


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**

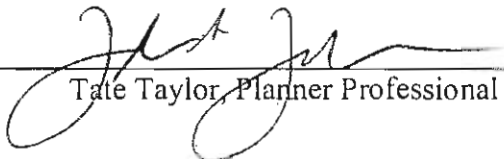
RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2010048969 6 PGS
2010 APR 22 09:39 AM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CEASLETD Receipt#1270093



2010048969

The following property, located approximately 1,050 feet north of Clark Road and approximately 660 feet west of Honore Avenue in Sarasota County, Florida, owned by Roli Cristofaro, President, Sarasota South Elks Lodge, and described in Resolution No. 2010-040 attached hereto, to allow a Lodge in the proposed IR (Industrial Research) zone district, pursuant to Special Exception Petition No. 1676 filed by Alan Garrett, Agent, and granted by Sarasota County on March 17, 2010, 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. 2010-040, attached hereto)


Tate Taylor, Planner Professional


**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Tate Taylor, Planner Professional, 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 21st day of APRIL, 2010.



CYNTHIA A KUSNER
MY COMMISSION # DD768811
EXPIRES May 22, 2012
(407) 398-0153 FloridaNotaryService.com


Notary Public
State of Florida at Large

This instrument prepared by: cm

RECEIVED
APR 26 2010
BY:

RESOLUTION NO. 2010-040
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1676

KAREN E. RUSSELL
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
JAN 22 10 11
BOARD RECORDS
FILED FOR RECORD

WHEREAS, Alan Garrett, Agent for the Owner of the hereinafter described property has filed Special Exception Petition No. 1676 requesting that a special exception be granted to allow the property, located at 5680 Rosin Way, Sarasota, Florida, to be used for a Private Club in an IR (Industrial and Research) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 21st day of January, 2010, to consider said Special Exception Petition No. 1676; and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1676 be granted; and

WHEREAS, this Board, after due public notice, did on the 17th day of March 2010 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. 1676 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. That the proposed tower is consistent with the requirements of Chapter 118, Sarasota County Code governing telecommunications towers and cellular telecommunications facilities;
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

R2010-040

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. 1676 is hereby **GRANTED** for the following described property, said property being in Sarasota County, Florida, to-wit:

This petition relates to the property described below:

Approximately 1,050 north of Clark Road and approximately 660 feet west of Honore Avenue and being more particularly described as follows:

COMMENCE AT THE SE CORNER OF SECTION 11 TOWNSHIP 37 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA; THENCE N 89° 40' W, 668.79 FEET; THENCE N 0° 07' 50" E, 971.37 FEET FOR A P.O.B.; THENCE CONTINUE N 0° 07' 50" E, 51.05 FEET; THENCE N 89° 49' 59" W, 434.95 FEET; THENCE N 0° 07' 42" E, 325.05 FEET; THENCE S 89° 49' 59" E, 493.85 FEET; THENCE S 0° 07' 50" W, 375.84 FEET THENCE WESTERLY 58.89 FEET TO P.O.B. BEING PART OF LOT 10, BLOCK 4, SARASOTA VENICE COMPANY SUBDIVISION OF SECTION 11, TOWNSHIP 37 SOUTH, RANGE 18 EAST, RECORDED IN PLAT BOOK A, PAGE 70, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA. LESS THAT PARCEL OF LAND DESCRIBED IN WARRANTY DEED RECORDED IN OFFICIAL INSTRUMENT NUMBER 2006028258 AS RECORDED IN THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, DESCRIBED AS "GRANTOR" SARASOTA SOUTH LODGE NO. 2495 BENEVOLENT ORDER OF THE ELKS TO DIAMOND HOMES OF SOUTHWEST FLORIDA DATED FEBRUARY 13, 2006.

and the same is hereby approved for Special Exception 1676, 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.

R2010-040

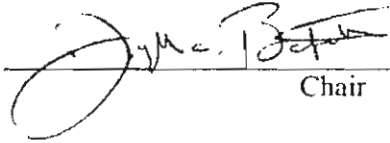
1. Development shall take place in substantial compliance with the Development Concept Plan date stamped September 2, 2009, and attached hereto as Exhibit "A," except as necessary to comply with the stipulations herein. This does not imply or confer any variances from applicable zoning or land development regulations.

