


RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2014031018 6 PGS  
2014 MAR 20 08:54 AM  
KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
FMILLER Receipt#1721050



2014031018

Please record and return to: **(Via Inter-Office Mail)**  
(Cynthia Spraggins), Administrative Specialist  
Planning Services  
1660 Ringling Blvd., 1<sup>st</sup> Floor  
Sarasota, FL 34236

Charge to: **Planning Services**  
Account# **51810000500489**

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

The following property, located South of Interstate I-75 and east of Jacaranda Boulevard in Sarasota County, Florida, owned by Equity Resource Partners IV, LLC , and described in Ordinance No. 2014-007 attached hereto, has been rezoned to a RMF-3 zone district pursuant to Rezone Petition No. 13-14 filed by Anne Merrill, AMDS, Inc. Agent, and granted by Sarasota County on March 4, 2014, 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. 2014-007, attached hereto)

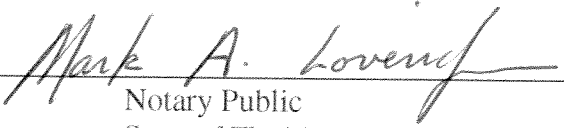
  
Tate Taylor, Operational Manager

**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 18<sup>th</sup> day of March, 2014.



  
Notary Public  
State of Florida at Large

This instrument prepared by:  
Cynthia Spraggins





## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

March 5, 2014

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

Attention: Claudia Goodson, 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. 2014-007, which was filed in this office on March 5, 2014.

Sincerely,

Liz Cloud  
Program Administrator

LC/elr

Enclosures

**ORDINANCE NO. 2014-007**

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.

BARRETT RUCHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FL

2014 MAR -5 AM 11:05

BOARD REPORT  
FILED FOR THE CLERK

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 Rezone Petition No. 13-14, 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 PID (Planned Industrial Development) to RMF-3 (Residential, Multi-family, 13 units/acre) zone district for the following described property located in Sarasota County, Florida:

**South of Interstate 75 and east of Jacaranda Boulevard** and being more particularly described

as follows:

A portion of Section 2 and 11, Township 39 South, Range 19 East, Sarasota County, Florida, described as follows:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 39, SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA; THENCE S 89° 31' 37" E, ALONG THE NORTH LINE OF SAID SECTION 11, A DISTANCE OF 198.58 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE NO. 75; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE NO. 75, THE FOLLOWING FOUR COURSES AND DISTANCES: N 03° 33' 06" E, A DISTANCE OF 169.82 FEET; N 00° 33' 54" E, A DISTANCE OF 95.00 FEET; N 47° 51' 13" E, A DISTANCE OF 317.43 FEET; S 82° 19' 08" E, A DISTANCE OF 1371.28 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE NO. 75, S 82° 19' 08" E, DISTANCE OF 422.99 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE NO. 75, S 89° 28' 06" E, A DISTANCE OF 1131.90 FEET TO A POINT ON THE WEST LINE OF TRACT 391, NORTH VENICE FARMS, RECORDED IN PLAT BOOK 2, PAGE 203, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE S 00° 28' 30" W, ALONG SAID WEST LINE OF TRACT 391, A DISTANCE OF 219.62 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 391; THENCE S 00° 25' 24" W, PERPENDICULAR TO THE CENTERLINE OF BONITA ROAD AS SHOWN ON SAID PLAT OF NORTH VENICE FARMS, ALSO SHOWN ON THE PLAT OF VENICE FARMS RECORDED IN PLAT BOOK 2, PAGE 179, SAID PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, A DISTANCE OF 33.00 FEET TO SAID CENTERLINE OF BONITA ROAD; THENCE N 89° 34' 36" W, ALONG SAID CENTERLINE OF BONITA ROAD, A DISTANCE OF 12.56 FEET; THENCE S 00° 25' 24" W, PERPENDICULAR TO SAID CENTERLINE OF BONITA ROAD, A DISTANCE OF 33.00 FEET TO THE NORTHWEST CORNER OF TRACT 98, SAID PLAT OF VENICE FARMS; THENCE S 00° 38' 45" W, ALONG THE WEST LINE OF SAID TRACT 98, A DISTANCE OF 633.17 FEET TO THE NORTHEAST CORNER OF TRACT 99, SAID PLAT OF VENICE FARMS; THENCE N 89° 33' 45" W, ALONG THE NORTH LINE OF SAID TRACT 99, A DISTANCE OF 638.33 FEET TO THE NORTHWEST CORNER OF SAID TRACT 99; THENCE N 89° 18' 48" W, PERPENDICULAR TO THE CENTERLINE OF FELLSMERE ROAD AS SHOWN ON SAID PLAT OF VENICE FARMS, A DISTANCE OF 66.00 FEET TO THE WEST RIGHT OF WAY LINE OF FELLSMERE ROAD; THENCE CONTINUE N 89° 18' 48" W, A DISTANCE OF 100.00 FEET; THENCE N 00° 41' 12" E, PARALLEL WITH SAID WEST RIGHT OF WAY LINE OF FELLSMERE ROAD, A DISTANCE OF 578.31 FEET; THENCE WEST, A DISTANCE OF 1246.79 FEET; THENCE NORTH, A DISTANCE OF 64.94 FEET; THENCE N 85° 26' 07" W, A DISTANCE OF 209.43 FEET; THENCE N 06° 16' 17" E, A DISTANCE OF 323.68 FEET; THENCE N 82° 19' 08" W, A DISTANCE OF 41.69 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 485.00 FEET, A CENTRAL ANGLE OF 31° 54' 13", A CHORD BEARING OF S 81° 43' 45" W, AND A CHORD LENGTH OF 266.58 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 270.06 FEET; THENCE N 24° 13' 21" W, A DISTANCE OF 60.00 FEET TO A POINT ON A

