

BOARD OF COUNTY COMMISSIONERS  
FILED FEB 15 2011

2011 FEB 10 AM 10:28

**ORDINANCE NO. 2011 - 001**

CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA

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.

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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. 10-12, 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 RE-2 (Residential Estate, 1 unit/acre) to OPI (Office, Professional and Institutional) zone district for the following described property located in Sarasota County, Florida:

Approximately 1050 feet west of S.R. 776 and north of Manasota Beach Road and being more particularly described as follows:

The Southerly 218 feet (area 0.5 acre) of Lot 9, Block A of FLORIDA TROPICAL HOMESITES AND LITTLE FARMS, according to the Plat thereof as recorded in Plat Book 5, Page 71, of the Public Records of SARASOTA County, Florida.

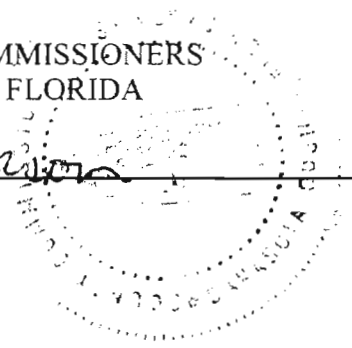
Section 3. Restrictions, Stipulations and Safeguards. As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section 2 and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations 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 compliance with the Development Concept Plan date stamped August 24, 2010 and attached hereto as Exhibit "A." Residential square footage in the principal structure shall be no less than 80 percent of the office square footage. This does not imply or confer any variances from applicable zoning or land development regulations. The Owner may apply for relief under Sections 7.3.5.e. and 7.3.9.3. of the Zoning Ordinance to reduce the width of the landscape buffers on the east and west sides of the property to 6 feet, and to seek a waiver to construct the wall along the north property line.
2. Development of the subject parcel shall be consistent with all applicable conditions of the S.R. 776 Corridor Plan (Ordinance No. 2003-049).
3. Prior to or concurrent with Construction Authorization, the Owner shall record a vehicular ingress/egress access easement or right-of-way to the adjacent 1.0 ± acre property to the north, across the 0.5 ± acre subject parcel, to Manasota Beach Road.
4. The Master Surface Water Management Plan shall be consistent with the Forked Creek Basin Master Plan.
5. All stormwater treatment shall be open and above ground.
6. A Notice of Proximity to the Manasota Scrub Preserve shall be recorded in the Public Records of Sarasota County prior to or concurrent with approval of any site and development plan. The Notice of Proximity shall indicate the Manasota Scrub Preserve's right to the following: continuing current resource management practices to include, but not be limited to, prescribed burning, exotic plant and animal removal, usage of heavy equipment and machinery and other practices as may be deemed necessary for the proper management of the Preserve.
7. All lighting shall be directed away from Manasota Beach Road to limit impacts to the Manasota Scrub Preserve.
8. Office hours for patron and client visitation shall be limited to 7:00 a.m. to 9:00 p.m.

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 February, 2011.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

