

ORDINANCE NO. 2009 - 027

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.

RECEIVED
CLERK OF COUNTY COURT
SARASOTA COUNTY, FL
KATHLEEN R. SHING
JUL 1 - 1 AM 10:05

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. 08-16, 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 PCD (Planned Commerce Development)/ILW (Industrial, Light Manufacturing and Warehousing) and PCD (Planned Commerce Development)/I (Industrial) with Development Concept Plan and stipulations to PCD (Planned Commerce Development)/ILW (Industrial, Light Manufacturing and Warehousing) and PCD (Planned Commerce Development)/I (Industrial) zone district for the following described property located in Sarasota County, Florida:

APPROXIMATELY 2000 FEET SOUTH AND WEST OF THE INTERSECTION OF EAST VENICE AVENUE AND LEE ROAD AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

02009-027

LOTS 1 & 2, LOTS 3, 4, 5, 6, 7 & 8 LESS N 363 FT THEREOF, ALSO TRACTS A, B, C, D & E, RIVER ROAD INDUSTRIAL PARK WEST, SUBJ TO 45643 SF CONSERVATION ESMT AS DESC IN ORI 2001176951 & SUBJ TO 40250 SF PUBLIC DRAINAGE ESMT OVER N 50 FT THEREOF AS DESC IN ORI 2001176952, SUBJ TO 9981 SF DRAINAGE ESMT TO SARASOTA COUNTY AS DESC IN ORI 2003012400, CONTAINING 18.5 C-AC M/L, VACATED IN ORD 2001-297

AND

THE N 363 FT OF LOTS 3 THRU 8, VACATED RIVER RD INDUSTRIAL PARK WEST, SUBJ TO 45000 C-SF DRAINAGE ESMT TO COUNTY AS DESC IN ORI 2001176952, CONTAINING 7.5 C-AC M/L, VACATED IN ORD 2001-297.

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 in substantial conformance with the binding Development Concept Plan date stamped received October 7, 2008, attached hereto as Exhibit A, provided, however, that in the event of a conflict between the Development Concept Plan and the stipulations contained herein, the stipulations shall take precedence. This does not imply or infer or confer variance from applicable zoning or land development regulations.
2. Development of the subject parcel shall be consistent with all applicable conditions of the River Road Major Employment Center Sector Plan No. 83-08 SP, as amended.
3. The Master Surface Water Management Plan shall be consistent with the Lower Myakka River Study (Adopted February 10, 2004).
4. Within 60 days of approval of this application for rezoning the Applicant shall implement the water quality monitoring program in accordance with Sector Plan 83-08-SP, attached as Exhibit "B".

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 30th day of JUNE, 2009.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


