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KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
GBURCH Receipt#888460



Please record and return to: **(Via Inter-Office Mail)**  
Susan Carleton, Administrative Coordinator  
Planning Services  
1660 Ringling Blvd., 1<sup>st</sup> Fl.  
Sarasota, FL 34236

**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 east of Tree Road, 230 feet south of Fruitville Road, in Sarasota County, Florida, owned by Timothy Muldoon, and described in Ordinance No. 2007-001 attached hereto, has been rezoned to an OPI (Office, Professional and Institutional) zone district pursuant to Rezone Petition No. 06-14 filed by Alan Garrett, Agent, and granted by Sarasota County on January 10, 2007, 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. 2007-001, attached hereto)

Crystal Allred, Manager  
Planning Services

**STATE OF FLORIDA  
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Crystal Allred, 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 she acknowledged before me that she executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 22<sup>nd</sup> day of February, 2007.

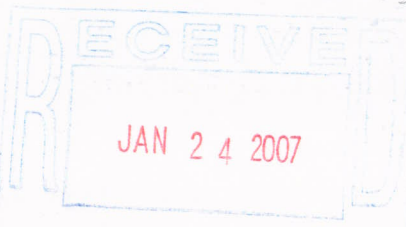


Cynthia A. Kusner  
Commission #DD308088  
Expires: May 22, 2008  
Bonded Thru  
Atlantic Bonding Co., Inc.

Notary Public  
State of Florida at Large

This instrument prepared by sfc

#11



**ORDINANCE NO. 2007-001**

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; PROVIDING FOR THE ADOPTION OF AN AMENDMENT TO THE FRUITVILLE ROAD CORRIDOR PLAN NO. 88-01-SP; 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. 06-14, 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 from District RSF-3 (Residential Single Family, 4.5 units/acre) to District OPI (Office, Professional and Institutional) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being: located east

2007-001



of Tree Road, 230 feet south of Fruitville Road and being more particularly described as follows:

The South one-half of the following described property: Begin on the South line of a hard road 958.7 feet east of the Northwest Corner of the Southwest  $\frac{1}{4}$  of Section 23, Township 36 South, Range 18 East, thence South 456 feet to the lands of A.L. Day, thence East along the North line of said Day, 240 feet, thence North 456 feet to the hard road, thence West along said road 240 feet to the point of beginning all lying in 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. Prior to or concurrent with development of the subject parcel, Tree Road shall be widened to two 11-foot wide travel lanes and resurfaced over the entire roadway. The improvements shall be completed between the asphalt cross section of Fruitville Road and the subject parcel's access. Transition from the improved cross section to the existing pavement shall occur south of the access. The improvements shall be included in the construction plans for the proposed development.
2. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.
3. Development of the subject property shall be in conformance with the Fruitville Road Corridor Plan No. 88-01-SP (Ordinance No. 96-082, as amended).

Section 4. Adoption of an Amendment to the Fruitville Road Corridor Plan No. 88-01-SP. Pursuant to the Sarasota County Comprehensive Plan and the Critical Area Planning Regulations adopted by Sarasota County Ordinance No. 97-074, Article IV, Chapter 94 of the Sarasota County Code and based upon the evidence and testimony and forgoing findings, the Board hereby redesignates the subject parcel from "Moderate Density Residential" to "Office/Multi-Family Residential" and adopts the revised "Exhibit 1."

Section 5. 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.

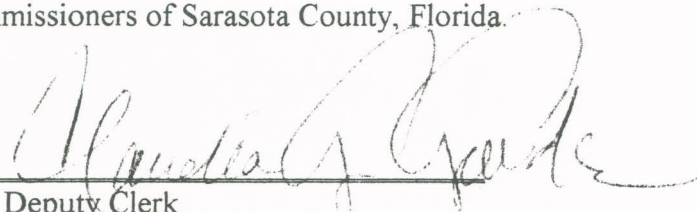
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 10th day of January, 2007.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

Chair 

ATTEST:

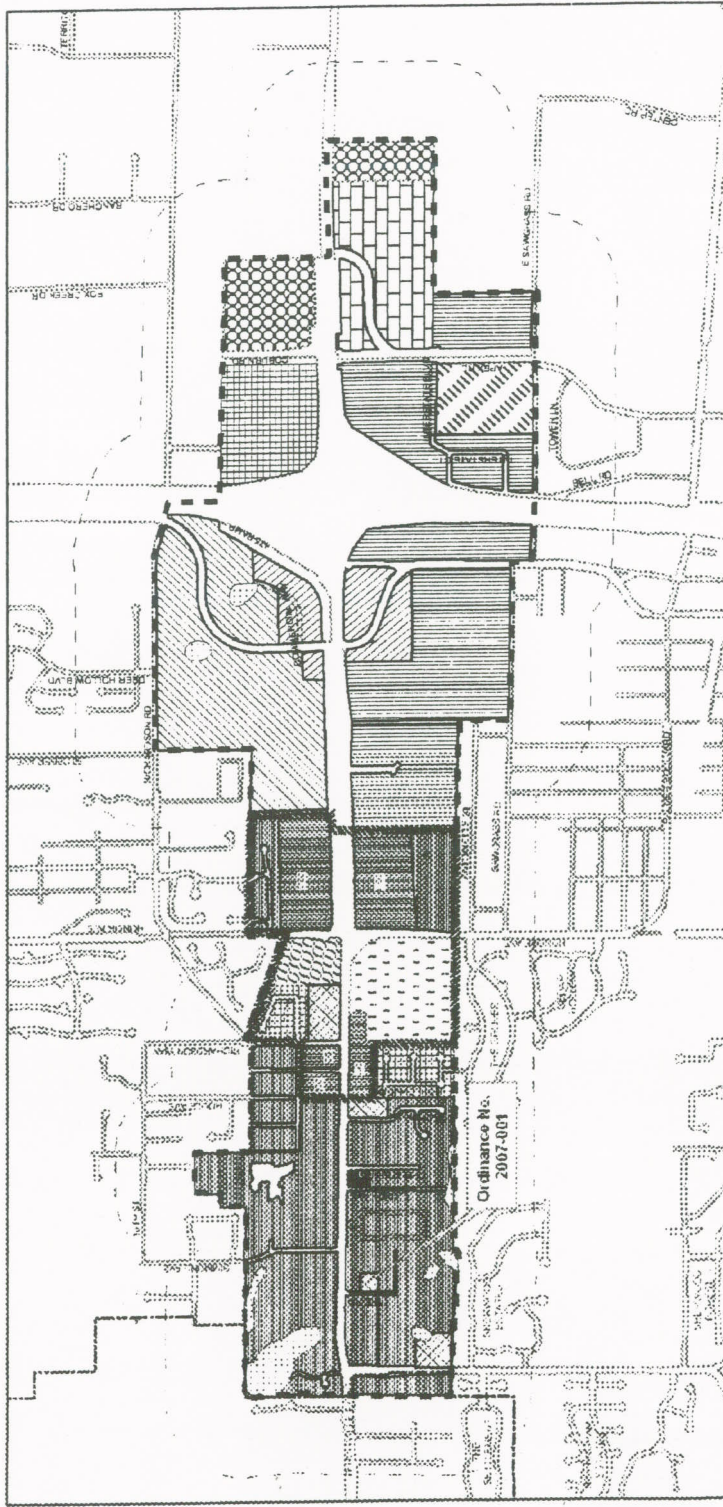
KAREN E. RUSHING, Clerk of  
the Circuit Court and Ex-Officio  
Clerk of the Board of County  
Commissioners of Sarasota County, Florida.

By:   
Deputy Clerk



# EXHIBIT 1

## AMENDMENT TO THE FUTURE LAND USE PLAN FOR CORRIDOR PLAN NO. 88-01-SP



0 400 800 Feet  
  
 NOTE: (1) RESIDUAL DENSITY MAY BE HIGHLY VARYING WITH PROVISION OF AFFORDABLE HOUSING FOR MAJOR EMPLOYMENT OR INTER-REGIONAL SHOPS IN THE SOUTHEAST CORNER OF THE FRUITYVILLE ROAD INTERCHANGE REFER TO SECTOR PLAN NO. 88-10-SP

**FIGURE 1**  
**FRUITYVILLE ROAD CORRIDOR STUDY**  
**(NO. 88-01-SP)**  
**AMENDED FUTURE LAND USE PLAN MAP**

- VERY LOW DENSITY RESIDENTIAL (MAXIMUM 10 D.U.S./AC)
- MODERATE DENSITY RESIDENTIAL (4.5 TO 5.0 D.U.S./AC)
- PLANNED COMMERCIAL DEVELOPMENT
- COMMERCIAL HIGHWAY INTERCHANGE
- NATIVE HABITAT AREAS (Park to conditions: 4, 5, and 6; denotes a listed migration tree)
- CEMETERY
- UTILITY
- RECREATIONAL FACILITY
- LIGHT OFFICE
- OFFICE/MULTI-FAMILY RESIDENTIAL
- COMMERCIAL (commercial shopping center/general commercial)
- MAJOR EMPLOYMENT CENTER
- GOVERNMENT USE
- VILLAGE ACTIVITY CENTER BOUNDARY

(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 WITHLESS MY HAND AND OFFICIAL SEAL THIS DATE 1/11/07

BY *Karen E. Rushing*  
 DEPUTY CLERK