



## STAFF REPORT

### **Vacation of Easement**

(Petition No. VAC-25-02768)

Resolution No. 2026-R-15

**From:** Adriana Silva, Planner II

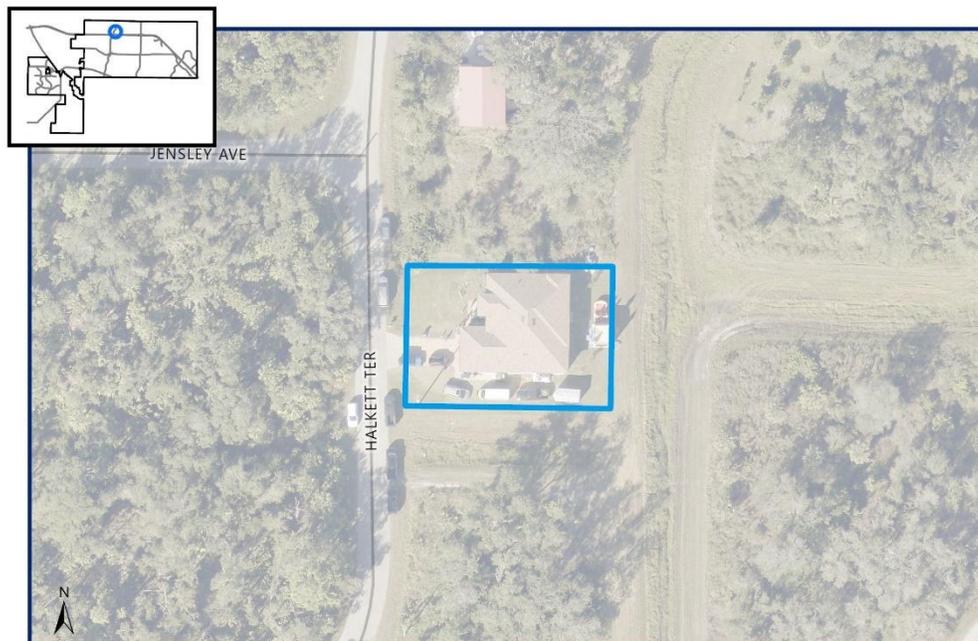
**Thru:** Lori Barnes, AICP, CPM, Development Services Deputy Director

**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:** March 10, 2026



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 agencies assume no responsibility for any error or omission contained herein or any loss resulting therefrom.

<b>PROJECT:</b>	PVAC-25-02768, Vacation of Easement
<b>REQUEST:</b>	Vacate a 10-foot portion ( $\pm 650$ square feet) of the existing 20-foot platted rear maintenance easement located on Lot 1, Block 1538 of the 31st Addition to the Port Charlotte Subdivision.
<b>APPLICANT:</b>	Vladislav Zalov ( <b>Exhibit A – Warranty Deed</b> )
<b>OWNERS:</b>	Vladislav Zalov ( <b>Exhibit A – Warranty Deed</b> )
<b>LOCATION:</b>	0955153801
<b>PROPERTY SIZE:</b>	$\pm 0.24$ acres
<b>ZONING:</b>	Activity Center 3 (AC-3)

# I. BACKGROUND

On June 24, 2025, the Planning & Zoning Division received an application petitioning the City of North Port to vacate a 10-foot ( $\pm 650$  square feet) portion of the existing 20-foot rear maintenance easement located on Lot 1, Block 1538 of the 31st Addition to the Port Charlotte Subdivision. The purpose of this vacation request is to allow the property owner to construct a pool behind the existing single-family residence. The subject property is zoned Activity Center 3 (AC-3) with a Future Land Use designation of Activity Center 3 (AC-3).

