



Myakka Crossings -River Rd-US-41
Voluntary Annexation (Petition No. ANX-23-129)
Ordinance No. 2024-02

STAFF REPORT

From: Carl Bengé, AICP, Planner III

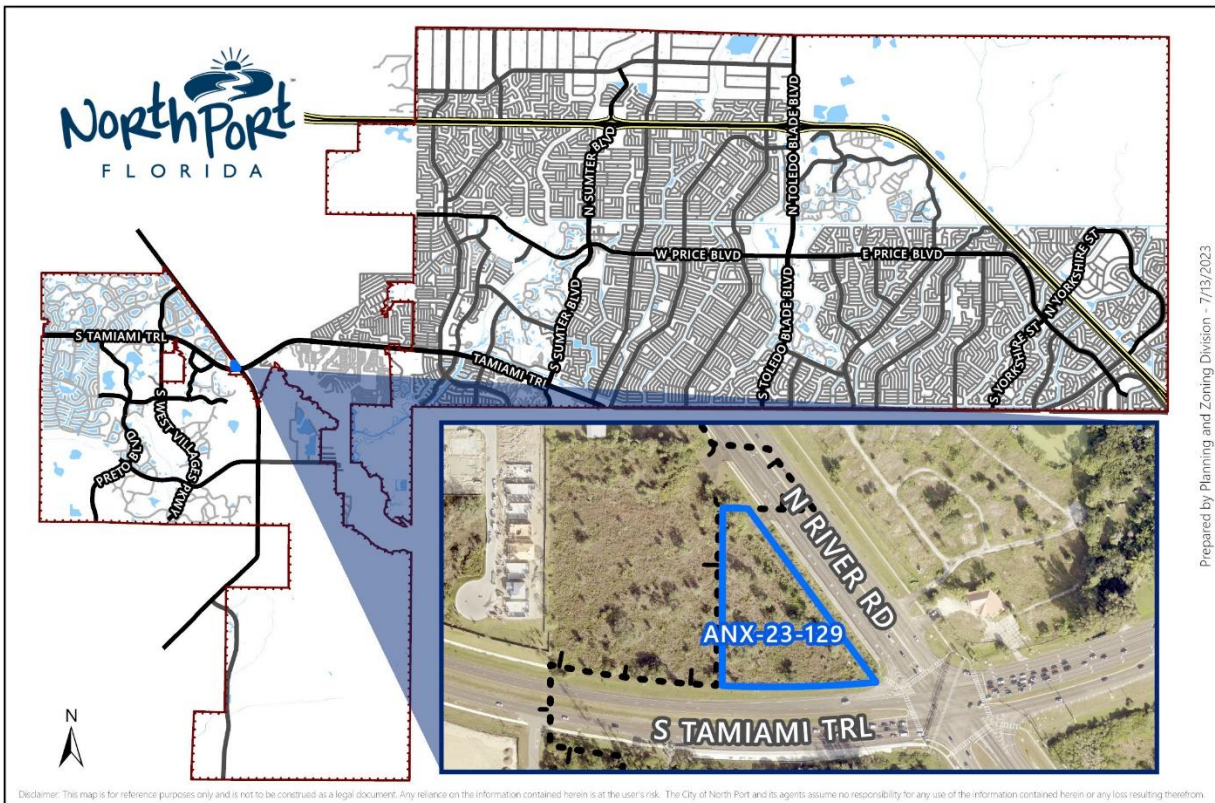
Thru: Lori Barnes, AICP, CPM, Development Services Assistant Director

Thru: Alaina Ray, AICP, Development Services Director

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

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

Date: January 4, 2024



Prepared by Planning and Zoning Division - 7/13/2023

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.

PROJECT:	US-41 & Tamiami Trail, ANX-23-129
REQUEST:	Approval of Ordinance No. 2024-02, voluntary annexation into the City of North Port
APPLICANT:	SRI GMR Properties, LLC; Martin Black (Agent) (Exhibit A, Affidavit)
OWNERS:	US 41 & Tamiami Tr LLC (Exhibit B, Warranty Deed)
LOCATION:	Located at the northwest corner of S. Tamiami Trail (US-41) and west of N. River Road (PID # 0787130003).
PROPERTY SIZE:	± 2.67 acres

I. BACKGROUND

Martin Black, on behalf of US 41 & Tamiami Tr, LLC formally submitted to the City of North Port a petition for voluntary annexation for a ± 2.67-acre property located at the northwest corner of S. Tamiami Trail (US-41) and N. River Road. The property currently has the Sarasota County zoning designation of OUE1 – Open Use Estate (1 unit/5 acres) = OUE and the Sarasota future land use designation of “Rural.”

The property is located within the City's Future Annexation Area. Per the City's Comprehensive Plan, “the only area identified in 1997 that has not been completely annexed is the area along US-41 from the City's western boundary to the River Road/US-41 intersection, and the SCF campus.” The parcel is bordered to the west by the city boundary, to the east by N. River Road, and to the south by US 41.

Following the annexation of the property into the City of North Port's boundary, any petition to change the future land use of the property would first have to go through Sarasota County approvals following the County Charter Section 3.3B, as there is no longer an active Joint Planning Agreement between the City of North Port and Sarasota County. Once the assignment of the future land use process with Sarasota County is complete, the property owner is then required to submit to the City of North Port applications for a comprehensive plan amendment and a rezoning to apply both the City of North Port future land use designation of Activity Center and a zoning designation of Planned Community Development (PCD) to develop the property.

At this time, the applicant has only submitted a petition to annex into the city voluntarily and intends to submit petitions for a comprehensive plan amendment and rezone later.

II. REVIEW PROCESS

The Management Team has reviewed the application, and all applicable departments reviewed and provided the following comments. It should be noted that the comments and conditions identified in the table below are relevant to future submittals related to the site development.

Staff Review Summary	
NDS- Building Arborist	No Objection
Finance	No Objection
Fire/Rescue	Meets Requirements with Conditions ⁱ
NDS-Planning and Zoning	No Objection
Parks and Recreation	No Objection
Public Works/P&Z Environmental	No Objection
Public Works Engineering	No Objection ⁱⁱ
Public Works Stormwater	Meets Requirements with Conditions ⁱⁱⁱ
Public Works Solid Waste	No Objection
Utilities	Meets Requirements with Conditions ^{iv}

III. DATA & ANALYSIS

FLORIDA STATUTES CHAPTER 171, PART I MUNICIPAL ANNEXATION OR CONTRACTION, SECTION 171.044 VOLUNTARY ANNEXATION

Owners of real property in an unincorporated area of a county contiguous to a municipality may petition the municipality to be annexed. Upon determination that the petition bears the signatures of all owners of the property in the area proposed to be annexed, the governing body may adopt a non-emergency ordinance. The notice shall be published for two consecutive weeks in a newspaper of general circulation. A copy of the notice must be provided via certified mail to the Board of County Commissioners at least 10 days prior to publishing.

Staff Findings: The voluntary annexation application bears the property owner's signature. Ordinance No. 2024-02 was advertised according to the above state statute requirements on December 18, 2023, and December 26, 2023. A copy of the notice was sent to the Sarasota County Board of County Commissioners via certified mail on July 28, 2023 (**Exhibit C – Legal Advertisement, Exhibit D- Notice to County Commissioners**).

Staff concludes that the requirements of Chapter 171, Part I of the Florida Statutes, Section 171.044 have been met.

COMPREHENSIVE PLAN - CHAPTER 2 – FUTURE LAND USE

Future Land Use Policy 2.1.7: Encourages voluntary annexations in Sarasota County between Warm Mineral Springs and the eastern boundary of the West Village Improvement District (fka Thomas Ranch) in order to expand the City’s tax base and Activity Center #1.

Staff Findings: The subject property is located within the voluntary annexation area described above in Sarasota County and would be expanding Activity Center #1 should it be annexed. This policy also outlines how the annexed property must be zoned. “Upon annexation, and after the amendment of the Comprehensive Plan, shall be zoned to PCD.” Though a zoning designation is not proposed through a rezone petition at this time, it will be required to be rezoned to Planned Community Development, consistent with this policy.

Staff concludes that the proposed annexation is consistent with Policy 2.1.7 of the Future Land Use Element of the Comprehensive Plan.

Future Land Use Policy 2.1.13: Policy 2.1.13 identifies potential annexation areas 1A, 1B, and 1C on Map 1. It also states that upon annexation, the City shall recommend a future land use designation of ‘Activity Center 1’ be applied through a comprehensive plan amendment.

Staff Findings: The subject property is located within potential annexation area 1B as identified on Map 1 in Policy 2.1.13. A comprehensive plan amendment is not currently proposed. At the time a comprehensive plan amendment is submitted for this property, it will be required to be consistent with this policy.

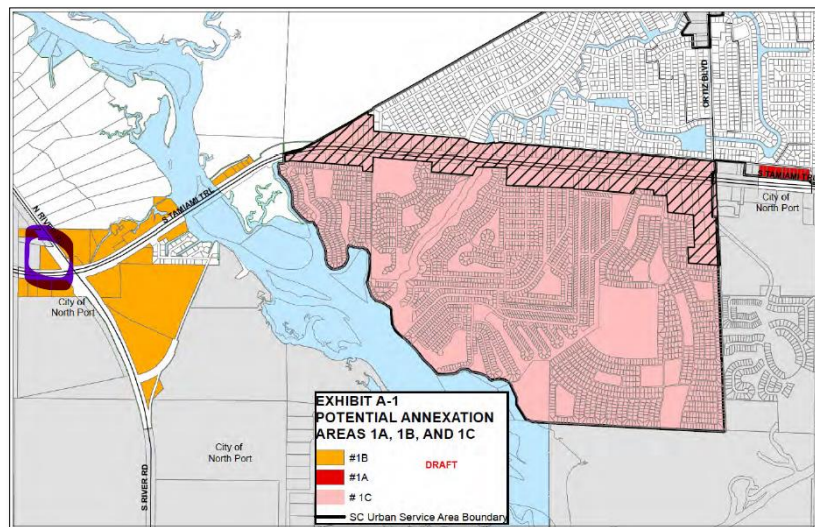


Figure 1-Potential Annexation Areas

Staff concludes that the proposed annexation is consistent with Policy 2.1.13 of the Future Land Use Element of the Comprehensive Plan.

Future Land Use Policy 6.6.2: Upon annexation of contiguous lands along US 41 as shown in Map 1 FLU Policy 2.1.13, the properties identified as Future Annexation Area/Future Urban Service Area Boundary will be eligible for urban services allowed by the USB.

