

BOARD RECORDS  
FILED FOR RECORD

2009 JUL 23 AM 10:56

**ORDINANCE NO. 2009- 021**

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.

KAREN M. HUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FL

RECEIVED  
COURT CLERK  
SARASOTA COUNTY  
FLORIDA

BE IT ORDAINED BY THE SARASOTA COUNTY COMMISSION 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. 08-25, 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 roads, drainage, solid waste, 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 RSF-3 (Residential Single Family, 4.5 units/acre) and District GU (Governmental Use) to District GU (Governmental Use) on the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being west of US 41, south of Pavonia Road and being more particularly described as follows:

LOT 28 AND LOT 27, LESS THE W'LY 20 FEET OF SAID LOT 27, BLOCK 37, BAY POINT SUB, AS PER PLAT BOOK 3, PAGE 66, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. (ZONED RSF-3)

LOTS TWENTY-NINE (29), THIRTY (30) AND THIRTY-A (30-A), BLOCK THIRTY-SEVEN (37), BAY POINT SUBDIVISION, ACCORDING TO THE CORRECTED PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 66, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. (ZONED RSF-3)

THE NORTHERLY PORTION OF LOT 4, BLOCK 37, CORRECTED PLAT OF BAY POINT, RECORDED IN PLAT BOOK 3, PAGE 66 AND 66-A, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF LOT 5, BLOCK 37, OF SAID CORRECTED PLAT OF BAY POINT; THENCE EAST ALONG AN EXTENSION OF THE NORTH LINE OF SAID LOT 5 50.78' TO A POINT WHICH INTERSECTS THE EAST LINE OF SAID LOT 4; THENCE NORTHERLY ALONG SAID EAST LINE OF LOT 4, 72.58' (ACTUAL) TO THE SOUTHERLY LINE OF A 20' VACATED ALLEY; THENCE NORTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID ALLEY 12.57' TO THE MOST NORTHERLY CORNER OF SAID LOT 4; THENCE SOUTHWESTERLY ALONG THE WESTERLY LINE OF SAID LOT 4, 89.88' (ACTUAL) TO THE P.O.B.; ALSO, THE SOUTHERLY ONE HALF OF VACATED ALLEY ADJACENT TO SAID LOT. (ZONED RSF-3)

ALONG WITH:

LOT 31, BLOCK 37, ACCORDING TO THE PLAT OF "CORRECTED PLAT OF BAY POINT SUBDIVISION AS RECORDED IN PLAT BOOK 3 AT PAGES 66 & 66-A OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA AND THE WESTERLY ½ OF A VACATED 20' ALLEY ADJACENT THERETO. (ZONED RSF-3)

ALONG WITH:

LOTS 11, 12 & 13, BLOCK J, ACCORDING TO THE PLAT OF "CORRECTED PLAT OF BAY POINT SUBDIVISION" AS RECORDED IN PLAT BOOK 3 AT PAGES 66 & 66-A OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, AND ½ OF A VACATED 20' ALLEY LYING SOUTH AND WEST OF SAID LOTS. (ZONED GU)

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 take place in substantial compliance with the Development Concept Plan date stamped July 14, 2009 and attached hereto as Exhibit "A." This does not imply or confer any variances from applicable zoning or land development regulations.
2. The Owner shall not use or store any liquid flammable petroleum products such as gasoline, kerosene, or diesel fuel for fire training exercises. This prohibition does not apply to liquefied petroleum gas stored in accordance with all applicable federal, state, and local regulations.
3. The training facilities shall not exceed 25 feet in height.
4. The existing seven (7) foot wood panel fence along the south and east property lines and the existing ten (10) foot wood panel fence along the west property line shall remain and be maintained as a buffer by the property owner.
5. The hours of operation for the outdoor training activities, including use of the training towers, shall be limited to: 8:00 a.m. to 6:00 p.m., Monday through Friday and the first and third Saturdays of each month, and 6:00 p.m. to 10:00 p.m. Thursday.
6. A 6 foot wide landscape buffer with 0.1 opacity and a 3 foot tall continuous evergreen hedge shall be provided along the western most 180 feet of the parcel's Pavonia Road frontage within 90 days. The existing chain link fence located in the Pavonia Road right-of-way shall be relocated to the subject parcel at the same time.
7. The eastern most portion of the property which is located within the Nokomis Revitalization Plan (No. 99-03-SP), as amended, shall be developed consistent with all applicable conditions.
8. Prior to or concurrent with any future development that requires site and development plan submittal for the subject parcel, Pavonia Road shall be widened to two 11-foot wide travel lanes and resurfaced over the entire roadway from west of U.S. 41 to the subject parcel's access. Transition from the improved cross section to the existing cross section shall occur west of the parcel's access. The improvements shall be included in the construction plans for the proposed development.
9. Resolution No. 98-126, approving Special Exception No. 1428, is hereby rescinded as unnecessary.

