



NEIGHBORHOOD DEVELOPMENT SERVICES DEPARTMENT  
Planning Division

**STAFF REPORT**  
Final Plat of Gran Paradiso Phase 6  
(PLF-16-054)

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To: Jonathan R. Lewis, ICMA-CM, City Manager

Thru: Scott Williams, Neighborhood Development Services Director 

Thru: Michele Norton, AICP, Planning Manager 

From: Jim McAllister, Planner 

Date: November 21, 2016

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**I. GENERAL INFORMATION**

**Project:** Petition No. PLF-16-054 Final Plat of Gran Paradiso Phase 6

**Request:** Approval of Petition No. PLF-16-1054 Final Plat of Gran Paradiso Phase 6

**Applicant:** Dean L. Paquet P.E. and Ty Gremaux, P.E. (**Exhibit A1, Affidavit**)

**Owner(s):** Dean L. Paquet, P.E., Associate, Lennar Homes (**Exhibit A2, Warranty Deed/Title Opinion**)

**Location:** Gran Paradiso Phase 6 is located north of S Tamiami Trail, and southwest of N River Road in Section 29, Township 39S, Range 20E. The site is located almost due west and across West Villages Parkway from Mattamay's Preserve subdivision which is undergoing staff review at this time.

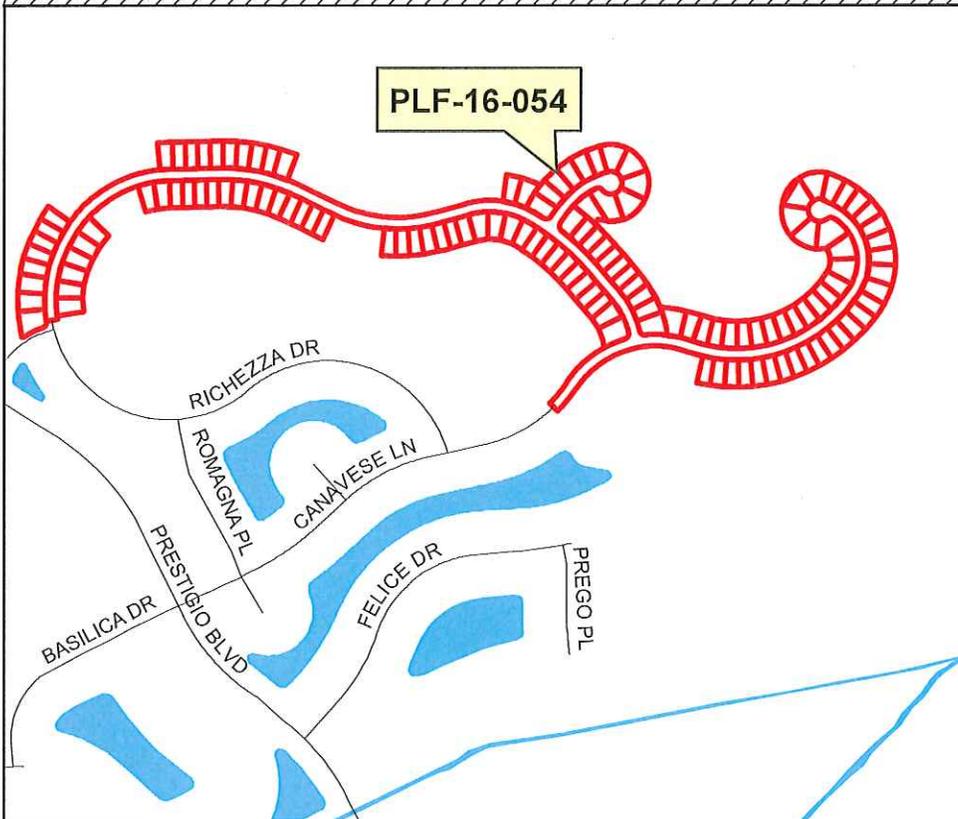
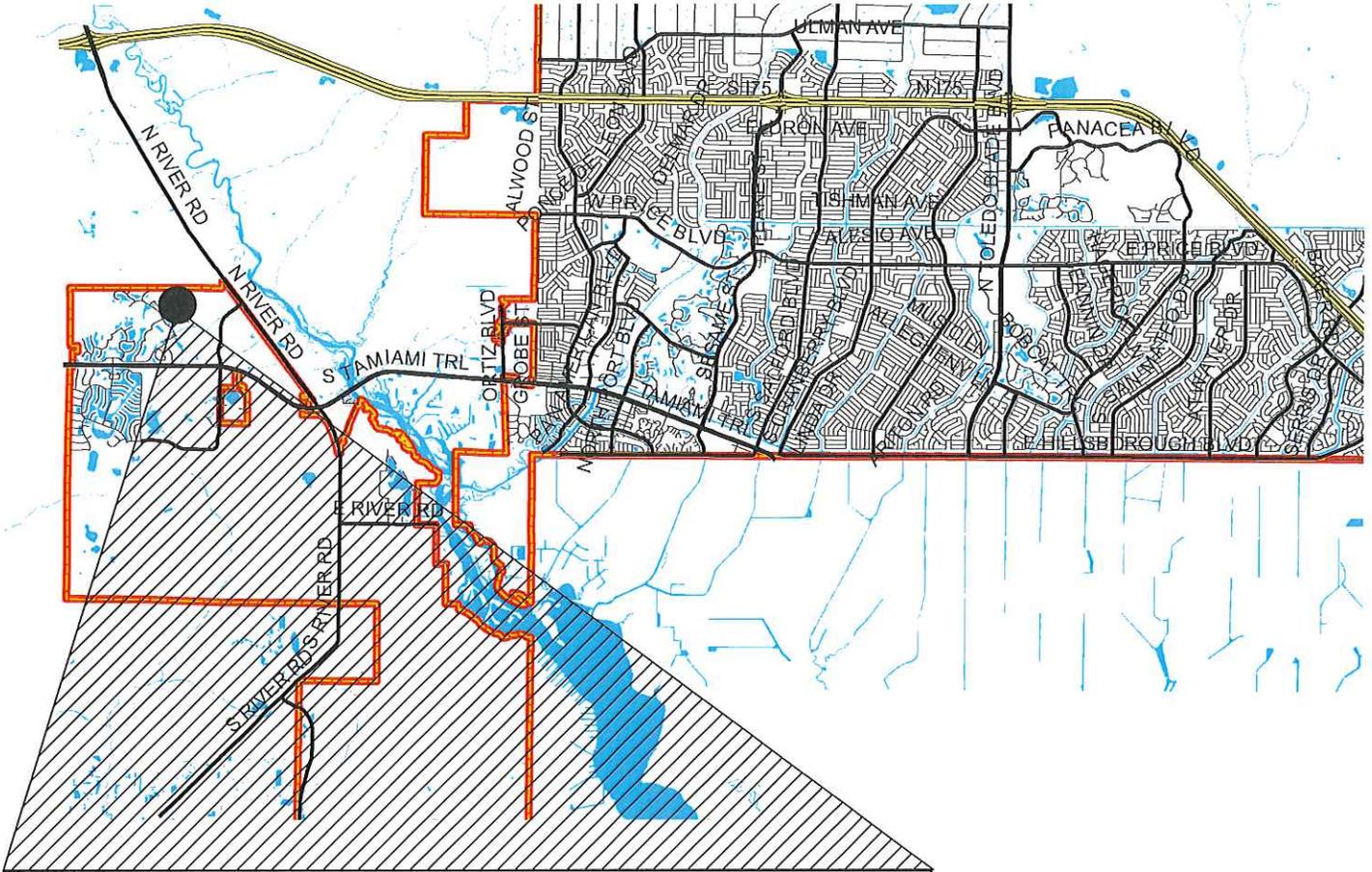
**Property Size:** ± 29.9 acres

**II. BACKGROUND**

Dean L. Paquet P.E. and Ty Gremaux, P.E. (Kimley-Horn and Associates) on behalf of Lennar Homes, LLC seeks approval of a Final Plat for Gran Paradiso Phase 6 (**Exhibit B Plat**) located north of S Tamiami Trail, and southwest of N River Road. This proposed final plat contains 130 single family lots.

# MAP GALLERY

# City of North Port Location Map PLF-16-054 Gran Paradiso, Phase 6



Prepared by NDS/Planning Division  
June 7, 2016

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.

