


Please record and return to: **(Via Inter-Office Mail)**  
Susan F. Carleton, Planning Technician  
Planning Services  
1660 Ringling Blvd., 1<sup>st</sup> 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**

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2007081483 4 PGS  
2007 MAY 18 05:14 PM  
KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
CEAGLETO Receipt#922501



2007081483

The following property, located south of Shane Road and west of SR 776, in Sarasota County, Florida, owned by Suzanne Zipay, and described in Ordinance No. 2007-025 attached hereto, has been rezoned to District RMF-1 (Residential Multifamily, 6 units/1 acre) pursuant to Rezone Petition No. 06-33 filed by Brian Lichterman, Agent, and granted by Sarasota County on April 24, 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. 2007-025, 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 14<sup>th</sup> day of May, 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



**ORDINANCE NO. 2007 -025**

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.

CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FL.

2007 MAY -1 PM 2:12

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. 06-33, 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 from District RE-2 (Residential Estate, 1 unit/1 acre) 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 south of Shane Road and west of SR 776 and being more particularly described as follows:

LOT 23, DALE LAKE ESTATES AS PER THE PLAT THEREOF

02007-025

RECORDED IN PLAT BOOK 26, PAGES 20-20A, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. LESS RIGHT OF WAY FOR STATE ROAD 776.

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 SR 776 Corridor Plan (Ordinance No. 2003-049).
2. Prior to issuance of Certificate of Occupancy, the 50 foot wide Greenway along SR 776, including the multi-purpose trail, shall be developed and approved by the County in accordance with the SR 776 Corridor Plan.
3. Surface Water Management improvements shall be consistent with the Forked Creek Basin Master Plan.
4. Any new drainage conveyance facilities shall be sized, designed and constructed to be incorporated into the Lemon Bay model for the Lemon Bay Basin.
5. Any use of the 20-foot County right-of-way to connect use of the property with the property to the south shall not interfere with present or potential use of the right-of-way for public or lawful private purposes.
6. Access to SR 776 shall be limited to right-in/right-out turning movements only.
7. The developer shall provide cross access to the adjacent parcel to the south.
8. The maximum height of all structures, inclusive of in-structure parking shall be limited to 35-feet.
9. Access to the boat lots located to the west of this property shall not be negatively affected by the development of this project.

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.

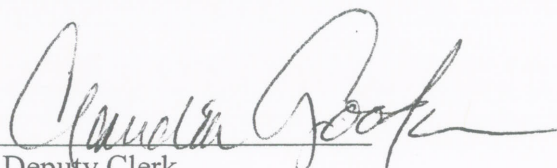
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 24<sup>th</sup> day of APRIL, 2007.

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

