

ORDINANCE NO. 2013-005

2013 APR 30 AM 9:34

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS 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 FOR AN EFFECTIVE DATE.

HAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FL  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA  
2013 MAY - 8 PM 1:08  
FILED

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. 13-01, 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 OPI (Office, Professional, and Institutional) to CG (Commercial, General) zone district for the following described property located in Sarasota County, Florida:

A 4.03 ± ACRE AREA LOCATED WEST OF BENEVA ROAD AND SOUTH OF BEE RIDGE. MORE SPECIFICALLY AT 3560 BEE RIDGE ROAD, SARASOTA, FLORIDA 34239.

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:

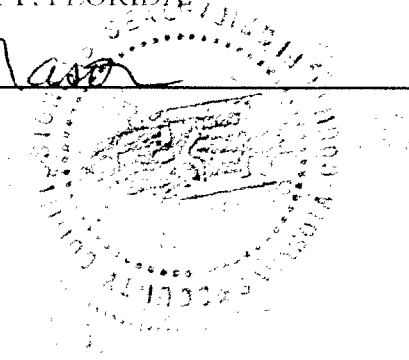
1. All development on the subject parcel shall be in substantial compliance with the Development Concept Plan dated March 25, 2013, and attached hereto as Exhibit "A". This does not imply or confer any variances from applicable zoning or land development regulations.
2. Improvements to restore the intersection of Bee Ridge Road and Beneva Road to the adopted Level of Service shall be in place or included within the Construction plans for the project and constructed concurrently with the project. Alternatively, prior to Construction Plan Authorization, the Owner shall demonstrate that the intersection has available transportation facility capacity consistent with the Concurrency Management Regulations (Chapter 94, Article VII, Exhibit A, Sarasota County Code), or obtain County approval of a proportionate share mitigation agreement for the required improvements, consistent with Subsection 163.3180(5), Florida Statutes.
3. Prior to or concurrent with the development of the subject parcel, the Owner shall construct a southbound to westbound right turn lane on Beneva Road at subject parcel's access located approximately 300 feet south of Bee Ridge Road. The right turn lane shall be designed in accordance with Indexes 301 and 526 of the Florida Department of Transportation's *Roadway and Traffic Design Standards*.
4. The access on Beneva Road, located approximately 300 feet south of Bee Ridge Road, shall be limited to right-in/right out only.
5. Prior to site and development plan approval, proof shall be provided by the Owner that the plan submitted complies with state statutes contained in Chapter 872 related to unmarked human burials.
6. Prior to the issuance of a Certificate of Occupancy for the property, a perpetual cross-access easement that connects to both public roads (Bee Ridge and Beneva) shall be provided to the adjacent parcel to the south, and a code compliant (i.e., 24 ft. wide) stub out to the property line shall be constructed, at the location approved by the County Engineer, and as reflected on the Development Concept Plan. The easement shall be in a form approved by the County Attorney.

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 24 day of April, 2013.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

