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RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2004050182 7 PGS

2004 MAR 18 05:23 PM
KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
RAGIORDA Receipt#449539

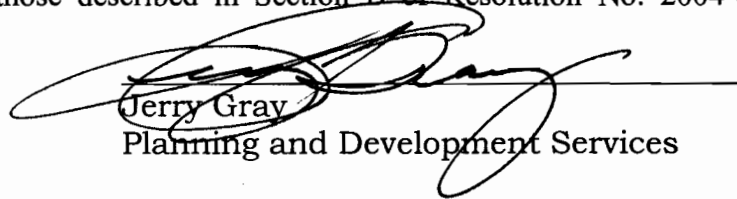


Please record and return to: (Via Inter-Office Mail)
Karen Grasset
✓ Planning and Development Services Business Center
1660 Ringling Boulevard, 5th Floor
Sarasota, FL 34236

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

The following property, located east of Lockwood Ridge Road and 150 feet ± south of Hamlets Boulevard in Sarasota County, Florida, owned by Adris Kahn, and described in Resolution No. 2004-044 attached hereto, to amend a Development Concept Plan for a previously approved House of Worship in the RSF-2 (Residential Single Family 3.5 units/acre) zone district, pursuant to Special Exception Petition No. 1586 filed by Joel J. Freedman, Agent, and granted by Sarasota County on February 25, 2004, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

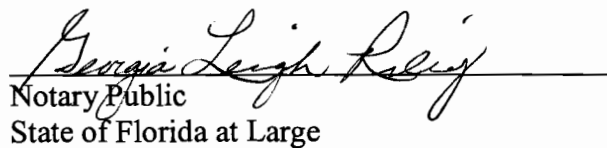
(Stipulations and limitations are those described in Section B of Resolution No. 2004-044, attached hereto)


Jerry Gray
Planning and Development Services

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned Notary Public, personally appeared Jerry Gray, 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 March, 2004.


Notary Public
State of Florida at Large

This instrument prepared by:
SMA



Georgia Leigh Riley
Commission # CC 930635
Expires April 23, 2004
Bonded Thru
Atlantic Bonding Co., Inc.

RESOLUTION NO. ~~2004-044~~
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1586

2004 MAR -3 AM 9: 50

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

WHEREAS, Joel Freedman, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1586 requesting that a special exception be granted to allow the property, located east of Lockwood Ridge Road and 150' ± south of Hamlets Boulevard, Sarasota County, Florida, to amend a Development Concept Plan for a previously approved House of Worship in the 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 6th day of November, 2003 to consider said Special Exception Petition No. 1586, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1586 be granted, and

WHEREAS, this Board, after due public notice, did on the 25th day of February, 2004, 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. 1586 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:

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 **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;
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. 1586 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

East of Lockwood Ridge Road and 150'± south of Hamlets Boulevard, being more particularly described as follows:
A PARCEL OF LAND SITUATED IN SECTION 9, TOWNSHIP 36 SOUTH; RANGE 18 EAST; SARASOTA COUNTY, FLORIDA. COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST ¼ OF SAID SECTION 9; THENCE SOUTH ALONG THE CENTERLINE OF LOCKWOOD RIDGE ROAD, SAID LINE BEING THE WEST LINE OF SAID NORTHEAST ¼, 594.00 FEET; THENCE SOUTH 88 DEGREES 12'10" EAST, 50.02 FEET FOR A **POINT OF BEGINNING**, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID LOCKWOOD RIDGE ROAD; THENCE CONTINUE SOUTH 88 DEGREES 12'10" EAST, 543.98 FEET; THENCE SOUTH 00 DEGREES 05'15" EAST, 191.37 FEET; THENCE WEST, 544.00 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE OF LOCKWOOD RIDGE ROAD; THENCE NORTH ALONG SAID EAST LINE, 208.43 FEET TO THE **POINT OF BEGINNING**.

and the same is hereby approved for A Place 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.

Development shall take place in substantial compliance with the Development Concept Plan date stamped August 7, 2003, attached hereto as Exhibit "A" except for modifications necessary to comply with the stipulations contained herein. This does not imply or confer any variances from applicable zoning or land development regulations.

