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2013 MAY 21 04:08 PM

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
JOLSON Receipt#1623978



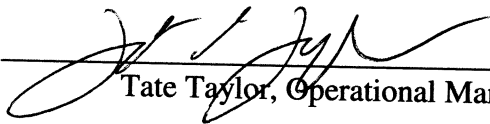
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Please record and return to: (Via Inter-Office Mail)
Kristin Pate, Administrative Specialist
Planning Services
1660 Ringling Boulevard
Sarasota, FL 34236

✓
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 5377 McIntosh Road in Sarasota County, Florida, owned by Michael Evanoff, and described in Resolution No. 2013-063 attached hereto, to allow indoor entertainment after 10:00 PM in the ILW (Industrial, Light Manufacturing and Warehousing) zone district, pursuant to Special Exception Petition No. 1714 filed by Joel J. Freedman, Agent, and granted by Sarasota County on April 24, 2013, 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. 2013-063, attached hereto)

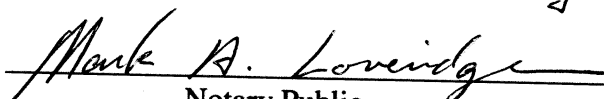

Tate Taylor, Operational Manager

**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Tate Taylor, Operational 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 he acknowledged before me that he executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 20th day of May, 2013.




Notary Public
State of Florida at Large

This instrument prepared by:
kp

RESOLUTION NO. 2013- 063
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1714

WHEREAS, Joel Freedman, agent for the owner of the hereinafter described real property, has filed Special Exception Petition No. 1714 requesting that a special exception be granted to permit INDOOR ENTERTAINMENT AFTER 10:00 P.M., located on the east side of McInosh Road and 200 feet south of Ashton Road, Sarasota County, Florida, in an ILW (Industrial, Light Manufacturing and Warehousing) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 21st day of March, 2013, to consider said Special Exception Petition No. 1714, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1714 be granted, and

WHEREAS, this Board, after due public notice, did on the 24th day of April, 2013, 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. 1714 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

FILED FOR THE RECORD
BOARD OF COUNTY COMMISSIONERS
SARASOTA COUNTY, FLORIDA
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CLERK OF THE CIRCUIT COURT
J. R. RUSSELL

R2013-063

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. 1714 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

LOT 4, GULF INDUSTRIES SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 38, PAGES 21 AND 21A, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; LESS THE WESTERLY 7 FEET THEREOF FOR ADDITIONAL COUNTY RIGHT-OF-WAY, TOGETHER WITH ALL ITS TENEMENTS, HEREDITAMENTS AND APPURTENANCES AND WITH EVERY PRIVILEGE, RIGHT, TITLE, INTEREST AND ESTATE, REVERSION, REMAINDER, AND EASEMENT THERETO BELONGING OR IN ANY WAY APPERTAINING.

and the same is hereby approved for Special Exception No. 1714, 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 January 29, 2013, 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.
2. Live entertainment shall not be broadcast by any means outdoors. For the purpose of this stipulation, outdoors shall mean all areas outside the completely enclosed building on the subject property.
3. Upon notification by the Zoning Administrator that violations of Chapter 54, Article VI of the Sarasota County Code, Noise Pollution, or any violations of the conditions of this Special Exception or the Zoning Code have occurred at this property, the Board may schedule a

hearing to determine whether to modify or revoke the provisions of this Special Exception pursuant to the provisions of Section 3.6.11 of the Zoning Code.

4. No speaker located outside of the building may be used at any time.
5. From 10:00 pm until closing on nights when live entertainment is provided, all doors and windows shall remain closed except for normal ingress and egress.
6. There shall be no entertainment from 2:00 a.m. through 8:00 a.m. Tuesday through Sunday or midnight Sunday through 8:00 a.m. Monday.

