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2001 NOV 30 02:45 PM

KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
DCOURSEY Receipt#110443




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Please record and return to Karen Grasset
Growth Management Business Center
1660 Ringling Boulevard, 5th Floor
Sarasota, FL 34236

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 Clarence R. Balsinger, and described in Ordinance No. 2001-073 attached hereto, has been rezoned to a RSF-2 (Residential, Single Family, 3.5 units/acre) zone district pursuant to Rezone Petition No. 00-30 filed by George A. Dietz, Agent, and granted by Sarasota County on September 25, 2001, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

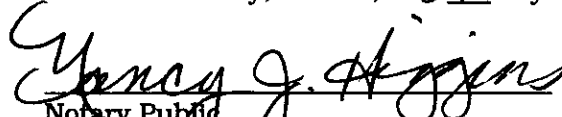
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2001-073, attached hereto)


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 29th day of November, A.D. 2001


Notary Public
State of Florida at Large

This instrument prepared by:
Nancy Higgins



Nancy J. Higgins
Commission # CC 936330
Expires May 13, 2004
Bonded Thru
Atlantic Bonding Co., Inc.

ORDINANCE NO 2001-073

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO 75-38, APPENDIX A TO THE SARASOTA COUNTY CODE, 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 00-30, 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, codified in Appendix A of the Sarasota County Code (hereinafter "the Zoning Ordinance"), 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 the Zoning Ordinance

D Pursuant to the provisions of Article VII of Chapter 94 of the Sarasota County Code, 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 the Zoning Ordinance. The Official Zoning Atlas, adopted under Section 2 of the Zoning Ordinance, is hereby amended by changing the zoning district classification for 2.64 acres + from OUE-1 (Open Use, Estate, 1 unit/5 acres) and OUE-2 (Open Use, Estate, 1 unit/2 acres) to RSF-2 (Residential, Single Family, 3 5 units/acre) for the following described property located in Sarasota County, Florida:

2001 OCT - 1 AM 10:10

SARASOTA COUNTY, FL

North of Venice Avenue and 900 feet + east of Auburn Road, more particularly described as follows.

PARCEL A

Tracts 4, 5, 11 and 12, Venice Farms, according to the Plat thereof recorded in Plat Book 2, Page 179, Public Records of Sarasota County, Florida

FILED
OCT 15 2001
SARASOTA COUNTY
FLORIDA

LESS

The South 33 00 feet of Tracts 4 and 5, Venice Farms, according to the Plat thereof recorded in Plat Book 2, Page 179, of the Public Records of Sarasota County, Florida

Being in Section 10, Township 39 South, Range 19 East.

PARCEL B

A part of Tract #13 of Venice Farms, as per Plat thereof recorded in Plat Book 2, Page 179, of the Public Records of Sarasota County, Florida described as follows

Begin at the most northerly corner of Tract #13 of Venice Farms, Plat Book 2, Page 179, the same being on the southwesterly right-of-way line of DeSota Drive, thence S62°29'00"E, along the southerly right-of-way line of said DeSota Drive, a distance of 340 00 feet to the northeasterly corner of said Tract #13, thence S26°00'59"W, along the easterly line of said Tract #13, a distance of 230 25 feet; thence S00°46'31"E along the east line of said Tract #13, a distance of 217 00 feet; thence N62°59'00"W, parallel with the southerly right-of-way line of said DeSota Drive, a distance of 339 26 feet to a point on the west line of said Tract #13, thence N00°46'18"W, along the west line of said Tract #13, a distance of 227 93 feet, thence N27°06'03"E, along the northwesterly line of said Tract #13, a distance of 220 54 feet to the POINT OF BEGINNING. Lying in and being a part of Section 10, Township 39 South, Range 19 East

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 the Zoning Ordinance, is hereby further limited by and subject to the following restrictions, stipulations and safeguards

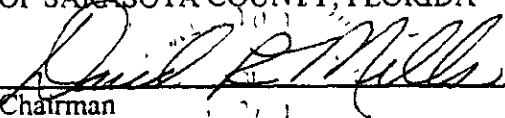
- 1 The Owner shall be required to maintain the appearance and function of any private drainage facilities to be constructed on the site, including retention ponds and drainage ditches, at its own expense in accordance with applicable federal, state or local regulations At the time of recording a plat 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 All development on the subject parcel shall comply with the Venice Avenue Corridor Plan (Ordinance No 89-074) and the Venice Urban Design District (Ordinance No. 94-074)

- 3 Prior to or concurrent with site and development plan or subdivision plan submittal, the applicant shall have the depressional area located in the southwest corner of the parcel checked by the Southwest Florida Water Management District for final determination of wetland status
- 4 The proposed development shall be limited to one right-in/right-out access point on Venice Avenue
- 5. Prior to or concurrent with the construction of the right-in/right-out access point on Venice Avenue, a westbound left-turn lane shall be constructed at the median opening immediately to the west of the subject parcel. The improvement shall be included in the construction plans for the subject parcel
- 6 A 5 foot wide "A" buffer with a continuous 4 foot high planting in accordance with section 13 of the Zoning Ordinance shall be provided along the property line bordering Canary Island Street. Fencing shall not be allowed within the buffer area

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 25th day of September, A.D., 2001


BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


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 
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 October 1, 2001
KAREN E RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
By 
DEPUTY CLERK