

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2003129778 5 PGS


2003 JUL 01 12:46 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
FMILLER Receipt#341254

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

REC'D  
JUL 6 - 9 2003



2003129778

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

The following property located south of University Parkway and west of Traylor Avenue in Sarasota County, Florida, owned by Don Harvey and Diana Roginski, and described in Ordinance No. 2003-035 attached hereto, has been rezoned from a RE-1 (Residential, Estate, 1 unit/2 acres) to OPI/PD (Office, Professional and Institutional Office / Planned Development) zone district pursuant to Rezone Petition No. 03-01 filed by Peter Dailey, Agent, and granted by Sarasota County on June 11, 2003, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

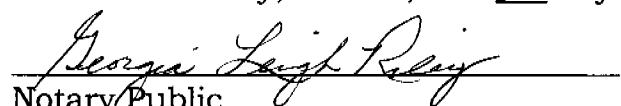
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2003-035, attached hereto)

  
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 30<sup>th</sup> day of  
June, A.D. 2003.

  
Notary Public  
State of Florida at Large

This instrument prepared by:  
CF

 Georgia Leigh Riley  
Commission # CC 930635  
Expires April 23, 2004  
Bonded Thru  
Atlantic Bonding Co., Inc.

ORDINANCE NO. 2003-035

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

2003 JUN 16 PM 3:54

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. 03-01, 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 1.19 acres + from RE-1 (Residential, Estate, 1 unit/2 acres) to OPI/PD (Office, Professional and Institutional Office / Planned Development), for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida being: In Sarasota County Florida Section 4, Township 36 S, Range 18 E, south of University Parkway and west of Traylor Avenue, more particularly described as follows;

Lot 4, Block D Desoto Acres, recorded in Plat Book 4 page 42 according to the Public Records of Sarasota County, Florida, less County Line Road (University Parkway) right-of-way in OR Book 1346-716 and less Traylor

2003 JUN 12 PM 4:21

CLERK OF DISTRICT COURT  
SARASOTA COUNTY, FL

JUN 24 2003

02003-035

Road right-of-way described in Road Plat Book 2, page 10 of said Public Records.

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:

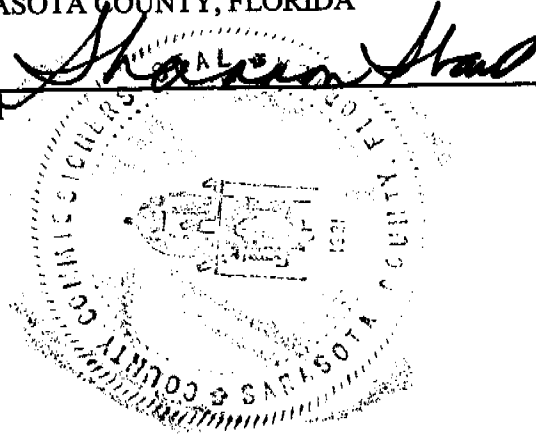
1. Development shall occur in substantial accordance with the Development Concept Plan date stamped October 4, 2002, attached hereto as Exhibit "A." This does not imply or confer any variance from applicable zoning or land development regulations.
2. The Owner shall be required to maintain the appearance 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.
3. The Master Surface Water Management Plans shall be consistent with the Phillippi Creek Basin Master Plan.
4. The access easement shall be fully 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.
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. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
7. 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 11<sup>th</sup> day of June, 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

