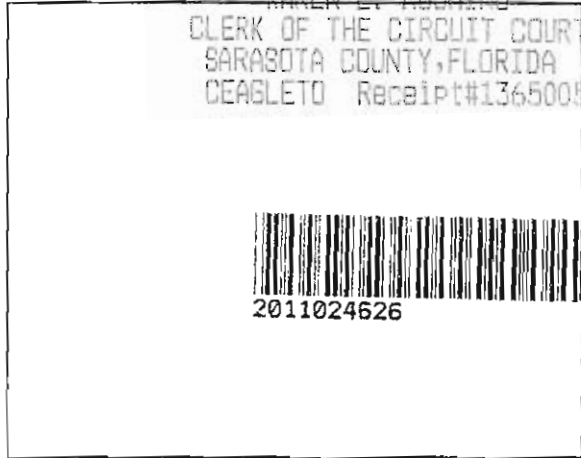


RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2011024626 6 PGS
2011 MAR 02 12:32 PM
KAREN E. PUGHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CEASLETO Receipt#1365009

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

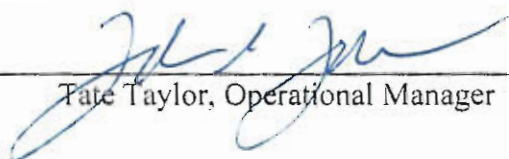
Charge to: Planning Services
Account# 51800100500489

NOTICE OF STIPULATIONS
AND LIMITATIONS ENCUMBERING
REAL PROPERTY PURSUANT TO
THE SARASOTA COUNTY ZONING CODE



The following property, located east of Verna Road and approximately 680 feet north of Midway Road in Sarasota County, Florida, owned by Paul Smith, and described in Resolution No. 2011-037 attached hereto, to allow a private school in an OUE-1 (Open Use Estate, 1 unit/5 acres zone district, pursuant to Special Exception Petition No. 1698 filed by Robert J. Medred, Agent, and granted by Sarasota County on February 22, 2011, 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. 2011-037, attached hereto)


Tate Taylor, Operational Manager

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned Notary Public, personally appeared Tate Taylor, Operational 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 he executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 23rd day of February 2011.


Cynthia A. Kusner
Notary Public
State of Florida at Large

This instrument prepared by:
cm



RESOLUTION NO. 2011-037
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1698

WHEREAS, Robert Medred, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1698 requesting that a special exception be granted to allow a private school in an OUE-1 (Open Use Estate, 1 unit/5 acres) zone district, located East of Verna Road and approximately 680 feet north of Midway Road, Sarasota County, Florida, and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 16th day of December, 2010, to consider said Special Exception Petition No. 1698, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1698 be granted, and

WHEREAS, this Board, after due public notice, did on the 22nd day of February, 2011, 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. 1698 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;

R 2011-037

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. 1698 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

East of Verna Road and approximately 680 feet north of Midway Road, more particularly described as follows:

A parcel of land being a portion of the North half of the Northwest Quarter of the Northwest Quarter of Section 1, Township 36 South, Range 20 East, Sarasota County, Florida, described as follows:

Commence at the Northwest corner of Section 1, Township 36 South, Range 20 East, thence South $00^{\circ}29'25''$ East, along the West line of said Section 1, a distance of 660.19 feet to the Southwest corner of the North half of the Northwest Quarter of the Northwest Quarter of said Section 1; thence North $89^{\circ}06'53''$ East, along the South line of said North half of the Northwest Quarter of the Northwest Quarter of Section 1, a distance of 900.36 feet to the POINT OF BEGINNING; thence continue North $89^{\circ}06'53''$ East, a distance of 420.01 feet to the Southeast corner of said North half of the Northwest Quarter of the Northwest Quarter of Section 1, same being a point on the West Right of Way line of El Centro Drive (20" wide public right of way) as recorded in the Plat of Verna Courts, recorded in Plat Book 2, Page 109, Public Records of Sarasota County, Florida; thence North $00^{\circ}28'20''$ West, along said West right of way line, a distance of 560.16 feet, thence South $89^{\circ}06'58''$ West, a distance of 420.01 feet; thence South $00^{\circ}28'20''$ East, a distance of 560.16 feet to the Point of Beginning.

and the same is hereby approved for Special Exception No. 1698, 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. Outdoor refuse areas shall be set back a minimum of 50 feet from the southern property boundary.

2. Development shall take place in substantial compliance with the Development Concept Plan date stamped September 17, 2010 and attached hereto as Exhibit "A." This does not imply or confer any variances from applicable zoning or land development regulations.
3. Any use that creates an estimated sewage flow in excess of 2,000 gallons per day shall require the use of an approved central sewerage system in accordance with the County's Land Development Regulations. The siting of an on-site central sewerage system shall be done in accordance with the County's Land Development Regulations and shall not require approval of an amended Development Concept Plan.
4. At the time governmentally owned central utilities become available, the Owner shall at his expense be required to do the following:
 - a. connect to the central systems within six months of notice of availability;
 - b. pay required capacity fees; and
 - c. discontinue use of the on-site water and wastewater treatment facilities at the time of connection to central water and wastewater services.
5. 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.
6. The school shall have a maximum capacity of 85 students.

C. Resolution No. 2000-056, approving Special Exception No. 1485, is hereby repealed.

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

PASSED AND DULY ADOPTED this 22nd day of February, 2011.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By:

Maria Patterson
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

