

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

The following property located in Sarasota County, Florida, owned by Peoples Gas System, a Division of Tampa Electric Company, and described in Resolution No. 2000-033 attached hereto, to allow a Propane Gas Distribution Center in the PID (Planned Industrial Development) zone district, pursuant to Special Exception Petition No. 1493 filed by John Cox, Agent, and granted by Sarasota County on February 8, 2000, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

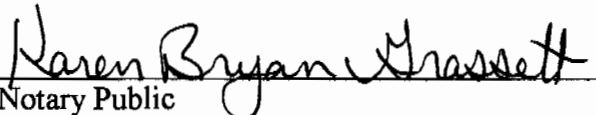
(Stipulations and limitations are those described in Section B of Resolution No. 2000-033, attached hereto)

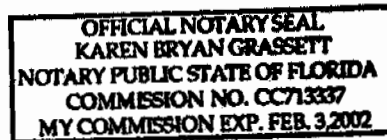

Executive Director
Growth Management Business Center

STATE OF FLORIDA
COUNTY OF SARASOTA

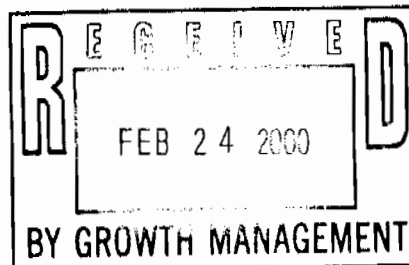
Before me, the undersigned Notary Public, personally appeared Jerry Gray, Executive Director of the Growth Management Business Center, to me known to be the individual who executed the foregoing Notice of Stipulations and Limitations Encumbering Real Property pursuant to the Sarasota County Zoning Code, and he acknowledged before me that he executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 15th day of February
A.D. 2000.


Notary Public
State of Florida at Large



This instrument prepared by:
Nancy Higgins
Growth Management Business Center
1660 Ringling Boulevard, 5th Floor
Sarasota, FL 34236



RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2000020427 6 Pgs
2000 FEB 18 11:08 AM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
VBROTHER Receipt#012838

BOARD RECORDS
FILED FOR RECORD

RESOLUTION NO. 2000-033
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO.

2000 FEB -9 AM 11:37

KAREN E. RUCHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

WHEREAS, John Cox, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1493 requesting that a special exception be granted to allow the property, located northeast of Sarasota Center Boulevard and approximately 3700' ± north of Fruitville Road, Sarasota County, Florida, to allow any industrial use not specifically permitted or prohibited which is otherwise lawful and which conforms to performance standards as set out in Sec. 9 and ORD. No. 72-37, more specifically a Propane Gas Distribution Center in a PID (Planned Industrial Development) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 16th day of December, 1999, to consider said Special Exception Petition No. 1493, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1493 be granted, and

WHEREAS, this Board, after due public notice, did on the 8th day of February, 2000, 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:

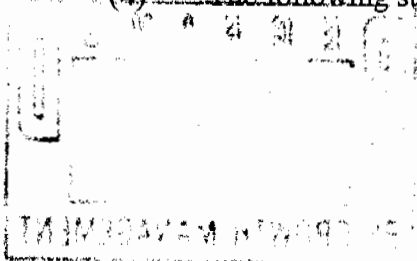
A. This Board, after having considered the report of the Planning Commission, the testimony of the applicant, evidence entered into the record, public comment on the petition and all things brought to its attention with regard to said Special Exception Petition No. 1493 does make the following findings:

(1) The granting of the Special Exception will not adversely affect the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare;

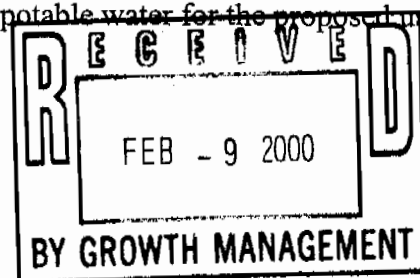
(2) All the requirements of the Sarasota County Zoning Regulations and the Comprehensive Plan for Sarasota County, Florida, have been met and satisfied;

(3) That the requirements of the District Regulations governing this Special Exception have been met; and

