



STAFF REPORT

Wellen Park Village E, Tract 4

Replat

From: Sherry Willette-Grondin, Planner III

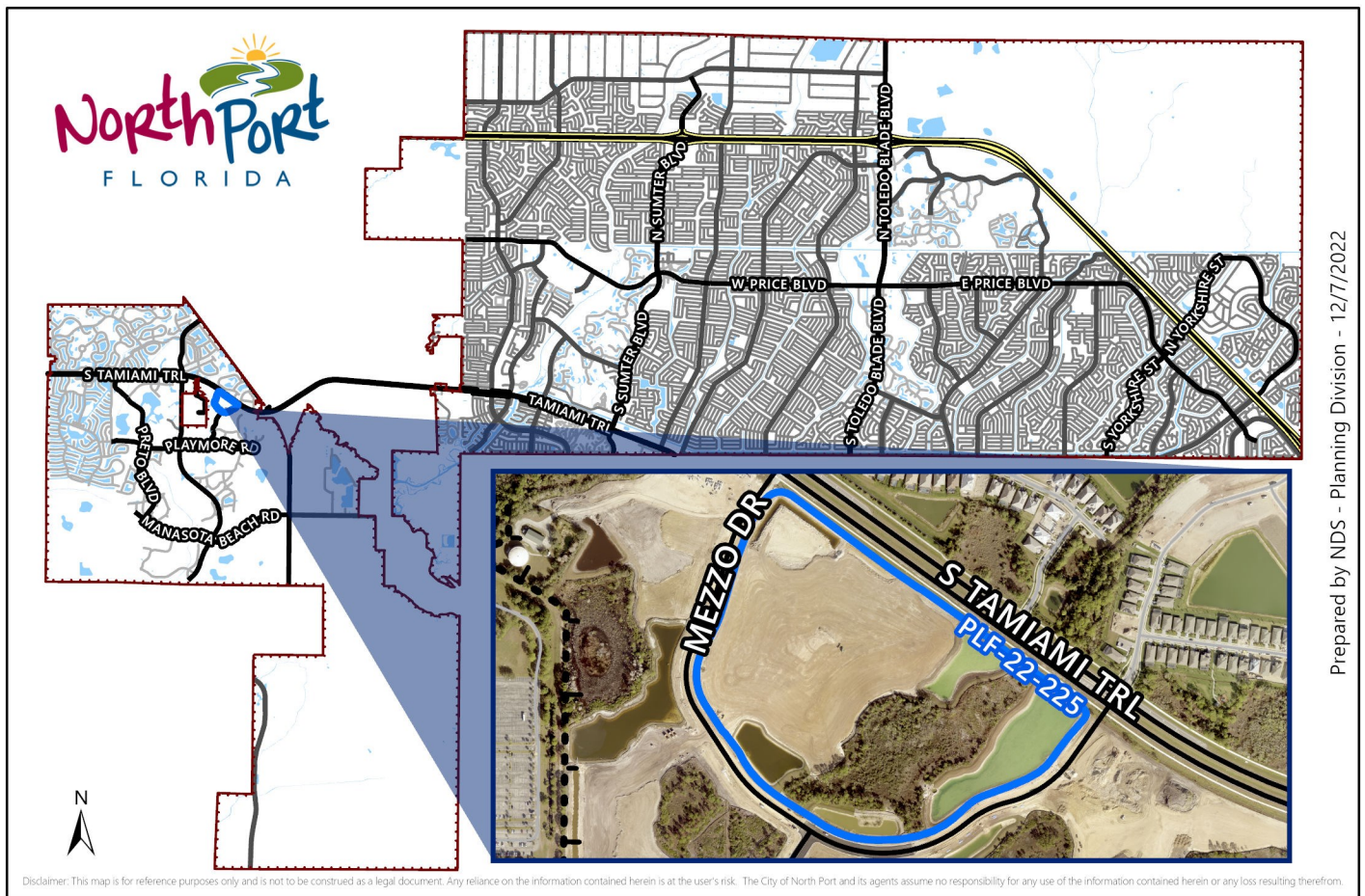
Thru: Lori Barnes, AICP, CPM, Planning & Zoning Division Manager

Thru: Alaina Ray, AICP, Neighborhood Development Services Director

Thru: Jason Yarborough, ICMA-CM, Assistant City Manager

Thru: A. Jerome Fletcher II, ICMA-CM, MPA, City Manager

Date: January 5, 2023



Prepared by NDS - Planning Division - 12/7/2022

PROJECT: PLF-22-225, Wellen Park Village E Tract 4 Replat (QUASI-JUDICIAL)

