

# Manasota Beach Road Extension, Plat No. 1

## PLF-23-158



### STAFF REPORT

**From:** Carl Bengé, AICP, Planner III

**Thru:** Hank Flores, AICP, CFM, Planning & Zoning Manager

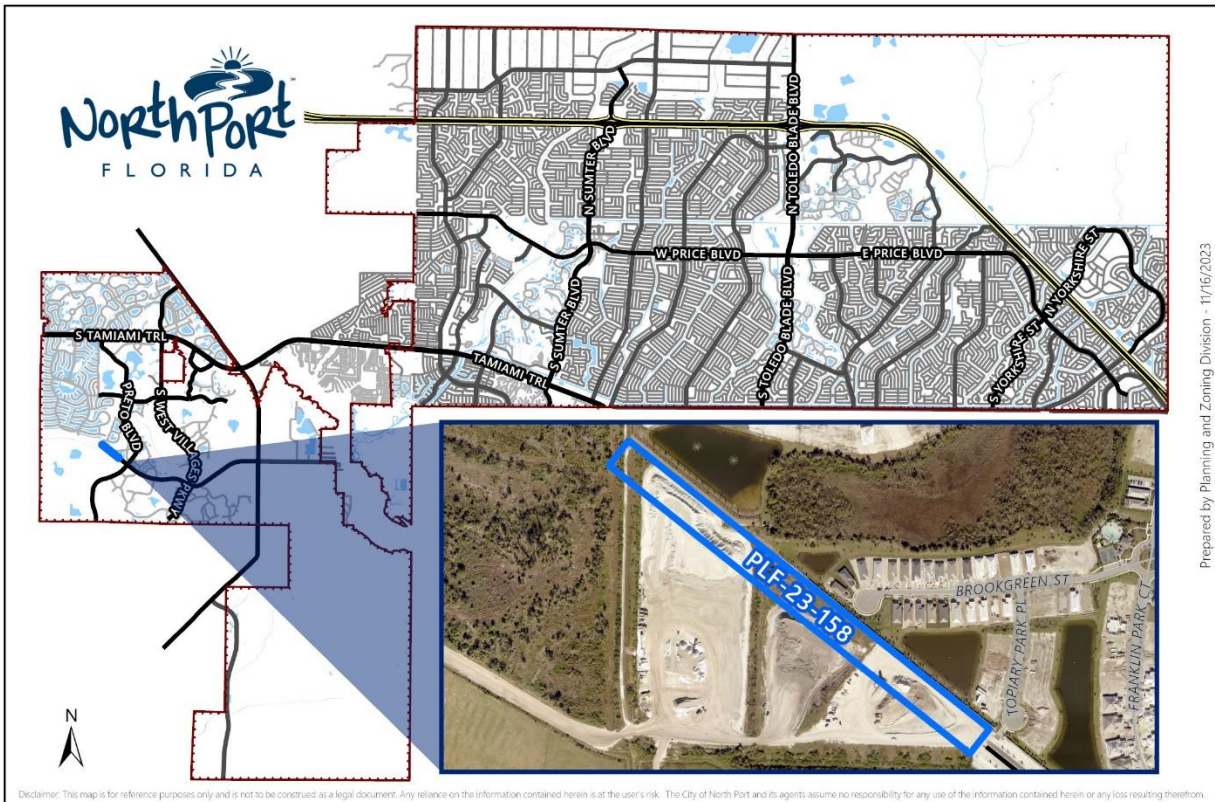
**Thru:** Lori Barnes, AICP, CPM, Development Services Assistant Director

**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 18, 2024



Prepared by Planning and Zoning Division - 11/16/2023

**PROJECT:** PLF-23-158, Manasota Beach Road Extension, Plat No. 1 (QUASI-JUDICIAL)

**REQUEST:** Consideration of the Manasota Beach Road Extension Final Plat, which extends the existing roadway approximately 1,900 linear feet (LF) to the northwest from the current intersection of Preto Road.

