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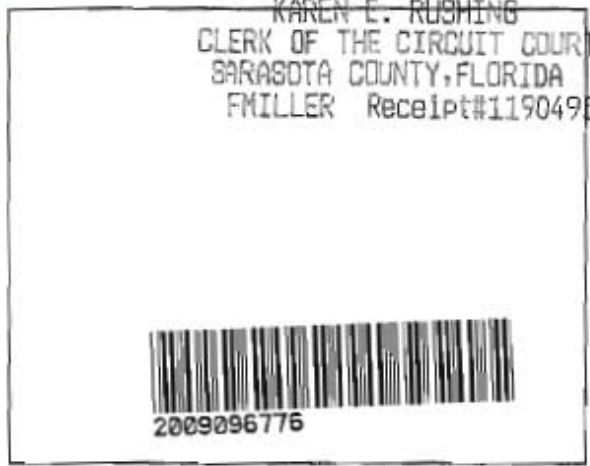
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KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
FMILLER Receipt#1190496

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 north of Colleen Street, approximately 345 ft. west of US 41 in Sarasota County, Florida, owned by Alessandro Giannini, and described in Resolution No. 2009-158 attached hereto, to allow additional off-street parking in an RSF-3 (Residential Single Family, 4.5 units/acre) zone district, in connection with adjacent existing commercial and/or office uses, pursuant to Special Exception Petition No. 1677 filed by Michael Shannon, Agent, and granted by Sarasota County on July 22, 2009, 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. 2009-158, attached hereto)


Tate Taylor, Principal Planner II

**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Tate Taylor, Principal Planner II, 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 4th day of August, 2009.




Cynthia A. Kusner
Notary Public
State of Florida at Large

This instrument prepared by: cm

RECEIVED
JUL 23 2009
BY:

RESOLUTION NO. 2009- 158
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1677

WHEREAS, Michael Shannon, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1677 requesting that a special exception be granted to allow the property, located north of Colleen Street, approximately 345 ft. west of US 41, Sarasota County, Florida, to allow additional off-street parking in connection with adjacent existing commercial and/or office uses in an RSF-3 (Residential Single Family, 4.5 units/acre) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 4th day of June, 2009, to consider said Special Exception Petition No. 1677 and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1677 be granted, and

WHEREAS, this Board, after due public notice, did on the 22nd day of July, 2009, 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. 1677 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;

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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. 1677 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

North of Colleen Street, approximately 345 ft. west of US 41 and being more particularly described as follows:

Lots 37, 39 & 41, Block A, Plat No.1 of North Vamo Subdivision as per Plat thereof recorded in Plat Book 1, Page 94, of the Public Records of Sarasota County, Florida,

and the same is hereby approved for Special Exception No. 1677, 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 compliance with the Development Concept Plan date stamped May 6, 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.
2. All stormwater treatment shall be open and above ground.
3. Prior to any site work performed Water Planning and Regulatory shall review proposed plans to verify that the impervious surface is less than 2,000 square feet and that no fill is added to the site. If the proposed impervious surface is more than 2,000 square feet or fill is proposed for the site then stormwater treatment and attenuation shall be provided.
4. Resolution No. 93-261, approving Special Exception No. 1318, is hereby rescinded as unnecessary.

5. A 10 foot (0.4) opacity landscape buffer shall be installed along the westerly 50 feet of the north property line, the westerly 50 feet of the south property line, and the west property line of the subject parcel as depicted on the Development Concept Plan date stamped May 6, 2009.

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

PASSED AND DULY ADOPTED this 22nd day of JULY, 2009.

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

Parking Calculations:

Restaurant: 2,350 Sf./ 50 Sf. = 47 Spaces
 Office/Retail: 12,576 Sf./ 250 Sf. = 51 Spaces
 Required spaces: = 98 Spaces
 Additional Pervious: = 17 Spaces
 TOTAL PARKING: = 115 Spaces

Pervious Calculations:

Total Parking Lot Area. = 37,298.00 Sf.
 Pervious Parking Lot Area. = 5,562.00 Sf.
 Percentage Of Pervious = 14.91 %

Pervious Parking Lot Specs.:

The new pervious parking lot shall be constructed at grade with no increase in ground elevations of Grass lawn, Shell or other substantially pervious parking surface.

General Notes:

1. IF EVIDENCE OF THE EXISTENCE OF HISTORIC RESOURCES IS DISCOVERED OR OBSERVED AT DEVELOPMENT SITES OR DURING DEVELOPMENT ACTIVITIES AFTER FINAL APPROVAL, ALL WORK SHALL CEASE IN THE AREA OF EFFECT AS DETERMINED BY DIRECTOR. THE DEVELOPER, OWNER, CONTRACTOR OR AGENT THEREOF SHALL NOTIFY THE DEPARTMENT OF HISTORICAL RESOURCES WITHIN TWO WORKING DAYS. EXAMPLES OF SUCH EVIDENCE OF HISTORIC RESOURCES INCLUDE WHOLE OR FRAGMENTARY STONE TOOLS, SHELL TOOLS, ABORIGINAL OR HISTORIC POTTERY, HISTORIC GLASS, HISTORIC BOTTLES, BONE TOOLS, HISTORIC BUILDING FOUNDATIONS, SHELL MOUNDS, SHELL MIDDENS OR SAND MOUNDS. THE DIRECTOR SHALL ASSESS THE SIGNIFICANCE OF THE FINDS WITHIN THREE WORKING DAYS OF NOTIFICATION AND TO MITIGATE ANY ADVERSE EFFECTS SO AS TO MINIMIZE DELAYS TO DEVELOPMENT ACTIVITIES.
2. IF ANY HUMAN SKELETAL OR ASSOCIATED BURIAL ARTIFACTS ARE DISCOVERED AT DEVELOPMENT SITES OR DURING DEVELOPMENT ACTIVITY, ALL WORK IN THE AREA MUST CEASE, AND THE PERMITTEE MUST IMMEDIATELY NOTIFY THE NEAREST LAW ENFORCEMENT OFFICE AND NOTIFY THE DEPARTMENT OF HISTORICAL RESOURCES WITHIN TWO WORKING DAYS. ACCORDING TO CHAPTER 872, FLORIDA STATUTES, IT IS UNLAWFUL TO DISTURB, VANDALIZE, OR DAMAGE A HUMAN BURIAL.

EXHIBIT "A"

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No.	Revisions	Date	By

OAKS CENTER PARKING ADDITION
 BINDING DEVELOPMENT CONCEPT PLAN
 1927 COLLEN STREET - SARASOTA, FLORIDA

Date	12-2-08
Drawn	HWA
Checked	HWA
Project No.	20022
Date	
Sheet	2 of 2

Development Concept Plan received May 6, 2009