

ORDINANCE NO. 99-021

DEPARTMENT OF
TALLAHASSEE COUNTY

99 MAY -6 PM 1:18

FILED

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.

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. 98-44, 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 7.8 acres ± from OUE-1 (Open Use Estate, 1 unit/5 acres) to RSF-1 Residential, Single Family, 2.5 units/acre) for the following described property located in Sarasota County, Florida:

SARASOTA COUNTY, FL
CLERK OF CIRCUIT COURT
KAYE E. JOHNSON

99 MAY -3 PM 12:44

FILED IN RECORDS
CLERK OF CIRCUIT COURT

MAY 3

West of Mandarin Road and 2470' \pm South of Jem Lane, more particularly described as follows:

PARCEL ONE:

A part of Lot 3 of Wildwood Acres Subdivision, recorded in Plat Book 18, Page 49, Public Records of Sarasota County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Lot 3 of Wildwood Acres Subdivision; thence S 0° 22' 24" E along the West line of said Lot 3, a distance of 502.91 feet for a point of beginning; thence N 88° 56' 12" E, parallel to the North line of said Lot 3, a distance of 618.75 feet to the West right of way line of Mandarin Road (50' wide); thence Southerly along said West R/W line of Mandarin Road, along a curve to the left having a radius of 375.00 feet; through a central angle of 22° 59' 30", an arc distance of 150.48 feet (chord = S 17° 24' 25" E 149.47 feet) to a point of reverse curve; thence continue Southerly along said West R/W line of Mandarin Road, along a curve to the right having a radius of 325.00 feet, through a central angle of 6° 38' 35", an arc distance of 37.68 feet (chord = S 25° 34' 52" E 37.66 feet); thence S 88° 56' 12" W 250.00 feet; thence S 01° 03' 48" E, 74.92 feet; thence S 88° 56' 12" W 428.72 feet to the aforesaid West line of Lot 3 of Wildwood Acres Subdivision; thence N 0° 57' 26" W along said West line of Lot 3, a distance of 74.92 feet; thence continue along said West line of Lot 3, N 0° 22' 24" W, 177.71 feet to the point of beginning. Located in Sections 13 and 24, Township 37 South, Range 18 East, Sarasota County, Florida.

PARCEL TWO:

A part of Lot 3 of Wildwood Acres Subdivision, recorded in Plat Book 18, Page 49, Public Records of Sarasota County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Lot 3 of Wildwood Acres Subdivision; thence S 0° 22' 24" E along the West line of said Lot 3, a distance of 680.62 feet; thence continue along said West line of Lot 3, S 0° 57' 26" E, 74.92 feet for a point of beginning; thence N 88° 56' 12" E, 428.72 feet; thence N 01° 03' 48" W, 74.92 feet; thence N 88° 56' 12" E, 250.00 feet to a point on the Westerly right of way line of Mandarin Road (50' wide); thence Southerly along said West R/W line of Mandarin Road, along a curve to the right having a radius of 325.00 feet, through a central angle of 50° 24' 57", an arc distance of 285.97 feet (chord = S 2° 56' 54" W 276.84 feet) to a point of reverse curve, thence continue along said West R/W line of Mandarin Road, along a curve to the left having a radius

of 375.00 feet, through a central angle of $9^{\circ} 24' 14''$, an arc distance of 61.55 feet (chord = $S 23^{\circ} 27' 15'' W 61.48$ feet); thence $S 89^{\circ} 02' 34'' W$, 634.32 feet to the aforesaid West line of Lot 3; thence $N 0^{\circ} 57' 26'' W$ along said West line of Lot 3, a distance of 256.00 feet to the point of beginning. Lying and being in Section 24, Township 37 South, Range 18 East, 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 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. There shall be no direct access from the subject parcel to Honore Avenue.
2. Until such time as a Stormwater Management Plan is prepared and processed in accordance with the Land Development Regulations, only one dwelling unit shall be constructed on the northern 3.35 acres \pm and no additional dwelling units shall be constructed on the southern 4.45 acres \pm .
3. Finished floor elevations for any habitable structures shall be set above the 100-year base flood elevation, as determined by the South Creek Basin Master Plan or best available information.
4. Until this property is served by central sewer, no more than two dwelling units shall be allowed on the 7.8 acre \pm subject parcel.
5. 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.

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 April, A.D., 1999.

BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA

Sharon Shaul
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: Linda Harris
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 5/2/99
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT EX-OFFICIO CLERK TO THE BOARD OF COUNTY COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY: Linda Harris
DEPUTY CLERK

1999 MAY 27 03:42 PM

KAREN E. RUSHING

NOTICE OF STIPULATIONS AND LIMITATIONS ENCUMBERING REAL PROPERTY PURSUANT TO THE SARASOTA COUNTY ZONING CODE

CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
JLITTLE Receipt#108106

The following property located in Sarasota County, Florida, owned by B. Joanne Mominee, and described in Ordinance No. 99-021 attached hereto, has been rezoned to the RSF-1 (Residential, Single Family, 2.5 unit/acre) zone district pursuant to Rezone Petition No. 98-44 filed by Daniel Mominee, Agent, and granted by Sarasota County on April 29, 1999, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

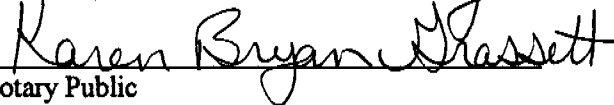
(Stipulations and limitations are those described in Section 3 of Ordinance No. 99-021, attached hereto)

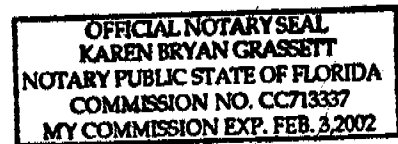

Executive Director
Growth Management Business Center

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned Notary Public, personally appeared Jerry Gray, Executive Director of the Growth Management Business Center, to me known to be the individual who executed the foregoing Notice of Stipulations and Limitations Encumbering Real Property pursuant to the Sarasota County Zoning Code, and he acknowledged before me that he executed the same.

Witness my hand and official seal at Sarasota County, Florida, this ~~26~~²⁶ day of May, A.D. 1999.


Notary Public
State of Florida at Large



This instrument prepared by: ✓
Leigh Riley
Growth Management Business Center
P.O. Box 8
Sarasota, FL 34230

