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INSTRUMENT # 2005206096 6 PGS

2005 SEP 14 10:45 AM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
MMARSH Receipt#6B490



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

Linda Spurling, Administrative Coordinator
Planning Services
1301 Cattlemen Road, Bldg. A
Sarasota, FL 34232

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 4079 Sawyer Court in Sarasota County, Florida, owned by PrimeSite Consulting Group, Inc., and described in Resolution No. 2005-138 attached hereto, to be used for a 165' camouflaged communications tower with accessory equipment in the CI (Commercial Intensive) zone district, pursuant to Special Exception Petition No. 1610 filed by Laura Belflower, Agent, and granted by Sarasota County on July 6, 2005, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

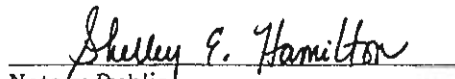
(Stipulations and limitations are those described in Section B of Resolution No. 2005-138, attached hereto)


Hank Epstein, Manager
Planning Services

**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Hank Epstein, Manager, Planning Services, 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 12th day of September, 2005.


Notary Public
State of Florida at Large

This instrument prepared by: les



Shelley E. Hamilton
MY COMMISSION # DD233335 EXPIRES
August 14, 2007
BONDED THRU TROY FARM INSURANCE, INC.

RESOLUTION NO. 2005- **138**
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1610

2005 JUL -7 PM 4:14
CLERK OF COUNTY
SARASOTA COUNTY
BOARD RECORDS
FILED FOR RECORD

WHEREAS, Laura Belflower, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1610 requesting that a special exception be granted to allow the property located at 4079 Sawyer Court, Sarasota County, Florida, to be used for a 165' camouflaged communications tower with accessory equipment in the CI (Commercial Intensive) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 2nd day of June, 2005, to consider said Special Exception Petition No. 1610, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1610 be **GRANTED**, and

WHEREAS, this Board, after due public notice, did on the 6th day of July, 2005, 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. 1610 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 proposed use is consistent with the intent, goals, objectives, policies, guiding principles and programs of the Comprehensive Plan;

5. The proposed use is compatible with the existing land use pattern and designated future uses;

6. 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;

7. 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;

8. The proposed use will be adequately buffered to effectively separate traffic, visual impact and noise from existing or intended nearby uses;

9. The subject parcel is adequate in shape and size to accommodate the proposed use; and

10. The ingress and egress to the subject parcel and internal circulation will not adversely affect traffic flow, safety or control.

B. Special Exception Petition No. 1610 is hereby **GRANTED** for the following described property, said property being in Sarasota County, Florida, to-wit:

The legal description of said property in Sarasota County, Florida being: 4079 Sawyer Court, being more particularly described as follows: BEGIN AT THE NW CORNER OF LOT 6, BLOCK 1, BEE RIDGE FARMS SUBDIVISION, SECTION 3, TWP. 37 S., RGE. 18 E., AS RECORDED IN PLAT BOOK A, PAGE 40, SARASOTA COUNTY, RECORDS, SAID POINT BEING 24.00 FEET EAST OF THE CENTERLINE OF SAWYER ROAD; THENCE DUE EAST ALONG THE NORTH LINE OF SAID LOT 6, 294.75 FEET TO THE POINT OF BEGINNING; THENCE DUE EAST 135.00 FEET; THENCE DUE SOUTH 110.00 FEET; THENCE DUE WEST 25.00 FEET; THENCE DUE SOUTH 10.00 FEET; THENCE DUE WEST 110.00 FEET; THENCE DUE NORTH 120.00 FEET TO THE POINT OF BEGINNING.

and the same is hereby approved for 1610, 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 February 23, 2005. This does not imply or confer any variances from applicable zoning or land development regulations.
2. The transmission tower shall be of camouflage construction to resemble a flagpole and shall not exceed 165' in height. Any increase in height pursuant to Section 118-35 of the Transmission Tower Code, Article II, Chapter 118, Sarasota County Code, shall require the processing of a Special Exception.


3. Wetland mitigation shall be in accordance with existing Land Development Regulations.
4. 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.

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

PASSED AND DULY ADOPTED this 6th day of JULY, 2005.

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.

