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INSTRUMENT # 2012002668 8 PGS
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KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
FMILLER Receipt#1457310



2012002668

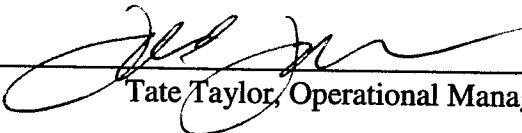
Please record and return to: **(Via Inter-Office Mail)**
Kristin Pate, Administrative Specialist
Planning Services
1660 Ringling Blvd., 1st Floor
Sarasota, FL 34236

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 south of East Venice Avenue and East of Jacaranda Boulevard in Sarasota County, Florida, owned by Venice Center Holdings, LLC, and described in Ordinance No. 2011-074 attached hereto, has been rezoned to a RMF-2/PUD zone district pursuant to Rezone Petition No. 11-08 filed by Lynn Townsend Burnett, P.E., Agent, and granted by Sarasota County on December 6, 2011, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

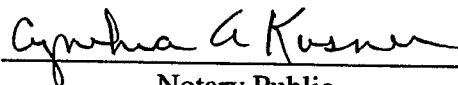
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2011-074, attached hereto)


Tate Taylor, Operational Manager

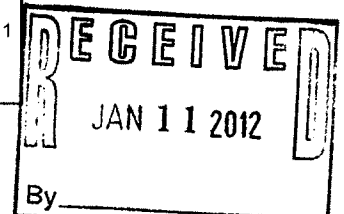
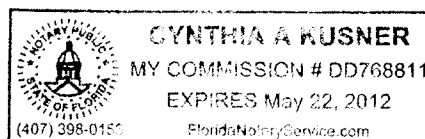
**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Tate Taylor, Operational Manager, 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 5th day of JANUARY, 2012.


Notary Public
State of Florida at Large

This instrument prepared by:
kp





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ORDINANCE NO. 2011-074

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.

FILED
2011 DEC 12 PM 4:39
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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:

1. The Board has received and considered the report of the Sarasota County Planning Commission concerning Rezoning Petition No. 11-09, requesting rezoning of the property described herein.
2. 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.
3. The rezoning herein granted is consistent with the Sarasota County Comprehensive Plan and meets the requirements of the Zoning Ordinance.
4. 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-1 (Open Use Estate, 1 unit/ 5 acres) to RMF-2/PUD (Residential, Multifamily, 9 units/ acre/ Planned Unit Development) zone district for the following described property located in Sarasota County, Florida:

South of East Venice Avenue and East of Jacaranda Boulevard and being more particularly described as follows:

A PORTION OF THOSE LANDS DESCRIBED IN DEED BOOK 293, PAGE 205, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, LYING IN AND BEING A PART OF SECTION 11, TOWNSHIP 39 SOUTH, RANGE 19 EAST; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SECTION 11, TOWNSHIP 39 SOUTH, RANGE 19 EAST (DEPARTMENT OF NATURAL RESOURCES DOCUMENT #8673); THENCE N.89°20'18"W. ON THE SOUTH LINE OF SAID SECTION 11, A DISTANCE OF 636.14 FEET, TO A POINT ON THE EAST RIGHT OF WAY LINE OF JACARANDA BOULEVARD (150' PUBLIC RIGHT-OF-WAY); THENCE N.43°31'01"E. ON SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 583.06 FEET, TO A POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 1507.39 FEET, A CENTRAL ANGLE OF 42°20'56", A CHORD BEARING OF N.22°20'33"E., AND A CHORD LENGTH OF 1088.97 FEET; THENCE ON THE ARC OF SAID CURVE, 1114.15 FEET, TO A POINT OF TANGENCY; THENCE N.01°10'06"E., 636.04 FEET, TO THE SOUTH RIGHT-OF-WAY LINE OF EAST VENICE AVENUE, RECORDED AS RIGHT OF WAY TAKING IN OFFICIAL RECORDS BOOK 1835, PAGE 1475, AND ROAD PLAT BOOK 4, PAGE 3E, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE S.88°07'48"E., ON SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 324.15 FEET; THENCE N.01°52'12"W., 20.00 FEET, TO THE SOUTH RIGHT-OF-WAY LINE OF SAID EAST VENICE AVENUE, AS RECORDED IN ROAD PLAT BOOK 4, PAGE 3E; THENCE S.88°07'48"E. ON SAID SOUTH RIGHT-OF-WAY LINE OF EAST VENICE AVENUE, A DISTANCE OF 566.00 FEET, TO THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS INSTRUMENT #2001001544, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE AND ON THE EAST LINE OF SAID LANDS, S.01°10'06"W., 2081.50 FEET, TO THE SOUTH LINE OF SAID SECTION 11; THENCE N.89°04'22"W., ON SAID SOUTH LINE, A DISTANCE OF 1040.34 FEET, TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

