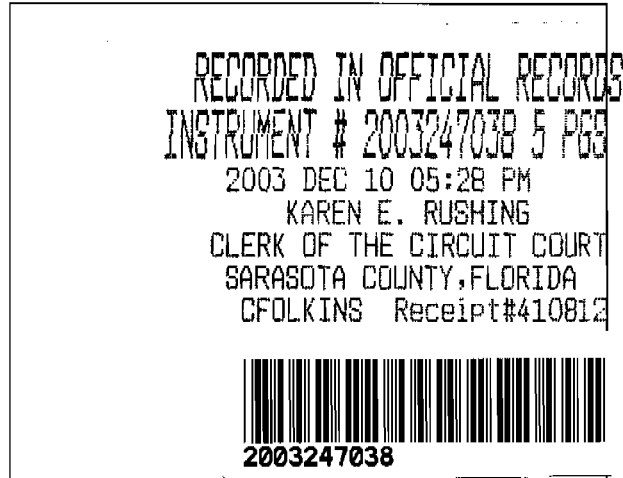


h  
Please record and return to: Karen Grasset  
(Via Inter-Office Mail)  
Growth Management Business Center  
1660 Ringling Boulevard, 5<sup>th</sup> Floor  
Sarasota, FL 34236

**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 Paul Kepes, and described in Resolution No. 2003-293 attached hereto, to allow Transient Accommodations in the CG (Commercial, General) zone district, pursuant to Special Exception Petition No. 1551 filed by Bruce Franklin, Agent, and granted by Sarasota County on December 3, 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. 2003-293, attached hereto)

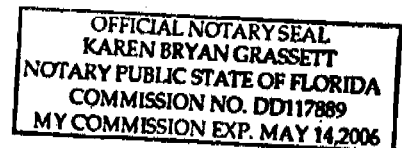
Executive Director  
Growth Management Business Center

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 9<sup>th</sup> day of December A.D. 2003.

Notary Public  
State of Florida at Large



This instrument prepared by:  
CS

(4) The proposed use, singularly or in combination with other special exceptions, will not be detrimental to the health, safety, morals, order, comfort, convenience, or appearance of the neighborhood or other adjacent uses by reason of any one or more of the following: the number, area, location, height, orientation, intensity or relation to the neighborhood or other adjacent uses;

(5) The proposed use will be adequately buffered to effectively separate traffic, visual impact and noise from existing or intended nearby uses;

(6) The subject parcel is adequate in shape and size to accommodate the proposed use; and

(7) The ingress and egress to the subject parcel and internal circulation will not adversely affect traffic flow, safety or control.

B. Special Exception Petition No. 1551 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

East of Avenida Navarra and 30 feet  $\pm$  south of Columbus Boulevard, more particularly described as follows;

Lots 37, 38 and 39, Block 11, Mira Mar Beach, according to the plat thereof, recorded in Plat Book 2, Pages 130 and 130A of the Public Records of Sarasota County, Florida.

and the same is hereby approved for Transient Accommodations, 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 Plans date stamped January 31, 2002 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 wheel stops for the existing parking spaces in the Avenida Navarra right-of-way shall be relocated to be a minimum of two feet from the edge of the existing sidewalk.
3. A maximum of eight transient units and one non-transient unit shall be permitted on the subject property.
4. The existing outdoor refuse storage area shall be screened in accordance with Section 4.10.4.r., Outdoor Refuse Collection and Storage Areas, of the Zoning Ordinance.

BOARD RECORDS  
FILED FOR RECORD

2003 DEC -4 AM 10: 10

RESOLUTION NO. 2003-293  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA  
SPECIAL EXCEPTION NO. 1551KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA

WHEREAS, Bruce Franklin, Agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1551 requesting that a special exception be granted to allow the property, located east of Avenida Navarra and 30 feet  $\pm$  south of Columbus Boulevard, Sarasota County, Florida, to be used for Transient Accommodations in the CG (Commercial, General) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 18th day of April, 2002, to consider said Special Exception Petition No. 1551, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1551 be granted, and

WHEREAS, this Board, after due public notice, did on the 3rd day of December, 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. Before any special exception shall be approved, the Board of County Commissioners shall determine that the granting of the special exception will or will not promote the public interest, health, safety, and general welfare; that the specific requirements in Article 5, Use Regulations governing the individual special exception, if any, have or have not been met by the applicant; and that the following standards, where applicable, have or have not been met:

(1) The proposed use is consistent with the intent, goals, objectives, policies, guiding principles and programs of the Comprehensive Plan;

(2) The proposed use is compatible with the existing land use pattern and designated future uses;

(3) There is adequate public facilities available consistent with the level of service standards adopted in the Comprehensive Plan, and as defined and implemented through the Sarasota County Concurrency Management System Regulations, Chapter 94, Article VII of Exhibit A of the Sarasota County Code;

5. Prior to final inspection of a swimming pool on lot 37, block 11 of the Mira Mar Beach Subdivision, the owner shall construct a sidewalk in the Avenida Navarra right-of-way at a width consistent with the existing sidewalk along Avenida Navarra.

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

PASSED AND DULY ADOPTED this 3<sup>rd</sup> day of December, A.D., 2003.

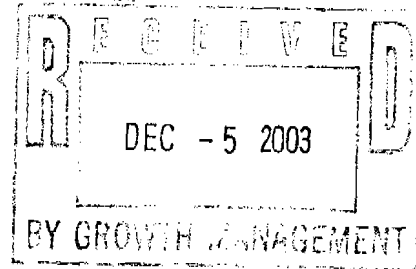
BOARD OF COUNTY COMMISSIONERS OF  
SARASOTA COUNTY, FLORIDA

By Shannon Haas  
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. Clintman  
Deputy Clerk



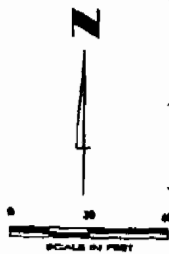
INSTRUMENT # 2003247038  
5 PGS

# MAP SERIES/CONCEPT PLAN

## EXHIBIT "A"

INSTRUMENT # 2003247038

5 PGS



AVENIDA NAVARRA

EXISTING SPACES

EXISTING SIDEWALK

6' BUFFER "J"

5' BUFFER "A"

EXISTING BUILDING

EXISTING BUILDING

EXISTING PAVING

EXISTING BUILDING

EXISTING BUILDING

EXISTING GAZEBO

EXISTING FENCE

5' BUFFER "A"

SPA

POOL

NEW PAVING

PROPOSED ADDITIONAL IMPERVIOUS SURFACE  
1,945 SF

5' BUFFER "A"

THIS DOCUMENT RECEIVED BY:  
GROWTH MANAGEMENT ON  
JANUARY 31, 2002