



# STAFF REPORT

## Strand at Cedar Grove Final Plat

**From:** Noah Fossick, AICP, Planner II

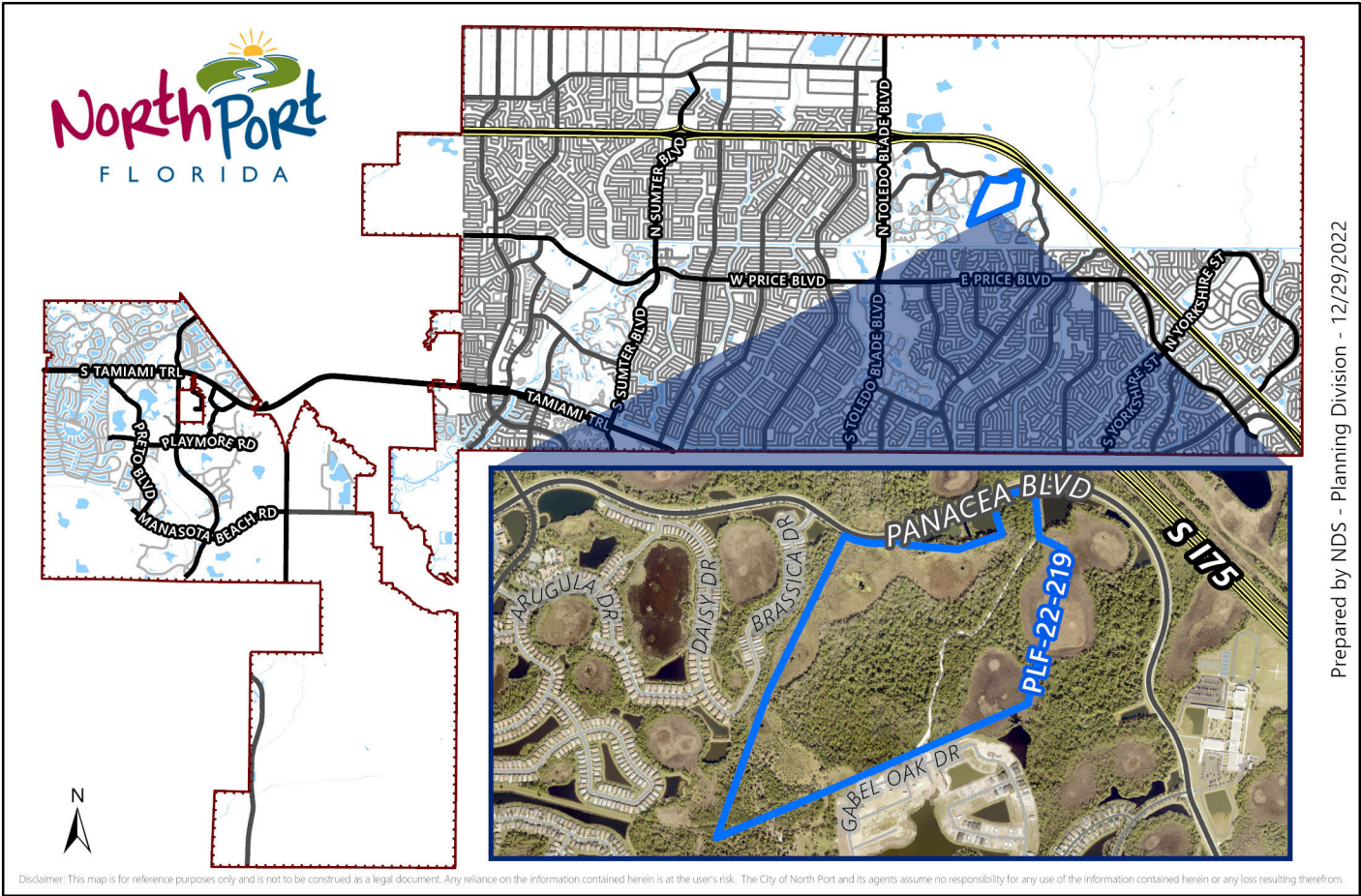
**Thru:** Lori Barnes, AICP, CPM, Planning & Zoning Division Manager

**Thru:** Alaina Ray, AICP, Neighborhood Development Services Director

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

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

**Date:** January 19, 2022



Prepared by NDS - Planning Division - 12/29/2022

<b>PROJECT:</b>	PLF-22-219, Strand at Cedar Grove Final Plat (QUASI-JUDICIAL)
<b>REQUEST:</b>	Consideration of Final Plat for Strand at Cedar Grove
<b>APPLICANT:</b>	Strickland T. Smith, P.E.
<b>OWNER:</b>	Centex Homes
<b>LOCATION:</b>	South and West of Panacea Blvd., North of the existing Cedar Grove community, and East of the Cypress Falls community.
<b>PROPERTY SIZE:</b>	± 181.69 Acres
<b>ZONING:</b>	Planned Community Development (PCD)

## I. BACKGROUND

In January 2022, the Order of Approval for the Development Master Plan of "Woodlands Parcel E" was issued after approval by the City Commission. In June 2022, the Development Order for the Infrastructure Plan (INF-22-011) and the Order of Approval for the Subdivision Concept Plan (SCP-22-012) of Cedar Grove Phase 3 (FKA Woodlands Parcel E) were issued by City Staff. The Final Plat will add 244 single-family detached lots with associated landscaping, infrastructure, utilities, and drainage. The total site contains approximately ± 181.69 acres.

