

Please record and return to Karen Grasset  
Growth Management Business Center  
1660 Ringling Boulevard, 5<sup>th</sup> Floor ✓  
Sarasota, FL 34236

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2001150658 8 PGS  
2001 OCT 18 03:37 PM  
KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
VBROTHER Receipt#096369



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 P.W. Golf Management Inc., and Patricia J. Wright, President, and described in Resolution No. 2001-248 attached hereto, to allow a Transmission Tower in the RE-1 (Residential Estate, 1 unit/2 acres) zone district, pursuant to Special Exception Petition No. 1525 filed by Laura Belflower, Agent, and granted by Sarasota County on September 26, 2001, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

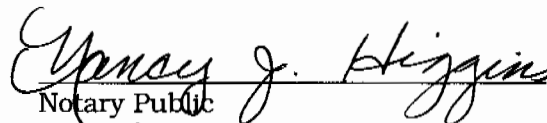
(Stipulations and limitations are those described in Section B of Resolution No. 2001-248, attached hereto)

  
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.

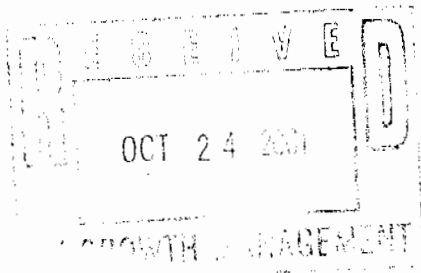
October, Witness my hand and official seal at Sarasota County, Florida, this 16<sup>th</sup> day of  
A.D. 2001.

  
Notary Public  
State of Florida at Large

This instrument prepared by:  
Nancy Higgins



Nancy J. Higgins  
Commission # CC 936530  
Expires May 15, 2004  
Bonded Thru  
Atlantic Bonding Co., Inc.



RESOLUTION NO. 2001-248  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA  
SPECIAL EXCEPTION NO.

CLERK OF DISTRICT COURT  
SARASOTA COUNTY, FL  
2001 OCT -2 AM 7:51

WHEREAS, Laura Belflower, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1525 requesting that a special exception be granted to allow the property, located west of Bounty Drive and approximately 500 feet ± south of Post Road, Sarasota County, Florida, to be used for a Transmission Tower in the RE-1 (Residential 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 21st day of June, 2001, to consider said Special Exception Petition No. 1525, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1525 be granted, and

WHEREAS, this Board, after due public notice, did on the 26th day of September, 2001, 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. 1525 does make the following findings:

- (1) The granting of the Special Exception will promote 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. 1525 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

West of Bounty Drive and approximately 500 feet  $\pm$  south of Post Road, more particularly described as follows:

**DESCRIPTION (Parent Tract):**

Tract "A" in Gulf Gate Woods Unit No. 1, as per plat thereof recorded in Plat Book 19, page 36, Public Records of Sarasota County, Florida and containing 8.35 acres more or less.

**DESCRIPTION (Proposed Lease Area):**

A parcel of land lying within Tract "A" in Gulf Gate Woods Unit No. 1, as recorded in Plat Book 19, page 39, of the Public Records of Sarasota County, Florida being more particularly described as follows:

Commence at the northeast corner of said Tract "A", thence south  $01^{\circ}05'38''$  west along the east line of said tract "A", a distance of 22.59 feet; thence north  $89^{\circ}26'09''$  west, a distance of 298.34 feet; thence south  $85^{\circ}44'58''$  west, a distance of 79.54 feet; thence south  $00^{\circ}00'00''$  east, a distance of 12.63 feet; thence north  $90^{\circ}00'00''$  east, a distance of 30.00 feet to the Point of Beginning; thence south  $00^{\circ}00'00''$  east, a distance of 30.00 feet; thence north  $90^{\circ}00'00''$  west, a distance of 40.00 feet; thence north  $00^{\circ}00'00''$  west, a distance of 30.00 feet; thence north  $90^{\circ}00'00''$  east, a distance of 40.00 feet to the Point of Beginning.

Said parcel containing 1,200 square feet more or less,

and the same is hereby approved for 1525, 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 comply with all provisions of the Transmission Tower Code, Article II, Chapter 118, Sarasota County Code, as may be amended.
2. Development shall take place in substantial compliance with the Development Concept Plans date-stamped May 24, 2001 (and attached hereto as Exhibits A and B). Except for within the subject lease area, any use permitted in the underlying zoning district is allowed without amendment to the Development Concept Plan for this Special Exception, processed pursuant to Section 20 of the Zoning Ordinance. This does not imply or confer any variances from applicable zoning or land development regulations, or applicable provisions of the Transmission Tower Code, Article II, Chapter 118, Sarasota County Code.

