



STAFF REPORT

2682 Yamada Ln, Vacatin of Easement

(Petition No. PVAC-25-04036)

Resolution No. 2026-R-04

From: Adriana Silva, Planner II

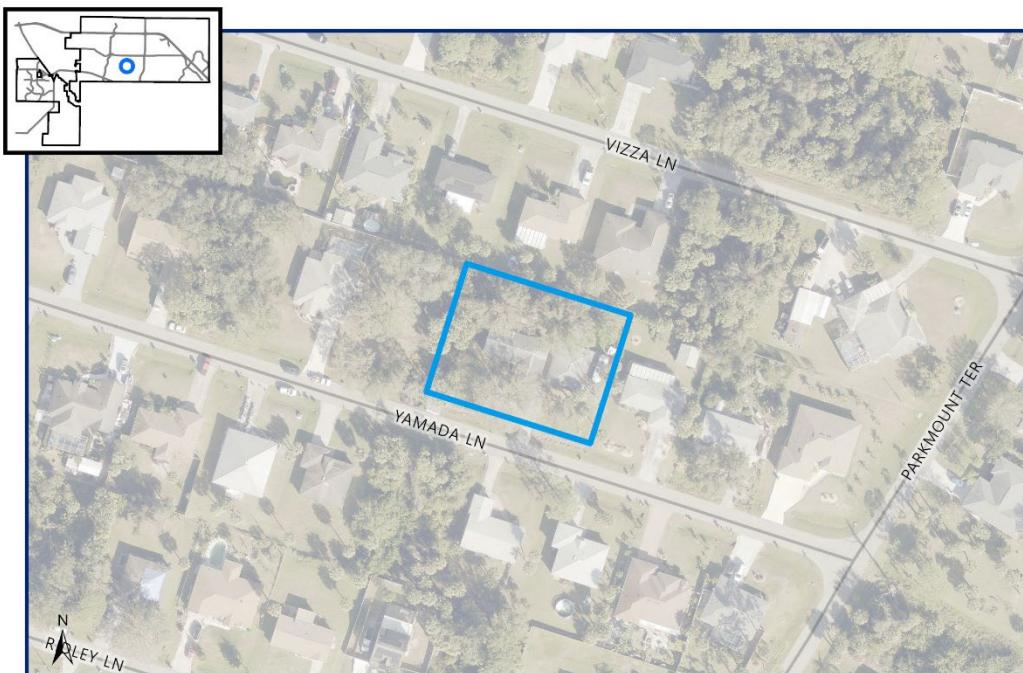
Thru: Lori Barnes, AICP, CPM, Development Services Deputy Director

Thru: Alaina Ray, AICP, Development Services Director

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

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

Date: January 13, 2026



PROJECT:	PVAC-25-04036, Vacatin of Easement
REQUEST:	Vacate two (2) platted side 6-foot utility and drainage easements ($\pm 1,380$ SQ. FT) located between Lots 15 and 16, Block 334 of the 5th Addition to the Port Charlotte Subdivision.
APPLICANT:	Susan Abling (Exhibit A – Affidavit and Deed)
OWNERS:	Susan Abling (Exhibit A – Affidavit and Deed)
LOCATION:	0988033415 (2026 Parcel)
PROPERTY SIZE:	± 0.46 acres
ZONING:	Residential, Low (R-1)