**APPLICANT:** John Luczynski, for Main Street Ranchlands, LLLP (**Exhibit A**)

**OWNER:** Manasota Beach Ranchlands, LLLP (**Exhibit B**)

**LOCATION:** Village F, west of Wysteria Subdivision, south of Village F-2

**PROPERTY SIZE:** ± 5.6699

**ZONING:** Village (V)

## I. BACKGROUND

On July 17, 2023, the Planning & Zoning Division received a Final Plat (PLF) petition from John Luczynski, on behalf of Manasota Beach Ranchlands LLLP, for a ±5.6699-acre plat. The Subdivision Concept Plan (SCP-23-035) was reviewed and approved on June 16, 2023, by City Staff. The Final Plat includes an ±1,900 linear foot extension of the roadway to the northwest from the current intersection with Preto Road.

Previously, there was a performance bond for this parcel totaling \$342,633.18 for the infrastructure improvements under INF-23-034.

## II. STAFF ANALYSIS & FINDINGS

### FLORIDA STATUTES

#### **Title XII MUNICIPALITIES, Chapter 177 LAND BOUNDARIES, Part I: PLATTING, Section 177.**

(1) Prior to approval by the appropriate governing body, the plat shall be reviewed for conformity to this chapter by a professional surveyor and mapper either employed by or under contract to the local governing body, the costs of which shall be borne by the legal entity offering the plat for recordation, and evidence of such review must be placed on such plat.

**Staff Findings:** The City's contracted professional surveyor reviewed and approved the plat.

**Conclusion:** PLF-23-158 meets the State's requirements for City review and approval of plats.

### COMPLIANCE WITH ULDC

#### **Chapter 37-Subdivision Regulations, Article II-Procedures for Securing Approvals, Section 37-8 Plat Submission Requirements.**

Conformity with approved subdivision plans. The plat shall incorporate all stipulations, easements, changes, and modifications required to make the approved subdivision plan and infrastructure plan conform to these regulations.

**Staff Findings:** The final plat was reviewed for conformance with the approved subdivision plan.

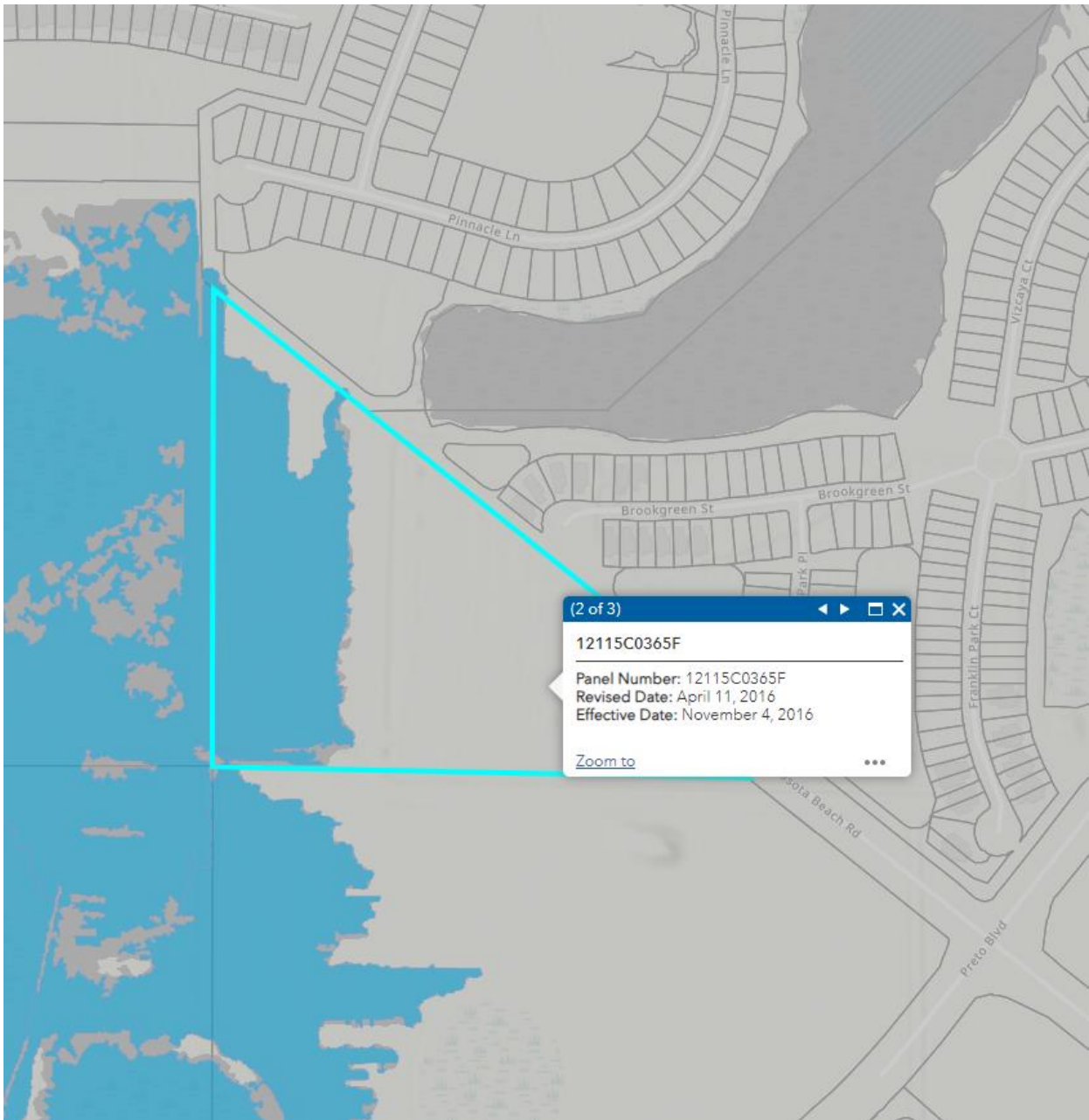
**Conclusion:** PLF-23-158 conforms with the approved Subdivision Concept Plan (SCP-23-035) and the ULDC.

