

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

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2002009914 8 PGS


2002 JAN 17 03:38 PM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CBETHEL Receipt#127323



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 Georgia Aleppo 17.5% interest and Aurora Ministries 82.5% interest, and described in Resolution No. 2001-309 attached hereto, to allow a private club in the OUE-1 (Open Use, Estate, 1 unit/5 acres) zone district, pursuant to Special Exception Petition No. 1534 filed by Mark Loveridge, Agent, and granted by Sarasota County on December 12, 2001, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

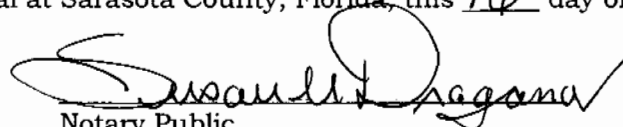
(Stipulations and limitations are those described in Section B of Resolution No. 2001-309, attached hereto)


Executive Director
Growth Management Business Center

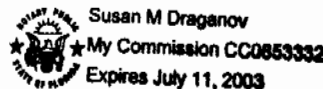
STATE OF FLORIDA
COUNTY OF SARASOTA

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 16 day of January, A.D. 2002.


Notary Public
State of Florida at Large

This instrument prepared by:
Susan Draganov



BOARD RECORDS
FILED FOR RECORD

2002 JAN 15 AM 11:09

CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

RESOLUTION NO. 2001-309
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1534

WHEREAS, Mark Loveridge, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1534 requesting that a special exception be granted to allow the property, located 4,000 feet ± east of Pine Street and south of Medical Boulevard, Sarasota County, Florida, to be used for a private club in the OUE-1 (Open Use, Estate, 1 unit/5 acres) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 20th day of September, 2001 to consider said Special Exception Petition No. 1534, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1534 be granted, and

WHEREAS, this Board, after due public notice, did on the 19th day of November, 2001 and on the 12th day of December, 2001 hold a public hearings 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. 1534 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. 1534 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

4,000 feet \pm east of Pine Street and south of Medical Boulevard, Englewood, more particularly described as follows:

Being a parcel of land lying in Section 32, Township 40 South, Range 20 East, Sarasota County, Florida. Being more particularly described as follows:

Beginning at the southeast corner of Section 32, Township 40 South, Range 20 East, being a concrete monument as described in Florida Department of Natural Resources Document #34041; thence north $89^{\circ}15'27''$ west along the southerly line of the southeast quarter of said Section 32 (the south quarter of said Section 32, being a 3 inch iron pipe & nail as described in Florida Department of Natural Resources (D.N.R.) Document No. 34028, which bears north $89^{\circ}15'27''$ west, a distance of 2,665.00 feet from the POINT OF BEGINNING), a distance of 1,356.58 feet; thence north, a distance of 1,152.32 feet to the southerly right-of-way line of Medical Boulevard, a 60 foot wide public right-of-way as recorded in Official Records Book 1822, Pages 2549 thru 2652 of the Public Records of Sarasota County; thence south $89^{\circ}25'20''$ east along a portion of said southerly right-of-way line, a distance of 1,411.82 feet to a point on the easterly line of the southeast quarter of Section 32-40-20; thence south $02^{\circ}44'19''$ west along said easterly line of Section 32, a distance of 1,156.98 feet to the POINT OF BEGINNING.

Less and except State of Florida sovereignty submerged lands commonly known as Aingers Creek lying in Section 32, Township 40 South, Range 20 East, Sarasota County, Florida. Being more particularly described as follows:

Commencing at the southeast corner of Section 32, Township 40 South, Range 20 East, being a concrete monument as described in Florida Department of Natural Resources (D.N.R.) Document #34041; thence north $89^{\circ}15'27''$ west along the southerly line of the southeast quarter of said Section 32 (the south quarter of said Section 32, being a 3 inch iron pipe and nail as described in Department of Natural Resources Document #34028, which bears north $89^{\circ}15'27''$ west, a distance of 2,665.00 feet from the Point of

