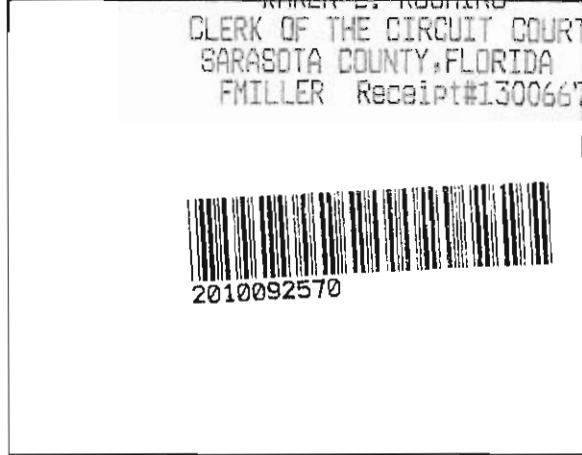


RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2010092570 9 PGG  
2010 JUL 30 10:38 AM  
KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
FMILLER Receipt#1300667

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

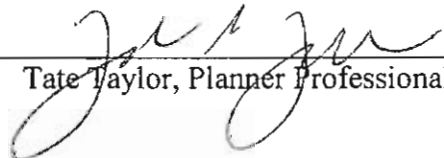
**Charge to: Planning Services**  
**Account# 51800100500489**



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

The following property, located south of Fruitville Road and east of East Road in Sarasota County, Florida, owned by Stephen W. Stottlemeyer, and described in Resolution No. 2010-149 attached hereto, to allow a stormwater pond in a RE-1 (Residential Estate, 1 unit/2 acres) zone district, pursuant to Special Exception Petition No. 1692 filed by Brian Lichterman, Agent, and granted by Sarasota County on July 14, 2010, 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. 2010-149, attached hereto)

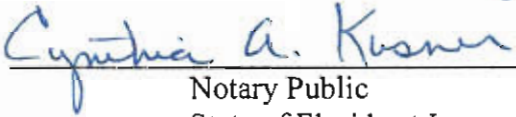
  
Tate Taylor, Planner Professional

**STATE OF FLORIDA  
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Tate Taylor, Planner Professional, 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 28<sup>th</sup> day of July, 2010.



  
Cynthia A. Kusner  
Notary Public  
State of Florida at Large

This instrument prepared by: cm

BOARD RECORDS  
FILED FOR RECORD

JUL 15 PM 1:06

**RESOLUTION NO. 2010-149  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA  
SPECIAL EXCEPTION NO. 1692**

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

WHEREAS, Brian Lichterman, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1692 requesting that a special exception be granted to allow a stormwater pond, located south of Fruitville Road and east of East Road, Sarasota County, Florida, in the proposed RE-1 (Residential Estate, 1 dwelling unit/ 2acres) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 17<sup>th</sup> day of June, 2010, to consider said Special Exception Petition No 1692, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1692 be granted, and

WHEREAS, this Board, after due public notice, did on the 14<sup>th</sup> day of July, 2010, 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. 1692 does make the following findings:

1. The proposed use is consistent with the intent, goals, objectives, policies, guiding principles and programs of the Comprehensive Plan;
2. The proposed use is compatible with the existing land use pattern and designated future uses;
3. 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;
4. 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;
5. The proposed use will be adequately buffered to effectively separate traffic, visual impact and noise from existing or intended nearby uses;
6. The subject parcel is adequate in shape and size to accommodate the proposed use;
7. The ingress and egress to the subject parcel and internal circulation will not adversely affect traffic flow, safety or control.
8. The subject property is adequate to accommodate the height and mass of any proposed structure(s).

B. Special Exception Petition No. 1692 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 15; THENCE ALONG THE SOUTH LINE OF SAID LOT 15, N.88°15'52"W., 325.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15; THENCE ALONG THE WEST LINE OF SAID LOT 15, N.00°21'33"E., 512.20 FEET TO THE SOUTH LINE OF LANDS AS DESCRIBED IN SARASOTA COUNTY ORDINANCE NO. 87-127 FOR A POINT OF BEGINNING OF LAND BEING DESCRIBED; THENCE CONTINUE N.00°21'33"E., 30.77 FEET; THENCE S.88°15'52"E., 325.01 FEET TO THE EAST LINE OF SAID LOT 15; THENCE ALONG SAID EAST LINE, S.00°21'37"W., 30.77 FEET; THENCE N.88°15'52"W., 325.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 9,997.11 SQUARE FEET MORE OR LESS.

and the same is hereby approved for Special Exception 1692, 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.