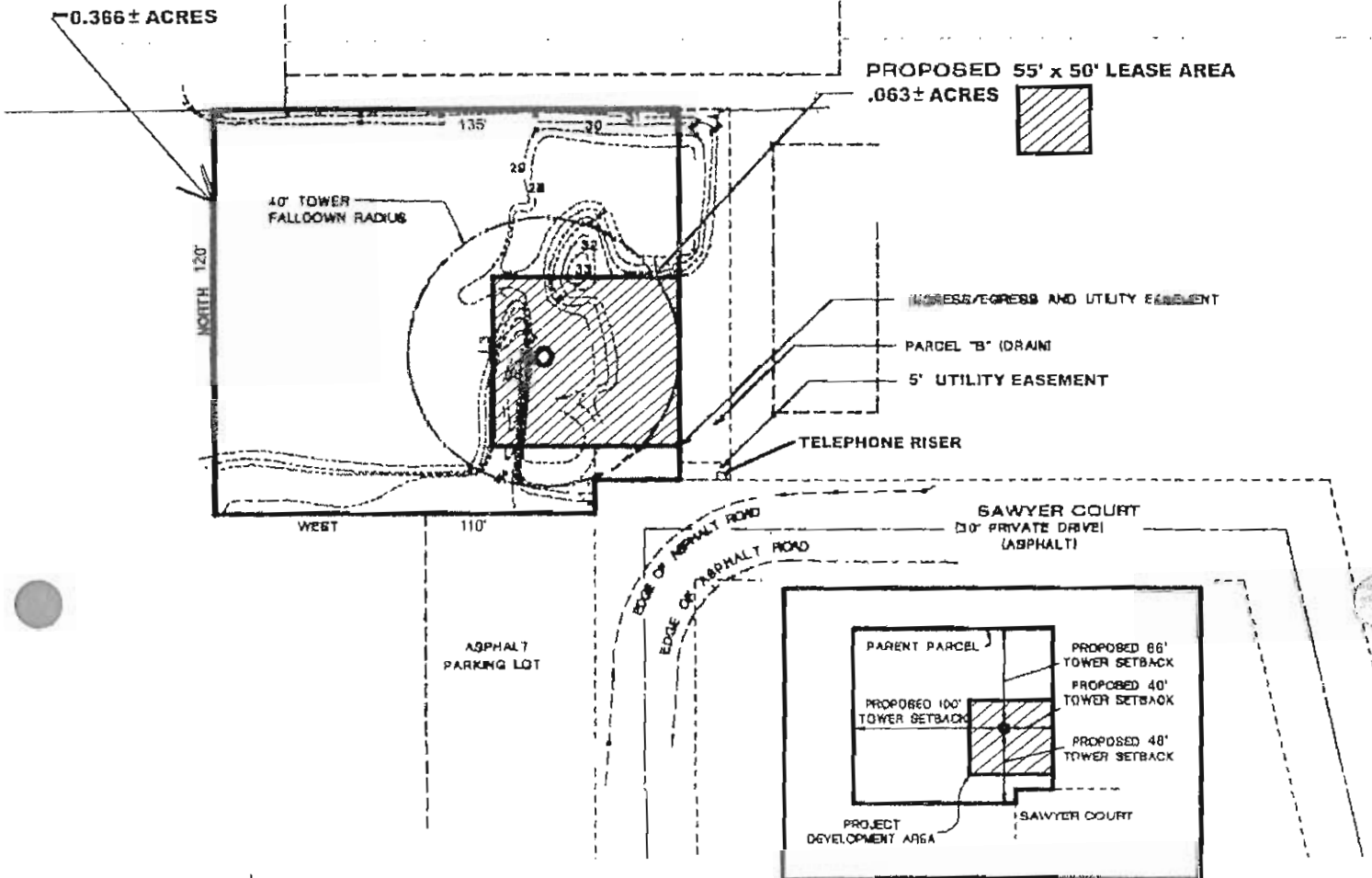
By


Deputy Clerk

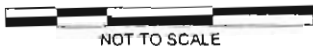
MAP SERIES/CONCEPT PLAN

EXHIBIT "A"

"PARENT TRACT"



