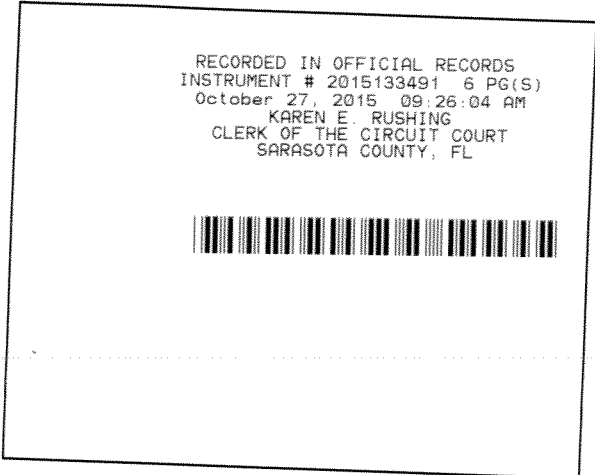


Please record and return to: *(Via Inter-Office Mail)*  
Cynthia Spraggins, Administrative Specialist  
Planning Services  
1660 Ringling Boulevard  
Sarasota, FL 34236

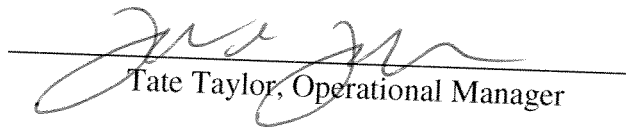
Customer ID# 5223  
Charge to: Planning Services  
Account# 51810000500489



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

The following property, located at 6150 Palmer Boulevard, in Sarasota County, Florida, owned by James Gabbert, and described in Resolution No. 2015-203 attached hereto, to allow a Waste Transfer Facility in a ILW (Industrial, Light Manufacturing, and Warehousing) zone district, pursuant to Special Exception Petition No. 1739, filed by Robert Medred, Agent, and granted by Sarasota County on October 14, 2015 is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

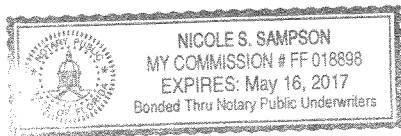
(Stipulations and limitations are those describe in Section B of Resolution No. 2015-203, attached hereto.)

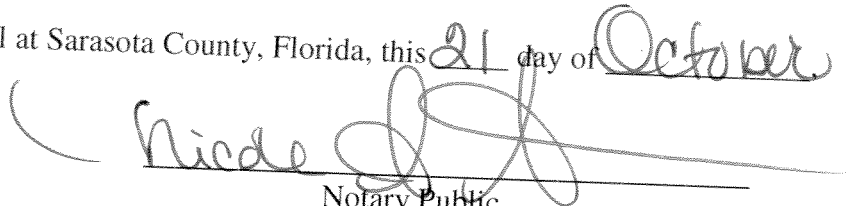
  
Tate Taylor, Operational Manager

**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 21 day of October 2015.



  
Notary Public  
State of Florida at Large

This instrument prepared by:



**RESOLUTION NO. 2015- 203**  
**OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF SARASOTA COUNTY, FLORIDA**  
**SPECIAL EXCEPTION NO. 1739**

BOARD RECORDS  
FILED FOR THE RECORD  
2015 OCT 14 PM 4:22  
KAREN E. BUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FL

WHEREAS, Robert Medred, Agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1739 requesting that a special exception be granted to allow a Waste Transfer Facility in an ILW (Industrial, Light Manufacturing, and Warehousing) zone district, located at 6150 Palmer Boulevard, Sarasota County, Florida, and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 20<sup>th</sup> day of August, 2015, to consider said Special Exception Petition No. 1739, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1739 be granted, and

WHEREAS, this Board, after due public notice, did on the 14<sup>th</sup> day of October, 2015, 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. 1739 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. 1739 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

6150 Palmer Boulevard, Sarasota County, Florida AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A parcel of land lying in Section 30, Township 36 South, Range 19 East, Sarasota County, Florida and being a part of Lot 58 of Palmer Farms Second Unit as recorded in Plat Book 3, Page 21, of the Official Records of Sarasota County Florida and part of abandoned Atlantic Coast Line Railroad right of way, described as: Commencing at the Northwest corner of said Lot 58, said Point of Commencement being at the intersection of the South line of Palmer Boulevard with the East line of Paschal Lane; thence South 85 degrees 10'40" East along the South line of Palmer Boulevard, a distance of 656.81 feet to the Point of Beginning; thence South 85 degrees 10'40" East 260.25 feet along the South line of Palmer Boulevard to the centerline of a Florida Power and Light Company right of way; thence South 01 degrees 35'12" West 626.60 feet along the centerline of said right of way as recorded in Official Records Book 344, page 277, Official Records of Sarasota County, Florida; thence North 80 degrees 22'34" West 323.95 feet along the centerline of abandoned Atlantic Coastline Railroad right of way; thence North 02 degrees 38'27" East 548.92 feet along the East line of Porter Road; thence North 48 degrees 43'53" East 69.35 feet along the East line of Porter Road to the Point of Beginning.