REQUEST: Approval of Wellen Park Village E Tract 4 Replat

APPLICANT: John Luczynski on behalf of Manasota Beach Ranchlands LLLP

OWNER: Manasota Beach Ranchlands LLLP

LOCATION: Within Village E; East of S West Villages Pkwy and South of US-41 (Section 33, Township 39 South, Range 20 East, North Port, Florida.)
± 38.6445 Acres

PROPERTY SIZE:

I. BACKGROUND

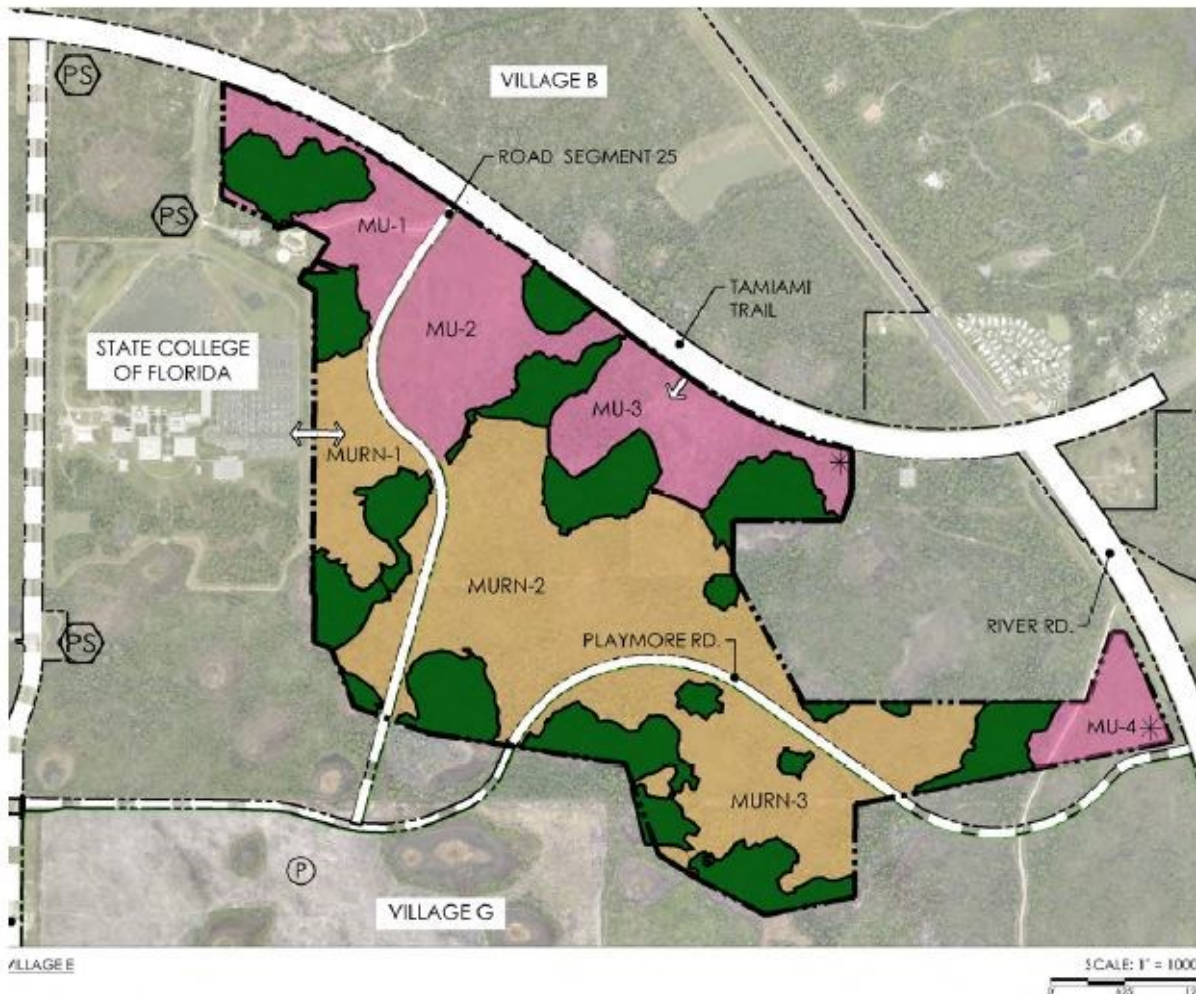
In September 2020, the Master Infrastructure (INF-20-074) Plans for Village E of Wellen Park were approved by City Staff. Additional roadway infrastructure plans for Merlot Avenue and Mezzo Drive extensions (INF-19-208 & INF-21-191) were approved in December 2019 and August 2021, respectively.

