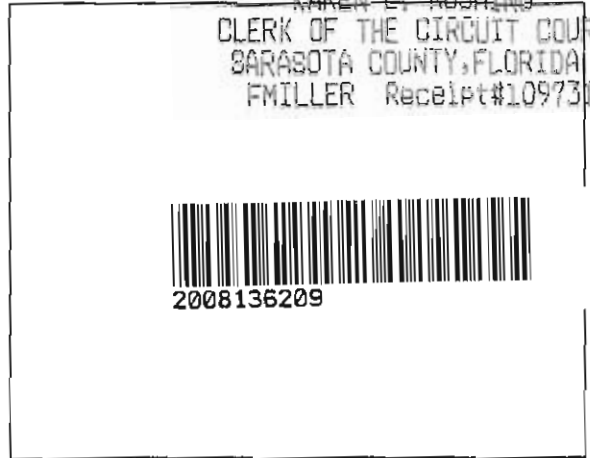


RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2008136209 5 PGS
2008 OCT 13 10:54 AM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
FMILLER Receipt#1097310

Please record and return to: **(Via Inter-Office Mail)**
Carol McConway, Administrative Specialist
Planning Services
1660 Ringling Boulevard ✓
Sarasota, FL 34236

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 south of Rawls Road and approximately 1300 feet west of Myakka Road in Sarasota County, Florida, owned by Victoria E. Scarpinato, and described in Resolution No. 2008-206 attached hereto, to allow the parking, storage, or servicing of vehicles in excess of 6,000 pounds in an OUR (Open Use Rural) zone district, pursuant to Special Exception Petition No. 1670 filed by Stephen D. Rees, Jr., Agent, and granted by Sarasota County on September 24, 2008, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

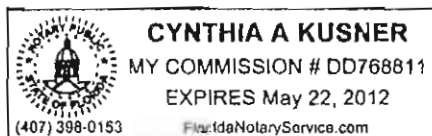
(Stipulations and limitations are those described in Section B of Resolution No. 2008-206, attached hereto)


Crystal Allred
Current Planning Manager

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned Notary Public, personally appeared Crystal Allred, Current Planning Manager, 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 9th day of October, 2008.




Notary Public
State of Florida at Large

This instrument prepared by: cm

2008 SEP 24 AM 11:30

RESOLUTION NO. 2008-206
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1670

KAROL E. BUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY

WHEREAS, Stephen D. Rees, Jr., Agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1670 requesting that a special exception be granted to allow the property located at 15720 Rawls Road, Sarasota, Florida, to be used for the parking, storage, and maintenance of vehicles in excess of 6,000 pounds in an OUR (Open Use Rural, 1 unit/10 acres) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 7th day of August, 2008 to consider said Special Exception Petition No. 1670, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1670 be granted, and

WHEREAS, this Board, after due public notice, did on the 24th day of September, 2008 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. 1670 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 compatible with the existing land use pattern and designated future uses;

5. 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;

6. 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;

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

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

9. 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. 1670 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:

NW ¼ of the NE ¼ of the NE ¼, Section 35, Township 36 South, Range 20 East, lying and being in Sarasota County, Florida.

and the same is hereby approved for Special Exception 1670, 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 May 7, 2008 and attached hereto as Exhibit "A". This does not imply or confer any variances from applicable zoning or land development regulations. Special Exception No. 1393 is terminated as to the area within the Development Concept Plan.
2. Existing vegetation as shown on the Development Concept Plan date stamped May 7, 2008 shall be retained.
3. A maximum of 12 vehicles in excess of 6,000 pounds vehicle empty weight shall be allowed and shall be stored only in the area depicted on the Development Concept Plan date stamped May 7, 2008. These Said vehicles shall not be moved or have the engines running between the hours of 7:00 p.m. and 7:00 a.m.
4. Servicing on the heavy equipment may be performed in an existing agricultural structure on the site. No storage of the equipment shall be allowed within the structure.
5. This Special Exception does not authorize or imply approval of any existing or new underground petroleum storage tank installation.
6. Petroleum storage drums with a capacity of 20 gallons or greater and stationary above ground petroleum storage tanks shall be provided with secondary containment equal to or exceeding 110 percent of the volume of the largest drum or tank within the containment unit. The subject parcel shall contain only one gasoline tank.
7. The subject parcel shall not contain any stationary above ground storage tanks for the purpose of fueling vehicles with a capacity greater than 550 gallons.
8. All vehicle service work involving liquid petroleum products or antifreeze must be performed inside service buildings or barns on an impervious surface utilizing Best Management Practices to preclude or contain incidental spills of pollutants.
9. All waste petroleum products or other hazardous materials shall be disposed of in a manner consistent with local, state and federal regulations.

10. All vehicles shall be kept in a state of repair that will prevent fluid leaks on pervious parking areas in other than trace amounts.

11. No signage and no lighting of the vehicle storage area shall be permitted.

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

PASSED AND DULY ADOPTED this 24th day of September, 2008.

