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RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2003239104 10 PGS

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

2003 DEC 01 12:47 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
TRAIN 1 Receipt#406075

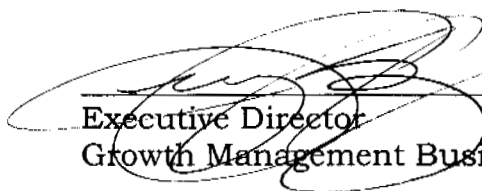


2003239104

**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 Leonard Garner, and described in Ordinance No. 2003-037 attached hereto, has been rezoned from Districts OUE-1 (Open Use Estate, 1 unit/5 acre), RMF-2 (Residential Multi-Family, 9 units/acre) with stipulations and CSC (Commercial Shopping Center) with stipulations to Districts RMF-1 (Residential Multi-Family, 6 units/acre) with amended stipulations, CG (Commercial General) and CSC (Commercial Shopping Center) with amended stipulations pursuant to Rezone Petition No. 02-50 filed by Leonard Garner, Agent, and granted by Sarasota County on July 22, 2003, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

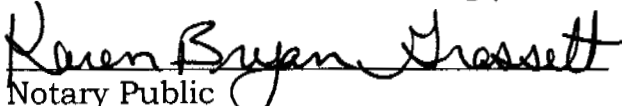
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2003-037, attached hereto)


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 25th day of November, A.D. 2003.


Notary Public
State of Florida at Large

This instrument prepared by:
CF/CS

OFFICIAL NOTARY SEAL
KAREN BRYAN GRASSETT
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. DD117889
MY COMMISSION EXP. MAY 14, 2006

DEPARTMENT OF STATE
ALLAHASSEE, FLORIDA

2003 JUL 28 AM 9:17

FILED

2003 JUL 23 PM 3:51

CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

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. 02-50, 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 76.9 acres ± from Districts OUE-1 (Open Use, Estate, 1 unit/5 acres), RMF-2 (Residential, Multi-Family, 9 units/acre) with stipulations and CSC (Commercial Shopping Center) with stipulations to Districts RMF-1 (Residential, Multi-Family, 6 units/acre) with amended stipulations, CG (Commercial, General) and CSC (Commercial Shopping Center) with amended stipulations for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida being: South of Venice Avenue and west of Jacaranda Boulevard, more particularly described as follows;

OUE-1 TO RMF-1

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 10, TOWNSHIP 39 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA; THENCE N.89°45'49"W., ALONG THE SOUTH LINE OF SAID SECTION 10 TO THE WESTERLY RIGHT-OF-WAY OF JACARANDA BOULEVARD AS RECORDED IN ROAD PLAT BOOK 3, PAGE 27, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, A DISTANCE OF 840.73 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTH LINE, SAME BEING THE CENTER LINE