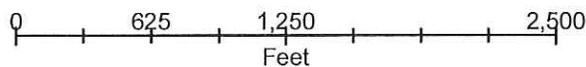
# AERIAL

## PLF-16-054 Gran Paradiso, Phase 6



### Legend

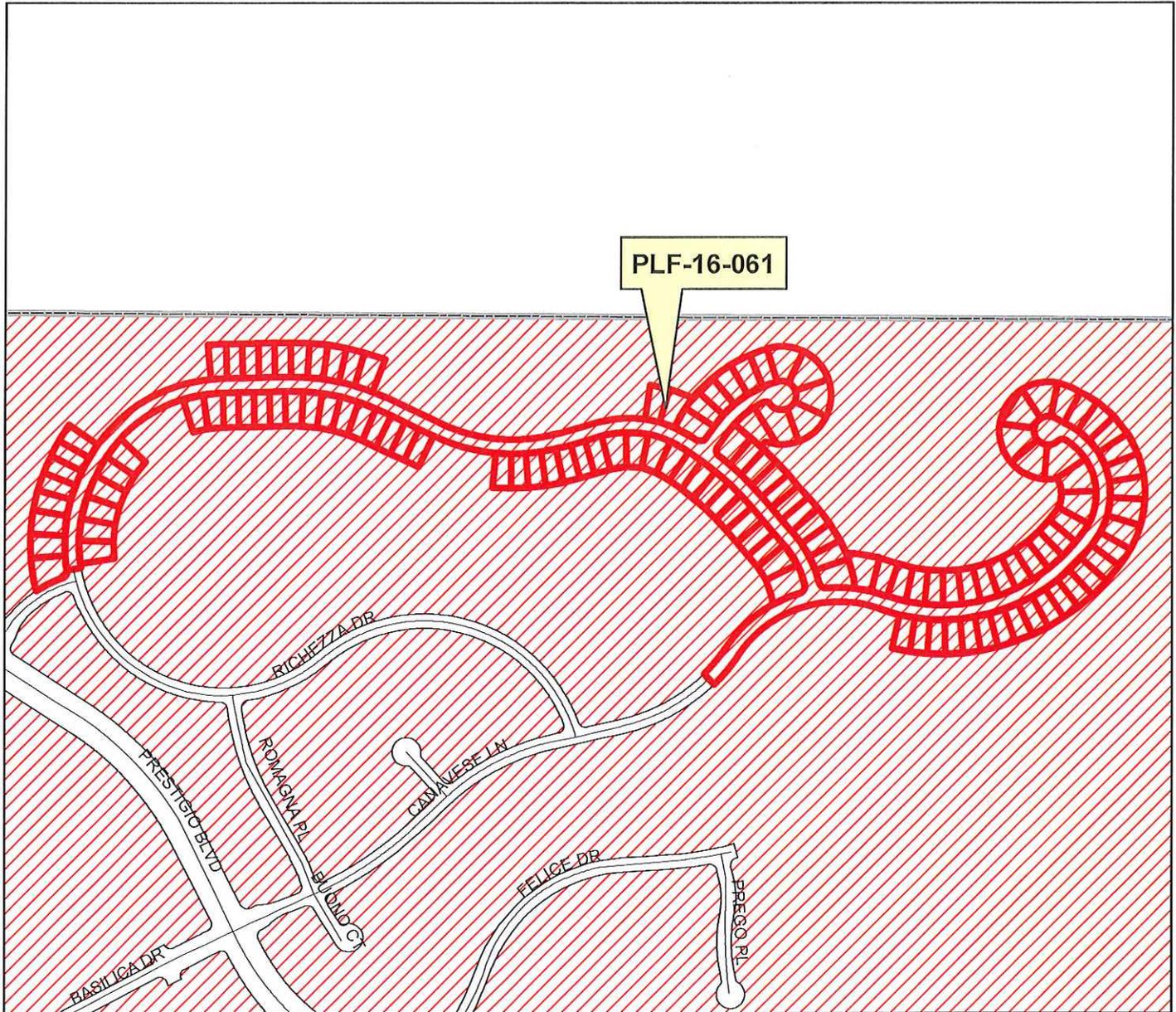
-  PLF-16-054
-  City Boundary



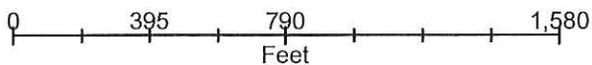
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# FUTURE LAND USE PLF-16-054 Gran Paradiso, Phase 6



