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

Susan Carleton, Administrative Coordinator

Planning Services

1660 Ringling Boulevard, 1st Floor


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 # 2006193546 5 PGS
 2006 NOV 02 12:10 PM
 KAREN E. RUSHING
 CLERK OF THE CIRCUIT COURT
 SARASOTA COUNTY, FLORIDA
 TFERNADEZ Receipt#B46966



2006193546

The following property, located in Sarasota County, Florida, owned by the Diocese of Venice, and described in Resolution No. 2006-201 attached hereto, to expand an existing special exception use at Saint Raphael's Catholic Church in District RSF-2 (Residential Single Family, 3.5 units/1 acre), pursuant to Special Exception Petition No. 1627 filed by Alan Garrett, Agent, and granted by Sarasota County on September 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. 2006-201, attached hereto)


 Crystal Allred, Manager
 Planning Services

**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Crystal Allred, 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 she acknowledged before me that she executed the same.

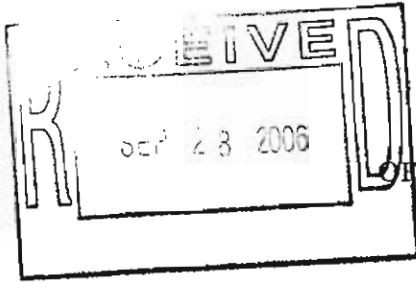
Witness my hand and official seal at Sarasota County, Florida, this 31st day of October, 2006.


 Notary Public
 State of Florida at Large



Cynthia A. Kusner
 Commission #DD308088
 Expires: May 22, 2008
 Bonded Thru
 Atlantic Bonding Co., Inc.

This instrument prepared by sfc



RESOLUTION NO. 2006-201
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1627

BOARD RECORDS
FOR THE YEAR
SEP 27 PM 4:13

WHEREAS, Alan Garrett, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1627, requesting that a special exception be granted to allow the property, located at the southwest corner of Ohio Avenue and Old Englewood Road, Sarasota County, Florida, to be used for the following purpose: to expand an existing special exception use at Saint Raphael's Catholic Church in the RSF-2 (Residential Single Family, 3.5 units/1 acre) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 1st day of June, 2006, to consider said Special Exception Petition No. 1627, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1627 be granted, and

WHEREAS, this Board, after due public notice, did on the 26th day of September, 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. 1627, 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. 1627 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: located at the southwest corner of Ohio Avenue and Old Englewood Road and more particularly described as follows:

Lots 1 and 2, Block "B", ENGLEWOOD HOMEACRES, Lemon Bay Section, First Addition, as per plat thereof recorded in Plat Book 7, Page 24, of the Public Records of Sarasota County, Florida.

Blocks "B", "D", "F" and "H" ENGLEWOOD HOMEACRES, Lemon Bay Section, First Addition, as per plat thereof recorded in Plat Book 7, Page 24, and the following portions of streets, roads, and alleyways as vacated per Deed Book 337, Page 496 of the Public Records of Sarasota County, Florida therefore to-wit: that portion of Bartlett Avenue, Elmwood Avenue and Allen Avenue that lies within or adjacent to Blocks "B", "D", "F" and "H"; and that portion of the alleyways which divide lots 1-12 from lots 13-18 that lies within or adjacent to the Blocks "B", "D", "F" and "H" less a small portion of lots 13 and 14 Block "B" for Englewood Road Right-of-way.

and the same is hereby approved for 1627, 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. Prior to or concurrent with development of the subject parcel, the developer shall widen Kilbourne Avenue to two 11-foot wide travel lanes and resurface the roadway over its entire width from the intersection with Old Englewood Road to the parcel's proposed southern-most access on Kilbourne Avenue. The transition from the widened portion of Kilbourne Avenue to the existing portion shall occur south of the proposed southern-most access on Kilbourne Avenue. Improvements shall be included in the construction plans for the proposed development.
2. The Master Surface Water Management Plan shall be consistent with the Gottfried Creek Basin Master Plan.

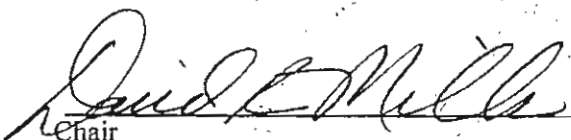
R2006-201

3. Development shall take place in substantial accordance with the Development Concept Plan dated February 6, 2006 and attached hereto as Exhibit A. This does not imply or confer any variances from applicable zoning or land development regulations.
4. The proposed parking area shall be configured to avoid the mature trees that can be saved and incorporated into site and development plans. The existing parking areas shall have trees added to meet the current Zoning Ordinance requirements.
5. Prior to site and development, a tree survey shall be provided to demonstrate which mature trees along the southern boundary and in the southwest corner of the subject property, can be preserved and incorporated into the site plans.
6. A 10' wide street buffer shall be provided on all sides of the property. In addition to trees, it shall include hedges to screen the parking lots.
7. The stormwater facility shall be designed to avoid existing trees to the maximum extent possible. The Applicant shall work closely with the Sarasota County Forester to minimize the amount of impact to slash pines and long leaf pines located in the area of the proposed stormwater pond.

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

PASSED AND DULY ADOPTED this 26th day of September, 2006.

