

**ORDINANCE NO. 2009-032**

2009 JUL 23 AM 11:05

KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FL

FILED  
JUL 23 2009  
CLERK OF CIRCUIT COURT  
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. 09-03, 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-1 (Open Use Estate, 1 unit/5 acres) and RE-2 (Residential Estate, 1 unit/acre) to RSF-  
4/PUD (Residential, Single Family 5.5 units/acre with a Planned Unit Development Overlay zone  
district for the following described property located in Sarasota County, Florida:

South of E. Venice Avenue and west of Havana Road, Venice,  
Florida and being more particularly described as follows:

Tracts 133 and 138, Venice Farms, according to the Plat thereof as  
recorded in Plat Book 2, Page 179, Public Records of Sarasota  
County, Florida. Less the North 25 feet of Tract 133 for Venice

Avenue Road Right-of-Way as recorded in Official Record Instrument Number 2003222471, 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:

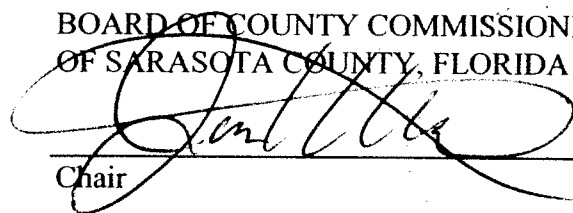
1. Development shall take place in substantial accordance with the Development Concept Plan, date-stamped April 14, 2009, and attached hereto as Exhibit "A", except as necessary to comply with the stipulations herein. This does not imply or confer any variances from applicable zoning or land development regulations.
2. Development of the subject parcel shall be consistent with all applicable conditions of the East Venice Avenue Overlay.
3. Prior to Construction Authorization, the improvements to the Jacaranda Boulevard and Venice Avenue intersection (the "improvements") as contained in the County's Capital Improvements Plan shall have available transportation facility capacity consistent with the Concurrency Management Regulations.
4. The Master Surface Water Management Plan shall be consistent with the Curry Creek Basin Master Plan.
5. Prior to receiving Construction Authorization, Developer shall submit a Lift Station Optimization Plan and hydraulic model of the wastewater collection system. Developer shall be responsible for any off-site improvements necessary to accommodate the additional flows within the wastewater system.
6. Resolution No. 99-195 approving Special Exception No. 1473 is hereby repealed as unnecessary.
7. Prior to site and development plan approval, the owner shall record an easement, in a form acceptable to the County Attorney, providing cross access to the adjacent parcel to the west that fronts East Venice Avenue, consistent with the requirements of the East Venice Avenue Overlay.
8. No food service shall be allowed on the subject site until connection to a central sewer system is made.
9. Outdoor refuse areas shall be set back a minimum of 50 feet from the property line and shall be screened in accordance with Section 7.3.19 of the Zoning Ordinance.
10. If the primary use of the property changes from a facility for disabled adults, the parking

facilities shall be brought into compliance with the current regulations.