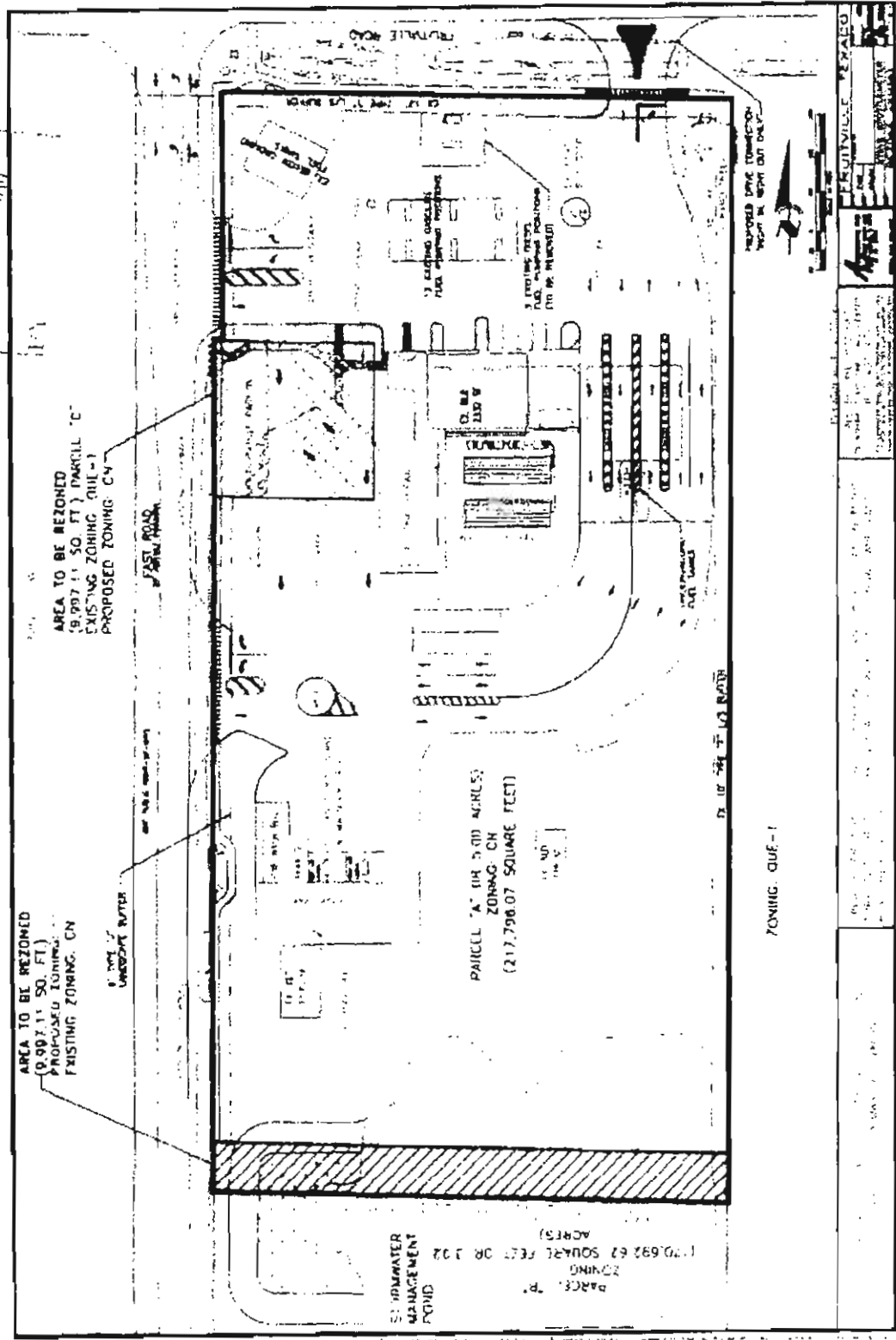
1. Development shall take place in substantial accordance with the Development Concept Plan, date-stamped February 19, 2010, for the approximately 9,997.11 square foot area designated for the Off-Site Stormwater and attached hereto as Exhibit "A", except as necessary to comply with the stipulations herein. This does not imply or confer any variances from applicable zoning or land development regulations. The remaining area of the Development Concept Plan is non-binding.
2. Access to Fruitville Road shall be limited to right-in/right-out or right-out only. The access shall be located no closer than 245 feet east of East Road.
3. If the access to Fruitville Road is constructed as a right-in/right-out access, then the developer/owner shall construct an eastbound to southbound right-turn lane at the subject parcel's access on Fruitville Road. The right-turn lane shall be designed in accordance with Indexes 301 and 526 of the Florida Department of Transportation's Roadway and Traffic Design Standards. The improvements shall be included in the construction plans for the development.
4. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.
5. All stormwater treatment shall be open and above ground.
6. All trees designated by Resource Protection staff as Grand Trees shall be preserved, unless it is determined by staff that the tree(s) may adversely affect the public's health, safety, and welfare.

