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JAN 11 2010  
BY:

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2010002194 10 PGS  
2010 JAN 07 02:35 PM  
KAREN E. RUSHING

Please record and return to: **(Via Inter-Office Mail)**  
Carol McConway, Administrative Specialist  
Planning Services  
1660 Ringling Boulevard  
Sarasota, FL 34236

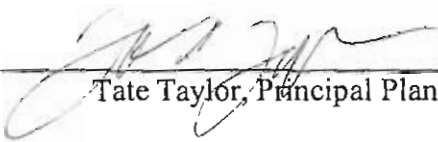
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
FMILLER Receipt#1237422  
  
2010002194

**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 1,650 feet east of South Moon Drive and south of Forbes Trail in Sarasota County, Florida, owned by Dr. Volodymyr Smeryk, Diocese of Venice, and described in Resolution No. 2009-228 attached hereto, to allow a Rural Retreat Center in an OUR (Open Use Rural, 1 unit/10 acres), pursuant to Special Exception Petition No. 1682 filed by Shelley Hamilton, Agent, and granted by Sarasota County on October 27, 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. 2009-228, attached hereto)

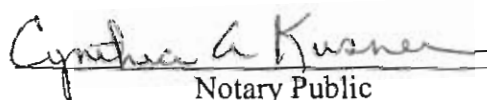
  
Tate Taylor, Principal Planner II

**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 6<sup>th</sup> day of JANUARY,  
~~2009~~ 2010.

  
**CYNTHIA A KUSNER**  
MY COMMISSION # DD768811  
EXPIRES May 22, 2012  
(407) 388-0153 FloridaNotaryService.com

  
Cynthia A Kusner  
Notary Public  
State of Florida at Large

This instrument prepared by: cm

**RESOLUTION NO. 2009-228**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF SARASOTA COUNTY, FLORIDA**  
**SPECIAL EXCEPTION NO. 1682**

WHEREAS, Shelley Hamilton, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1682 requesting that a special exception be granted to allow the property located 1,650 feet east of South Moon Drive and south of Forbes Trail, Sarasota County, Florida, to be used as a Rural Retreat Center in an OUR (Open Use Rural, 1 unit/10 acres) zone district, and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 1st day of October, 2009, to consider said Special Exception Petition No. 1682 and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1682 be granted, and

WHEREAS, this Board, after due public notice, did on the 27<sup>th</sup> day of October, 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. 1682 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.

2009 OCT 27 - 6:00 PM  
SARASOTA COUNTY, FL  
BOARD OF COUNTY COMMISSIONERS  
FILED FOR THE RECORD

2009-228

8. The subject property is adequate to accommodate the height and mass of any proposed structure(s).

B. Special Exception Petition No. 1682 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

A tract of land lying in the northwest ¼ of Section 8, Township 39 South, Range 20 East, Sarasota County, Florida and described as follows:

Commence at the northwest corner of said Section 8; thence S89o25'36"E along the north line of said northwest ¼ of Section 8, a distance of 1,215.06 feet to the POINT OF BEGINNING; thence continue S89o25'36"E along said north line of the northwest ¼ of Section 8, a distance of 1,269.89 feet; thence S00o00'00"E a distance of 276.30 feet; thence S90o00'00"W a distance of 637.03 feet; thence S00o00'00"E a distance of 775.51 feet; thence S55o00'00"W a distance of 1,029.06 feet to a point on the east top of bank of the Myakka River; (the following 26 calls are along said east top of bank of the Myakka River and the east top of bank of a tributary of the Myakka River): (1) thence N08o55'40"W, a distance of 50.75 feet; (2) thence N25o52'07"W a distance of 111.67 feet; (3) thence N44o07'43"W a distance of 42.15 feet; (4) thence N47o56'59"W a distance of 39.08 feet; (5) thence N64o39'36"W a distance of 121.63 feet; (6) thence N59o56'29"W a distance of 74.42 feet; (7) thence N42o00'15"W a distance of 88.74 feet; (8) thence N66o30'13"W a distance of 77.55 feet; (9) thence N79o33'37"W a distance of 65.13 feet; (10) thence N61o45'22"W a distance of 83.46 feet; (11) thence N53o11'55"W a distance of 181.97 feet; (12) thence N09o54'35"W a distance of 35.41 feet; (13) thence N04o28'52"E a distance of 49.97 feet; (14) thence N10o56'07"E a distance of 80.32 feet; (15) thence N18o31'12"E a distance of 228.83 feet; (16) thence N34o49'02"E a distance of 122.96 feet; (17) thence N32o54'24"E a distance of 206.51 feet; (18) thence N52o39'38"E a distance of 38.46 feet; (19) thence N39o52'12"E a distance of 64.26 feet; (20) thence N66o14'02"E a distance of 61.54 feet; (21) thence N84o09'59"E a distance of 122.20 feet; (22) thence S69o33'54"E a distance of 45.14 feet; (23) thence S78o44'13"E a distance of 61.34 feet; (24) thence N71o46'02"E a distance of 66.05 feet; (25) thence N79o22'38"E a distance of 80.83 feet; (26) thence N47o14'54"E a distance of 57.31 feet; thence S58o37'09"E a distance of 13.58 feet; thence N40o01'26"E a distance of 90.35 feet; thence N27o59'19"E a distance of 50.70 feet; thence N09o42'36"E a distance of 68.13 feet; thence N01o51'34"E a distance of 115.78 feet to the abovementioned north line of the northwest ¼ of Section 8 for the POINT OF BEGINNING

