



Duke Commercial Center

Voluntary Annexation

Ordinance 2020-17

STAFF REPORT

From: Alison Christie, AICP, Senior Planner

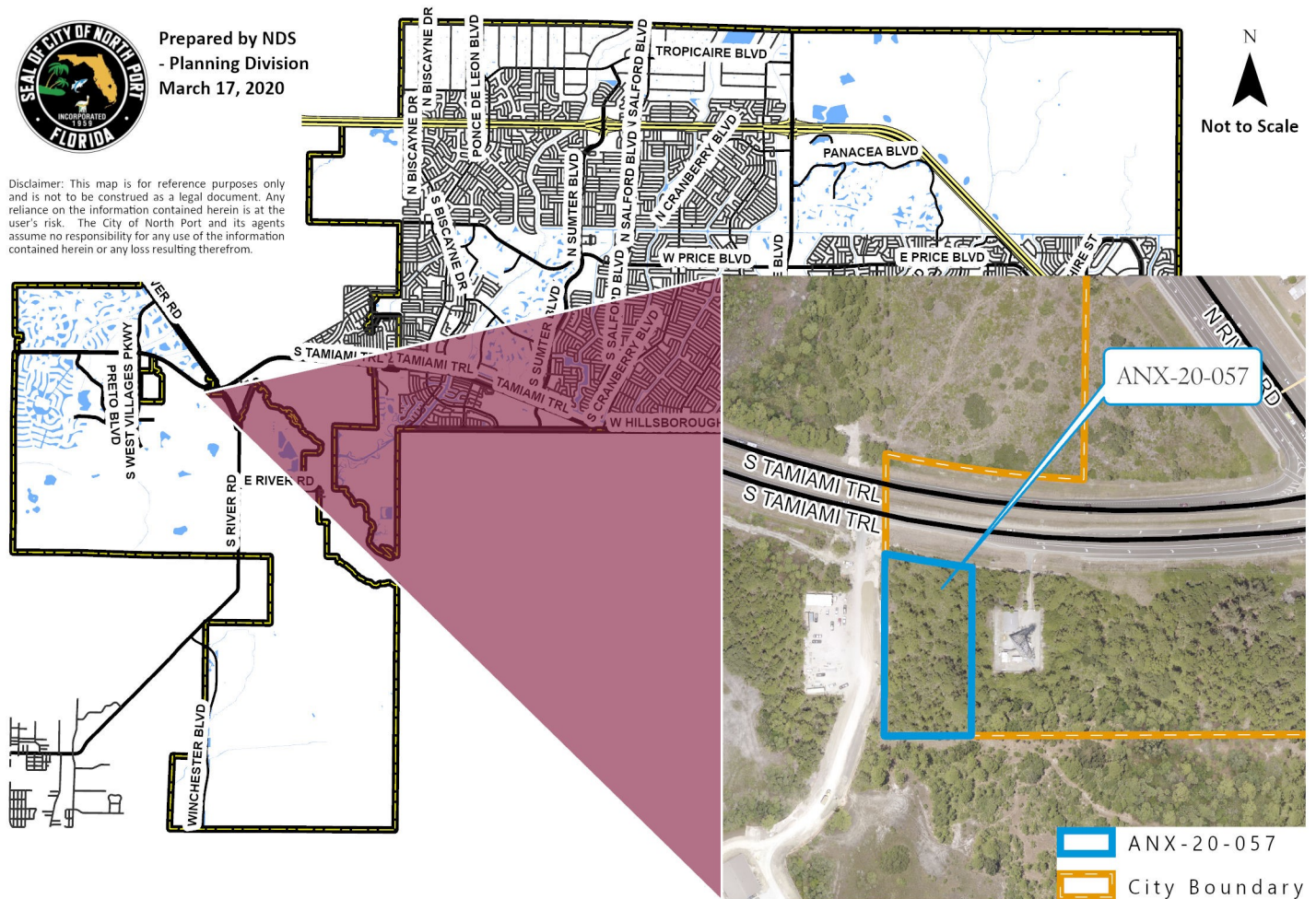
Thru: Frank Miles, MPA, Director, Neighborhood Development Services
Nicole Galehouse, AICP, Planning Division Manager

Date: March 17, 2020



Prepared by NDS
- Planning Division
March 17, 2020

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:	ANX-20-057, Duke Commercial Center Annexation
REQUEST:	Approval of Ordinance 2020-17, voluntary annexation into City of North Port
APPLICANT:	Martin P. Black on behalf of Evan Duke (Exhibit A-1, Affidavit)
OWNER:	5 Diamonds of Venice, LLC (Exhibit A-2, Warranty Deed)
LOCATION:	±800 feet west of the southwest corner of the intersection of River Road and Tamiami Trail
PROPERTY SIZE:	±1.6 acres

I. BACKGROUND

Martin P. Black on behalf of property owner Evan Duke of 5 Diamonds of Venice, LLC, formally submitted to the City of North Port a petition for voluntary annexation for a ±1.6 acre property, 'subject property', located near the southwest corner of the intersection of River Road and Tamiami Trail. The property currently has the Sarasota County zoning designation of 'Open Use Estate' and the Sarasota County future land use designation of 'Rural'. The property is located within the City's Future Annexation Area, meaning it has been designated to be considered for annexation. It is bordered to the west by the new Wastewater Treatment Plant, vacant West Villages land within the City of North Port to the south, Tamiami Trail to the north, and Sarasota County land with a communication tower to the east.

The applicant previously submitted a petition for voluntary annexation to the City in July 2018 under project number ANX-18-102. At that time, the applicant also submitted petitions for a comprehensive plan amendment, rezone, and development master plan. However, it was determined that until a Joint Planning Agreement is made between the City of North Port and Sarasota County, any petition to change the future land use of a property would first have to go through Sarasota County approvals. Therefore at this time the applicant has only submitted a petition to voluntarily annex into the City and intends to submit petitions for a comprehensive plan amendment and rezone at a later date.

