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KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
JOLSON Receipt#1683463

✓ Please record and return to: **(Via Inter-Office Mail)**  
**Paula Clintsman, Administrative Specialist**  
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**

The following property, located north of State Road 72 (Clark Road) and east of Coash Road in Sarasota County, Florida, owned by Windham Development Inc., and described in Ordinance No. 2013-034 attached hereto, has been rezoned to a RE-2 zone district pursuant to Rezone Petition No. 13-13 filed by Shawn Leins, Agent, and granted by Sarasota County on November 6, 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. 2013-034, attached hereto)

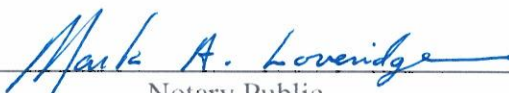
  
Tate Taylor, Operational Manager

**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 12<sup>th</sup> day of November, 2013.



  
Notary Public  
State of Florida at Large

This instrument prepared by:

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10





## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

November 7, 2013

Honorable Karen E. Rushing  
Clerk of the Circuit Court  
Board Records Department  
Sarasota County  
1660 Ringling Boulevard, Suite 210  
Sarasota, Florida 34236

Attention: Debbie Shaffer, Deputy Clerk

Dear Ms. Rushing:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Sarasota County Ordinance No. 2013-034, which was filed in this office on November 7, 2013.

Sincerely,

Liz Cloud  
Program Administrator

LC/elr

Enclosures

**ORDINANCE NO. 2013-034**

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO. 2003-052 (AS AMENDED), 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 Rezone Petition No. 13-13, 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 RE-2 (Residential, Estate, 1 unit/acre) to RE-3 (Residential, Estate, 1 unit/.5 acre) zone district for the following described property located in Sarasota County, Florida:

CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FL  
JAN 14 2013  
2:06 PM  
FILED FOR THE RECORD  
BOARD RECORDS

02013-034

The legal description of said property in Sarasota County, Florida, being located north of S.R. 72 (Clark Road) and east of Coash Road and being more particularly described as follows:

Begin at the NW corner of Timberland Ranchettes, as recorded in Plat Book 22, at Page 41, of the Public Records of Sarasota County, Florida; thence S 00° 20' 25" E along the West line of said Timberland Ranchettes, 2153.56' to the Northerly R/W line of Sugar Bowl Road (100' R/W); thence N 56° 35' 58" W along said R/W 1546.84' to the Easterly R/W line of Coash Road (50' R/W) thence N 38° 24' 07" E along said 50' R/W 1664.45'; thence S 89° 26' 34" E leaving said 50' R/W 244.68' to the P.O.B.

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:

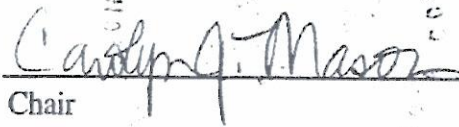
1. Development on the subject parcel shall not exceed 47 dwelling units.
2. No structures shall be located within 20 feet of the northerly, southerly, or westerly property lines, nor within 50 feet of the easterly property line.
3. The pavement width of Coash Road, from Clark Road north to the project entrance, shall be improved to provide two 11 foot-wide travel lanes in accordance with Chapter 74, Sarasota County Code, Appendix C5b and Appendix D2.
4. The development shall connect to central water and sewer service from an off-site source.
5. The Owner of the subject property shall record a notice to successors, in a form acceptable to the County Attorney, that agricultural activities and uses, including the raising of livestock, continue on the lands around the subject property. This notice shall be included on any plat.
6. The project shall install a central irrigation system that incorporates a pond isolated from the stormwater system in which to store 3-7 days worth of reclaimed water for irrigating the subdivision.
7. A 10 foot landscape buffer shall be provided along the north and east project boundaries in substantial accordance with the planting plan attached as Exhibit "A."

These Stipulations supersede and replace the Restrictions, Stipulations, and Safeguards in Ordinance No. 94-092.

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 6 day of November, 2013.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

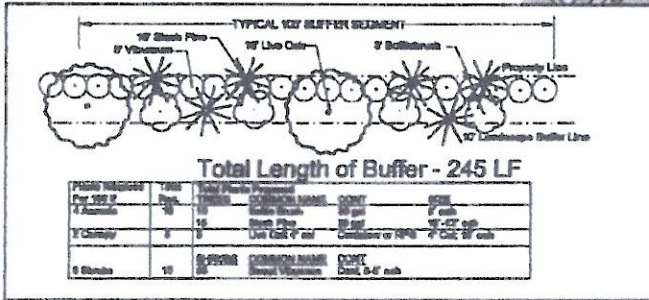
  
Chair

ATTEST:

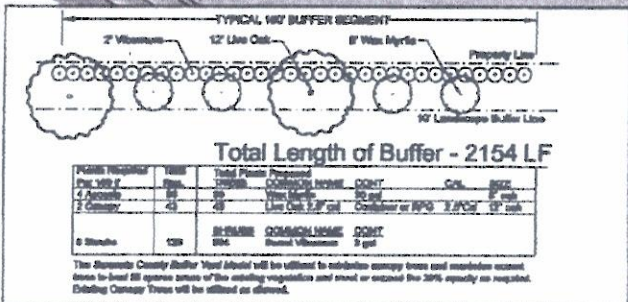
KAREN E. RUSHING, Clerk of  
the Circuit Court and Ex-  
Officio Clerk of the Board of  
County Commissioners of  
Sarasota County, Florida.