November 29, 2021, Commission approved the Wellen Park Village E plat comprising 21 separate tracts and rights-of-way, associated stormwater and wetland preservation tracts, utility tracts, and easements.

The purpose of the replat is to reconfigure Tract 4 to Tract 4A. The new reconfiguration accommodates the development site for Costco and the fuel pump stations. Tract 303 is a right-of-way, drainage, and public utility easement. Tracts 502A and 503A contain stormwater management ponds and wetlands. The total site contains approximately ± 38.6445 acres.

The site is located within the Village E, West Villages Improvement District development in the MU-2 (Mixed Use Area), as shown in Figure 1 below, East of S. West Villages Parkway and South of Tamiami Trail (US-41).

The City has received a bond in the amount of \$111,211.00 for infrastructure improvements, including potable water.



II. STAFF ANALYSIS & FINDINGS

2021 FLORIDA STATUTES

Title XII MUNICIPALITIES, Chapter 177 LAND BOUNDARIES, Part I: PLATTING, Section 177.081 Dedication and approval.

(1) Prior to approval by the appropriate governing body, the plat shall be reviewed for conformity to this chapter by a professional surveyor and mapper either employed by or under contract to the local governing body, the costs of which shall be borne by the legal entity offering the plat for recordation, and evidence of such review must be placed on such plat.

Findings: The final plat was reviewed and approved by the contracted City Surveyor for conformance with the Florida Statutes Chapter 177 Part I.

Conclusion: PLF-22-225 meets the State's requirements for City review and approval of plats.

COMPLIANCE WITH ULDC

Chapter 37-Subdivision Regulations, Article II-Procedures for Securing Approvals, Section 37-8 Plat Submission Requirements.

B. Conformity with approved subdivision plans. The plat shall incorporate all stipulations, easements, changes and modifications required to make the approved subdivision plan and infrastructure plan conform to these regulations.

