

COUNTY OF SARASOTA
Florida

Board of County Commissioners
Sarasota County Growth Management Business Center

MEMORANDUM TO:

Alan Roberts
2621 Mall Drive
Sarasota, Fl 34231

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. 99-25

PLANNER:
Jack Wilhelm

ORDINANCE NO. 99-086 PID#: 0092-10-0005, 0092-15-0002, 0092-15-0005

ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:

On December 8, 1999, the Sarasota County Board of Commissioners approved Rezone Petition No. 99-25 to rezone 8.20 acres ± located north of Clark Road and 1340 feet ± west of Honore Avenue, Sarasota County, Florida, from ILW (Industrial, Light and Warehousing) and OUE-1 (Open Use, Estate, 1 unit/5 acres) to PCD (Planned Commerce Development) with stipulations.

A copy of Ordinance No. 99-086 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 Alan Roberts and Roland Askins, and described in Ordinance No. 99-086 attached hereto, has been rezoned to a PCD (Planned Commerce Development) zone district pursuant to Rezone Petition No. 99-25 filed by Alan C. Roberts, Agent, 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:

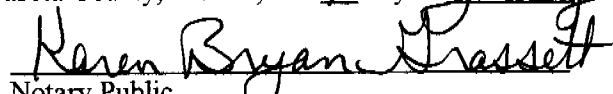
(Stipulations and limitations are those described in Section 3 of Ordinance No. 99-086, attached hereto)

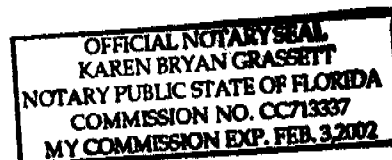

Executive Director
Growth Management Business Center

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 2nd 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 # 2000011702 5 PGS
2000 JAN 31 03:54 PM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
FMILLER Receipt#007589

ORDINANCE NO. 99-086

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. 99-25, 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 8.20 acres ± from ILW (Industrial, Light and Warehousing) and OUE-1 (Open Use, Estate, 1 unit/5 acres) to PCD (Planned Commerce Development) for the following described property located in Sarasota County, Florida:

North of Clark Road and 1340 feet ± West of Honore Avenue, more particularly

FILED
1999 DEC 17 PM 5:08
DEPARTMENT OF THE CLERK
SARASOTA COUNTY, FLORIDA

BOARD RECORDS
FILED FOR RECORD
1
1999 DE 13 AM 9:51
TAMARA E. BUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

described as follows.

Parcel 1: The South 702.0 feet of the East 175.0 feet of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 11, Township 37 South, Range 18 East, Sarasota County, Florida. LESS the South 50.0 feet for Clark Road right-of-way.

Parcel 2: The South 702.0 feet of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 11, Township 37 South, Range 18 East, Sarasota County, Florida. LESS the East 175.0 feet thereof, and LESS the West 250.0 feet thereof, and LESS the South 50.0 feet for Clark Road right-of-way.

The above two parcels also described as follows: Commence at the Southeast corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 11, Township 37 South, Range 18 East; thence N $0^{\circ}04'15''$ W along the East line of said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, a distance of 50.00 feet to the North right-of-way line of Clark Road (State Road No. 72) for a POINT OF BEGINNING; thence N $89^{\circ}52'13''$ W along said North right-of-way line of Clark Road, 418.85 feet to a point on the East line of the West 250.0 feet of the East $\frac{1}{2}$ of said Southwest $\frac{1}{4}$ of Southeast $\frac{1}{4}$; thence N $0^{\circ}04'25''$ W along said East line West 250.0 feet of East $\frac{1}{2}$ of Southwest $\frac{1}{4}$ of Southeast $\frac{1}{4}$, a distance of 652.00 feet; thence S $89^{\circ}52'13''$ E parallel to South line of said Section 11, a distance of 418.88 feet to the East line of said Southwest $\frac{1}{4}$ of Southeast $\frac{1}{4}$; thence S $0^{\circ}04'15''$ E along said East line of Southwest $\frac{1}{4}$ of Southeast $\frac{1}{4}$, a distance of 652.00 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 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. Development shall occur in substantial compliance with the Development Concept Plan date-stamped September 17, 1999, and attached hereto as Exhibit A except modified as necessary to comply with the stipulations contained herein. This does not imply or confer any variances from applicable zoning or land development regulations with the exception that all perimeter landscaping may be modified as shown on the Development Concept Plan..