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

PASSED AND DULY ADOPTED this 24th day of April, 2013.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By: _____
Chair

Caroline J. Mason

ATTEST:

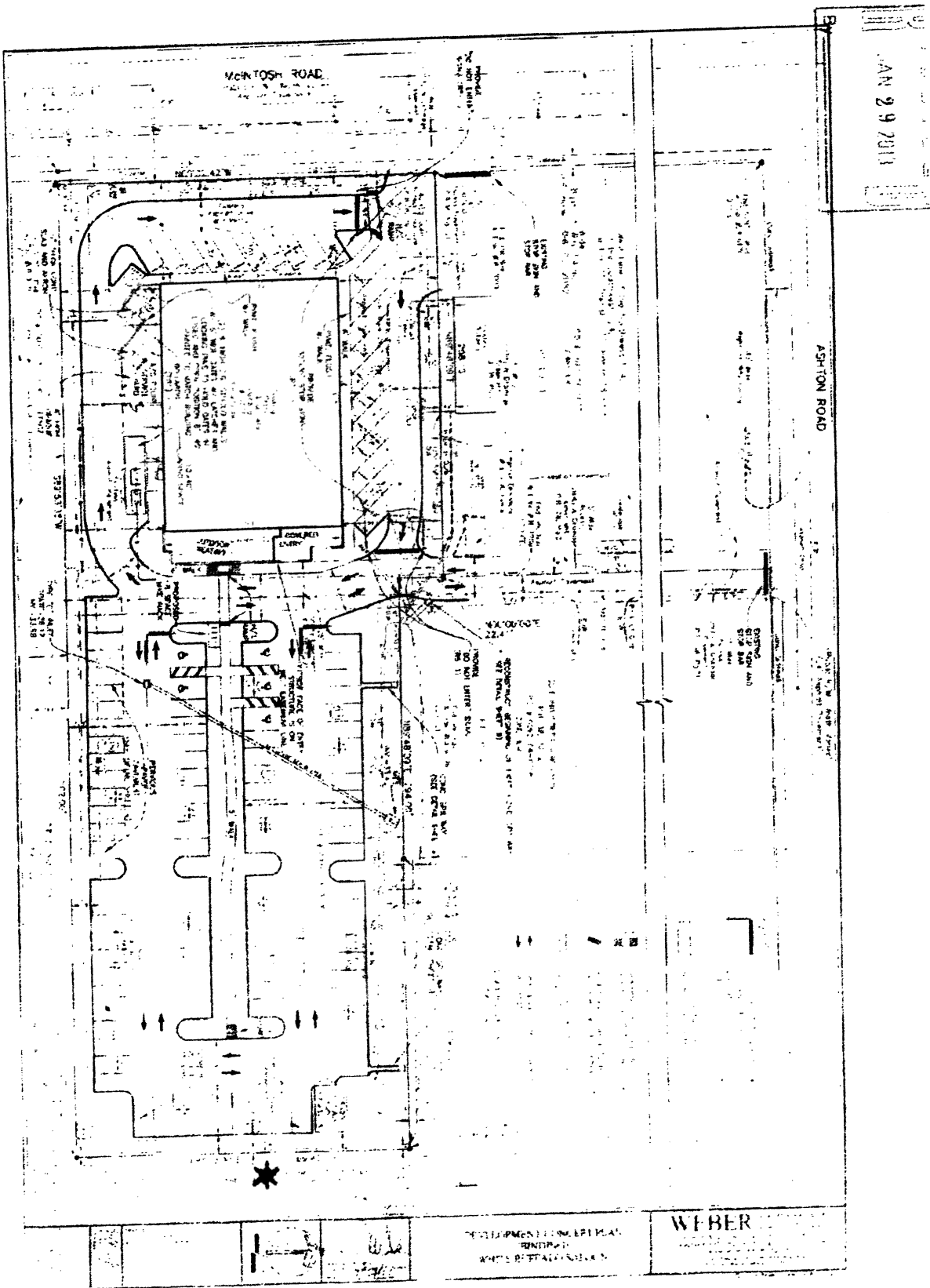
KAREN E. RUSHING, Clerk
of Circuit Court and ex officio
Clerk of the Board of County
Commissioners of Sarasota
County, Florida.

