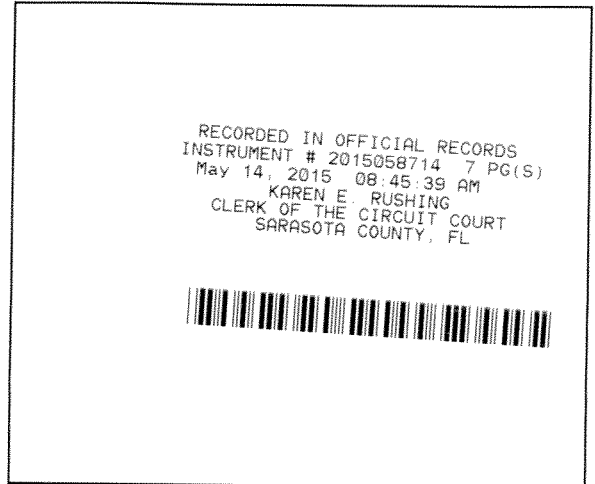


Please record and return to: (Via Inter-Office Mail)
Cynthia Spraggins, Administrative Specialist
Planning Services
1660 Ringling Blvd., 1st Floor
Sarasota, FL 34236

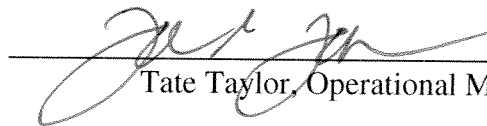
Customer ID# 5223
Charge to: Planning Services
Account# 51810000500489

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



The following property, located south of Bay Street in Sarasota County, Florida, owned by DR Horton, Inc., and described in Ordinance No. 2015-016 attached hereto, has been rezoned to a RMF-3/PUD (Residential, Multi-Family/Planned Unit Development, 6.83 units/acre) zone district, with amended stipulations, pursuant to Rezone Petition No. 14-28 filed by Attorney Jeffery Boone, Agent, and granted by Sarasota County on May 6, 2015, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

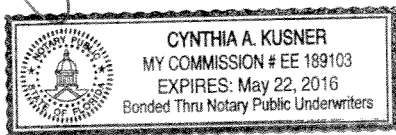
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2015-016, attached hereto)



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 13th day of May, 2015.




Notary Public
State of Florida at Large

This instrument prepared by:
PJC/CMS



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

May 11, 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. 2015-016, which was filed in this office on May 8, 162015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ORDINANCE NO. 2015-016

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. 14-28, 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 RMF-3/PUD zone district (Residential, Multi-Family/Planned Unit Development, 13 units/acre) with stipulations to RMF-3/PUD zone district (Residential, Multi-Family/Planned Unit Development, 13 units/acre) with amended stipulations and amended development concept plan for the following described property located in Sarasota County, Florida:

FILED FOR THE RECORD
2015 MAY - 8 AM 8:49
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA

0 2015-016

A 30.62 ± ACRE AREA SOUTH OF BAY STREET, WEST OF
OLD VENICE ROAD. MORE SPECIFICALLY PARCEL
IDENTIFICATION NUMBER 147-01-0003 AND 147-01-0007
LOCATED IN OSPREY, 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 of the subject parcel shall comply with all applicable conditions contained in the Osprey Revitalization Plan (Ordinance No. 2009-020, as amended).
2. The Owner shall be required to maintain the appearance of any private drainage facilities to be constructed on the site, including retention ponds and drainage ditches, at its own expense in accordance with applicable federal, state, or local regulations. At the time of recording a plat or prior to final construction approval, the Owner shall be required to record in the public records a Notice to Purchaser, approved by Sarasota County, putting purchasers on notice that the maintenance of drainage facilities is a private responsibility.
3. Development shall occur in substantial accordance with the Development Concept Plan date stamped September 18, 2014, and attached hereto as Exhibit "A", provided, however, that in the event of a conflict between the Development Concept Plan and the stipulations contained herein, the stipulations shall take precedence. This does not imply or confer any variance from applicable zoning or land development regulations.
4. The Master Surface Water Management Plans shall be consistent with the North and South Creek Basin Master Plan.
5. Prior to issuance of the first Certificate of Occupancy, all vegetative species contained within Section 54-621 of Sarasota County's Exotic Plant Code, state regulations (Chapters 5B-57.007 and 62C-52.011, FAC), and the Florida Exotic Pest Plant Council's list of Category I and II invasive species, as appropriate to this geographic region, shall be removed from the property. Any such vegetation removed from required landscape buffers shall be replaced with native species as part of an approved landscape plan. Removed vegetation shall be disposed of in a County-approved landfill or by another method approved by Resource Protection.
6. The western access along Bay Street shall be aligned with Patterson Avenue to the north and restricted as a directionalized median opening to allow for westbound to southbound and eastbound to northbound left turning movements only. A median and/or raised concrete separator shall be constructed to prohibit left and through movements out of the proposed access.

