

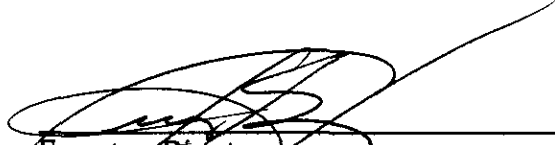
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**NOTICE OF STIPULATIONS AND LIMITATIONS ENCUMBERING  
REAL PROPERTY PURSUANT TO THE SARASOTA COUNTY ZONING CODE**

The following property located in Sarasota County, Florida, owned by Patrick J Feheley, and described in Ordinance No 99-090 attached hereto, has been rezoned to a RMF-2/PUD (Residential, Multi-Family, 9 units/acre / Planned Unit Development) zone district pursuant to Rezone Petition No 99-42 filed by Peter M Dailey, Agent, and granted by Sarasota County on December 14, 1999, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code



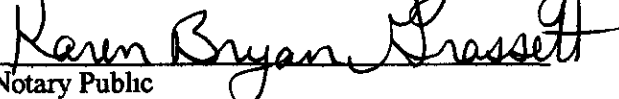
(Stipulations and limitations are those described in Section 3 of Ordinance No 99-090, attached hereto)

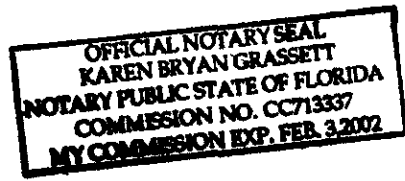
  
\_\_\_\_\_  
Executive Director  
Growth Management Business Center

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 27<sup>th</sup> day of January A-D 2000

  
\_\_\_\_\_  
Notary Public  
State of Florida at Large



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

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2000011708 8 PGS  
2000 JAN 31 03:54 PM  
KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
FMILLER Receipt#007589

②

ORDINANCE NO 99-090

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 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 99-42, 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 4.23 acres ± from RSF-2 (Residential, Single Family, 3 5 units/acre) to RMF-2/PUD (Residential, Multi-Family, 9 units/acre / Planned Unit Development Overlay District) for the following described property located in Sarasota County, Florida:

FILED  
DEC 20 11:22  
SARASOTA COUNTY, FLORIDA

SARASOTA COUNTY, FL  
CLERK OF CIRCUIT COURT  
1999 DEC 20 AM 11:24  
1  
FILED FOR RECORDS

West of Sawyer Road and 170'  $\pm$  north of Clark Road, more particularly described as follows

A portion of Lot 12, Block 3, Sarasota Venice Company subdivision of Section 10, Township 37 South, Range 18 East, as recorded in Plat Book 2, Page 171, of the public records of Manatee County, Florida, and Plat Book "A", Page 69, of the public records of Sarasota County, Florida and being more particularly described as follows

Commence at the southwest corner of the above described Lot 12, Block 3, Sarasota Venice Company subdivision, said point also being the southwest corner of the southeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of the southwest  $\frac{1}{4}$  of said Section 10, Township 37 South, Range 18 East, thence, leaving said corner and along said west line of Lot 12, North  $00^{\circ}03'11''$  East, 50 00 feet to the north right-of-way line of Clark Road (S R 72) (Public Right-of Way) for the point of beginning, said point also being the southeast corner of Lot 3, Block "B" of the Clark Meadows subdivision, as recorded in Plat Book 8, Page 111, of the public records of Sarasota County, Florida, thence, along the east line of said Clark Meadows (also being the west line of said Lot 12, Block 3), North  $00^{\circ}03'11''$  East, 617.23 feet to the southwest corner of Lot 5 of Shade Acres subdivision, as recorded in Plat Book 9, Page 47, of the public records of Sarasota County, Florida, thence, along the south line of said Shade Acres (also being the north line of said Lot 12, Block 3), South  $89^{\circ}48'17''$  East, 380.70 feet, thence, leaving said south line of Shade Acres and said north line of Lot 12, South  $00^{\circ}02'49''$  West, 315 00 feet, thence, South  $89^{\circ}44'29''$  East, 257 67 feet to the west Right-of-Way line of Sawyer Road (A Public Right-of Way, width varies), thence, along said Right-of-Way line, South  $00^{\circ}02'49''$  West, 102 65 feet, thence, leaving said west Right-of Way line, North  $89^{\circ}44'29''$  West 257 67 feet, thence, South  $00^{\circ}02'49''$  West, 200 00 feet, to the aforementioned north Right-of Way line of said Clark Road, thence, along said Right-of Way line, North  $89^{\circ}44'29''$  West, 380.77 feet to the point of beginning,

Less the following:

Situated in Section 10, Township 37 South, Range 18 East, Sarasota County, Florida and being a parcel of land more particularly described as follows: begin at the southeast corner of Lot 3, Block B, Clark Meadows, a subdivision recorded in Plat Book 8, Page 111 of the public records of Sarasota County, Florida, said point also lying on the northerly Right-of-Way line of Clark Road (S.R.72), thence, from said point of beginning and along the east line of Clark Meadows, North  $00^{\circ}03'30''$  East 200.00 feet, thence, South  $89^{\circ}39'55''$  East 100.00 feet, thence, South  $00^{\circ}03'30''$  West 200.00 feet to the north line of Clark Road, and thence, along said line, North  $89^{\circ}39'55''$  West 100 00 feet to the point of beginning;

And less the following:

Situated in Section 10, Township 37 South, Range 18 East, Sarasota County, Florida and being a parcel of land more particularly described as follows commence at the southeast corner Lot 3, Block B, Clark Meadows, a subdivision recorded in Plat Book 8, Page 111 of the public records of Sarasota County, Florida, said point also lying on the northerly Right-of-Way line of Clark Road (S R 72), thence, from said point of commencement and along the east line of Clark Meadows, North  $00^{\circ}03'30''$  East 200.00 feet to the point of beginning; thence, South  $89^{\circ}39'55''$  East 100 00 feet; thence, North  $00^{\circ}03'30''$  East 20 00 feet; thence, North  $89^{\circ}39'55''$  West 100.00 feet, thence, along the east line of Clark Meadows, South  $00^{\circ}03'30''$  West 20 00 feet to the point of beginning containing 0 0459 acre.

