

**ORDINANCE NO. 2013-004**

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.

FILED FOR THE RECORDS  
BOARD RECORDS  
2013 JAN 30 AM 9:21  
KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FL

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:

1. The Board has received and considered the report of the Sarasota County Planning Commission concerning Rezoning Petition No. 12-13, requesting rezoning of the property described herein.
2. 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.
3. The rezoning herein granted is consistent with the Sarasota County Comprehensive Plan and meets the requirements of the Zoning Ordinance.
4. 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-1 (Open Use, Estate, 1 unit/ 5 acres) and OUE-2 (Open Use, Estate, 1 unit/ 2 acres) to RSF-4/PUD (Residential, Single-Family, 5.5 units/ acre/ Planned Unit Development) and RE-1 (Residential Estate, 1 unit/ 2 acres) zone districts for the following described property located in Sarasota County, Florida:

**East of S.R. 776 (Englewood Road) and south of Stoner Road**  
and being more particularly described as follows:

PARCEL 2:

RECORD DESCRIPTION PER OFFICIAL RECORD BOOK 2292 AT PAGE 1618 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA:  
PARCEL D AND THE EAST 1/2 OF PARCEL C; SAID PARCELS D & C BEING DESCRIBED IN OFFICIAL RECORD BOOK 1979, PAGE 1513 ET SEQ., PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; SAID PARCELS LYING IN AND BEING A PART OF LOTS 21 AND 22, BLOCK A, PLAT OF GULF COAST GROVES, PLAT BOOK 1, PAGE 6, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

PARCEL D:

THE EAST 435.60' OF THE FOLLOWING DESCRIBED PROPERTY:  
A PORTION OF LOTS 21 AND 22, BLOCK "A" OF GULF COAST GROVES SUBDIVISION, NO. 1, RECORDED IN PLAT BOOK 1, PAGE 6, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE S.E. CORNER OF THE SW 1/4 OF SECTION 11, TOWNSHIP 40 SOUTH, RANGE 19 EAST; THENCE N01°05'19" W, 25.00' TO THE S.E. CORNER OF LOT 28, BLOCK "A" OF SAID SUBDIVISION; THENCE N89°52'34" W, ALONG THE NORTH RIGHT-OF-WAY OF KEYWAY ROAD, 1008.39' TO THE EASTERLY RIGHT-OF-WAY OF ENGLEWOOD ROAD (S.R. 775); THENCE N27°41'34"W ALONG SAID EASTERLY RIGHT-OF-WAY, 1199.15' FOR A POINT OF BEGINNING; THENCE CONTINUE N27°41'34"W ALONG SAID RIGHT-OF-WAY, 225.22' TO ITS INTERSECTION WITH THE SOUTH RIGHT- OF-WAY OF STONER ROAD; THENCE N89°41'27"E, ALONG SAID SOUTH RIGHT-OF-WAY, 1646.18' TO THE EAST LINE OF SAID LOT 21; THENCE S01°05'19"E, ALONG THE EAST LINE OF SAID LOTS 21 AND 22, A DISTANCE OF 200.00'; THENCE S89°41'27"W, 1545.31' TO THE POINT OF BEGINNING.  
BEING AND LYING IN SECTION 11, TOWNSHIP 40 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA.

PARCEL C:

THE WEST 435.60' OF THE EAST 871.20' OF THE FOLLOWING DESCRIBED PROPERTY:  
A PORTION OF LOTS 21 AND 22, BLOCK "A", OF GULF COAST GROVES SUBDIVISION, NO. 1, RECORDED IN PLAT BOOK 1, PAGE 6, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE S.E. CORNER OF THE S.W. 1/4 OF SECTION 11, TOWNSHIP 40 SOUTH, RANGE 19 EAST; THENCE N01°05'19"W, 25.00' TO THE S.E. CORNER OF LOT 28, BLOCK "A" OF SAID SUBDIVISION; THENCE N89°52'34"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF KEYWAY

