

City of North Port

ORDINANCE NO. 2022-21

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, REZONING ± 789 ACRES LOCATED IN SECTION 6, TOWNSHIP 39 SOUTH, RANGE 22 EAST OF SARASOTA COUNTY AS DESCRIBED IN INSTRUMENT NO. 2003102705 IN OFFICIAL RECORDS OF SARASOTA COUNTY; SECTION 5 AND SECTION 8, TOWNSHIP 39 SOUTH, RANGE 22 EAST OF SARASOTA COUNTY AS DESCRIBED IN INSTRUMENT NO. 2003102706 IN THE OFFICIAL RECORDS OF SARASOTA COUNTY; AND SECTION 15 AND 16, TOWNSHIP 39 SOUTH, RANGE 22 EAST OF SARASOTA COUNTY AS DESCRIBED IN INSTRUMENT NO. 2003102706, FROM NO ZONING DESIGNATION DISTRICT (NZD) TO VILLAGE DISTRICT (V); AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR FINDINGS; PROVIDING FOR FILING OF APPROVED DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a portion of the subject property consisting of \pm 83.417 acres was reclassified from Future Land Use classification of Activity Center (AC) and Agricultural Estates (AG) to Village (V) by adoption of Ordinance No. 2022-21; and

WHEREAS, the remainder of the subject property consisting of \pm 706.982 acres is designated as Future Land Use classification of Village; and

WHEREAS, the subject property is currently zoned as No Zoning Designation (NZD), which is inconsistent with the Future Land Use classification; and

WHEREAS, Petition REZ-22-095 ("Petition") requests that the subject property be rezoned; and

WHEREAS, the public notice requirements provided in Florida Statutes Chapter 166 and the Unified Land Development Code have been adhered to and satisfied; and

WHEREAS, the Planning and Zoning Advisory Board considered the Petition at a public hearing on August 18, 2022, and made its recommendation to the City Commission; and

WHEREAS, the City Commission held properly-noticed public hearings at first and second reading of this ordinance, at which time all interested parties had an opportunity to appear and be heard, and the City Commission considered all relevant evidence presented, as well as the Planning and Zoning Advisory Board's recommendation; and

WHEREAS, the City Commission finds that competent substantial evidence supports the findings and actions herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – FINDINGS

- 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
- 1.02 The City Commission finds this ordinance to be consistent with the adopted North Port Comprehensive Plan and Unified Land Development Code.
- 1.03 All exhibits attached to this ordinance are incorporated in this ordinance by reference.

SECTION 2 – REZONING

- 2.01 The City Commission hereby changes the zoning classification of ± 789 acres from No Zoning Designation (NZD) to Village District (V) for the parcels, as follows:
 - a. Parcel A: Being a part of the South 1/2 of Section 06, Township 39 South, Range 22 East, of Sarasota County, Florida as described in Instrument No. 2003102705 in the Official Records of Sarasota County; and
 - Parcel B: Being a part of the South 1/2 of Section 6, Township 39 South, Range 22 East, of Sarasota County, Florida as described in Instrument No. 2003102705 in the Official Records of Sarasota County; and
 - A part of Section 5 and 8, Township 39 South, Range 22 East, of Sarasota County, Florida as described in Instrument No. 2003102706 in the Official Records of Sarasota County; and
 - c. A part of Section 15 & 16, Township 39 South, Range 22 East, Sarasota County, Florida as described in Instrument No. 2003102706 in the Official Records of Sarasota County.
- 2.02 The boundary survey for the parcels is attached as "Exhibit A".
- 2.03 The City Commission approves the revised Official Zoning Map, attached as "Exhibit B," reflecting the zoning change approved in this ordinance.

SECTION 3 – FILING OF APPROVED DOCUMENTS

- 3.01 The City Clerk is directed to place in the City Clerk's files an updated Official Zoning Map in accordance with the requirements of Sections 53-14, 53-16, and 53-17 of the Unified Land Development Code.
- 3.02 The City Clerk is directed to file a certified copy of this ordinance with the Clerk of the Circuit Court in and for Sarasota County, Florida, and with the Florida Department of State in accordance with the requirements of Section 1-36 of the Unified Land Development Code.

SECTION 4 – CONFLICTS

4.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

SECTION 5 – SEVERABILITY

5.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the ordinance.

