of said Public Records; thence run southwesterly for a distance of 125 feet, more or less; thence run westerly for a distance of 440 feet, more or less to the southerly extension of the westerly Right-of-Way line of Wilson Avenue; thence run northerly along said southerly extension and the westerly Right-of-Way line of Wilson Avenue for a distance of 360 feet, more or less; thence run southeasterly for a distance of 380 feet, more or less the

intersection centerline of West Palm Grove Avenue and Magnolia Avenue and being the Point of Beginning.

Containing 368 acres, more or less

SECONDARY STUDY AREA "B"

That part of Sections 25 and 36, Township 40 South, Range 19 East together with that part of Section 30 and 31, Township 40 South, Range 20 East, Sarasota County, Florida described as follows:

Begin at the centerline Intersection of Indiana Avenue and Harvard Street; thence run South along the centerline of Indiana Avenue for a distance of 1310 feet more or less to the Intersection of the centerline of Perry Lane; thence run East along the centerline of Perry Lane for a distance of 675 feet more or less to the Intersection with the centerline of North Broadway Road; thence run South along the centerline of North Broadway Road for a distance of 680 feet to the Intersection with the centerline of Dearborn Street; thence run East along the centerline of Dearborn Street for a distance of 355 feet more or less; thence leaving said centerline run South for a distance of 745 feet more or less; thence run West for a distance of 350 feet more or less; thence run South for a distance of 2215 feet more or less to the Intersection of the centerline of Selma Avenue; thence run West along the centerline of Selma Avenue for a distance of 380 feet more or less to the Intersection of the centerline of Spruce Street; thence run South along the centerline of Spruce Street for a distance of 700 feet more or less to the Intersection of the centerline of Hosmer Avenue; thence run West along the centerline of Homer Avenue for a distance of 320 feet more or less to the Intersection with the centerline of Indiana Avenue; thence run North along the centerline of Indiana Avenue for a distance of 260 feet more or less to the Intersection with the centerline of Second Avenue; thence run Southeasterly along the centerline of Second Avenue for a distance of 410 feet more or less to the Intersection of the centerline of Alta Vista; thence run North along the centerline of Alta Vista and the north extension of said centerline a distance of 670 feet more or less; thence leaving said centerline and North extension run East a distance of 25 feet more or less; thence run North a distance of 845 feet more or less to the Intersection of the centerline of Palm Grove Avenue; thence run West along the centerline of Palm Grove Avenue for a distance of 275 feet more or less to the Intersection of the centerline of New York Avenue; thence run North along the centerline of New York Avenue for a distance of 660 feet more or less to the Intersection of the centerline of Cowles Street for a distance of 235 feet more or less; thence leaving said centerline run North 680 feet more or less to the Intersection of the centerline of Langsner Street; thence run East along the centerline of Langsner Street for a distance of 35 feet more or less; thence leaving said centerline run North for a distance of 170 feet more or less; thence run East for a distance of 405 feet more or less to the Intersection of the centerline of Indiana Avenue; thence run North along the centerline of Indiana Avenue for a distance of 930 feet, more or less to the Intersection with the centerline of Coconut Avenue; thence run West along the centerline of Coconut Avenue for a distance of 440 feet more or less; thence leaving said centerline run North for a distance of 220 feet more or less to the Intersection with the centerline of Perry Lane; thence run East along the centerline of Perry Lane for a distance of 30 feet more or less; thence leaving said centerline run North a distance of 530 feet more or less; then run East a distance of 30 feet more or less; thence run North a distance of 145 feet more or less to the Intersection with the centerline of Wentworth Street; thence run West along the centerline of Wentworth Street for a distance of 35 feet more or less; thence leaving said centerline run

North for a distance of 645 feet more or less to the Intersection with the centerline of Harvard Street; thence run East along the centerline of Harvard Street for a distance of 415 feet more or less to the Intersection of Indiana Avenue and being the POINT OF BEGINNING.

