



City of North Port

ORDINANCE NO. 2024-05

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, REZONING ± 262.34 ACRES LOCATED EAST OF TOLEDO BLADE BOULEVARD APPROXIMATELY 1 MILE NORTH OF I-75 IN SECTION 6, TOWNSHIP 39 SOUTH, RANGE 22 EAST OF SARASOTA COUNTY AND FURTHER DESCRIBED IN INSTRUMENT NO. 2023042804 IN OFFICIAL RECORDS OF SARASOTA COUNTY, FROM NO ZONING DESIGNATION DISTRICT (NZD) CLASSIFICATION TO RESIDENTIAL MULTI-FAMILY DISTRICT (RMF) CLASSIFICATION; 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, the subject property is currently zoned as No Zoning Designation (NZD), which is inconsistent with the Future Land Use classification; and

WHEREAS, Petition REZ-22-237 ("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 February 1, 2024, and made its recommendation to the City Commission; and

WHEREAS, the City Commission held properly-noticed public hearings at the 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 Pursuant to Florida Statutes Section 166.041(4)(c), a business impact estimate was not required because this ordinance is enacted to implement Part II of Florida Statutes Chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits.
- 1.03 Pursuant to Section 14 of Chapter 2023-304, Laws of Florida, this amendment to the Official Zoning Map is not more restrictive or burdensome than current regulations.
- 1.04 The associated application was initiated by a private party other than the City of North Port. The property that is the subject of the application is owned by the initiating private party.

SECTION 2 – REZONING

- 2.01 The City Commission hereby changes the zoning classification of ± 262.34-acre area located at Section 6, Township 39 South, Range 22 East of Sarasota County and further described in Instrument No. 2023042804 in the Official Records of Sarasota County as shown on the boundary survey attached as “Exhibit A,” currently zoned No Zoning Designation District (NZD) to Residential Multi-Family District (RMF) for the parcel.
- 2.02 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 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

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 February 27, 2024.

ADOPTED by the City Commission of the City of North Port, Florida on the second and final reading in public session on March 5, 2024.

CITY OF NORTH PORT, FLORIDA

ALICE WHITE
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON, B.C.S.
CITY ATTORNEY

