

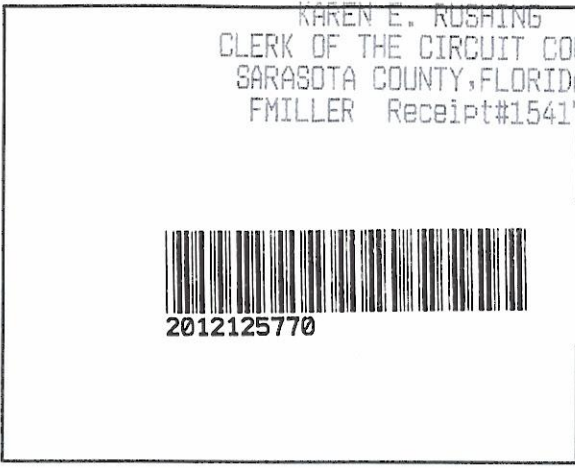
RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2012125770 6 PGS
2012 SEP 28 04:09 PM

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
FMILLER Receipt#1541720

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

Kristin Pate, Administrative Specialist
Planning Services
1660 Ringling Boulevard
Sarasota, FL 34236

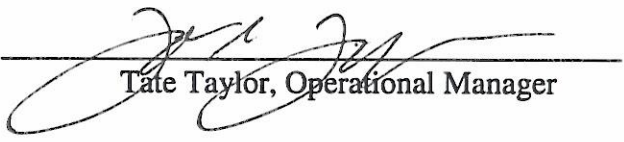
Charge to: Planning Services
Account# 51800100500489



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

The following property, located north of Bee Ridge Road, between Radnor Place and Asbury Place in Sarasota County, Florida, owned by Maria Lilliana Cole, and described in Resolution No. 2012-185 attached hereto, to allow a Pain Management Clinic in the OPI (Office, Professional, and Institutional) zone district, pursuant to Special Exception Petition No. 1710 filed by Jeff Pflugner, Agent, and granted by Sarasota County on September 25, 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. 2012-185, 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 27th day of September, 2012.


Notary Public
State of Florida at Large

This instrument prepared by:
kp





RESOLUTION NO. 2012- 185
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION PETITION NO. 1710

WHEREAS, Michael Furen, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1710 requesting that a Pain Management Clinic use, located north of Bee Ridge Road, between Radnor Place and Asbury Place at 4071 Bee Ridge Road, Sarasota County, Florida, in OPI (Office, Professional, and Institutional) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 2nd day of August, 2012, to consider said Special Exception Petition No. 1710, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1710 be approved, and

WHEREAS, this Board, after due public notice, did on the 25th day of September, 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 that brought to its attention with regard to said Special Exception Petition No. 1710 does make the following findings:

1. The proposed use is consistent with the intent, goals, objectives, policies, and 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.

BOARD RECORDS
FILED FOR THE RECORD
2012 SEP 2 11:10
KAREN TORRES
CLERK OF THE COUNTY
SARASOTA

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

B. Special Exception Petition No.1710 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

North of Bee Ridge Road, between Radnor Place and Asbury Place at 4071 Bee Ridge Road and being more particularly described as follows:

PID #0061-15-0062

Formerly known as Lots 5, 6, 7 and 8, Block A, Less the Southerly 20 feet thereof, and Less the Easterly 5 feet of Lot 5 thereof, Less the Westerly 5 feet of Lot 8, SPRING LAKE SUBDIVISION, as recorded in Plat Book 8, Page 19, and by Resolution of the Board of County Commissioners of Sarasota County to vacate the aforementioned portion of the plat of Spring Lake Subdivision as recorded in Official Records Book 1722, Pages 0654, et seq, Pubic Records of Sarasota County, State of Florida, being more completely described as follows:

Commence at the NW corner of Lot 1, Block A of said subdivision; thence S 89°54'20" E along the North line of said Block A, a distance of 324.62 feet to the NE corner of Lot 4 of said block; thence South along the East line of said Lot 4, a distance of 110 feet to the SE corner of said Lot 4; thence N 89°54'20" W a distance of 5.00 feet to the Point of Beginning; thence South along the new West right of way line of Asbury Place (Lavallee Place) a distance of 90.00 feet to the intersection with the new right of way of Bee Ridge Road and Asbury Place; thence N 89°54'20" W along said new right of way a distance of 271.75 feet to the intersection with the new right of way of Radnor Place (Bussiere Place); thence N 12°02'09" W along said new right of way a distance of 92.06 feet to a point on the North line of said former lots; thence S 89°54'20" E along said line a distance of 290.95 feet more or less to the Point of Beginning; being and lying in Section 34, Township 36 South, Range 18 East, Sarasota County, Florida.