I. BACKGROUND

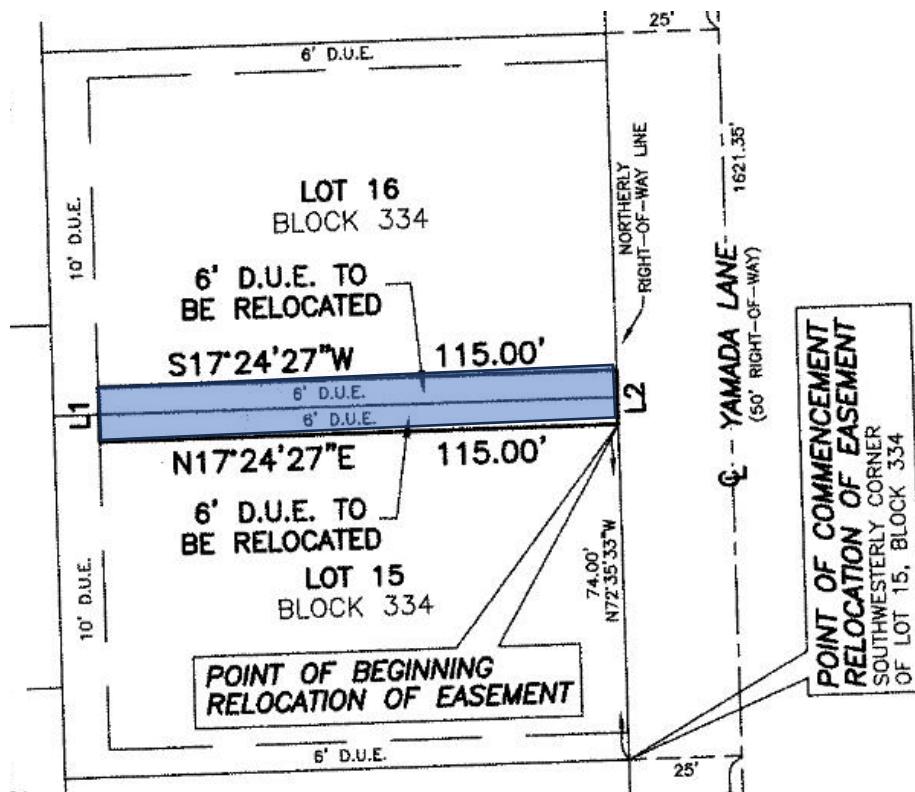
On October 6, 2025, the Planning & Zoning Division received an application petitioning the City of North Port to grant a vacation for two (2) platted side 6-foot utility and drainage easements located between Lots 15 & 16 Block 334 of the 5th Addition to the Port Charlotte Subdivision. The residence was built within the existing easement by the former property owner in 1990. The area to be vacated encompasses approximately 1,380 square feet and is zoned Residential, Low (R-1) with a Future Land Use designation of Low Density Residential (LDR). The purpose of this application is to bring the property into zoning compliance and provide for a clear title.

II. PROJECT SUMMARY

Susan Abling is requesting a vacation of approximately 1,380 square feet of the two (2) platted side 6-foot utility and drainage easement located between Lots 15 & 16 to bring the property into zoning compliance with the Unified Land Development Code (ULDC) and provide for a clear title.

The subject Lots 15 & 16 are under common ownership of the Applicant, with Declaration of Unity of Title filed as Instrument #2025158305 in the Official Records of Sarasota County (**Exhibit B – Unity of Title**). The residence was built within the existing easement by a former property owner in 1990.

Plats typically contain “automatic” language enabling that the outside boundary of the property carry the side easements when two or more lots are considered a building site; as the 5th Addition plat book omits this language, a vacation of easement is required. The purpose of the vacation of easement request is to bring the property into compliance with the Unified Land Development Code (ULDC) and provide for a clear title as the property is under contract to sell.



III. REVIEW PROCESS

The following utility agencies have reviewed the request to vacate two (2) platted 6-foot side utility and drainage easements and, through written response, have granted their approval (**Exhibit C - Notification to Utility agencies and responses**).

Utility Review Summary	
Agency	Response
Amerigas	None
Comcast/Truenet Communications	Approved
Florida Power and Light	Approved
Frontier	Approved
North Port Fire/Rescue	Approved
North Port Public Works	Approved
North Port Utilities	Approved

If no response is received within 10 days of notification the vacation of easement request is deemed uncontested.

Conclusion

Based on the responses received, the request to vacate two (2) platted 6-foot side Utility and Drainage Easements meets the following:

1. It is a vacation of a public easement.
2. The easement is not needed to provide City service to any property.
3. No public utilities or City facilities are located or planned to be located in the areas.
4. The easement is not necessary to any logical extension of public utility service, sanitary sewer service, drainage or other City services to any property in the future, or an alternate and equally acceptable easement of such extension has been dedicated to the City.

Legal Review

Resolution 2026-R-04 has been reviewed by the City Attorney and it is legally correct to form.

IV. DATA AND ANALYSIS

2024 Florida Statutes Chapter 177

Chapter 177 of the Florida Statutes provides requirements that regulate and control the platting of lands. Furthermore, Chapter 177.101 of the Florida Statutes lists the actions needed in making an application for vacation of plats either in whole or in part. The individual requesting a vacation of plat must give notice of their intention to apply to the governing body to vacate the plat by publishing a legal notice in a newspaper of general circulation in the county in which the tract or parcel of land is located, in not less than two weekly issues of said paper, and must attach to the petition for vacation the proof of said publication, together with proof that taxes have been paid.