OF VACATED BREVARD ROAD PER OFFICIAL RECORDS BOOK 1543, PAGE 372, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N.89°45'49"W., ALONG SAID SOUTH LINE OF VACATED BREVARD ROAD, A DISTANCE OF 479.97 FEET TO THE INTERSECTION OF THE CENTERLINE OF VACATED DELRAY ROAD PER OFFICIAL RECORDS BOOK 1543, PAGE 372, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N.00°38'16"E. ALONG SAID CENTER LINE OF DELRAY ROAD, A DISTANCE OF 731.57 FEET TO A POINT ON THE EXTENSION OF THE SOUTH LINE OF TRACT 42 VENICE FARMS PER OFFICIAL PLAT BOOK 2, PAGE 179, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N.89°20'42"W., ALONG SAID SOUTH LINE AND THE EXTENSION THEREOF, A DISTANCE OF 657.76 FEET TO THE WEST LINE OF SAID TRACT 42; THENCE N.00°33'10"E., ALONG THE WEST LINE OF TRACTS 42 & 43 OF SAID PLAT OF VENICE FARMS, A DISTANCE OF 688.90 FEET TO THE NORTHWEST CORNER OF SAID TRACT 43; THENCE N.89°22'50"W., ALONG THE SOUTH LINE OF TRACT 44 OF SAID PLAT OF VENICE FARMS, A DISTANCE OF 316.50 FEET TO THE WEST LINE OF SAID TRACT 44; THENCE N.00°27'17"E., ALONG THE WEST LINE OF SAID TRACT 44, A DISTANCE OF 659.38 FEET TO THE SOUTH RIGHT- OF-WAY LINE OF EAST VENICE AVENUE PER ORDER OF TAKING IN OFFICIAL RECORDS BOOK 1835, PAGE 1475, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE S.89°21'47"E., ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 634.01 FEET TO A POINT ON THE WEST LINE OF TRACT 46 OF SAID PLAT OF VENICE FARMS; THENCE S.00°31'08"W., ALONG THE WEST LINE OF SAID TRACT 46, A DISTANCE OF 659.19 FEET TO THE SOUTH LINE OF SAID TRACT 46; THENCE S.89°22'50"E., ALONG SAID SOUTH LINE AND THE EXTENSION THEREOF, A DISTANCE OF 341.24 FEET TO THE CENTER LINE OF SAID VACATED DELRAY ROAD PER MONUMENTATION; THENCE S.00°23'34"E., ALONG SAID CENTER LINE, A DISTANCE OF 6.71 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1833, PAGE 1331, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE S.89°27'07"E., ALONG THE SOUTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1833, PAGE 1331, A DISTANCE OF 194.86 FEET TO THE SOUTHEAST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1833, PAGE 1331; THENCE N.00°38'02"E., ALONG THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1833, PAGE 1331. A DISTANCE OF 220.31 FEET; THENCE S.89°21'23"E., A DISTANCE OF 484.41 FEET; THENCE S. 00°47'08"W., A DISTANCE OF 576.77 FEET; THENCE S.89°12'52"E. TO A POINT ON THE SAID WESTERLY RIGHT-OF-WAY OF JACARANDA BOULEVARD, A DISTANCE OF 586.90 FEET SAID POINT BEING ON A CURVE TO THE RIGHT WHICH THE RADIUS LIES N.72°24'42"W., SAID CURVE HAVING A RADIUS OF 1357.39 FEET, A CENTRAL ANGLE OF 25°29'45", A CHORD BEARING OF S.30°20'11"W. AND A CHORD LENGTH OF 599.05 FEET; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY OF JACARANDA BOULEVARD ALONG THE ARC OF SAID CURVE, A ARC LENGTH OF 604.02 FEET; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY OF JACARANDA BOULEVARD S.43°05'08"W., A DISTANCE OF 721.96 FEET TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL. BEGIN AT THE NORTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1833, PAGE 1331, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N.89°25'23"W. ALONG THE NORTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1833, PAGE 1331, AND ITS WESTERLY EXTENSION, A DISTANCE OF 194.97 FEET TO THE CENTER LINE OF VACATED DELRAY ROAD

PER OFFICIAL RECORDS BOOK 1543, PAGE 372 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N.00°32'08"E. ALONG SAID CENTER LINE OF VACATED DELRAY ROAD, A DISTANCE OF 369.73 FEET TO A POINT ON THE SOUTH RIGHT- OF-WAY LINE OF EAST VENICE AVENUE PER ORDER OF TAKING IN OFFICIAL RECORDS BOOK 1835, PAGE 1475, OF THE PUBLIC RECORDS OF SARASOTA COUNTY FLORIDA; THENCE S.89°21'23"E. ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 195.60 FEET; THENCE S.00°38'02"W. TO THE SAID NORTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1833, PAGE 1331, A DISTANCE OF 369.50 FEET TO THE POINT OF BEGINNING.

