



City of North Port

ORDINANCE NO. 2023-26

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, REZONING ± 55.02 ACRES LOCATED EAST OF TOLEDO BLADE BOULEVARD APPROXIMATELY 1 MILE NORTH OF I-75 IN SECTION 6, TOWNSHIP 39 SOUTH, RANGE 22 EAST OF SARASOTA COUNTY AS DESCRIBED IN INSTRUMENT NO. 2023042804 IN OFFICIAL RECORDS OF SARASOTA COUNTY, FROM NO ZONING DESIGNATION DISTRICT (NZD) CLASSIFICATION TO INDUSTRIAL LIGHT WAREHOUSING DISTRICT (ILW) DISTRICT CLASSIFICATION; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR FINDINGS; PROVIDING FOR FILING OF APPROVED DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the subject property is currently zoned as No Zoning Designation (NZD), which is inconsistent with the Future Land Use classification; and

WHEREAS, Deluxeton North Port, LLC, is the property owner of a ±318.89-acre parcel identified on the attached "Exhibit A", and desires to rezone a portion of the parcel; and

WHEREAS, Petition REZ-22-237 ("Petition") requests rezoning of a ±55.02 acre portion of the subject parcel as identified on the attached "Exhibit B"; and

WHEREAS, Ordinance No. 2023-25 reclassified a portion of the subject parcel from Future Land Use classification of Agricultural, Estates to Industrial; and

WHEREAS, the public notice requirements provided in Florida Statutes Chapter 166 and the Unified Land Development Code have been adhered to and satisfied; and

WHEREAS, the Planning and Zoning Advisory Board considered the Petition at a public hearing on September 7, 2023, and made its recommendation to the City Commission; and

WHEREAS, the City Commission held properly-noticed public hearings at first and second reading of this ordinance, at which time all interested parties had an opportunity to appear and be heard, and the City Commission considered all relevant evidence presented, as well as the Planning and Zoning Advisory Board's recommendation; and

WHEREAS, the City Commission finds that competent substantial evidence supports the findings and actions herein.

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

SECTION 1 – FINDINGS

- 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
- 1.02 Pursuant to Florida Statutes Section 166.041(4)(c), a business impact estimate was not required because this ordinance is enacted to implement Part II of Florida Statutes Chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits.
- 1.03 The City Commission finds this ordinance to be consistent with the adopted North Port Comprehensive Plan and Unified Land Development Code.
- 1.04 All exhibits attached to this ordinance are incorporated in this ordinance by reference.

SECTION 2 – REZONING

- 2.01 The City Commission hereby changes the zoning classification of the ± 55.02-acre area located in Section 6, Township 39 South, Range 22 East of Sarasota County and further described in “Exhibit B,” currently zoned No Zoning Designation (Nzd) to Industrial Light Warehousing District (ILW).
- 2.02 The City Commission approves the revised Official Zoning Map, attached as “Exhibit C,” reflecting the zoning change approved in this ordinance.

SECTION 3 – FILING OF APPROVED DOCUMENTS

- 3.01 The City Clerk is directed to place in the City Clerk’s files an updated Official Zoning Map in accordance with the requirements of Sections 53-14, 53-16, and 53-17 of the Unified Land Development Code.
- 3.02 The City Clerk is directed to file this ordinance with the Clerk of the Circuit Court in and for Sarasota County, Florida in accordance with the requirements of Section 1-36 of the Unified Land Development Code.

SECTION 4 – CONFLICTS

- 4.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

SECTION 5 – SEVERABILITY

- 5.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the ordinance.

SECTION 6 – EFFECTIVE DATE

6.01 This ordinance takes effect immediately upon adoption.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida in public session on _____, 2023.

ADOPTED by the City Commission of the City of North Port, Florida on the second and final reading in public session on _____, 2023.