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: Paula J. Mintmar  
Deputy

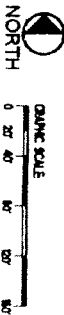
Clerk

EXHIBIT "A" -1

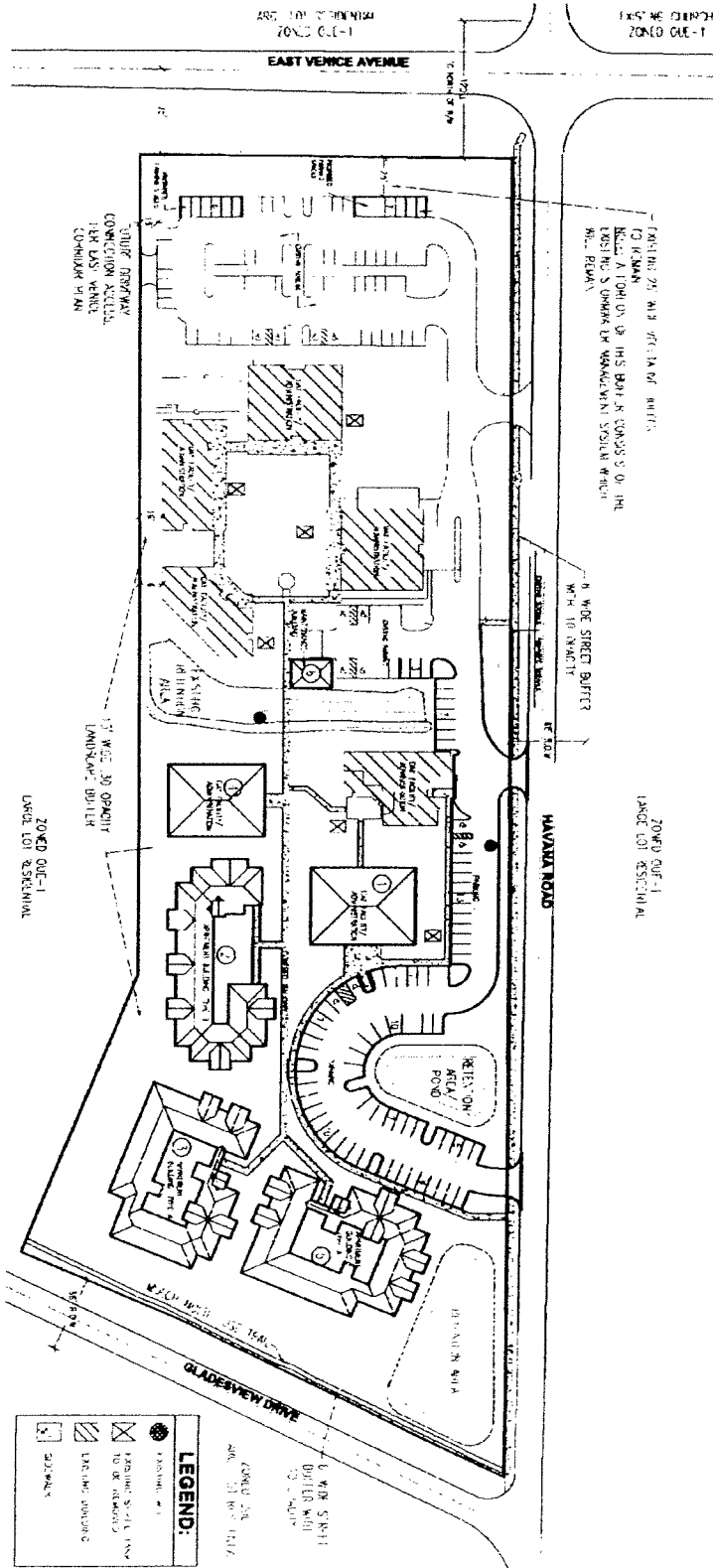
**LAWSON GROUP INC.**

**LOVELAND VILLAGE MASTER PLAN**  
 157 HAVANA ROAD  
 VENICE, FLORIDA  
 APRIL 14, 2009

**BINDING DEVELOPMENT  
 CONCEPT PLAN**



PAGE 1



157-9-020

**SITE DATA:**

1. OWNER:	LOVELAND CENTER INC 157 HAVANA ROAD VENICE, FL 34292	9. SURROUNDING LAND USE:	NORTH - VENICE AVENUE AND LARGE LOT RESIDENTIAL SOUTH - CLADESWAY DRIVE AND LARGE LOT RESIDENTIAL EAST - HAVANA ROAD AND LARGE LOT RESIDENTIAL WEST - 14400 10' WIDE DRIVE
2. TOTAL SITE AREA:	8.4 ACRES	10. HABITAT:	NONE - DEVELOPED FEATURES
3. EXISTING ZONING:	OUF-1 & RF-2 WITH SEWAGE EXCEPTION FOR DAY FACILITY	11. ROADWAYS:	PRIVATE DRIVEWAYS EXCEPT FOR CROSS ACCESS EASEMENT SHOWING TO THE WEST IN THE NORTH-WEST CORNER OF THE SITE.
4. PROPOSED ZONING:	RSF-4/7/UD WITH DAY FACILITY	12. PARKING SPACES:	177 EXISTING PARKING SPACES 122 ADDITIONAL SPACES REQUIRED 91 ADDITIONAL SPACES PROVIDED
5. EXISTING USE:	LOVELAND CENTER CAMPUS, DAY FACILITIES AND VACANT (AND 21,000 SF AND 1 SINGLE FAMILY RESIDENCE TO BE DEVELOPED) 22,200 SF. MAX TO DEVELOP AS 100% LIVING UNITS 3,250 SF. 4 UNITS APARTMENT BUILDING - PLAGE 13,970 SF. 3 UNITS APARTMENT BUILDING 13,970 SF. 3 UNITS APARTMENT BUILDING 15,000 SF. 13 UNITS APARTMENT BUILDING 12,660 SF. MAINTENANCE BUILDING	NOTE: A PUD MODIFICATION IS BEING REQUESTED TO REDUCE THE NUMBER OF PARKING SPACES DUE TO THE FACT THAT MOST RESIDENTS DO NOT DRIVE.	30% REQUIRED 30% PROVIDED