Findings & Conclusion: The property owners filed a notice of intent to petition the City of North Port to vacate the side utility and drainage easements by publishing a legal notice in the Charlotte Sun newspaper for two consecutive weeks. (**Exhibit D - Notice of Intent**). Additionally, the applicants provided the City of North Port Planning and Zoning Division, an application to request a vacation of platted utility and drainage easements, a Publisher's Affidavit, certification that taxes have been paid, and all other requisite documents (**Exhibit E - Certification that all applicable taxes have been paid**). The Quitclaim deed provided to the City as a part of the application established that the applicant owns the fee simple title of the subject property.

Staff conclude that the proposed Petition PVAC-25-04036 is consistent with Florida Statutes Section 177.101.

ULDC CHAPTER 2 Development Review

The Unified Land Development Code (ULDC) contains regulations that govern the development and land use within the incorporated area of the City of North Port, Florida. Chapter 2 of the ULDC, Article II. Development Application Types, Sec. 2.2.17 allows for a vacation of platted easements provided that platted easements shall be vacated in accordance with Florida Statutes Chapter 177. In addition, Section 2.2.17.B. includes Decision Criteria for the City Commission to approve a Vacation, as follows:

Decision Criteria. City Commission shall determine whether and the extent to which the vacation:

- (1). Involves land that is currently occupied by public facilities.
- (2). Necessitates additional easements for future public facilities.
- (3). Impairs or eliminates access to any lot of record.
- (4). Adversely impacts the existing road network or substantially alters travel patterns.

Findings & Conclusion: Staff reviewed the Petition VAC-25-04036 relative to ULDC Chapter 2 Development Review. Pursuant to the provisions in Florida Statutes Chapter 177.101, the property owners did file a notice of intent to apply to the City of North Port Planning & Zoning Division for two (2) weekly issues. Additionally, the applicants provided the City of North Port Planning and Zoning Division with an application to request a vacation of the platted utility and drainage easements, a Publisher's Affidavit, certification that taxes have been paid, and all requisite documents.

The primary intent of the platted 6-foot side Utility and Drainage Easements is to ensure that sufficient area is reserved along the side of parcels to provide proper access to utilities and drainage flow. The vacation of easement will not harm public welfare. No utility agencies provided an objection to the request for vacation during their review period.

Staff conclude that the proposed Petition PVAC-25-04036 is consistent with Chapter 2 of the ULDC.

V. RECOMMENDED ACTION

CITY COMMISSION

Recommended Action

Option 1: Approve Resolution No. 2026-R-04 as presented.

City Commission Options

Option 1: Approve Resolution No. 2026-R-04 as presented.

- Pros: The vacation brings the subject property into compliance with the Unified Land Development Code (ULDC).
- Cons: The comprehensive staff analysis concluded that there are no identifiable drawbacks to the approval of Resolution No. 2026-R-04.

Option 2: Deny Resolution No. 2026-R-04.

- Pros: The easements will remain as platted, consistent with the surrounding properties.
- Cons: The property will remain in violation of the ULDC and required easements. The burden of zoning non-compliance for the property owner persists.

VI. EXHIBITS

A.	Quitclaim Deed and Affidavit
B.	Unity of Title
C.	Notification to Utility Agencies and Responses
D.	Notice of Intent
E.	Certification that all applicable taxes have been paid

VII. PUBLIC HEARING SCHEDULE

City Commission Public Hearing	January 13, 2026 10:00 AM or as soon thereafter
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Prepared By: Susan Abling Saran DeVaughn
 ✓ Return to: 3560 Gladstone St. Sarasota Fl. 34231

FLORIDA QUITCLAIM DEED

This Deed, made the 15th day of January 2025 between
Mia Forschner (Grantor), with address at 2682 Yamada Ln. North Port
 party of the first part, and Susan Abling (Grantee), with address at 34286
2682 Yamada Ln. North Port Fl. party of the second part:
34286

Witnesseth, that the party of the first part, in consideration of 0.00 \$, lawful
 money of the United States, paid by the party of the second part, does hereby convey,
 remise, release, and quitclaim unto the party of the second part, and assigns forever, all
 its interest in the premises more particularly described as follows:

Lots 15 & 16, BLK 334, 5th ADD To Port Charlotte
ORI 2001D84350 parcel # 098803415

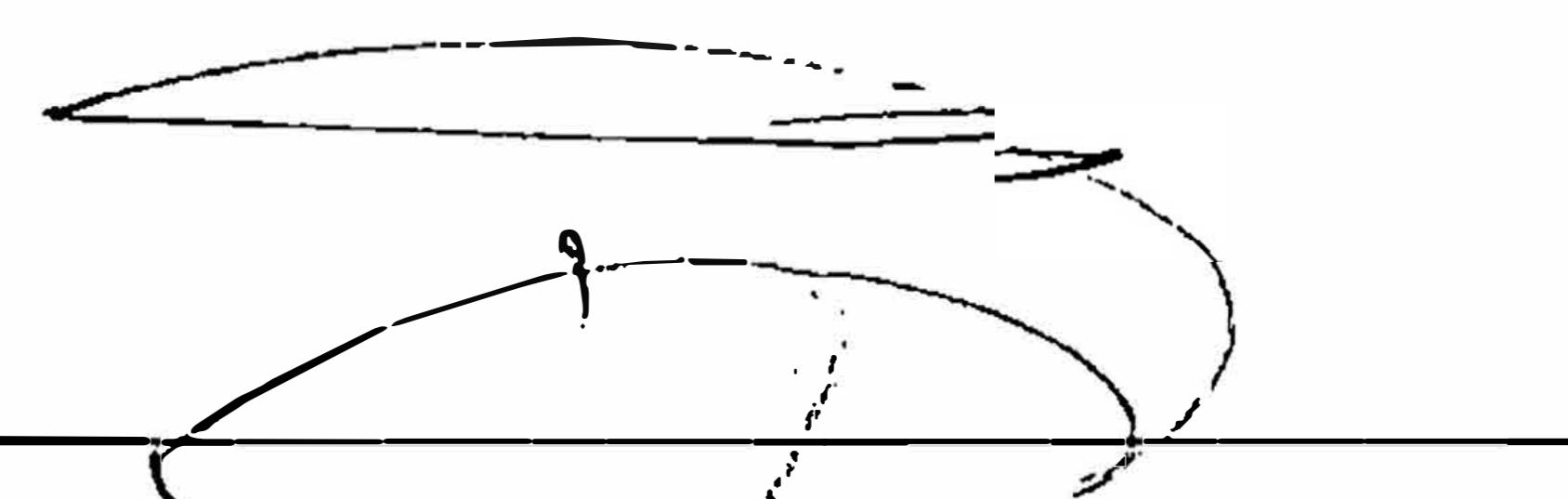
(Description of Property and Recital of Title)

together with the appurtenances and all the estate and rights of the party of the first part
 in and to said premises.

To have and to hold the premises herein granted unto the party of the second part, and
 assigns forever.

In witness whereof, the party of the first part has hereunto set its hand and seal the day
 and year first above written.

Mia Forschner
 Grantor's Signature


 Grantee's Signature

Mia Forschner
 Grantor's Name

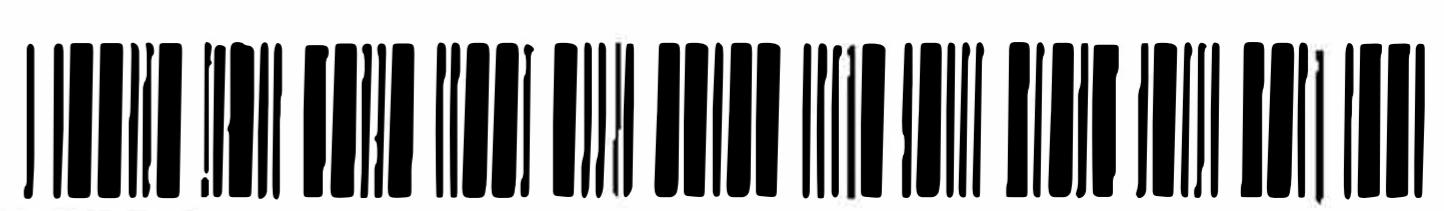
Susan Abling
 Grantee's Name

In the presence of

John D. Dill
 Witness's Signature

Chris Morato
 Witness's Signature

RECORDED IN OFFICIAL RECORDS
 INSTRUMENT # 2025039490 2 PG(S)
 March 13, 2025 04:14:08 PM
 KAREN E. RUSHING
 CLERK OF THE CIRCUIT COURT
 SARASOTA COUNTY, FL



