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2008 DEC 01 02:54 PM

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CBETHEL Receipt#1111775



Please record and return to: **(Via Inter-Office Mail)**
Carol McConway, Administrative Specialist
Planning Services
1660 Ringling Boulevard
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 west of McIntosh Road and approximately 500 feet south of Clark Road in Sarasota County, Florida, owned by Steven Kossoff, c/o Meridian Development, and described in Resolution No. 2008-219 attached hereto, to allow an elementary, middle or high school in the PID (Planned Industrial Development) zone district, pursuant to Special Exception Petition No. 1674 filed by Bruce Franklin, Agent, and granted by Sarasota County on November 18, 2008, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

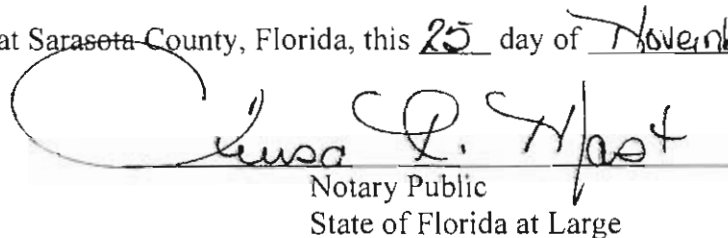
(Stipulations and limitations are those described in Section B of Resolution No. 2008-219, attached hereto)


Crystal Allred, Planning Manager

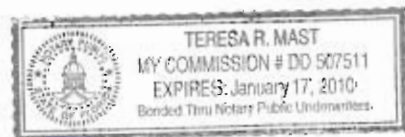
STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned Notary Public, personally appeared Crystal Allred, Planning Manager, 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 she executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 25 day of November, 2008.


Notary Public
State of Florida at Large

This instrument prepared by: cm



BOARD HEARING
OCT 19 10:30
KAREN E. ...

**RESOLUTION NO. 2008 -219
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1674**

WHEREAS, Mark Lippert, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1674 requesting that a special exception be granted to allow the property, located at the southwest corner of McIntosh Road and Derek Avenue intersection, Sarasota County, Florida, to be used as an Elementary, Middle or High School in the proposed PID (Planned Industrial Development) and I (Industrial) zone district with amended stipulations and amended Development Concept Plan; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 18th day of September, 2008, to consider said Special Exception Petition No. 1674, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1674 be denied, and

WHEREAS, this Board, after due public notice, did on the 22nd day of October, 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. 1674 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;

3. Prior to or concurrent with development of the subject parcel, the developer/owner shall construct a northbound to westbound left turn lane on McIntosh Road, at the southern business center, school access, located approximately 1830 feet south of Clark Road, measured center to center. The left turn lane shall be designed in accordance with Indexes 301 and 526 of the Florida Department of Transportation's Roadway and Traffic Design Standards. The improvements shall be included in the construction plans for the proposed development.
4. Prior to or concurrent with development of the subject parcel, the developer/owner shall construct a southbound to westbound right turn lane on McIntosh Road at the middle business center/school access, located approximately 1830 feet south of Clark Road, measured center to center. The right turn lane shall be designed in accordance with Indexes 301 and 526 of the Florida Department of Transportation's Roadway and Traffic Design Standards. The improvements shall be included in the construction plans for the development.
5. Access shall be allowed to the PID (Planned Industrial Development) parcel to the west for parking, loading, or truck maneuvering purposes, and the exterior buffer relocated accordingly, if use of that site is approved through the site and development process.
6. Enrollment shall be limited to 910 students.
7. Parking or stacking of vehicles on McIntosh Road shall be prohibited. In addition, internal vehicular stacking shall occur in accordance with Alternative 2 on the Parent Vehicle Exhibit, dated October 22, 2008 and attached hereto as Exhibit B.
8. Egress movements for the access located approximately 1830 feet south of Clark Road, measured from center to center, shall be limited to right-out only. A raised concrete separator shall be constructed to prohibit left-out turning movements. In addition, removable bollards shall be installed to prohibit vehicular traffic from traversing north through the development to other driveways during parent/student drop off and parent/student pick up hours.
9. The southernmost access as depicted on the Development Concept Plan, dated October 22, 2008 and attached hereto as Exhibit A, shall be restricted to truck and bus ingress/egress only.