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

PASSED AND DULY ADOPTED this 17th day of March, 2010.

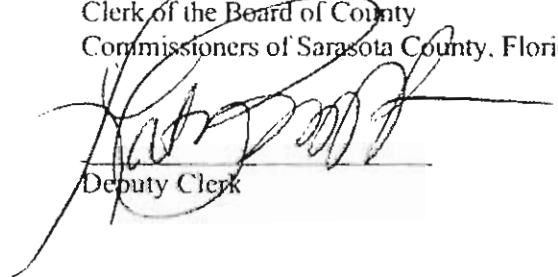
BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

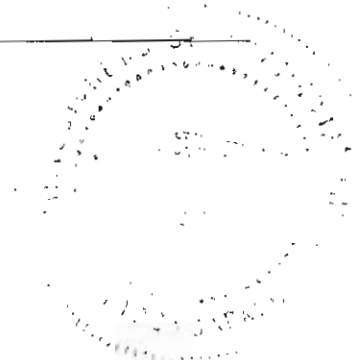
By


Chair

ATTEST:

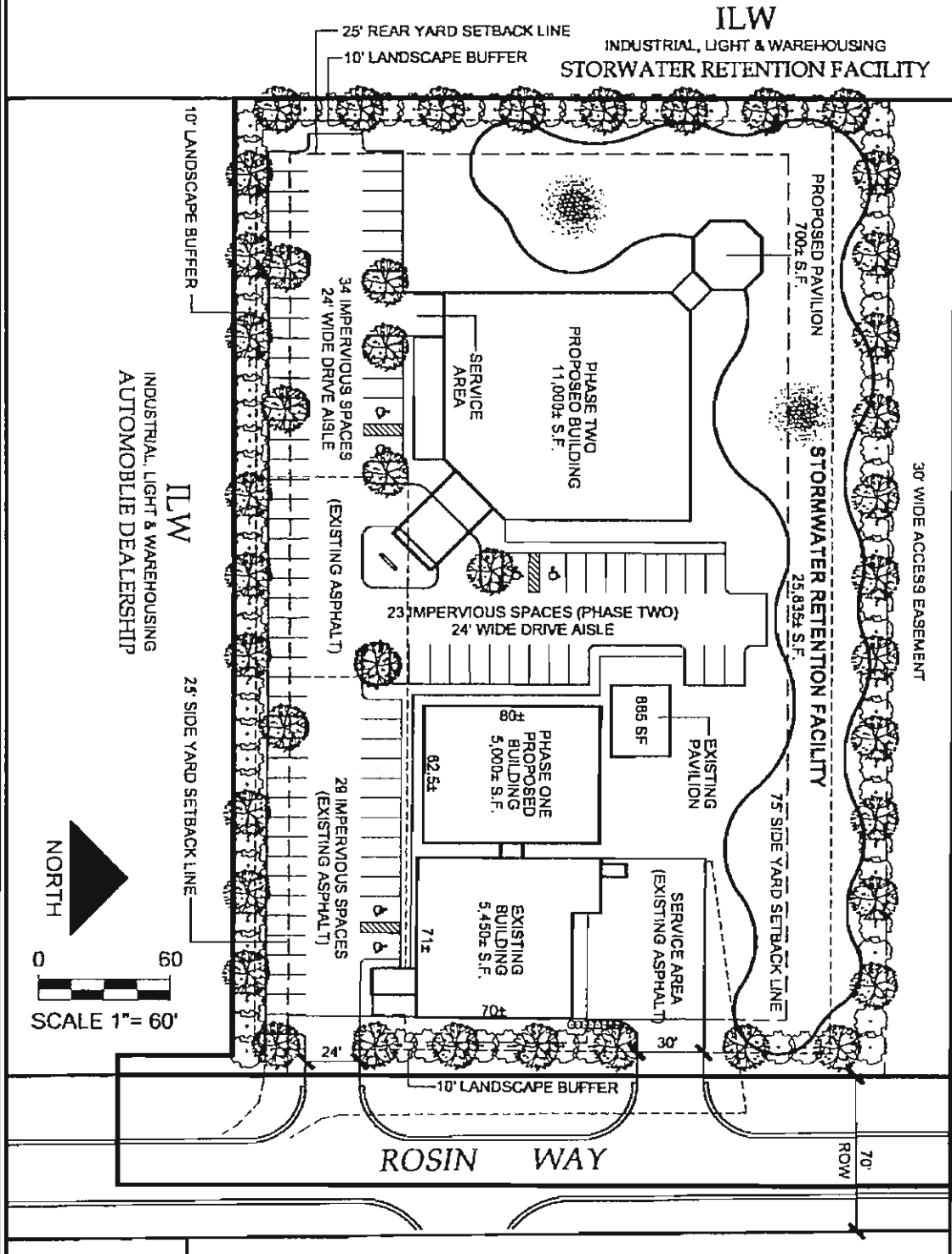
KAREN E. RUSHING, Clerk of
the Circuit Court and ex-officio
Clerk of the Board of County
Commissioners of Sarasota County, Florida.


