

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

The following property located in Sarasota County, Florida, owned by Clyde H. Wilson, Jr., Co-Personal Representative of the Estate of Clyde H. Wilson, Sr., and described in Ordinance No. 99-003 attached hereto, has been rezoned as follows: 18.25 acres \pm to the CG (Commercial, General) zone district, and 13.63 acres \pm to the OPI (Office, Professional and Institutional) zone district pursuant to Rezone Petition No. 97-26 filed by William Strode, Esq., Agent, and granted by Sarasota County on July 22, 1999, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

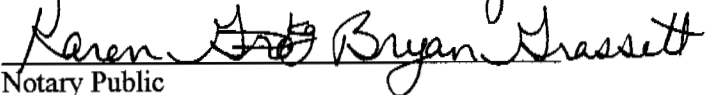
(Stipulations and limitations are those described in Section 3 of Ordinance No. 99-003, attached hereto)

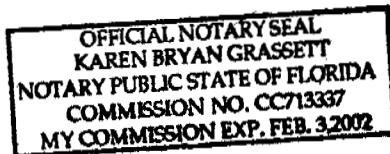

Executive Director
Growth Management Business Center

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned Notary Public, personally appeared Jerry Gray, Executive Director of the Growth Management Business Center, 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 ^{24th} day of August, A.D. 1999.


Notary Public
State of Florida at Large



This instrument prepared by:
✓ Leigh Riley
Growth Management Business Center
1660 Ringling Boulevard, 5th Floor
Sarasota, FL 34236

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 1999116989 7 PGC
1999 AUG 26 03:25 PM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
VBROTHER Receipt#132919

ORDINANCE NO. 99-003

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO. 75-38, 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 RECORDS
99 JUL 23 AM 8:25
CLERK OF CIRCUIT COURT
SARASOTA COUNTY 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:

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1999 JUL 29 AM 8:07
DEPARTMENT OF STATE
TALLAHASSEE FLORIDA

A. The Board has received and considered the report of the Sarasota County Planning Commission concerning Rezoning Petition No. 97-26, 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. 75-38 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 Sarasota County Ordinance No. 75-38 and any amendments thereto.

D. Pursuant to the provisions of Sarasota County Ordinance No. 89-103, 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 Ordinance No. 75-38. The Official Zoning Atlas, as part of Sarasota County Ordinance No. 75-38, is hereby amended by changing the zoning district classification for 31.88 acres ± from RSF-2 (Residential, Single Family, 3.5 units/acre) to 18.25 acres ± CG (Commercial, General) and to 13.63 acres ± OPI (Office, Professional and Institutional) for the following described property located in Sarasota County, Florida:

AUG - 9

Southwest corner of Bee Ridge Road and Honore Avenue, more particularly described as follows:

FROM RSF-2 TO CG:

All that part of Block 1, BEE RIDGE FARMS as recorded in Plat Book "A", Page 40, Public Records of Sarasota County, Florida, being more particularly described as follows:

Commencing at the Northeasterly corner of Knotty Pine Estates as recorded in Plat Book 22, Page 1, Public Records of Sarasota County, Florida; thence South $89^{\circ} 57' 35''$ East along the Southerly line of Bee Ridge Road a distance of 330.02 feet to the Point of Beginning of the parcel hereby described; thence continuing along said Southerly line South $89^{\circ} 57' 35''$ East a distance of 1552.52 feet to the Westerly right-of-way line of Honore Avenue; thence South $44^{\circ} 33' 59''$ East, along said Westerly right-of-way line a distance of 62.64 feet; thence continue along said Westerly right-of-way line South $0^{\circ} 49' 06''$ West a distance of 573.12 feet; thence leaving said Westerly right-of-way line North $89^{\circ} 10' 54''$ West a distance of 117.00 feet; thence South $70^{\circ} 06' 00''$ West a distance of 113.46 feet; thence South $77^{\circ} 58' 50''$ West a distance of 109.40 feet; thence South $64^{\circ} 21' 50''$ West a distance of 166.12 feet; thence North $89^{\circ} 52' 29''$ West a distance of 150.23 feet; thence North $00^{\circ} 07' 31''$ East a distance of 111.19 feet; thence North $41^{\circ} 19' 13''$ West a distance of 135.68 feet; thence North $89^{\circ} 52' 29''$ West a distance of 106.53 feet; thence North $46^{\circ} 45' 05''$ West a distance of 150.97 feet; thence South $0^{\circ} 02' 25''$ West a distance of 127.00 feet; thence North $89^{\circ} 52' 29''$ West a distance of 655.65 feet; thence North $0^{\circ} 42' 43''$ East a distance of 304.88 feet to the point of beginning of the parcel herein described. SUBJECT TO easements and restrictions of record.

