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INSTRUMENT # 2000039222 6 PGS
2000 MAR 30 11:16 AM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
VBR01181 - Receipt#024628

**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 Reuben Gerzeny, Trustee and Beverly A Gerzeny, Trustee, and described in Ordinance No 2000-020 attached hereto, has been rezoned to the CI (Commercial, Intensive) zone district pursuant to Rezone Petition No 99-37 filed by Betsy Benac, Agent, and granted by Sarasota County on February 22, 2000, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code

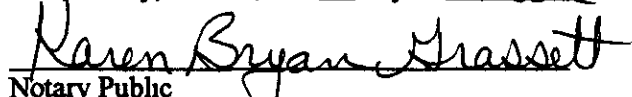
(Stipulations and limitations are those described in Section 3 of Ordinance No 2000-020, attached hereto)

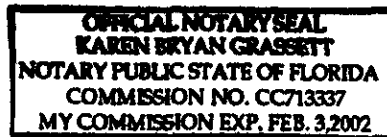

Executive Director
Growth Management Business Center

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 28th day of March, A D 2000


Notary Public
State of Florida at Large



This instrument prepared by
Nancy Higgins
Growth Management Business Center
1660 Ringling Boulevard, 5th Floor
Sarasota, FL 34236

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BOARD RECORDS
FILED FOR RECORD

2000 FEB 25 AM 11:43

ORDINANCE NO 2000-020

CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA

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

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 99-37, 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 9.60 acres ± from CI (Commercial, Intensive), CG (Commercial, General), RSF-1 (Residential, Single Family, 2.5 units/acre) and OUE-2 (Open Use, Estate, 1 unit/2 acres) to CI (Commercial, Intensive) for the following described property located in Sarasota County, Florida

FILED
2000 FEB 29 PM 1:00
DEPARTMENT OF ALDIE
TALLAHASSEE, FLORIDA

MAR 23 2000
BY GROWTH MANAGEMENT

Southeast corner of U S 41 and Palm Avenue, more particularly described as follows:

A tract of land located in Sections 23 and 24, Township 38 South, Range 18 East, Sarasota County, Florida, more particularly described as follows.

Begin at the Southeast corner of said Section 23; thence S 89°45'11" W, along the South line of said Section 23 a distance of 501.85 feet to the easterly right-of-way of U S Highway 41 (Tamiami Trail), per the Order of Taking recorded in Official Records Book 1297, page 1777 of the Public Records of Sarasota County, Florida, (the following three calls are along said Easterly right-of-way line of U S Highway 41) thence N 42°31'49" W, a distance of 145.99 feet, thence N 32°51'41" W, a distance of 386.06 feet, thence N 29°32'29" W, a distance of 185.46 feet to the intersection with the Southerly right-of-way line of Palm Avenue, a 40 foot wide public road, (the following four calls are along said Southerly right-of-way line of Palm Avenue) thence N 89°48'38" E, a distance of 136.65 feet, thence N 89°43'19" E, a distance of 22.84 feet, thence N 89°38'30" E, a distance of 120.27 feet, thence N 89°56'47" E, a distance of 69.76 feet, thence S 00°04'50" E, a distance of 90.48 feet, thence N 89°40'46" E, a distance of 200.00 feet, thence S 64°19'44" E, a distance of 217.68 feet, thence S 00°04'50" E, a distance of 10.41 feet, thence N 89°50'03" E, a distance of 321.96 feet; thence S 00°00'00" W, a distance of 399.03 feet to the South line of Section 24, thence S 89°54'27" W, along said South line a distance of 166.36 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:

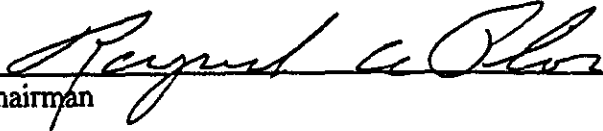
- 1 The Owner shall be required to maintain the appearance and function of any private drainage facilities to be constructed on the site, including retention ponds and drainage ditches, in accordance with applicable federal, state or local regulations. At the time of recording a plat or prior to final construction plan approval, the Owner shall be required to record in public records a Notice To Purchaser, approved by Sarasota County, putting purchasers on notice that maintenance of drainage facilities is a private responsibility.

- 2 Prior to the issuance of any Certificate of Occupancy, the service road adjacent to the south of the subject parcel providing direct access to the subject parcel shall be extended from the end of the pavement east of the Fire Station to the most easterly driveway of the subject parcel. The width of the road shall be 22 feet and built to County standards. The improvements shall be included in the construction plans.
- 3 Refuse areas shall be setback at least 50-feet from any property line and visually screened in accordance Section 11.6.f of the Sarasota County Zoning Ordinance.
4. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
- 5 Prior to the commencement of any CI use, including the parking/storage of recreational vehicles or automobiles within the shaded area, on the subject parcel as depicted on the illustration attached hereto as Exhibit A, a site and development plan shall be reviewed and approved by Sarasota County and all required improvements installed. The site and development plan shall encompass the entire 9.6 acre ± subject parcel.
- 6 Pursuant to the CI Schedule of District Regulations outdoor loudspeakers or paging systems are prohibited on the entire 9.6 acres ± subject parcel.

