

BOARD RECORDS
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ORDINANCE NO. 2008-048

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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. 08-14, 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 OUE-2 (Open Use Estate, 1 unit/2 acres) to RMF-2 (Residential, Multi-Family, 9 units/acre) zone district for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being east of Honore Ave. and south of DeSoto Road and being more particularly described as follows: The West 1/4 of the West 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 1, Township 36 South, Ranch 18 East, Sarasota County, Florida LESS: Right-of-Way for DeSoto Road as described in Official Record Book 2653, Page 1728; and Right-of-Way for Honore Avenue as described in Official Record Book 2486, Page 95; and Right-of-Way for DeSoto Road as described in Official Records Instrument #2007185497; and Parcel 2, Las Palmas Condominium as recorded in Office Records Instrument #2004247846; all in the Public Records of Sarasota County, Florida.

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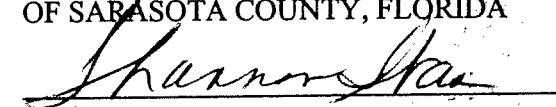
Section 3. Restrictions, Stipulations and Safeguards: As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section 2 and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations 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. Development shall be consistent with all applicable conditions of the University Parkway Corridor Plan East (No. 92-01-SP-East), as amended.
2. Prior to Certification of Occupancy, the developer shall construct an ADA Accessible Bus Stop Pad and Shelter Facility. The facility shall be connected to the public sidewalk and any adjacent development. The exact location and design of the facility will be determined during the Site and Development review process in coordination with SCAT. If the bus stop is located on DeSoto Road, a bus-bay/pull-off shall be constructed.
3. Access to Desoto Road shall be restricted to right-in/right-out only.
4. The developer shall provide cross access to the adjacent parcels to the east.
5. There shall be no direct vehicular access to Honore Avenue from the subject parcel.
6. The maximum number of dwelling units shall not exceed 53.
7. The preserve area shall be managed in accordance with a Preserve Area Management Plan consistent with the Land Development Regulations and Environmental Technical Manual.

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

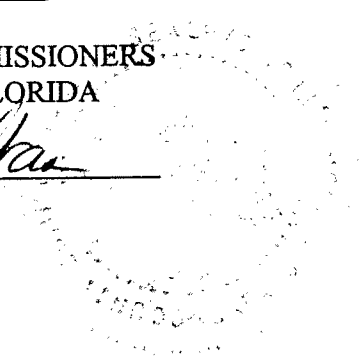
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 29th day of October, 2008.

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: Paula J. Minton
Deputy Clerk



FILED IN BOOK 08-0000000000
COUNTY OF SARASOTA
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILED
IN THIS OFFICE WITHOUT ALTERATION OR ADDITION
DATE THIS DATE 10/14/08
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT AND
EX-OFFICIO CLERK OF THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY Paula J. Minton
DEPUTY CLERK