Containing 113.96 acres, more or less

8. The Board held duly notice public hearings on July 22, 2008 and August 27, 2008, to consider the amendment to the Englewood Town Center Revitalization Plan No. 95-01-SP, received all pertinent evidence and testimony, including the Planning Commission recommendation, and all matters relevant to said Revitalization Plan, including the testimony of the general public.

SECTION 2. Adoption of the Englewood Town Center Revitalization Plan No. 95-01-SP Within the Unincorporated Area of Sarasota County.

1. Pursuant to the Sarasota County Comprehensive Plan and the provisions of the Critical Area Planning Regulations, and based on the evidence and testimony and the foregoing findings, the Board hereby adopts the Englewood Town Center Revitalization Plan No. 95-01-SP consisting of Figure 1, the Land Use Plan attached and incorporated herein by reference, and the Conditions for Development Approval contained in Attachment "A" hereto incorporated herein by reference.

2. Future development orders for Developments of Regional Impact, rezonings, site and development plans, preliminary subdivision plans, final subdivisions plans, and approvals of Critical Area Plan Studies and Amendments within the boundaries designated in Section 1.6 shall be consistent with the Englewood Town Center Plan, Figure 1, the Land Use Plan and the conditions for development approval contained in Attachment "A" attached hereto and incorporated herein by reference.

3. A true copy of the document entitled Englewood Town Center Revitalization Plan No. 95-01-SP, as amended, shall be maintained by the Sarasota County Planning Department. Those portions of this document not specifically adopted by Sections 2.1 and 2.2 above shall constitute supportive material. Supportive material may be used to explain the adopted portions of the Revitalization Plan but shall not be used as the sole grounds for a decision on a development permit.

SECTION 3. Relationship to Other County Regulations and Applicability

1. The above reference Englewood Town Center Revitalization Plan No. 95-01-SP does not in itself grant development approval nor guarantee such approval, nor does it modify the requirements of the Comprehensive Plan or exempt any person or development activity from the requirements thereof.

2. The existence of zoning less intense than the future uses indicated in the Englewood Town Center Revitalization Plan No. 95-01-SP shall not be deemed by itself to be inconsistent with the Englewood Town Center Revitalization Plan No. 95-01-SP, particularly when adequate infrastructure is not yet available to support more intense zoning districts or when protection of the public health, safety, welfare, or otherwise justifies another zoning designation.

3. This Englewood Town Center Revitalization Plan No. 95-01-SP affects the unincorporated areas of Sarasota County as designated in Section 1.6 above.

4. This Ordinance shall not be construed to abrogate any existing rights acquired by any other party under authority of Chapter 380, Florida Statutes.

SECTION 4. Severability. If any provision of this Ordinance is for any reason finally held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions.

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon receipt of official acknowledgement from the Department of State of Florida that this Ordinance has been filed with said Department.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Sarasota County, Florida this 21st day of AUGUST, 2008.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

By: 
Chairman

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

ATTACHMENT "A" CONDITIONS FOR DEVELOPMENT APPROVAL

The Conditions for Development Approval and Figure 1, the Land Use Plan are intended to be used in evaluating and coordinating all future development requests within the Englewood Town Center Revitalization Plan Study Area.

GENERAL/CONCURRENCY:

1. Future development approvals (i.e., rezoning petitions, site and development plans, preliminary subdivision plans and final subdivision plans) shall be consistent with Figure 1, the Land Use Plan and the conditions set forth herein.
2. The application for, and subsequent approval and issuance of, any development permit within the Englewood Town Center Revitalization Plan boundaries shall be subject to the requirements of Sarasota County's Concurrency Management Regulations (Ordinance No. 89-103), as they may be amended from time to time.

EMERGENCY SERVICES:

3. New buildings requiring a fire flow application capability of greater than 1,000 gallons per minute (GPM) shall be fire sprinkler protected.