- |                            |  |
|----------------------------|--|
| AGRICULTURAL, ESTATES      | UTILITY INDUSTRIAL CORRIDOR                        |
| LOW DENSITY RESIDENTIAL    | CONSERVATION (TDR SENDING ZONE)                    |
| MEDIUM DENSITY RESIDENTIAL | RECREATION/OPEN SPACE (TDR SENDING ZONE)           |
| HIGH DENSITY RESIDENTIAL   | PUBLIC   |
| PROFESSIONAL OFFICE        | ACTIVITY CENTER (TDR RECEIVING ZONE - EXCEPT AC-3) |
| COMMERCIAL                 | VILLAGE  |
| INDUSTRIAL                 | PLF-16-054   |



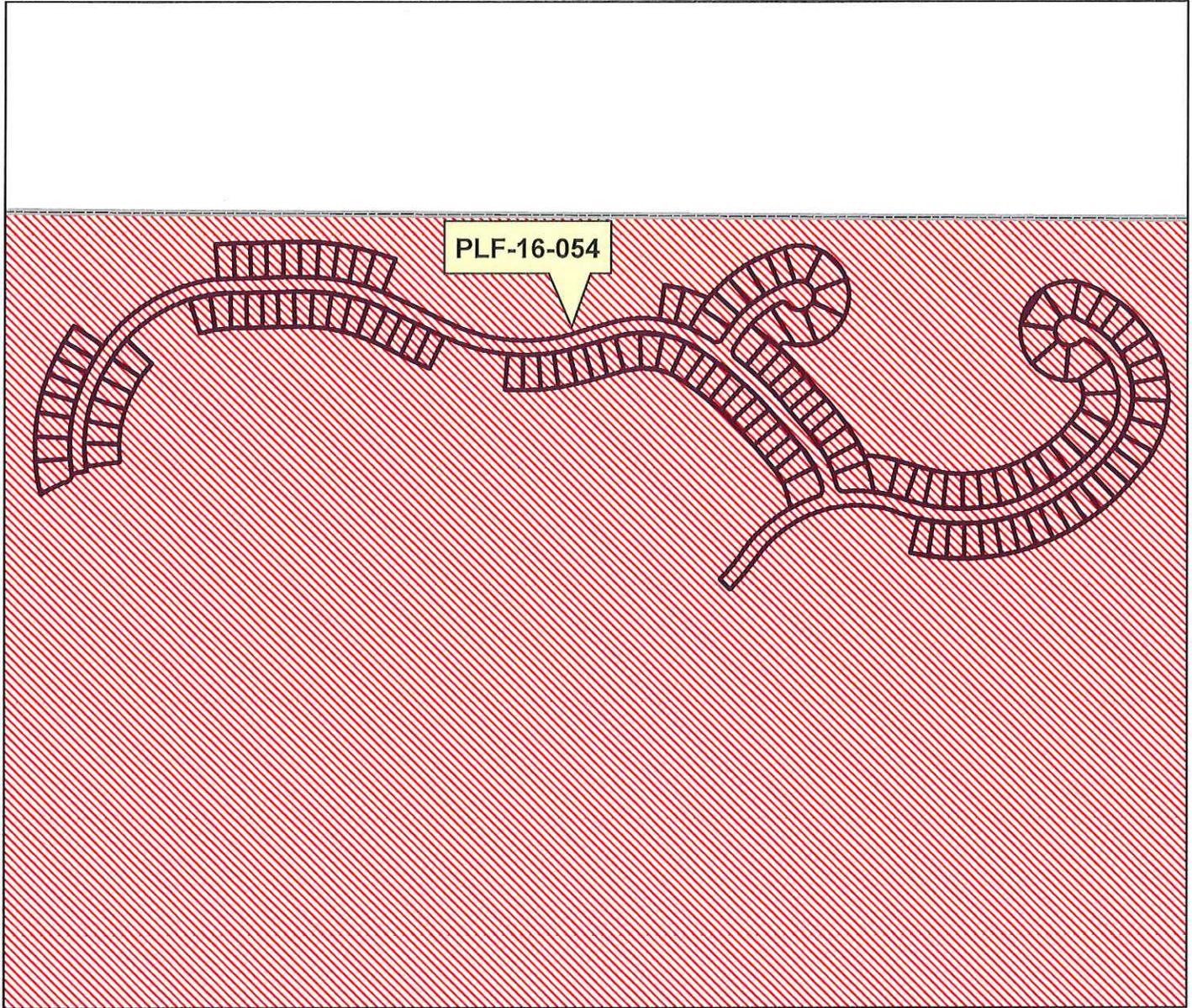
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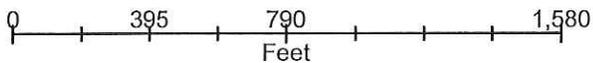
NOTE: THIS MAP CANNOT BE CORRECTLY INTERPRETED INDEPENDENTLY OF THE CITY OF NORTH PORT COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 97-27, AS SAME MAY BE AMENDED FROM TIME TO TIME.

