

ORDINANCE NO. 2010-037

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. THUSING
CLERK OF COUNTY COURT
2010 JUN -9 PM 1:10
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. 10-02, 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) to ILW (Industrial, Light Manufacturing and Warehousing) zone district for the following described property located in Sarasota County, Florida:

THE EASTSIDE OF SOUTH JACKSON ROAD AND APPROXIMATELY 1,000 FEET SOUTH OF EAST VENICE AVENUE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF SOUTH RIGHT-OF WAY LINE OF EAST VENICE AVENUE AND THE EAST RIGHT-OF-WAY OF

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JACKSON ROAD; RUN THENCE SOUTH ALONG THE EAST RIGHT-OF-WAY LINE OF SAID JACKSON ROAD 1065.00 FEET FOR A POINT OF BEGINNING; THENCE NORTH 89°04'12" EAST, ALONG A LINE PARALLEL TO THE SOUTH BOUNDARY OF VENICE AVENUE 204.32 FEET; THENCE SOUTH AND PARALLEL TO THE EAST RIGHT-OF-WAY LINE OF JACKSON ROAD, 991.76 FEET, MORE OR LESS, TO THE SOUTH LINE OF SECTION 12, TOWNSHIP 39 SOUTH, RANGE 19 EAST, THENCE SOUTH 89°36'10" WEST, 204.32 FEET, MORE OR LESS, ALONG THE SOUTH LINE OF SAID SECTION 12, TO THE EAST RIGHT-OF-WAY LINE OF JACKSON ROAD; THENCE NORTH ALONG THE EAST RIGHT-OF-WAY LINE OF JACKSON ROAD, 989.85 FEET, MORE OR LESS 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. Development of the subject parcel shall be consistent with all applicable conditions of the East Venice Avenue Overlay.
2. 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.
3. The applicant shall explore the use of Low Impact Design (LID) techniques including but not limited to stem walls) to limit the use of fill on the subject property. These techniques shall be implemented as practical during the Site and Development stage to optimize tree protection on the subject property, as determined by county staff.
4. The Master Surface Water Management Plan shall be consistent with the Myakka River Basin Master Plan.
5. All stormwater treatment shall be open and above ground with a shoreline vegetated buffer.
6. Prior to site and development approval the owner/developer shall commission, and provide the results of a Limited Phase II environmental site assessment in order to determine if historic landfilling occurred on the site. If historic landfilling is confirmed development shall be conducted in accordance with Section 74.61(a)(5) of the Sarasota County Land Development Regulations, and the June 2009, Florida Department of Environmental Protection, *Guidance for Disturbance and Use of Old Closed Landfills or Waste Disposal Areas in Florida*.

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7. 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.
8. The Owner shall provide a Drinking Water Quality Plan that demonstrates how the development will maintain compliance with applicable drinking water quality standards within the development without the need for flushing of the water lines. This Plan shall be submitted to the Utilities Department and approved by Sarasota County prior to Construction Plan approval.
9. The maximum height of structures on the property shall be 35 feet.

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 8th day of JUNE, 2010.

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