

COUNTY OF SARASOTA  
Florida

Board of County Commissioners  
Sarasota County Planning Department

May 25, 1999

MEMORANDUM TO:

WAYNE RASMUSSEN  
2525 Bayshore Road  
Nokomis, FL 34275

County Surveyor  
Development Services (Mike Miller)  
Development Services (Paul Radauskas)  
Development Services (Laird Wreford/Jim Dierolf)  
Development Services (Don Neu/Eleanor Fitzgerald)  
Emergency Services, Fire Department (Michael Frantz)  
Environmental Services (John Saraniero)  
Environmental Services (Chris Dilley)  
Growth Management (Susan Archer)  
Growth Management (Graphics)  
Growth Management, Neighborhood Planning (Shelley, Alan)  
Health/Human Services (Bob Forbes)  
Historical Resources (Sue White)  
Property Appraiser  
Public Works (Jim Harriott/Efrain Duque/JP Marchand)  
School Board (Ken Marsh)

SUBJECT:  
Rezone Petition No. 99-02

PLANNER: Jack Wilhelm

ORDINANCE NO. 99-022

DP#: 0132-14-0038 and 0132-14-0039

ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:

On April 29, 1999, the Sarasota County Board of Commissioners approved Rezone Petition No. 99-02 to rezone 1.23 acres  $\pm$ , located at the Northeast corner of U.S. 41 and Vamo Way, Sarasota County, Florida, from CN (Commercial, Neighborhood) and RMF-1 (Residential, Multi-Family, 6 units/acre) to CG (Commercial, General).

A copy of Ordinance No. 99-022 is attached for your information.

BY: /s/Jerry Gray  
Executive Director  
Growth Management Business Center

Attachment

1999 MAY 27 03:42 PM

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

KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
JLITTLE Receipt#108106

1999073382

The following property located in Sarasota County, Florida, owned by Frances Herring (Parcel A) and Robert T. Herring (Parcel B), and described in Ordinance No. 99-022 attached hereto, has been rezoned to the CG (Commercial, General) zone district pursuant to Rezone Petition No. 99-02 filed by Wayne Rasmussen, 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:

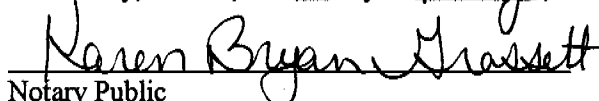
(Stipulations and limitations are those described in Section 3 of Ordinance No. 99-022, attached hereto)

  
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<sup>th</sup> day of May, A.D. 1999.

  
Notary Public  
State of Florida at Large

OFFICIAL NOTARY SEAL  
KAREN BRYAN GRASSETT  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC713337  
MY COMMISSION EXP. FEB. 3, 2002

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

ORDINANCE NO. 99-022

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; PROVIDING AN EFFECTIVE DATE.

FILED  
99 MAY -6 PM 1:58  
CLERK OF COUNTY COMMISSIONERS  
SARASOTA COUNTY, FLORIDA

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. 99-02, 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 1.23 acres ± from CN (Commercial, Neighborhood) and RMF-1 (Residential, Multi-Family, 6 units/acre) to CG (Commercial, General) for the following described property located in Sarasota County, Florida:

99 MAY -3 PM 12:52

BOARD RECORDS

Northeast corner of U.S. 41 and Vamo Way, more particularly described as follows:

Commence at the Southeast corner of the NW 1/4 of Section 34, Township 37 South, Range 18 East, Sarasota County, Florida; thence N 03° 26' 17" E along the East line of said NW 1/4 a distance of 14.87' to the North right-of-way of Vamo Way for the Point of Beginning; thence S 89° 43' 48" W a distance of 76.53' to the Easterly right-of-way of U.S. 41 (Tamiami Trail); thence N 00° 18' 24" W, along said right-of-way a distance of 7.79'; thence S 89° 52' 11" W along said right-of-way 27.78' to a point lying on the arc of a curve concave to the Southwest having a central angle of 03° 39' 27" and a radius of 2966.79'; thence along the arc of said curve a distance of 189.39' to a point; thence continuing along aforementioned right-of-way line along a curve concave to the Southwest having a central angle of 01° 55' 52" and a radius of 2966.79'; thence along the arc of said curve a distance of 177.74' to a point; thence S 88° 42' 55" E a distance of 199.26'; thence S 03° 21' 58" W a distance of 168.05'; thence S 03° 22' 55" E a distance of 194.95' 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. Access to Vamo Way shall be located adjacent to the eastern property line of subject parcel.
3. All structures shall be limited to one story in height.
4. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.

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 29 day of April, A.D., 1999.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

Shannon Staul  
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: Lada 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 5/3/99  
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS, SARASOTA COUNTY, FLORIDA  
Lada Harris