

2001 MAY 25 11:23 AM

KAREN E. RUSHING

CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
VBROTHER Receipt#048784

✓ 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 Phyllis Stowe, and described in Ordinance No. 2001-022 attached hereto, has been rezoned to a ILW (Industrial, Light and Warehousing) zone district pursuant to Rezone Petition No. 01-05 filed by Stephen B. Keyser, Agent, and granted by Sarasota County on April 11, 2001, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

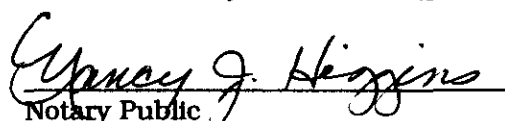
(Stipulations and limitations are those described in Section 3 of Ordinance No 2001-022, attached hereto)


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 18th day of May, A.D. 2001.


Notary Public
State of Florida at Large

This instrument prepared by
Nancy Higgins

ORDINANCE NO 2001-022

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SARASOTA COUNTY, FLORIDA
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 01-05, 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 acres ± from RSF-2 (Residential, Single Family, 3 5 units/acre) to ILW (Industrial, Light and Warehousing) for the following described property located in Sarasota County, Florida

West of McIntosh Road and 380 feet North of Ashton Road more particularly described as follows

That part of the North 257 feet of Lot 16, lying East of S C L Railroad, Block 1, of Bee Ridge Farms, Section 10, Township 37 South, Range 18 East, recorded in Plat Book 1, Page 248, Public Records of Manatee County, Florida (Also recorded in Plat Book "A", Page 40, Public Records of Sarasota County, Florida)

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SARASOTA COUNTY FLORIDA

Less the East 19 feet thereof for right-of-way taking, as described in O R Book 1822, Page 2671, Public Records of Sarasota County, Florida Being and lying in Section 10, Township 37 South, Range 18 East, Sarasota County, Florida

(a/k/a 5170 McIntosh Road - Parcel ID #0089-16-0007)

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 No underground stormwater storage or treatment system technology shall be used at this site
- 3 Access to the subject parcel shall be limited to right-in/right-out once McIntosh Road is widened to a four-lane divided roadway
- 4 A cross-access agreement with the property to the south, a minimum of 12 feet in width, shall be recorded prior to construction plan approval for the subject parcel to ensure future interconnection A driveway interconnection shall be constructed to the property to the south prior to certificate for occupancy of any new ILW use or structure
- 5 Prior to certificate for occupancy of any new use or structure, the subject parcel must connect to central water and sewer
- 6 The site stormwater management plan shall be submitted for review and approval thirty (30) days prior to Site and Development Plan submittal
- 7 No outdoor loudspeakers or paging systems shall be allowed.
- 8 No ILW uses shall commence on the subject parcel until a site and development plan has been approved by Sarasota County and all required improvements installed
- 9 Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets
- 10 Pedestrian pathways shall be provided on the subject property and be linked to public sidewalks and adjacent developments

- 11 Signage shall be limited to monument signs not exceed fifteen feet (15') in height and shall be designed to be architecturally consistent with the buildings they identify Architectural consistency shall include compatibility of forms, materials, finishes, and colors
- 12 All outdoor refuse collection storage areas and loading areas shall be visually screened with an opaque material, which may include shrubs, walls, fences, or berms and which are a minimum of eight (8') feet in height Materials stored in said areas shall not protrude above the screen If vegetative material is used, said material shall form an opaque screen within two (2) years from the time of first planting No outdoor refuse collection loading, or storage area shall be located in a front yard, or within ten (10) feet of any side or rear property line
- 13 All mechanical equipment, including, but not limited to heating ventilating and air conditioning machinery, public utility service fixtures such as potable water and sewer facilities, shall be screened from public view, and such screening may include any combination of landscaping and building materials If building materials are to be utilized for screening purposes, such materials shall be consistent with the architectural design of the principal structure Screening shall extend at least on foot (1') above the object to be screened

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 11th day of April, A D , 2001

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

David R. Mills
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 Paula J. Johnston
Deputy Clerk

STATE OF FLORIDA,
SARASOTA COUNTY
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 4/12/2001
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS SARASOTA COUNTY, FLORIDA
BY Paula J. Johnston
DEPUTY CLERK