Saran DeVaughn

Witness's Name

803 Southern Pine Ln, SPA, FL 34283

Witness's Address

Chris Morales

Witness's Name

1181 S Sumpter Blvd, North Port, FL

34287

Acknowledgement Of Notary Public

State of Florida }

} ss

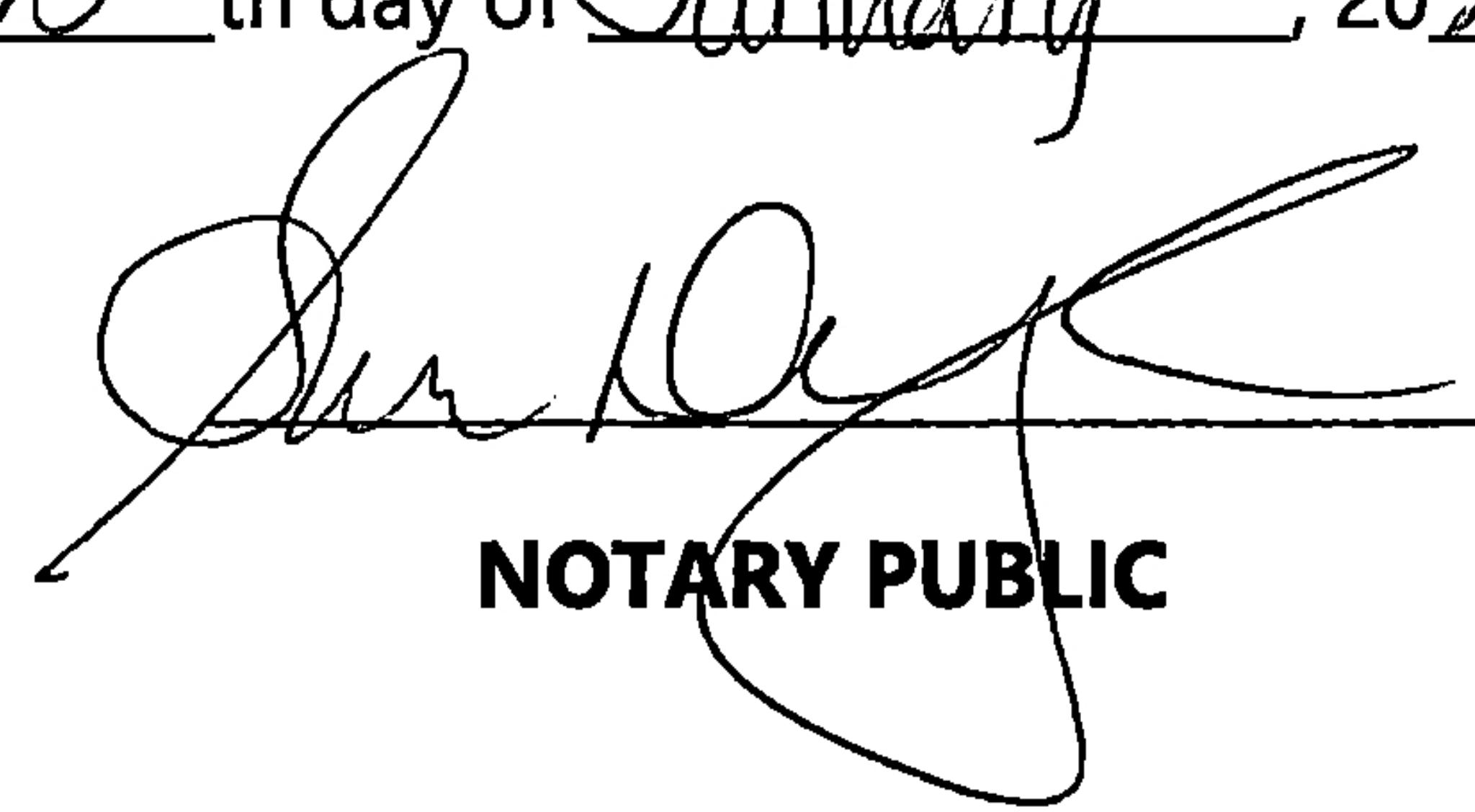
City / County of Sarasota }

On this day personally appeared before me Nia Forschner, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are described in and who executed the foregoing instrument, and acknowledged that s/he signed the same as his/her free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and Notarial Seal, the 15 th day of January, 2025.



