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MAY 18 2010  
BY:

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2010059883 5 PGS  
2010 MAY 14 02:45 PM  
KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
FMILLER Receipt#1277862

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**

Barcode: 2010059883

The following property, located at the southwest corner of Spruce Street and Hosmer Avenue, approximately 150 feet east of Indiana Avenue in Sarasota County, Florida, owned by Englewood Chamber of Commerce, and described in Resolution No. 2010-081 attached hereto, to allow a stormwater retention pond for a principal use located on a non-residentially zoned property in the RSF-3 (Residential, Single Family, 4.5 units/acre) zone district, pursuant to Special Exception Petition No. 1691 filed by Jonathan H. Cole, Agent, and granted by Sarasota County on May 11, 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. 2010-0081, 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 13<sup>th</sup> day of MAY, 2010.

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

  
Cynthia A Kusner  
Notary Public  
State of Florida at Large

This instrument prepared by: cm

BOARD RECORDS  
FILED FOR RECORD

MAY 12 2010

**RESOLUTION NO. 2010-081  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA  
SPECIAL EXCEPTION NO. 1691**

KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY

WHEREAS, Jonathan Cole, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1691 requesting that a special exception be granted to allow a stormwater retention pond for a principal use located on a non-residentially zoned property, located at the southwest corner of Spruce Street and Hosmer Avenue, approximately 150 feet east of Indiana Avenue, Sarasota County, Florida, 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 22nd day of April, 2010, to consider said Special Exception Petition No 1691, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1691 be granted, and

WHEREAS, this Board, after due public notice, did on the 11<sup>th</sup> day of May, 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. 1691 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. 1691 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

The southwest corner of Spruce Street and Hosmer Avenue, approximately 150 feet east of Indiana Avenue, Sarasota County, Florida and being more particularly described as follows:

Lot 24, Block "B", Bay View Manor as per the Plat thereof recorded in Plat Book 2, Page 13A of the Public Records of Sarasota County, Florida;

and the same is hereby approved for Special Exception 1691, 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 December 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. Development of the subject parcel shall be consistent with all applicable conditions of the S.R. 776 Corridor Plan.
3. The Master Surface Water Management Plan shall be consistent with the Gottfried Creek Basin Master Plan.
4. All stormwater treatment shall be open and above ground.

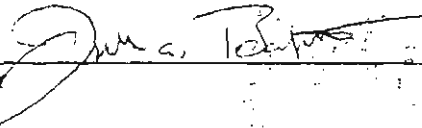
C. This Resolution shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED this 11<sup>th</sup> day of May, 2010.

BOARD OF COUNTY COMMISSIONERS OF  
SARASOTA COUNTY, FLORIDA

By:

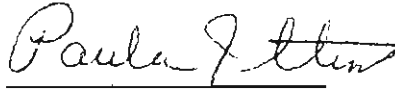
Chair

  
\_\_\_\_\_

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

EXHIBIT A

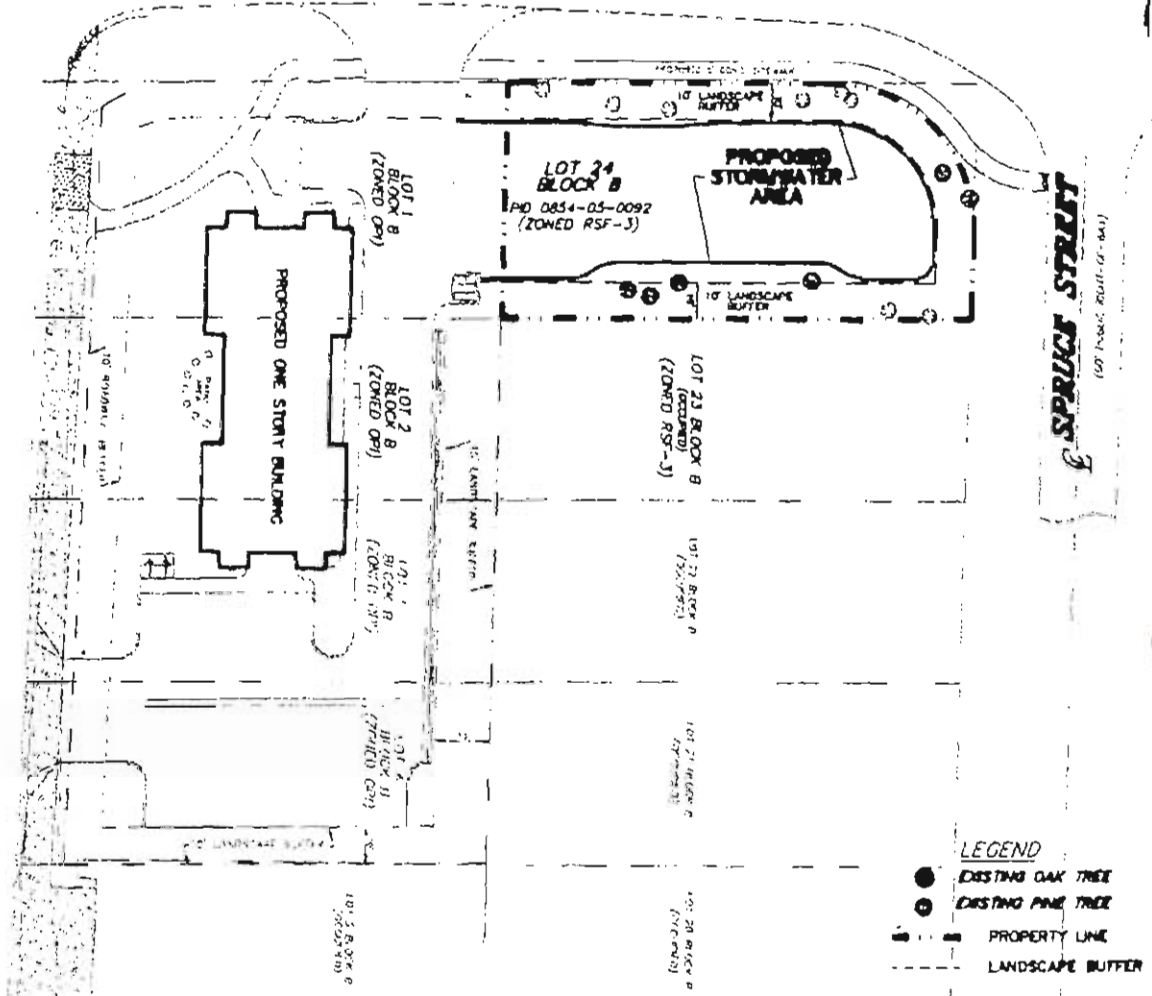
FIRE STATION SITE  
(ZONED OPI / RSF-3)

Stamped Received  
12/16/2009

HOSMER AVENUE

INDIANA AVENUE (S.R. 770)

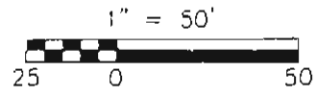
SPRUCE STREET  
(100' Public Right-of-Way)



- LEGEND**
- EXISTING OAK TREE
  - EXISTING PINE TREE
  - PROPERTY LINE
  - - - LANDSCAPE BUFFER

**SITE DATA:**

<b>SITE AREA:</b>	7969 S.F.	0.183 ACRES±	<b>EXISTING LAND USE:</b>	VACANT
<b>BUILDING COVERAGE:</b>	0 S.F.	0%	<b>PROPOSED LAND USE:</b>	STORMWATER AREA
<b>IMPERVIOUS AREA:</b>	0 S.F.	0%	<b>EXISTING ZONING:</b>	(RSF-3)
<b>PERVIOUS AREA:</b>	7969 S.F.	100%	<b>PROPOSED ZONING:</b>	(RSF-3)
<b>PARKING REQUIRED:</b>	0			
<b>PARKING PROVIDED:</b>	0			



**BINDING DEVELOPMENT CONCEPT PLAN  
(BINDING AS TO LOT 24 BLOCK B ONLY)  
STORMWATER SPECIAL EXCEPTION**

Rev. 4/27/10

**GWE** GIFFELS-WEBSTER  
ENGINEERS, INC.

ENGLEWOOD - CAPE HAZE  
CHAMBER OF COMMERCE

DATE: 11/24/08
SCALE: 1"=50'
JOB No. 4921.20
Drawn By: CVO
Checked By: JHC

M:\4905\5\4921.20\DEVCOMPLAN