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RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2013132085 6 PGS

2013 SEP 25 08:32 AM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
JOLSON Receipt#1667994

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

Charge to: Planning Services
Account# 51800100500489




2013132085

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

The following property, located east of U.S. 41 and 500 feet south of Eugene Street in Sarasota County, Florida, owned by Lawrence and Judith Garatoni, and described in Ordinance No. 2013-024, attached hereto, has been rezoned to a CI (Commercial, Intensive) zone district pursuant to Rezone Petition No. 13-09 filed by Charles D. Bailey, Agent, and granted by Sarasota County on September 11, 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. 2013-024, 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 23rd day of September, 2013.




Notary Public
State of Florida at Large

ORDINANCE NO. 2013-024

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. 13-09, 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 OPI (Office, Professional and Institutional) to CI (Commercial, Intensive) zone district for the following described property located in Sarasota County, Florida:

2013 SEP 14 PM 4:10
KARLEEN M. SMITH, CLERK OF THE CIRCUIT COURT, SARASOTA COUNTY, FLORIDA
FILED FOR THE BOARD OF COUNTY COMMISSIONERS
SEP 16 2013

02013-024

Parcel ID 0125-01-0004

Legal Description:

A parcel of land being and lying in the North 1/2 of the Northeast 1/4 of Section 25, Township 37 South, Range 18 East, Sarasota County, Florida, and being more particularly described as follows:

Commence at the Northeast corner of Section 28, Township 37 South, Range 18 East, Sarasota County, Florida; thence along the North line of the North 1/2 of the Northeast 1/4 of said Section 28, North 89°54'06" West, 40.00 feet to the West right of way line of Beneva Road, and for a point of beginning; thence along said right of way line of South, 00°00'00" East, 1337.76 feet to the South line of the North 1/2 of the Northeast 1/4 of said Section 28; thence, along said South line, North 89°53'34" West, 1065.72 feet to a point on the Easterly right of way line of Tamiami Trail (U.S. 41), thence, along said Easterly right of way line of Tamiami Trail (U.S. 41), North 44°42'50" West, 1885.47 feet to the said North line of the North 1/2 of the Northeast 1/4 of said Section 28; thence, along said North line, South 89°54'06" East, 2392.27 feet to the point of beginning.

Less and except the following described property:

A tract of land lying in the Northeast 1/4 of Section 28, Township 37 South, Range 18 East, Sarasota County, Florida described as follows:

Commence at the Northeast corner of the Northeast 1/4 of said Section 28; thence N 89°43'15" W along the Northerly line of said Northeast 1/4 a distance of 40.00 feet to the Westerly right-of-way line of Beneva Road (80 feet wide) for the POINT OF BEGINNING; thence S 00°10'49" W along said Westerly right-of-way line a distance of 540.31 feet; thence N 89°49'11" W a distance of 148.42 feet to the PC of a curve to the left having a central angle of 10°36'04" and a radius of 50.00 feet; thence Southwesterly along the arc a distance of 9.25 feet; thence S 79°34'44" W a distance of 61.13 feet to the PC of a curve to the right having a central angle of 61°07'04" and a radius of 100.00 feet; thence Southwesterly and Northwesterly along the arc a distance of 106.67 feet to the PRC of a curve to the left having a central angle of 05°40'30" and radius of 345.00 feet; thence Northwesterly along the arc a distance of 34.17 feet; thence N 00°10'49" E a distance of 48.05 feet; thence N 49°43'15" W a distance of 280.00 feet; thence N 00°16'45" E a distance of 265.00 feet to the Northerly line of the aforementioned Northeast 1/4; thence S 89°43'15" E along said Northerly line a distance of 550.00 feet to the POINT OF BEGINNING.

AND

0.2013 0.24

Less and except property conveyed under Warranty Deed recorded in Official Records Book 2987, Page 2041, Public Records of Sarasota County, Florida and: Less and except property conveyed under Warranty Deed recorded in the Official Records as Instrument #2004116462, Public Records of Sarasota County, Florida.

SUBJECT TO PERTINENT EASEMENTS, RIGHT-OF-WAY AND RESTRICTIONS OF RECORD, IF ANY.

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 shall take place in substantial accordance with the Development Concept Plan, dated April 29, 2013, and attached hereto as Exhibit "A", except as necessary to comply with the stipulations herein. This does not imply or confer any other deviations from applicable zoning or land development regulations, except as expressly listed in this rezoning ordinance and shown on the Development Concept Plan.
2. The wetland 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, except where approved by Conservation & Environmental Permitting through: 1) the Resource Management Plan for the project, or 2) specific written approval of hand removal of nuisance or exotic vegetation.
3. Minor impacts to on-site wetland 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 Environmental Permitting.
4. The Master Surface Water Management Plan shall be consistent with the Holiday Bayou Basin Master Plan.
5. All storm water treatment shall be open and above ground.
6. Outdoor lighting fixtures shall not exceed 24 feet in height.
7. The proposed storm water treatment pond shall be set back a minimum of 25 feet from the eastern boundary.

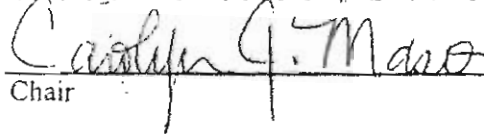
2014-024

8. The existing outdoor advertising sign on the subject property shall be removed prior to or concurrent with development of the vehicle sales and display area.

Section 4. Effective Date. This Ordinance shall take effect upon filing with the Department of State.