# II. PROJECT SUMMARY

Vladislav Zalov is requesting to vacate a 10-foot ( $\pm 650$  square feet) portion of the platted rear 20-foot maintenance easement; to allow for the construction of a pool. The existing easement restricts the pool location as the current available space. The proposed pool shall meet all required setbacks and requirements set forth in the ULDC, to be assessed during the Certificate of Zoning Compliance, required prior to application for a building permit.

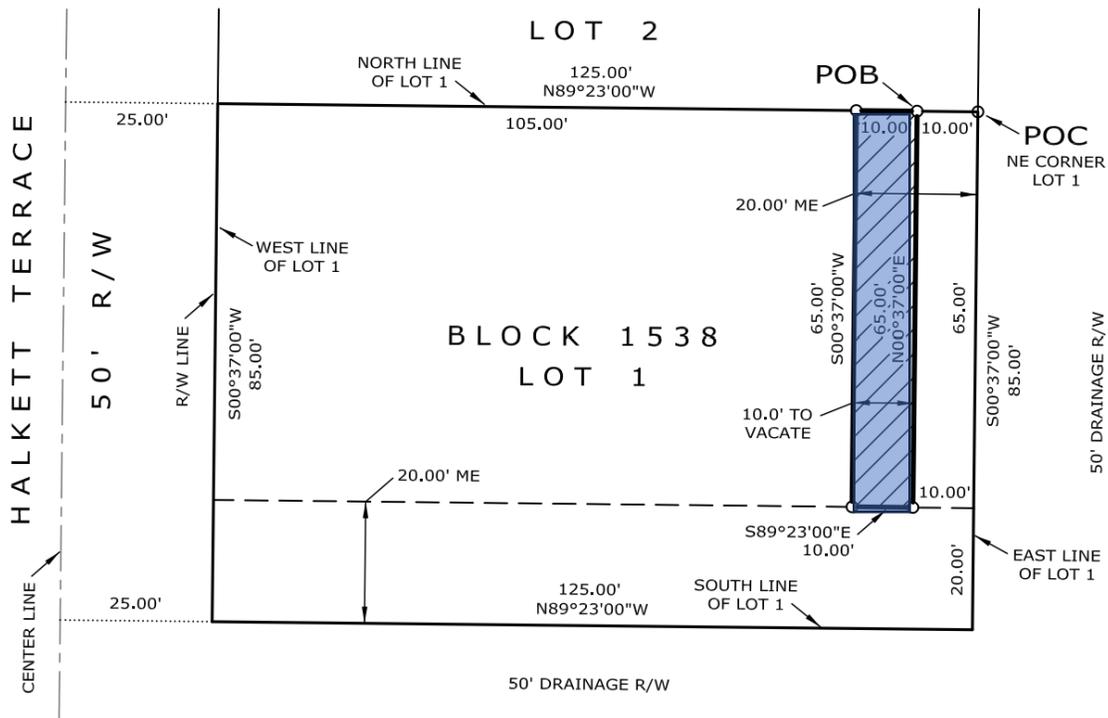


Figure 1. Area of easement to be vacated.

### III. REVIEW PROCESS

The following agencies have reviewed the request to vacate a 10-foot (±650 square feet) portion of the platted rear 20-foot maintenance easement as per ULDC Section 2.2.17.C and, through written response, have granted their approval (**Exhibit B- Notification to Utility agencies and responses**).

<b>Utility Review Summary</b>	
<b>Agency</b>	<b>Response</b>
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
<b>If a Utility Agency does not respond within 10 days of notification the vacation of easement request is deemed uncontested.</b>	

#### Conclusion

Based on the responses received, the request to vacate a 10-foot (±650 square feet) portion of the platted rear 20-foot maintenance easement 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.

The City Attorney has reviewed the accompanying Resolution 2026-R-15 as to form and correctness.

