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INSTRUMENT # 2004161326 4 PGS

2004 AUG 18 04:52 PM

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CBETHEL Receipt#514296



Please record and return to: (Via Inter-Office Mail)
Susan M. Anderson, Administrative Coordinator
Planning Services
1301 Cattlemen Road, Bldg. A
Sarasota, FL 34232

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 Green Street and 150' ± west of S.R 776 in Sarasota County, Florida, owned by Keith and Cheryl L. Rowley and Rex and Donna L. Rowley, and described in Ordinance No. 2004-047 attached hereto, has been rezoned to a CG (Commercial General) zone district pursuant to Rezone Petition No. 03-30 filed by Rex L. Rowley, Owner/Agent, and granted by Sarasota County on July 27, 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. 2004-047, attached hereto)

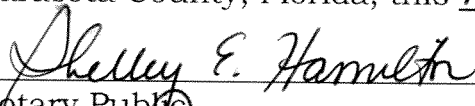


Tate Taylor, Senior Planner
Planning Services

**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Tate Taylor, Senior Planner, 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 17th day of August, 2004.



Notary Public
State of Florida at Large

This instrument prepared by:
sma



Shelley E. Hamilton
MY COMMISSION # DD233335 EXPIRES
August 10, 2007
BONDED THRU TROY FAIR INSURANCE, INC

ORDINANCE NO. 2004 - 047

2004 JUL 28 PM 3:54

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.

JUDICIAL E. ROBERT
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

2004 AUG -2 PM 3:12
DEPT. OF COUNTY CLERK
TALLAHASSEE, FLORIDA

FILED

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. 03-30, 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 .15 acres ± from District RMF-2 (Residential Multi-family, 9 dwelling units per acre) to District 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 Green Street and ± 150' west of S.R 776, being more particularly described as follows;
Lot 4 BLK 4 Sub of Lots 87 & 88 Plat of Englewood

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:

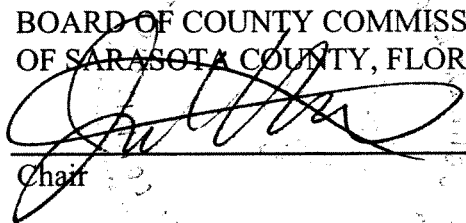
1. The Owner shall be required to maintain the appearance and function of any private drainage facilities to be constructed on the site, including retention ponds and drainage ditches, at its own expense in accordance with applicable federal, state or local regulations. At the time of recording a plat 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. All development shall be consistent with the Englewood Town Center Revitalization Plan (Ordinance No. 97-015).
3. Master Surface Water Management Plans, submitted for development, shall be consistent with the Gottfried Creek Basin Master Plan.
4. This zoning map amendment is governed by the provisions of sub-section 1.9.2.b.2.i. of Ordinance No. 2003-052. As a result, the following stipulations shall apply:
 - a. Development shall occur in substantial accordance with the Development Concept Plan date-stamped July 24, 2003, and attached hereto as Exhibit "A." This does not imply or confer any variances from applicable zoning or land development regulations.
 - b. At the time of Site and Development Plan review and approval, the provisions and requirements of Zoning Ordinance No. 75-38, revised and updated through Amendment No. 196 (Ordinance No. 2001-054, adopted October 15, 2001) shall apply as to matters depicted on the Development Concept Plan and the provisions and requirements of Ordinance No. 2003-052 shall apply to the extent that they do not conflict with the Development Concept Plan.

c. Any deviations from the Development Concept Plan that are not allowed by this rezoning ordinance (that is, what is not in substantial accordance with the Concept Plan), or amendments must comply with the zoning code in effect at the time of approval of that modification.

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 27th day of July, 2004.

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 Pauline A. Shaw
Deputy Clerk

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 7/28/04

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

By Pauline A. Shaw
DEPUTY CLERK

COUNTY OF SARASOTA, FLORIDA

Board of County Commissioners
Sarasota County Planning and Development Services Business Center

Date: August 26, 2004

MEMORANDUM TO:

Mr. Rex Rowley
31 Green Street
Englewood FL 34223

Emergency Services, Fire Department (Michael Frantz)
Environmental Services, Utilities (John Saraniero)
Environmental Services, Utilities (Robert Wright)
Health/Human Services (Mike Berry)
History Center (Dan Hughes)
Planning & Development Services, Code Enforcement (Jim LeGay)
Planning & Development Services, County Surveyor (Gayle Fosness)
Planning & Development Services, Land Dev. (Isaac Brownman)
Planning & Development Services, Land Dev. (Mary Stephens)
Planning & Development Services, Landscape (Martha Horton)
Planning & Development Services (Steve Brown)
Planning & Development Services (Elaine Wickwire)
Planning & Development Services, Resource Protection (Paul Semenecc)
Planning & Development Services, Zoning (Donna Blades)
Property Appraiser (Jim Todora)
Public Works, Stormwater (Chuck Walter)
Public Works, Transportation (Paula Wiggins)
School Board (Kathy Anderson)