RMF-2 WITH STIPULATIONS TO RMF-1 WITH AMENDED STIPULATIONS STARTING AT THE SOUTH ROW LINE OF E. VENICE AVE PER ORDER OF TAKING SARASOTA COUNTY OR BOOK 1835, PAGE 1475, AT INTERSECTION WITH EAST ROW LINE OF CLERMONT ROAD, THEN S89°21'47"E ALONG SAID SOUTH ROW LINE A DISTANCE OF 317.04 FEET; THEN S00°27'17"W ALONG THE WEST LINE OF TRACT 36, A DISTANCE OF 659.38 FEET; THEN N89°22' 50"W ALONG THE SOUTH LINE OF TRACT 36, A DISTANCE OF 316.54 FEET; THEN N00°24'39"E ALONG EAST ROW OF CLERMONT RD., A DISTANCE OF 659.48 FEET TO POINT OF BEGINNING.

OUE-1 TO CG

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 10, TOWNSHIP 39 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA; THENCE N.89°45'49"W., ALONG THE SOUTH LINE OF SAID SECTION 10, TO THE WESTERLY RIGHT OF WAY OF JACARANDA BOULEVARD AS RECORDED IN ROAD PLAT BOOK 3, PAGE 27, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA A DISTANCE OF 840.73 FEET; THENCE N43°05'08"E., ALONG THE SAID WESTERLY RIGHT OF WAY OF JACARANDA BOULEVARD A DISTANCE OF 721.96 FEET TO A POINT ON A CURVE TO THE LEFT WHICH THE RADIUS LIES N.46°54'57"W., SAID CURVE HAVING A RADIUS OF 1357.39 FEET, A CENTRAL ANGLE OF 42°20'46", A CHORD BEARING OF N.21°54'40"E. AND A CHORD LENGTH OF 980.54 FEET; THENCE CONTINUING ALONG SAID WESTERLY RIGHT OF WAY OF JACARANDA BOULEVARD ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 1003.22 FEET THENCE CONTINUING ALONG SAID WESTERLY RIGHT OF WAY OF JACARANDA BOULEVARD N.00°47'08"E. TO THE SOUTH RIGHT OF WAY LINE OF EAST VENICE AVENUE PER ORDER OF TAKING IN OFFICIAL RECORDS BOOK 1835, PAGE 1475, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; A DISTANCE OF 630.00 FEET; THE FOLLOWING (3) CALLS ARE ALONG THE SAID SOUTH RIGHT OF WAY LINE OF EAST VENICE AVENUE; THENCE N.89°22'35"W., A DISTANCE OF 234.27 FEET; THENCE N.00°07'44"E., A DISTANCE OF 4.00 FEET; THENCE N.89°21'23"W., A DISTANCE OF 410.54 FEET FOR A POINT OF BEGINNING; THENCE S.00°47'08"W., A DISTANCE OF 449.07 FEET: THENCE N.89°21'23"W. TO THE EAST LINE OF LANDS DESCRIBED OF OFFICIAL RECORDS BOOK 1833, PAGE 1331, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, A DISTANCE OF 484.41 FEET; THENCE N.00°38'02"E. ALONG SAID EAST LINE TO THE SAID SOUTH RIGHT OF WAY LINE OF EAST VENICE AVENUE A DISTANCE OF 449.07 FEET; THENCE S.89°21'23"E. ALONG SAID SOUTH RIGHT OF WAY A DISTANCE OF 485.60 FEET TO THE POINT OF BEGINNING.