and the same is hereby approved for Special Exception No. 1682, 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 be in substantial accordance with the Development Concept Plan, date stamped September 16, 2009, 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. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets. Outdoor recreation areas shall not be illuminated after 10 p.m. Said outdoor lighting shall be no higher than 15 feet.
3. Outdoor loudspeaker, or amplified music shall not be used between 9 p.m. and 8 a.m. Paging systems shall be prohibited, except for emergency use.
4. The Master Surface Water Management Plan shall be consistent with the Lower Myakka River Study.
5. All stormwater treatment shall be open and above ground.
6. Prior to receiving a Certificate of Occupancy, Applicant shall connect all new structures to the existing on-site wastewater treatment collection system with treatment at the existing on-site wastewater treatment facility permitted under DEP Permit FLA017028.
7. Prior to receiving Construction Authorization, the Applicant shall submit the DEP authorized permit modification to DEP Permit FLA017028 that authorizes the construction of the improvements necessary to accommodate the additional flows generated by the proposed development.
8. This project will comply with the currently adopted editions of the Florida Fire Prevention Code and Sarasota County Land Development Regulations at site and development review.
9. Fire protection requirements for on site structures may require fire sprinkler systems. Without an available utility water source, fire sprinkler systems will need to be supplied through the use of wells, pumps, and/or a tank system.
10. All un-impacted Mesic Hammock, Wetlands, and associated buffers shown on the development concept plan dated October 29, 2009 in Exhibit B shall be preserved, in perpetuity, and labeled as preserve areas on all future site and development submittals. These protected native habitats shall be maintained in accordance with management guidelines contained within the Comprehensive Plan. All activities involving but not limited to filling, excavating, well drilling, altering vegetation (including trimming of both trees and understory) and storing of materials shall be prohibited within preservation areas, unless written approval is first obtained from Resource Protection. Exceptions may be granted by Resource Protection to facilitate implementation of approved habitat management plans or the hand removal of nuisance/invasive vegetation.
11. Impacts to the undeveloped portions of the Pine Flatwoods shall be minimized to the greatest extent possible during the site and development review.
12. The vegetated watercourse buffer shall be maintained in perpetuity. Existing native

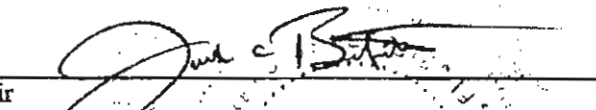
vegetation within the buffer can only be removed in accordance with the LDR Site Development Design Technical Manual Section A.2.a.6. If vegetation is removed or none exists, appropriate native trees, shrubs, or grasses shall be planted to maintain a vegetated buffer. All nuisance and exotic species within the 50 foot watercourse buffer and 220 foot Myakka River Protection Zone (MRPZ) shall be removed.