SARANAISHADEVAUGHN
Commission # MH 384148
Expires April 6, 2027



NOTARY PUBLIC

NOTARY PUBLIC in and for the State of Florida

My commission expires April 6, 2027



Templates.Legal



DECLARATION OF UNITY OF TITLE

Prepared by:

Cherie De Hay
1450 Front Pl. #248
North Port, FL 34281

KNOW ALL MEN BY THESE PRESENTS, that pursuant to the ordinances of the City of North Port, Florida pertaining to zoning, the issuance of building permits, and regulating building construction activities, the undersigned, being the fee owner(s) of the described real property situated in the City of North Port, County of Sarasota, and State of Florida, hereby make the following declaration of conditions, limitations, and restrictions on said lands, hereinafter to be known and referred to as a **DECLARATION OF UNITY OF TITLE**, as to the following:

1. The undersigned own(s) the following properties in fee simple:

Lot 15 Block 334, 5th Addition to Port Charlotte Subdivision, according to the map or plat thereof as recorded in Plat Book 11, Page 33, of the Public Records of Sarasota County, Florida; and 33A thru 33R

Lot 16 Block 334, 5th Addition to Port Charlotte Subdivision, according to the map or plat thereof as recorded in Plat Book 11, Page 33, of the Public Records of Sarasota County, Florida; and

Lot Block , Addition to Subdivision, according to the map or plat thereof as recorded in Plat Book , Page of the Public Records of Sarasota County, Florida; and

Parcel Identification Numbers:

0988033415 Section 26 Township 39S Range 21E

0988033415 Section 26 Township 39S Range 21E

 Section Township Range

2. The parcel or combination of separate lots, parcels, acreage, or portions thereof shall be regarded and is declared to be unified under one title as an indivisible building site ("Subject Property").
3. The Subject Property, for the purpose of building, zoning, and other applicable city codes and regulations, shall be considered as one parcel of land and no portion shall be sold, assigned, transferred, conveyed, or devised, except in its entirety as one unified parcel of land.
4. The undersigned agree(s) that this Declaration of Unity of Title constitutes a covenant to run with the land, as provided by law, and is binding upon the undersigned, their successors and assigns, and all parties claiming under them until the City of North Port, Florida fully releases it in writing.
5. The undersigned will record this instrument in the Public Records of Sarasota County, Florida at their expense.
6. The undersigned acknowledge(s) that the particulars of this instrument include important legal rights and responsibilities and that the owner(s) have been advised to obtain legal counsel for the preparation of this Declaration of Unity of Title.

DECLARATION OF UNITY OF TITLE

Prepared by:

IN WITNESS WHEREOF, the property owner(s) executed this instrument in the manner provided by law. Signed in the presence of the identified witnesses on October 28, 2025 PREPARED BY: _____

Identified witnesses on 10/10/2018
Cherie Detay
Witness Signature
Cherie Detay
Witness Name

PREPARED BY: _____


Witness Address 1450 Front St. #248
North Port, FL 34287

2nd Property Owner Signature

Witness Signature
Michael De
Witness Name

Property Owner Name

Witness Address 1450 Front St. #248
North Port, FL 34281

ACKNOWLEDGEMENT (FOR INDIVIDUAL PROPERTY OWNERS)

STATE OF Florida
COUNTY OF Sarasota

Personally Known OR Produced Identification
Type of Identification Produced _____
Type of Identification Produced _____

Notary Public



CHERIE A. DEHAY
Commission # HH 516076
Expires April 15, 2028

ACKNOWLEDGEMENT (FOR INDIVIDUAL PROPERTY OWNERS)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of
20____, by _____ and _____.

Notary
Public Personally Known OR Produced Identification
Type of Identification Produced _____
Type of Identification Produced _____



City of North Port
PLANNING DIVISION
Neighborhood Development Services
4970 City Hall Boulevard
North Port, FL 34286
Office: 941.429.7229
Fax: 941.429.7154



VACATION OF EASEMENT

DATE: 10/20/2025

PETITION NO: PVAC-25-04036

TO:

North Port Public Works
Amerigas
Florida Power and Light
Planning & Zoning

North Port Utilities
Comcast Cable/Truenet Communications Mike Little,
Frontier Communications
Fire/Rescue

Please see the attached information concerning the request for vacation of easement for the property described as:

Lots 15 & 16, Block 334, of the FIFTH ADDITION to the Port Charlotte Subdivision, according to Plat thereof recorded in Plat Book 11, Page 33, 33A THRU 33R (330), of the Public Records of Sarasota County, Florida, also known as street address: 2682 YAMADA LN, NORTH PORT, FL 34286.

