



Wellen Park Village E Tract 505
Replat (Petition No. PLF-23-113)

From: Sherry Willette-Grondin, Planner III

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

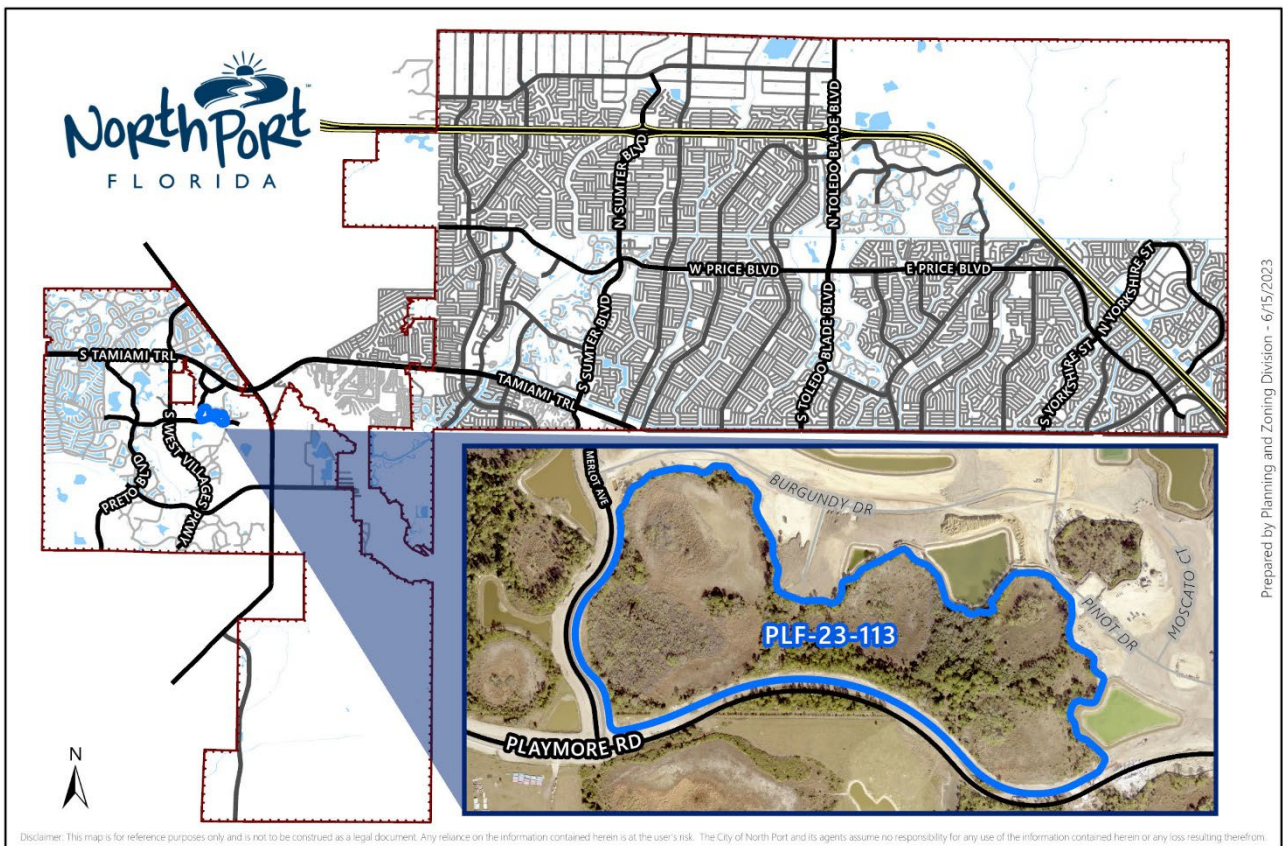
Thru: Alaina Ray, AICP, Development Services Director

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

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

Date: August 17, 2023

STAFF REPORT



Prepared by Planning and Zoning Division - 6/15/2023

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: Wellen Park Village E, Tract 505 Replat (Quasi-Judicial)
REQUEST: Approval of replatting Tract 505 in Wellen Park Village E
APPLICANT: John Luczynski, Senior Vice President of Manasota Beach Ranchlands, LLLP
OWNERS: Manasota Beach Ranchlands, LLLP
LOCATION: Located North of Playmore Road and East of Merlot Avenue (Wellen Park, Village E), (PID# 0786151000)
PROPERTY SIZE: ± 35.0692 acres
ZONING: Village (V)