CSC WITH STIPULATIONS TO CSC WITH AMENDED STIPULATIONS
COMMENCE AT THE SOUTHEAST CORNER OF SECTION 10 TOWNSHIP 39
SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA; THENCE
N.89°45'49"W., ALONG THE SOUTH LINE OF SAID SECTION 10 TO THE
WESTERLY RIGHT OF WAY OF JACARANDA BOULEVARD AS RECORDED IN
ROAD PLAT BOOK 3, PAGE 27, OF THE PUBLIC RECORDS OF SARASOTA
COUNTY, FLORIDA, A DISTANCE OF 840.73 FEET; THENCE N.43°05'08"E., ALONG
THE SAID WESTERLY RIGHT OF WAY OF JACARANDA BOULEVARD A
DISTANCE OF 721.96 FEET TO A POINT ON A CURVE TO THE LEFT THE RADIUS
LIES N.46°54'57"W., SAID CURVE RAVING A RADIUS OF 1357.39 FEET, A
CENTRAL ANGLE OF 25°29'45", A CHORD BEARING OF N.30°20'11"E. AND A
CHORD LENGTH OF 599.05 FEET; THENCE CONTINUING ALONG SAID
WESTERLY RIGHT OF WAY OF JACARANDA BOULEVARD ALONG THE ARC OF
SAID CURVE, AN ARC LENGTH OF 604.02 FEET FOR A POINT OF BEGINNING;
THENCE N.89°12'52"W., A DISTANCE OF 586.90 FEET; THENCE N.00°47'08"E. TO
THE SOUTH RIGHT OF WAY LINE OF EAST VENICE AVENUE PER ORDER OF
TAKING IN OFFICIAL RECORDS ROOK 1835, PAGE 1475, OF THE PUBLIC
RECORDS OF SARASOTA COUNTY, FLORIDA; A DISTANCE OF 1025.84 FEET:
THE FOLLOWING (3) CALLS ARE ALONG THE SAID SOUTHERLY RIGHT OF WAY
LINE OF EAST VENICE AVENUE; THENCE S89°21'23"E., A DISTANCE OF 410.54
FEET; THENCE S00°07'44"W., A DISTANCE OF 4.00 FEET; THENCE S.89°22'35"E.
TO THE SAID WESTERLY RIGHT OF WAY OF JACARANDA BOULEVARD A
DISTANCE OF 234.27 FEET; THENCE S.00°47'08"W. ALONG SAID WESTERLY
RIGHT OF WAY OF JACARANDA BOULEVARD A DISTANCE OF 630.00 FEET TO A
POINT ON A CURVE TO THE RIGHT, WHICH THE RADIUS LIES N.89°15'43"W.,
SAID CURVE HAVING A RADIUS OF 1357.39 FEET, A CENTRAL ANGLE OF
16°51'01", A CHORD BEARING OF' S.09°09'47"W. AND A CHORD LENGTH OF
397.76 FEET; THENCE CONTINUING ALONG SAID WESTERLY RIGHT OF WAY OF
JACARANDA BOULEVARD ALONG THE ARC OF SAID CURVE, AN ARC LENGTH
OF 399.20 FEET TO THE POINT' OF BEGINNING.

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:

General Conditions Applicable to the Entire Parcel

1. Development of the subject parcel shall comply with the Venice Avenue Corridor Plan (Ordinance No. 89-074) and shall adhere to the urban design conditions contained in the "Gateway to Venice Urban Design District," adopted by Ordinance No. 94-074.
2. All development shall be consistent with the Jacaranda Boulevard/Venice Avenue Village Activity Center Sector Plan (Ordinance No. 90-90).
3. 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.