C. This Resolution shall take effect upon execution.

PASSED AND DULY ADOPTED this 18th day of November, 2008.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By:

Shannon Stal
Chair

ATTEST:

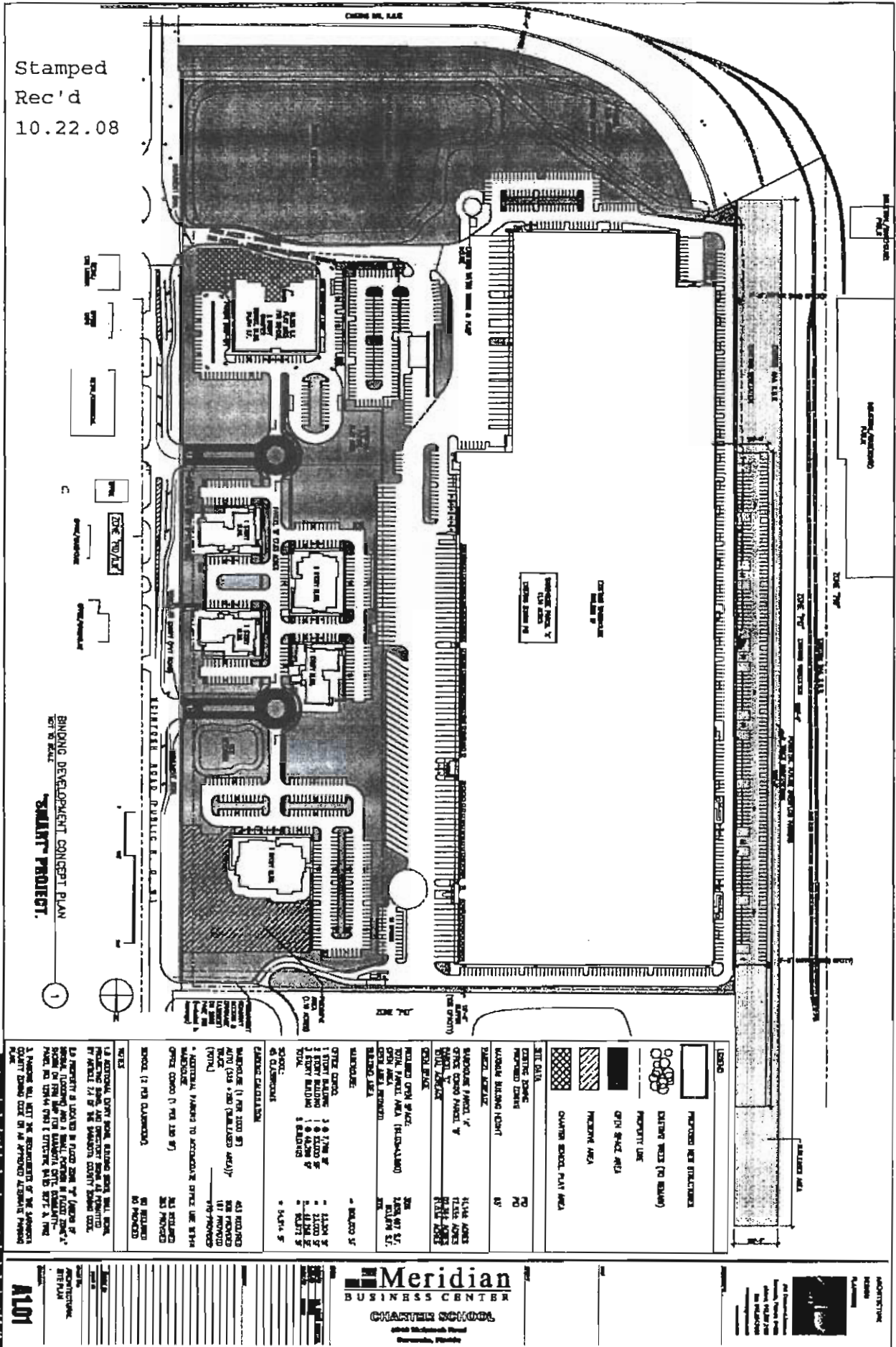
KAREN E. RUSHING, Clerk
of Circuit Court and ex officio
Clerk of the Board of County
Commissioners of Sarasota
County, Florida.

By:

Karen E. Rushing
Deputy Clerk

EXHIBIT A, DEVELOPMENT CONCEPT PLAN

Stamped
Rec'd
10.22.08



BINDING DEVELOPMENT CONCEPT PLAN
LET TO SCALE
"SMART" PROJECT.

LEGEND	PROPOSED NEW STRUCTURES
EXISTING WOODS (TO REMAIN)	
PROPERTY LINE	
OPEN SPACE AREA	
PARKING AREA	
CHARTER SCHOOL PLANT AREA	
SITE DATA	
TOTAL BUILDING FOOTPRINT	70,000 SF
TOTAL BUILDING HEIGHT	40 FT
TOTAL BUILDING VOLUME	2,800,000 CU FT
TOTAL BUILDING AREA	2,800,000 SQ FT
TOTAL BUILDING PERIMETER	1,400 FT
TOTAL BUILDING FOOTPRINT	70,000 SF
TOTAL BUILDING HEIGHT	40 FT
TOTAL BUILDING VOLUME	2,800,000 CU FT
TOTAL BUILDING AREA	2,800,000 SQ FT
TOTAL BUILDING PERIMETER	1,400 FT

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