


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

Susan F. Carleton, Administrative Coordinator  
Planning Services  
1301 Cattlemen Road, Bldg. A  
Sarasota, FL 34232

**Charge to: Planning Services**  
**Account# 51800100500489**

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

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2006086198 5 PGS  
2006 MAY 09 12:41 PM  
KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
FMILLER Receipt#783154



2006086198

The following property, located in Sarasota County, Florida, owned by Dania D. Dragash, and described in Resolution No. 2006-015 attached hereto, to allow the property, located west of US 41 and 200' north of Albee Road, Sarasota County, Florida, to be used to expand the existing Nokomis Motor Inn to allow additional transient accommodations in the CG (Commercial General) zone district, pursuant to Special Exception Petition No. 1618 filed by B. Alan Garrett, Agent, and granted by Sarasota County on January 24<sup>th</sup>, 2006, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

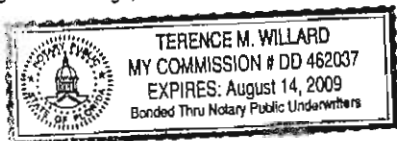
(Stipulations and limitations are those described in Section B of Resolution No. 2006-015, attached hereto)

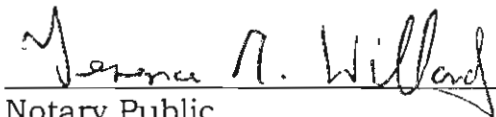
  
Crystal Allred, Acting Principal Planner  
Planning Services

**STATE OF FLORIDA**  
**COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Crystal Allred, Acting Principal Planner, Planning Services, 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 she acknowledged before me that she executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 4 day of May, 2006.



  
Notary Public  
State of Florida at Large

This instrument prepared by: sfc

BOARD RECORDS  
FILED FOR RECORD  
JAN 25 PM 12:11  
CHADEN E. RUSH  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA

**RESOLUTION NO. 2006-015**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF SARASOTA COUNTY, FLORIDA**  
**SPECIAL EXCEPTION NO. 1618**

WHEREAS, Alan Garrett, agent for the owner of the hereinafter described real property, has filed Special Exception Petition No. 1618 requesting that a special exception be granted to allow the property, located west of US 41 and 200' north of Albee Road, Sarasota County, Florida, to be used to expand the existing Nokomis Motor Inn to allow additional transient accommodations in a CG (Commercial General) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 3rd day of November, 2005 to consider said Special Exception Petition No. 1618, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1618 be granted, and

WHEREAS, this Board, after due public notice, did on the 24th day of January 2006 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. 1618 does make the following findings:

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;
7. The ingress and egress to the subject parcel and internal circulation will not adversely affect traffic flow, safety or control.

8. The subject property is adequate to accommodate the height and mass of any proposed structure(s).

B. Special Exception Petition No. 1618 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:  
West of US 41 and 200' north of Albee Road, being more particularly described as follows:

**PARCEL 1**

BEGIN AT THE SE CORNER OF THE SW ¼ OF THE SE ¼ OF SECTION 36, TOWNSHIP SOUTH, RANGE 18 EAST; THENCE NORTH 678' ALONG CENTER OF ROAD; THENCE WEST 33'; THENCE NORTH 439' TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH ALONG THE WEST SIDE OF SAID ROAD 145'; THENCE SOUTH 89°30' WEST 390'; THENCE SOUTH 145'; THENCE NORTH 89°30' EAST 390' TO THE POINT OF BEGINNING; LYING AND BEING IN THE WEST ½ OF SE ¼ OF SECTION 36, TOWNSHIP 38 SOUTH, RANGE 18 EAST, LESS RIGHT-OF-WAY FOR HIGHWAY 41, AS SET FORTH IN A SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 239, PAGE 454, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

**PARCEL 2**

BEGIN AT THE SE CORNER OF THE SW ¼ OF THE SE ¼ OF SECTION 36, TOWNSHIP 38 SOUTH, RANGE 18 EAST; THENCE NORTH 678' ALONG CENTER OF ROAD; THENCE W 33'; THENCE NORTH 584' FOR A POINT OF BEGINNING; THENCE CONTINUE NORTH 80'; THENCE SOUTH 89°30' WEST, A DISTANCE OF 388'; THENCE SOUTH ALONG CENTER OF DITCH 80'; THENCE EAST 388' TO A POINT OF BEGINNING, LESS THAT PART OF ABOVE DESCRIBED PROPERTY CONVEYED TO STATE OF FLORIDA FOR ROAD RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 230, 397, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

and the same is hereby approved for Special Exception 1618, 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. No more than 25% of the rooms to be provided shall have kitchens.
2. All development of the subject parcel shall be consistent with all applicable Conditions for Development Approval contained in the Nokomis Center Revitalization Plan (Ordinance No. 2001-008).
3. The proposed commercial building shall not exceed 3,039 square feet.