4. The Master Surface Water Management Plans shall be consistent with the Curry Creek and Hatchett Creek Basin Master Plans.
5. The site plan shall demonstrate how the exchange of flood waters between the Curry Creek and Hatchett Creek Basins will occur.
6. The Master Surface Water Management Plans incorporating stormwater management facilities on the Florida Power and Light (FPL) easement shall be reviewed and approved by FPL before construction on the subject parcel will be authorized.
7. Pursuant to management guidelines contained within the Environment Chapter of *Apoxsee*, all native habitats and associated buffer areas not approved for impact shall be designated as Preserve Areas on submitted site and development plans, and maintained consistent with the Guiding Principles of *Apoxsee*. All activities including, but not limited to, excavating, filling, stockpiling, well drilling, altering of 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 resource management plans or the removal of nuisance/invasive vegetation.
8. In accordance with Policy 5.5.11 of *Apoxsee*, a resource management plan, which maintains the functions and values of all preserved and conserved native habitats, and is consistent with the Guiding Principles of *Apoxsee*, shall be submitted to Resource Protection Services with site and development plans. The plan needs to address removal of nuisance/invasive plant species from the areas, any proposed planting of native trees and/or understory, and shall be consistent with Section E of the Environmental Technical Manual contained within Sarasota County's Land Development Regulations.
9. A wetland hydroperiod maintenance and monitoring plan, which is consistent with Section C of the Environmental Technical Manual, shall be submitted to Resource Protection Services with site and development plans.
10. All site and development plans shall include a breakdown of the types of open space provided, and the amount of native habitat areas that will be maintained to fulfill open space requirements. Open space requirements shall first be met with on-site wetlands and xeric hammock.
11. Any site and development plans submitted for the subject property shall depict lot alignments in such a manner as to avoid any impacts to on-site protected habitats and buffer areas.
12. In accordance with Policy 5.6.5 of *Apoxsee*, during development of the subject property, all nuisance/invasive plant species shall be removed from the site. Any removal of vegetation from a Preservation Area shall be done in accordance with an approved resource management plan. All removed vegetation shall be disposed of in a County-approved landfill or by another method approved by Resource Protection Services.
13. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
14. Prior to any development on the subject property that cumulatively generates more than 620 PM peak hour net new trips, a traffic impact analysis shall be performed consistent with Sarasota County traffic impact analysis procedures. The traffic study shall identify any improvements needed to mitigate the impact of cumulative development, and the identified improvements shall be implemented.

15. Prior to approval of development orders that would allow cumulative development generating more than 667 net new pm peak hour trips, a traffic impact analysis shall be performed consistent with Sarasota County traffic impact analysis procedures. The study shall identify any improvements needed to mitigate the concurrency and operational impacts of cumulative development on the subject property within the study area. Necessary mitigation, as identified by the approved study, shall be provided prior to or concurrent with approval of construction plans for development generating greater than 667 net new pm peak hour trips.
16. Access to the subject development on Jacaranda Boulevard shall be located and limited to the following:
- A right-turn in/right-turn out or directional left-turn in shall be permitted, 2500 to 2600 feet south of Venice Avenue (RMF-1 parcel). *
 - An unrestricted full median opening access point shall be permitted 1300 to 1400 feet south of Venice Avenue (RMF-1 and CSC parcels). *
 - A right-turn in/right-turn out or directional left-turn in shall be permitted, 600 to 700 feet south of Venice Avenue (CSC parcel). *
 - A right-turn out only shall be permitted, 300 to 400 feet south of Venice Avenue (CSC parcel).*

Note: * Distances shall be measured centerline to centerline. No other access to Jacaranda Boulevard shall be permitted.

17. Access to the subject development on Venice Avenue shall be located and limited to the following:
- An unrestricted full median opening access point shall be permitted approximately 2830 feet west of Jacaranda Boulevard, aligning with South Clermont Road (RMF-1 parcel). *
 - An unrestricted full median opening access point shall be permitted 1000 to 1200 feet west of Jacaranda Boulevard (CG parcel). *
 - A right-turn in/right-turn out or directional left-turn in shall be permitted, 600 to 700 feet west of Jacaranda Boulevard (CSC parcel). *
 - A right-turn in only shall be permitted, 300 to 400 feet west of Jacaranda Boulevard (CSC parcel).

Note: * Distances shall be measured centerline to centerline. No other access to Venice Avenue shall be permitted

Conditions Applicable to the RMF-1 Parcel in Addition to the General Conditions

18. Prior to the issuance of any Certificate of Occupancy, Clermont Road shall be widened to 22 feet, in accordance with Appendix D2 of the Land Development Regulations, from Venice Avenue to the southernmost access point of the subject parcel on the local road. The entire pavement width shall be resurfaced for the entire length of the roadway where the widening is required. The improvements shall be included in the construction plans.
19. No residential development in excess of development generating 36 pm peak hour trips shall be allowed until a notice to proceed is granted by the County for the construction of the Jacaranda Boulevard and Venice Avenue Intersection Improvements (Project #95773).
20. Access to the subject development on Clermont Road shall be located and limited to an unrestricted access opening on Clermont Road, 300 to 400 feet south of Venice Avenue, as measured centerline to centerline. No other access to Clermont Road shall be permitted.
21. Outdoor refuse areas shall be set back a minimum of 50 feet from the property lines and shall be screened in accordance with Section 1 1.6.f of the Zoning Ordinance.

