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KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
DCCURSEY Receipt#J99552



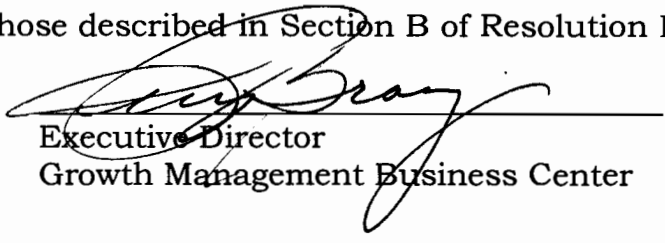
2003228580

Please record and return to: (Via Inter-Office Mail)
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 west of Old Venice Road and 316' ± north of Burney Road in Sarasota County, Florida, owned by John J. Nevins, and described in Resolution No. 2003-257 attached hereto, to allow A House of Worship with Child Care Center in the RSF-1 (Residential, Single-Family, 2.5 unit/acre) zone district, pursuant to Special Exception Petition No. 1566 filed by Bruce Franklin, Agent, and granted by Sarasota County on October 22, 2003, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

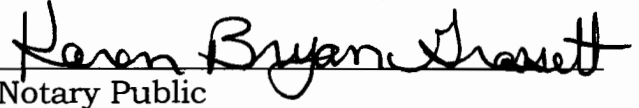
(Stipulations and limitations are those described in Section B of Resolution No. 2003-257, attached hereto)


Executive Director
Growth Management Business Center

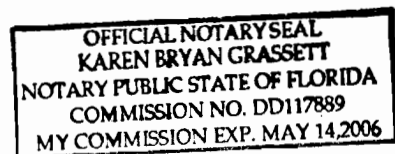
STATE OF FLORIDA
COUNTY OF SARASOTA

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 10th
day of November, A.D. 2003.


Notary Public
State of Florida at Large

This instrument prepared by:
CS



2003 NOV -4 PM 3:13

RESOLUTION NO. 2003- 257

KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1566

WHEREAS, Bruce Franklin, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1566 requesting that a special exception be granted to allow the property, located West of Old Venice Road and 316' ± North of Burney Road, in Sarasota County, Florida, to be used for a House of Worship with Child Care Center, in the RSF-1 (Residential, Single Family, 2.5 unit/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 June, 2003, to consider said Special Exception Petition No. 1566, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1566 be granted, and

WHEREAS, this Board, after due public notice, did on the 22nd day of October, 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. 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. 1566 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. 1566 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

East of US 41 and 2100' south of Bay Street, more particularly described as follows;

LOTS 114, 115, 116, 117, 118 AND WEST 1000 FEET OF LOT 119, OF SARABAY ACRES, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 62, PUBLIC RECORDS OF SARASOTA COUNTY.

LESS a portion of Lot 114, Sara bay Acres, recorded in Plat Book 4, Page 62, Public Records of Sarasota county, Florida, lying in Section 10, Township 38 South, Range 18 East, Sarasota County, Florida, described as follows: Commence at the Southeast corner of Lot 85; thence N. 00°58'20" W., along the West line of Lot 85, a distance of 50.00 feet to the POINT OF BENINNING; thence continue along said West line, N. 00°58'20" W., a distance of 50.00 feet to a point on the South line of Lot 113 of said Sarabay Acres; thence N. 89°42'12" E., along said South line of Lot 113, a distance of 191.67 feet to a point on a curve turning to the left having: a radius of 410.00 feet, a central angle of 5°23'12", a chord bearing of S. 66°53'54" W., and a chord length of 38.53 feet; thence along the arc of said curve, an arc length of 38.55 feet; to the point of curvature of a curve turning to the right having: a radius of 360.00 feet, a central angle of 25°29'54", a chord bearing of S. 76°57'15" W., and a chord length of 158.89 feet; thence along the arc of said curve, an arc length of 160.21 feet; thence S. 89°42'12" W., a distance of 0.59 feet to the **Point of Beginning**. Parcel contains 6,272 square feet, more or less.

and the same is hereby approved for Special Exception 1566, 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. Pursuant to management guidelines VI.A.2. (a) and (h), contained within the Environment Chapter of Apoxsee, the on-site wetland and associated buffer shall be designated as preserve area on submitted site and development plans, and maintained consistent with the Guiding Principles of Apoxsee. All activities including, but not limited to, 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. Exceptions may be granted by Resource Protection to facilitate implementation of approved resource management plans or the removal of nuisance/invasive vegetation.
2. In accordance with Policy 5.5.11, of the Environment Plan, of Apoxsee, a resource management plan, which maintains the functions and values of all preserved and conserved native habitats,

and is consistent with the guiding principles of Apoxsee, shall be submitted to Resource Protection Services with site and development plans. The plan needs to address removal of nuisance/invasive plant species from the areas, as well as any proposed planting of native trees and / or understory.

