

BOARD RECORDS
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ORDINANCE NO. 2008 - 105

KAREN E. HUGHES
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. 08-11, 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 RMF-2 (Residential, Multifamily, 9 units/acre) to ILW (Industrial, Light Manufacturing and Warehousing) zone district for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being on the west side of Butler Avenue, approximately ¼ mile ± north of Myrtle Street and being more particularly described as follows:

A PART OF LOT 42 NEWTOWN FARMS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 38, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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BEGIN AT THE NORTHEAST CORNER OF SAID LOT 42; THENCE S. 00°02'56"E..ALONG THE EAST LINE OF SAID LOT 42, A DISTANCE OF 100.00 FEET; THENCE N. 89°36'45" W., PARALLEL TO THE NORTH LINE OF LOT 42, A DISTANCE OF 151.46 FEET; THENCE S.00°02'56" E., PARALLEL TO THE EAST LINE OF LOT 42, FOR A DISTANCE OF 117.30 FEET; THENCE N. 89°36'45" W., PARALLEL TO THE NORTH LINE OF LOT 42, A DISTANCE OF 153.08; THENCE N. 00°W., PARALLEL TO THE EAST LINE OF SAID LOT 42, A DISTANCE OF 217.30 FEET, TO THE NORTH LINE OF SAID LOT 42; THENCE S. 89°36'45" E., ALONG THE NORTH LINE OF SAID LOT 42 , A DISTANCE OF 304.54 FEET, TO THE POINT OF BEGINNING, CONTAINING 48,410 SQUARE FEET.

SUBJECT TO AND TOGETHER WITH A 24 FOOT ACCESS EASEMENT, CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 42; THENCE S. 00°02'56" E., ALONG THE EAST LINE OF SAID LOT 42, A DISTANCE OF 100 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF SAID 24 FOOT EASEMENT; THENCE N. 89°36'45" W., PARALLEL TO THE NORTH LINE OF SAID LOT 42 A DISTANCE OF 151.46 FEET TO THE TERMINIUS OF THE CENTERLINE OF SAID 24 FOOT EASEMENT.

SECTION 07-36S-18E 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:

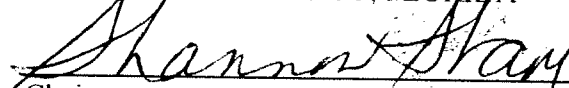
1. Prior to or concurrent with the development of the subject parcel, Butler Avenue shall be widened to two 12-foot wide travel lanes and be resurfaced over the entire roadway width. The improvements shall be completed between the asphalt cross section of Myrtle Avenue and the subject parcel's access to Butler Avenue. The transition from the improved cross section to the existing pavement shall occur north of the access. The improvements shall be included in the construction plans for the proposed development.
2. The Master Surface Water Management Plan shall be consistent with the Whitaker Bayou Basin Master Plan.
3. Prior to site and development approval the developer shall commission, and provide the results of an environmental site assessment (Phase I and Phase II as necessary) demonstrating the presence/absence of environmental contamination on the subject property. The developer shall take all appropriate actions required by County, state, and federal agencies in the event that contamination is identified. Said actions shall be performed prior to the commencement of site development.

4. At Site and Development, shared cross-access with the parcel to the south shall be required.
5. A 20-foot wide 0.6 opacity landscape buffer shall be required between the subject parcel and any adjacent residential zoned properties.

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 29th day of October, 2008.

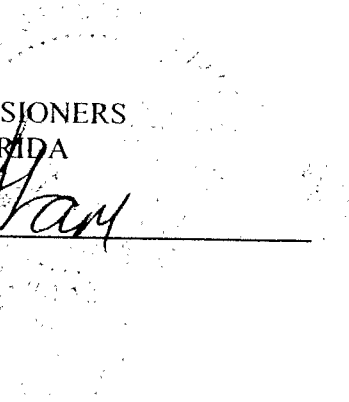
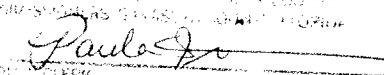
BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


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


10/31/08

Deputy Clerk

