

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2014015759 7 PGS

2014 FEB 11 08:55 AM

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
JOLSON Receipt#1709535



2014015759

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


~~Paula Crisman~~, Administrative Specialist
Planning Services
1660 Ringling Boulevard
Sarasota, FL 34236
Paula Crisman

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 at 1100 Center Road in Sarasota County, Florida, owned by the First Christian Church of Venice, and described in Resolution No. 2013-208, attached hereto, to allow a Place of Worship, Child Care Center, and School in the OUE-2 zone district, pursuant to Special Exception Petition No. 1715 filed by Anne Merrill, Agent, and granted by Sarasota County on December 10, 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. 2013-208, 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 13th day of December, 2013.




Notary Public
State of Florida at Large

This instrument prepared by:

RESOLUTION NO. 2013- 208
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION PETITION NO. 1715

WHEREAS, Anne Merrill, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1715 requesting that a Place of Worship, Child Care Center, and School uses, located south of Center Road, west of Venice East Boulevard, Sarasota County, Florida, in OUE-2 (Open Use, Estate, 1 unit/2 acres) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 7th day of November, 2013, to consider said Special Exception Petition No. 1715, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1715 be approved, and

WHEREAS, this Board, after due public notice, did on the 10th day of December, 2013, hold a public hearing to consider said special exception petition, the recommendation of the Planning Commission and all matters relevant to said petition, and

WHEREAS, this Board finds that the 30 foot high roof ornament on a building of maximum 35 feet in height, when taken in light of the lot coverage, massing of the structures on the property and intensity of use of the property, will not be incompatible with character of the surrounding area or with the height, lot coverage, massing of structures or intensity of uses in the surrounding area.

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. 1715 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;

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BOARD OF COUNTY COMMISSIONERS
SARASOTA COUNTY
FILED FOR
DEC 11 2013
11:00 AM
COURT HOUSE

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.1715 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

South of Center Road, west of Venice East Boulevard and being more particularly described as follows:

PID #0439-04-0034 and 0439-04-0032

TAX ID: 0439-04-0034

A PARCEL OF LAND LYING AND BEING IN SECTION 23, TOWNSHIP 39 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 23; THENCE S.00°16'06"E.' (ON AN ASSUMED BEARING) ALONG THE WESTERLY LINE OF SAID SECTION 23 A DISTANCE OF 49.52 FEET TO THE POINT OF BEGINNING; THENCE S.86°44'26"E., ALONG THE SOUTHERLY MAINTAINED RIGHT OF WAY LINE OF CENTER ROAD AS RECORDED IN ROAD PLAT BOOK 4 AT PAGES 4 TO 4-A AND OFFICIAL RECORDS BOOK 2589 AT PAGE 931 BOTH OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, FOR THE NEXT SIX (6) CALLS A DISTANCE OF 42.95 FEET; THENCE N.05°54'41"E., A DISTANCE OF 25.73 FEET; THENCE S.87°32'32"E., A DISTANCE OF 152.36 FEET; THENCE S.88°48'55"E., A DISTANCE OF 397.41 FEET; THENCE S.89°34'00"E., A DISTANCE OF 188.72 FEET; THENCE S.88°20'03"E., A DISTANCE OF 171.23 FEET; THENCE S.01°02'57"W., ALONG A LINE THAT IS 394.16 FEET WEST OF AND PARALLEL WITH THE WESTERLY RIGHT OF WAY LINE OF VENICE EAST BLVD., 140' OF RIGHT OF WAY, AS RECORDED IN OFFICIAL RECORDS BOOK 1843 AT PAGE 2433 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA A DISTANCE OF 319.19 FEET TO THE INTERSECTION WITH THE NORTHERLY LINE OF THE PLAT OF "QUAIL LAKE" AS RECORDED IN PLAT BOOK 32, PAGES 19 TO 19-G OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N.88°59'46"W., ALONG SAID NORTHERLY LINE OF THE PLAT OF "QUAIL LAKE" A DISTANCE OF 953.89 FEET TO THE NORTHWEST CORNER OF THE SAID PLAT OF "QUAIL LAKE" AND TO A POINT ON THE WESTERLY LINE OF SAID SECTION 23; THENCE N.00°53'04"E., ALONG THE WESTERLY LINE OF SAID SECTION 23 A DISTANCE OF 300.47 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THOSE LANDS DESCRIBED IN OFFICIAL RECORDS INSTRUMENT #2000035343, AND LESS RIGHT-OF-WAY FOR CENTER ROAD AS DESCRIBED IN OFFICIAL RECORDS INSTRUMENT #2004038657, ALL OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

TOGETHER WITH:

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TAX ID: 0439-04-0032

A PARCEL OF LAND LYING AND BEING IN SECTION 23, TOWNSHIP 39 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA, BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS INSTRUMENT NO. 1999086131, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 23; THENCE SOUTH 00°16'06" EAST (ON AN ASSUMED BEARING) ALONG THE WESTERLY LINE OF SAID SECTION 23, A DISTANCE OF 49.52 FEET; THENCE ALONG THE SOUTHERLY MAINTAINED RIGHT-OF-WAY LINE OF CENTER ROAD, AS RECORDED IN ROAD PLAT BOOK 4, AT PAGES 4 TO 4-A, AND OFFICIAL RECORDS BOOK 2589, PAGE 931, BOTH OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THE FOLLOWING SIX (6) COURSES: SOUTH 86°44'26" EAST, 42.95 FEET; NORTH 05°54'41" EAST, 25.73 FEET; SOUTH 87°32'31" EAST, 152.36 FEET; SOUTH 88°48'55" EAST, 397.41 FEET; SOUTH 89°34'00" EAST, 188.72 FEET; SOUTH 88°20'03" EAST, 34.25 FEET, FOR A POINT OF BEGINNING; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE, SOUTH 88°20'03" EAST, 531.17 FEET; THENCE LEAVING SAID LINE, SOUTH 01°02'57" WEST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF VENICE EAST BOULEVARD, (140 FOOT PUBLIC RIGHT-OF-WAY) AS RECORDED IN OFFICIAL RECORDS BOOK 1843, PAGE 2433, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, A DISTANCE OF 314.64 FEET TO THE NORTHEAST CORNER OF THE PLAT OF "QUAIL LAKE", AS RECORDED IN PLAT BOOK 32, PAGES 19 TO 19-G, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE NORTH 88°59'46" WEST, ALONG THE NORTHERLY LINE OF SAID PLAT OF "QUAIL LAKE", A DISTANCE OF 531.14 FEET; THENCE LEAVING SAID LINE, NORTH 01°02'57" EAST, A DISTANCE OF 320.78 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THOSE PORTIONS CONVEYED TO SARASOTA COUNTY BY ORDER OF TAKING RECORDED IN OFFICIAL RECORDS INSTRUMENT NO. 2004173513 AND LESS THAT PORTION CONVEYED TO SARASOTA COUNTY BY CORPORATE WARRANTY DEED RECORDED IN OFFICIAL RECORDS INSTRUMENT NO. 2004038658.

ALL LYING AND BEING IN SECTION 23, TOWNSHIP 39 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA.

and the same is hereby approved for Special Exception Petition No. 1715, 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 October 23, 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. The easternmost access on Center Road shall be limited to right-in/right-out only, no closer than 440 feet west of Venice East Boulevard.

3. The outdoor play area shall be located within building area B as depicted on the Development Concept Plan. A 0.5 opacity landscape buffer shall be provided along boundaries of the outdoor play area that are not contained between building walls.
4. Enrollment in the child care center is limited to 100 children.
5. The access point to Venice East Boulevard shall be right-in/right-out only.
6. The following stipulations shall apply to the pavilion use, noted as Building "D" on the Development Concept Plan:
 - a. - The pavilion will be constructed so that the any sides facing the southern boundary will be completely enclosed.
 - b. - In order to ensure compliance with Sarasota County sound control codes, the applicant will measure, record and retain records of decibel levels of any amplified sound by using the measurement process provided in Section 54-118 of the County Code of Ordinances. The decibel level records will be available to the public for 30 days subsequent to any outdoor event with amplified sound.
 - c. - The use of outdoor loudspeakers is limited to four hours in any one calendar day.
 - d. - No outdoor loudspeakers may be used after 9:00 p.m.

These Stipulations supersede and replace the Restrictions, Stipulations, and Safeguards in Resolution No. 98-22.

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

PASSED AND DULY ADOPTED this 16th day of DECEMBER, 2013.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By: Carolyn G. Mauer
Chair

