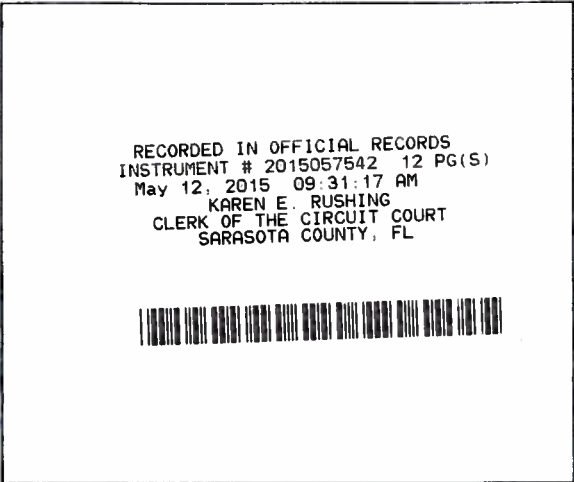


Please record and return to: (Via Inter-Office Mail)  
Cynthia Spraggins, Administrative Specialist  
Planning Services  
1660 Ringling Blvd., 1<sup>st</sup> Floor  
Sarasota, FL 34236


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



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

The following property, located west of Interstate 75, south of Clark Road, and west of Honore Avenue in Sarasota County, Florida, owned by McCann Holdings, LTD., and described in Ordinance No. 2015-012 attached hereto, has been rezoned to an RSF-1 (Residential Single-Family/Planned Unit Development, 2.5 units/acre) zone district pursuant to Rezone Petition No. 14-27 filed by James A. Paulmann, FAICP, Agent, and granted by Sarasota County on April 21, 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 4 of Ordinance No. 2015-012 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 11<sup>th</sup> day of May, 2015.

  
Notary Public  
State of Florida at Large

This instrument prepared by:  
CMS





## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

May 4, 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. 2015-012, which was filed in this office on May 4, 2015.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

**ORDINANCE NO. 2015-012**

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 Rezone Petition No. 14-27, 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 for approximately 103 acres from OUE-1 (Open Use Estate, 1 unit/5 acres) to RSF-1/PUD (Residential Single-Family/Planned Unit Development, 2.5 units/acre) zone district for the following described property located in Sarasota County, Florida:

A parcel of land lying in Sections 1 and 2, Township 38 South, Range 18 East, Sarasota County, Florida, and being more particularly described as follows:

BOARD RECORDS  
FILED FOR THE RECORDS  
2015 MAY -4 AM 9:00  
MAREN E. TUSHNETT  
CLERK OF THE CIRCUIT COURT  
SARASOTA

BEGIN AT THE NORTHWEST CORNER OF SAID SECTION 1, RUN ALONG THE NORTH BOUNDARY OF SAID SECTION 1, BEING IN PART THE SOUTH BOUNDARY OF SILVER OAK, UNIT 2A, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 42, PAGE 3, AND IN PART THE SOUTH BOUNDARY OF SILVER OAK, UNIT 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 43, PAGE 18, BOTH OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, S.89°45'37"E., 1519.57 FEET TO A POINT OF CURVATURE; THENCE ALONG SAID SOUTH BOUNDARY OF SILVER OAK, UNIT 3, THE FOLLOWING FIVE (5) COURSES: 1) EASTERLY, 278.75 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 830.00 FEET AND A CENTRAL ANGLE OF 19°14'33" (CHORD BEARING S.80°08'21"E., 277.44 FEET) TO A POINT OF REVERSE CURVATURE; 2) EASTERLY, 134.69 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1420.00 FEET AND A CENTRAL ANGLE OF 05°26'04" (CHORD BEARING S.73°14'06"E., 134.64 FEET) TO A POINT OF REVERSE CURVATURE; 3) SOUTHEASTERLY, 91.08 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 235.00 FEET AND A CENTRAL ANGLE OF 22°12'22" (CHORD BEARING S.64°50'57"E., 90.51 FEET) TO A POINT OF REVERSE CURVATURE; 4) EASTERLY, 421.25 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 215.00 FEET AND A CENTRAL ANGLE OF 112°15'36" (CHORD BEARING N.70°07'26"E., 357.03 FEET) TO A POINT ON AFORESAID NORTH BOUNDARY OF SECTION 1; 5) ALONG SAID NORTH BOUNDARY OF SECTION 1 S.89°45'37"E., 272.33 FEET TO THE SOUTHEAST CORNER OF AFORESAID SILVER OAK, UNIT 3, ALSO BEING THE NORTHWEST CORNER OF HONORE AVENUE (VARIABLE WIDTH RIGHT OF WAY), PER WARRANTY DEED TO SARASOTA COUNTY, RECORDED IN OFFICIAL RECORDS INSTRUMENT NUMBER 2014029026, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG THE WEST RIGHT OF LINE OF SAID HONORE AVENUE, THE FOLLOWING THREE (3) COURSES: 1) S.00°14'52"W., 309.91 FEET; 2) S.89°45'08"E., 15.00 FEET TO A POINT ON A NON-TANGENT CURVE; 3) SOUTHERLY, 851.23 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 1490.00 FEET AND A CENTRAL ANGLE OF 32°43'59" (CHORD BEARING S.16°07'08"E., 839.70 FEET); THENCE S.58°40'06"W., 70.64 FEET; THENCE N.73°25'10"W., 134.93 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY, 55.62 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 183.31 FEET AND A CENTRAL ANGLE OF 17°23'09" (CHORD BEARING S.48°10'18"W., 55.41 FEET) TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY, 126.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 620.51 FEET AND A CENTRAL ANGLE OF 11°39'46" (CHORD BEARING S.45°18'36"W., 126.09 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE WESTERLY, 293.17 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 454.00 FEET AND A CENTRAL ANGLE OF 36°59'54" (CHORD BEARING S.69°38'26"W., 288.10 FEET) TO A POINT OF REVERSE CURVATURE; THENCE WESTERLY, 68.09 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 146.00 FEET AND A CENTRAL ANGLE OF 26°43'20" (CHORD BEARING S.74°46'43"W., 67.48 FEET) TO A POINT OF TANGENCY; THENCE S.61°25'03"W., 705.86 FEET; THENCE S.78°13'01"W., 968.29 FEET; THENCE N.11°46'59"W., 120.11 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE WESTERLY, 134.98 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING

A RADIUS OF 500.00 FEET AND A CENTRAL ANGLE OF 15°28'04" (CHORD BEARING S.87°09'02"W., 134.57 FEET) TO A POINT OF NON-TANGENCY; THENCE S.78°22'06"W., 362.39 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SEMINOLE GULF RAILWAY (100-FOOT RIGHT OF WAY); THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, N.11°46'59"W., 1906.46 FEET TO A POINT ON THE NORTH BOUNDARY OF AFORESAID SECTION 2, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF AFORESAID SILVER OAK, UNIT 2A; THENCE ALONG SAID NORTH BOUNDARY OF SECTION 2, ALSO BEING AFORESAID SOUTH BOUNDARY OF SILVER OAK, UNIT 2A, N.89°50'47"E., 268.11 FEET TO THE POINT OF BEGINNING.

**Section 3. Modifications.** Pursuant to Article 6.11.2.f of the Sarasota County Zoning Ordinance, the Board approves the following PUD modifications:

1. Pursuant to Section 6.11.2.f of the Sarasota County Zoning Regulations, a modification from the Land Development Regulations (Subdivision Technical Manual, Section A. Subdivision Design Criteria, 2. Lots, d. Access, and Development Improvements Technical Manual, Section B, Right-of-way, Accessways & Parking Areas, 1. On-site Accessways & Parking Area Improvements, a. Accessways & Accessway Width) is granted to allow one fully functional access point and one emergency access point for development over 100-units, in locations shown on the Development Concept Plan.
2. Pursuant to Section 6.11.2.f of the Sarasota County Zoning Regulations, a modification from the Land Development Regulations (Subdivision Technical Manual, Section A. Subdivision Design Criteria, 2. Lots, d. Access, and Development Improvements Technical Manual, Section B, Right-of-way, Accessways & Parking Areas, 1. On-site Accessways & Parking Area Improvements, a. Accessways & Accessway Width) is granted to allow reduction in the required emergency access road width from 20 to 16 feet in width in a 30 foot wide easement.
3. Pursuant to Section 6.11.2.f of the Sarasota County Zoning Regulations, a modification from the Land Development Regulations (Subdivision Technical Manual, Section A. Subdivision Design Criteria, 3. Streets, b. Cul-de-Sacs) is granted to allow a cul-de-sac street in excess of 1,500 feet in length, in location shown on the Development Concept Plan.
4. Pursuant to Section 6.11.2.f of the Sarasota County Zoning Regulations, a modification from the Land Development Regulations (Subdivision Technical Manual, Section A. Subdivision Design Criteria, 3. Streets, c. Private Streets) is granted to reduce the width of private cul-de-sac streets from 30 to 20 feet in width.
5. Pursuant to Section 6.11.2.f of the Sarasota County Zoning Regulations, a modification from the Land Development Regulations (Subdivision Technical Manual, Section A. Subdivision Design Criteria, 3. Streets, a. Design Standards, 3, Minimum Street Design Specifications) is granted to reduce the minimum roadway center line turning radius of 100' with delta greater than 60 degrees for traffic calming, in location shown on the Development Concept Plan.
6. Pursuant to Section 6.11.2.f of the Sarasota County Zoning Regulations, a modification from the Land Development Regulations (Subdivision Technical

