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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 # 2003131971 5 Pgs
2003 JUL 03 12:54 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
JPENA Receipt#342542

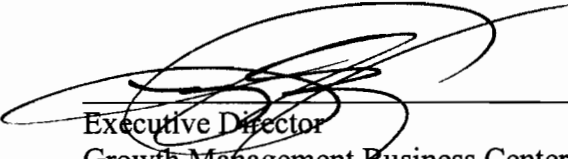


2003131971

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

The following property located North of Ashton Road and 900' east of Sawyer Road, in Sarasota County, Florida, owned by Lucia Finerty, and described in Resolution No. 2003-154 attached hereto, to allow Nursing Home and Extended Care Facilities in an RSF-3 zone district, pursuant to Special Exception Petition No. 1540 filed by Lucia Finerty, Agent, and granted by Sarasota County on June 25, 2003, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

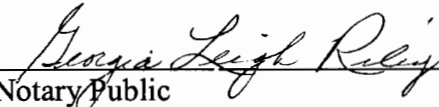
(Stipulations and limitations are those described in Section B of Resolution No. 2003-154, attached hereto)


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 1st day of July, A.D. 2003.


Notary Public
State of Florida at Large

This instrument prepared by:
CF



Georgia Leigh Riley
Commission # CC 930635
Expires April 23, 2004
Bonded Thru
Atlantic Bonding Co., Inc.

RESOLUTION NO. 2003-154
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1540

2003 JUN 25 PM 5:02

CLERK OF CIRCUIT COURT

WHEREAS, Lucia Finerty, Agent and Owner of the hereinafter described real property has filed Special Exception Petition No. 1540 requesting that a special exception be granted to allow the property, located at 4151 Ashton Road, Sarasota County, Florida, to allow a Nursing Home and Extended Care Facilities in an RSF-3 zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 3rd day of April, 2003, to consider said Special Exception Petition No. 1540, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1540 be granted, and

WHEREAS, this Board, after due public notice, did on the 25th day of June, 2003, hold a public hearing to consider said special exception petition, the recommendation of the Planning Commission and all matters relevant to said petition, and

WHEREAS, Special Exception No. 1540 repeals Special Exception No. 1290.

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. 1540 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;

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- 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. 1540 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

The legal description of said property in Sarasota County, Florida being: North of Ashton Road and 900' east of Sawyer Road, more particularly described as follows; The north 30.00' of the south 54' of that tract of land described in Official Record Book 2408, Page 2205, Public Records of Sarasota County, Florida, said tract of land being described as follows; The west 202.32 feet of the east 412.32 feet and the west 98.11 feet of the east 510.43 feet of the north 440.00 feet of Lot 14, Block 1, Section 10, Bee Ridge Farms, as per plat thereof recorded in Plat Book 1, Page 248 of the Public Records of Manatee County, Florida: **SUBJECT TO** taxes for the current and subsequent years, and restrictions of record, if any, and applicable zoning laws and ordinances.

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and the same is hereby approved for Special Exception No. 1540, 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.

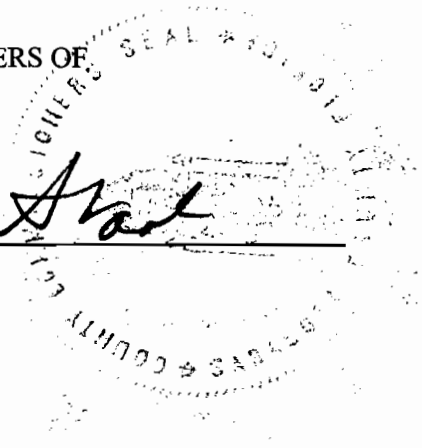
1. All outdoor lighting on the subject parcel shall be mounted on light posts no higher than 10 feet and located no closer than 50 feet to the north, east or west property lines.
2. All structures on the subject parcel shall be limited to one-story in height.
3. Development shall occur in substantial accordance with the Development Concept Plan date stamped January 6, 2003, attached hereto as Exhibit "A." This does not imply or confer any variances from applicable zoning or land development regulations.
4. The maximum number of beds allowed for the Nursing Home shall be limited to 72.
5. Refuse areas shall be setback at least 25 feet from any residentially zoned property and shall be visually screened in accordance with Section 11.6.f. of the Zoning Ordinance.
6. The following landscape buffers shall be installed around the perimeter of the subject parcel. A Buffer "D" along the Ashton Road property line and a 10 foot Buffer "C" along the north, east, and west property lines.