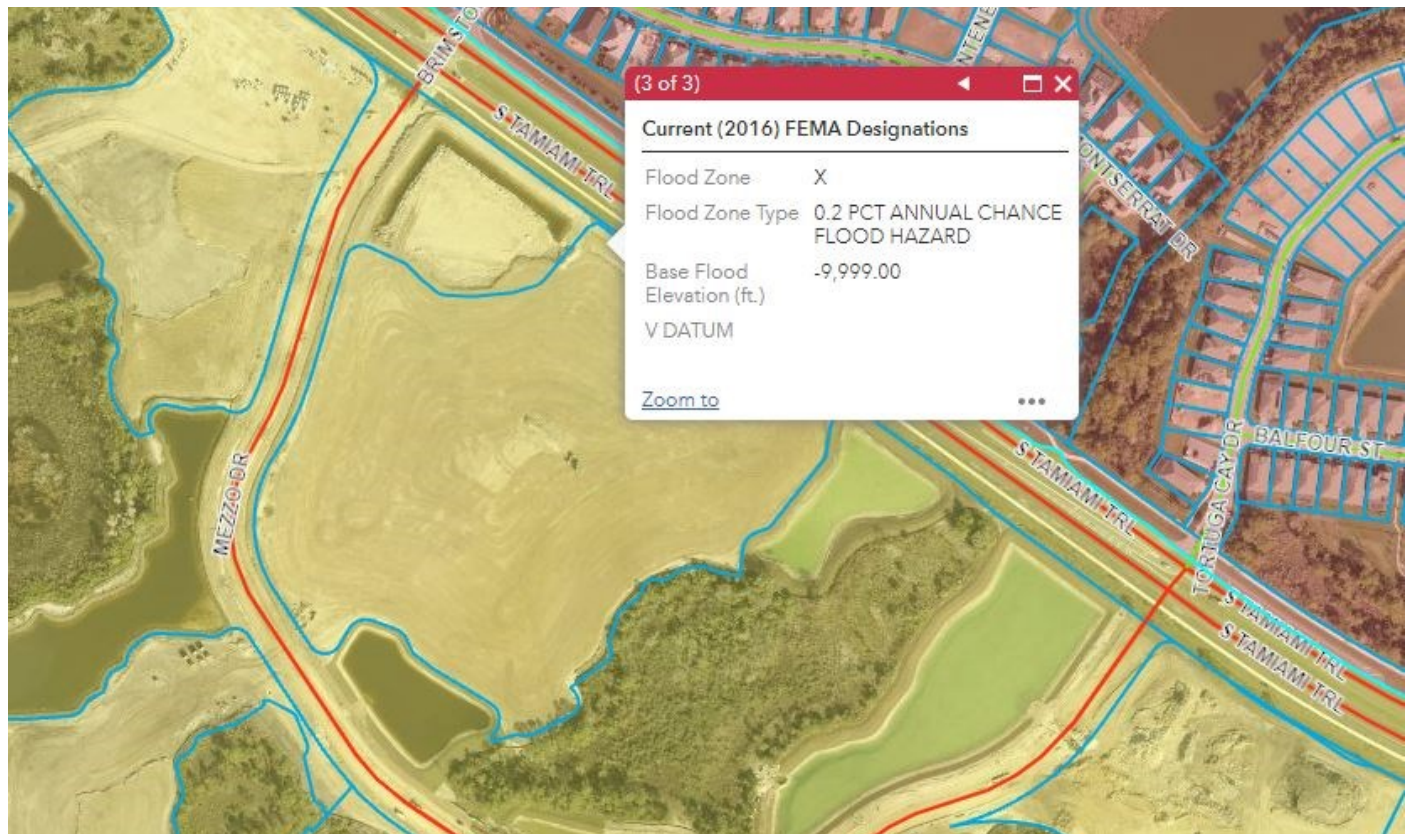
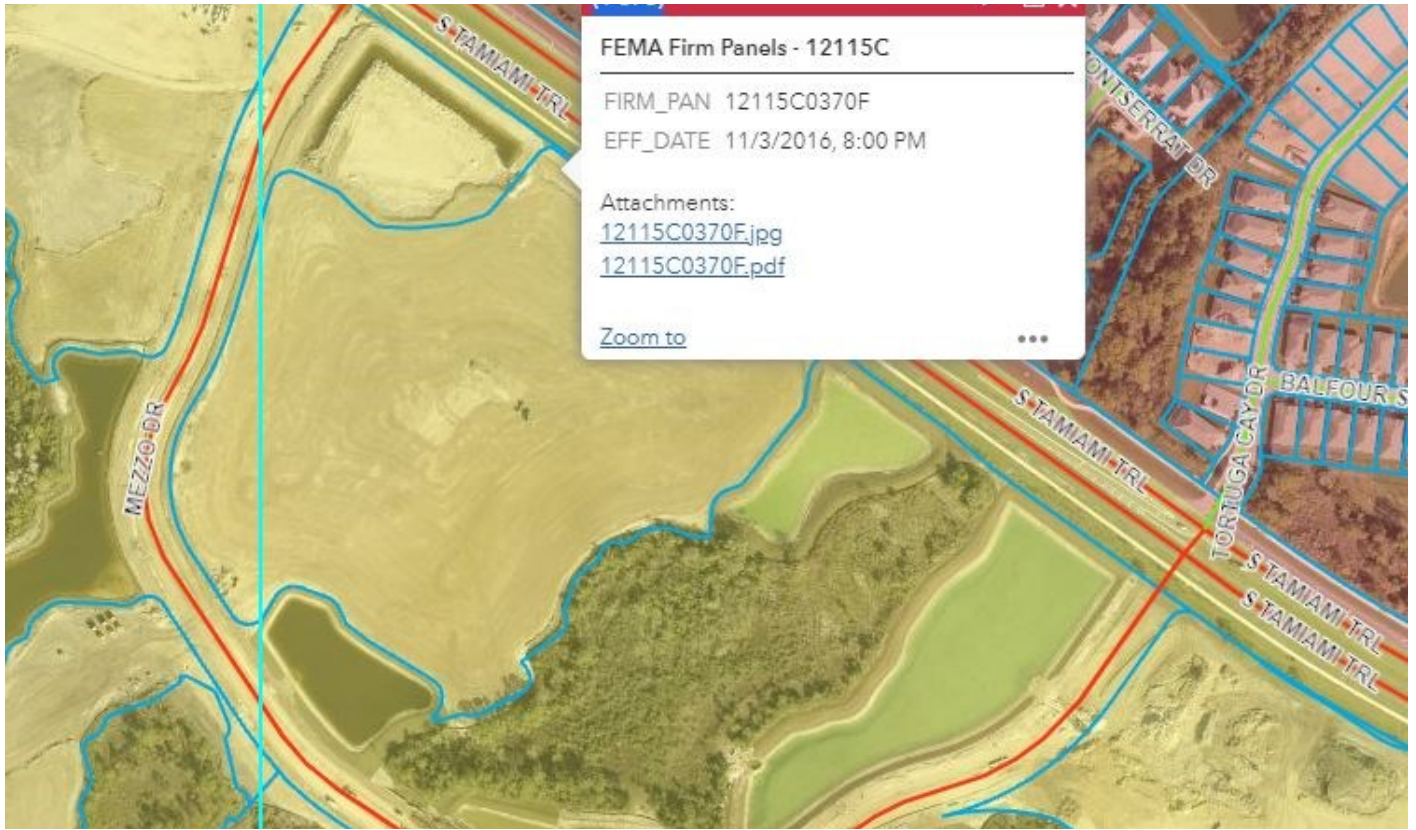
Findings: The final plat was reviewed for conformance with the approved infrastructure plans for Village E Master Infrastructure (INF-20-074, INF-19-208 and INF-21-191). As this is single tract project, there are no subdivision plans.

