

MURPHY OAKS PROPOSED DEVELOPMENT STANDARDS

CITY COUNCIL MEETING NOVEMBER 27, 2018

1. THERE SHALL BE NO VEHICULAR OR PEDESTRIAN ACCESS TO FOX LEA DRIVE.
2. THE PROJECT WILL ACHIEVE 90% OPACITY WHEN VIEWED FROM N. AUBURN ROAD TO A HEIGHT TO SHIELD THE SOFFIT LEVEL WITHIN THREE YEARS OF CONSTRUCTION.
3. THE BUFFERS SURROUNDING THE SITE SHALL BE SHOWN ON THE PUD CONCEPT PLAN AND BE LANDSCAPED PER THE PROVIDED LANDSCAPE PLANS.
4. ~~THE MAXIMUM HEIGHT OF STRUCTURES ON ALL BOUNDARIES THAT BACK UP TO FOX LEA DRIVE AND NORTH AUBURN ROAD (LOTS 17 & 867 AS IDENTIFIED WITH AN "*" ON THE SITE CONSTRUCTION PLAN) SHALL BE LIMITED TO ONE STORY OF TWENTY-FIVE FEET. THE MAXIMUM HEIGHT OF ALL STRUCTURES SHALL NOT EXCEED TWO STORIES IN HEIGHT WITH A MAXIMUM OF 35'.~~
5. AN UPDATED LISTED SPECIES SURVEY MUST BE COMPLETED PRIOR TO ANY CONSTRUCTION.
6. THE APPLICANT MUST PROVIDE THE CITY WITH THE RESULTS OF THE UPDATED LISTED SPECIES SURVEY, AND ANY CORRESPONDENCE WITH THE UNITED STATES FISH AND WILDLIFE SERVICES (USFWS) OR THE FISH AND WILDLIFE COMMISSION (FWC).

7. THE APPLICANT MUST COMPLY WITH FWC REGULATIONS REGARDING THE SURVEY AND RELOCATION OF ANY GOPHER TORTOISES AND ASSOCIATED COMMENSAL SPECIES PRIOR TO CONSTRUCTION. SPECIFICALLY, A 100% GOPHER TORTOISE SURVEY IS REQUIRED ACCORDING TO FWC SURVEY PROTOCOLS AND THE GOPHER TORTOISE AND COMMENSALS MUST BE RELOCATED FROM ALL AREAS OF IMPACTS.
8. THE APPLICANTS MUST OBTAIN ALL APPLICABLE STATE AND FEDERAL ENVIRONMENTAL PERMITS PRIOR TO CONSTRUCTION.
9. IT IS REQUIRED THAT ANY NUISANCE SPECIES OBSERVED WITH THE PROJECT AREA WETLANDS AND UPLANDS BE REMOVED AND REPLANTED WITH NATIVE FLORIDA SPECIES BEFORE OR DURING CONSTRUCTION **WITH THE EXCEPTION OF THE SOUTHERN BUFFER AREA ADJACENT TO THE FOX LEA DRIVE RIGHT OF WAY.**
10. THE APPLICANT IS REQUIRED TO DEVELOP AN INDIGO SNAKE PROTECTION PLAN FOR UTILIZATION DURING CONSTRUCTION.
11. NO STORM WATER OR OTHER DRAINAGE FROM THE **DEVELOPED PORTION, NON-BUFFER AREAS, OF THE** SUBDIVISION SITE SHALL BE DISCHARGE IN THE EXISTING DITCH THAT RUNS EAST-WEST WITHIN THE NORTHERN PORTION OF THE FOX LEA DRIVE RIGHT OF WAY.
12. THE MASTER SURFACE WATER MANAGEMENT PLAN SHALL BE CONSISTENT WITH THE CURRY CREEK BASIN MASTER PLAN.

