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Please record and return to: (Via Inter-Office Mail)

Kristin Pate, 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**

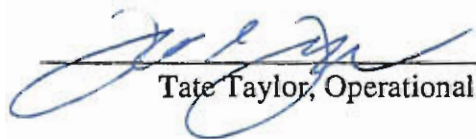
RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2012097747 8 PGS
2012 JUL 31 09:20 AM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
RECTRAIN Receipt#1523133



2012097747

The following property, located west of Cattlemen Road and north of Colonial Oaks Boulevard in Sarasota County, Florida, owned by David McNabb and Trent McNabb, and described in Resolution No. 2012-088 attached hereto, to allow an off street parking lot adjacent to an office use in the RSF-3 (Residential, Single-Family, 4.5 du/acre) zone district, pursuant to Special Exception Petition No. 1708 filed by Brian Lichterman, Agent, and granted by Sarasota County on May 9, 2012, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

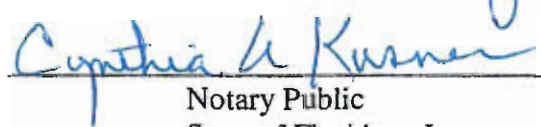
(Stipulations and limitations are those described in Section B of Resolution No. 2012-088, attached hereto)


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 30th day of July, 2012.


Notary Public
State of Florida at Large

This instrument prepared by:
kp



RESOLUTION NO. 2012-088
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1708

WHEREAS, Brian Lichterman, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1708 requesting that a special exception be granted to permit an off-street parking lot adjacent to an office use, located west of Cattlemen Road and north of Colonial Oaks Boulevard, Sarasota County, Florida, in RSF-3 (Residential, Single-Family, 4.5 dwelling units per acre) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 1st day of March, 2012, to consider said Special Exception Petition No. 1708, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1708 be denied, and

WHEREAS, this Board, after due public notice, did on the 9th day of May, 2012, 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. 1708 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.

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

B. Special Exception Petition No.1708 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

West of Cattlemen Road and north of Colonial Oaks Boulevard and being more particularly described as follows:

PID #0064-06-0001

THE EASTERLY 156 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

SITUATED IN SECTION 36, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 36 SOUTH, RANGE 18 EAST; THENCE ALONG THE WESTERLY LINE OF SAID SOUTHEAST QUARTER, THE SAME LINE BEING THE EASTERLY LINE OF LOTS 36 THROUGH 39, OAK VISTAS, A SUBDIVISION RECORDED IN PLAT BOOK 45, PAGES 44, 44A THRU 44F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, S.00°27'41"W., 300.04 FEET TO THE SOUTHEAST CORNER OF LOT 36 OF SAID OAK VISTAS, AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL. THENCE FROM SAID POINT OF BEGINNING, CONTINUE ALONG THE EASTERLY LINE OF AFORESAID SOUTHEAST QUARTER, S.00°27'41"W., 52.27 FEET TO THE SOUTHWEST CORNER OF THE NORTH 352.26 FEET OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 36 SOUTH, RANGE 18 EAST; THENCE ALONG SAID SOUTHERLY LINE, N.89°29'58"E., 312.79 FEET; THENCE S.00°23'19"E., 312.37 FEET TO A POINT LYING ON THE NORTH LINE ON THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 36 SOUTH, RANGE 18 EAST; THENCE S.89°33'22"W., 573.01 FEET TO THE SOUTHEAST CORNER OF LOT 31 OF AFORESAID OAK VISTAS SUBDIVISION; THENCE ALONG THE EASTERLY LINES OF SAID OAK VISTAS SUBDIVISION THE FOLLOWING COURSES: 1) N.00°26'38"W., 66.94 FEET; 2) N.49°02'01"E., 221.43 FEET; 3) N.00°27'41"E., 153.44 FEET; 4) N.89°29'58"E., 90.60 FEET TO THE POINT OF BEGINNING.