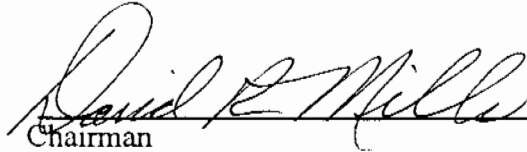
3. The transmission tower shall be of camouflage construction to resemble a flag pole and shall not exceed 85 feet in height. Any increase in height pursuant to Section 118-38 of the Transmission Tower Code, Article II, Chapter 118, Sarasota County Code shall require the processing of a Special Exception.
4. Landscape buffers shall comply with Section 118-36.J of the Transmission Tower Code, Article II, Chapter 118, Sarasota County Code. Existing vegetation shall be preserved to the maximum extent practicable and may be used as a substitute or to supplement the landscape buffer requirements.
5. The Property Owner shall be required to maintain the appearance and function of any private drainage facilities to be constructed on the site, including retention ponds and drainage ditches, at its own expense in accordance with applicable federal, state, or local regulations. At the time of recording a plat or prior to final construction approval, the Owner shall be required to record in the public records a Notice to Purchaser, approved by Sarasota County, putting purchasers on notice that the maintenance of drainage facilities is a private responsibility.
6. If a flag is flown it shall be an American flag only, and the American flag shall be lowered before sunset.

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

PASSED AND DULY ADOPTED this 26<sup>th</sup> day of September, A.D., 2001.

BOARD OF COUNTY COMMISSIONERS OF  
SARASOTA COUNTY, FLORIDA

By

  
Chairman

ATTEST:

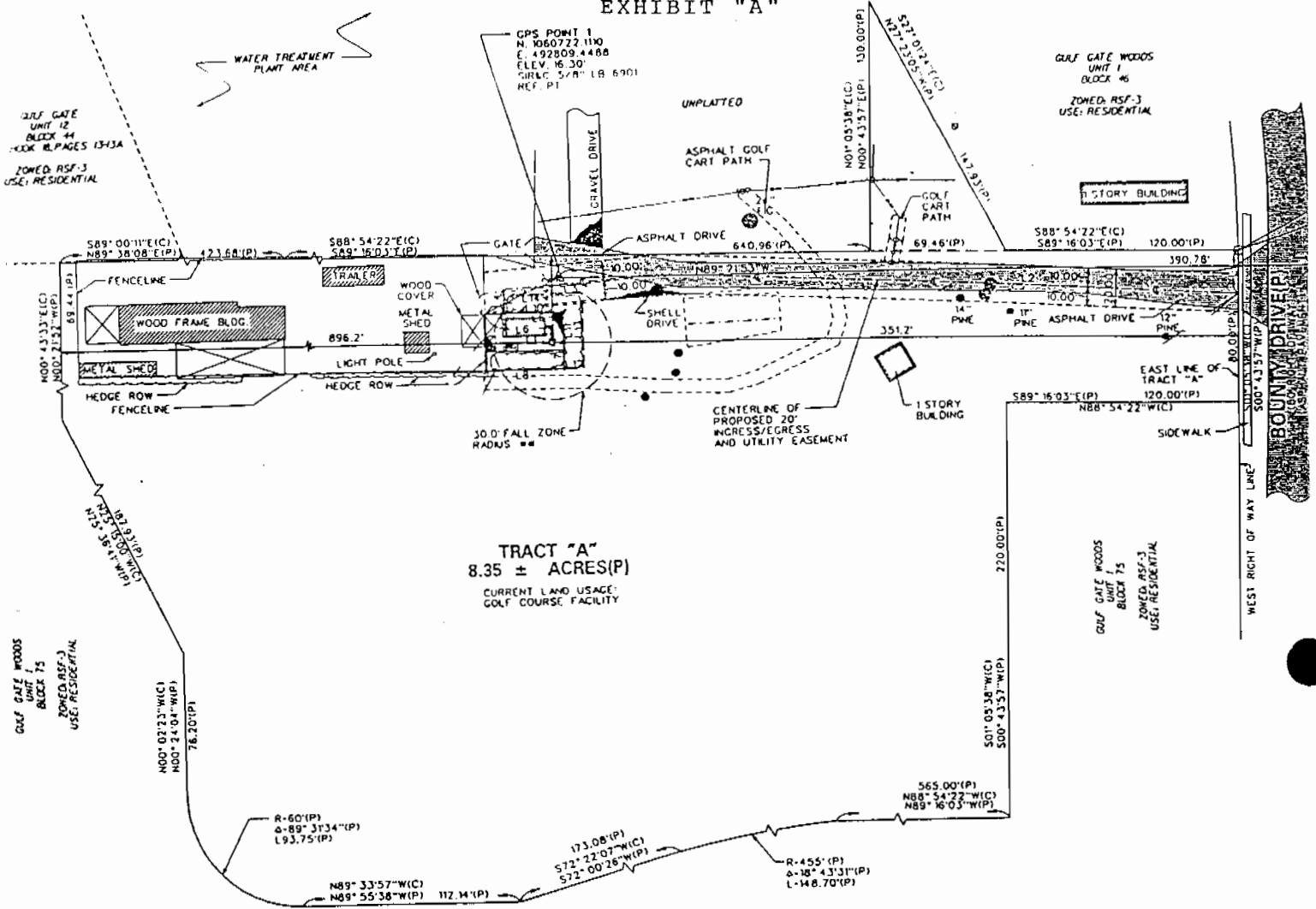
KAREN E. RUSHING, Clerk  
of Circuit Court and ex officio  
Clerk of the Board of County  
Commissioners of Sarasota  
County, Florida.