ENVIRONMENTAL

A formal environmental survey has been completed on the site. All permits will be issued in accordance to State and Federal standards.

FLOOD ZONE

Flood Zone X (Areas of minimal flood hazard), According to Flood Insurance Rate Map No. 12115C0365F & 12115C0370F for Sarasota County, Community No. 120279, City of North Port, FL effective



III. RECOMMENDED MOTION

Staff recommends **APPROVAL** of Petition No. PLF-22-225, Wellen Park Village E Tract 4 Replat:

I move to recommend approval of Petition No. PLF-22-225 as presented and find that based on the competent substantial evidence, the Plat complies with all regulations set forth in the Unified Land Development Code (ULDC) and Florida Statutes Chapter 177.

IV. ALTERNATIVE MOTIONS

Petition PLF-22-225 could be DENIED. If that were the case, new findings would need to be written to support that recommendation. The motion would be as follows:

I move to recommend denial of Petition No. PLF-22-225 and find that, based on the competent substantial evidence shows that the proposed Plat does not comply with the Unified Land Development Code (ULDC) and Florida Statutes Chapter 177.

V. PUBLIC HEARING SCHEDULE

Planning & Zoning Advisory Board Public Hearing	January 5, 2023 9:00 AM or as soon thereafter
City Commission Public Hearing	January 24, 2023 6:00 PM or as soon thereafter

VI. EXHIBITS

A.	Map Gallery
B.	Affidavit
C.	Title Assurance
D.	City Surveyor's Approval



City of North Port

Prepared on 12/12/2022
by NDS / Planning Division

Exhibit A - Map Gallery

Aerial Location Map

PLF-22-225, Wellen Park Village E Tract 4 Replat



0 200 400 Feet

 Petition Boundary





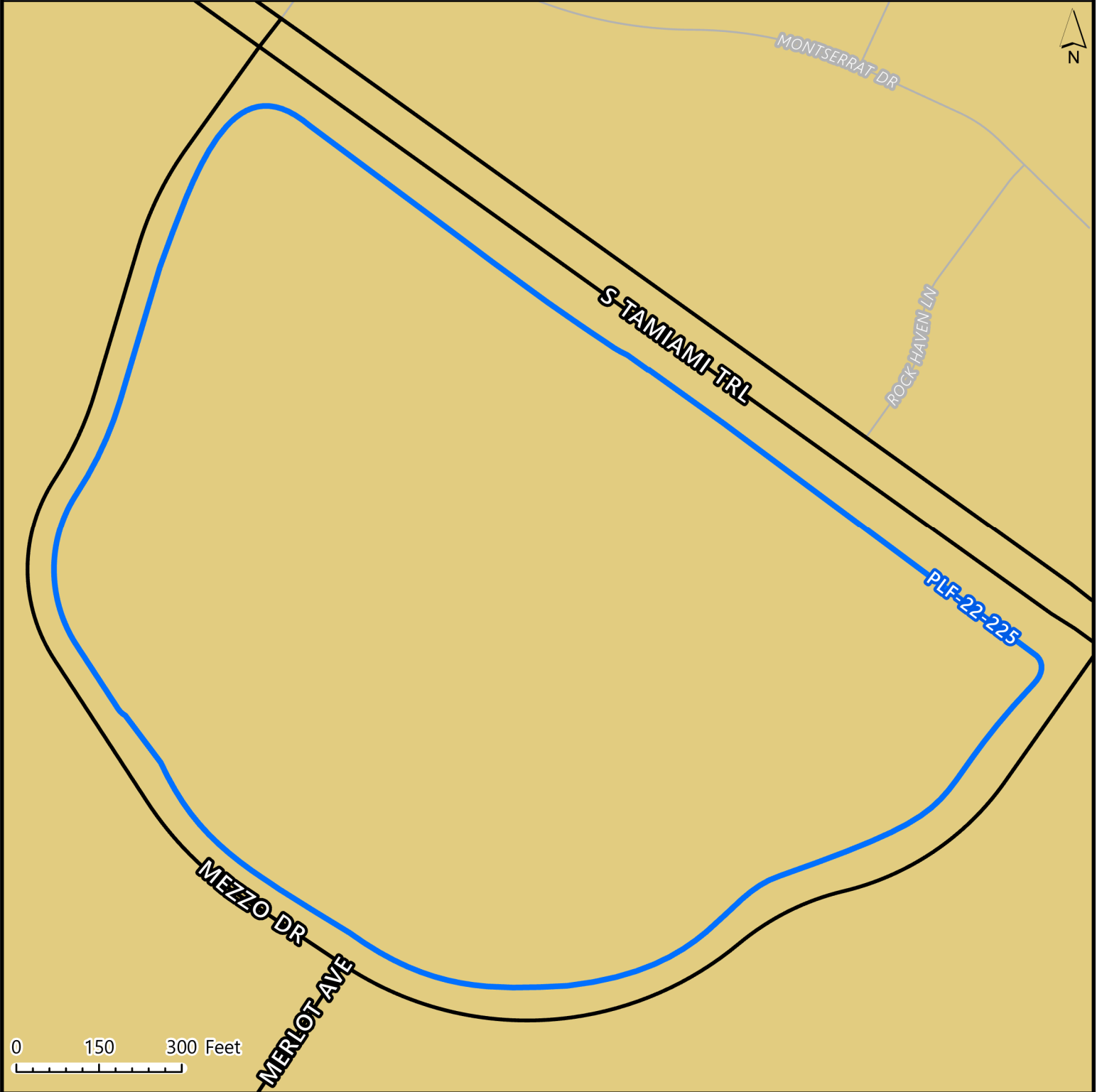
Disclaimer: This map is for reference purposes only and is not to be construed as a legal document. Any reliance on the information contained herein is at the user's risk. The City of North Port and its agents assume no responsibility for any use of the information contained herein or any loss resulting therefrom.