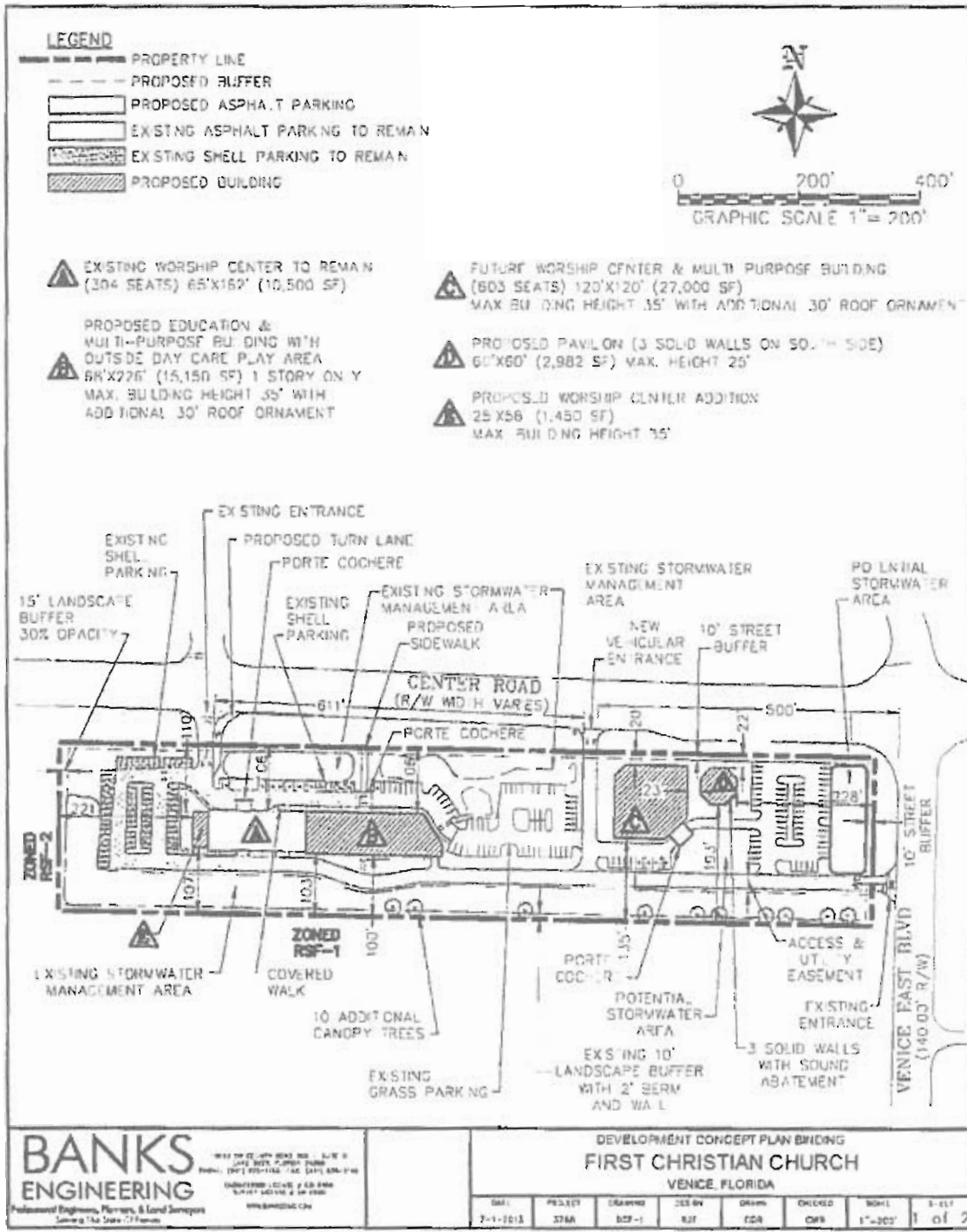
ATTEST:

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

By: [Signature]
Deputy Clerk

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EXHIBIT "A"
 Received October 23, 2013



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EXHIBIT "A"
Received October 23, 2013

SITE DATA:		
SITE AREA:	371,194± SF	8.52 ACRES
BUILDING COVERAGE:	33,082 SF	8.9%
BUILDING LEASIBLE AREA (NON RESIDENTIAL):	10,500 SF	2.8%
OPEN SPACE REQUIRED:	1.7 AC	20.0%
OPEN SPACE PROVIDED:	5.15 AC	60.4%
PROPOSED IMPERVIOUS AREA:	163,994 SF	44.7%
PROPOSED PERVIOUS AREA:	205,200 SF	55.3%
EXISTING USE:	PLACE OF WORSHIP	
PROPOSED USE:	PLACE OF WORSHIP	
EXISTING ZONING:	DUE-2/SPECIAL EXCEPTION	
PROPOSED ZONING:	DUE-2/SPECIAL EXCEPTION	
PARKING REQUIRED:	603 SEATS AT 1 SPACE/3 SEATS = 201 SPACES	
PARKING PROVIDED:	73 STANDARD SPACES (9'x18')	
	67 SHELL PARKING SPACES (9'x18')	
	47 GRASS PARKING SPACES (9'x18')	
	14 HANDICAP SPACES (12'x18')	
	TOTAL PROVIDED = 201 SPACES	

OPEN SPACE DETAIL
SCALE: 1"=300'

BANKS
ENGINEERING
Professional Engineers, Planners, & Land Surveyors
Serving The State of Florida

18111 DE COUNTY ROAD 960, SUITE 100
JACKSONVILLE, FLORIDA 32218
(904) 724-1100 FAX (904) 724-1101
WWW.BANKSENG.COM

DEVELOPMENT CONCEPT PLAN BINDING
FIRST CHRISTIAN CHURCH
VENICE, FLORIDA

DATE	PROJECT	DRAWING	DIST. BY	DESIGN	CHECKED	SCALE	SHEET
7-1-2013	STPA	SCP-1	AJT	CCB	DWB	1"=300'	2 of 2

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