II. REVIEW PROCESS

The application for annexation was originally processed as a resubmittal and received on January 17, 2020. It was distributed to directors for Management Review and all departments reviewed and had no comments other than the below from Utilities:

- The current driveway to the Southwest Wastewater Treatment Plant is not a public access road, it is a driveway to the plant. No ingress/egress access to the proposed parcel will be granted by the Utility Department.

It was determined by staff that this comment will be addressed in future submittals and is not material to the annexation petition.

After conferring with the City Attorney's Office, the applicant submitted a new annexation petition and it was given a new project number of ANX-20-057 in order to meet ULDC requirements. Ordinance 2020-17 was submitted to the City Attorney's Office and reviewed as to form and correctness.

III. DATA & ANALYSIS

FLORIDA STATUTES

FLA. STAT. §171.044 Voluntary Annexation

Owners of property in unincorporated county contiguous to a municipality may petition the municipality to be annexed. The non-emergency ordinance 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.

Ordinance 2020-17 was advertised pursuant to the above state statute requirements on March 18, 2020 and March 25, 2020. A copy of the notice was sent to the Sarasota County Board of County Commissioners on March 7, 2020. Staff concludes that the requirements of FLA. STAT. §171.044 have been met.

Future Land Use Element, Policy 2.1.7

Policy 2.1.7 encourages voluntary annexations in Sarasota County between Warm Mineral Springs and the eastern boundary of the West Village Improvement District in order to expand the City's tax base and the Mediterranean Activity Center (AC #1).

Staff Findings: The subject property is located within the above area of Sarasota County and would be expanding the Mediterranean Activity Center should it be annexed. This policy also outlines how the annexed property must be zoned. 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 Element, 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.

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

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 as well as the review process and public hearing process.

Staff Findings: The annexation petition was submitted to the City and reviewed for sufficiency to ensure all appropriate supporting documents were included. In accordance with the review process, the annexation ordinance will be heard by both the Planning and Zoning Advisory Board and City Commission. This section includes time limits which require a resubmittal to be submitted within 180 days of the formal application. Therefore this submittal was processed as a new formal application and given a new project number that is separate from the original submittal in 2018. 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.

FISCAL IMPACT ANALYSIS

Staff performed a fiscal impact analysis of the proposed voluntary annexation using the City's Fiscal Analysis Model (NP FAM). The model assess operating revenue and expenses to the City from new developments. The model employs a modified per capita, "average cost" approach to determining fiscal impacts (Exhibit E).

Staff Findings: The model estimates that the project operates at a deficit of \$1,212 through the first five-year period, but operates at a surplus of \$105,150 over years 1-30. At this time, the applicant is only proposing a voluntary annexation of property into the City of North Port. At the time of future development, it will be required to meet the standards of the Mediterranean Activity Center (AC #1). The acreage was entered into the model as "commercial/retail" based on allowable uses in that activity center and calculated at a 0.25 Floor Area Ratio (FAR) and 17,424 square foot facility. A more detailed fiscal impact analysis will be required with the development master plan.

IV. PUBLIC NOTICE & HEARING SCHEDULE

PUBLIC NOTICE

Notices of the public hearings were mailed to property owners within 1,320 feet of the subject property on March 19, 2020 (Exhibit C). The ordinance was advertised in a newspaper of general circulation within the City of North Port on March 18, 2020 and March 25, 2020 pursuant to 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 (ULDC) as amended (Exhibit D).

PUBLIC HEARING SCHEDULE

Planning & Zoning Advisory Board Public Hearing	May 7, 2020 9:00 AM or as soon thereafter
City Commission 1st Reading Public Hearing	May 26, 2020 6:00 PM or soon thereafter
City Commission 2nd Reading Public Hearing	June 9, 2020 10:00 AM or soon thereafter

V. RECOMMENDED ACTION

Staff recommends:

APPROVAL of Ordinance 2020-17, Petition ANX-20-057, annexation, based on findings of consistency with the standards and intent of the adopted Comprehensive Plan and all applicable Florida Statutes.

VI. ALTERNATIVE ACTION

DENIAL of Ordinance 2020-17, Petition ANX-20-057, with new findings to support the decision.

VII. EXHIBITS

Exhibits:	A-1. Affidavit
	A-2. Warranty Deed
	B. Ordinance 2020-07
	C. Notice of Public Hearing
	D. Legal Ad
	E. Fiscal Impact Analysis

AFFIDAVIT

I (the undersigned), EVAN DUKE 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 4 day of MARCH, 2020

E1
Signature of Applicant or Authorized Agent

EVAN DUKE, owner, Johnson
Print Name and Title

STATE OF Florida

COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 4th day of March, 2020, by Evan Duke who is personally known to me or has produced as identification.

Theresa A. McBee
Signature - Notary Public



AFFIDAVIT

AUTHORIZATION FOR AGENT/APPLICANT

I, EVAN DUKE, property owner, hereby authorize MARTIN P. BLACK to act as Agent on our behalf to apply for this application on the property described as (legal description) TAX Parcel 0788-04-0008

E1
Owner

3/4/20
Date

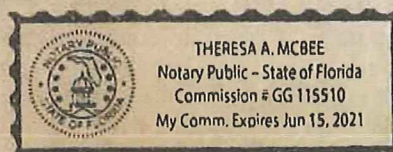
STATE OF Florida

COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 4th day of March, 2020, by Evan Duke who is personally known to me or has produced as identification.