SUBJECT:

Rezone Petition No. 03-30

PLANNER:

Ed Wolfe

ORDINANCE NO. 2004-047 **PID#:** 0503-01-0062

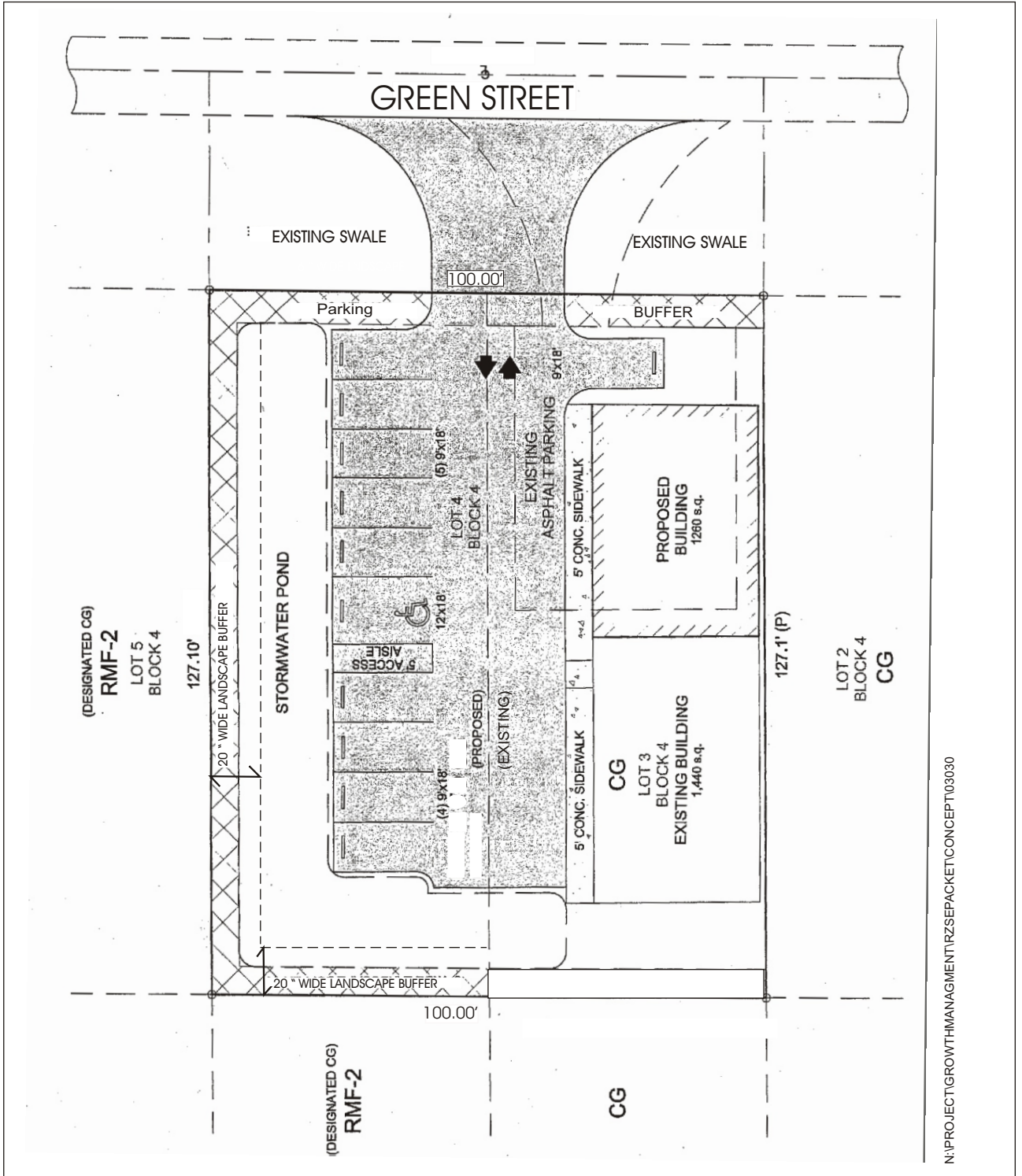
ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:

On **July 27, 2004**, the Sarasota County Board of County Commissioners **GRANTED** Rezone Petition No. 03-30 to rezone .15 acres \pm located south of Green Street and 150' \pm west of S.R 776, in Sarasota County, Florida, from District RMF-2 (Residential Multi-family, 9 dwelling units per acre) to District CG (Commercial General), with stipulations.

A copy of **Ordinance No. 2004-047** is attached for your information.

mailed

MAP SERIES/CONCEPT PLAN



N:\PROJECT\GROWTHMANAGEMENT\RZSEPACKET\CONCEPT\03030

THIS DOCUMENT RECEIVED BY
PLANNING SERVICES ON:
JULY 14, 2004