

SPS

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

Susan 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**

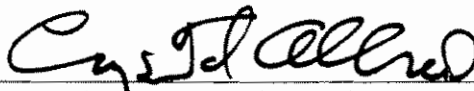
RECORDED IN OFFICIAL RECORDS
 INSTRUMENT # 2006082422 5 PGS
 2006 MAY 03 04:44 PM
 KAREN E. RUSHING
 CLERK OF THE CIRCUIT COURT
 SARASOTA COUNTY, FLORIDA
 DCATHEY Receipt#781047



2006082422

The following property, located east of US 41 on Livingstone Street in Sarasota County, Florida, owned by Gregory Y. Harris, VP, for AmSouth Bank, and described in Resolution No. 2006-103 attached hereto, to allow a Stormwater Retention Pond in the RSF-3 zone district, pursuant to Special Exception Petition No. 1625 filed by John Rawson, Agent, and granted by Sarasota County on April 26, 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. 2006-103, attached hereto)

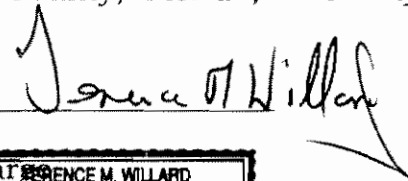
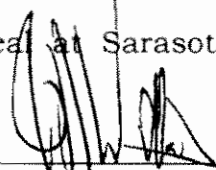


Crystal Alfred, Acting Principal Planner
Planning Services

**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Hank Epstein, Manager, 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 he acknowledged before me that he executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 2nd day of May, 2006.



Notary Public
State of Florida



This instrument prepared by sfc

RECEIVED

APR 28 2006

By: Sarasota County Planning

**RESOLUTION NO. 2006-103
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1625**

BOARD RECORDS
FILED FOR RECORD

2006 APR 27 AM 11:08

FILED
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

WHEREAS, John E. Rawson, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1625 requesting that a special exception be granted to allow the property, located on the south side of Livingstone Street, west of U.S. 41, Sarasota County, Florida, to be used for a stormwater pond in the RSF-3 zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 16th day of February, 2006, to consider said Special Exception Petition No. 1625, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1625 be granted, and

WHEREAS, this Board, after due public notice, did on the 26th day of April, 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. 1625 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 proposed use is consistent with the intent, goals, objectives, policies, guiding principles and programs of the Comprehensive Plan;

5. The proposed use is compatible with the existing land use pattern and designated future uses;

6. 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;

7. 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;

8. The proposed use will be adequately buffered to effectively separate traffic, visual impact and noise from existing or intended nearby uses;

9. The subject parcel is adequate in shape and size to accommodate the proposed use; and

10. 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. 1625 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

Lots 38 and 40, Block A, NORTH VAMO SUBDIVISION, Plat No. 1, as per plat thereof recorded in Plat Book 1, page 94, of the Public Records of Sarasota County, Florida.

and the same is hereby approved for Special Exception 1625, 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. Development shall take place in substantial compliance with the Development Concept Plan, date stamped April 10, 2006, (and attached as Exhibit "A"). This does not imply or confer any variances from applicable zoning or land development regulations.
2. The Master Surface Water Management Plan shall be consistent with the Catfish Creek Basin Master Plan.
3. The Owner shall construct a four foot high black picket aluminum fence around the top of the embankment of the stormwater pond on the subject property unless greater height is required by regulations.

