

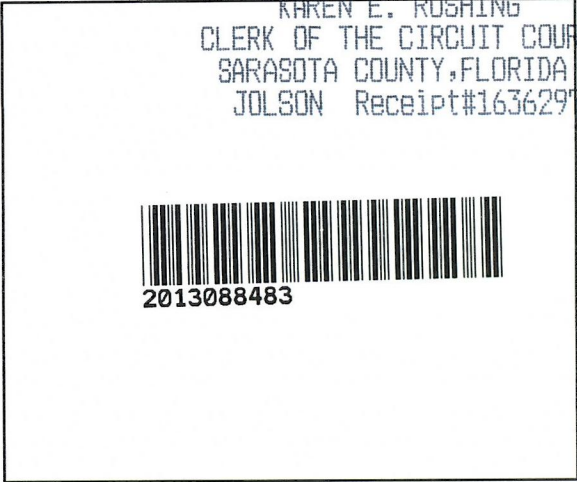
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RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2013088483 5 PGS
2013 JUN 25 08:51 AM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
JOLSON Receipt#1636297

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

Kristin Pate, Administrative Specialist
Planning Services
1660 Ringling Blvd., 1st Floor
Sarasota, FL 34236

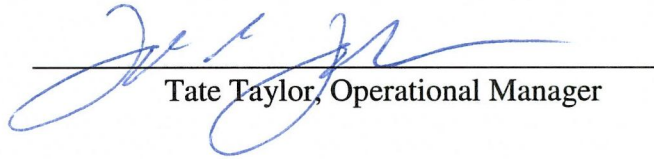
Charge to: Planning Services
Account# 51800100500489



NOTICE OF STIPULATIONS
AND LIMITATIONS ENCUMBERING
REAL PROPERTY PURSUANT TO
THE SARASOTA COUNTY ZONING CODE

The following property, located south of East Venice Avenue, approximately 700 feet west of Havana Road in Sarasota County, Florida, owned by Harry Walia, and described in Ordinance No. 2013-017 attached hereto, has been rezoned to a RSF-4 (Residential, Single-Family, 5.5 units/acre) zone district pursuant to Rezone Petition No. 13-04 filed by Brian Lichterman, Agent, and granted by Sarasota County on June 4, 2013, 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. 2013-017, attached hereto)

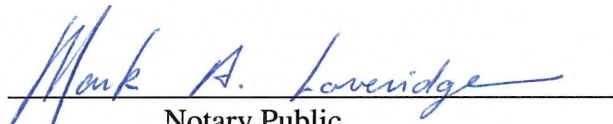

Tate Taylor, Operational Manager

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 21ST day of JUNE, 2013.




Notary Public
State of Florida at Large

This instrument prepared by:
kp

ORDINANCE NO. 2013-017

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.

BOARD RECORDS
FILED FOR THE CLERK
2013 JUN 10 AM 9:57
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, 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. 13-04, 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 RSF-4/PUD (Residential, Single-Family, 5.5 units/ acre/ Planned Unit Development) to RSF-4 (Residential, Single-Family, 5.5 units/ acre) zone district for the following described property located in Sarasota County, Florida:

South of East Venice Avenue, approximately 700 feet west of Havana Road and being more particularly described as follows:

TRACTS 131 AND 136, VENICE FARMS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 179, OF THE PUBLIC RECORDS OF 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. Development of the subject parcel shall be consistent with all applicable conditions of the East Venice Avenue Overlay (Section 4.10.7., Zoning Regulations).
2. Access to/from Venice Avenue will be restricted to right-in/right-out to/from the subject parcel when Venice Avenue is widened to a four-lane roadway or improved to a two-lane facility with sidewalks and bicycle lanes.
3. The owner/developer shall design, permit and construct a 20-inch potable water main along East Venice Avenue from the current terminus near Wading Bird Lane to South Havana Road and complete the loop connection to the existing 8-inch potable water main. Construction of this water main shall be completed and dedicated to Sarasota County prior to receiving a Certificate of Occupancy (CO) or Temporary Certificate of Occupancy (TCO) for the first building within the development.
4. Prior to site and development approval the owner/developer shall commission, and provide the results of an environmental site assessment (Phase I and Phase II as necessary) demonstrating the presence/absence of environmental contamination on the subject parcel. The developer shall take all appropriate actions required by County, state, and federal agencies in the event that contamination is found. Said actions shall be performed prior to the commencement of site development.
5. The subject parcel shall be developed using Mediterranean Tuscan design style architecture.
6. The project buildings shall be constructed using green building principles, consistent with the standards of the Sarasota County Green Building Program as outlined in Sarasota County Resolution No. 2005-048.
7. The frontage along Gladesview Drive shall be fully screened from view by existing plantings that are not exotic or invasive or new plantings with at least 70 percent opacity.

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8. The subject property shall only have gated emergency access to Gladesview Drive.
9. Two screened dumpsters shall be located at least twenty-one (21) feet from the Gladesview Drive property line and at least thirteen (13) feet from the west property line and shall meet the standards of Section 7.3.19.c., Zoning Regulations.
10. All buildings shall be limited to twenty-five (25) feet in height.
11. No lift station shall be allowed on the property. Wastewater service shall be provided by extension of the existing gravity collection system along East Venice Avenue.
12. Lighting shall be limited to a maximum of fifteen (15) feet in height.
13. Deliveries shall be limited to the hours of 7 am to 7 pm.
14. The use shall be a maximum 140 bed Assisted Living Facility and shall have a minimum of thirty (30) percent open space.
15. A six (6) foot high stucco covered wall shall be constructed in a 10 foot wide landscape buffer adjacent to the west property boundary to screen the refuse and loading areas. The wall shall extend 10 feet beyond these areas to provide additional screening. A buffer with a 30 percent opacity shall be placed between the wall and the west property boundary.

Section 5. 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 7 day of June, 2013.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Carolyn J. Maser
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: Kathleen Shaffer
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 6/10/2013
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY Kathleen Shaffer
DEPUTY CLERK

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