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Please record and return to Karen Grasset  
Growth Management Business Center  
1660 Ringling Boulevard, 5<sup>th</sup> Floor  
Sarasota, FL 34236


RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2002162479 7 PGS  
2002 OCT 02 06:42 PM  
KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
KRICE Receipt#224887



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

The following property, located east of McCall Road and south of Church Street in Sarasota County, Florida, owned by Community Presbyterian Church, and described in Resolution No. 2002-252, attached hereto, to allow a House of Worship with a Child Care Center in the RSF-2 (Residential, Single Family, 3.5 units/acre) zone district, pursuant to Special Exception Petition No. 1478 filed by W. Terry Osborn, Agent, and granted by Sarasota County on September 24, 2002, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

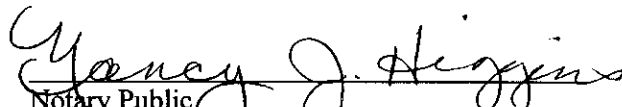
(Stipulations and limitations are those described in Section B of Resolution No. 2002-252, attached hereto)

  
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 1<sup>ST</sup> day of October, A.D. 2002.

  
Notary Public  
State of Florida at Large

This instrument prepared by:  
SMA



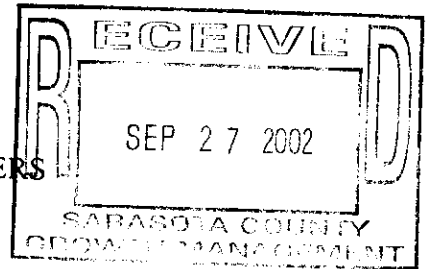
Nancy J. Higgins  
Commission # CC 936530  
Expires May 15, 2004  
Bonded Thru  
Atlantic Bonding Co., Inc.

BOARD RECORDS  
FILED FOR RECORD

2002 SEP 26 PM 2:55

CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FL

RESOLUTION NO. 2002-252  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA  
SPECIAL EXCEPTION NO. 1478



WHEREAS, Terry Osborne, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1478 requesting that a special exception be granted to allow the property, located east of McCall Road and south of Church Street, Sarasota County, Florida, to be used for a House of Worship with Child Care Center in the RSF-2 (Residential, Single Family, 3.5 units/acre) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 20<sup>th</sup> day of June, 2002, to consider said Special Exception Petition No. 1478, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1478 be granted, and

WHEREAS, this Board, after due public notice, did on the 24th day of September, 2002, 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. 1478 does make the following findings:

(1) The granting of the Special Exception will promote 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. 1478 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

(QUIT CLAIM DEED RECORDED IN O.R. BOOK 1587, PG. 1575) LOTS 22, 23, 24 AND 25, BLOCK D, BRUCE WOOD SUBDIVISION, AND LOTS 49, 51 AND 52, BLOCK E, BRUCE WOOD SUBDIVISION, AS PER PLAT BOOK 5, PAGE 16, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. (WARRANTY DEED RECORDED IN O.R. BOOK 1775, PG. 935) LOT 26 AND A TEN (10) FOOT STRIP ADJACENT TO THE SOUTHERLY BOUNDARY OF LOT 26, BLOCK D, BRUCE WOOD SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 16, PUBLIC RECORDS OF SARASOTA, COUNTY FLORIDA.

(WARRANTY DEED RECORDED IN O.R. INSTRUMENT 1999146047) LOTS 27, 28, 29 AND THE WEST 1/2 OF LOT 30, BLOCK D, BRUCE WOOD SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 16, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. (WARRANTY DEED RECORDED IN O.R. BOOK 1845, PG. 607) A PART OF LOTS 47 AND 48, BLOCK E, BRUCEWOOD SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 16, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE MOST SOUTHERLY CORNER OF LOT 47, AS A POINT OF BEGINNING; THENCE RUN NORTHEASTERLY ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 47, 104.3 FEET; THENCE NORTHWESTERLY 111.65 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF LOT 48, SAID POINT BEING 120.0 FEET NORTHEASTERLY OF THE MOST WESTERLY CORNER OF SAID LOT 48 MEASURED ALONG THE NORTHERLY BOUNDARY OF LOT 48; THENCE SOUTHWESTERLY 120.0 FEET TO THE MOST WESTERLY CORNER OF SAID LOT 48; THENCE BY A CURVE TO THE RIGHT RADIUS 200.0 FEET, ARC 58.41 FEET, CHORD S 41°57'02"E., 58.2 FEET; THENCE S 50°19'00"E., 82.0 FEET TO THE P.O.B. LOT 50, BLOCK E, BRUCEWOOD SUBDIVISION, AS RECORDED IN PLAT BOOK 5, PAGE 16, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

