

COUNTY OF SARASOTA
Florida

Board of County Commissioners
Sarasota County Growth Management Business Center

November 24, 1999

MEMORANDUM TO:

Richard Fischer
2299 Island Creek Rd.
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. 99-21

PLANNER:
Jack Wilhelm

ORDINANCE NO. 99-068

PID#: 0092-09-0002

ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:

On October 12, 1999, the Sarasota County Board of Commissioners approved Rezone Petition No. 99-21 to rezone 10.9 acres \pm located at the northwest corner of Clark Road and Rosin Way, Sarasota County, Florida, from PRD (Planned Recreational Development) to ILW (Industrial, Light and Warehousing) with stipulations.

A copy of Ordinance No. 99-068 is attached for your information.

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

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 1999161987 4 PGS
1999 DEC 07 05:05 PM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
DCLINGER Receipt#158367

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 Richard Fischer and Thomas Cooke, Trustee, and described in Ordinance No. 99-068 attached hereto, has been rezoned to a ILW (Industrial, Light and Warehousing) zone district pursuant to Rezone Petition No. 99-21 filed by Richard Fischer, Agent, and granted by Sarasota County on October 12, 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. 99-068, attached hereto)



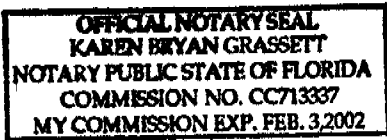
[Handwritten Signature]
Executive Director
Growth Management Business Center

STATE OF FLORIDA
COUNTY OF SARASOTA

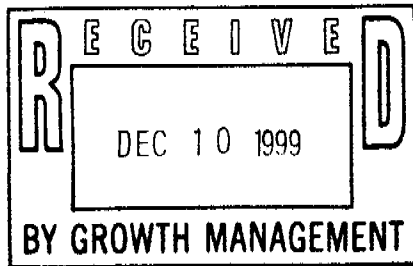
Before me, the undersigned Notary Public, personally appeared Jerry Gray, Executive Director of the Growth Management Business Center, to me known to be the individual who executed the foregoing Notice of Stipulations and Limitations Encumbering Real Property pursuant to the Sarasota County Zoning Code,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

Witness my hand and official seal at Sarasota County, Florida, this 6th day of December, A.D. 1999.

Karen Bryan Grasset
Notary Public
State of Florida at Large



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



ORDINANCE NO. 99-068

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. 99-21, 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.

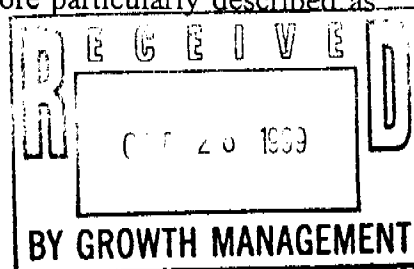
Section 2. Amendment of Ordinance No. 75-38. The Official Zoning Atlas, as part of Sarasota County Ordinance No. 75-38, is hereby amended by changing the zoning district classification for 10.9 acres ± from PRD (Planned Recreational Development) to ILW (Industrial, Light and Warehousing) for the following described property located in Sarasota County, Florida:

Northwest corner of Clark Road and Rosin Way, more particularly described as follows:

59 007 15 PM 12:05

1

FILED
1999 MAR 20 3:22
DEPT. OF COUNTY CLERK
TALLAHASSEE, FLORIDA



099-

A parcel of land being a portion of Lot 10, Block 4, Sarasota-Venice Company Subdivision of Section 11, Township 37 South, Range 18 East, as per the plat thereof recorded in Plat Book A, Page 70 of the Public Records of Sarasota County, Florida and being more particularly described as follows:

Begin at the intersection of the East line of Lot 10, Block 4, Sarasota-Venice Company Subdivision of Section 11, Township 37 South, Range 18 East as per the plat thereof recorded in Plat Book A, Page 70 of the Public Records of Sarasota County, Florida and the North right of way line (100' wide right of way) of State Road 72, State Project No. 17070-2527, as per right of way map dated 3/20/92; thence N 89°26'05" W along said North right of way line, 493.62 feet; thence N 0°16'59" E, 976.50 feet; thence S 88°55'02" E, 434.93 feet; thence S 0°17'26" W, 51.05 feet; thence S 89°42'34" E, 58.89 feet; thence S 0°17'26" W, 921.80 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 developer shall dedicate a minimum of 35 feet of right-of-way for Rosin Way.
2. 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.
3. Development of the subject parcel shall be in conformance with the Clark Road Corridor Plan (No. 91-02-SP), Ordinance No. 97-006, as may be amended.
4. Refuse and loading areas shall be setback at least 50 feet from any property line and shall be visually screened in accordance with Section 11.6.f. of the Zoning Ordinance.

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 12 day of October, A.D., 1999.

BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA

Shannon Stovall
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 10/15/98
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