ROAD, 1008.39' TO THE EASTERLY RIGHT-OF-WAY OF ENGLEWOOD ROAD (S.R. 775); THENCE N27°41'34"W, ALONG SAID EASTERLY RIGHT-OF-WAY, 1199.15' FOR A POINT OF BEGINNING; THENCE CONTINUE N27°41'34"W, ALONG SAID RIGHT-OF-WAY, 225.22' TO ITS INTERSECTION WITH THE SOUTH RIGHT-OF-WAY OF STONER ROAD; THENCE N89°41'27"E, ALONG SAID SOUTH RIGHT-OF-WAY, 1646.18' TO THE EAST LINE OF SAID LOT 21; THENCE S01°05'19"E, ALONG THE EAST LINE OF SAID LOTS 21 AND 22, A DISTANCE OF 200.00'; THENCE S89°41'27"W, 1545.31' TO THE POINT OF BEGINNING.  
BEING AND LYING IN SECTION 11, TOWNSHIP 40 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA.

PARCEL 3.6:

DESCRIPTION OF A PART OF BLOCK "A", GULF COAST GROVES, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 6, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 40 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA; THENCE NORTH 1°06'32" WEST, A DISTANCE OF 25.00 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK "A" AS DESCRIBED ABOVE; THENCE NORTH 89°49'52" WEST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID BLOCK "A", A DISTANCE OF 500.00 FEET TO THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2480, PAGE 917, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE NORTH 1°06'32" WEST, ALONG THE EASTERLY BOUNDARY OF SAID LANDS, AND PARALLEL WITH THE EASTERLY BOUNDARY LINE OF SAID BLOCK "A", A DISTANCE OF 635.70 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE NORTH 1°06'32" WEST, ALONG SAID LINE, A DISTANCE OF 139.86 FEET TO THE NORTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2480, PAGE 917, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE SOUTH 88°56'50" WEST, ALONG THE NORTHERLY BOUNDARY LINE OF SAID LANDS, A DISTANCE OF 857.51 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 776; THENCE NORTH 27°07'09" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 37.06 FEET; THENCE NORTH 30°32'53" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 97.62 FEET; THENCE NORTH 28°36'49" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 217.67 FEET TO A POINT THAT LIES 200.00 FEET SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF STONER ROAD; THENCE NORTH 89°40'33" EAST, ALONG A LINE 200.00 FEET SOUTHERLY OF AND PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF STONER ROAD, A DISTANCE OF 1522.29' FEET TO THE EASTERLY BOUNDARY LINE OF ABOVE DESCRIBED BLOCK

"A"; THENCE SOUTH 1°06'32" EAST, ALONG SAID EASTERLY BOUNDARY LINE, A DISTANCE OF 442.39 FEET TO A POINT THAT LIES SOUTH 89°49'52" EAST FROM THE POINT OF BEGINNING; THENCE NORTH 89°49'52" WEST, A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING. ALL LYING AND BEING IN SECTION 11, TOWNSHIP 40 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA.

PARCEL 4:

DESCRIPTION OF A PART OF BLOCK "A", GULF COAST GROVES, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 6, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 40 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA; THENCE NORTH 1°06'32" WEST, A DISTANCE OF 25.00 FEET TO THE SOUTHEAST CORNER OF BLOCK "A" AS DESCRIBED ABOVE; THENCE NORTH 89°49'52" WEST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID BLOCK "A", A DISTANCE OF 500.00 FEET TO THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2460, PAGE 917, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE NORTH 1°06'32" WEST, ALONG THE EASTERLY BOUNDARY LINE OF SAID LANDS, AND PARALLEL WITH THE EASTERLY BOUNDARY LINE OF SAID BLOCK "A", A DISTANCE OF 200.00 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE ALONG SAID LINE, NORTH 01°06'32" WEST, A DISTANCE OF 435.70 FEET; THENCE SOUTH 89°49'52" EAST, ALONG A LINE THAT IS PARALLEL WITH THE SOUTHERLY BOUNDARY LINE OF SAID BLOCK "A", A DISTANCE OF 500.00 FEET TO THE EASTERLY BOUNDARY LINE OF SAID BLOCK "A"; THENCE SOUTH 1°06'32" EAST, ALONG SAID EASTERLY BOUNDARY LINE OF SAID BLOCK "A", A DISTANCE OF 435.70 FEET TO THE NORTHEAST CORNER OF THOSE LANDS OWNED BY ENGLEWOOD WATER DISTRICT; THENCE NORTH 89°49'52" WEST, ALONG THE NORTHERLY BOUNDARY LINE OF SAID LANDS, A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING. TOGETHER WITH A 30.00 FOOT INGRESS AND EGRESS EASEMENT OVER AND ACROSS THE LANDS OF ENGLEWOOD WATER DISTRICT, AS SHOWN IN DEED RECORDED IN OFFICIAL RECORDS INSTRUMENT NO. 1999047448, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, ALL LYING AND BEING A PART OF SECTION 11, TOWNSHIP 40 SOUTH, RANGE 19 EAST, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

THE NW 1/4 OF THE SW 1/4 OF THE SE 1/4 OF SECTION 11, TOWNSHIP 40 SOUTH, RANGE 19 EAST. SAID LAND LYING AND BEING IN SARASOTA COUNTY, FLORIDA.

LESS THE NORTH 338 FEET THEREOF.

THE NORTH 338 FEET OF THE NW 1/4 OF THE SW 1/4 OF THE SE 1/4 OF SECTION 11, TOWNSHIP 40 SOUTH, RANGE 19 EAST. SAID LAND LYING AND BEING IN 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. Except for the Espana property, labeled "Espana Property" on the Development Concept Plan, development shall take place in substantial accordance with the Development Concept Plan, date-stamped Received October 30, 2012, and attached hereto as Exhibit "A", for all of the property 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 property shall be consistent with all applicable conditions of the S.R. 776 Corridor Plan.
3. Access to Englewood Road (S.R. 776) shall be restricted to right-in/right-out only.
4. The pine flatwoods conservation areas shall be maintained in accordance with management guidelines contained within the Comprehensive Plan as a conservation area and labeled as a conservation area 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 conservation 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.
5. To improve the native habitat function and value, and connectivity, the proposed pond within the pine flatwoods conservation area shall be designed to contain native plantings six feet in width above and six feet in width below the normal water level.

Section 4. Modifications. Pursuant to Article 6.11.2.f of the Sarasota County Zoning Ordinance, the Board approves the following PUD modifications:

1. Modification of Sections A.1.3. and Appendix C6 of the Subdivision Technical Manual of the Land Development Regulations. Minimum right-of-way widths may be reduced from 50 feet to 40 feet on internal streets. Minimum roadway widths may be reduced from 22 feet to 20 feet.
2. Modification from Sections 6.11.2.e.3. of the Zoning Ordinance setbacks for attached and detached residential blocks. Setbacks for residential structures as follows: side yard setbacks may be reduced from 6 feet/12 feet between structures) to 5 feet (10 feet between structures); however in no case shall setbacks be reduced below the requirements of the building and fire codes.
3. Modification of Sections B.3.a.16. and Appendix C6 of the Subdivision Technical Manual of the Land Development Regulations. Minimum right-of-way widths may be reduced from 50 feet to 40 feet on internal streets. Minimum sidewalk requirements from sidewalk on two sides of the roadway to one side of the roadway within the Sidewalk Variance Area as shown on the Development Concept Plan.