SECTION 6 – EFFECTIVE DATE

CITY ATTORNEY

6.01 This ordinance takes effect immediately upon adoption.

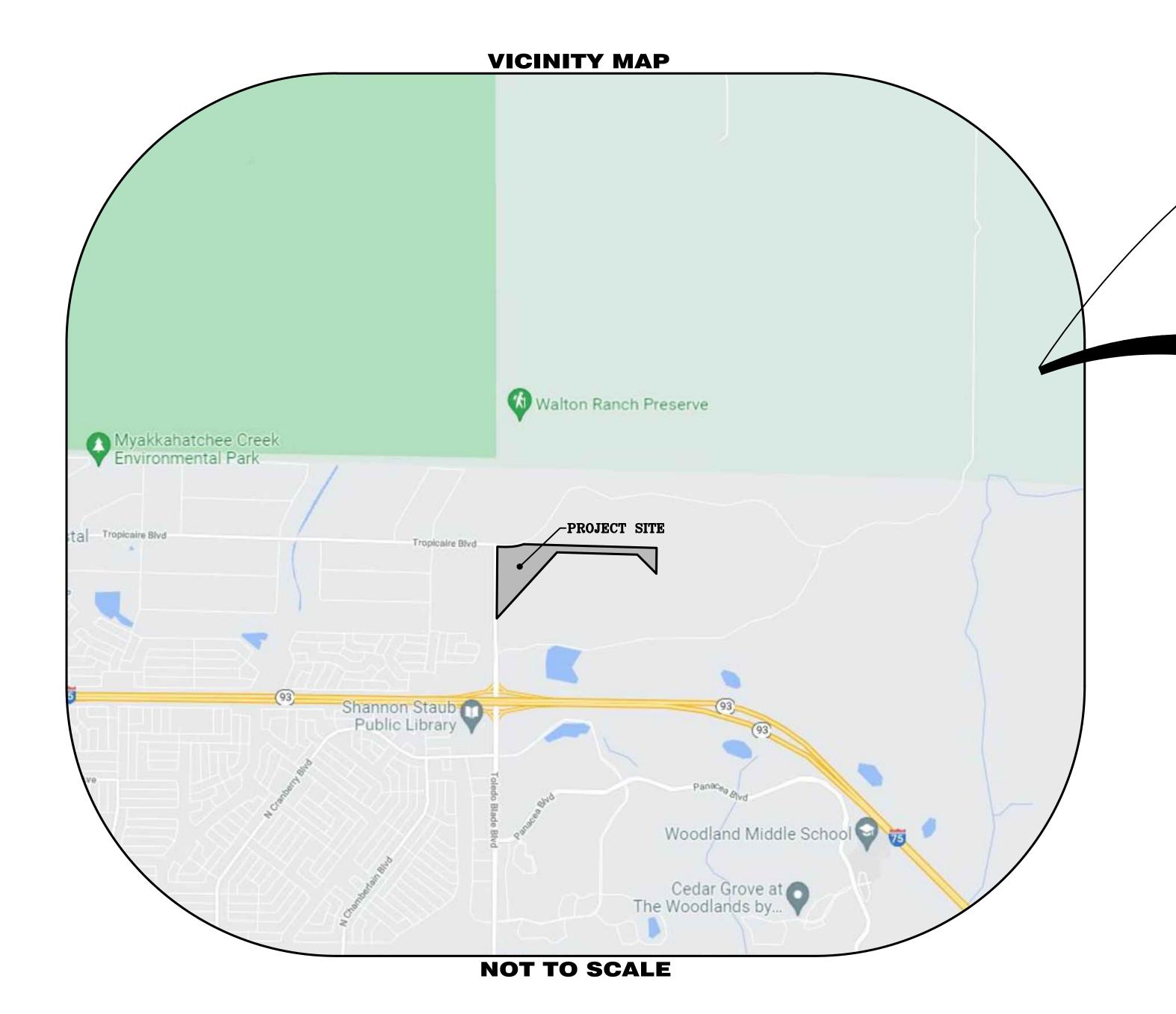
READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida in public session on September 13, 2022.

ADOPTED by the City Commission of the City of N public session on, 2022.	orth Port, Florida on the second and final reading in
	CITY OF NORTH PORT, FLORIDA
	PETE EMRICH
	MAYOR
ATTEST	
HEATHER FAUST, MMC CITY CLERK	
APPROVED AS TO FORM AND CORRECTNESS	
AMBER L. SLAYTON	

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FT.PIERCE

FT.LAUDERDALE



southwest 1/4; thence N 00°30'07" E, along said west boundary line a distance of 2388.06 feet; to the **POINT OF BEGINNING**.

Containing 72.859 acres, more or less.

DESCRIPTION prepared by GeoPoint Surveying, Inc.

Florida, being more particularly described as follows:

PARCEL B:

PARCEL A:

A part of the South 1/2 of Section 6, Township 39 South, Range 22 East, Sarasota County, Florida, being more particularly described as follows:

A part of the South 1/2 of Section 6, Township 39 South, Range 22 East, Sarasota County,

COMMENCE at the Northwest corner of said Section 6; thence S 00°30'01" W along the West

boundary line of the Northwest 1/4 of section 6, a distance of 2548.44' to the Northwest corner of the Southwest of Section 6; thence S 00°30'07" W along the West boundary line of the Southwest

1/4 of section 6, a distance of 103.82' to the **POINT OF BEGINNING**; thence S 88°26'48" E, a

distance of 303.20 feet; thence easterly, 111.48 feet along the arc of a tangent curve to the left having a radius of 1630.00 feet and a central angle of 03°55'06" (chord bearing N 89°35'39" E,