Theresa A. McBee
Signature - Notary Public

(Place Notary Seal Below)



Rec \$ 18.50

Doc Stamp: \$1,925.00

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2018063349 2 PG(S)
May 14, 2018 11:42:41 AM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL

Doc Stamp-Deed: \$1,925.00



Prepared by and return to:

Boone, Boone, Boone & Koda, P.A.
1001 Avenida Del Circo
Venice, FL 34285
941-488-6716
File Number: B12-16165

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 11th day of May, 2018 between William H. Stone, Sr. Individually and as Trustee of Land Trust No. "100TT" per a Land Trust Agreement whose post office address is 14912 NE 248th Avenue Road, Salt Springs, FL 32134, grantor, and 5 Diamonds of Venice, LLC, a Florida limited liability company whose post office address is 2389 Tamiami Trail S, Venice, FL 34293, grantee:

(Whenever 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Sarasota County, Florida**, to-wit:

Commence at the 1/4 section corner on the West line of SECTION 34, TOWNSHIP 39 SOUTH, RANGE 20 EAST; run thence South along said West line of said Section 34, 196.71 feet to the South right of way line of Tamiami Trail, for a Point of Beginning; thence continue South along the East line of Section 34, 472.14 feet; thence South 89°58' East, 190 feet; thence North 443.8 feet to the South right of way line of Tamiami Trail, thence Northwesterly along a curve of the South right of way line of said Tamiami Trail, 192.7 feet to the Point of Beginning; all lying and being in Sarasota County, LESS and EXCEPT that part deeded to the State of Florida for right of way by Deed recorded in Official Records Book 1034, Page 1972 of the Public Records of Sarasota County, Florida.

Parcel Identification Number: 0788040008

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.

Subject to taxes for 2018 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

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 is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Stuart Boone
 Witness Name: Stuart S. Boone

S.S. Stevenson
 Witness Name: Stephanie Stevenson

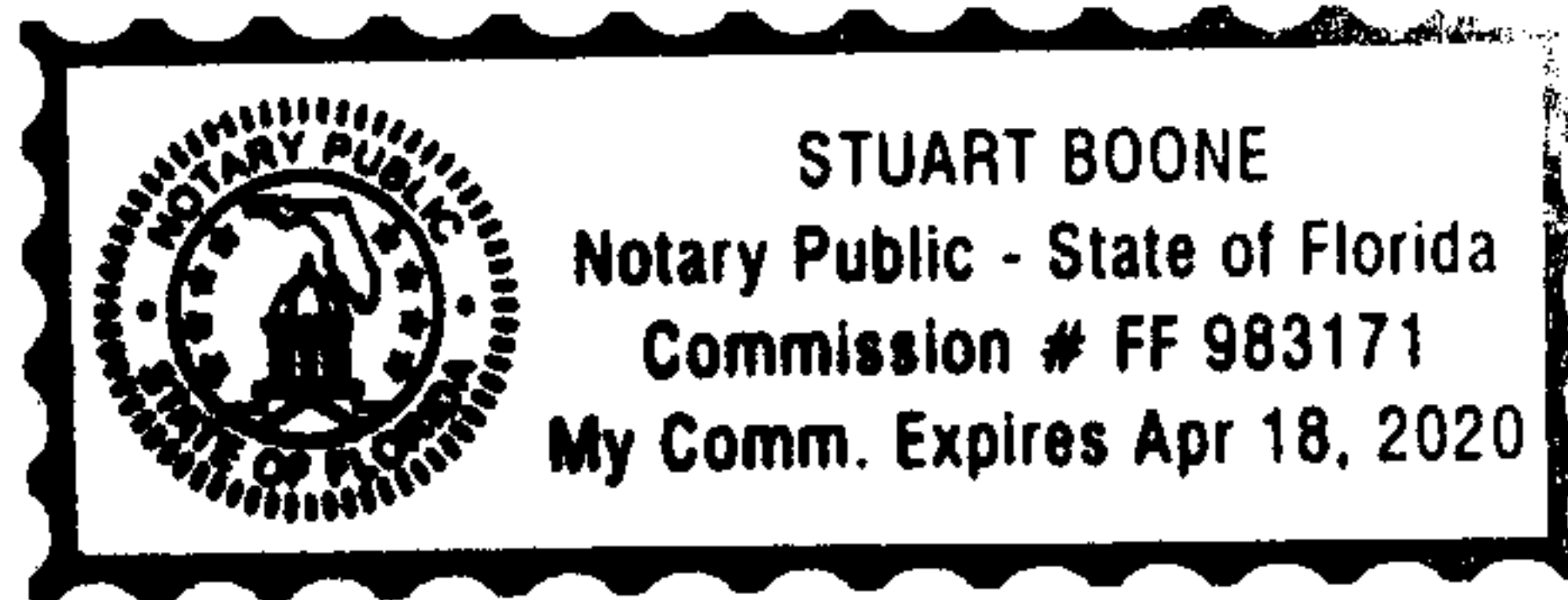
William H. Stone, Sr.
 William H. Stone, Sr., Individually and as Trustee

State of Florida

County of Sarasota

The foregoing instrument was acknowledged before me this 11th day of May, 2018 by William H. Stone, Sr., Individually and as Trustee as aforesaid, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]



Stuart Boone
 Notary Public

Printed Name: Stuart S. Boone

My Commission Expires: _____



City of North Port

ORDINANCE NO. 2020-17

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, ANNEXING ±1.60 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, PURSUANT TO PETITION NO. ANX-20-057, AND REDEFINING THE BOUNDARY LINES OF THE CITY TO INCLUDE THIS PROPERTY; PROVIDING FOR FINDINGS; PROVIDING FOR ANNEXATION; PROVIDING FOR ASSESSMENT AND TAXATION; PROVIDING FOR FILING OF APPROVED DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 5, 2020, Evan Duke, in his capacity as Manager of 5 Diamonds of Venice LLC ("Petitioner"), submitted Petition No. ANX-20-057 for the voluntary annexation of certain real property into the corporate limits of the City of North Port. The petition is attached and incorporated into this ordinance as "Exhibit A" ("the Petition"), and bears the signature of the sole property owner; and

WHEREAS, the Petition relates to ±1.60 acres of real property, set out in the legal description and boundary survey attached and incorporated into this ordinance as "Exhibit B" ("the Property"); and

WHEREAS, the City of North Port Planning and Zoning Advisory Board, designated as the Local Planning Agency, held a properly-noticed public hearing on April 2, 2020, to receive public comments on the Petition; 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 to receive public comments on the Petition; and

WHEREAS, the City Commission finds that it is in the best interest of the public health, safety, and welfare of the citizens of the City of North Port, Florida to annex the property into the boundaries of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – FINDINGS

1.01 The recitals outlined above are incorporated by reference as findings of fact.

1.02 Additionally, the City Commission makes the following findings of fact:

- a. The Property is wholly located in an unincorporated area of Sarasota County, Florida; is contiguous to the boundaries of the City of North Port, Florida; and is reasonably compact. The location of the Property is identified on the map attached and incorporated into this ordinance as "Exhibit C."
- 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 Chapter 171, Florida Statutes pertaining to voluntary annexations.
- f. The Petition and the Property meet all requirements of Unified Land Development Code 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 Unified Land Development Code have been followed and satisfied.

