

COUNTY OF SARASOTA
Florida

Board of County Commissioners
Sarasota County Growth Management Business Center

MEMORANDUM TO:

Ralph Perna
6800 Fruitville Road
Sarasota, Fl 34240

County Surveyor (Lavon Joseph for Gayle Fosness)
Development Services (Mike Miller)
Development Services (Martin Duran)
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 (Steve Brown)
Growth Management, Neighborhood Planning (Alan Garrett)
Health/Human Services (Bob Forbes)
Historical Resources (Sue White)
Property Appraiser (Jim Todora)
Public Works (Jim Harriott/Efrain Duque/JP Marchand)
School Board (Ken Marsh)

SUBJECT:
Rezone Petition No. 99-20

PLANNER:
Tate Taylor

ORDINANCE NO. 99-088

PID#: 0215-09-0001, 0217-12-0007

ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:

On December 8, 1999, the Sarasota County Board of Commissioners approved Rezone Petition No. 99-20 to rezone 30 acres ± located south of Fruitville Road and 1300 feet ± west of East Road, Sarasota County, Florida, from PRD (Planned Recreational Development) with stipulations and OUR (Open Use, Rural, 1 unit/10 acres) to PRD (Planned Recreational Development) with amended stipulations.


A copy of Ordinance No. 99-088 is attached for your information.

BY: /s/Jerry Gray

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

The following property located in Sarasota County, Florida, owned by Ralph Perna, and described in Ordinance No. 99-088 attached hereto, has been rezoned to a PRD (Planned Recreational Development) zone district pursuant to Rezone Petition No. 99-20 filed by Ralph Perna, Owner, and granted by Sarasota County on December 8, 1999, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

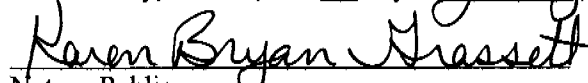
(Stipulations and limitations are those described in Section 3 of Ordinance No. 99-088, attached hereto)


Executive Director
Growth Management Business Center

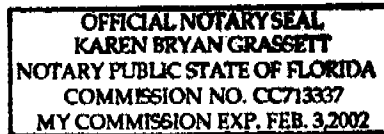
STATE OF FLORIDA
COUNTY OF SARASOTA

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 27th day of January A.D. 2000.


Notary Public
State of Florida at Large

This instrument prepared by:
Leigh Riley
Growth Management Business Center
1660 Ringling Boulevard, 5th Floor
Sarasota, FL 34236



RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2000011703 6 PGS
2000 JAN 31 03:54 PM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
FMILLER Receipt#007589

ORDINANCE NO. 99-088

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. 99-20, 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 30 acres ± from PRD (Planned Recreational Development) with stipulations and OUR (Open Use, Rural, 1 unit/10 acres) to PRD (Planned Recreational Development) with amended stipulations for the following described property located in Sarasota County, Florida:

South of Fruitville Road and 1300 ft West of East Road, more particularly described as follows:

1999 DE 13 AM 9:53
1
BOARD RECORDS
FILED FOR RECORD

FILED
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA
1999 DEC 17 PM 3:00

Tract 9 of the Fifth Unit of PALMER FARMS, a subdivision in Sections 20, 29 and 32, Township 36 South, Range 19 East, as per plat thereof recorded in Plat Book 3, Page 15, Public Records of Sarasota County, Florida, containing 9.92 acres, more or less (excepting therefrom a semi-circular piece of land, the diameter of which is 12 feet and lies along the east boundary line of said Tract 9, the center of the diameter being 643 feet North of the Southeast corner of said Tract 9). TOGETHER WITH an undivided one-half interest in a circular piece of land, the boundary of which is the circumference of a circle with a 12 foot diameter and having its center at a point on the East boundary line of said Tract 9, which point is 643 feet North of the Southeast corner of said Tract 9;

Tract 10 of the Fifth Unit of PALMER FARMS, a subdivision in Sections 20, 29 and 32, Township 36 South, Range 19 East, as per plat thereof recorded in Plat Book 3, Page 15, Public Records of Sarasota County, Florida (excepting therefrom a semi-circular piece of land, the diameter of which is 12 feet and lies along the West boundary line of said Tract 10, the center of the diameter being 643 feet North of the Southwest corner of said Tract 10). TOGETHER WITH an undivided one-half interest in a circular piece of land, the boundary of which is the circumference of a circle with a 12 foot diameter and having its center at a point on the West boundary line of said Tract 10, which point is 643 feet North of the Southwest corner of said Tract 10.

