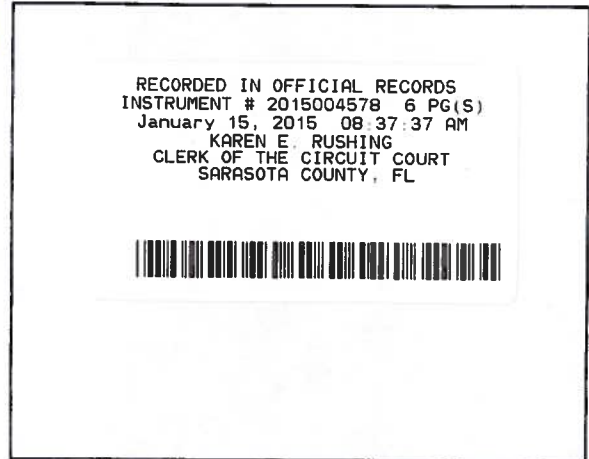


Please record and return to: **(Via Inter-Office Mail)**
Cynthia Spraggins, Administrative Specialist
Planning Services
1660 Ringling Boulevard
Sarasota, FL 34236

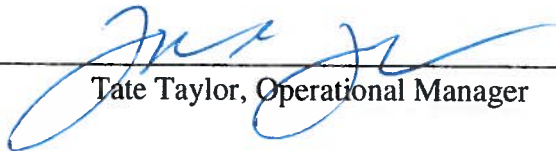
Customer ID# 5223
Charge to: Planning Services
Account# 51810000500489



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

✓ The following property, located west of U.S. 41 and 2,300 feet north of Blackburn Point Road, in Sarasota County, Florida, owned by Robert L. Huff, and described in Resolution No. 2014-233 attached hereto, to allow a pet resort in a CG (Commercial, General District) zone district, pursuant to Special Exception Petition No. 1730 filed by Brian Lichterman, P.A., Agent, and granted by Sarasota County on December 10, 2014 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. 1730, 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.

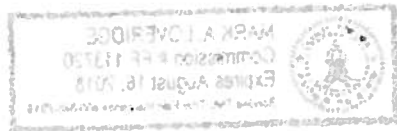
Witness my hand and official seal at Sarasota County, Florida, this 13th day of January, 2015.




Notary Public
State of Florida at Large

This instrument prepared by:
CMS

Handwritten notes, possibly including a signature or name, located in the lower-left quadrant of the page.



RESOLUTION NO. 2014- 233
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1730

WHEREAS, Brian Lichterman, Agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1730 requesting that a special exception be granted to permit a PET RESORT on 1.6 acres located west of U.S. 41 and 2,300 feet north of Blackburn Point Road, Sarasota County, Florida, in a CG (Commercial, General District) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 2nd day of October, 2014, to consider said Special Exception Petition No. 1730, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1730 be granted, and

WHEREAS, this Board, after due public notice, did on the 5th day of November and the 10th day of December, 2014, 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. 1730 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. 1730 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

The Easterly part of the South 1/2 of Lot 62 and North 1/2 of Lot 63, Sarabay Acres, as per plat thereof recorded in Plat Book 4, Page 62, of the Public Records of Sarasota County, Florida, being more particularly described as follows: Begin at the intersection of the Westerly Right of Way line of U.S. Highway 41 (Tamiami Trail) and the South line of the North 1/2 of said Lot 63; thence West along the South line of said North 1/2 of Lot 63, a distance of 333.6 feet; thence N.28°21'49"W. along zoning line, 227.29 feet to North line of South 1/2 of Lot 62 of said Sarabay Acres; thence East along said North line of South 1/2 of Lot 62, a distance of 359.7 feet to the aforesaid Westerly Right of Way line of U.S. Highway 41 (Tamiami Trail); thence S.24°54'56"E. along said R/W line, 19.07 feet; thence S.65°05'04"W. along said R/W line, 10.00 feet; thence S.24°54'54"E. along said R/W line, 196.82 feet to the Point of Beginning. Containing 1.571 acres, more or less.

and the same is hereby approved for Special Exception No. 1730, 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 June 23, 2014, 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 Master Surface Water Management Plan shall be consistent with the Little Sarasota Bay Coastal and South Creek Basin Master Plans.
3. Appropriate disposal of pet waste and wastewater from kennel and outdoor area sanitation must be addressed prior to Site and Development approval.
4. No dogs shall be permitted in the open areas between the hours of 8:30 p.m. and 7:00 a.m. and no dogs are allowed to run freely on the rear of the property other than the courtyard or open runs.