1. Development shall take place in substantial compliance with the Development Concept Plan date stamped August 7, 2003, attached hereto as Exhibit "A" except for modifications necessary to comply with the stipulations contained herein. This does not imply or confer any variances from applicable zoning or land development regulations.
2. Refuse areas shall be setback at least 50 feet from the property line and visually screened in accordance with Section 11.6.f of the Sarasota County Zoning Ordinance.
3. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
4. 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.
5. The site and development plans submitted in accordance with the adopted development concept plan attached hereto as Exhibit "A" shall be reviewed in accordance with the applicable requirements of the zoning ordinance in effect as of Aug 7, 2003.
6. Site and development plans shall be reviewed in accordance with the Zoning Ordinance in effect at the time of the review except as modified by the binding development concept plan, per Section 1.9.2.a.3.ii of the Sarasota County Zoning Ordinance adopted October 27, 2003.
7. Access to the subject parcel on Lockwood Ridge Road shall be aligned with the median opening at 44th Street.
8. The Master Surface Water Management Plans shall be consistent with the Phillippi Creek Basin Master Plan.
9. During development of the subject property, all nuisance/invasive and exotic plant species shall be removed from the site and, where practical, replaced with native species in a manner consistent with landscape buffer requirements. The property shall be maintained free of nuisance/invasive and exotic plant species. All removed vegetation shall be disposed of in a County-approved landfill or by another method approved by Resource Protection.
10. Native vegetation located within 25 feet of the eastern property line shall not be removed. Submitted site and development plans and plats shall label this location as a 25-foot wide natural vegetation buffer. All undesirable vegetative species (see Stipulation No. 9) shall be removed from this buffer and shall be

replaced with appropriate native vegetation in order to provide similar visual buffering. The buffer shall be maintained free of nuisance/invasive vegetation.

11. Outdoor amplified loud speakers are prohibited on the subject parcel and there shall be no announcements made from the minarets of the mosque.
12. The concept plan is approved with no minarets. The height of the main structure (prayer hall, colonnade and portal) shall not exceed 40 feet including appurtenance structures, as listed in Section 7.2 of the Zoning Ordinance (Ord. 75-38). No other appurtenances shall be allowed on the site.

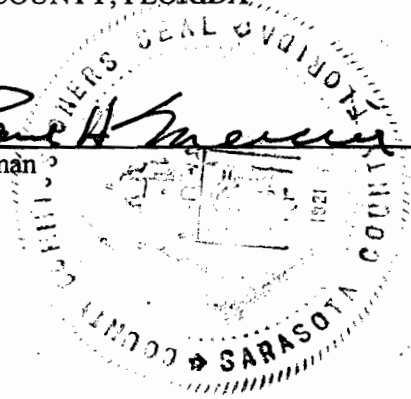
C. This Resolution shall take effect immediately upon its adoption.

INSTRUMENT # 2004050182
7 PGS

PASSED AND DULY ADOPTED this 25th day of February, 2004 A.D.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

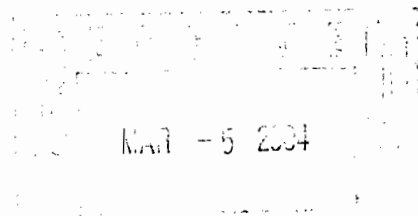
By [Signature]
Vice-Chairman



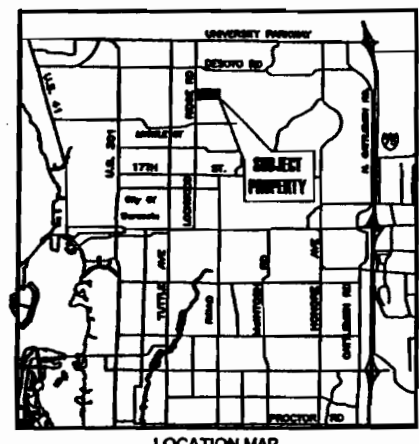
ATTEST:

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



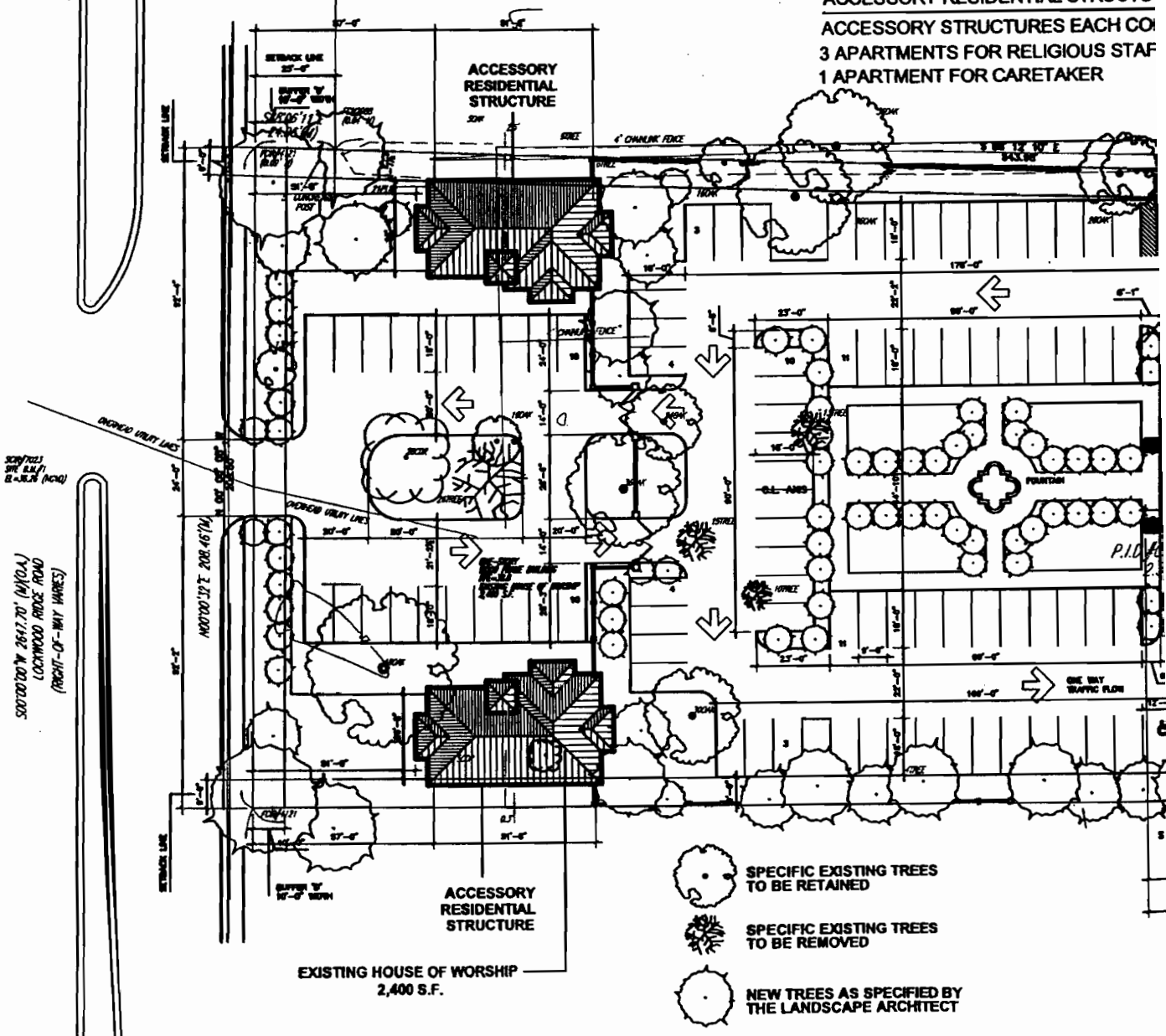
MAP SERIES CONCEPT F EXHIBIT "A"



LOCATION MAP

| MAIN BUILDING: | |
|------------------------|-------------|
| PRAYER HALL | 4, |
| SECOND FLOOR GALLERY | 2, |
| MULTI-PURPOSE ROOM | |
| KITCHEN | |
| BATHROOM - MALE | |
| BATHROOM - FEMALE | |
| LIBRARY | |
| RELIGIOUS STUDY ROOMS | 1,6 |
| ADMINISTRATIVE OFFICES | 4 |
| ANCILLARY | 1,3 |
| TOTAL A/C AREA | 13,5 |

| COURTYARD: | |
|--|--|
| ACCESSORY RESIDENTIAL STRUCTURE | |
| ACCESSORY STRUCTURES EACH CO | |
| 3 APARTMENTS FOR RELIGIOUS STAF | |
| 1 APARTMENT FOR CARETAKER | |



50000'D0'W 2647.70' (M/D.A.)
LOCKWOOD ARCADE ROAD
(RIGHT-OF-WAY EASEMENT)

18000'D0'E 208.467'W

-  SPECIFIC EXISTING TREES TO BE RETAINED
-  SPECIFIC EXISTING TREES TO BE REMOVED
-  NEW TREES AS SPECIFIED BY THE LANDSCAPE ARCHITECT

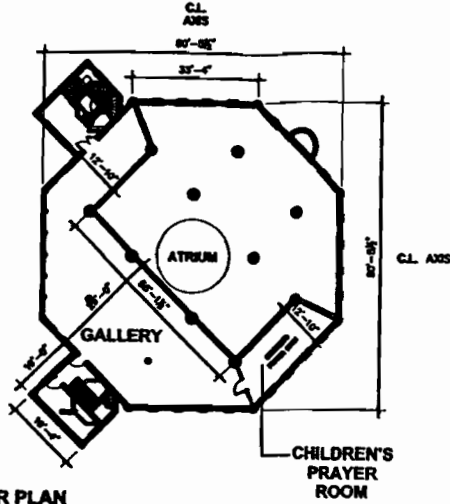
13,505 S.F.