4. All proposed and existing buildings shall connect to a single central County water source. (e.g. existing on-site well). All proposed or existing buildings shall connect to a central sewer prior to the first certificate of occupancy for the proposed buildings.
5. Development shall take place in substantial accordance with the Development Concept Plan dated October 5, 2005, and attached hereto as Exhibit A. 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 24<sup>th</sup> day of JANUARY, 2006.

BOARD OF COUNTY COMMISSIONERS OF  
SARASOTA COUNTY, FLORIDA

By: \_\_\_\_\_

Chair

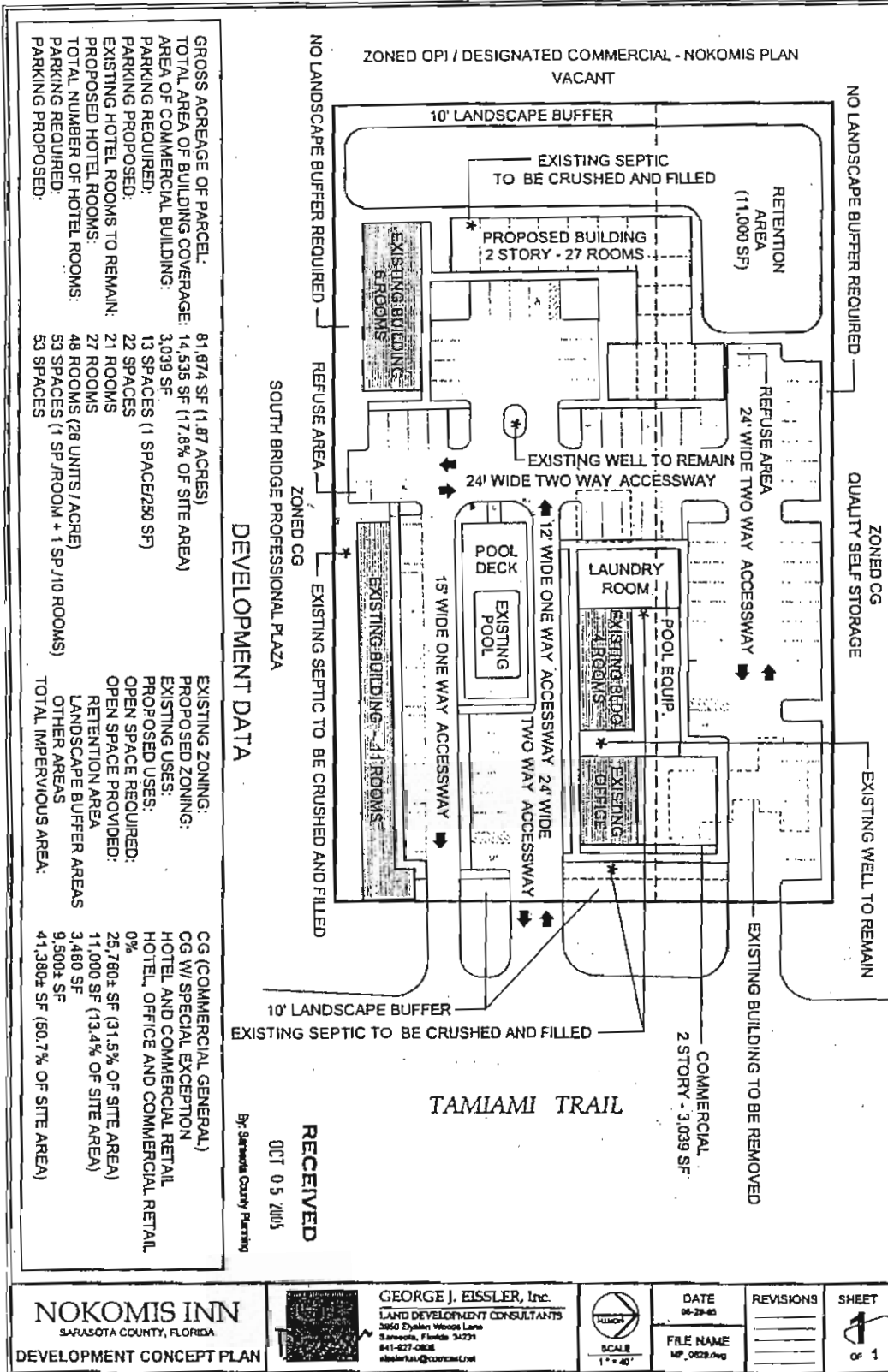
ATTEST:

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

By: \_\_\_\_\_

Deputy Clerk

# EXHIBIT "A"



**NOKOMIS INN**  
SARASOTA COUNTY, FLORIDA  
DEVELOPMENT CONCEPT PLAN

GEORGE J. EISSLER, Inc.  
LAND DEVELOPMENT CONSULTANTS  
3850 Dyalin Woods Lane  
Sarasota, Florida 34231  
813-527-0888  
gej@gej.com



DATE  
06-28-05

FILE NAME  
MP\_0029.dwg

REVISIONS

SHEET

1 of 1

R2006-015