I. BACKGROUND

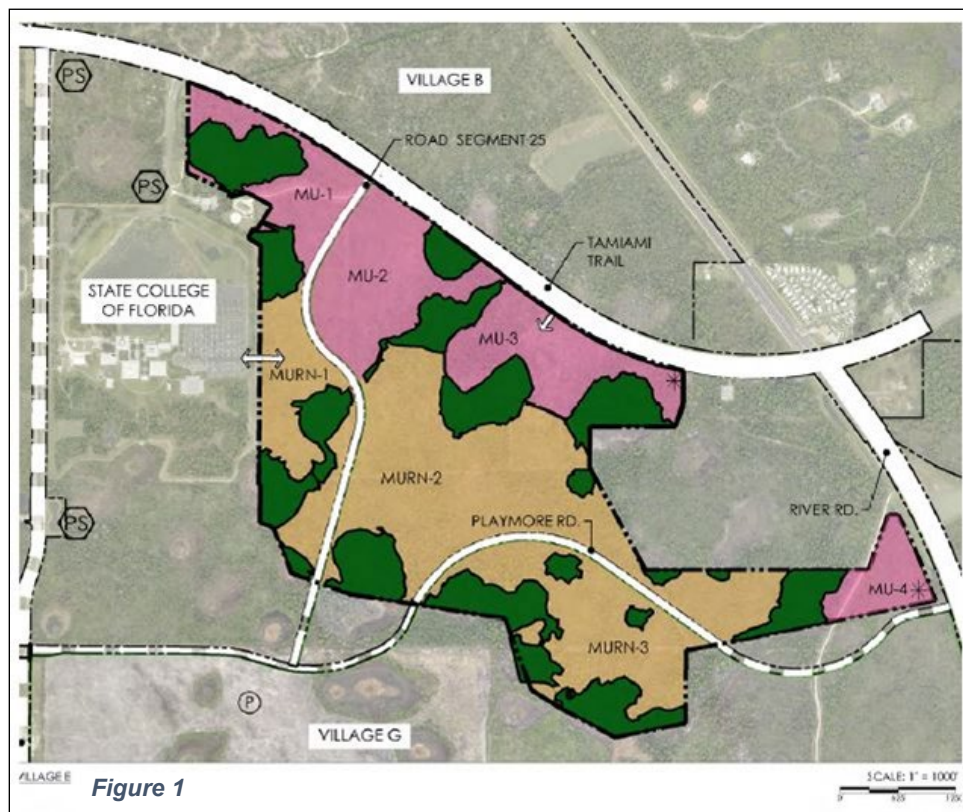
The purpose of the replat is to subdivide Tract 505 into two parcels. Tract 505A and Tract 400. Tract 505A is a stormwater management area owned and maintained by the West Villages Improvement District. Tract 400, comprising an open space area for a community garden, will be owned, and maintained by the Manasota Beach Ranchlands, LLLP. The community garden will allow residents to create, develop and sustain approximately 55 garden spaces. The project area includes associated parking, a restroom facility, utilities, landscaping, and irrigation infrastructure.

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

November 9, 2021, the Commission approved the Wellen Park Village E plat (PLF-21-200) comprising 22 separate tracts (including Tract 505), rights-of-way, associated stormwater and wetland preservation tracts, utility tracts, and easements.

The site is located within Village E, West Villages Improvement District (Wellen Park) development in the MURN-2 (Mixed Use Residential Neighborhood), as shown in Figure 1, North of Playmore Road, South of Tamiami Trail (US-41) and East of S. West Villages Parkway. The entire site contains approximately 35.0692 acres.

A surety bond for INF-19-208 in the amount of \$7,977,227.83 and a separate surety bond for INF-21-191 in the amount of \$111,211.00 have both been received by the City of North Port.