111.45 feet); thence S 88°26'48" E, a distance of 4884.62 feet to the East boundary line of the

Southeast 1/4 of section 6; thence S 00°44'53" W along said East boundary line, a distance of

756.20 feet to the Northeasterly line of 50 feet wide water pipe line Easement (O.R. 1999158305);

thence N 44°50'11" W, a distance of 893.32 feet; thence N 88°26'48" W, a distance of 2673.47 feet; thence S 42°23'13" W, a distance of 2975.77 feet; to the west boundary line of the said

COMMENCE at the Northwest corner of said Section 6; thence S 00°30'01" W along the West boundary line of the Northwest 1/4 of section 6, a distance of 2548.44' to the Northwest corner of the Southwest of Section 6; thence S 00°30'07" W along the West boundary line of the Southeast 1/4 of section 6, a distance of 103.82', thence S 88°26'48" E, a distance of 303.20 feet; thence easterly, 111.48 feet along the arc of a tangent curve to the left having a radius of 1630.00 feet and a central angle of 03°55'06" (chord bearing N 89°35'39" E, 111.45 feet); to the POINT OF BEGINNING; thence continue easterly, 473.38 feet along the arc of said tangent curve having a radius of 1630.00 feet and a central angle of 16°38'22" (chord bearing N 79°18'54" E, 471.72 feet); to the South boundary line of the Northwest 1/4 of Section 6; thence S 88°26'48" E along said South boundary, a distance of 4422.22 feet to the West 1/4 corner of Section 5; thence S 00°44'53" W along the East boundary line of the Southeast 1/4 of Section 6, a distance of 100.00 feet; thence N 88°26'48" W, a distance of 4884.62 feet; to the POINT OF BEGINNING.

Containing 10.558 acres, more or less.

Sheet Index Cover Sheet, Vicinity Map, Certification and Description Boundary Occupation Location, Legend, Key Sheet & Details

SURVEYOR'S NOTES:

 Current title information on the subject property had not been furnished to GeoPoint Surveying, Inc. at the time of this survey, and is subject to title review and/or abstract. GeoPoint Surveying, Inc. makes no representations or guarantees pertaining to easements, rights-of-way, set back lines, reservations, agreements, and other similar matters.

GAINESVILLE

OCALA

TAMPA

CORAL \\\

MYERS

DAYTONA

CEDAR

NEW PORT

CLEARWATER

T. PETERSBURG

- 2) This survey is limited to above ground visible improvements along and near the boundary lines, except as shown hereon, and that nothing below the ground was located including, but not limited to foundations (footings), utilities, etc.
- 3) Bearings shown hereon are based on the South boundary of the North 1/2 of Section 6, Township 39 South, Range 22 East, Sarasota County, Florida, having a Grid bearing of S.88°26'48"E. The Grid Bearings as shown hereon refer to the State Plane Coordinate System, North American Horizontal Datum of 1983 (NAD 83-2011 Adjustment) for the West Zone of Florida.
- 4) This survey is intended to be displayed at 1" = 200' or smaller.
- 5) All dimensions, unless otherwise noted, are survey dimensions.
- 6) Additions or Deletions to survey maps or reports by other than the signing party or parties is prohibited without the written consent of the signing party or parties.
- 7) The subject parcel lies in Flood Zone "AE" and "X", according to Flood Insurance Rate Map, Map No. 12115C0382F for Sarasota County, Community No. 125144, Sarasota County, Florida, dated November 4, 2016 and issued by the Federal Emergency Management Agency. Lines shown have been digitally translated from DFIRM database information supplied by the FEMA Map Service Center (https://msc.fema.gov).
- 8) Use of this survey for purposes other than intended, without written authorization, will be at the user's sole risk and without liability to the surveyor. Nothing hereon shall be construed to give any rights or benefits to anyone other than those certified to.
- 9) On this drawing, certify means to state or declare a professional opinion of conditions regarding those findings or facts which are the subject of the certification and does not constitute a warranty or guarantee, either implied or expressed. This certification is only for the lands as described. This certification is not a certificate of title, easements, zoning, or freedom of encumbrances.
- 10) Parcels A, and B, shown hereon, are contiguous along their common boundaries without gaps, gores, hiatuses, or overlaps.

PROJECT: Toledo Village DATE OF LAST FIELD SURVEY: SURVEYOR'S CERTIFICATION **December 6, 2021** DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER PHASE: Toledo Blade 319 / Boundary Survey MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE DRAWN: LEY DATE: 12/06/21 CHECKED BY: MHC SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL P.CHIEF: CH | FIELD BOOK: 100-2021-Pages: 5 - 6 SURVEYORS & MAPPERS STATED IN RULES 5J-17.051, NOT VALID WITHOUT THE 5J-17.052, AND 5J-17-053, FLORIDA ADMINISTRATIVE SIGNATURE AND THE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. ORIGINAL RAISED SEAL OF DATA FILE: LONGLAKE-RANCH(US83)(NAVD88)JO REVISIONS A FLORIDA LICENSED SURVEYOR AND MAPPER David W. Maxwell FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS7311

Boundary Survey

PREPARED FOR

Kolter Group Acquisitions LLC

LOCATED IN

Section 6, Township 39 S., Range 22 E.