and the same is hereby approved for Special Exception No. 1708, 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 accordance with the Development Concept Plan, date-stamped Received May 8, 2012, 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. The entire site, east to Cattlemen Road, shall be included in one construction plan approval under Chapter 74 of the County Code. These plans shall demonstrate that the following traffic control techniques will be employed to discourage access to the driveway on Colonial Oaks Boulevard from the Special Exception site:
 - a. The southernmost parking lot drive aisle, as shown on the Development Concept Plan date stamped Received May 8, 2012, between the driveway to Colonial Oaks Boulevard and the Special Exception site, shall be one-way only from east to west, and two (2) "Do Not Enter" signs shall be placed near the western end of such drive aisle.
 - b. A traffic diverter island along the northernmost parking lot drive aisle, as shown on the Development Concept Plan date stamped Received May 8, 2012, shall be configured to divert exiting site traffic to the Cattlemen Road driveway and shall include a "No Right Turn" sign.
 - c. The driveway to Colonial Oaks Boulevard, as shown on the Development Concept Plan date stamped Received May 8, 2012, shall allow right-in, left-out turns only to impede eastbound traffic from turning in and impede exiting traffic from turning right (westbound) to the maximum extent practicable, using a raised concrete separator.
3. Concurrent with the development of the site, the Owner shall construct a landscape buffer with 60% opacity along the south and west property lines as shown on the Development Concept Plan date stamped Received May 8, 2012.
4. The physical and principal address for the new facility shall be a Cattlemen Road address.
5. There shall be no signage placed on or abutting Colonial Oaks Boulevard that directs traffic to the Colonial Oaks Boulevard entrance, and there shall be no internally illuminated signs placed on the south side of the building, as shown on the Development Concept Plan date stamped Received May 8, 2012.
6. Concurrent with development of the site, the owner shall replace the lighting on the easternmost median strip on Colonial Oaks Boulevard with two (2) taller lights similar to those that are to be placed on the special exception property, one at each end of the median, and the Owner shall place a "No U Turn" sign at the eastern end of the median strip.

7. The Owner shall construct a six (6) foot high masonry wall as shown on the Development Concept Plan date stamped Received May 8, 2012, and extended north an additional 50 feet. The Owner shall be solely responsible for the maintenance and repair of this masonry wall.

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

PASSED AND DULY ADOPTED this 9th day of MAY, 2012.

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.

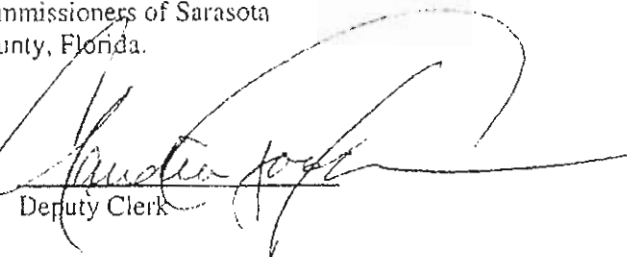
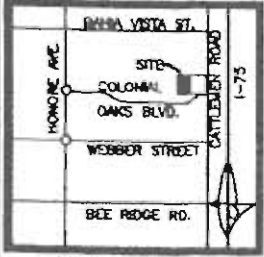
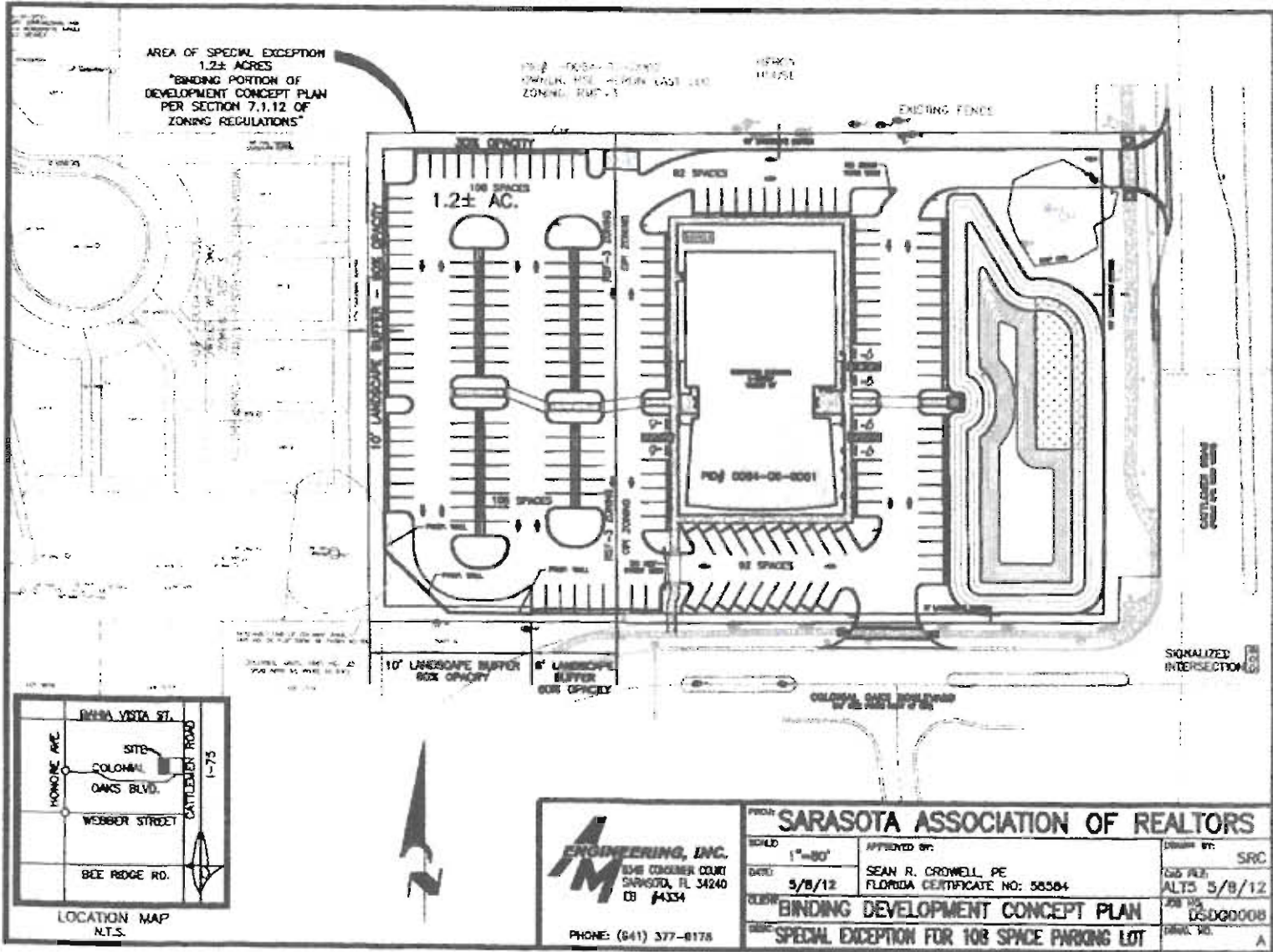

