

h-  
✓ Please record and return to Karen Grasset  
Growth Management Business Center  
1660 Ringling Boulevard, 5<sup>th</sup> Floor  
Sarasota, FL 34236

**NOTICE OF STIPULATIONS  
AND LIMITATIONS ENCUMBERING  
REAL PROPERTY PURSUANT TO  
THE SARASOTA COUNTY ZONING CODE**

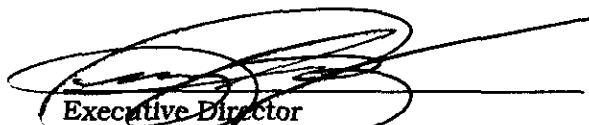
RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2001150656 5 PGS  
2001 OCT 18 03:37 PM  
KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
VBROTHER Receipt#096365



2001150656

The following property located in Sarasota County, Florida, owned by Kelly A. Hearn and Ronald A. Rippo, and described in Ordinance No. 2001-071 attached hereto, has been rezoned to a OPI/PD (Office, Professional and Institutional/Planned District) zone district pursuant to Rezone Petition No. 01-34 filed by Peter M. Dailey, Agent, and granted by Sarasota County on September 12, 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. 2001-071, attached hereto)

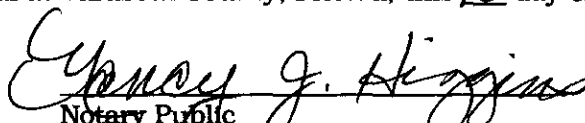


Executive Director  
Growth Management Business Center

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 16<sup>th</sup> day of October, A.D. 2001.



Nancy J. Higgins  
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 2001-071

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO 75-38, 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

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 01-34, 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 1.0 acres ± from RE-1 (Residential, Estate, 1 unit/2 acres) to OPI/PD (Office, Professional and Institutional/Planned District) for the following described property located in Sarasota County, Florida

FILED  
2001 SEP 27 AM 9:17  
CLERK OF COUNTY COMMISSIONERS  
SARASOTA COUNTY, FLORIDA

2001-071

South of University Parkway and 1,900 feet ± west of Lockwood Ridge Road, more particularly described as follows

Lot 3, Block "D", less easterly 177.56 feet, Desoto Acres, as per Plat thereof recorded in Plat Book 4 Page 42 of the Public Records of Sarasota County, Florida

**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 Development shall occur in substantial accordance with the Development Concept Plan date stamped May 4, 2001, and attached hereto as Exhibit "A" except modified as necessary to comply with the stipulations contained herein. In the event that central sewer service is provided to the parcel, the drain field/septic areas shown on Exhibit "A" may be used for parking and loading. This does not imply or confer any variances from applicable zoning or land development regulations.
- 2 The access easement, depicted on Exhibit "A," attached hereto (or a similar access easement which is in compliance with the University Parkway Corridor Plan - West), shall be paved prior to the issuance of a Certificate of Occupancy. The easement shall be recorded in the public records prior to Site and Development Plan Approval.
- 3 Until this property is served by central sewer, the following activities normally permitted in OPI zoning are not permitted: veterinarian or animal holding facility, school, public park, hospital, nursing home, medical and wet chair dental clinic or laboratory, townhouses, theater, house of worship, photographic studio, funeral home, private club, child care center, health studio or spa.
- 4 Connection to sewer shall be made within 90 days of availability.
- 5 Development of the subject parcel shall comply with all applicable conditions contained in the University Parkway Corridor Plan-West (Ordinance No. 96-076).
- 6 No OPI uses shall commence on the subject parcel until a Site and Development Plan has been approved by Sarasota County and all required improvements have been installed.
- 7 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.

- 8 The Applicant shall provide appropriate documentation at the time of Site and Development/Construction Plan Approval to demonstrate that the stormwater management facility will be adequate for the subject parcel and the adjoining parcel to the east (Rezone Petition No 01-17)
- 9 Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets
- 10 A 20-foot wide landscape buffer "K" as required by the University Parkway Corridor Plan - West (No 92-01-SP-West) shall be provided along University Parkway All other landscape buffers shall be in accordance with Section 13 of the Zoning Code

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 12<sup>th</sup> day of September, A.D., 2001