SECTION 2 – ANNEXATION

- 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 amendments to the City of North Port Zoning Map to incorporate the Property and 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 APPROVED DOCUMENTS

- 4.01 The City Clerk is directed to file a copy of this ordinance with the Clerk of the Circuit Court for Sarasota County, Florida; the Chairman of the Board of County Commissioners of Sarasota County,

Florida; and the Florida Department of State within seven (7) days of the effective date, 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 or portions thereof, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 6 – SEVERABILITY

6.01 If any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION 7 – EFFECTIVE DATE

7.01 This ordinance shall take effect immediately upon adoption by the City Commission of the City of North Port, Florida.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session the ____ day of _____ 2020.

PASSED and DULY ADOPTED by the City Commission of the City of North Port, on the second and final reading in public session this _____ day of _____ 2020.

CITY OF NORTH PORT, FLORIDA

DEBBIE MCDOWELL
MAYOR

ATTEST

HEATHER TAYLOR, CMC
INTERIM CITY CLERK

103 APPROVED AS TO FORM AND CORRECTNESS

104

105

106

107 _____
AMBER L. SLAYTON

108 CITY ATTORNEY

109

110

Exhibit A

DATE RECEIVED DATE STAMP
CITY OF NORTH PORT
PLANNING
MAR 05 2020
RECEIVED



City of North Port
Neighborhood Development Services
4970 City Hall Boulevard, North Port, FL 34286
Phone: (941) 429-7156 Fax: (941) 429-7164
Web www.cityofnorthport.com

VOLUNTARY ANNEXATION (ANX) 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

This section to be completed by staff

Date Application Received: 3/5/2020 Accepted by: [Signature]

Project Type: **ANX** - 20 - 057

Project Name: Duke Commercial Center

Name of Applicant:

Evan Duke (5 Diamonds of Venice, LLC)

Name of Corporation/LLC (If Applicable):

Street Address:

2389 Tamiami Trail S

City: Venice

State: Florida

Zip Code: 34293

Phone: 941.928.0715

FAX No:

E-mail: ccdgevan@gmail.com

111

Name of Property Owner: *(if different from the applicant above)*

Street Address:

City: _____

State: _____ Zip Code: _____

Phone: _____

FAX No: _____

E-mail: _____

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: _____

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)

Strayer Surveying & Mapping Inc.

Street Address:

742 Shamrock Blvd

City: Venice

State: Florida Zip Code: 34293

Phone: 9414969488

FAX No: _____

E-mail: _____

Name of Contractor: (If Applicable)

NA

Street Address:

City: _____

State: _____ Zip Code: _____

Phone: _____

FAX No: _____

E-mail: _____

Property Description

Parcel I.D. No. (s) (List Additional Parcel ID's on an attached sheet)

0788-04-0008 _____

_____-_____-_____

_____-_____-_____

Look for attached sheet ☐Land Use: VacantFLU: CountyAcreage: ~1.6 acres

Street Address:

Legal: Lot(s): _____ Block: _____

Addition: _____ Tract or Parcel: _____

Subdivision:

Section: 34 Township: 39SRange: 20E Acreage: ~1.6 acres**Purpose of Application:**

Please briefly state what the intended use of the property will be and/or purpose of application:

Annexation of property into City of North Port; connection to city services; development of future retail/commercial center.

Proposed second location for a family owned/operated jewelry store.

Has this property undergone previous City development review and approval?

No: ☒ Yes: ☐

If yes, when? (Month/Date/Year) _____/_____/_____

Has this property this property received variance, waiver or special exception use permit approval?

No: ☒ Yes: ☐

If yes, please describe: _____

Is the property located in an Activity Center or Town Center?

No: ☐ Yes: ☒

If yes, which Activity Center: Future North Port upon submission of comprehensive plan and zoning amendments

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

Vacant (agricultural/silviculture)

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

No: ☐ Yes: ☒

Surrounding existing land uses/zoning of adjacent properties:

Direction	Existing Land Uses	Future Land Use Map Designation	Zoning Map Designation
North	Vacant	V/AC	V/PCD
South	Utility Plant	V	V
East	Cellular Tower	County	County
West	Vacant	V	V

Adopted Future Land Use Map Designation:

Future Activity Center

Proposed Future Land Use Map Designation:

Activity Center

Adopted Zoning Map Designation:

NA

Proposed Zoning Map Designation:

TBD

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.

~1.6 Total acres

0 Total wetland acres

FIRE & RESCUE:

Nearest Fire Hydrant: on property/US41 (feet)

TRAFFIC:

List the Roadways immediately serving the site:

Tamiami Trail/US41

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

TBD

Nearest:

Traffic Control Light: ~1320 (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.)

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

- _____ Private Septic System (If the property is located within the Conservation Restricted Overlay Zone, a class 1 aerobic water treatment system is required for single family home sites. Submit a letter or application to 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.)

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: X Yes: _____

If yes, what zone?

Is the application site in the Conservation Restricted Zone?

No: X Yes: _____

If yes, what zone?

Is the application site in the Big Slough Watershed Flood Zone?

No: X Yes: _____

If yes, what is the 100-year 1-day flood elevation? _____ ft. NGVD

Does the application site contain wetlands?

No: X Yes: _____

If yes, how many existing wetland acres: _____

Has the Departmental of Environmental Protection been notified of wetlands?

No: X Yes: _____

Is the property located in the Myakka River Protection Zone?

No: X Yes: _____

Is the property adjacent to the Myakka River jurisdictional wetlands?