By

  
Deputy Clerk

MAP SERIES / CONCEPT PLAN

EXHIBIT "A"



TRACT "A"  
8.35 ± ACRES(P)  
CURRENT LAND USAGE:  
GOLF COURSE FACILITY

E DATA

ZONING: RE-1  
 FOLIO NUMBER: 0111-03-0050  
 LEASE PARCEL AREA: .03 ACRES (±)  
 LEASE AREA: 1200 SF  
 COMPOUND AREA: 800 SF  
 PROPOSED IMPERVIOUS AREA: 207.0 SF (±)  
 OWNER: P.W. GOLF MANAGEMENT  
 2550 BRSPHAM ROAD  
 SARASOTA, FLORIDA 34231  
 P.O.C. TOM LOSSMAN  
 (941) 922-6773 OR (941) 921-5515

JURISDICTION: SARASOTA COUNTY BUILDING DEPARTMENT  
 2001 ADAMS LANE  
 SARASOTA, FLORIDA 34237  
 (941) 951-5650

VEHICULAR USE:  
 APPROXIMATE ONE TO THREE SITE VISITS PER MONTH.  
 WATER AND SEWER:  
 COMMUNICATION FACILITY SHALL NOT BE SERVICED BY WATER OR SEWER.  
 USE:  
 UNMANNED TELECOMMUNICATIONS RELAY EQUIPMENT.

STORM WATER MANAGEMENT:  
 SITE SHALL COMPLY WITH ALL STATE AND COUNTY STORM WATER  
 REGULATIONS.  
 PROPOSED TOWER SHALL COMPLY WITH ALL APPLICABLE FAA AND FCC  
 REGULATIONS.

TOWER SHALL NOT INTERFERE WITH NORMAL RADIO AND TELEVISION  
 RECEPTION IN THE VICINITY.  
 TOWER SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH  
 APPLICABLE PROVISIONS OF STANDARD EIA/THA 222-F.

SITE DATA COMPILED FROM A SURVEY BY KCITECHNOLOGIES, INC.  
 DATED 7-24-00.

GULF GATE WOODS  
 UNIT 1  
 BLOCK 75

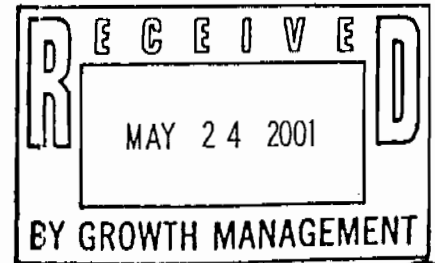
SITE PLAN



SCALE: 1" = 40'

