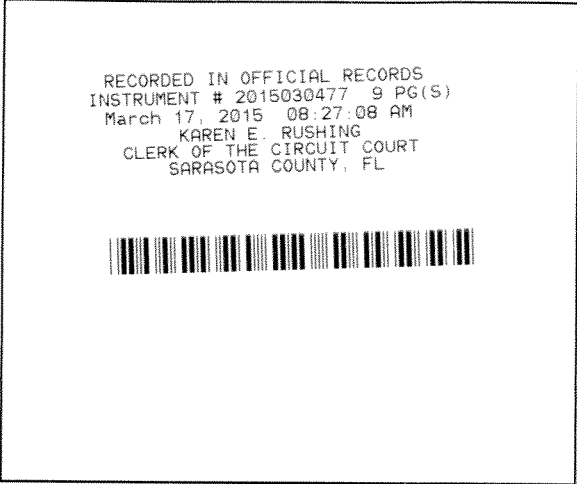


Please record and return to: (Via Inter-Office Mail)
Cynthia Spraggins, Administrative Specialist
Planning Services
1660 Ringling Blvd., 1st Floor
Sarasota, FL 34236

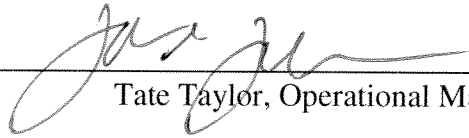
Customer ID# 5223
Charge to: Planning Services
Account# 51810000500489

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



The following property, located west of State Road 776 and east of Old Englewood Road in Sarasota County, Florida, owned by Richard Tasca, and described in Ordinance No. 2014-088 attached hereto, has been rezoned to a RSF-4/PUD (Residential, Single-Family, 5.5 units/acre/Planned Unit Development) zone district pursuant to Rezone Petition No. 14-14 filed by Brian Lichterman, Agent, and granted by Sarasota County on March 3, 2015 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. 2014-088 attached hereto)

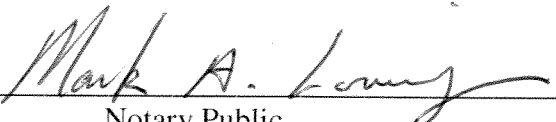

Tate Taylor, Operational Manager

**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 16th day of March, 2015.




Notary Public
State of Florida at Large

This instrument prepared by:
CMS

SECRET
SECRET
SECRET
SECRET





FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 6, 2015

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. 2014-088, which was filed in this office on March 5, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ORDINANCE NO. 2014-088

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.

FILED FOR THE CLERK OF THE COUNTY COURT
SARASOTA COUNTY, FLORIDA
MAY 15 2014

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. 14-14, 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 OUE-2 (Open Use, Estate, 1 unit/ 2 acres) to RSF-4/PUD (Residential, Single-Family, 5.5 units/ acre/Planned Unit Development) zone district with OPI commercial uses for the following described property located in Sarasota County, Florida:

West of State Road 776 and East of Old Englewood Road, and being more particularly described as follows:

Begin at the intersection of the North line of Pine Ridge Development, recorded in Plat Book 29, Pages 13 & 13A, Public Records of Sarasota, Florida County, and the East Right of Way line of Old Englewood Road, said R/W line being 40.0 feet East of the West line of Section 24, Township 40 South, Range 19 East, as shown on Road Plat Book 4, Page 19, Public Records of Sarasota County, Florida; thence N.0°41'56"E. along said R/W line, 879.31 feet to the P.C. of a curve to the right having a radius of 190.0 feet; thence Northeasterly along Right of Way line, as described in O.R. Book 2700, Page 1832, Public Records of Sarasota County, Florida and along said curve, through a central angle of 45°38'12", an arc distance of 151.34 feet (chord = N.23°31'02"E., 147.37 feet,) to the intersection with the S.W. 'ly Right of Way line of State Road 776; thence S.42°24'21" E. along said R/W line (as described in O.R. Book 207, Page 317, and in O.R. Book 2751, Page 1451, Public Records of Sarasota County, Florida), 158.59 feet; thence S37°49'56"E. along said R/W line of State Road 776, a distance of 563.93 feet; thence S.52°10'04"W. along said R/W line, 40.00 feet; thence S37°49'56"E. along said R/W line, 70.00 feet; thence N.52°10'04"E. along said R/W line, 40.00 feet; thence S.37°49'56"E. along said R/W line, 526.77 feet to its intersection with aforesaid North boundary line of Pine Ridge Development; thence N.88°44'44"W. along said North line of Pine Ridge Development, 888.61 feet to the Point of Beginning. Lying and being in the N.W.1/4 of N.W.1/4 of Section 24, Township 40 South, Range 19 East, Sarasota County, Florida. Containing 11.0743 acres of land. SUBJECT to Right of Way EASEMENT of 100 feet from centerline of Old Englewood Road, to Trustees of Internal Improvement Fund, as recorded in Deed Book 178, Page 113, 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 shall take place in substantial accordance with the Binding Development Concept Plan, date-stamped Received, February 3, 2015, and attached hereto as Exhibit "A", except as necessary to comply with the stipulations herein. This does not imply or confer any variances from applicable zoning or land development regulations.
2. Development of the subject parcel shall be consistent with all applicable conditions of the S.R. 776 Corridor Plan (Ordinance No. 2003-049) .
3. The access location along SR 776 from the subject parcel shall be limited to right-in/right-out only.
4. The Owner shall construct a southeast to southwest right-turn lane at the subject parcel's access on SR 776. The improvement shall be included in the construction plans for the