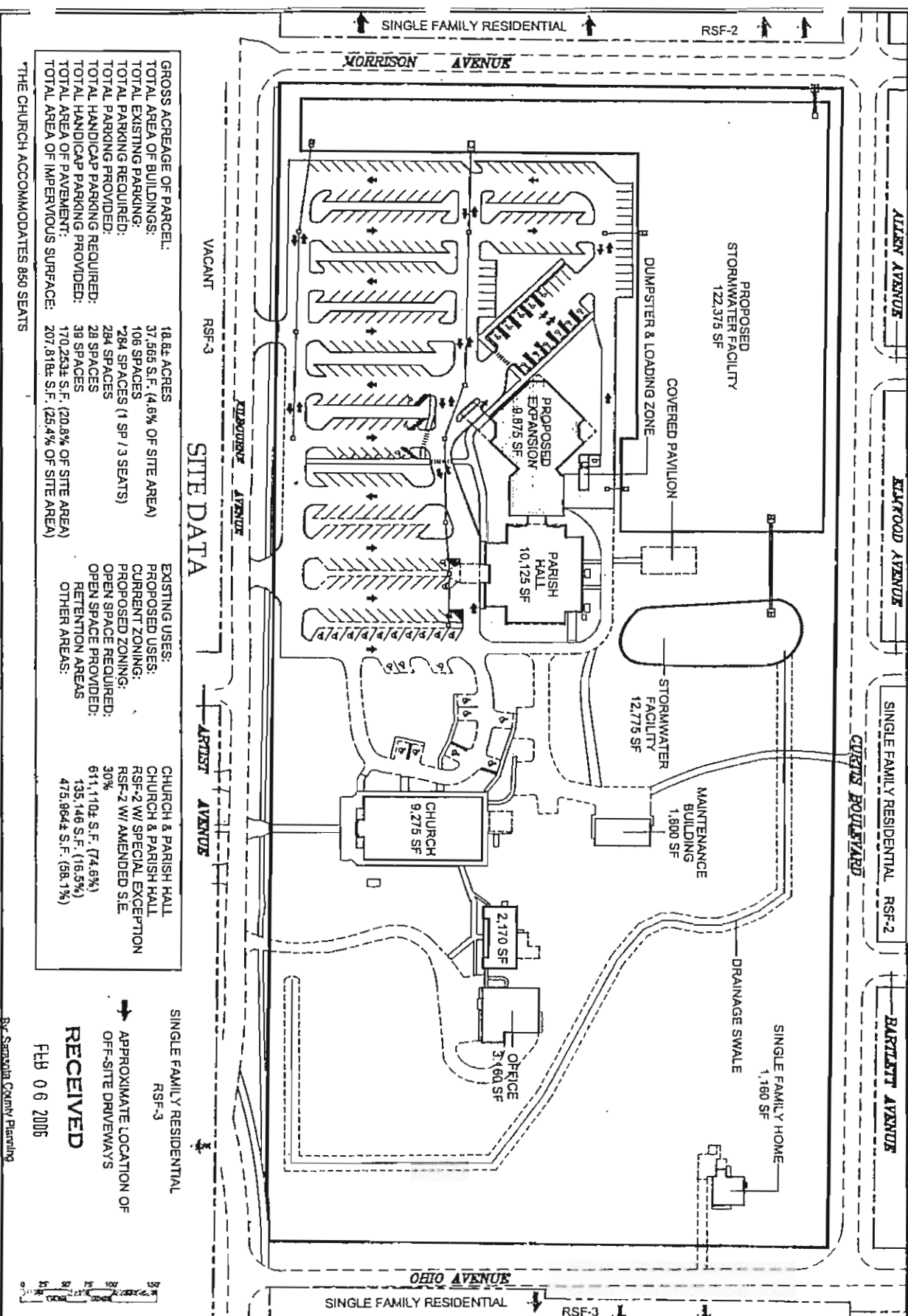
BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

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



GROSS ACREAGE OF PARCEL: 18.8± ACRES
TOTAL AREA OF BUILDINGS: 37,665 S.F. (4.6% OF SITE AREA)
TOTAL EXISTING PARKING: 106 SPACES
TOTAL PARKING REQUIRED: 284 SPACES (1 SP / 3 SEATS)
TOTAL HANDICAP PARKING PROVIDED: 28 SPACES
TOTAL HANDICAP PARKING REQUIRED: 38 SPACES
TOTAL AREA OF IMPERVIOUS SURFACE: 207,818± S.F. (25.4% OF SITE AREA)

EXISTING USES: CHURCH & PARISH HALL
PROPOSED USES: CHURCH & PARISH HALL
CURRENT ZONING: RSF-2 W/ SPECIAL EXCEPTION
PROPOSED ZONING: RSF-2 W/ AMENDED S.E.
OPEN SPACE REQUIRED: 30%
RETENTION AREAS: 611,110± S.F. (74.8%)
 135,146 S.F. (16.5%)
 475,964± S.F. (58.1%)

SITE DATA

SINGLE FAMILY RESIDENTIAL RSF-3
 APPROXIMATE LOCATION OF OFF-SITE DRIVEWAYS
RECEIVED
 FEB 06 2006

ST. RAPHAEL CHURCH
 770 MILBOURNE AVENUE - ENGLEWOOD, FLORIDA
 SARASOTA COUNTY, FLORIDA
DEVELOPMENT CONCEPT PLAN (BINDING)

GEORGE J. EISSLER, Inc.
 LAND DEVELOPMENT CONSULTANTS
 3850 Elystan Woods Lane
 Sarasota, Florida 34231
 941-927-0808
 gje@storkco.comcast.net

 SCALE 1" = 100'	DATE 11-28-05	REVISIONS	SHEET 1 of 1
	FILE NAME FMP11x17_1120.dwg		

2006-201

By: Sarasota County Planning