II. STAFF ANALYSIS & FINDINGS

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

Conclusion: PLF-23-113 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 and infrastructure plans conform to these regulations.

Findings: The final plat was reviewed for conformance with the approved Master Infrastructure Plans (INF-20-074) for Village E of Wellen Park and the additional roadway infrastructure plans for Merlot Drive and Mezzo Drive extensions (INF-19-208 & INF-21-191). As previously stated, the purpose of the replat is to subdivide Tract 505 into two parcels. There are no subdivision plans.

Conclusion: PLF-23-113 conforms with the ULDC.

Environmental

A formal environmental survey has been completed on the site with the approved infrastructure plan, and the site has been cleared. All permits will be issued in accordance with State and Federal standards.

Flood Zone

This plat is within Flood Zone X (areas of 0.2% annual chance of flood), according to FEMA Flood Map, Community Panel Number 12115C0370F, effective November 3, 2016.



III. RECOMMENDED MOTION

The Planning & Zoning Division recommends that the Planning & Zoning Advisory Board recommend approval of Petition No. PLF-23-113, Wellen Park Village E, Tract 505 Replat.

I move to find Petition No. PLF-23-113, Wellen Park Village E, Tract 505 Replat consistent with the City of North Port Comprehensive Plan based on the competent substantial evidence as presented and recommend the City Commission approve the petition.

IV. ALTERNATIVE MOTION

Petition PLF-23-113 could be DENIED. New findings would need to be written to support that recommendation if that were the case. The motion would be as follows:

I move to find Petition No. PLF-23-113, Wellen Park Village E, Tract 505 Replat is not consistent with the City of North Port Comprehensive Plan based on the competent substantial evidence as presented and recommend the City Commission deny the petition.

V. PUBLIC HEARINGS

Planning & Zoning Advisory Board Public Hearing	August 17, 2023 9:00 AM or as soon thereafter
City Commission Public Hearing	September 12, 2023 10:00 AM or as soon thereafter

