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Please record and return to: (Via Inter-Office Mail)
Susan F. Carleton, Administrative Coordinator
Planning Services
1660 Ringling Blvd., 1st Fl.
Sarasota, FL 34236

KAREN E. ROSAING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
GEURCH Receipt#888460

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 on the south side of Fruitville Road, at 7140 Fruitville Road in Sarasota County, Florida, owned by Brahim and Kim El Menani, and described in Resolution No. 2007-038 attached hereto, to allow the continuation and expansion of a farm/produce stand in the OUE-1 (Open Use Estate, 1 unit/5 acres) zone district, pursuant to Special Exception Petition No. 1631 filed by Peter Dailey, Agent, and granted by Sarasota County on February 14, 2007, 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. 2007-038, attached hereto)

Crystal Allred, Manager
Planning Services

**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Crystal Allred, 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 22nd day of February, 2007.



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

Notary Public
State of Florida at Large

This instrument prepared by sfc

BOARD RECORDS
FILED FOR RECORD

2007 FEB 20 PM 3: 23

RESOLUTION NO. 2007- 038
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1631

WARREN E. BUSHING
CLERK OF CIRCUIT COURT

WHEREAS, Peter Dailey, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1631 requesting that a special exception be granted to allow the continuation and expansion of a farm/produce stand, located on the south side of Fruitville Road, at 7140 Fruitville Road, in the OUE-1 zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 7th day of December, 2006, to consider said Special Exception Petition No. 1631, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1631 be granted, and

WHEREAS, this Board, after due public notice, did on the 14th day of February, 2007, 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. 1631 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. 1631 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: located at 7410 Fruitville Road and more particularly described as follows:

THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 20,
TOWNSHIP 36 SOUTH, RANGE 19 EAST;

LESS; BEGIN AT THE NORTHEAST CORNER OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 20, TOWNSHIP 36 SOUTH, RANGE 19 EAST; THENCE RUN SOUTH 00°07' EAST ALONG THE EAST LINE OF SAID SOUTHWEST ¼ OF THE NORTHEAST ¼, 701.39 FEET PASSING THROUGH AN IRON PIPE AT 46.0 FEET; THENCE NORTH 56°26'30" WEST, 521.27 FEET; THENCE RUN NORTH 00°07' WEST, 422.02 FEET TO THE NORTH LINE OF SAID SOUTHWEST ¼ OF THE NORTHEAST ¼ PASSING THROUGH A CONCRETE MONUMENT AT 379.2 FEET; THENCE RUN SOUTH 88°50' EAST ALONG SAID NORTH LINE, 433.5 FEET TO THE POINT OF BEGINNING, LESS THE RIGHT OF WAY FOR STATE ROAD 780 AND BEING IN SECTION 20, TOWNSHIP 36 SOUTH, RANGE 19 EAST.

LYING WITHIN 50 FEET OF THE SURVEY LINE OF STATE ROAD 780, SECTION 107040. SAID SURVEY LINE BEING DESCRIBED AS FOLLOWS:

BEGIN ON THE WEST BOUNDARY OF SECTION 20, TOWNSHIP 36 SOUTH, RANGE 19 EAST, AT A POINT 1309.40 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 20, RUN THENCE SOUTH 88°15'2" EAST 2239.03 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHERLY, HAVING A RADIUS OF 5729.58 FEET; THENCE EASTERLY ALONG SAID CURVE 116.11 FEET THROUGH A CENTRAL ANGLE OF 01°09'40" TO THE END OF SAID CURVE, THENCE SOUTH 89°25'06" EAST, 1753.55 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHERLY HAVING A RADIUS OF

5729.58 FEET, THENCE EASTERLY ALONG SAID CURVE 137.22 FEET THROUGH A CENTRAL ANGLE OF 01°22'20" TO END OF SAID CURVE, THENCE SOUTH 88°02'46" EAST 1112.13 FEET TO THE EAST BOUNDARY OF SAID SECTION 20, AT A POINT 1281.95 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SECTION 20.

LESS EXISTING RIGHTS-OF-WAY.

LESS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST ¼ OF SECTION 20, TOWNSHIP 36 SOUTH, RANGE 19 EAST FOR THE POINT OF BEGINNING; THENCE NORTH, 414.00 FEET, PASSING THROUGH A 3 INCH CAPPED IRON PIPE AT 50 FEET; THENCE SOUTH 88°39' EAST AND PARALLEL TO THE SOUTH LINE OF SAID NORTHEAST ¼, 523.43 FEET; THENCE SOUTH, 414.00 FEET; THENCE NORTH 88°39' WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST ¼ 523.43 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST ¼ AND THE POINT OF BEGINNING, AND LYING IN THE NORTHEAST ¼ OF SECTION 20, TOWNSHIP 36 SOUTH, RANGE 19 EAST.

and the same is hereby approved allow the continuation and expansion of a farm/produce stand 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 accordance with the two-page Development Concept Plan, date-stamped May 30, 2006, except as necessary to comply with the stipulations herein. This does not imply or confer any variances from applicable zoning or land development regulations.
2. Prior to Construction Authorization for any new development on the Development Concept Plan on the subject parcel, it shall be demonstrated that Fruitville Road from East Road to Tatum Road has available transportation facility capacity consistent with the Concurrency Management Regulations (Chapter 94, Article VII, Exhibit A, Sarasota County Code
3. Prior to any development as shown on the Development Concept Plan, the owner shall dedicate 0.785± acres of land for public right-of-way along the northern boundary of the subject parcel on Fruitville Road. The dedication of the right-of-way shall be consistent with the final design plans for the improvements identified in the Capital Improvement Program project #85762 (reconstruction and widening of a 2.4 mile two-lane road segment to a four-lane divided roadway with closed drainage, bike lanes, street lighting, sidewalks and street trees).
4. The westernmost access to the subject parcel shall be restricted to right-in/right-out movements only once Fruitville Road is widened as a four-lane divided roadway.
5. Within 90 days of Board of County Commissioners approval, the applicant shall submit to Resource Protection a resource management plan that will ensure maintenance of the functions and values of onsite native habitats, and the removal of invasive/nuisance and exotic plant species.