A surety bond in the amount of \$2,376,828.19 for the infrastructure improvements has been received by the City of North Port.

### 2022 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 reviewed and approved the plat.

Conclusion: PLF-22-219 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-22-219 conforms with the approved Subdivision Plan (SCP-22-097) and the ULDC.

### ENVIRONMENTAL

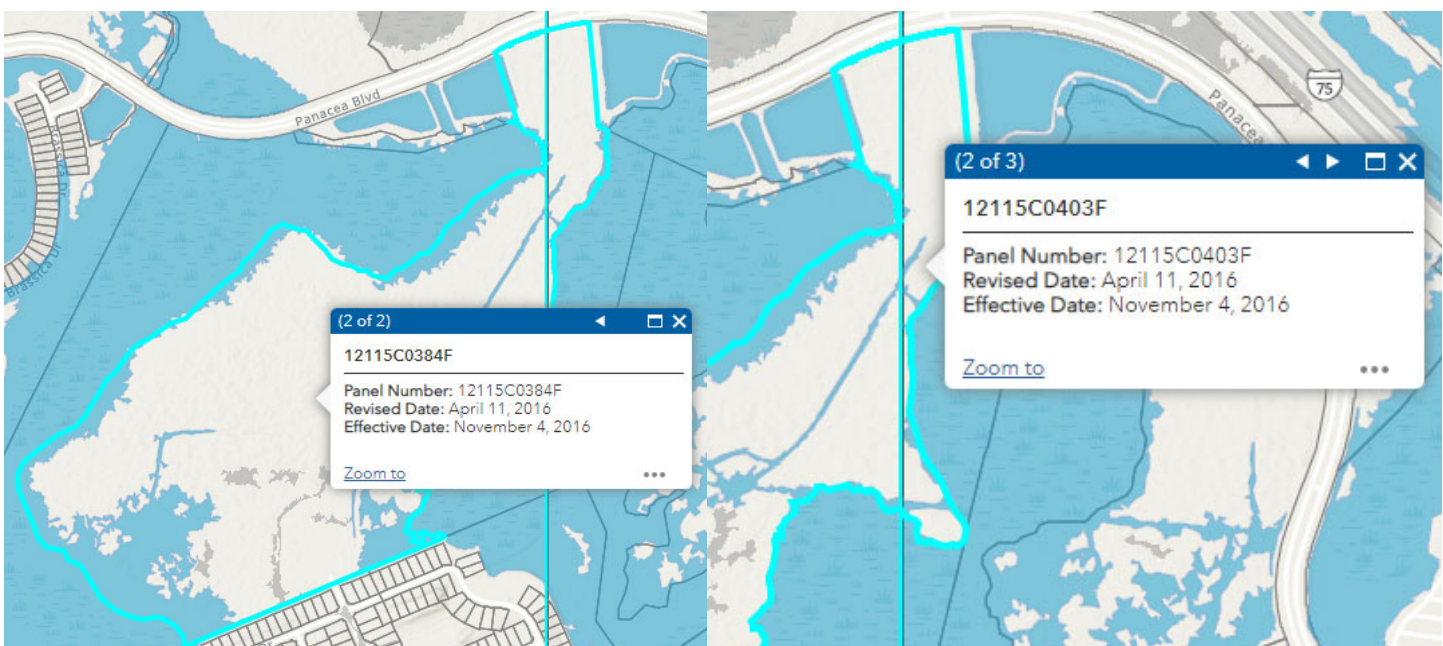
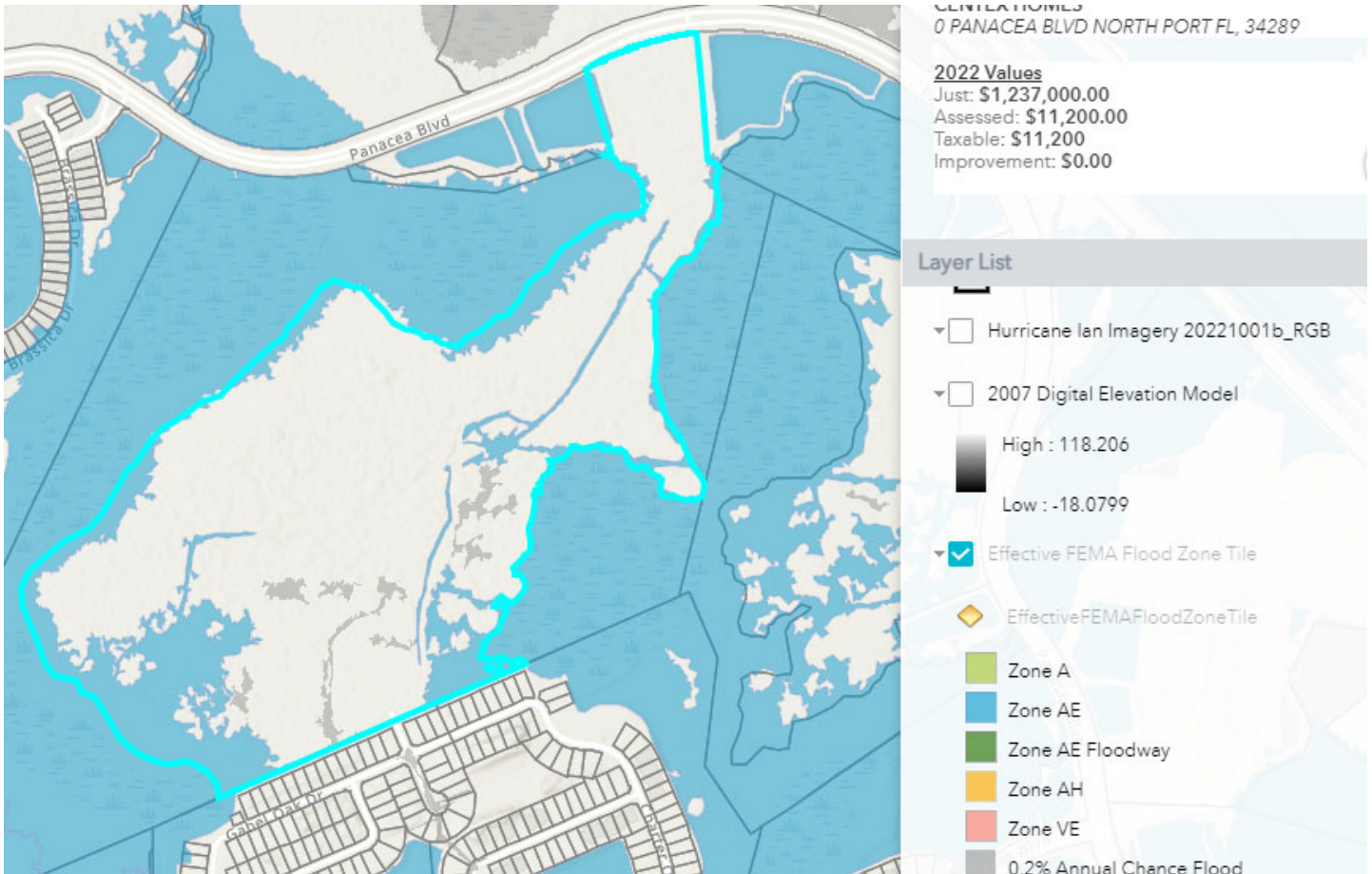
A formal environmental survey has been completed on the site. All permits will be issued in accordance to State and Federal standards.