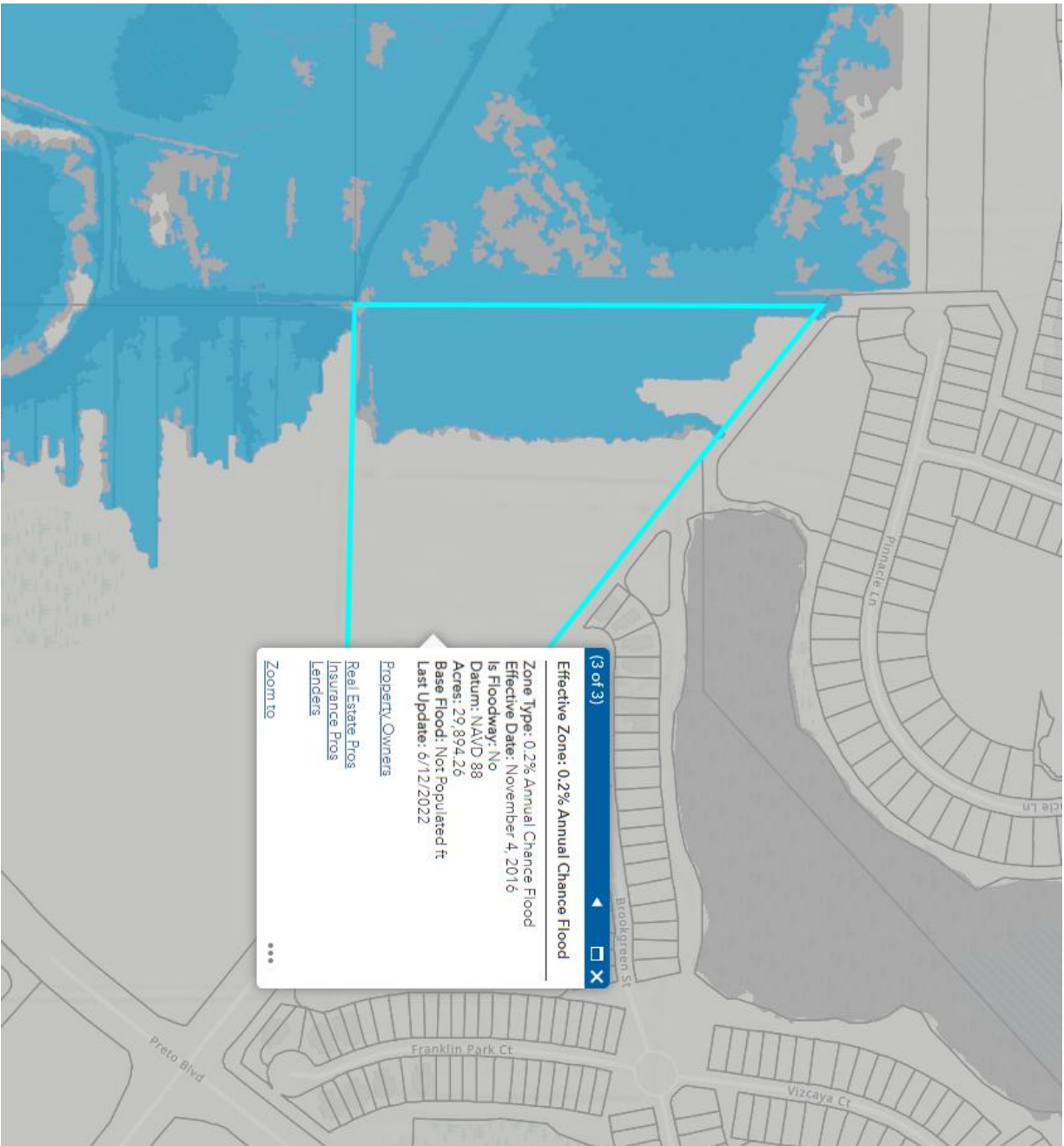
## II. STAFF ANALYSIS & FINDINGS (CONTINUED)