Sarasota County, Florida

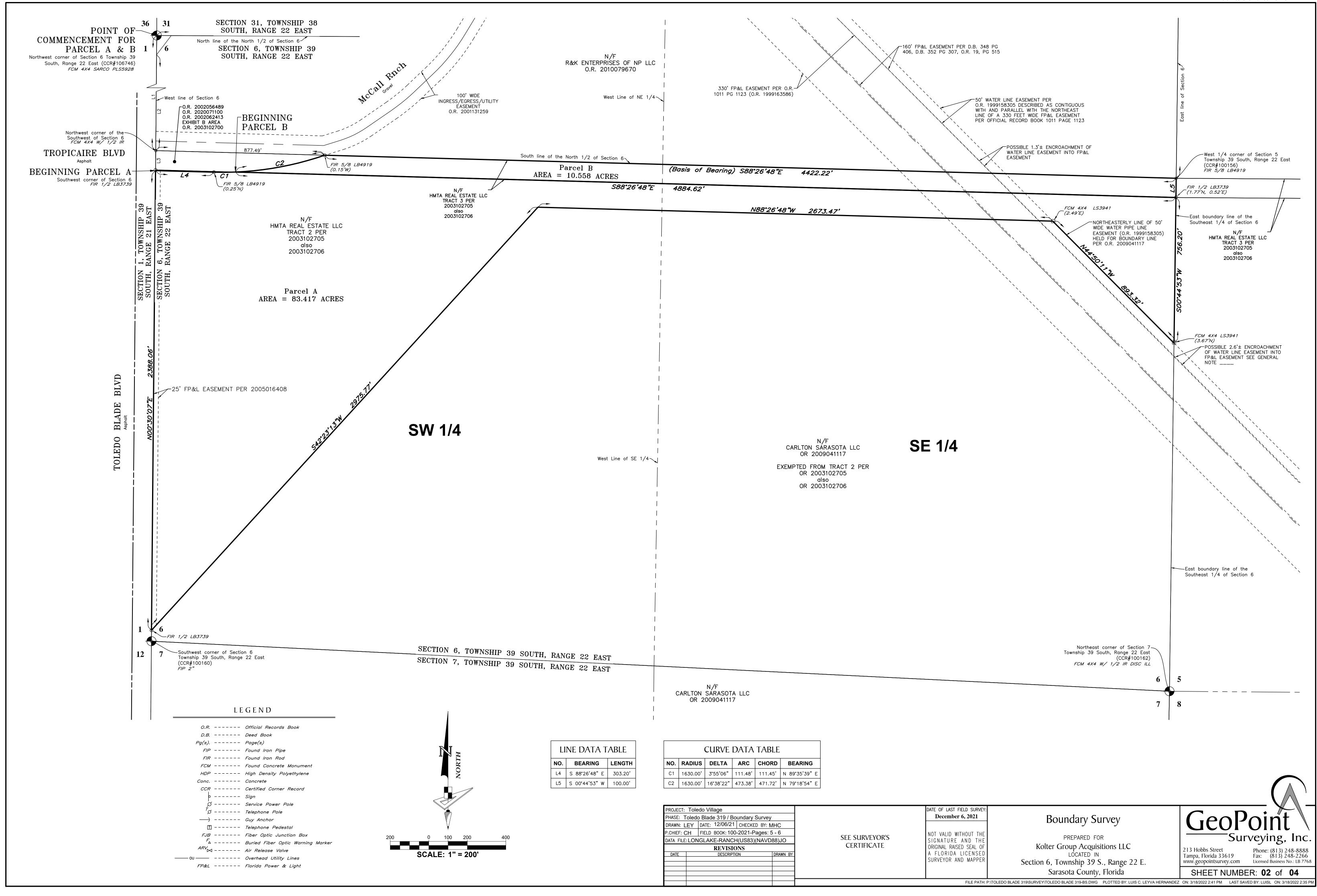
GeoPoint
Surveying, Inc.

