

Board Records

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

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2002209057 6 PGS

2002 DEC 16 02:32 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
FMILLER Receipt#254389



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

The following property located north of Bee Ridge Road and 248' ± east of Bond Place in Sarasota County, Florida, owned by Steve Evanoff, and described in Resolution No. 2002-320 attached hereto, to amend the site plan to include a Car Wash in the CG (Commercial, General) zone district, pursuant to Special Exception Petition No. 1564 filed by Peter Dailey, Agent, and granted by Sarasota County on November 20, 2002, 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. 2002-320, attached hereto)

Executive Director
Growth Management Business Center

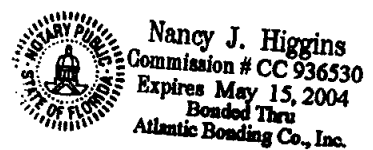
STATE OF FLORIDA
COUNTY OF SARASOTA

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 9th day of December, A.D. 2002.

Notary Public
State of Florida at Large

This instrument prepared by:
SMA



RESOLUTION NO. 2002- 320
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1564

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WHEREAS, Peter Dailey, Agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1564 requesting that a special exception be granted to allow the property, located north of Bee Ridge Road and 248' ± east of Bond Place, Sarasota County, Florida, to amend the site plan to include a Car Wash in the CG (Commercial, General) zone district; and

WHEREAS, the subject parcel was also granted Special Exception No. 1443 on November 12, 1998, the provisions of which are revised and incorporated here in, and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 15th day of August, 2002, to consider said Special Exception Petition No. 1564, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1564 be granted, and

WHEREAS, this Board, after due public notice, did on the 20th day of November, 2002, 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. 1564 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:

BOARD RECORDS
FILED 11/25/02
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CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

- 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. 1564 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

Begin at the southwest corner of Section 35, Township 36 south, Range 18 east; thence North 89° 42' 19" east along the south line of said section 35 a distance of 1,975.10 feet; thence North 0° 17' 41" west a distance of 30.00 feet to the north right-of-way of Bee Ridge Road and the southeast corner of lot 1198 plat of Sarasota Springs unit #11 as recorded in the Plat Book 8, page 41 Public Records of Sarasota County, Florida; thence North 00° 35' 44" east a distance of 216.48 feet; thence North 89° 42' 19" east a distance of 18.04 feet for a point of beginning; thence North 00° 35' 44" east a distance of 25'; thence North 89° 42' 19" east a distance of 640.85 feet; thence South 00° 33' 33" west a distance of 221.48 feet of the north right-of-way line of Bee Ridge Road per Official Records Book 1504, page 1459 of the Public Records of Sarasota County, Florida; thence South 89° 42' 19" west a distance of 659.02 feet; thence North 00° 35' 44" east a distance of 196.48 feet; thence North 89° 42' 19" east a distance of 18.04 feet to the POINT OF BEGINNING.

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and the same is hereby approved for 1564, 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 occur in substantial compliance with the Development Concept Plan date stamped May 23, 2002 attached hereto as Exhibit A. All landscape buffers shall be in accordance with Section 13.14 of the Zoning Ordinance, including the 20' wide Buffer F shown along the eastern property line. This does not imply or confer any variances from applicable zoning or land development regulations.
2. The 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.

3. Exterior lighting on the site shall be directed only toward the subject Special Exception site and away from adjacent properties and streets. No source of illumination for the subject parcel shall be directly visible from any residence in the abutting residential zone districts.
4. The on-site mesic hammock shall be preserved, as depicted on the Development Concept Plan date stamped May 23, 2002. All activities involving filling, excavating, removing of vegetation (both trees and understory) and storing of materials shall be prohibited within preservation areas, unless written approval is first obtained from the Resource Permitting Division.
5. Outdoor loudspeakers or paging systems shall be prohibited.
6. Facilities shall not operate between 11:00 p.m. to 8:00 a.m. Sunday through Thursday or 12:00 a.m. to 8:00 a.m. on Friday and Saturday.
7. Vehicular access to McIntosh Lane and Piper Place, including construction traffic, shall be prohibited. Additionally, a 3' high hedge shall be planted along McIntosh Lane and Piper Place.

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

PASSED AND DULY ADOPTED this 50th day of November, A.D., 2002.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By