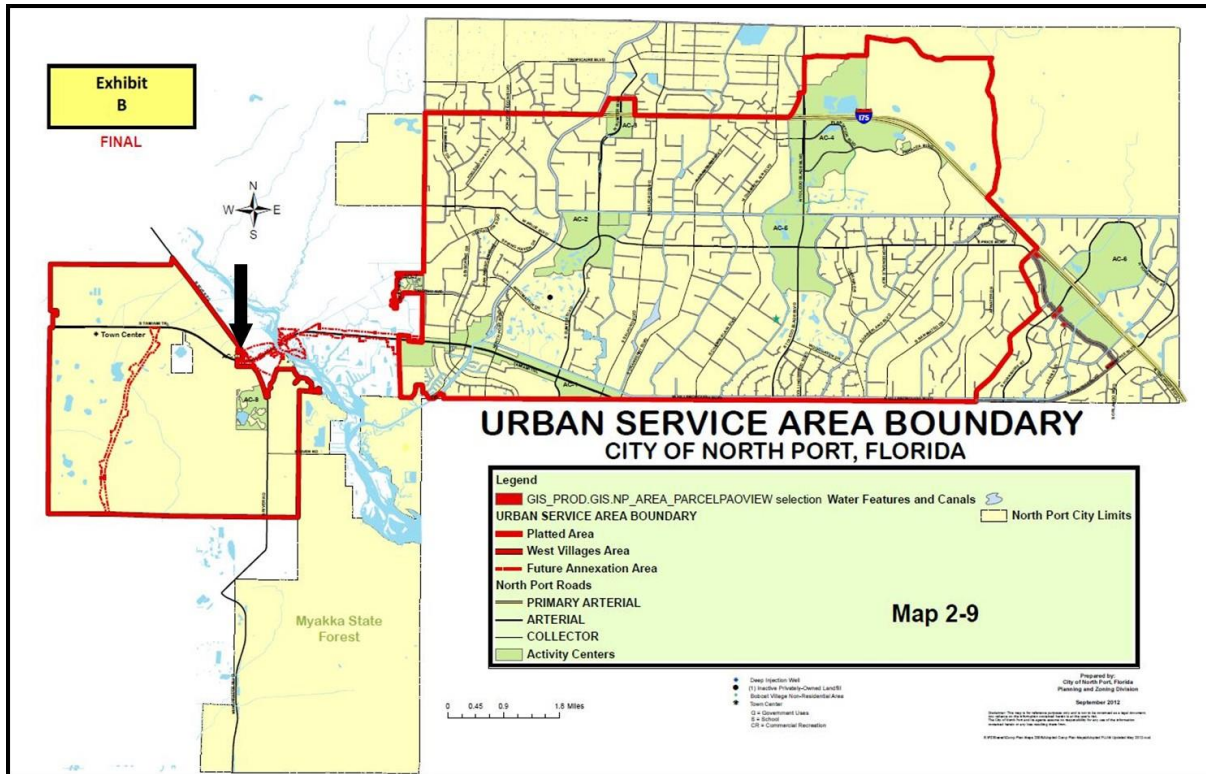


Figure 2 - Urban Service Area Boundary Map

Staff Findings: The subject property is located within the Urban Service Area Boundary per MAP 2-9. The Utilities Department has provided written confirmation through a willingness to serve letter that they have the capacity at both water and sewage treatment plants to provide City water and sewer to serve the development. In addition, the new Fire and Police substation is within 2 ½ miles and can serve the annexed property.

Staff concludes that the proposed annexation is consistent with Policy 6.6.2 of the Future Land Use Element of the Comprehensive Plan.

Unified Land Development Code (ULDC) Chapter 53—Zoning Regulations, Article 1—Map; Boundaries, Section 22—Annexations

ULDC Sec. 53-22 stipulates that annexations shall be by non-emergency ordinance and must meet Florida Statutes Chapter 171. As the annexation would change the City boundaries, this change must be reflected on the Official Zoning Map. The section also lists submission requirements for a complete annexation application packet and the review and public hearing processes.

Staff Findings: The annexation petition was submitted to the City and reviewed for sufficiency to ensure all appropriate supporting documents were included. Following the review process, the Planning and Zoning Advisory Board and City Commission will hear the annexation ordinance. Notification of the annexation petition was sent to the Sarasota County Board of County Commissioners and advertised weekly for two consecutive weeks. In addition, notice was sent to property owners within 1,320 feet of the subject property.

Staff concludes that the proposed annexation is consistent with ULDC Sec. 53-22.

IV. FISCAL IMPACT ANALYSIS

Staff performed a fiscal impact analysis for the proposed annexation using data from the applicant and assumptions based on current market trends. Over five years, a net benefit of \$1,877,325 is realized. For this analysis, staff assumed this development would be done at its highest intensity for each of the allowed uses as permitted in the PCD zoning district (**Exhibit E – Fiscal Impact Analysis**).

V. PUBLIC NOTICE & HEARING SCHEDULE

The ordinance was advertised in a newspaper of general circulation within the City of North Port on December 18, 2023, and December 26, 2023, under the provisions of Section 171.044(6), Florida Statutes, Section 7.01 (c) of the Charter of the City of North Port, and Chapter 1 Article II, Section 1-12 of the City's Unified Land Development Code.

Notices of the public hearings were mailed to property owners within 1,320 feet of the subject property on December 15, 2023 (**Exhibit F - Notice to Property Owners**).

The Sarasota County Board of County Commissioners has been notified, according to Florida Statutes Chapter 171, of the City of North Port's intent to annex the subject parcel into the City.

Public Hearing Dates	
Planning & Zoning Advisory Board Public Hearing	January 4, 2024 9:00 AM or as soon thereafter
City Commission Public Hearing First Reading	January 23, 2024 6:00 PM or as soon thereafter
City Commission Public Hearing Second Reading	February 13, 2024 10:00 AM or as soon thereafter

VI. RECOMMENDED MOTION

The Planning & Zoning Division recommends that the Planning & Zoning Advisory Board recommend approval of Petition No. ANX-23-129, US-41 & Tamiami Trail, Voluntary Annexation via Ordinance No. 2024-02 and find that based on competent substantial evidence, the petition for voluntary annexation complies with the Florida Statutes Chapter 171, City of North Port Comprehensive Plan and the Unified Land Development Code.

VII. ALTERNATIVE MOTION

DENY ANX-23-129, US-41 & Tamiami Trail, Voluntary Annexation

I move to recommend the denial of Petition ANX-23- 129, US-41 & Tamiami Trail, Voluntary Annexation via Ordinance No. 2024-02, and find that based on competent substantial evidence, the petition for voluntary annexation does not comply with the Florida Statutes Chapter 171, City of North Port Comprehensive Plan and the Unified Land Development Code.

VIII. EXHIBITS

A. Affidavit

B. Warranty Deed

C. Legal Advertisement

D. Notice to County Commissioners

E. Fiscal Impact Analysis

F. Notice to Property Owners

G. Business Impact Estimate

AFFIDAVIT

I (the undersigned), US 41 & Tamiami Tr, LLC 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 16th day of March, 20 23

[Signature]
Signature of Applicant or Authorized Agent
JAMES L. HAUSER, Managing Member
Print Name and Title

STATE OF ILLINOIS COUNTY OF DUPAGE

The foregoing instrument was acknowledged by me this 16th day of MARCH, 20 23, by JAMES L HAUSER who is personally known to me or has produced IL DL H260-4525-8360 as identification, and who

did/did not take an oath.

Peter Kamp
Signature - Notary Public



AFFIDAVIT

AUTHORIZATION FOR AGENT/APPLICANT

I (we), US 41 & Tamiami Tr, LLC property owner(s), hereby authorize Martin Black to act as Agent/Applicant on our behalf to apply for this petition on the property described as (legal description) North West Corner of River Rd & Tamiami Trail Pld # 0787-13-0003

[Signature] Signature of Owner, Managing Member Date 2-7-2023

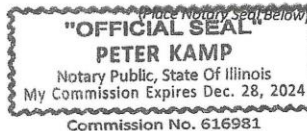
STATE OF ILLINOIS COUNTY OF DUPAGE

The foregoing instrument was acknowledged by me this 7th day of February, 20 23, by James Hauser who is personally known to me or has produced

ILLINOIS DRIVERS LICENSE as identification, and who did

not take an oath.

Peter Kamp
Signature - Notary Public



RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2022174101 3 PG(S)

11/8/2022 1:58 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT

SARASOTA COUNTY, FLORIDA

SIMPLIFILE

Receipt # 2936983

THIS INSTRUMENT WAS PREPARED BY:
G. JOSEPH HARRISON
DYE HARRISON KIRLAND PETRUFF & PRATT, PLLC
P. O. Box 408
Bradenton, FL 34206

**CORRECTIVE
WARRANTY DEED**

Doc Stamp-Deed: \$0.70

THIS CORRECTIVE WARRANTY DEED, made the 12 day of Nov, 2022, by, **CAROL RUTH HAUSER**, a single woman ("Grantor"), c/o 6400 Flotilla Drive, Holmes Beach, FL 34217, to **US 41 & Tamiami Tr., LLC**, a Florida limited liability company, whose address is 7901 4th St. N., St Petersburg, FL 33702, ("Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, that the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all of Grantor's interest in that certain land situate in Sarasota County, Florida:

See Exhibit "A" attached and by reference made a part hereof.

PIN #0787130003.

Subject to zoning and conditions, restrictions, limitations and easements of record.

THIS CORRECTIVE DEED IS GIVEN TO CORRECT THE LEGAL DESCRIPTION CONTAINED WITHIN THAT CERTAIN DEED PREVIOUSLY RECORDED AS INSTRUMENT #2020067848, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, WHICH ORIGINAL DEED MISTAKENLY ATTACHED A LEGAL DESCRIPTION OF LANDS PREVIOUSLY CONVEYED BY THE GRANTOR NAMED HEREIN INSTEAD OF THE DESCRIPTION OF THOSE LANDS INTENDED TO BE CONVEYED BY GRANTOR. THE DEED CORRECTED HEREBY WAS INTENDED TO CONVEY TO THE GRANTEE NAMED THEREIN THE REMAINING LANDS OF SAID GRANTOR WHICH REMAINING LANDS ARE DESCRIBED ON EXHIBIT "A" ATTACHED.

THIS DEED WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH.