Together with the following

Situated in Section 10, Township 37 South, Range 18 East, Sarasota County, Florida and being a parcel of land more particularly described as follows: commence at the southeast corner Lot 3, Block B, Clark Meadows, a subdivision recorded in Plat Book 8, Page 111 of the public records of Sarasota County, Florida, said point also lying on the northerly Right-of-Way line of Clark Road (S.R. 72), thence, from said point of commencement and along the east line of Clark Meadows, North 00°03'30" East 200.00 feet to the point of beginning, thence, South 89°39'55" East 100 00 feet, thence, North 00°03'30" East 20 00 feet, thence, North 89°39'55" West 100 00 feet, thence along the east line of Clark Meadows, South 00°03'30" West 20 00 feet to the point of beginning containing 0.0459 acre.

And less the following

The commercial zoned portion of Lot 12, Block 3, Sarasota Venice Company subdivision of Section 10, Township 37 South, Range 18 East, as recorded in Plat Book 2, Page 171 of the public records of Manatee County, Florida and Plat Book "A" Page 69 of the public records of Sarasota County, Florida LESS the southwest corner area running 100 feet East from the west commercial line and running North 200 feet from the South commercial line fronting Clark Road

And less the following:

A portion of Lot 12, Block 3, Sarasota Venice Company subdivision of Section 10, Township 37 South, Range 18 East, as recorded in Plat Book 2, Page 171, of the public records of Manatee County, Florida, and Plat Book "A", Page 69, of the public records of Sarasota County, Florida and being more particularly described as follows.

Commence at the southwest corner of the above described Lot 12, Block 3, Sarasota Venice Company subdivision, said point also being the southwest corner of the southeast ¼ of the southeast ¼ of the southwest ¼ of said Section 10, Township 37 South, Range 18 East; thence, leaving said corner and along said west line of Lot 12, North 00°03'11" East, 50.00 feet to the north Right-of-Way line of Clark Road (S.R. 72) (public Right-of-Way), said point also being the southeast corner of Lot 3, Block "B" of Clark Meadows subdivision, as recorded in Plat Book 8, Page 111 of the public records of Sarasota County, Florida, thence, leaving said southeast corner and along the north Right-of-Way line of said Clark Road, South 89°44'29" East, 100 00 feet to the point of beginning; thence, leaving said north Right-of-Way line North 00°03'11" East, 200.00 feet; thence, South 89°44'29" East, 280.75 feet, thence, South 00°02'49" West; 200.00 feet to the aforementioned north Right-of-Way line of said Clark Road; thence, along said Right-of-Way line, North 89°44'29" West, 280 77 feet to the point of beginning and containing 1.29 acres, more or less

**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 Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets
- 2 Outdoor refuse areas shall be screened in accordance with Section 11 6 f of the Zoning Ordinance
- 3 The Property 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 Development shall take place in substantial compliance with the Development Concept Plan date-stamped November 2, 1999, and attached hereto as Exhibit "A", except for modifications necessary to comply with the stipulations contained herein. This does not imply or confer any variances from applicable zoning or land development regulations except as granted herein
- 5 No structures, or portions of structures, including in-the-structure parking, on the subject property shall exceed 35 feet in height.
- 6 The swimming pool and clubhouse areas shall not be illuminated after 10 00 p.m. Sunday through Thursday and 11.00 p.m. Friday and Saturday
- 7 All parking lot, driveway and security lights within 50 feet of any residential single family zoned property boundary shall not exceed 6 feet in height
- 8 No structures shall be located within 30 feet of any residential single family zoned property boundary.
- 9 Pursuant to Section G of the Planned Unit Development Overlay District Schedule of District Regulations, the required landscape buffers pursuant to Section 13 14 shall be modified as follows
  - a Along the 381 foot north property boundary and along the northern 186 feet of the west property boundary, the width of the landscape buffer shall correspond to the drainage easement (approximately 30 feet in width). Existing vegetation within the buffer area shall be retained except as necessary for access and maintenance of the easement. Within the buffer area a six foot high wall is required and the wall shall be located one foot inside the property line with no required landscaping located between the property line and the wall. As referenced in the Applicant's letter of November 2, 1999, if during site and development plan review a conflict exists with the stormwater easement and function of the drainage canal, the Applicant is granted relief from the 10 foot wide

planting strip along the 381 foot north property boundary and along the northern 186 feet of the west property boundary

- b Along the southern 212 feet of the west property boundary the width of the landscape buffer shall correspond to the drainage easements Existing vegetation within the buffer area shall be retained except as necessary for access and maintenance of the easements No structure (wall/fence) shall be required and no landscaping shall be required
- c All other property boundaries shall have landscape buffers in compliance with Section 13 of the Zoning Ordinance

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 14 day of December, A D , 1999

BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA

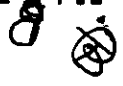
Sharon Stovall  
Chairman

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





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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 10/20/99  
WARREN E. RUSHING CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY Wanda Harris  
DEPUTY CLERK