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INSTRUMENT # 2007058548 4 PGS
2007 APR 10 05:58 PM

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
ASAMS Receipt#907258

Please record and return to: (Via Inter-Office Mail)
Susan Carleton, Planning Technician
Planning Services
1660 Ringling Blvd., 1st Floor
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 on the north side of DeSoto Road and the east side of Honore Avenue in Sarasota County, Florida, owned by Randy B. Powell, and described in Ordinance No. 2007-006 attached hereto, has been rezoned to District RSF-4 (Residential, Single-Family, 4.99 units/1 acre) pursuant to Rezone Petition No. 06-27 filed by Alan Garrett, Agent, and granted by Sarasota County on February 14, 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. 2007-006, 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 9th day of April, 2007.

Notary Public
State of Florida at Large

This instrument prepared by sfc



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

ORDINANCE NO. 2007-006

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.

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. 06-27, 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 OUE-2 (Open Use Estate, 1 unit/ 2 acres) to RSF-4 (Residential, Single-Family, 4.99 units/ acre) for the following described property located in Sarasota County, Florida:

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

A certain parcel of land located on the north side of DeSoto Road and the east side of Honore Avenue:

RECEIVED
MAR 28 2007
BY: _____

CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

2007 FEB 20 PM 3:21

BOARD RECORDS
FILED FOR RECORD

The west ½ of the southwest ¼ of the southwest ¼ of the northwest ¼ of Section 1, Township 36 South, Range 18 East, less 40 feet for Right-of-way for Honore Avenue as described in OR 2486, Page 95, 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. Future development of the subject parcel shall be consistent with all applicable conditions of the University Parkway Corridor Plan (Ordinance No. 92-01-SP-East).
2. Shared access to Honore Avenue shall be in combination with the property to the north.
3. At the time of site and development, the owner shall set aside right-of-way and easements sufficient for construction of Desoto Road as a two-lane minor arterial.
4. The Master Surface Water Management Plan shall be consistent with the Braden River (Cooper Creek) Basin Master Plan.
5. To fulfill the required 30 percent open space (1.5 acres), additional acreage of pine flatwoods habitat along both wetlands shall be conserved.
6. Development shall be limited to a maximum of 4.99 units per acre.

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 14th day of February, 2007.


BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA



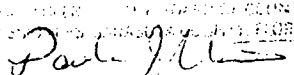
Chair

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

STATE OF FLORIDA
COUNTY OF SARASOTA
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILES
IN REGISTRY WITHIN MY HAND AND OFFICIAL

SEAL POSITIONED 2/20/07
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
COUNTY OF SARASOTA, FLORIDA

DEPUTY CLERK