Manual, Section B. Subdivision Improvements, 3. Streets, a. Street Improvements 16. Sidewalks & Bicycle Lanes a, Sidewalks) is granted to provide sidewalks on one side of the street in several locations, in locations shown on the Development Concept Plan.

7. Pursuant to Section 6.11.2.f of the Sarasota County Zoning Regulations, a modification from the Land Development Regulations (Subdivision Technical Manual, Section A. Subdivision Design Criteria, 4. Easements and Rights-of-Way, b, Utility & Closed Drainage Easements) is granted to reduce the width of side and rear yard lot drainage easements from 8 to 2.5 feet in width.

**Section 4. 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 shall occur in substantial accordance with the Development Concept Plan, date stamped March 29, 2015, and attached hereto as Exhibit "A". This does not imply or confer any variances from applicable zoning or land development regulations.
2. All development on the subject parcel shall comply with the Master Development Order for Palmer Ranch and the Development Order for Palmer Ranch Increment XXII, as may be amended.
3. Development of the subject property shall not exceed 170 total dwelling units.
4. The buffer along the north boundary of the project shall be as follows:
  - a. Segments with Development Area along the north boundary shall have a minimum 50'-wide buffer, minimum 4'-high berm measured from existing grade, including a six foot wall, and be planted to a minimum 0.8 opacity (such 0.8 opacity to be determined without regard to the presence of the wall or berm);
  - b. The segment with "Lake #3" along the north boundary shall have a minimum 50'-wide buffer, minimum 2'-high berm measured from existing grade, including a six foot wall, and be planted to a minimum 0.8 opacity (such 0.8 opacity to be determined without regard to the presence of the wall or berm); and
  - c. The segment with "Wetland Preservation Area" tract along the north boundary shall require no additional buffering in recognition of native habitat to be preserved and its connectivity north of the project.

No less than half the buffer plantings required under Stipulations 4.a and 4.b shall be located on the north side of the wall.