Commencement); a distance of 805.88 feet to the POINT OF BEGINNING (Point "A"), said point being the westerly mean high water line of Aingers Creek (said mean high water line being established at elevation 1.00 N.G.V.D. 1929 as determined from a range ration study and mean high water survey performed by Foresight Surveyors, Inc. on December 10, 1999 under direction from Florida Department of Environmental Protection); thence northerly and westerly along said westerly mean high water line a distance of 1,628.89 feet to the intersection of said westerly mean high water line of Aingers Creek and the easterly line of the southeast quarter of aforementioned Section 32, said point lying north 46°00'03" east, a distance of 1,175.18 feet from Point "A"; thence south 02°44'19" west along the easterly line of the southeast quarter of said Section 32, a distance of 55.03 feet to Point "B", said point being on the easterly mean high water line of said Aingers Creek; thence along said easterly mean high water line, a distance of 1,709.85 feet to the point of intersection of said easterly mean high water line of Aingers Creek and the southerly line of the southeast quarter of said Section 32, said point lying south 40°22'54" west, a distance of 1,002.79 feet from Point "B"; thence north 89°15'27" west along the southerly line of the southeast quarter of said Section 32, a distance of 193.06 feet to the POINT OF BEGINNING. Containing 33.98 acres more or less,

and the same is hereby approved for 1534, 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 accordance with the Development Concept Plan date stamped November 29, 2001 attached hereto as Exhibit "A" except modified as necessary to comply with the stipulations contained herein. This does not imply or confer any variances from applicable zoning or land development regulations.
2. The wetland and associated upland vegetative buffer shall be maintained as a preserve and labeled a preserve on all plans. Existing mesic hammock adjacent to the wetland shall be preserved within an extended wetland buffer. All activities involving filling, excavating, well drilling, altering vegetation (including trimming of both trees and understory) and storing of materials shall be prohibited within preservation areas, unless written approval is first obtained from Resource Protection Services. Exception may be granted by Resource Protection Services to facilitate implementation of approved management plans or the removal of nuisance/invasive vegetation.

3. Existing native vegetation shall be retained within open areas designated on the submitted Development Concept Plan. An Integrated Pest Management Plan for pesticides, herbicides and fertilizers shall be submitted at the time of Site and Development Plan filing.
4. A vegetative buffer shall be established between future development of the subject parcel and Ainger Creek. The buffer width shall be a minimum of 50' measured landward from the top of bank or extent of wetland vegetation.
5. Nuisance and invasive vegetation shall be removed from the property and properly disposed of in an approved landfill or other method approved by Resource Protection Services.
6. The Applicant shall utilize the Aigner Creek Watershed Model to demonstrate that no adverse increase in off site flood levels will result from this new development.
7. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
8. Outdoor refuse and loading areas shall be visually screened in accordance with Section 11.6 of the Zoning Ordinance.
9. 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, and 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 of Purchaser, approved by Sarasota County, putting purchasers on notice that the maintenance of drainage facilities is a private responsibility.
10. All development shall comply with the Pine Street, Dearborn Street, South River Road Sector Plan (No. 89-01-SP, Ord. No. 93-05).

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

PASSED AND DULY ADOPTED this 12th day of December, A.D., 2001.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By *Nora Patterson*
Chairman