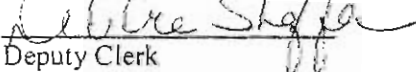
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 11 day of September, 2013.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


Chair

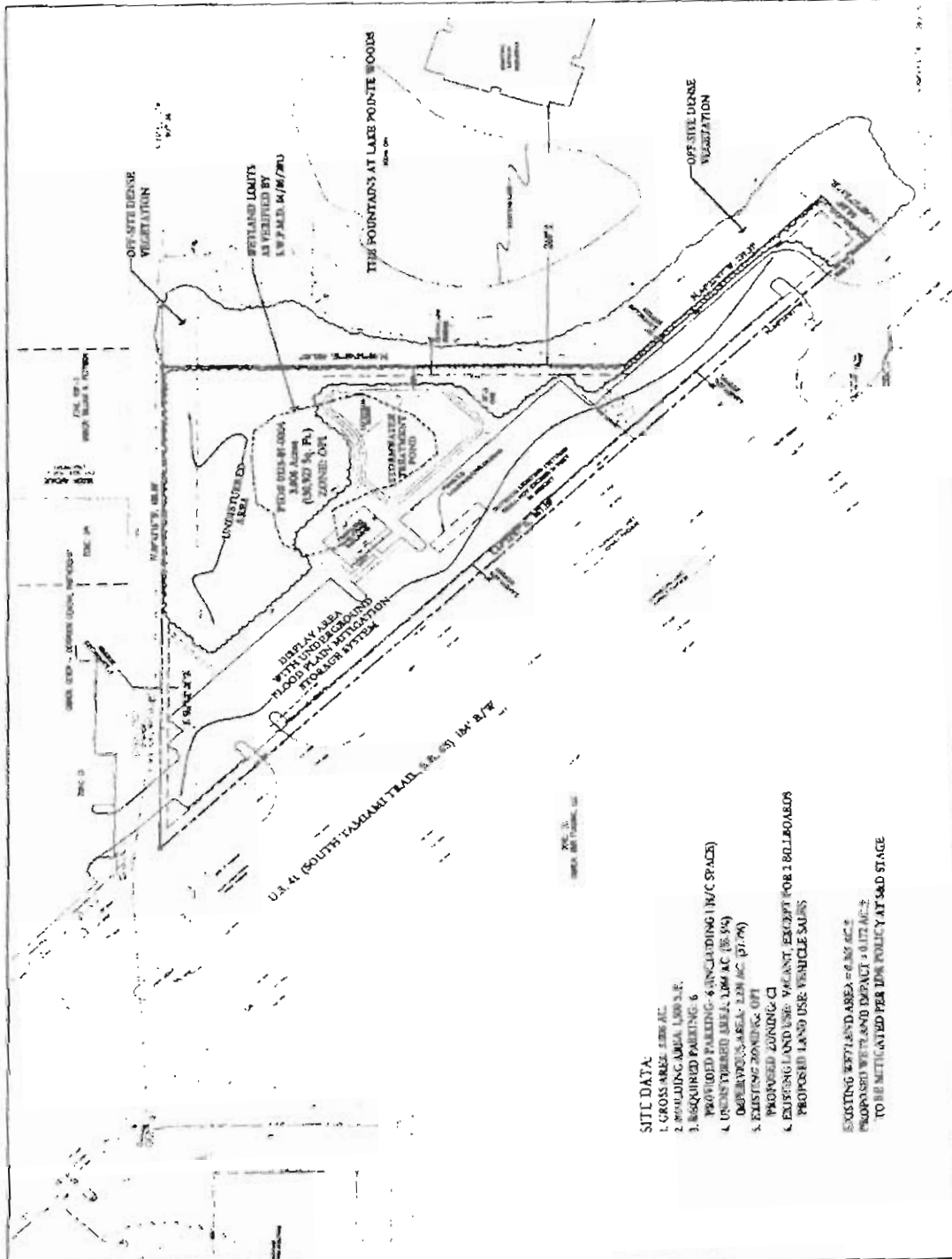
ATTEST:

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

12-14-13

Exhibit "A"



- SITC DATA:**
1. GROSS AREA: 2.88 AC.
 2. BUILDING AREA: 1,000 S.F.
 3. REQUIRED PARKING: 6
 4. PROPOSED PARKING: 6 (INCLUDING 1 M/C SPACE)
 5. UNSTRUCTURED AREA: 1.88 AC (66.5%)
 6. EXISTING WETLANDS: 0.8 AC (27.7%)
 7. PROPOSED ZONING: C1
 8. EXISTING LAND USE: VACANT, EXCEPT FOR 1 BELLAIR
 9. PROPOSED LAND USE: VEHICLE SALES

EXISTING WETLAND AREA: 0.8 AC
 PROPOSED WETLAND IMPACT MITIGATION
 TO BE MITIGATED PER LDR POLICY AT 3RD STAGE

WEBER ENGINEERING & ARCHITECTURE
 1100 1/2 AVENUE SOUTH, SUITE 100
 SARASOTA, FLORIDA 34236
 TEL: 941.554.1111
 FAX: 941.554.1112
 WWW.WEBERENGINEERING.COM

DEVELOPMENT CONCEPT PLAN/PHOTOMONTAGE
SUNSET VIA SALE / DISPLAY AREA
 SARASOTA, FLORIDA

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. WITNESSE MY HAND AND OFFICIAL
 SEAL THIS DATE 9/11/2013
 MARTIN E. RUSHING, CLERK OF THE CIRCUIT COURT
 EX-OFFICIO CLERK TO THE BOARD OF COUNTY
 COMMISSIONERS, SARASOTA COUNTY, FLORIDA
 BY [Signature]
 941.554.1111

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