

ORDINANCE NO. 98-077

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO. 75-38, 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.

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SARASOTA COUNTY, FLORIDA

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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. 98-22, 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. 75-38 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 Sarasota County Ordinance No. 75-38 and any amendments thereto.
- D. Pursuant to the provisions of Sarasota County Ordinance No. 89-103, 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 Ordinance No. 75-38. The Official Zoning Atlas, as part of Sarasota County Ordinance No. 75-38, is hereby amended by changing the zoning district classification for 9.87 acres ± from OUE-1 (Open Use, Estate, 1 unit/5 acres) to OUE-2 (Open Use, Estate, 1 unit/2 acres) for the following described property located in Sarasota County, Florida:

SW corner of Center Road and Venice East Boulevard, more particularly described as follows:

A parcel of land lying and being in Section 23, Township 39 South, Range 19 East, Sarasota County, Florida, and being more particularly described as follows:

Commence at the Northwest corner of said Section 23; thence S 00° 16' 06" E (on an assumed bearing) along the Westerly line of said Section 23 a distance of 49.52 feet to the point of beginning; thence S 86° 44' 26" E, along the Southerly proposed maintained right of way line of Center Road for the next six (6) calls a distance of 42.95 feet; thence N 05° 54' 41" E, a distance

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of 25.73 feet; thence S 87° 32' 31" E, a distance of 152.36 feet; thence S 88° 48' 55" E, a distance of 397.41 feet; thence S 89° 34' 00" E, a distance of 188.72 feet; thence S 88° 29' 03" E, a distance of 565.42 feet; thence S 01° 02' 57" W, along the Westerly right of way line of Venice East Blvd., 140' of right of way, as recorded in Official Records Book 1843, at Page 2433 of the Public Records of Sarasota County, Florida, a distance of 314.64 feet to the Northeast corner of the plat of "Quail Lake" as recorded in Plat Book 32 at Pages 19 and 19A through 19G of the Public Records of Sarasota County, Florida; thence N 88° 59' 46" W, along the Northerly line of the said plat of "Quail Lake" a distance of 1348.06 feet to the Northwest corner of the said plat of "Quail Lake" and to a point on the Westerly line of said Section 23; thence N 00° 53' 04" E, along the Westerly line of said Section 23, a distance of 300.47 feet to the point of beginning.

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 Sarasota County Ordinance No. 75-38 and any amendments thereto, is hereby further limited by and subject to the following restrictions, stipulations and safeguards:

1. The Owner shall be required to maintain the appearance and function of any private drainage facilities to be constructed on the site, including retention ponds and drainage ditches, at its own expense in accordance with applicable federal, state, and local regulations. At the time of recording a plat or prior to final construction approval, the Owner shall be required to record in the public records, a Notice to Purchaser, approved by Sarasota County, putting purchasers on notice that the maintenance of drainage facilities is a private responsibility.
2. Direct access to Center Road shall be limited to two access driveways. The western most access on Center Road shall align with the existing access point on the north side of Center Road.
3. A minimum 10' wide landscape buffer area containing an 8' wall or 6' wall on a 2' berm shall be constructed along the entire length of the south property line and said buffer shall be in place prior to the issuance of any Certificate of Occupancy for the subject parcel.

Section 4. Effective Date. This Ordinance shall take effect immediately upon receipt of official acknowledgment from the Office of the Secretary of State of Florida that this Ordinance has been filed with said office.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 24 day of November, A.D., 1998.

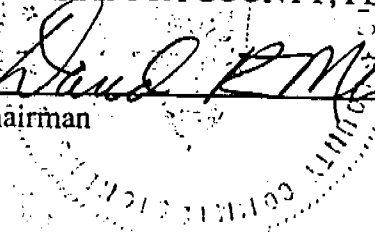
BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA

David P. Mills
Chairman

ATTEST:

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

By: Karen E. Rushing
Deputy Clerk



STATE OF FLORIDA
COUNTY OF SARASOTA
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILED
IN THIS OFFICE WITNESS MY HAND AND OFFICIAL
SEAL THIS DATE 12/2/98
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY: Karen E. Rushing
DEPUTY CLERK