By: _____
Deputy Clerk

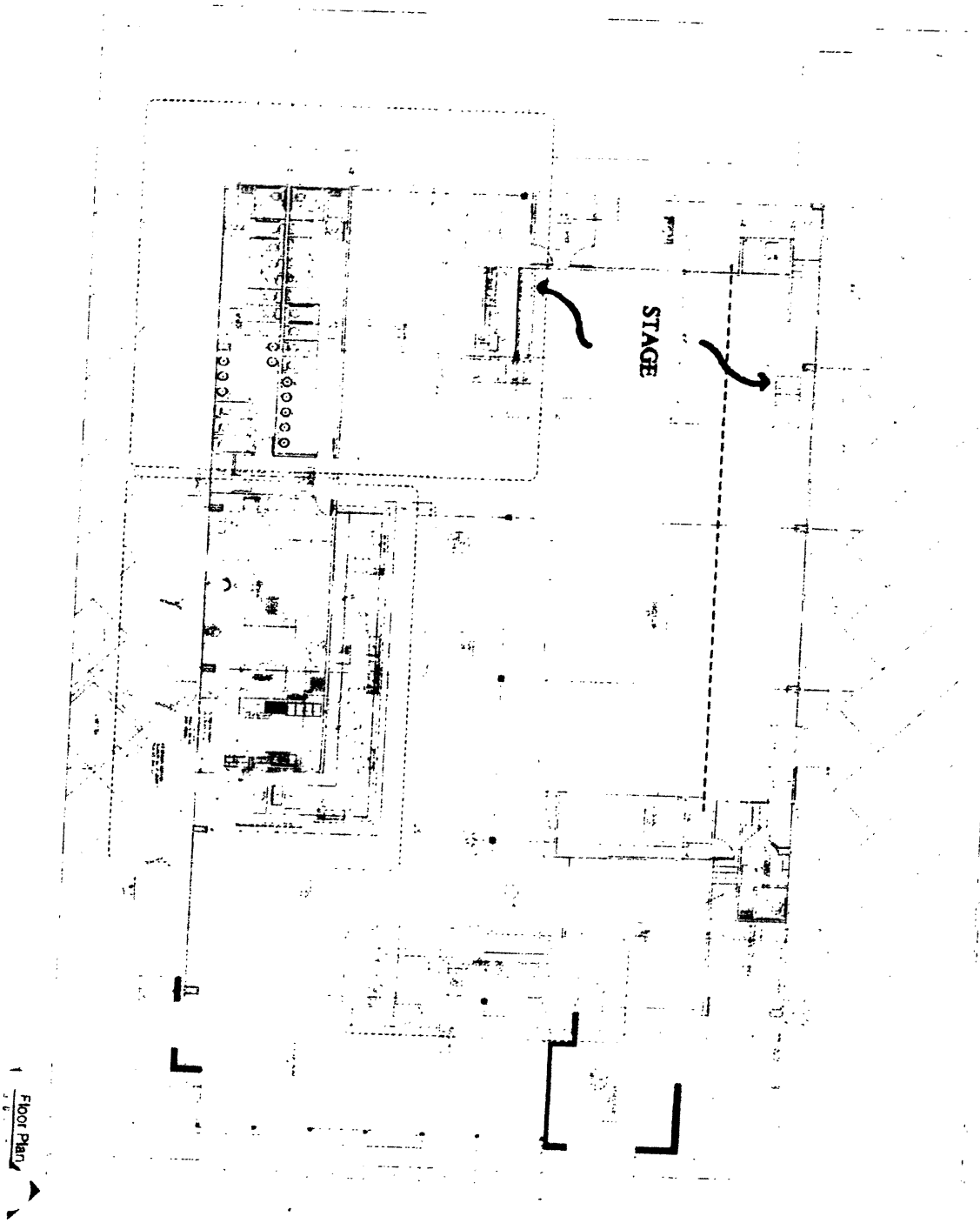
Karen E. Rushing



Exhibit "A"
Page 1 of 2



B2013-063

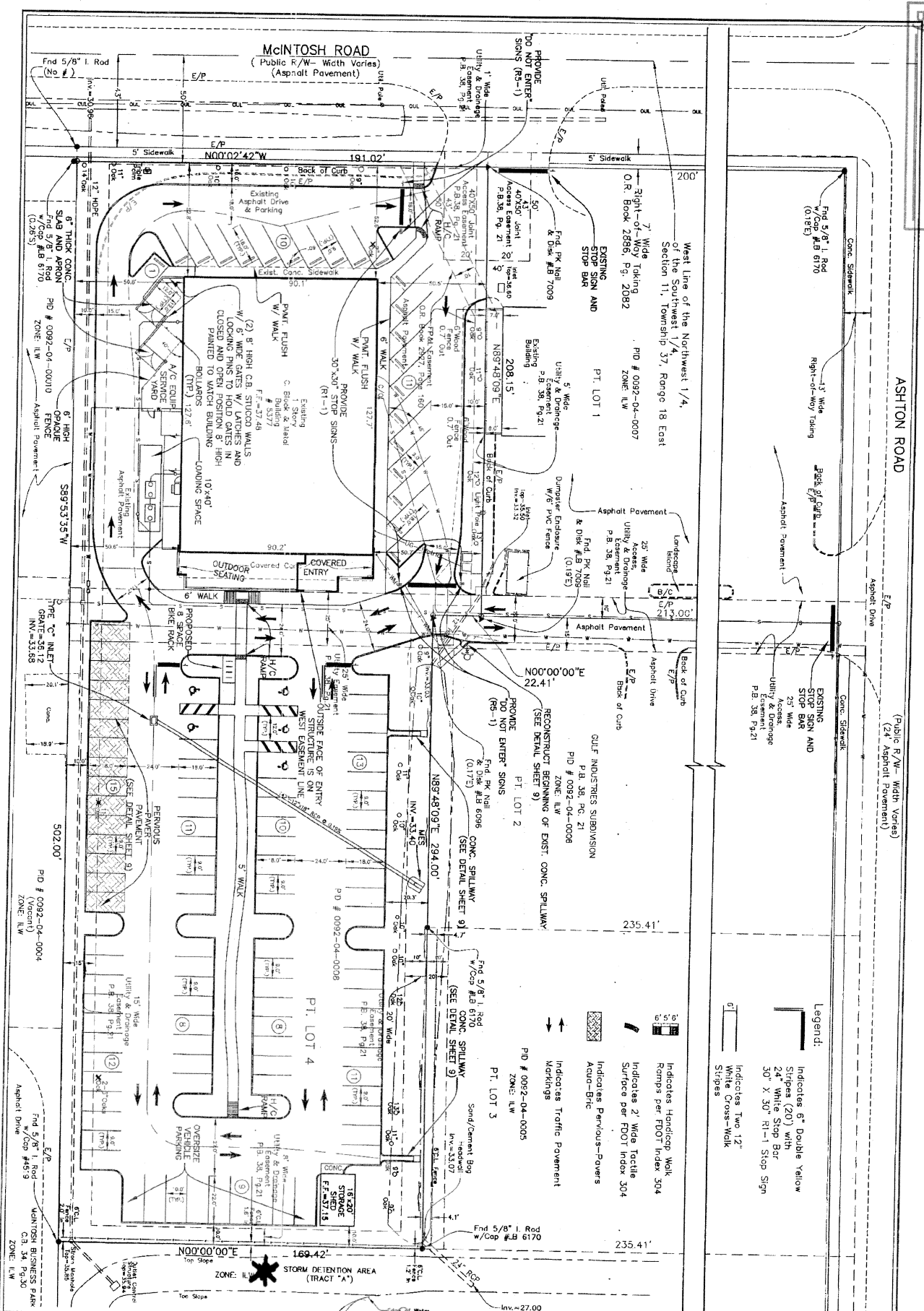


SD-2

White Buffalo Saloon
5377 McIntosh Road

RBK Architects Inc

B2013-063



Revision	Date	Description	Notes Revised
1	1/22/12	Initial	
2	1/22/12	Revised	
3	1/22/12	Revised	
4	1/22/12	Revised	
5	1/22/12	Revised	