Current Zoning

PLF-22-225, Wellen Park Village E Tract 4 Replat V, Village

-  Petition Boundary
-  V, Village



NOTE: THIS MAP CANNOT BE CORRECTLY INTERPRETED INDEPENDENTLY OF NORTH PORT COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 97-27, AS SAME AS MAY BE AMENDED FROM TIME TO TIME.

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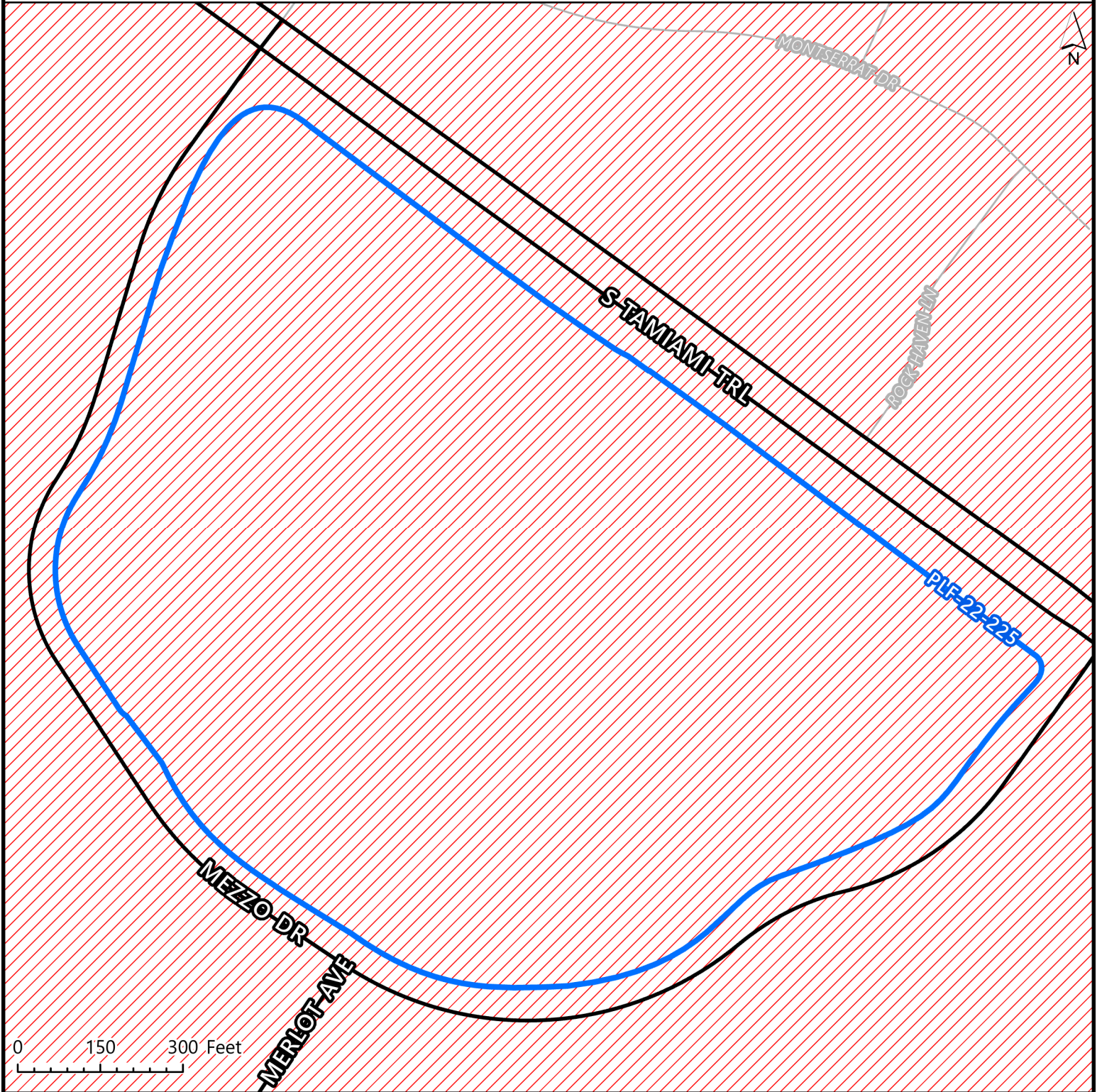
Exhibit A - Map Gallery

