

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2004003168 6 PGS  
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KAREN E. GRASSETT  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
CEAGLETO Receipt#420517



Please record and return to: (Via Inter-Office Mail)  
Karen Grasset  
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 Center Road and 1,550 feet ± east of Venice East Boulevard in Sarasota County, Florida, owned by John J. Nevins, and described in Resolution No. 2003-311 attached hereto, to amend an existing Development Concept Plan for a previously approved House of Worship with a Child Care Center in the RSF-2 (Residential, Single Family, 3.5 units/acre) zone district, pursuant to Special Exception Petition No. 1583 filed by Bruce Franklin, 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:

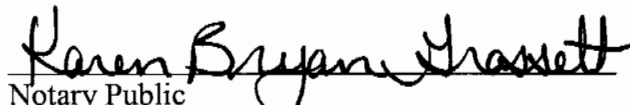
(Stipulations and limitations are those described in Section B of Resolution No. 2003-311, attached hereto)

  
Executive Director  
Growth Management Business Center

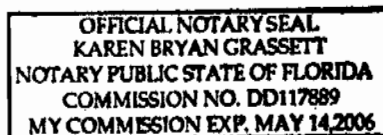
STATE OF FLORIDA  
COUNTY OF SARASOTA

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 6<sup>th</sup> day of January, 2004 A.D.

  
Notary Public  
State of Florida at Large

This instrument prepared by:  
CS



RESOLUTION NO. 2003- 311  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA  
SPECIAL EXCEPTION NO. 1583

BOARD RECORDS  
FILED FOR RECORD

2003 DEC 17 AM 11:34

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

WHEREAS, Bruce Franklin, Agent, for the hereinafter described real property has filed Special Exception Petition No. 1583 requesting that a special exception be granted to allow the property, located at 1301 Center Road, Venice, Florida, to amend an existing Development Concept Plan for a previously approved House of Worship with a Child Care Center in an RSF-2 (Residential, Single Family, 3.5 units/acre) 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, 2003, to consider said Special Exception Petition No. 1583, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1583 be granted, and

WHEREAS, this Board, after due public notice, did on the 16th day of December, 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. 1583 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, guiding principles and programs of the Comprehensive Plan;

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R2003-311

- b) The proposed use is compatible with the existing land use pattern and designated future uses;
- c) There is 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;
- d) 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;
- e) The proposed use **will** be adequately buffered to effectively separate traffic, visual impact and noise from existing or intended nearby uses;
- f) The subject parcel is adequate in shape and size to accommodate the proposed use; and
- g) 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. 1583 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

The legal description of said property in Sarasota County, Florida being:

North of Center Road and 1,550 feet ± east of Venice East Boulevard.

The East 350 feet of the South 658 feet of the following described property; A tract of land in Section 14, Township 39 South, Range 19 East, described as follows: Beginning 149.4 feet West of the ¼ Section corner on the North line of Section 14; thence run East along the North line of Section 14, 819.4 feet; thence South 5,316.0 feet to the South line of Section 14, thence West, 819.4 feet; thence North 5,312.0 feet to the North line of Section 14 to the Point of Beginning. Less the South 33 feet thereof for existing dedicated right-of-way for Center Road. AND a parcel of land situated in Section 14, Township 39 South, Range 19 East, and Sarasota County, Florida, more particularly described as follows:

Commence at the Southwest corner of said Section 14; thence East along the center of Center Road at the South line of said Section 14, 3,324.27 feet for a Point of Beginning; thence N 0°22'24" W 792.00 feet; thence East parallel with said Center Road 660.00 feet; thence S 0°22'24" East 792.00 feet to the center of said Center Road; thence West along said center 660.00 feet to the Point of Beginning. Less the south 33 feet there of for existing dedicated right-of-way for Center Road.

Parcel contains 16.25 acres

and the same is hereby approved for Special Exception No. 1583, 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 August 14, 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. At least 30% of the required parking shall be grassed or of a pervious surface. All the parking spaces bordering the perimeters of the subject property shall be of a pervious surface.
3. The Property 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.

4. The subject parcel shall be limited to one unrestricted access at the intersection of Center Road and East Village Drive and one restricted (right-in/right-out) access approximately 500 feet east of East Village Drive.
5. Exterior lighting on the site shall be directed only toward the subject site and shielded from glare onto adjacent properties and streets.
6. No Child Care activities shall be allowed on the western 5-acres of the subject parcel.
7. Refuse areas shall be setback at least 50 feet from any property line and shall be visually screened in accordance with Section 11.6.f of the Zoning Ordinance.
8. Any future Child Care Center shall be limited to a maximum of 40 children.

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

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By

  
Chairman

ATTEST:

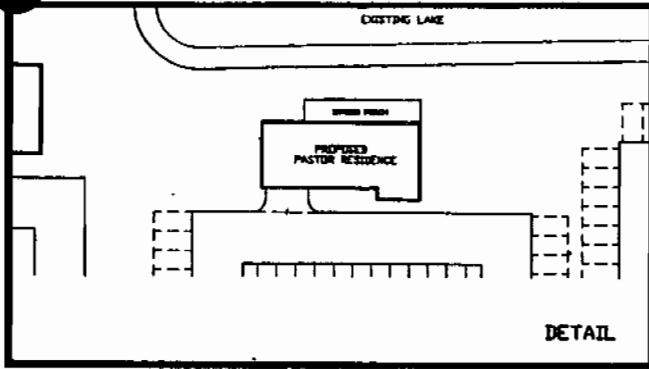
KAREN E. RUSHING, Clerk  
of Circuit Court and ex officio  
Clerk of the Board of County  
Commissioners of Sarasota  
County, Florida.

