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KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
DCOURSEY Receipt#859502

6 ✓
Please record and return to: **(Via Inter-Office Mail)**
Susan Carleton, Administrative Coordinator
Planning Services
1660 Ringling Blvd., 1st Floor
Sarasota, FL 34236

Charge to: Planning Services
Account# 51800100500489



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

The following property, located on the north side of Ranch Road, between Calusa Lakes and I-75 in Sarasota County, Florida, owned by Smith's Center for Therapeutic Riding, Inc., and described in Resolution No. 2006-228 attached hereto, to allow a day facility for therapeutic horse riding in District OUE-1 (Open use Estate, 1 unit/5 acres), pursuant to Special Exception Petition No. 1632 filed by David Bowles, Agent, and granted by Sarasota County on October 24, 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. 2006-228, 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 5th day of ~~November~~, 2006
DECEMBER

Notary Public
State of Florida at Large

This instrument prepared by sfc



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

RECEIVED
OCT 27 2006

RESOLUTION NO. 2006-228
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1632

WHEREAS, DMK Associates, Inc., agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1632 requesting that a special exception be granted to allow a day facility for therapeutic horse riding, located on the north side of Ranch Road, between Calusa Lakes and I-75 in the OUE-1 zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 17th day of August, 2006, to consider said Special Exception Petition No. 1632, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1632 be granted, and

WHEREAS, this Board, after due public notice, did on the 24th day of October, 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. 1632 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;

OCT 27 2006

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. 1632 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 I-75, north of Laurel Road, between Calusa Lakes and I-75 and being more particularly described as follows:

A portion of Section 20, Township 38 South, Range 19 East, Sarasota County, Florida, described as follows:

Begin at the Northwest corner of Section 20, Township 38 South, Range 19 East, Sarasota County, Florida; thence S 86°44'59" E, along the North line of said Section 20, a distance of 469.95 feet to the westerly right of way line of Interstate No. 75 (State Road No. 93), same being a curve to the left having a radius of 13340.10 feet, a central angle of 06°17'29", a chord bearing of S. 28°40'29" E, and a chord length of 1464.08 feet; thence southeasterly along said westerly right of way line, also the arc of said curve, an arc length of 1464.82 feet to the point of tangency of said curve; thence continue said westerly right of way line, S. 31°49'14" E., a distance of 1676.42 feet to a point on the North line of lands described in Official Record Book 1920, Page 1722, Public Records of Sarasota County, Florida; thence N. 89°56'14" W., along said North line of lands described in Official Record Book 1920, Page 1722, a distance of 563.12' ± to the centerline of Fox Creek; thence N. 89°56'14" W., a distance of 1482.13 feet to the West line of the Southwest Quarter of said Section 20; thence N. 00°13'03" W., along said West line of the Northwest Quarter of Section 20, a distance of 2733.41 feet to the Point of Beginning.

and the same is hereby approved for a day facility for therapeutic horse riding 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 accordance with the two-page Development Concept Plan, date-stamped April 21, 2006, except as necessary to comply with the stipulations herein. This does not imply or confer any variances from applicable zoning or land development regulations.
2. Concurrent with the construction of the Honore Avenue, Ranch Road shall be widened to two 11-foot wide travel lanes and resurfaced over the entire roadway. The improvements shall be completed between the western edge of pavement of Honore Avenue and the western boundary of the subject parcel's access. The transition from the improved road segment to the existing 18-foot road shall occur west of the subject parcels access and transition from the improved road segment to Honore Avenue shall occur east of Honore Avenue's western edge of pavement. The improvements shall be included in the construction plans for the proposed development.

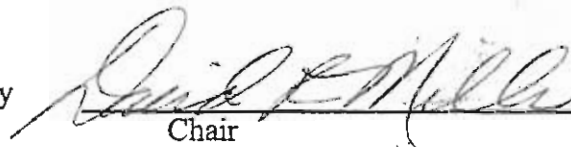
3. Within 30 days of the completion of Honore Avenue, access to Ranch Road via the Calusa Lakes Subdivision shall be closed.
4. The Master Surface Water Management Plan shall be consistent with the Cow Pen Slough Basin Master Plan.
5. Prior to, or concurrent with, the submittal of site and development plans, listed species surveys shall be conducted at the subject property by an appropriate professional using State-accepted sampling techniques to identify endangered, threatened, and species of special concern that maybe utilizing on-site habitats. The results of the surveys, including details of the methodologies used (i.e., location of transects, dates and times of surveys, etc.), shall be submitted to Resource Protection along with any correspondence from appropriate regulatory agencies regarding listed species issues associated with the site.
6. Prior to or concurrent with the submittal of site and development plans the Applicant shall perform a scrub jay survey and provide a copy of the report to Resource Protection staff. Additionally, copies of any correspondence with appropriate regulatory agencies regarding the site scrub jay shall be provided to Resource Protection staff. Site and Development plan approval shall not be granted until a release letter from the United States Fish and Wildlife Service (USFWS) is received.
7. The subject parcel's ingress/egress access on Ranch Road and parking lot shall be located to avoid any impact on the scrub jay habitat.