THOSE LANDS DEEDED TO SARASOTA COUNTY FOR RIGHT-OF-WAY PURPOSES DESCRIBED IN OFFICIAL RECORDS INSTRUMENT NO. 2009088181, 2009088182, AND 2009088183, ALL ARE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

Section 3. The Board approves a modification from Section 6.11.2.d.2. to allow the requested commercial activities to be oriented towards the exterior or perimeter streets of the property boundaries, pursuant to Section 6.11.2.f.

Section 4. The Board determines that the Recreational Vehicle Park is similar to those uses listed in Section 6.11.2.c. and is appropriate to the PUD development, pursuant to Section 6.11.2.c.7.

Section 5. 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 shall take place in substantial accordance with the Development Concept Plan, date-stamped Received November 2, 2011, and attached hereto as Exhibit "A," except as necessary to comply with the stipulations herein. This does not imply or confer any variances from applicable zoning or land development regulations.
2. Development shall comply with the East Venice Avenue Overlay (Zoning Regulations, Section 4.10.7.) for access management and landscaping.
3. Development shall comply with the development criteria contained in Sector Plan No. 83-04-SP.
4. Prior to Construction Authorization for development on the subject parcel, it shall be demonstrated that the intersection of Jacaranda Boulevard and Venice Avenue has available transportation capacity consistent with the Concurrency Management Regulations (Chapter 94, Article VII, Exhibit A, Sarasota County Code).
5. At such time that traffic data warrants the need for corrective measures to be taken to mitigate the safe operation of Jacaranda Boulevard, the County Engineer may require the existing median opening located approximately 1,300 feet south of Venice Avenue to be modified to restrict ingress and egress movements to right-in/right-out and left-in only. If the modifications are required, the developer shall construct a directionalized median opening to restrict ingress and egress movements to right-in/right-out and left-in movements only. The modifications to the median opening shall be included in the construction plans for the subject development.
6. Prior to or concurrent with development of the subject parcel, the developer shall construct a southwest to southeast left turn lane at the access location on Jacaranda Boulevard. The left turn lane shall be designed in accordance with Indexes 301 and 526 of the Florida Department of Transportation's Roadway and Traffic Design Standards. The improvement shall be included in the construction plans for the subject development.