5. The Master Surface Water Management Plan shall be consistent with the North Creek and South Creek Basin Master Plans.

6. The Owner shall construct a northbound to westbound left turn lane on Honore Avenue at the subject parcels' southernmost access location. The left turn lane shall be designed in accordance with Indexes 301 and 526 of the Florida Department of Transportation's Roadway and Traffic Design Standards.
7. The Owner shall construct a southbound to westbound right-turn lane on Honore Avenue at the subject parcels' southernmost access location. 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.
8. Cumulatively, no more than 13 lots shall abut the north project boundary buffer (2 lots west of Lake # 3 and 11 lots east of Lake # 3) ("North Lots"). No more than 5 two-story single family homes may be constructed on the 11 lots east of Lake #3. Any two-story single family homes constructed on the 11 lots east of Lake #3 shall be setback 60' from the north project boundary and shall be constructed on lots that align as much as practicable with the two-story single family homes located in Silver Oak, Unit 3, of the Silver Oak subdivision lying north of the north project boundary.
9. The homes constructed on the North Lots east of Lake #3 shall have minimum side yards of 6'.
10. The homes constructed on the North Lots shall have tile roofs.
11. Hours of construction within the project shall be limited to 7:00 a.m. to 6:30 p.m. on Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday.
12. To achieve a 0.8 opacity, every 100 linear feet of the north boundary buffer shall include a minimum of 4 canopy trees (minimum 12' height and 4" caliper trunk at time of planting), 8 accent trees (minimum 8' height and 2.5" caliper at time of planting), 66 shrubs (minimum 36" height and 15 gallon container at time of planting), and 185 groundcover plantings. The required plant species shall be those listed in Section 7.3.3.h, *Sarasota County Zoning Regulations*. Existing vegetation shall be incorporated into the north boundary project buffer whenever practical. To the greatest extent possible and allowed by the *Sarasota County Zoning Regulations*, the canopy trees included within the north boundary buffer shall be live oaks and the accent trees shall be southern red cedars. While palms may be included within the north boundary buffer, they may not be used as a substitute for canopy trees.
13. The lift station to be constructed within the project shall be located a minimum of 400' from the north boundary of the project.
14. The berm and wall within the north boundary buffer required under Stipulations 4.a and 4.b shall be constructed concurrently with the first phase of the project and shall be completed prior to the issuance of the first certificate of occupancy for a home within the project. Further, that portion of such berm located north of the wall shall be seeded with a native or "Florida-friendly" grass to stabilize it until the buffer plantings and irrigation system are installed.
15. The plantings on the north side of the wall within the north boundary buffer shall be installed, including the irrigation system, prior to the issuance of the first certificate of occupancy for a home on the North Lots. The buffer plantings on the north side of

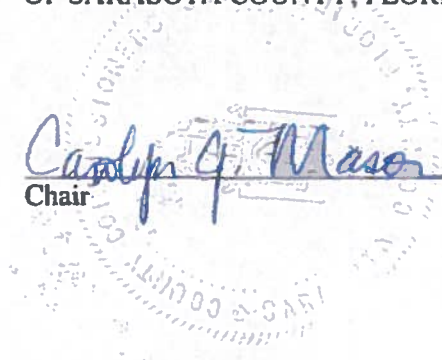


the wall shall be installed prior to or concurrently with the buffer plantings being installed on the south side.

**Section 5. 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.

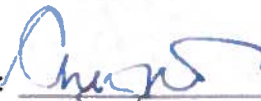
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 21 day of April, 2015.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA.