Grantor warrants and represents that the subject property is not the homestead of Grantor nor any member of Grantor's family nor is such property contiguous or in close proximity thereto.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2021.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Print Name: Byron Faermack
Witness

[Signature]
CAROL RUTH HAUSER

[Signature]
Print Name: BYRON FAERMARK
Witness

STATE OF ILLINOIS
COUNTY OF DuPage

The foregoing instrument was acknowledged before me this 22nd day of MAY, 2022, by means of physical presence or online notarization, by CAROL RUTH HAUSER, _____, and _____, who are personally known to me, or who produced _____ as identification, and who acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

(Notary Seal)

[Signature]
Signature BYRON FAERMARK
Print Name
NOTARY PUBLIC-STATE OF ILLINOIS

My Commission Expires:

Commission No: _____

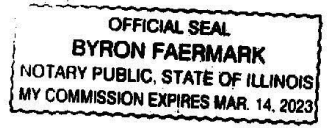


EXHIBIT "A"

Start at the intersection of the West line of the right of way of the West River Road with the North line of the right of way of State Road No. 5, Tamiami Trail, thence running Westerly 594.6 feet measured along the curve of the North line of said Tamiami Trail to a point; thence North 473 feet to a point; thence East 264 feet to an intersection with the West line of the right of way of West River Road; thence South 37° 18' East 541.7 feet along the West line of the right of way of the West River Road to the Point of Beginning, lying in the Southeast quarter of the Southwest quarter of the Northwest quarter of Section 34, Township 39 South, Range 20 East.

LESS AND EXCEPT that portion taken by the State of Florida Department of Transportation and Sarasota County for additional right of way, described as Parcel 119 in that certain Order of Taking recorded April 17, 1974 in Official Records Book 1039, Page 762, of the Public Records of Sarasota County, Florida.

LESS AND EXCEPT that portion taken by the State of Florida Department of Transportation and Sarasota County for additional right of way, described as Parcel 100 in that certain Order of Taking recorded July 25, 1979 in Official Records Book 1319, Page 906, of the Public Records of Sarasota County, Florida.

ALSO LESS AND EXCEPT that portion conveyed to Sarasota County, a political subdivision of the State of Florida, by that certain Warranty Deed recorded October 14, 2010 under Official Records Instrument Number 2010125997, of the Public Records of Sarasota County, Florida.

Sue/from B1

Just a few steps away, you're plunged into a suitably dark 1930s speakeasy with leather bar stools. The fancy-escape lamps, antiqued tin ceiling tiles, vintage movie posters and, sometimes, "Gone with the Wind" on the big screen.

Just like depression-era Manhattan steakhouses that began as speakeasies, the 70-seat Gallagher's style steakhouse seats tables by reservation only. But anybody, first come first seated, can belly up to its full-liquor bar, which also serves the full menu.

"Steaks have been my passion ever since the first restaurant I was involved in a 250-seat Italian steakhouse," explained Mutz, who built his speakeasy's opulent bar. "We need to have a good steak here in town. Cuts is dry aged, 30-plus days."

With nearly 25 years' culinary chops, including Boca Grande's Gasparilla Inn and the historic Anticou Inn on Maine's Mount Desert Island, Executive Chef Gary Fisher will plate a classic dinner menu of steaks,

rack of lamb and six seafood options, including jumbo lobster tails and sea bass. Ample soups, salads, appetizers and handholds offer lighter bites.

Penny's (\$8-\$88), 941-347-8106, 1121 Bal Harbor Boulevard, at the corner of Aquia Esca, is open daily for breakfast from 7 to 11 a.m., for lunch from 11 a.m. to 2 p.m. As soon as they have a liquor license, they'll open the speakeasy side for dinner from 4 to 9 p.m. Wednesday to Saturday.

DUBBANEH DOUBLES DUBZ

Now that George Dubbaneh's North Port barbecue joint has doubled in size, its name is more of a play on words than ever.

Dubbaneh, next generation in an iconic Port Charlotte restaurant family, had expected to open his 28-seat, fast-casual Dubz BBQ in early 2020.

The initial launch ended up taking nearly a year overall, finally rolling out during that masked-up time when restaurants first reopened from pandemic lockdown.

Though North Port Sun Readers' Choice didn't yet

have a Best Barbecue award, Dubz walked off with prizes for Best Burger and Best Chicken anyway. In 2023, Dubz took Best Barbecue, Burger, Chicken Wings and Lunch.

Shortly after celebrating Dubz' second anniversary, Dubbaneh acquired the unit next door, growing to 112 seats, adding a full-liquor bar and expanding the kitchen to serve the same food plus new items.

After a five-month build-out, its September reopening was such an event that the North Port Police Department had to direct traffic.

Dubz' second ribbon cutting was a double, too, celebrated by both North Port Area and Charlotte County Chambers of Commerce, along with dozens of fans.

Dubbaneh told the crowd, "In 23 years, I opened my first restaurant, not knowing what I got myself into. Since then, every day has been easier, every day has been a journey, and every day has been a blessing. To open in the middle of a pandemic and, three years later, to be able to do what we're doing

today is just incredible." **Dubz BBQ (\$8), 941-200-2636, 4401 Aidan Lane, North Port, is open 11 a.m. to 9 p.m. Sunday to Thursday, to 10 p.m. Friday and Saturday.**

BROTHER'S FISH HOUSE TRIPLES SEATING

Ever since Max Padrón (and, of course, his brothers) assumed ownership of Brother's Fish House Restaurant nearly three years ago, his 50-seat place has been filled to the gills with guests hungry for fresh off-the-boat daily catch and New England-style fried fish.

The little fishery, hidden in a strip mall between Gosney Boulevard and Gardner Drive, has become TripAdvisor's top Port Charlotte seafood restaurant.

Now that Padrón has acquired the space next door, its seating will triple.

Padrón worked for 12 years for Mark Asciutto at Port Charlotte's Visani dinner theater, where he started as a dishwasher and ended up as head chef. "I learned a lot there," he said. "I only left because I always want to keep



Soon Brother's Fish House in Port Charlotte will expand to 150 seats, including new outside dining.

learning new things. And one day Mark told me that I was ready to have my own restaurant."

With that thought in mind, he kept on learning — about seafood at Farlow's on the Water, about barbecue at Wally's Southern Style BBQ, about Italian at Italia.

But his master class was with Elio Mulas at E&L, Claim House/Charlotte Fish Depot, where he learned all about fresh seafood — pricing, ordering, fileting — from an established

supplier to over 150 Florida restaurants. **Brother's Fish House Restaurant (\$8-\$88), 941-627-1006, 3821 Tamiami Trail, Unit A, Port Charlotte, is open daily 11 a.m. to 8 p.m.**

Send restaurant news and recommendations to columnist Sue Wade at suewade47@aol.com.

Average price per person is inclusive under \$10, \$15 - moderate \$15 - \$30, and \$35+ - pricey over \$30, including tip and beverage. O=outside seating available.

Upgrades/from B1

because the mains could be installed much shallower."

For the customer, there's not much of a noticeable difference. For maintenance workers, it's huge.

"Sewage flows from their house to what's called a vacuum pit," he said. "From there the vacuum pit fills up, a valve opens up, and everything gets sucked out of it, sending it to the station."

Eventually, the sewage will make its way to the waste water plant. From a technical standpoint, vacuum stations are beneficial for the EWD maintenance workers.

"V-1 is our oldest vacuum station, and I believe it was the first one ever built in Florida, originally," Ledford said. "Since then, Airvac and the engineers have approved upon the system, figuring out what's worked and done."

With over 27 years of technological advances in sewage systems, EWD decided it's time to update its oldest vacuum station, and eventually the remaining six.

"We're going to go ahead and implement a lot of the new technology, and equipment they are now putting in the new vac stations," Ledford said. "This is our chance to bring this one back up

to current standards, and hopefully it'll be good for the next 30 years."

The repairs to V-1 will be an extensive remodel.

"We're going to be taking the tank out, all the pumps and blowers that are inside the vacuum pumps — all of that equipment has to come out which means the roof will come off," he said.

Currently, the tank and pumps sit on a lower level in the station similar to a basement, but with the remodel, EWD plans to bring these parts up higher to protect from a flood.

"We'll be adding an air-conditioning control room, and put all the vacuum pumps on variable frequency drives (VFDs)

which will regulate power that goes to the pumps," Ledford said. "It's more efficient to operate that way by helping the system and reducing power costs."

Ledford wanted to let community members by the V-1 pump know that, temporarily, the vacuum system will be outside so that sewage can still be maintained in the area. It may get a little noisy.

"There's going to be a couple large equipment skids that are going to have to sit outside for a few months operating," he said. "Of course, we are going to try the best that we can to minimize the sound so that it's not an issue for the surrounding residents."

The temporary outside vacuum stations are necessary for residents in order to both update the station, but also keep sewage managed.

The contractor PCL Construction will be starting work on Jan. 2 by setting up the site and dropping off the materials. However, actual construction for V-1 won't begin until the off-season in mid-April and continue on for a scheduled four to five months.

"The biggest thing is we want to make sure residents in the area are aware this is coming," Ledford said. "We're going to do our best to keep it as quiet as possible, but there will be certain times it gets noisy."

John/from B1

And, the weather report was right.

Besides the snow, Estes Park puts on a light show worth driving through town to see. Thousands, probably millions, of lights downtown and in a park there.

And there's always Rocky Mountain National Park. We saw tourists chasing a moose to get a photo. Good thing it didn't turn around

and target them.

And we saw a lot of mule deer and turkeys — really big, fat turkeys.

But no elk. They were hiding from us.

As we all prepare for Christmas, I can't think of a better prelude than walking along snow-covered streets, under all those lights and decorations. It kinda put me in the mood.

Now, I just have to figure out how to tell everyone I blew my Christmas budget.

PUBLIC NOTICE - CITY OF NORTH PORT NOTICE OF PUBLIC HEARINGS FOR THE VOLUNTARY ANNEXATION OF CERTAIN PROPERTY INTO THE CITY OF NORTH PORT

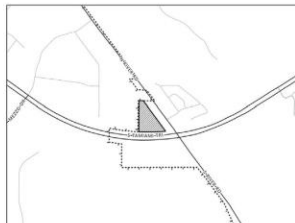
NOTICE IS HEREBY GIVEN, pursuant to Chapters 171, Part 1 of the Florida Statutes, Section 7.01(c) of the Charter of the City of North Port, Florida, and Section 55.22, of the United Land Development Code (ULDC), that the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) will hold a public hearing for consideration of voluntary annexation of 2.27 acres of land into the City of North Port via ANX-23-129 on **Thursday, January 4, 2024, at 9:00 a.m.**, or as may be continued thereafter.

