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✓ (via Inter-office Mail)

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

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2003120076 6 PGS

2003 JUN 18 06:30 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
MGEROLMO Receipt#335233



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

The following property located on the southeast corner of Clark Road and Dove Street in Sarasota County, Florida, owned by Fred Chamberlain, and described in Resolution No. 2003-047 attached hereto, to allow Cluster Housing in the RE-1 (Residential, Estate, 1 unit/2 acres) zone district, pursuant to Special Exception Petition No. 1568 filed by Robert Medred, Agent, and granted by Sarasota County on February 26, 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. 2003-047, 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 11th day of June, A.D. 2002.

Notary Public
State of Florida at Large

This instrument prepared by:
CF



Nancy J. Higgins
Commission # CC 936530
Expires May 15, 2004
Bonded Thru
Atlantic Bonding Co., Inc.

2003 MAY -2 PM 2:13

RESOLUTION NO. 2003-047
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1568

CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

WHEREAS, Robert Medred, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1568 requesting that a special exception be granted to allow the property, located at the southeast corner of Clark Road and Dove Street, Sarasota County, Florida, to be used for Cluster Housing in the RE-1 (Residential, Estate, 1 unit/2 acres) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 5th day of December, 2002, to consider said Special Exception Petition No. 1568, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1568 be granted, and

WHEREAS, this Board, after due public notice, did on the 26th day of February, 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. 1568 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";

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- 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. 1568 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

At the southeast corner of Clark Road and Dove Street, being more particularly described as follows;
A PARCEL OF LAND LYING IN SECTIONS 17 AND 16,
TOWNSHIP 37 SOUTH, RANGE 19 EAST, SARASOTA
COUNTY, FLORIDA, BEING MORE PARTICULARLY

DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF CLARK ROAD (STATE ROAD 782) A PUBLIC RIGHT-OF-WAY 100.00 FEET IN WIDTH AS RECORDED IN ROAD PLAT BOOK 1, PAGE 45 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, AND THE WESTERLY RIGHT-OF-WAY OF DOVE STREET, A PUBLIC RIGHT-OF-WAY (50.00 FEET IN WIDTH) SHOWN ON THE PLAT FOR LAKE WOOD TRACT C, UNIT 1 AS RECORDED IN PLAT BOOK 8, PAGE 37 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE S.89°28'02"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY OF CLARK ROAD, A DISTANCE OF 55.00 FEET; THENCE S.00°29'47" W. BEING 55.00 FEET EASTERLY OF AND PARALLEL WITH SAID WESTERLY RIGHT-OF-WAY OF DOVE AVENUE, A DISTANCE OF 10.00 FEET TO A RIGHT-OF-WAY LINE DEEDED TO SARASOTA COUNTY AS RECORDED IN OFFICIAL RECORDS BOOK 1588, PAGE 854 (THE FOLLOWING TWO (2) CALLS ARE ALONG SAID DEEDED RIGHT-OF-WAY), SAID POINT ALSO BEING THE POINT OF BEGINNING. THENCE S.89°28'02"E., A DISTANCE OF 195.00 FEET; THENCE N.00°29'47"E., A DISTANCE OF 10.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF SAID CLARK ROAD; THENCE S.89°28'02"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY OF CLARK ROAD, A DISTANCE OF 302.33 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF STATE ROAD 72 (SUGAR BOWL ROAD), A PUBLIC RIGHT-OF-WAY 100.00 FEET IN WIDTH AS RECORDED IN ROAD PLAT BOOK 1, PAGE 52 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE S.55°50'33"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY OF STATE ROAD 72, A DISTANCE OF 1113.91 FEET TO THE NORTHEAST CORNER OF PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 2034, PAGE 2224 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE S.00°29'47"W. ALONG THE EASTERLY LINE OF SAID PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 2034, PAGE 2224, BEING 1479.47 FEET EASTERLY OF AND PARALLEL WITH SAID WESTERLY RIGHT-OF-WAY OF DOVE STREET, A DISTANCE OF 1532.67 FEET TO THE NORTHERLY MAINTAINED RIGHT-OF-WAY OF HAWKINS ROAD (WIDTH VARIES) AS RECORDED IN ROAD PLAT BOOK 4, PAGE 13 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA (THE FOLLOWING FOUR (4) CALLS ARE ALONG SAID NORTHERLY MAINTAINED RIGHT-OF-WAY OF HAWKINS ROAD);

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THENCE S.88°38'38"W., A DISTANCE OF 400.59 FEET;
THENCE N.89°19'01"W., A DISTANCE OF 111.24 FEET;
THENCE S.87°19'08"W., A DISTANCE OF 231.93 FEET;
THENCE S.89°22'06"W., A DISTANCE OF 681.41 FEET
TO THE EASTERLY LINE OF AFOREMENTIONED
DEEDED RIGHT-OF-WAY AS RECORDED IN OFFICIAL
RECORDS BOOK 1588, PAGE 854; THENCE
N.00°29'47"E. ALONG SAID EASTERLY RIGHT-OF-
WAY, A DISTANCE OF 2179.26 FEET TO THE POINT
OF BEGINNING. CONTAINING 64.3930 ACRES, MORE
OR LESS. SUBJECT TO EASEMENTS AND RIGHTS - OF
-WAY OF RECORD, IF ANY.

and the same is hereby approved for 1568, 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 dated July 25, 2002, attached hereto, except as may be required by the Transportation Planning for a future right turn land into the subject parcel and to accommodate a stormwater reuse pond. This does not imply or confer any variances from applicable zoning or land development regulations.