(4) ~~The following standards have or have not been met as indicated:~~



- a. The proposed use is consistent with the intent, goals, objectives, policies and programs of the Sarasota County comprehensive plan for the area in which the property is located;
- b. The intensity of the proposed use is consistent with the intended future use of the area in which the property is located, in accordance with the programs of the "Future Land Use Plan";
- c. The proposed use singularly or in combination with other special exceptions does not change the character of the general vicinity, as shown on the locator map;
- d. The intensity of the proposed use is harmonious with the character of other uses in the general vicinity, as shown on the locator map;
- e. The height and orientation of the proposed structure(s) or use is compatible with the existing neighboring structures and uses;
- f. The subject parcel is sufficient and adequate in shape and size to accommodate the proposed use, and would provide for the appropriate separation between neighboring uses;
- g. The proposed use is adequately screened and buffered to effectively separate traffic, light and noise from the existing or intended abutting uses;
- h. The loading and refuse areas would not impose negative visual, odor, or noise impacts on abutting uses and thoroughfares;
- i. The size and location of the proposed sign(s) would conform to the character of existing neighboring uses;
- j. The exterior lighting would be harmonious with the existing character of existing neighboring uses, in terms of glare;
- k. The ingress and egress to the subject parcel and the structures involved, if any, would not adversely affect traffic flow, safety and control;
- l. The access and internal circulation is adequate in case of fire or emergency;
- m. The proposed use would not cause excessive traffic impacts on the surrounding roadway system;
- n. The location, type and availability of potable water for the proposed use is compatible with neighboring uses;



o. The location, type and availability of the proposed wastewater system is compatible with neighboring uses; and

p. The proposed use would not cause or intensify flooding of neighboring uses.

B. Special Exception Petition No. 1493 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

Northeast of Sarasota Center Boulevard and approximately 3700 feet \pm north of Fruitville Road, more particularly described as follows:

That part of Section 16, Township 36 South, Range 19 East, Sarasota County, Florida, described as follows:

Commence at the East $\frac{1}{4}$ corner of said Section 16; thence along the north line of the Southeast $\frac{1}{4}$ of said Section 16 S89°21'25" W, 316.12 feet to a 5/8" iron rod with plastic cap stamped AM ENG LB 4334 for a POINT OF BEGINNING of lands to be described; thence S 00°38'35" E, 196.15 feet to a 5/8" iron rod with plastic cap stamped AM ENG LB 4334; thence parallel with said North line of the Southeast $\frac{1}{4}$ of Section 16, S 89°21'25" W, 187.94 feet to a 5/8" iron rod with plastic cap stamped AM ENG LB 4334; thence N 00°38'35" W, 99.28 feet to a 5/8" iron rod with plastic cap stamped AM ENG LB 4334; thence parallel with said North line of the Southeast $\frac{1}{4}$ of said Section 16, S 89°21'25" W, 54.11 feet to a 5/8" iron rod with plastic cap stamped AM ENG LB 4334; thence N 09°35'27" E, 98.44 feet to a 5/8" iron rod with plastic cap stamped AM ENG LB 4334 lying on the North line of the Southeast $\frac{1}{4}$ of Section 16; thence N 20°16'03" E, 60.01 feet to a 5/8" iron rod with plastic cap stamped AM ENG LB 4334; thence N 00°37'23" W, 411.13 feet to a 5/8" iron rod with plastic cap stamped AM ENG LB 4334; thence N 89°39'06" E, 203.00 feet to a 5/8" iron rod with plastic cap stamped AM ENG LB 4334; thence S 00°38'35" E, 466.14 feet to the POINT OF BEGINNING.

Subject to other easements, restrictions and/or rights of way of Record, if any.

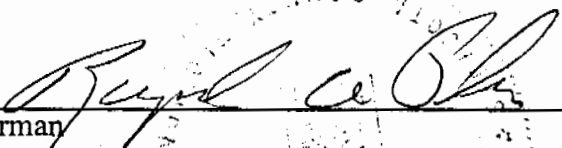
and the same is hereby approved for Propane Gas Distribution Center, subject to the stipulations as set forth below. As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section B and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations shall be covenants running with the land.

1. Development shall take place in substantial compliance with the Development Concept Plan date-stamped October 15, 1999 and attached hereto as Exhibit "A". This does not imply or confer any variances from applicable zoning or land development regulations.
2. The proposed propane gas distribution center shall be consistent with all applicable performance standards contained in Section 9 of the Sarasota County Zoning Ordinance and all other applicable local state and federal regulations.
3. Development shall be subject to Dolomite Utilities Corporation having the capacity at its Trade Center Wastewater Treatment Plant to serve this project.