A Public Hearing for the first reading of Ordinance No. 2024-02 will be held before the North Port City Commission on **Tuesday, January 23, 2024, at 6:00 p.m.**, or as soon thereafter as the matter may be heard to consider Ordinance No. 2024-02.

The second reading and final reading by the City Commission will be held on **Tuesday, February 13, 2024, at 10:00 a.m.**, or as may be continued at the discretion of the Commission. The proposed annexation ordinance is described as follows:

Ordinance No. 2024-02: An Ordinance of the City of North Port, Florida, Annexing a 2.27 acre of real property located on the Northwest corner of North River Road and South Tamiami Trail in the unincorporated area of Sarasota County, Florida and contiguous to the existing city limits of the City of North Port, Florida, redefining the boundary lines of the City of North Port to include the property, providing for findings, providing for annexation, amending the official zoning map; providing for assessment and taxation; providing for filing of documents; providing for conflicts; providing for severability; and providing an effective date.

All Public Hearings will be held in the North Port City Hall Commission Chambers located on the second floor, 4970 City Hall Boulevard, North Port, Florida, 34286.



Note: Proposed ANX-23-129 (boundary of the area) is depicted on this map. The proposed site contains ± 2.27 acres.

The complete legal description by metes and bounds and the ordinance can be obtained from the office of the City Clerk. The site is generally located on the Northwest corner of North River Road and South Tamiami Trail. All interested parties are invited to appear and be heard in respect to this Annexation at the public hearings in the City Hall Commission Chambers. Written comments filed with the City Commission will be heard and considered and will be made a matter of public record at the meeting. These public hearings may be continued from time to time as announced at the hearings, as may be found necessary. The files pertinent to ANX-23-129 may be inspected by the public at the City of North Port Neighborhood Development Services Department, Planning & Zoning Division, and in the City of North Port City Clerk's Office, 4970 City Hall Boulevard, North Port, Florida 34286, during regular business hours.

NO STENOGRAPHIC RECORD BY A CERTIFIED COURT REPORTER IS MADE OF THESE MEETINGS. ACCORDINGLY, ANY PERSON WHO MAY SEEK TO APPEAL A DECISION INVOLVING THE MATTERS NOTICED HEREIN WILL BE RESPONSIBLE FOR MAKING A VERBATIM RECORD OF THE TESTIMONY AND EVIDENCE AT THESE MEETINGS UPON WHICH ANY APPEAL IS TO BE BASED (SEE F.S.S. 286.0105).

NOTE: PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE 48 HOURS IN ADVANCE OF THE MEETING (SEE F.S.S. 286.020).

NONDISCRIMINATION: The City of North Port does not discriminate on the basis of race, color, national origin, sex, age, disability, family or religious status in administration of its programs, activities or services.

AMERICAN WITH DISABILITIES ACT OF 1990: The North Port City Hall is wheelchair accessible. Special parking is available on the west side of City Hall and the building may be accessed from the parking area. Persons with hearing difficulties should contact the City Clerk to obtain a hearing device for use during meetings.

By: *[Signature]*
Brookier Faust, MMC
City Clerk

Published: Monday, December 18, 2023 and Tuesday, December 26, 2023

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July 28, 2023
Ron Cutsinger, Chair – Sarasota County Board of County Commissioners
1660 Ringling Blvd
Sarasota, FL 34236

RE: Notification of Voluntary Annexation by the City of North Port (ANX-23-129)

Dear Commissioner Cutsinger:

Pursuant to Florida Statutes Chapter 171, this letter is provided to notify Sarasota County of the City of North Port's intent to annex one parcel totaling approximately 2.676 acres, contiguous to the City of North Port. The property is described as follows:

PID 0787130003: Start at the intersection of the West line of the right of way of the West River Road with the North line of the right of way of State Road No. 5., Tamiami Trail, thence running Westerly 594.6 feet measured along the curve of the North line of said Tamiami Trail to a point; thence North 473 feet to a point; thence East 264 feet to an intersection with the West line of the right of way of West River Road; thence South 37° 18' East 541.7 feet along the West line of the right of way of the West River Road to the Point of Beginning. lying in the Southeast quarter of the Southwest quarter of the Northwest quarter of Section 34., Township 39 South, Range 20 East.

LESS AND EXCEPT that portion taken by the State of Florida Department of Transportation and Sarasota County for additional right of way, described as Parcel 119 in that certain Order of Taking recorded April 17, 1974 in Official Records Book 1039, Page 762, of the Public Records of Sarasota County, Florida.

LESS AND EXCEPT that portion taken by the State of Florida Department of Transportation and Sarasota County for additional right of way described as Parcel 100 in that certain Order of Taking recorded July 25, 1979 in Official Records Book 1319, Page 906, of the Public Records of Sarasota County, Florida.

ALSO LESS AND EXCEPT that portion conveyed to Sarasota County. A political subdivision of the State of Florida, by that certain Warranty Deed recorded October 14, 2010 under Official Records Instrument Number 2010125997. of the Public Records of Sarasota County, Florida.

At this time, the public hearings for this annexation are scheduled for October 5, 2023, at 9:00 a.m. (Planning and Zoning Advisory Board) and October 24, 2023, at 6:00 p.m. (City Commission) and second reading on November 14, 2023. Meetings are held in the North Port City Hall Commissions Chambers, 4970 City Hall Blvd. North Port, FL 34286.

The notices for this annexation will be published on September 18, 2023, and September 25, 2023. All notices will be published in the *North Port Sun*.

If you have any questions or concern regarding this annexation, please contact me at 941-429-7156 or via email at aray@northportfl.gov.

Sincerely,

Alaina Ray, AICP, Neighborhood Development Services Director

Enc: Draft Ordinance
Draft Legal Advertisement



City of North Port

ORDINANCE NO. 2023-02

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, ANNEXING ± 2.67 ACRES OF REAL PROPERTY LOCATED ON THE NORTHWEST CORNER OF NORTH RIVER ROAD AND SOUTH TAMAMIAMI TRAIL IN THE UNINCORPORATED AREA OF SARASOTA COUNTY, FLORIDA AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF NORTH PORT, FLORIDA; REDEFINING THE BOUNDARY LINES OF THE CITY OF NORTH PORT TO INCLUDE THE PROPERTY; PROVIDING FOR FINDINGS; PROVIDING FOR ANNEXATION; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR ASSESSMENT AND TAXATION; PROVIDING FOR FILING OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 26, 2023, Martin Black of SRI GMR Properties, LLC, in its capacity as agent of US 41 & Tamiami TR, LLC ("Petitioner"), submitted Petition No. ANX-23-129 for the voluntary annexation of certain real property into the corporate limits of the City of North Port, Florida (the "Petition"). The Petition is attached as "Exhibit A" and bears the signature of the property owner; and

WHEREAS, the Petition relates to ± 2.67 acres of real property, identified in the legal description and boundary survey attached as "Exhibit B" (the "Property"); and

WHEREAS, the location of the Property is identified on the map attached as "Exhibit C"; and

WHEREAS, in compliance with Section 53-22.E(1) of the Unified Land Development Code ("ULDC"), the City has prepared a fiscal impact analysis, attached as "Exhibit D"; and

WHEREAS, the Planning and Zoning Advisory Board, designated as the local planning agency, held a properly noticed public hearing on January 4, 2024 to receive public comment on the subject matter of this ordinance and to make its recommendation to the City Commission; and

WHEREAS, the City Commission of the City of North Port held properly noticed public hearings at first and second reading of this ordinance to review the recommendations of the Planning and Zoning Advisory Board and the administrative report, and to receive public comment on the subject matter of this ordinance; and

WHEREAS, the City Commission determined that its action serves the public health, safety, and welfare of the citizens of the City of North Port, Florida.

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 In accordance with Florida Statutes Section 166.041(4)(a), the City timely posted a business impact estimate on the City's website on or before the date the newspaper published notice of this ordinance's final reading.
- 1.03 The City Commission makes the following additional findings:
 - a. The Property is wholly located in an unincorporated area of Sarasota County, is contiguous to the boundaries of the City of North Port, and is reasonably compact.
 - b. Annexing the Property will not result in the creation of enclaves.
 - c. The City is equipped to extend urban services to the Property on the date of annexation on substantially the same basis and in the same manner as those services provided within the municipality prior to annexation.
 - d. The City is equipped to supply municipal water and sewer services to the Property so that, when services are provided, property owners can secure public water and sewer service according to the City's policies for extending water and sewer lines to individual lots or subdivisions.
 - e. The Petition and the Property meet all requirements of Florida Statutes Chapter 171 pertaining to voluntary annexations.
 - f. The Petition and the Property meet all requirements of ULDC Section 53-22 pertaining to annexations.
 - g. All procedural and notice requirements mandated by state law; the Code of the City of North Port, Florida; and the ULDC have been followed and satisfied.
- 1.04 All identified exhibits are incorporated in this ordinance by reference.

SECTION 2 – ANNEXATION AND OFFICIAL ZONING MAP

- 2.01 The City Commission approves the Petition to voluntarily annex the Property. The Property is hereby annexed into the corporate limits of the City of North Port, Florida and the boundary lines of the City are hereby redefined to include the Property.
- 2.02 The Property is designated as Future Annexation Area on the City of North Port's Comprehensive Plan Future Land Use Map. The Property will be designated a land use on the City's Comprehensive Plan Future Land Use Map at a later date, and the map will be redefined to include the Property at that time.

- 2.03 The City Commission approves the amendment to the City's Official Zoning Map revised Official Zoning Map, attached as "Exhibit E," incorporating the Property with a zoning designation of "No Zoning Designation."

SECTION 3 – ASSESSMENT AND TAXATION

- 3.01 The City will assess and tax the Property as permitted under the law as of the effective date of this ordinance.

SECTION 4 – FILING OF DOCUMENTS

- 4.01 Upon this ordinance taking effect, the City Clerk is directed to place in the City Clerk's files an updated Official Zoning Map in accordance with the requirements of ULDC Sections 53-14, 53-16, and 53-17, State of Florida's Office of Economic and Demographic Research specifying the population census effect and the affected land area, with Petitioner paying all related filing costs.

SECTION 5 – CONFLICTS

- 5.01 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 6 – SEVERABILITY

- 6.01 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 7 – EFFECTIVE DATE

- 7.01 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 _____, 2024.