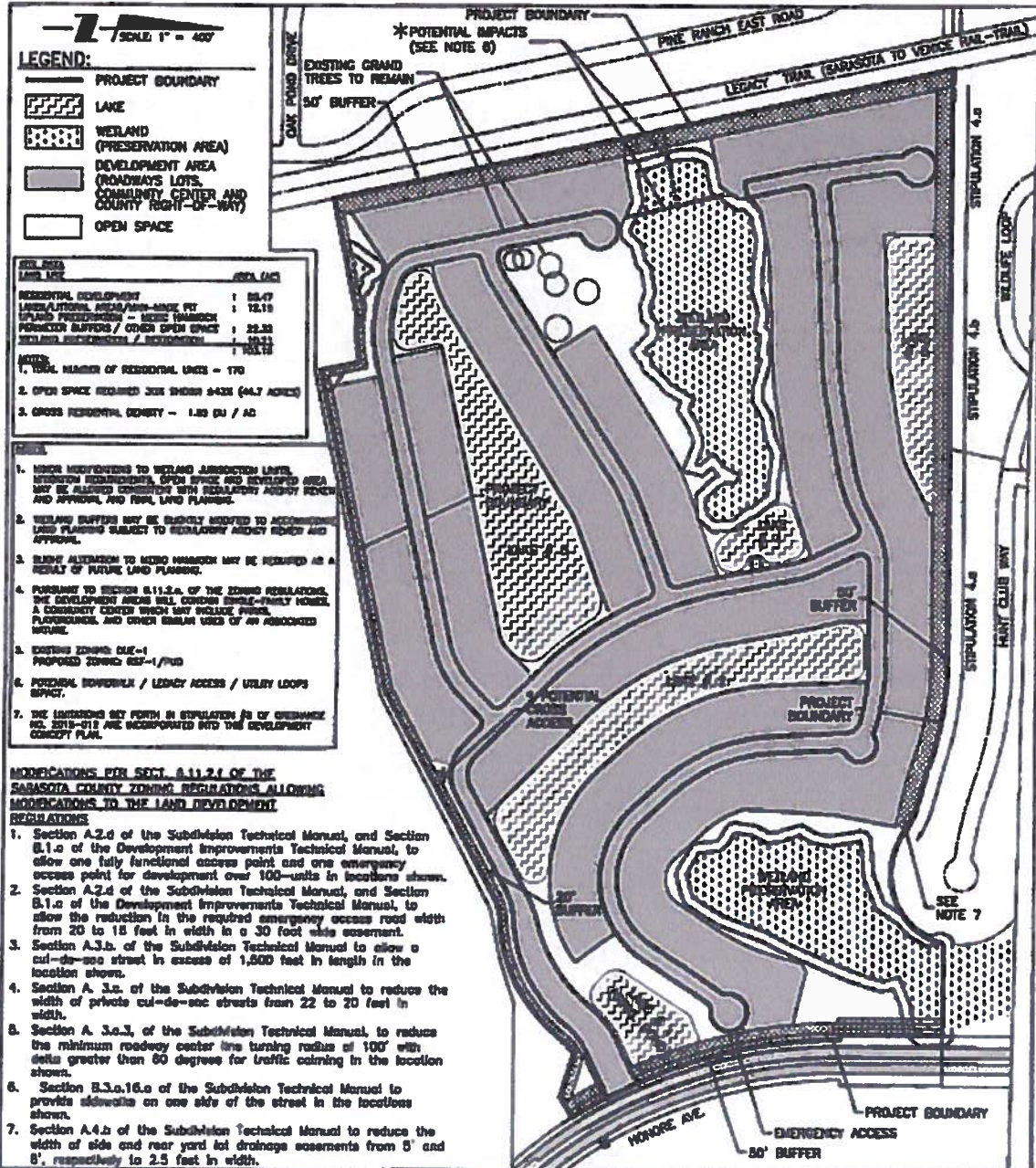
  
Carolyn G. Mason  
Chair

ATTEST:

KAREN E. RUSHING, Clerk of  
the Circuit Court and Ex-  
Officio Clerk of the Board of  
County Commissioners of  
Sarasota County, Florida.

By:   
Deputy Clerk

# EXHIBIT A - DEVELOPMENT CONCEPT PLAN



PROJECT: PALMER RANCH - INCREMENT XXII (PARCEL 9A)  
 CLIENT: TAYLOR MORRISON

**Stantec**  
 6900 Professional Parkway East, Sarasota, FL 34240-8414  
 Phone 941-907-6900 • Fax 941-907-6910  
 Certificate of Authorization #27613 • www.stantec.com

