

COUNTY OF SARASOTA  
Florida

Board of County Commissioners  
Sarasota County Growth Management Business Center

November 24, 1999

MEMORANDUM TO:

William Strode  
720 S. Orange Ave.  
Sarasota, FL 34236

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. 99-22

PLANNER:  
Jack Wilhelm

ORDINANCE NO. 99-069

PID#: 0038-01-0001

ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:

On October 12, 1999, the Sarasota County Board of Commissioners approved Rezone Petition No. 99-22 to rezone 62.20 acres  $\pm$  located at the northwest corner of Richardson Road and Cattlemen Road North, Sarasota County, Florida, from RMF-3/PUD (Residential, Multi-Family, 13 units/acre; Planned Unit Development Overlay District) with stipulations to RMF-3 (Residential, Multi-Family, 13 units/acre) with amended stipulations.

A copy of Ordinance No. 99-069 is attached for your information.


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

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 LF Investments Inc, Louis Frieberg, President, and described in Ordinance No. 99-069 attached hereto, has been rezoned to a RMF-3 (Residential, Multi-Family, 13 units/acre) zone district pursuant to Rezone Petition No. 99-22 filed by William Strode, 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. 99-069, attached hereto)

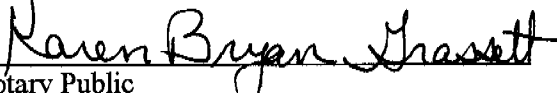


  
Executive Director  
Growth Management Business Center

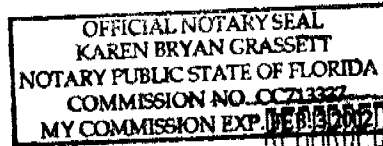
STATE OF FLORIDA  
COUNTY OF SARASOTA

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.

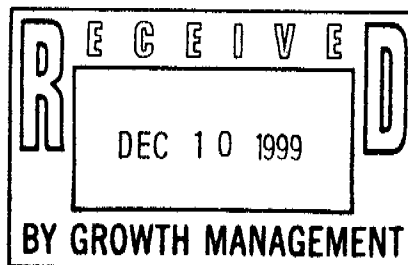
Witness my hand and official seal at Sarasota County, Florida, this 6<sup>th</sup> day of December A.D. 1999.

  
Notary Public  
State of Florida at Large

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



RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 1999161983 7 PGS  
1999 DEC 07 05:05 PM  
KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
DCLINGER Receipt#158367



BOARD RECORDS  
FILED FOR RECORD

ORDINANCE NO. 99-069

99 OCT 15 PM 12:12

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. 99-22, 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.

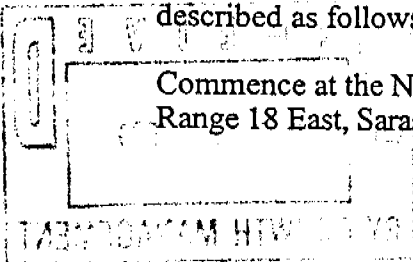
C. The rezoning herein granted is consistent with the Sarasota County Comprehensive Plan and meets the requirements of Sarasota County Ordinance No. 75-38 and any amendments thereto.

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 62.2 acres ± from RMF-3/PUD (Residential, Multi-Family, 13 units/acre; Planned Unit Development Overlay District) with stipulations to RMF-3 (Residential, Multi-Family, 13 units/acre) with amended stipulations for the following described property located in Sarasota County, Florida:

Northwest corner of Richardson Road and Cattlemen Road North, more particularly described as follows:

Commence at the Northwest corner of the SE ¼ of Section 13, Township 36 South, Range 18 East, Sarasota County, Florida; thence S 89°19'11" E, along the North line



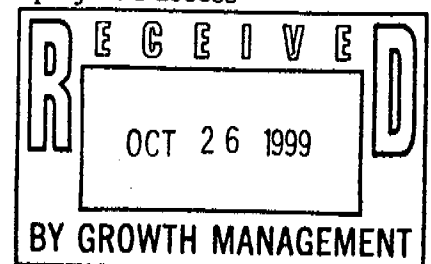
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of the SE ¼ of said Section 13, 1650.62 feet to the Northeast corner of lands as described in Official Records Book 1050, Page 100, Public Records of Sarasota County, Florida for a Point of Beginning; thence S 00° 08'26" E, along the East line of said lands, 2629.56 feet to the North line of Richardson Road (66 feet wide) (said point lying 1.89 feet North of the South line of said Section 13); thence N 89° 30'46" E along said right of way, 377.25 feet to the PC of a curve, being concave to the South, having a radius of 797.49 feet; thence Southeasterly along the arc of said curve 257.50 feet to the end of said curve; thence S 71°59'14" E, along said right of way 250.00 feet to the PC of a curve being concave to the Northeast and having a radius of 719.40 feet; thence Southeasterly along the arc of said curve 83.10 feet to the intersection with the West right of way of the relocation of North Cattlemen Road; thence N 05°28'29" E, along said right of way, 77.03 feet; thence N 04°09'23" E, along said right of way 34.94 feet to the South line of said Section 13; thence continue N 04°09'23" E, along said right of way, 94.56 feet; thence N 02° 50'19" E, along said right of way 828.44 feet; thence N 12°30'02" E, along said right of way, 132.02 feet to its intersection with the original right of way of North Cattlemen Road (50 feet wide); thence N 00°12'09" E, along said right of way 770.73 feet; thence N 00°13'01" E, along said right of way, 818.48 feet to the North line of the SE ¼ of said Section 13 (said point lying 25 feet West of the Northeast corner of the SE ¼ of said Section 13); thence N 89°19'11" W, along the North line of the SE ¼ of said Section 13, 1047.38 feet to the Point of Beginning. LESS road right of way.