*Carolyn G. Mason*  
Vice Chair

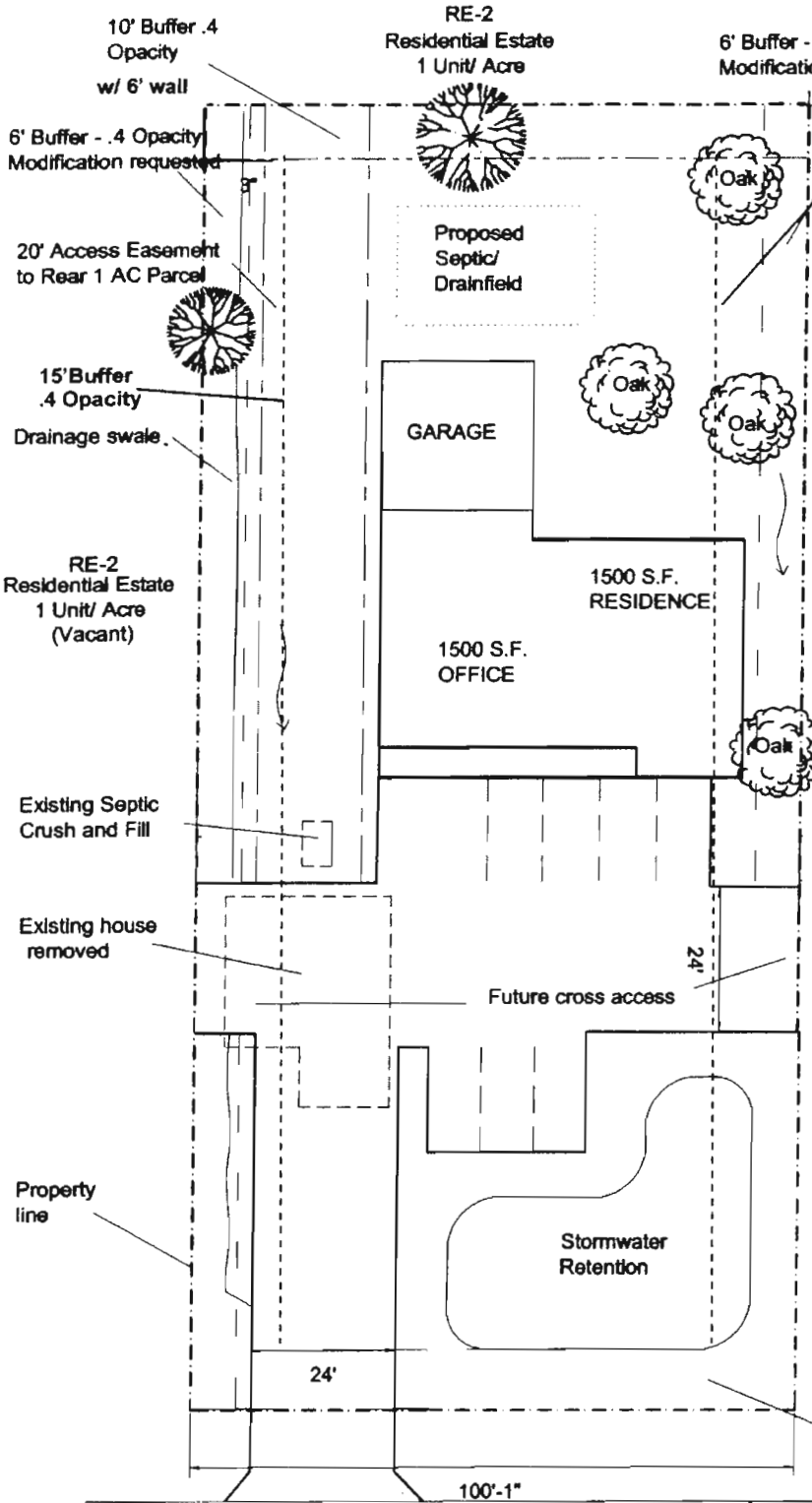


ATTEST:

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

By: *Paula Blintman*  
Deputy Clerk

100-11080



RE-2 Residential Estate 1 Unit/Acre Existing Single Family

**SITE DATA**

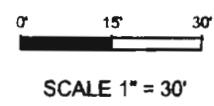
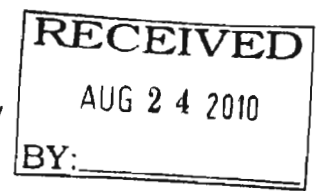
AREA OF PARCEL	66,000 S.F. (1.5 ac)
AREA OF REZONE	21,800 S.F. (.5 ac)
OFFICE FLOOR AREA	1500 S.F.
UPPER RESIDENCE AREA	1500 S.F.
GARAGE	500 S.F.
BUILDING COVERAGE	11.5% OF LAND AREA
CURRENT ZONING	RE-2
PROPOSED ZONING	OPI/PD
EXISTING USE	SINGLE FAMILY HOME
PROPOSED USE	OFFICE/RESIDENCE
REQUIRED PARKING (OFFICE)	6
REQUIRED PARKING (RESIDENCE)	2
TOTAL PROPOSED PARKING	10
PROPOSED IMPERVIOUS AREA	8000 S.F.

**DEVELOPMENT CONCEPT PLAN (Binding)**

Address: 1354 Manasota Beach Road  
Englewood, Florida 34223  
Owner: Evan R. "Ron" Cutsinger  
Parcel I.D.# 0471-14-0018

**EVAN R. "RON" CUTSINGER**  
OFFICE/RESIDENCE  
Rcutsinger@comcast.net (941) 587-1035

Page Two of Two



Manasota Beach Road

80' ROW

STATE OF FLORIDA  
COUNTY OF SARASOTA  
I HEREBY CERTIFY THAT THE FOREGOING IS A  
TRUE AND CORRECT COPY OF THE ORIGINAL FILED  
IN THIS OFFICE WITNESS MY HAND AND OFFICIAL

SEAL THIS DATE 2/16/2011  
KAREN E RUSHING, CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS, SARASOTA COUNTY, FLORIDA  
BY [Signature]  
DEPUTY CLERK

OUE-2  
Manasota Scrub Preserve

EXHIBIT A