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



EXHIBIT "A"

11/10/10  
 11/10/10  
 11/10/10



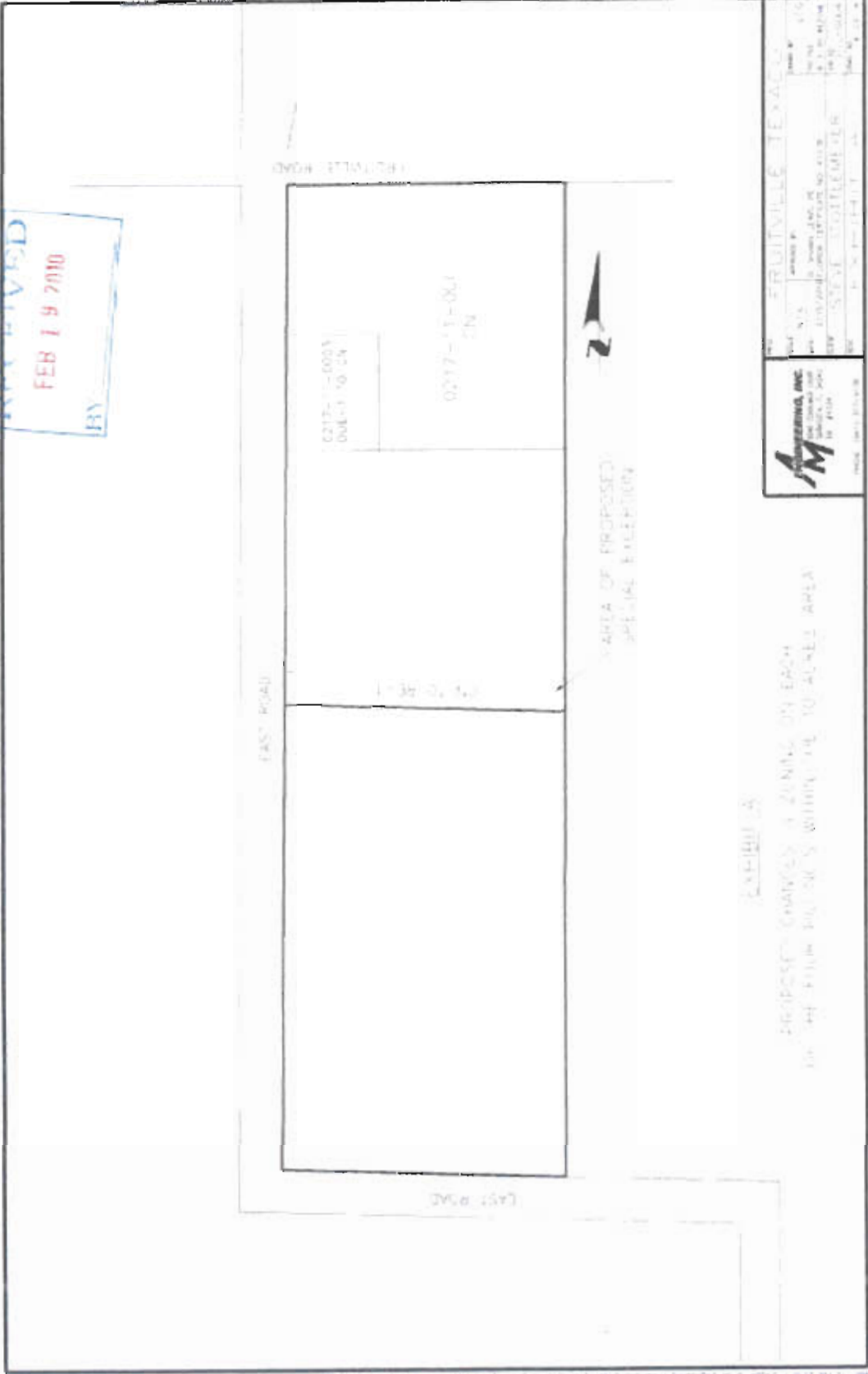
R2010-149





RECORDERS MEMO: Legibility of writing, typing or printing for reproductive purpose may be unsatisfactory in this document when received.