22. Outdoor recreation areas shall not be illuminated from 10:00 p.m. to 7:00 a.m. Sunday through Thursday, and from 11:00 p.m. to 7:00 a.m. Friday and Saturday.
23. No structures in excess of thirty-five feet (35'), including any level used for parking, shall be located within one hundred-fifty feet (150') of the southern property line.

Conditions Applicable to CG & CSC Parcels in Addition to the General Conditions

24. No commercial development shall be allowed until a notice to proceed is granted by the County for the construction of the Jacaranda Boulevard and Venice Avenue Intersection Improvements (Project #95773).
25. All access to outparcels shall be internal to the development.
26. Access to outparcels or parking area drive aisles:
 - a. Access driveways shall be no closer than 200 feet from the adjacent public roadway.
 - b. Directional median opening access driveways shall be no closer than 150 feet from the adjacent public roadway. *
 - c. Right-in/right-out only access driveways shall be no closer than 100 feet from the adjacent public roadway. *

Note: * Distances shall be measured along the access driveway from the inside edge of pavement of the internal access to the inside edge of pavement of the adjacent roadway.

27. At site and development, the parking lot design shall meet the Zoning Ordinance Section 12.19.b.(3) standards. (A minimum 7' wide, curbed grass median is required between rows of cars. No more than 15 parking spaces in a row without a landscaped island.)
28. The design of structures on outparcels shall be coordinated with the main structure on the subject parcel. All buildings shall reflect a "Mediterranean" style architecture. For the purposes of this stipulation, "Mediterranean" style architecture shall include features on buildings such as stucco finishes, tile roofs, and arched openings. Similar colors and materials shall be used on exterior surfaces, and compatibility in roof shape and material and signage is required.

Conditions Applicable to the CSC Parcel in Addition to the General Conditions

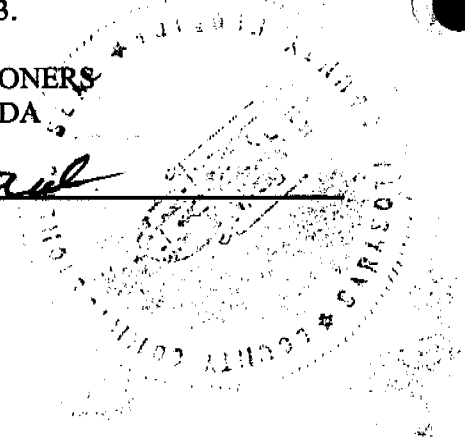
29. Development on the CSC zoned portion of the subject parcel shall occur in substantial accordance with the Development Concept Plan dated October 16, 2002, and attached hereto as Exhibit "A", except modified as necessary to comply with the stipulations contained herein. This does not imply or confer any variances from applicable zoning or land development regulations.

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 22nd day of July, A.D., 2003.


BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

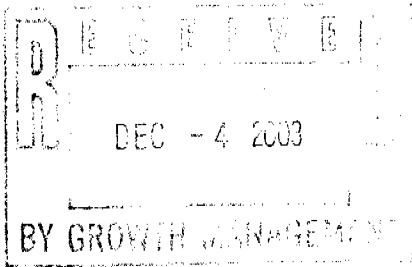

Chairman



ATTEST:

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

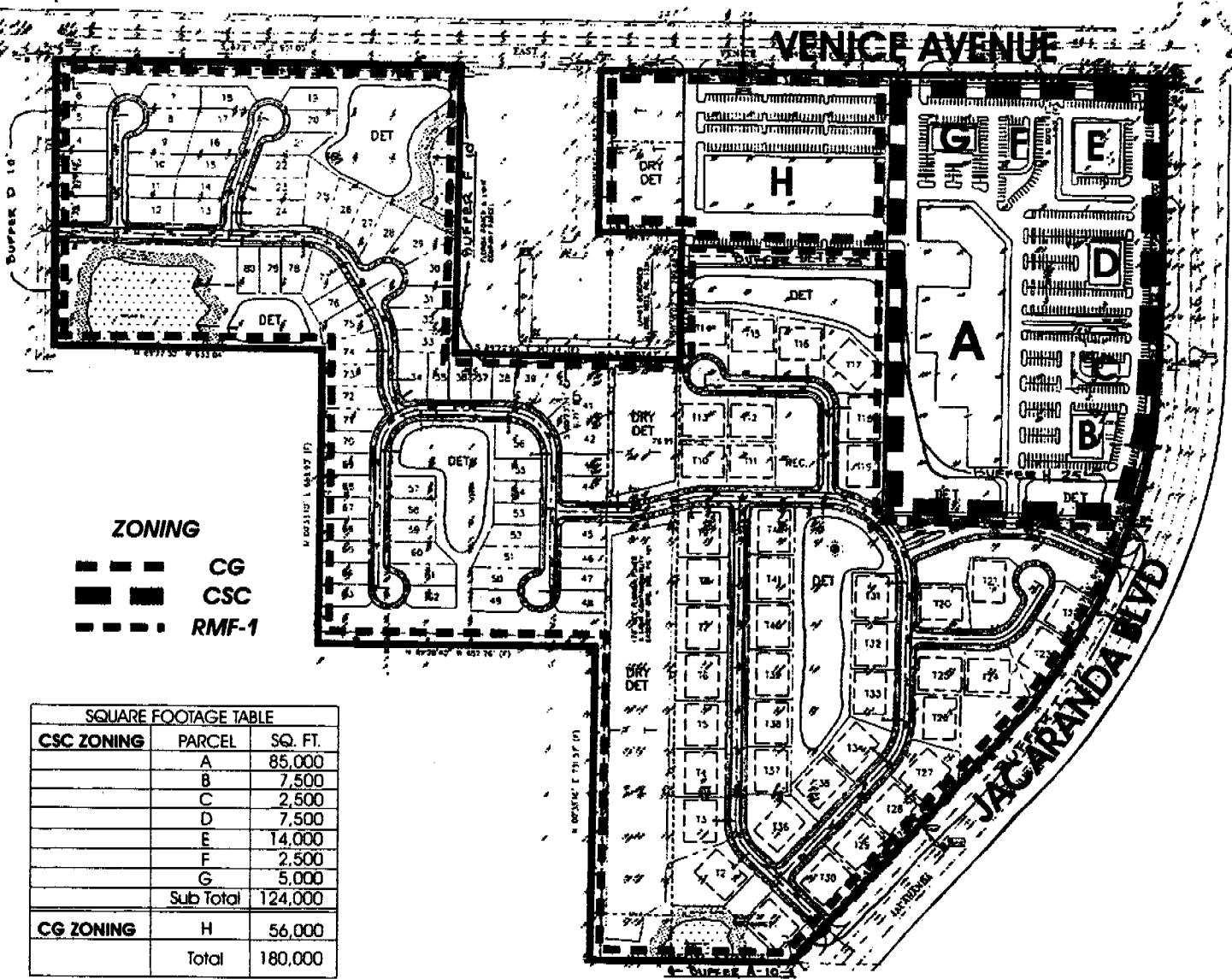
By: 
Deputy Clerk



MAP SERIES/CONCEPT PLAN

EXHIBIT "A"

INSTRUMENT # 2003239104
10 PGS



THIS DOCUMENT RECEIVED BY:
GROWTH MANAGEMENT ON
OCTOBER 16, 2002

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 7/24/2003
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY: *Paula J. Ambrose*
DEPUTY CLERK

NOT TO SCALE