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NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 545.00 FEET, A CENTRAL ANGLE OF 31°54'13", A CHORD BEARING OF N 81°43'45" E, AND A CHORD LENGTH OF 299.56 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 303.47 FEET TO THE POINT OF TANGENCY; THENCE S 82°19'08" E, A DISTANCE OF 724.31 FEET; THENCE N 07° 40' 52" E, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 29.99 ACRES MORE OR LESS.

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. All development on the subject parcel (i.e., preliminary plans, site and development plans, final plats, and construction plans) shall comply with the Development Order for the Sarasota County Interstate Business Center Development of Regional Impact (DRI).
2. The Master Surface Water Management Plan shall be consistent with the Curry Creek Basin Master Plan.
3. All stormwater treatment shall be open and above ground, with the exception of 1) pervious pavement, or 2) other Low Impact Development (LID) alternatives approved under the Land Development Regulations.
4. The Owner will place .6 opacity landscaping in the buffer area along the south boundary of the easternmost parcel, separating the parcel from Blue Heron Pond's northern boundary.
5. The Owner shall construct an opaque wall or fence at least eight feet high from finished grade as part of the landscape buffer along the easternmost boundary of the property from the I-75 right-of-way south to the northern boundary of Blue Heron Pond subdivision. The wall or fence may be constructed of treated and painted wood or other finished material, except that plastic or pvc type materials may not be used. The wall or fence shall be finished and maintained on both sides. To allow the Board time to consider an amendment to Section 7.8.2 of the Zoning Regulations to allow a wall in excess of six feet from finished grade, no construction plan approval shall be submitted for this site for 90 days following the effective date of this ordinance. If the Board has not adopted an amendment that allows a height exceeding six feet, then the Owner may submit construction plans showing the wall six feet high.

Section 4. Effective Date. This Ordinance shall take effect upon receipt of acknowledgement by the Custodian of State Records and the receipt of the final agency action finding Comprehensive Plan Amendment No. 2013-D in compliance with law, the expiration of any applicable appeal period, or the resolution of any appeal, whichever is later.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 4<sup>th</sup> day of MARCH, 2014.

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: Delorah Diakatos  
Deputy Clerk

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