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INSTRUMENT # 1999032206 4 PGS

1999 MAR 09 09:13 AM

KAREN E. RUSHING

CLERK OF CIRCUIT COURT

SARASOTA COUNTY, FLORIDA

RECEIPT#083794

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 James E. and Joyce O. Howard and described in Ordinance No. 99-007 attached hereto, has been rezoned to the CI(Commercial, Intensive) zone district pursuant to Rezone Petition No. 98-36 filed by Joel J. Freedman, Agent, and granted by Sarasota County on January 28, 1999, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

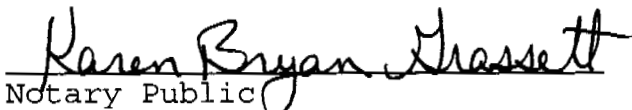
(Stipulations and limitations are those described in Section 3 of Ordinance No. 99-007, attached hereto)

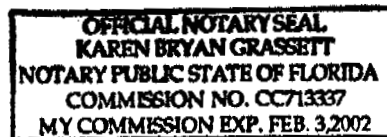

Sarasota County Director of Planning

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 5th day of March, A.D. 1999.


Notary Public
State of Florida at Large



This instrument prepared by:
Lu Ann R. Clayton
Sarasota County Department of Planning
P.O. Box 8
Sarasota, FL 34230

MAR 12 1999
PLANNING DEPARTMENT

BOARD RECORDS
PUBLIC RECORDS

ORDINANCE NO. 99-007

99 FEB -2 AM 8:33

KAREN L. ...
CLERK OF COUNTY
SARASOTA COUNTY, FL

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.

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA
99 FEB -5 PM 12:46
FILED

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. 98-36, 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 3.4 acres ± from CG (Commercial, General) to CI (Commercial, Intensive) for the following described property located in Sarasota County, Florida:

Southwest of U.S. 41 and 1150' ± Southeast of Gulf Gate Drive, more particularly described as follows:

A parcel of land situate in Section 17, TWP. 37 S, RGE. 18 E, Sarasota County, Florida, is more particularly bounded and described as follows:

Beginning at a found concrete monument at the intersection of the NE'ly line of a 50' wide dedication for Avenue "A" with a line which is 15' N'ly from and parallel with the South line of said Section 17 for a P.O.B.; thence N 38° 49' 09" W along said NE'ly dedication line 144.17' to a found iron pipe; thence N 51° 06' 51" E and parallel with the South line of an original 66' R/W for Stickney Point Road 533' to a point at the SW'ly R/W line of S.R. No. 45, said point lying S 38° 49' 09" E 2,000' from an original 66' R/W for Stickney Point Road; thence S 38° 49' 09" E along said SW'ly R/W of S.R. No. 45, 300' to a found iron pipe; thence S 51° 06' 51" W along a line parallel with the said S'ly side of Stickney Point Road 355' ± to a point 15' North of said South line of Section 17; thence N 89° 24' 07" W along a line parallel with and 15' North of said South line of Section 17, 245.07' to the P.O.B. SUBJECT TO any right of ways, easements and/or exceptions of record, if any

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. Prior to the commencement of any CI use on the subject parcel including the parking of automobiles, a site and development plan shall be reviewed and approved by Sarasota County and all required improvements installed. The plan shall provide treatment for stormwater runoff for the entire site and attenuation for new impervious surfaces.
2. If the Applicant elects to direct runoff from the entire site to the southeast, the allowable release rate shall be limited to the portion of the site that currently drains to the southeast. The Applicant shall also demonstrate that the increased runoff volume resulting from the re-directed runoff will not adversely impact the downstream properties.
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, and 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.

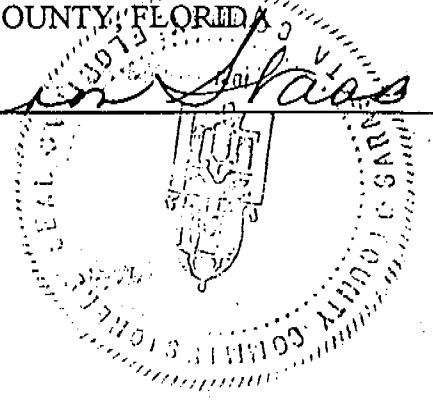
- 4. Access to Avenue 'A' and Bispham Road shall be prohibited.
- 5. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
- 6. Prior to the commencement of any CI use on the subject parcel including the parking of automobiles, a 6' high wall/fence shall be installed along the Avenue 'A' and Bispham Road right-of-way.

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 28th day of January, A.D., 1999.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Shannon Stas
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: Diana Gray
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 2-2-99
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY: Diana Gray
DEPUTY CLERK

