

ORDINANCE NO. 2010 - 072

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.

COMPTROLLER
FOR FILED
1210 OCT 22 AM 10:22
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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. 10-10, 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 RSF-4/PUD (Residential, Single Family, 5.5 units/acre, Planned Unit Development Overlay) with stipulations to RSF-4/PUD (Residential, Single Family, 5.5 units/acre, Planned Unit Development Overlay) zone district with amended stipulations for the following described property located in Sarasota County, Florida:

South of East Venice Avenue and West of Havana Road 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 August 10, 2010, 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. 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.
7. No food service shall be allowed on the subject site until connection to a central sewer system is made.
8. 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.
9. 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.
10. All stormwater treatment except Low Impact design (LID) shall be open and above ground.

11. 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.

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 12th day of October, 2010.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA



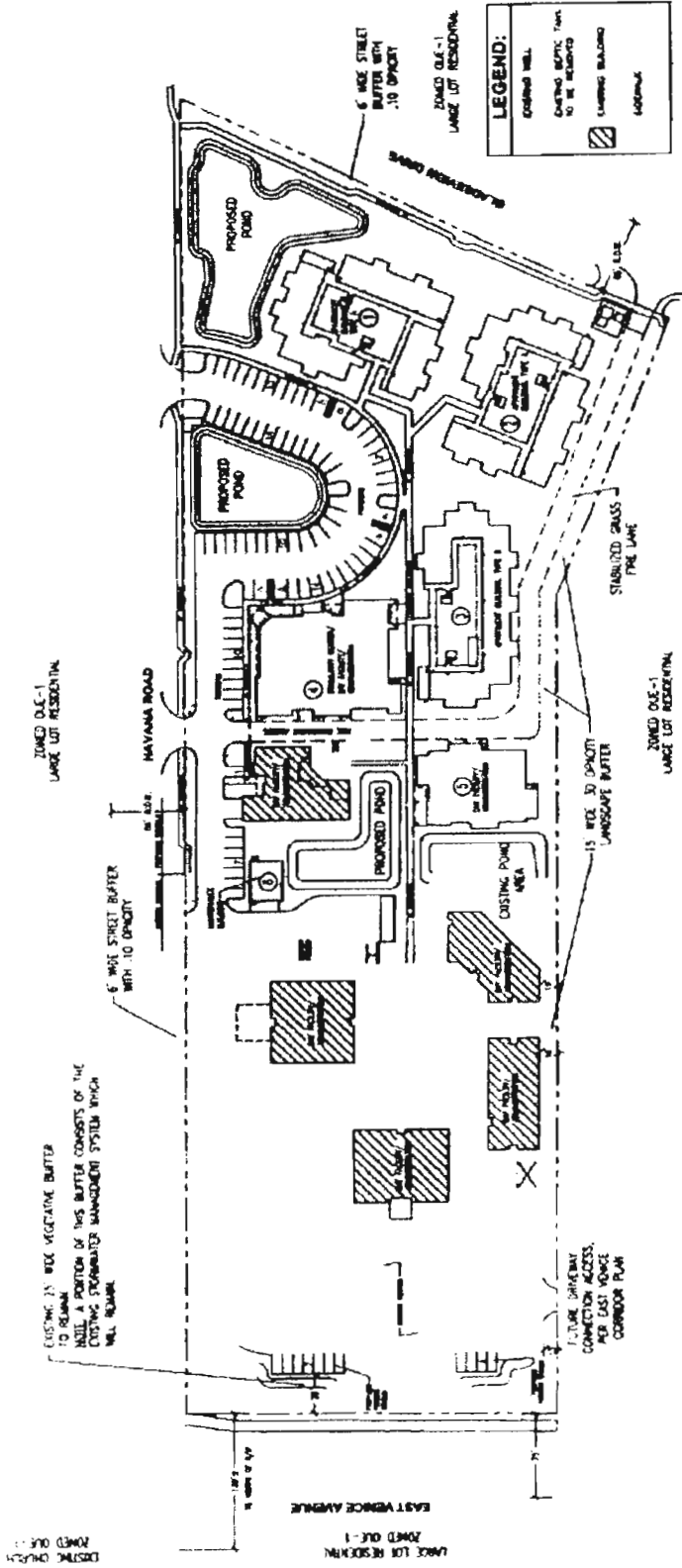
Chair

ATTEST:

KAREN E. RUSHING, Clerk of
the Circuit Court and Ex-
Officio Clerk of the Board of
County Commissioners of
Sarasota County, Florida.

By: Paula Lintman
Deputy Clerk

EXHIBIT "A"



BINDING DEVELOPMENT
CONCEPT PLAN



PAGE 1

LOVELAND VILLAGE MASTER PLAN

157 HAVANA ROAD
VENICE, FLORIDA
AUGUST 08, 2010

RECEIVED
AUG 10 2010
BY:



SITE DATA:

1. OWNER: LOVELAND CENTER INC.
157 HAVANA ROAD
VENICE, FL 34792

2. TOTAL SITE AREA: 8.4 ACRES ±

3. EXISTING ZONING: RSF-4/PUD WITH DAY FACILITY

4. PROPOSED ZONING: RSF-4/PUD WITH DAY FACILITY

5. EXISTING USE: LOVELAND CENTER CAMPUS, DAY FACILITIES AND VACANT LAND
EXISTING BLDG S.F.: 21,000 S.F. AND 1 SINGLE FAMILY RESIDENCE

PROPOSED NEW BLDG S.F.: 35,000 S.F. AND 40 RESIDENTIAL APT. LIVING UNITS

BUILDING 1 - 13 UNITS APARTMENT WITH OFFICE/LIVING AREA- 13,119 S.F. PER FLOOR

BUILDING 2 - 13 UNITS APARTMENT WITH OFFICE/LIVING AREA- 13,119 S.F. PER FLOOR

BUILDING 3 - 14 UNITS APARTMENT BUILDING- 12,648 S.F. PER FLOOR

BUILDING 4 - COMMUNITY CENTER/DAY FACILITY/ADMINISTRATION BUILDING- 2,000 S.F.