No: X Yes: _____

If yes, please provide acreage and map of the area and schedule a meeting with City Stormwater Manager/Environmentalist. Look for attached sheet ☐

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: March 2018

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: ☐

If yes, please indicate which species: _____

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

I, Evan Duke

By: Pamela Duke

By: Pamela Duke

By: Pamela Duke

Signature of Applicant

March 4, 2020

Date

Evan Duke/Pamela Duke

Print A

AFFIDAVIT

I (the undersigned), EVAN DUKE 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 4 day of MARCH, 2020

Ei Signature of Applicant or Authorized Agent EVAN DUKE, owner, Johnson Print Name and Title

STATE OF Florida COUNTY OF Sarasota
The foregoing instrument was acknowledged by me this 4th day of March, 2020, by Evan Duke who is personally known to me or has produced as identification.

Theresa A. McBee
Signature - Notary Public

**AFFIDAVIT****AUTHORIZATION FOR AGENT/APPLICANT**

I, EVAN DUKE, property owner, hereby authorize MARTIN P. BLACK to act as Agent on our behalf to apply for this application on the property described as (legal description) TAX Parcel 0788-04-0008

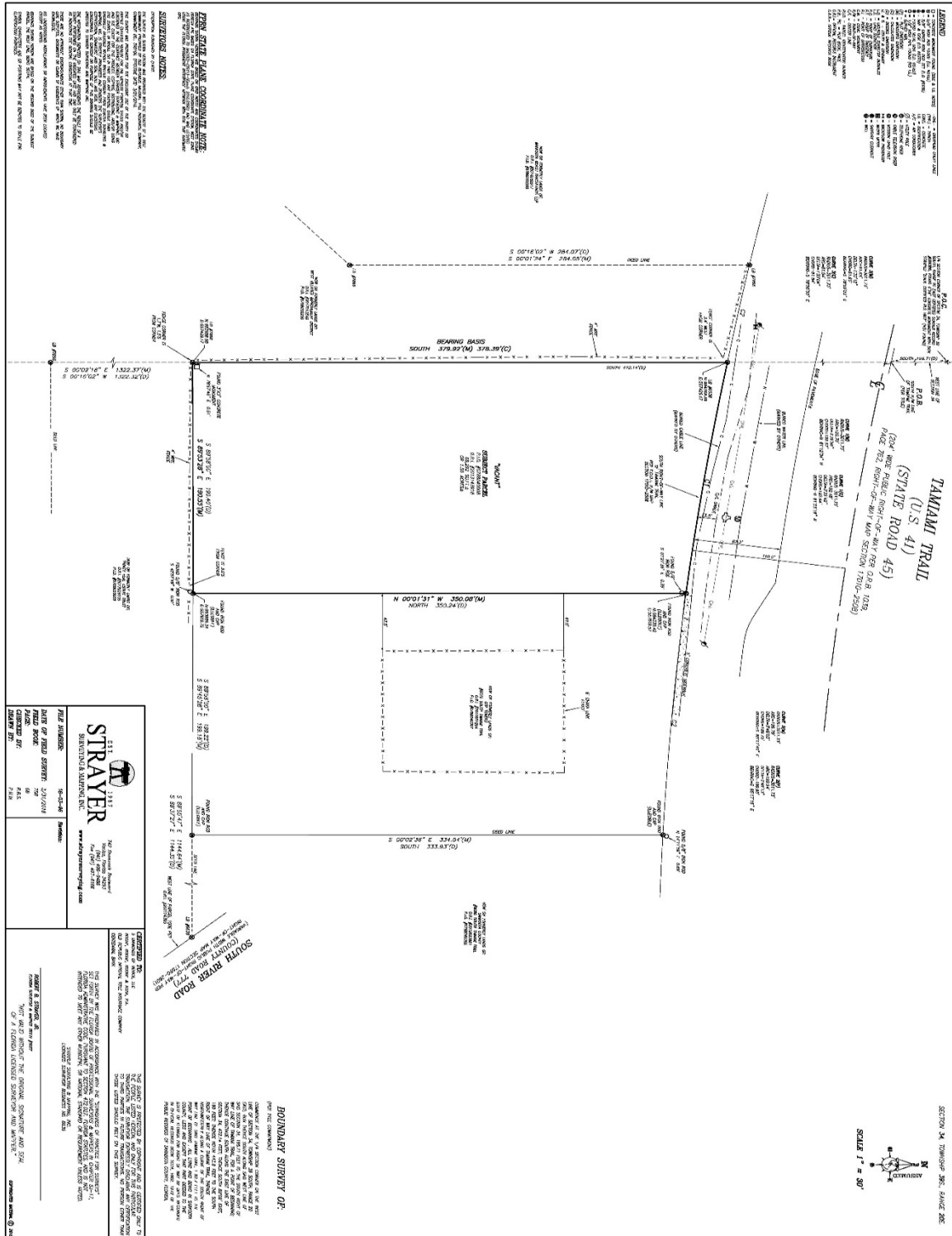
Ei Owner 3/4/20 Date
STATE OF Florida COUNTY OF Sarasota
The foregoing instrument was acknowledged by me this 4th day of March, 2020, by Evan Duke who is personally known to me or has produced as identification.

Theresa A. McBee
Signature - Notary Public

(Place Notary Seal Below)