10. Use of the subject parcel shall be limited to fire and emergency services and may also include use as a training facility for fire department training. However, all outdoor training activities at the site shall cease by December 31, 2010. By that date, all outdoor training structures and facilities shall be removed from the site.
11. Non-emergency testing of sirens and air horns shall be restricted to Monday through Saturday and no earlier than 9:00 a.m. and no later than 3:00 p.m.
12. For the twenty-four (24) hours prior to any training activities that involve smoke or burning, the Owner shall maintain 4 foot by 4 foot notification signs at the following locations and orientation as shown on the map attached hereto as Exhibit "B": 1) Poinsettia Road and Pavonia Road, 2) U.S. 41 and Pavonia Road, and 3) U.S. 41 and Palm Avenue. The signs shall be placed a minimum of seven (7) feet from the edge of the road pavement and shall conform to the standards for Caution signs in the current FHWA Manual on Uniform Traffic Control Devices.

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 21st day of July, 2009.

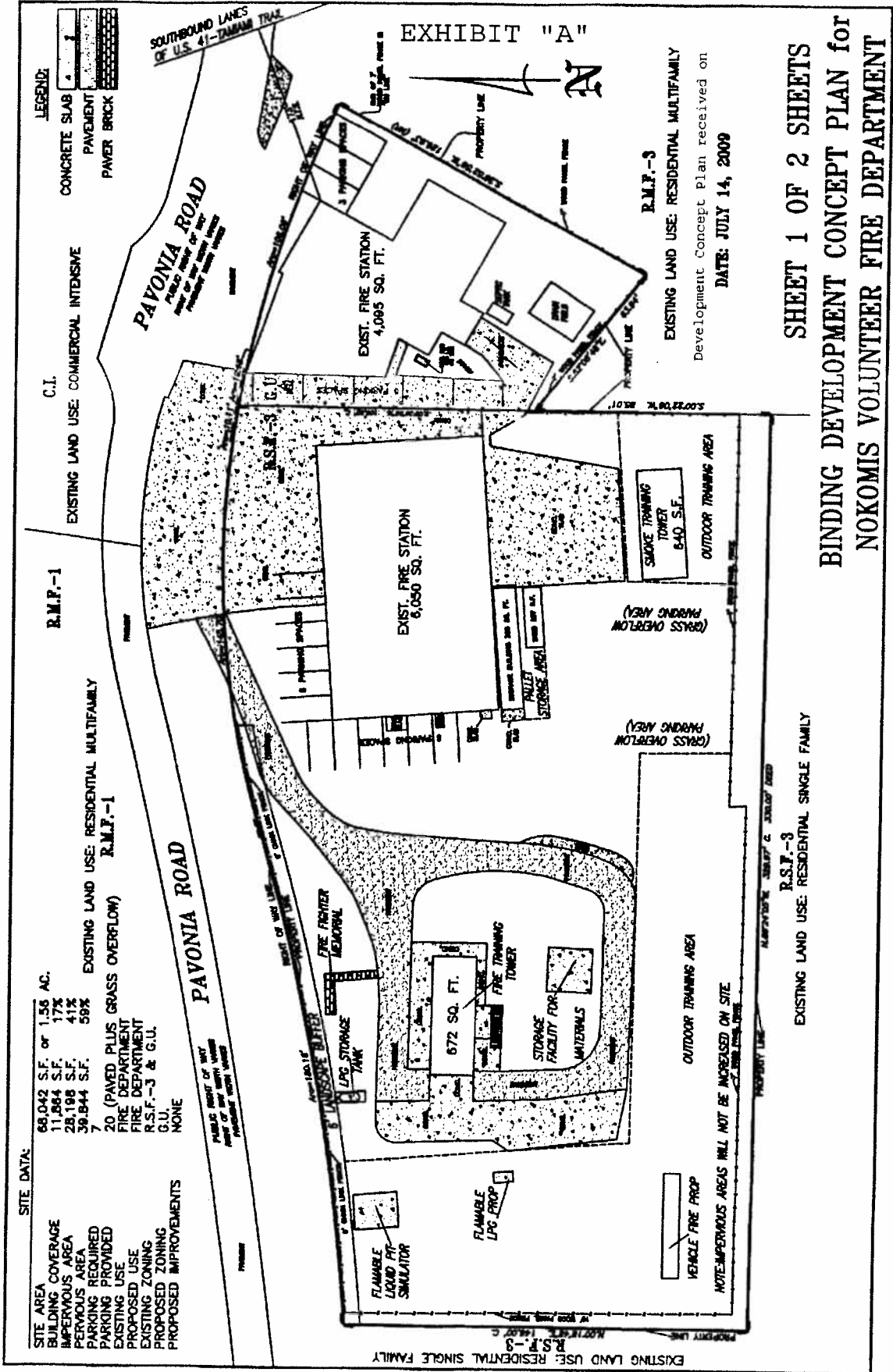
BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

