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DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

**ORDINANCE NO. 2012 - 021**

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.

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. 12-06, 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 RMF-1 (Residential, Multi-Family, 6 units/acre) with stipulations to RMF-1 (Residential, Multi-Family, 6 units/acre) zone district with amended stipulations for the following described property located at 5650 Gantt Road in Sarasota County, Florida:

All that Part of Tract No. 11, Block 3, SARASOTA-VENICE CO.  
SUBDIVISION of Section 12, Township 37 South, Range 18 East,

02012-021

(Plat Book A, Page 68, Sarasota County, Records), lying within the following described boundary:

Commence at the NW corner of Section 12, Township 37 South Range 18 East; thence South 0°03'29" West along the West line of Section 12, 2705.61 feet to the West ¼ corner of Section 12; thence South 89°36'17" East along the ¼ section line, 2681.75 feet to the center of Section 12; thence South 0°09'55" West along the ¼ section line, 1685.00 feet; thence North 89°36'17" West, 15.00 feet to the Westerly line of a 30 foot dedicated right-of-way for Albritton Road for a Point of Beginning; thence South 0°09'55" West along the Westerly right-of-way line, 332.80 feet; thence North 89°51'48" West along the South line of Tract 11, 654.11 feet to the SW corner of Tract No. 11; thence North 0°07'40" East along its West line, 335.77 feet; thence South 89°36'17" East, 654.33 feet to the Point of Beginning. Subject to a 10' easement for additional road right of way along the east line.

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. Prior to or concurrent with development of the subject parcel, the developer shall construct a northbound to westbound left turn lane at the Gantt Road access, if the left turn warrants are met based on the actual number of dwelling units determined by the developer at Site and Development review stage. The left turn lane shall be designed in accordance with Indexes 301 and 526 of the Florida Department of Transportation's *Roadway and Traffic Design Standards*. The improvements shall be included in the construction plans for the proposed development.
2. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.
3. The Owner shall be required to extend the existing sewer line the full length of the parcel frontage along Gantt Road.
4. Future development of the subject parcel shall be consistent with all applicable conditions of the I-75 and Clark Road Sector Plan (Ordinance No. 92-007).

02012-021

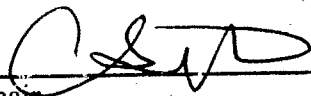
5. No buildings or portions of buildings within 40 feet of the east property boundary shall exceed 35 feet in height. The maximum height of any structure on the subject parcel shall be limited to 47 feet if in-structure parking is being provided.
6. The buffer along the east property boundary along Gantt Road shall be a minimum of 15 feet wide and have a minimum .3 opacity as defined by the Sarasota County Zoning Ordinance.
7. Ten percent of the total number of residential units constructed on the property shall be affordable to buyers of 100 percent Area Median Income (AMI) or less as qualified by the Community Housing Trust. The units shall be Affordable Housing Units, and shall be affordable and sold to qualified buyers meeting the 100 percent of Area Median Income standard for Sarasota County for affordable housing units. The units shall also be made subject to recorded restrictions requiring sale and resale according to the standards established for such units by the Community Housing Trust. In the event this property is developed as an Adult Living Facility (ALF), this stipulation shall not apply.
8. The buildings constructed on the site shall utilize green building principles consistent with the Standards of the County Green Building Program as outlined in Sarasota County Resolution No. 2005-048.
9. The wetland and associated upland vegetative buffer shall be maintained in accordance with management guidelines contained within the Comprehensive Plan as a preserve and labeled a preserve on all plans. All activities including but not limited to filling, excavating, well drilling, altering vegetation (including trimming of both trees and understory) and storing of materials shall be prohibited within preservation areas, unless written approval is first obtained from Resource Protection. Exception may be granted by Resource Protection to facilitate implementation of approved habitat management plans or the hand removal of nuisance/invasive vegetation.
10. The proposed wetland buffer impacts shall be compensated for by designating additional area on the west side of the parcel as upland wetland buffer. This area shall be sized to compensate for the buffer impact area and create a wildlife connection to the off-site wetland preserve area as shown on the development concept plan. The Site & Development shall include a planting plan restore this wildlife connection.
11. Prior to Construction Authorization for development on the subject parcels, it shall be demonstrated that Gantt Road from Clark Road to Ashton Road has available transportation facility capacity consistent with the Concurrency Management Regulations (Chapter 94, Article VII, Exhibit A, Sarasota County Code).

A2017-071

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 20th day of June, 2012.

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: Charlyn A Brandi  
Deputy Clerk

STATE OF FLORIDA  
COUNTY OF SARASOTA  
I HEREBY CERTIFY THAT THE FOREGOING IS A  
TRUE AND CORRECT COPY OF THE ORIGINAL FILES  
IN THIS OFFICE WITNESS MY HAND AND OFFICIAL  
SEAL THIS DATE June 27, 2012  
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS, SARASOTA COUNTY, FLORIDA  
BY Charlyn A Brandi  
DEPUTY CLERK

02012-021