development. The improvement is subject to FDOT approval.

5. Prior to or concurrent with the development of the subject parcel, the Owner shall construct a southeast to northwest left-turn lane at the intersection of SR 776 and Charleston Circle. The turn lane shall be designed in accordance with Indexes 301 and 526 of the Florida Department of Transportation's Roadway and Traffic Design Standards. The improvement shall be included in the construction plans for the development. The improvement is subject to FDOT approval.
6. Prior to or concurrent with the development of the subject parcel, the Owner shall construct an ADA Accessible bus stop pad, shelter and bicycle racks. The transit amenities shall be connected to the public sidewalk and adjacent developments. The exact location and design of the facility will be determined during the Site and Development review process in coordination with SCAT.
7. 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 the 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.
8. Proposed minor impacts to the on-site wetland (± 0.70 ac) consistent with the loss of defined environmental values and unavoidable impacts necessitated by infrastructure requirements as shown on Sheet A-3, dated received by Environmental Protection Division February 3 2015, may be allowed if deemed consistent with LDR Environmental Technical Manual Section B.2. by the Environmental Protection Division.
9. The Master Surface Water Management Plan shall be consistent with the Forked Creek and the Gottfried Creek Basin Master Plans.
10. 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.
11. There shall be a minimum 15 foot wide, 0.3 opacity landscape buffer provided along the south boundary of the subject property. The Owner shall install a 6 foot masonry wall in the middle of the 15 foot wide buffer prior to any building permits being approved by Sarasota County.
12. The site will be landscaped with Florida Friendly Landscape materials. The retention ponds shall be planted with a vegetated shoreline buffer.

13. Notice shall be provided to homeowners at the time of closing of proximity to Buchan Airport.

Section 4. Modifications. Pursuant to Article 6.11.2.f of the Sarasota County Zoning Ordinance, the Board approves the following PUD modifications:

1. Modification from Section 6.11.2.a., PUD Overlay District Dimensional Table to allow up to 10 percent of OPI uses only within the RSF-4/PUD.
2. Modification from Section 6.11.2.d.1., PUD Commercial Standards, to allow for the OPI uses located within the PUD to serve both the needs of the PUD and the needs of the surrounding area.
3. Modification from Section 6.11.2.d.2 requiring location and orientation of OPI uses only towards the interior of the project and not located on exterior streets, to allow location and orientation of OPI uses toward exterior streets.

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 3rd day of March, 2015.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Carolyn J. Mason
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: Chris Mason
Deputy Clerk