Chair

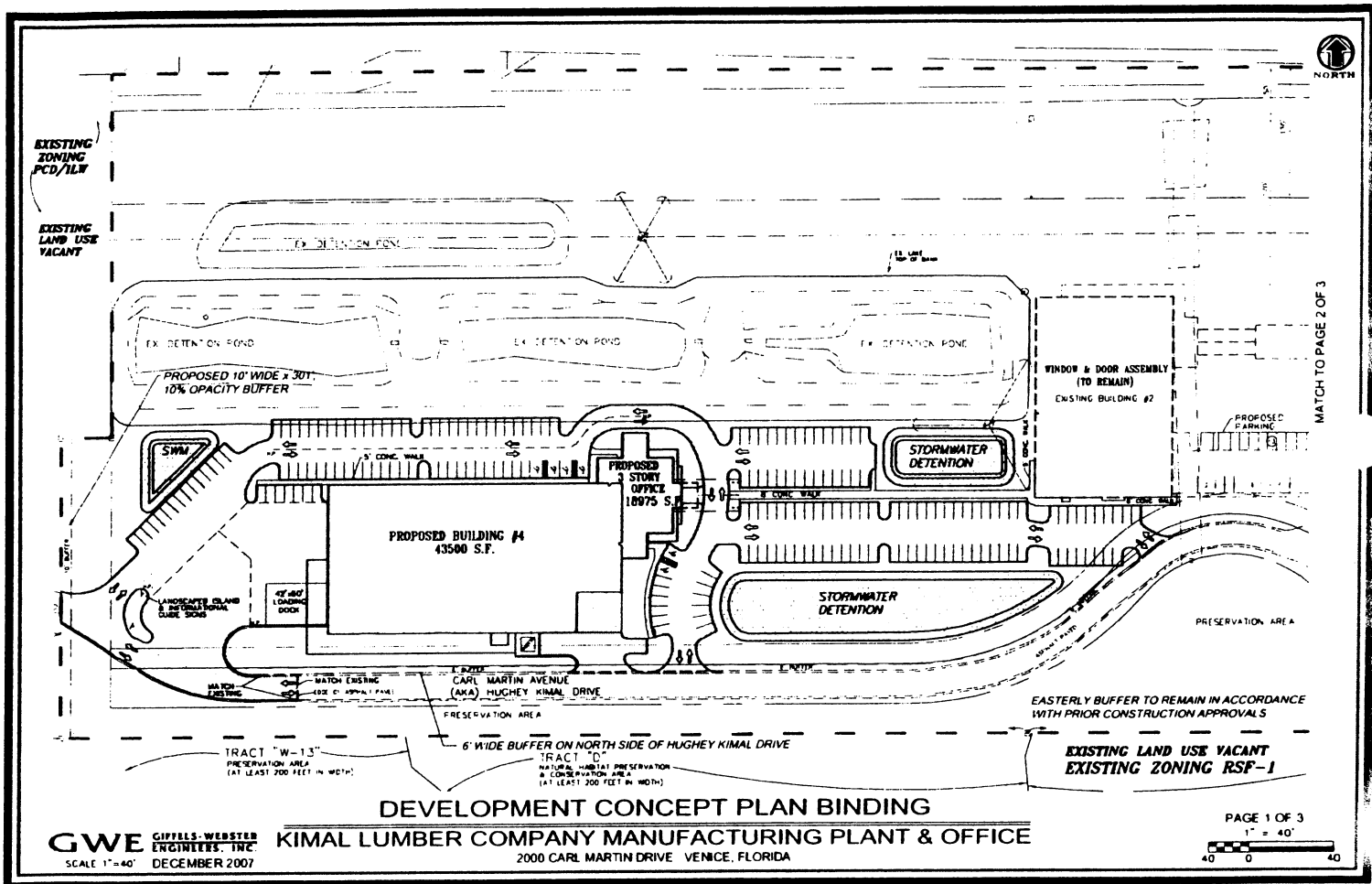
ATTEST:

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

By: 

