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



RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2003101345 5 PGS
2003 MAY 23 01:55 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
RAGIORDA Receipt#323421



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

The following property located north of Webber road and 2,000 feet east of Palmer Boulevard in Sarasota County, Florida, owned by Copeland Development Co., and described in Resolution No. 2003-078 attached hereto, to allow cluster housing in the RE-1 (Residential, Estate, 1 unit/2 acres) zone district, pursuant to Special Exception Petition No. 1492 filed by Robert Medred, Agent, and granted by Sarasota County on May 13, 2003, 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.2003-078, 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 22nd day of May, A.D. 2003.

Nancy J. Higgins
Notary Public
State of Florida at Large

This instrument prepared by:
CF



RESOLUTION NO. 2003-078
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1492

2003 MAY 15 PM 2:51
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

WHEREAS, Robert Medred, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1492 requesting that a special exception be granted to allow the property, located north of Webber road and 2,000 feet east of Palmer Boulevard, Sarasota County, Florida, to be used for cluster housing in the 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 16th day of August, 2001, to consider said Special Exception Petition No. 1492, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1492 be denied, and

WHEREAS, this Board, after due public notice, did on the 19th day of March, 2003, 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. 1492 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;

MAY 15 2003

- 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. 1492 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

Tracts 2, 3, 4 and 5, Block 28, Palmer Farms, Third Unit, as per Plat thereof recorded in Plat Book 3, Page 39, of the Public Records of Sarasota County, Florida. Also the following described property: Begin at the southwest corner of Lot 1, Block 28, Palmer Farms, Third Unit, a subdivision as recorded in Plat Book 3, Page 39, of the Public Records of Sarasota County, Florida; Thence north $83^{\circ}23'41''$ east along the north right-of-way line of Webber Road (50 feet wide), 324.73 feet to the Principal Place of Beginning; Thence north $2^{\circ}02'00''$ east, parallel to the east line of said Lot 1, Block 28, 706.98 feet; Thence north $67^{\circ}22'10''$ east along the north line of said Lot 1, Block 28, 304.91 feet; Thence south $2^{\circ}02'00''$ west along the east line of said Lot 1, Block 28, 792.12 feet; Thence south $83^{\circ}23'41''$ west along the north right-of-way line of said Webber Road, 208.27 feet to the Principal Place of Beginning.

and the same is hereby approved for cluster housing, 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 24, 2001, and attached hereto as Exhibit "A" except as modified to comply with the stipulations contained herein and in Rezone Petition No. 99-45. This does not imply or confer any variances from applicable zoning or land development regulations.
2. All lots shall contain a minimum area of one acre of land. No portion of the lake shall be used to fulfill this requirement.

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

PASSED AND DULY ADOPTED this 13th day of MAY, A.D., 2003.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By: Shannon Staul
Chairman

ATTEST:

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

By: Candice J. Goodson
Deputy Clerk