- 3. The development shall be limited to a maximum of three access points to Shangri-La Road. The southern most access shall be a minimum of 150 feet from Clark Road (measured inside edge of pavement to inside edge of pavement). All access points shall be separated by a minimum of 150 feet.
- 4. All development shall comply with the Clark Road Corridor Plan (No. 91-02-SP) adopted by Ordinance No. 95-020 as amended.
- 5. No median openings on Shangri-La Road shall be permitted within 230 feet of Clark Road (measured from the edge of pavement).

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 Stans
Chairman

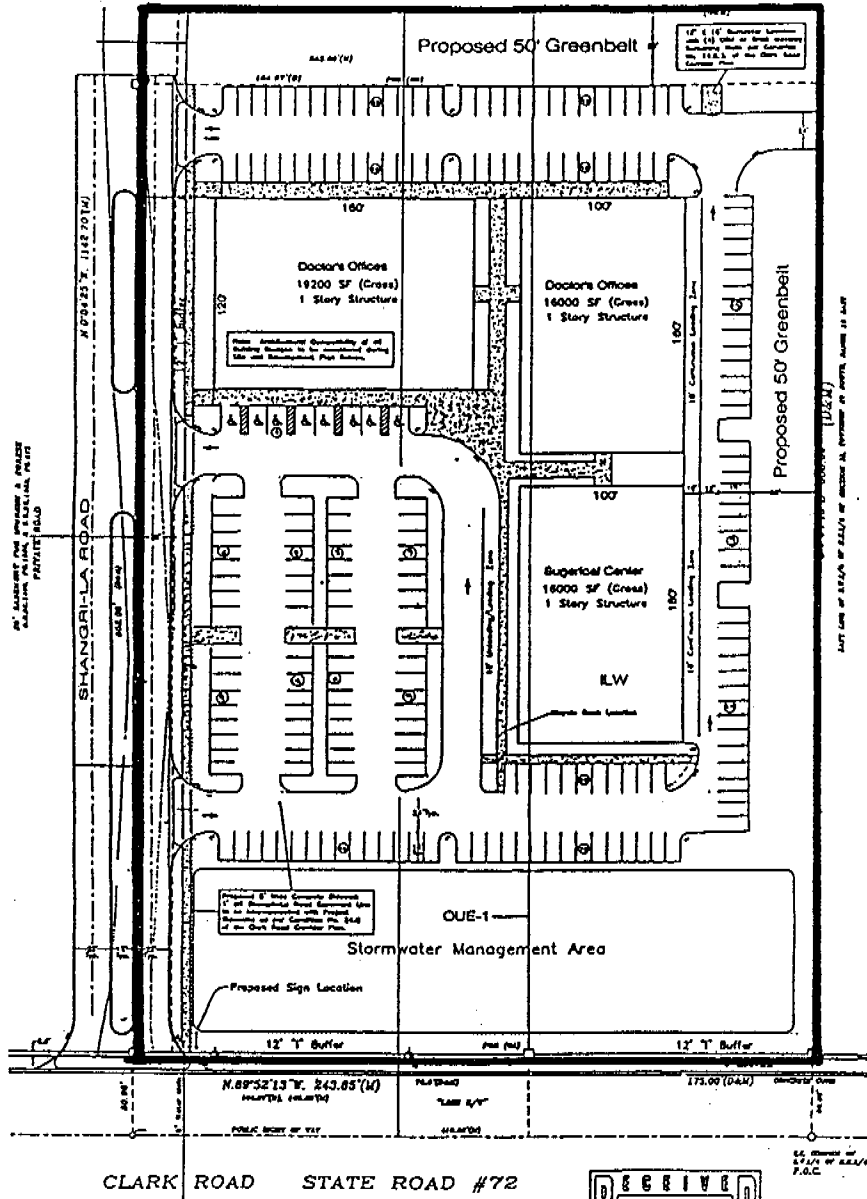
ATTEST:

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

By: Laura Harris
Deputy Clerk

Exhibit A

MAP SERIES - DEVELOPMENT CONCEPT PLAN



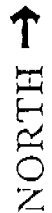
CLARK ROAD STATE ROAD #72

RECEIVED
SEP 17 1999
BY GROWTH MANAGEMENT

Development Concept Plan

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 12/13/99
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY [Signature]
CLERK



Site Data:

- Site Area: 355843 SF = 8.169 Acres
- Building Floor Area: 61200 SF = 1.175 Acres
- Loss Halls, etc. Net = 48,000 SF
- Parking Required: 192 Spaces
- Parking Provided: 210 Spaces
- Existing Use: Vacant
- Proposed Use: Doctors Offices
Surgical Center
- Existing Zoning: OUE-1 and ILW