Kara Patterson
Chairman

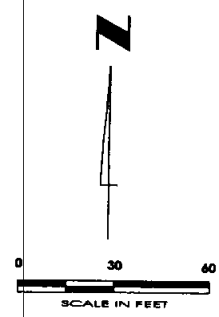
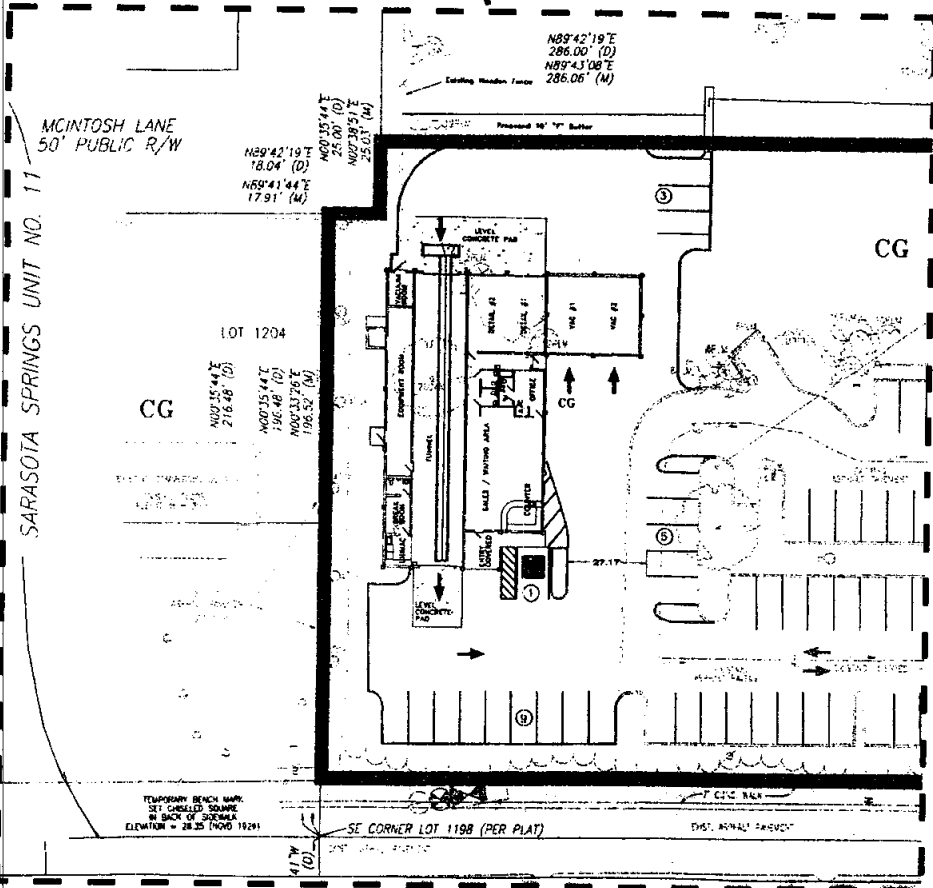
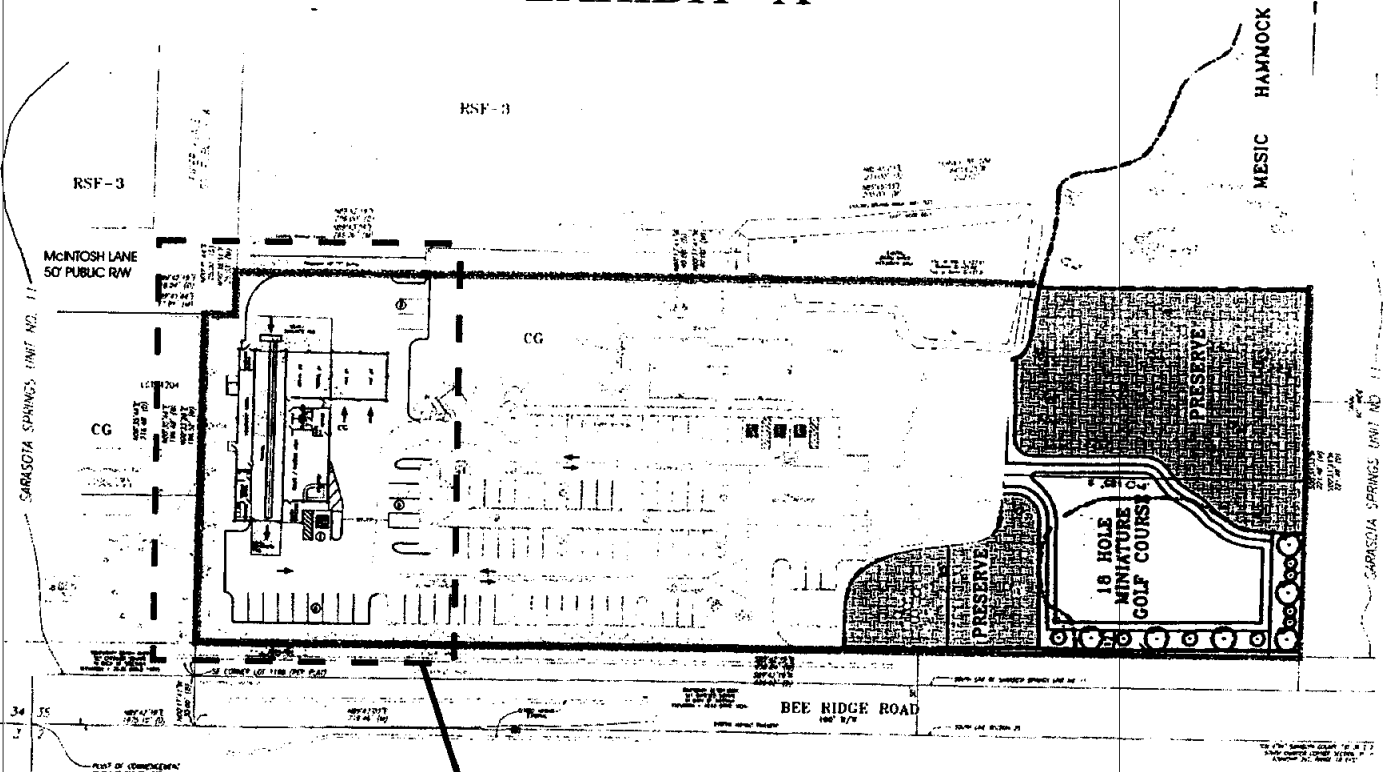
ATTEST:

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

By

Cynthia A. Strata
Deputy Clerk

EXHIBIT "A"



THIS DOCUMENT RECEIVED BY:
GROWTH MANAGEMENT ON
MAY 23, 2002

R2002-320