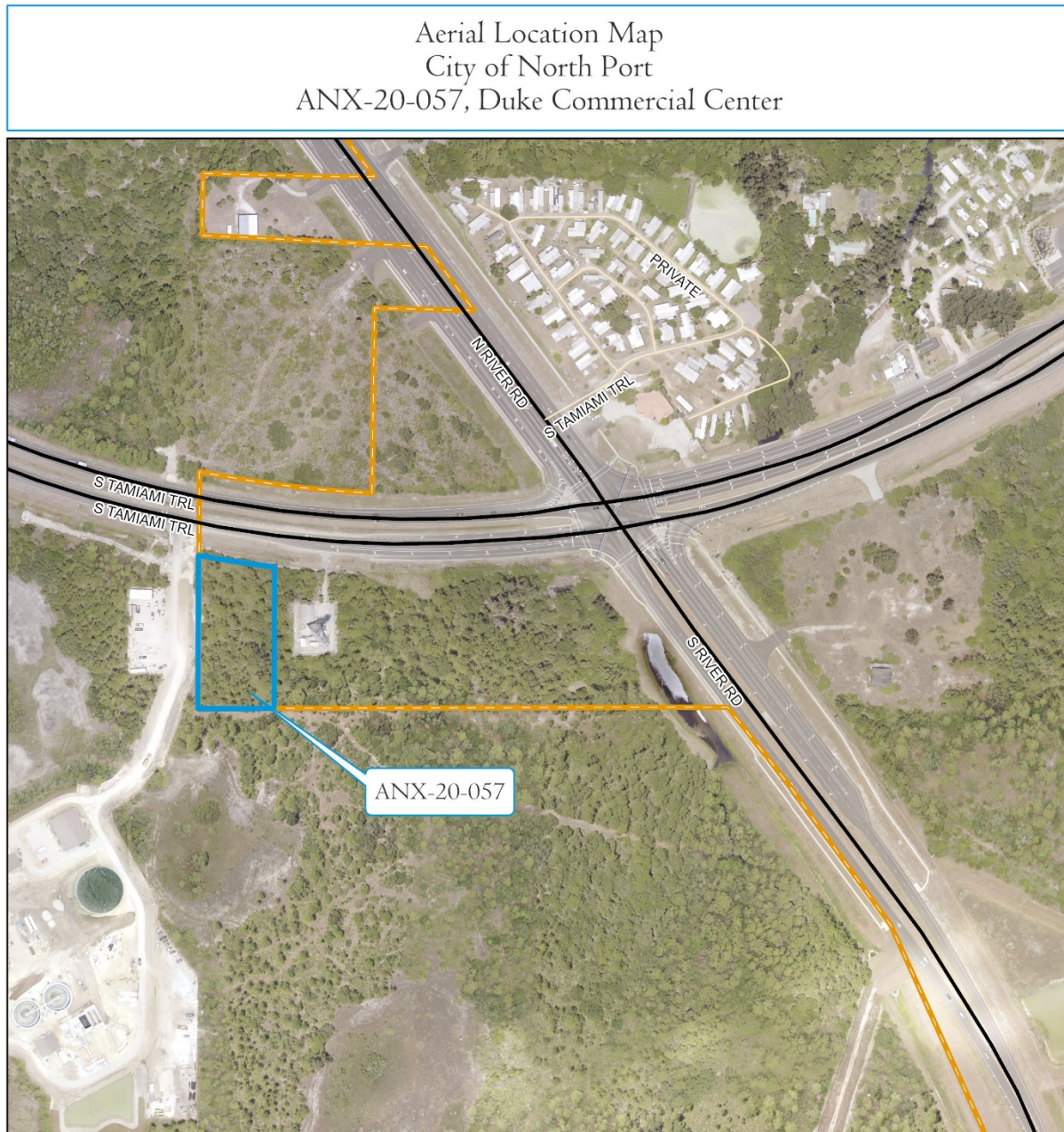


Revised 8-30-19 (Reviewed by CAO)



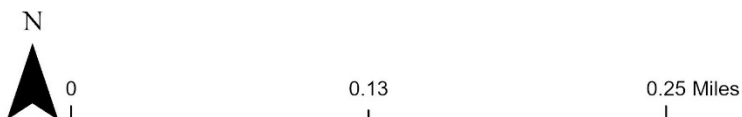
122

Exhibit C



Petitions

 ANX-20-057



Prepared by NDS/Planning Division
March 19, 2020

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.

Property Data Source: Sarasota County Property Appraiser
P:\Development Review Committee\SPX (Special Exception)\SPX 19-270, 7-Eleven Car Wash

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

PUBLIC NOTICE - CITY OF NORTH PORT
NOTICE OF PUBLIC HEARINGS FOR ORDINANCE NUMBER 2020-17

NOTICE IS HEREBY GIVEN, pursuant to Sections 171.044 and 166.041 of the Florida Statutes and Chapter 53, Part 1, Article 1, Sec. 53-22H. of the Unified Land Development Code (ULDC) that the City of North Port proposes to adopt Ordinance No. 2020-17, annexation of a certain portion of land within Sarasota County into the City of North Port, Florida. The portion of land to be annexed into the boundaries of the City of North Port is depicted on the map as shown on the other side of this notice.

A Public Hearing will be held before the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) on **Thursday, April 2, 2020 at 9:00 a.m.** in the **City Hall Commission Chambers, 4970 City Hall Boulevard, North Port, Florida 34286.**

«NAME1»

«NAME_ADD4»

«NAME_ADD5»

«CITY», «STATE»

«ZIP»

ORDINANCE NO. 2020-17

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, ANNEXING ±1.60 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, PURSUANT TO PETITION NO. ANX-20-057, AND REDEFINING THE BOUNDARY LINES OF THE CITY TO INCLUDE THIS PROPERTY; PROVIDING FOR FINDINGS; PROVIDING FOR ANNEXATION; PROVIDING FOR ASSESSMENT AND TAXATION; PROVIDING FOR FILING OF APPROVED DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