VI. EXHIBITS

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



Aerial Location

Exhibit A - Map Gallery

PLF-23-113, Wellen Park Village E Tract 505 Replat



Prepared on 6/15/2023
by Planning & Zoning
Development Services

-  Petition Boundary
-  Streets

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Current Zoning


Exhibit A - Map Gallery


PLF-23-113, Wellen Park Village E Tract 505 Replat



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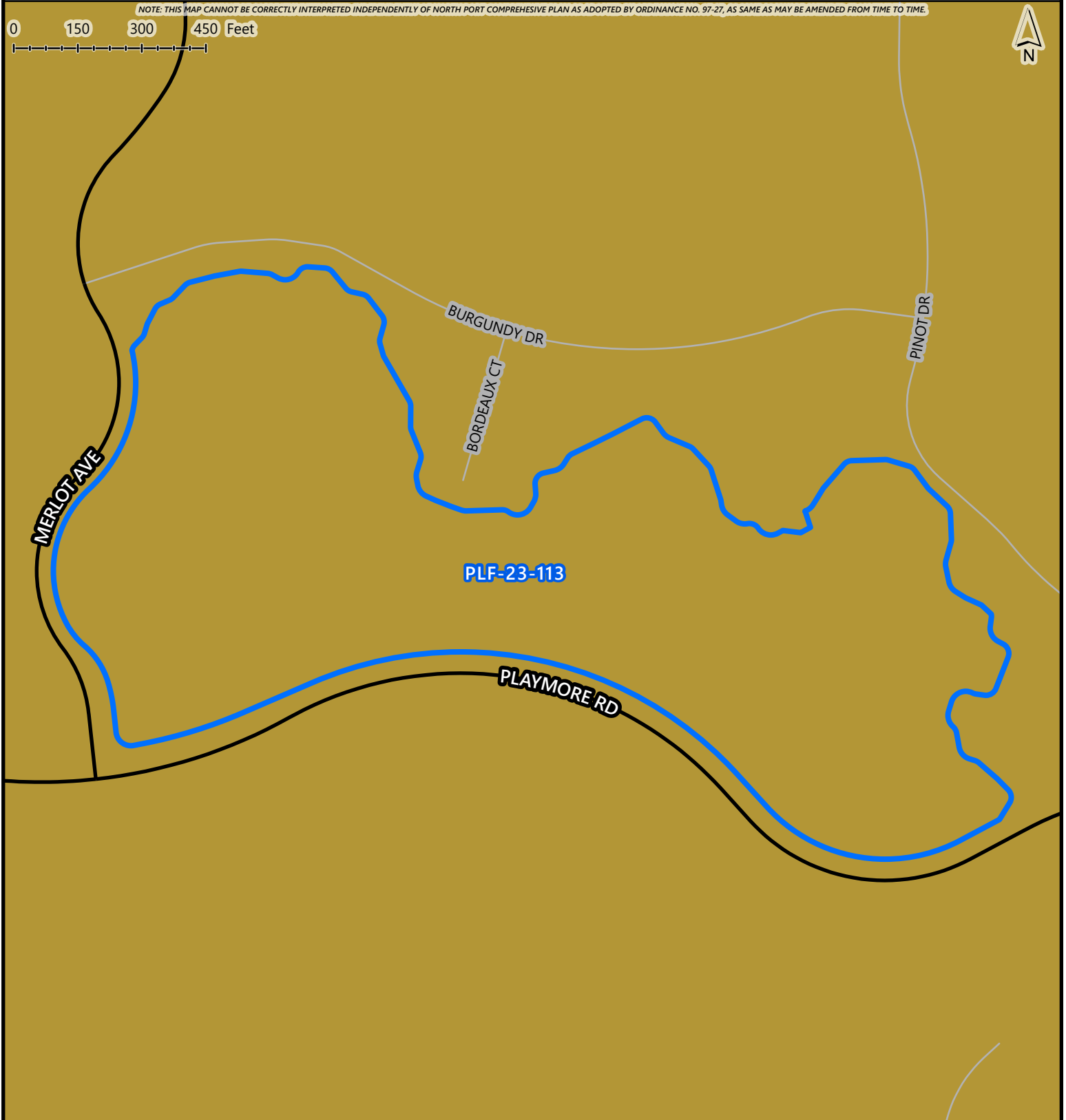
(V) Village

 Petition Boundary

 (V) Village

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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.



Future Land Use


Exhibit A - Map Gallery

PLF-23-113, Wellen Park Village E Tract 505 Replat

VILLAGE



Prepared on 6/15/2023
by Planning & Zoning
Development Services

 Petition Boundary

 VILLAGE

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AFFIDAVIT

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

Sworn and subscribed before me this 5th day of May, 2023

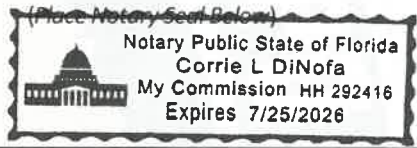
[Signature]
Signature of Applicant or Authorized Agent

John E. Luczynski, Senior Vice President
Print Name and Title

STATE OF Florida COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 5th day of May, 2023, by John E. Luczynski who is personally known to me or has produced N/A as identification.

[Signature]
Signature - Notary Public



**AFFIDAVIT
AUTHORIZATION FOR AGENT/APPLICANT**

I, John E. Luczynski, property owner, hereby authorize Stantec Consulting Services Inc. to act as Agent on our behalf to apply for this application on the property described as (legal description) see legal description

John E. Luczynski [Signature] Date May 5th 2023
Owner

STATE OF Florida COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 5th day of May, 2023, by John Luczynski who is personally known to me or has produced N/A as identification.

[Signature]
Signature - Notary Public

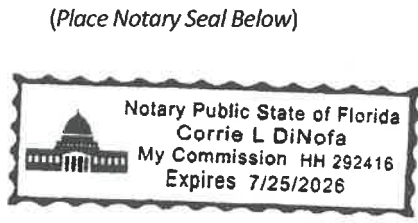


Exhibit C - Title Assurance
PLAT PROPERTY INFORMATION REPORT

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

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

Fund File Number: 1386887 A1

Provided For: Williams Parker Harrison Dietz & Getzen, PLLC ***Agent's File Reference:*** Tract 505