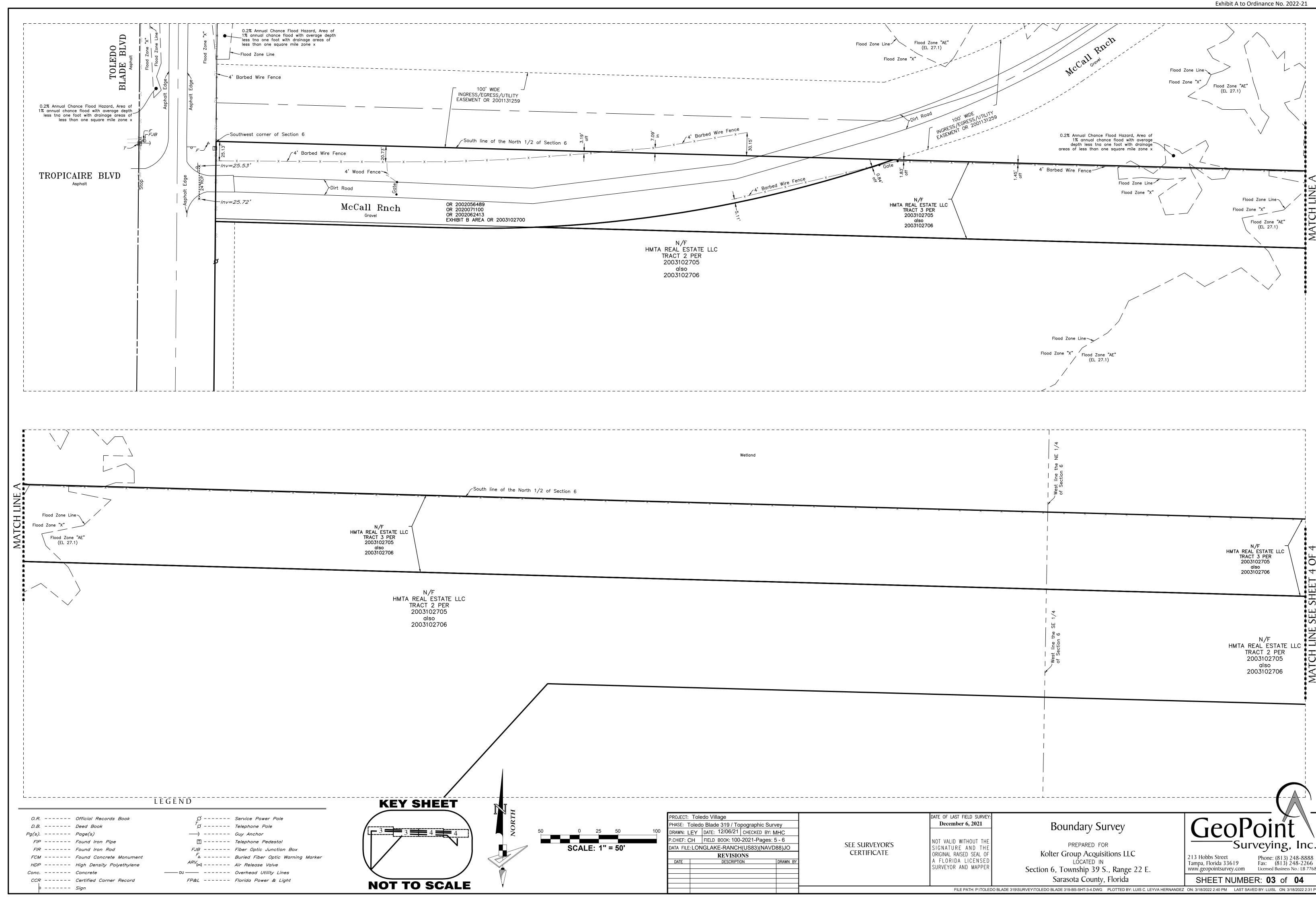
213 Hobbs Street
Phone: (813) 248-8888

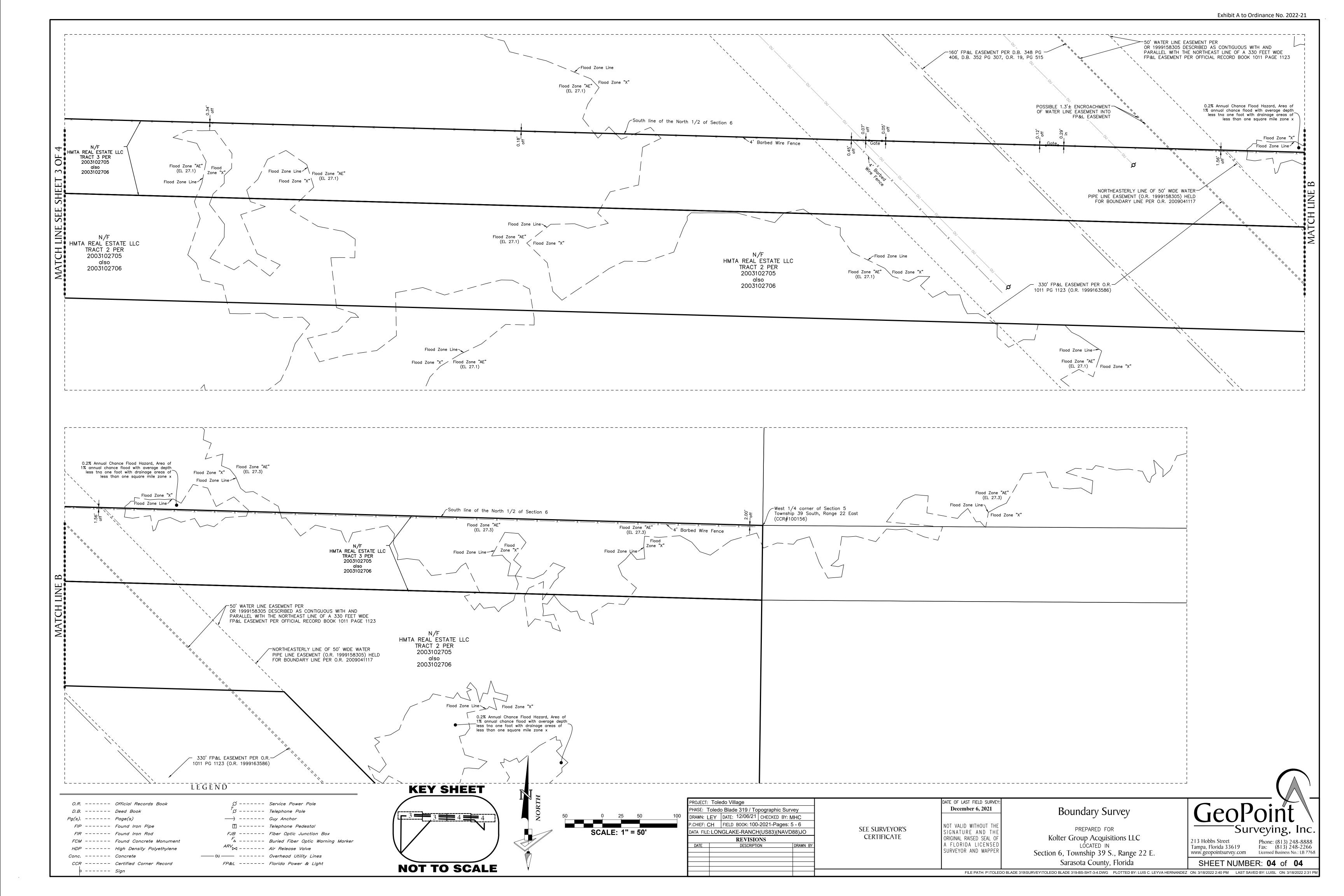
213 Hobbs Street
Tampa, Florida 33619
www.geopointsurvey.com

SHEET NUMBER: **01** of **04**

FILE PATH: P:\TOLEDO BLADE 319\SURVEY\TOLEDO BLADE 319-BS.DWG PLOTTED BY: LUIS C. LEYVA HERNANDEZ ON: 3/18/2022 2:41 PM LAST SAVED BY: LUIS ON: 3/18/2022 2:35 PM







Description Sketich to Ordinance No. 2022-21

DESCRIPTION: A tract of land being part of Sections 5 and 8, Township 39 South, Range 22 East, Sarasota County Florida, and being more particularly described as follows:

BEGINNING at the Southeast corner of the Northeast 1/4 of said Section 5, run thence along the South Boundary of said Northeast 1/4 of Section 5, N 89°37'31" W, a distance of 2277.47 feet; thence Southwesterly, 460.77 feet along the arc of a non-tangent curve to the right having a radius of 949.79 feet and a central angle of 27°47'45" (chord bearing S.32°45'45"W., 456.26 feet); thence Southwesterly, 1225.10 feet along the arc of a reverse curve to the left having a radius of 1768.93 feet and a central angle of 39°40'52" (chord bearing S.26°49'12"W., 1200.76 feet); thence Southerly, 896.29 feet along the arc of a reverse curve to the right having a radius of 1973.09 feet and a central angle of 26°01'37" (chord bearing S.19°59'34"W., 888.60 feet); thence S.51°11'12"E., a distance of 309.01 feet; thence Southerly, 603.60 feet along the arc of a non-tangent curve to the right having a radius of 335.87 feet and a central angle of 102°58'03" (chord bearing S.02°36'41"W., 525.59 feet); thence S.44°53'37"E., a distance of 3518.46 feet; thence S.09°17'34"W., a distance of 578.39 feet to the Northeasterly right of way of State Road 93 (I-75); thence Westerly along said Northeasterly right of way, 3537.92 