## 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 owner filed a notice of intent to petition the City of North Port to vacate the rear maintenance easements by publishing a legal notice in the Charlotte Sun newspaper for two consecutive weeks. (**Exhibit D - Notice of Intent**). Additionally, the applicant provided the City of North Port Planning and Zoning Division, an application to request a vacation of the platted rear maintenance easement, 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 warranty 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-25-02768 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-25-02768 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 weekly issues. Additionally, the applicant provided to the City of North Port Planning and Zoning Division, an application to request a vacation of the platted rear maintenance easement, a Publisher's Affidavit, certification that taxes have been paid, and all requisite documents.

Upon staff review of the Petition and the responses from utility providers (detailed in Section III above), staff finds that this vacation of easement meets the Decision Criteria per Section 2.2.17.B. of the ULDC as the vacation does not:

- (1). Involve land that Is currently occupied by public facilities;
- (2). Necessitate additional easements for future public facilities;
- (3). Impair or eliminates access to any lot of record;
- (4). Adversely impact the existing road network or substantially alters travel patterns;

**Staff conclude that the proposed Petition PVAC-25-02768 is consistent with Chapter 2 of the ULDC.**

## V. RECOMMENDED ACTION

### CITY COMMISSION

#### Recommended Action

Option 1: Approve Resolution No. 2026-R-15 as presented.

#### City Commission Options

Option 1: Approve Resolution No. 2026-R-15 as presented.

- Pros: The vacation of easement allows the property owner sufficient space to construct a pool behind the existing single-family residence.
- Cons: The comprehensive staff analysis concluded that there are no identifiable drawbacks to the approval of Resolution No. 2026-R-15.

Option 2: Deny Resolution No. 2026-R-15.

- Pros: The comprehensive staff analysis concluded that there are no identifiable benefits to the denial of Resolution No. 2026-R-15.
- Cons: The property owner will be unable to construct a pool on their property as the existing easement restricts the current available space.

## VI. EXHIBITS

<b>A.</b>	Warranty Deed and Affidavit
<b>B.</b>	Notification to Utility Agencies and Responses
<b>C.</b>	Notice of intent
<b>D.</b>	Certification that all applicable taxes have been paid

## VII. PUBLIC HEARING SCHEDULE

<b>City Commission Public Hearing</b>	<b>March 10, 2026 10:00 AM</b> or as soon thereafter
---	--

**RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2023173353 3 PG(S)**

11/17/2023 3:39 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT

SARASOTA COUNTY, FLORIDA

SIMPLIFILE

Receipt # 3110676

Doc Stamp-Mort: \$1,155.00

Intang. Tax: \$660.00

**Prepared by and return to:**

**David G. Bowman, Jr.**

**Attorney at Law**

**Bowman George Scheb Kimbrough, Koach & Chapman, P.A.**

**2750 Ringling Blvd. Suite 3**

**Sarasota, FL 34237**

**941-366-5510**

**File Number: 7377.003**

[Space Above This Line For Recording Data]

**THIS IS A BALLOON MORTGAGE AND THE FINAL PRINCIPAL PAYMENT OR THE PRINCIPAL BALANCE DUE UPON MATURITY IS \$269,219.85, TOGETHER WITH ACCRUED INTEREST, IF ANY, AND ALL ADVANCEMENTS MADE BY THE MORTGAGEE UNDER THE TERMS OF THIS MORTGAGE.**

## MORTGAGE

**This Indenture, Made as of this November 9, 2023 by and between Vladislav Zalov and Kaitlyn Taylor Zalov, husband and wife whose address is 5283 Balmor Terrace, North Port, FL 34288, (hereinafter called the "Mortgagor"), and Timothy L. Howard and Robin C. Howard Revocable Living Trust u/a/d January 24, 2013 whose address is 1244 Eagle Flight Way, North Port, FL 34287, (hereinafter called the "Mortgagee"):**

The terms "Mortgagor" and "Mortgagee", shall include heirs, personal representatives, successors, legal representatives and assigns, and shall denote the singular and/or the plural, and the masculine and/or the feminine and natural and/or artificial persons, whenever and wherever the context so admits or requires.

