



Wellen Park Golf & Country Club Phase 1A

Final Plat

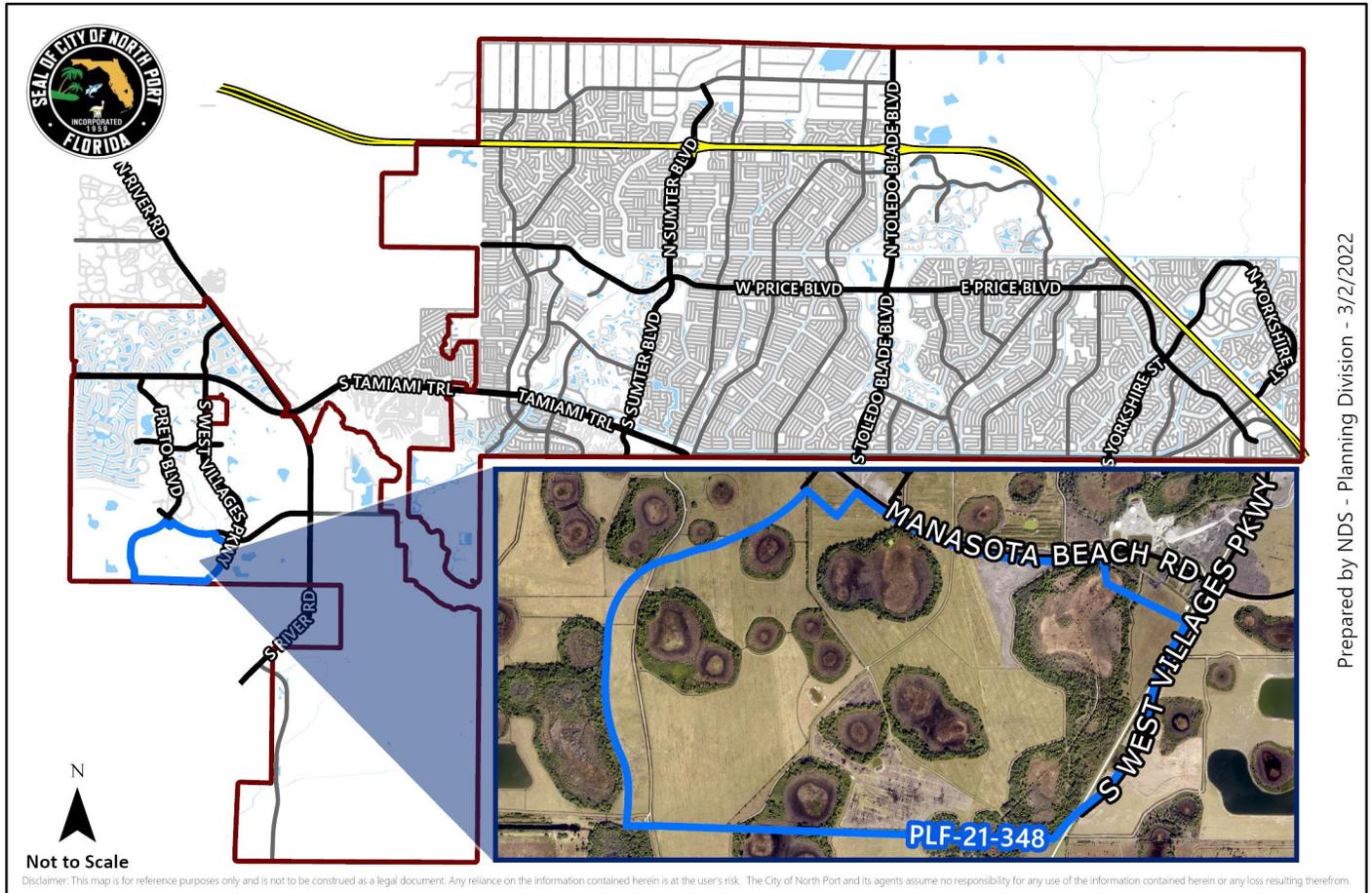
From: Sam Hudson, Planner I

Thru: Alaina Ray, AICP, Neighborhood Development Services Director

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

Date: March 3, 2022

STAFF REPORT



PROJECT:	PLF-21-348, Wellen Park Golf & Country Club Phase 1A (QUASI-JUDICIAL)
REQUEST:	Approval of Final Plat for Wellen Park Golf & Country Club Phase 1A
APPLICANT:	Darin McMurray, representative of Lennar Homes LLC
OWNER:	Lennar Homes LLC
LOCATION:	Within Village J, South of the proposed Manasota Beach Road, West of the proposed West Villages Parkway
PROPERTY SIZE:	± 610.7 Acres
ZONING:	Village (V)