# CURRENT ZONING

## PLF-16-054 Gran Paradiso, Phase 6 'V - Village'



Zoning Classifications		
	AC-7 - Activity Center 7	 AG - Agriculture
	CLR - Commercial Redevelopment Low Impact	 CD - Conservation District
	V - Village	 ROS - Recreation/Open Space
	CGS - Commercial General S	 GU - Government Use
	NC-HI - Neighborhood Commercial-High Intensity	 ILW - Industrial/Light Warehouse
	NC-LI - Neighborhood Commercial-Low Intensity	 CG - Commercial General
	ComRec - Commercial/Recreation	 OPI - Office/Professional/Institutional
		 UIC - Utility Industrial Corridor
		 PCD - Planned Community Development
		 RSF-2 - Residential Single Family 2
		 RSF-3 - Residential Single Family 3
		 RMF - Residential Multi-Family
		 RMH - Residential Manufactured Housing
		 RTF - Residential Two Family
		 NZD - No Zoning Designation
		 PLF-16-054



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June 7, 2016

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**III. STAFF RECOMMENDATION**

Staff recommends that the City Commission **APPROVE** Petition No. PLF-16-054, Gran Paradiso Phase 6 Final Plat.

**PLANNING & ZONING ADVISORY BOARD RECOMMENDATION**

The Planning and Zoning Advisory Board (PZAB) at their regularly scheduled meeting of November 17, 2016 recommended that the City Commission approve Petition No. PLF 16-054 with a unanimous 6-0 vote after discussion which included the following:

- Roadway connections and exact location of proposed subdivision.

**IV. SITE INFORMATION**

**Land Use**

**Adopted Future Land Use Map Designation:** Village

**Adopted Zoning Map Designation:** Village

**Existing Land Use(s):** Vacant

**Surrounding Land Uses:**

<b>Direction</b>	<b>Existing Land Uses</b>	<b>Future Land Use Map Designation</b>	<b>Zoning Map Designation</b>
<b>North</b>	Unincorporated Sarasota County Planned Residential Development	Sarasota County Moderate Density Residential	Settlement Area Planned Development
<b>South</b>	Gran Paradiso SF Homes	Village	Village
<b>West</b>	Gran Paradiso SF Homes	Village	Village
<b>East</b>	The Preserve (Mattamay Ownership) Proposed SF Homes	Village	Village

**Services and Facilities**

**Potable Water or Well:** To be provided by North Port Utilities

**Sanitary Sewer or Septic:** To be provided by North Port Utilities

**Transportation:** US RT 41 (External); Corradino Blvd. and Tantino Dr. (Internal)

**Environmental**

**Conservation:** The subject site is not located in any recognized City of North Port Conservation Restricted Overlay Zones.

**Flood Zone:** Zone A8

**Wildlife:** An environmental assessment was performed in 2015 for this area. Formal wetland determinations have been approved by both the Southwest Florida Water Management District and the United States Army Corps of Engineers.