By: 
Deputy Clerk

EXHIBIT "A"
 Received May 8, 2012




 ENGINEERING, INC. 1546 CONSUMER COURT SARASOTA, FL 34240 CO #4334 PHONE: (841) 377-8178	SARASOTA ASSOCIATION OF REALTORS		Drawn BY: SRC
	SCALE: 1"=80' DATE: 5/8/12 DESIGNER:	APPROVED BY: SEAN R. CROWELL, PE FLORIDA CERTIFICATE NO: 58584	CADD FILE: ALTS 5/8/12 JOB NO: US000008
BINDING DEVELOPMENT CONCEPT PLAN			
SPECIAL EXCEPTION FOR 108 SPACE PARKING LOT			

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EXHIBIT "A"
 Received May 8, 2012

SITE DATA:

1. PROPERTY OWNER: DAVID MCNABIS
 WHITE OAKS DEVELOPMENT
 SR 84
 BRADENTON, FLORIDA 34202
2. CONTRACT PURCHASER: SARASOTA ASSOCIATION OF REALTORS
3. TOTAL SPECIAL EXCEPTION SITE AREA: 1.2± ACRES
4. EXISTING ZONING: RSF-3 (RESIDENTIAL SINGLE FAMILY
 4.5 DWELLING UNITS PER ACRE)
5. PROP. SPECIAL EXC.: REQUEST FOR 108 OFFSITE PARKING SPACES
 IN A DIFFERENT ZONING DISTRICT.
6. FLOOD ZONE "X" PER FIRM MAPS #125144 0102 E
 REVISED SEPTEMBER 3, 1992.
7. EXISTING USE: VACANT AND UNDEVELOPED.
8. UTILITIES:
 WATER - SARASOTA COUNTY
 SEWER - SARASOTA COUNTY
9. SURROUNDING LAND USE:
 NORTH: EXISTING ASSISTED LIVING FACILITY
 SOUTH: SINGLE FAMILY
 EAST: VACANT/CLASS A OFFICE
 WEST: FUTURE SINGLE FAMILY RESIDENTIAL
10. HABITAT: NONE - CLEARED FEATURES
11. ROADWAYS: PUBLIC ROADWAYS
12. PARKING SPACES:
 PROPOSED: 108 PARKING SPACES (9'x18') IN RSF-3 ZONING
 PROPOSED: 92 PARKING SPACES (9'x18') IN OPI ZONING
 INCLUDES 6 HANDICAP SPACES (12'x18')
13. OPEN SPACE: NOT REQUIRED.
14. SITE DATA:
 PERVIOUS AREA: 0.319 ACRES (28.58%)
 IMPERVIOUS AREA: 0.881 ACRES (73.42%)
 TOTAL: 1.2± ACRES (100%)

 <p>ENGINEERING, INC. 1540 CORNWELL COURT SARASOTA, FL 34230 EB #4334 PHONE: (941) 377-9179</p>	FROM SARASOTA ASSOCIATION OF REALTORS		
	SCALE: N.T.S.	APPROVED BY:	DRAWN BY: SRC
	DATE: 5/8/12	SEAN R. CROWELL, PE FLORIDA CERTIFICATE NO: 58584	JOB NO: ALT 5 5/8/12
	CLIENT: BINDING DEVELOPMENT CONCEPT PLAN - NOTES	JOB NO: DSDG00038	SHEET NO: 8
SPECIAL EXCEPTION FOR 108 SPACE PARKING LOT			