  
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



**LEGEND:**

- CONCRETE SLAB
- PAVEMENT
- PAVER BRICK

C.I.  
EXISTING LAND USE: COMMERCIAL INTENSIVE

R.M.P.-1

EXISTING LAND USE: RESIDENTIAL MULTIFAMILY  
R.M.P.-1

20 (PAVED PLUS GRASS OVERFLOW)  
FIRE DEPARTMENT  
R.S.F.-3 & G.U.

88,042 S.F. or 1.56 AC.  
11,864 S.F. 17%  
28,198 S.F. 41%  
39,844 S.F. 59%

**SITE DATA:**

- BUILDING COVERAGE
- IMPERVIOUS AREA
- PARKING REQUIRED
- PARKING PROVIDED
- EXISTING USE
- PROPOSED USE
- EXISTING ZONING
- PROPOSED ZONING
- PROPOSED IMPROVEMENTS

**EXHIBIT "A"**

R.M.P.-3  
EXISTING LAND USE: RESIDENTIAL MULTIFAMILY  
Development Concept Plan received on  
DATE: JULY 14, 2009

**SHEET 1 OF 2 SHEETS**  
**BINDING DEVELOPMENT CONCEPT PLAN for**  
**NOKOMIS VOLUNTEER FIRE DEPARTMENT**

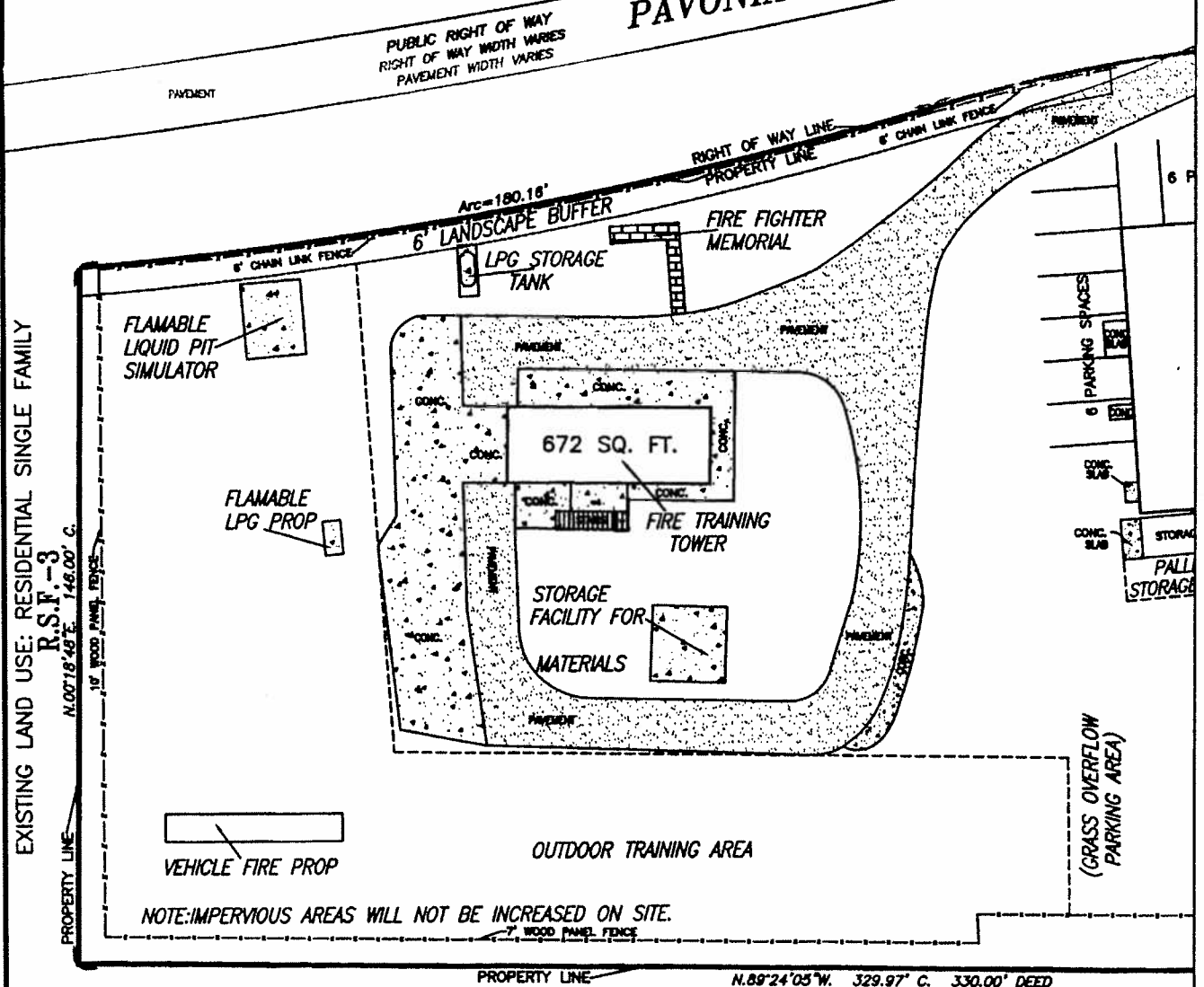
