

RESOLUTION NO. 2013-014

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA REZONE PETITION NO. 12-02

WHEREAS, Alan Garrett, agent for the owner of the hereinafter described real property, has filed Rezone Petition No. 12-02 requesting that a rezone be granted to allow the hereinafter described property to be rezoned from District RSF-1 (Residential, Single-Family, 2.5 units/ acre) with stipulations to District RSF-1 (Residential, Single-Family, 2.5 units/ acre) amended stipulations:

more particularly described as follows; North of Clark Road, south of Proctor Road, and within, north and east of the Red Hawk Reserve Subdivision:

A PARCEL OF LAND LOCATED IN SECTIONS 7, 8 AND 17, TOWNSHIP 37 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA, ALSO BEING PART OF FOXFIRE SUBDIVISION AS RECORDED IN PLAT BOOK 23, PAGE 33 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 8; THENCE SOUTH 00'07'31" WEST ALONG THE WEST LINE OF SAID SECTION 8, 56.20 FEET FOR A POINT OF BEGINNING, SAID POINT BEING THE NORTHWEST CORNER OF LOT 1 OF SAID FOXFIRE SUBDIVISION,

WHICH IS ON THE SOUTHERLY RIGHT OF WAY LINE OF PROCTOR ROAD, (25 FEET FROM THE CENTERLINE); THENCE CONTINUE SOUTH 00' 07'31" WEST ALONG SAID WEST LINE OF SECTION 8 AND ALONG THE WEST LINE OF LOTS 1, 2 AND 3 OF SAID FOXFIRE SUBDIVISION, 770.00 FEET; THENCE SOUTH 54'40'48" EAST ALONG THE SOUTHERLY LINE OF LOTS 3 AND 4 OF SAID FOXFIRE SUBDIVISION, 237.45 FEET TO AN ANGLE POINT; THENCE SOUTH 77'06'15" EAST ALONG THE SOUTHERLY LINE OF SAID LOT 4, 225.00 FEET; THENCE NORTH 81'24'49" EAST ALONG THE SOUTH LINE OF LOT 5 OF SAID FOXFIRE SUBDIVISION, 245.78 FEET TO A POINT ON A CURVE BEING ON

THE WESTERLY LINE OF LOT 10 OF SAID FOXFIRE SUBDIVISION; THENCE IN A SOUTHERLY DIRECTION ALONG THE WESTERLY LINE OF LOTS 10 THRU 13 OF SAID FOXFIRE SUBDIVISION OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1080.00 FEET WHICH RADIUS POINT

BEARS SOUTH 49'02'14" EAST. A DELTA OF 46'29'40", AN ARC DISTANCE OF 876.40 FEET TO A POINT OF A COMPOUND CURVE NOT TANGENT TO THE LAST DESCRIBED CURVE; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE SOUTHERLY LINE OF LOTS 13 THRU 19 OF SAID FOXFIRE SUBDIVISION OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 850.00 FEET WHICH RADIUS POINT BEARS NORTH 84'

31'51" EAST, A DELTA OF 118'59'27", AN ARC DISTANCE OF 1765.26 FEET TO THE POINT OF TANGENCY; THENCE NORTH 55'32'24"

FILED FOR THE RECORD BOARD RECORDS 2013 FEB 15 AM 10:29 CLARENCE RUSHING CLERK OF THE CIRCUIT COURT SARASOTA COUNTY, FL

R2013-014

EAST ALONG THE SOUTHERLY LINE OF LOTS 19, 20 AND 21 OF SAID FOXFIRE SUBDIVISION, 279.18 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF THE FOXFIRE OWNERS ASSOCIATION, INC. TENNIS COURTS; THENCE ALONG THE FOLLOWING 8 CALLS ARE THE

BOUNDARY LINES OF SAID TENNIS COURTS: SOUTH 34'27'33" EAST, 10.00 FEET; THENCE SOUTH 55'33'34" WEST, 30.03 FEET; THENCE SOUTH 34'26'16" EAST, 74.53 FEET; THENCE NORTH 55'41'41" EAST, 5.03 FEET; THENCE NORTH 34'45'25" WEST, 6.00 FEET; THENCE NORTH 55'31'43" EAST, 126.00 FEET; THENCE NORTH 26'36'59" EAST, 28.45 FEET; THENCE NORTH 34'22'40" WEST, 64.62 FEET TO A POINT ON SAID SOUTH LINE OF LOT 21, THENCE NORTH 55'32'24" EAST ALONG SAID SOUTH LINE OF LOT 21, 81.98 FEET TO THE