Being and lying in the SE ¼ of Section 13, Township 36 South, Range 18 East, and the NE ¼ of Section 24, Township 36 South, Range 18 East, Sarasota, 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. Development on the parcel shall be limited to a maximum of 598 dwelling units.
2. No habitable structure shall be located within thirty (30) feet of any property zoned for single family residential use. Structures located within the northern 1194.33' ± of the subject parcel shall be limited to 35' in height including in-structure parking.
3. Tennis courts and swimming pool complex shall not be located closer than three hundred (300) feet from any Residential Single-Family zoned property. Hours of use for these areas shall be limited from 8:00 a.m. to 10:00 p.m., Sunday through Thursday, and 8:00 a.m. to 11:00 p.m., Friday and Saturday.
4. The developer shall construct, at no expense to Sarasota County, an exclusive left-turn egress lane with appropriate storage and transition at each of the project's access locations on North Cattlemen Road and Richardson Road.



5. Lighting used to illuminate the swimming pool and tennis court area shall be directed away from adjacent properties.
6. All parking lot, driveway, and security lights within 50' of any Residential Single-Family zoned property shall not exceed six feet in height.
7. The development shall connect to central water and sewer services from an off-site source.
8. The wetland and associated upland vegetative buffer shall be maintained as a preserve and labeled a preserve on both the construction plans and final plat. All activities involving filling, excavating, removing of vegetation (both trees and understory) and storing of materials shall be prohibited within preservation areas, unless written approval is first obtained from Resource Protection Services.
9. Prior to Site and Development Approval of any phase, the Applicant shall submit to the Public Works Business Center a concurrency analysis for an impact area as determined by the procedures of the Sarasota Concurrency Management System (Ordinance No. 99-033, as amended) and Resolution No. 98-169. The traffic impact study shall encompass an impact area based on the cumulative trip generation of development on the entire 66.2 acre parcel.
10. Prior to the submittal of the first site and development plan, a Master Stormwater Management Plan meeting the requirements of the LDR shall be submitted to the Public Works Business Center and Resource Protection Services for review and approval. The stormwater management plan shall describe in detail the existing drainage condition including delineation of historic drainage basins (on and off-site), calculation of the existing runoff rate for the 25-year storm, consideration of on-site existing retention and detention of existing runoff, and investigation of the downstream conveyance system(s) capacity to the FDOT Fruitville Road ditch. A conceptual plan for limiting peak post-development discharge to existing peak discharge shall be provided.

Prior to the submission of the Master Stormwater Management Plan, a pre-application meeting between the Applicant, the Public Works Business Center, and the Resource Protection Services shall be conducted in order to discuss environmental, hydrologic, and hydraulic methodologies to be employed in the design.

11. 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. The location and size of the retention/detention pond located along the west property line shall be constructed as shown on the Development Concept Plan date stamped March 29, 1999 (Exhibit A). The size may be increased as

necessary to comply with the Master Stormwater Management Plan as required by Stipulation No. 10.

12. The eastern property line (North Cattlemen Road frontage) shall be landscaped in accordance with Section 13.14. Buffer "K" of the Zoning Ordinance; the western property line shall be landscaped in accordance with a 30' wide Buffer "F".
13. The southwest corner of the subject parcel shall not contain any habitable structures.
14. The development shall be consistent with an Urban Design Program adopted for the I-75 Corridor Area. In lieu of such a program, prior to preliminary plan or site and development plan approval, the Applicant shall demonstrate appropriate noise attenuation techniques, in consultation with the County Growth Management Business Center, and include at a minimum, measures to address building orientation, setbacks, building heights, landscaping, and sound absorbing building materials.
15. Prior to approval of construction plans for the development, the Petitioner shall contribute up to \$7,500.00 to Sarasota County for construction of additional traffic calming measures on Deer Hollow Boulevard in accordance with a traffic abatement plan prepared by Sarasota County. Elements of the traffic abatement plan may include such tools as restricted access to Deer Hollow Boulevard, installation of speed humps, curb extensions, median entry/exit islands and midblock raised medians.
16. No commercial uses or private clubs are to be permitted on the property, except the Petitioner may lease space to a financial institution for ATM machines to be located in the clubhouse.