**Witnesseth, that the said Mortgagor, for and in consideration of the aggregate sum named in the promissory note, a copy of which is attached hereto the receipt of which is hereby acknowledged, does grant, bargain and sell to the said Mortgagee, his successors and assigns, in fee simple, the following described land, situate, lying and being in Sarasota County, Florida:**

**Lot 1, Block 1538, Thirty-First Addition to Port Charlotte Subdivision, according to the map or plat thereof as recorded in Plat Book 15, Page(s) 15, 15A to 15F, Public Records of Sarasota County, Florida.**

And the said Mortgagor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

**Provided always, that if said Mortgagor, his successors or assigns, shall pay unto the said Mortgagee, his successors or assigns, those certain promissory notes in the original principal amounts of \$280,000.00 and \$50,000.00 and Mortgagor shall perform, comply with and abide by each and every stipulation, agreement, condition and covenant of said promissory notes and of this mortgage, and shall duly pay all taxes, all insurance premiums reasonably required, all costs and expenses including reasonable attorneys fees that Mortgagee may incur in collecting money secured by this mortgage, and also in enforcing this mortgage by suit or otherwise, then this mortgage and the estate hereby created shall cease and be null and void.**

Mortgagor hereby covenants and agrees:

1. To pay the principal and interest and other sums of money payable by virtue of said promissory notes and this mortgage, or either, promptly on the days respectively the same severally come due.
2. To keep the buildings now or hereafter on the land insured for fire and extended coverage in a sum at least equal to the amount owed on the above described promissory notes, and name the Mortgagee as loss payees, and to furnish Mortgagee with a copy of all current policies. If Mortgagor does not provide Mortgagee with copies of the policies showing Mortgagee as loss payees after 14 days written demand by Mortgagee, then Mortgagee may purchase such insurance and shall add any payments made for such policy to the principal balance owed on the mortgage, and such

payments shall accrue interest at the maximum rate of interest allowed by law. In the event any sum of money becomes payable under such policy, Mortgagee, his legal representatives or assigns, shall have the option to receive and apply the same on account of the indebtedness hereby secured or to permit Mortgagor to receive and use it or any part thereof for repair or replacement, without hereby waiving or impairing any equity, lien or right under or by virtue of this mortgage. In the event of loss Mortgagor shall give immediate notice to Mortgagee.

- 3. To permit, commit or suffer no waste, impairment or deterioration of the property, or any part thereof.
- 4. To permit no other lien or mortgage to be placed ahead of this mortgage.
- 5. Mortgagor shall provide proof of payment of annual real estate taxes by March 15, for the preceding years taxes. In the event that Mortgagor does not pay the taxes by such date, the Mortgagee may pay the taxes and the full amount of such payment by Mortgagee shall be added to the principal balance owed on the mortgage, and shall accrue interest at the maximum rate allowed by law.
- 6. The Mortgagee may, at any time pending a suit upon this mortgage, apply to the court having jurisdiction thereof for the appointment of a receiver, and such court shall forthwith appoint a receiver, and such receiver shall have all the broad and effective functions and powers in anywise entrusted by a court to a receiver, and such appointment shall be made by such court as an admitted equity and a matter of absolute right to said Mortgagee. The rents, profits, income, issues, and revenues shall be applied by such receiver according to the lien of this mortgage.
- 7. If any of the sums of money due and owing to Mortgagee under the terms of the promissory notes and this mortgage, including but not limited to any advance made by Mortgagee for the payment of insurance or taxes, are not paid within 15 days after the same become due and payable, or if each of the stipulations, agreements, conditions and covenants of the promissory notes and this mortgage, or either, are not fully performed or complied with the aggregate sum owed on the promissory notes shall become due and payable forthwith or thereafter at the option of Mortgagee, his successors, legal representatives, or assigns.

This mortgage and the note hereby secured shall be construed and enforced according to the laws of the State of Florida.