and the same is hereby approved for 1478, 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 May 8, 2002. This does not imply or confer any variances from applicable zoning or land development regulations.
2. 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.
3. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
4. 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.
5. Master Surface Water Management Plans, including both existing and proposed developments shall be submitted prior to or concurrent with the site plan submittal in accordance with Ordinance No. 2002-026.
6. The maximum occupancy of the childcare will be 150 children and 17 caregivers. Thirty-six (36) of these children will be infants with associated caregivers, to be cared for in the existing day care building, and the remaining 114 children, and associated caregivers, will be cared for in the new Youth Education Building, and will utilize the 5,000 square foot playground in the indoor courtyard of the new building.

C. This Resolution shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED this 24<sup>th</sup> day of September, A.D., 2002.

BOARD OF COUNTY COMMISSIONERS OF  
SARASOTA COUNTY, FLORIDA

By *Nora Patterson*  
Chairman

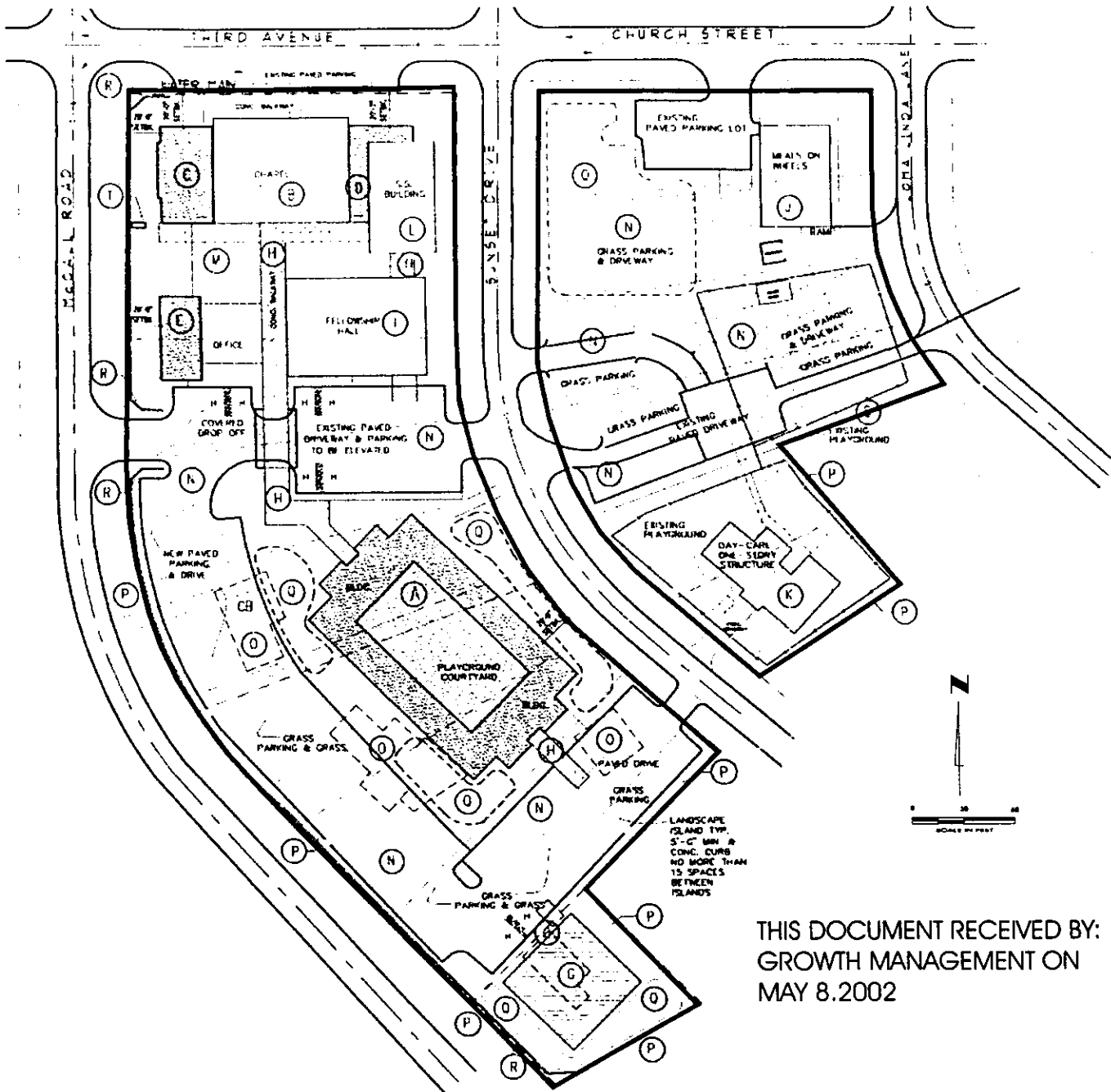
ATTEST:

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

By *Paula J. Mintman*  
Deputy Clerk

# MAP SERIES/CONCEPT PLAN

## EXHIBIT "A"



THIS DOCUMENT RECEIVED BY:  
GROWTH MANAGEMENT ON  
MAY 8, 2002

### MASTER PLAN LEGEND

- |   |  |  |
|---|--|--|
| <ul style="list-style-type: none"> <li>(A) NEW ONE STORY YOUTH EDUCATION BLDG., 9,000 S.F. WITH NEW DAY CARE.</li> <li>(B) EXISTING SANCTUARY 5,273 S.F., ENLARGED TO 7924 S.F., AND 500 SEATS</li> <li>(C) NEW 1,948 S.F. ADDITION TO FRONT OF SANCTUARY FOR FOYER AND RESTROOMS</li> <li>(D) NEW 1,000 S.F. ADDITION TO REAR OF SANCTUARY FOR MORE CHOR SPACE AND TO CONNECT TO EXISTING NORTH-END ENTRY OF "L"</li> <li>(E) NEW ONE STORY ADDITION OF 1,175 S.F. TO EXISTING CHURCH BUSINESS BUILDING.</li> <li>(G) FUTURE ONE STORY BUSINESS OFFICE BUILDING. 3600 S.F.</li> <li>(H) NEW ONE STORY ROOF COVERED WALKWAY SYSTEM AND DRIVEWAY COVERED DROP-OFF</li> </ul> | <ul style="list-style-type: none"> <li>(I) EXISTING FELLOWSHIP HALL BUILDING TO REMAIN. EXISTING DAY CARE BUILDING AND PLAYGROUND TO REMAIN. INCREASE DAY CARE OCCUPANCY TO 60 CHILDREN AND 7 ADULTS FROM 38 CHILDREN AND 4 ADULTS. THIS POPULATION WILL MOVE INTO THE NEW "A" BUILDING. THIS FACILITY WILL THEN BE USED FOR INFANT AND TODDLER CARE OF 36 MAX.</li> <li>(J) MEALS ON WHEELS BUILDING TO REMAIN.</li> <li>(L) EXISTING SUNDAY SCHOOL CLASSROOM BUILDING TO BE ADDED TO SANCTUARY.</li> <li>(M) EXISTING MEMORIAL GARDEN TO REMAIN.</li> <li>(N) IMPROVE PARKING AREAS OF GRASS OR ASPHALT SURFACES AND STORM DRAINAGE SYSTEM AS REQUIRED. 150 EXISTING GRASS PARKING TO REMAIN.</li> </ul> | <ul style="list-style-type: none"> <li>(O) DEMOLISH EXISTING ONE STORY RESIDENCES AND ONE STORY CHURCH BUILDING.</li> <li>(P) 5 FT. WIDE LANDSCAPE BUFFER TYPE "A" PER CO. ZONING SECT. 13.14</li> <li>(Q) NEW OR EXISTING STORM WATER RETENTION AREA THESE AREAS WILL BE MINIMIZED IMPROVEMENTS DURING THE GRASS PARKING PHASE. IF REQUIRED, ABOVE GROUND RETENTION PONDS WILL BE USED.</li> <li>(R) NEW 30 IN. MAX. HGT. TALL DECORATIVE STUCCO WALL</li> <li>(S) 10 FT. WIDE LANDSCAPE BUFFER TYPE "D" PER ZONING SECT. 13.14</li> <li>(T) EXISTING GROUND MONUMENT SIGN TO REMAIN</li> </ul> |
|---|--|--|