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 22nd day of February, A D , 2000

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


Chairman

ATTEST

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


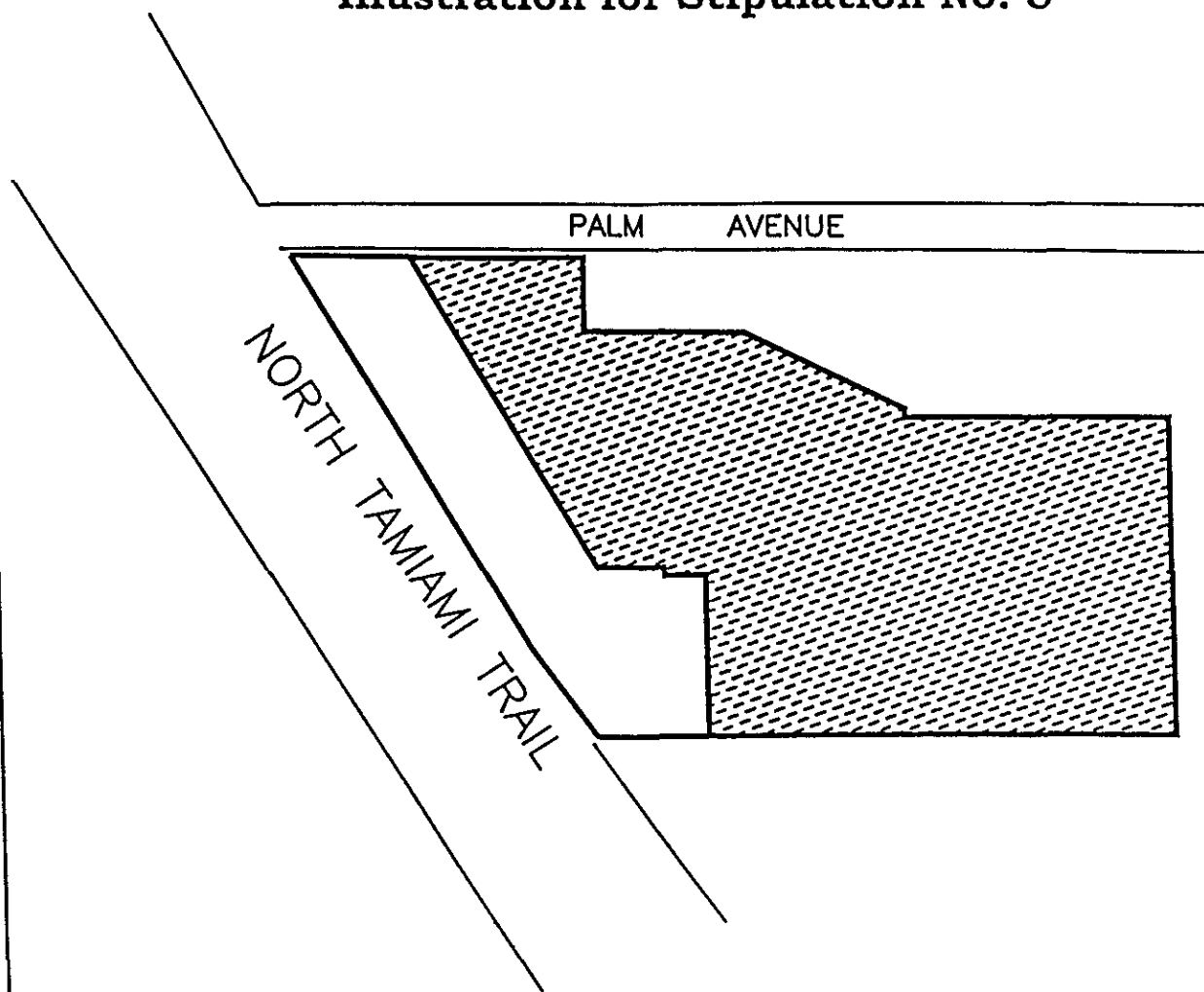
By: 
Deputy Clerk

EXHIBIT "A"

Rezone Petition No. 99-37
Illustration for Stipulation No. 5



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 2/25/00
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS SARASOTA COUNTY, FLORIDA

BY Paula J. [Signature]
DEPUTY CLERK