

ORDINANCE NO. 2008- 079

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 SARASOTA COUNTY COMMISSION OF SARASOTA COUNTY, FLORIDA:

Section 1. Findings. The Sarasota County Commission, 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. 08-13, 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 RE-2 (Residential Estate, 1 unit/acre) to District OPI (Office, Professional, and Institutional) on the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being: west of S.R. 776 and east of Denison Drive and being more particularly described as follows: Lots, 35, 36 and 37 Block A, Less Road Right-of-Way For SR 776 Part of Said Right-of-Way Described in or 2741/Page 170, Florida Tropical Homesites & Little Farms.

BOARD RECORDS
FILED
2008 OCT 30 AM 11:54
SARASOTA COUNTY
2008 NOV -3 AM 10:57
SARASOTA COUNTY
STATE
TAMMISSEE, FLORIDA
FILED

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:

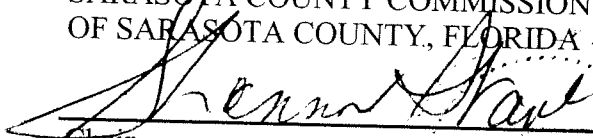
1. Prior to site and development plan approval, the developer shall record an easement, in a form acceptable to the County Attorney, providing cross access to the adjacent parcel to the south that fronts S.R. 776, consistent with the requirements of the S.R. 776 Corridor Plan.
2. The Master Surface Water Management Plan shall be consistent with the Woodmere Creek Basin Master Plan.
3. All development on the subject parcel shall be consistent with the S.R. 776 Corridor Plan.
4. A .6 opacity landscape buffer with a six (6) foot high panel wall shall be provided along the western parcel boundary. The required landscape plantings shall be located west of the panel wall.
5. The subject parcels (0471-03-0001, 0471-06-0032, 0471-06-0033) shall have no access to Denison Drive.
6. No drive-up, drive-through facility, delivery entrance, or trash dumpsters shall be oriented toward or located adjacent to any residential property.
7. A minimum twenty-five (25) foot .6 opacity landscape buffer with a six (6) foot high panel wall shall be located along the southern parcel boundary adjacent to Low Density Residential designated land. The landscape buffering shall be consistent with the pine flat woods habitat.
8. Any new buildings constructed on the subject parcel shall be limited to one-story and a maximum height of 25 feet.
9. The Owner shall construct a south bound right-turn deceleration lane.
10. Any uses on the subject parcel other than office uses shall be limited to operating hours of 7:00 a.m. to 10:00 p.m.
11. The Owner shall locate buildings and parking facilities on the subject parcel to minimize the impact on existing pine flat woods habitat.

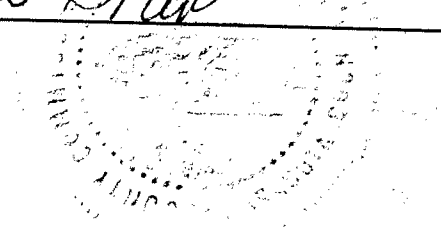
12. Development of office space on the subject parcel shall be limited to a maximum of 15,500 square feet.

Section 4. Effective Date. This Ordinance shall take effect upon filing with the Department of State.

PASSED AND DULY ADOPTED BY THE SARASOTA COUNTY COMMISSION OF SARASOTA COUNTY, FLORIDA, this 28th day of October, 2008.

SARASOTA COUNTY COMMISSION
OF SARASOTA COUNTY, FLORIDA


Chair



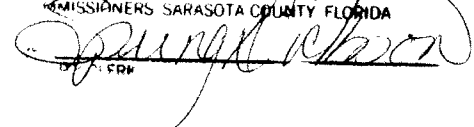
ATTEST:

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

By: Paula J. Clinton
Deputy Clerk

STATE OF FLORIDA)
COUNTY OF SARASOTA)
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILES
IN THIS OFFICE. WITNESS MY HAND AND OFFICIAL

DATE: THIS IS 10/30/08
I AM Karen E. Rushing CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK OF THE BOARD OF COUNTY
COMMISSIONERS SARASOTA COUNTY, FLORIDA


Deputy Clerk