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

PASSED AND DULY ADOPTED this 24th day of October, 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


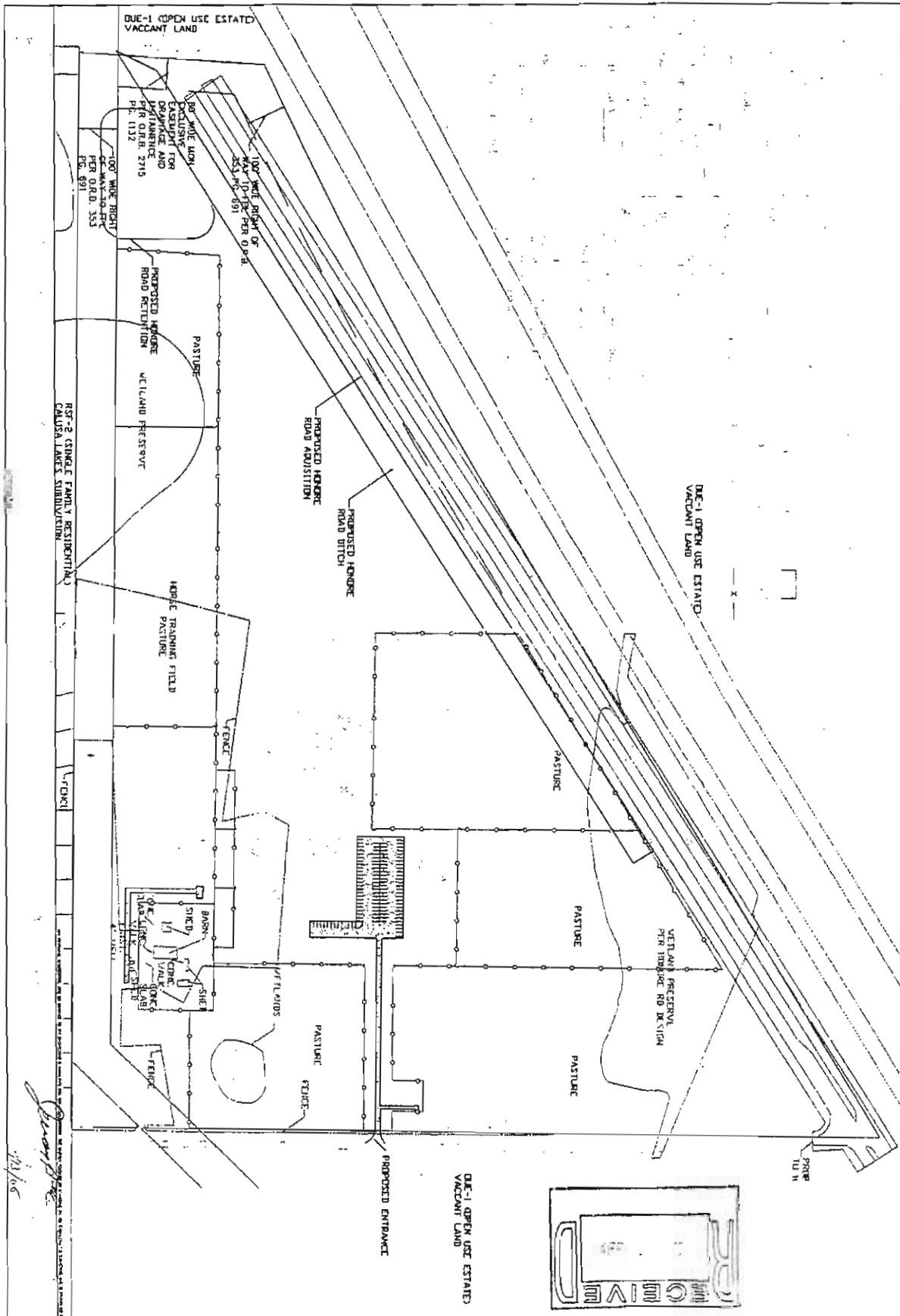
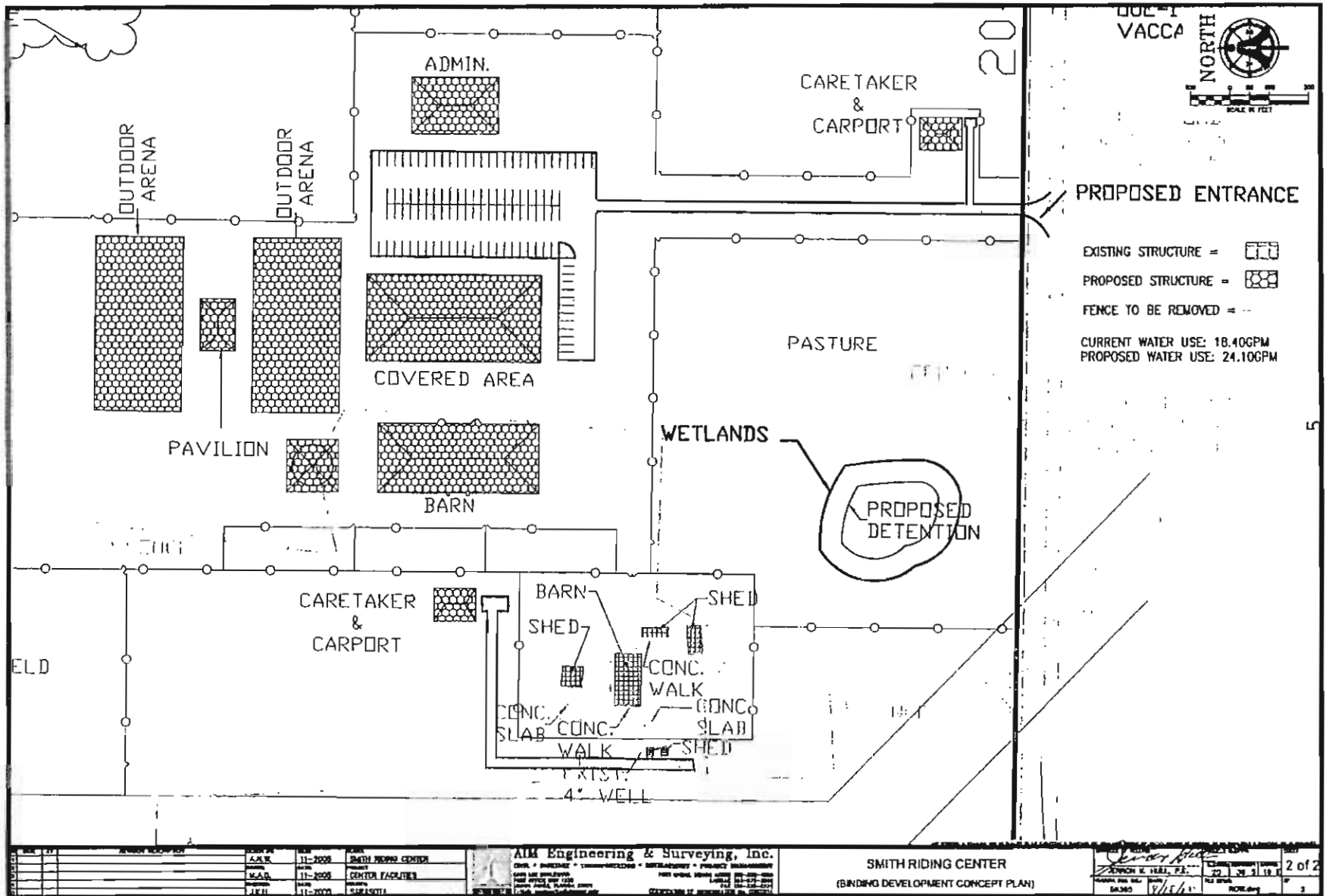