ADOPTED by the City Commission of the City of North Port, Florida on the second and final reading in public session on _____, 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



CITY OF NORTH PORT
Neighborhood Development Services
Planning Division
Planninginfo@cityofnorthport.com

Annexation Packet

The following items are to be included in the submission:

- Annexation Application
- Affidavit(s)
- Annexation Checklist
- Annexation Fee Sheet
- Billable Fee Payment Agreement

Note

Please be advised that each application is considered a separate petition and will be reviewed as such. Packets will not be processed if incomplete or missing requested information.

If there is more than one property owner of the subject property, all owners must complete an affidavit.

There are additional costs included with this application. Fees for legal advertisements and adjacent property owner notifications will be billed to the applicant at actual cost. These costs shall be paid in full before any development orders/orders of approval are issued.

Exhibit A



CITY OF NORTH PORT
Neighborhood Development &
Planning Division
4970 City Hall Boulevard
North Port, FL 34286-4100
www.cityofnorthport.com
Phone (941) 429-7151

DATE RECEIVED - DATE STAMP

RECEIVED
By Joy McRae-Fox at 8:37 am, Apr 18, 2023

APPROVED
By kmuhammad at 3:17 pm, Apr 26, 2023

VOLUNTARY ANNEXATION AMENDMENT APPLICATION

Upon making any application to the City for any reason, the applicant agrees to comply with all the requirements of the Unified Land Development Code and further agrees to allow authorized city staff and personnel to enter and inspect the property during normal business hours

Date Application Received: Accepted by: Project No:
Above to Be Completed by Planning Staff P.P.

Project Name: US 41 & TAMIAMI TR LLC Annexation

Name of Applicant: SRI GMR PROPERTIES, LLC (AGENT: MARTIN BLACK) contract purchaser

Name of Corporation/LLC (if Applicable): SRI GMR PROPERTIES, LLC

Street Address: 1190 SHOREVIEW DR

City: ENGLEWOOD State: FL Zip Code: 34223

Phone: 9419153435 FAX No. E-mail: MARTYBLACK@OUTLOOK.COM

Name of Property Owner: (if different from the applicant above) US 41 & TAMIAMI TR LLC

Street Address: 7901 4TH ST N, ST PETERSBURG, FL, 33702

City: State: Zip Code:

Phone: 9419153435 FAX No. E-mail: martyblack@outlook.com

Name of Architect: (if Applicable) NA

Street Address:

City: State: Zip Code:

Phone: FAX No. E-mail:

Name of Engineer: (if Applicable) NA

Street Address:

City: State: Zip Code:

Exhibit A

Phone: _____ FAX No. _____ E-mail: _____

Name of Attorney: (If Applicable) NA

Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ FAX No. _____ E-mail: _____

Name of Surveyor: (If Applicable) _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ FAX No. _____ E-mail: _____

Name of Contractor: (If Applicable) NA

Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ FAX No. _____ E-mail: _____

Property Description: (Please list additional PID's on a separate sheet of paper) (Information can be found at <http://www.sc.pa.com/testsearch/>)

Parcel I.D. No(s): 1. 0787130003 - _____ 2. _____

Legal: Lot(s): _____ Block: _____ Addition: _____ Tract or Parcel: _____

Subdivision: _____

Section: _____ Township: _____ Range: _____ Acreage: _____

Street Address: _____

Purpose of Application: Please briefly state what the intended use of the property will be or why you are making this application (e.g. general project description). Annexation, to be followed with applicable applications to allow City Future Land Use

and Zoning petitions to be filed for proposed commercial and office uses.

Has this property undergone previous City development review and approval?

No: Yes: _____ If yes, when? (Month/Date/Year) _____

Exhibit A

Existing land use (e.g., house, commercial structure, vacant): Vacant

Surrounding existing land uses/zoning of adjacent properties:

North: VACANT/PCD

South: VACANT/US41

East: VACANT/COMMERCIAL

West: VACANT/PCD

Is the property designated as a "Future Annexation Area" on the Comprehensive Plan's Future Land Use Map?

No: _____ Yes: X

Is property located near a Gateway? No: X Yes: _____ (distance) _____ feet

Adopted Future Land Use Map Designation: ACTIVITY CENTER

Proposed Future Land Use Map Designation: ACTIVITY CENTER

Adopted Zoning Map Designation: COUNTY ZONING

Proposed Zoning Map Designation: CITY - PCD

Provide the following information relative to the proposed annexation: If Property to be annexed has existing development, please provide a detailed written narrative describing the existing uses on the site.

_____ Total acres

0 Total wetland acres

FIRE & RESCUE:

Nearest Fire Hydrant: 200 (feet)

TRAFFIC:

List the Roadways immediately serving the site:

RIVER ROAD US41

List the Roadways serving this site with existing or anticipated curb-cuts (driveways) and if any, designate on site plan:

NA - will be provided in subsequent site and development applications

Nearest Traffic Control Light: 50 (feet) Stop Sign: NA (feet)

UTILITIES:

How will Potable Water service be provided? Please contact North Port Utilities (941) 240-8000.

_____ Private Well (Submit a letter or application from the Sarasota County Department of Health.)

X North Port Utilities (Please provide a letter from the service provider stating that the proposed development is within their service area and that they have adequate capacity to serve the proposed development.)

Exhibit A

How will Sanitary Sewer service be provided? Please contact North Port Utilities (941) 240-8000.

- Private Septic System (If property is located in the Conservation Restricted Overlay Zone a class 1 aerobic water treatment system is required for single family home sites. Submit a letter or application the Sarasota County Department of Health.)
- North Port Utilities (Please provide a letter from the service provider stating that the proposed development is within their service area and that they have adequate capacity to serve the proposed development.)

STORMWATER: Please contact the City Stormwater Manager/Environmentalist at (941) 240-8321.
(Flood Information can be found at <http://www.cityofnorthport.com> Search: Flood Update)

Is the application site in a FEMA Hazardous Flood Zone? No: Yes:
If yes, what zone? _____

Is the application site in the Conservation Restricted Zone? No: Yes:
If yes, what zone? _____

Is the application site in the Big Slough Watershed Flood Zone? No: Yes:
If yes, what is the 100-year 1-day flood elevation? _____ ft. NGVD

Does the application site contain wetlands? Yes No If yes, existing wetland acres: _____

Has the Department of Environmental Protection been notified of wetlands? Yes No

Is the property located in the Myakka River Protection Zone? No: Yes:

Is the property adjacent to the Myakka River jurisdictional wetlands? No: Yes:

(If yes, please provide acreage and map of the area and schedule a meeting with City Stormwater Manager/Environmentalist.)

ENVIRONMENTAL:

Are there any known Historical or Archaeological sites on the property?
(If unsure, please contact Sarasota County – Division of Historical Resources, (941) 316-1115.)

No: Yes: Please describe: _____

Has an Environmental Assessment Report/Review been prepared for this property?
No: Yes: Date survey was conducted: _____

Does the property contain gopher tortoise burrows, scrub jay habit, or any plant or animal species listed as “rare”, “threatened”, “endangered”, or “species of special concern” by State and /or Federal agencies? If yes, the applicant will be required to produce documents on how listed species or habitats will be protected or managed at the Site Development stage.

No: Yes: Please indicate which ones: _____

Exhibit A

*All of the information provided on this application is true and correct to the best of my knowledge.



Signature of Applicant

JANUARY 25, 2023

Date

MARTIN P BLACK (agent)

Print Applicant Name

Exhibit A

Checklist of Required Submittal Items:

ANNEXATION

Please collate seven (7) packets of each of the following for distribution to reviewers:

- Exhibit A: Project Narrative**
- Exhibit B: Area Map**
- Exhibit C: Boundary survey** (A legal description and boundary survey signed and sealed by a registered land surveyor in the State of Florida.)
- Exhibit D- Deed or Title**
- Exhibit E- Articles of Corporation/Articles of Organization** (If Corporation or LLC is applicable)
- Exhibit F: Site Plan** (Plus 1 additional landscape plan)
- Exhibit G: Environmental Assessment**
- Exhibit H: Certification of payment of taxes and assessments**
- Exhibit I: Title Assurance**
- Exhibit J: Utilities availability letter**
- Exhibit K: Transportation Impact Analysis**
- Exhibit L: Pre-Annexation Agreement**
- Exhibit M: Fiscal Impact Analysis**
- Digital files:** The entire submittal package in PDF format on a CD. Also, please submit all project related spatial information in either CAD .dwg , GIS Shapefile or File Geodatabase format on the disk as well. The data must have coordinates in at least 4 corners of the petition area. The Coordinate system must be: A Projected Coordinate System, State Plane, NAD 1983 StatePlane Florida West FIPS 0902 (US Feet).

Exhibit A



CITY OF NORTH PORT
Annexation
Fee Sheet

Property Location (Address): RIVER ROAD AND US41

PID(s) #: 0787130003

Annexation Calculation

Fees	Total
10 acres or less \$1,200	
Over 10 acres and up to 50 acres \$1,600	
Over 50 acres \$2,500	
TOTAL	\$1200.00

-All fees should be made payable to the City of North Port. Fees must be paid prior to the processing of the submittal.

-Other billable fees will be assessed and will be required to be paid by the applicant as stated on the billable fee agreement.

Please contact Planning Staff if you have any questions, 941.429.7156

Exhibit A

BILLABLE FEE PAYMENT AGREEMENT

I/WE agree to pay all the costs associated with processing this application petition. Payment is due within 10 days of receipt of an invoice, and all processing of the petition will stop if payments are not made within 10 days.

Name(s): SRI GMR PROPERTIES LLC
Billing Address: 1190 SHOREVIEW DR, ENGLEWOOD, FL, 34223
Contact Number: 941-468-6114
Contact E-mail: sailendra.upendram@gmail.com

I understand and agree to the conditions outlined in this agreement, and certify that all the information provided is correct.

Signature: *MP Black* Witness: *Mary Dougherty*
Print Name: Martin P Black Print Name: Mary Dougherty
Date: April 28 2023 Date: April 28 2023

Applicants are billed for Legal Advertisement costs and actual postage costs for Adjacent Property Owner notifications. Fees will vary based on size of advertisement selected by the local newspaper, and amount of property owners to be notified.

To be filled out by Planning Staff
Petition Number: ____-____-____

Exhibit A

AFFIDAVIT

I (the undersigned), US 41 & Tamiami Tr. LLC 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.

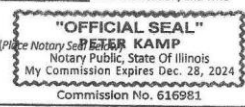
Sworn and subscribed before me this 16th day of MARCH, 2023.