- 60 S.F.
- 32 S.F.
- 36 S.F.
- 81 S.F.
- 36 S.F.
- 36 S.F.
- 12 S.F.
- 10 S.F.
- 53 S.F.
- 49 S.F.
- 5 S.F.

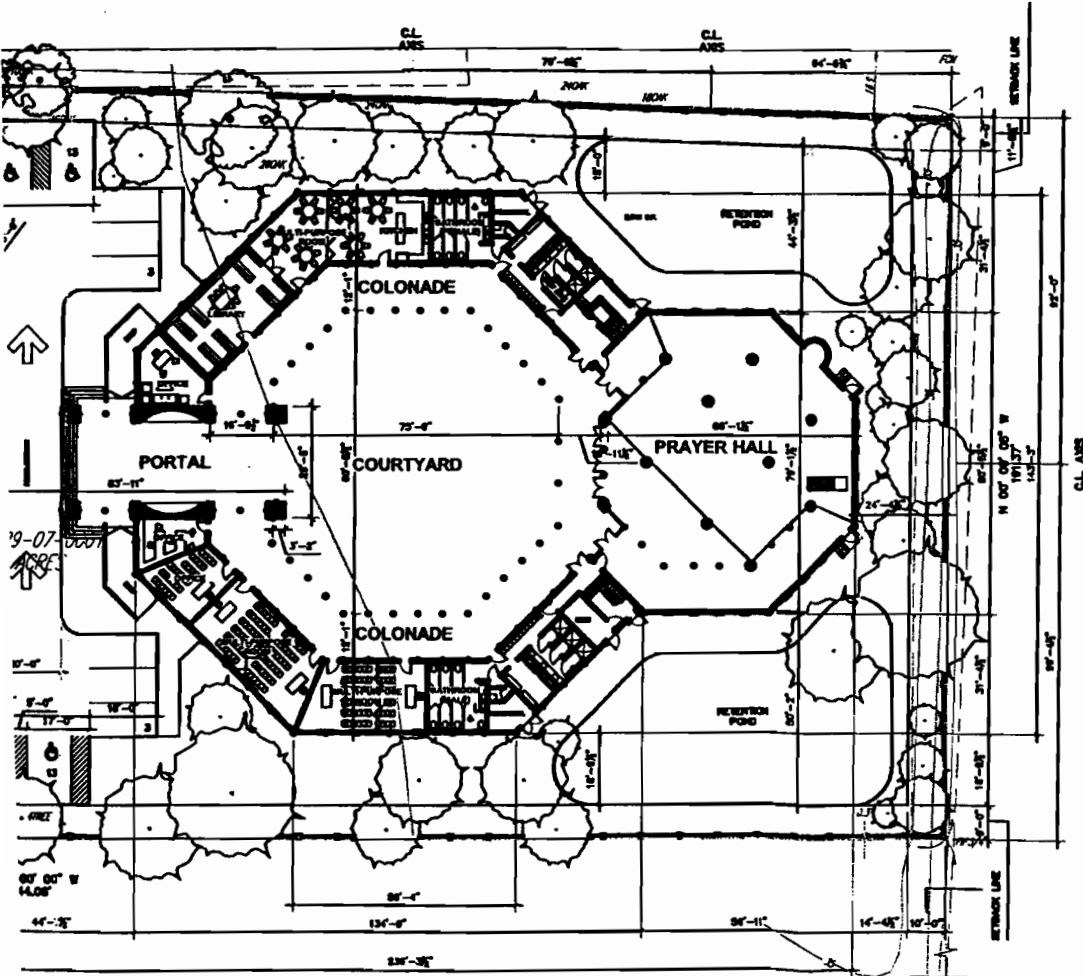
5,356 S.F.

RES: 3,600 S.F. EACH

CONTAIN 2 APARTMENTS



MEZZANINE FLOOR PLAN



FIRST FLOOR PLAN

THIS DOCUMENT RECEIVED BY
GROWTH MANAGEMENT ON:
AUGUST 7, 2003

R2004-044