### ENVIRONMENTAL

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

The parcel has 0.2% Annual Chance Flood zoning. According to Flood Insurance Map No. 12115C0365F for Sarasota County, Community No. 120279, City of North Port, FL, effective November 4, 2016.





### III. RECOMMENDED MOTIONS

#### PLANNING & ZONING ADVISORY BOARD—

Staff recommends **approval** of Petition No. PLF-23-158, Manasota Beach Road Extension, Plat No. 1, as stated:

I move to recommend approval of the Manasota Beach Road Extension Plat, Petition No. PLF-23-158, and that the City Commission find that, based on the competent and substantial evidence, the plat is consistent with Florida Statutes Section 177, the Unified Land Development Code, and the North Port Comprehensive Plan.

#### CITY COMMISSION—

The City Commission **approve** Petition No. PLF-23-158, Manasota Beach Road Extension, Plat No. 1, as stated:

I move approve the Manasota Beach Road Extension Plat, Petition No. PLF-23-158, and find that, based on the competent and substantial evidence, the plat is consistent with Florida Statutes Section 177, the Unified Land Development Code, and the North Port Comprehensive Plan.

### IV. ALTERNATIVE MOTIONS

Petition PLF-23-158 could be DENIED. If that were the case, new findings would need to be written to support that recommendation. The motion would be as follows:

#### PLANNING & ZONING ADVISORY BOARD—

I move to recommend denial of the Manasota Beach Road Extension Plat, Petition No. PLF-23-158, and that the City Commission find that, based on the competent and substantial evidence, the Plat:

1. Is **NOT** consistent with Florida Statutes Section 177 because [*Provide Example*].
2. Is **NOT** consistent with the Unified Land Development Code because [*Provide Example*].
3. Is **NOT** consistent with the Nort Port Comprehensive Plan because [*Provide Example*].

#### CITY COMMISSION—

I move to deny the Manasota Beach Road Extension Plat, Petition No. PLF-23-158, and find that, based on the competent and substantial evidence, the Plat:

1. Is **NOT** consistent with Florida Statutes Section 177 because [*Provide Example*].
2. Is **NOT** consistent with the Unified Land Development Code because [*Provide Example*].
3. Is **NOT** consistent with the Nort Port Comprehensive Plan because [*Provide Example*].

## V. PUBLIC HEARING SCHEDULE

<b>Planning &amp; Zoning Advisory Board Public Hearing</b>	January 18, 2024 9:00 AM or as soon thereafter
<b>City Commission Public Hearing</b>	February 13, 2024 10:00 AM or as soon thereafter

## VI. EXHIBITS

<b>A.</b>	Affidavit
<b>B.</b>	Title Assurance
<b>C.</b>	Survey
<b>D.</b>	Proposed Plat

**AFFIDAVIT**

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

Sworn and subscribed before me this 26th day of May, 20 23

[Signature] John E. Luczynski, Senior Vice President  
Signature of Applicant or Authorized Agent Print Name and Title

STATE OF Florida COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 26th day of May, 20 23, by John E. Luczynski who is personally known to me or has produced

N/A as identification.