3. In accordance with Policy 5.6.5 of the Environment Plan of Apoxsee, during development of the subject properties all nuisance/invasive plant species shall be removed from the site, and replaced with native or other appropriate ornamental species. Any removal vegetation from a Preservation/Conservation Area shall be done in accordance with an approved resource management plan. All removed vegetation shall be disposed of in a County-approved landfill or by another method approved by Resource Protection Services.
4. In accordance with Management Guidelines VII.B.2.b, contained within the Environment Chapter of Apoxsee, the Xeric Hammock Conservation shall be labeled on submitted site and development plans, and maintained consistent with the Guiding Principles of Apoxsee. All activities including, but not limited to, filling, excavating, well drilling, alter vegetation (both trees and understory), and storing of materials shall be prohibited within the Conservation Area unless written approval is first obtained by Resource Protection Services. Exceptions may be granted by Resource Protection to facilitate implementation of nature trails, picnic areas, other passive recreation facilities, approved resource management plans, or the removal of nuisance/invasive vegetation.
5. In accordance with Policy 5.4.3 of the Environment Plan of Apoxsee, prior to (or concurrent with) submittal of site and development plans, a listed species survey shall be conducted at the subject property, using recognized sampling techniques to identify endangered, threatened, and species of special concern. In addition, Resource Protection shall be provided with documentation from appropriate regulatory agencies regarding any listed species issues associated with the site.
6. Prior to or concurrent with submittal of site and development plans, Resource Protection staff shall be contacted to delineate the boundary of the on-site xeric hammock.
7. The Master Surface Water Management Plans shall be consistent with the North Creek Basin Master Plan.
8. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
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 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.
10. Development shall take place in substantial compliance with the Development Concept Plan date stamped October 22, 2003, attached hereto as Exhibit A, except as modified as necessary to comply with stipulations contained herein. This does not infer nor imply any variances from applicable zoning or land development regulations.
11. Enrollment in the childcare facility shall be limited to 60 students.

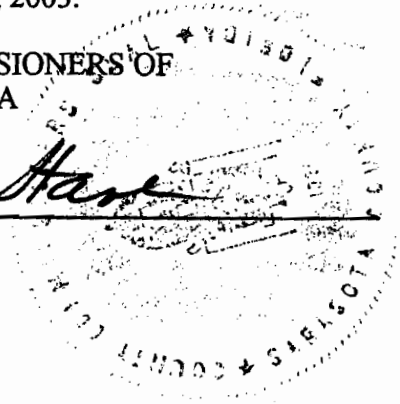
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12. Development of the subject parcel shall comply with all applicable conditions contained in the Osprey Revitalization Plan (Ordinance No. 99-079).

PASSED AND DULY ADOPTED this 22nd day of October, A.D., 2003.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By Sharon Stone
Chairman



ATTEST:

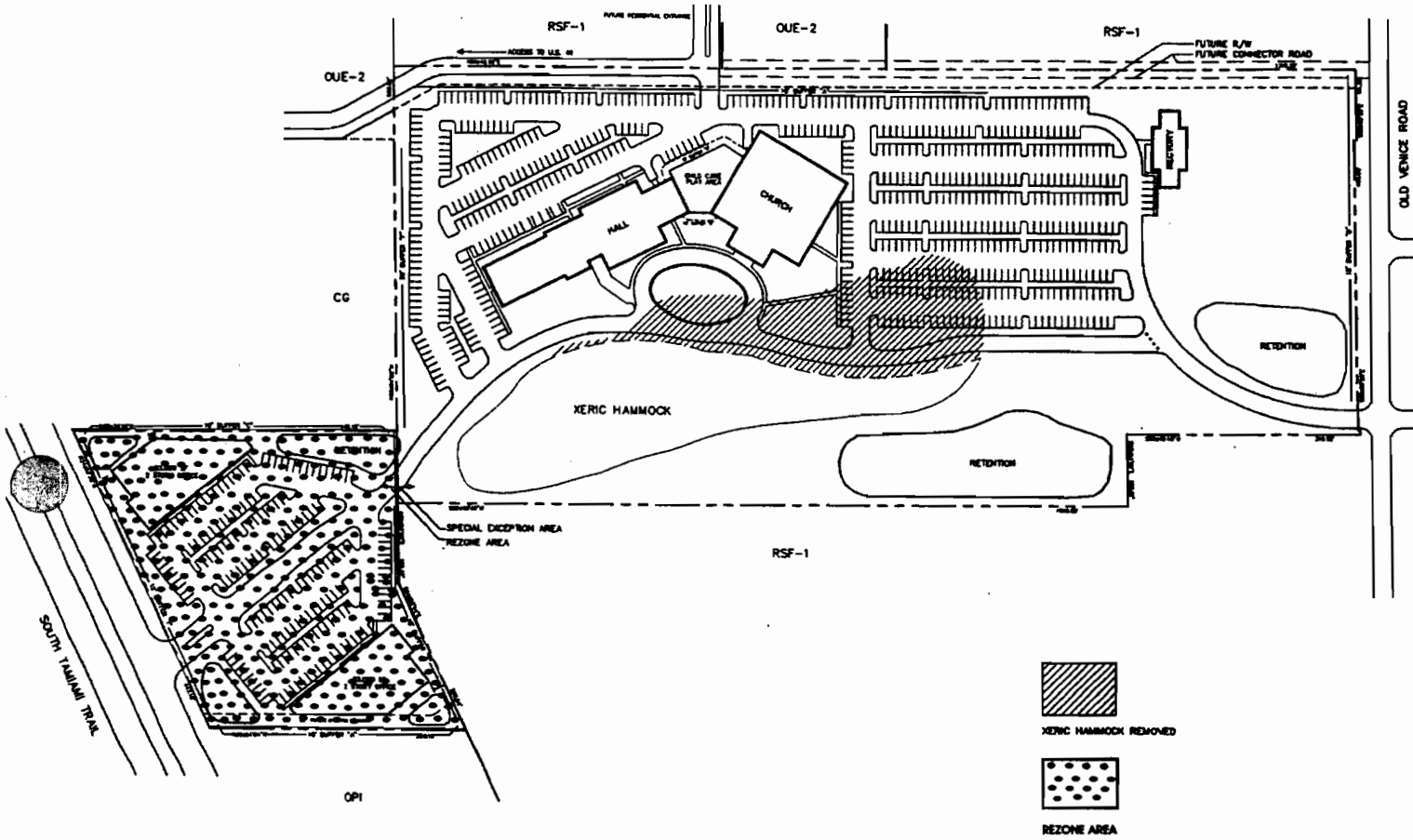
KAREN E. RUSHING, Clerk
of Circuit Court and ex officio
Clerk of the Board of County
Commissioners of Sarasota
County, Florida.

By Paula J. Clintman
Deputy Clerk

DEVELOPMENT CONCEPT PLAN

EXHIBIT "A"

INSTRUMENT # 2003228580
8 PGS



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THIS DOCUMENT RECEIVED BY:
GROWTH MANAGEMENT ON
OCTOBER 22, 2003

NOT TO SCALE

A-1

R2003-257

SITE DATA

| | |
|---|--|
| TOTAL GROSS ACREAGE | 20.98 A (914,100 SF) |
| EXISTING ZONING | RSF-1/RMF-3/RSF-3 |
| PROPOSED ZONING | OPI/RSF-1 |
| EXISTING LAND USE | VACANT |
| PROPOSED LAND USE | OFFICE/HOUSE OF WORSHIP INCL. CHILD CARE |
| PROPOSED OFFICE FLOOR AREA | 46,000 SF |
| PROPOSED CHURCH USE FLOOR AREA | 44,000 SF |
| TOTAL PROPOSED BUILDING FLOOR AREA | 90,000 SF |
| PARKING REQUIRED @ 1/250 (OFFICE) | 184 SPACES |
| PARKING PROVIDED | 184 SPACES |
| CHURCH PARKING REQUIRED @ 1/3 SEATS (800 SEATS) | 267 SPACES |
| PARKING PROVIDED | 267 SPACES |
| HALL PARKING REQUIRED @ 1/3 SEATS (1000 SEATS) | 334 SPACES |
| PARKING PROVIDED | 334 SPACES |
| PARKING REQUIRED - RECTORY | 2 SPACES |
| PARKING PROVIDED | 2 SPACES |
| PARKING REQUIRED - CHILD CARE | 8 SPACES |
| PARKING PROVIDED | 8 SPACES |
| TOTAL PARKING REQUIRED | 795 SPACES |
| TOTAL PARKING PROVIDED | 795 SPACES |
| FLOOD ZONE | ZONE X |
| ONSITE XERIC HAMMOCK | 2.92 A |
| XERIC HAMMOCK TO BE REMOVED | 1.19 A (40%) |

NOTES

1. Flood Zone X represents the area outside the 500 year flood.