The vacation of the easement (Please check the appropriate response)

Is Granted

Is not Granted

Is Granted with Conditions

If vacation of easement is not granted or conditions apply, please state below:

10/30/2025

Please respond by 10/30/2025 which is (10) ten days from receipt. If after (10) ten days a response is not received, it will be assumed there is no issue with the vacation of easement.

Signature

Date

Phone No.

Name of Utility

Please e-mail responses to ASILVA@NORTHPORTFL.GO'

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Is not Granted

Is Granted with Conditions

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10/30/2025

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Christopher Plank Digitally signed by Christopher Plank
Date: 2025.10.20 13:10:19 -04'00'

Signature

574-808-8943

Phone No.

10/20/25

Date

Comcast

Name of Utility

Please e-mail responses to ASILVA@NORTHPORFL.GO'

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VACATION OF EASEMENT

DATE: 10/20/2025

PETITION NO: PVAC-25-04036

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Florida Power and Light
Planning & Zoning

North Port Utilities
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also known as street address: 2682 YAMADA LN, NORTH PORT, FL 34286

The vacation of the easement (**Please check the appropriate response**)

Is Granted Is not Granted Is Granted with Conditions

If vacation of easement **is not** granted or conditions apply, please state below:

Please respond by 10/30/2025 which is (10) ten days from receipt. If after (10) ten days a response is not received, it will be assumed there is no issue with the vacation of easement.

Bradley Brenner Digitally signed by Bradley Brenner
Date: 2025.10.20 13:44:56 -04'00'

Signature

941-423-4947

Phone No

10/20/2025
Date
FPL
Name of Utility

Please e-mail responses to ASILVA@NORTHPORTFL.GOV

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VACATION OF EASEMENT

DATE: 10/20/2025

PETITION NO: PVAC-25-04036

TO:

North Port Public Works
Amerigas
Florida Power and Light
Planning & Zoning

North Port Utilities
Comcast Cable/Truenet Communications Mike Little,
Frontier Communications
Fire/Rescue

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The vacation of the easement (Please check the appropriate response)

Is Granted

Is not Granted

Is Granted with Conditions

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10/30/2025
Please respond by 10/30/2025 which is (10) ten days from receipt. If after (10) ten days a response is not received, it will be assumed there is no issue with the vacation of easement.

Stephen A Waidley

Digitally signed by Stephen A Waidley
DN: G-U.S, E=stephen.waidley@fl.com, O=Frontier Florida LLC,
OU=Network Engineering, CN=Stephen A Waidley
Reason: I am approving this document
Date: 2026.10.20 29:27:47-04'00

Signature

(941) 266-9218

Phone No.

10/20/2025

Date

Frontier Florida LLC

Name of Utility

Please e-mail responses to ASILVA@NORTHPORFL.GO'

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VACATION OF EASEMENT

DATE: 10/20/2025

PETITION NO: PVAC-25-04036

TO:

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Amerigas	Comcast Cable/Truenet Communications Mike Little,
Florida Power and Light	Frontier Communications
Planning & Zoning	Fire/Rescue

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10/30/2025

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Peter J. Marietti III, Fire Marshal

Digitally signed by Peter J. Marietti III, Fire
Marshal
Date: 2025.10.21 06:59:52 -04'00'

Signature

10/21/2025

Date

Fire

Phone No.

Name of Utility

Please e-mail responses to ASILVA@NORTHPORFL.GO'

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DATE: 10/20/2025

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TO:

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10/30/2025

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Michael Vork

Digitally signed by Michael Vork
Date: 2025.10.20 15:33:05 -04'00'

Signature

941-240-8069

Phone No.

