

**ORDINANCE NO. 2009-025**

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.

BOARD RECORDS  
FILED FOR RECORD  
MAY 27 AM 11:28  
KAREN E. HUSPANG  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY FL

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, 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. 08-22, 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-1 (Residential, Multifamily, 6 units/acre) to CG (Commercial, General) and RMF-1 (Residential, Multifamily, 6 units/acre) to RMF-2/CTOD (Residential, Multifamily, 9 units/acre/ Residential/Commercial Transition Overlay District) zone district for the following described property located in Sarasota County, Florida:

South of East Pocono Trail, west of Nash Avenue and east of Martha Lane and being more particularly described as follows:

CG

Lots 1 and 2 Block 15, Plat of Nokomis, according thereof, recorded in Plat Book 1, Page 11, of the Public Records of Sarasota County, Florida

RMF-2/CTOD

Lots 3, 4, 5, and 25, 26, 27, Block 15, Plat of Nokomis, according thereof, recorded in Plat Book 1, Page 11, of the Public Records of 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. The Master Surface Water Management Plan shall be consistent with the Curry Creek Basin Master Plan.
2. All stormwater treatment shall be open and above ground.
3. In accordance with section 66-117 of the Sarasota County Code, a Certificate of Appropriateness from the Historic Preservation Board is required for any demolition, alteration, construction and/or relocation activities on the property.
4. Development of the subject parcel shall be consistent with all applicable conditions of the Nokomis Center Revitalization Plan.
5. All outdoor lighting shall be less than ten (10) feet in height.
6. Any new outdoor HVAC equipment for the proposed building shall not be located in the required building setback along those property boundaries adjacent to residentially zoned property.
7. The ten (10) foot wide landscape buffer along Nash Avenue and the southeast property boundary abutting RMF -1 (Residential, Multi- Family, 6 units/acre) shall provide a (0.6) opacity.
8. Prior to receiving Construction Authorization, the owner shall submit a wastewater collection system plan. The owner shall also be responsible for any off-site improvements necessary to accommodate the additional flows within the wastewater system.
9. The proposed bed and breakfast facility shall be limited to a maximum of 15 guest rooms and shall be licensed by the State of Florida as a bed and breakfast. The guest rooms shall not contain kitchens.

10. The proposed building for the bed and breakfast/retail facility shall be designed to have the appearance and character of a residential structure. All of the guest rooms shall be accessible from the interior of the bed and breakfast facility and shall not have direct outside access.

11. The entrance(s) to the retail shops shall be separate from the entrance to the bed and breakfast guest rooms. The final design shall be determined during the Site and Development to ensure the integrity of the bed and breakfast.

12. The existing historical house located on the site must be converted to the "breakfast area and managers residence" prior to the issuance of a Certificate of Occupancy for the Bed and Breakfast facility. The breakfast area may not be converted to a restaurant use. Meals shall be served only to overnight guests.

13. Development shall take place in substantial accordance with the Development Concept Plan dated November 5, 2008 and attached hereto as Exhibit A, except as may be necessary to comply with the conditions herein.

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 20<sup>th</sup> day of MAY, 2009.

