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2001100931

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


OFFICIAL RECORDS INSTRUMENT # 2001100930 4 PGS
~~STAMPED IN ERROR~~

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2001100931 5 PGS
2001 JUL 17 11:27 AM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
VBROTHER Receipt#065774

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 James C. Rutledge and Richard T. Williams, and described in Ordinance No. 2001-026 attached hereto, has been rezoned to a CG (Commercial, General) zone district pursuant to Rezone Petition No. 01-09 filed by Stephen D. Rees, Agent, and granted by Sarasota County on June 13, 2001, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

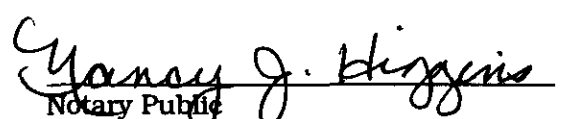
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2001-026, attached hereto)


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 10th day of July, A.D. 2001.


Notary Public
State of Florida at Large

This instrument prepared by
Nancy Higgins

 Nancy J. Higgins
Commission # CC 936530
Expires May 15, 2004
Bonded Thru
Atlantic Bonding Co., Inc.

ORDINANCE NO. 2001-026

2001 JUN 15 AM 11:21

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 01-09, 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 6.42 acres ± from OUE-2 (Open Use, Estate, 1 unit/2 acres) to CG (Commercial, General) for the following described property located in Sarasota County, Florida

South of University Parkway and 700 feet ± West of Honore Avenue, more particularly described as follows

Lot 1 and 2, less that part lying within 206 feet of the north section line, SARASOTA GARDENS, according to the Plat thereof, recorded in Plat Book 2, Page 107, Public Records of Sarasota County, Florida

FILED
2001 JUN 20 AM 11:03
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

05001-026

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 and 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 shall comply with the University Parkway Corridor Plan – East (No 92-01-East)
- 3 All development shall comply with the Interlocal Agreement for University Parkway between Manatee County and Sarasota County including the limitation to one right turn in, right turn out access to University Parkway
- 4 Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets
- 5 Within 60 days of approval of this rezone petition, the developer shall record a vehicular, pedestrian, bicycle ingress/egress access easement (minimum 30 feet in width) or right-of-way to the adjacent parcel to the east, across the subject parcel, to University Parkway The easement shall be paved to the east property line prior to the issuance of the first Certificate of Occupancy for the subject parcel
- 6 Prior to or concurrent with development on the subject parcel an eastbound to southbound right-turn lane shall be constructed at the project access on University Parkway, known as Center Ring Road The improvement shall be included in the construction plan submittal for the subject parcel
- 7 If Center Ring Road is vacated, the vacation shall occur prior to Site and Development Plan approval
8. The on-site pine flatwoods shall be conserved within the development's southern landscape buffer area This buffer area shall be a minimum of 25 feet in width The pine flatwoods conservation areas shall be maintained in perpetuity and labeled as conservation areas on all plans All activities involving filling, excavating, removing of vegetation (both trees and understory) and storing of materials shall be prohibited within these areas Exception may be granted by Resource Protection Services to facilitate implementation of approved management plans or the removal of nuisance/invasive vegetation Stormwater management areas on the subject parcel shall be located along the south property line between the landscape buffer and any building
- 9 All buildings and parking areas shall be set back from the southern property boundary a distance of 60 feet

10 The following schedule of plant material will be planted in a 5' wide landscape buffer along the 664 72' south property line

- | | |
|--|---|
| 28 canopy trees provided | 12' x 6' with 2½" caliper |
| 15 understory trees provided
(the species provided) | 8' x 4' with 1½" caliper
20-Quercus virginiana (Live Oak)
8-Pinus elliottii (Slash Pine)
15-Ilex attenuata 'East Palatka' (American Holly) |
| continuous hedge provided
(the species provided) | 4' overall height
221-Myrcianthes fragrans (Simpson Stopper) |

All other landscape buffers shall be as required by Section 13 14 of the Zoning Ordinance

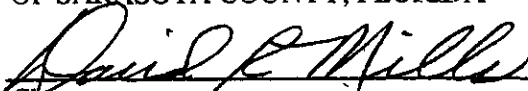
11 The structures along the southerly property boundary shall be approximately 14 feet in height and have peaked roofs, e g no flat roofs.