10/20/2025

Date

PW ENG

Name of Utility

Please e-mail responses to ASILVA@NORTHPORTFL.GO'

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PLANNING DIVISION
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4970 City Hall Boulevard
North Port, FL 34286
Office: 941.429.7229
Fax: 941.429.7154



VACATION OF EASEMENT

DATE: 12/22/2025

PETITION NO: PVAC-25-04036

TO:

North Port Public Works
Amerigas
Florida Power and Light
Planning & Zoning

North Port Utilities
Comcast Cable/Truenet Communications Mike Little,
Frontier Communications
Fire/Rescue

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The vacation of the easement (Please check the appropriate response)

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Is not Granted

Is Granted with Conditions

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Please respond by 01/01/2026 which is (10) ten days from receipt. If after (10) ten days a response is not received, it will be assumed there is no issue with the vacation of easement.

Signature

ASILVA

Phone No.

Please e-mail responses to ASILVA@NORTHPORTFL.GOV

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If you received this in error or do not receive all the pages, please contact Neighborhood Development Services, Planning Division at 941.429.7156.



**PUBLISHER'S AFFIDAVIT OF
PUBLICATION STATE OF FLORIDA COUNTY
OF CHARLOTTE:**

Before the undersigned authority personally appeared Amber Douglas, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

10/03/25, 10/10/25

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature of Affiant)

Sworn and subscribed before me this 10th day of October, 2025

(Signature of Notary Public)



Personally known X OR Produced Identification

Notice is hereby given pursuant to the provision of section 177, Florida statutes, that Susan Abling, the property owner, intends to petition the city of North Port to vacate the entire drainage and utility easement located between Lots 15 and 16 Block 334 5th Addition to Port Charlotte Subdivision, a subdivision according to the Plat thereof, as recorded in Plat Book 11, Page 33, 33A thru 33R, of the Public Records of Sarasota County, Florida. All of the above lying and being in the city of North Port, Sarasota County, Florida.

Publish: 10/03/25, 10/10/25
395956 3971238

(i) The information on this page is not a title search and should not be used as one.

 [Return](#)

 Print Record

Notice of Ad Valorem Taxes and Non-ad Valorem Assessments

Account Number:

0988033415

Tax Year:

2025

Tax Type:

Real Estate

Property Address:

2682 Yamada Ln 005

Mailing Address:

Abling Susan

2682 Yamada Ln

North Port FL 34286-5001

Exemption Detail:

**HX 25000,H2 25722,WX
5000**

Millage Code:

0500

Escrow Code:

N/A

Legal Description:

LOTS 15 &16, BLK 334, 5TH ADD TO PORT CHARLOTTE, ORI 2001084350

Ad Valorem Taxes

Taxing Authority	Millage Rate	Assessed Value	Exemption Amount	Taxable Value	Taxes Levied
Sarasota Co. General Revenue	3.2273	\$119,581.00	\$55,722.00	\$63,859.00	\$206.09
Bonds-Debt Service	0.0667	\$119,581.00	\$55,722.00	\$63,859.00	\$4.26
Sarasota Co. Legacy Trl	0.0382	\$119,581.00	\$55,722.00	\$63,859.00	\$2.44
Mosquito Control	0.0520	\$119,581.00	\$55,722.00	\$63,859.00	\$3.32
Sarasota Co. Hospital Dist.	1.0420	\$119,581.00	\$55,722.00	\$63,859.00	\$66.54
SW FL Water Management Dist.	0.1831	\$119,581.00	\$55,722.00	\$63,859.00	\$11.69
West Coast Inland Navigation	0.0394	\$119,581.00	\$55,722.00	\$63,859.00	\$2.52
School Board - State	2.8470	\$119,581.00	\$30,000.00	\$89,581.00	\$255.04

School Board - Local	3.2480	\$119,581.00	\$30,000.00	\$89,581.00	\$290.96
City of North Port	3.7667	\$119,581.00	\$55,722.00	\$63,859.00	\$240.54
	Total Millage				Total Taxes
	14.5104				\$1,083.40

Non-Ad Valorem Assessments

Levying Authority	Amount
North Port Fire & Rescue	\$305.28
North Port Solid Waste	\$332.75
North Port Road & Drainage	\$291.09
North Port R&D Capital Improve	\$46.00
	Total Assessments
	\$975.12

Total Payable: **\$1,976.18**[ADD ALL YEARS TO CART](#)**2025**

DUE \$1,976.18

[ADD TO CART](#)

Status	Amount Due	Amount Due If Paid By Date	Paid
● Due	<input type="checkbox"/> \$1,976.18	<input type="checkbox"/> \$1,976.18	\$0.00

Mail Payments to: Sarasota County Tax Collector, PO BOX 30332 Tampa FL 33630-3332