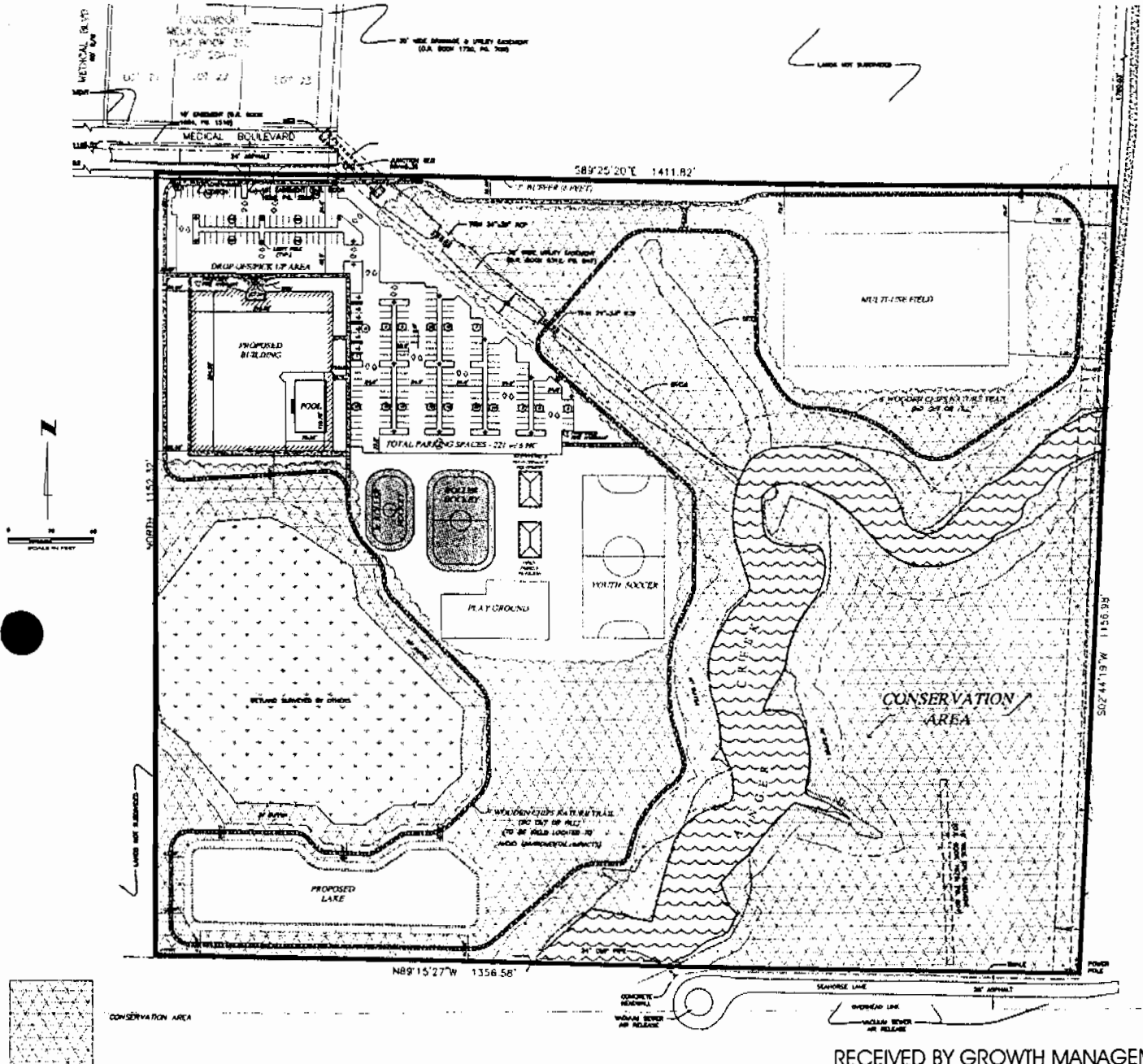
ATTEST:

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

By *Paula J. Clintoman*
Deputy Clerk

MAP SERIES/CONCEPT PLAN

EXHIBIT "A"