Exhibit A

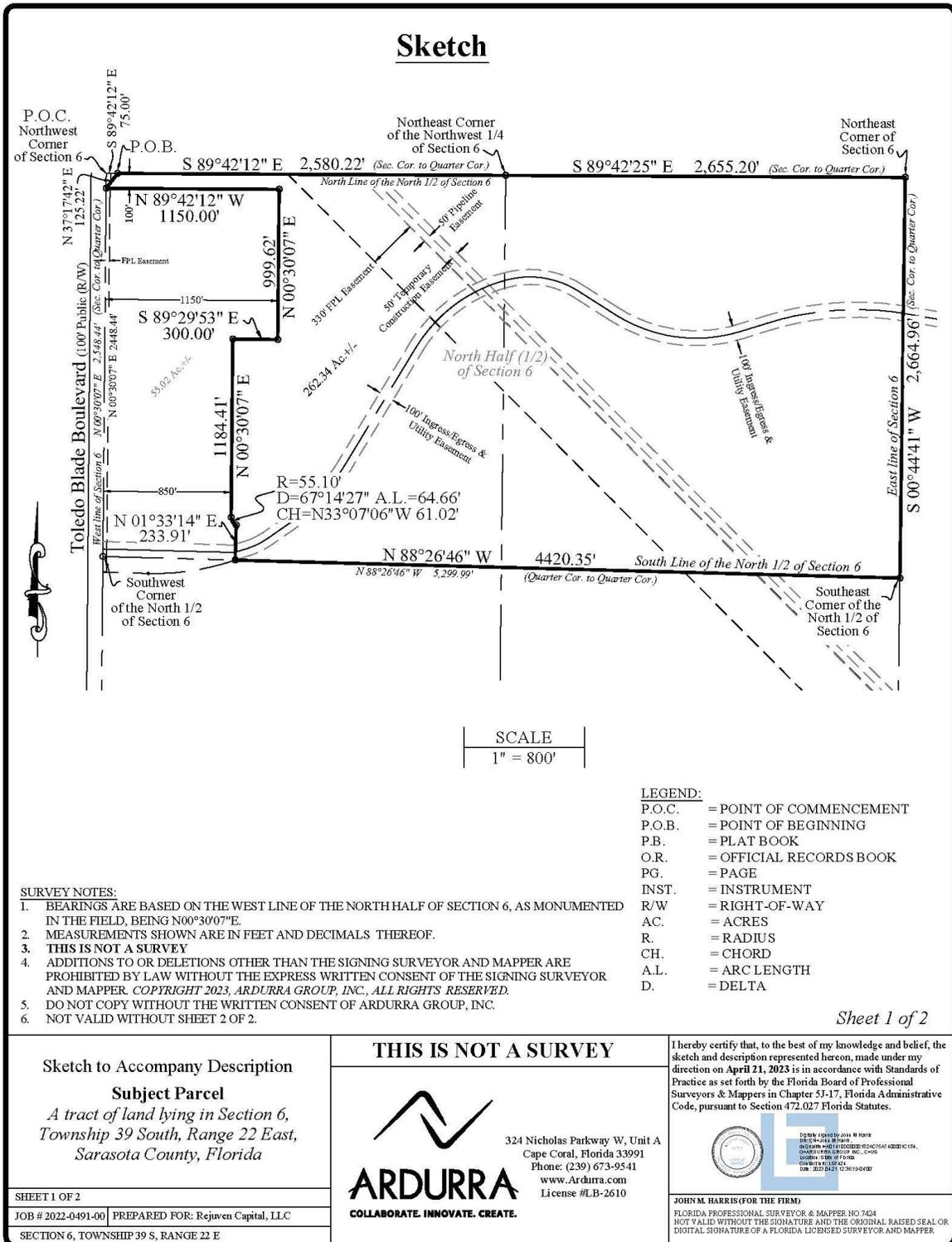


Exhibit A

Description

Subject Parcel Description:

A tract or parcel of land lying in Section 6, Township 39 South, Range 22 East, Sarasota County, Florida, being more particularly described as follows:

Commencing at the Northwest Corner of Section 6, Township 39 South, Range 22 East run S89°42'12"E, along the North line of the Northwest Quarter of said Section 6 for a distance of 75.00 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue S89°42'12"E, along the North line of the Northwest Quarter of said Section for a distance of 2,580.22 feet to the Northeast Quarter Corner of said Section; thence run S89°42'25"E, along the North line of the Northeast Quarter of said Section for a distance of 2,655.20 feet to the Northeast Corner of said Section 6; thence run S00°44'41"W, along the East line of said section for a distance of 2,664.96 feet to the East Quarter Corner of said Section 6; thence run N88°26'46"W, along the South line of the North 1/2 of said Section 6 for a distance of 4,420.35 feet; thence run N01°33'14"E, for a distance of 233.91 feet to a point being 233.91 feet (as measured on a perpendicular) Northerly of the South line of the North 1/2 of said Section 6, also being a point on a non-tangent curve; thence run 55.10 feet along the arc of a curve to the right of radius 55.10 feet, concave to the Northeast, having a delta of 67°14'27", a chord bearing of N33°07'06"W, and a chord length of 61.02 feet to a point of tangency; thence run N00°30'07"E, parallel with (as measured on a perpendicular) and 850.00 feet easterly of the West line of said Section for a distance of 1,184.41 feet; thence run S89°29'53"E, for a distance of 300.00 feet; thence run N00°30'07"E, along a line parallel with (as measured on a perpendicular) and 1150.00 feet Easterly of the West line of the North 1/2 of Section 6 for a distance of 999.62 feet; thence run N89°42'12"W, along a line parallel with (as measured on a perpendicular) and 100.00 feet Southerly of the North line of the Northwest Quarter of Section 6 for a distance of 1,150.00 feet to an intersection with the West line of the Northwest Quarter of said Section; thence run N37°17'42"E, for a distance of 125.22 fee to the POINT OF BEGINNING.

Said parcel contains 262.34+/- acres

<p>THIS IS NOT A SURVEY</p>	<p>Description to Accompany Sketch Subject Parcel <i>A tract of land lying in Section 6, Township 39 South, Range 22 East, Sarasota County, Florida</i></p>	<p><i>Not Valid without Sheet 1 of 2</i></p>
<p><i>Sheet 2 of 2</i></p>	 <p>324 Nicholas Parkway W, Unit A Cape Coral, Florida 33991 Phone: (239) 673-9541 www.Ardurra.com License #LB-2610</p> <p>ARDURRA COLLABORATE. INNOVATE. CREATE.</p>	<p>I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on February 24, 2023 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.</p> <p><i>See Sheet 1 of 2 for Signature and Seal</i></p>
<p>JOB # 2022-0491-00 PREPARED FOR: Rejuven Capital, LLC SECTION 6, TOWNSHIP 39 S, RANGE 22 E</p>	<p>JOHN M. HARRIS (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 7424 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.</p>	

Exhibit B