13. The location of the proposed trails within the 220 foot MRPZ and Preserve Areas shall be reviewed by Resource Protection at site and development plan submittal. The proposed trails shall be sited in such a manner as to avoid the removal of native vegetation, shall not involve excessive filling or use of impermeable materials and shall be minimal in width to facilitate pedestrian foot traffic only.
14. All trees designated by Resource Protection staff as Grand Trees shall be preserved, unless it is determined by staff that the tree(s) may adversely affect the public's health, safety, and welfare.
15. Applicant will erect signage for both educational and protective purposes for the existing gopher tortoise population in all areas of existing burrows noted on the development concept plan. These signs shall meet the standards for Incidental Signs.

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

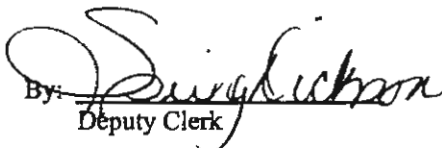
PASSED AND DULY ADOPTED this 27<sup>th</sup> day of October, 2009.

BOARD OF COUNTY COMMISSIONERS OF  
SARASOTA COUNTY, FLORIDA

By:   
Vice Chair

ATTEST:

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

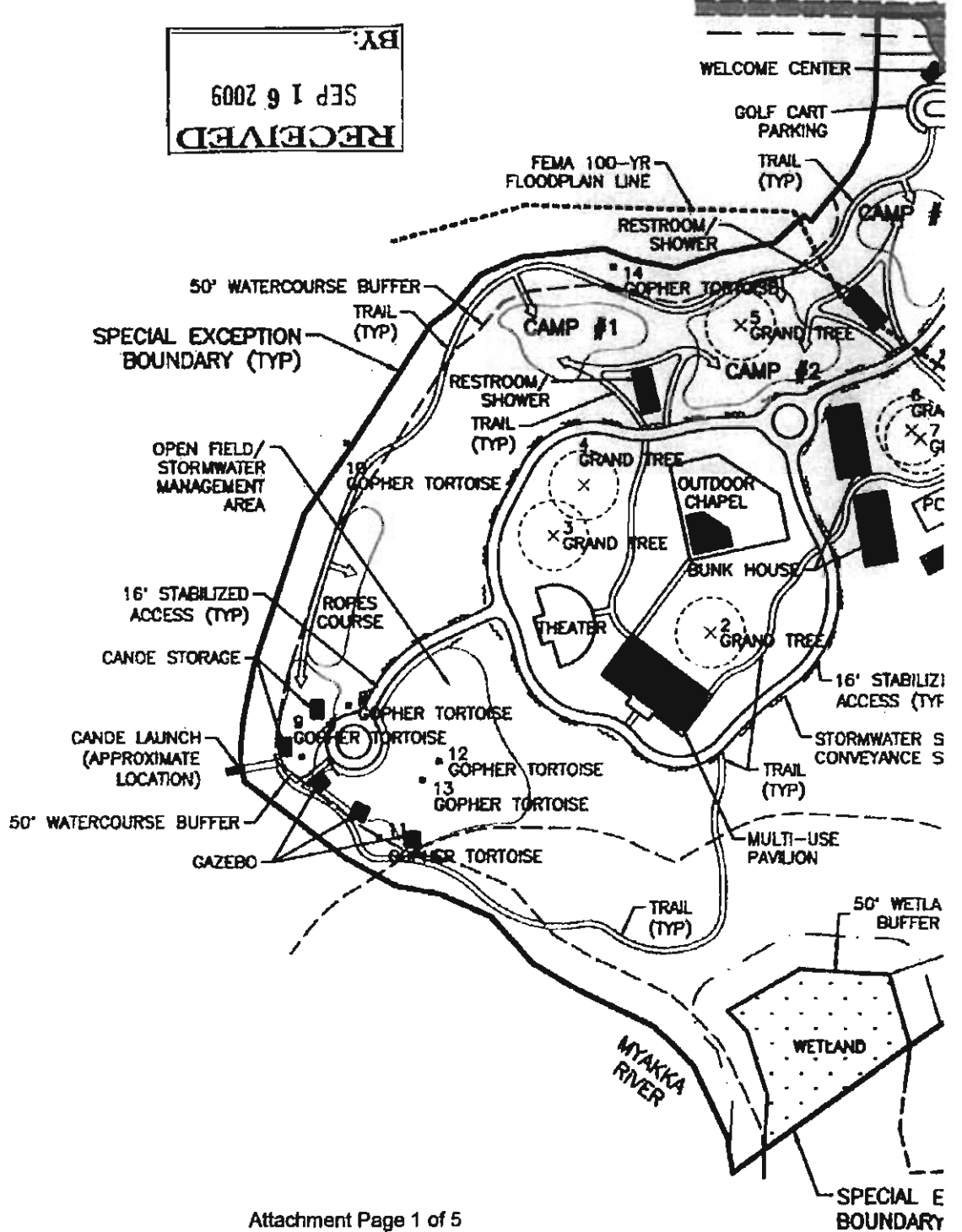
By:   
Deputy Clerk

# EXHIBIT A

24" PAVED DROP-OFF

## EXISTING FORBES TRAIL

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 SEP 16 2009  
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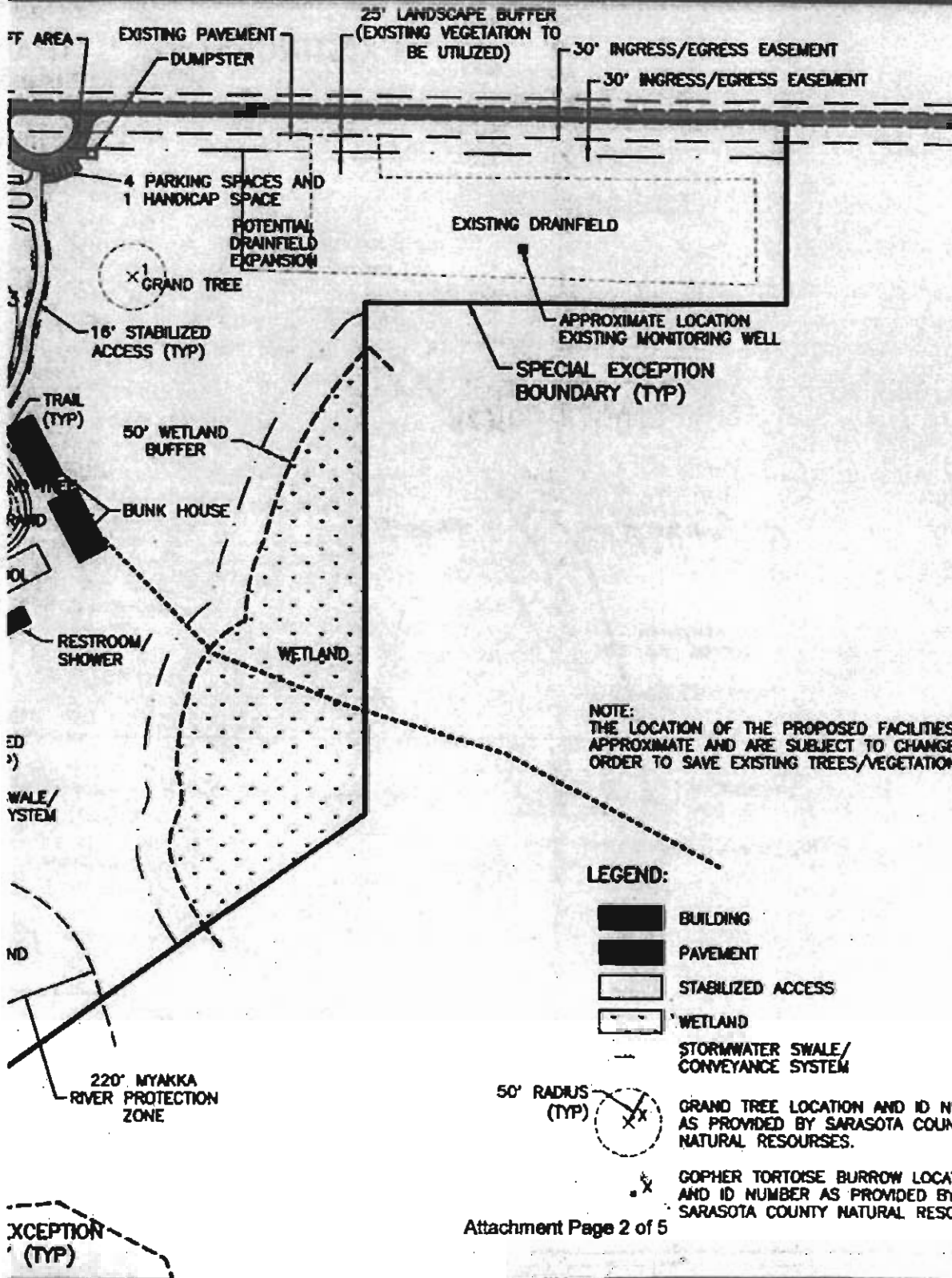