7. Prior to or concurrent with the development of the subject parcel(s), the developer shall construct a westbound to southbound and an eastbound to northbound left turn lane at the Bay Street and Patterson Avenue intersection. The turn lanes shall be designed in accordance with Indexes 301 and 526 of the Florida Department of Transportation's Roadway and Traffic Design Standards. The improvements shall be included in the construction plans for the subject development.
8. A signal warrant analysis for the intersection of Bay Street and Old Venice Road shall be conducted if Bay Street and Honore Avenue are connected prior to construction authorization of any phase of the proposed development. If warrants for a signal are met, the developer shall contribute a proportionate share of the cost of a signal at the intersection of Bay Street and Old Venice Road.

These stipulations supersede the stipulations in Ordinance No. 2005-018.

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 6 day of May, 2015.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

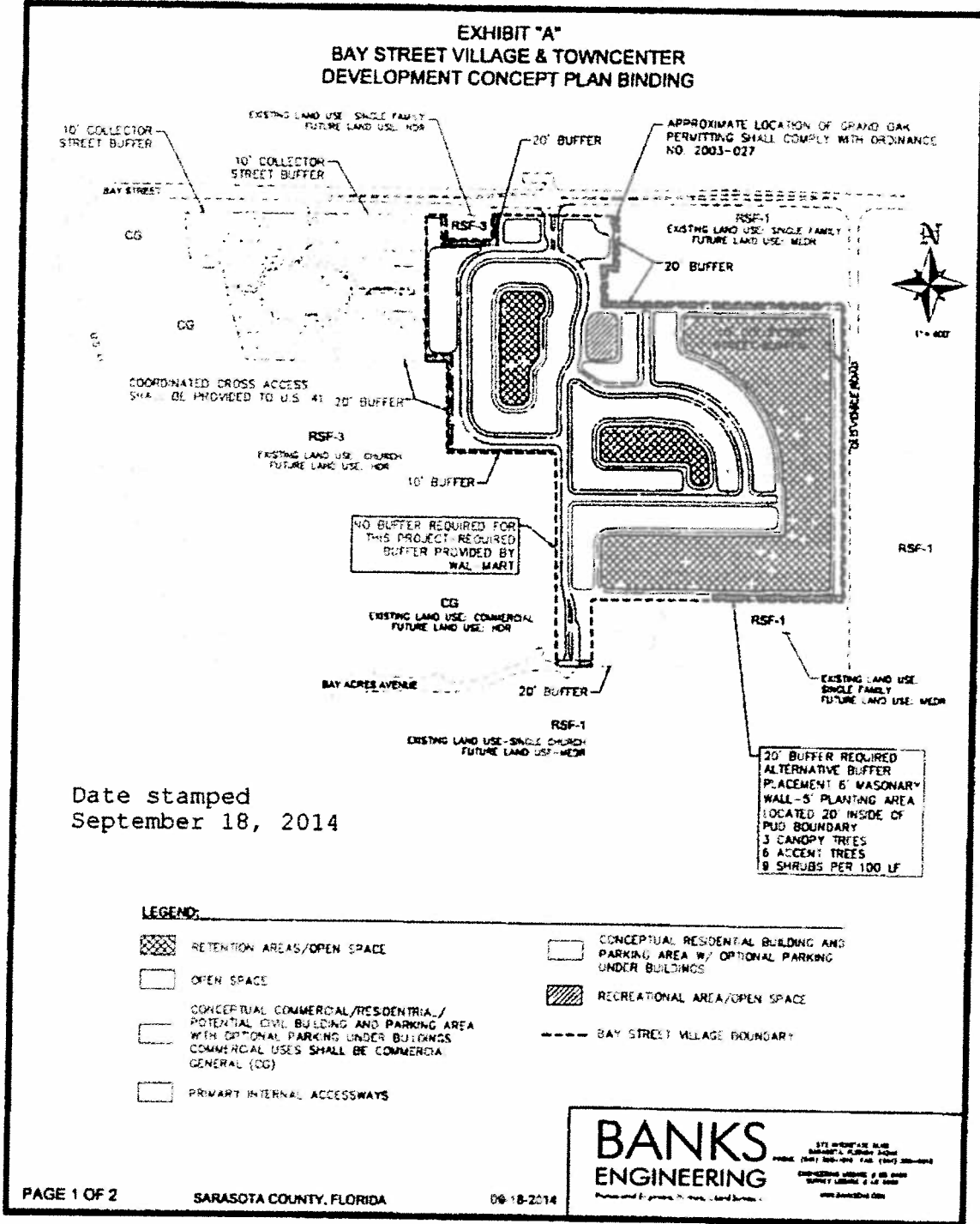

Chair

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"



02015-016

**EXHIBIT "A"
BAY STREET VILLAGE & TOWNCENTER
DEVELOPMENT CONCEPT PLAN BINDING**

DEVELOPMENT DESIGN CRITERIA:

1. FINAL LOCATIONS AND ORIENTATIONS OF BUILDINGS TO BE DETERMINED DURING SITE AND DEVELOPMENT PLAN APPROVAL PROCESS IN ACCORDANCE WITH APPROVED DESIGN CRITERIA.
