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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

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
JOLSON Receipt#1675104



2013142206

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 Artists Avenue, approximately 150 feet east of Old Englewood Road in Sarasota County, Florida, owned by Terra N. Tominelli, and described in Resolution No. 2013-081 attached hereto, to allow a Day Care Facility use in the RSF-3 (Residential, Single-Family, 4.5 units/acre) zone district, pursuant to Special Exception Petition No. 1713 filed by Brian Lichterman, Agent, and granted by Sarasota County on June 4, 2013, 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. 2013-081, attached hereto)

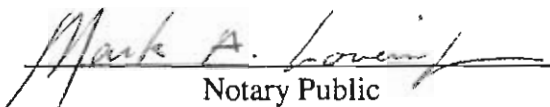

Tate Taylor, Operational Manager

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 29th day of JUNE, 2013.




Notary Public
State of Florida at Large

This instrument prepared by:
kp

RESOLUTION NO. 2013-081
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION PETITION NO. 1713

WHEREAS, Brian Lichterman, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1713 requesting that a Day Care Facility use, located north of Artists Avenue, approximately 150 feet east of Old Englewood Road, Sarasota County, Florida, in 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 18th day of April, 2013, to consider said Special Exception Petition No. 1713, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1713 be approved, and

WHEREAS, this Board, after due public notice, did on the 4th day of June, 2013, 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. 1713 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
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SARASOTA COUNTY, FLORIDA
KAREN E. HESSING, CLERK
JUN 5 2013 3:50 PM

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

B. Special Exception Petition No.1713 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

North of Artists Avenue, approximately 150 feet east of Old Englewood Road and being more particularly described as follows:

PID #0496-04-0036

A part of Grove Lot 31, being more particularly described as follows:

Parcel 2:

Lot 4, Sandalwood Subdivision, as per Plat thereof, recorded in Plat Book 27, Page 33, of the Public Records of Sarasota County, Florida,

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 February 14, 2013, 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. In the event the 6 foot tall fence is removed from the non-street boundaries or replaced with a shorter fence, a buffer with a 50 percent opacity shall be installed within 60 days of the fence removal/replacement.
 3. Landscaping for the 6 foot wide street buffer with a 10 percent opacity shall be installed within 60 days from the adoption date of the special exception.
 4. If the Day Care Facility use on the adjoining property to the west is discontinued, the Special Exception on the subject property shall immediately expire.
- C. This Resolution shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED this 4th day of JUNE, 2013.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By:

Chair

Carolyn G. Mason

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

Robbie Steffen

SITE DATA SUMMARY

1. PROPERTY ADDRESS:
750 ARTISTS AVENUE
ENGLEWOOD FLORIDA 34422
 2. TOTAL SPECIAL EXCEPTION SITE AREA: 12,783 SF (0.29 ACRES)
 3. EXISTING ZONING: RSF-3 (RESIDENTIAL SINGLE FAMILY, 4.6 DWELLING UNITS PER ACRE)
 4. PROP. SPECIAL EXC: REQUEST FOR PLAYGROUND AREA FOR ADJACENT CHILD CARE FACILITY
 5. FLOOD ZONE: 1% 100K WITHIN 100 YEAR FLOOD PLAN
 6. EXISTING USE: PLAYGROUND AREA FOR ADJACENT CHILD CARE FACILITY
 7. UTILITIES:
WATER - ENGLEWOOD WATER DISTRICT
SEWER - ENGLEWOOD WATER DISTRICT
 8. SURROUNDING LAND USE:
NORTH: VACANT/SINGLE FAMILY RESIDENCE
SOUTH: OFFICE BUILDINGS
EAST: SINGLE FAMILY RESIDENCE
WEST: CHURCH PARKING LOT
 9. HABITAT: NONE - CLEANED FEATURES
 10. ROADWAYS: PUBLIC ROADWAYS
 11. PARKING SPACES: N/A
 12. OPEN SPACE: NOT REQUIRED
 13. PERVIOUS AREA: 29 ACRES 100K
- NO ADDITIONAL IMPERVIOUS AREAS ARE BEING PROPOSED

Tornalichol Academy of the Arts
SPECIAL EXCEPTION BUILDING DEVELOPMENT CONCEPT PLAN
701 Old Englewood Road and 750 Artists Avenue
Englewood, FL 34422

Prepared by:
VISION PLANNING & DESIGN
3030 Broadway Square
Lakewood Ranch, FL 34202
Phone: 844-788-4188
E-Mail: Brian@visionplanning1.com

Checked by:
Robert Englewood, LP
Professional Engineer
February 14, 2013
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