Carolyn J. Mason  
Chair



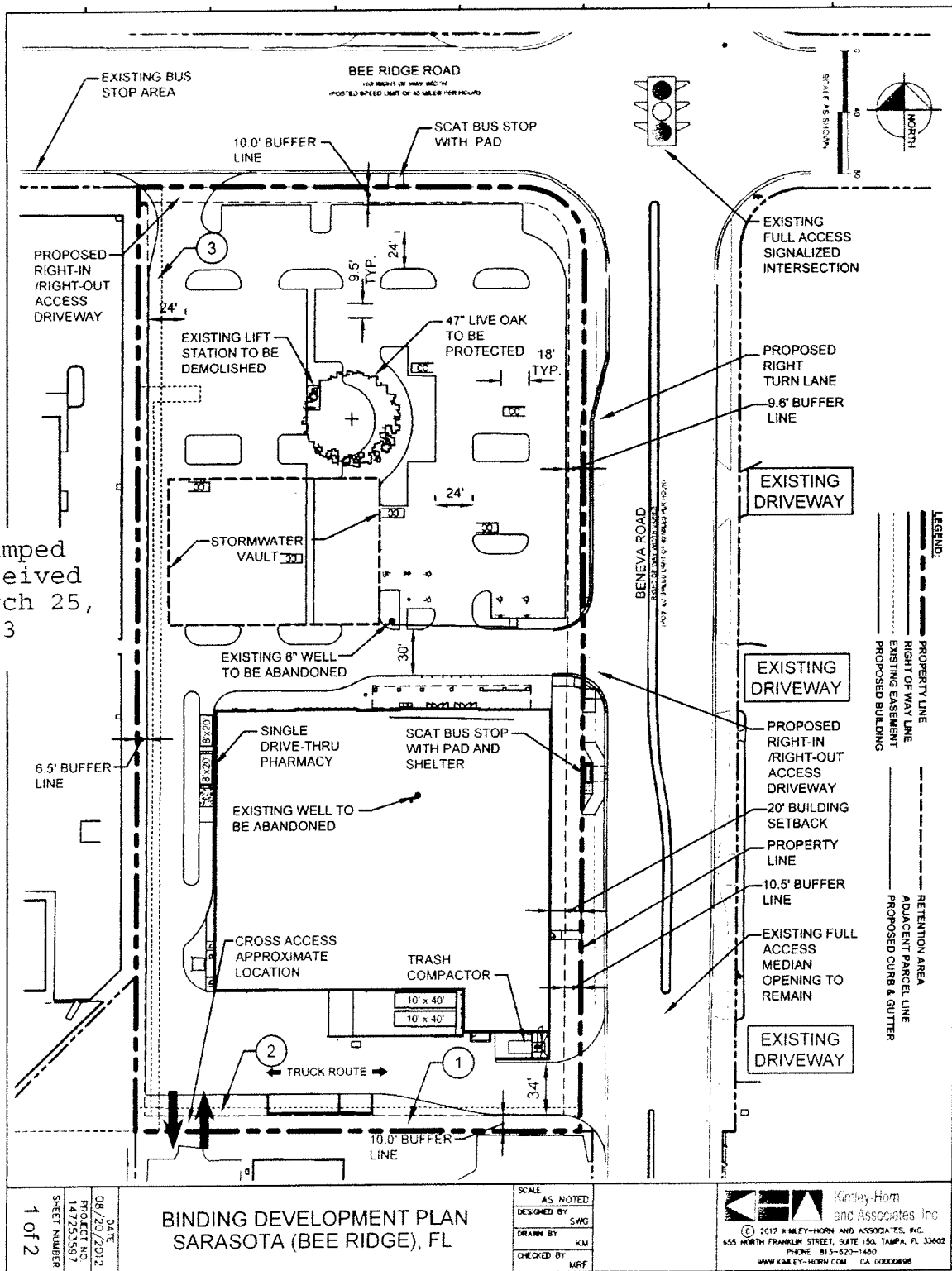
ATTEST:

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

By: Siung-Pickson  
Deputy Clerk

05013-005

EXHIBIT "A"



Stamped  
Received  
March 25,  
2013

DATE: 08/20/2012  
PROJECT NO: 14725597  
SHEET NUMBER: 1 OF 2

BINDING DEVELOPMENT PLAN  
SARASOTA (BEE RIDGE), FL

SCALE: AS NOTED  
DESIGNED BY: SWG  
DRAWN BY: KM  
CHECKED BY: MRF


**Kimley-Horn and Associates, Inc.**  
© 2012 KIMLEY-HORN AND ASSOCIATES, INC.  
655 NORTH FRANKLIN STREET, SUITE 150, TAMPA, FL 33602  
PHONE: 813-620-1400  
WWW.KIMLEY-HORN.COM CA 00000896

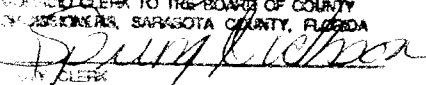
AS2013-005

Exhibit "A"