CITY OF NORTH PORT, FLORIDA

ALICE WHITE
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

AMBER L. SLAYTON, B.C.S.
CITY ATTORNEY

Exhibit A

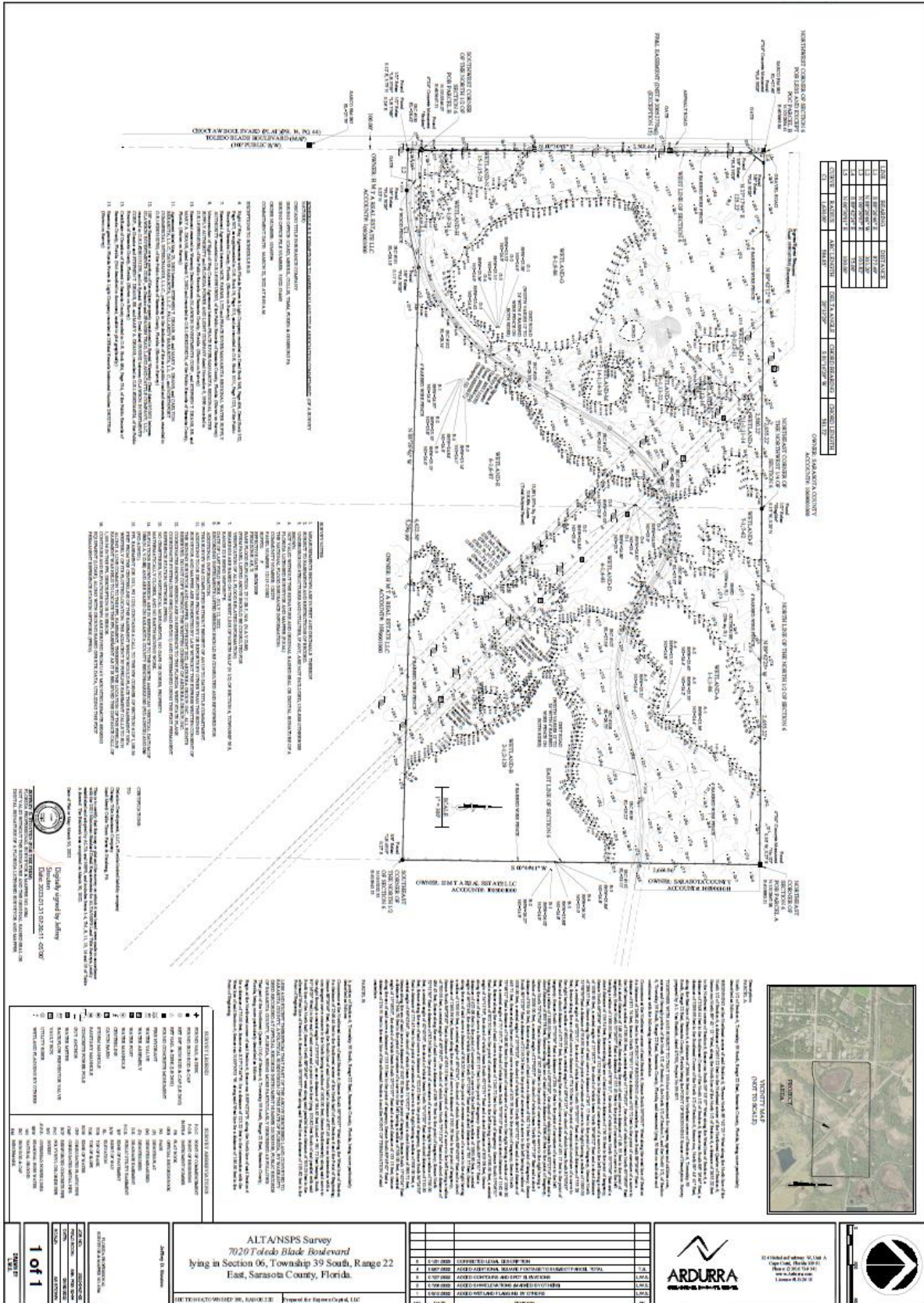
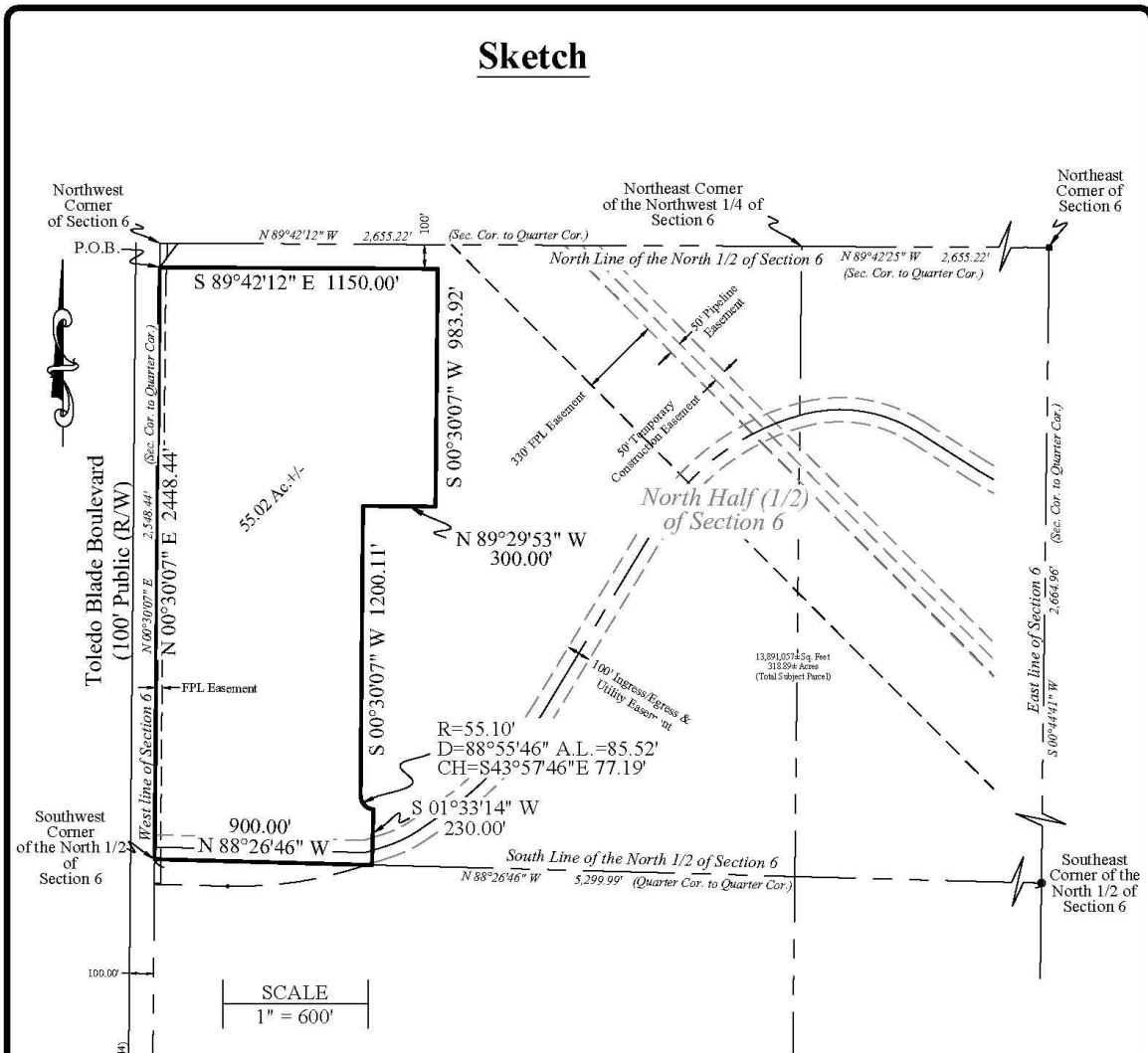


