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INSTRUMENT # 2004063474 4 PGS

2004 APR 06 04:27 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
DCOURSEY Receipt#457546



2004063474

✓ Please record and return to: (Via Inter-Office Mail)

Susan Anderson

Planning and Development Services

1660 Ringling Blvd., 5<sup>th</sup> floor

Sarasota, FL 34236

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

The following property, located at the southwest corner of Palmer Boulevard and Coleman Avenue in Sarasota County, Florida, owned by Janice Quan, and described in Ordinance No. 2004-027 attached hereto, has been rezoned to an ILW (Industrial, Light and Warehousing) zone district pursuant to Rezone Petition No. 03-21 filed by John Minder, Agent, and granted by Sarasota County on March 10, 2004, 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. 2004-027, attached hereto)

B. Alan Garrett, Manager  
Planning Services

**STATE OF FLORIDA  
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared B. Alan Garrett, 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 he acknowledged before me that he executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 2nd day of April, 2004.

Notary Public  
State of Florida at Large



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

This instrument prepared by:  
sma

**ORDINANCE NO. 2004-027**

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

2004 MAR 15 PM 2:54

FILED

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 I 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. 03-21, 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 I 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 .5 acres  $\pm$  from RSF-3 (Residential, Single Family, 4.5 units/acre) to ILW (Industrial, Light and Warehousing) for the following described property located in Sarasota County, Florida:

KAREN E. ROBINSON  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FL

2004 MAR 10 AM 11:35

BOARD RECORDS  
FILED FOR RECORD

The legal description of said property in Sarasota County, Florida being: The southwest corner of Palmer Boulevard and Coleman Avenue, being more particularly described as follows;

Lots 2, 4, 5 Blk E. Highland Crest 25-36S-18E Sarasota County, Florida Book 2 page 39.

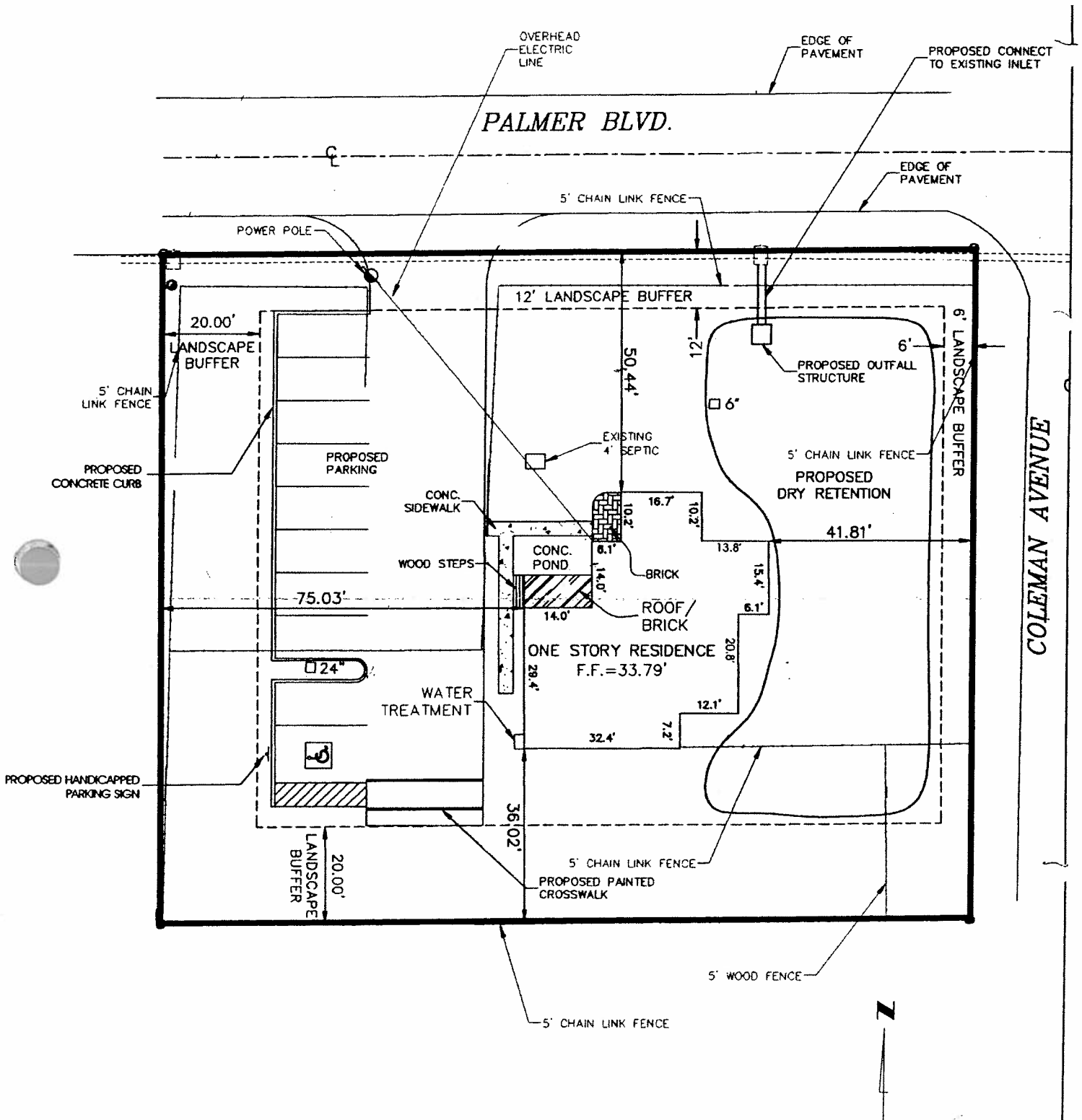
Section 3. Restrictions, Stipulations and Safeguards. As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section 2 and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations 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. 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.
2. The Master Surface Water Management Plans shall be consistent with the Phillippi Creek Basin Master Plan.
3. Until central sewer is available, the following activities normally permitted in the ILW zone district are disallowed for use: food processing, printing and related establishments, retail and repair establishments for sale and repair of new and used vehicles, etc., restaurants & food related establishments, medical clinics, convenience stores, dry cleaning, research laboratories, animal hospitals/vet and/or boarding uses, and automatic car washes.
4. Connection to central sewer shall be made within 90 days of availability.
5. No ILW 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.
6. At site and development review, the existing tree in the parking lot shall be analyzed. A maximum of two parking spaces may be eliminated or changed to a pervious surface to protect the tree.

# MAP SERIES/CONCEPT PLAN

INSTRUMENT # 2004095114  
4 PGS

## EXHIBIT "A"



THIS DOCUMENT RECEIVED BY:  
GROWTH MANAGEMENT ON  
DECEMBER 8, 2003

NOT TO SCALE