


RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2005136305 4 PGS  
2005 JUN 23 10:42 AM

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

KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
MMARSH Receipt#645658




2005136305

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 north of U.S. 41 and 300' + west of Jacaranda Boulevard in Sarasota County, Florida, owned by Southern Trust Auto Sales, Inc., and described in Ordinance No. 2005-012 attached hereto, has been rezoned to a CI (Commercial Intensive) zone district pursuant to Rezone Petition No. 04-33 filed by Jeffery Boone, Agent, and granted by Sarasota County on April 26, 2005, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

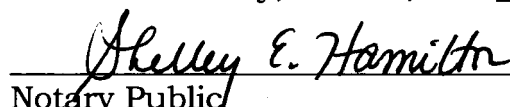
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2005-012, attached hereto)

  
\_\_\_\_\_  
Hank Epstein, Manager  
Planning Services


**STATE OF FLORIDA  
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Hank Epstein, 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 21st day of June, 2005.

  
\_\_\_\_\_  
Notary Public  
State of Florida at Large

This instrument prepared by:  
les

 Shelley E. Hamilton  
MY COMMISSION # DD23335 EXPIRES  
August 10, 2007  
BONDED THRU TROY FAIN INSURANCE, INC.

BOARD RECORDS  
FILED FOR RECORD

**ORDINANCE NO. 2005-012**

2005 APR 27 AM 9:41

WALTER E. HUSKING  
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. 2003-052, 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.**

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

2005 MAY -4 PM 2:01

**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. 04-33, 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 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 Article 4 of the Zoning Ordinance, is hereby amended by changing the zoning district classification for 2.17 acres  $\pm$  from District RMF-2/PUD (Residential, Multi-Family, 9 dwelling units per acre/Planned Unit Development) to District CI (Commercial Intensive) for the following described property located in Sarasota County, Florida:**

The legal description of said property in Sarasota County, Florida being: North of U.S. 41 and 300' + west of Jacaranda Boulevard, being more particularly described as follows:

Commence at the southwest corner of Section 27, Township 39 South, Range 19 East; thence North 0°56'24" East, 70 feet; thence South 89°11'15" East, 530.4' for the **Point of Beginning**; thence North 0°48'45" East, 265'; thence South 89°11'15" East, 204.19'; thence easterly along a curve to the left 3.31'; thence South 0°48'45" West, 265.03'; thence North 89°11'15" West, 207.5' to the **Point of Beginning**.

**AND:**

Portion of Section 27, Township 39 South, Range 19 East described as beginning at a point 739.12' east of and 59.52' north of the southwest corner of said Section 27; thence North 0°48'45" East; 265.03'; thence easterly along a curve to the left 68.84'; thence South 31°27'47" East, 99.10'; thence South 0°48'46" West, 30'; thence North 89°11'15" West, 211.03' 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:

1. All development on the subject parcel (i.e., preliminary plans, site and development plans, final plats, and construction plans) shall comply with the Development Order for Woodmere Village Development of Regional Impact (DRI).
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, or as noted in these stipulations. Also the proposed primary access may be modified in order to comply with any identified environmental requirements.
3. The Master Surface Water Management Plan shall be consistent with the Alligator Creek Basin Master Plan.
4. Right-in, right-out access only shall be permitted to Pointe Plaza Boulevard.
5. No outdoor service or repair shall be permitted, and any buildings containing service or repair shall be oriented so that no service bays face any adjacent residential uses.
6. Exterior lighting on the site shall be directed only toward the subject property and away from any adjacent residential uses.

7. No auto repair or auto-prep services shall occur prior to 8:00 a.m. or after 5:00 p.m.
8. No truck transport delivery of automobiles shall occur prior to 8:00 a.m. or after 5:00 p.m.
9. No outdoor display of any merchandise, other than that associated with the sale of motor vehicles shall be allowed.
10. Restrictive covenants between Southern Trust Auto Sales, Inc. and Jacaranda Trace, Inc., acceptable to the Office of the County Attorney, shall be filed within 60 days of approval of this ordinance.

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 26<sup>th</sup> day of April, 2005.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

Paul H. Meucier  
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: Paula J. Klutman  
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 4/27/05  
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS, SARASOTA COUNTY, FLORIDA  
BY Paul J. Klutman  
DEPUTY CLERK

# COUNTY OF SARASOTA, FLORIDA

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

**Date:** June 28, 2005

**MEMORANDUM TO:**

Jeffery A. Boone  
P. O. Box 1596  
Venice, FL 34284

Community Services, Parks & Recreation (Doug Smith)  
Emergency Services, Fire Department (Jane Ross)  
Environmental Services, Utilities (John Saraniero)  
Environmental Services, Utilities (Mike Mylett)  
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, Resource Protection (Paul Semeneć)  
Property Appraiser (Jim Todora)  
Public Works, Stormwater (Candace Hendrickson)  
Public Works, Transportation (Lorraine Branzei)  
School Board (Keyl Groff)

**SUBJECT:** RZ 04-33

**PLANNER:** Shelley Hamilton

**ORDINANCE NO.** 2005-012    **PID#:** 0448-13-0002/0448-13-0006

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

On **April 26, 2005** the Sarasota County Board of County Commissioners **GRANTED** Rezone Petition No. 04-33 to rezone 2.17 acres ± located north of U.S. 41 and 300' + west of Jacaranda Boulevard in Sarasota County, Florida, from District RMF-2/PUD (Residential, Multi-Family, 9 dwelling units per acre/Planned Unit Development) to District CI (Commercial Intensive) with stipulations.

A copy of **Ordinance No. 2005-012** is attached for your information.