Attachment Page 1 of 5

NO.	DESCRIPTION	DATE	BY	FOR	APPROVED BY	DATE
1	REVISED LAYOUT	09/28/09	SPH/2178			
2	ADD APPROPRIATE LOCATION LOGIC FOR MONITORING WELL	09/28/09	SPH/2178			
3						
4						
5						

27009-778

# EXHIBIT A



Attachment Page 2 of 5

CLIENT:	DIOCESE OF VENICE	TITLE:	BINDING DEVELOPMENT CONCEPT PLAN
PROJECT:	RURAL RETREAT CENTER FOR YOUTH	DATE:	08/24/09
			1 of 3

27009-778

**Site Data**

Proposed Use: Rural Retreat Center\*  
Existing Zoning: OUR (Open Use Rural)  
Total Acres: 42.61 acres ± (based on final boundary survey)

Maximum # of campers: **60 (The total number of campers will never exceed the 60 allowed on the property – those 60 campers may be provided through any combination of tents in the rustic camp areas or beds in the bunk houses but IN NO CASE WILL EVER EXCEED 60 maximum campers)**

Provided Parking: 5 spaces (see Alternative Parking Plan)

\*Specific Uses included:  
Camp Sites 60 total  
Four Bunkhouses\*\*  
Rustic Camp Sites  
Camp Area #1 for tents only  
Camp Area #2 for tents only  
Camp Area #3 for tents only  
\*\*The Bunkhouses are available to house campers in inclement weather or as an alternative to outside camping

Covered Multi-Use Pavillion	8,000 sq. ft.
Restroom/Shower Facilities	3 (1,500 sq. ft. each)
Outdoor Lecture/Gathering Space	
Chapel	160 seats/2,500 sq. ft.
Theater	160 seats/3,000 sq. ft.
Gazebos	3 total at 400 sq. ft. each
Outdoor Recreation Areas	
Open Field	
Ropes Course	
Pool	
Canoe/Kayak Launch	
Trail/Boardwalk	
Campfire Circles	
Welcome Center	400 sq. ft.