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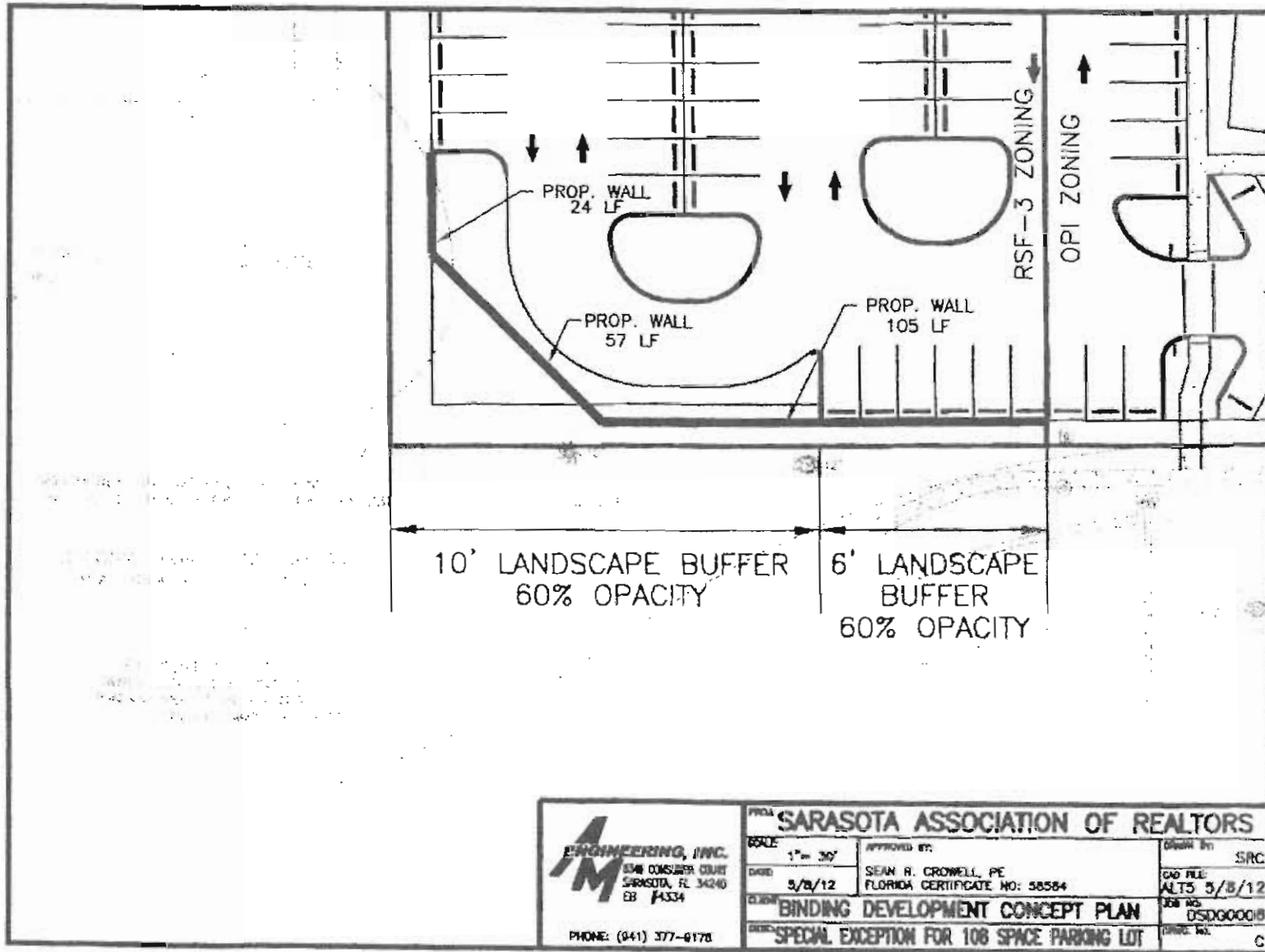



EXHIBIT "A"
 Received May 8, 2012

 <p>ENGINEERING, INC. 834 CONSUMER COURT SARASOTA, FL 34240 EB #4334</p> <p>PHONE: (941) 377-9178</p>	FROM SARASOTA ASSOCIATION OF REALTORS		DRAWN BY: SRC
	SCALE: 1" = 30'	APPROVED BY: SEAN R. CROWELL, PE FLORIDA CERTIFICATE NO: 58584	
	DATE: 5/8/12	CAD FILE: ALTS 3/8/12	
	CLIENT: BINDING DEVELOPMENT CONCEPT PLAN		JOB NO: DSDG00008
SPECIAL EXCEPTION FOR 108 SPACE PARKING LOT			DATE: 5/8/12 C

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