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 29 day of January, 2013.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

Carolyn J. Mass  
Chair

ATTEST:

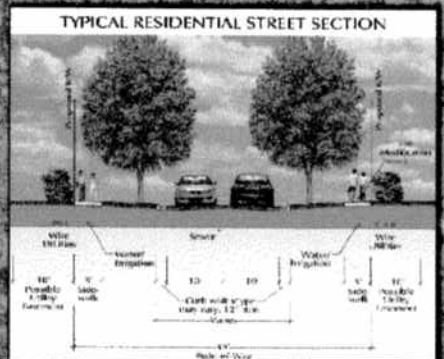
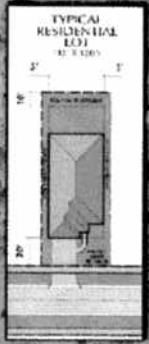
KAREN E. RUSHING, Clerk of  
the Circuit Court and Ex-  
Officio Clerk of the Board of  
County Commissioners of  
Sarasota County, Florida.

By: [Signature]  
Deputy Clerk

SITE STATISTICS	
TOTAL SITE (BUYER PLAC)	67,747 AC
TOTAL LOTS	1,242 LOTS
ZONING (PROPOSED)	OLE-1A-2
ZONING (CURRENT)	RSP-1 PLD A RE-1
TOTAL LOTS	75 UNITS
PROPOSED USE	RESIDENTIAL
DENSITY	2.1 D.U./AC
OPEN SPACE (PROPOSED)	30%
SEE ATTACHED MODIFICATIONS 1, 2, & 3	
NOTE: * LOTS ARE UNIMPROVED	

**Modifications to Sarasota County Regulations and Plans:**

- Modification of Sections A.1.3. and Appendix C6 of the Subdivision Technical Manual of the Land Development Regulations. Minimum right-of-way widths may be reduced from 50 feet to 30 feet on arterial streets. Minimum roadway widths may be reduced from 32 feet to 20 feet.
- Modification of Sections 6.11.2.1.3. of the Zoning Ordinance setbacks for attached and detached residential blocks. Setbacks for residential structures as follows, side yard setbacks may be reduced from 6 feet to 3 feet (3 feet between structures) to 3 feet (10 feet between structures), however its or case shall setbacks be reduced below the requirements of the building and fire codes.
- Modification of Sections B.3.1.6. and Appendix C6 of the Subdivision Technical Manual of the Land Development Regulations. Minimum right-of-way widths may be reduced from 50 feet to 40 feet on arterial streets. Minimum sidewalk requirements from sidewalks on two sides of the roadway to one side of the roadway within the Sidewalk Variance Area as shown on the Development Concept Plan.