R.S.F.-3  
EXISTING LAND USE: RESIDENTIAL SINGLE FAMILY

EXISTING LAND USE: RESIDENTIAL SINGLE FAMILY

SITE DATA: EXHIBIT "A"

SITE AREA	68,042 S.F. or 1.56 AC.	
BUILDING COVERAGE	11,864 S.F.	17%
IMPERVIOUS AREA	28,198 S.F.	41%
PERVIOUS AREA	39,844 S.F.	59%
PARKING REQUIRED	7	
PARKING PROVIDED	20 (PAVED PLUS GRASS OVERFLOW)	
EXISTING USE	FIRE DEPARTMENT	EXISTING LAND USE: RESIDENTIAL MULTIFAMILY
PROPOSED USE	FIRE DEPARTMENT	R.M.F.-1
EXISTING ZONING	R.S.F.-3 & G.U.	
PROPOSED ZONING	G.U.	
PROPOSED IMPROVEMENTS	NONE	

PAVONIA ROAD



SHEET 2 OF 2 SHEETS  
 BINDING DEVELOPMENT CONCEPT PLAN for  
 NOKOMIS VOLUNTEER FIRE DEPARTMENT

R.S.F.-3  
 EXISTING LAND USE: RESIDENTIAL SINGLE FAMILY

