



Vacation of the North Port Gateway West Easements with Resolution No. 2024-R-39

Petition No. VAC-24-045

Presented by: The Planning & Zoning Division

Overview

Applicant: Todd Mathes, Benderson Development Inc.

Property owner: 5900 SBNP, LLC.

Request: Vacate the (20) twenty-foot Public Utility easement and (20) twenty-foot Public Drainage easement located on lots 1 and 2 in order to facilitate a replat

Location: S. Sumter Blvd., to the East of Holiday Park (P.I.D 1002-09-0010 and 1002-09-0020)

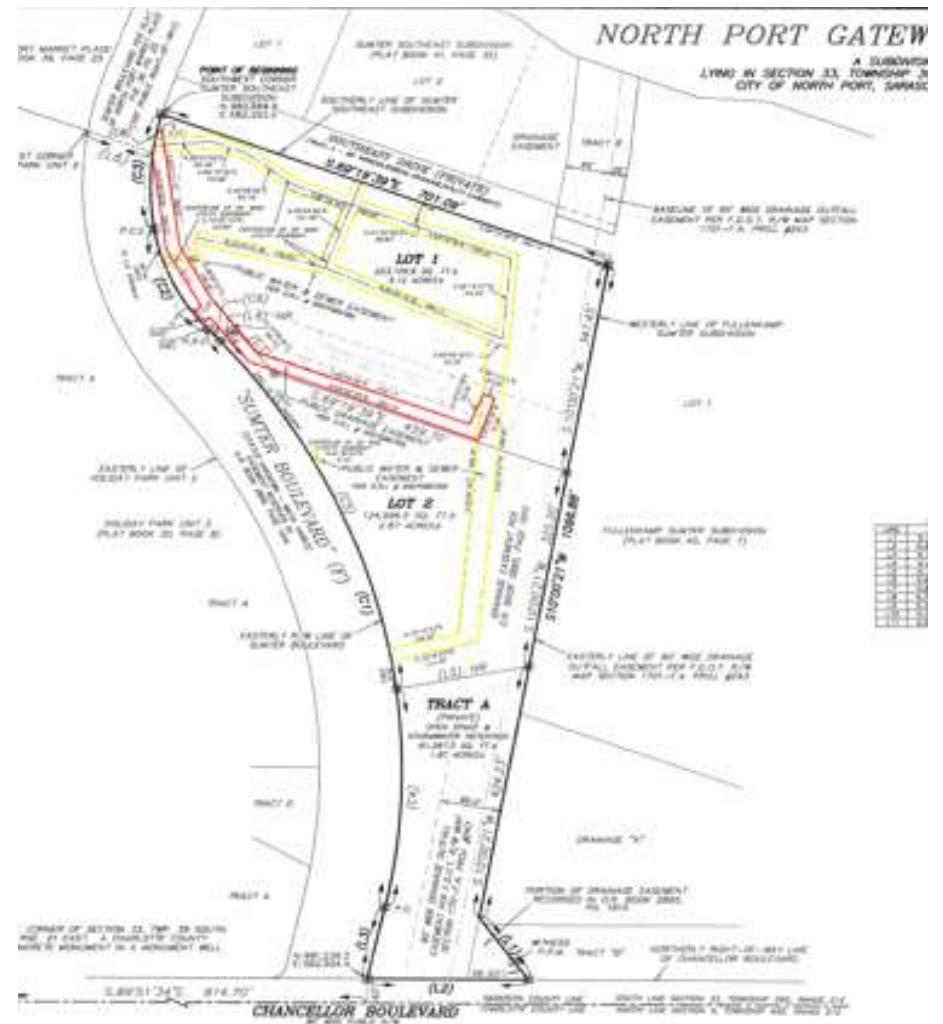
Background

Requesting to vacate the 20-foot Public Utility easement and the 20-foot Public Drainage easement that were established under Instruments #2007080766 and #2007080765 that are located within Lots 1 and 2.

The easements were recorded via recorded Instrument and not through the platting process, therefore they must be vacated in order to facilitate a replat. This petition was submitted concurrently with a replat petition (PLF-24-044) which will establish new easements.

Property size: 7.99 Acres

On December 5th, 2024 the Planning and Zoning Advisory Board voted unanimously to support the approval of this petition.



Review Process

The following agencies have reviewed the request to vacate the portion of the 20-foot Public Utility easement and 20-foot Public Drainage easement and, through written response, have granted their approval. No issues or concerns were raised regarding the request

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 Stormwater	Approved with Conditions ¹
North Port Utilities	Approved
If no response is received within 10 days it is assumed that there is no issue with the vacation of easements.	

1. On the replat, assign new Drainage Easements to the below various entities with specific language on who is the Operation and Maintenance entity of the flow conveyance through the Benderson property

- Near the north end, need drainage easement for discharge from City's North Pond.
- Need drainage easement for the discharge from the Commercial strip stormwater system on the west side for Sumter Blvd and south side of US41. Please note the drainage easement may need to be assigned to all property owners in the Commercial strip as the property owner association is not active.
- At the south end near Chancellor, need to retain the 45ft Drainage easement for City South Pond discharge.
- At the south end near Chancellor Discharge, need Drainage easement for the large 60" diameter outfall pipe from Holiday Park

Compliance with Florida Statutes and ULDC Chapter 53 Zoning Regulations

The vacation of easement was reviewed and approved by staff for conformance with the Florida Statutes Chapter 177.

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Compliance with Florida Statutes and ULDC Chapter 53 Zoning Regulations

- The vacation of easement was reviewed and approved by staff for conformance with the Florida Statutes Chapter 177.
- The vacation of easement was reviewed and approved by staff for conformance with ULDC Chapter 53 Zoning Regulations.
- The vacation of easement was reviewed and approved by the City Stormwater Engineer.



Staff Recommendations

- The Planning & Zoning Division recommends approval of Petition No. VAC-24-045 via Resolution No. 2024-R-39





Thank you!