**Keyway Place**  
Development Concept Plan (Binding)

NEAL COMMUNITIES OF THE BRADEN RIVER LLC  
ENGLEWOOD, FLORIDA



EXHIBIT "A"  
Received October 30, 2012

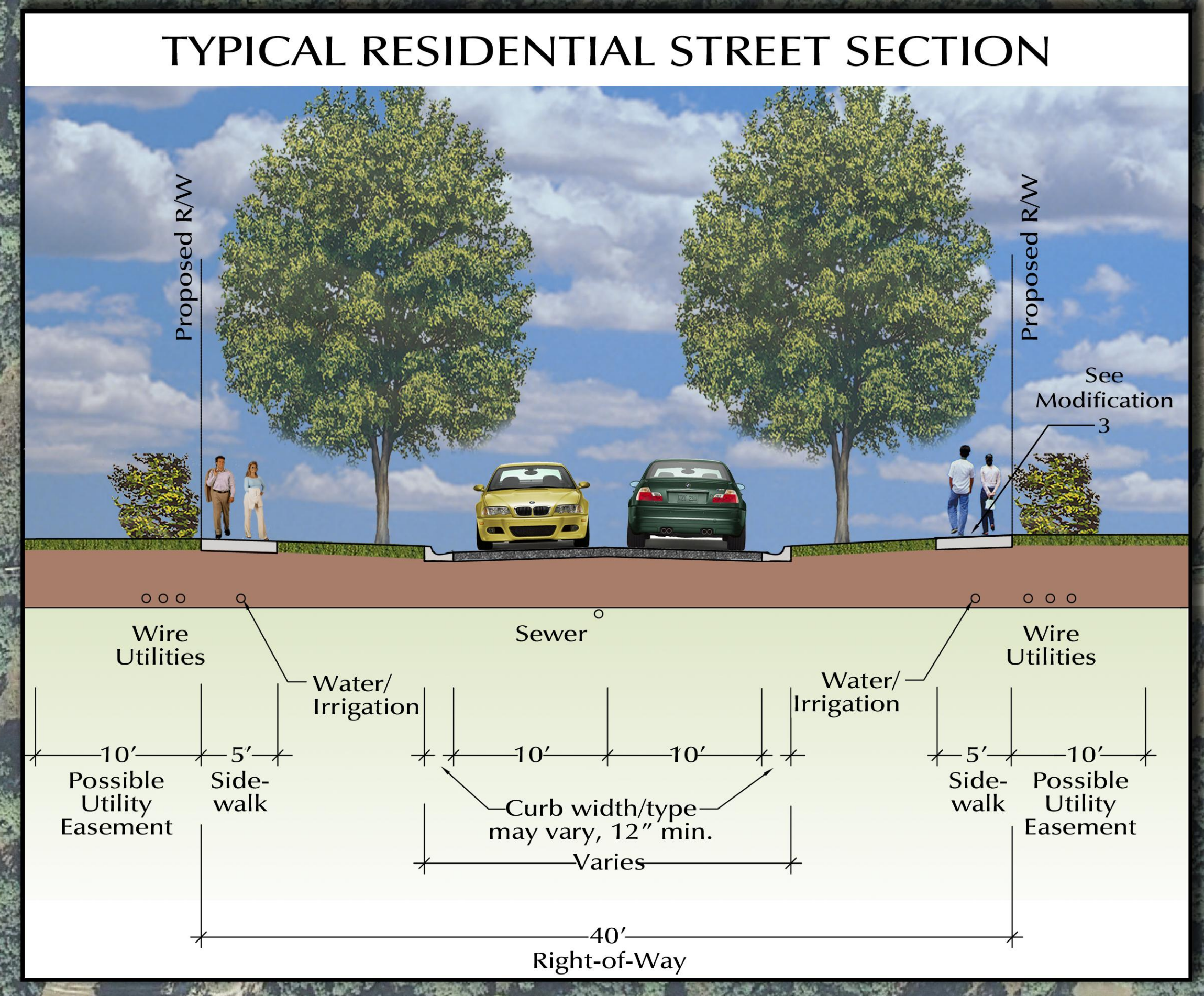
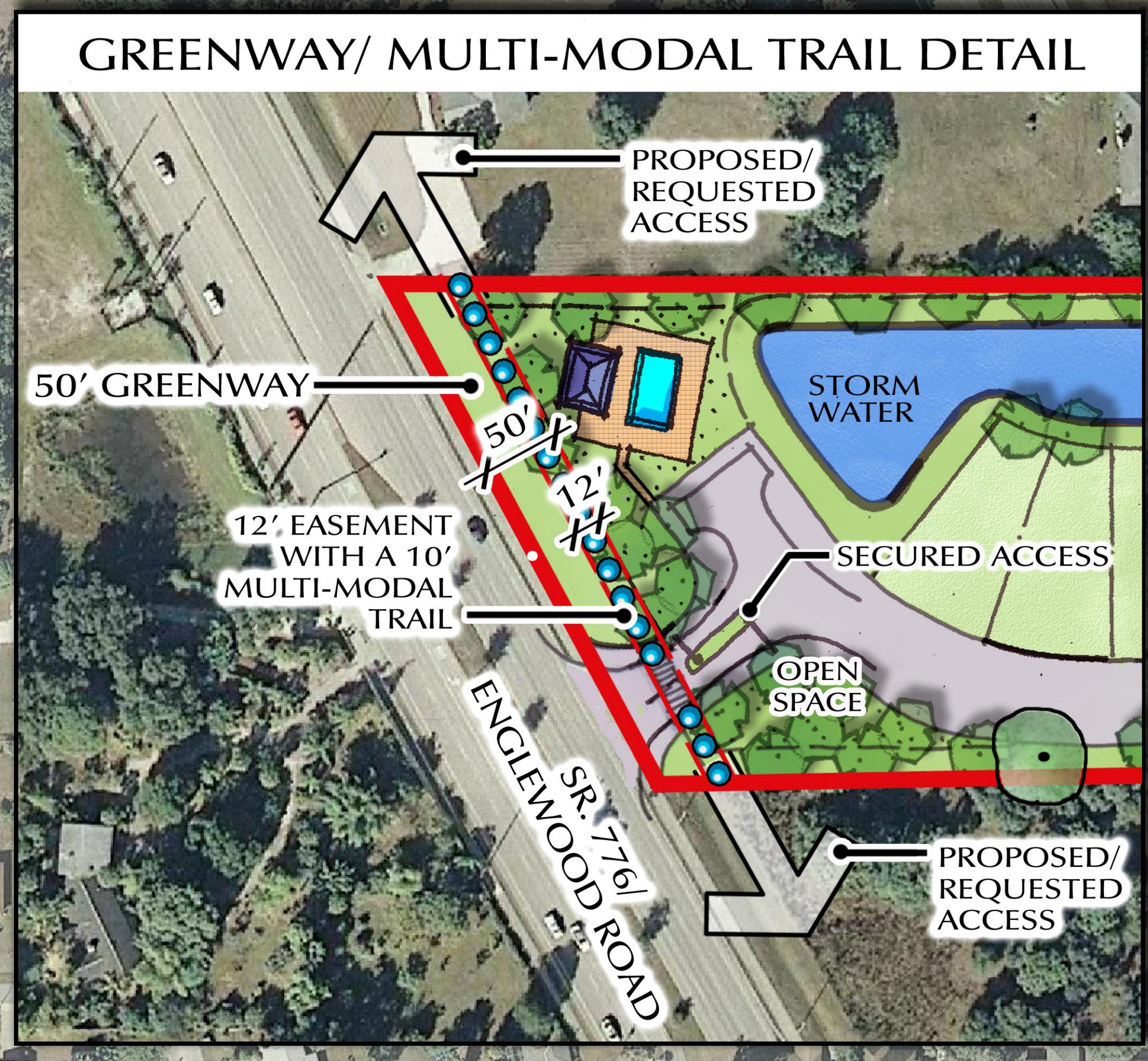
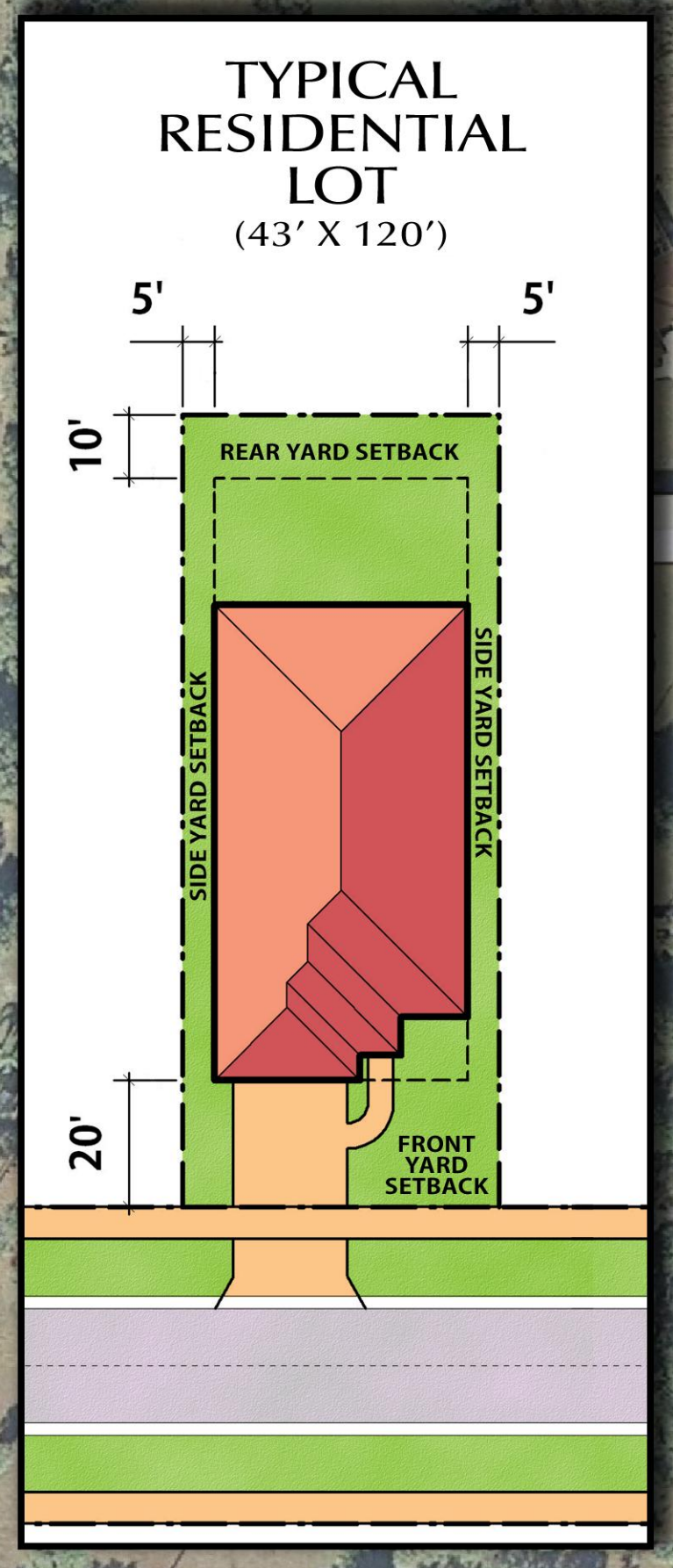
2013-004