Search of available online resources revealed that the subject property is located within the Consultation Area of the Florida scrub jay (*Aphelocoma coerulescens*). However, a review of the Sarasota County GIS Database for documented Scrub Jay Habitat and Family Groups revealed that the subject property does not contain documented scrub jay habitat nor previously documented sightings of scrub jays. In addition, the subject property is not listed on the City of North Port Scrub Jay Parcel List. Therefore, the Florida scrub jay is not likely to affect the future development of the subject property.

Search of available online resources did not reveal documentation of any other listed wildlife species currently utilizing the subject property. A total of 3 potentially occupied gopher tortoise (*Gopherus polyphemus*) burrows were identified during the protected species assessment. All 3 burrows are located within the Pine Flatwoods habitat. The project was previously issued an FWC gopher tortoise incidental take permit (Permit #SAR-50) in December of 2005. All potentially occupied burrows will be excavated and captured tortoises relocated in accordance with the conditions of the incidental take permit.

No other protected species or evidence of protected species utilization which would require permits from the FWC or FWS were observed onsite during the August 2015 site inspections.

**V. STAFF ANALYSIS**

Gran Paradiso Phase 6 consists of 130 single family attached homes (**Exhibit B**). Subdivision Plans (SCP-15-149) and Infrastructure Plans (INF 15-150) were approved by City Staff on March 1, 2016. The City is in receipt of the corresponding Surety Bond for Phase 6 in the amount of \$3, 015, 185.65. The Order of Approval for the subdivision was signed March 3, 2016 and the Development Order was also granted on March 3, 2016.

**VI. REVIEW PROCESS**

North Port staff has reviewed the Final Plat in addition to the City Surveyor.

**VII. PUBLIC HEARING SCHEDULE**

**Planning and Zoning Advisory Board  
Public Hearing**

**Held November 17, 2016**

**City Commission  
Public Hearing**

December 13, 2016  
10:00 AM or as soon thereafter

EXHIBIT A1

AFFIDAVIT

I (the undersigned), DEAN L. Paquet 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.*

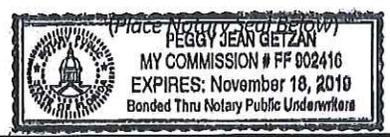
Sworn and subscribed before me this 24<sup>th</sup> day of March, 2016

[Signature] Signature of Applicant or Authorized Agent DEAN L. Paquet, Associate Print Name and Title

STATE OF FLORIDA COUNTY OF SARASOTA

The foregoing instrument was acknowledged by me this 24<sup>th</sup> day of March, 2016, by Dean L. Paquet who is personally known to me or has produced \_\_\_\_\_ as identification, and who did/did not take an oath.

[Signature]  
Signature - Notary Public



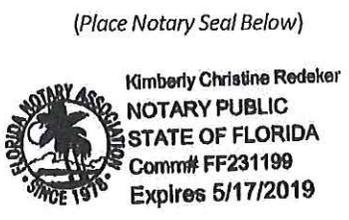
AFFIDAVIT  
AUTHORIZATION FOR AGENT/APPLICANT

I (we), Lennar Homes, LLC, property owner(s), hereby authorize Dean L. Paquet, P.E. and Ty E. Gremaux, P.E. to act as Agent/Applicant on our behalf to apply for this petition on the property described as (legal description) Tract 305 of the Gran Paradiso Infrastructure Plat, Plat Book 47, Pages 5 through 5HH  
\_\_\_\_\_  
Signature of Owner 3-8-16 Date

STATE OF Florida COUNTY OF Lee

The foregoing instrument was acknowledged by me this 8 day of March, 2016, by Darin McMurray, Vice President who is personally known to me or has produced \_\_\_\_\_ as identification, and who did

not take an oath.  
[Signature]  
Signature - Notary Public



5 ✓ North American  
3

EXHIBIT A2

Return to and Prepared by:  
Lennar Homes, LLC  
10481 Ben C Pratt/Six Mile Cypress Pkwy  
Fort Myers, FL 33966

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2013112517 3 PGS  
2013 AUG 13 11:37 AM  
KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
DCOURSEY Receipt#1653499  
Doc Stamp-Deed: 186,162.90



