

**ORDINANCE NO. 2012-037**

BOARD RECORDS  
FILED FOR THE RECORD

2012 NOV 15 AM 11:55

KAREN S. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FL

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP, 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. 12-11, 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 (Open Use Estate, 1 unit/5 acres) and RSF-3 (Residential, Single Family, 4.5 units/acre) to RSF-2 (Residential, Single-Family, 3.5 units/acre) zone district for the following described property located at the northeast corner of Proctor Road and Honore Avenue in Sarasota County, Florida:

LEGAL DESCRIPTION:

(PID 0067-13-0001) THE WEST 1/2 OF LOT 8, BLOCK "3", SARASOTA-VENICE COMPANY, SUBDIVISION OF SECTION 1, TOWNSHIP 37 SOUTH, RANGE 18 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK A, PAGE 12, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; LESS THAT PORTION CONTAINED IN ROAD PLAT BOOK 2, PAGE 24 AND ORDERS OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 2486, PAGE 75 AND OFFICIAL RECORDS BOOK 2634, PAGE 2601 AND THAT PORTION IN QUIT CLAIM DEED RECORDED AS CLERK'S INSTRUMENT NUMBER 2001188512, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

(PID 0067-13-0002) EAST 1/2 OF LOT 8, BLOCK "3", SARASOTA-VENICE COMPANY SUBDIVISION, OF SECTION 1, TOWNSHIP 37 SOUTH, RANGE 18 EAST, AS PER PLAT THEREOF RECORDED IN PLAT BOOK A, PAGE 12, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. LESS THAT PORTION OF THE HEREIN DESCRIBED PROPERTY TO SARASOTA COUNTY AS DESCRIBED IN OFFICIAL RECORDS BOOK 2857, PAGE 1419, 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. 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. Anything to the contrary notwithstanding, the upland vegetative buffer may fluctuate in width provided the buffer width averages no less than 30 feet and is no less than 15 feet at any one point adjacent to the parking and drive isles. 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, except where approved by Conservation & Environmental Permitting through: 1) the Resource Management Plan for the project, or 2) specific written approval of hand removal of nuisance or exotic vegetation.
2. The owner shall execute an easement agreement with the Sarasota County Transportation Authority for approximately 9 feet (deep) by 20 feet (wide) of property located behind the sidewalk on the southeast corner of the site adjacent to the Proctor Road entry for the purpose of future construction by Sarasota County of a bus shelter. This easement agreement shall be executed prior to the issuance of the certificate of occupancy for the Heritage Grove ALF.


3. The access to/from Proctor Road shall be limited to right-in/right-out only. The owner shall close the existing median opening, approximately 500 feet east of Honore Avenue, on Proctor Road.
4. Access to Honore Avenue shall be limited to right-in/right-out and left-in only.
5. The owner shall construct a southbound to eastbound left turn lane on Honore Avenue at the subject parcels access location. 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*.
6. The owner shall relocate and/or replace the landscaping in the existing median on Honore Avenue with the same or equivalent vegetation within 30 days of the completion of the left turn lane.
7. To the extent practicable all existing trees within the perimeter buffer shown in the Development Concept Plan shall be preserved.
8. Development shall take place in substantial compliance with the Development Concept Plan date stamped November 1, 2012, subject to the terms of Stipulation No 1. This does not imply or confer any variances from applicable zoning or land development regulations.
9. All outdoor lighting shall be limited to a maximum height of twelve (12) feet.
10. Refuse and delivery trucks servicing the facility shall be limited to Monday thru Friday between the hours of 8 am to 5 pm.

Section 4. The stipulations set forth in Section 3 of Ordinance No. 2007-099 are superseded by the stipulations set forth in Section 3 above.

Section 5. 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 14 day of November, 2012.

