

6

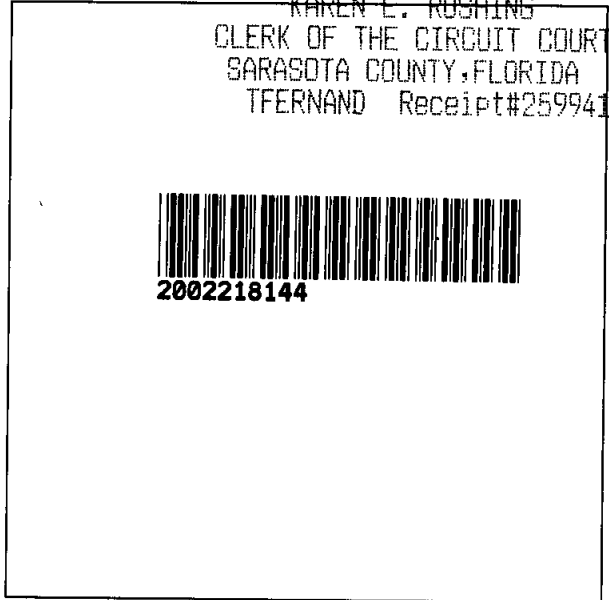
RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2002218144 6 PGS

2002 DEC 30 05:20 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
TFERNAND Receipt#259941

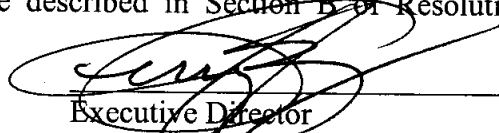
Please record and return to Karen Grasset
Growth Management Business Center
1660 Ringling Boulevard, 5th Floor
Sarasota, FL 34236



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

The following property, located north of Clark Road and east of Honore Avenue in Sarasota County, Florida, owned by Good Shepherd Lutheran Church, and described in Resolution No. 2002-349 attached hereto, to allow an existing House of Worship to include a Child Care Center in the OUE-1 (Open Use, Estate, 1 unit/5 acres) zone district, pursuant to Special Exception Petition No. 1561 filed by William Maddox, Agent, and granted by Sarasota County on December 18, 2002, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

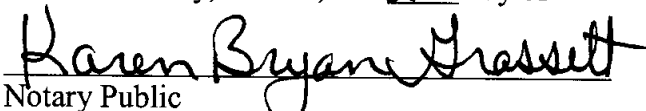
(Stipulations and limitations are those described in Section B of Resolution No. 2002-349, attached hereto)

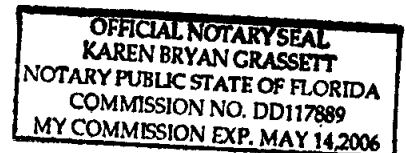

Executive Director
Growth Management Business Center

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 26th day of
December, A.D. 2002.


Notary Public
State of Florida at Large



This instrument prepared by:
SMA

BOARD RECORDS
FILED FOR RECORD

2002 DEC 19 AM 8:14

CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

RESOLUTION NO. 2002-349
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1561

WHEREAS, William Maddox, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1561 requesting that a special exception be granted to allow the property, located north of Clark Road and east of Honore Avenue, in Sarasota County, Florida, to amend an approved development plan for an existing House of Worship, to include a proposed Child Care Center 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 19th day of September, 2002, to consider said Special Exception Petition No. 1561, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1561 be granted, and

WHEREAS, this Board, after due public notice, did on the 18 day of December, 2002, 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. 1561 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. 1561 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

Commence at the southwest corner of lot 7, block 3, Sarasota-Venice Company subdivision of Section 12, Township 37 south, Range 18 east, recorded in Plat Book 1, page 255, Public Records of Manatee County, Florida, also recorded in Plat Book "A", page 68, Public Records of Sarasota County Florida, thence north along the west line of said lot 7 (and along the centerline of Honore Avenue), a distance of 80.00 feet for a Point of Beginning; thence continue north along said west line, a distance of 854.00 feet; thence east, a distance of 125.00 feet to the p.c. of a curve to the right having a central angle of 48°45'00" and a radius of 205.00 feet; thence along the arc of said curve, a distance of 174.42 feet to the p.c.c. of a curve to the right, having a central angle of 24°32'39" and a radius of 260.00 feet; thence along the arc of said curve, a distance of 111.38 feet; thence south 16°42'21" east, a distance of 175.90 feet to the p.c. of a curve to the right, having central angle of 36°57'21" and a radius of 294.00 feet; thence along the arc of said curve, a distance of 189.63 feet, thence south 20°15'00" west, a distance of 153.82 feet to the p.c. of a curve to the left, having a central angle of 11°00'00" and a radius of 600.18 feet; thence along the arc of said curve, a distance of 115.23 feet to the p.r.c. of a curve to right, having a central angle of 95°30'00" and a radius of 100.00 feet; thence along the arc of said curve, a distance of 166.68 feet to the p.r.c. of a curve to the left, having a central angle of 14°45'00" and a radius of 106.73 feet; thence along the arc of said curve, a distance of 27.48 feet; thence west, a distance of 143.61 feet to the Point of Beginning.
Less therefrom the west 60.00 feet for road right of way.

and the same is hereby approved for 1561, 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 June 18, 2002 and attached hereto as Exhibit "A". This does not infer nor imply any variances from applicable zoning or land development regulations.
2. 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 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. Outdoor refuse and loading areas shall be screened in accordance with Section 11.6.f and 11.6.k of the Zoning Ordinance.
5. Development shall occur in accordance with the Clark Road Corridor Plan, adopted by Ordinance 2000-016.
6. The Master Surface Water Management Plans shall be consistent with the Catfish Creek Basin Master Plan.
7. The Master Surface Water Management System shall be designed in accordance with Ordinance No. 2002-026, March 27, 2002.

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

PASSED AND DULY ADOPTED this 18th day of December, A.D., 2002.

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. Ellenton*
Deputy Clerk

MAP SERIES/CONCEPT PLAN

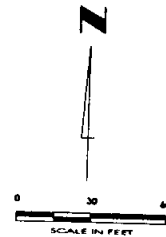
EXHIBIT "A"

INSTRUMENT # 2002218144
6 PGS

PROPOSED PROJECT ADDITIONS

- ① 1st. FLR ADDITION TO EXISTING FELLOWSHIP HALL FOR EDUCATION SPACE.
- ② 1st. FLR ADDITION TO EXISTING SANCTUARY FOR EDUCATION SPACE.
- ③ PROPOSED NEW WORSHIP CENTER.
- ④ PROPOSED 1st. AND 2nd. FLOOR ADDITION TO EXISTING FELLOWSHIP HALL FOR EDUC. AND ADMIN.
- ⑤ PROPOSED DAYCARE PLAYGROUND.

EXISTING BUILDING COVERAGE	9,822 S.F.
NEW BUILDING COVERAGE	16,365 S.F.
TOTAL GROSS BUILDING COVERAGE	26,187 S.F.



THIS DOCUMENT RECEIVED BY:
GROWTH MANAGEMENT ON
JUNE 18, 2002

