

RESOLUTION NO. 2003 - 128
RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1532

WHEREAS, Charles D. Bailey, agent for the owner of the hereinafter described real property has filed **Special Exception Petition No. 1532** requesting that a special exception be granted to allow the hereinafter described property to be used for House of Worship in the OUE-1 (Open Use, Estate, 1 unit/5 acres) zone district:

PARCEL 1:

BEGIN AT THE SOUTHWEST CORNER OF SECTION 5, TOWNSHIP 37 SOUTH, RANGE 19 EAST; THENCE EAST ALONG THE SOUTH SECTION LINE 906.84 FEET FOR A **POINT OF BEGINNING**; THENCE N 7°28'16" W FOR A DISTANCE OF 1,381.86 FEET; THENCE N 89°43'52" E, FOR A DISTANCE OF 671.41 FEET; THENCE S 0°32'19" E, FOR A DISTANCE OF 1,373.31 FEET; THENCE S 0°30'31" E, FOR A DISTANCE OF 978.60 FEET TO THE NORTH R/W OF STATE ROAD 72; THENCE N 34°54'33" W FOR A DISTANCE OF 574.30 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,186.76 FEET, CENTRAL ANGLE OF 21°28'14", AND A CHORD BEARING OF N 45°38'40" W FOR A DISTANCE OF 442.10 FEET; THENCE N 33°37'13" E FOR A DISTANCE OF 238.40 FEET TO THE **POINT OF BEGINNING**; LYING AND BEING IN SARASOTA COUNTY, FLORIDA, LESS LAND CONVEYED TO SARASOTA COUNTY, RECORDED IN O.R. BOOK 1859, PAGE 1638 AND O.R. BOOK 2905, PAGE 543, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

PARCEL 2:

A PARCEL OF LAND LYING IN A PART OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 37 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF LOT 1037, "LAKE SARASOTA UNIT NO. 12", AS SHOWN ON PLAT RECORDED IN PLAT BOOK 8, PAGE 93, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S 0°24'12"E, ALONG THE EASTERLY BOUNDARY LINE OF SAID LOT 1037, AND ITS SOUTHERLY EXTENSION THEREOF, SAID LINE ALSO BEING THE EASTERLY BOUNDARY LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 5, AS DESCRIBED BY BOUNDARY LINE AGREEMENT RECORDED IN O.R. BOOK 354, PAGES 336 THROUGH 338, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, A DISTANCE OF 478.73 FEET; THENCE S 8W39'22" W, 208.71 FEET; THENCE S 0°24'12" E, 208.71

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SARASOTA COUNTY, FL

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FEET; THENCE S 89°39'22" W, 118.40 FEET; THENCE S 0°18'39" W, 686.61 FEET TO THE NORTHERLY BOUNDARY OF THOSE LANDS OWNED BY SARASOTA BAPTIST CHURCH; THENCE S 89°48'20" W, ALONG THE NORTHERLY BOUNDARY OF SAID LANDS, 335.67 FEET TO AN IRON ROD AND CAP, NUMBER 1629, SAID IRON ROD AND CAP BEING THE NORTHWEST CORNER OF LANDS OWNED BY SARASOTA BAPTIST CHURCH, SAID POINT LYING ON THE WESTERLY BOUNDARY LINE OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF ABOVE DESCRIBED SECTION 5; THENCE N 1°01'36" E, ALONG SAID WESTERLY BOUNDARY LINE, 1,163.06 FEET, TO THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN O.R. BOOK 1046, PAGE 555, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N 89°29'55" E, ALONG THE SOUTHERLY BOUNDARY OF SAID LANDS, 208.71 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE N 1°01'36" E, ALONG THE EASTERLY BOUNDARY LINE OF SAID LANDS, 208.71 FEET TO THE NORTHEAST CORNER OF SAID LANDS, SAID POINT ALSO LYING ON THE SOUTHERLY BOUNDARY LINE OF THE PLAT OF "LAKE SARASOTA UNIT NO. 12", AS RECORDED IN PLAT BOOK 8, PAGE 93, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N 89°29'55" E, ALONG SAID SOUTHERLY BOUNDARY LINE, 428.40 FEET TO THE POINT OF BEGINNING.

