

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

Susan Carleton, Administrative Coordinator

✓ Planning Services

1660 Ringling Blvd., 1st Floor
Sarasota, FL 34236

Charge to: Planning Services

Account# 51800100500489

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

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2006150030 5 PGS
2006 AUG 18 05:33 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CEAGLETO Receipt#819757



The following property, located approximately two miles south of Clark Road and east of I-75, in Sarasota County, Florida, owned by Charlie Dean Towers, Inc., and described in Resolution No. 2006-055 attached hereto, to allow the property to be used for a 199' monopole telecommunications tower with accessory equipment in the OUE-1 (Open Use Estate, 1 unit/5 acres) zone district, pursuant to Special Exception Petition No. 1630 filed by Charlie Dean Towers, Inc., Agent, and granted by Sarasota County on March 15, 2006, 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. 2006-055, attached hereto)



Crystal Allred, Acting Manager
Planning Services

**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Crystal Allred, Acting 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 she acknowledged before me that she executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 17th day of ~~July~~, 2006.

August


Notary Public
State of Florida at Large

This instrument prepared by sfc



Cynthia A. Kusner
Commission #DD308088
Expires: May 22, 2008
Bonded Thru
Atlantic Bonding Co., Inc.



BOARD RECORDS
FILED FOR THE RECORD

**RESOLUTION NO. 2006-055
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1630**

2006 MAR 17 PM 4:14

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL

WHEREAS, Charlie Dean, agent for Charlie Dean Towers and lessee for the hereinafter described real property has filed Special Exception Petition No. 1630 requesting that a special exception be granted to allow the property, located approximately two miles south of Clark Road and east of I-75, Sarasota County, Florida, to be used for a 199' monopole telecommunications tower with accessory equipment in a OUE-1 (Open Use Estate, 1 unit per 5 acres) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 16th day of February, 2006, to consider said Special Exception Petition No. 1630, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1630 be granted, and

WHEREAS, this Board, after due public notice, did on the 15th day of March, 2006, 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. 1630 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. 1630 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:
A PORTION OF SECTIONS 24 AND 25, TOWNSHIP 37 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, AS DESCRIBED BELOW:
THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24 THAT LIES EASTERLY OF THE EASTERLY LINE OF STATE ROAD 93 (INTERSTATE 75) AND THAT PART OF THE SOUTHEAST QUARTER OF SECTION 24 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 25 THAT LIES EASTERLY OF THE EASTERLY LINE OF STATE ROAD 93 (INTERSTATE 75). THE NORTH 645 FEET OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 25 THAT LIES EASTERLY OF THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 93 (INTERSTATE 75). THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 93 (INTERSTATE 75) IS AS DESCRIBED WITHIN THE ORDER OF TAKING OF LIMITED ACCESS RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 1136, STARTING ON PAGE 1302, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

and the same is hereby approved for a 199' monopole telecommunications tower with accessory equipment, 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.

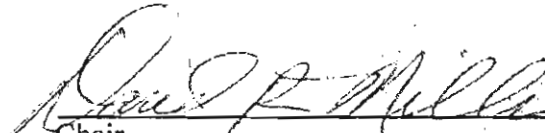
1. Development shall take place in substantial compliance with the Development Concept Plan date stamped February 22, 2006 and attached hereto as Exhibit "A". This does not imply or confer any variances from applicable zoning or land development regulations.

2. The transmission tower shall be of monopole construction with flush mount antennas only, with exception given to County services, and shall not exceed 199' 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 new special exception.

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

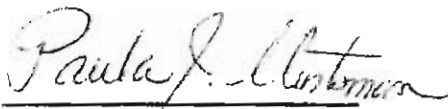
PASSED AND DULY ADOPTED this 15th day of March, 2006.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By: 
Chair

ATTEST:

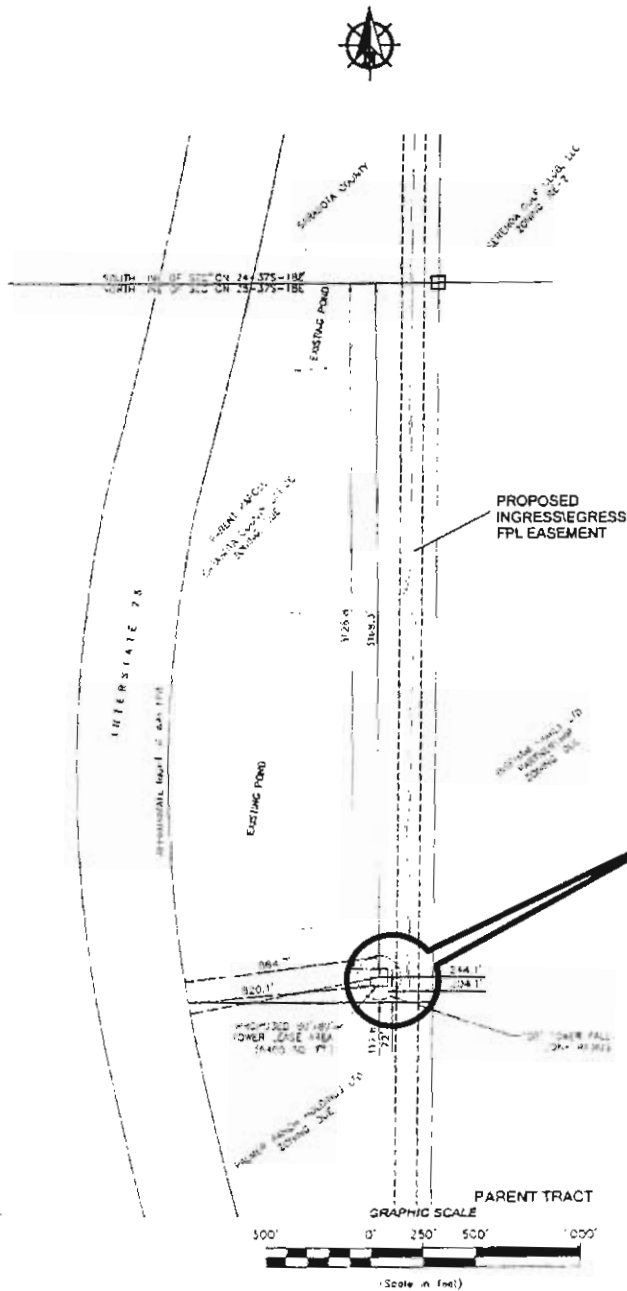
KAREN E. RUSHING, Clerk
of Circuit Court and ex officio
Clerk of the Board of County
Commissioners of Sarasota
County, Florida.

By: 
Deputy Clerk



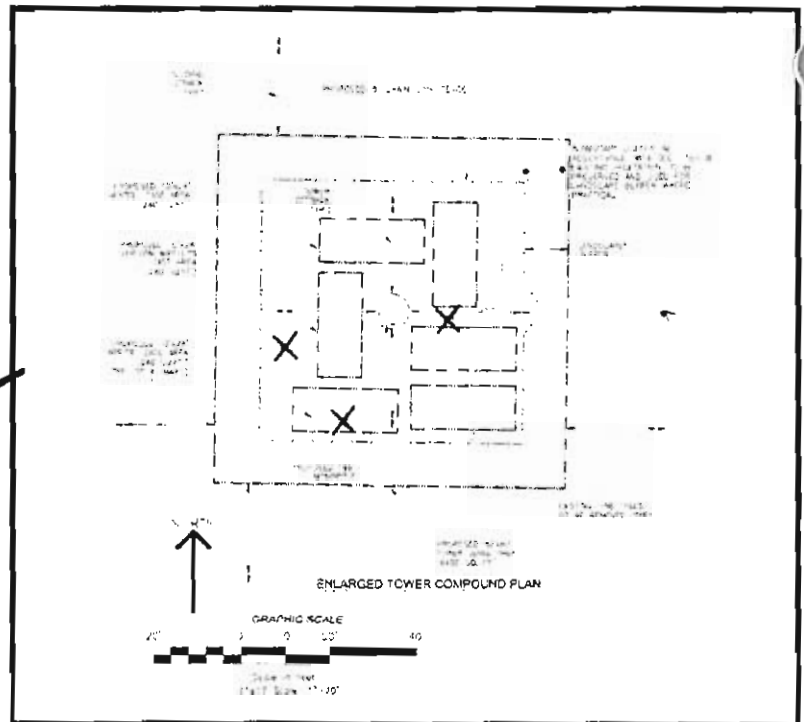
DEVELOPMENT CONCEPT PLAN (BINDING)

EXHIBIT A



SITE DATA

- 1) TOWER FALL RADIUS SHALL BE 100'.
- 2) TOWER SHALL BE DESIGNED FOR SIX (6) CARRIERS.
- 3) TOWER SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF EIA/TIA 222-F STANDARDS.
- 4) TOWER SHALL NOT BE ARTIFICIALLY LIGHTED.
- 5) TOWER SHALL BE PAINTED WHITE.
- 6) PROJECT SHALL HAVE LESS THAN 2,000 SQ. FT. OF IMPERVIOUS COVERAGE.
- 7) NO WATER, WASTEWATER OR SOLID WASTE DISPOSAL REQUIRED.
- 8) VEHICULAR TRAFFIC IS ONE TRIP PER MONTH PER CARRIER.



THIS DOCUMENT RECEIVED BY:
PLANNING SERVICES ON
FEBRUARY 22, 2005
1630