2. PARKING AREAS ALLOCATION AND LOCATIONS TO BE DETERMINED DURING SITE AND DEVELOPMENT PLAN APPROVAL PROCESS.
3. THE SUBJECT PARCEL SHALL BE DEVELOPED IN ACCORDANCE WITH THE VARIABLE DEVELOPMENT CRITERIA, DESIGN STANDARDS FOR BAY STREET VILLAGE & TOWN CENTER, PERIMETER LANDSCAPE BUFFER REQUIREMENTS, AND ALL OTHER APPLICABLE REGULATIONS AND REQUIREMENTS CONTAINED ON THE DEVELOPMENT CONCEPT PLAN BINDING (EXHIBIT "A")

SITE DATA:

- TOTAL AREA = 30.82 AC.
PERMITTED 13 UNITS/AC. = 398 UNITS
PROPOSED 6.83 UNITS/AC. = 209 UNITS
- REQUESTED ZONING: RUF-3/PUD
- 13 DWELLING UNITS PER ACRE
- 38% OPEN SPACE PROVIDED
 - 1.48 AC. BUFFERS
 - 9.49 AC. LAKES OPEN SPACE
 - 0.83 AC. RECREATIONAL AREA OPEN SPACE
 - 11.80 AC. TOTAL OPEN SPACE
- 12.60 AC. PROPOSED IMPERVIOUS AREA

FIXED DEVELOPMENT CRITERIA:

1. AN INTERVAL INTERCONNECTED SIDEWALK & PATHWAY SYSTEM SHALL BE PROVIDED
2. MAXIMUM HEIGHT OF ANY MIXED USE OR RESIDENTIAL BUILDINGS SHALL BE 57 FEET IN ACCORDANCE WITH PROVISIONS OF THE OSPREY REVITALIZATION PLAN.

NOTE:

AREAS BEYOND THE LIMITS OF BAY STREET VILLAGE, AS SHOWN WITH A DASH LINE, ARE NOT PART OF THIS REQUEST AND BINDING CONCEPT PLAN. ALL PREVIOUS APPROVED CONDITIONS OF THOSE AREAS WILL STILL APPLY.

MODIFICATIONS TO SARASOTA COUNTY ZONING REGULATIONS:

1. ARTICLE 8 - SECTION 6.11 2a.2 MINIMUM BUILDINGS OVER 35' TO BE LOCATED TWO TIMES THE HEIGHT OF THE BUILDING FROM THE PUD BOUNDARY. BUILDING SHALL COMPLY WITH HEIGHT AND SETBACK PROVISIONS OF THE OSPREY REVITALIZATION PLAN.