

Please record and return to: (Via Inter-Office Mail)

Cynthia Spraggins, Administrative Specialist

Planning Services

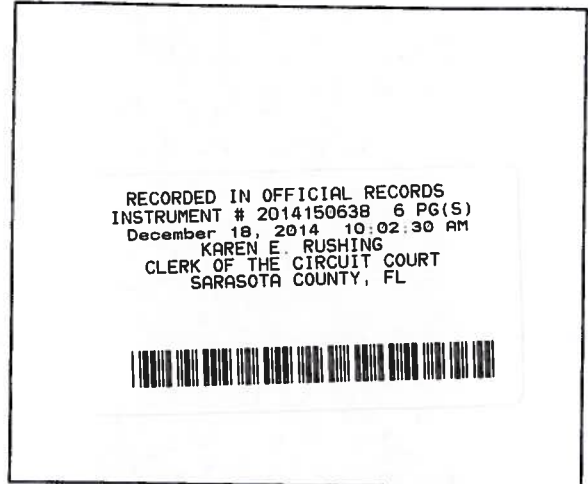
1660 Ringling Blvd., 1st Floor

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 at the Northeast quadrant of U.S. 41 and Old Venice Road in Sarasota County, Florida, owned by The Ryland Group, Inc., and described in Ordinance No. 2014-091 attached hereto, has been rezoned to an RSF-2 (Residential, Single Family, 3.5 units/acre) zone district pursuant to Rezone Petition No. 14-23 filed by Heath Johnson, P.E., Agent, and granted by Sarasota County on December 9, 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. 2014-091



 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 17th day of December, 2014.




 Notary Public
 State of Florida at Large

This instrument prepared by:
 CMS



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. 2014-091, which was filed in this office on December 12, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ORDINANCE NO. 2014-091

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.

FILED FOR THE RECORD
2014 DEC 12 PM 2:02
HARVEY E. QUINN, CLERK OF THE COUNTY, FLORIDA
SARASOTA, FL

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. 14-23, 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 OUE-2 (Open Use, Estate, 1 unit/2 acres) to RSF-2 (Residential, Single-Family, 3.5 units/acre) zone district for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being located in the northeast quadrant of U.S. 41 and Old Venice Road and being more particularly described as follows:

THE NORTH 1/2 OF THE NORTH 1/2 OF THE NW 1/2 OF THE NW 1/4 OF SECTION 14, TOWNSHIP 38 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY FOR OLD VENICE ROAD AS DESCRIBED IN R.P.B. 3, PAGE 33 AND LESS THAT PORTION OF ABOVE DESCRIBED PROPERTY CONVEYED TO SARASOTA COUNTY BY FEE SIMPLE DEED RECORDED IN OFFICIAL RECORDS BOOK 2359, PAGE 1414, 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:

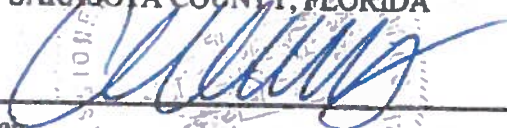
1. Prior to or concurrent with the final plat, the Owner shall record a cross access easement to the parcel (Parcel F) to the south, in a form acceptable to the County Attorney, consistent with the U.S. 41/Blackburn Point Road Sector Plan. The driveway connection shall be included in the construction plans for the project.
2. Development on the subject parcel shall be consistent with the Conditions for Development Approval contained in the U.S. 41/Blackburn Point Road Sector Plan, No. 89-02-SP, Ordinance No. 93-007.
3. A minimum of 1.6 acres of existing on-site native habitat shall be conserved within separate tracts during the site and development plan review. Development shall be designed to optimize habitat connectivity and minimize habitat fragmentation.
4. The pine flatwoods conservation area shall be maintained in accordance with management guidelines contained within the Comprehensive Plan as a conservation area and labeled as a conservation area 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 conservation 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.
5. The Master Surface Water Management Plan shall be consistent with the South Creek Basin Master Plan.

6. All stormwater treatment shall be open and above ground.
7. Pedestrian access from all residences on the subject property shall be provided along both Old Venice Road and in a location near the center of the property heading south, with the purpose of providing a pedestrian access to the U.S. 41/Blackburn Point activity center uses to the south.
8. There shall be a minimum 10 foot wide, 0.3 percent opacity landscape buffer provided along the Old Venice Road property frontage.
9. The maximum height of all structures shall not exceed two stories in height.
10. The site will be landscaped with Florida Friendly Landscape materials. The retention ponds shall be planted with a vegetated shoreline buffer.
11. Notice shall be provided to homeowners at the time of closing of proximity to the Oscar Scherer State Park, and the Industrial Light Warehouse zoned property to the south of the subject parcel.

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 9th 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