




**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 Englewood United Methodist Church, and described in Resolution No 2000-040 attached hereto, to allow a House of Worship with Child Care Center in the RE-1 (Residential, Estate, 1 unit/2 acres) zone district, pursuant to Special Exception Petition No 1477 filed by Richard Ringfeldt, Agent, and granted by Sarasota County on February 22, 2000, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code

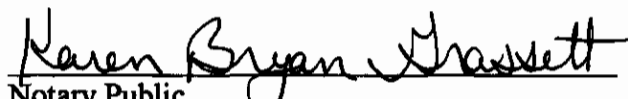
(Stipulations and limitations are those described in Section B of Resolution No 2000-040, attached hereto)

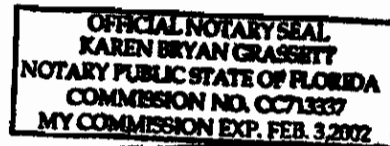

Executive Director
Growth Management Business Center

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 8th 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

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2000032751 7 PGS
2000 MAR 16 02:06 PM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
VBROTHER Receipt#020443

BOARD RECORDS
FILED FOR RECORD RESOLUTION NO 2000-040
OF THE BOARD OF COUNTY COMMISSIONERS
2000 FEB 25 AM 11:35 OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO 1477

KAREN L. JOHNSON
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

WHEREAS, Richard F Ringfelt, agent for the owner of the hereinafter described real property has filed Special Exception Petition No 1477 requesting that a special exception be granted to allow the property, located at the northeast corner of Dearborn Street and Oxford Drive, Sarasota County, Florida, to be used for House of Worship including Child Care Center in a RE-1 (Residential, Estate, 1 unit/2 acres) zone district, and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 3rd day of February, 2000, to consider said Special Exception Petition No 1477, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No 1477 be granted, and

WHEREAS, this Board, after due public notice, did on the 22nd day of February, 2000, hold a public hearing to consider said special exception petition, the recommendation of the Planning Commission and all matters relevant to said petition

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sarasota County, Florida, in public meeting assembled

A This Board, after having considered the report of the Planning Commission, the testimony of the applicant, evidence entered into the record, public comment on the petition and all things brought to its attention with regard to said Special Exception Petition No 1477 does make the following findings

(1) The granting of the Special Exception will not adversely affect the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare,

(2) All the requirements of the Sarasota County Zoning Regulations and the Comprehensive Plan for Sarasota County, Florida, have been met and satisfied,

(3) That the requirements of the District Regulations governing this Special Exception have been met, and

(4) The following standards have or have not been met as indicated

a The proposed use is consistent with the intent, goals, objectives, policies and programs of the Sarasota County comprehensive plan for the area in which the property is located,

b The intensity of the proposed use is consistent with the intended future use of the area in which the property is located, in accordance with the programs of the "Future Land Use Plan",

c The proposed use singularly or in combination with other special exceptions does not change the character of the general vicinity, as shown on the locator map,

d The intensity of the proposed use is harmonious with the character of other uses in the general vicinity, as shown on the locator map,

e The height and orientation of the proposed structure(s) or use is compatible with the existing neighboring structures and uses,

f The subject parcel is sufficient and adequate in shape and size to accommodate the proposed use, and would provide for the appropriate separation between neighboring uses,

g The proposed use is adequately screened and buffered to effectively separate traffic, light and noise from the existing or intended abutting uses,

h The loading and refuse areas would not impose negative visual, odor, or noise impacts on abutting uses and thoroughfares,

i The size and location of the proposed sign(s) would conform to the character of existing neighboring uses,

j The exterior lighting would be harmonious with the existing character of existing neighboring uses, in terms of glare,

k The ingress and egress to the subject parcel and the structures involved, if any, would not adversely affect traffic flow, safety and control,

l The access and internal circulation is adequate in case of fire or emergency;

m The proposed use would not cause excessive traffic impacts on the surrounding roadway system,

n The location, type and availability of potable water for the proposed use is compatible with neighboring uses,

o The location, type and availability of the proposed wastewater system is compatible with neighboring uses, and

p The proposed use would not cause or intensify flooding of neighboring uses

B Special Exception Petition No 1477 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit

Northeast corner of Dearborn Street and Oxford Drive, more particularly described as follows

Lots 377 & 378, and all that portion of vacated Lots 379 through 384, Englewood Gardens Subdivision, as recorded in Plat Book 4, Page 28A, of the Public Records of Sarasota County, Florida