RECEIVED  
FEB 19 2010  
BY



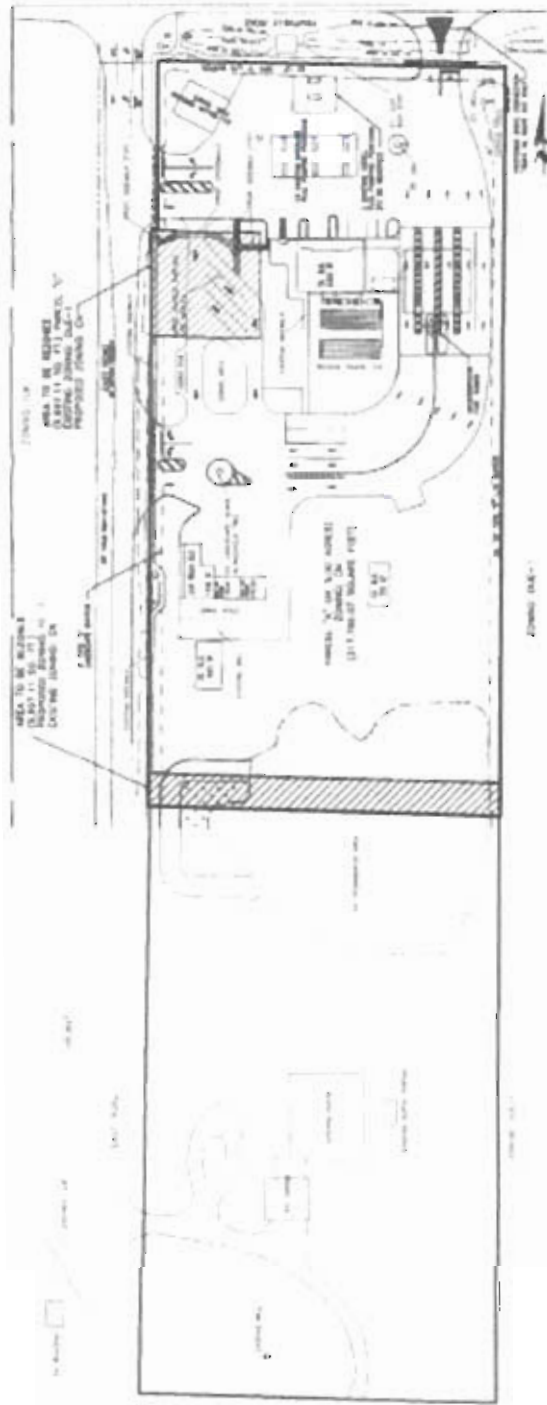
**AMAZING, INC.**  
 10000 N. FRUITVILLE, TEXAS 75448  
 (972) 440-1111  
 WWW.AMAZINGINC.COM