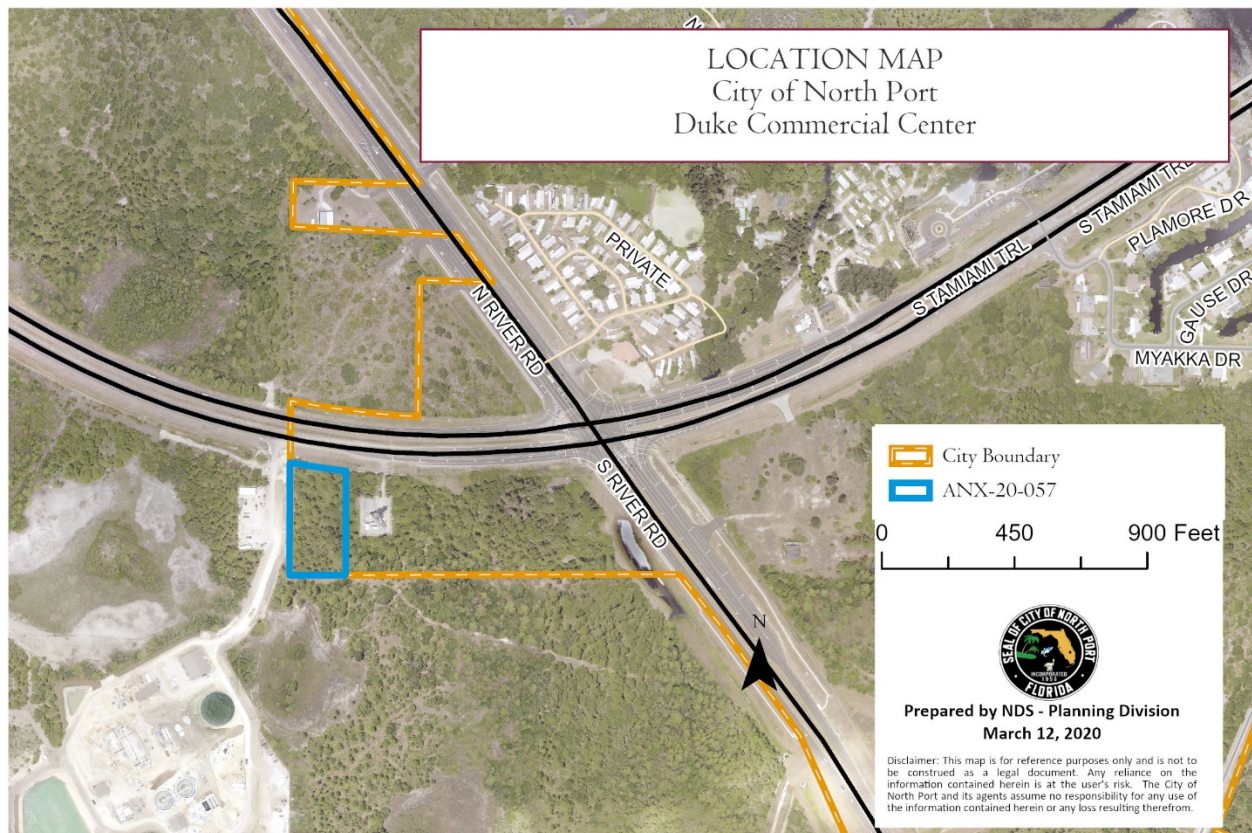


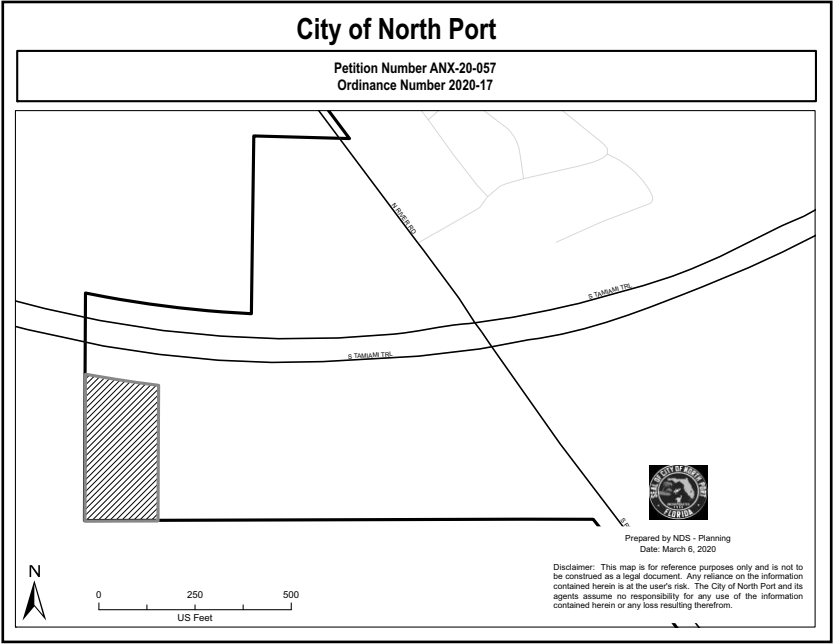
Exhibit D PUBLIC NOTICE - CITY OF NORTH PORT
NOTICE OF PUBLIC HEARINGS FOR ORDINANCE
NUMBER 2020-17

NOTICE IS HEREBY GIVEN, pursuant to Sections 171.044 and 166.041 of the Florida Statutes and Chapter 53, Part 1, Article 1, Sec. 53-22.H. of the Unified Land Development Code (ULDC) that the City of North Port proposes to adopt **Ordinance No. 2020-17**, annexation of a certain portion of land within Sarasota County into the City of North Port, Florida. The portion of land to be annexed into the boundaries of the City of North Port is depicted on the map as shown in this advertisement.

Public Hearings will be held before the Planning and Zoning Advisory Board designated as the Local Planning Agency (LPA) on **Thursday, April 2, 2020 at 9:00 a.m.** in the **City Hall Commission Chambers, 4970 City Hall Boulevard, North Port, Florida 34286.**

ORDINANCE NO. 2020-17

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, ANNEXING ±1.60 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, PURSUANT TO PETITION NO. ANX-20-057, AND REDEFINING THE BOUNDARY LINES OF THE CITY TO INCLUDE THIS PROPERTY; PROVIDING FOR FINDINGS; PROVIDING FOR ANNEXATION; PROVIDING FOR ASSESSMENT AND TAXATION; PROVIDING FOR FILING OF APPROVED DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.



Note: Proposed Ordinance No. 2020-17 (boundary of the subject property) is depicted on this map.

All interested parties are invited to appear and be heard in respect to these Ordinances 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 Ordinance 2020-17, ANX-20-057, including the legal description by metes and bounds, may be inspected by the public at the Neighborhood Development Services Department, Planning 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.