and the same is hereby approved for Special Exception Petition No. 1710, 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 September 25, 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 use as a Pain Management Clinic shall be limited to no more than half of the existing building space or 4,140 square feet whichever is smaller. The Pain Management use of the building will be limited to the first floor.
3. The Owner shall submit the Development Concept Plan dated, June 26, 2012, for site and development review for the shell parking and internal circulation modification.
4. The Owner shall execute an easement agreement with Sarasota County for approximately 40 square feet of property located near the existing transit stop at the southwest corner of the site adjacent to the Bee Ridge Road/Radnor Place intersection for the purpose of future construction by Sarasota County of a boarding and alighting pad for individuals with disabilities. The

easement agreement shall be executed prior to the issuance of the certificate of occupancy for the Pain Management Clinic.

5. Five additional parking spaces in the northeast part of the property as shown on the Binding Development Concept Plan, date-stamped Received June 26, 2012, shall be installed in accordance with Sarasota County standards within six months from the date of issuance of the Certificate of Occupancy for the Pain Management Clinic in the building on the property.
6. The Owner of the subject parcel shall ensure adequate parking and that no loitering on the property or that there is no queuing of vehicles occurs which obstructs traffic on Bee Ridge Road, Radnor Place, or Asbury Place outside of its property by taking the following acts:
 - a. The Pain Management Clinic shall install security cameras capturing continuous streaming live images of the entire parking area, the roadway facing north down Radnor Place, and the roadway facing north down Asbury Place. The Pain Management Clinic shall operate and actively monitor these cameras during all hours of operation and request any patients who park on county right of way or private property (besides 4071 Bee Ridge Rd.) to move their vehicles. If the Pain Management Clinic learns that a patient has parked on the adjacent streets or adjacent business parking lots, the Pain Management Clinic shall immediately advise the patient to remove the vehicle.
 - b. Requiring traffic to flow in only one direction through the property with an entrance on Radnor Place and an exit on Asbury Place. The direction of flow shall be identified by painting directional arrows on the asphalt of the parking lot.
 - c. The Owner shall dedicate at least sixteen (16) of the thirty one (31) parking spaces shown on the binding development concept plan to the exclusive use of the special exception use through incidental signs and/or painting precast parking chocks with the name of the business.
7. The property shall be posted with "No Loitering" signs as required in Section 5.3.4.cc. of the Zoning Code relating to Pain Management Clinics. An additional sign shall be posted with "No Narcotics stored or dispensed on Premises". Such signs shall meet the standards of Section 7.4.3., Signs Allowed without a Sign Permit, Incidental Signs. Such sign shall not exceed two square feet in area and shall carry no commercial message visible from the public right-of-way.
8. The Pain Management Clinic shall obtain an Occupational License/Local Business Tax Receipt and a Business Certificate of Occupancy for a pain management clinic prior to commencing the use. The Occupational License/Local Business Tax Receipt shall be subject to revocation as provided in Section 62-330 of the County Code.

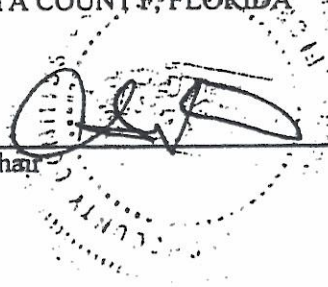
C. This Resolution shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED this 25 day of September, 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

Patrizia Mayo

Application for a Special Exception to operate a Pain Management Clinic under Sarasota Co Zoning Reg. 5.3.4.cc*

ABBREVIATIONS:

- PB - PLAT BOOK
- LB - LICENSED BUSINESS
- CL - CENTERLINE
- P.O.B. - POINT OF BEGINNING
- CONC. - CONCRETE
- FIP - FOUND 1" IRON PIPE "HOLD."
- FIR - FOUND 1/2" IRON ROD "HOLD."
- C/B - CONCRETE BLOCK
- AC - AIR CONDITIONER
- WF - WOOD FENCE
- ST - STAIRS
- LD - IDENTIFICATION
- FC - FENCE CORNER
- TRANS - TRANSFORMER
- R/W - RIGHT OF WAY
- CPP - CONCRETE POWER POLE
- WPP - WOOD POWER POLE
- CB - CATCH BASIN
- MH - MANHOLE
- CS - CATCH BASIN
- OHW - OVERHEAD WIRES
- CONC - CONCRETE
- - - - - EDGE OF ASPHALT

