

Please record and return to: (Via Inter-Office Mail)

Karen Grasset

Growth Management Business Center

1660 Ringling Boulevard, 5th Floor

Sarasota, FL 34236

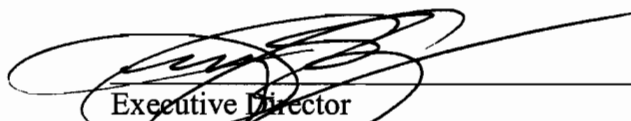
RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2004012074 8 PGS
2004 JAN 22 11:58 AM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
GFOLKINS Receipt#425971



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

The following property located at the southeast corner of Lockwood Ridge Road and Jamaica Street in Sarasota County, Florida, owned by John Loria & Filomena Julianio, and described in Resolution No. 2003-316 attached hereto, to allow A House of Worship, including Day Care Facility in the RE-2 (Residential Estates, 1 dwelling unit per acre) zone district, pursuant to Special Exception Petition No. 1575 filed by Bruce Franklin, Agent, and granted by Sarasota County on December 17, 2003, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

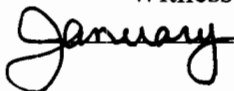
(Stipulations and limitations are those described in Section B of Resolution No. 2003-316, attached hereto)

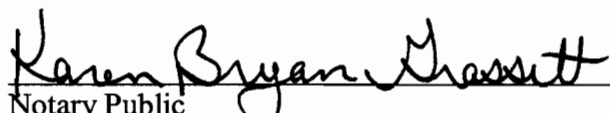

Executive Director
Growth Management Business Center

STATE OF FLORIDA
COUNTY OF SARASOTA

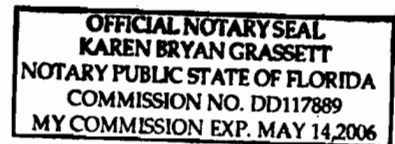
Before me, the undersigned Notary Public, personally appeared Jerry Gray, Executive Director of the Growth Management Business Center, to me known to be the individual who executed the foregoing Notice of Stipulations and Limitations Encumbering Real Property pursuant to the Sarasota County Zoning Code, and he acknowledged before me that he executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 13th day of
January 2004 A.D.




Notary Public
State of Florida at Large

This instrument prepared by:
CS



RESOLUTION NO. 2003-316
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1575

WHEREAS, Bruce Franklin, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1575 requesting that a special exception be granted to allow the property, located at the Southeast corner of Lockwood Ridge Road and Jamaica Street, Sarasota County, Florida, to be used for House of Worship, including day care facility in a RE-2 (Residential Estate, 1 dwelling unit per acre) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 21st day of August, to consider said Special Exception Petition No. 1575, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1575 be granted, and

WHEREAS, this Board, after due public notice, did on the 17th 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. 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. 1575 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. 1575 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

Southeast corner of Lockwood Ridge Road and Jamaica Street, being more particularly described as follows;
Lot 7, Block 4, Sarasota — Venice Company Subdivision of Section 4, Township 37 South, Range 18 East, recorded in Plat Book 2, Page 18, Public Records of Manatee County, Florida, also recorded in Plat Book "A", Page 13, and in Plat Book "A", Page 75, Public Records of Sarasota County, Florida.

LESS THERE FROM: Begin at the N.W. corner of Lot 7 (said corner being 24' East of centerline of Lockwood Ridge Road), Block 4, Sarasota — Venice Company Subdivision of Section 4, Township 37 South, Range 18 East, recorded in Plat Book 2, Page 18, Public Records of Manatee County, Florida (also recorded in Plat Book "A", Page 13, Public Records of Sarasota County, Florida); thence Easterly along the North line of Lot 7, a distance of 132.0 feet; thence South and parallel to West line of said Lot 7, a distance of 339.0 feet; thence West and parallel to said North line of Lot 7, a distance of 132.0 feet to East line of Lockwood Ridge Road (48' wide RJW); thence North along said East line of Lockwood Ridge Road, 339.0 feet to the **Point of Beginning**.

and the same is hereby approved for House of Worship, including day care facility, 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 July 28, 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. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.
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, at its own expense in accordance with applicable federal, state or local regulation. At that time of final construction plan 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.
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 the preserve area 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 the on-site wetland and associated buffer area, and is consistent with the Guiding Principles of *Apoxsee*, shall be submitted to Resource Protection with site and development plans.
6. In accordance with Policy 5.6.5 of the Environment Chapter 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 of vegetation from the on-site preserve 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.
7. In accordance with Policy 5.4.3 of the Environment Chapter 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. Resource Protection shall be provided with documentation from appropriate regulatory agencies regarding any listed species issues associated with the site, and the environmental consultant shall provide

methodology details.