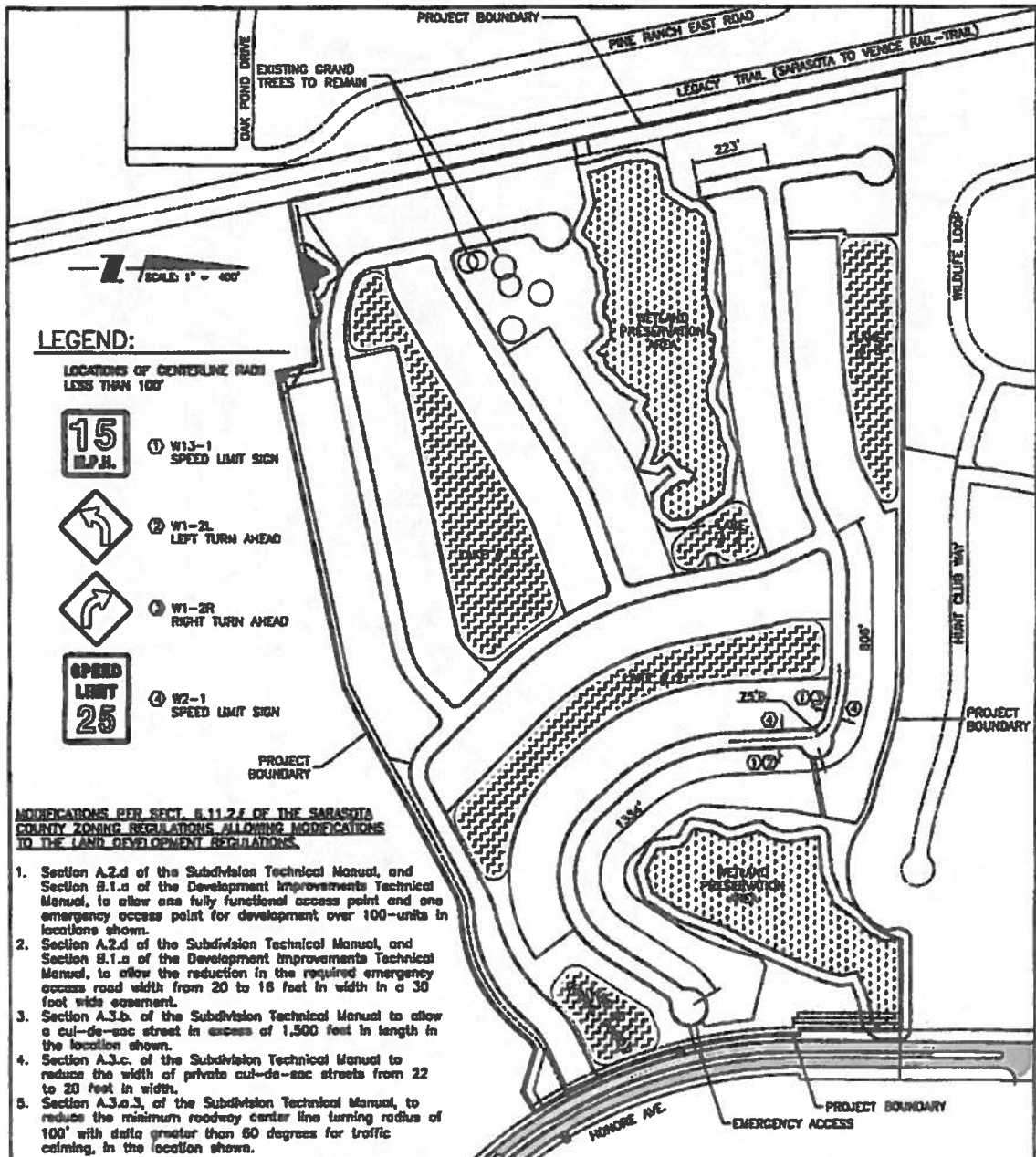
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Rec'd Planning Services 4-29-15

**BINDING DEVELOPMENT CONCEPT PLAN SERIES**

SCALE:	1" = 400'	DATE:	DEC. 2014
SHEET:	36	TYP.:	37S
PROJECT NO.:	DNS/103302		DATE:
DATE BY/APP. NO.:	DNS/103302		SHEET NO.:
			1 of 4

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- LEGEND:**
- LOCATIONS OF CENTERLINE RADIUS LESS THAN 100'
- ① W13-1 SPEED LIMIT SIGN
  - ② W1-2L LEFT TURN AHEAD
  - ③ W1-2R RIGHT TURN AHEAD
  - ④ W2-1 SPEED LIMIT SIGN

- MODIFICATIONS PER SECT. 8.11.2.F OF THE SARASOTA COUNTY ZONING REGULATIONS ALLOWING MODIFICATIONS TO THE LAND DEVELOPMENT REGULATIONS:**
- Section A.2.d of the Subdivision Technical Manual, and Section 8.1.a of the Development Improvements Technical Manual, to allow one fully functional access point and one emergency access point for development over 100-units in locations shown.
  - Section A.2.d of the Subdivision Technical Manual, and Section 8.1.a of the Development Improvements Technical Manual, to allow the reduction in the required emergency access road width from 20 to 16 feet in width in a 30 foot wide easement.
  - Section A.3.b. of the Subdivision Technical Manual to allow a cul-de-sac street in excess of 1,500 feet in length in the location shown.
  - Section A.3.c. of the Subdivision Technical Manual to reduce the width of private cul-de-sac streets from 22 to 20 feet in width.
  - Section A.3.o.3. of the Subdivision Technical Manual, to reduce the minimum roadway center line turning radius of 100' with defla greater than 60 degrees for traffic calming, in the location shown.

