

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2008086406 5 PGS  
2008 JUN 23 06:17 PM  
KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
ASAMS Receipt#1061302

Please record and return to: **(Via Inter-Office Mail)**  
Carol McConway, Administrative Coordinator  
Planning Services  
✓ 1660 Ringling Blvd., 1<sup>st</sup> 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 approximately 300 feet south of University Parkway and approximately 300 feet east of Shade Avenue in Sarasota County, Florida, owned by John Miller, Mary Nolin and Lois Harmon, and described in Resolution No. 1661 attached hereto, to allow a stormwater facility in different zoning district than principal use in a OPI/PD (Planned Office, Professional and Institutional) zone district, pursuant to Special Exception Petition No. 1661 filed by Herman Weinberg, Agent, and granted by Sarasota County on June 2, 2008, 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. 2008-107, attached hereto)

Crystal Allred, Manager  
Planning Services

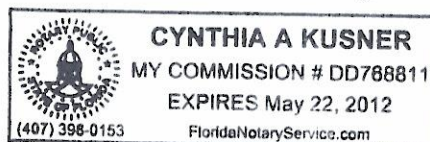
**STATE OF FLORIDA  
COUNTY OF SARASOTA**

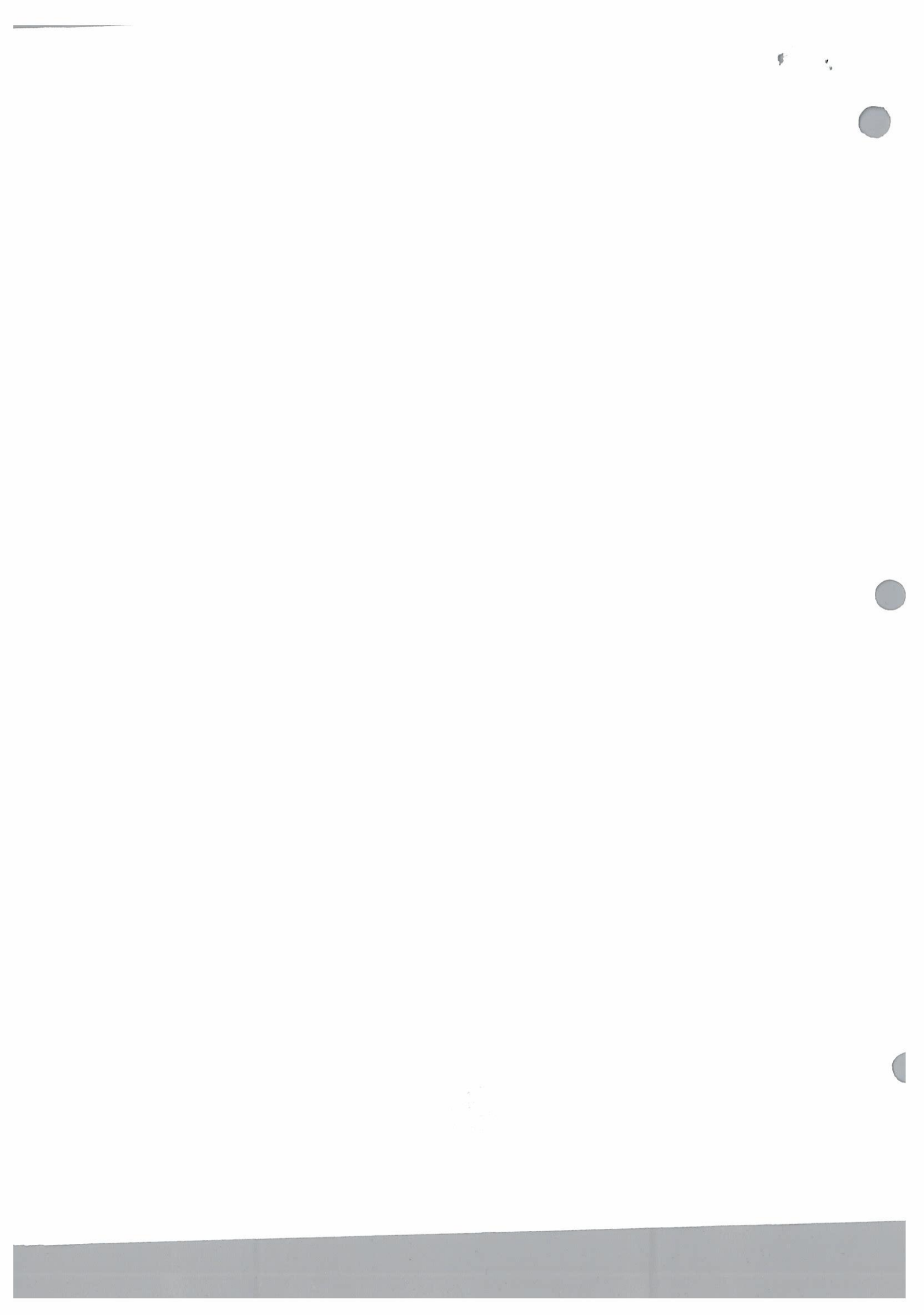
Before me, the undersigned Notary Public, personally appeared Crystal Allred, Manager, Planning Services, to me known to be the individual who executed the foregoing Notice of Stipulations and Limitations Encumbering Real Property pursuant to the Sarasota County Zoning Code, and she acknowledged before me that she executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 20<sup>th</sup> day of JUNE, 2008.