I. BACKGROUND

In September of 2021, the Infrastructure (INF-21-124) and Subdivision Plans (SCP-21-125) for Wellen Park Golf & Country Club Phase 1A were approved by City Staff. This project is platting Wellen Park Golf & Country Club Phase 1A and adds 135 single family lots and the associated future development, golf course, roadway, stormwater, and utility tracts and easements. The total site contains approximately ± 610.7 acres.

A surety bond for INF-21-124 in the amount of \$4,202,299.53 for Wellen Park Golf & Country Club Phase 1A has been received by the City of North Port.

II. STAFF ANALYSIS & FINDINGS

2019 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 City's contracted professional surveyor, Alan Fish, reviewed and approved the plat.

Conclusion: PLF-21-348 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 subdivision plan.

Conclusion: PLF-21-348 conforms with the ULDC.

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 for Sarasota County, Community No. 120279, City of North Port, FL effective November 4, 2016.



III. RECOMMENDED MOTION

Staff recommends APPROVAL of Petition No. PLF-21-348, Wellen Park Golf and Country Club Phase 1A.

- I move to recommend approval of Petition PLF-21-348 and find that, based on 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-21-348 could be Approved with Conditions.

- I move to recommend approval of Petition PLF-21-348 with the condition(s) [*specify conditions*], based on competent substantial evidence, the plat complies with all regulations set forth in the Unified Land Development Code (ULDC) and Florida Statutes Chapter 177.

Petition PLF-21-348 could be DENIED. If that were the case, new findings would need to be written to support that recommendation.

- I move to recommend denial of Petition PLF-21-348 and find that, based on competent substantial evidence, the plat does not comply with all regulations set forth in the Unified Land Development Code (ULDC) and Florida Statutes Chapter 177.

V. PUBLIC HEARING SCHEDULE

Planning & Zoning Advisory Board Public Hearing	March 17, 2022 9:00 AM or as soon thereafter
City Commission Public Hearing	March 22, 2022 10:00 AM or as soon thereafter

VI. EXHIBITS

A.	Map Gallery
B.	Affidavit
C.	Title Assurance
D.	City Surveyor's Approval
E.	West Villages Improvement District Approval Letter



City of North Port

Prepared on 3/2/2022
by NDS / Planning Division

Exhibit A

Aerial Location Map

PLF-21-348, Wellen Park G & CC Phase 1A



0 1,000 2,000 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.



