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

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2016040396 10 PG(S)
April 05, 2016 10:02:51 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 east of Pine Street and south of Morningside Drive, Englewood, in Sarasota County, Florida, owned by Rick A. Tromble and Michele M. Tromble, Tromble Land Company, LLC., and described in Ordinance No. 2016-011 attached hereto, has been rezoned to a RSF-1 (Residential, Single-Family, 2.5 units/acre) zone district pursuant to Rezone Petition No. 14-24 filed by Clint R. Cuffle, P.E., Agent, and granted by Sarasota County on March 8, 2016, 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. 2016-011, 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 4th day of April, 2016.

NICOLE S. SAMPSON
MY COMMISSION # FF 018898
EXPIRES: May 16, 2017
Bonded Thru Notary Public Underwriters

Notary Public
State of Florida at Large

To correct instrument #2016034274 Stips Notice referenced wrong Ordinance#.
This instrument prepared by:
CMS

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

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2016034274 9 PG(S)
March 23, 2016 08:41:04 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 east of Pine Street and south of Morningside Drive, Englewood, in Sarasota County, Florida, owned by Rick A. Tromble and Michele M. Tromble, Tromble Land Company, LLC., and described in Ordinance No. ~~2015~~-011 attached hereto, has been rezoned to a RSF-1 (Residential, Single-Family, 2.5 units/acre) zone district pursuant to Rezone Petition No. 14-24 filed by Clint R. Cuffle, P.E., Agent, and granted by Sarasota County on March 8, 2016, 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. ~~2015~~-011, 2016 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 22nd day of March, 2016.

NICOLE S. SAMPSON
MY COMMISSION # FF 018898
EXPIRES: May 16, 2017
Bonded Thru Notary Public Underwriters

Notary Public
State of Florida at Large

This instrument prepared by:
CMS

FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 10, 2016

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. 2016-011, which was filed in this office on March 10, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6270 • Facsimile: (850) 488-9879
www.dos.state.fl.us

ORDINANCE NO. 2016-011

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.

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. 14-24, 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-1 (Open Use, Estate, 1 unit/5 acres) to RSF-1 (Residential, Single-Family, 2.5 units/ acre) zone district for the following described property located in Sarasota County, Florida:

East of Pine Street and South of Morningside Drive, and being more particularly described as follows:

O2016-011

1) 0856040001

Parcel Description: NW 1/4 OF NW 1/4 OF SW 1/4 LESS W 40 FT & LESS N 30 FT FOR ROW

2) 0856030007

Parcel Description: NE 1/4 OF NW 1/4 OF SW 1/4 IN SEC 32-40-20, LESS E 312.75 FT THEREOF, ALSO LESS N 30 FT FOR R/W, CONTAINING 5.7326 AC M/L

3) 0856030008

Parcel Description: E 312.75 FT OF NE 1/4 OF NW 1/4 OF SW 1/4 IN SEC 32-40-20, LESS N 30 FT FOR R/W, CONTAINING 5.0262 AC M/L

4) 0856030005

Parcel Description: WLY 311 FT OF NW 1/4 OF NE 1/4 OF SW 1/4 OF SEC 32-40-20, LESS N 30 FT FOR R/W, CONTAINING 5 C-AC M/L

5) 0856030006

Parcel Description: NW 1/4 OF NE 1/4 OF SW 1/4 OF SEC 32-40-20, LESS WLY 311 FT THEREOF, LESS N 30 FT FOR R/W, CONTAINING 5.7 C-AC M/L

6) 0856030004

Parcel Description: W 1/2 OF NE 1/4 OF NE 1/4 OF SW 1/4 & E 1/2 OF NE 1/4 OF NE 1/4 OF SW 1/4 LESS E 300 FT THEREOF CONTAINING 6.2 C-AC M/L OR 1190/1012

7) 0856030001

Parcel Description: E 300 FT OF E 1/2 OF NE 1/4 OF NE 1/4 OF SW 1/4 OF SEC 32-40-20 LESS N 455 FT, CONTAINING 1.912 C-AC M/L

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. The petition shall comply with the Pine Street, Dearborn Street, and South River Road Sector Plan (No. 89-01-SP) - Ordinance No. 93-059.

2. Development shall be limited to a maximum of 71 dwelling units on the subject property with the twelve (12) single family lots along the buffer nearest Morningside Drive (Lots 1- 12) shall have lot widths of a minimum of 110 feet. Lot I may be relocated east of the emergency access connector at the option of the Developer.

3. Prior to or concurrent with the development of the subject parcel, the developer shall construct a southbound to eastbound left-turn lane at the intersection of Pine Street and the project driveway. 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.

4. Access to Pine Street may be restricted to right-in/right-out by the County, but only when Pine Street is improved as a two (2) lane divided facility with four-foot wide bicycle lanes or widened as a four (4) lane roadway.