5. Owner shall comply with the following "Good Neighbor Policies":

"Good Neighbor Policies"

- No more than 25 dogs will be allowed in the outdoor runs, around the perimeter of the building, at any one time.
- Rotating dogs out in smaller numbers will allow for more efficient cleaning and will reduce the time each group is outdoors.
- Any "nuisance" dogs who bark continuously for more than 10 minutes, will be brought back into the building. We will classify these dogs as "excessive barkers" for future visits and limit their time in their outdoor runs, daycare area, and/or walk them by hand.
- Any noise complaints from our neighbors will be quickly directed to our managers on duty. Our managers will address each issue and correct it in a timely manner.
- All dogs outside in Daycare or Group Play will be supervised at all times.
- No dogs will be off-leash outside of play areas.
- No pet activities will take place in the "Green Space" (RSF-2 zoned area).

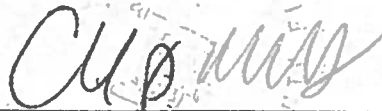
C. This Resolution shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED this 10 day of December, 2014.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By:

Chair



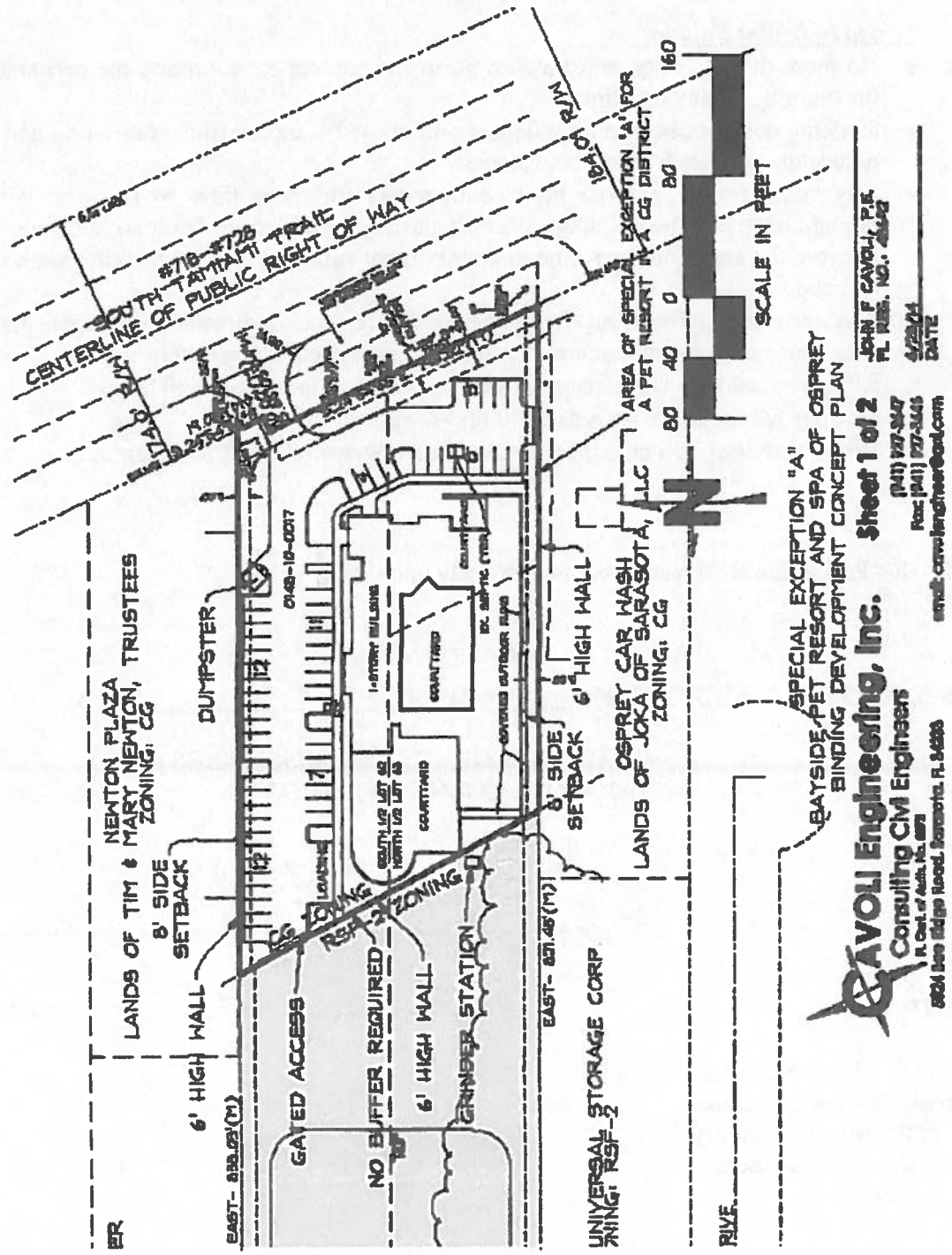
ATTEST:

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"



CAVOLI Engineering, Inc.
 Consulting CM Engineers
 P.E. Carl Cavoli, No. 0073
 2824 Bee Ridge Road, Sarasota, FL 34230
 (941) 977-9477
 Fax: (941) 977-3445
 email: cavoliengr@aol.com

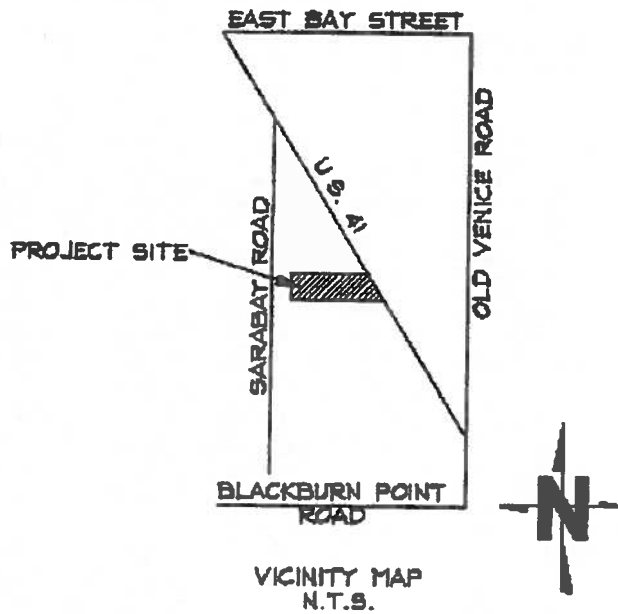
SPECIAL EXCEPTION "A"
 BAYSIDE-PET RESORT AND SPA OF OSPREY
 BINDING DEVELOPMENT CONCEPT PLAN
Sheet 1 of 2
 JOHN F. CAVOLI, P.E.
 P.L. REG. NO.: 26142
 4/28/14
 DATE

R2014-233

**BAYSIDE PET RESORT AND SPA OF OSPREY
BINDING DEVELOPMENT CONCEPT PLAN**

SITE DATA FOR SPECIAL EXCEPTION 'A'

1. PARCEL ID NO.: 04B-10-0017, 04B-10-0018, 04B-07-0019
2. TOTAL GROSS CONTAINED ACREAGE: 1.80 ACRES
3. EXISTING ZONING: CG (COMMERCIAL GENERAL)
4. PROPOSED ZONING: CG W/ SPECIAL EXCEPTION FOR A PET RESORT
5. PROPOSED USE: PET RESORT APPROX. 14,750 SQ. FT.
6. REQUIRED PARKING: 64 SPACES
7. PROPOSED PARKING: 54 SPACES (1 SPACE PER 250 SQ. FT.)
8. COVERAGES:
 - EXISTING IMPERVIOUS: 20%
 - EXISTING IMPERVIOUS TO BE REMOVED: 20%
 - NEW IMPERVIOUS AREA: 40.0%
 - TOTAL NET IMPERVIOUS: 40.0%



CAVOLI Engineering, Inc.
 Consulting Civil Engineers
P.L. Code of Auth. No. 1809
 5824 Bee Ridge Road, Sarasota, FL 34233

Sheet 2 of 2
 (941) 927-3447
 Fax (941) 927-3444
 email: cavoliengr@aol.com

JOHN F. CAVOLI, P.E.
 FL REG. NO. 48842
 6/28/14
 DATE

THEORY OF THE CASE

The theory of the case is a statement of the facts and the law which the party seeks to establish. It is a statement of the facts and the law which the party seeks to establish. It is a statement of the facts and the law which the party seeks to establish.



THEORY OF THE CASE