Cynthia A Kusner  
Notary Public  
State of Florida at Large

This instrument prepared by: cm





**RESOLUTION NO. 2008- 107**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF SARASOTA COUNTY, FLORIDA**  
**SPECIAL EXCEPTION NO. 1661**

BOARD RECORDS  
FILED FOR RECORD  
2008 JUN -3 AM 9:58  
KAREN F. PUSKAS  
CLERK OF CIRCUIT  
SARASOTA COUNTY, FLORIDA

WHEREAS, Herman Weinberg, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1661 requesting that a special exception be granted to allow the property, located 300 feet ± south of University Parkway and 300 feet ± east of Shade Avenue, Sarasota County, Florida, to allow a stormwater facility in different zoning district than principal use; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 6th day of March, 2008, to consider said Special Exception Petition No. 1661, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1661 be granted, and

WHEREAS, this Board, after due public notice, did on the 2<sup>nd</sup> day of June, 2008, 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. 1661 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.1661 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: 300 feet ± south of University Parkway and 300 feet ± east of Shade Avenue and being more particularly described as follows:

Commence at the North ¼ corner of Section 5, Township 36, Range 18 East; Thence S89d 36' 30"E a distance of 334.47 feet to a point, Thence S00d 46' 22"W a distance of 33.00 feet to the South Right-of-way line of University Parkway; Thence continuing S00d 46' 22"W a distance of 308.01 feet for a POINT OF BEGINNING; Thence continuing S00d 46' 22"W a distance of 298.90 feet to a point; S89d 29'52"E a distance of 334.51 feet to a point, Thence N00d 46' 22"W a distance of 299.50 feet to a point; Thence S89d 36' 30"E a distance of 334.49 feet to the POINT OF BEGINNING.

and the same is hereby approved for Special Exception Petition No. 1661, 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 occur in substantial accordance with the Development Concept Plan date stamped January 15, 2008, and attached hereto as Exhibit "A", except as necessary to comply with the stipulations herein. This does not imply or confer any variance from applicable zoning or land development regulations.

R2008-107

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

PASSED AND DULY ADOPTED this 2nd day of JUNE, 2008.

BOARD OF COUNTY COMMISSIONERS OF  
SARASOTA COUNTY, FLORIDA

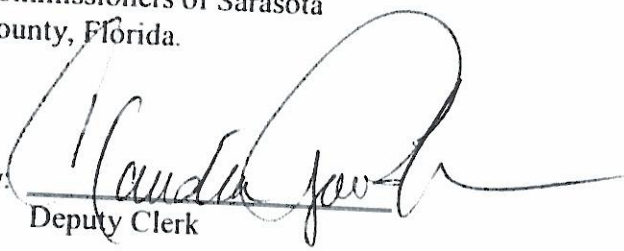
By:

  
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