## II. STAFF ANALYSIS & FINDINGS (CONTINUED)

### FLOOD ZONE

The majority of the site is not in a FEMA Flood Zone. Portions of the site are within Flood Zone X (Areas of minimal flood hazard) and Flood Zone AE (High risk flood zone), According to Flood Insurance Rate Map No. 12115C0384F and 12115C0403F 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-22-219, Strand at Cedar Grove Final Plat, as stated:

I move to recommend approval of Petition No. PLF-22-219 as presented and find that based on the competent substantial evidence, the Plat complies with all regulations set forth in the Unified Land Development Code (ULDC) and Florida Statutes Chapter 177.

### IV. ALTERNATIVE MOTIONS

Petition PLF-22-219 could be DENIED. If that were the case, new findings would need to be written to support that recommendation. The motion would be as follows:

I move to recommend denial of Petition No. PLF-22-219 and find that, based on the competent substantial evidence shows that the proposed Plat does not comply with the Unified Land Development Code (ULDC) and Florida Statutes Chapter 177.

### V. PUBLIC HEARING SCHEDULE

<b>Planning &amp; Zoning Advisory Board Public Hearing</b>	January 19, 2023 9:00 AM or as soon thereafter
<b>City Commission Public Hearing</b>	February 14, 2023 10:00 AM or as soon thereafter

### VI. EXHIBITS

<b>A.</b>	Map Gallery
<b>B.</b>	Affidavit
<b>C.</b>	Title Assurance
<b>D.</b>	City Surveyor's Approval





