

2001 DEC 17 05:58 PM

KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
LKROHN Receipt#116431



✓ 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 Sarasota County, and described in Ordinance No. 2001-087 attached hereto, has been rezoned to a GU (Government Use) zone district pursuant to Rezone Petition No 01-26 filed by Rick Burton, Agent, and granted by Sarasota County on November 19, 2001, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code

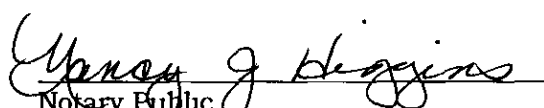
(Stipulations and limitations are those described in Section 3 of Ordinance No 2001-087, attached hereto)

  
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 14<sup>th</sup> day of December, 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.

FILED IN PUBLIC RECORDS

ORDINANCE NO 2001-087

2001 NOV 21 PM 12:15

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS AS PART OF COURT FILE SARASOTA COUNTY FILE NO 2001-087, CODIFIED IN 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

FILED IN PUBLIC RECORDS  
SARASOTA COUNTY FILE NO 2001-087  
2001 NOV 29 PM 1:50  
STATE OF FLORIDA

2001 NOV 29 PM 1:50

FILED

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA

Section I 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 01-26, 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 4.0 acres ± from RE-2 (Residential, Estate, 1 unit/acre) to GU (Government Use) for the following described property located in Sarasota County, Florida

East and west of Manasota Key Road and 3 miles south of Manasota Beach Road, more particularly described as follows

A parcel of land located on Manasota Key in Section 35, Township 40 South, Range 19 East, Sarasota County, Florida Bounded on the north by lands of Sarasota County, bounded on the south by a

line that is 170 feet south of a parallel with the north line of North Gallcon's Reach per Instrument #1999020371, recorded in the Public Records of Sarasota County, Florida Bounded on the west by the Gulf of Mexico and bounded on the east by Lemon Bay, all being a part of Sarasota County, Florida

Containing 4.0 acres, more or less

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

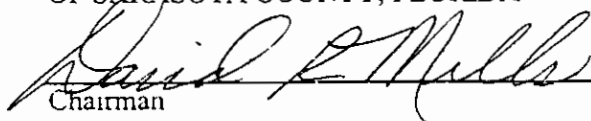
- 1 The on-site wetlands, coastal hammock, dunes, and associated upland vegetative buffer shall be maintained as a preserve and labeled a preserve on all plans All activities involving filling, excavating, well drilling, altering vegetation (including trimming of both trees and understory) and storing of materials shall be prohibited within preservation areas, unless written approval is first obtained from Resource Protection Services Exception may be granted by Resource Protection Services to facilitate implementation of approved management plans or the removal of nuisance/invasive vegetation
- 2 Resource Protection Services shall be contacted to field locate proposed shell path walkways prior to their construction to avoid impacting existing dune vegetation The subject parcel shall be limited to two beach/dune walkovers Please note that a Written Conditional Exception is required for the dune walkover structures [pursuant to Section 54-723 (e) (7) of the Coastal Setback Code]
- 3 Nuisance and invasive vegetation shall be removed from the property and properly disposed of in an approved landfill or other method approved by Resource Protection Services Australian pine (*Casuarina spp*) greater than 6 inches diameter at breast height (DBH) may be retained on site to provide for shade and for the preservation of any historical significance they may provide RPS staff recommends replacing all Australian pines with Southern red cedar (*Juniperus silicicola*) and green buttonwood (*Conocarpus erectus*) as a long-term management goal
- 4 Any construction or excavation seaward of the Gulf Beach Setback Line (GBSL) must be authorized under the GBSL ordinance All debris resulting from proposed renovation activities shall be stockpiled landward of the GBSL and all shorelines, dunes, and wetlands and disposed of in an approved landfill or recycling facility
- 5 The Applicant shall work with the Natural Resources Coastal Project Scientist to examine the feasibility of removing the existing wood pilings located along the beach in order to reduce the public safety hazards that they present
- 6 This parcel must connect to sewer within 90 days of availability

- 7 Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties, streets and beach areas consistent with Article 23, Chapter 50 of the Sarasota County Code
- 8 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

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

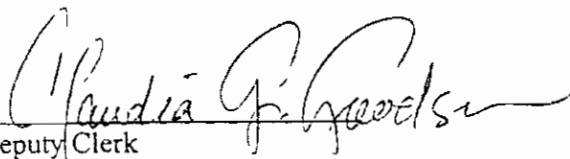
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 19<sup>th</sup> day of NOVEMBER, A D , 2001

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 WITH MY HAND AND OFFICIAL  
SEAL THIS DATE 11/21/01  
KAREN E RUSHING CLERK OF THE CIRCUIT COURT  
EX OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS SARASOTA COUNTY FLORIDA  