[Signature] Signature of Applicant or Authorized Agent
JAMES L HAUSER, Managing Member Print Name and Title

STATE OF ILLINOIS COUNTY OF DUPAGE

The foregoing instrument was acknowledged by me this 16th day of MARCH, 2023, by JAMES L HAUSER who is personally known to me or has produced IL DL H260-4525-8360 as identification, and who

did/did not take an oath.
Peter Kamp
Signature - Notary Public



AFFIDAVIT

AUTHORIZATION FOR AGENT/APPLICANT

I (we), US 41 & Tamiami Tr. LLC, property owner(s), hereby authorize Martin Black to act as Agent/Applicant on our behalf

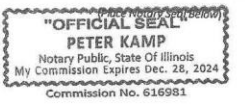
to apply for this petition on the property described as (legal description) North West Corner of River Rd & Tamiami Trail Pld# 0787-13-0003

[Signature] Signature of Owner
Managing Member J-7-2023 Date

STATE OF ILLINOIS COUNTY OF DUPAGE

The foregoing instrument was acknowledged by me this 27th day of February, 2023, by James Hauser who is personally known to me or has produced ILLINOIS DRIVERS LICENSE as identification, and who did

not take an oath.
Peter Kamp
Signature - Notary Public





February 3, 2023

Marty Black, AICP, ICMA-CM
Land and P-3 Advisors
602 84th Street NW
Palma Sola, FL 34209

Willingness to Serve Water, Sewer and eventually Reclaimed Water

RE: Property at PIDs 0787-13-0003 & 0787-14-0006

Dear Mr. Black:

As requested, the City of North Port Utilities Department is submitting this letter to inform you of Service Availability for the above referenced property.

This project is not within the City Limits; However, the parcel is within the City's anticipated or projected utility service area as well as the US 41 corridor service area and the City of North Port Utilities Department is willing to work with the Owner/Engineer to provide service to the project. The City is willing to provide water, sanitary sewer and eventually reclaimed water capacity to the project and currently has the capacity at its water treatment plant and sewage treatment plant for this project. The capacity will be made available at the time of payment for capacity, and if applicable may require contributions by the developer and/or the property owner. Although the City has capacity to serve this project, certain on-site and off-site utility improvements must be completed by the owner/developer and accepted by the City prior to water and wastewater service being available to this specific site.

In addition, because this property is in the County and outside City limits, in order for the City to provide water and sewer service the Owner/Engineer must provide a letter from Sarasota County Utilities acknowledging that the City of North Port may provide service to the subject parcel until such time that the property is annexed into the City limits. The letter shall be provided to the City of North Port Utility Department.

The City does not guarantee or reserve capacity to any project unless the owner/developer enters into a Utility Agreement with the City, which may require voluntary annexation into the City, and will require approval by the City Commission.

Before a building permit can be issued, an application for service, capacity fees, US 41 corridor surcharge recovery fee, and deposits will be required, and the builder must provide a plumbing plan, which is required on any non-residential structures to the City's Utility Department for calculation of appropriate capacity fees and meter size. The City will not release a building permit until the required fees have been paid.

Our staff looks forward to working with you in the future to further develop plans for your utility needs. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,
NORTH PORT UTILITIES
Michelle Tipp
Utilities Business Manager



Achieve Anything

www.cityofnorthport.com

North Port Utilities: 941.240.8000, 6644 W. Price Boulevard, North Port, FL 34291-4106

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2022174101 3 PG(S)

11/8/2022 1:58 PM

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA

SIMPLIFILE

Receipt # 2936983

THIS INSTRUMENT WAS PREPARED BY:
G. JOSEPH HARRISON
DYE HARRISON KIRLAND PETRUFF & PRATT, PLLC
P. O. Box 400
Bradenton, FL 34206

**CORRECTIVE
WARRANTY DEED**

Doc Stamp-Deed: \$0.70

THIS CORRECTIVE WARRANTY DEED, made the 12 day of Nov, 2022, by, **CAROL RUTH HAUSER**, a single woman ("Grantor"), c/o 6400 Flotilla Drive, Holmes Beach, FL 34217, to **US 41 & Tamiami Tr., LLC**, a Florida limited liability company, whose address is 7901 4th St. N., St Petersburg, FL 33702, ("Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, that the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all of Grantor's interest in that certain land situate in Sarasota County, Florida:

See Exhibit "A" attached and by reference made a part hereof.

PIN #0787130003.

Subject to zoning and conditions, restrictions, limitations and easements of record.

THIS CORRECTIVE DEED IS GIVEN TO CORRECT THE LEGAL DESCRIPTION CONTAINED WITHIN THAT CERTAIN DEED PREVIOUSLY RECORDED AS INSTRUMENT #2020067848, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, WHICH ORIGINAL DEED MISTAKENLY ATTACHED A LEGAL DESCRIPTION OF LANDS PREVIOUSLY CONVEYED BY THE GRANTOR NAMED HEREIN INSTEAD OF THE DESCRIPTION OF THOSE LANDS INTENDED TO BE CONVEYED BY GRANTOR. THE DEED CORRECTED HEREBY WAS INTENDED TO CONVEY TO THE GRANTEE NAMED THEREIN THE REMAINING LANDS OF SAID GRANTOR WHICH REMAINING LANDS ARE DESCRIBED ON EXHIBIT "A" ATTACHED.

THIS DEED WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH.

Grantor warrants and represents that the subject property is not the homestead of Grantor nor any member of Grantor's family nor is such property contiguous or in close proximity thereto.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2021.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Print Name: Byron Faermack
Witness

[Signature]
CAROL RUTH HAUSER

[Signature]
Print Name: BYRON FAERMARK
Witness

STATE OF ILLINOIS
COUNTY OF DuPage

The foregoing instrument was acknowledged before me this 22nd day of MAY, 2022, by means of physical presence or online notarization, by CAROL RUTH HAUSER, _____, and _____, who are personally known to me, or who produced _____ as identification, and who acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

(Notary Seal)

[Signature]
Signature BYRON FAERMARK
Print Name
NOTARY PUBLIC-STATE OF ILLINOIS

My Commission Expires:

Commission No: _____

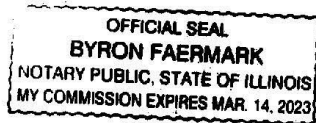


EXHIBIT "A"

Start at the intersection of the West line of the right of way of the West River Road with the North line of the right of way of State Road No. 5, Tamiami Trail, thence running Westerly 594.6 feet measured along the curve of the North line of said Tamiami Trail to a point; thence North 473 feet to a point; thence East 264 feet to an intersection with the West line of the right of way of West River Road; thence South 37° 18' East 541.7 feet along the West line of the right of way of the West River Road to the Point of Beginning, lying in the Southeast quarter of the Southwest quarter of the Northwest quarter of Section 34, Township 39 South, Range 20 East.

LESS AND EXCEPT that portion taken by the State of Florida Department of Transportation and Sarasota County for additional right of way, described as Parcel 119 in that certain Order of Taking recorded April 17, 1974 in Official Records Book 1039, Page 762, of the Public Records of Sarasota County, Florida.

LESS AND EXCEPT that portion taken by the State of Florida Department of Transportation and Sarasota County for additional right of way, described as Parcel 100 in that certain Order of Taking recorded July 25, 1979 in Official Records Book 1319, Page 906, of the Public Records of Sarasota County, Florida.

ALSO LESS AND EXCEPT that portion conveyed to Sarasota County, a political subdivision of the State of Florida, by that certain Warranty Deed recorded October 14, 2010 under Official Records Instrument Number 2010125997, of the Public Records of Sarasota County, Florida.



Bill Furst
SARASOTA COUNTY
PROPERTY APPRAISER

Property Record Information for 0787130003

Ownership:

US 41 & TAMIAMI TR LLC
 7901 4TH ST N, ST PETERSBURG, FL, 33702
Situs Address:
 TAMIAMI TRL VENICE, FL, 34293

Land Area: 116,553 Sq.Ft.
Municipality: Sarasota County
Subdivision: 0000 - NOT PART OF A SUBDIVISION
Property Use: 0000 - Residential vacant site
Status: OPEN
Sec/Twp/Rge: 34-39S-20E
Census: 121150027342
Zoning: OUE1 - OPEN USE ESTATE (1UNIT/5ACRE) = OUE
Total Living Units: 0

Parcel Description: BEG AT INTRS OF WLY RAW OF RIVER RD & N RAW OF TAMIAMI TRL TH WLY 594.6 FT ALG THE NLY LINE OF RAW OF SAID TAMIAMI TRAIL TH N 473 FT TH E 284 FT TO INTRS WITH WLY RAW OF W RIVER RD TH S 37-18 E 641.7 FT ALG WLY RAW OF W RIVER RD TO POB, LESS RD RAW IN OR 1054/1753 & OR 1319/907 & ORI 2010125997, SUBJ TO 14089 SF DRAINAGE ESMT TO SARASOTA COUNTY AS DESC IN ORI 2010125998, BEING SAME LANDS AS DESC IN ORI 2022174101

Buildings

Vacant Land

Extra Features

There are no extra features associated with this parcel

Values

Year	Land	Building	Extra Feature	Just	Assessed	Exemptions	Taxable	Cap
2022	\$350,500	\$0	\$0	\$350,500	\$73,740	\$0	\$73,740	\$276,760
2021	\$174,100	\$0	\$0	\$174,100	\$67,036	\$0	\$67,036	\$107,064
2020	\$297,500	\$0	\$0	\$297,500	\$60,942	\$0	\$60,942	\$236,558
2019	\$172,700	\$0	\$0	\$172,700	\$55,402	\$0	\$55,402	\$117,298
2018	\$172,700	\$0	\$0	\$172,700	\$50,365	\$0	\$50,365	\$122,335
2017	\$172,700	\$0	\$0	\$172,700	\$45,786	\$0	\$45,786	\$126,914
2016	\$172,700	\$0	\$0	\$172,700	\$41,624	\$0	\$41,624	\$131,076
2015	\$155,800	\$0	\$0	\$155,800	\$37,840	\$0	\$37,840	\$117,960
2014	\$34,400	\$0	\$0	\$34,400	\$34,400	\$0	\$34,400	\$0
2013	\$32,700	\$0	\$0	\$32,700	\$32,700	\$0	\$32,700	\$0

Current Exemptions

There are no exemptions associated with this parcel.

