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INSTRUMENT # 2000141352 6 PGS

2000 NOV 06 02:42 PM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
DCOURSEY Receipt#087505

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

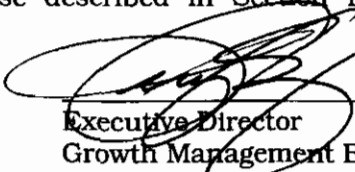


2000141352

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 Art Guild, Inc), Marion V Strunz, and described in Resolution No. 2000-242 attached hereto, to allow a youth orientated community service, non-profit organization in the RSF-3 (Residential, Single Family, 4 5 units/acre) zone district, pursuant to Special Exception Petition No 1507 filed by Bernard J Whitman, Agent, and granted by Sarasota County on October 24, 2000, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code.

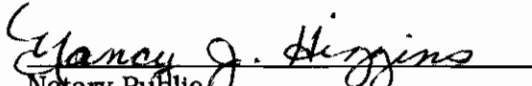
(Stipulations and limitations are those described in Section B of Resolution No 2000-242, attached hereto)


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 3rd day of November, A D. 2000


Notary Public
State of Florida at Large

This instrument prepared by.
Nancy Higgins



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

BOARD RECORDS
FILED IN RECORD
2000 OCT 31 AM 10:36
CLERK OF CIRCUIT COURT
SARASOTA COUNTY FL

RESOLUTION NO 2000-242
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO 1507

WHEREAS, Bernard Whitman, agent for the owner of the hereinafter described real property has filed Special Exception Petition No 1507 requesting that a special exception be granted to allow the property, located west of McCall Road and 2300 feet ± south of Dearborn Street, Sarasota County, Florida, to be used for a youth oriented community service, non-profit organization, (Englewood Art Center and Gallery) in the RSF-3 (Residential, Single Family, 4 5 units/acre) zone district, and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 7th day of September, 2000, to consider said Special Exception Petition No 1507, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No 1507 be approved, and

WHEREAS, this Board, after due public notice, did on the 24th day of October, 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 1507 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 1507 is hereby approved for the following described property, said property being in Sarasota County, Florida, to-wit

West of McCall Road & 2300 feet \pm south of Dearborn Street, more particularly described as follows

A parcel of land in Section 36, Township 405, Range 19 East, Sarasota County, Florida more particularly described as follows

Commence at the southeast corner of Block "E" of the Plat Book, of Palm Grove as recorded in Plat Book 2, Page 38 of the Public Records of Sarasota County, Florida, thence north along west right-of-way of McCall Road (County Road), 108 6 feet for a POINT OF BEGINNING, thence continue north 238 0 feet, thence north 89° 25 feet west, 295 0 feet to the east right-of-way of Kluge Street (50 feet right-of-way), Thence south 238 0 feet along said east right-of-way of Kluge Street, thence south 89° 25 feet east, 295 0 feet to the POINT OF BEGINNING,

and the same is hereby approved for a youth oriented community service, non-profit organization, Englewood Art Center, 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 April 6, 2000 and attached hereto as Exhibit "A", except for modifications necessary to comply with the stipulations herein This does not imply or confer any variances from applicable zoning or land development regulations
- 2 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
- 3 Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets
- 4 Prior to the issuance of a Certificate of Occupancy for the special exception use, the following buffering shall be installed
 - a Planting of Viburnum odoratissimum shrubs at three feet on center along southern property line for the entire length of said property line The hedge should be offset to avoid the existing drainage swale

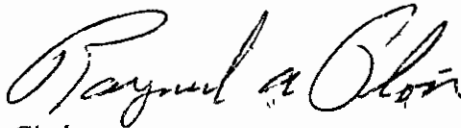
- b Planting of Viburnum odoratissimum shrubs at three feet on center along westerly 43 feet (approximately) of the north property line so as to maximize screening of the single-family residence to the northwest
- c Planting of Viburnum odoratissimum shrubs along the north property line from the existing shrubs to the east property line (approximately 165 feet)

Plantings shall be in 3 gallon containers in size and Florida #1 or better quality All plant material shall be maintained pursuant to Section 13 of the Sarasota County Zoning Ordinance

C This Resolution shall take effect immediately upon its adoption

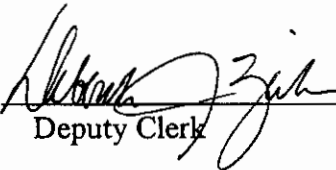
PASSED AND DULY ADOPTED this 24th day of October, A D , 2000

