


RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2006102597 5 PGS
2006 JUN 02 05:23 PM

Please record and return to: **(Via Inter-Office Mail)**
Susan F. Carleton, Administrative Coordinator
Planning Services
301 Cattlemen Road, Bldg. A
Sarasota, FL 34232

KAREN E. ROSEING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
ASAMS Receipt#792602



2006102597

Charge to: Planning Services
Account# 51800100500489

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

The following property, located south of University Pkwy., 300' west of Honore Ave., in Sarasota County, Florida, owned by D.H. Corneal, and described in Ordinance No. 2006-014 attached hereto, has been rezoned to a CG (Commercial General) zone district pursuant to Rezone Petition No. RZ 02-11 filed by Peter Dailey, Agent, and granted by Sarasota County on February 8, 2006, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

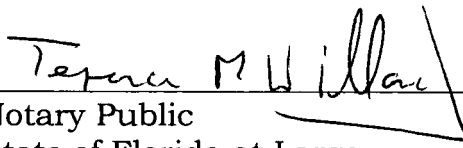
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2006-014, attached hereto)


Crystal, Acting Manager
Planning Services

STATE OF FLORIDA
COUNTY OF SARASOTA

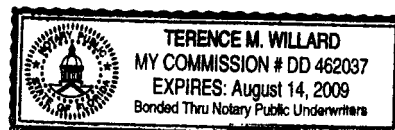
Before me, the undersigned Notary Public, personally appeared Crystal Allred, Acting Manager, Planning Services, to me known to be the individual who executed the foregoing Notice of Stipulations and Limitations Encumbering Real Property pursuant to the Sarasota County Zoning Code, and she acknowledged before me that she executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 26 day of May, 2006.


Notary Public
State of Florida at Large

RECEIVED

This instrument prepared by:
sfc



JUN 07 2006

By: Sarasota County Planning

RECEIVED

MAY 17 2006

ORDINANCE NO. 2006-014 Sarasota County Planning

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO. 2003-052, 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. 02-11, 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. 2003-052, 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 Article 4 of the Zoning Ordinance, is hereby amended by changing the zoning district classification for 3.37 acres \pm from OUE-1 (Open Use Estate, 1 unit per 5 acres) to CG (Commercial General) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being: South of University Pkwy., 300' W of Honore Ave., being more particularly described as follows: Lot 3, Sarasota Gardens Sub. Less St. Rd. R.O.W. in OR 1311/1377 & east one half of vacated street in O.R. 1883/1286.

BOARD RECORDS
FILED FOR RECORD

2006 FEB 16 PM 12:44

CLERK OF CIRCUIT COURT
SARASOTA COUNTY FL

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. Ingress and egress from the subject property to University Parkway shall be limited to the Non-Exclusive Easements as specified in Official Record Instruments #2002060838 and #2002079384.
2. A stemwall shall be installed along the eastern edge of the proposed parking lot and roadway, and behind the eastern side of the proposed building. The stemwall shall be located no closer to the jurisdiction boundary of the onsite wetland than the distances denoted on the development concept plan date-stamped October 31, 2005.
3. Prior to commencement of construction activities on the subject property, and following agency verification of the jurisdictional wetland boundary, said boundary shall be flagged by an appropriate professional and shall be inspected by Resource Protection staff. In addition, best management practices, approved by Resource Protection staff shall be properly installed a minimum of 10 feet from the jurisdictional wetland line.
4. Native vegetation (trees and understory) shall not be altered between the proposed development (parking lots, roadways, structures, stormwater pond, stemwall) and the jurisdictional wetland boundary, with the exception of those impacts necessary for the installation of best management practices. Any native vegetation removed between the jurisdictional wetland boundary and the proposed development shall be replaced with appropriate native vegetation prior to issuance of a Certificate of Occupancy. The eastern bank of the proposed stormwater pond shall be replanted, as indicated on the development concept plan date-stamped October 31, 2005, with appropriate native vegetation and shall not be sodded.
5. Pursuant to the regulations of the Sarasota County Zoning Ordinance, a minimally sized sign advertising the on-site business may be located in the extreme northeastern portion of the subject property within the wetland buffer. Placement of an authorized sign shall not result in any alteration to existing native vegetation (trees and/or understory). Alteration shall include application of herbicides, trimming and/or removal of native vegetation. Only appropriate native vegetation shall be planted in this portion of the property.
6. All development of the subject parcel shall be consistent with applicable conditions of the University Parkway Corridor Plan No. 92-01-East.
7. The subject parcel is located within the Evers Watershed District, and therefore stormwater treatment shall be increased to 150% (Manatee County requested stipulation).
8. Development shall occur in substantial compliance with the Development Concept Plan, date-stamped October 31, 2005, (and as attached hereto as Exhibit "A"). This does not imply

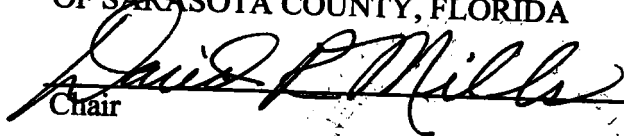
or confer any variances from applicable zoning or land development regulations.