WESTERLY RIGHT OF WAY LINE OF PROCTOR ROAD, (50 FOOT PUBLIC RIGHT OF WAY); THENCE SOUTH 34'25'49" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 800.00 FEET TO THE NORTHEAST CORNER OF LOT 31 OF SAID FOXFIRE SUBDIVISION; THENCE SOUTH 55' 34'11" WEST ALONG THE NORTHERLY LINE OF SAID LOT 31, 440.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 31; THENCE SOUTH 34'25'49" EAST ALONG THE WESTERLY LINE OF LOTS 31 AND 32 OF SAID FOXFIRE SUBDIVISION, 505.23 FEET TO A POINT ON A CURVE BEING ON THE NORTHERLY LINE OF LOT 34 OF SAID FOXFIRE SUBDIVISION; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE WESTERLY LINE OF LOTS 34 THRU 37 OF SAID FOXFIRE SUBDIVISION OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 465.00 FEET WHICH RADIUS POINT BEARS SOUTH 50'04'30" EAST, A DELTA OF 164'20'03", AN ARC DISTANCE OF 1333.70 FEET TO THE POINT OF TANGENCY; THENCE NORTH 55'35'25" EAST ALONG THE SOUTHERLY LINE OF LOTS 37 AND 38 OF SAID FOXFIRE SUBDIVISION, 305.11 FEET TO THE WESTERLY MAINTAINED RIGHT OF WAY LINE OF SAID PROCTOR ROAD AS RECORDED IN ROAD PLAT BOOK 3, PAGE 48 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG THE FOLLOWING 6 CALLS ARE THE WESTERLY LINE OF SAID

MAINTAINED RIGHT OF WAY; SOUTH 33'09'13" EAST, 100.31 FEET; THENCE SOUTH 34'52'35" EAST, 100.17 FEET; THENCE SOUTH 28' 09'57" EAST, 100.60 FEET; THENCE SOUTH 34'26'35" EAST, 100.00 FEET, THENCE SOUTH 67'10'42" EAST, 24.97 FEET; THENCE SOUTH 34'26'35" EAST, 141.15 FEET TO A POINT ON THE NORTHERLY LINE OF LOT 39 OF SAID FOXFIRE SUBDIVISION; THENCE SOUTH 50' 39'28" WEST ALONG SAID NORTHERLY LINE, 473.06 FEET TO AN ANGLE POINT; THENCE SOUTH 00'31'51" WEST ALONG THE WEST LINE OF SAID LOT 39, 140.05 FEET TO THE NORTHEAST CORNER OF LOT 44 OF SAID FOXFIRE SUBDIVISION; THENCE NORTH 89'29'31" WEST

ALONG THE NORTH LINE OF LOTS 40 THRU 44 OF SAID FOXFIRE SUBDIVISION, 994.15 FEET; THENCE SOUTH 40'12'11" WEST ALONG A LINE AS DESCRIBED IN OFFICIAL RECORDS BOOK 1405, PAGE 121 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, 10.74

FEET; THENCE SOUTH 11'51'28" WEST ALONG A LINE AS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 1405, PAGE 121, 14.49 FEET TO A POINT ON A LINE AS

DESCRIBED IN OFFICIAL RECORDS BOOK 1294, PAGE 52 OF THE PUBLIC RECORDS OF SARASOTA COUNTY,

FLORIDA; THENCE SOUTH 37'23'36" WEST ALONG SAID LINE AS DESCRIBED IN OFFICIAL RECORDS BOOK 1294, PAGE 52, 21.92 FEET TO A POINT ON THE WEST LINE OF SAID LOT 40; THENCE SOUTH 00'31'55" WEST ALONG SAID WEST LINE, 459.70 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF CLARK ROAD (STATE ROAD 72, A 100 FOOT PUBLIC RIGHT OF WAY); THENCE NORTH 89'27'35"

WEST ALONG SAID NORTH RIGHT OF WAY LINE, 329.69 FEET TO A POINT ON THE EAST LINE OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 8 EXTENDED SOUTHERLY; THENCE NORTH 00'37'16" EAST ALONG SAID EAST LINE 1617.95 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 8; THENCE SOUTH 89'57'31" WEST ALONG SAID NORTH LINE, 1330.70 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND AS

DESCRIBED IN OFFICIAL RECORDS BOOK 2935, PAGE 2200, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE SOUTH 00'17'24" WEST ALONG THE EAST LINE OF SAID PARCEL OF LAND, 61.45 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL OF LAND; THENCE