Effective Date of Search: April 20, 2023 at 11:00 PM

Description of Real Property Situated in Sarasota County, Florida:

See Exhibit A

Record Title Vested in:

MANASOTA BEACH RANGLANDS, LLLP, a Florida limited liability limited partnership, formerly known as THOMAS RANCH LAND PARTNERS NORTH PORT, LLLP, a Florida limited liability limited partnership, by Special Warranty Deed recorded May 29, 2014 in Instrument Number [2014062917](#), Certificate of Amendment to Certificate of Limited Partnership recorded November 13, 2015, in Instrument Number [2015141232](#), and Special Warranty Deed recorded May 12, 2017 in Instrument Number [2017060110](#), Public Records of Sarasota County, Florida.

Prepared Date: April 28, 2023

Attorneys' Title Fund Services, LLC

Prepared by: Peggy Frook, Senior Examiner

Phone Number: (800) 228-8137 x6604

Email Address: PFrook@TheFund.com

Exhibit C - Title Assurance
PLAT PROPERTY INFORMATION REPORT

Fund File Number: 1386887 A1

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

1. Nothing Found

Other encumbrances affecting the title:

1. All matters contained on the Plat of WELLEN PARK, VILLAGE E, as recorded in Plat Book [55, Page 401](#), Public Records of Sarasota County, Florida.
2. Easements in favor of River Road Office Park, Inc., a Florida corporation, in Instrument Number [2000002797](#), as affected by Termination and Release of Easement recorded in Instrument Number [2023024138](#), Public Records of Sarasota County, Florida.
3. Notice of Establishment of West Villages Improvement District, Declaration of Consent to Jurisdiction, Agreement between West Villages Improvement District and Fourth Quarter Properties XXXII, LLC, and other instruments pertaining to said District recorded in Instrument Numbers [2004223490](#), [2017111575](#), [2017111576](#), [2017111580](#), [2017111585](#), [2017128391](#), [2018000839](#), [2018084717](#), [2018142894](#), [2018154491](#), [2018164671](#), [2019007882](#), [2019048577](#), [2019048579](#), [2019048581](#), [2019052599](#), [2022119302](#), [2022121327](#), [2022121328](#), [2022121329](#), [2022198036](#), [2022198138](#), [2022198195](#), [2023004892](#), [2023004893](#), and [2023005067](#), of the Public Records of Sarasota County, Florida.
4. Restrictive Covenant recorded in Instrument Number [2018128694](#), as amended by Amendments to Restrictive Covenant recorded in Instrument Number [2021097941](#), Instrument Number [2022071570](#), and Instrument Number [2022091589](#), Public Records of Sarasota County, Florida.
5. Irrigation Water Supply Agreement recorded in Instrument Number [2018159052](#), as amended by First Amendment recorded in Instrument Number [2021205095](#) and Second Amendment recorded in Instrument Number [2022123786](#), Public Records of Sarasota County, Florida.
6. 2019 Amended and Restated Utilities Agreement recorded in Instrument Number [2019125013](#), Public records of Sarasota County, Florida.
7. Recorded Notice of Environmental Resource Permit recorded in Instrument Number [2019126330](#), and Recorded Notice of Environmental Resource Permit recorded in Instrument Number [2020031687](#), Public Records of Sarasota County, Florida.
8. West Villages Developer Agreement (Post Annexation) recorded in Instrument Number [2020042302](#), Public Records of Sarasota County, Florida.
9. Agreement Granting Non-Exclusive Perpetual Easement recorded in Instrument Number [2021109384](#), Public Records of Sarasota County, Florida.
10. Declaration of Restrictive Covenants and Rights recorded in Instrument Number [2021153734](#), Public Records of Sarasota County, Florida.
11. Any liens created or levied pursuant to West Villages Improvement District.

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

The information contained herein is furnished for information only.

PLAT PROPERTY INFORMATION REPORT

Fund File Number: 1386887

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

Exhibit C - Title Assurance
PLAT PROPERTY INFORMATION REPORT

Exhibit A

Fund File Number: 1386887 A1

All of Tract 505 of Wellen Park Village E, recorded in Plat Book [55, Page 401](#) of the Public Records of Sarasota County, Florida.