6. Within 90 days of Board of County Commissioners approval the Special Exception use, an Arterial Street landscape buffer shall be installed along Fruitville Road. It shall be located south of the future Fruitville Road right of way line.
7. Retail sales shall be limited to and shall only occur in the structure shown on the Concept Plan as Farm Store and proposed store expansion. Retail sales may be allowed in other locations only if allowed in accordance with a temporary use permit.

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

PASSED AND DULY ADOPTED this 14th day of February, 2007.

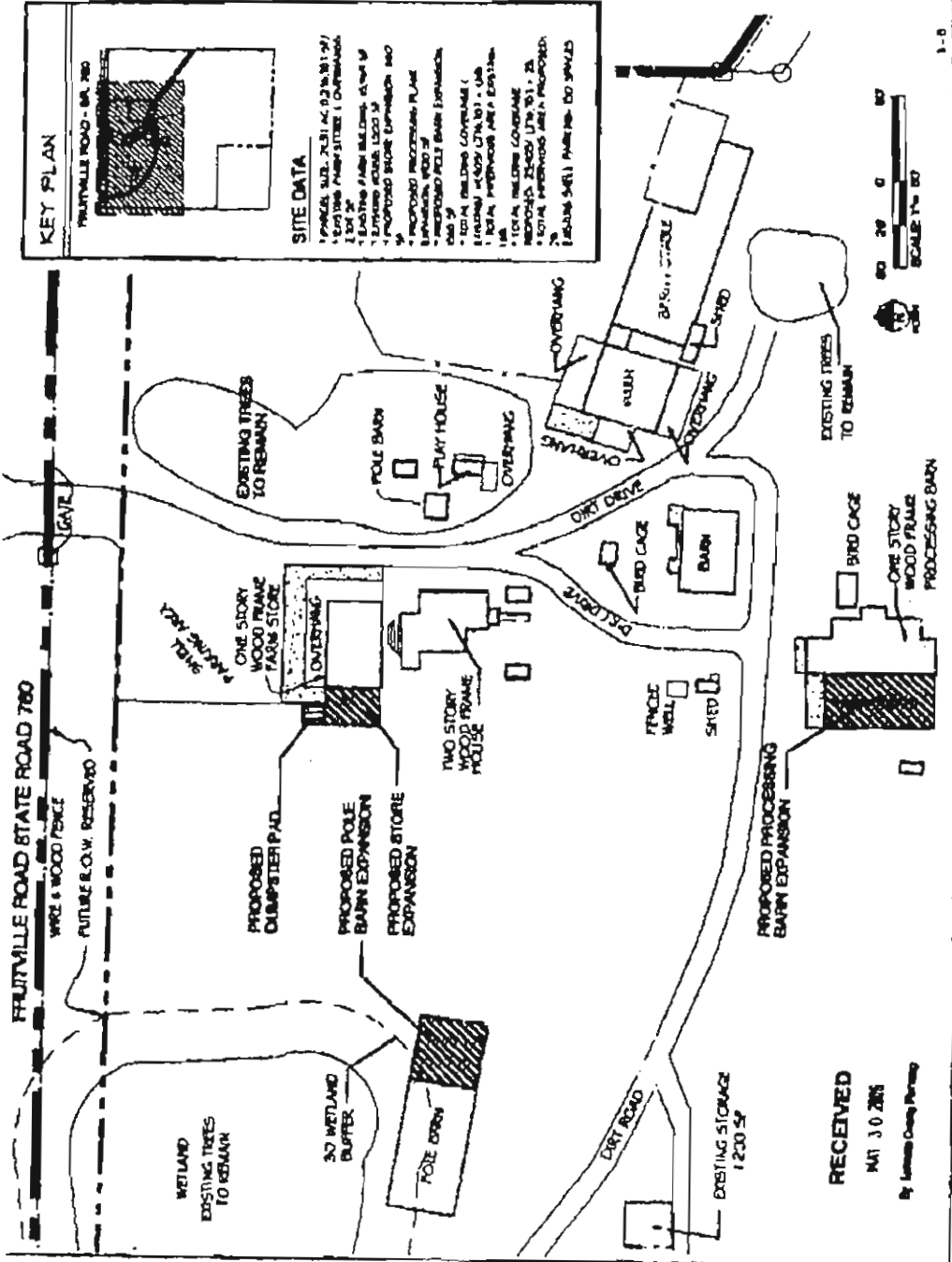
BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By *Nora Patterson*
Chair

ATTEST:

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

By *Paula J. Montman*
Deputy Clerk



KEY PLAN



SITE DATA

- 1. PLOT SIZE: 7.51 AC (23.761197)
- 2. EXISTING FARM STRUCTURE (OUTBUILDING)
- 3. EXISTING POLE BARN (24' x 40')
- 4. EXISTING POLE BARN (24' x 40')
- 5. EXISTING POLE BARN (24' x 40')
- 6. EXISTING POLE BARN (24' x 40')
- 7. EXISTING POLE BARN (24' x 40')
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- 16. EXISTING POLE BARN (24' x 40')
- 17. EXISTING POLE BARN (24' x 40')
- 18. EXISTING POLE BARN (24' x 40')
- 19. EXISTING POLE BARN (24' x 40')
- 20. EXISTING POLE BARN (24' x 40')

RECEIVED
 MAY 30 2015
 By [Signature]