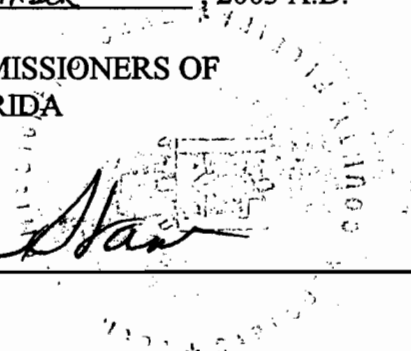
- 8. Refuse areas shall be set back at least 50 feet from any residentially zoned property line and visually screened in accordance with Section 11.6.f of the Sarasota County Zoning Ordinance.
- 9. There shall be no outdoor loudspeaker or paging system.
- 10. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
- 11. Enrollment in the childcare facility shall be limited to (40) forty students.

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

PASSED AND DULY ADOPTED this 17th day of December, 2003 A.D.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By *Shannon Star*
Chairman



ATTEST:

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

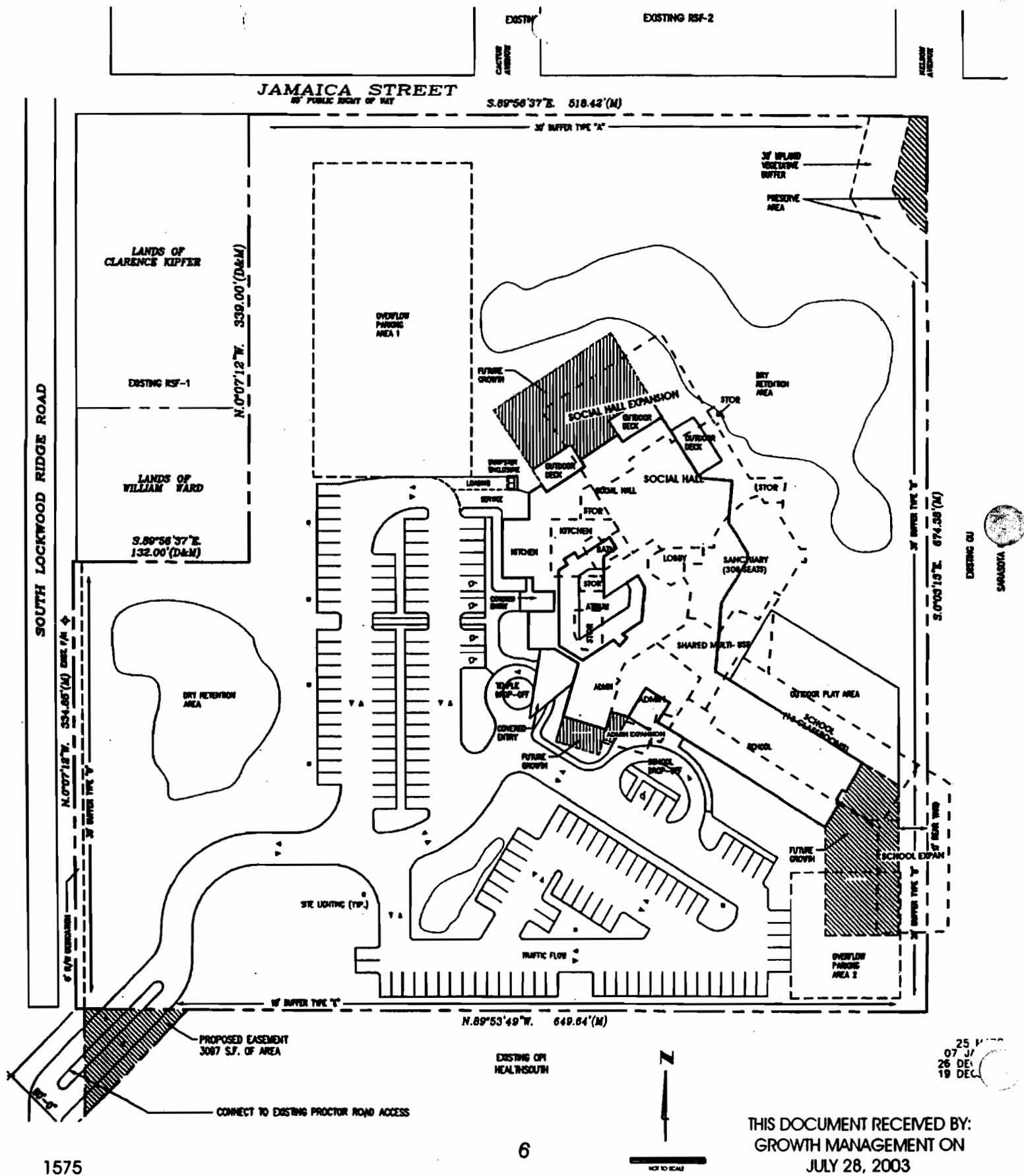
By *Paula J. Lentman*
Deputy Clerk

MAP SERIES/CONCEPT PLAN

INSTRUMENT # 2004012074

8 PGS

EXHIBIT "A"