FROM RSF-2 TO OPI:

All that part of Block 1, BEE RIDGE FARMS as recorded in Plat Book "A", Page 40, Public Records of Sarasota County, Florida, being more particularly described as follows:

Beginning at the Northeasterly corner of Knotty Pine Estates as recorded in Plat Book 22, Page 1, Public Records of Sarasota County, Florida; thence South $89^{\circ} 57' 35''$ East along the Southerly line of Bee Ridge Road a distance of 330.02 feet; thence leaving said Southerly line South $00^{\circ} 42' 43''$ West a distance of 304.88 feet; thence South $89^{\circ} 52' 29''$ East a distance of 655.65 feet; thence South $00^{\circ} 02' 25''$ West a distance of 127.00 feet; thence North $89^{\circ} 52' 29''$ West a distance of 207.61 feet; thence South $0^{\circ} 02' 25''$ West a distance of 470.46 feet; thence North $89^{\circ} 52' 29''$ West a distance of 785.06

feet to an intersection with the Easterly line of said Knotty Pine Estates; thence North 0° 42' 43" East along said Easterly line a distance of 901.89 feet to the point of beginning of the parcel herein described. SUBJECT TO easements and restrictions of record.

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 Sarasota County Ordinance No. 75-38 and any amendments thereto, is hereby further limited by and subject to the following restrictions, stipulations and safeguards:

1. Development of any portion of the 31.9 ± acre rezoned site shall be subject to a traffic analysis (consistent with Resolution No. 98-169), that demonstrates that the proposed development meets the requirements of Ordinance No. 89-103 (Sarasota County Concurrency Management System). The traffic analysis shall examine the impact area of the cumulative development of the entire parcel.
2. Outparcels shall not have direct access to Bee Ridge Road or Honore Avenue. All access to outparcels shall be internal to the development.
3. Prior to or concurrent with the development on the 31.9 ± acre parcel that meets warrants for a traffic signal, a traffic signal shall be constructed at the Bee Ridge Road/Lalani Boulevard intersection. The signal warrant, signal construction, and location is subject to approval by the Florida Department of Transportation. The improvement shall be included in the construction plans for the portion of the cumulative development that is expected to meet the warrant. The improvements shall not be bonded.
4. Access to outparcels or parking area drive aisles along full median opening access driveways shall be no closer than 200 feet from the adjacent roadway (measured from the inside edge of pavement of the access to the inside edge of pavement of the roadway).
5. Access to outparcels or parking area drive aisles along directional median opening access driveways shall be no closer than 150 feet from the adjacent roadway (measured from the inside edge of pavement of the access to the inside edge of pavement of the roadway).
6. Access to outparcels or parking area drive aisles along right-in/right-out only access driveways shall be no closer than 100 feet from the adjacent roadway (measured from the inside edge of pavement of the access to the inside edge of pavement of the roadway).
7. A southbound right-turn lane shall be constructed at all access points to Honore Avenue within 400 feet of Bee Ridge Road.