10. TOWER SETBACKS (PROPERTY LINE TO TOWER FOUNDATION)

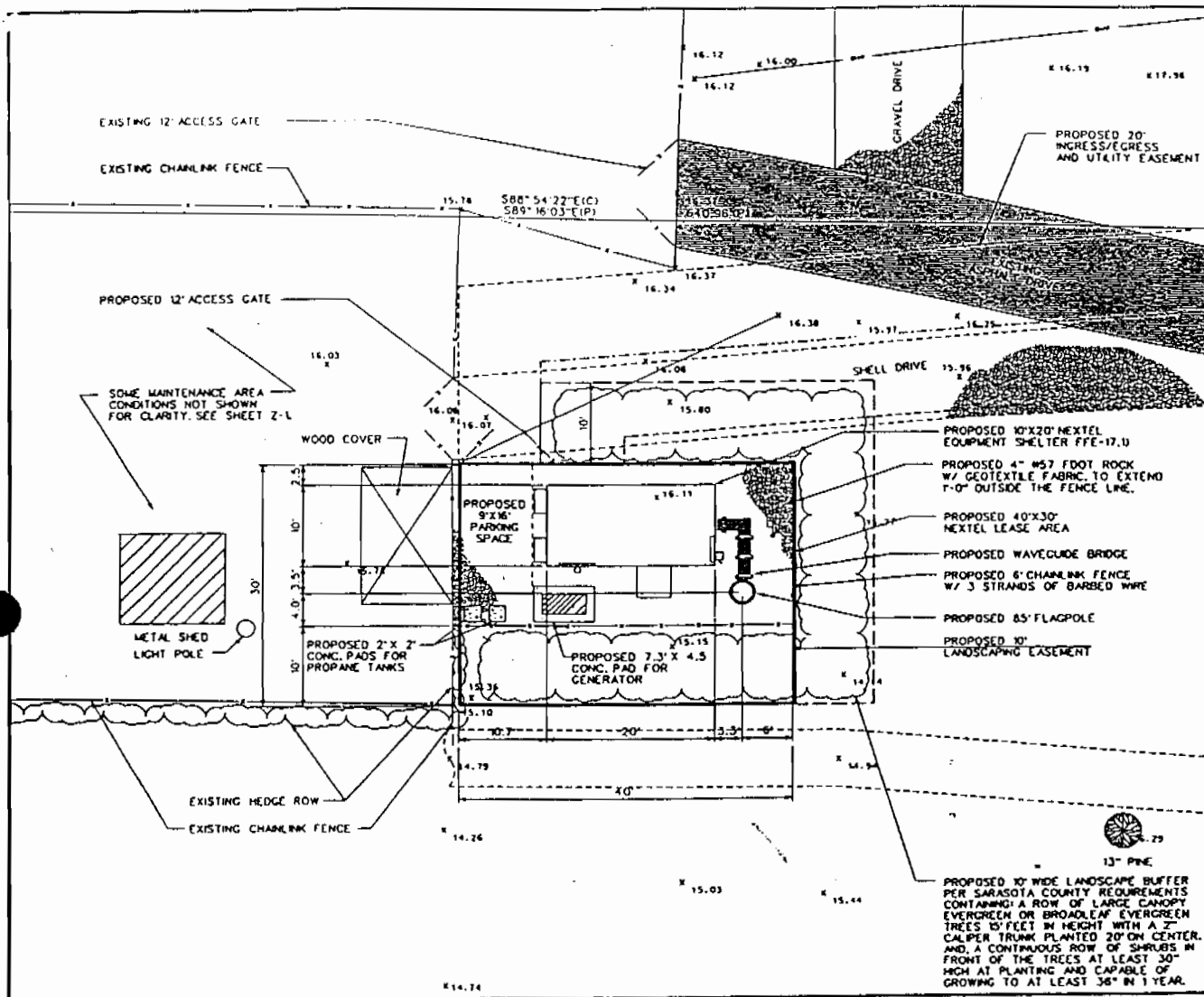
PROPOSED SETBACK (TOWER)	
NORTH	44.2' ±
SOUTH	250.8' ±
EAST	351.2' ±
WEST	896.2' ±
PROPOSED SETBACK (SHELTER)	
NORTH	32.7' ±
SOUTH	255.7' ±
EAST	356.2' ±
WEST	874.4' ±
ACTUAL CODE SETBACK (TOWER)	
FRONT	25'
SIDE	20'
BACK	20'



22001-248

MAP SERIES / ENLARGED CONCEPT PLAN

EXHIBIT "B"



COMPOUND DETAIL  
SCALE: 1" = 10'