5. An ADA accessible bus shelter, pad and path connecting the pavement of Pine Street to the pad and public sidewalk shall be included in the construction plans for the project and constructed concurrently with development of the parcel. The shelter shall be a standard SCAT Brasco Shelter (TL412). The pad shall be concrete and a minimum of 145 square feet to accommodate the shelter, and shall include rack space for two bicycles. The County Engineer may approve alternative designs that are of equivalent durability, capacity, and safety.

6. A minimum of 11.9 acres of existing on-site native habitat shall be preserved and conserved within separate tracts during the site and development plan review. Development shall be designed to optimize habitat connectivity and minimize habitat fragmentation.

7. The wetlands associated upland vegetative buffers 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 : I) the Resource Management Plan for the project, or 2) specific written approval of hand removal of nuisance or exotic vegetation.

8. A buffer shall be provided along the project's north boundary (Morningside Drive) which shall meet the following requirements:
    a. be a minimum of 20 feet in width,
    b. be planted with vegetation having a minimum opacity of 0.7, and
    c. include a minimum 6-foot high fence.

02016-011

9. A minimum 20-foot wide open space area shall be provided between the buffer along Morningside Drive and all the northernmost lots within the project.

10. All buildings within the project shall be setback a minimum of 50 feet from Morningside Drive.

11. The buffer along the project's east boundary shall be a minimum of 20 feet in width.

12. Vehicular access to Morningside Drive shall be fully constructed to street standards, but access shall be limited to a secondary emergency access. In the event access to Pine Street is limited to right in/right out in accordance with Stipulation 4, the County may need to open this access to a full public access. The location of the emergency access to Morningside Drive shall be substantially in the location shown on the Binding Development Plan, provided, however, such access can be exchanged in location with Lot 1.

13. The Declaration of Restrictions to be recorded concurrently with the first Final Plat shall include a "Notice of Proximity to Agricultural Uses" statement putting purchaser of lots within the project on notice that lands north of Morningside Drive are zoned Open Use Estate under the County Zoning Regulations and, as such, can contain farming uses and related agricultural activities.

14. The xeric hammock and pine flatwoods conservation areas shall be maintained in accordance with management guidelines contained within the Comprehensive Plan as conservation areas and labeled as conservation areas 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.

15. The Master Surface Water Management Plan shall be consistent with the Gottfried Creek and Ainger Basin Master Plans.

16. There shall be an approximately 0.42 acre native habitat preservation area northwest of Lot 13.

17. Development shall take place in substantial accordance with the Binding Development Concept Plan, dated, July 25, 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.

18. Vehicular access to Morningside Drive shall be restricted as an emergency access only, until such time as the primary access to Pine Street is restricted to right-in/right-out only. The access connection shall be designed to local road standards.

O2016-011

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 8 day of March, 2016.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Chair

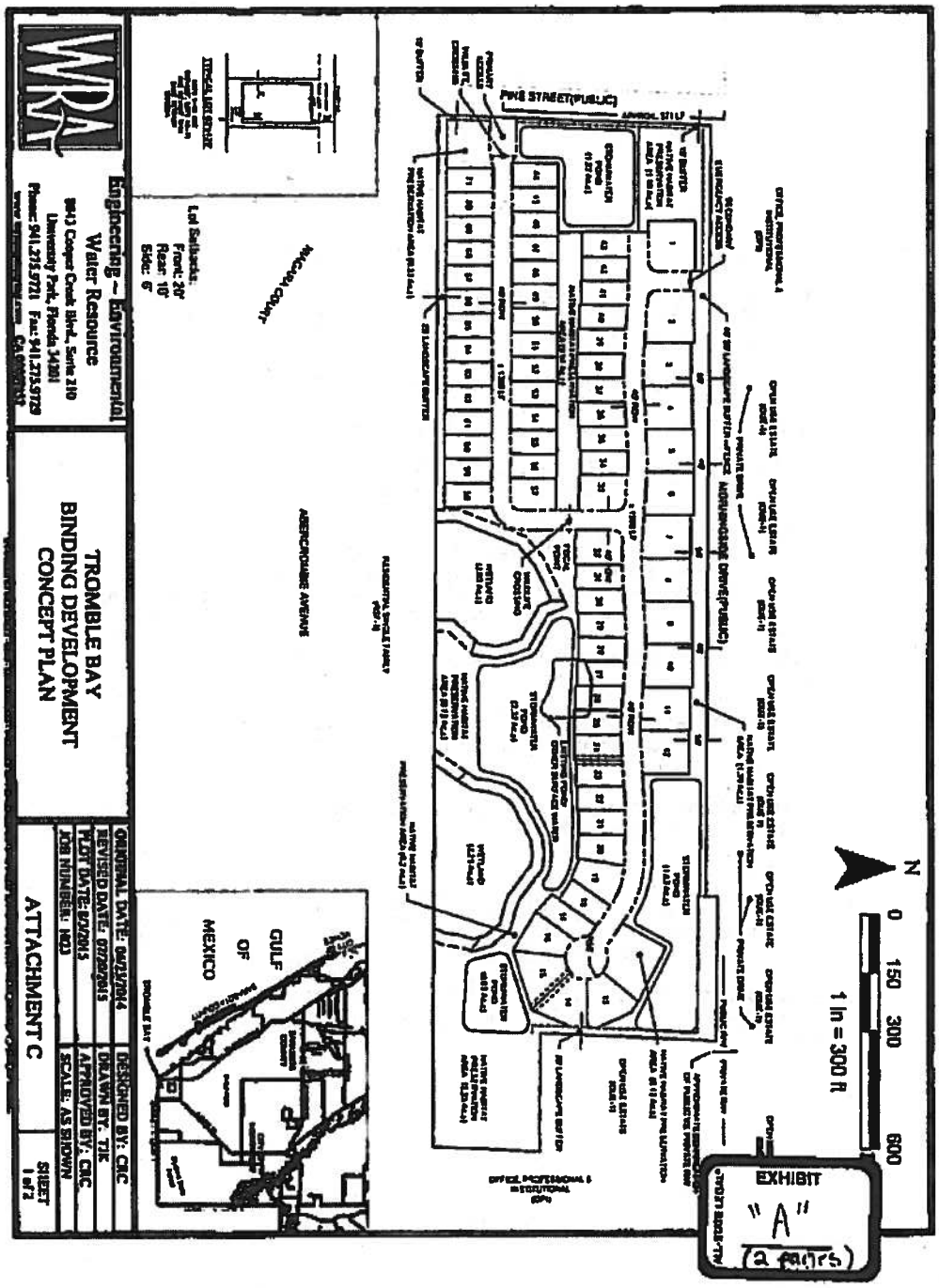
ATTEST:

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

02016-011

EXHIBIT "A"
BINDING DEVELOPMENT CONCEPT PLAN
JULY 25, 2015



02016-011

EXHIBIT "A"
BINDING DEVELOPMENT CONCEPT PLAN
JULY 25, 2015

SITE DATA SUMMARY

1. PROPERTY ADDRESS:
   727 MORNINGSIDE DRIVE, ENGLEWOOD FL. 34223

2. TOTAL REZONE SITE AREA: 1,725,847 SF OR 39.62 ACRES

3. FUTURE LAND USE PLAN: LOW DENSITY RESIDENTIAL

4. EXISTING ZONING: OUE-1 (OPEN USE, ESTATE, 1 DWELLING UNIT PER 5 ACRES)

5. PROPOSED REZONING: RSF-1 (RESIDENTIAL, SINGLE FAMILY, 2.5 DWELLING UNITS PER ACRE), FURTHER LIMITED TO <2 DWELLING UNTIS PER ACRE BY LOW DENSITY RESIDENTIAL FUTURE LAND USE

6. EXISTING USE: SINGLE FAMILY RESIDENCE / HORSE STABLES

7. PROPOSED USE: 71 SINGLE FAMILY LOTS - CLUSTERED SUB (1.79 UN/AC)

8. UTILITIES: WATER – ENGLEWOOD WATER DISTRICT
   SEWER – ENGLEWOOD WATER DISTRICT

9. SURROUNDING LAND USES/ZONING:
   NORTH: OUE-1 (OPEN USE ESTATE, 1 UNIT PER 5 ACRES)
   SOUTH: RSF-1 RESIDENTIAL, SINGLE FAMILY (2.5 UNIT PER ACRE)
   EAST: OPI – OFFICE, PROFESSINAL INSTITUTIONAL (9 UNITS PER ACRE)
   WEST: RE-2-RESIDENTIAL, ESTATE (1 UNIT PER ACRE)

10. ROADWAYS: PINE STREET AND MORNINGSIDE DRIVE (BOTH PUBLIC)

11. OPEN SPACE:
    A. *OPEN SPACE REQUIRED: 11.820 AC (30%)
    B. **NATIVE OPEN SPACE PROVIDED: 11.825 AC (30%)
    C. OPEN SPACE PROVIDED: 21.29 AC (54%)

12. FOCAL POINT: GAZEBO AROUND NATURAL WETLAND AND NATURE AREAS (NATIVE HABITAT) – 1% MINIMUM

13. IMPERVIOUS SURFACES
    A. EXISTING IMPERVIOUS AREA = 1.12AC
    B. EXISTING IMPERVIOUS TO BE REMOVED = 1.12AC
    C. NEW IMPERVIOUS AREA = 18.33 AC
    D. TOTAL NET IMPERVOUS AREA = 15.4AC OR 0.2 AC/LOT

* OPEN SPACE REQUIRED TO BE WETLANDS AND NATIVE HABITAT UP TO 30%.
** INCLUDES WETLAND, WETLAND BUFFERS, HAMMOCKS, AND PINE FLATWOOD AREAS DELINEATED ON PLAN.

02016-011