COMBLNED PARCEL AREA = 38.9 ACRES ± (INCLUDING TRIANGULAR PORTION SOUTH OF DEEDED RIGHT OF WAY).

TOGETHER WITH

("FIVE ACRE PARCEL")

PARCEL 2:

THE SOUTH 1/2 OF THE SW 1/4 OF THE NW 1/4 OF SW 1/4 OF SECTION 5, TOWNSHIP 37 SOUTH, RANGE 19 EAST. LESS THAT PART THEREOF DESCRIBED AS FOLLOWS:

BEGIN AT THE SW CORNER OF SAID SECTION 5; THENCE NORTH ALONG THE WEST LINE OF SECTION 5, 1,320 FEET FOR A POINT OF BEGINNING; THENCE NORTH 89°43'52" EAST, 338.91 FEET; THENCE NORTH ON A LINE PARALLEL TO THE WEST LINE OF SECTION 5, 97.56 FEET; THENCE SOUTH 89°43'52" WEST, 338.91 FEET; THENCE SOUTH ALONG THE WEST LINE OF SECTION 5, 97.56 FEET TO THE POINT OF BEGINNING.

SUBJECT TO A NON-EXCLUSIVE ACCESS EASEMENT OVER THE WESTERLY 33 FEET OF THE ABOVE DESCRIBED PARCEL.

PARCEL 3:

BEGIN AT THE SW CORNER OF SAID SECTION 5; THENCE NORTH ALONG THE WEST LINE OF SECTION 5, 1,320 FEET; THENCE NORTH 89°43'52" EAST, 338.91 FEET FOR A **POINT OF BEGINNING**. THENCE CONTINUE NORTH 89°43'52" EAST, 338.91 FEET; THENCE NORTH 07°28'16" WEST, 49.20 FEET; THENCE SOUTH 89°43'52" WEST, 335.7 FEET; THENCE SOUTH ON A LINE PARALLEL TO THE WEST LINE OF SECTION 5, 48.78 FEET TO THE **POINT OF BEGINNING**.

TOGETHER WITH A NON-EXCLUSIVE ACCESS EASEMENT OVER THE WESTERLY 33 FEET OF SECTION 5, TOWNSHIP 37 SOUTH, RANGE 19 EAST FROM THE SOUTH LINE OF THE ABOVE DESCRIBED PARCEL TO THE NORTH LINE OF PROCTOR ROAD.

ALSO: (BY SURVEYOR)

PARCEL "Q"

A PARCEL OF LAND, BEING IN THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 37 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA, BEING BOUNDED AS FOLLOWS:

ON THE NORTH, BY THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 5; ON THE EAST, BY THE WEST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2315, PAGE 2864, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; ON THE SOUTH, BY THE NORTH LINE OF THE LANDS DESCRIBED ABOVE AS PARCEL 3; AND ON THE WEST, BY THE EAST LINE OF THAT PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 5 NOT INCLUDED IN THE ABOVE DESCRIBED PARCEL 2.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sarasota County, Florida, in public meeting assembled:

Section 1. Pursuant to Sarasota County Ordinance No. 89-18 as amended, which recognizes that the Board of County Commissioners has the authority and duty to interpret the elements of the Comprehensive Plan, the Board of County Commissioners finds that the request is inconsistent with Apoxsee, the Revised and Updated Sarasota County Comprehensive Plan.

Section 2. The Board of County Commissioners finds that the request for the special exception petition does not meet the criteria set forth in Section 20 of the Zoning Regulations for Sarasota County (Ordinance No. 75-38, as amended, as codified in Appendix A of the Sarasota County Code).

Section 3. Based on the evidence, testimony and the foregoing finding, the Board of County Commissioners hereby **DENIES** Special Exception Petition No. 1532.

Section 4. This Resolution shall take effect immediately upon its adoption. The Clerk shall transmit a certified copy of this Resolution to the Petitioner at the following address: Charles D. Bailey, 2033 Maint St., Suite 600, Sarasota, Florida 34237.