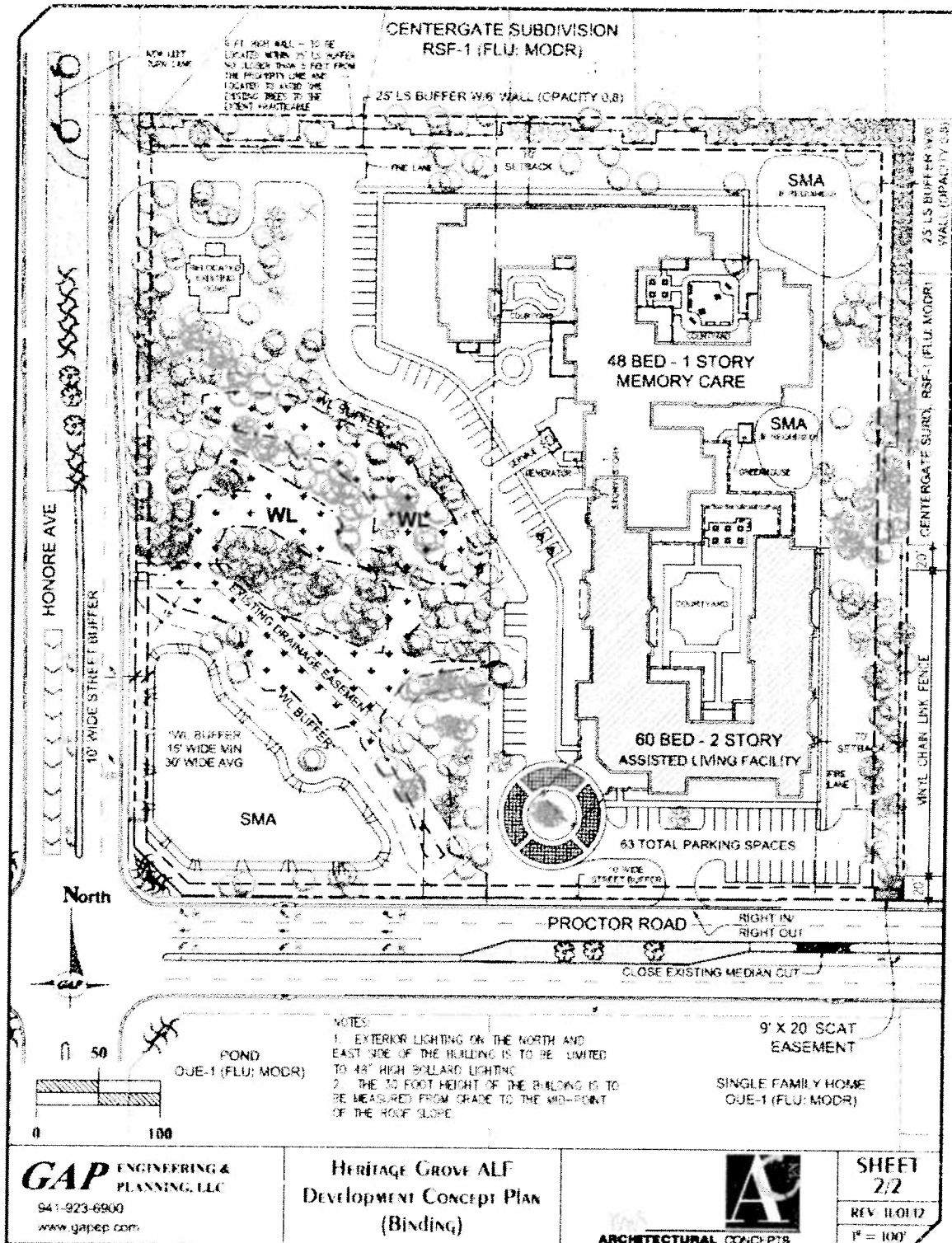
BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

  
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:   
Deputy Clerk



## SITE DATA

1. Project Name: Heritage Grove
2. Total Acreage = 8.97 acres
3. Existing Zoning: OUE-1 and RSF-3
4. Proposed Zoning: RSF-2
5. Proposed Use: 108 bed (27 EDU's) Assisted Living Facility and relocation of the existing multi-story single family house (1 EDU)
6. Density: 28 EDU's on 8.97 acres = 3.12 du's/acre
7. Open Space: 4.06 acres or 45%
8. Required Parking: 108 beds @ 0.5 spaces/bed = 54 spaces
9. Proposed Parking: 63 spaces (0.58 spaces/bed)  
Note: Additional spaces are shown on the Binding Site Plan to accommodate shift changes.
10. Height of Structure: Maximum of 30 feet for ALF building not to exceed 2 stories in height. The existing single family residence to be relocated onsite shall not be subject to the 30 foot limitation.
11. Building Coverage: 16 %

### DCP LEGEND

SMA - STORMWATER MANAGEMENT AREA

WL - WETLAND AREA



EXISTING TREES

**GAP** ENGINEERING &  
PLANNING, LLC  
941-923-6900  
www.gapep.com

HERITAGE GROVE ALF  
DEVELOPMENT CONCEPT PLAN  
(Binding)



SHEET  
1/2  
REV: 11-01-12  
1" = NA