Deputy Clerk

EXHIBIT "A"



RS. 2006-228

P:\0305\8000-9999\04-6626 (SMITH THERAPEUTIC RIDING CENTER)\Master Concept Plan.dwg, LAYOUT 2, 4/17/2006 1:57:12 PM, dbnwt



17006 000

NO.	REVISION	DATE	BY	CHKD.
1	ISSUED FOR PERMIT	11-2005	J.A.B.	J.K.H.
2	REVISED	11-2005	J.A.B.	J.K.H.
3	REVISED	11-2005	J.K.H.	J.K.H.

AIM Engineering & Surveying, Inc.
 CIVIL • SURVEYING • LAND ACQUISITION • ENVIRONMENTAL • PROJECT MANAGEMENT
 1000 W. 10th Street, Suite 1000, Oklahoma City, Oklahoma 73106
 Phone: (405) 241-1234 Fax: (405) 241-1234
 Email: info@aimeng.com Website: www.aimeng.com

SMITH RIDING CENTER
(BINDING DEVELOPMENT CONCEPT PLAN)

DATE: 8/15/06	SCALE: AS SHOWN	PROJECT NO: 04-6626	SHEET NO: 2 of 2
DESIGNED BY: J.A.B.	CHECKED BY: J.K.H.	DATE: 8/15/06	SCALE: AS SHOWN