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

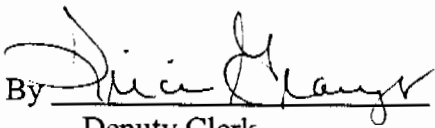
PASSED AND DULY ADOPTED this 8th day of February, A.D., 2000.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By 
Chairman

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

MAP SDRS/CONCEPT PLAN

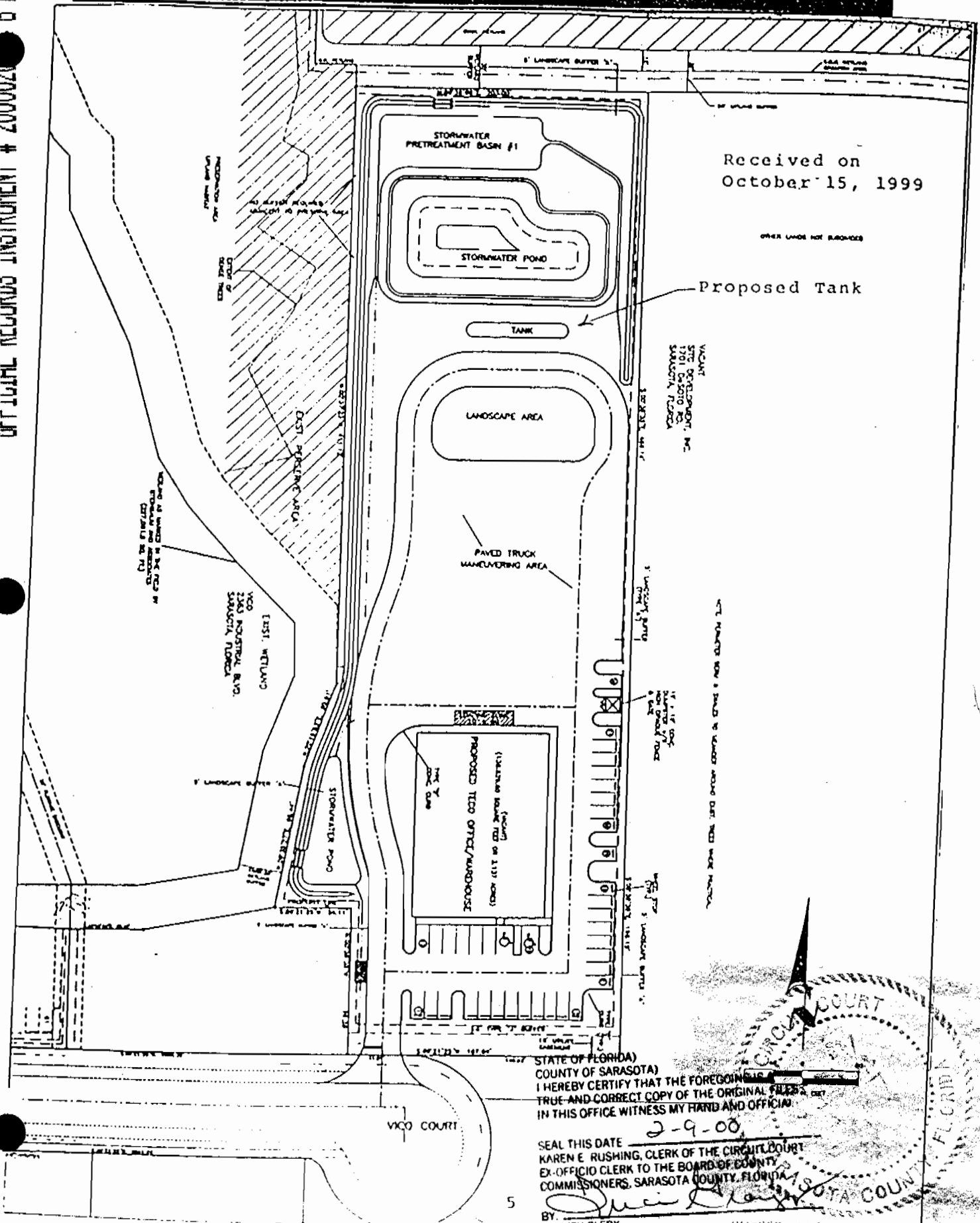
OFFICIAL RECORDS INSTRUMENT # 200002047 6 PAGES

Received on
October 15, 1999

OTHER WORK NOT SHOWN

Proposed Tank

VACANT
SITE DEVELOPMENT, INC.
1761 OSWEGO
SARASOTA, FLORIDA



STATE OF FLORIDA)
COUNTY OF SARASOTA)
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILED
IN THIS OFFICE WITNESS MY HAND AND OFFICIAL

SEAL THIS DATE
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY: *[Signature]*
DEPUTY CLERK