[Signature]  
Signature - Notary Public



**AFFIDAVIT  
AUTHORIZATION FOR AGENT/APPLICANT**

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

see legal description \_\_\_\_\_

John E. Luczynski [Signature] 5/26/23  
Owner Date

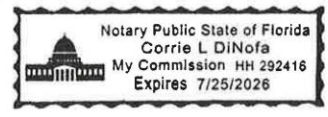
STATE OF Florida COUNTY OF Sarasota

The foregoing instrument was acknowledged by me this 26th day of May, 20 23, by John Luczynski who is personally known to me or has produced

N/A as identification.

[Signature]  
Signature - Notary Public

(Place Notary Seal Below)



**PLAT PROPERTY INFORMATION REPORT**

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

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

*Fund File Number:* 1410050

*Provided For:* Williams Parker Harrison Dietz & Getzen, PLLC     *Agent's File Reference:* Manasota Beach Road Extension, Plat No. 1

*Effective Date of Search:* May 30, 2023 at 11:00 PM

*Description of Real Property Situated in Sarasota County, Florida:*

See Exhibit A

*Record Title Vested in:*

MANASOTA BEACH RANCLANDS, LLLP, a Florida limited liability limited partnership, by virtue of merger with Thomas Ranch Land Partners North Port, LLLP, a Florida limited liability limited partnership, by Special Warranty Deed recorded in Instrument Number [2014062917](#), and Certificate of Merger recorded in Instrument Number [2015141232](#), Public Records of Sarasota County, Florida.

*Prepared Date:* June 7, 2023

*Attorneys' Title Fund Services, LLC*

*Prepared by:* Peggy Frook, Senior Examiner  
*Phone Number:* (800) 228-8137 x6604  
*Email Address:* PFrook@TheFund.com



## PLAT PROPERTY INFORMATION REPORT

*Fund File Number:* 1410050

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

1. Nothing Found

*Other encumbrances affecting the title:*

1. Declaration of Covenants, Conditions, Easements and Restrictions recorded in Instrument Number [2004216589](#), as amended in Instrument Numbers [2005257191](#) and [2007018906](#), Public Records of Sarasota County, Florida, limited to provisions creating easements in paragraphs 5.1 and 5.3.
2. Declaration of Covenants, Conditions, Easements and Restrictions recorded in Instrument Number [2005197548](#), as amended in Instrument Number [2008099652](#), Public Records of Sarasota County, Florida, limited to provisions creating easements in paragraph 3.3.
3. Notice of Establishment of West Villages Improvement District, Declaration of Consent to Jurisdiction, Agreement between West Villages Improvement District and Fourth Quarter Properties XXXII, LLC, and other instruments pertaining to said District recorded in Instrument Numbers [2004223490](#), [2006023618](#), [2007048565](#), [2007086623](#), [2007176566](#), [2008055051](#), [2017111575](#), [2017111576](#), [2017111577](#), [2017111578](#), [2017111579](#), [2017111580](#), [2017111581](#), [2017111582](#), [2017111583](#), [2017111584](#), [2017111585](#), [2017128391](#), [2018000839](#), [2018000840](#), [2018084717](#), [2018105750](#), [2018142894](#), [2018154491](#), [2018164671](#), [2019007882](#), [2019048577](#), [2019048579](#), [2019048581](#), [2019052599](#), [2021072090](#), [2021072092](#), [2021072093](#), [2021074039](#), [2022119302](#), [2022119304](#), [2022121327](#), [2022121328](#), [2022121329](#), [2022197410](#), [2022198036](#), [2022198138](#), [2022198195](#), [2023004892](#), [2023004893](#), [2023005067](#), of the Public Records of Sarasota County, Florida, which contain provisions creating assessments, which assessments would apply as to any owner of the land subsequent to the insured.
4. Restrictive Covenant recorded in Instrument Number [2018128694](#), Public Records of Sarasota County, Florida.
5. Irrigation Water Supply Agreement recorded in Instrument Number [2018159052](#), as amended by First Amendment to Irrigation Water Supply Agreement recorded in Instrument Number [2021205095](#), and Second Amendment to Irrigation Water Supply Agreement recorded in Instrument Number [2022123786](#), Public Records of Sarasota County, Florida.
6. 2019 Amended and Restated Utilities Agreement recorded in Instrument Number [2019125013](#), together with Assignment and Assumption of Equivalent Residential Connections recorded in Instrument Number [2020146285](#), Public Records of Sarasota County, Florida, which contain provisions creating easements, use restrictions, and charges in favor of the City of North Port.
7. NOTE: Recorded Notices of Environmental Resource Permit recorded in Instrument Number [2018107522](#), [2019126330](#), [2020031687](#), and [2022068841](#), Public Records of Sarasota County, Florida.
8. West Villages Developer Agreement (Post Annexation) recorded in Instrument Number [2020042302](#), Public Records of Sarasota County, Florida, together with Joinder and Consent to the West Villages Developer Agreement (Post Annexation) and to Dedications, Reservations, Covenants, Restrictions and Obligations to Convey recorded in Instrument Number [2020042589](#), and Memorandum of Agreement for West Villages Developer Agreement (Post Annexation) and Joinder and Consent recorded in Instrument Number [2020042654](#) which contains provisions for dedications, reservations, covenants, restrictions and obligations to convey and grant easements.
9. Any liens created or levied pursuant to the West Villages Improvement District.