feet along the arc of a non-tangent curve to the left having a radius of 5847.58 feet and a central angle of 34°39'55" (chord bearing N.71°52'01"W., 3484.20 feet); thence N.89°11'59"W., a distance of 1309.40 feet to the West boundary of aforesaid Section 8; thence along said West boundary, N.01°04'12"E., a distance of 2325.41 feet to the Northwest corner of said Section 8; thence along the West boundary of aforesaid Section 5, N.00°44'53"E., a distance of 2664.78 feet to the West 1/4 corner of said Section 5; thence N.00°44'34"E., a distance of 1761.25 feet to the centerline of a 100 foot wide ingress, egress, and utility easement recorded in Official Records Instrument 2001131259 of the Sarasota County Records; thence along said centerline the following eight (8) courses, 1) Easterly, 29.93 feet along the arc of a non-tangent curve to the right having a radius of 2000.00 feet and a central angle of 00°51'27" (chord bearing S.80°38'16"E., 29.93 feet); 2) thence S.80°12'33"E., a distance of 2116.26 feet; 3) thence Easterly, 453.59 feet along the arc of a tangent curve to the left having a radius of 1000.00 feet and a central angle of 25°59'19" (chord bearing N.86°47'47"E., 449.71 feet); 4) thence N.73°48'08"E., a distance of 348.80 feet; 5) thence Easterly, 1240.75 feet along the arc of a tangent curve to the right having a radius of 1000.00 feet and a central angle of 71°05'23" (chord bearing S.70°39'11"E., 1162.68 feet); 6) thence S.35°06'29"E., a distance of 852.30 feet; 7) thence Southeasterly, 851.37 feet along the arc of a tangent curve to the left having a radius of 900.00 feet and a central angle of 54°12'00" (chord bearing S.62°12'29"E., 819.98 feet); 8) thence S.89°18'29"E., a distance of 72.35 feet; thence S.00°50'32"W., a distance of 87.89 feet to the **POINT OF BEGINNING.**

