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INSTRUMENT # 2005136306 6 PGS
2005 JUN 23 10:42 AM

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
MMARSH Receipt#645658

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 west of Bounty Drive and 500' south of Post Road in Sarasota County, Florida, owned by P. W. Golf Management Inc., and described in Resolution No. 2005-109 attached hereto, to construct an 85' camouflaged monopole transmission tower (flagpole) in the RE-1 (Residential Estate, 1 unit/2 acres) zone district, pursuant to Special Exception Petition No. 1614 filed by Laura Belflower, Agent, and granted by Sarasota County on June 8, 2005, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

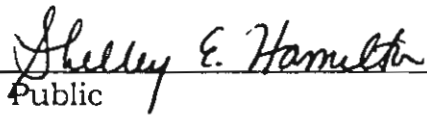
(Stipulations and limitations are those described in Section B of Resolution No. 2005-109, attached hereto)


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 21st
day of June, 2005.


Notary Public
State of Florida at Large

This instrument prepared by: les



Shelley E. Hamilton
MY COMMISSION # DD23335 EXPIRES
August 10, 2007
BONDED THRU TROY FAH INSURANCE INC

BOARD RECORDS
FILED FOR RECORD

2005 JUN -8 PM 3:00

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

RESOLUTION NO. 2005- 109
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1614

WHEREAS, Laura Belflower, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1614 requesting that a special exception be granted to allow the property, located 7302 Bounty Drive, Sarasota County, Florida, to be used for camouflage communications tower in a RE-1 (Residential Estate, 1du/2acres) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 5th day of May, to consider said Special Exception Petition No. 1614, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1614 be granted, and

WHEREAS, this Board, after due public notice, did on the 8th day of June, 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. 1614 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. 1614 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:
WEST OF BOUNTY DR. AND 500' S. OF POST RD., SARASOTA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(PARENT TRACT) (BY OTHERS)

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.

(PROPOSED NEXTEL LEASE AREA) (AS REQUESTED)

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 S01°05'38"W ALONG THE EAST LINE OF SAID TRACT "A", A DISTANCE OF 22.59 FEET; THENCE N89°26'09"W, A DISTANCE OF 298.34 FEET; THENCE S85°44'55"W. A DISTANCE OF 79.54 FEET; THENCE S00°00'00"E, A DISTANCE OF 12.63 FEET; THENCE N90°00'00"E. A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE S00°00'00"E, A DISTANCE OF 30.00 FEET; THENCE N90°00'00"W, A DISTANCE OF 40.00 FEET; THENCE N00°00'00"W. A DISTANCE OF 30.00 FEET; THENCE N90°00'00"E, DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.

and the same is hereby approved for 1614, 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 December 20, 2004, and attached hereto as Exhibit "A" and "B". 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 85' 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. The Owner shall be required to maintain the appearance 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 8th day of June, 2005.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By

Paul H. Meeker
Chair

ATTEST:

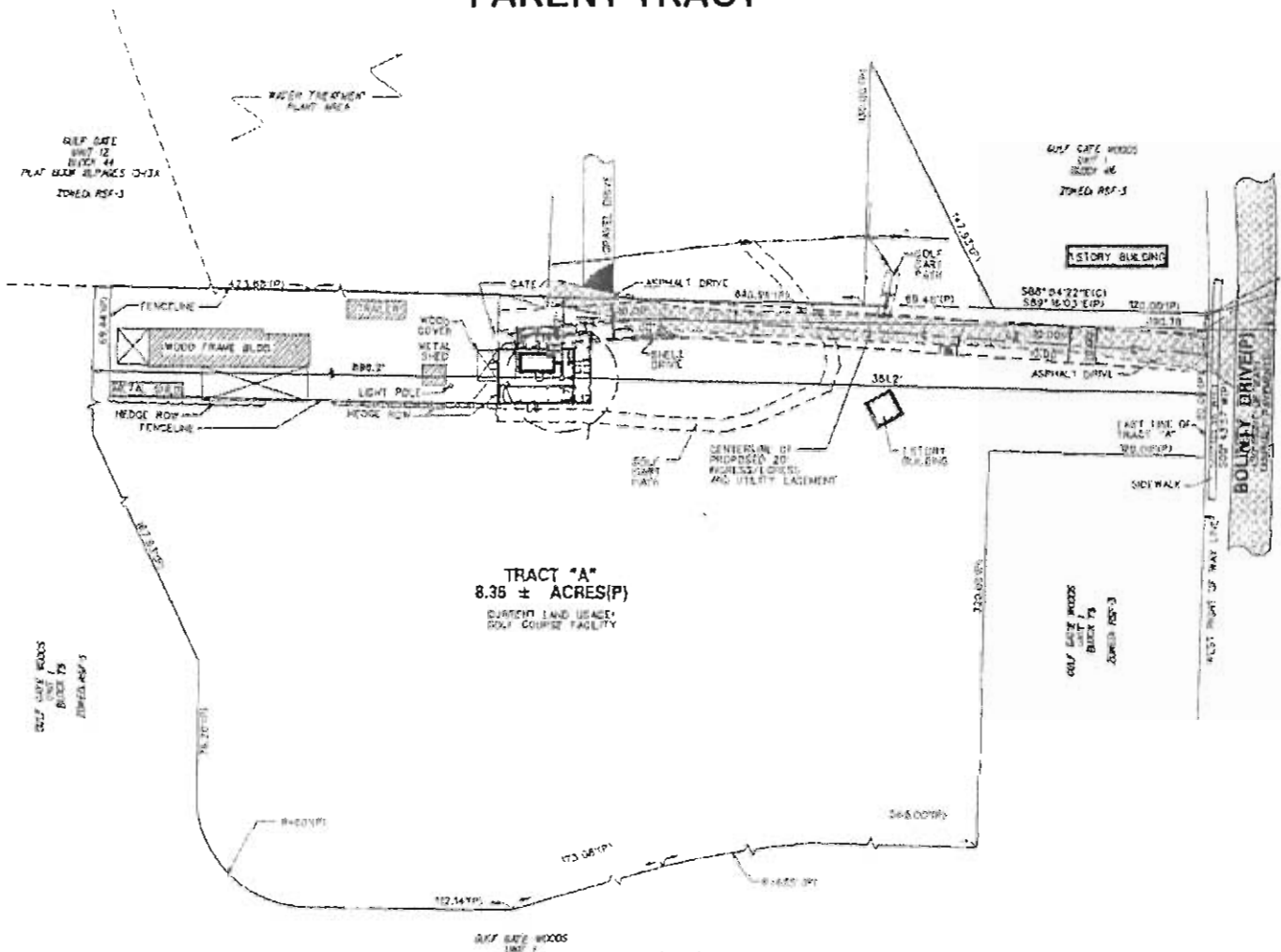
KAREN E. RUSHING, Clerk
of Circuit Court and ex officio
Clerk of the Board of County
Commissioners of Sarasota
County, Florida.

By

Deputy Clerk

MAP SERIES/CONCEPT PLAN EXHIBIT "A"

"PARENT TRACT"