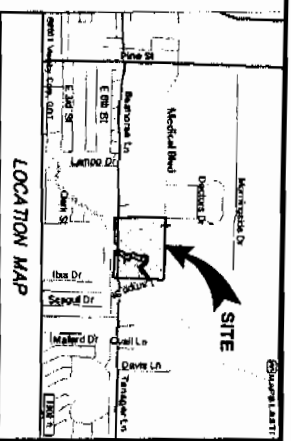


RECEIVED BY GROWTH MANAGEMENT ON
DECEMBER 17, 2001

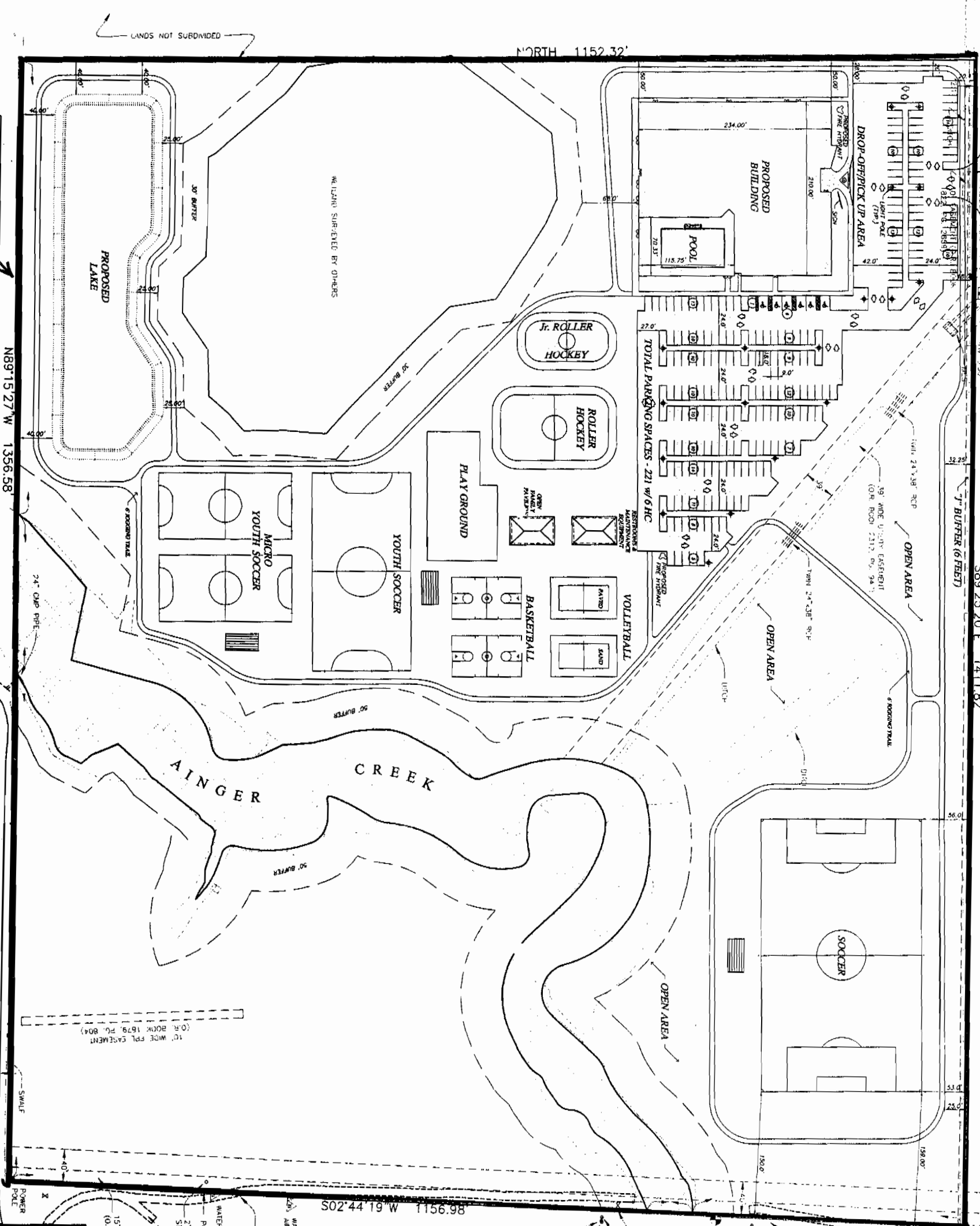
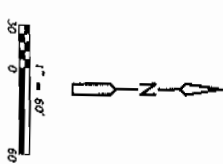
LAND USE:	
EXISTING USE	VACANT
PROPOSED USE	ENGLEWOOD YMCA FACILITY
EXISTING ZONING	OUE
PROPOSED ZONING	SPECIAL EXCEPTION REQUESTED
SITE DATA:	
TOTAL SITE AREA	1,597,680 sq. ft. = 36.7 Acres
NON-CLEARED AREA	565,683 sq. ft. = 13.0 Acres
CLEARED AREA	408,802 sq. ft. = 9.4 Acres
CONSERVATION AREA	310,465 sq. ft. = 7.1 Acres
ANGER CREEK	117,546 sq. ft. = 2.7 Acres
WETLAND AREA	141,733 sq. ft. = 3.3 Acres
POND AREA	53,451 sq. ft. = 1.2 Acres
BUILDING COVERAGE:	
REC. CENTER	40,596 sq. ft.
RESTROOMS	1,500 sq. ft.
OPEN FAM. PAVILION	1,300 sq. ft.
POOL & DECK	6,227 sq. ft.
TOTAL	51,623 sq. ft.