9. The 25 foot wide access drive from University Parkway shall be vacated prior to the final approval of the subject rezone petition.

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.

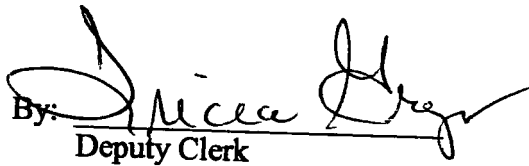
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 8th day of February, 2006.

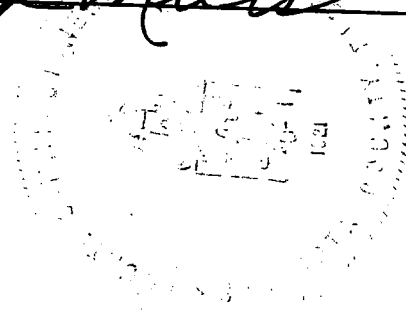
BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


Chair

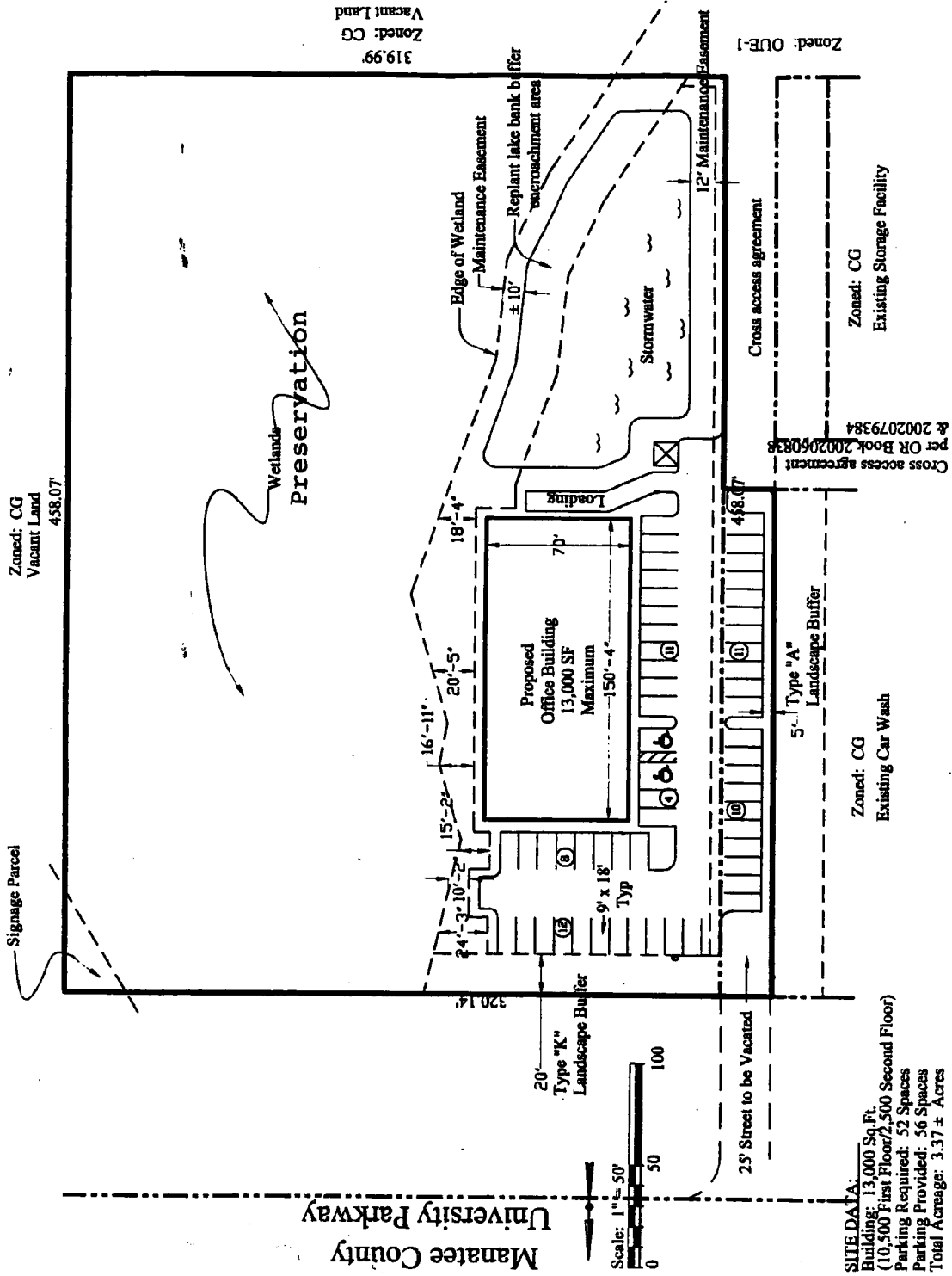
ATTEST:

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



DEVELOPMENT CONCEPT PLAN EXHIBIT A (BINDING)



2/16/06

Dianna Hayes



DOCUMENT RECEIVED BY:
MING SERVICES ON
FEBRUARY 31, 2006
02-11