City of North Port

Exhibit A


Prepared on 12/29/2022  
by NDS / Planning Division

## Aerial Location Map

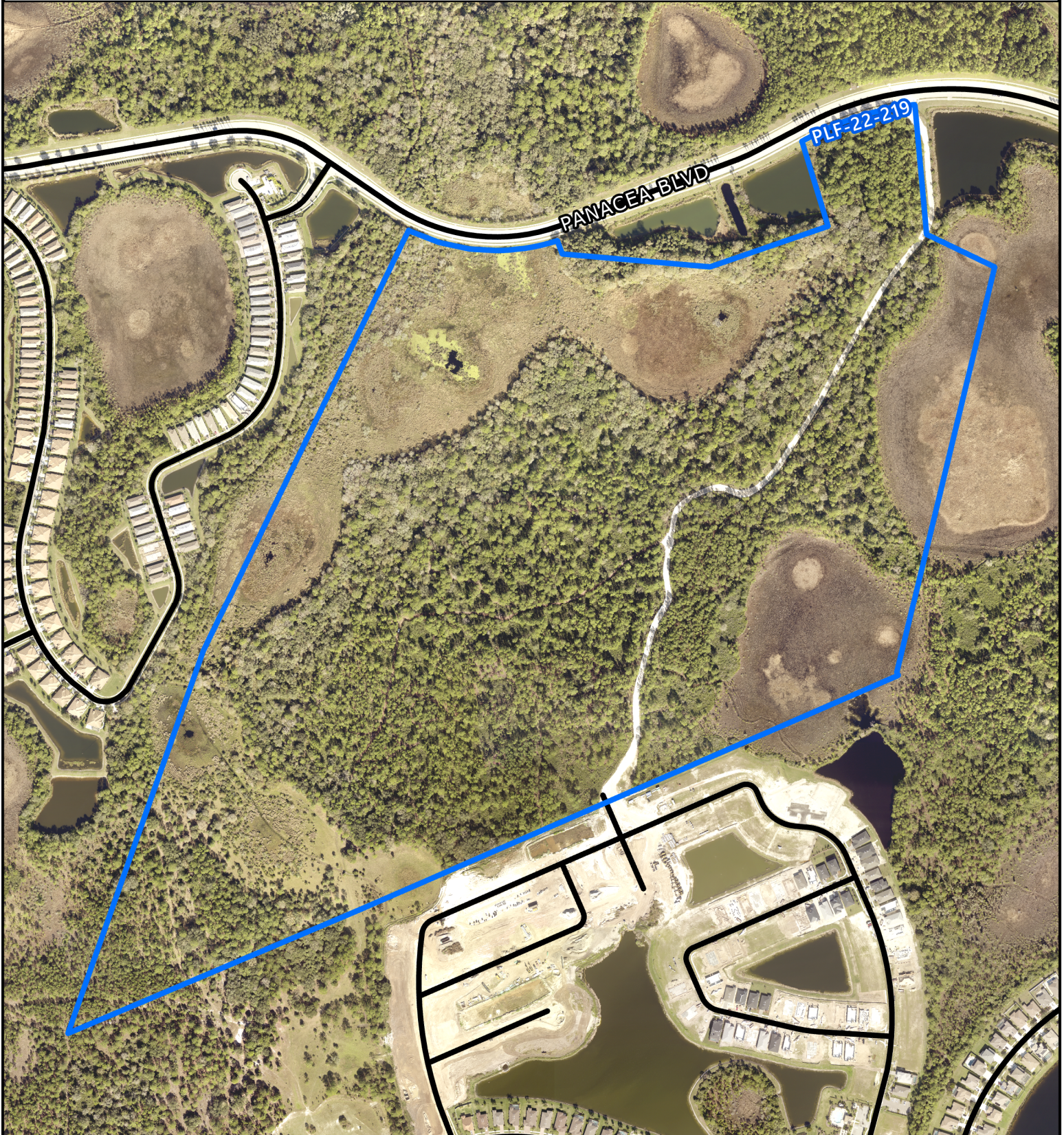
PLF-22-219, Strand at Cedar Grove



0 400 800 Feet

 Petition Boundary

 City 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.






