

COUNTY OF SARASOTA
Florida

Board of County Commissioners
Sarasota County Growth Management Business Center

November 24, 1999

MEMORANDUM TO:

Bruce Franklin, Agent
ADP Group Inc.
149 Coconut 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. 99-29

PLANNER:
Scott Pickett

ORDINANCE NO. 99-067

PID#: 0026-08-0007

ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:

On October 27, 1999, the Sarasota County Board of Commissioners approved Rezone Petition No. 99-29 to rezone 0.98 acres \pm located 300 feet \pm south of Northgate Boulevard and 750 feet \pm west of U.S. 301, Sarasota County, Florida, from RMF-2 (Residential, Multiple Family, 9 units/acre) to ILW (Industrial, Light and Warehousing) with stipulations.

A copy of Ordinance No. 99-067 is attached for your information.

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

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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 Jordan E. Gillman and Richard M. Levin, and described in Ordinance No. 99-067 attached hereto, has been rezoned to the ILW (Industrial, Light and Warehousing) zone district pursuant to Rezone Petition No. 99-29 filed by Bruce Franklin, Agent, and granted by Sarasota County on October 27, 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. 99-067, attached hereto)



[Handwritten Signature]
Executive Director
Growth Management Business Center

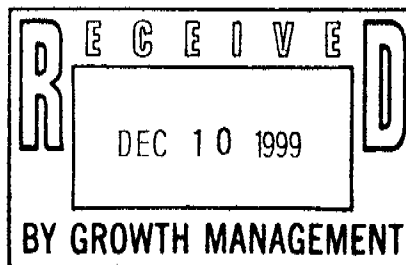
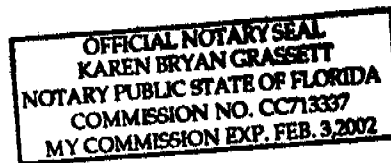
STATE OF FLORIDA
COUNTY OF SARASOTA

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, 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



RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 1999161988 4 PGS
1999 DEC 07 05:05 PM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
DCLINGER Receipt#158367

ORDINANCE NO. 99-067

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. 99-29, 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 0.98 acres ± from RMF-2 (Residential, Multiple Family, 9 units/acre) to ILW (Industrial, Light and Warehousing) for the following described property located in Sarasota County, Florida:

FILED
1999 NOV 11 3 11 PM
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

SARASOTA COUNTY FL
CLERK OF CIRCUIT COURT

1 59 OCT 28 PM 12:30

STANDARD TIME

300 feet ± South of Northgate Boulevard and 750 feet ± West of U.S. 301, more particularly described as follows:

Commence at the Southwest corner of the Northeast ¼ of the Northeast ¼, of Section 7, Township 36 South, Range 18, East Sarasota County, Florida, thence S 89°39'00" E along the South line of the Northeast ¼ of the Northeast ¼ of said Section 7, 279.27 feet to intersect the Easterly right-of-way line of a 52 foot drainage canal as recorded in Chancery Order Book 3, Page 206 (Tract 437) of the Public Records of Sarasota County, Florida, for a Point of Beginning; thence N 7°48'00" W along the Easterly right-of-way line of said 52 foot canal, 89.68 feet; thence N 51°57'00" W along the Northeasterly right-of-way line of said 52 foot canal, 100.08 feet; thence S 89°39'00" E and parallel with the South line of Northeast ¼ of the Northeast ¼ of said Section 7, 348.61 feet; thence S 0°30'00" E, 150 feet to intersect the South line of the Northeast ¼ of the Northeast ¼ of said Section 7, thence N 89°39'00" W along the South line of the Northeast ¼ of the Northeast ¼ of said Section 7, 258.93 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. Outdoor refuse areas shall be set back a minimum of 50 feet from the southern property boundary and visually screened in accordance with Section 11.6.f of the Zoning Ordinance.
3. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
4. Existing native vegetation shall not be removed from the required watercourse buffer except as necessary for: County maintenance access; road and utility crossings; nature trails; and access to water dependent uses. If no vegetation exists in the buffer, native vegetation shall be planted.

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

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Shannon Stave

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 10/28/99
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK OF THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY *Linda Harris*
DEPUTY CLERK

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BY GROWTH MANAGEMENT