Exhibit B

Sketch



SURVEY NOTES:

1. BEARINGS ARE BASED ON THE WEST LINE OF THE NORTH HALF OF SECTION 6, AS MONUMENTED IN THE FIELD, BEING N00°30'07\"E.
2. MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS THEREOF.
3. **THIS IS NOT A SURVEY**
4. ADDITIONS TO OR DELETIONS OTHER THAN THE SIGNING SURVEYOR AND MAPPER ARE PROHIBITED BY LAW WITHOUT THE EXPRESS WRITTEN CONSENT OF THE SIGNING SURVEYOR AND MAPPER. *COPYRIGHT 2023, ARDURRA GROUP, INC., ALL RIGHTS RESERVED.*
5. DO NOT COPY WITHOUT THE WRITTEN CONSENT OF ARDURRA GROUP, INC.
6. NOT VALID WITHOUT SHEET 2 OF 2.

LEGEND:

- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING
- P.B. = PLAT BOOK
- O.R. = OFFICIAL RECORDS BOOK
- PG. = PAGE
- INST. = INSTRUMENT
- R/W = RIGHT-OF-WAY
- AC. = ACRES

Sheet 1 of 2

<p style="text-align: center;">Sketch to Accompany Description</p> <p style="text-align: center;">Subject Parcel</p> <p style="text-align: center;"><i>A tract of land lying in Section 6, Township 39 South, Range 22 East, Sarasota County, Florida</i></p>	<p>THIS IS NOT A SURVEY</p> <p>324 Nicholas Parkway W, Unit A Cape Coral, Florida 33991 Phone: (239) 673-9541 www.Ardurra.com License #L.B-2610</p>	<p>I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on February 24, 2023 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 51-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.</p> <div style="text-align: right;"> <p>Digitally signed by Jeffrey Stouten Date: 2023.02.28 06:57:28 -05'00'</p> </div> <p><small>JEFFREY D. STOUTEN (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO 6584 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER</small></p>
<p>SHEET 1 OF 2</p> <p>JOB # 2022-0491-00 PREPARED FOR: Rejuven Capital, LLC</p> <p>SECTION 6, TOWNSHIP 39 S, RANGE 22 E</p>		

Exhibit B

Description

Subject Parcel Description:

A tract or parcel of land lying in Section 6, Township 39 South, Range 22 East, Sarasota County, Florida, being more particularly described as follows:

Beginning at a point lying 100.00 feet Southerly of the Northwest corner of Section 6, said point also being on the Westerly line of said section; thence S 89°42'12" E, along a line 100.00 feet Southerly and parallel (as measured on a perpendicular) with the North line of Section 6 for a distance of 1,150.00 feet; thence run S 00°30'07" W, along a line parallel with (as measured on a perpendicular) and 1150.00 feet Easterly of the West line of the North 1/2 of Section 6 for a distance of 983.92 feet; thence run N 89°29'53" W, for a distance of 300.00 feet to an intersection with a line 850.00 feet Easterly of the West line of said Section 6; thence run S 00°30'07" W, parallel with (as measured on a perpendicular) and 850.00 feet easterly of the West line of said Section for a distance of 1,200.11 feet to a point of curvature; thence run 85.52 feet along the arc of a curve to the left of radius of 55.10 feet, concave to the Northeast, having a delta of 88°55'46", a chord bearing of S 43°57'46" E, and a chord length of 77.19 feet to a point being 230.00 feet (as measured on a perpendicular) Northerly of the South line of the North 1/2 of said Section 6; thence run S 01°33'14" W, to the intersection with the South line of the North 1/2 of said Section for a distance of 230.00 feet; thence run N 88°26'46" W, along the South line of the North 1/2 of Section 6 for a distance of 900.00 feet to the Southwest Corner of the North 1/2 of Section 6; thence run N 00°30'07" E, along the West line of Section 6 for a distance of 2,448.44 feet to the POINT OF BEGINNING.

Said parcel contains 55.02+/- acres (more or less).


<p>THIS IS NOT A SURVEY</p>	<p>Description to Accompany Sketch Subject Parcel <i>A tract of land lying in Section 6, Township 39 South, Range 22 East, Sarasota County, Florida</i></p>	<p><i>Not Valid without Sheet 1 of 2</i></p>
<p><i>Sheet 2 of 2</i></p>	 <p>324 Nicholas Parkway W, Unit A Cape Coral, Florida 33991 Phone: (239) 673-9541 www.Ardurra.com License #LB-2610</p> <p>ARDURRA COLLABORATE. INNOVATE. CREATE.</p>	<p>I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on February 24, 2023 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 53-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.</p> <p><i>See Sheet 1 of 2 for Signature and Seal</i></p>
<p>JOB # 2022-0491-00 PREPARED FOR: Rejuven Capital, LLC SECTION 6, TOWNSHIP 39 S, RANGE 22 E</p>	<p>JEFFREY D. STOUTEN (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO 6584 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER</p>	

Exhibit C