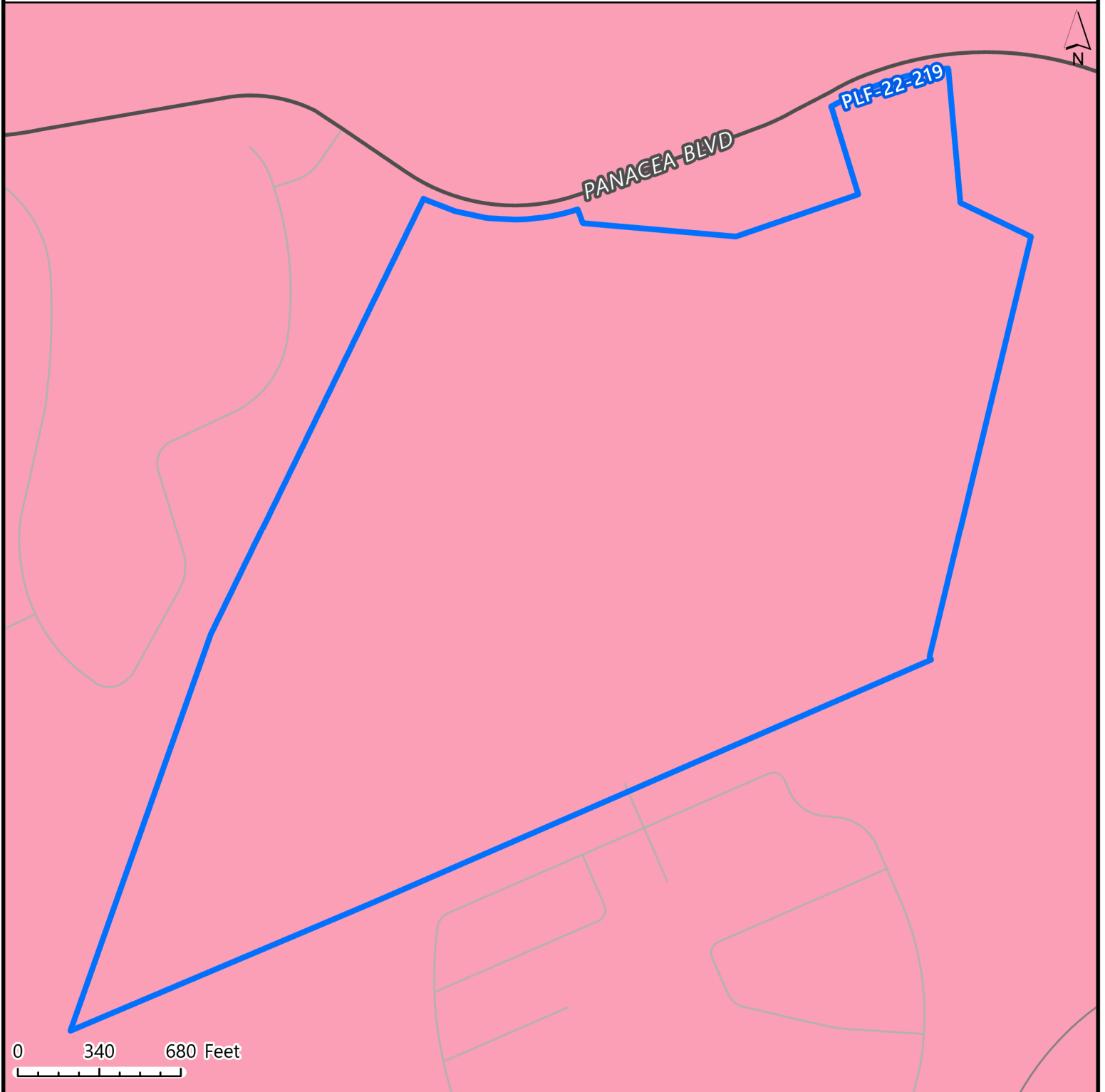


Exhibit A

## Current Zoning

PLF-22-219, Strand at Cedar Grove  
*PCD, Planned Community Development*

-  Petition Boundary
-  City Boundary
-  (PCD) Planned Community Development



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.

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.




Exhibit A

## Future Land Use

PLF-22-219, Strand at Cedar Grove

*MEDIUM DENSITY RESIDENTIAL*

 Petition Boundary

 City Boundary

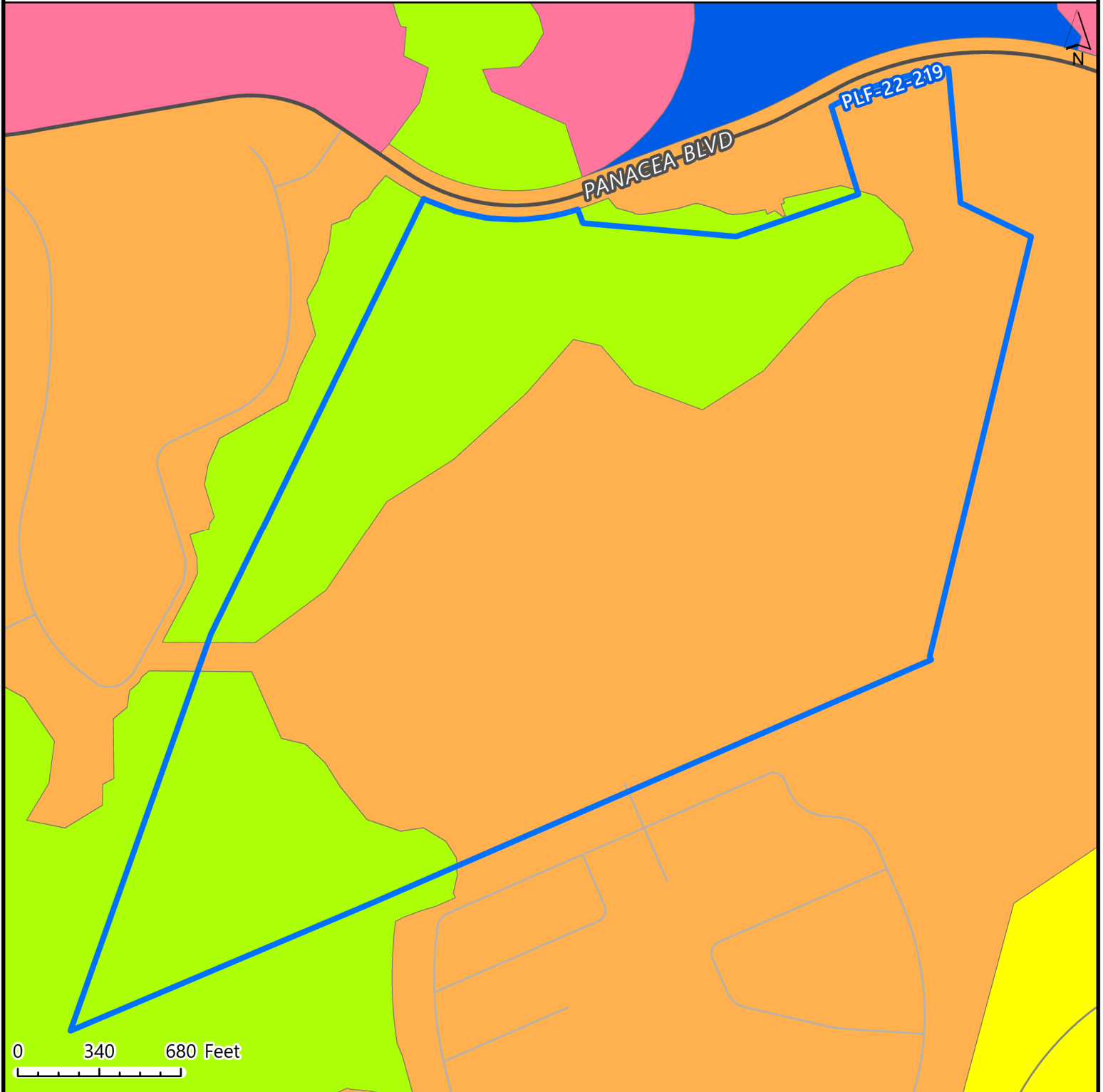
 LOW DENSITY RESIDENTIAL

 MEDIUM DENSITY RESIDENTIAL

 RECREATION/OPEN SPACE (TDR SENDING ZONE)