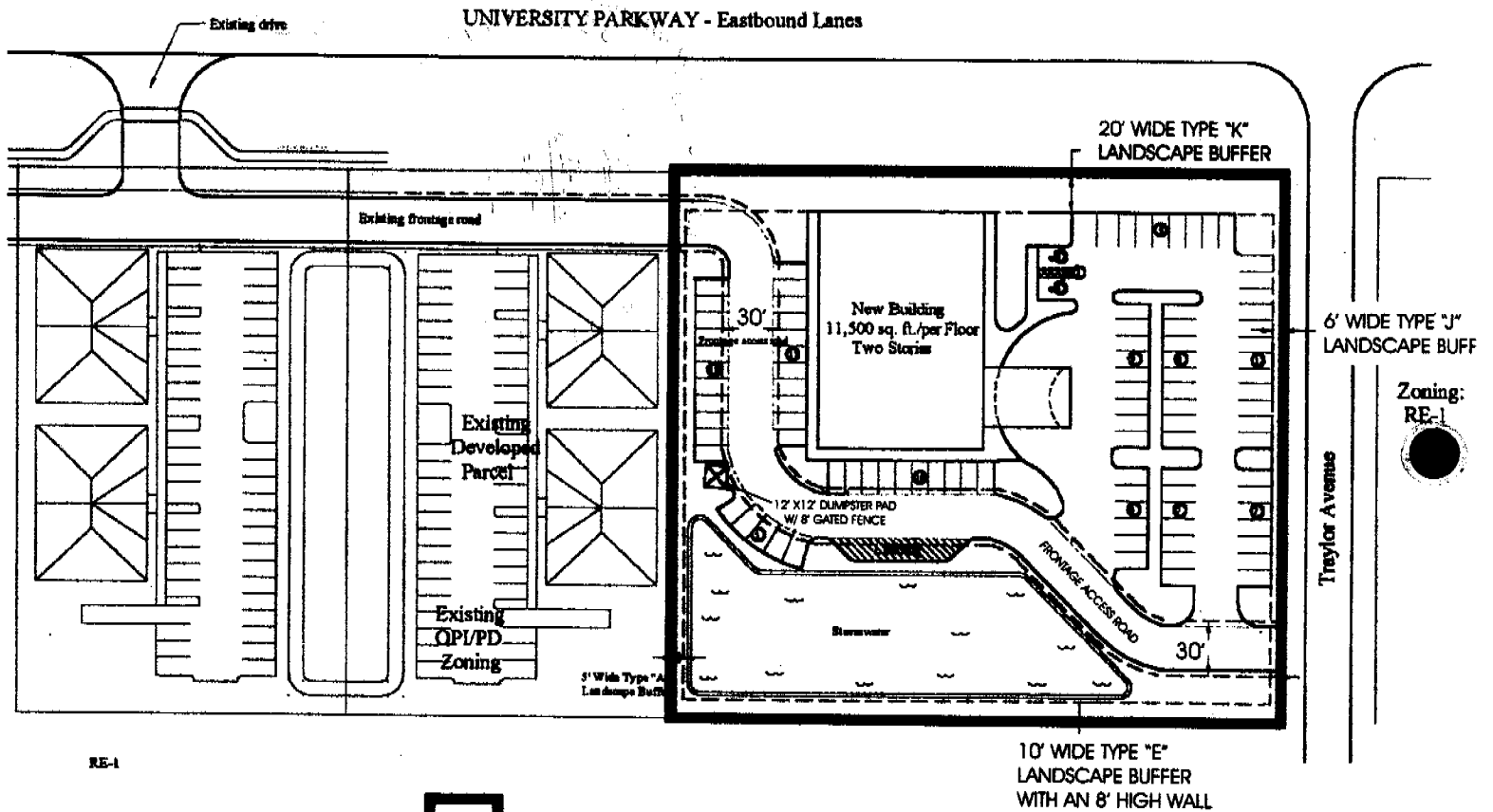
# MAP SERIES/CONCEPT PLAN

## EXHIBIT "A"

INSTRUMENT # 2003129778

5 PGS

MANATEE COUNTY



RE-1



**SUBJECT PARCEL**

N

NOT TO SCALE

THIS DOCUMENT RECEIVED BY:  
GROWTH MANAGEMENT ON  
OCTOBER 4, 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  
6-12-03

SEAL THIS DATE  
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY  
OF DEPUTY CLERK

02003-035

0301

**COUNTY OF SARASOTA, FLORIDA**

Board of County Commissioners  
Sarasota County Growth Management Business Center

**Date: October 16, 2003**

**MEMORANDUM TO:**

Peter Dailey  
176 Sarasota Center Blvd.  
Sarasota, FL 34240

Development Services, Code Enforcement (Jim LeGay)  
Development Services, County Surveyor (Gayle Fosness)  
Development Services, Permitting (Bob Feller)  
Development Services, Land Dev., (Gene Middaugh/Efrain Duque)  
Development Services, Resource Protection (Jim Dierolf)  
Development Services, Zoning (Tate Taylor)  
Development Services, Permitting (Dave Rinehart)  
Emergency Services, Fire Department (Jane Ross)  
Environmental Services, Utilities (John Saraniero, Robert Wright)  
Growth Management (Elaine Wickwire/Steve Brown/Jack Wilhelm)  
Health/Human Services (Rob Bolesta)  
History Center (Dan Hughes)  
Natural Resources (Laird Wreford)  
Property Appraiser (Jim Todora)  
Public Works, Transportation (Jim Harriott/Frank Domingo)  
Public Works, Stormwater (Steve Suau)  
School Board (Kathy Anderson)

**SUBJECT:** RZ 03-01

**PLANNER:** Todd Dary

**ORDINANCE NO.** 2003-035

**PID#:** 0020-04-0006

**ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:**

On, **June 11, 2003**, the Sarasota County Board of County Commissioners **APPROVED** Rezone Petition No.03-01 to rezone 1.19 acres  $\pm$  located south of University Parkway and west of Traylor Avenue in, Sarasota County, Florida, from RE-1 (Residential, Estate, 1 unit/2 acres) to OPI/PD (Office, Professional and Institutional Office / Planned Development) with stipulations.

A copy of **Ordinance No. 2003-035** is attached for your information.

BY: /s/Jerry Gray  
Executive Director  
Growth Management Business Center