

Please record and return to: **(Via Inter-Office Mail)**
Susan F. 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



2007104455
RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2007104455 4 PGS
2007 JUN 29 05:52 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CEAGLETO Receipt#937557

The following property, located west of SR 776 and east of Shane Road in Sarasota County, Florida, owned by Englewood Land, LLC, and described in Ordinance No. 2007-005 attached hereto, has been rezoned to District RMF-1 (Residential Multifamily, 6 units/1 acre) pursuant to Rezone Petition No. 06-29 filed by Alan Garrett, Agent, and granted by Sarasota County on May 22, 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. 2007-005, 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 28th day of June, 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

RECEIVED

JUN - 4 2007

By: Sarasota County Planning

ORDINANCE NO. 2007 - 005

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.

2007 MAY 24 AM 8:24

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. 06-29, 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 4.21 acres ± from District OUE-2 (Open Use Estate, 1 unit/2 acres) to District RMF-1 (Residential Multifamily, 6 units/1 acre) for the following described property located in Sarasota County, Florida:

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

West of SR 776 and east of Shane Road and being more particularly described as follows:

Lot 2, Block C, Gulf Coast Groves, as per plat thereof as recorded in Plat book 1, page 6 of the Public Records of Sarasota County, Florida in Section 11, Township 40 South, Range 19 East, Less therefrom right-of-way for S.R. 776 recorded in Official Records Book 2700, Page 1827.

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. Development of the subject parcel shall be consistent with all applicable conditions of the S. R. 776 Corridor Plan (Ordinance No. 2003-049).
2. Access to the subject development on S.R. 776 shall be limited to right turn-in/right turn-out turning movements only. Access to S.R. 776 is subject to FDOT approval.
3. The Master Surface Water Management Plan shall be consistent with the Forked Creek Basin Master Plan.
4. Prior to site and development, a tree survey shall be provided to demonstrate which mature trees located in the area of the gazebo and parking areas, can be preserved and incorporated into the site plans.
5. Prior to issuance of Certificate of Occupancy, the 50 foot wide greenway along S.R. 776, including the multi-purpose trail, shall be developed and approved by the County in accordance with the S.R. 776 Corridor Plan.
6. The developer seek permission of the adjacent property owner(s) (to the west) to remove the asphalt/fill debris.
7. All structures shall be limited to a maximum height of 35 feet with no in-structure parking.
8. Building lighting on all residential structures shall be limited to entry lighting and building lighting on garage structures shall be limited to coach lighting. All other security lighting shall be limited to a maximum of 15 feet in height.
9. The commercial uses(s) shall be limited to the hours of 6 a.m. to 10 p.m. Sunday through Thursday and 6 a.m. to 11 p.m. Friday and Saturday.

10. Outdoor recreation areas shall not be illuminated from 10 p.m. to 7 a.m., Sunday through Thursday, and from 11 p.m. to 7 a.m., Friday and Saturday.

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 22nd day of May, 2007.

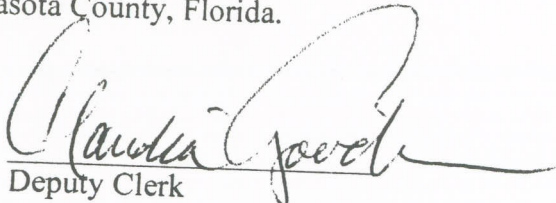
BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

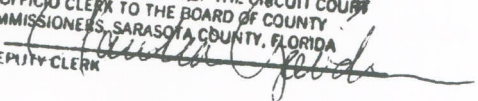


Chair

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 THIS OFFICE. WITNESS MY HAND AND OFFICIAL
SEAL THIS DATE 5/24/07
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY: 
DEPUTY CLERK