PROJECT: PALMER RANCH - INCREMENT XXII (PARCEL 9A)

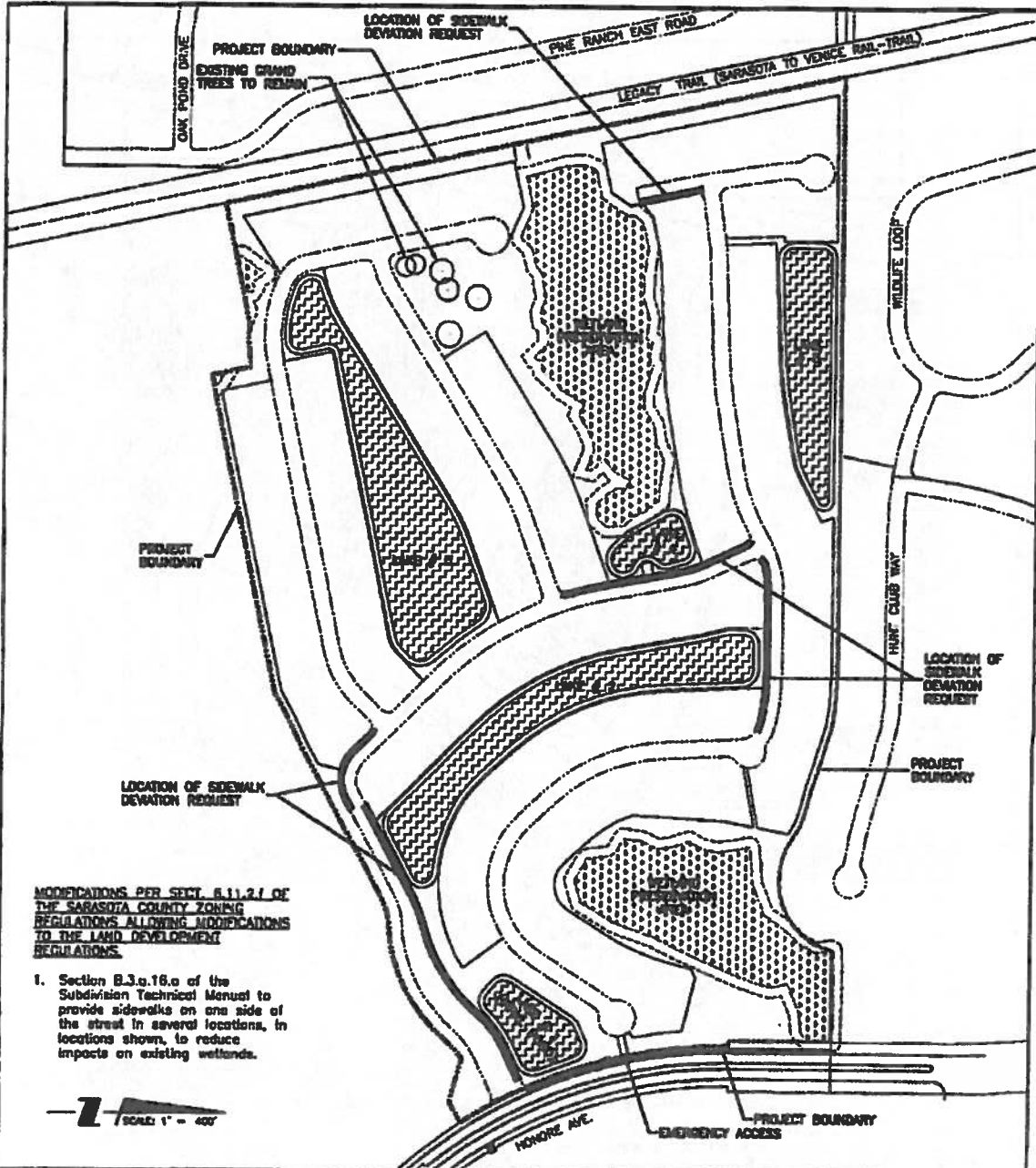
CLIENT: TAYLOR MORRISON

**Stantec**  
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<b>BINDING DEVELOPMENT CONCEPT PLAN SERIES</b>			
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PROJECT NO.:	37S	SHEET NO.:	
DATE OF APP. NO.:	DNS/103302	SHEET NO.:	2 of 4

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PROJECT: PALMER RANCH - INCREMENT XXII (PARCEL 9A)  
 CLIENT: TAYLOR MORRISON