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

PASSED AND DULY ADOPTED this 26th day of April, 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

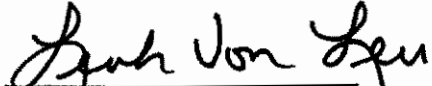
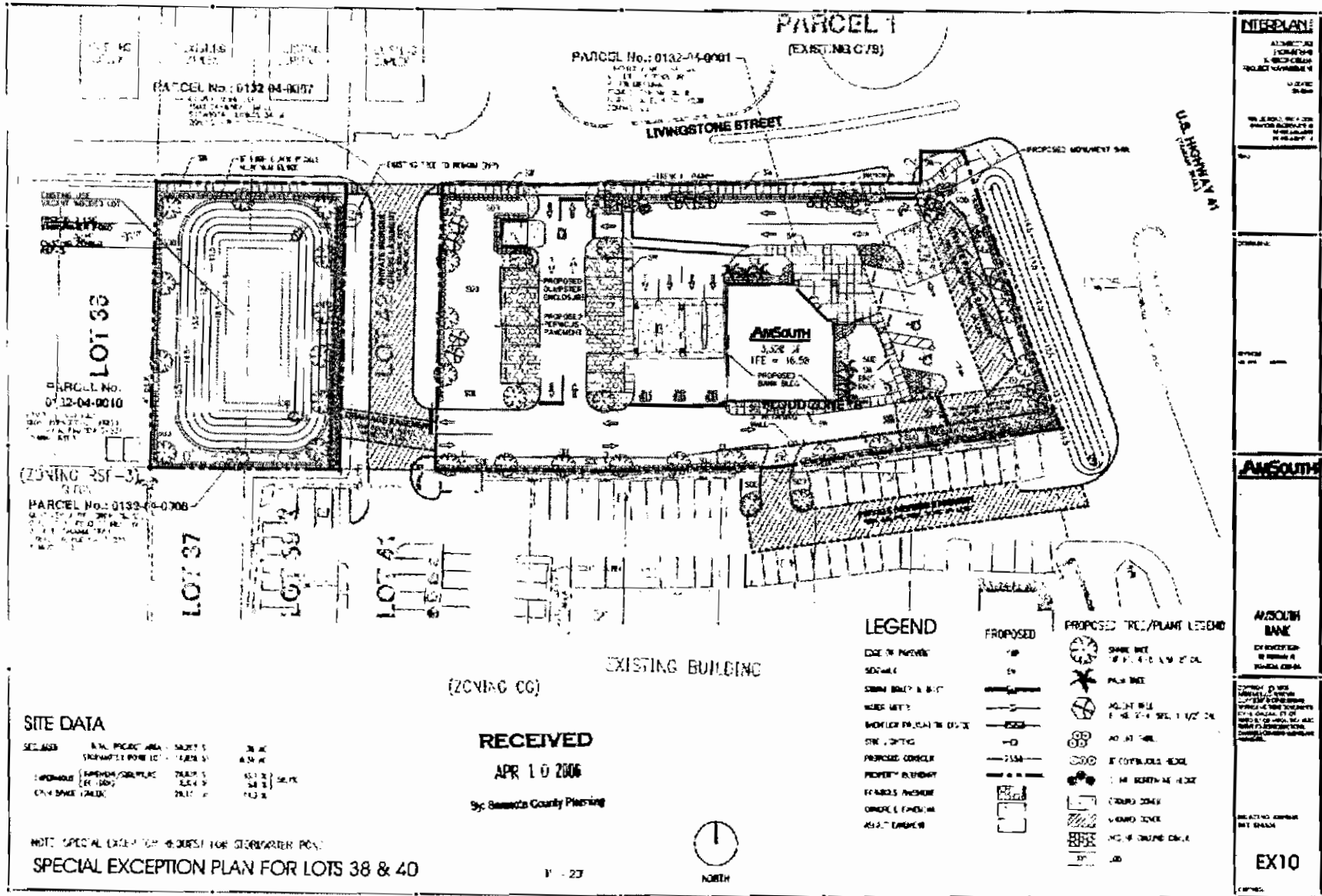

Deputy Clerk

EXHIBIT "A"



CVI 11/16/00

INTERPLAN

ALL RIGHTS RESERVED
PROJECT NUMBER 11
DATE 04-06

AN SOUTH

AN SOUTH BANK

BY REQUEST
OF THE COUNTY
OF SARATOGA

RELATING TO THE
SPECIAL EXCEPTION
FOR LOTS 38 & 40

EX10