EXHIBIT "A"
February 3, 2015

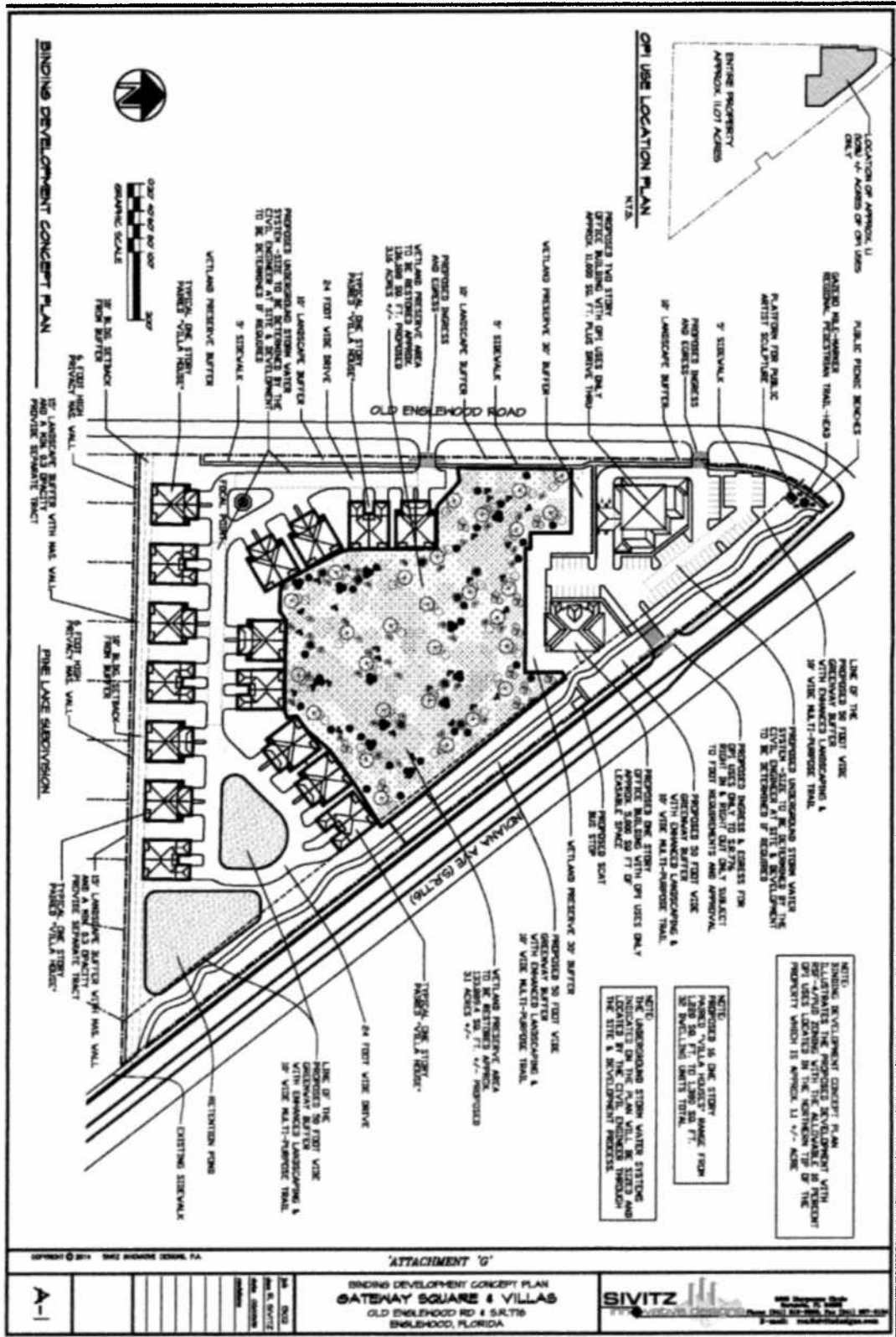


EXHIBIT "A"
February 3, 2015

THE PARKING CALCULATIONS ARE AS FOLLOWS:

NORTHERN PORTION OF PROPERTY:
THE NORTHERN PORTION OF THE PROPERTY SHALL HAVE A ONE STORY OFFICE BUILDING WITH APPROX. 5,000 SQ. FT. REQUIRING 20 PARKING SPACES CALCULATED AT 1 SPACE PER 250 SQ. FT.

THE NORTHERN PORTION OF THE PROPERTY SHALL ALSO HAVE A TWO STORY OFFICE BUILDING WITH APPROX. 11,000 SQ. FT. OF LEASABLE SPACE PER 250 SQ. FT.

REQUIRED PARKING SPACES FOR THE NORTHERN PORTION = 64 SPACES

SOUTHERN PORTION OF PROPERTY:
THE SOUTHERN PORTION OF THE PROPERTY SHALL HAVE 18 ONE STORY DWELLING UNITS PER EACH DWELLING UNIT. EACH DWELLING UNIT SHALL HAVE 2 REQUIRED PARKING SPACES TO BE LOCATED IN A TWO CAR GARAGE FOR EACH WITH A DRIVEWAY ALLOWING FOR 2 ADDITIONAL SPACES FOR GUESTS. THERE WILL BE A TOTAL OF 64 PARKING SPACES PROVIDED FOR THE 32 DWELLING UNITS.

REQUIRED PARKING SPACES FOR THE SOUTHERN PORTION = 64 SPACES

THE TOTAL REQUIRED PARKING SPACES FOR THE COMBINED NORTHERN AND SOUTHERN PORTION OF THE PROPERTY IS 128 PARKING SPACES.

NOTE NO. 1:
THE TOTAL GREENWAY BUFFER EXTENDS ALONG THE FULL FRONTAGE OF THE PROPERTY ALONG SECTION 5S PERMITTED BY THE S.R. 716 CORRIDOR PLAN.

NOTE NO. 2:
THE GREENWAY SHALL BE REQUIRED TO BE 40' WIDE AND SHALL BE CONSIDERED AS A CLUSTER SUBDIVISION POINT FOR THE CLUSTER SUBDIVISION SHALL BE A GARAGE.