6. PREVIOUS ZONING / SPECIAL EXCEPTION:	APARTMENT BUILDINGS ARE PROPOSED TO BE 2 STORY WITH 6-7 UNITS ON EACH FLOOR AT THIS AREA ZONE NO. 99 - 9 & SPECIAL EXCEPTION NO. 1473	13. OPEN SPACES:	NONE - OPEN SPACES WILL BE CONTAINED WITHIN THE EXISTING OPEN SPACE AREAS, STORMWATER AREAS, AND OTHER OPEN AREAS SURROUNDING THE PROPOSED AND EXISTING BUILDINGS SINCE THE SITE WILL STAY IN UNIFIED CONTROL OF LOVELAND CENTER, INC.
7. PROPOSED USE:	APARTMENT AND DAY FACILITY PER ARTICLE 16.11.2.C OF ZONING ORDINANCE. EXISTING 100' AND OVERLAY DISTRICT PERMITTED UNDER 16.11.1.1 & 2. 22,250 SF. OF ADDITIONAL STUDENT SERVICES BUILDINGS 40 RESIDENTIAL APPT. LIVING UNITS IN A TOTAL OF THREE BUILDINGS PLANNING CALCULATION: 40 DWELLING UNITS / 8.4 ACRES = 4.75 D.U.'S PER ACRE	14. BUILDING COVERAGE:	60.8% TOTAL 5.1' 6% BUILDING COVERAGE
8. CITY:	VENICE - SARASOTA COUNTY SARASOTA COUNTY	15. BUILDING HEIGHT:	MAXIMUM HEIGHT PERMITTED IN RSF-4/7/UD = 65 FT MAXIMUM HEIGHT PROPOSED = 35 FT.
		16. PUD WAIVER REQUEST:	1. WAIVER TO SECTION 14.2.2 OF ZONING ORDINANCE PLEASE TO DIRECT ACCESS TO MAJOR TRANSPORTATION FACILITIES SINCE ACCESS TO HAVANA ROAD WAS PREFERRED BY COUNTY OVER EAST VENICE AVENUE. 2. WAIVER TO SECTION 7.1.7.B TO REDUCE REQUIRED NUMBER OF PARKING SPACES TO THE APPROXIMATE AMOUNT OF PARKING SPACES SHOWN ON CONCEPT PLAN BECAUSE RESIDENT STUDENTS DO NOT DRIVE 3. WAIVER TO ARTICLE 4.10.7.F.2.1 WHICH REQUIRED ALL PARKING AREAS FOR NON-RESIDENTIAL BUILDINGS AWAY FROM EAST VENICE AVENUE AND PLATIFFS ROADS.



**LAWSON GROUP INC.**  
157 HAVANA ROAD  
VENICE, FLORIDA  
APRIL 14, 2009

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 7/23/09  
KAREN E. BUSHING, CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY COMMISSIONERS, SARASOTA COUNTY, FLORIDA  
BY Paul J.  
DEPUTY CLERK

**BINDING DEVELOPMENT  
CONCEPT PLAN**