FRUITVILLE, TEXAS

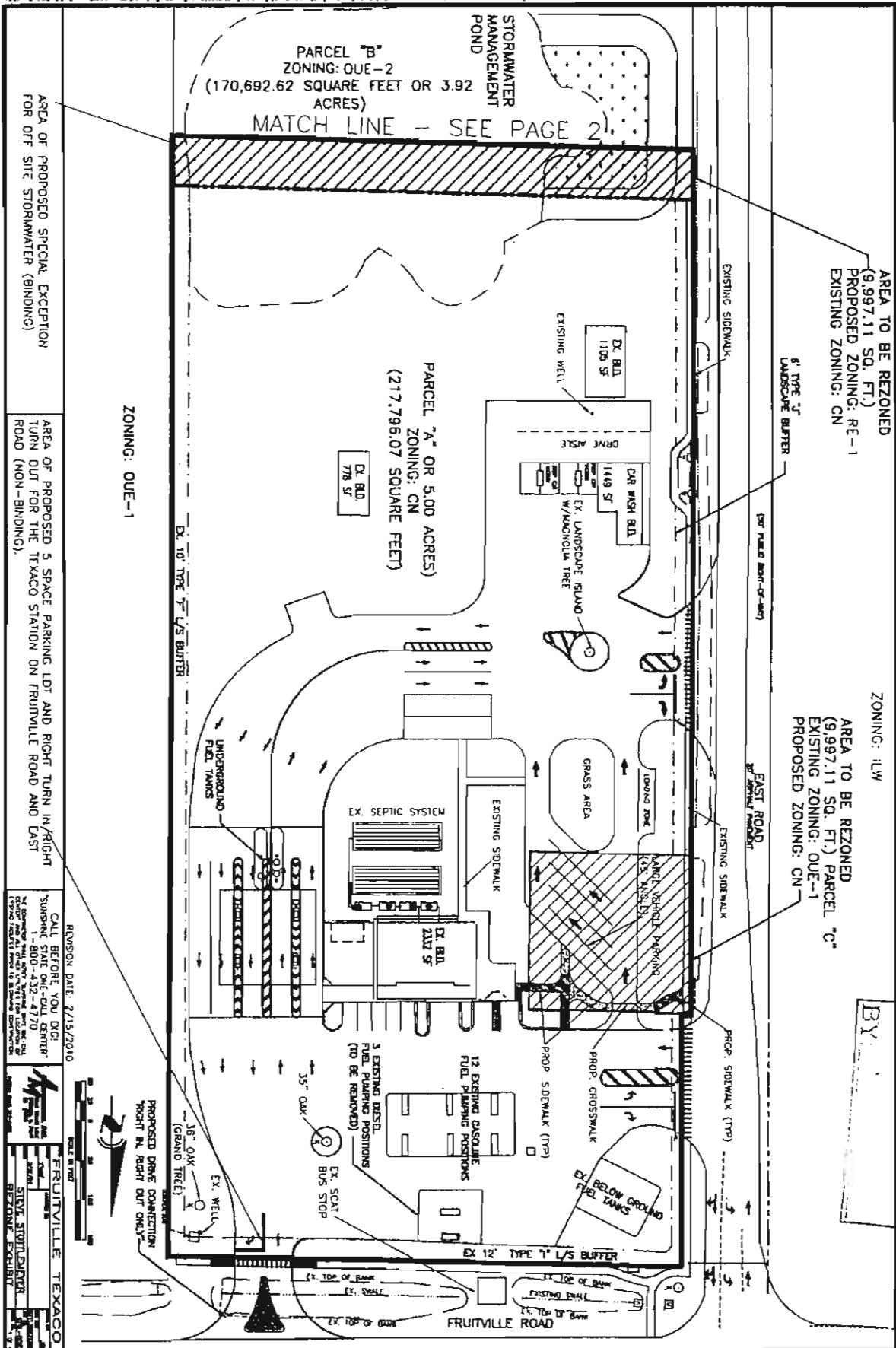
DATE	TIME	BY



RECEIVED  
 FEB 19 2010  
 BY:



PROJECT: [REDACTED]  
 DRAWING NO: [REDACTED]  
 DATE: [REDACTED]  
 DRAWN BY: [REDACTED]  
 CHECKED BY: [REDACTED]  
 APPROVED BY: [REDACTED]



AREA OF PROPOSED SPECIAL EXCEPTION FOR DTF SITE STORMWATER (BINDING)

AREA OF PROPOSED 5 SPACE PARKING LOT AND RIGHT TURN IN/RIGHT TURN OUT FOR THE TEXACO STATION ON FRUITVILLE ROAD AND EAST ROAD (NON-BINDING).

ZONING: OUE-1

AREA TO BE REZONED  
(9,997.11 SQ. FT.)  
PROPOSED ZONING: RE-1  
EXISTING ZONING: CN

ZONING: LW  
AREA TO BE REZONED  
(9,997.11 SQ. FT.) PARCEL "C"  
EXISTING ZONING: OUE-1  
PROPOSED ZONING: CN

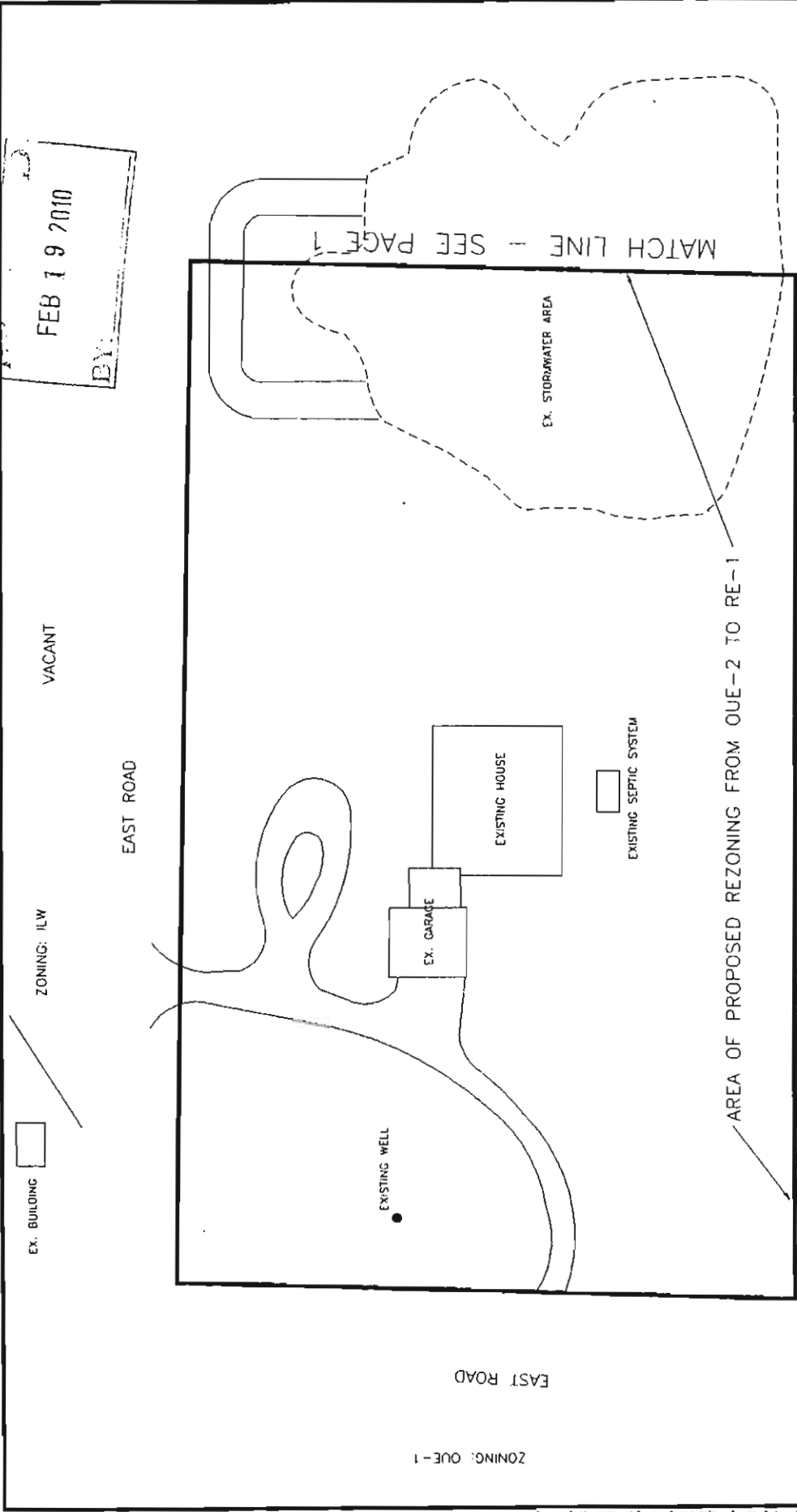
REVISION DATE: 2/15/2010  
CALL BEFORE YOU DIG  
TARRANT STATE ONE-CALL CENTER  
1-800-368-5888  
FOR A COMPLETE LIST OF UTILITIES, VISIT THE WEBSITE  
WWW.CALLBEFOREYODIG.COM