NORTH 60'33'00" WEST ALONG THE SOUTH LINE OF SAID PARCEL OF LAND AND ALONG THE APPROXIMATE NORTH TOP OF BANK OF A DRAINAGE DITCH, 346.88 FEET; THENCE SOUTH 22'56'48" WEST, 68.54 FEET; THENCE NORTH 61'31'19" WEST, 20.00 FEET; THENCE SOUTH 13'08'47" WEST, 82.79 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2935, PAGE 2200 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE NORTH 88'42'26" WEST ALONG THE SOUTH LINE OF SAID PARCEL OF LAND 299.96 FEET TO THE WEST LINE OF SAID SECTION 8; THENCE NORTH 00'07'31" EAST ALONG SAID WEST LINE,

269.05 FEET TO A POINT ON THE APPROXIMATE NORTH TOP OF BANK OF A DRAINAGE DITCH; THENCE NORTH 63'25'11" WEST ALONG SAID APPROXIMATE NORTH TOP OF BANK, 195.97 FEET TO A POINT OF A CURVE; THENCE IN A WESTERLY DIRECTION ALONG SAID

APPROXIMATE NORTH TOP OF BANK AND SAID CURVE TO THE LEFT, HAVING A RADIUS OF 170.59 FEET, A DELTA OF 42'35'50", AN ARC DISTANCE OF 126.83 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 73'58'59" WEST ALONG SAID APPROXIMATE NORTH TOP OF BANK, 561.94 FEET TO A POINT ON THE EAST LINE OF TRACT "A" OF ASHLEY SUBDIVISION AS RECORDED IN PLAT BOOK 33, PAGE 22 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE NORTH 00'06'21" EAST (BEARING BASIS FOR THIS DESCRIPTION) ALONG SAID EAST LINE OF TRACT "A" AND LOTS 1 THRU 15 OF SAID ASHLEY SUBDIVISION, 3495.14 FEET TO A POINT ON THE SAID

SOUTH RIGHT OF WAY LINE OF PROCTOR ROAD; THENCE SOUTH 89'44'28" EAST ALONG SAID SOUTH LINE, 839.85 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH ALL OF GRANTOR'S RIGHT, TITLE AND INTEREST, IF ANY, IN THE EASEMENTS AS RECORDED IN OFFICIAL RECORDS BOOK 1973, PAGE 871; OFFICIAL RECORDS BOOK 1973, PAGE 876; OFFICIAL RECORDS BOOK 1973, PAGE 2250; OFFICIAL RECORDS

BOOK 1979, PAGE 2056; AND OFFICIAL RECORDS INSTRUMENT #19998150252, AS RE-RECORDED IN OFFICIAL RECORDS INSTRUMENT

#1999050155; ALL OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. GRANTOR MAKES NO WARRANTIES OF TITLE REGARDING THESE EASEMENTS.

TOGETHER WITH:

TRACTS 512,612 AND PARCEL "A", OF REDHAWK RESERVE, PHASE I AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK 44, PAGES 41, 41A through 41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sarasota County, Florida, in public meeting assembled:

Section 1. The Board of County Commissioners conducted a public hearing on the request on February 13, 2013.


Section 2. The request is not consistent with Policy 2.1.5 of the Environment Element of the Comprehensive Plan. Pursuant to Ordinance No. 75-38, as amended, and as codified in Appendix A of the Sarasota County Code of Ordinances (the Zoning Regulations), the Board of County Commissioners finds that the request for the rezone petition does not meet the criteria for approval set forth in Sections 3.12.3.a.1, 3.12.3.a.2, 3.12.3.a.4, 3.12.3.a.5, 3.12.3.a.6, 3.12.3.a.7, 3.12.3.a.10, and 3.12.3.a.12 of the Zoning Regulations. The petition would not be compatible with the existing land use pattern, would create adverse impacts on the adjacent area and the County in general, and would adversely influence living conditions in the neighborhood.

Section 3. Based on the evidence, testimony and the foregoing findings, the Board of County Commissioners hereby DENIES Rezone Petition No. 12-02.

Section 4. This Resolution shall take effect immediately upon its adoption. The Clerk shall transmit by mail a certified copy of this Resolution to the Agent, Alan Garrett, 2424 Yorkshire Drive, Sarasota, FL 34231.

PASSED AND DULY ADOPTED this 13 day of February, A.D., 2013.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

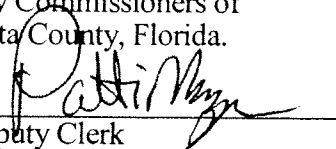


Vice Chair

ATTEST:

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

By: _____


Deputy Clerk