STORMWATER MANAGEMENT:

4. Future development within the Gottfried Creek or Coastal Drainage Basin shall demonstrate consistency with the respective Basin Master Plan when adopted by Sarasota County.
5. To minimize access points along S.R. 776 and to encourage internal access between parcels, all non-residential development with frontage along S.R. 776 shall provide for cross access with the adjacent parcel(s). The location of all cross access easements, or access to a public or private road, shall be depicted on all concept plans submitted with a rezone petition, site and development plans, or subdivision plans. Said cross access shall be coordinated to the greatest extent possible with adjacent properties to establish a mutually acceptable location. A waiver of these provisions may be approved by the County Transportation Department if it is clearly demonstrated that no reasonable means of cross access can be provided. Note: The FDOT has the legal authority to approve all access onto S.R. 776.

LAND USE:

6. The intent of the LO/AOD designation, as shown on the Future Land Use Plan is to permit a mix of uses, such as residences with low intensity office, professional and institutional uses, as well as home-based office, art galleries and studios, and bed and breakfast establishments that will not adversely affect either traffic flow or safety of those living in or adjacent to this designated area. It is the further intent of this designation to encourage the reuse or conversion of existing buildings (not mobile homes), rather than demolition and new construction.

The zoning district intended to implement the LO/AOD designation on Figure 1, the Land Use Plan shall be Residential/Commercial Transition Overlay District (RCTOD), with the additional following provisions:

- The following uses shall not be permitted: Health club or spa; gymnastics facility.
- The following shall be limited to 250 square feet, and two work stations: hair or nail personal care service.

- The property shall include a mix of residential use with any of the other permitted uses, except for properties with frontage on a roadway that has a functional classification of Arterial on the Sarasota County Future Thoroughfare Plan.
 - At least one resident of the premise shall be employed in the on-site business.
7. Because of the unique site considerations and ownership patterns in certain areas along S.R. 776, there is an opportunity for consolidation of commercial and office uses with adjacent residential uses to create usable parcels for redevelopment. The areas available for such consolidation are shown on Figure 4-3, Recommended Change in Land Use Designation (located in the Plan). Any rezoning petition for residentially zoned parcels shall submit a study or preliminary design that considers all parcels within the block and addresses land use compatibility, buffering, landscaping, access management, utilities, cross access easements, and stormwater management. The plan shall also exhibit unified development with respect to these elements. An added benefit of the unified development approach is that a stormwater management system is designed to serve most or all of the entire block, compared to several systems serving individual parcels. For development between Wentworth Street and Perry Lane, the study must also address the vacating of Thrall Street. If parcels designated commercial on Figure 1, the Future Land Use Plan, adjacent to the S.R. 776 strip are rezoned, designed and developed in a unified manner, any of the existing CG (Commercial General) or CSC (Commercial Shopping Center) uses should be allowed and the parcels rezoned as such.
 8. The zoning districts intended to implement, Mixed Use, Non-Commercial designations as illustrated on Figure 1, the Land Use Plan include RSF (Residential, Single Family), RMF (Residential, Multi Family), OPI (office, Professional and Institutional), and the RCTOD. This designation is specifically intended to allow Bed and Breakfast establishments, and residences with office businesses, if and when such uses are permitted by the appropriate zoning district regulations.
 9. To ensure compatibility between Commercial Intensive (CI) zoned parcels and surrounding residential zoned parcels in the Town Center, the following performance guidelines shall be applied to redevelopment of the CI zoned parcels:
 - a. Limitations on Signs – As provided for Commercial, Neighborhood (CN) zoning districts.
 - b. No outdoor service or repair shall be permitted.