Sales & Transfers

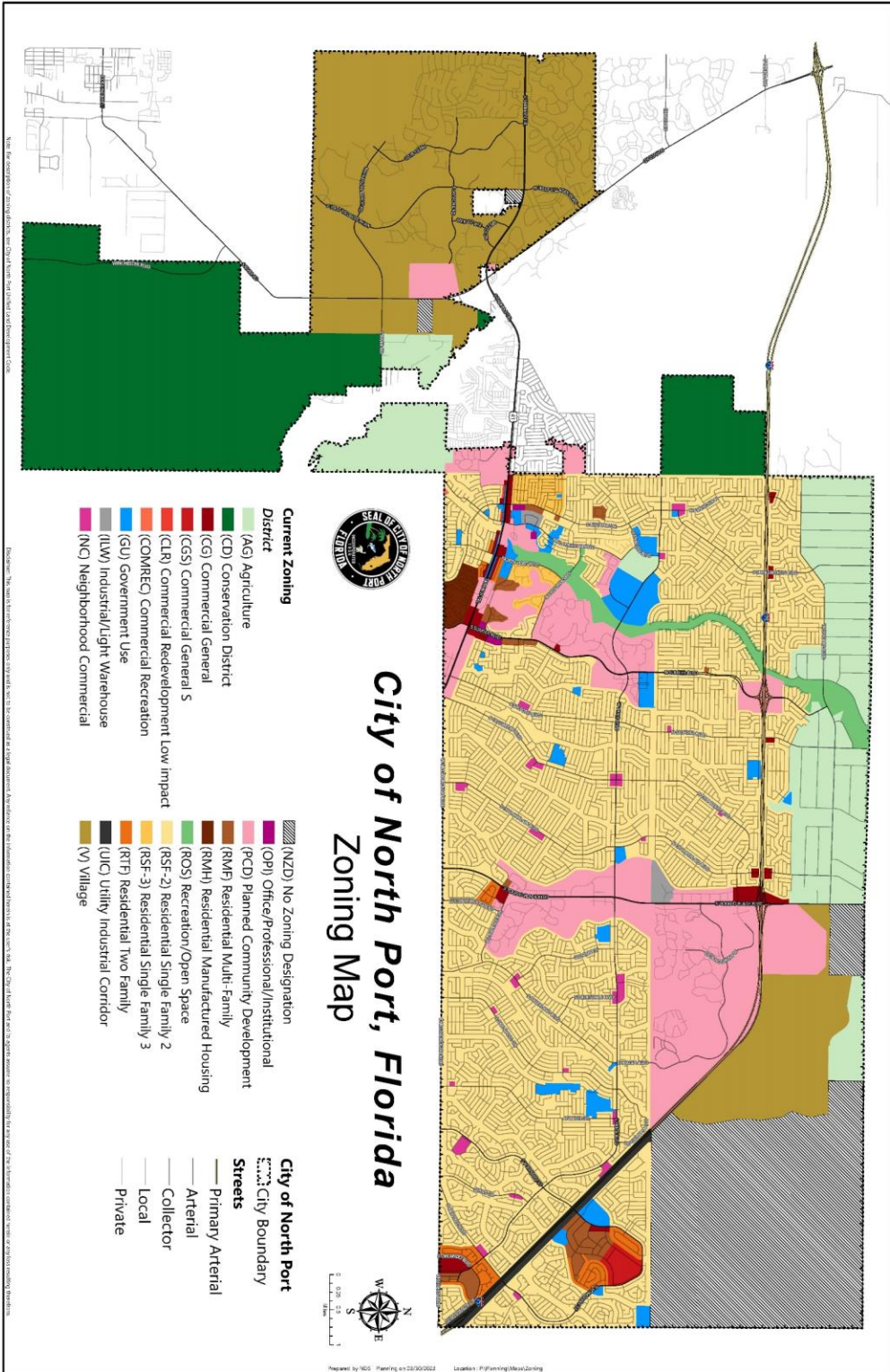
Transfer Date	Recorded Consideration	Instrument Number	Qualification Code	Grantor/Seller	Instrument Type
5/22/2022	\$100	2022174101	11	HAUSER CAROL R	WD
8/24/1990	\$100	2241/1635	11	ERIKSON ROSE	PR
7/1/1985	\$0	1798/998	11		NA

Associated Tangible Accounts

There are no associated tangible accounts for this parcel

Property record information last updated on: 1/25/2023

Flood Zone (Data provided by Sarasota County Government as of 1/23/2023)
 Different portions of a property can be in different flood zones. Please click on MAP link below to see the flood zones.



**PUBLIC NOTICE - CITY OF NORTH PORT
NOTICE OF PUBLIC HEARINGS FOR THE
VOLUNTARY ANNEXATION OF CERTAIN PROPERTY
INTO THE CITY OF NORTH PORT**

NOTICE IS HEREBY GIVEN, pursuant to Chapters 171, Part I of the Florida Statutes, Section 7.01(c) of the Charter of the City of North Port, Florida, and Section 53-22, of the Unified Land Development Code (ULDC), that the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) will hold a public hearing for consideration of voluntary annexation of land into the City of North Port via ANX-23-129 on **Thursday, October 5, 2023, at 9:00 a.m.** or as may be continued thereafter.

A Public Hearing for the first reading of Ordinance No. 2023-XX will be held before the North Port City Commission on **Tuesday, October 24, 2023, at 6:00 p.m.**, or as soon thereafter as the matter may be heard to consider Ordinance No. 2023-XX.

The second reading and final reading by the City Commission will be held on **Tuesday, November 14, 2023, at 10:00 a.m.** or as may be continued at the discretion of the Commission. The proposed annexation ordinance is described as follows:

Ordinance No. 2023-XX: An Ordinance of the City of North Port, Florida, Annexing ±2.491 acres of real property located in the unincorporated area of Sarasota County, Florida, and contiguous to the existing city limits of the City of North Port, Florida; redefining the boundary lines of the City of North Port to include this property; providing for findings; providing for annexation; amending the official zoning map; providing for assessment and taxation; providing for filing of documents; providing for conflicts; providing for severability; and providing an effective date.

All Public Hearings will be held in the **North Port City Hall Commission Chambers located on the second floor, 4970 City Hall Boulevard, North Port, Florida, 34286.**

Insert Map

Note: **Proposed ANX-23-129 (boundary of the area) is depicted on this map. The proposed site contains ± 2.491 acres.**

The complete legal description by metes and bounds and the ordinance can be obtained from the office of the City Clerk.

The site is generally located on the northwest corner of S. Tamiami Trail (US-41) and N. River Road.

All interested parties are invited to appear and be heard in respect to this Development Master Plan at the public hearings in the City Hall Commission Chambers. Written comments filed with the City Commission will be heard and considered and will be made a matter of public record at the meeting. These public hearings may be continued from time to time as announced at the hearings, as may be found necessary. The files pertinent to ANX-23-129 may be inspected by the public at the City of North Port Neighborhood Development Services Department, Planning & Zoning Division, and in the City of North Port City Clerk's Office, 4970 City Hall Boulevard, North Port, Florida 34286, during regular business hours.

NO STENOGRAPHIC RECORD BY A CERTIFIED COURT REPORTER IS MADE OF THESE MEETINGS. ACCORDINGLY, ANY PERSON WHO MAY SEEK TO APPEAL A DECISION INVOLVING THE MATTERS NOTICED HEREIN WILL BE RESPONSIBLE FOR MAKING A VERBATIM RECORD OF THE TESTIMONY AND EVIDENCE AT THESE MEETINGS UPON WHICH ANY APPEAL IS TO BE BASED (SEE F.S.S. 286.0105).

NOTE: PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE 48 HOURS IN ADVANCE OF THE MEETING (SEE F.S.S. 286.26).

NONDISCRIMINATION: The City of North Port does not discriminate on the basis of race, color, national origin, sex, age, disability, family or religious status in administration of its programs, activities or services.

AMERICAN WITH DISABILITIES ACT OF 1990 - The North Port City Hall is wheelchair accessible. Special parking is available on the west side of City Hall and the building may be accessed from the parking area. Persons with hearing difficulties should contact the City Clerk to obtain a hearing device for use during meetings.

/s/
Heather Faust, MMC
City Clerk

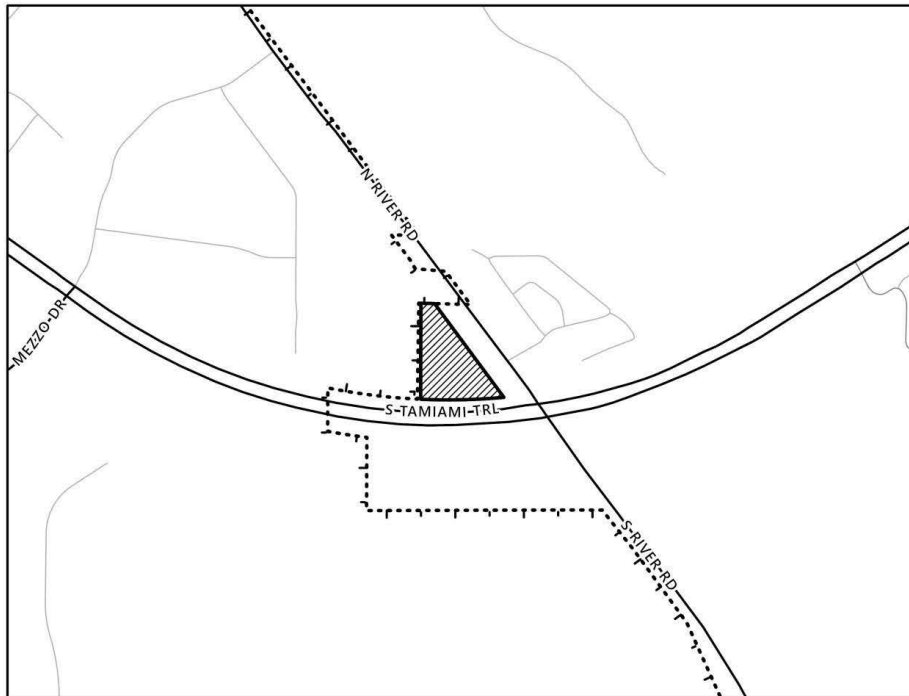
Publish: Monday, September 18, 2023, and Monday, September 25, 2023.

Ad Size: headline 18-point, size 4 x 10

E-mailed to NP Sun: September 15, 2023

Please publish in legal section.