 PUBLIC

 ACTIVITY CENTER (TDR RECEIVING ZONE - EXCEPT AC-3)



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Exhibit B

AFFIDAVIT

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

Sworn and subscribed before me this 3rd day of January, 20 23

[Signature]  
Signature of Applicant or Authorized Agent

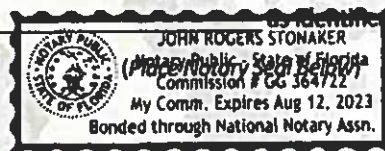
Strickland T. Smith, P.E., Principal  
Print Name and Title

STATE OF FL

COUNTY OF Hillsborough

The foregoing instrument was acknowledged by me this 3rd day of January, 20 23, by Strickland T. Smith, P.E., Principal who is personally known to me or has produced

[Signature]  
Signature - Notary Public



AFFIDAVIT

AUTHORIZATION FOR AGENT/APPLICANT

I, Centex Homes / Mike Woolery, property owner, hereby authorize Heidt Design, LLC / Strickland T. Smith to act as Agent on our behalf to apply for this application on the property described as (legal description) Strand at Cedar Grove

[Signature]  
Owner

1/4/2023  
Date

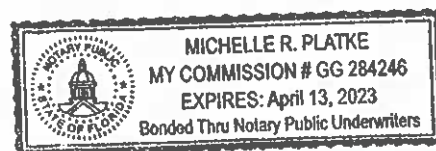
STATE OF FLORIDA

COUNTY OF SARASOTA

The foregoing instrument was acknowledged by me this 4th day of JANUARY, 20 23, by MICHAEL WOOLERY - V.P. OF LAND ACQ. who is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
Signature - Notary Public

(Place Notary Seal Below)





**Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, P.A.**  
420 South Orange Avenue, Suite 700  
P.O. Box 2346 (ZIP 32802-2346)  
Orlando, FL 32801

(407) 841-1200  
(407) 423-1831 Fax  
www.deanmead.com

**Attorneys and Counselors at Law**  
Orlando  
Fort Pierce  
Tallahassee  
Viera/Melbourne  
Vero Beach  
Stuart (By Appointment)

**DAVID P. BARKER**  
407-428-5118  
dbarker@deanmead.com

August 19, 2022

Board of County Commissioners  
Sarasota County, Florida  
101 S. Washington Blvd.  
Sarasota, Florida 33577

Re: Strand at Cedar Grove

Gentlemen:

Pursuant to the requirements of Florida Statutes, Chapter 177, and Sarasota County Land Development regulations, you are advised that, in our opinion, the fee simple marketable title of those lands described in Exhibit A attached hereto is vested in:

Centex Homes, a Nevada limited partnership by virtue of Special Warranty Deed recorded in Official Records Instrument No. 2022121828, Public Records of Sarasota County, Florida.

Subject to the following matters and exceptions:

A. Unsatisfied mortgages or liens encumbering said property are as follows:

None

B. Underlying rights of way, easements or plats, restrictions and other matters affecting said property are as follows:

1. Notice regarding Development Order recorded August 25, 1986 in Official Records Book 1880, Page 2199 together with Amended and Restated Development Order recorded in Official Records Instrument # 2001161391, Public Records of Sarasota County, Florida.

2. Panacea Conservation Easement in favor of Southwest Florida Water Management District recorded May 5, 2005 in Official Records Instrument # 2005095397, Public Records of Sarasota County, Florida.

3. Notice of Establishment of The Woodland Community Development District recorded July 29, 2004 in Official Records Instrument # 2004147889 as amended in

August 19, 2022  
Page 2

Amended Notice of Establishment of the Woodland Community Development District recorded in Official Records Instrument # 2007164391, Public Records of Sarasota County, Florida.

4. Declaration of Consent to Jurisdiction of Community Development District and to Imposition of Special Assessments recorded January 13, 2005 in Official Records Instrument # 2005008426, Public Records of Sarasota County, Florida.

5. Reservation of Rights and Restrictive Covenant recorded December 27, 2005 in Official Records Instrument # 2005281703, Public Records of Sarasota County, Florida.

6. Blanket Easement to CDD and Association for Maintenance of Central Irrigation System recorded February 6, 2006 in Official Records Instrument # 2006023095, Public Records of Sarasota County, Florida.

7. Lien of Record and Disclosure of Public Financing of the Woodlands Community Development District recorded May 4, 2009 in Official Records Instrument # 2009052947, Public Records of Sarasota County, Florida.