City of North Port

Prepared on 3/2/2022
by NDS / Planning Division

Future Land Use

Village

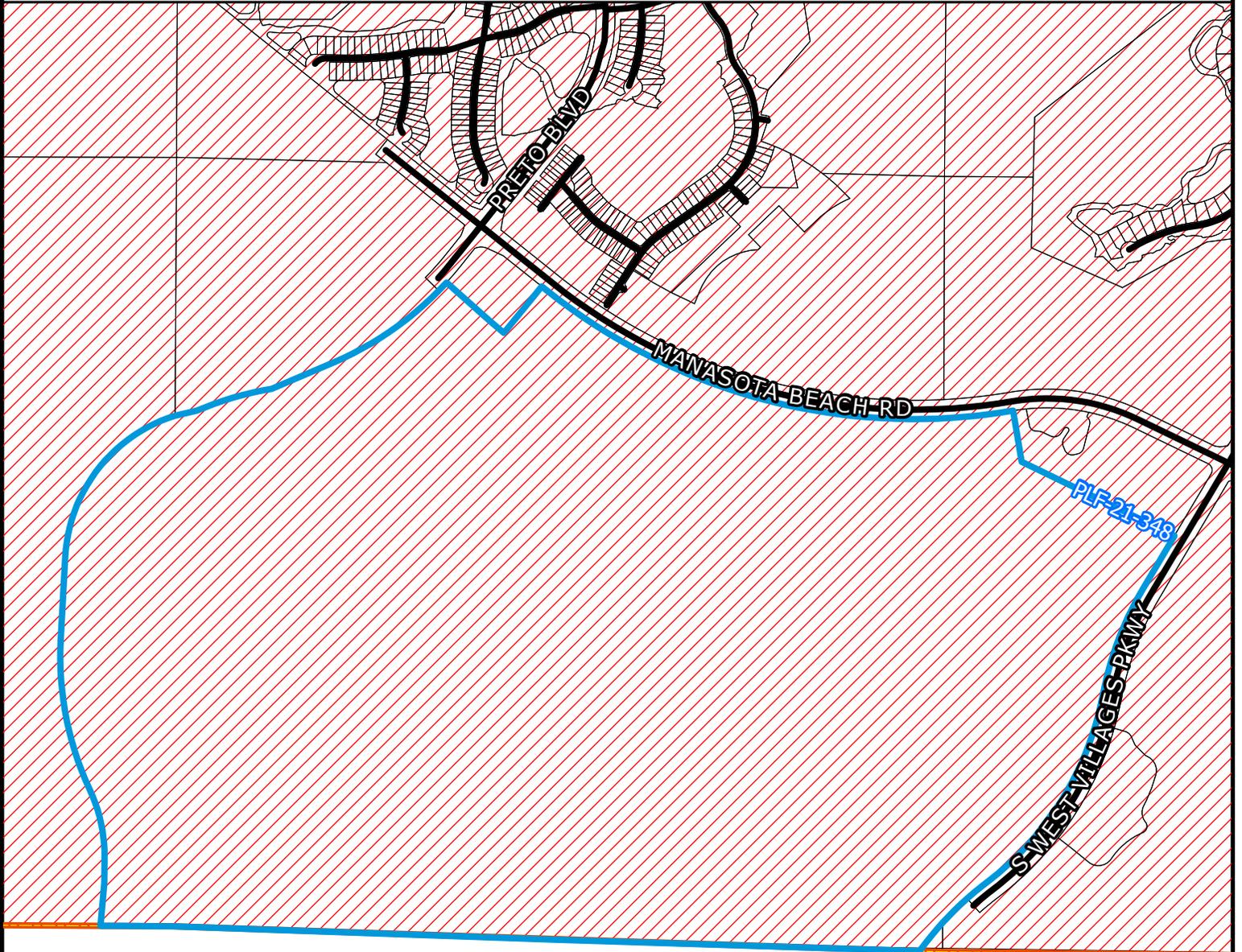
Exhibit A

PLF-21-348, Wellen Park G & CC Phase 1A



0 1,000 2,000 Feet

- Petition Boundary
- Streets
- City Boundary
- Parcel Boundary
- 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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City of North Port

