


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

Customer ID# 5223  
Charge to: Planning Services  
Account# 51810000500489

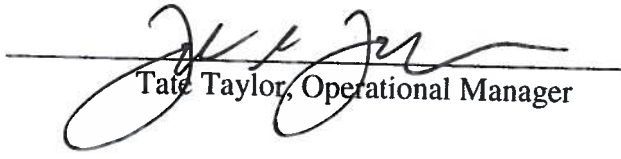
RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2014154494 7 PG(S)  
December 30, 2014 08:49:33 AM  
KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FL



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

The following property, located 4020 south Beneva Road in Sarasota County, Florida, owned by Myhre Properties, LLC, and described in Ordinance No. 2014-093 attached hereto, has been rezoned to a CG (Commercial, General) zone district pursuant to Rezone Petition No. 13-22 filed by Jeffery A. Boone, Esquire, Agent, and granted by Sarasota County on December 10, 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. 2014-093, 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 29<sup>th</sup> day of December, 2014.



  
Notary Public  
State of Florida at Large

This instrument prepared by:  
CMS



*atgntnuopraygms*



**FLORIDA DEPARTMENT of STATE**

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

December 12, 2014

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

Attention: Cheryl Dexter, Recording Secretary

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. 2014-093, which was filed in this office on December 12, 2014.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

**ORDINANCE NO. 2014-093**

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 FOR 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. 13-22, 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 CG (Commercial, General) zone district for the following described property located in Sarasota County, Florida:

A 1.35 ± ACRE AREA APPROXIMATELY 670 FEET SOUTH OF BEE RIDGE ROAD, WEST OF BENEVA ROAD. MORE SPECIFICALLY AT 4020 S. BENEVA ROAD, SARASOTA, FLORIDA 34239.

BOARD RECORDS  
FILED FOR THE RECORD  
2014 DEC 12 11 3: 3  
CLERK OF THE COUNTY  
SARASOTA COUNTY, FL

**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 shall be in substantial compliance with the Development Concept Plan dated September 23, 2014, and attached hereto as Exhibit "A". This does not imply or confer any variances from applicable zoning or land development regulations.
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 Environmental Protection Division through: 1) the Resource Management Plan for the project, or 2) specific written approval of hand removal of nuisance or exotic vegetation.
3. 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 Environmental Permitting.
4. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.
5. If underground stormwater facilities are to be utilized for stormwater management, then special engineering design features shall be included to minimize oils, suspended solids and other objectionable materials from entering the underground facilities.

**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 10 day of December, 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:   
Deputy Clerk



**EXHIBIT "A"**

**SITE DATA TABLE**

GROSS ACREAGE:	1.35± AC (58,980 SF)
PROPOSED BUILDING SF:	12,669 SF
# OF LOTS/PARCELS:	1
OPEN SPACE PROVIDED:	0.33± AC (14,412 SF)
OPEN SPACE REQUIRED:	N/A
EXISTING IMPERVIOUS AREA:	0.58 AC (25,080 SF)
PROPOSED IMPERVIOUS AREA:	1.02± AC (44,568 SF)
NET INCREASE IMPERVIOUS AREA:	0.44 AC (19,361 SF)
PROVIDED PARKING SPACES:	52 SPACES
REQUIRED PARKING SPACES:	51 SPACES
EXISTING/PROPOSED ZONING:	OPI TO CG
EXISTING/PROPOSED USE:	FUNERAL HOME TO COMMERCIAL/RETAIL

Received  
September 23, 2014

**PROPOSED SITE DESIGN (REQUIRED/PROVIDED)**

NORTH LANDSCAPE BUFFER:	0'/0' (CG TO CG)
EAST STREET BUFFER:	10'/10'
SOUTH LANDSCAPE BUFFER:	15'/15' (CG TO RSF3 W/ 6' WALL)
WEST LANDSCAPE BUFFER:	15'/15' (CG TO RSF3 W/ 6' WALL)

\*PLANT MATERIAL IN THE SOUTH BUFFER SHALL BE NATIVE PLANT MATERIAL TO SERVE AS WETLAND BUFFER ENHANCEMENT.

**LEGEND**

OPI:	OFFICE, PROFESSIONAL AND INSTITUTIONAL
CG:	COMMERCIAL GENERAL
RSF-3:	RESIDENTIAL SINGLE FAMILY
COM:	COMMERCIAL CENTER
MOD RES:	MODERATE DENSITY RESIDENTIAL (>2 AND <5 DU'S/ACRE)

**STORMWATER NOTE:**

PRETREATMENT AREAS ARE REQUIRED TO PREVENT DEBRIS AND SEDIMENT FROM REACHING THE UNDERGROUND STORMWATER MANAGEMENT SYSTEM. SPECIFIC DETAILS WILL BE SUBMITTED DURING SITE DEVELOPMENT REVIEW. ADDITIONAL METHODS SUCH AS LOW IMPACT DEVELOPMENT ALTERNATIVES AND PERVIOUS PAVEMENT.

**PARKING:**

REQUIRED:	1 SPACE/250 SF FLOOR AREA 12,669/250 = 51 SPACES
PROPOSED:	52 SPACES INCLUDES 3 ACCESSIBLE SPACES

02014-093