Containing 488.787 acres, more or less.

SURVEYORS NOTES:

Bearings shown hereon are based on the South Boundary of the Northeast 1/4 of Section 5, Township 39 South, Range 22 East, Sarasota County, Florida, having a grid bearing of N.89°37'31"W. The Grid Bearings as shown hereon refers to The State Plane Coordinate System, North American Horizontal Datum of 1983 (NAD 83-2011 Adjustment) for the West Zone of Florida, as established from a RTK GPS Network.

NOTE:

SEE SHEET NO. 2 FOR THE LINE TABLE. SEE SHEET NO. 3 FOR THE CURVE TABLE.

PROJECT: 7	PROJECT: TOLEDO VILLAGE		Prepared For: FORESTAR (USA) REAL ESTATE GROUP, Inc.		
PHASE: TO DRAWN: JR	DLEDO VILLAGE RT DATE: 04/25/22	CHECKED	BY: DWM	(Not A Survey)	213 Hobbs Street Tampa, Florida 33619
DATE	REVISIONS DATE DESCRIPTION DRAWN BY			Phone: (813) 248-8888 Licensed Business No.: LB 7768	
				David W. Maxwell	GeoPoint
				FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS7311	Surveying, Inc.

01 of 0

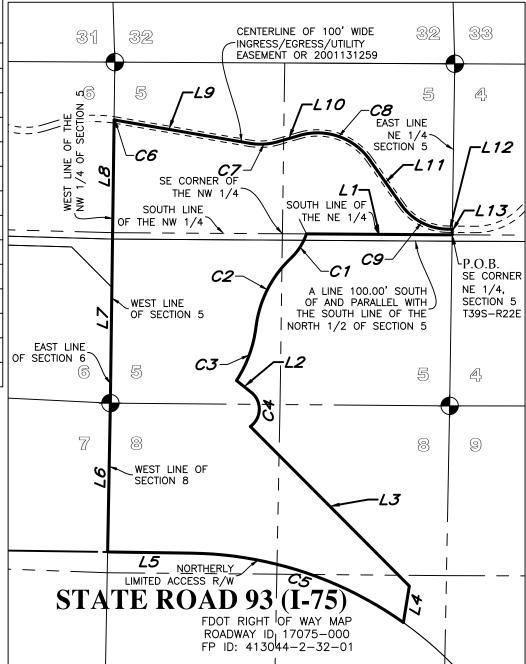
Description Skette n Ordinance No. 2022-21

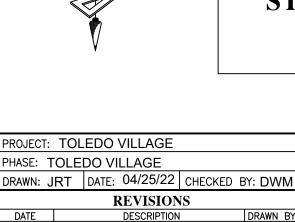
LINE DATA TABLE				
NO.	BEARING	LENGTH		
L1	N 89°37'31" W	2277.47		
L2	S 51°11'12" E	309.01		
L3	S 44°53'37" E	3518.46'		
L4	S 09°17'34" W	578.39'		
L5	N 89°11'59" W	1309.40'		
L6	N 01°04'12" E	2325.41		
L7	N 00°44'53" E	2664.78'		
L8	N 00°44'34" E	1761.25'		
L9	S 80°12'33" E	2116.26		
L10	N 73°48'08" E	348.80'		
L11	S 35°06'29" E	852.30'		
L12	S 89°18'29" E	72.35'		

S 00°50'32" W

87.89

L13





Prepared For: FORESTAR (USA) REAL ESTATE GROUP, Inc.

(Not A Survey)

David W. Maxwell FLORIDA PROFESSIONAL LS7311 SURVEYOR & MAPPER NO.

DRAWN BY

213 Hobbs Street Tampa, Florida 33619 Phone: (813) 248-8888 Licensed Business No.: LB 7768

Surveying, Inc.