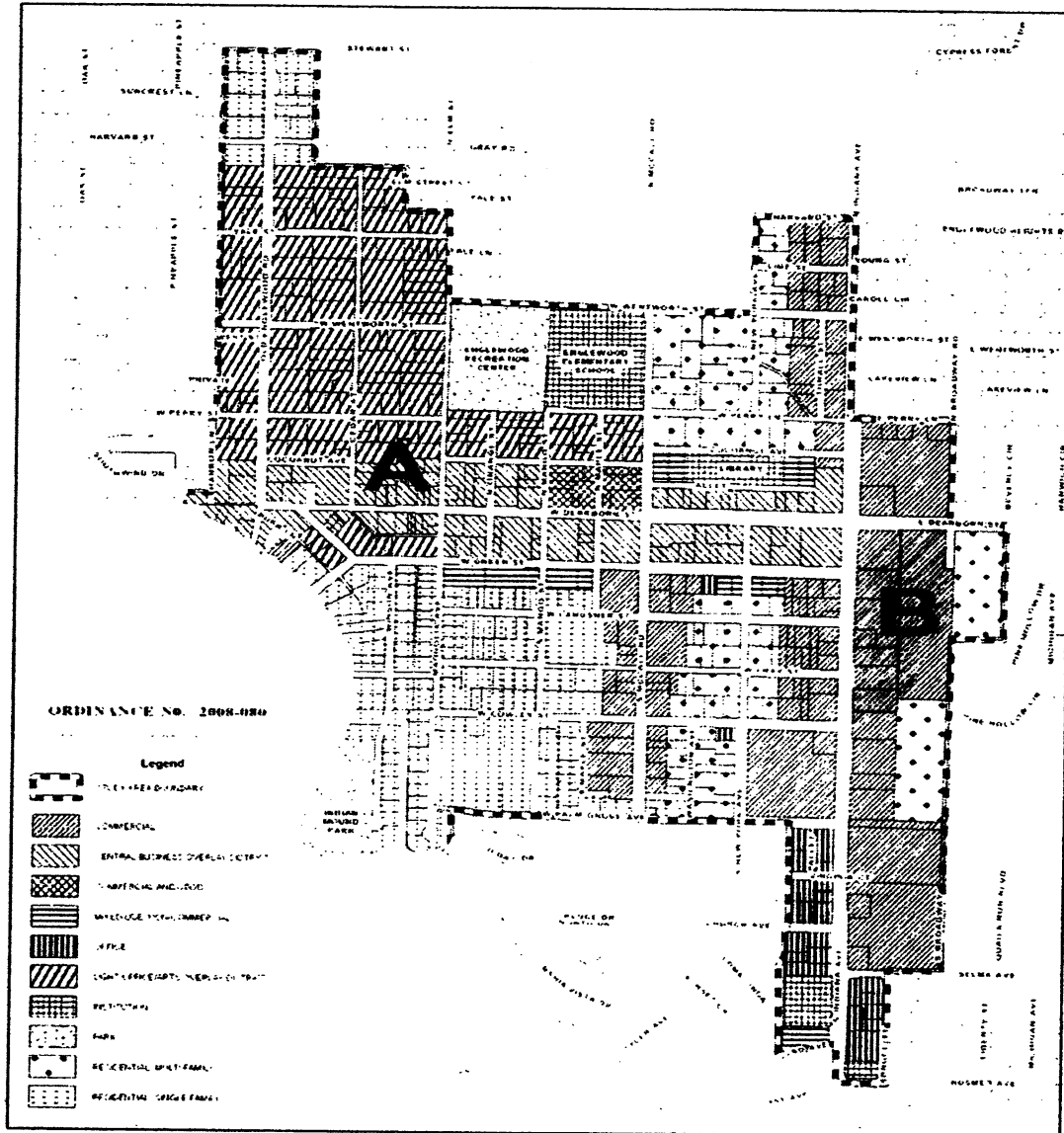
URBAN DESIGN:

10. All new commercial and office development within the Englewood Town Center Revitalization Plan shall provide the required information to the County Planning Department for review as part of any required Site and Development Plan and/or Preliminary Plan Review:
11. The Englewood CRA has adopted the Architectural Design Guidelines Handbook, prepared by Dan A. Ionescu Architects, PA, dated July 1, 2003 for use with the Storefront Improvement Program. Businesses and residences, both existing and new development, shall utilize these Guidelines, until other standards are adopted by the County. It should be noted that it is more important to maintain the integrity of historically significant structures than to incorporate architectural guidelines during rehabilitation.

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Figure 1 ENGLEWOOD TOWN CENTER REVITALIZATION PLAN 95-01 SP



SCGIS

PREPARED BY SARASOTA COUNTY
PLANNING AND DEVELOPMENT SERVICES
PLANNING SERVICE GIS JUNE 2008



02008-080