THIS DOCUMENT RECEIVED BY:
PLANNING SERVICES ON
FEBRUARY 23, 2005



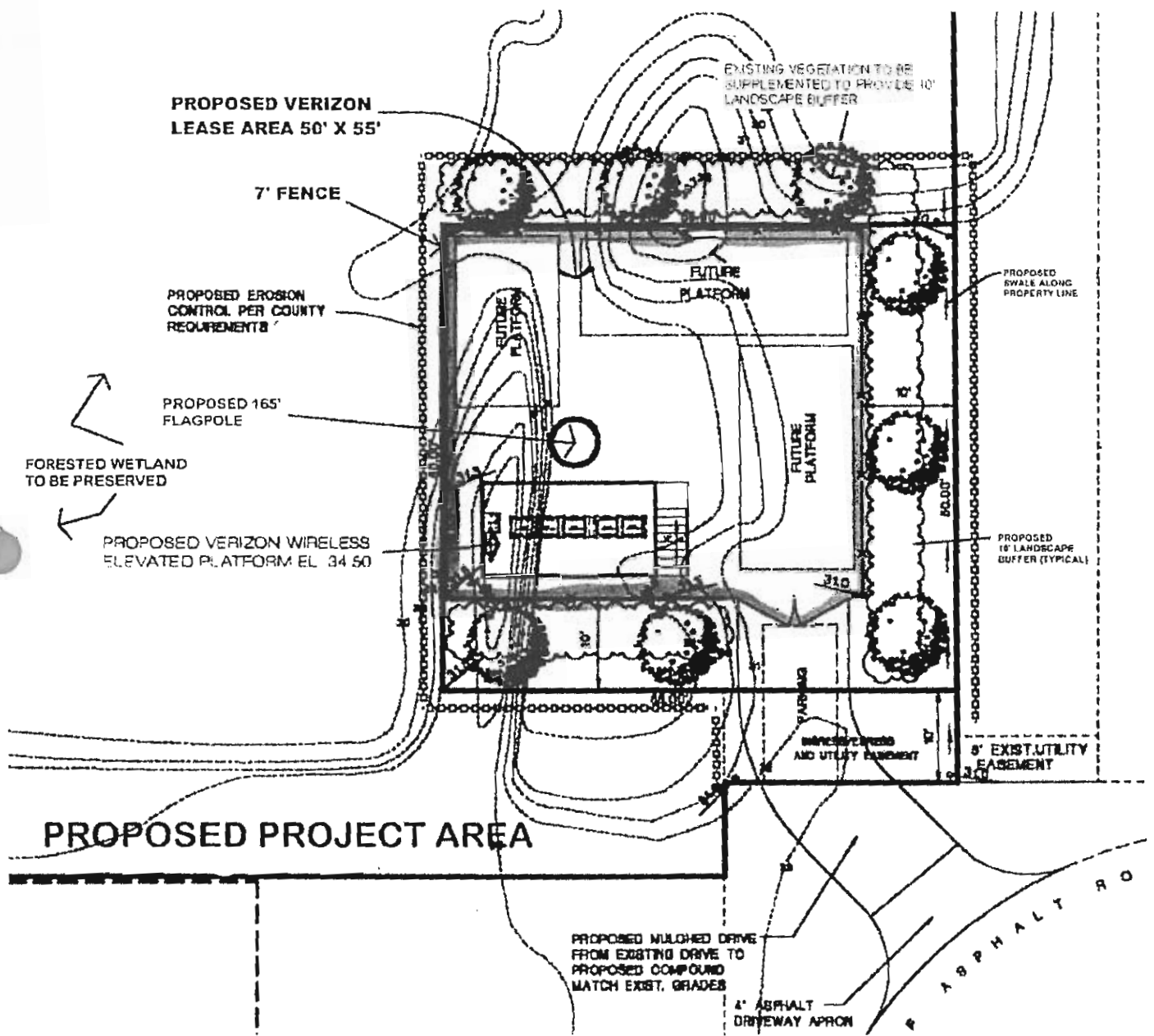
1610

- GENERAL NOTES:
1. EXISTING USE: VACANT INDUSTRIAL
 2. PROPOSED USE: UNMANNED CAMOFLAGED TELECOMMUNICATION TOWER AND RELAY EQUIPMENT.
 3. WATER & SEWER SERVICE IS NOT REQUIRED.
 4. TRAFFIC GENERATION: 1 VISIT PER MONTH PER CARRIER.
 5. TOWER SHALL NOT INTERFERE WITH NORMAL RADIO AND TELEVISION RECEPTION IN THE VICINITY.
 6. PROPOSED TOWERS SHALL COMPLY WITH ALL APPLICABLE F.A.A. AND F.C.C. REGULATIONS.
 7. TOWER SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH APPLICABLE PROVISIONS OF STANDARD E.I.A. 711.A, 222-E.
 8. SUBJECT PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE "X" ACCORDING TO F.I.R.M. COMMUNITY PANEL NUMBER 125144 0161E, DATED SEPTEMBER 3, 1992.
 9. TOWER COORDINATES: NAD 83
LATITUDE 27 17'48.288"N
LONGITUDE 82 29'16.739"W
 10. SITE SURVEY DATE TAKEN FROM SURVEY PERFORMED BY ADVANCED LAND SURVEYING & MAPPING, DATED 9-29-2003, NO. 147-0030
REVISED 3-5-2004

- SITE DATA:
1. EXISTING ZONING: CI
 2. PARENT TRACT AREA: 0.366 ACRES
 3. PROJECT DEVELOPMENT AREA: 0.063 ACRES
EASEMENT AREA: 0.006 ACRES
TOTAL DEVELOPED AREA: 0.069 ACRES
 4. OWNER: PRIMESITE CONSULTING GROUP, INC.
11007 N. 55TH ST., SUITE 209 PMPA, FL 33617
 5. SITE ADDRESS: 4079 SAWYER COURT, SARASOTA FL 34231
 6. PARCEL NO.: 0070-07-0042
 7. JURISDICTIONS: SARASOTA COUNTY

MAP SERIES/CONCEPT PLAN

EXHIBIT "B"



THIS DOCUMENT RECEIVED BY:
PLANNING AND DEVELOPMENT SERVICES
FEBRUARY 23, 2005

R 2005-138