7. Access to Venice Avenue will be limited to right-in/right-out once the roadway is widened to a four-lane divided facility. The access restriction shall be included in the recorded plat for the subdivision.
8. Prior to or concurrent with the development of the subject parcel, the developer shall construct an ADA Accessible bus stop pad, shelter and bicycle racks. The transit amenities shall be connected to the public sidewalk and adjacent developments. The exact location and design of the facility will be determined during the Site and Development review process in coordination with SCAT.
9. The wetlands, mesic hammock, and associated upland vegetative buffer shall be maintained in accordance with management guidelines contained within the Comprehensive Plan as a preserve and labeled a preserve on all plans. All activities including but not limited to filling, excavating, well drilling, altering vegetation (including trimming of both trees and understory) and storing of materials shall be prohibited within preservation areas, unless written approval is first obtained from Resource Protection Services. Exception may be granted by Resource Protection Services to facilitate implementation of approved habitat management plans or the hand removal of nuisance/invasive vegetation.
10. Slight impacts to on-site wetlands resulting from unavoidable impacts necessitated by internal parcel roadway and infrastructure requirements, may be allowed if deemed consistent with LDR Environmental Technical Manual Section B.2. by Resource Protection.
11. Watercourse buffers shall be provided along Blackburn Canal, and shall extend landward of the top-of-bank of the on-site canal, and shall accurately be depicted on all development proposals. If the plan cannot meet a 50-foot buffer, an enhancement plan equivalent in water quality treatment and habitat protection shall be provided to Resource Protection for review. No impacts, outside of the ones approved through this Binding Development Concept Plan (BDCP) shall occur to existing native vegetation located within watercourse buffer. Nuisance/invasive vegetation shall be replaced with appropriate native species. All activities including, but not limited to, filling, excavation, stockpiling, and storage of materials shall be prohibited within watercourse buffers, unless expressly allowed by Sarasota County Land Development Regulations.
12. The approved uses within the subject parcel as depicted on the Development Concept Plan will be limited to the following: permanent single family homes; Recreational Vehicles, clubhouse, clubhouse/office and approved CG uses within the Commercial Outparcels.
13. The individual sites located along the south and east boundaries of the subject parcel, as shown on the Development Concept Plan, shall contain permanent single family housing types which may accommodate the parking of a Recreational Vehicle within a garage or carport (Single-Family Detached, Lot Line House, Traditional House, Patio House, or Villa House under Section 6.7, Sarasota County Zoning Regulations).
14. The balance of the sites within the subject parcel shall contain Recreational Vehicles (private motor coaches, motor homes, travel trailers, camping trailers, and truck campers).

15. Concurrently with Site and Development Plan or Final Subdivision Plan approval for the Recreational Park use, the developer shall prepare, execute and record a Declaration of Covenants and Restrictions meeting the County's Land Development Regulations' requirements and incorporating the provisions of this Ordinance.
16. No Recreational Vehicle shall be located on a site within the subject parcel for longer than seven months per calendar year. The developer shall maintain a current list of all sites used as Recreational Vehicles spaces within the subject parcel with their occupancy status and their dates of occupancy for that calendar year and shall make a complete and current copy of such list available to Sarasota County upon request. This stipulation does not apply to sites containing permanent single family housing types with garages or carports for the parking of Recreational Vehicles.
17. No building within the subject parcel shall exceed 35 feet in height.
18. In granting the modification relating to the Commercial Outparcels' location, the Commercial Outparcels shall contain no gas stations, convenience stores or banks.
19. The permitted ground signs serving the Commercial Outparcels shall not exceed six feet in height.
20. Any outdoor lighting serving the proposed office/clubhouse/parking (north portion of subject parcel) and the proposed clubhouse and parking (near existing wetland in center of site) shall be placed on fixtures which do not exceed 15 feet in height (maximum allowable by code is 30 feet). The balance of the Recreational Vehicle Park shall have outdoor lighting placed on fixtures which do not exceed 12 feet in height (maximum allowable by code is 15 feet). The outdoor lighting on the Commercial Outparcels shall be controlled by the requirements of the Zoning Regulations.
21. There shall be no outdoor speaker system within the subject parcel.
22. The perimeter buffers for the subject parcel shall be as follows:
 - a. North boundary: 25 feet wide with a 0.7 opacity;
 - b. East boundary: 25 feet wide with a 0.7 opacity;
 - c. South boundary: 25 feet wide with a 0.7 opacity; and
 - d. West boundary:
 - 40 feet wide with a 0.7 opacity (along Recreational Vehicle Park's Jacaranda frontage)
 - 10 feet wide with a 0.1 opacity (along Commercial Parcels' Jacaranda frontage).
23. Each single family home site along the south boundary of the subject parcel, as shown on the Development Concept Plan, may be utilized as a Recreational Vehicle space until such time as it is improved with a permanent single family housing type as described in Stipulation No. 13 or ten years from the date this Ordinance is adopted, whichever occurs first.