Tract 102 of the First Unit of PALMER FARMS, a subdivision in Sections 24 and 25, Township 36 South, Range 18 East, and in Section 19, Township 36 South, Range 19 East, as per plat thereof recorded in Plat Book 2, Page 216, Public Records of Sarasota County, Florida, containing 9.7 acres more or less (excepting therefrom a semi-circular piece of land, the diameter of which is 12 feet and lies along the West boundary line of said Tract 102, the center of the diameter being 642 feet North of the Southwest corner of said Tract 102). TOGETHER WITH an undivided one-half interest in a circular piece of land, the boundary of which extends in all directions 6 feet from a point on the West boundary line of said Tract 102, which point is 642 feet North of the Southwest corner of said Tract 102.

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. On-site wells shall only be used to serve the office building, putting green adjacent to the tee area and tee area. The petitioner shall provide treated wastewater for irrigation of the remainder of the golf range area, if said source becomes available.

2. Lighting for the driving range and tee areas shall not exceed a maximum of eight poles and thirty-two light fixtures. The illumination of the range area shall not exceed seven foot-candles at a distance of 200 yards from the light source, fifteen feet above the ground level.
3. No light poles shall exceed a maximum of thirty feet in height.
4. Until connection to a central sewer is made or installation of an approved Aerobic Treatment Unit, the facility shall contain no food service preparation.
5. Outdoor loudspeakers or broadcast paging systems shall be prohibited; however, portable personal communication devices for facility operators and/or users, shall be allowed if they are not audible at the property line.
6. Daily operations shall not commence prior to 8:00 a.m. and shall not go beyond 11:00 p.m.
7. Development within the Fruitville Corridor Plan shall comply with Ordinance No.96-082 as amended.
8. Development shall occur in substantial compliance with the Development Concept Plan date stamped June 1, 1999 attached hereto as Exhibit 'A' with the exception that the buffer on the east property line shall be modified to contain 1 canopy tree and 1 accent/understory tree per 100 linear feet, and the west and south property line buffers may be modified to eliminate the required buffers adjacent to the County's Celery Fields Regional Stormwater Facility, and Field Operations Center. The landscape buffer on the North property line shall be in accordance with Section 13.14 of the Zoning Ordinance. This does not imply or confer any variances from applicable zoning or land development regulations except as granted herein.
9. 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 or 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.
10. The total estimated or actual sewage flow shall not exceed 2000 gallons per day prior to connection to a central sewerage and water system.
11. Connection to central sewer shall be made within 90 days of availability.

- 12. Prior to submittal of any site and development plan for the subject parcel, the Applicant shall prepare and submit a report for review and approval by Resource Protection Service staff showing that no on-site wetlands have been identified by the Southwest Florida Water Management District (SWFWMD) or a Resource Management Plan showing how the on-site wetlands will be preserved in accordance with the Environment Chapter of Apoxsee.

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 8 day of December, A.D., 1999.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Shannon Shaw
Chairman

ATTEST:

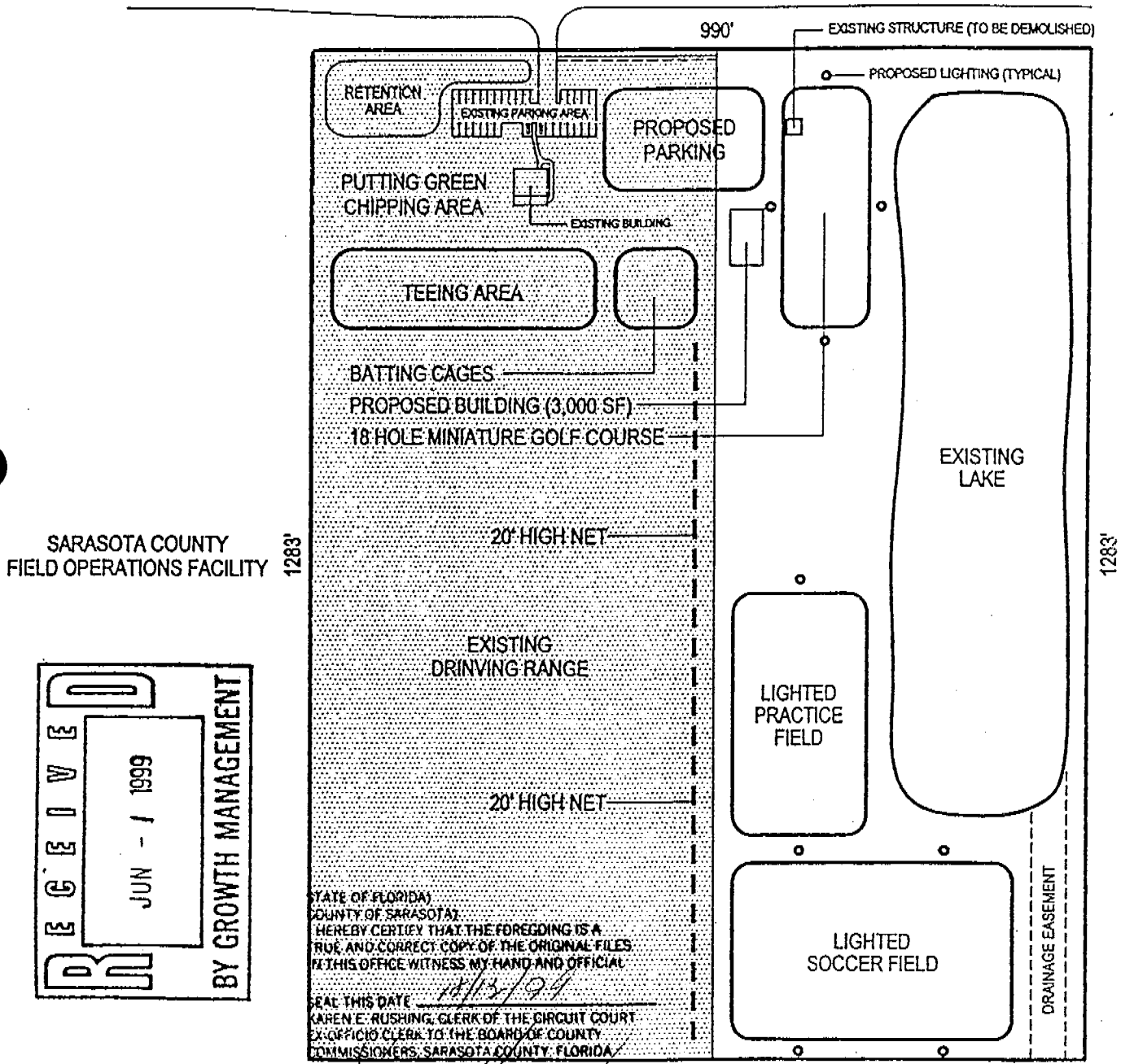
KAREN E. RUSHING, Clerk of
the Circuit Court and Ex-
Officio Clerk of the Board of
County Commissioners of
Sarasota County, Florida.

By: Karen E. Rushing
Deputy Clerk

Exhibit A

MAP SERIES/CONCEPT PLAN

FRUITVILLE ROAD



SARASOTA COUNTY
FIELD OPERATIONS FACILITY

RECEIVED

JUN - 1 1999

BY GROWTH MANAGEMENT

STATE OF FLORIDA
 COUNTY OF SARASOTA
 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 10/13/99
 KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
 EX-OFFICIO CLERK TO THE BOARD OF COUNTY
 COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY [Signature]
 DEPUTY CLERK

SARASOTA COUNTY
 STORMWATER RETENTION FACILITY

THE EXISTING DRIVING RANGE (15 ACRES) IS CURRENTLY ZONED PRD (HATCHED AREA)
 THE 15 ACRES TO THE EAST OF THE EXISTING DRIVING RANGE IS CURRENTLY ZONED OUR.

This page intentionally left blank.

Almanac