8. Master Declaration of Covenants, Conditions, Restrictions and Easements for The Woodlands recorded in Official Records Instrument No. 2006023093; as affected by Partial Assignment and Acceptance of Assignment of Declarant's Rights recorded in Official Records Instrument No. 2009017561 and Assignment of Declarant's Rights recorded July 21, 2022 in Official Records Instrument No. 2022121830, Public Records of Sarasota County, Florida.

9. Access Easement Agreement from Heyward Development, LLC, a Florida limited liability company, Buffalo-Northport Associates, LLC, a Florida limited liability company and Panacea Gulf Coast Investments, L.L.C., a Florida limited liability company, Grantors, to Buffalo-Northport Associates II, LLC, a Florida limited liability company, Grantee, recorded July 29, 2020 in Official Records Instrument # 2020100677, Public Records of Sarasota County, Florida.

10. Assignment and Acceptance of DRI Allocation recorded July 21, 2022 in Official Records Instrument No. 2022121829, Public Records of Sarasota County, Florida.

C. 2021 Ad valorem taxes on said property are PAID for Tax Parcel I. D. Numbers 1113001300 and 1113002200.

This title opinion letter is made for the express purpose of furnishing title information to Sarasota County, Florida.

Sincerely,

DocuSigned by:  
  
E44159D8D9E0EE  
David P. Barker

DPB:ch



## Exhibit C

EXHIBIT "A"

A Parcel of land lying in Sections 8 and 17, Township 39 South, Range 22 East, Sarasota County, Florida, and being more particularly described as follows:

COMMENCE at the Northeast corner of said Section 17, run thence along the East boundary thereof, S.00°05'45"W., a distance of 402.07 feet to the POINT OF BEGINNING; thence S.13°33'52"W., a distance of 1806.94 feet to the Northernmost corner of CEDAR GROVE PHASE 2A, according to the plat thereof, as recorded in Plat Book 54, Pages 291 through 300, inclusive, of the Public Records of Sarasota County, Florida; thence along the Northerly boundary of said CEDAR GROVE PHASE 2A, the Northerly boundary of CEDAR GROVE PHASE 2B, according to the plat thereof, as recorded in Plat Book 56, Pages 18 through 27, inclusive, of the Public Records of Sarasota County, Florida, and the Southerly extension thereof, respectively, S.66°29'58"W., a distance of 3959.70 feet to the Southeast corner of CYPRESS FALLS PHASE 2A & 2B, according to the plat thereof, as recorded in Plat Book 52, Pages 70 through 83, inclusive, of the Public Records of Sarasota County, Florida; thence along the Easterly boundary of said CYPRESS FALLS PHASE 2A & 2B, Easterly boundary of CYPRESS FALLS PHASE 1C, according to the plat thereof, as recorded in Plat Book 46, Pages 15 through 15T, inclusive, of the Public Records of Sarasota County, Florida, Easterly boundary of CYPRESS FALLS PHASE 2D, according to the plat thereof, as recorded in Plat Book 53, Pages 73 through 83, inclusive, of the Public Records of Sarasota County, Florida, the following two (2) courses: 1) N.19°29'31"E., a distance of 1771.96 feet; 2) N.26°00'41"E., a distance of 2025.54 feet to the Northeast corner said CYPRESS FALLS PHASE 2D; thence along the Southerly right-of-way of Panacea Boulevard, Easterly, 701.63 feet along the arc of a non-tangent curve to the left having a radius of 870.02 feet and a central angle of 46°12'22" (chord bearing S.87°07'49"E., 682.77 feet); thence S.20°14'01"E., a distance of 68.92 feet; thence S.85°00'00"E., a distance of 641.16 feet; thence N.71°00'00"E., a distance of 540.00 feet; thence N.17°06'14"W., a distance of 397.13 feet to a point on aforesaid Southerly right-of-way of Panacea Boulevard; thence along said Southerly right-of-way, Easterly, 516.81 feet along the arc of a non-tangent curve to the right having a radius of 1300.00 feet and a central angle of 22°46'40" (chord bearing N.73°28'22"E., 513.41 feet); thence S.05°08'18"E., a distance of 563.01 feet; thence S.64°23'25"E., a distance of 326.73 feet to the POINT OF BEGINNING.



August 18, 2022

Addressee:

PLAT PROPERTY INFORMATION REPORT

Proposed Plat of: Strand at Cedar Grove

In accordance with Section 177.041, Florida Statutes this will certify that Fidelity National Title Insurance Company has made a search of the Public Records of Sarasota County, Florida, through August 16, 2022 at 5:00 PM on real property described and shown on the proposed plat which description reads as follows:

See Exhibit A attached hereto for Legal Description

As of the effective date of this report, the record title to the land described and shown on the proposed plat is in the name of Centex Homes, a Nevada general partnership, by virtue of Special Warranty Deed recorded in Official Records Instrument No. 2022121828, Public Records of Sarasota County, Florida.