UTILITIES:	
CENTRAL WATER	ENGLEWOOD WATER DISTRICT
CENTRAL SEWER	ENGLEWOOD WATER DISTRICT
PARKING REQUIREMENTS: 221 PARKING SPACES INCLUDING 6 H/V	
REQUIRED	201 SPACES
PROVIDED	221 SPACES
FEMA ZONE: A12 (EL. 12.0)	
IMPERVIOUS AREA:	
BUILDINGS	51,623 sq. ft. 1.2 Acres
PARKING/SIDEWALKS	99,350 sq. ft. 2.3 Acres
ROLLER HOCKEY AREAS	21,850 sq. ft. 0.5 Acres
TOTAL	173,723 sq. ft. 4.0 Acres

NATURAL AREA:		
OPEN SPACE (UNDEVELOPED) (INCLUDING WETLAND, CREEK, CONSERVATION AREA, AND 6" NATURE TRAIL)	1,015,650 sq. ft.	23.1 Acres 63.6
OPEN SPACE (DEVELOPED) (INCLUDING BALL FIELDS, SOCCER FIELD, PLAYGROUND, POND AND LAWN AND LANDSCAPE AREA)	408,802 sq. ft.	9.4 Acres 25.6
TOTAL	1,424,452 sq. ft.	89.2
TOTAL AREA	36.7 Acres	100%



MAY 15, 2001
 Received by
 Growth Management



LAND USE:
 EXISTING USE: VACANT
 PROPOSED USE: ENGLEWOOD YMCA FACILITY
 EXISTING ZONING: OUE
 PROPOSED ZONING: SPECIAL EXCEPTION REQUESTED

SITE DATA:
 TOTAL SITE AREA: 1,480,134 sq. ft.
 BUILDING COVERAGE: 40,536 sq. ft.
 REC. CENTER: 1,500 sq. ft.
 RESTROOMS: 1,500 sq. ft.
 OPEN PAV. PAVILION: 8,227 sq. ft.
 POOL & DECK: 8,227 sq. ft.

UTILITIES:
 ENGLEWOOD WATER DISTRICT
 CENTRAL SEWER
 ENGLEWOOD WATER DISTRICT

PARKING REQUIREMENTS: 221 PARKING SPACES INCLUDING 6 H/C
 PROVIDED: 203 SPACES
 REMAINING: 18 SPACES
 FEMA ZONE: A12 (E.L.12.0)

15' HEIGHT ENGINEER (O.E. BOOK 148X, PG. 510)
 WATER METER & AIR RELEASE VALVE
 WATER RISER & GATE VALVE 12" PVC STAND PIPE
 2 SANITARY CLEANOUTS 12" PVC STAND PIPE
 DOUBLE 12" PVC STAND PIPE
 8" PVC STAND PIPE
 6" PVC STAND PIPE
 4" PVC STAND PIPE
 2" PVC STAND PIPE
 10" WIDE DIRT ROAD
 3" WIDE DIRT ROAD
 WATER METER
 POWER POLE
 2" PVC STAND PIPE
 10" WIDE DIRT ROAD

**CONCEPTUAL PLAN
 ENGLEWOOD FAMILY YMCA
 BRANCH OF SOUTH COUNTY FAMILY YMCA**

DATE: 12/21/00
SCALE: NOTED
DATE: 12/21/00
DATE: 12/21/00
DATE: 12/21/00

**4315 MCCOY BL.
 Englewood, CO 80152
 (941) 475-6596**

ENGINEERS SURVEYORS PLANNERS

DATE: 12/21/00
SCALE: NOTED
DATE: 12/21/00
DATE: 12/21/00
DATE: 12/21/00