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

PASSED AND DULY ADOPTED this 25th day of June, A.D., 2003.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By *Sharon Stolt*
Chairman



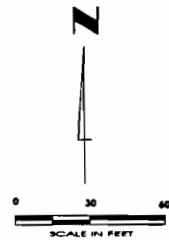
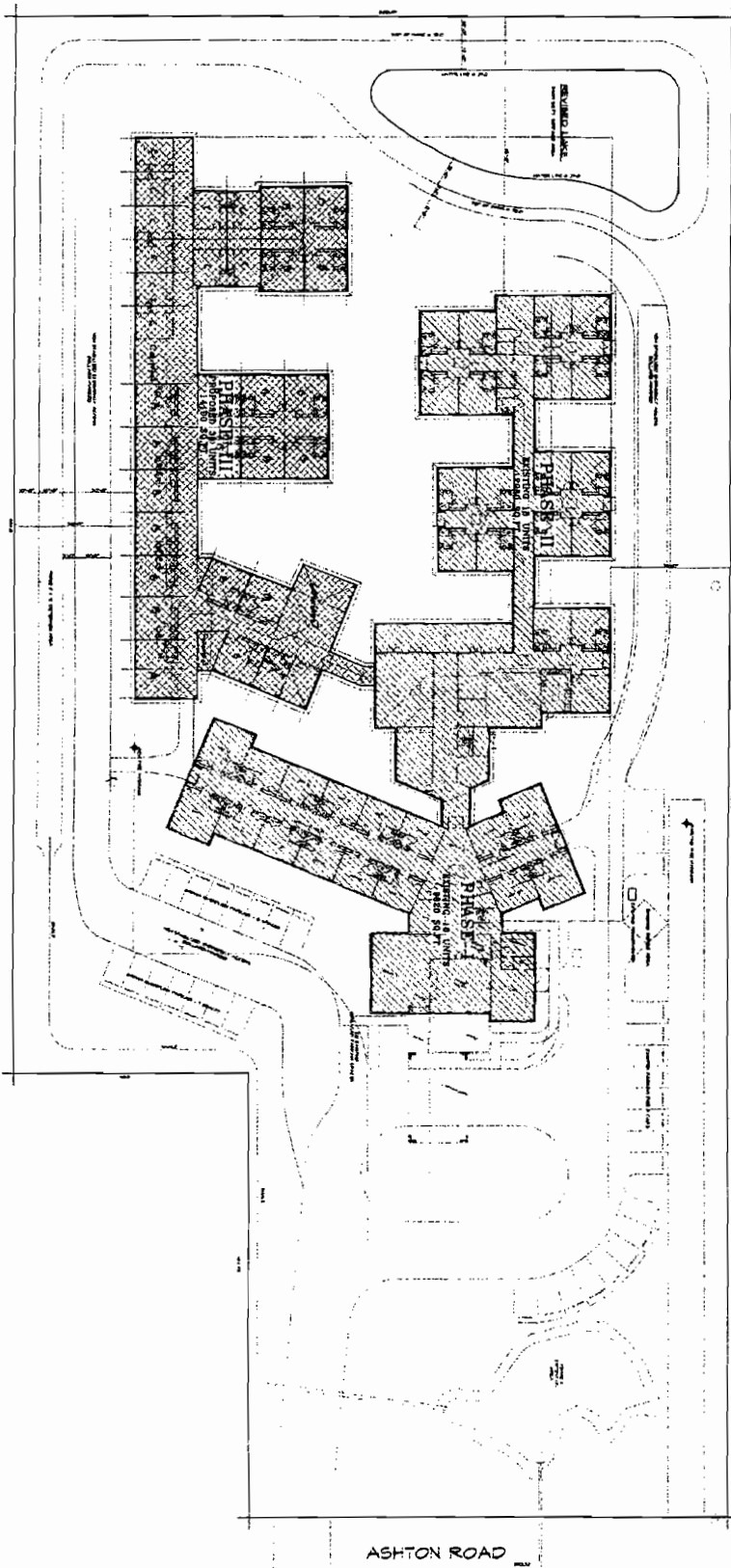
ATTEST:

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

By: *Paula J. Lentman*
Deputy Clerk

MAP SERIES/CONCEPT PLAN

EXHIBIT "A"



THIS DOCUMENT RECEIVED BY:
GROWTH MANAGEMENT ON
JANUARY 6, 2003

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