12 Self-storage buildings shall reflect the general architectural character reflected in the Applicant's "Proposed Elevations" drawing labeled as Exhibit "A" attached hereto and date-stamped October 31, 2000

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 13 day of June, A D, 2001

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


Chairman

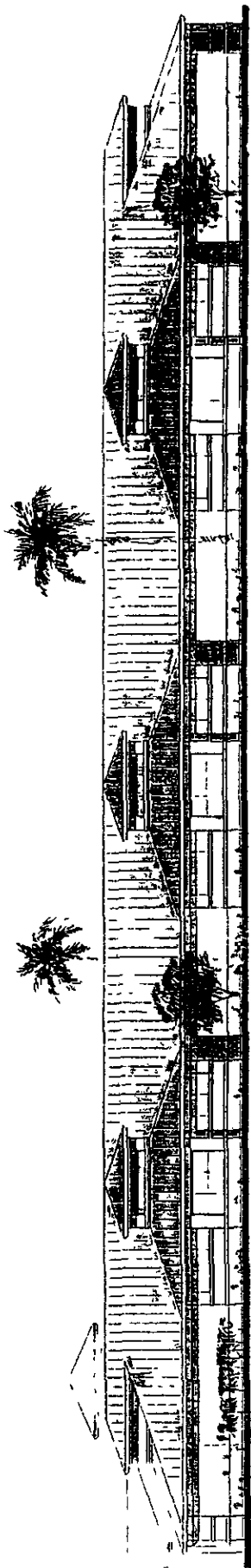
ATTEST

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

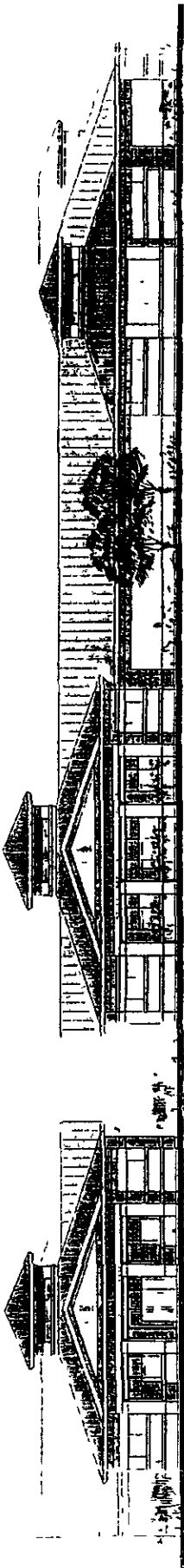
By 
Deputy Clerk

05001-036

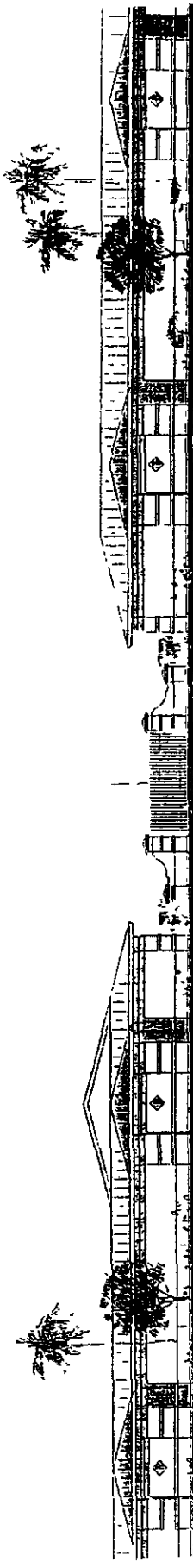
EXHIBIT "A"



NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION

PROPOSED ELEVATIONS
SCALE 1/8"

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINALS IN THIS OFFICE WITHOUT ANY HAND AND/OR ALTERATIONS.

SEAL THIS DATE

KAREN E. RUSHING, CLERK OF THE COUNTY COURT
CLERK OF THE COUNTY COURT
COMMISSIONERS SARASOTA COUNTY FLORIDA

Received by Growth Management
October 31, 2000

C 2001-026