PASSED AND DULY ADOPTED this 24th day of June, A.D., 2003.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By Sharon Hane
Chairman

ATTEST:

KAREN E. RUSHING, Clerk
of Circuit Court and ex officio
Clerk of the Board of County
Commissioners of Sarasota
County, Florida.

By: Cynthia A. Strath
Deputy Clerk

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1008

WHEREAS, the owners of fifty percent (50%) or more of the hereinafter described property have filed Special Exception Petition No. 1008 requesting that a special exception be granted allowing the hereinafter described property to be used for a House of Worship; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 7th day of March, 1985, continued to March 14, 1985, and March 28, 1985, to consider said Special Exception Petition No. 1008; and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1008 be granted; and

WHEREAS, this Board, after due public notice, did on the 14th day of May, 1985, hold a public hearing to consider said special exception petition, the recommendation of the Planning Commission and all matters relevant to said petition; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sarasota County, Florida, in public meeting assembled:

A. This Board, after having considered all things brought to its attention with regard to said Special Exception Petition No. 1008 does make the following findings:

(1) The particular use requested will promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare;

(2) All the requirements of the Sarasota County Zoning Regulations and the Comprehensive Plan for Sarasota County, Florida, have been met and satisfied.

B. Special Exception Petition No. 1008 is hereby granted and that the following described property, said property being in Sarasota County, Florida, to-wit:

North of Proctor Road between Corral Gate Lane & Wildhorse Circle, more particularly described as follows:

A tract of land lying in Sections 5 & 8, Twp. 37 S, Rge. 19 E, Sarasota County, Florida, further described as follows:

Commence at the SW corner of said Section 5, Twp. 37 S, Rge. 19 E (also the N.W. corner of Section 8, Twp. 37 S, Rge. 19 E); Thence S 89° 52' 42" E along the common line between Sections 5 & 8, Twp. 37 S, Rge. 19 E, 906.84' to the P.O.B.; Thence N 7° 20' 58" W, 1381.71'; Thence N 89° 49' 58" E, 670.73'; Thence S 0° 25' 50" E, 1373.39' to said No. line of Section 8, Twp. 37 S, Rge. 19 E; Thence S 0° 24' 15" E, 979.58' to a point on a line 35' N'ly of the centerline of Proctor Rd. as established by the Plat of "Foxfire Subdivision", (recorded in P.B. 23, Pg. 33, Public Records of Sarasota County, Florida); Thence N 34° 46' 05" W,

along said line, 583.57' to the P.C. of a curve concave to the S.W.; Thence NW'ly along said curve, R = 1178.60', delta angle = 21° 12' 42", arc 436.33'; Thence departing said line N 33° 42' 35" E, 235.52' to the P.O.B. Containing 26.124 acres ±.

be and the same is hereby approved for a House of Worship, subject to the following stipulations:

1. That development shall occur in substantial accordance with the Development Concept Plan submitted, dated January 25, 1985, except as noted herein;
2. That the westerly driveway shown on the Development Concept Plan as "exit only" be deleted;
3. That no outdoor lighting or public address systems be installed for the athletic fields and outdoor recreation areas;
4. That plans for the littoral and fluctuation zone be submitted to the Senior Ecologist for his approval, at or before construction of the project and that these littoral and fluctuation zones be planted with native aquatic vegetation;
5. That a 10 foot wide landscaped buffer in compliance with Section 7.22A (2), (3) & (4) of the Zoning Ordinance be provided along the east and west property lines adjacent to the proposed buildings and paved parking areas and adjacent to the outdoor recreation areas at such time those areas are developed.
6. That the education buildings only be used as Sunday School facilities and not for a day school.

C. That this Resolution shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED this 21st day of MAY,
A.D., 1985.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By Jeanne M. Elmurray
Chairman

ATTEST:

R.H. HACKNEY, JR., Clerk
of Circuit Court and ex officio
Clerk of the Board of County
Commissioners of Sarasota
County, Florida.

By Charlene H. Henry
Deputy Clerk