Prepared on 3/2/2022
by NDS / Planning Division

Current Zoning

V, Village

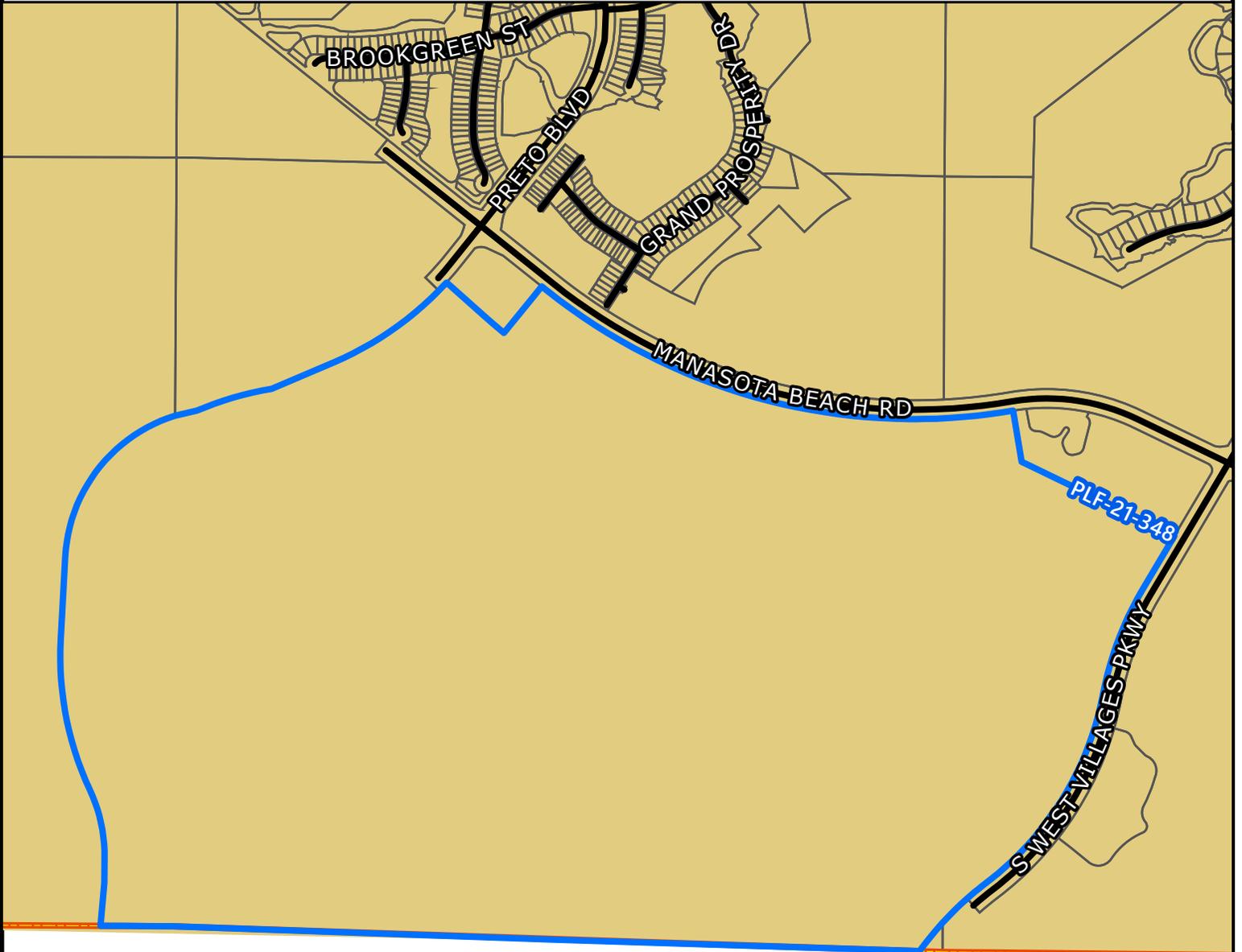
PLF-21-348, Wellen Park G & CC
Phase 1A

Exhibit A



0 1,000 2,000 Feet

- City Boundary
- Parcel Boundary
- Streets
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AFFIDAVIT

I (the undersigned), Ty E. Gremaux being first duly sworn, depose and say that I am the owner, attorney, attorney-in-fact, agent, lessee or representative of the owner(s) of the property described and which is the subject matter of the proposed hearing; 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 true to the best of my (our) knowledge and belief. I understand this application must be complete and accurate before the hearing can be advertised, and that I am authorized to sign the application by the owner or owners. I (we) authorize City staff to visit the site as necessary for proper review of this petition. 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 5th day of September OCTOBER, 2021

[Signature]
Signature of Applicant or Authorized Agent

Ty E. Gremaux, Authorized Agent
Print Name and Title

STATE OF Florida

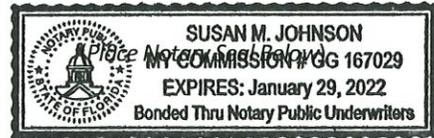
COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 5th day of September, 2021, by

Ty E. Gremaux who is personally known to me or has produced as identification, and who

did/did not take an oath.

[Signature]
Signature - Notary Public



AFFIDAVIT

AUTHORIZATION FOR AGENT/APPLICANT

I (we), Darin McMurray, Vice President of Lennar Homes, LLC, property owner(s), hereby authorize Ty E. Gremaux of Kimley-Horn and Associates, Inc. to act as Agent/Applicant on our behalf to apply for this petition on the property described as (legal description) See attached.

[Signature] Signature of Owner
9/8/21 Date

STATE OF Florida

COUNTY OF LEE

The foregoing instrument was acknowledged by me this 28th day of September, 2021, by

DARIN McMURRAY who is personally known to me or has produced as identification, and who did

not take an oath.

[Signature]
Signature - Notary Public



Karen A. Hughes
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG288290
Expires 2/13/2023

(Place Notary Seal Below)

**TITLE CERTIFICATION
WELLEN PARK**

PAVESE LAW FIRM
1833 HENDRY STREET
FORT MYERS, FL 33901

This Title Certificate is being rendered to the Board of Commissioners of the City of North Port for the sole and specific purpose of complying with Section 177.041(2); Florida statutes and is based solely on the following documents and searches which we believe, in our professional opinion, consist of the available documents sufficient and appropriate to render this certificate: Old Republic National Title Commitment No. 863711, effective through May 11, 2021 at 5:00 PM and a search of the public records of Sarasota County from May 11, 2021, through November 4, 2021, covering the property described on attached Exhibit "A"

Based upon the aforementioned information, as of November 4, 2021 at 11:00 PM, fee simple title to said real estate is vested in **LENNAR HOMES, LLC**, a Florida limited liability company, by virtue of that certain Special Warranty Deed recorded in Official Records Instrument No. 2021097944, Public Records of Sarasota County, Florida.