Less and Except lands conveyed to Sarasota County, Florida, by Deed recorded in Official Records Book 2074, Page 2040, Public Records of Sarasota County, Florida.

Together With Access Easement described as follows:

A parcel of land lying in Section 30, Township 36 South, Range 19

East, Sarasota County, Florida and being of the South one half of abandoned Atlantic Coastline Railroad right of way; described as: Commencing at the Northwest corner of Lot 58 of Palmer Farms second Unit as recorded in Plat Book 3, Page 20 of the Official Records of Sarasota County, Florida; thence South 85 degrees 10'40" East along the South line of Palmer Boulevard, a distance of 656.81 feet; thence South 48 degrees 43'53" West 69.35 feet along the East line of Porter Road; thence South 02 degrees 38'27" West 548.92 feet along the East line of Porter Road to the Point of Beginning; thence South 02 degrees 38'27" West 65.49 feet along the East line of Porter Road; thence South 80 degrees 22'34" East 325.17 feet along the South line of abandoned Atlantic Coast Line Railroad right of way; thence North 01 degrees 35'12" East 65.64 feet to the centerline of said abandoned railroad right of way; thence North 80 degrees 22'34" West 323.95 feet along the centerline of said abandoned railroad right of way to the Point of Beginning.

and the same is hereby approved for Special Exception No. 1739, 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 June 17, 2015, and attached hereto as Exhibit "A." This does not imply or confer any variances from applicable zoning or land development regulations.
2. Development on the subject parcel shall be consistent with the Conditions for Development Approval contained within the I-75/Fruitville Road Designated Major Employment Center Sector Plan, as amended, No. 83-10-SP, Resolution No. 92-240, and the I-75 Corridor Plan, as amended, No. 86-01-SP, Ordinance No. 90-45.
3. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.
4. All waste transfer material shall be contained within the limits of the 150' x 200' slab, as depicted on the Development Concept Plan date stamped June 17, 2015. All material shall be handled on a first in/first out basis consistent with Section 62-701, Florida Administrative Code, as may be amended, and removed from the slab by 5:00 pm of the following business day, except holidays. No recycling or processing of the material other than loading and unloading is allowed.
5. The hours when the facility is open to the public shall be limited to 7:00 am to 5:00 pm Monday through Saturday. These hours of operation shall not apply when the facility is accepting storm or disaster debris during a declared state of emergency that includes Sarasota County.

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

PASSED AND DULY ADOPTED this 14<sup>th</sup> day of October, 2015.