LESS AND EXCEPT

Commence at the southeast corner of Tract 505 of Wellen Park Village E; the following twenty-two (22) calls are along the easterly line of said Tract 505: (1) thence N.31°27'57"E., a distance of 45.90 feet to a point of curvature of a curve to the left having a radius of 25.00 feet and a central angle of 76°02'56"; (2) thence Northerly along the arc of said curve, a distance of 33.18 feet, to the point of tangency of said curve; (3) thence N.44°34'59"W., a distance of 36.64 feet; (4) thence N.48°59'31"W., a distance of 56.80 feet to a point of curvature of a curve to the left having a radius of 25.00 feet and a central angle of 23°26'07"; (5) thence Northwesterly along the arc of said curve, a distance of 10.23 feet, to the point of tangency of said curve; (6) thence N.72°25'38"W., a distance of 14.16 feet to a point of curvature of a curve to the right having a radius of 35.00 feet and a central angle of 62°08'49"; (7) thence Northwesterly along the arc of said curve, a distance of 37.96 feet, to the point of tangency of said curve; (8) thence N.10°16'49"W., a distance of 34.25 feet to a point of curvature of a curve to the left having a radius of 25.00 feet and a central angle of 34°49'25"; (9) thence Northwesterly along the arc of said curve, a distance of 15.19 feet, to the point of tangency of said curve; (10) thence N.45°06'14"W., a distance of 4.03 feet to a point of curvature of a curve to the right having a radius of 35.00 feet and a central angle of 62°14'12"; (11) thence Northerly along the arc of said curve, a distance of 38.02 feet, to the point of tangency of said curve; (12) thence N.17°07'58"E., a distance of 22.48 feet to a point of curvature of a curve to the right having a radius of 35.00 feet and a central angle of 99°43'05"; (13) thence Northeasterly along the arc of said curve, a distance of 60.91 feet, to the point of reverse curvature of a curve to the left having a radius of 25.00 feet and a central angle of 18°44'53"; (14) thence Easterly along the arc of said curve, a distance of 8.18 feet, to the point of tangency of said curve; (15) thence S.81°53'51"E., a distance of 20.55 feet to a point of curvature of a curve to the left having a radius of 25.00 feet and a central angle of 76°48'46"; (16) thence Northeasterly along the arc of said curve, a distance of 33.52 feet to the point of tangency of said curve; (17) thence N.21°17'23"E., a distance of 78.52 feet to a point of curvature of a curve to the left having a radius of 25.00 feet and a central angle of 83°24'28"; (18) thence Northerly along the arc of said curve, a distance of 36.39 feet to the point of tangency of said curve; (19) thence N.62°07'05"W., a distance of 13.43 feet to a point of curvature of a curve to the right having a radius of 35.00 feet and a central angle of 69°37'34"; (20) thence Northwesterly along the arc of said curve, a distance of 42.53 feet, to the point of tangency of said curve; (21) thence N.07°30'30"E., a distance of 20.06 feet to a point of curvature of a curve to the left having a radius of 25.00 feet and a central angle of 19°27'43"; (22) thence Northerly along the arc of said curve, a distance of 8.49 feet, to the end of the curve, said point being the POINT OF BEGINNING; thence N.46°42'10"W. along a line non-tangent to said curve, a distance of 31.30 feet to a point on said easterly line of Tract 505; the following two (2) calls are along said easterly line: (1) thence S.65°52'15"E., a distance of 9.36 feet to a point of curvature of a curve to the right having a radius of 25.00 feet and a central angle of 53°55'02"; (3) thence Southeasterly along the arc of said curve, a distance of 23.53 feet to the POINT OF BEGINNING.

7815332.v1

Exhibit D - Contracted Surveyor's Approval

From: [Alan Fish](#)
To: [Planning Info](#)
Cc: [Lori Barnes](#); [Joy McRae-Fox](#)
Subject: [EXTERNAL] Wellen Park Village E Tract 505 Replat
Date: Tuesday, June 20, 2023 3:43:53 PM



I have performed a second review of the above referenced Plat and found the revised Plat to now be 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