There are no mortgages on the property.

Property taxes and assessments due and owing as of the date of this certification have not been paid in full.

The following easements exist on the property:

- 1) Easement (Business) to Florida Power & Light Company, recorded in Instrument Number 2021085208, Public Records of Sarasota County, Florida.
- 2) Utility Easement recorded in Instrument Number 2021087560, Public Records of Sarasota County, Florida.
- 3) Utility Easement recorded in Instrument Number 2021087561, Public Records of Sarasota County, Florida.
- 4) Utility Easement recorded in Instrument Number 2021087562, Public Records of Sarasota County, Florida.
- 5) Temporary Access Easement Agreement recorded in Instrument Number 2021097948, Public Records of Sarasota County, Florida.
- 6) Telecommunications Easement recorded in Instrument Number 2021150513, Public Records of Sarasota County, Florida.

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The following encumbrances also exist on the property:

- 1) Taxes for 2022, which are not yet due and payable. The 2021 taxes have not been paid.
- 2) 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, 2006023618, 2007086623, 2007176566, 2008055051, 2017111575, 2017111576, 2017111580, 2018000839, 2018084717, 2018142894, 2020144452, 2020170150, 2021000678, 2021072297, 2021072298, 2021072299, and 2021072300, of the Public Records of Sarasota County, Florida.
- 3) Irrigation Water Supply Agreement recorded in Instrument Number 2018159052, Public Records of Sarasota County, Florida.
- 4) Restrictive Covenant recorded in Instrument Number 2018128694, as amended by that certain Amendment to Restrictive Covenant recorded in Instrument Number 2021097941, all of the Public Records of Sarasota County, Florida.
- 5) Contingent Fee Agreement by Manasota Beach Ranchlands, LLLP, a Florida limited liability limited partnership, and Lennar Homes, LLC, a Florida limited liability company, recorded in Instrument Number 2021097945, Public Records of Sarasota County, Florida.
- 6) Repurchase Option Agreement by Manasota Beach Ranchlands, LLLP, a Florida limited liability limited partnership, and Lennar Homes, LLC, a Florida limited liability company, recorded in Instrument Number 2021097946, Pubic Records of Sarasota County, Florida.
- 7) Memorandum of Right of First Refusal by Manasota Beach Ranchlands, LLLP, a Florida limited liability limited partnership, and Lennar Homes, LLC, a Florida limited liability company, recorded in Instrument Number 2021097947, Public Records of Sarasota County, Florida.
- 8) Amended and Restated Utilities Agreement recorded in Instrument Number 2019125013, Public Records of Sarasota County, Florida.

Dated this 11th day of November, 2021.

PAVESE LAW FIRM
1833 Hendry Street
Fort Myers, Florida 33901
Telephone: (239) 334-2195

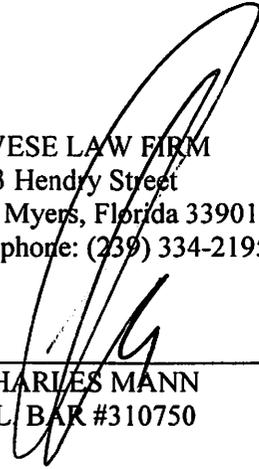
By 
CHARLES MANN
FL BAR #310750

EXHIBIT "A"