By:

  
Deputy Clerk

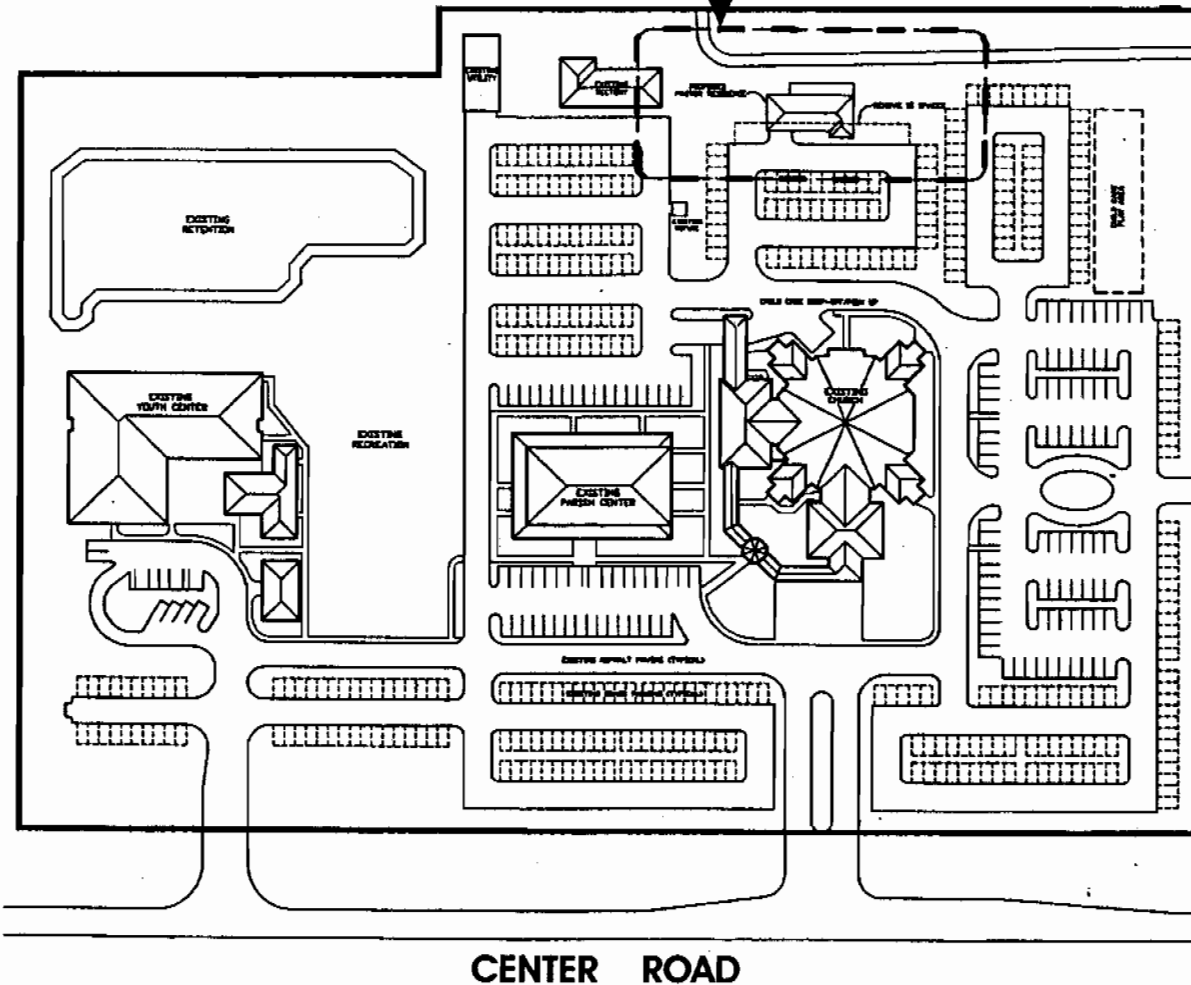
# MAP SERIES/CONCEPT PLAN

## EXHIBIT "A"



AREA OF CONSIDERATION

SITE DATA	
EXISTING ZONING	RSF-2
EXISTING LAND USE	HOUSE OF WORSHIP/YOUTH CENTER
TOTAL LAND AREA	14.25 A
EXISTING BUILDING COVERAGE	64,675 SF
PROPOSED BUILDING COVERAGE	67,730 SF (4.7% INCREASE)
EXISTING OVERALL SEATING	1336 SEATS
CHURCH PARKING REQUIRED @ 1/3 SEATS	446 SPACES
CHURCH PARKING PROVIDED	472 SPACES
YOUTH CENTER FLOOR AREA	22,689 SF
YOUTH CENTER PARKING REQUIRED @ 1/250 SF	91 SPACES
YOUTH CENTER PARKING PROVIDED	91 SPACES
NEW PASTOR RESIDENCE PARKING	2 SPACES
TOTAL PARKING REQUIRED	539 SPACES
TOTAL PARKING PROVIDED	540 SPACES



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N

NOT TO SCALE

THIS DOCUMENT RECEIVED BY:  
 GROWTH MANAGEMENT ON  
 AUGUST 14, 2003