SITE DATA

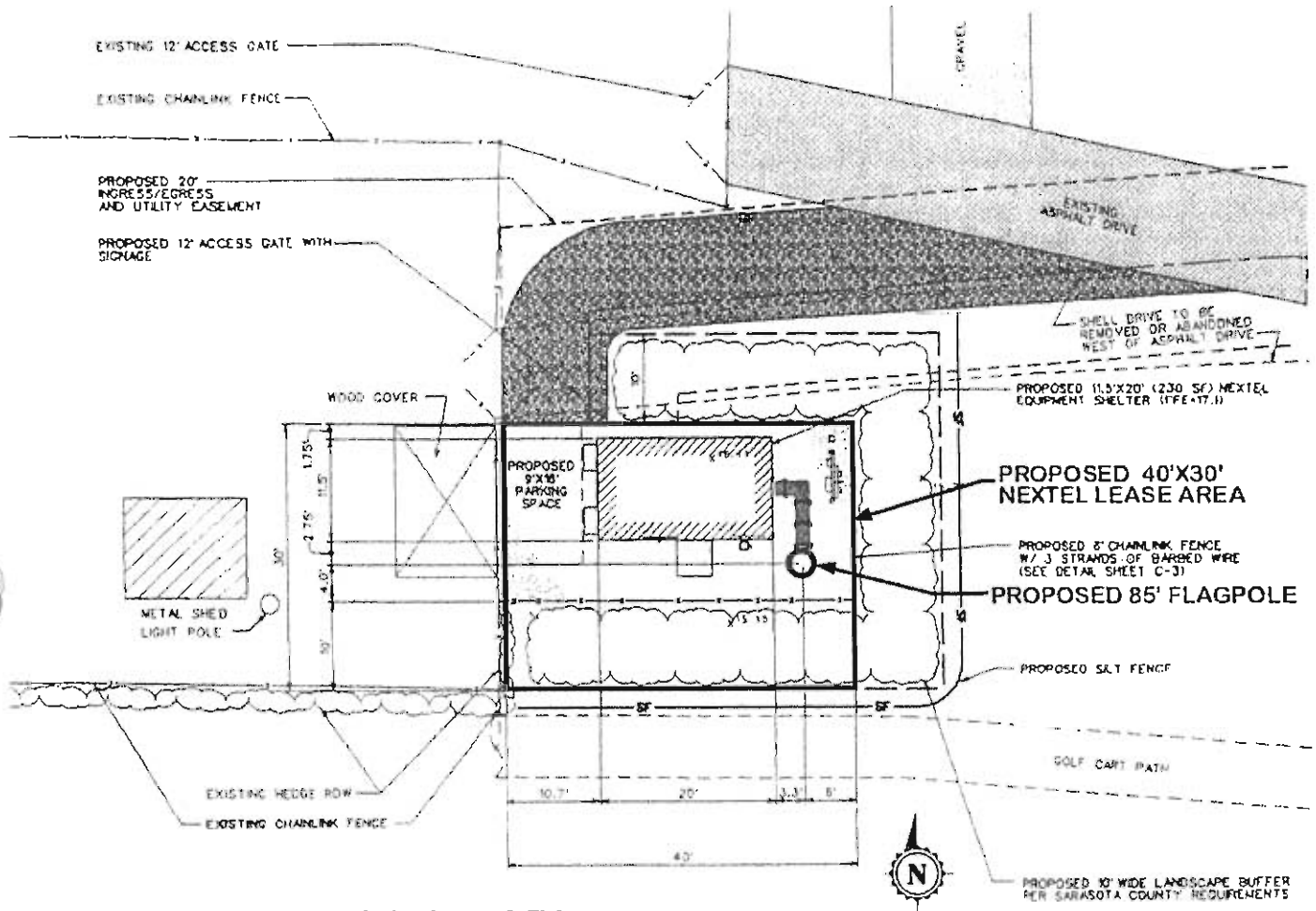
- ZONING : RE-1
 FOLIO NUMBER : 0111-03-0050
 LEASE PARCEL AREA : .03 ACRES (±)
 LEASE AREA: 1200 SF
 COMPOUND AREA: 800 SF
 PROPOSED IMPERVIOUS AREA: 270.0 SF (±)
 BUILDING AREA RATIO: 0.0008%
 GROSS FLOOR AREA: 230.0 SF
 OWNER : P.W. GOLF MANAGEMENT
 2550 BISPHAM ROAD
 FOLIO NUMBER : 0111-03-0050
 P.O.C. TOM LOSSMAN
 (941) 922-6773 OR (941) 921-5515
 JURISDICTION: SARASOTA COUNTY BUILDING DEPARTMENT
 2001 ADAMS LANE
 SARASOTA, FLORIDA 34237
 (941) 951-5850
 APPLICANT: NEXTEL SOUTH CORPORATION
 4710 EISENHOWER BLVD., D-1
 TAMPA, FLORIDA 33634
 (813) 806-4000



THIS DOCUMENT RECEIVED BY:
 PLANNING AND DEVELOPMENT SERVICES
 DECEMBER 20, 2004

R2005-109

MAP SERIES/ENLARGED CONCEPT PLAN EXHIBIT "B"



**PROPOSED PROJECT AREA
DETAIL SITE PLAN**