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

R.2008-206



SITE DATA:

SITE AREA: 10.222 ± ACRES

EXISTING USE: RESIDENTIAL / AGRICULTURAL / SPECIAL EXCEPTION FOR PARKING OF VEHICLES IN EXCESS OF 5,000 LBS

PROPOSED USE: RESIDENTIAL / AGRICULTURAL / AMENDED SPECIAL EXCEPTION FOR PARKING OF VEHICLES IN EXCESS OF 8,000 LBS

EXISTING ZONING: OPEN USE RURAL (OUR)

PROPOSED ZONING: OPEN USE RURAL (OUR)

LEGEND



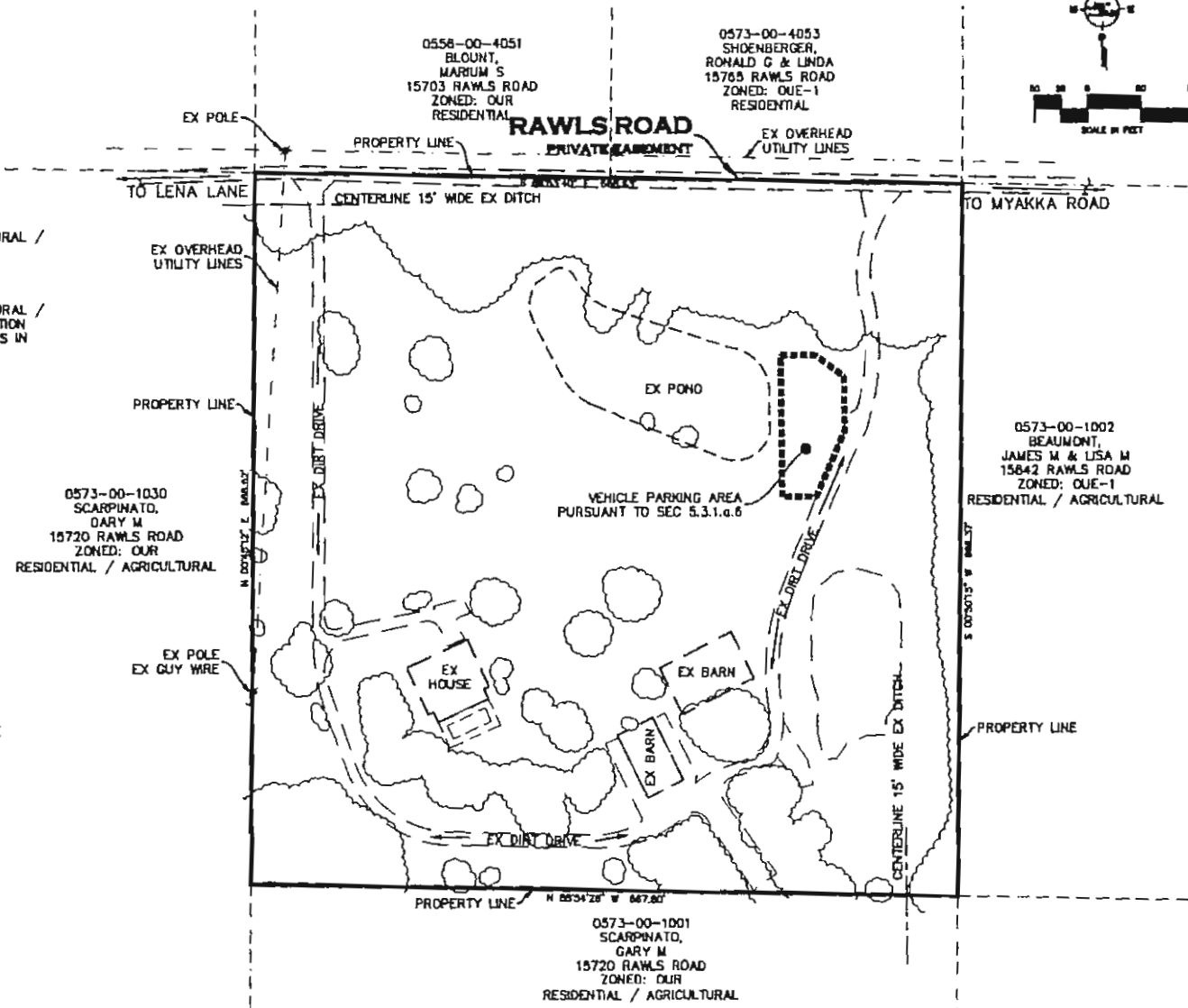
TREE LINE FOR EXISTING TREES AND SHRUBS ON PROPERTY - EXISTING VEGETATION/TREES AND SHRUBS SHALL BE RETAINED.

— PROPERTY LINE

▬ VEHICLE PARKING AREA PURSUANT TO SEC 5.3.1.g.6

- - - EX OVERHEAD UTILITY LINES

NOTE:
THE IMPERVIOUS AREA ONSITE WILL NOT BE INCREASED BY APPROXIMATELY 2,000 SQUARE FEET OR MORE.



0558-00-4051
BLOUNT,
MARRUM S
15703 RAWLS ROAD
ZONED: OUR
RESIDENTIAL

0573-00-4053
SHOENBERGER,
RONALD G & LINDA
15765 RAWLS ROAD
ZONED: OUE-1
RESIDENTIAL

RAWLS ROAD
PRIVATE EASEMENT

0573-00-1002
BEAUMONT,
JAMES M & LISA M
15842 RAWLS ROAD
ZONED: OUE-1
RESIDENTIAL / AGRICULTURAL

0573-00-1030
SCARPINATO,
GARY M
15720 RAWLS ROAD
ZONED: OUR
RESIDENTIAL / AGRICULTURAL

0573-00-1001
SCARPINATO,
GARY M
15720 RAWLS ROAD
ZONED: OUR
RESIDENTIAL / AGRICULTURAL