Please furnish proof of publication to cbenge@northportfl.gov





September 28, 2023

Mr. Matthew R. Osterhoudt, Director
Planning and Development Services
Sarasota County Board of County Commissioners
1660 Ringling Blvd.
Sarasota, FL 34236

RE: Voluntary Annexation by the City of North Port (ANX-23-023 & ANX-23-129)

Dear Mr. Osterhoudt:

The City of North Port received the Sarasota County response letter, dated September 5, 2023, regarding the annexation petitions ANX-23-129 and ANX-23-023. The County raised concern regarding ANX-23-023, that the parcel, "does not appear to be contiguous with the City boundary." City staff agrees with this assessment; therefore the City of North Port will not proceed with ANX-23-023 for the parcel described below:

PID 0787130003: Start at the intersection of the West line of the right of way of the West River Road with the North line of the right of way of State Road No. 5., Tamiami Trail, thence running Westerly 594.6 feet measured along the curve of the North line of said Tamiami Trail to a point; thence North 473 feet to a point; thence East 264 feet to an intersection with the West line of the right of way of West River Road; thence South 37° 18' East 541.7 feet along the West line of the right of way of the West River Road to the Point of Beginning. Lying in the Southeast quarter of the Southwest quarter of the Northwest quarter of Section 34., Township 39 South, Range 20 East.

The City of North Port will proceed with the annexation petition ANX-23-129. Since the City of North Port and Sarasota County does not have a Joint Planning Agreement, the process will adhere to the requirements of the Sarasota County Charter, Section 3.3B.

If you have any questions or concern regarding this annexation, please contact me at 941-429-7221 or via email at lbarnes@northportfl.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lori Barnes", written over a blue horizontal line.

Lori Barnes, AICP, CPM
Assistant Director, Development Services

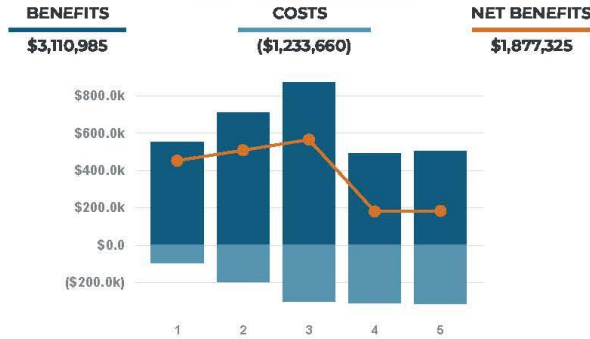
- c: Alaina Ray, AICP, Development Services Director, City of North Port
Michelle Norton, AICP, Assistant Director, Planning and Development Services, SCBCC
Laura Wilson, Comprehensive Planning Manager, SCBCC
Lisa Wenzel, Planning & Zoning Division Manager, SCBCC
Brett Harrington, Planner, SCBCC



IMPACT REPORT
FISCAL ANALYSIS
 ANX-23-129 US 41 & Tamiami Trl

New/Startup Fiscal Analysis

City of North Port



JOBS

138.0
Direct

SALARIES

\$67,508 Avg
Direct

CAPITAL INVEST.

\$22.9M
Buildings + FF&E

RESIDENTIAL DEV.

1.4 Homes
13.8 Relocations

NET BENEFITS **\$1,877,325**
 Present Value **\$1,661,559**

BENEFITS	
Sales Taxes	\$52,655
Real Property Taxes	\$279,284
FF&E Property Taxes	\$13,856
New Residential Property Taxes	\$5,825
Impact Fees	\$1,153,603
Building Permits and Fees	\$0
Utility Revenue	\$519,518
Utility Franchise Fees	\$51,668
Miscellaneous Taxes and User Fees	\$976,189
Communications Services Taxes	\$26,761
Other Benefits	\$31,626
Benefits Subtotal	\$3,110,985

COSTS	
Cost of Government Services	(\$669,714)
Cost of Utility Services	(\$563,946)
Costs Subtotal	(\$1,233,660)

NET BENEFITS OVER 5 YEARS

CITY	\$1,877,325
COUNTY	\$497,189
SCHOOL DISTRICT	\$424,531
OTHER	\$106,946



City of North Port
 Neighborhood Development Services
 Planning & Zoning Division
 4970 City Hall Boulevard
 North Port, FL 34286

PUBLIC NOTICE - CITY OF NORTH PORT NOTICE OF PUBLIC HEARINGS FOR THE VOLUNTARY ANNEXATION OF CERTAIN PROPERTY INTO THE CITY OF NORTH PORT

NOTICE IS HEREBY GIVEN, pursuant to Chapters 171, Part I of the Florida Statutes, Section 7.01(c) of the Charter of the City of North Port, Florida, and Section 53-22, of the Unified Land Development Code (ULDC), that the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) will hold a public hearing for consideration of voluntary annexation of ±2.67 acres of land into the City of North Port via ANX-23-129 on **Thursday, January 4, 2024, at 9:00 a.m.** or as may be continued thereafter.

A Public Hearing for the first reading of Ordinance No. 2024-02 will be held before the North Port City Commission on **Tuesday, January 23, 2024, at 6:00 p.m.**, or as soon thereafter as the matter may be heard to consider Ordinance No. 2024-02.

The second reading and final reading by the City Commission will be held on **Tuesday, February 13, 2024, at 10:00 a.m.** or as may be continued at the discretion of the Commission. The proposed annexation ordinance is described as follows:

Ordinance No. 2024-02: An Ordinance of the City of North Port, Florida, Annexing ± 2.67 acres of real property located on the Northwest corner of North River Road and South Tamiami Trail in the unincorporated area of Sarasota County, Florida and contiguous to the existing city limits of the City of North Port, Florida; redefining the boundary lines of the City of North Port to include the property; providing for findings; providing for annexation; amending the official zoning map; providing for assessment and taxation; providing for filing of documents; providing for conflicts; providing for severability; and providing an effective date.

All Public Hearings will be held in the **North Port City Hall Commission Chambers located on the second floor, 4970 City Hall Boulevard, North Port, Florida, 34286.**

«NAME1»
 «NAME_ADD2»
 «NAME_ADD3»
 «NAME_ADD4»
 «NAME_ADD5»
 «CITY», «STATE» «ZIP»
 «COUNTRY»

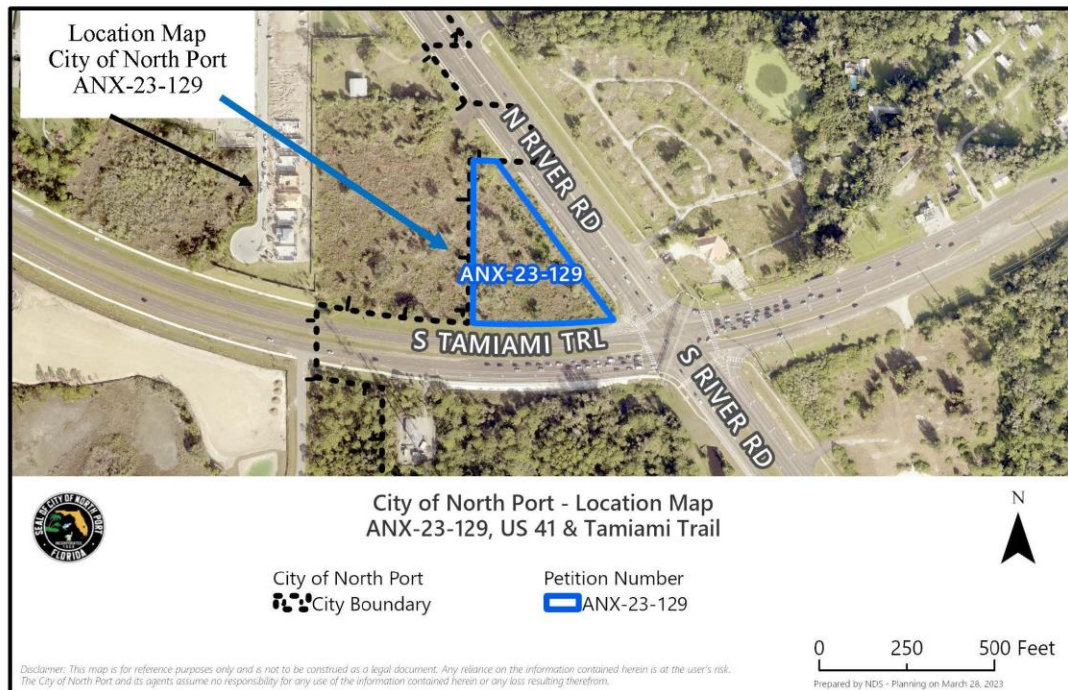


EXHIBIT "G"



Business Impact Estimate

This Business Impact Estimate is provided in accordance with Florida Statutes Section 166.041(4).

ORDINANCE NO. 2024-02

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, ANNEXING ± 18.63 ACRES OF REAL PROPERTY LOCATED ON THE NORTHWEST CORNER OF NORTH RIVER ROAD AND SOUTH TAMIAMI TRAIL IN THE UNINCORPORATED AREA OF SARASOTA COUNTY, FLORIDA AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF NORTH PORT, FLORIDA; REDEFINING THE BOUNDARY LINES OF THE CITY OF NORTH PORT TO INCLUDE THIS PROPERTY; PROVIDING FOR FINDINGS; PROVIDING FOR ANNEXATION; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR ASSESSMENT AND TAXATION; PROVIDING FOR FILING OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

1. Summary of the proposed ordinance

This ordinance proposes the voluntary annexation of approximately 18.63± acres of certain contiguous real property into the corporate limits of the City of North Port, Florida in accordance with Florida Statutes Chapter 171 and the Unified Land Development Code Section 53-22.

The public purpose of the ordinance is to serve the health, safety, morals, and welfare of the citizens of the City of North Port, Florida. The property subject to this annexation request is vacant land. Annexation of the property is required for future connection to the City's water and wastewater utility upon development. Providing utility services to the future business development of this site serves the public and ensures public health will be maintained. Annexation of the property into the City limits will enhance the short-term property value and diversify the City's tax base in the long term as the property develops to its potential. Diversifying the tax base helps minimize the tax burden on residential property owners. Increased ad-valorem revenue to the City will supplement capital improvement projects to serve the community.

2. Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any, including:

- (a) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

This proposed ordinance imposes no direct compliance costs on businesses and imposes no new charges or fees on those businesses.

EXHIBIT "G"

3. The City's good faith estimate of the number of businesses likely to be impacted by the proposed ordinance.

None. The property is undeveloped.

4. Additional information the governing body deems useful, if any.

Annexation of the subject site has been anticipated by the North Port Comprehensive Plan since 2009. Annexation and future development of this site will add to the diversity of the City's tax base.