8. Prior to or concurrent with the construction of the northern most access to Honore Avenue, a raised median on Honore Avenue shall be constructed, as an extension of the existing median, north to the Bee Ridge Road/Honore Avenue intersection. The median extension shall be shown on the construction plans that depict the northern most Honore Avenue access.
9. The developer shall construct an eastbound right-turn lane at each access on Bee Ridge Road.
10. Access to Bee Ridge Road shall be limited to right-in/right-out only, except for an access at the existing median opening at the Bee Ridge Road/Lalani Boulevard intersection. There shall be a maximum of three access points to Bee Ridge Road. There shall be no access point to Bee Ridge Road located within 600 feet of Dunn Drive.
11. An interconnection between the OPI and CG parcels shall be provided.
12. All development on the 31.88 acre \pm subject parcel shall comply with the following Internal Planned Development District Standards contained in Section 11.6 of the Zoning Ordinance:
 - 11.6.b) Underground Utilities;
 - 11.6.f) The Screening of Outdoor Refuse Collection and Storage Areas;
 - 11.6.g) The Sale or Storage of Fuel;
 - 11.6.j) Signage; and
 - 11.6.k) Offstreet Loading Areas.
13. All development on the 31.88 \pm subject parcel shall comply with Sections D.3. and F.4. of the Urban Design Overlay District in the Sarasota County Zoning Regulations. These requirements are as follows:

Pedestrian and Bicycle Circulation Systems:

All new developments shall provide internal circulation systems for pedestrians and bicyclists in accordance with the requirements of the Land Development Regulations. Circulation systems shall be linked to public sidewalks, bicycle lanes, and adjacent developments to the extent possible. Circulation plans shall be submitted at the time of Site and Development Plan review.

Mechanical Equipment:

- a. All mechanical equipment, including, but not limited to heating, ventilating, and air conditioning machinery; public utility service fixtures such as potable water and sewer facilities; telephone and electrical switching equipment; and natural or propane gas tanks, shall be screened from public view; and
- b. Such screening may include any combination of landscaping and building materials. If building materials are to be utilized for screening purposed, such materials shall

be consistent with the architectural design of the principal structure. Screening shall extend at least one foot (1') above the object to be screened.

14. All landscaping on the 31.88 acre \pm subject parcel shall be as required for the CSC zone district in accordance with the Zoning Ordinance.
15. Signage on the entire 18.25 acre \pm subject parcel shall be per the CG schedule of district regulations with the following additional limitations:
 - a) One ground sign with one or two faces for each street frontage not to exceed two hundred (200) square feet in area for the purpose of general identification of establishments on the subject parcel by name and nature.
 - b) One monument sign on each outparcel 20,000 square feet or larger under unified control with one or two faces not to exceed fifty (50) square feet, for the purposes of identifying the business located on the outparcel. Monument signs shall not exceed eight (8) feet in height measured from the crown of the road or finished grade of the land adjacent to the building, whichever is greater. Outparcels displaying a monument sign shall be restricted to one wall sign not to exceed fifty (50) square feet.
16. The Applicant shall coordinate with SCAT regarding the location of a bus stop on Bee Ridge Road and/or Honore Avenue.
17. All structures located within 100 feet of the west property line shall be limited to a maximum of 25 feet in height.
18. The owner shall be required to provide mitigation for the onsite wetland in a ratio of two-to-one and in substantial conformance with the conceptual mitigation plan as provided by Biological Research Associates to the County on March 31, 1998.
19. The Owner shall be required to maintain the appearance and function 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.
20. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets. No source illumination for the subject parcel shall be directly visible from any residence in the abutting residential zone districts.

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 22 day of July, A.D., 1999.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Sharon Stass
Chairman

ATTEST:

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

By: Linda Harris
Deputy Clerk

STATE OF FLORIDA)
COUNTY OF SARASOTA)
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILES
IN THIS OFFICE WITNESS MY HAND AND OFFICIAL

SEAL THIS DATE 7/23/99
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

Linda Harris
Deputy Clerk