13. ALL STORMWATER TREATMENT PLANS SHALL BE OPEN AND ABOVE GROUND.
14. THE APPLICANT SHALL RECORD A NOTICE OF PROXIMITY IN THE OFFICIAL RECORDS OF SARASOTA COUNTY IN THE CHAIN OF TITLE PRIOR TO THE FINAL PLAT APPROVAL, NOTIFYING ALL FUTURE PURCHASERS OF LOTS OR HOMES WITHIN THE SUBDIVISION OF THE PROXIMITY OF THEIR PROPERTY TO INTERSTATE I-75; AND NOTIFYING THEM OF THE PROXIMITY OF THEIR PROPERTY TO THE ADJACENT FOX LEA FARMS AS AN EQUESTRIAN STABLE AND RIDING ACADEMY WHICH CONDUCTS NATIONAL HORSE SHOW EVENTS. SAID NOTICE OF PROXIMITY SHALL BE DELIVERED TO POTENTIAL PURCHASERS PRIOR TO THEIR ENTERING INTO A BINDING CONTRACT, AS PART OF THE PRESALE WRITTEN MATERIALS, AND SHALL BE INCLUDED IN THE HOMEOWNER ASSOCIATION DOCUMENTS.
15. THE APPLICANTS SHALL RECORD AN EXPRESS PROHIBITION ON THE USE OF FIREWORKS IN THE OFFICIAL RECORDS OF SARASOTA COUNTY IN THE CHAIN OF TITLE OF THE SUBDIVISION, PRIOR TO THE FINAL PLAT APPROVAL, NOTIFYING ALL FUTURE PURCHASERS OF LOTS OR HOMES OF THE PROHIBITION, AND NOTING THE DANGER AND NOISE OF FIREWORKS POSES TO THE HEALTH AND TEMPERAMENT OF ANIMALS AND HUMANS AND THE RISK OF DANGER TO NEARBY EQUESTRIANS.

16. NEITHER THE APPLICANT NOT ITS CONTRACTORS SHALL BURN ANY TRASH OR WASTE MATERIALS ON THE SUBJECT PROPERTY IN THE COURSE OF CONSTRUCTION; NOR SHALL THE CITY OR COUNTY ISSUE ANY PERMITS AUTHORIZING THE SAME. THE APPLICANTS SHALL RECORD AN EXPRESS PROHIBITION ON THE BURNING OF TRASH OR WASTE MATERIALS IN THE OFFICIAL RECORDS OF SARASOTA COUNTY IN THE CHAIN OF TITLE OF THE SUBDIVISION, PRIOR TO THE FINAL PLAT APPROVAL, NOTIFYING ALL FUTURE PURCHASERS OF LOTS OR HOMES OF THE PROHIBITION, AND NOTING THE DANGER THAT SMOKE POSES TO THE HEALTH AND TEMPERAMENT OF ANIMALS AND HUMANS. THIS RESTRICTION SHALL NOT PRECLUDE HOMEOWNERS FROM USING OUTDOOR BARBEQUES FOR COOKING.
17. THE APPLICANT SHALL INCORPORATE INTO THE HOMEOWNER DOCUMENTS AN EXPRESS PROHIBITION ON THE USE OF OUTDOOR SOUND SPEAKERS APPLICABLE TO THE LOTS IN THE SOUTHERN BOUNDARY. THIS PROHIBITION SHALL NOT APPLY TO FIRE AND BURGLAR ALARMS; HOWEVER, THE SPEAKERS FOR SUCH ALARMS SHALL BE ORIENTED TOWARD THE NORTH UNLESS OTHERWISE REQUIRED FOR HEALTH AND SAFETY REASONS.
18. THE DEVELOPER SHALL INCORPORATE INTO THE HOMEOWNER ASSOCIATION DOCUMENTS AN EXPRESS PROHIBITION ON THE LAUNCHING OF DRONES OR RADIO-CONTROLLED AIRCRAFT FROM WITHIN THE DEVELOPMENT WHICH WOULD FLY OVER FOX LEA FARM, UNLESS PERMISSION IS RECEIVED IN WRITING FROM FOX LEA FARM.

19. THE APPLICANT SHALL COMMENCE CONSTRUCTION OF THE AMENITY AREA WITHIN TWELVE (12) MONTHS AFTER ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE FIRST RESIDENCE, OR UPON THE CLOSING OF TWENTY-FIVE (25) PERCENT OF LOTS TO THE END USERS, WHICHEVER SHALL FIRST OCCUR.
20. DEVELOPER SHALL USE ITS BEST EFFORTS TO LIMIT HORIZONTAL CONSTRUCTION AND ROOFING CONSTRUCTION ALONG THE SOUTHERN BOUNDARY ON THE WEEKENDS DURING THE MONTHS OF JANUARY, FEBRUARY, MARCH, JULY AND AUGUST.