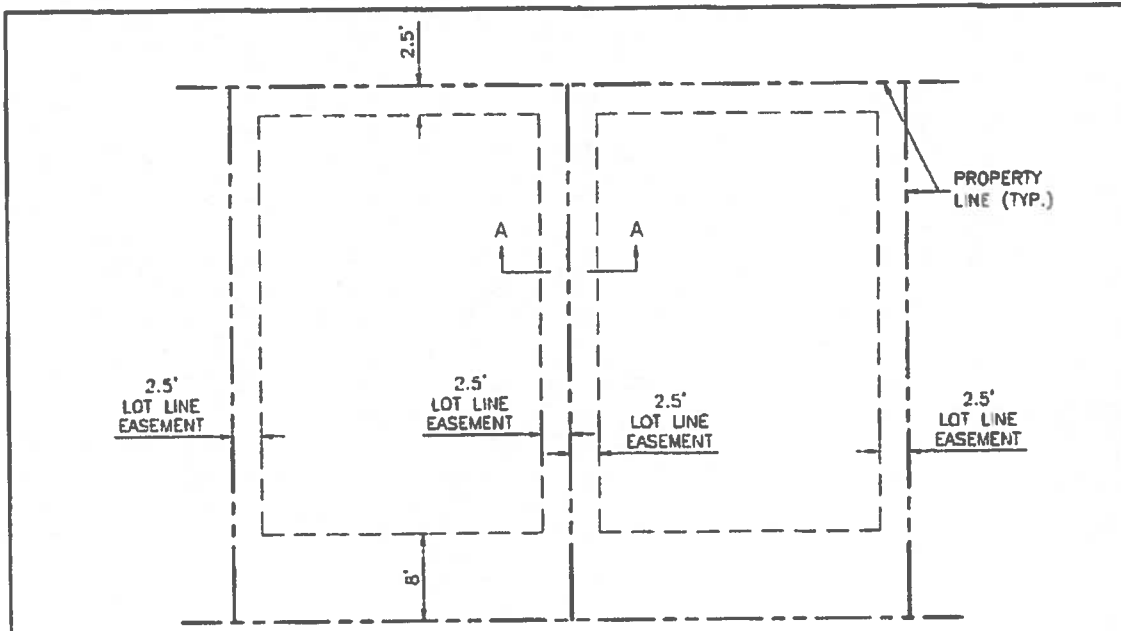
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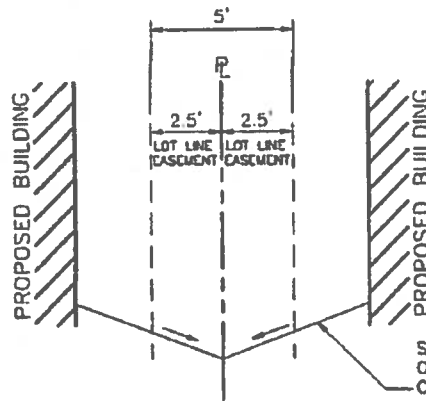
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PROPOSED SIDEWALK LOCATION			
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PROJECT NO.:	375	SHEET NO.:	3 of 4
DATE BY/APP NO.:	DNS/103302		

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**LOT LAYOUT PLAN**  
N.T.S.



**LOT SECTION A-A**  
N.T.S.

MODIFICATIONS PER SECT. 6.11.2.L OF THE SARASOTA COUNTY ZONING REGULATIONS ALLOWING MODIFICATIONS TO THE LAND DEVELOPMENT REGULATIONS.

1. Section A.4.b of the Subdivision Technical Manual to reduce the width of side and rear yard lot drainage easements from 5' and 8', respectively to 2.5 feet in width.

SIDE SLOPE & LONGITUDINAL SLOPE OF LOT LINE SWALES SHALL BE CONSISTENT WITH THE CHAPTER 74 LDR, ARTICLE VII "DRAINAGE OF RESIDENTIAL LOTS"

PROJECT: PALMER RANCH - INCREMENT XXII (PARCEL 9A)

CLIENT: TAYLOR MORRISON

Rec'd Planning Services 4-29-15



**Stantec**

4900 Professional Parkway East, Sarasota, FL 34240-9414  
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**LOT LINE DRAINAGE EASEMENT**

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SHEET NO.:	36	TWP.:	J7S	
PROJECT NO.:	DNS/103302		REV. NO.:	18F
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			SHEET NO.:	4 of 4

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