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

PASSED AND DULY ADOPTED this 26th day of February, A.D., 2003.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By *Harrison Staub*
Chairman

ATTEST:

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

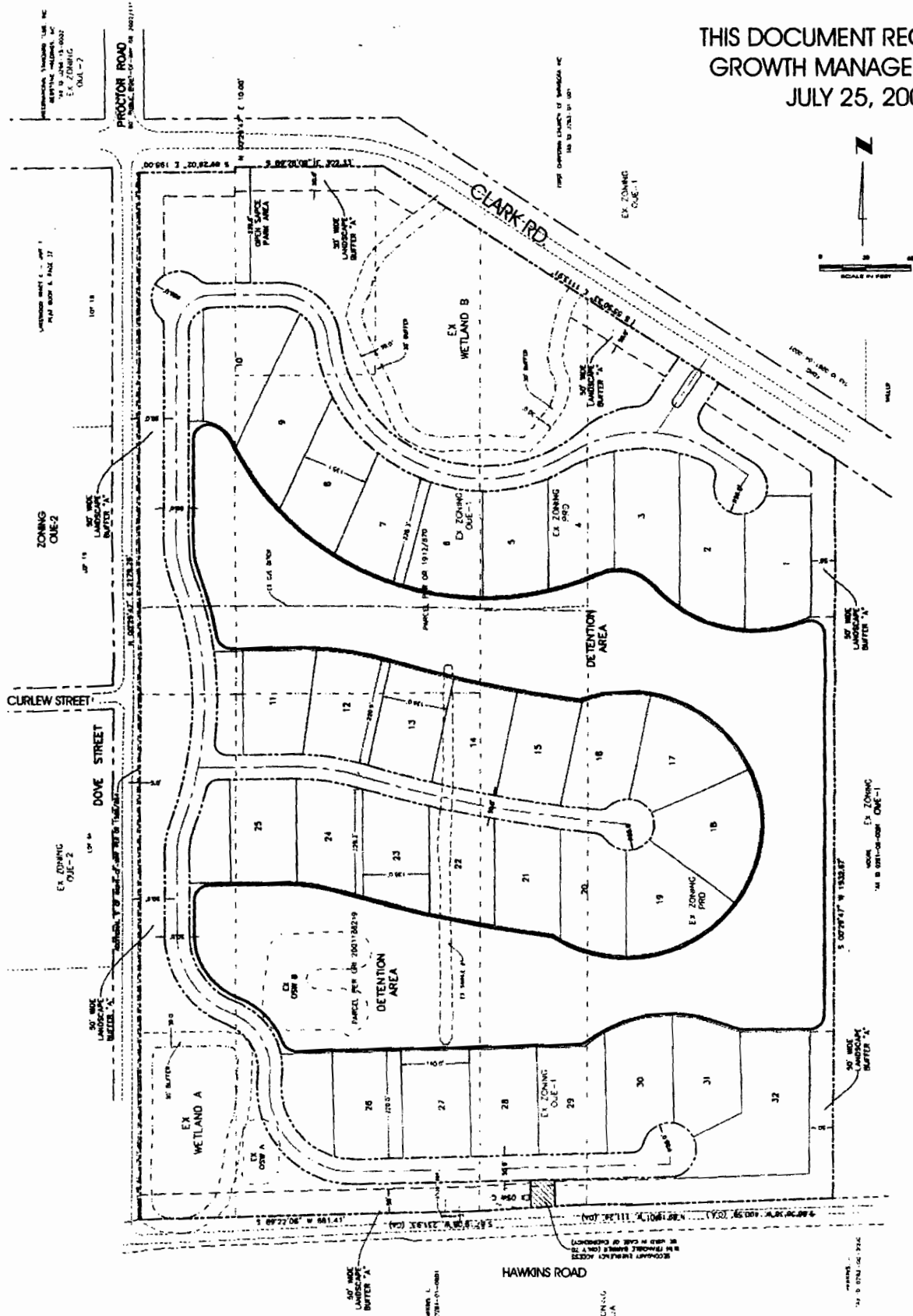
By *Paula J. Clinton*
Deputy Clerk

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MAP SERIES/CONCEPT PLAN

EXHIBIT "A"

THIS DOCUMENT RECEIVED BY:
GROWTH MANAGEMENT ON
JULY 25, 2002



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R 2002-0107