Future Land Use

PLF-22-225, Wellen Park Village E Tract 4 Replat

VILLAGE

- Petition Boundary
- VILLAGE



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Exhibit B - Affidavit

AFFIDAVIT

I (the undersigned), JOHN E. LUCZYNSKI, being first duly sworn, depose and say that I am the owner, attorney, attorney-in-fact, agent, lessee or representative of the owner of the property described and which is the subject matter of the proposed application; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and accurate to the best of my knowledge and belief. I understand this application must be complete and accurate before the application can be processed or hearing can be advertised, and that I am authorized to sign the application by the owner or owners. I authorize City of North Port staff and agents to visit the site as necessary for proper review of this application. If there are any special conditions such as locked gates, restricted hours, guard dogs, etc., please provide the name and telephone number of the individual who can allow access.

Sworn and subscribed before me this 9th day of September, 2022

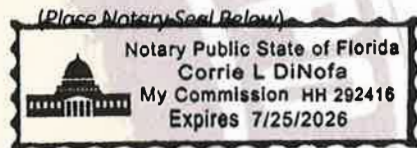
[Signature]
Signature of Applicant or Authorized Agent

JOHN E. LUCZYNSKI, D.P.
Print Name and Title

STATE OF Florida COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 7th day of September, 2022, by JOHN E. LUCZYNSKI who is personally known to me or has produced as identification.

[Signature]
Signature - Notary Public



AFFIDAVIT AUTHORIZATION FOR AGENT/APPLICANT

I, _____, property owner, hereby authorize _____ to act as Agent on our behalf to apply for this application on the property described as (legal description) _____

Owner Date

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged by me this _____ day of _____, 20____, by _____ who is personally known to me or has produced as identification.

(Place Notary Seal Below)

Signature - Notary Public

Exhibit C - Title Assurance
PLAT PROPERTY INFORMATION REPORT

Showing Information Required by F.S. 177.041 Prior to Platting Lands

Issuer: Attorneys' Title Fund Services, LLC
Recipient: Williams Parker Harrison Dietz & Getzen, PLLC

Fund File Number: 1231238

Provided For: Williams Parker Harrison Dietz & Getzen, PLLC ***Agent's File Reference:*** PWR WP Plat search Tracts 4, 502, 503

Effective Date of Search: February 22, 2022 at 11:00 PM

Description of Real Property Situated in Sarasota County, Florida:

Tracts 4, 502, and 503, WELLEN PARK, VILLAGE E, according to the map or plat thereof as recorded in Plat Book [55, Page 401](#), Public Records of Sarasota County, Florida.

Record Title Vested in:

MANASOTA BEACH RANCLANDS, LLLP, a Florida limited liability limited partnership, formerly known as THOMAS RANCH LAND PARTNERS NORTH PORT, LLLP, a Florida limited liability limited partnership, by Special Warranty Deed recorded in the Official Records as Instrument Number [2014062917](#), and Certificate of name change recorded in the Official Records as Instrument Number [2015141232](#), Public Records of Sarasota County, Florida.