Less the following Described portions

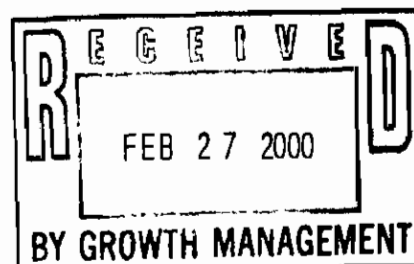
(O R Book 1879, Page 754 and 755)

All that part of the vacated Lots 379 through 384, inclusive, Englewood Gardens Subdivision, as per the Plat thereof recorded in Plat Book 4, Page 28A, of the Public Records of Sarasota County, Florida, lying South of a Line 60' North of and Parallel with the South Line of Section 30, Township 40 South, Range 20 East And the West 5' of the aforesaid vacated Lot 379 of Englewood Gardens Subdivision, as per the Plat thereof recorded in Plat Book 4, Page 28A, of the Public Records of Sarasota County, Florida. Also less. That part of vacated Lot 384, Englewood Gardens, as per the Plat thereof recorded in Plat Book 4, Page 28A, of the Public Records of Sarasota County, Florida, more particularly described as follows Commence at the Southeast corner of the Southeast $\frac{1}{4}$ of Section 30, Township 40 South, Range 20 East, Sarasota County, Florida, thence, North $89^{\circ}10'10''$ West, along the south boundary of the said Southeast $\frac{1}{4}$, a distance of 265.45 feet to point lying on the Southern Extension of the Easterly Line of Englewood Gardens, as recorded in Plat Book 4, Page 28A, of the Public Records of Sarasota County, Florida, thence, North $00^{\circ}59'40''$ East, along the Easterly Line and its Southerly Extension of the said Englewood Gardens, a distance of 60 00 feet to a point on East Line of vacated Lot 384 and the South Property Line per O R 1879, Page 754, said point being the Point of Beginning, thence, North $89^{\circ}10'10''$ West, parallel with and 60 00 feet North of The South Boundary of said Southeast $\frac{1}{4}$, a distance of 25 98 feet to the Proposed Right-Of-Way Line at the Northwest Intersection of Pine Street Extension and Dearborn Street, thence, North $45^{\circ}58'31''$ East, along said Proposed Right-Of-Way Line, a distance of 36 75 feet to the east line of said vacated Lot 384, thence, South $00^{\circ}59'40''$ West, along said Line a distance of 25 92 feet to the Point of Beginning All being in Section 30, Township 40 South, Range 20 East, Sarasota County, Florida
Subject to Rights-Of-Way and Easements of Record

and the same is hereby approved for 1477, subject to the stipulations as set forth below As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section B and their successors and assigns Upon recording in the public records of Sarasota County, these stipulations shall be covenants running with the land

- 1 Development shall take place in substantial compliance with the Development Concept Plan date stamped December 8, 1999 and attached hereto as Exhibit "A" This does not imply or confer any variances from applicable zoning or land development regulations.
- 2 All development shall comply with the Pine Street and South River Road Sector Plan (Ordinance No 93-051 as may be amended)
- 3 Prior to the submittal of any site and development plan that includes the northeast quadrant of the subject parcel, the on-site scrubby flatwoods limits shall be flagged in the field and confirmed by the County Resource Protection Services.
- 4 The Applicant shall provide documentation that the Florida Fish and Wildlife Conservation Commission have been consulted and have no listed species concerns prior to approval of any site and development plans that include the northeast quadrant of the parcel
- 5 Refuse areas shall be setback at least 50 feet from the property line and visually screened in accordance with Section 11 6 f of the Sarasota County Zoning Ordinance
- 6 Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets
- 7 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 regulation At that time of final construction plan 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

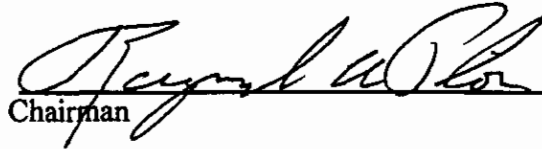
C This Resolution shall take effect immediately upon its adoption



PASSED AND DULY ADOPTED this 22nd day of February, A D , 2000

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By


Chairman

ATTEST

KAREN E RUSHING, Clerk
of Circuit Court and ex officio
Clerk of the Board of County
Commissioners of Sarasota
County, Florida

By


Deputy Clerk