By:   
Deputy Clerk

**Proposed North Buffer** 20% Opacity Required



**BUFFER PLANTS WILL BE CONCENTRATED IN AREAS OF EXISTING VEGETATION THAT ARE SPARSE.**

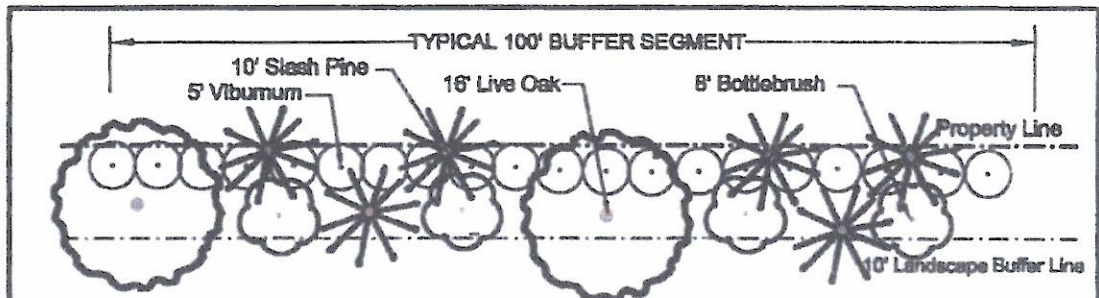


**Proposed East Buffer** 20% Opacity Required

Proposed North & East Buffers for:  
**Hanson Estates**  
 Windham Development, Inc.



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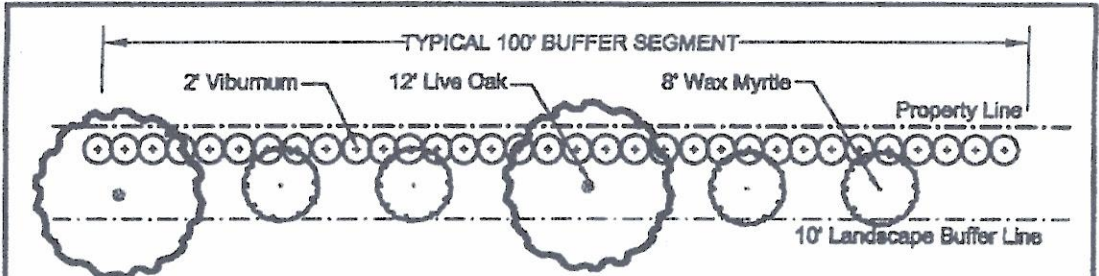


**Total Length of Buffer - 245 LF**

Plants Required Per 100 lf	Total Req.	Total Plants Proposed TREES	COMMON NAME	CONT	SIZE
4 Accents	10	10	Bottle Brush	30 gal	8" osh
		15	Slash Pine	30 gal	10'-12" osh
2 Canopy	5	5	Live Oak 4" cal	Container or RPG	4" Cal; 16" osh
6 Shrubs	16	<u>SHRUBS</u> COMMON NAME		CONT	
		50	Sweet Viburnum	Cont, 5-6"	osh

**Proposed North Buffer**

20% Opacity Required



**Total Length of Buffer - 2154 LF**

Plants Required Per 100 lf	Total Req.	Total Plants Proposed TREES	COMMON NAME	CONT	CAL	SIZE
4 Accents	86	86	Wax Myrtle	30 gal		8" osh
2 Canopy	43	43	Live Oak 2.5" cal	Container or RPG	2.5" Cal	12" osh
6 Shrubs	129	<u>SHRUBS</u> COMMON NAME		CONT		
		684	Sweet Viburnum	3 gal		

The Sarasota County Buffer Yard Model will be utilized to minimize canopy trees and maximize accent trees to best fill sparse areas of the existing vegetation and meet or exceed the 20% opacity as required. Existing Canopy Trees will be utilized as allowed.

**Proposed East Buffer**

20% Opacity Required



Proposed North & East Buffers for:  
**Hanson Estates**  
 Windham Development, Inc.

Plan Prepared By:  
 Stewart-Washmuth & Co., Inc.  
 Landscape Architects

11/05/13  
 EXHIBIT A, Page 2

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