Prepared Date: March 7, 2022

Attorneys' Title Fund Services, LLC

Prepared by: Peggy Frook, Senior Examiner

Phone Number: (800) 228-8137 x6604

Email Address: PFrook@TheFund.com

Exhibit C - Title Assurance
PLAT PROPERTY INFORMATION REPORT

Fund File Number: 1231238

The following mortgages are all the mortgages of record that have not been satisfied or released of record nor otherwise terminated by law:

1. Nothing Found

Other encumbrances affecting the title:

1. All matters contained on the Plat of WELLEN PARK VILLAGE E, as recorded in Plat Book [55](#), [Page 401](#), Public Records of Sarasota County, Florida.
2. Easements in favor of Florida Power & Light Company recorded in O.R. Book [2940](#), [Page 1363](#) and O.R. Book [3002](#), [Page 1261](#), Public Records of Sarasota County, Florida.
3. Notice of Establishment of West Villages Improvement District, Declaration of Consent to Jurisdiction, Agreement between West Villages Improvement District and Fourth Quarter Properties XXXII, LLC, and other instruments pertaining to said District recorded in Instrument Numbers [2004223490](#), [2017111575](#), [2017111576](#), [2017111580](#), [2017111585](#), [2017128391](#), [2018000839](#), [2018084717](#), [2018142894](#), [2018154491](#), [2018164671](#), [2019007882](#), [2019048577](#), [2019048579](#), [2019048581](#), and [2019052599](#), of the Public Records of Sarasota County, Florida, which contain provisions for liens and assessments.
4. Restrictive Covenant recorded in Instrument Number [2018128694](#), and Amendment to Restrictive Covenant recorded in Instrument Number [2021097941](#), Public Records of Sarasota County, Florida.
5. Irrigation Water Supply Agreement recorded in the Official Records as Instrument Number [2018159052](#), as amended in Instrument Number [2021205095](#), Public Records of Sarasota County, Florida.
6. Use restrictions in Paragraph 1 of the Declaration of Restrictive Covenants and Rights recorded in Instrument Number [2021153734](#), Public Records of Sarasota County, Florida.
7. Temporary access easement as contained in the Access Easements Agreement by Manasota Beach Ranchlands, LLLP, to the City of North Port, Florida, recorded in Instrument Number [2022025774](#), Public Records of Sarasota County, Florida. (FOR INFORMATIONAL PURPOSES ONLY, Termination and Release of Easement recorded in Instrument Number [2022025775](#), and Resolution No. 2022-R-10 of the City Commission of the City of North Port, Florida, recorded in Instrument Number [2022025776](#), Public Records of Sarasota County, Florida.)
8. Recorded Notice of Environmental Resource Permit recorded in Instrument Number [2019126330](#), and Recorded Notice of Environmental Resource Permit recorded in Instrument Number [2020031687](#), Public Records of Sarasota County, Florida.
9. Taxes, liens and assessments presently due to the West Villages Improvement District, or which may become due in the future.
10. Rights of the lessees under unrecorded leases.

This search is provided pursuant to the requirements of section 177.041, F.S. for the uses and purposes specifically stated therein and is not to be used as the basis for issuance of an insurance commitment and/or policy.

The information contained herein is furnished for information only.

Exhibit C - Title Assurance
PLAT PROPERTY INFORMATION REPORT

Fund File Number: 1231238

This report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

Exhibit D - City Surveyor's Approval

Van Buskirk & Fish, Surveying & Mapping, Inc.

12450 TAMIAMI TRAIL UNIT D, NORTH PORT, FLORIDA 34287
PHONE: 941.426.0681 FAX: 941.426.6101 E-MAIL: landsurveyor@vbfainc.com

September 20, 2022

Sherry Willette
City of N. Port Planning & Zoning, Dept.
4970 City Hall Blvd.
North Port, FL. 34286
E-Mail: [swillette@cityofnorthport.com]

RE: Review of proposed Record Plat of "Wellen Park Village E, Tract 4 Replat" in the
City of North Port, Florida,

Sherry,

I have performed a review for conformance with Chapter 177, Part I, Florida Statutes of the
above referenced Plat and found the Plat to be in conformance with said Part.

This review was performed to determine compliance with Chapter 177, Part I, Florida Statutes
only and does not include verification of the absence of any underlying easements, installation of
PRM's or checking of the mathematical data contained within the plat. The correctness of said
data is the responsibility of the certifying Surveyor.

Respectfully yours,
Van Buskirk & Fish, Surveying & Mapping, Inc.

Alan K. Fish, PSM
Registered Professional Surveyor & Mapper
Florida Certificate # 3941