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

  
Chairman

ATTEST

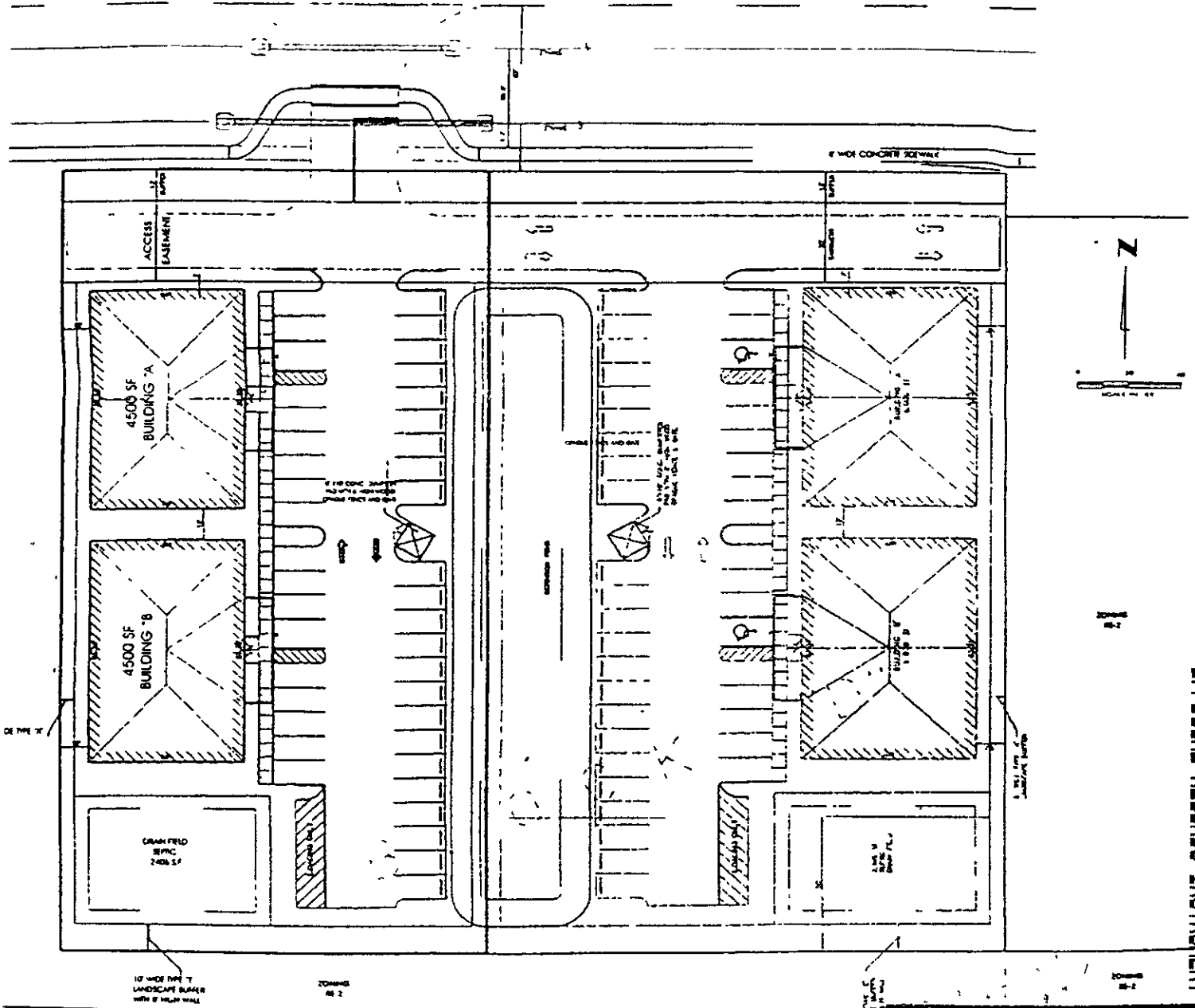
KAREN E RUSHING, Clerk of  
the Circuit Court and Ex-  
Officio Clerk of the Board of  
County Commissioners of  
Sarasota County, Florida.

By   
Deputy Clerk

MAP SERIES/CONCEPT PLAN

EXHIBIT "A"

UNIVERSITY PARKWAY



SUBMITTED TO GROWTH MANAGEMENT:  
MAY 4th 2001

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 Sept 24 2001  
 KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
 EX-OFFICIO EMERITUS TO THE BOARD OF COUNTY  
 COMMISSIONERS SARASOTA COUNTY FLORIDA  
 DEPUTY CLERK

OFFICIAL RECORDS INSTRUMENT # 2001150656 5 PGS

2001-071