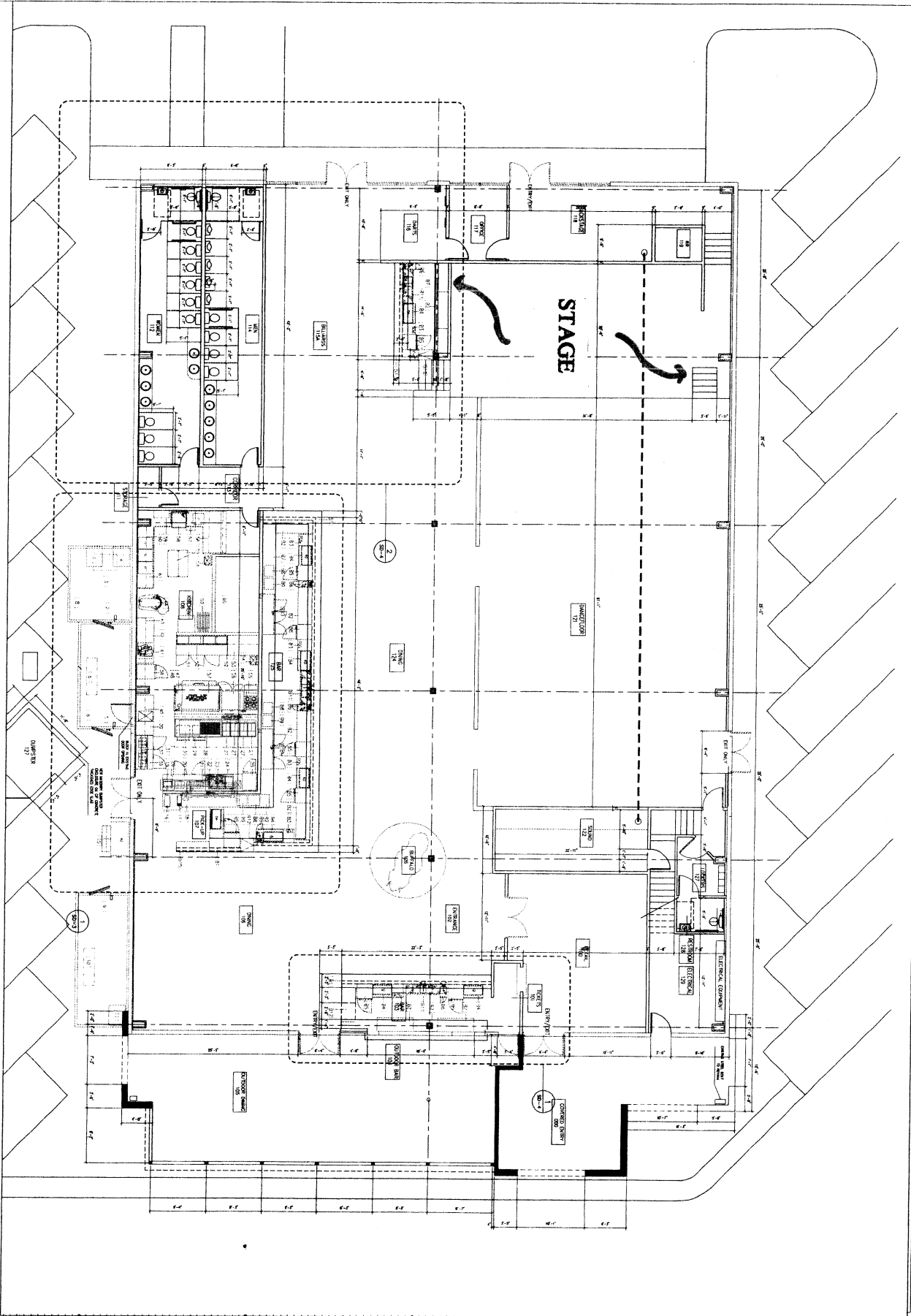
DEVELOPMENT CONCEPT PLAN (BINDING)
WHITE BUFFALO SALOON

AVENUE & WEBER
 FLORIDA REGISTERED PROFESSIONAL ENGINEER
 No. 12444
 Date: 1/22/12

WEBER ENGINEERING & SURVEYING, INC.
 4596 Ashton Road - Sarasota, Florida 34237
 Telephone: (941) 921-3914 - Fax: (941) 924-3094
 www.weberengineering.com
 Florida Professional Engineer License No. 12444
 Registered Professional Surveyor License No. 28416

LEGEND:

- Indicates Handicap Walk Ramps per FDOT Index 304
- Indicates 2" Wide Tactile Surface per FDOT Index 304
- Indicates PerVIOUS-Powers Acute-Bike
- Indicates Traffic Pavement Markings
- Indicates Two 12" White Cross-Walk Stripes
- Indicates 6" Double Yellow Stripes (20') with 24" White Stop Bar 30" X 30" R1-1 Stop Sign
- Indicates Two 12" White Cross-Walk Stripes



1 Floor Plan
 3/16" = 1'-0"
 NORTH

SD-2

project:	White Buffalo Saloon
date:	
job number:	

White Buffalo Saloon
 5377 McIntosh Road

RBK Architects, Inc
 2804 N 36th Street
 Tampa, Florida 33605

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 AAC000500
 Telephone 813-247-5223