

APPENDIX D

**SARASOTA BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. 99-310**

RESOLUTION NO. 99- 310

A RESOLUTION OF THE SARASOTA BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, APPROVING THE ENGLEWOOD REDEVELOPMENT PLAN FOR CERTAIN GEOGRAPHICAL AREAS IN ENGLEWOOD, FLORIDA DESCRIBED GENERALLY AS BOUNDED BY THE CENTER OF FORKED CREEK ON THE NORTH, MORRIS INDUSTRIAL PARK ON THE EAST, THE SARASOTA/CHARLOTTE COUNTY LINE ON THE SOUTH, AND THE GULF OF MEXICO ON THE WEST; RESOLVING THAT THE ENGLEWOOD REDEVELOPMENT PLAN IS THE OFFICIAL REDEVELOPMENT PLAN FOR THE ENGLEWOOD COMMUNITY REDEVELOPMENT AREA; RESOLVING THAT THE ENGLEWOOD REDEVELOPMENT PLAN CONFORMS WITH THE COMMUNITY REDEVELOPMENT ACT OF 1969, AS AMENDED; RESOLVING THAT THE ENGLEWOOD REDEVELOPMENT PLAN IS SUFFICIENTLY COMPLETE AND PROVIDING THE AUTHORITY TO MODIFY OR AMEND SAID REDEVELOPMENT PLAN; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the legislature of the State of Florida enacted the Community Redevelopment Act of 1969, which is presently codified in Chapter 163, Part III, Florida Statutes (1997), as amended, (hereinafter referred to as the "Act"); and

WHEREAS, the Sarasota Board of County Commissioners (the "Board") adopted Sarasota County Resolution No. 98-064, on March 31, 1998, declaring an area of Englewood generally bounded by the center of Forked Creek on the north, Morris Industrial Park on the east, the Sarasota/Charlotte County line on the south, and the Gulf of Mexico on the west, and more particularly described in the Englewood Redevelopment Plan (Exhibit "A"), to be a blighted area as defined in the Act, and found rehabilitation, rebuilding, conservation, and redevelopment of said area is necessary in the interest of the public health, safety, morals, or welfare of the residents of Englewood and which geographic area is sometimes referred to as the "Englewood Community Redevelopment Area" (the "Englewood CRA"); and

WHEREAS, Resolution No. 98-064 further found the need to create a Community Redevelopment Agency and directed the Growth Management Business Center (formerly known as the Sarasota County Planning Department) to initiate and prepare a Community Redevelopment Plan; and

WHEREAS, the Board adopted Sarasota County Resolution No. 98-122, on May 26, 1998, declaring itself to be the Sarasota County Community Redevelopment Agency (the "Agency"), with the provision that the Agency may utilize advisory boards for each adopted Community Redevelopment Area; and

WHEREAS, the Board adopted Sarasota County Resolution No. 98-123 on May 26, 1998, establishing the Englewood CRA Advisory Board; and

WHEREAS, the Growth Management Business Center, in cooperation with the Englewood CRA Advisory Board, has prepared the Englewood Redevelopment Plan, as required by the Act; and

WHEREAS, the Englewood CRA Advisory Board, reviewed and recommended approval on September 9, 1999, of the Englewood Redevelopment Plan; and

WHEREAS, the Sarasota County Planning Commission, sitting as the Local Planning Agency pursuant to Section 163.360(3), Florida Statutes (1997), reviewed the Englewood Redevelopment Plan on November 4, 1999, and found that it conforms with the Sarasota County Comprehensive Plan.

WHEREAS, the Sarasota County Community Redevelopment Agency adopted Sarasota County Resolution No. 99-288 on November 23, 1999, approving the Englewood Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE SARASOTA BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, IN A PUBLIC HEARING ASSEMBLED THAT:

SECTION 1. Official Redevelopment Plan for the Englewood CRA. -- The Englewood Redevelopment Plan, having been duly received and considered, as provided by the Act, is hereby approved and accepted, attached hereto and incorporated herein as Exhibit "A". The Englewood Redevelopment Plan is hereby designated as the official redevelopment plan for the Englewood CRA, the boundaries of which are specifically described in said Plan. It is the purpose and intent of the Board that the Englewood Redevelopment Plan be implemented in the prescribed Englewood CRA.

SECTION 2. Conformity to the Community Redevelopment Act of 1969, as amended. -- The Board hereby finds and determines that:

- (a) The rehabilitation, conservation, or redevelopment or a combination thereof, of the Englewood CRA is necessary in the interest of the public health, safety, morals, or welfare of the residents of the Englewood CRA in the interest of implementing Part III of Chapter 163, Florida Statutes (1997) by rehabilitating and revitalizing the area economically and socially, thereby inhibiting the spread of disease and crime, and inter alia improving the tax base, promoting sound growth, and providing improved housing conditions.
- (b) A feasible method exists for the location of families who will be displaced from the Englewood CRA in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families.
- (c) The Englewood Redevelopment Plan conforms to the Sarasota County Comprehensive Plan as a whole (as determined by the Local Planning Agency in the letter dated November 4, 1999, attached as Exhibit "B").
- (d) The Englewood Redevelopment Plan gives due consideration to the utilization of community policing, and to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the Englewood CRA.
- (e) The Englewood Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of Sarasota County as a whole, for the rehabilitation or redevelopment of the Englewood CRA by private enterprise.
- (f) The Englewood Community Redevelopment Plan and resulting revitalization and redevelopment for a coastal tourist area that is deteriorating and economically distressed will reduce or maintain evacuation time, as appropriate, and ensure protection for property against exposure to natural disasters.
- (g) The planned acquisition and development of waterfront properties for a public park and access to Lemon Bay are necessary and appropriate to facilitate the proper

growth and development of the community in accordance with sound planning standards and local community objectives.

SECTION 3. Completeness of Redevelopment Plan and Authority to Modify or Amend.

The Board hereby further finds and determines that:

- (a) the Englewood Redevelopment Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the Englewood CRA; zoning and planning changes, if any; land uses; maximum densities; and building requirements; however, as implementation of the Redevelopment Plan occurs, future amendments may be required, and
- (b) the Englewood Redevelopment Plan conforms with Part III of Chapter 163, Florida Statutes (1997); and
- (c) the Englewood Redevelopment Plan is necessary in the interest of the public health, safety, morals, and welfare of the residents of Sarasota County and will effectuate the purposes of the aforementioned statute, by revitalizing the Englewood CRA economically and socially, thereby increasing the tax base, promoting sound growth; improving housing conditions, and eliminating the conditions which the Florida Legislature in such statute found constituted a menace which was injurious to the public health, safety, welfare, and morals of the residents.

SECTION 4. Severability. - If any provision of this Resolution is for any reason finally held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions.

SECTION 5. Effective Date -- This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED, AND DULY ADOPTED by the Sarasota Board of County Commissioners of Sarasota County, Florida this 14 day of December, 1999.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

By: Sharon Abert

Chair

ATTEST:

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

By: Karen E. Rushing

Deputy Clerk