## PLAT PROPERTY INFORMATION REPORT

*Fund File Number:* 1410050

10. Rights of the lessees under unrecorded leases.

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

*The information contained herein is furnished for information only.*

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

## PLAT PROPERTY INFORMATION REPORT

### Exhibit A

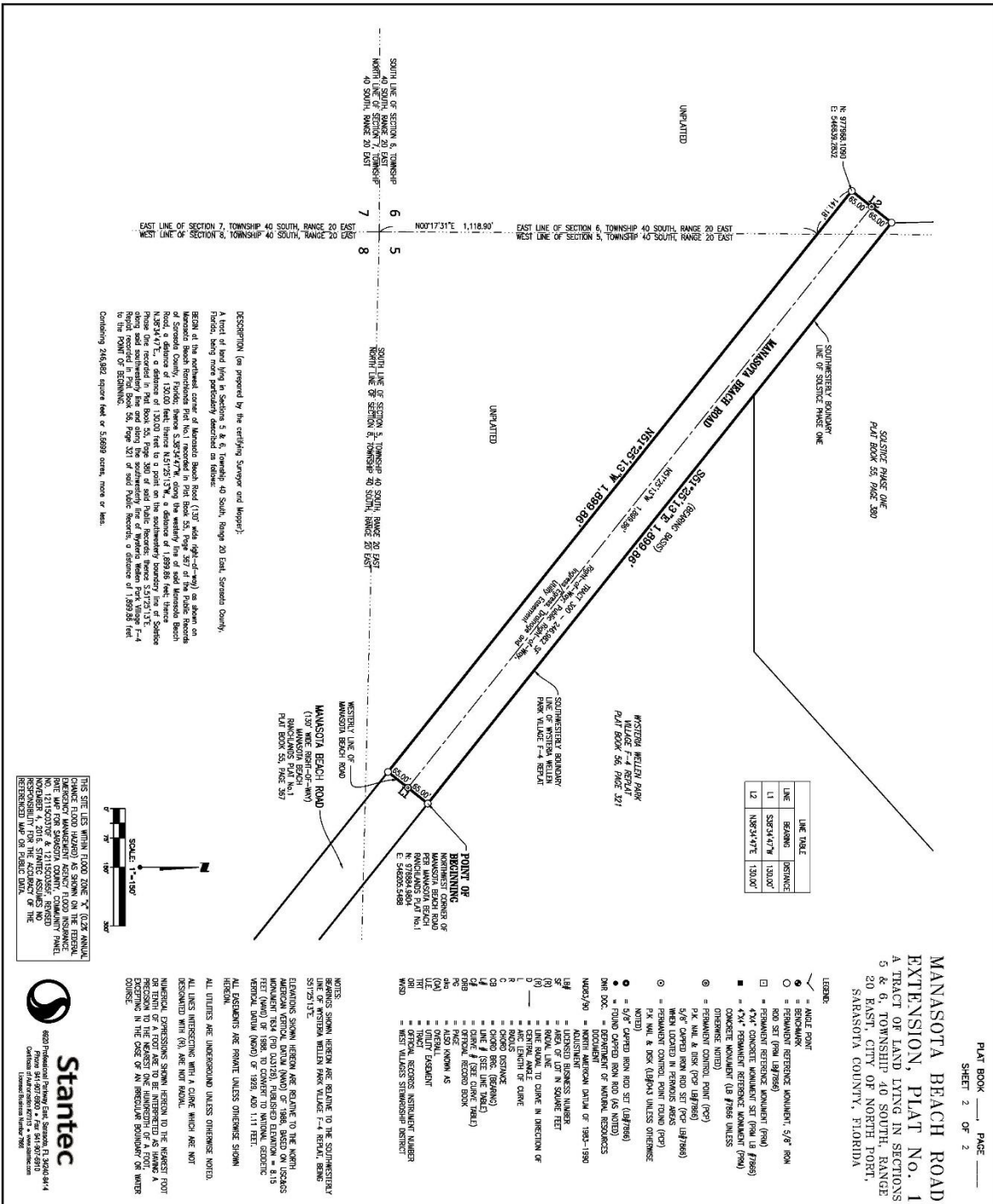
**Fund File Number:** 1410050

A tract of land lying in Sections 5 & 6, Township 40 South, Range 20 East, Sarasota County, Florida, being more particularly described as follows:

BEGIN at the northwest corner of Manasota Beach Road (130' wide right-of-way) as shown on Manasota Beach Ranchlands Plat No.1 recorded in Plat Book [55, Page 367](#) of the Public Records of Sarasota County, Florida; thence S.38°34'47"W. along the westerly line of said Manasota Beach Road, a distance of 130.00 feet; thence N.51°25'13"W., a distance of 1,899.86 feet; thence N.38°34'47"E., a distance of 130.00 feet to a point on the southwesterly boundary line of Solstice Phase One recorded in Plat Book [55, Page 380](#) of said Public Records; thence S.51°25'13"E. along said southwesterly line and along the southwesterly line of Wysteria Wellen Park Village F-4 Replat recorded in Plat Book [56, Page 321](#) of said Public Records, a distance of 1,899.86 feet to the POINT OF BEGINNING.







**MANASOTA BEACH ROAD  
EXTENSION, PLAT NO. 1**  