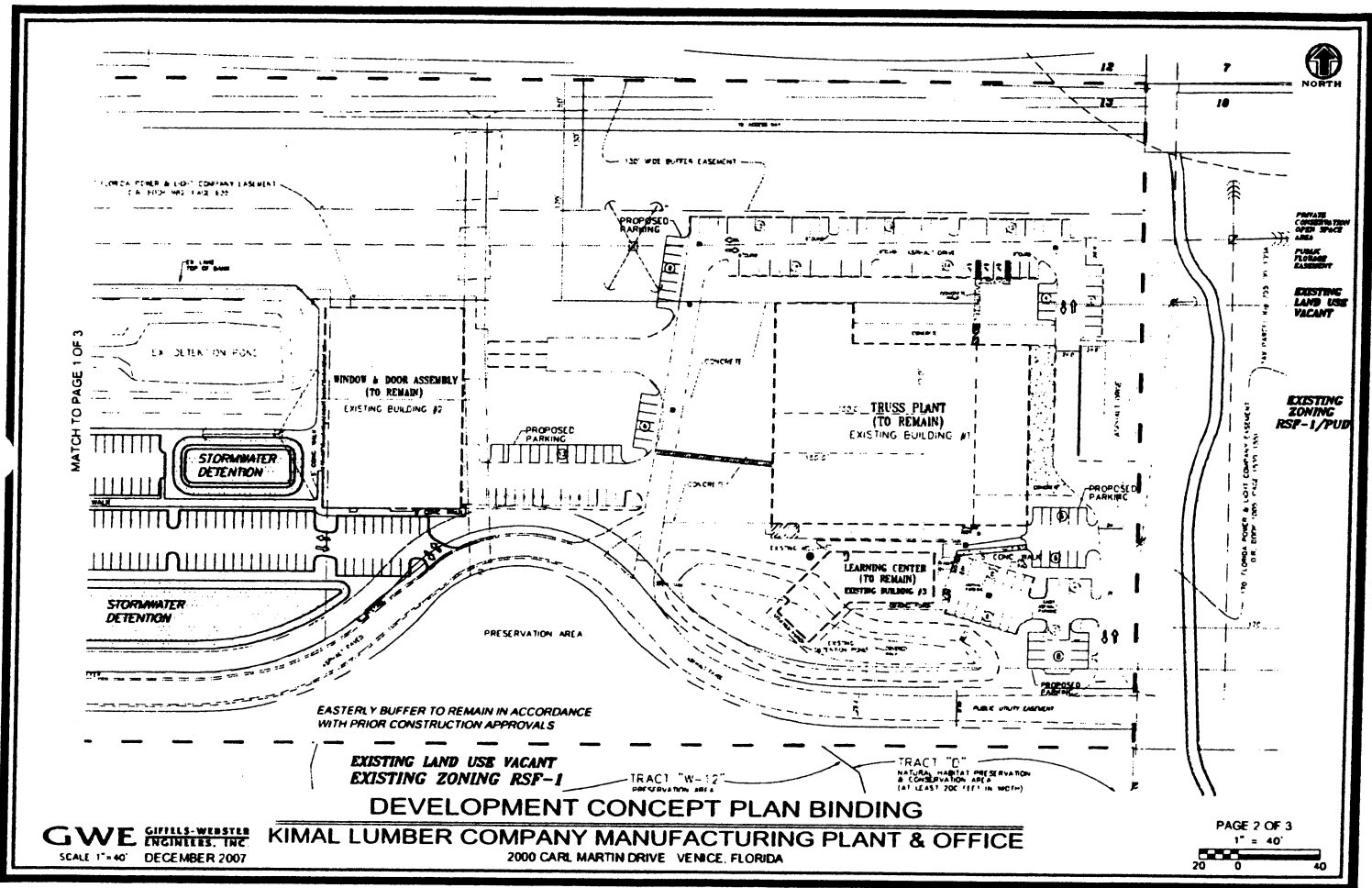
Deputy Clerk

EXHIBIT A



02009-0217

EXHIBIT A



02009-0217

EXHIBIT A

SITE DEVELOPMENT DATA:

SITE AREA: 1145906 S.F. 26.306 ACRES

EXISTING	}	BUILDING COVERAGE:	85136 S.F.	1.954 ACRES	7.43 %
		IMPERVIOUS AREA:	141159 S.F.	3.241 ACRES	12.32 %
		TOTAL EXISTING IMPERVIOUS AREA:	226295 S.F.	5.195 ACRES	19.75 %
		TOTAL EXISTING PERVIOUS AREA:	919611 S.F.	21.111 ACRES	80.25 %
PROPOSED	}	BUILDING COVERAGE:	141286 S.F.	3.243 ACRES	12.33 %
		IMPERVIOUS AREA:	260590 S.F.	5.982 ACRES	22.74 %
		TOTAL PROPOSED IMPERVIOUS AREA:	401876 S.F.	9.226 ACRES	35.07 %
		TOTAL PROPOSED PERVIOUS AREA:	744030 S.F.	17.080 ACRES	64.93 %
		OPEN SPACE AREA REQUIRED:	458362 S.F.	10.523 ACRES	40.00 %
		OPEN SPACE AREA PROVIDED:	744030 S.F.	17.080 ACRES	64.93 %




EXISTING USE: MANUFACTURING & OFFICE
 PROPOSED USE: MANUFACTURING & OFFICE

EXISTING ZONING: PCD / ILW & PCD / I
 PROPOSED ZONING: PCD / ILW & PCD / I
 WITH AMENDED SITE PLAN STIPULATION

PRELIMINARY PARKING:

EXISTING	201
PROPOSED	163
TOTAL PROPOSED	364
TOTAL REQUIRED	364

LEGEND

- BOUNDARY
- UTILITY & DRAINAGE EASEMENTS
- - - - - BUFFER EASEMENT
- - - - - LAKE EASEMENT
- RIGHT-OF-WAY
-  EXISTING BUILDING
-  PROPOSED BUILDING
-  STORMWATER DETENTION

DEVELOPMENT CONCEPT PLAN BINDING

GWE GIFFELS-WEBSTER
 ENGINEERS, INC.
 DECEMBER 2007

KIMAL LUMBER COMPANY MANUFACTURING PLANT & OFFICE
 2000 CARL MARTIN DRIVE VENICE FLORIDA

C2009-027

EXHIBIT B

**KIMAL LUMBER
WATER QUALITY MONITORING PLAN**

1.0 MONITORING LOCATIONS, DURATION, AND FREQUENCY

Water quality monitoring samples shall be taken from the two control structures that discharge stormwater to the Blackburn Canal [Myakka Canal] at: Latitude 27° 5' 34.12" N and Longitude 82° 21' 24.91" W; and Latitude 27° 5' 31.51 N and Longitude 82° 21' 12.08" W.

Prior to construction one pre-construction monitoring event will be conducted. Following completion of construction monitoring will be conducted for a period of three years.

Sampling events shall be performed semi-annually with one event being conducted during the rainy season (June through October).

2.0 METHODOLOGY

Appropriately qualified personnel will conduct in-situ field parameter testing, once each at the identified sampling locations. Equipment such as the Hydrolab Surveyor, YSI, or other such suitable testing device(s) shall be used to obtain readings. The instrument is to be calibrated to correctly display pH, specific conductivity and dissolved oxygen (DO), and is to be conducted prior to sample collection.

Grab samples are to be collected at each of the identified sampling locations. Three samples are to be taken at each station with at least twenty minutes of separation between each collection. Following collection the samples will be cooled to 4°C and delivered to an accredited lab the same day.

Samples shall be analyzed for the following:

Turbidity	Chlorophyll a, corrected	Nitrate/Nitrite Nitrogen
Biochemical Oxygen Demand (BOD)	Total Kjeldahl Nitrogen	Orthophosphate
Ammonium-Nitrogen	Total Nitrogen	Total Phosphate
	Total Suspended Solids (TSS)	

Sampling shall be conducted according to a Comprehensive Quality Assurance Plan (ComQAP) for field measurement and sampling approved by the Florida Department of Environmental Protection (DEP). Laboratory analyses shall be performed by a facility with a DEP-approved ComQAP. The laboratory shall maintain certification by the

Florida Department of Health (DOH), Bureau of Laboratories, Environmental Laboratory Accreditation Program (NELAP), and extends to all required parameters.

All water quality analyses will be performed utilizing methods that comply with NELAC Standards and Florida Administrative Code (F.A.C.) Rule 64E-1 regulations. Results will be compared with Rule 62-302, F.A.C., Criteria for Surface Water Quality Classifications for Class III Waters, with the exception of nitrite and nitrate which will be compared to Class I Waters criteria. Parameters not having a F.A.C. designation will be compared with the data compiled from the DEP Impaired Waters Rule database.

3.0 MONITORING REPORTS

Within thirty days of completion of laboratory analysis a copy of the field sheets, chain of custody sheets, and analytical records shall be submitted to Sarasota County Water Resources in hard copy and electronic (MS Excel) formats.

The monitoring report shall also contain a summary, including a discussion of the analytical results relative to Florida surface water quality standards per Chapter 62-302, F.A.C., and a summary of trends observed.

4.0 MODIFICATION

The water quality monitoring plan may be modified upon the mutual agreement of the Owner and Sarasota County Water Resources.

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.
SEAL THIS DATE 1/17/09
KAREN E. BUSHING CLERK OF THE CIRCUIT COURT
EX OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS SARASOTA COUNTY, FLORIDA
BY *[Signature]*
DEPUTY CLERK

02009-0277