SITE DATA

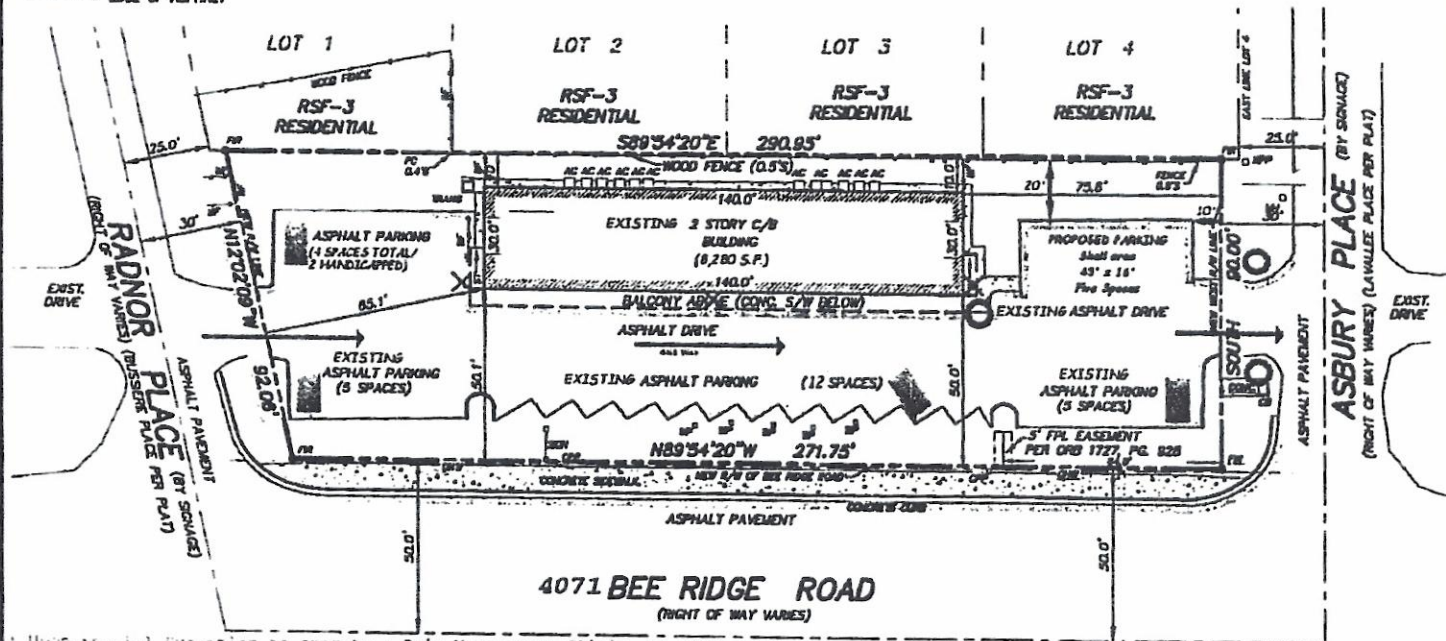
ACREAGE: 25,264 square feet
 OPEN SPACE: REQUIRED: N/A
 EXISTING: OFFICE
 ZONING: OPI
 PROPOSED: PAIN MANAGEMENT CLINIC
 USE: OPI WITH SPECIAL EXCEPTION PURSUANT TO 5.3.4.CC
 PARKING: Net Interior Square Footage Per Code 7,732 sf)
 REQUIRED: 31 SPACES
 PROVIDED: 31 SPACES (existing asphalt, and 8 new shell)
 IMPERVIOUS AREAS: 17,069 SF²
 GROSS LEASABLE AREA: 8,280 SF



NORTH

- X Location of Signs regarding Parking, Entering & Alcohol Restriction (s Lot 1)
- O Location of Signs "No Not Enter, One Way"

* Five (5) new shell spaces provided withing nin(9) months of issuance of CO for PMC.



* Upon special Exception to operate a Pain Management Clinic, no pharmacy or other PMC may be operated on the premises.
 ** There shall be a 10% increase in impervious area as a result of the use of the property as a PMC under the Special Exception.

SCALE: 1" = 40' BINDING DEVELOPMENT CONCEPT PLAN EMPIRE BUILDING VENTURES, LLC, Owner Applicant REV4 09-25-2012

REV4 09-25-2012 change to indicate handicapped parking space.

EXHIBIT "A"
 Received September 25, 2012

R3012-185

