


4

✓

Please record and return to: (Via Inter-Office Mail)  
Karen Grasset  
Growth Management Business Center  
1660 Ringling Boulevard, 5<sup>th</sup> Floor  
Sarasota, FL 34236

RECORDED IN OFFICIAL RECORDS  
 INSTRUMENT # 2003061029 4 PGS  
 2003 APR 01 03:50 PM  
 KAREN E. RUSHING  
 CLERK OF THE CIRCUIT COURT  
 SARASOTA COUNTY, FLORIDA  
 KRICE Receipt#298341




2003061029

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

The following property, located on the northeast corner of Swift Road and Forest Lane in Sarasota County, Florida, owned by Vinton and Dianne Trefz, and described in Ordinance No. 2003-006 attached hereto, has been rezoned to the OPI/ PD (Office, Professional and Institutional/ Planned Development) zone district pursuant to Rezone Petition No. 02-32 filed by Vinton and Dianne Trefz, Agents/Owners, and granted by Sarasota County on February 12, 2003, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

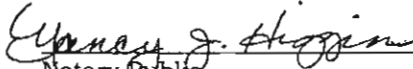
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2003-006, attached hereto)

  
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 31<sup>st</sup> day of March, A.D. 2003.

  
Notary Public  
State of Florida at Large

This instrument prepared by:  
SMA

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

ORDINANCE NO. 2003-006

FILED

2003 FEB 18 PM 1:35

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA

2003 FEB 13 AM 10:16

FILED

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. 02-32, 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 .5 acres ± from District RSF-3 (Residential, Single Family, 4.5 units/acre) to District OPI/ PD (Office, Professional and Institutional/ Planned Development) for the following described property located in Sarasota County, Florida:

Northeast corner of Swift Road and Forest Lane, more particularly described as follows;

Lot 24, Lots 1 and 2, less west seven feet for right-of-way for Swift Road, Block E, Hyde Park Terrace, Section 4, Township 37S, Range 18E, in 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:

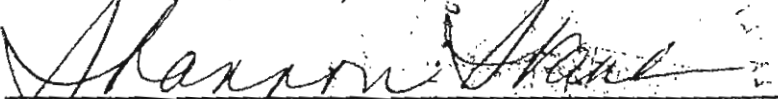
- 1. Development shall occur in substantial accordance with the Development Concept Plan dated August 9, 2002, and attached hereto as Exhibit "A", except modified as necessary to comply with the stipulations contained herein and to allow the relocation of the handicapped parking area. This does not imply or confer any variances from applicable zoning or land development regulations.

2. Due to the parcel's location within the Philippi Creek septic system replacement program, the following activities may be permitted with the use of an aerobic treatment unit until central sewer is available: veterinarian or animal holding facility, school, public park, hospital, nursing home, beauty salon, 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.
3. Connection to central sewer shall be made within 90 days of availability.
4. A landscape plan, signed and sealed by a registered landscape architect, shall be submitted in conjunction with the building permit for the planned use for review and approval by the County's landscape architect.
5. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
6. If a Surface Water Management Plan is developed for the subject parcel, it shall be consistent with the Phillippi Creek Basin Master Plan.
7. Parking areas shown as "shell" on the Development Concept Plan dated August 9, 2002, may be developed with shell, reinforced grass lawn or other similar materials.
8. Based on the historic status of the property, the following modifications to the landscape buffers shall be allowed:
  - (a) The use of a 30 to 36" high picket fence instead of a requisite 2' high hedge in the street buffers along Swift Road and Forest Lane.
  - (b) The continued use of a 30 to 36" high picket fence, instead of the requisite 3' high fence and 3' high hedge on the east side of the subject parcel

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 February, A.D., 2003.

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.