## SPECIAL WARRANTY DEED

**THIS SPECIAL WARRANTY DEED** made this 19 of day July, 2013 by GRAN PARADISO I, LLC, a Florida limited liability company, and GRAN PARADISO II, LLC, a Florida limited liability company, both having its principal place of business at 7381 Professional Parkway East, Sarasota, FL 34240, hereinafter called the grantor, to LENNAR HOMES, LLC, a Florida limited liability company, whose post office address is 10481 Ben C Pratt, Six Mile Cypress Pkwy, Fort Myers, FL 33966, hereinafter called the 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)

**WITNESSETH:** THAT the grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, by these presents does grant, bargain, sell, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in Sarasota County, State of Florida, viz:

### PARCEL 1:

All of GRAN PARADISO, INFRASTRUCTURE, according to plat thereof, as recorded in Plat Book 47, Page 5, Public Records of Sarasota County, Florida.

LESS AND EXCEPT: Tracts 103 through 117, 228 through 258, 408, 409, 506 through 508, 704 through 731, and 744 through 748.

### PARCEL 2:

All of GRAN PARADISO, PHASE 1, according to plat thereof, as recorded in Plat Book 47, Page 6, Public Records of Sarasota County, Florida.

LESS AND EXCEPT: Lots 11, 51, 59 through 129, 133, 224 through 338, 352, 358, 362, 373 and 390,

AND LESS AND EXCEPT: Tracts 101, 102, 201 through 227, 402, 403, 405, 407, 501 through 505, 600, 701 through 703, 732 through 743,

AND LESS AND EXCEPT: Gopher Tortoise Preserve Conservation Area

**SUBJECT TO:**

- 1) Ad valorem and non ad valorem real property taxes and assessments for the current year and for all years prior and subsequent to the current year, which includes any and all tax liens and/or obligations to Sarasota County, Florida, and the West Villages Improvement District.
- 2) All easements, restrictions, liens, easements and other encumbrances of record, none of which shall be reimposed hereby.
- 3) Zoning and land use, laws, ordinances and regulations affecting the Property.

**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** grantor hereby covenants with grantee that grantor is lawfully seized of the Property hereby conveyed in fee simple; that it has good right and lawful authority to sell and convey the Property; that there are no other parties in possession; that it hereby specially warrants the title to the Property and will defend the same against the lawful claims of any person claiming by, through or under Grantor but against none other.

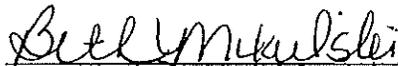
**Grantee acknowledges that to the maximum extent permitted by law, the sale of the property is made on an "as is" condition and basis with all faults.**

**IN WITNESS WHEREOF**, grantor has caused these presents to be executed and its seal to be affixed the day and year first above written.

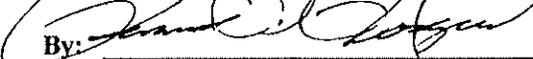
**WITNESSES:**

  
 Print Name: Sherri Sheppard

Gran Paradiso I, LLC, a Florida limited liability company

  
 Print Name: Beth Mikulski

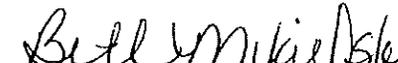
BY: Gran Paradiso Management, LLC a Florida limited liability company

  
 By: Richard D. Rodgers, as Manager

**WITNESSES:**

  
 Print Name: Sherri Sheppard

Gran Paradiso II, LLC, a Florida limited liability company

  
 Print Name: Beth Mikulski

BY: Gran Paradiso Management, LLC a Florida limited liability company

  
 By: Richard D. Rodgers, as Manager

STATE OF Florida )  
 ) SS.:  
COUNTY OF Sarasota )

The foregoing instrument was acknowledged before me, this 19 day of July, 2013 by Richard D. Rodgers, as Manager of Grand Paradiso Management, LLC, a Florida limited liability company on behalf of Gran Paradiso I, LLC, a Florida limited liability company and on behalf of Gran Pardiso II, LLC, a Florida limited liability company. He is personally known to me or has produced \_\_\_\_\_ as identification.

My commission expires:



**KATHLEEN SUE DIXON**  
Notary Public, State of Florida  
My Comm. Expires July 28, 2015  
Commission No. EE 90838

Kathleen Sue Dixon  
NOTARY PUBLIC, State of Florida at Large  
Print Name: Kathleen Sue Dixon