A PARCEL OF LAND BEING A PORTION OF THAT LAND DESCRIBED IN OFFICIAL RECORDS INSTRUMENT NUMBER 2014062917, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, LYING IN SECTIONS 7, 8, AND 9, TOWNSHIP 40 SOUTH, RANGE 20 EAST OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF SAID SECTION 7; THENCE N 89°38'43" W, ALONG THE SOUTH LINE OF SAID SECTION 7, 475.82 FEET; THENCE N 00°39'02" E 472.90 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY, 487.67 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1090.00 FEET AND A CENTRAL ANGLE OF 25°38'03" (CHORD BEARING N 12°09'59" W 483.61 FEET) TO A POINT OF REVERSE CURVATURE; THENCE NORTHERLY, 1071.65 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2185.00 FEET AND A CENTRAL ANGLE OF 28°06'04" (CHORD BEARING N 10°55'59" W 1060.94 FEET) TO A POINT OF TANGENCY; THENCE N 03°07'03" E 574.98 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY, 1472.00 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1085.00 FEET AND A CENTRAL ANGLE OF 77°43'55" (CHORD BEARING N 41°59'01" E 1361.68 FEET) TO A POINT OF REVERSE CURVATURE; THENCE EASTERLY, 541.82 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2215.00 FEET AND A CENTRAL ANGLE OF 14°00'55" (CHORD BEARING N 73°50'31" E 540.47 FEET) TO A POINT OF TANGENCY; THENCE N 66°50'03" E 467.65 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY, 963.21 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2265.00 FEET AND A CENTRAL ANGLE OF 24°21'55" (CHORD BEARING N 54°39'06" E 955.96 FEET); THENCE S 48°14'21" E 331.70 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY, 197.25 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 4491.41 FEET AND A CENTRAL ANGLE OF 02°30'58" (CHORD BEARING S 49°29'51" E 197.23 FEET); THENCE N 39°14'40" E 414.73 FEET; THENCE S 51°25'13" E 47.29 FEET TO A POINT OF CURVATURE; THENCE EASTERLY, 3433.51 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 4076.41 FEET AND A CENTRAL ANGLE OF 48°15'34" (CHORD BEARING S 75°33'00" E 3332.91 FEET); THENCE S 09°40'47" E 359.21 FEET; THENCE S 64°10'08" E 1175.51 FEET; THENCE S 30°34'52" W 433.45 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY, 784.33 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2265.00 FEET AND A CENTRAL ANGLE OF 19°50'26" (CHORD BEARING S 20°39'39" W 780.42 FEET) TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY, 1565.44 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2135.00 FEET AND A CENTRAL ANGLE OF 42°00'39" (CHORD BEARING S 31°44'45" W 1530.61 FEET) TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY, 667.15 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2265.00 FEET AND A CENTRAL ANGLE OF 16°52'35" (CHORD BEARING S 44°18'47" W 664.74 FEET) TO THE SOUTH LINE OF SAID SECTION 8; THENCE N 88°05'49" W, ALONG SAID SOUTH LINE, 5177.26 FEET TO THE POINT OF BEGINNING.

From: [Alan Fish](#)
To: [Joy McRae-Fox](#)
Subject: [EXTERNAL] Wellen Park Golf & Country Club, Phase 1A, proposed Record Plat
Date: Wednesday, January 19, 2022 9:27:34 AM



Joy,

I have performed a second review of a revised copy, of the above referenced Plat. I found the revised Plat, to now be in conformance with Chapter 177, Part One , Florida Statutes.

Please forward this E-mail as necessary.

Alan Fish, PSM
Van Buskirk & Fish, Surveying & Mapping, Inc.
12450 S. Tamiami Trail, Unit D
North Port, FL. 34287
Ph-841 426 0681

Exhibit E

February 10, 2022

The Planning and Zoning Division
City of North Port
4970 City Hall Boulevard
North Port, Florida 34286
planninginfo@cityofnorthport.com

Re: District Review and Approval of Wellen Park Golf Country Club, Phase 1A Plat

To Whom It May Concern:

I serve as District Engineer to the West Villages Improvement District (the “District”), a local unit of special-purpose government partially located in the City of North Port, Florida (the “City”). Please be advised that District staff has reviewed and approved the form of that certain draft plat of Wellen Park Golf Country Club, Phase 1A provided to our office on February 10, 2022, and being submitted to the City by Lennar Homes, LLC. If applicable, the District consents to the street tree and landscape easements, as required by the West Villages District Pattern Book, being granted to the applicable homeowners’ association, as shown in the draft plat. Accordingly, upon approval by the City Commission, the District will be prepared to promptly thereafter execute the plat for recording purposes.

Should you have any questions regarding the foregoing, please do not hesitate to contact me at (941) 702-9672 or rellis@dewberry.com.

Sincerely,



Richard Ellis, P.E.
Dewberry Engineers Inc.

RE:ap
Aimee\West Villages Improvement District – Wellen Park Golf Country Club, Phase 1A Plat – 02-10-2022
Enclosures

cc: John Luczynski, Chairman of the Board of Supervisors (via e-mail)
William Crosley, District Manager (via e-mail)
Lindsay Whelan, District Counsel (via e-mail)