### SITE STATISTICS

TOTAL SITE:	+/- 29.7 AC.
(KEYWAY PLACE:	+/-24.5 AC.)
(ESPANA PROPERTY:	+/- 5.2 AC.)
ZONING (EXISTING):	OUE-1&-2
ZONING (PROPOSED):	RSF-4 PUD & RE-1
(KEYWAY PLACE:	RSF-4PUD)
(ESPANA PROPERTY:	RE-1)
(PROPOSED REC. AREA:	RE-1)
TOTAL LOTS:	75 UNITS
PROPOSED USE:	RESIDENTIAL
DENSITY:	2.5 DU/AC.
OPEN SPACE(REQ'D/PROPOSED):	30%*
SEE ATTACHED MODIFICATIONS 1, 2, & 3	
NOTE: * - EXCLUDES ESPANA PROPERTY	

### Modifications to Sarasota County Regulations and Plans:

1. Modification of the Subdivision Technical Manual. Right-of-way and roadway widths will be per Sarasota County standards or may be generally consistent with the attached roadway cross-section exhibits included in Exhibit 1.
2. Modification from Section 6.11.2.e.3. of the Zoning Ordinance, setbacks for attached, detached residential blocks. Setbacks for residential structures as follows: side yard setbacks may be reduced to 5' (10' between structures); front yard setbacks may be reduced to 20'; however in no case shall setbacks be reduced below the requirements of the building and fire codes.
3. Modification from the Subdivision Technical Manual A.3.a Minimum Right-of-Way Local Street/Appendix C6 requirements to the cross-section provided below including 40' right-of-way and sidewalk one side of the roadway.



# Keyway Place

## Development Concept Plan (Binding)

NEAL COMMUNITIES OF THE BRADEN RIVER LLC  
ENLEWOOD, FLORIDA

SCALE: IN FEET  
0 50 100 200  
DATE: 6 DECEMBER, 2012  
AERIAL FLIGHT DATA: 2008  
CONTACT: KELLEY KLEPPER, AICP (941) 379-7600  
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