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By 
Chairman

ATTEST

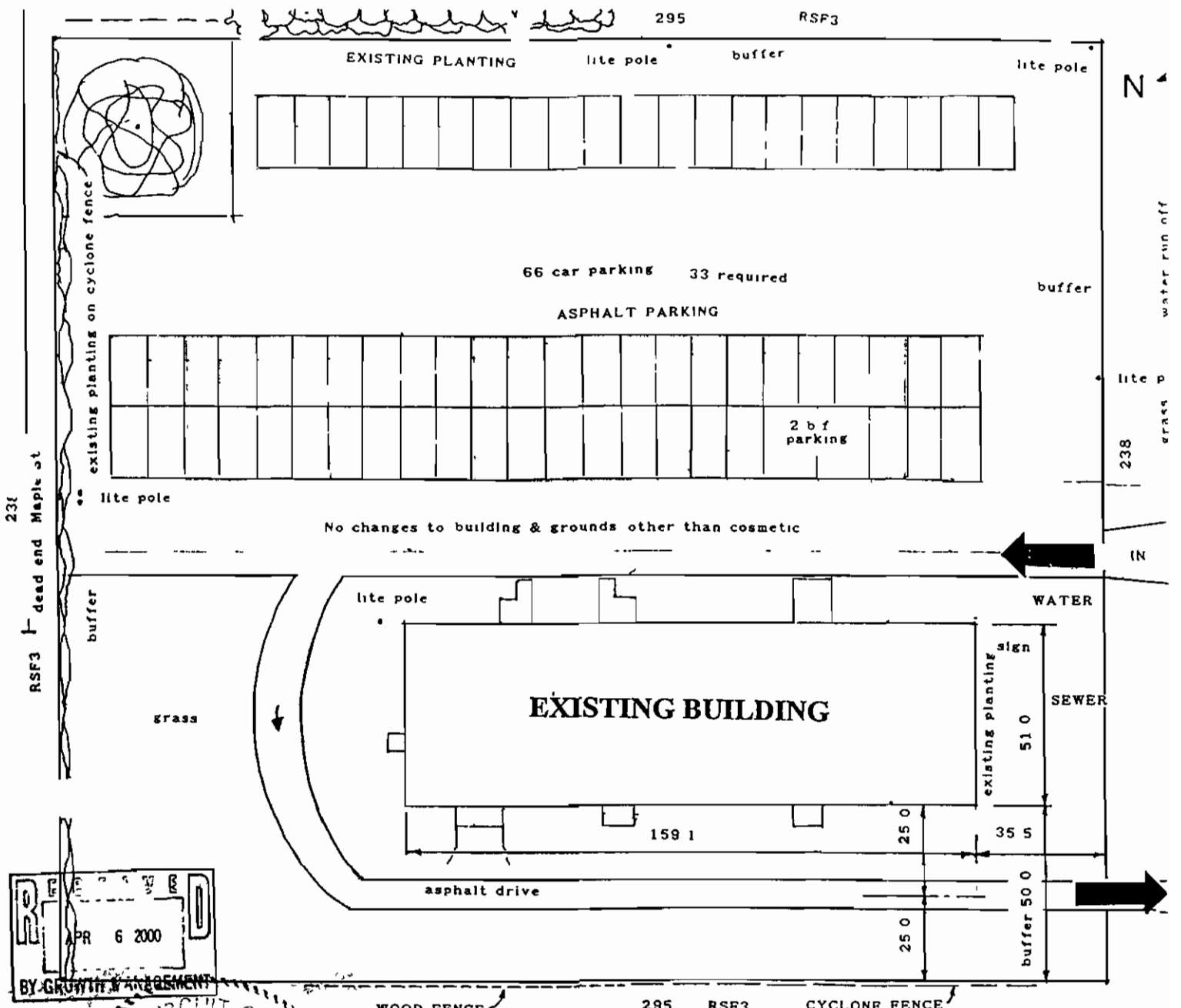
KAREN E RUSHING, Clerk
of Circuit Court and ex officio
Clerk of the Board of County
Commissioners of Sarasota
County, Florida

By 
Deputy Clerk

Se1507/FF

Exhibit "A"

MAP SERIES / CONCEPT PLAN



REFERENCE
 APR 6 2000
 BY: GROWTH MANAGEMENT

STATE OF FLORIDA
 COUNTY OF SARASOTA
 I HEREBY CERTIFY THAT THE FOREGOING IS A
 TRUE AND CORRECT COPY OF THE ORIGINAL FILED
 IN THIS OFFICE WITNESS MY HAND AND OFFICIAL
 SEAL THIS DATE 10/3/00
 KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
 EX-OFFICIO CLERK TO THE BOARD OF COUNTY
 COMMISSIONERS, SARASOTA COUNTY, FLORIDA
 BY: [Signature]
 DEPUTY CLERK