A TRACT OF LAND LYING IN SECTIONS  
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LINE	BEARING	DISTANCE
L1	S89°24'47.7\"	120.00'
L2	N89°24'47.7\"	120.00'

**DESCRIPTION** (as prepared by the certifying Surveyor and Mapmaker):  
A tract of land lying in Sections 5 & 6, Township 40 South, Range 20 East, Sarasota County, Florida, being more particularly described as follows:  
BEGIN at the northeast corner of Manasota Beach Road (120' wide right-of-way) as shown on Manasota Beach Road Extension Plat No. 1 recorded in Plat Book 55, Page 387 of the Public Records of Sarasota County, Florida, and proceed South 89 degrees 24 minutes 47.7 seconds West, a distance of 120.00 feet, thence South 89 degrees 24 minutes 47.7 seconds West, a distance of 120.00 feet, thence North 89 degrees 24 minutes 47.7 seconds East, a distance of 120.00 feet, to a point on the southerly boundary line of Section 5, Township 40 South, Range 20 East, Sarasota County, Florida, and proceed South 89 degrees 24 minutes 47.7 seconds West, a distance of 120.00 feet, to the POINT OF BEGINNING.

THIS SITE LIES WITHIN FLOOD ZONE "X" (2% ANNUAL CHANCE FLOOD HAZARD) AS SHOWN ON THE FEDERAL FLOOD INSURANCE RATE MAP FOR SARASOTA COUNTY, FLORIDA, MAP NO. 12150C0017E & 12150C0018E, REVISED 08/2013. THE FLOOD HAZARD INFORMATION IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE OF THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.