The search has revealed the following:

1. Notice regarding Development Order recorded August 25, 1986 in Official Records Book 1880, Page 2199 together with Amended and Restated Development Order recorded in Official Records Instrument # 2001161391.
2. Panacea Conservation Easement in favor of Southwest Florida Water Management District recorded May 5, 2005 in Official Records Instrument # 2005095397.
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8. Master Declaration of Covenants, Conditions, Restrictions and Easements for The Woodlands recorded in Official Records Instrument No. 2006023093; as affected by



*Fidelity National Title Insurance Company*

Partial Assignment and Acceptance of Assignment of Declarant's Rights recorded in Official Records Instrument No. 2009017561 and Assignment of Declarant's Rights recorded July 21, 2022 in Official Records Instrument No. 2022121830.

9. Access Easement Agreement from Heyward Development, LLC, a Florida limited liability company, Buffalo-Northport Associates, LLC, a Florida limited liability company and Panacea Gulf Coast Investments, L.L.C., a Florida limited liability company, Grantors, to Buffalo-Northport Associates II, LLC, a Florida limited liability company, Grantee, recorded July 29, 2020 in Official Records Instrument # 2020100677.

10. Assignment and Acceptance of DRI Allocation recorded July 21, 2022 in Official Records Instrument No. 2022121829.

NOTE: 2021 Real Property Taxes in the gross amount of \$33,446.16 are paid, under Tax Account No. 1113001300.

NOTE: 2021 Real Property Taxes in the gross amount of \$1,084.82 are paid, under Tax Account No. 1113002200.

NOTE: All recording references in this form shall refer to the public records of Sarasota County, Florida, unless otherwise noted.

Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

This report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents of any such documents been examined for references to other liens or encumbrances. This report is not to be construed as an opinion, warranty, or guarantee of title or other similar assurance, nor as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the above Addressee only, and it may not be used or relied upon by any other party. This Report may not be used for the purpose of issuing a title insurance commitment or policy.

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

File No.: 10678887

*Brianna Barolet*

By: \_\_\_\_\_

Authorized Signature





## Exhibit "A"

A Parcel of land lying in Sections 8 and 17, Township 39 South, Range 22 East, Sarasota County, Florida, and being more particularly described as follows:

COMMENCE at the Northeast corner of said Section 17, run thence along the East boundary thereof, S.00°05'45"W., a distance of 402.07 feet to the POINT OF BEGINNING; thence S.13°33'52"W., a distance of 1806.94 feet to the Northernmost corner of CEDAR GROVE PHASE 2A, according to the plat thereof, as recorded in Plat Book 54, Pages 291 through 300, inclusive, of the Public Records of Sarasota County, Florida; thence along the Northerly boundary of said CEDAR GROVE PHASE 2A, the Northerly boundary of CEDAR GROVE PHASE 2B, according to the plat thereof, as recorded in Plat Book 56, Pages 18 through 27, inclusive, of the Public Records of Sarasota County, Florida, and the Southerly extension thereof, respectively, S.66°29'58"W., a distance of 3959.70 feet to the Southeast corner of CYPRESS FALLS PHASE 2A & 2B, according to the plat thereof, as recorded in Plat Book 52, Pages 70 through 83, inclusive, of the Public Records of Sarasota County, Florida; thence along the Easterly boundary of said CYPRESS FALLS PHASE 2A & 2B, Easterly boundary of CYPRESS FALLS PHASE 1C, according to the plat thereof, as recorded in Plat Book 46, Pages 15 through 15T, inclusive, of the Public Records of Sarasota County, Florida, Easterly boundary of CYPRESS FALLS PHASE 2D, according to the plat thereof, as recorded in Plat Book 53, Pages 73 through 83, inclusive, of the Public Records of Sarasota County, Florida, the following two (2) courses: 1) N.19°29'31"E., a distance of 1771.96 feet; 2) N.26°00'41"E., a distance of 2025.54 feet to the Northeast corner said CYPRESS FALLS PHASE 2D; thence along the Southerly right-of-way of Panacea Boulevard, Easterly, 701.63 feet along the arc of a non-tangent curve to the left having a radius of 870.02 feet and a central angle of 46°12'22" (chord bearing S.87°07'49"E., 682.77 feet); thence S.20°14'01"E., a distance of 68.92 feet; thence S.85°00'00"E., a distance of 641.16 feet; thence N.71°00'00"E., a distance of 540.00 feet; thence N.17°06'14"W., a distance of 397.13 feet to a point on aforesaid Southerly right-of-way of Panacea Boulevard; thence along said Southerly right-of-way, Easterly, 516.81 feet along the arc of a non-tangent curve to the right having a radius of 1300.00 feet and a central angle of 22°46'40" (chord bearing N.73°28'22"E., 513.41 feet); thence S.05°08'18"E., a distance of 563.01 feet; thence S.64°23'25"E., a distance of 326.73 feet to the POINT OF BEGINNING.

## Exhibit D

**From:** [Alan Fish](#)  
**To:** [Planning Info](#)  
**Subject:** [EXTERNAL] Resubmittal proposed record plat of "Strand at Cedar Grove"  
**Date:** Tuesday, December 20, 2022 12:57:15 PM

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Attn: Noah Fossick & Lori Barnes

I have performed a second review of the above referenced Plat. All of my previous comments have been addressed and in my opinion the Plat is now in conformance with Chapter 177, Part One, Florida Statutes.

Alan K. Fish, PSM  
Van Buskirk & Fish, Surveying & Mapping, Inc.  
12450 S. Tamiami Trail, Unit D  
North Port, FL. 34287  
Ph-941 426 0681