MAP SERIES/CONCEPT PLAN

EXHIBIT "A"

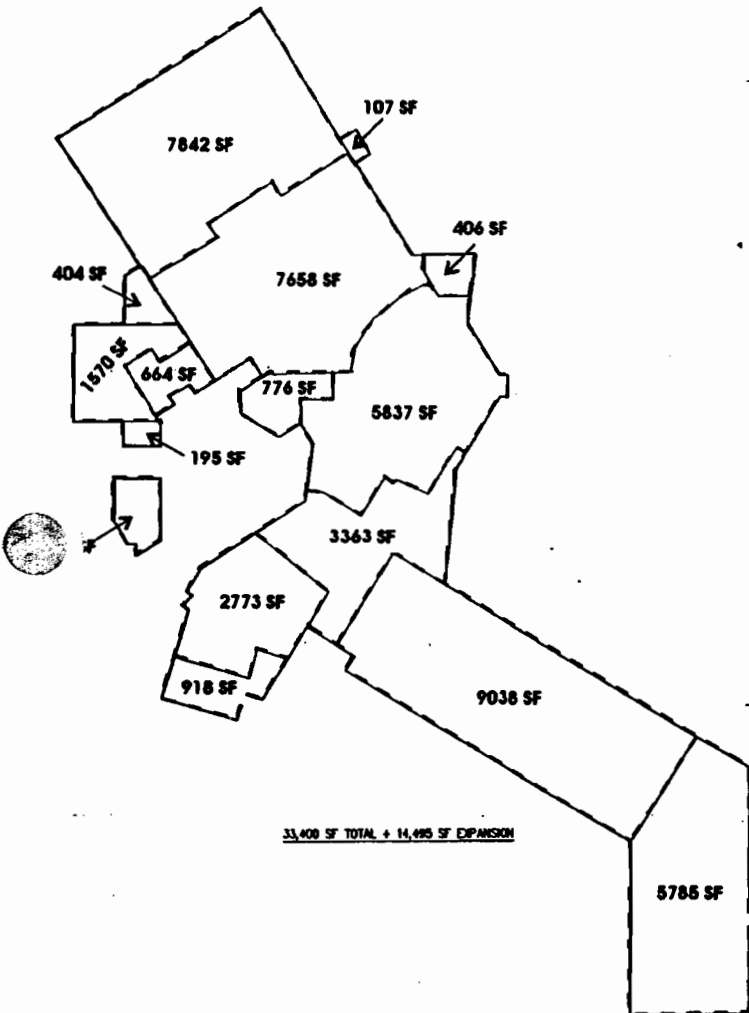
INSTRUMENT # 2004012074

8 PGS

SITE DATA

PROPOSED SQUARE FOOTAGE BY USE

TOTAL GROSS ACREAGE	9.03 Acres (393,445 SF)
EXISTING ZONING	RE-2
PROPOSED ZONING	RE-2 w/ Special Exception
EXISTING LAND USE	VACANT
PROPOSED LAND USE	HOUSE OF WORSHIP/SCHOOL
PROPOSED BUILDING FLOOR AREA	31,754 SF
PROPOSED FUTURE GROWTH	13,564 SF
TOTAL PROPOSED BUILDING AREA	45,302 SF
PROPOSED SEATS IN SANCTUARY	308 SEATS
PARKING REQUIRED @ 1/3 SEATS	103 SPACES
PARKING PROVIDED	103 SPACES
PROPOSED CLASSROOMS	13
PARKING REQUIRED @ 2/CLASSROOM	26 SPACES
PARKING PROVIDED	26 SPACES
TOTAL PARKING REQUIRED	129 SPACES
TOTAL PARKING PROVIDED	146 SPACES
BUILDING COVERAGE ALLOWED	78,689 SF (20%)
BUILDING COVERAGE PROPOSED	49,206 SF (12.5%)



NOTES

1. SITE IS LOCATED WITHIN FLOOD ZONE "X"
2. LIGHTING WITHIN 150' OF RESIDENTIAL USE WILL BE A MAXIMUM OF 15' IN HEIGHT AND DIRECTED AWAY FROM SAID RESIDENTIAL
3. WATER SERVICE IS AVAILABLE VIA CONNECTION TO AN EXISTING 8" MAIN AT THE SE CORNER OF THE PROPERTY
4. SANITARY SEWER SERVICE IS AVAILABLE VIA A 10 INCH FORCE MAIN ALONG PROCTOR ROAD



THIS DOCUMENT RECEIVED BY:
GROWTH MANAGEMENT ON
JULY 28, 2003