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KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
TFERNANDEZ Receipt#419615



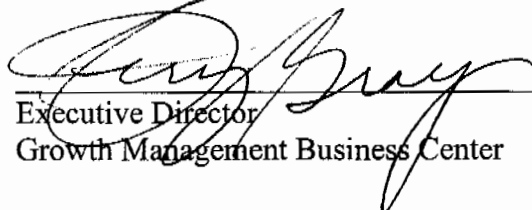
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Please record and return to: (Via Inter-Office Mail)  
Karen Grassett  
Growth Management Business Center  
1660 Ringling Boulevard, 5<sup>th</sup> Floor  
Sarasota, FL 34236

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

The following property located north of Venice Avenue and 200' ± east of Wading Bird Drive in Sarasota County, Florida, owned by Grace Bible Fellowship, INC., and described in Resolution No. 2003-310 attached hereto, to allow A House of Worship in the OUE-1 (Open Use Estate 1 unit/5 acres) zone district, pursuant to Special Exception Petition No. 1571 filed by Tom Sivertsten, Agent, and granted by Sarasota County on December 16, 2003, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

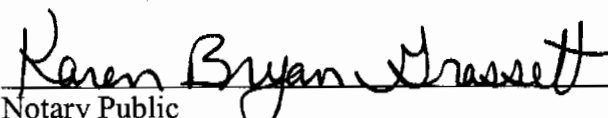
(Stipulations and limitations are those described in Section B of Resolution No. 2003-310, attached hereto)

  
Executive Director  
Growth Management Business Center

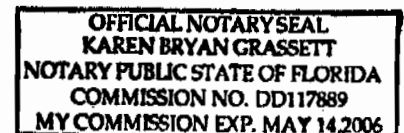
STATE OF FLORIDA  
COUNTY OF SARASOTA

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 31<sup>st</sup> day of December 2003 A.D.

  
Notary Public  
State of Florida at Large

This instrument prepared by:  
CS



RESOLUTION NO. 2003-310  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA  
SPECIAL EXCEPTION NO. 1571

DEC 17 2003

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

2003 DEC 17 AM 11:32

BOARD RECORDS  
FILED FOR RECORD

WHEREAS, Tom Sivertsen, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1571 requesting that a special exception be granted to allow the property, located north of Venice Avenue and 200 feet east of Wading Bird Drive, Sarasota County, Florida, to be used for House of Worship 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 4th day of September, to consider said Special Exception Petition No. 1571, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1571 be granted, and

WHEREAS, this Board, after due public notice, did on the 16th day of December, 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 are 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;
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. 1571 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

Tract 111, Venice Farms, according to the plat thereof recorded in Plat Book 2, page 179, of the Public Records of Sarasota County, Florida

and the same is hereby approved for a House of Worship, 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. This special exception is governed by the provisions of sub-section 1.9.2.a.3. of Ordinance No. 2003-052. The Owner has elected to be bound by the development concept plan submitted with the application. As a result of such election, the following stipulations shall apply:
  - a. Development shall occur in substantial accordance with the Development Concept Plan date stamped April 22, 2003, and attached hereto as Exhibit "A" provided, however, that in the event of a conflict between the Development Concept Plan and the stipulations contained herein, the stipulations shall take precedence. This does not imply or confer any variance from applicable zoning or land development regulations.
  - b. At the time of Site and Development Plan review and approval, the provisions and requirements of Zoning Ordinance No. 75-38, revised and updated through Amendment No. 196 (Ordinance No. 2001-054, adopted October 15, 2001) shall apply as to matters depicted on the Development Concept Plan and the provisions and requirements of Ordinance No. 2003-052 shall apply to the extent that they do not conflict with the Development Concept Plan.

- c. Any deviations from the Development Concept Plan that are not allowed by this special exception resolution (that is, what is not in substantial accordance with the Concept Plan), or amendments must comply with the zoning code in effect at the time of approval of that modification.
2. During development of the future expansion projects delineated on the Development Concept Plan, the Applicant shall meet the applicable requirements of the Land Development Regulations and the Zoning Ordinance in effect at the time of submittal of site and development plans for the proposed future expansion.
3. 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, in accordance with applicable federal, state or local regulations. At the time of recording a plat or prior to final construction plan approval, the Owner shall be required to record in public records a Notice To Purchaser, approved by Sarasota County, putting purchasers on notice that maintenance of drainage facilities is a private responsibility.
4. 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 (both trees and understory), and storing of materials shall be prohibited within preservation areas unless written approval is first obtained from Resource Protection. Exception may be granted by Resource Protection to facilitate implementation of approved resource management plans or the removal of nuisance/invasive and exotic vegetation.
5. In accordance with Policy 5.5.11 of the Environment Chapter of *Apoxsee*, a resource management plan that 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 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.
6. In accordance with Policy 5.4.3 of the Environment Chapter of *Apoxsee*, prior to (or concurrent with) submittal of site and development plans, the subject property shall be surveyed for gopher tortoises (*Gopherus polyphemus*), using recognized sampling techniques. Authorization for any listed species impacts shall be obtained from all appropriate regulatory agencies, and documentation shall be provided to Sarasota County's Resource Protection office.
7. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
8. Refuse areas shall be visually screened in accordance with Section 11.6.f of the Sarasota County Zoning Ordinance.
9. A landscape buffer consistent with Zoning Ordinance requirements shall be provided along Venice Avenue.
10. The Master Surface Water Management Plans shall be consistent with the Curry Creek Basin Master Plan.
11. The total building coverage for the future multi-purpose building and the future of church expansion shall be limited to 4,000 square feet.

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

PASSED AND DULY ADOPTED this 16<sup>th</sup> day of December, A.D., 2003.

BOARD OF COUNTY COMMISSIONERS OF  
SARASOTA COUNTY, FLORIDA

By *[Signature]*  
Chairman

ATTEST:

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

By *[Signature]*  
Deputy Clerk