Deputy Clerk



R-2010-040

EXHIBIT "A" - Development Concept Plan received on September 2, 2009



RSF-3
RESIDENTIAL SINGLE FAMILY
EX. SINGLE FAMILY

RSF-3
RESIDENTIAL SINGLE FAMILY (4.5 UNITS / ACRE)
VACANT

25' LANDSCAPE
BUFFER

SARASOTA SOUTH LODGE NO. 2495
BPOE of the USA, INC.
5680 ROSIN WAY - SARASOTA, FLORIDA 34233
DEVELOPMENT CONCEPT PLAN - PHASE TWO
(BINDING)

b.a.garrett associates, inc.
LAND DEVELOPMENT CONSULTANTS
2424 Yorkshire Drive - Sarasota, Florida 34231-1954
Office/Res: (941) 975-2331 Cell: (941) 294-0905 agarret@bgarrett.com



DATE
09-01-09
FILE NAME
DCP_090109

R2010-040

SITE DATA

GROSS AREA OF PARCEL:	142,860± S.F. (3.28 AC.)
TOTAL NO. OF LOTS/UNITS:	NA
GROSS DENSITY:	NA
EXISTING FLOOR AREA:	5,450± S.F.
PHASE ONE FLOOR AREA:	5,000± S.F.
PHASE TWO FLOOR AREA:	11,000± S.F.
TOTAL FLOOR AREA:	21,450± S.F.
BUILDING COVERAGE:	15.0% OF SITE AREA
CURRENT ZONING:	*OUE-1 W/ S.E.
PROPOSED ZONING:	**IR W/ S.E.
EXISTING USE(S):	PRIVATE CLUB
PROPOSED USE(S):	PRIVATE CLUB
REQUIRED PARKING:	86 (1 SP/ 250 SF)
PROPOSED PARKING:	86 (1 SP/ 250 SF)
OPEN SPACE REQUIRED:	NA
OPEN SPACE PROVIDED:	51,115± S.F. (35.8%)
RETENTION AREA(S):	25,835± S.F. (18.1%)
LANDSCAPE BUFFERS	20,415± S.F. (14.3%)
OTHER OPEN SPACE:	4,865± S.F. (3.4%)

NOTES

*The current zoning designation is OUE-1 with a special exception for a private club.

**The proposed zoning is IR, Industrial and Research, with a special exception for clubs and lodges.

<p>SARASOTA SOUTH LODGE NO. 2495 BPOE of the USA, INC. 3880 ROSIN WAY - SARASOTA, FLORIDA 34233 DCP NOTES - PHASE TWO (BINDING)</p>	<p>b.a.garrett associate, inc. LAND DEVELOPMENT CONSULTANTS 2424 Yorkshire Drive Sarasota, Florida 34237 954 Office/ fax (941) 926-2531 Cell (941) 284-0905 bagarrett@comcast.net</p>	<p>GJE <i>Design</i></p>	<p>DATE 09-01-09 FILE NAME DCP_090109</p>	
---	---	-------------------------------------	---	--

RZ010-040