24. Each site along the east boundary of the subject parcel, as shown on the Development Concept Plan, may be utilized as a Recreational Vehicle site until the contiguous lands to the east are platted (pursuant to a plat approved by the County Commission and recorded in the public records of Sarasota County). Once such lands to the east are platted, no site along the east boundary of the subject parcel may be utilized as a Recreational Vehicle space if it is within 100 feet of a platted lot. Thereafter, such sites along the east boundary of the subject parcel may contain only a permanent single family housing type as described in Stipulation No. 13. Notwithstanding the foregoing, no sites along the east boundary of the subject parcel may be utilized as a Recreational Vehicle space after ten years from the date this Ordinance is adopted.

Section 6. Effective Date. This Ordinance shall take effect upon filing with the Department of State.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 6th day of December, 2011.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Nora Patterson
Chair

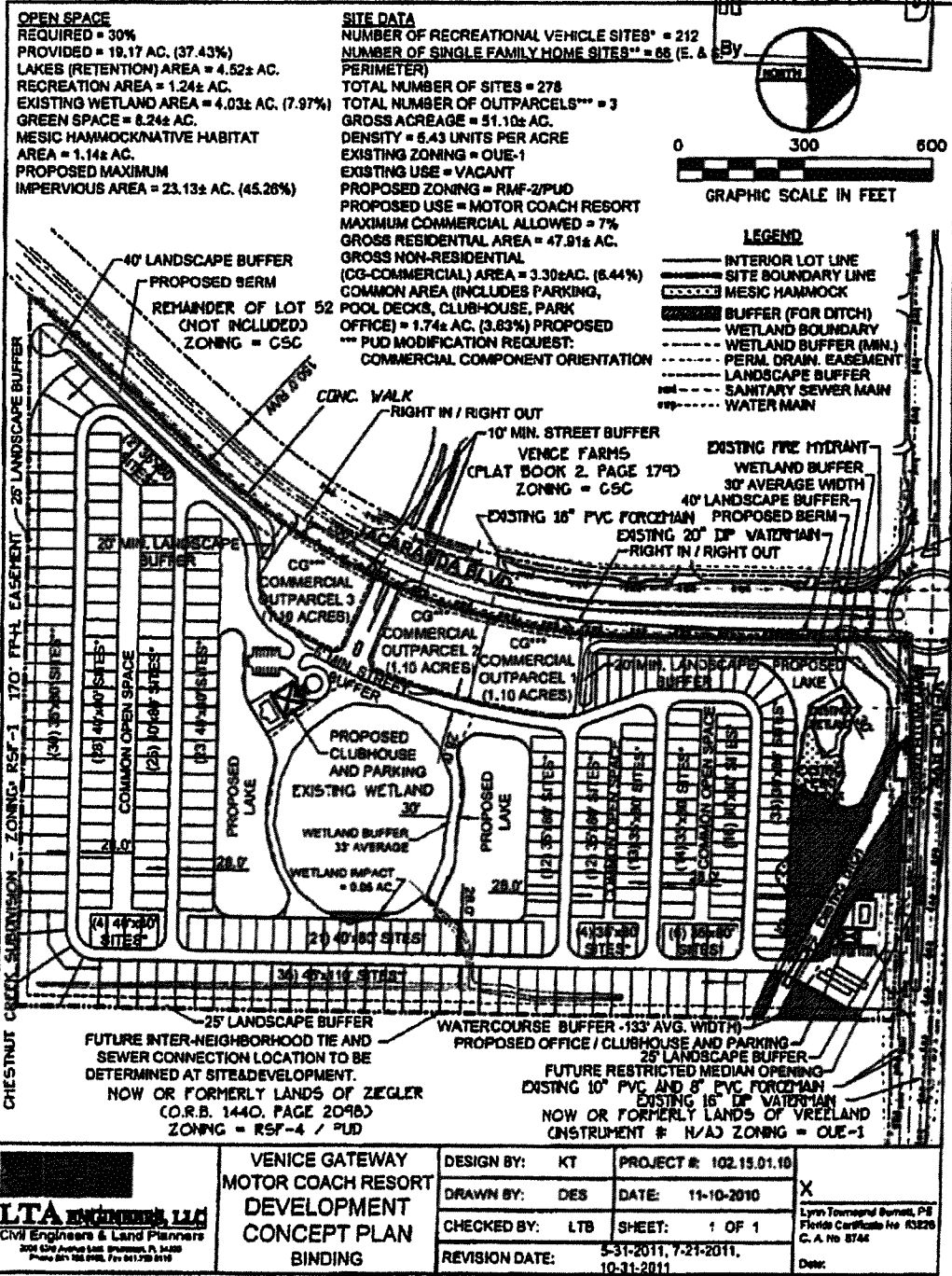
ATTEST:

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

By: Young Dickson
Deputy Clerk

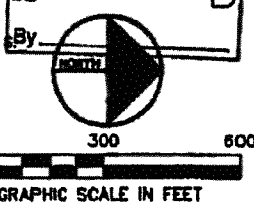
EXHIBIT "A"

RECEIVED
NOV 02 2011



OPEN SPACE
 REQUIRED = 30%
 PROVIDED = 19.17 AC. (37.43%)
 LAKES (RETENTION) AREA = 4.52± AC.
 RECREATION AREA = 1.24± AC.
 EXISTING WETLAND AREA = 4.03± AC. (7.97%)
 GREEN SPACE = 8.24± AC.
 MESIC HAMMOCK/NATIVE HABITAT
 AREA = 1.14± AC.
 PROPOSED MAXIMUM
 IMPERVIOUS AREA = 23.13± AC. (45.26%)

SITE DATA
 NUMBER OF RECREATIONAL VEHICLE SITES* = 212
 NUMBER OF SINGLE FAMILY HOME SITES** = 66 (E. & S. PERIMETER)
 TOTAL NUMBER OF SITES = 278
 TOTAL NUMBER OF OUTPARCELS*** = 3
 GROSS ACREAGE = 51.10± AC.
 DENSITY = 5.43 UNITS PER ACRE
 EXISTING ZONING = OUE-1
 EXISTING USE = VACANT
 PROPOSED ZONING = RMF-2/PUD
 PROPOSED USE = MOTOR COACH RESORT
 MAXIMUM COMMERCIAL ALLOWED = 7%
 GROSS RESIDENTIAL AREA = 47.91± AC.
 GROSS NON-RESIDENTIAL
 (CG-COMMERCIAL) AREA = 3.30± AC. (6.44%)
 COMMON AREA (INCLUDES PARKING,
 POOL DECKS, CLUBHOUSE, PARK
 OFFICE) = 1.74± AC. (3.83%) PROPOSED
 *** PUD MODIFICATION REQUEST:
 COMMERCIAL COMPONENT ORIENTATION



LEGEND
 ——— INTERIOR LOT LINE
 - - - - - SITE BOUNDARY LINE
 [] MESIC HAMMOCK
 [] BUFFER (FOR DITCH)
 - - - - - WETLAND BOUNDARY
 - - - - - WETLAND BUFFER (MIN.)
 - - - - - PERM. DRAIN. EASEMENT
 - - - - - LANDSCAPE BUFFER
 - - - - - SANITARY SEWER MAIN
 - - - - - WATER MAIN

LTA ENGINEERS, LLC
 Civil Engineers & Land Planners
 2000 67th Avenue East, Bradenton, FL 34209
 Phone: 813-748-2900, Fax: 813-750-6110

**VENICE GATEWAY
 MOTOR COACH RESORT
 DEVELOPMENT
 CONCEPT PLAN
 BINDING**

DESIGN BY: KT	PROJECT #: 102.15.01.10
DRAWN BY: DES	DATE: 11-10-2010
CHECKED BY: LTB	SHEET: 1 OF 1
REVISION DATE: 5-31-2011, 7-21-2011, 10-31-2011	

X
 Lynn Townsend Burnett, PE
 Florida Certificate No. RS220
 C. A. No. 8744
 Date:

STATE OF FLORIDA,
 COUNTY OF SARASOTA)
 I HEREBY CERTIFY THAT THE FOREGOING IS A
 TRUE AND CORRECT COPY OF THE ORIGINAL FILED
 IN THIS OFFICE. WITNESS MY HAND AND OFFICIAL
 SEAL THIS DATE 11/3/11
 NAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
 EX OFFICIO CLERK TO THE BOARD OF COUNTY
 COMMISSIONERS, SARASOTA COUNTY, FLORIDA