FRUITVILLE TEXACO  
STEVE STOTT-DIRECTOR  
FRUITVILLE TEXACO



PROPOSED DRIVE CONNECTION  
RIGHT IN, RIGHT OUT ONLY  
(GRAND TREE)

BY: [Signature]  
FEB 19 2010



FEB 19 2010

BY:

MATCH LINE -- SEE PAGE 1

EX. STORMWATER AREA

EX. BUILDING

ZONING: ILW

VACANT

EAST ROAD

EXISTING WELL

EX. GARAGE

EXISTING HOUSE

EXISTING SEPTIC SYSTEM

AREA OF PROPOSED REZONING FROM OUE-2 TO RE-1

EAST ROAD

ZONING: OUE-1

ZONING: OUE-1

EX. RETENTION POND

**ENGINEERING, INC.**  
 5100 CONQUER COURT  
 SUITE 100  
 SARASOTA, FL 34240  
 (941) 555-1334

PROJECT: FRUITVILLE, TEXAS  
 DRAWN BY: LCG  
 DATE: 2/15/2010  
 CLIENT: STEVE STOTTLEMEYER  
 SHEET NO: 2 OF 4

RECEIVED

FEB 19 2010

SITE DATA:

BY:

PROPERTY OWNER:  
STEPHEN W. AND THERESA STOTTLEMEYER  
65 EAST ROAD  
SARASOTA, FLORIDA 34240

BUSINESS OWNER:  
STEVE STOTTLEMEYER  
FRUITVILLE FOOD MART INC.  
DBA FRUITVILLE TEXACO  
19 EAST ROAD  
SARASOTA, FLORIDA 34240

TOTAL SITE AREA:  
9.0 ACRES±

PID NUMBERS:  
0217-11-0004, 0217-11-0008, 0217-11-0013,  
0217-11-0009.

EXISTING ZONING:  
CN (COMMERCIAL NEIGHBORHOOD)  
OUE-2 (OPEN USE ESTATE - 1 UNIT PER 2 ACRES)

FUTURE LAND USE:  
THE FUTURE LAND USE MAP DESIGNATES THIS PARCEL  
SEMI RURAL AND IT IS CONSIDERED A COMMERCIAL  
ENCLAVE

PROPOSED REZONINGS:  
REQUEST TO REZONE .22 ACRES FROM CN TO RE-1  
AND .22 ACRES FROM OUE-1 TO CN TO ALLOW A 5 SPACE  
PARKING LOT AND RIGHT IN/RIGHT OUT ONTO FRUITVILLE RD.  
4.0 ACRES FROM OUE-2 TO RE-1

PROPOSED SPECIAL EXCEPTION:  
0.22 ACRES FOR OFF-SITE STORMWATER

FLOOD ZONE:  
FLOOD ZONE "C" PER FEMA MAP 12544 016C D  
DATED: MAY 1, 1984

EXISTING USE:  
GAS STATION/CAR WASH/STORMWATER POND/VACANT LAND/  
SINGLE FAMILY HOME

PREVIOUS REZONE:  
RZP 87-127 AND RZP 04-D4 (WITHDRAWN)