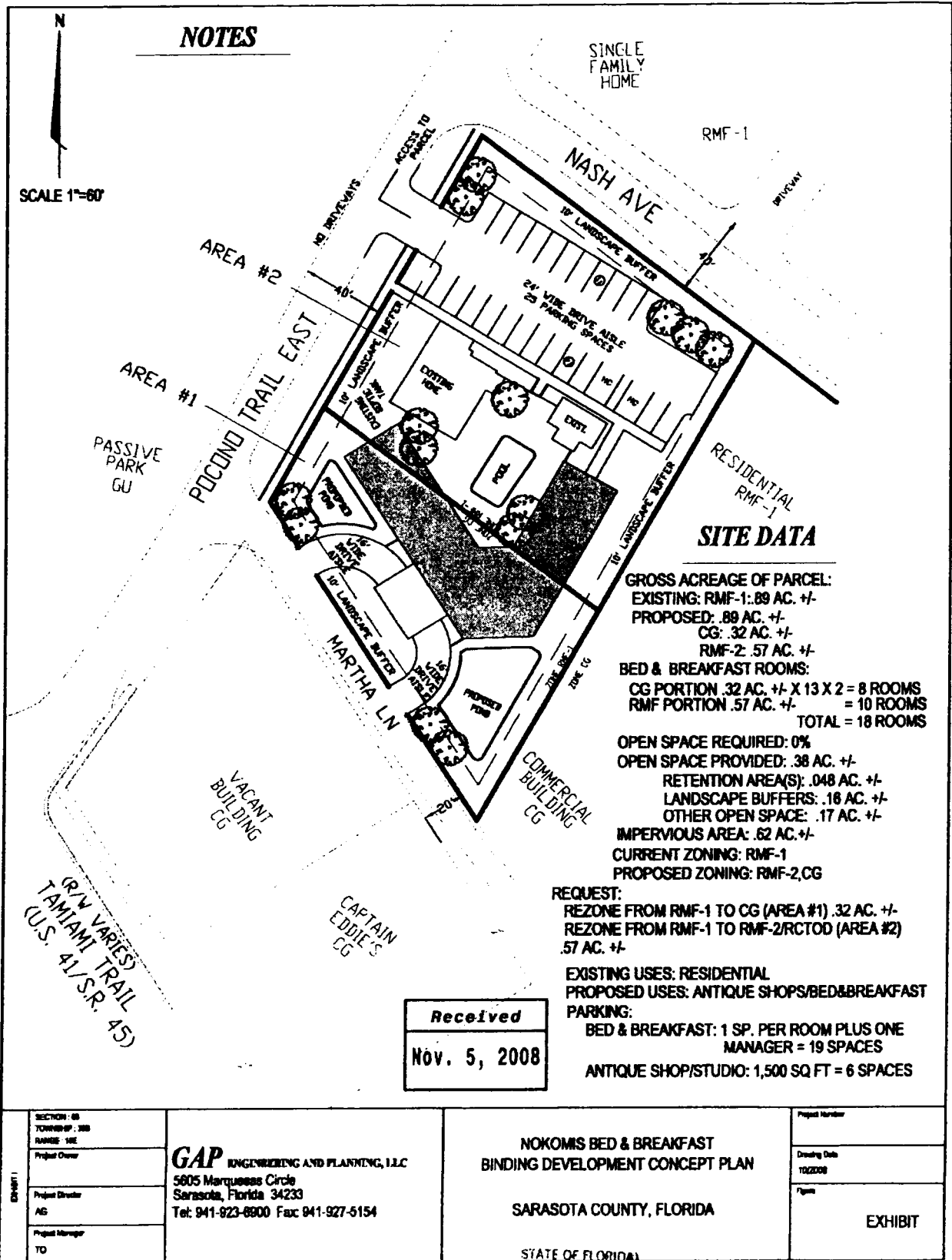
BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

  
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



**NOTES**

SCALE 1"=60'

RMF-1

NASH AVE

AREA #2

AREA #1

PASSIVE PARK GU

POCONO TRAIL EAST

MARTHA LN

VACANT BUILDING CG

CAPTAIN EDDIE'S CG

COMMERCIAL BUILDING CG

RESIDENTIAL RMF-1

**SITE DATA**

GROSS ACREAGE OF PARCEL:  
 EXISTING: RMF-1: .89 AC. +/-  
 PROPOSED: .89 AC. +/-  
 CG: .32 AC. +/-  
 RMF-2: .57 AC. +/-

BED & BREAKFAST ROOMS:  
 CG PORTION .32 AC. +/- X 13 X 2 = 8 ROOMS  
 RMF PORTION .57 AC. +/- = 10 ROOMS  
 TOTAL = 18 ROOMS

OPEN SPACE REQUIRED: 0%  
 OPEN SPACE PROVIDED: .38 AC. +/-  
 RETENTION AREA(S): .048 AC. +/-  
 LANDSCAPE BUFFERS: .16 AC. +/-  
 OTHER OPEN SPACE: .17 AC. +/-  
 IMPERVIOUS AREA: .62 AC. +/-

CURRENT ZONING: RMF-1  
 PROPOSED ZONING: RMF-2, CG

REQUEST:  
 REZONE FROM RMF-1 TO CG (AREA #1) .32 AC. +/-  
 REZONE FROM RMF-1 TO RMF-2/RCTOD (AREA #2) .57 AC. +/-

EXISTING USES: RESIDENTIAL  
 PROPOSED USES: ANTIQUE SHOPS/BED&BREAKFAST

PARKING:  
 BED & BREAKFAST: 1 SP. PER ROOM PLUS ONE MANAGER = 19 SPACES  
 ANTIQUE SHOP/STUDIO: 1,500 SQ FT = 6 SPACES

Received  
 Nov. 5, 2008

SECTION: 08	Project Owner
TOWNSHIP: 28S	Project Director
RANGE: 18E	AG
	Project Manager
	TO

**GAP** ENGINEERING AND PLANNING, I.L.C.  
 5605 Marquess Circle  
 Sarasota, Florida 34233  
 Tel: 941-923-8800 Fax: 941-927-5154

**NOKOMIS BED & BREAKFAST  
 BINDING DEVELOPMENT CONCEPT PLAN**  
  
 SARASOTA COUNTY, FLORIDA

Project Number	EXHIBIT
Drawing Date	
10/22/08	

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

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 BEAL THIS DATE 11/5/27/09  
 ARIAN E. WASHINGTON, CLERK OF THE CIRCUIT COURT  
 COUNTY CLERK TO THE BOARD OF COUNTY COMMISSIONERS  
 SARASOTA COUNTY, FLORIDA

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