BOARD OF COUNTY COMMISSIONERS OF  
SARASOTA COUNTY, FLORIDA

By: \_\_\_\_\_

Chair

*Carlton G. Mason*

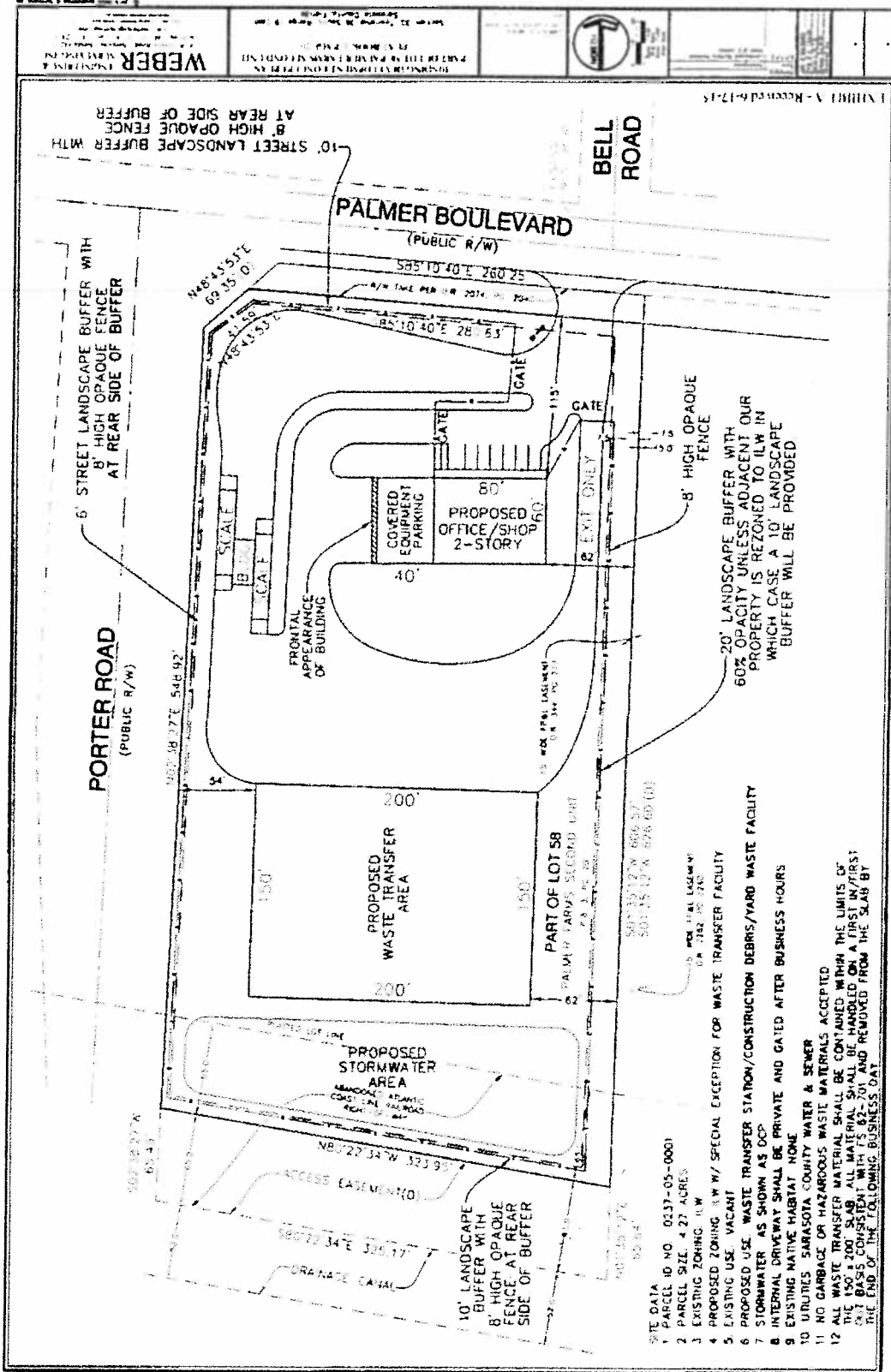
ATTEST:

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

By: \_\_\_\_\_

Deputy Clerk

*Audrea Green*



WEBER ENGINEERING & ARCHITECTURE  
 1000 W. PALM BLVD. SUITE 100  
 PALM BEACH, FL 33480  
 PHONE: 561-833-1111  
 FAX: 561-833-1112  
 WWW.WEBER-ENG.COM

EXHIBIT A - Revised 6-17-15

- SITE DATA
1. PARCEL ID NO. 0217-05-0001
  2. PARCEL SIZE 4.27 ACRES
  3. EXISTING ZONING ILW
  4. PROPOSED ZONING N/W SPECIAL EXCEPTION FOR WASTE TRANSFER FACILITY
  5. EXISTING USE VACANT
  6. PROPOSED USE WASTE TRANSFER STATION/CONSTRUCTION DEBRIS/YARD WASTE FACILITY
  7. STORMWATER AS SHOWN AS DCP
  8. INTERNAL DRIVEWAY SHALL BE PRIVATE AND GATED AFTER BUSINESS HOURS
  9. EXISTING NATIVE HABITAT NONE
  10. UTILITIES SARASOTA COUNTY WATER & SEWER
  11. NO GARBAGE OR HAZARDOUS WASTE MATERIALS ACCEPTED
  12. ALL WASTE TRANSFER MATERIAL SHALL BE CONTAINED WITHIN THE LIMITS OF THE 150' x 200' SLAB. ALL MATERIAL SHALL BE HANDLED ON A DAILY BASIS ON 247 DAYS CONSISTENT WITH FS 82-701 AND REMOVED FROM THE SLAB BY THE END OF THE FOLLOWING BUSINESS DAY

R2015-203