NOTE NO. 3:
THE TOTAL PROPERTY AREA IS APPROXIMATELY 489,321.7 SQ. FT. THE PROPOSED REQUIRED OPEN SPACE INCLUDES THE HEDLAND AND BUFFER AREAS WITHIN 20 FEET OF THE PROPOSED BUILDING STRUCTURES WHICH IS APPROXIMATELY 145,742 SQ. FT. AND THE BUFFER AREAS OF THE AVERAGE GREENWAY BUFFER ALONG THE TOTAL PROPERTY FRONTAGE WHICH IS APPROXIMATELY 15,000 SQ. FT. THE TOTAL REQUIRED OPEN SPACE IS APPROXIMATELY 206,784 SQ. FT. WHICH IS APPROXIMATELY 42 PERCENT OF OPEN SPACE. NOTE: 50 PERCENT IS REQUIRED.

NOTE:
THE UNDERGROUND STORM WATER SYSTEMS INDICATED ON THE PLAN WILL BE SIZED AND LOCATED BY THE CIVIL ENGINEER THROUGH THE SITE & DEVELOPMENT PROCESS IF REQUIRED.

SITE DATA FOR BINDING D.C.P.	
EXISTING SITE AREA:	APPROX. 11.07 ACRES (47) (489,321.7 SQ. FT.)
EXISTING ZONING:	VACANT / DISTURBED WETLAND
PROPOSED ZONING:	ONE-2 (OPEN USE ESTATE, 1-DWELLING UNIT PER 2 ACRES)
PROPOSED USES:	RSF-4/RUD ZONING (RESIDENTIAL SINGLE FAMILY, 5.5 DWELLING UNITS PER ACRE/PLANNED UNIT DEVELOPMENT)
PROPOSED RESIDENTIAL DENSITY:	24 DWELLING UNITS PER ACRE (6 PAIRED VILLA HOUSES, .33 TOTAL DWELLING UNITS PER ACRE)
PROPOSED PARKING:	20 PARKING SPACES SHALL BE PROVIDED FOR THE PROPOSED ONE STORY OFFICE BUILDING & 44 PARKING SPACES SHALL BE PROVIDED FOR THE PROPOSED TWO STORY OFFICE BUILDING
TOTAL PROPOSED PARKING:	128 TOTAL PARKING SPACES ARE REQUIRED AND 128 SPACES ARE PROVIDED TO BE DETERMINED
IMPERVIOUS AREA:	(30% REQUIRED) APPROX. 40% +/- OF OPEN SPACE IS PROVIDED
MAXIMUM BUILDING HEIGHT:	THE PROPOSED ONE STORY OFFICE BUILDING AND THE PROPOSED TWO STORY OFFICE BUILDING SHALL MEET THE REQUIRED HEIGHTS AS PER THE ZONING CODE. THE 16 PAIRED VILLA HOUSES SHALL BE LIMITED TO ONE STORY PLUS ALLOWABLE ROOF TOP ARCHITECTURAL STYLE
ARCHITECTURAL STYLE:	KEY WEST ARCHITECTURAL STYLE
REQUESTED RUD MODIFICATIONS:	1. MODIFICATION FROM SECTION 611.2.2 RUD ORIENT. DISTRICT DIMENSIONAL TABLE TO ALLOW UP TO 10 PERCENT OF OPEN USES ON RSF-4/RUD. THIS IS CONSISTENT WITH CONDITIONS 5A AND 5C OF THE S.R. 716 CORRIDOR PLAN. 2. MODIFICATION FROM SECTION 611.2.4 RUD COMMERCIAL STANDARDS TO ALLOW FOR THE OPEN USES LOCATED IN THE RUD TO SERVE BOTH THE NEEDS OF THE RUD AND THE NEEDS OF THE SURROUNDING AREA. 3. MODIFICATION FROM SECTION 611.2.4.2 REGARDING LOCATION AND ORIENTATION OF OPEN USES ONLY TOWARDS THE INTERIOR OF THE RUD AND TO BE LOCATED ON PARKING STREETS TO ALLOW LOCATION AND ORIENTATION OF OPEN USES TOWARD EXTERIOR STREETS.

'ATTACHMENT G'

SITE DATA FOR BINDING DEVELOPMENT CONCEPT PLAN
GATEWAY SQUARE & VILLAS
OLD ENGLEWOOD RD & SR 716
ENGLWOOD, FLORIDA

SIVITZ
PLANNING & ARCHITECTURE

DATE: 02/03/15
BY: [Signature]
CHECKED: [Signature]
SCALE: AS SHOWN
PROJECT NO: [Number]

SHEET NO: **A-2**

EXHIBIT "A"
February 3, 2015