02 of 03

Description Skeltch Ordinance No. 2022-21

CURVE DATA TABLE					
NO.	RADIUS	DELTA	ARC	CHORD	BEARING
C1	949.79	27°47'45"	460.77	456.26'	S 32°45'45" W
C2	1768.93	39°40'52"	1225.10	1200.76	S 26°49'12" W
С3	1973.09	26°01'37"	896.29	888.60'	S 19*59'34" W
C4	335.87	102°58'03"	603.60'	525.59'	S 02°36'41" W
C5	5847.58	34°39'55"	3537.92	3484.20'	N 71°52'01" W
C6	2000.00'	0*51'27"	29.93'	29.93'	S 80°38'16" E
C7	1000.00'	25°59'19"	453.59'	449.71	N 86*47'47" E
C8	1000.00'	71°05'23"	1240.75	1162.68	S 70°39'11" E
С9	900.00'	54°12'00"	851.37'	819.98'	S 62°12'29" E

	TOLEDO VILLAGE DLEDO VILLAGE		Prepared For: FORESTAR (USA) REAL ESTATE GROUP, Inc.	
DRAWN: JR	2.1/2.7/2.2	CHECKED BY: DWM	(Not A Survey)	213 Hobbs Street Tampa, Florida 33619
REVISIONS			Phone: (813) 248-8888 Licensed Business No.: LB 7768	
DATE	DESCRIPTION	DRAWN BY		
				GeoPoint \
			David W. Maxwell FLORIDA PROFESSIONAL T C7211	Surveying Inc
			SURVEYOR & MAPPER NO. LS7311	Surveying, Inc.
				03 of 03

Exhibit A to Ordinance No. 2022-21

Description Sketch

(Not A Survey)

DESCRIPTION: A parcel of land lying in Sections 15 & 16, Township 39 South, Range 22 East, Sarasota County, Florida, and being more particularly described as follows:

BEGINNING at the Northeast corner of said section 16, run thence along the North boundary of aforesaid Section 15; S 89°39'06" E, a distance of 535.99 feet; thence S 12°02'12" E, a distance of 127.44 feet; thence S 09°19'36" E, a distance of 688.88 feet; thence S 04°17'39" E, a distance of 145.23 feet; thence S 11°04'54" E, a distance of 278.80 feet; thence S 18°24'37" W, a distance of 118.03 feet; thence S 27°30'33" W, a distance of 170.26 feet; thence S 05°11'15" E, a distance of 86.33 feet; thence S 07°05'59" W, a distance of 206.26 feet; thence S 03°47'11" E, a distance of 108.15 feet; thence S 15°38'29" W, a distance of 229.08 feet; thence S 11°11'29" W, a distance of 651.33 feet; thence S 04°17'53" W, a distance of 74.25 feet; thence S 16°13'07" W, a distance of 79.94 feet; thence S 06°56'07" W, a distance of 292.06 feet; thence S 19°33'24" W, a distance of 62.42 feet; thence S 51°48'15" W, a distance of 177.50 feet; thence S 35°17'02" W, a distance of 182.82 feet; thence S 51°44'00" W, a distance of 129.14 feet; thence S 51°44'00" W, a distance of 18.88 feet; thence S 35°22'11" W, a distance of 203.06 feet to the Northeasterly right of way line for State Rd 93 (I-75); thence along said Northeasterly right of way, N 44°57'27" W, a distance of 5338.58 feet to the North Boundary of the Northwest 1/4 of aforesaid Section 16; thence along said North Boundary, S 89°47'00" E, a distance of 1248.11 feet; thence S 89°47'03" E, a distance of 2662.96 feet to the POINT OF BEGINNING.

Containing 218.195 acres, more or less.

SURVEYORS NOTES:

Bearings shown hereon are based on the South line of the Southeast 1/4 of Section 9, Township 39 South, Range 22 East of Sarasota County, Florida, having a grid bearing of S.89°47'03"E. The Grid Bearings as shown hereon refers to The State Plane Coordinate System, North American Horizontal Datum of 1983 (NAD 83-2011 Adjustment) for the West Zone of Florida, as established from a RTK GPS Network.

NOTE:

SEE SHEET NO. 2 FOR LINE AND CURVE TABLES.

PROJECT: TO	OLEDO VILLAGE		Prepared For: FORESTAR (USA) REAL ESTATE GROUP, Inc.		
PHASE: TOLEDO VILLAGE			(Not A Cumiou)	213 Hobbs Street	
DRAWN: JRT	DATE: 04/25/22	CHECKED BY: DWM	(Not A Survey)	Tampa, Florida 33619	
REVISIONS			Phone: (813) 248-8888		
DATE	DESCRIPTION	DRAWN BY		Licensed Business No.: LB 7768	
				CaaDairt	
			David W. Maxwell	GeoPoint \	
			FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS7311	Surveying, Inc.	
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