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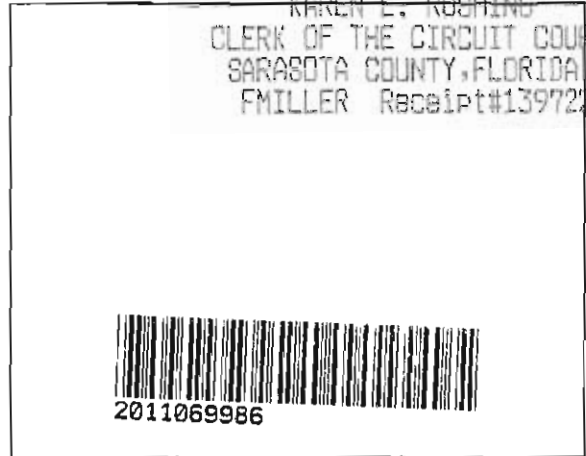
KAREN E. RUCHING

CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
FMILLER Receipt#1397226

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

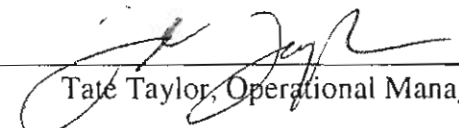
Charge to: Planning Services
Account# 51800100500489

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



The following property, located north of Center Road and approximately 500 feet east of Horse and Chaise Boulevard in Sarasota County, Florida, owned by Kenneth S. Modzelewski, and described in Resolution No. 2011-083 attached hereto, to allow a Charter School in an OUE-1 (Open Use Estate, 1 unit/5 acres) and RSF-3/PUD (Residential Single Family, 4.5 units/acre/Planned Unit Development Overlay) zone district, pursuant to Special Exception Petition No. 1699 filed by Jeffrey A. Boone, Esq., Agent, and granted by Sarasota County on May 11, 2011, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

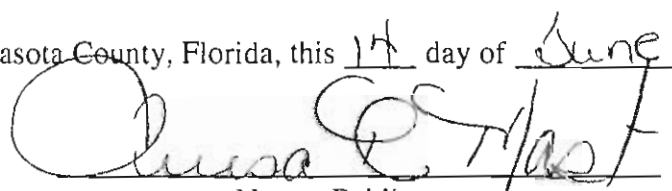
(Stipulations and limitations are those described in Section B of Resolution No. 2011-083, attached hereto)


Tate Taylor, Operational Manager

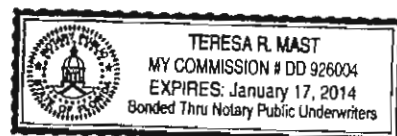
STATE OF FLORIDA
COUNTY OF SARASOTA

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 14 day of June, 2011.


Notary Public
State of Florida at Large

This instrument prepared by: cm



RESOLUTION NO. 2011- 083
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1699

WHEREAS, Jeffery A. Boone, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1699 requesting that an additional special exception be granted to allow a Charter School in an OUE-1 (Open Use Estate, 1 unit/5 acres) and RSF-3/PUD (Residential Single Family, 4.5 units/acre/Planned Unit Development Overlay) zone districts, located north of Center Road and approximately 500 feet east of Horse and Chaise Boulevard, Sarasota County, Florida, to a property with an existing Special Exception for a Community Recreation Facility; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 14th day of April, 2011, to consider said Special Exception Petition No. 1699, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1699 be granted, and

WHEREAS, this Board, after due public notice, did on the 10th day of May, 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. 1699 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. 1699 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

North of Center Road and approximately 500 feet east of Horse and Chaise Boulevard, more particularly described as follows:

PARCEL 1

Commence at the Southwest Corner of said Section 15, thence South 89°48'39" West (on an assumed bearing) along the Southerly line of said Section 16 a distance of 50 91 feet, thence North 00°59'04" East, a distance of 101 10 feet to the Point of Beginning, thence North 00°59'05" East, a distance of 963 21 feet, thence South 89°01'09" East, a distance of 768 83 feet, thence South 00°59'05" West, a distance of 963 23 feet to a point on the North line of a 30 foot wide utility, drainage, ingress & egress easement as recorded in Official Records Book 1586, Page 867 of the Public Records of Sarasota County, Florida, thence North 89°01'04" West, along said North line, a distance of 768 83 feet to the Point of Beginning Parcel contains 740,520 square feet or 17 00 acres, more or less

PARCEL 2

A parcel of land lying in Sections 15 & 16, Township 39 South, Range 19 East, Sarasota County, Florida, and being more particularly described as follows:

Commence at the Southeast corner of said Section 16, thence North 89°48'39" West, along the South line of said Section 16, a distance of 50 91 feet, thence leaving said South line, North 00°59'29" East, 70 01 feet to the North right of way line of Center Road (a public right of way), for a Point of Beginning, thence along said right of way line South 89°48'39" East, 50 91 feet,

R2011-083

thence South 89°01'04" East, 718.66 feet, thence leaving said right of way, North 00°59'05" East, 30.06 feet, to the Southeast corner of those lands described in O R Book 2916, Page 2885, of the Public Records of Sarasota County, Florida, thence along the South line of said lands, North 89°01'04" West, 768.83 feet, to the Southwest corner of said lands, thence South 00°59'04" West, 31.09 feet, to the Point of Beginning.

and the same is hereby approved for Special Exception No. 1699, 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.

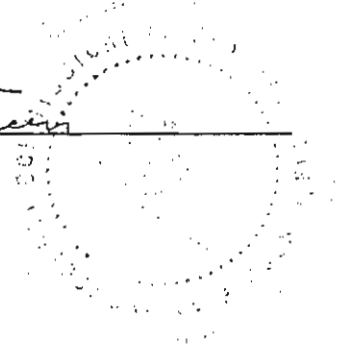
1. Development shall take place in substantial compliance with the Development Concept Plan date stamped November 19, 2010 and attached hereto as Exhibit "A." This does not imply or confer any variances from applicable zoning or land development regulations.
2. At such time that traffic data warrants the need for corrective measures to be taken to mitigate the safe operation of Center Road, the County Engineer may close or modify the existing median opening located at the westernmost access of the parcel located at 701 Center Road (PID # 0424-13-0001) to restrict ingress and egress movements from the subject parcel.
3. The Master Surface Water Management Plan shall be consistent with the Hatchett Creek Basin Master Plans.
4. All stormwater treatment shall be open and above ground.

C. This Resolution supersedes Resolution No. 2004-197, granting Special Exception No. 1592, and shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED this 11 day of May, 2011.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By: *Nora Patterson*
Chair



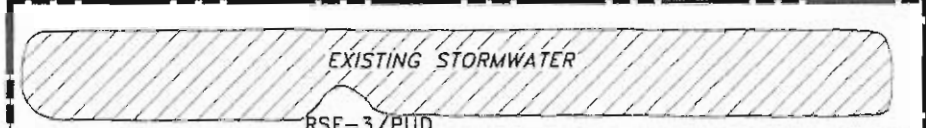
ATTEST:

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

By: *Patti Mey*
Deputy Clerk



PELICAN POINTE GOLF COURSE
RSF-3/PUD



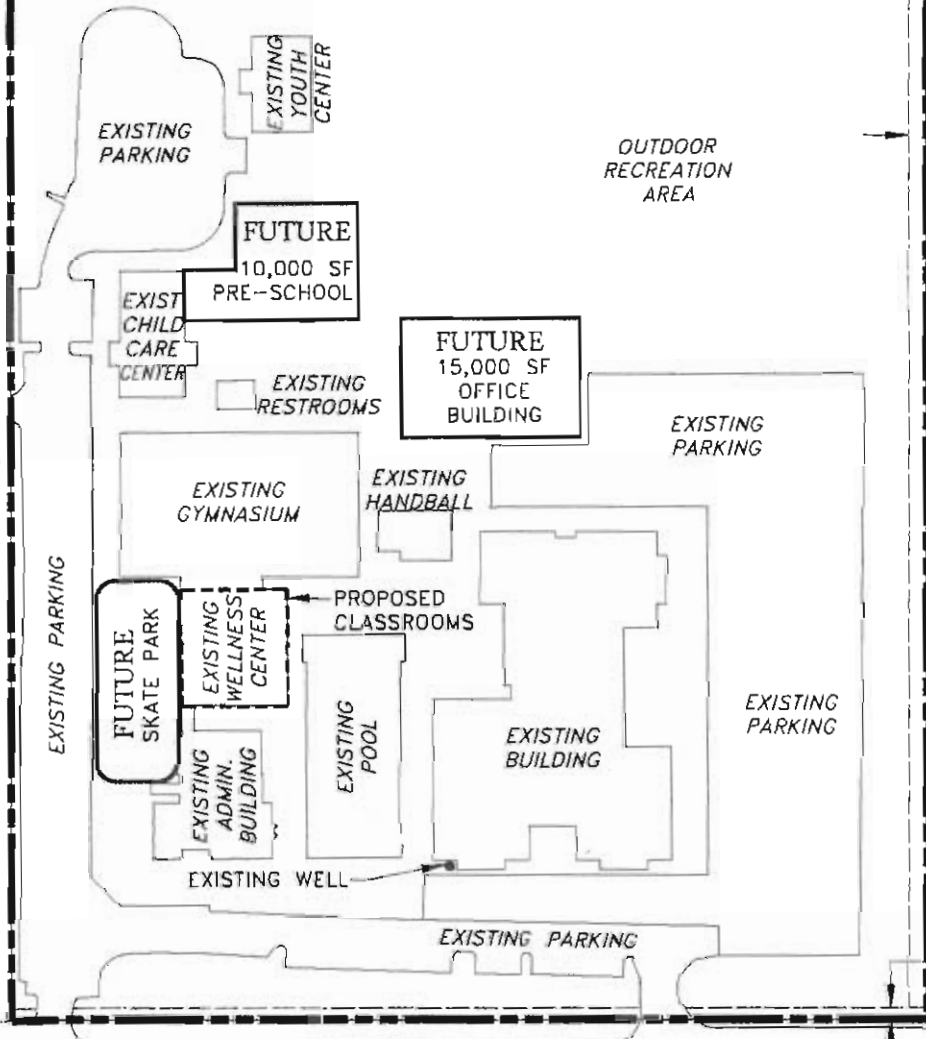
RSF-3/PUD

RSF-3/PUD

RSF-3/PUD

OUE-1

VENICE ASSEMBLY OF GOD
OUE-1



15' BUFFER

SARASOTA COUNTY
FIRE DEPARTMENT
GU

10' BUFFER

CENTER ROAD

GARDEN ELEMENTARY SCHOOL

Development Concept Plan received on November 19, 2010 - EXHIBIT A

Banks Engineering

Professional Engineers, Planners & Land Surveyors
CHARLOTTE ♦ FORT MYERS ♦ NAPLES ♦ SARASOTA
12600 SW COUNTY ROAD 788 - SUITE B
SAKE SAULTY, FLORIDA 34268
PHONE: (841) 825-1100 FAX: (841) 825-1198
ENGINEERING LICENSE # 00 8466
SURVEY LICENSE # 00 4690

DEVELOPMENT CONCEPT PLAN BINDING
VENICE BRANCH YMCA
SARASOTA COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
11-2-2010	3543	_DCP	WJW	RUE	MLM	1"=150'	7	2	

SITE DATA

TOTAL SITE AREA: 17.52 AC.

EXISTING ZONING: OUE-1 & RSF 3/PUD

EXISTING USE: YMCA COMMUNITY RECREATIONAL FACILITY

PROPOSED USE: YMCA COMMUNITY RECREATIONAL FACILITY & CHARTER SCHOOL

PROPOSED BUILDING EXPANSION: EXISTING BUILDING: 9,568 SQ. FT.
(EXISTING WELLNESS CENTER) PROPOSED BUILDING: 16,163 SQ. FT.
ADDITIONAL SQUARE FOOT: 6,595 SQ. FT.

PARKING: REQUIRED: 354
EXISTING: 356
PROPOSED: 356

OPEN SPACE: REQUIRED: 20% OR 3.5 ACRES
EXISTING: 60.5% OR 10.6 ACRES
PROPOSED: 60.5% OR 10.6 ACRES

EXISTING IMPERVIOUS AREA: 6.9 ACRES

PROPOSED IMPERVIOUS AREA: 6.9 ACRES

BUFFERS: 10 FOOT ALONG CENTER ROAD
15 FOOT ALONG EAST PROPERTY LINE - PORTION EXISTS ON COUNTY PROPERTY
ZERO BUFFER ALONG NORTH PROPERTY LINE - SAME TYPE ZONING DOES NOT REQUIRE BUFFER.

Development Concept Plan received on November 19, 2010 - EXHIBIT A

Hanka Engineering

Professional Engineers, Planners & Land Surveyors
CHARLOTTE ♦ FORT MYERS ♦ NAPLES ♦ SARASOTA
10915 SW COUNTY ROAD 768 - SUITE B
LINDA SUTZ, FLORIDA 34109
PHONE: (341) 625-1165 FAX: (341) 625-1149
ENGINEERING LICENSE # EB 6489
SURVEY LICENSE # LB 6096

DEVELOPMENT CONCEPT PLAN BINDING
VENICE BRANCH YMCA
SARASOTA COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
11-2-2010	3543	_DCP	WLM	RJE	WLM	N.I.S.	2	2	