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 Staus  
Chairman

ATTEST:

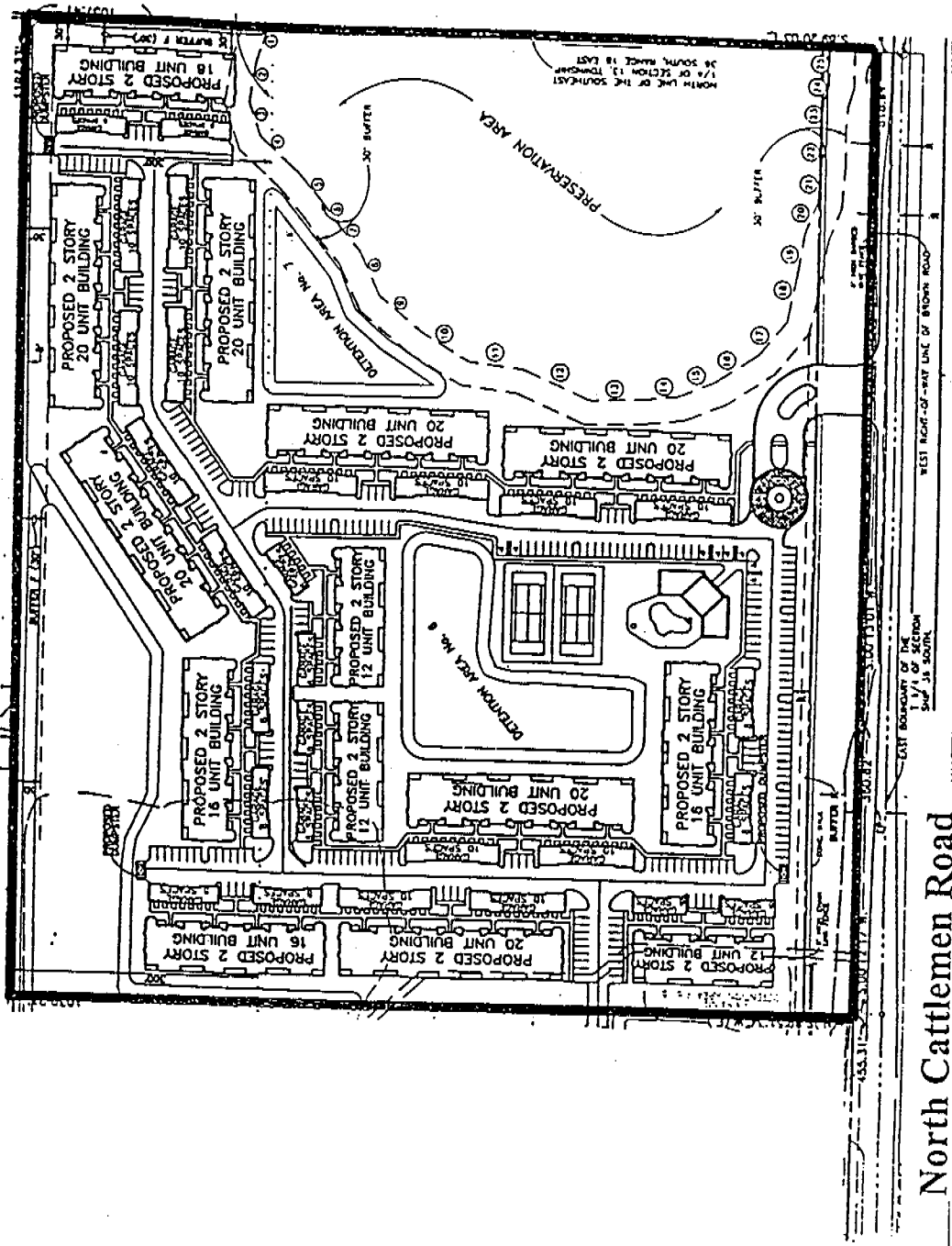
KAREN E. RUSHING, Clerk of  
the Circuit Court and Ex-  
Officio Clerk of the Board of  
County Commissioners of  
Sarasota County, Florida.

By: Karen Rushing  
Deputy Clerk

MAP SERIES/DEVELOPMENT/CONCEPT PLAN

NORTH ⇨

1,194.33'



North Cattlemen Road

THE DEVELOPMENT CONCEPT PLAN WAS RECEIVED ON MARCH 29, 1999

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 10/15/99  
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY Nanda Harris  
DEPUTY CLERK