

**ORDINANCE NO. 2010- 035**

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 E. FUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FL

2010 JUN -9 PM 1:13

BOARD RECORDS  
FILED FOR RECORD

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. 10-01, 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 RE-1 (Residential Estate, 1 unit/2 acres) to District RE-2 (Residential Estate, 1 unit/acre) on the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being located east and west of North Casey Key Road, approximately 0.6 mile (3200 feet) north of Black Burn Point Road (560 North Casey Key Road) and being more particularly described as follows:

02010-035

Beginning at a marker located 2300.0 feet Northerly from the concrete US Government meander marker at or near the high water mark of the Gulf of Mexico on Casey's Key (Treasure Island) common to Section 9 & 16, Township 38 South, Range 18 East; thence 200.0 feet Northerly along the meander at the Gulf of Mexico to a concrete marker at or near the high water mark at the Gulf of Mexico (said marker being located 2500.0 feet Northerly from the U.S. Government section marker hereinbefore mentioned); thence at an angle of 90 degrees 0 minutes in an Easterly direction (being at right angles to the meander at the Gulf above described) to the waters of Little Sarasota Bay, 480.0 feet, more or less, to a concrete marker at or near the high water mark of Little Sarasota Bay, thence in a Southerly direction 200.0 feet to a marker at or near the high water mark of Little Sarasota Bay; thence in a Westerly direction to the Point of Beginning.

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. Under the RE-1 zoning district, the property has been comprised of two nonconforming lots, each of which may accommodate one single family house under the Zoning Regulations. Upon rezoning to RE-2, this property will be limited to a maximum of two dwelling units.
2. Prior to, or concurrent with, any adjustments or other changes to the existing property boundaries, the Owner will record two Unity of Title Agreements, in a form approved by the County Attorney, one combining adequate portions of the property on each side of North Casey Key Road for the north lot and one combining adequate portions of the property on each side of North Casey Key Road for the south lot, to ensure that the two resulting lots conform to current standards.

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 8<sup>th</sup> day of JUNE, 2010.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

John C. Baker  
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: [Signature]  
Deputy Clerk

