



1999004283

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 1999004283 4 PGS

1999 JAN 12 10:18 AM

KAREN E. RUSHING

CLERK OF CIRCUIT COURT

SARASOTA COUNTY, FLORIDA

FILED - INSTRUMENT # 067146

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 Caldwell Trust Company, and described in Ordinance No. 98-090 attached hereto, has been rezoned to the OPI (Office, Professional and Institutional) zone district pursuant to Rezone Petition No. 97-33 filed by Jeffery A. Boone, Agent, and granted by Sarasota County on December 15, 1998, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

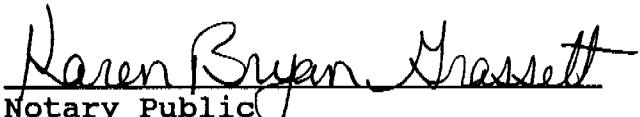
(Stipulations and limitations are those described in Section 3 of Ordinance No. 98-090, attached hereto)

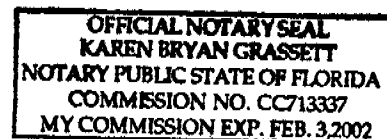

Sarasota County Director of Planning

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned Notary Public, personally appeared Jerry Gray, Director of the Sarasota County Department of Planning, 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 7th day of January, A.D. 1999.


Notary Public
State of Florida at Large



✓ 493

This instrument prepared by:
Frances L. Powers
Sarasota County Department of Planning
P.O. Box 8
Sarasota, FL 34230

ORDINANCE NO. 98-090

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 AMENDMENTS OF THE ZONING ATLAS; PROVIDING RESTRICTIONS, STIPULATIONS AND SAFEGUARDS; AND PROVIDING AN EFFECTIVE DATE.

BOARD RECORDS
FILED FOR RECORD
98 DEC 17 PM 2:27
KAREN L. HARRIS
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:

A. The Board has received and considered the report of the Sarasota County Planning Commission concerning Rezoning Petition No. 97-33, 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 10.00 acres ± from OUE-1 (Open Use, Estate, 1 unit/5 acres) to OUE-1A (Office, Professional and Institutional) for the following described property located in Sarasota County, Florida:

FILED
98 DEC 21 PM 4:35
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

South of Center Road and 900' ± East of East Village Drive, more particularly described as follows:

A parcel of land lying and being in Section 23, Township 39 South, Range 19 East, Sarasota County, Florida, and being more particularly described as follows:

Commence at the Northeast corner of said Section 23; thence S 00° 37' 59" W, (on an assumed bearing) a distance of 30.12 feet to the point of beginning; thence S 00° 43' 37" W, along the Easterly line of said Section 23 a distance of 319.82 feet to the Northeast corner of the plat of "Meadow Run at Jacaranda" as recorded in Plat Book 29 at Pages 35 to 35-D of the Public Records of Sarasota County, Florida; thence N 89° 00' 06" W, along the Northerly line of the said plat of "Meadow Run at Jacaranda" a distance of 1360.42 feet; thence N 00° 43' 37" E, a distance of 319.31 feet to the intersection with the Southerly maintained right of way line of Center Road; thence S 88° 39' 03" E, along the said Southerly maintained right of way line for the next four (4) calls a distance of 238.41 feet; thence S 89° 45' 14" E, a distance of 300.35 feet; thence S 88° 51' 46" E, a distance of 599.95 feet; thence S 88° 52' 01" E, a distance of 221.74 feet to the point of beginning.

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. A traffic study shall be completed, in accordance with Resolution No. 98-169, prior to the construction plan approval for any development on the subject parcel which results in a cumulative trip generation for the entire rezone site in excess of 32 PM peak hour net new trips.
2. Any traffic study or concurrency evaluation for any portion of the subject parcel shall examine the impact area of the cumulative development of the entire rezone site.
3. 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.

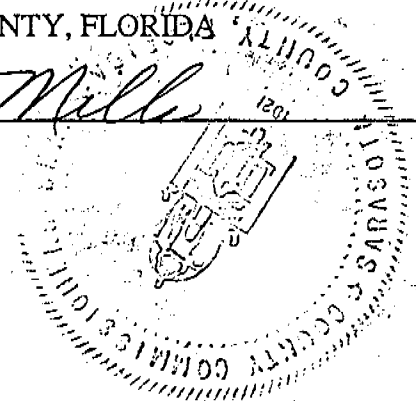
- 4. Landscape buffers, with at least a 50-foot depth along the east property line and at least a 15-foot depth along the south property line, shall be provided. The aforementioned buffers shall be planted as prescribed by Section 13.14 "E" of the Zoning Ordinance and shall contain a 4-foot height fence or wall. In the east buffer, the fence or wall shall be located east of the proposed retention pond. Buffers along the north and west site boundaries shall be in accordance with Section 13.14 of the Zoning Ordinance.
- 5. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets. Light standards shall have a maximum height of 20-feet.
- 6. Refuse areas shall be setback at least 50 feet from any property line and shall be visually screened in accordance with Section 11.6.f of the Zoning Ordinance.
- 7. Building construction on the site shall be limited to 30,000 square feet.

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 15th day of December, A.D., 1998.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

David R. Miller
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: Michele Chang
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 12-15-98
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

By: Michele Chang
DEPUTY CLERK