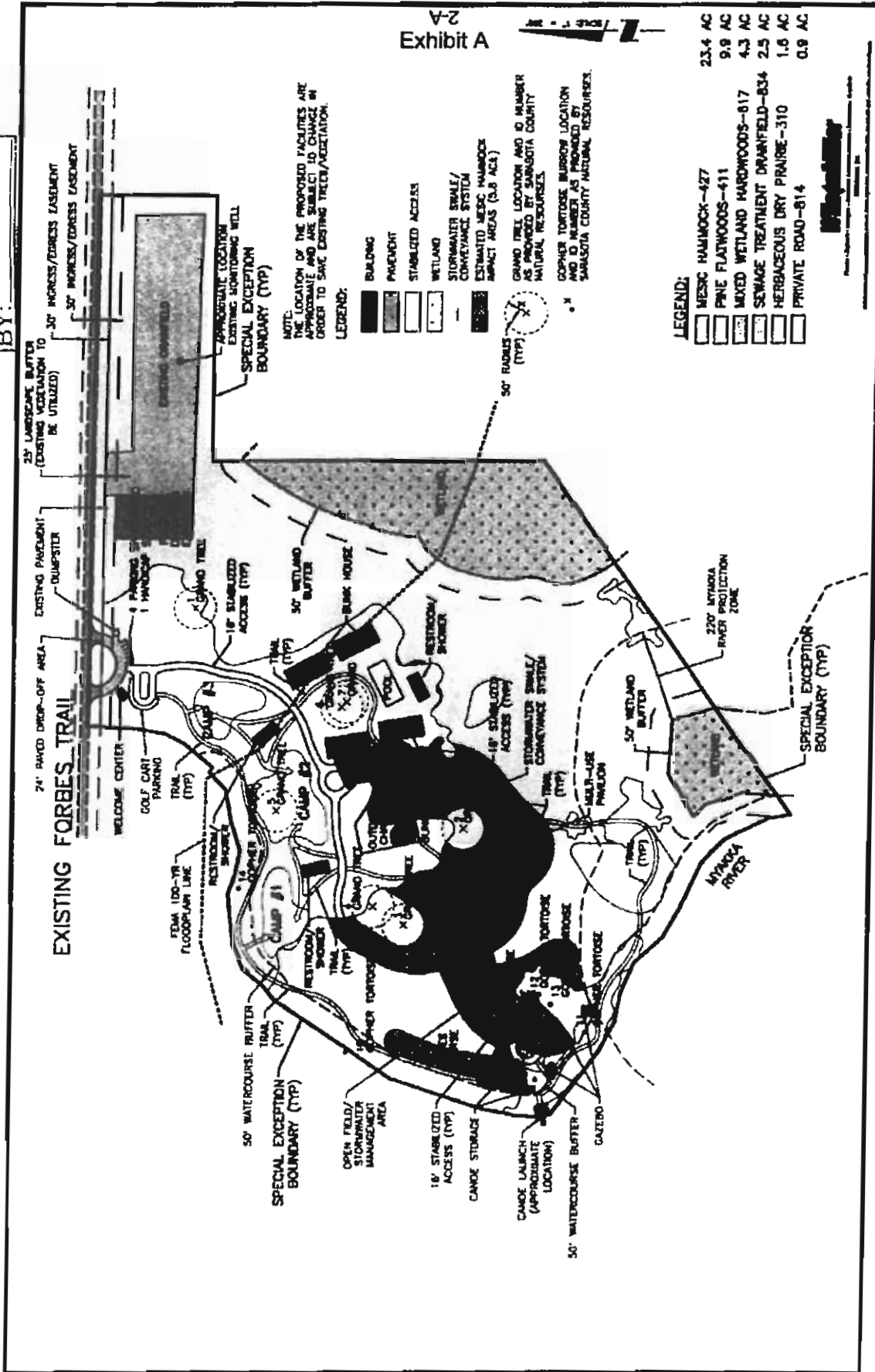


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SEP 16 2009

BY:

Exhibit A

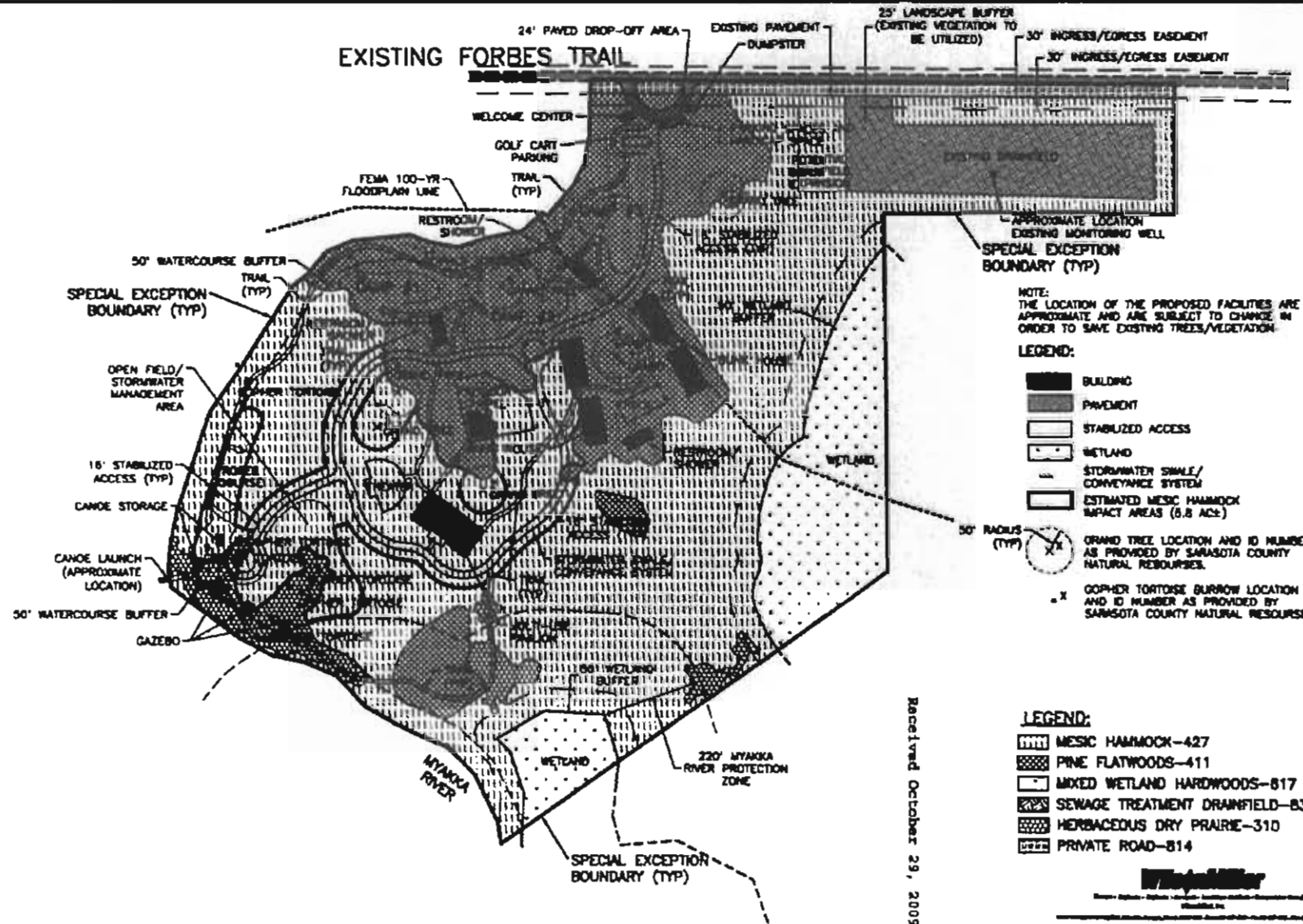


LEGEND:

- 23.4 AC MESIC HAMMOCK-427
- 9.8 AC PINE FLATWOODS-411
- 4.3 AC MIXED WETLAND HAMWOODS-817
- 2.5 AC SEWAGE TREATMENT DRAINFIELD-834
- 1.6 AC HERBACEOUS DRY PRAIRIE-310
- 0.8 AC PRIVATE ROAD-814

27MA-778

**EXISTING FORBES TRAIL**



NOTE:  
THE LOCATION OF THE PROPOSED FACILITIES ARE APPROXIMATE AND ARE SUBJECT TO CHANGE IN ORDER TO SAVE EXISTING TREES/VEGETATION.

**LEGEND:**

- BUILDING
- PAVEMENT
- STABILIZED ACCESS
- WETLAND
- STORMWATER TANK/ CONVEYANCE SYSTEM
- ESTIMATED MESIC HAMMOCK IMPACT AREAS (6.8 AC±)
- GRAND TREE LOCATION AND ID NUMBER AS PROVIDED BY SARASOTA COUNTY NATURAL RESOURCES.
- GOPHER TORTOISE BURROW LOCATION AND ID NUMBER AS PROVIDED BY SARASOTA COUNTY NATURAL RESOURCES.

**LEGEND:**

	MESIC HAMMOCK-427	23.4 AC
	PINE FLATWOODS-411	9.9 AC
	MIXED WETLAND HARDWOODS-817	4.3 AC
	SEWAGE TREATMENT DRAINFIELD-834	2.5 AC
	HERBACEOUS DRY PRAIRIE-310	1.6 AC
	PRIVATE ROAD-814	0.9 AC



W. J. Jones & Associates, Inc.  
1111 1st Street, Suite 200, Sarasota, FL 34236  
Tel: 941.554.1111 Fax: 941.554.1112

Received October 29, 2009

Attachment, Page 5 of 5

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EXHIBIT B  
11-1-2009