PROPOSED USE: IN CN AREA  
5 SPACE PARKING LOT AND RIGHT IN/RIGHT OUT ONTO  
FRUITVILLE ROAD

UTILITIES:  
WATER - WELL  
SEWER - SEPTIC

SURROUNDING LAND USE:  
NORTH: SUN-N-FUN RESORT  
SOUTH: AGRICULTURAL LANDS  
EAST: VACANT AGRICULTURAL LANDS  
WEST: VACANT ILW ZONED LANDS

SURROUNDING ZONING:  
NORTH: OUE-1  
SOUTH: OUE-1  
EAST: OUE-1  
WEST: ILW

HABITAT:  
NONE - DEVELOPED FEATURES


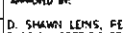
ROADWAYS:  
PUBLIC ROADWAYS

PARKING SPACES: IN CN AREA  
EXISTING PARKING:  
8 STANDARD SPACES (9'x18')  
2 HANDICAP SPACES (12'x18')  
(3 EXISTING SPACES TO BE REMOVED FOR  
ENTRANCE TO PROPOSED 16 SPACES)  
5 PROPOSED SPACES (10'x40' - LARGE VEHICLES)  
TOTAL SPACES AFTER REZONING: 12 SPACES  
(1 EX. LOADING ZONE REMOVED FOR NEW PARKING-  
REPLACED IN NEW PARKING AREA)

OPEN SPACE:  
REQUIRED: NA  
PROVIDED: 2.24± Ac.

BUILDING COVERAGE: IN CN AREA  
TOTAL LOT S.F.: 212,071.54 (5.09± Ac.)  
EXISTING BLDG.: 9,720.34 S.F.  
BLDG. COVERAGE: 4.58%

BUILDING HEIGHT: MAXIMUM PERMITTED IN CN ZONING: 25'

 <p><b>ENGINEERING, INC.</b> DBA CIVIL AND SURVEYING SARASOTA, FL 34240 (813) 551-1134</p>		PROJECT: <b>FRUITVILLE TEXACO</b>	
		SCALE: N.T.S.	APPROVED BY: 
PHONE: (813) 377-5178		DRAWING NO: 3 OF 4	

ISSUED  
FEB 19 2010  
BY:

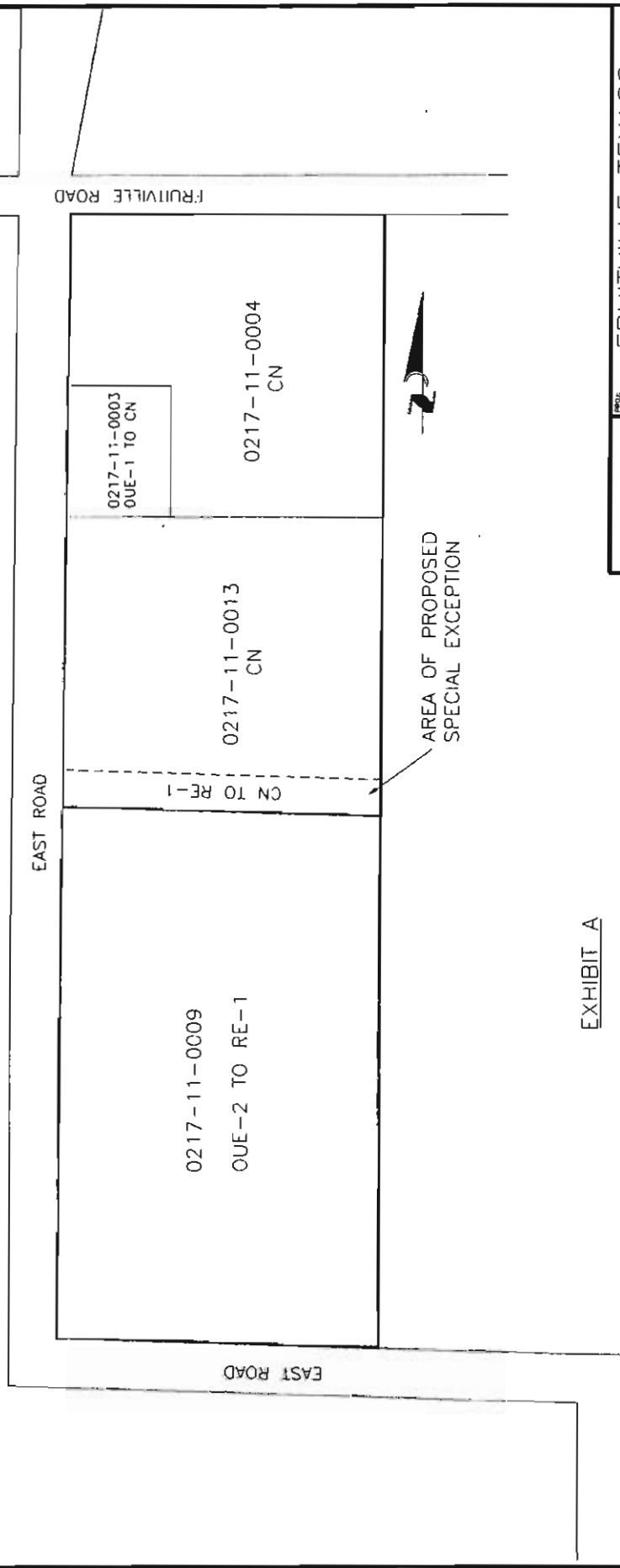
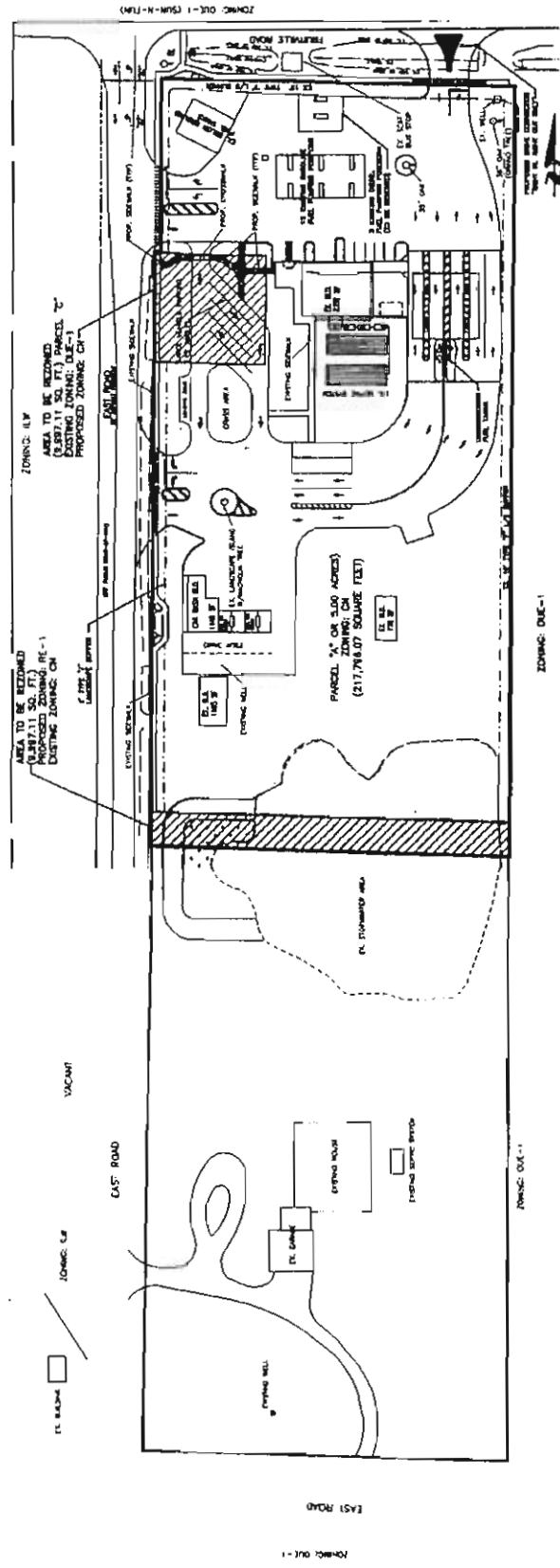


EXHIBIT A

PROPOSED CHANGES IN ZONING ON EACH OF THE FOUR PID NO'S WITHIN THE 10 ACRES AREA

		<b>FRUITVILLE TEXACO</b>	
PROJECT:	SCALE: N.T.S.	APPROVED BY:	DRAWN BY: LCC
DATE: 2/15/2010	CLIENT: STEVE STOTTEMEYER	D. SWANN LEANS, PE FLORIDA CERTIFICATE NO: 41078	JOB NO: 09 REZONE
PROJECT NO: (941) 377-9178	SHEET NO: 1 OF 4	EXHIBIT A	JOB NO: 09 REZONE

REVISED  
 FEB 19 2010  
 BY:



<b>ENGINEERING, INC.</b> 1400 LORRAINE CIRCLE TAMPA, FL 33610 FB #434 PHONE: (813) 377-9178		<b>FRUITVILLE TEXACO</b>	
SCALE: A1:5	DATE: 2/15/10	APPROVED BY: DSE	DRAWN BY: LCD
PROJECT: 2010 REZONE		CLIENT: STEVE STOTTLEMEYER	
PROJECT NO: 101-0001		SHEET NO: 1	