SITE DATA TABLE:	
GROSS ACREAGE:	4.03 AC±
EXISTING IMPERVIOUS AREA:	2.08 AC±
PROPOSED BUILDING SF:	41,180 SF
# OF LOT/S/PARCELS:	1 LOT
OPEN SPACE PROVIDED:	0.72 AC±
OPEN SPACE REQUIRED:	N/A
GROSS LEASABLE AREA:	4.03 AC±
PROPOSED IMPERVIOUS AREA:	3.32 AC±
PROVIDED PARKING SPACES:	149 SPACES
REQUIRED PARKING SPACES:	165 SPACES
PARKING W/ 10% REDUCTION:	149 SPACES
EXISTING/PROPOSED ZONING:	OP1 TO CG
EXISTING/PROPOSED USES:	HOUSE OF WORSHIP / CLASS ROOMS TO GROCERY STORE
<b>PROPOSED SITE DESIGN REQUIRED/PROVIDED:</b>	
NORTH STREET BUFFER:	10'/10'
EAST STREET BUFFER:	10'/10' (AVERAGED - SEE DEVELOPMENT PLAN)
SOUTH LANDSCAPE BUFFER:	10'/10' (CG TO OP1)
WEST LANDSCAPE BUFFER:	0'/5' (CG TO C1)
BUILDING YARDS:	20'/20' MIN. (CG)
<b>LEGEND:</b>	
OP1:	OFFICE, PROFESSIONAL AND INSTITUTIONAL
CG:	COMMERCIAL GENERAL
C1:	COMMERCIAL INTENSIVE
RSF-3:	RESIDENTIAL SINGLE FAMILY
COM:	COMMERCIAL CENTER
MOD RES:	MODERATE DENSITY RESIDENTIAL (>2 AND <5 DU/SACRE)
<b>GENERAL NOTES:</b>	
THE EXISTING LIFT STATION LOCATED ON SITE WILL BE DEMOLISHED AND REPLACED. BOTH EXISTING WELLS LOCATED ONSITE WILL BE LOCATED AND PLUGGED BY A FLORIDA LICENSED WELL DRILLER.	
* PROVIDED PARKING COUNT DOES NOT INCLUDE PARKING SPACES TAKEN UP BY CART CORRALS AND INCLUDES A 10% REDUCTION IN PARKING TO SAVE EXISTING 47" LIVE OAK ON SITE	
SARASOTA COUNTY WILL ALLOW A STORMWATER VAULT IF IT MEETS THE FOLLOWING CRITERIA:	
<ul style="list-style-type: none"> <li>MUST BE AN OPENED CHAMBER CONCRETE LINED VAULT WITH SAND FILTER</li> <li>MUST BE WATERPROOFED IF BELOW THE SEASONAL HIGH WATER TABLE</li> <li>PROVIDE A SEDIMENT DROPOUT AT THE BEGINNING OF THE SYSTEM TO CATCH LARGE DEBRIS AND/OR TRASH</li> </ul>	
PORTIONS OF THE SITE TO BE DEVELOPED WITHIN THE ESTABLISHED FLOODPLAIN WILL BE COMPENSATED FOR ONSITE ON A "CUP FOR CUP" BASIS	
<b>EASEMENTS (SEE PLAN FOR LOCATION):</b>	
<ol style="list-style-type: none"> <li>10' FPL EASEMENT (OR 1075, PG 285)</li> <li>15' UTILITY EASEMENT (OR 2004120647)</li> <li>15' CORPORATE EASEMENT (OR 2686, PG 22)</li> </ol>	

Stamped  
Received  
March 25, 2013

<p><b>BINDING DEVELOPMENT PLAN SARASOTA (BEE RIDGE), FL</b></p>	<table border="1" style="width: 100%;"> <tr> <td>SCALE AS NOTED</td> <td></td> </tr> <tr> <td>DESIGNED BY</td> <td>CMC</td> </tr> <tr> <td>DRAWN BY</td> <td>CMC</td> </tr> <tr> <td>CHECKED BY</td> <td>CMC</td> </tr> </table> <div style="text-align: right; margin-top: 10px;">  <p>Kimley-Horn and Associates, Inc.</p> </div>	SCALE AS NOTED		DESIGNED BY	CMC	DRAWN BY	CMC	CHECKED BY	CMC
SCALE AS NOTED									
DESIGNED BY	CMC								
DRAWN BY	CMC								
CHECKED BY	CMC								
<p>DATE: 09/26/2012 PROJECT NO: 1472205897 SHEET NUMBER: 2 OF 2</p>									

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 4/11/13  
KATHLEEN RUSHING, CLERK OF THE CIRCUIT COURT  
AND PUBLIC CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS, SARASOTA COUNTY, FLORIDA  
  
CLERK  
2013-005