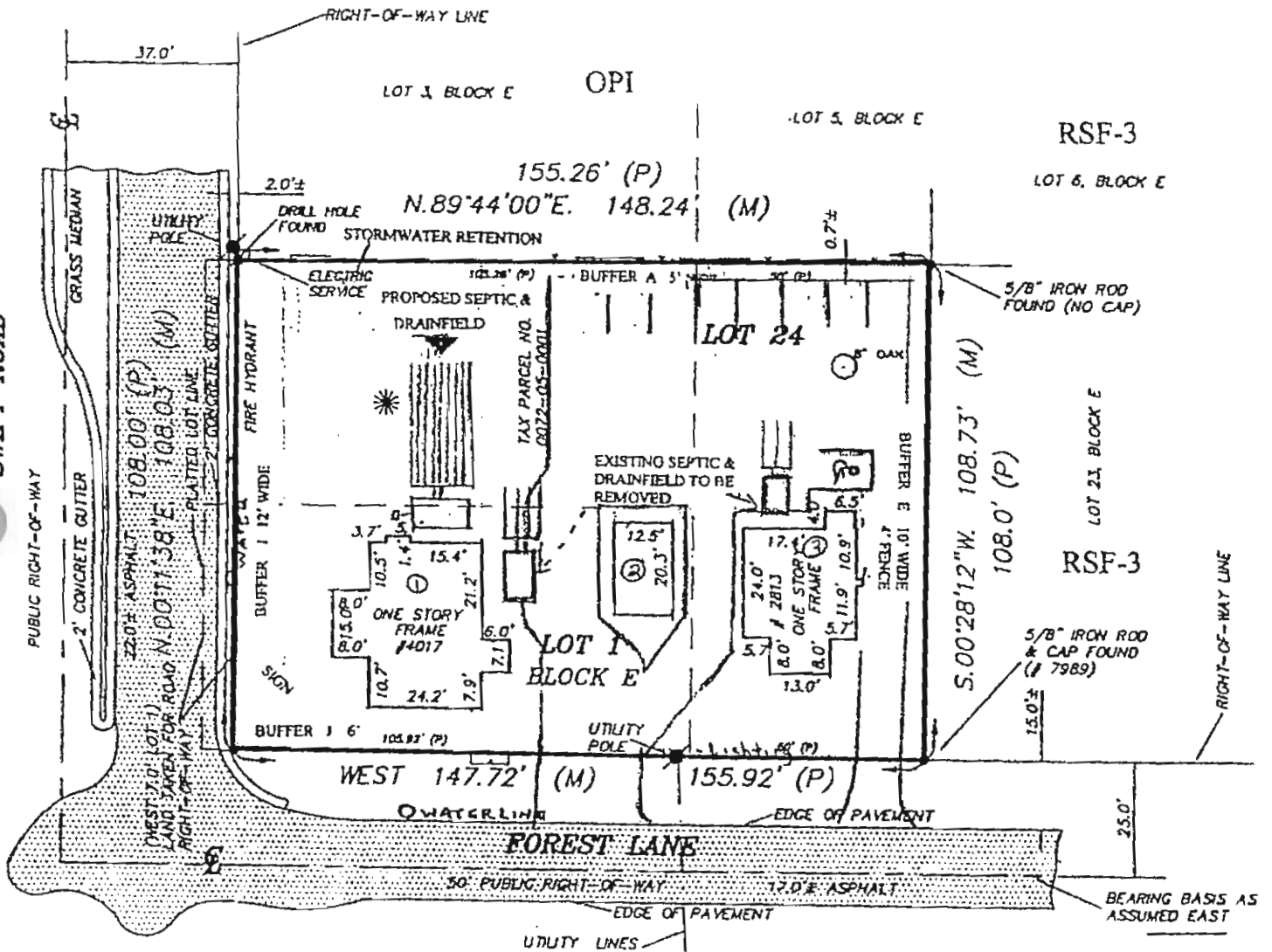
By Paula J. Lintmar  
Deputy Clerk

# MAP SERIES/CONCEPT PLAN

## EXHIBIT "A"

INSTRUMENT # 2003061029

4 PGS



STATE OF FLORIDA  
 COUNTY OF SARASOTA  
 I, THE CLERK, DO HEREBY CERTIFY THAT THE FOREGOING IS A  
 TRUE AND CORRECT COPY OF THE ORIGINAL FILES  
 IN THIS OFFICE WITHIN MY HAND AND OFFICIAL

THIS DOCUMENT RECEIVED BY:  
 GROWTH MANAGEMENT ON  
 FEBRUARY 20, 2002

SEAL THIS DATE 2/13/2003  
 KAREN E. RUSHING CLERK OF THE CIRCUIT COURT  
 ENJOINED CLERK TO THE BOARD OF COUNTY  
 COMMISSIONERS, SARASOTA COUNTY, FLORIDA  
 BY Paula J. Johnston  
 DEPUTY CLERK