BUILDING 5 - DAY FACILITY/ ADMINISTRATION BUILDING- 12,992 S.F.

BUILDING 6 - MAINTENANCE BUILDING- 1,068 S.F.

*NOTE: APARTMENT BUILDINGS ARE PROPOSED TO BE 2 STORY WITH 7 UNITS ON EACH FLOOR.

6. PREVIOUS REZONE/SPECIAL EXCEPTION: REZONE NO. 09-03

7. PROPOSED USE: APARTMENTS AND DAY FACILITY PER ARTICLE 6.11.2.C. OF ZONING ORDINANCE PERTAINING TO PUD OVERLAY DISTRICT PERMITTED USES 5, 1, 5, & 7.

8. UTILITIES: 35,000 S.F. OF ADDITIONAL STUDENT SERVICES BUILDINGS
40 RESIDENTIAL APT. LIVING UNITS IN A TOTAL OF THREE BUILDINGS
DENSITY CALCULATION: 40 DWELLING UNITS - 8.4 ACRES= 4.76 DU'S PER ACRE. MODERATE DENSITY RESIDENTIAL (MDR)= (GREATER THAN 2 DWELLING UNITS PER ACRE LESS THAN 5 DWELLING UNITS PER ACRE)

9. SURROUNDING LAND USE: WATER - SARASOTA COUNTY
SEWER - SARASOTA COUNTY
NORTH - VENICE AVENUE AND LARGE LOT RESIDENTIAL
SOUTH - GLADEVIEW DRIVE AND LARGE LOT RESIDENTIAL
EAST - HAVANA ROAD AND LARGE LOT RESIDENTIAL
WEST - LARGE LOT RESIDENTIAL

10. HABITAT: NONE - DEVELOPED FEATURES

11. ROADWAYS: PRIVATE DRIVEWAYS EXCEPT FOR CROSS ACCESS EASEMENT SHOWN TO THE WEST IN THE NORTHWEST CORNER OF THE SITE. EMERGENCY FIRE ACCESS TO BE LOCATED AS DETERMINE BY COUNTY FIRE DEPARTMENT.

12. PARKING SPACES: 77 EXISTING PARKING SPACES
127 ADDITIONAL SPACES REQUIRED
91 ADDITIONAL SPACES PROVIDED

NOTE: A PUD MODIFICATION WAS APPROVED AS PART OF REZONE 09-03 TO REDUCE THE NUMBER OF PARKING SPACES DUE TO THE FACT THAT MOST RESIDENTS DO NOT DRIVE.

13. OPEN SPACE: 30% REQUIRED
30% PROVIDED

NOTE: OPEN SPACE AREAS WILL BE CONTAINED WITHIN THE PERIMETER OPEN SPACE AREAS, STORMWATER AREAS, AND OTHER OPEN AREAS SURROUNDING THE PROPOSED AND EXISTING BUILDINGS SINCE THE SITE WILL STAY IN UNIFIED CONTROLL OF LOVELAND CENTER, INC.

14. NEW BUILDING COVERAGE: 56,882 TOTAL S.F.
6% BUILDING COVERAGE

15. BUILDING HEIGHT: MAXIMUM HEIGHT PERMITTED IN RSF-4/PUD- 65 FT.
MAXIMUM HEIGHT PROPOSED- 35 FT.
MAXIMUM HEIGHT PROPOSED STAIR TOWERS- 45 FT.

16. PUD WAIVER REQUESTS AS PROPOSED APPROVED AS PART OF REZONE 09-03:

1. WAIVER TO SECTION 3.14.2.E.2 OF ZONING ORDINANCE RELATING TO DIRECT ACCESS TO MAJOR TRANSPORTATION FACILITIES SINCE ACCESS TO HAVANA ROAD WAS PREFERRED BY COUNTY OVER EAST VENICE AVENUE.

2. WAIVER 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.E.2.1 WHICH REQUIRED ALL PARKING AREAS FOR NON-RESIDENTIAL BEHIND BUILDINGS AWAY FROM EAST VENICE AVENUE AND PLATED ROADS.

EAST VENICE AVENUE WATER REQUEST APPROVED AS PART OF REZONE 09-03:

**BINDING DEVELOPMENT
CONCEPT PLAN**

LOVELAND VILLAGE MASTER PLAN

157 HAVANA ROAD
VENICE, FLORIDA
AUGUST 09, 2010

STATE OF FLORIDA
COUNTY OF SARASOTA
I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL FILES IN THE OFFICE. WITNESS MY HAND AND OFFICIAL SEAL THIS DATE 10/15/10
KAREN B. BUSHONG, CLERK OF THE CIRCUIT COURT
IN AND FOR THE COUNTY OF SARASOTA, FLORIDA