Heather Taylor
City Clerk

Exhibit E

**CITY OF NORTH PORT, FLORIDA
DEVELOPMENT ECONOMIC AND FISCAL IMPACT MODEL
Duke Commercial Center
SUMMARY OF ECONOMIC AND FISCAL IMPACTS**

I. OPERATING REVENUE IMPACT		Years 1 - 5	Years 6 - 10	Years 11 - 15	Years 16 - 20	Years 21 - 25	Years 26 - 30	Years 1 - 30
A. Ad Valorem Taxes		\$61,081	\$68,102	\$75,704	\$83,744	\$91,364	\$98,911	\$478,907
B. Other Taxes		\$15,049	\$15,049	\$15,049	\$15,049	\$15,049	\$15,049	\$90,291
C. Permits, Fees, & Special Assessments		\$18,046	\$18,046	\$18,046	\$18,046	\$18,046	\$18,046	\$108,276
D. Intergovernmental Revenue		\$23,312	\$23,312	\$23,312	\$23,312	\$23,312	\$23,312	\$139,873
E. Charges for Services		\$159,467	\$159,467	\$159,467	\$159,467	\$159,467	\$159,467	\$956,803
F. Fines & Forfeitures		\$325	\$325	\$325	\$325	\$325	\$325	\$1,952
G. Miscellaneous Income		\$4,770	\$4,770	\$4,770	\$4,770	\$4,770	\$4,770	\$28,617
TOTAL OPERATING REVENUE IMPACT		\$282,050	\$289,071	\$296,673	\$304,713	\$312,333	\$319,880	\$1,804,720
II. OPERATING EXPENDITURE IMPACT		Years 1 - 5	Years 6 - 10	Years 11 - 15	Years 16 - 20	Years 21 - 25	Years 26 - 30	Years 1 - 30
General Government		\$86,744	\$86,744	\$86,744	\$86,744	\$86,744	\$86,744	\$520,462
Economic Environment		\$1,023	\$1,023	\$1,023	\$1,023	\$1,023	\$1,023	\$6,141
Physical Environment		\$18,939	\$18,939	\$18,939	\$18,939	\$18,939	\$18,939	\$113,636
Human Services		\$824	\$824	\$824	\$824	\$824	\$824	\$4,943
Transportation		\$36,538	\$36,538	\$36,538	\$36,538	\$36,538	\$36,538	\$219,225
Public Safety		\$98,153	\$98,153	\$98,153	\$98,153	\$98,153	\$98,153	\$588,917
Culture/Recreation		\$9,006	\$9,006	\$9,006	\$9,006	\$9,006	\$9,006	\$54,033
Capital		\$32,035	\$32,035	\$32,035	\$32,035	\$32,035	\$32,035	\$192,213
Debt & Lease		\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL OPERATING EXPENDITURE IMPACT		\$283,262	\$283,262	\$283,262	\$283,262	\$283,262	\$283,262	\$1,699,570
III. NET OPERATING SURPLUS/DEFICIT		Years 1 - 5	Years 6 - 10	Years 11 - 15	Years 16 - 20	Years 21 - 25	Years 26 - 30	Years 1 - 30
		-\$1,212	\$5,809	\$13,412	\$21,452	\$29,071	\$36,618	\$105,150
IV. AD VALOREM INCREMENTAL REVENUE		Years 1 - 5	Years 6 - 10	Years 11 - 15	Years 16 - 20	Years 21 - 25	Years 26 - 30	Years 1 - 30
		\$58,027	\$64,697	\$71,919	\$79,557	\$86,796	\$93,966	\$454,962
V. TOTAL IMPACT FEES		Years 2 - 6	Years 7 - 11	Years 12 - 16	Years 17 - 21	Years 22 - 26	Years 27 - 31	Years 2 - 31
Law Enforcement		\$ 7,110.56	\$0	\$0	\$0	\$0	\$0	\$7,111
Fire		\$ 8,891.99	\$0	\$0	\$0	\$0	\$0	\$8,892
Parks & Recreation		\$ -	\$0	\$0	\$0	\$0	\$0	\$0
Transportation		\$ 99,342.94	\$0	\$0	\$0	\$0	\$0	\$99,343
Solid Waste		\$ 2,716.23	\$0	\$0	\$0	\$0	\$0	\$2,716
General Government		\$ 8,081.08	\$0	\$0	\$0	\$0	\$0	\$8,081
TOTAL IMPACT FEES		\$126,143	\$0	\$0	\$0	\$0	\$0	\$126,143
VI. UTILITY CONNNECTION FEES		Years 2 - 6	Years 7 - 11	Years 12 - 16	Years 17 - 21	Years 22 - 26	Years 27 - 31	Years 2 - 31
Water		\$0	\$0	\$0	\$0	\$0	\$0	\$0
Wastewater		\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL CONNECTION FEES		\$0	\$0	\$0	\$0	\$0	\$0	\$0
VII. SUMMARY OF ANNUAL ECONOMIC IMPACTS (Output and Earnings in Current Dollars)								
	Year 5	Year 10	Year 15	Year 20	Year 25	Year 30		
Direct Output From Development	\$11,731,708	\$11,731,708	\$11,731,708	\$11,731,708	\$11,731,708	\$11,731,708		
Direct Employment From Development	44	44	44	44	44	44		
Direct Earnings From Development	\$1,473,896	\$1,473,896	\$1,473,896	\$1,473,896	\$1,473,896	\$1,473,896		
Indirect Output From Development	\$5,632,393	\$5,632,393	\$5,632,393	\$5,632,393	\$5,632,393	\$5,632,393		
Indrect Employment From Development	110	110	110	110	110	110		
Indirect Earnings From Development	\$2,816,389	\$2,816,389	\$2,816,389	\$2,816,389	\$2,816,389	\$2,816,389		
Total Output From Development	\$17,364,101	\$17,364,101	\$17,364,101	\$17,364,101	\$17,364,101	\$17,364,101		
Total Employment From Development	154	154	154	154	154	154		
Total Earnings From Development	\$4,290,286	\$4,290,286	\$4,290,286	\$4,290,286	\$4,290,286	\$4,290,286		

Note: If entire jurisdiction growth forecasts are used in scenario modeling, disregard indirect and total impact categories. For this case, direct impacts represent total impacts.