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2004 JUL 16 06:49 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
RAGIORDA Receipt#501522

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

Charge to Account No.: 51800100500489



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

The following property, located north of Ashton Road and 550' west of Honore Avenue, in Sarasota County, Florida, owned by the School Board of Sarasota County, and described in Ordinance No. 2004-057 attached hereto, has been rezoned to a GU (Government Use) zone district, pursuant to Rezone Petition No. 04-20 filed by Charles E. Collins, Agent, and granted by Sarasota County on June 15, 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. 2004-057, 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 14<sup>th</sup> day of July, 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 FAIN INSURANCE, INC

**ORDINANCE NO. 2004-057**

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.

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

2004 JUN 16 PM 12:06

BOARD RECORDS  
FILED FOR RECORD

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. 04-20, 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 1.84 acres  $\pm$  from District OUE-1 (Open Use Estate, 1 unit/acre) to District GU (Government Use) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida being: North of Ashton Road and 550' west of Honore Avenue, being more particularly described as follows;

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

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FILED

A part of Lots 1 through 13, inclusive, Block "B", together with a part of Johnston Avenue, (all above being vacated by Resolution recorded in Official Record Book 235, Pages 438 and 439, Public Records of Sarasota County, Florida), Plat of Second Addition to Cedar Grove, as recorded in Plat Book 1, Page 64, Public Records of Sarasota County, Florida, being more particularly described as follows: From the southwest corner of said Lot 1, Block "B", for a **POINT OF BEGINNING**; run thence **NORTH** along the westerly boundary line of said vacated Block "B", 661.89 feet to the northwest corner of said Lot 13, Block "B"; thence **S.89°47'35"E.**, along the northerly boundary line of said Plat, 123.0 feet; thence **SOUTH**, 661.10 feet to the northerly right-of-way line of Ashton Road, (30-foot wide public right-of-way); thence **S.89°50'28" W.**, along said right-of-way line, 123.0 feet to the **POINT OF BEGINNING**. All lying in and being a part of section 11, Township 37 South, Range 18 East, Sarasota County, Florida. **LESS:** Right-of-way for Ashton Road granted to Sarasota County by virtue of Warranty Deed recorded in Official Record Book 2958, Page 1287, Public Records of 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:

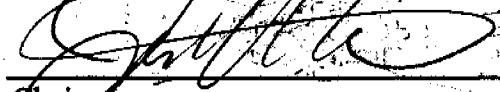
1. The Applicant shall be required to maintain the appearance and function of any private drainage facilities to be constructed on the site, including retention ponds and drainage ditches, at its own expense in accordance with applicable federal, state or local regulations. At the time of recording a 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 Applicant shall be required to submit a letter to the County by June 1, 2004, stating that the existing well and septic system will be properly abandoned prior to any on-site earthmoving.

3. The Applicant shall provide the following buffers no later than the opening of the school facilities:
  - a. Along Ashton Road, a 10' wide Collector Street Buffer in front of the existing and new parcels.
  - b. On the east side of the expansion parcel, a 10' wide 10% Opacity Buffer.
4. Canopy trees shall be planted in any parking areas on the subject parcel.
5. A minimum 10-foot buffer planting area shall be preserved without stormwater facilities along the Ashton Road frontage.
6. The Master Surface Water Management Plans shall be consistent with the Catfish Creek Basin Master Plan.
7. Prior to or concurrent with the development of the subject parcel, the developer shall construct a westbound to northbound right turn lane and eastbound to northbound left turn lane on Ashton Road. The turn lanes shall be designed in accordance with Indexes 301 and 526 of the FDOT Roadway and Traffic Design Standards. The improvements shall be included in the construction plans for the proposed development.

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 15<sup>th</sup> day of JUNE, 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 6/16/04  
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: July 1, 2004**

**MEMORANDUM TO:**

Charles E Collins  
1960 Landings Blvd.  
Sarasota FL 34231

Emergency Services, Fire Department (Jane Ross)  
Environmental Services, Utilities (John Saraniero)  
Environmental Services, Utilities (Robert Wright)  
Health/Human Services (Rob Bolesta)  
History Center (Dan Hughes)  
Planning & Development Services, Code Enforcement (Jim LeGay)  
Planning & Development Services, County Surveyor (Gayle Fosness)  
Planning & Development Services, Land Dev. (Efrain Duque)  
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 Semeneec)  
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. 04-20

**PLANNER:**

Jack Wilhelm

**ORDINANCE NO.** 2004-057    **PID#:** 0091-16-0001

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

On **June 15, 2004**, the Sarasota County Board of County Commissioners **GRANTED** Rezone Petition No. 04-20 to rezone 1.84 acres ± located north of Ashton Road and 550' west of Honore Avenue in Sarasota County, Florida, from District OUE-1 (Open Use Estate, 1 unit/ 5 acres) to District GU (Government Use), with stipulations.

A copy of **Ordinance No. 2004-057** is attached for your information.

*mailed  
7-16-04*