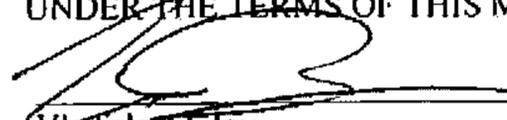
The principal sum secured hereby, along with any interest to be paid in accordance with the terms of the note secured hereby, shall immediately become due and payable without notice, if a transfer of title to the premises by sale or otherwise is made without the Mortgagee's written consent, while this mortgage remains a lien thereon, at the option of Mortgagee, his successors, legal representatives, or assigns.

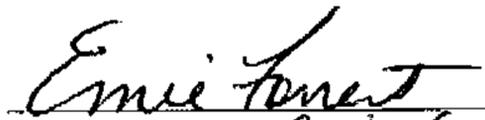
Executed at Sarasota County, Florida on the date written above.

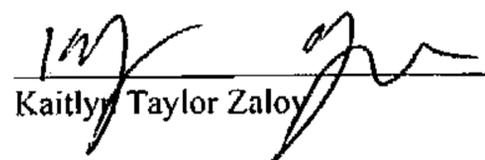
Signed, sealed and delivered in the presence of:

THIS IS A BALLOON MORTGAGE AND THE FINAL PRINCIPAL PAYMENT OR THE PRINCIPAL BALANCE DUE UPON MATURITY IS \$269,219.85, TOGETHER WITH ACCRUED INTEREST, IF ANY, AND ALL ADVANCEMENTS MADE BY THE MORTGAGEE UNDER THE TERMS OF THIS MORTGAGE.

  
 Witness Name: David C. Beaman, Jr.

 (Seal)  
 Vladislav Zalov

  
 Witness Name: Ernie Forrest

 (Seal)  
 Kaitlyn Taylor Zalov

State of Florida

County of Sarasota

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 17th day of November, 2023 by Vladislav Zalov and Kaitlyn Taylor Zalov, husband and wife, who  are personally known or  have produced a driver's license as identification.

  
Notary Public

[Notary Seal]



Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



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: 12/12/2025

PETITION NO: PVAC-25-02768

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 1, Block 1538, of the THIRTY - FIRST to the Port Charlotte Subdivision, according to Plat thereof recorded in Plat Book 15, Page 15, 15A TO 15F, of the Public Records of Sarasota County, Florida, also known as street address: 5270 HALKETT TER, 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 12/22/2025 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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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: 9/11/2025

PETITION NO: PVAC-25-02768

TO:

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

North Port Utilities
Comcast Cable/Truenet Communications Mike Little,
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[X] Is Granted [ ] Is not Granted [ ] Is Granted with Conditions

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Please respond by 9/21/2025 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.

Christopher Plank Digitally signed by Christopher Plank
Date: 2025.09.12 14:54:04 -04'00'

Signature

574-808-8943

Phone No.

9-12-25

Date

Comcast

Name of Utility

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

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Please respond by 9/21/2025 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: 2025.09.11 16:19:50 -04'00'
Signature
941-423-4847
Phone No.

09/11/2025
Date
FPL
Name of Utility

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Stephen A Waidley

Digitally signed by Stephen A Waidley
DN: C=US, E=stephen.waidley@fr.com, O=Frontier Florida LLC
OU=Network Engineering, CN=Stephen A Waidley
Reason: I am approving this document
Date: 2025.09.12 09:07:42-0400'

Signature

(941) 266-9218

Phone No.

9/12/2025

Date

Frontier Florida LLC

Name of Utility

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

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Peter J. Marietti III, Fire Marshal
Digitally signed by Peter J. Marietti III, Fire Marshal
Date: 2025.09.15 10:42:19 -04'00'
Signature
941.240.8180
Phone No.

9-15-2025
Date
North Port Fire Rescue
Name of Utility

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

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TO:

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

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

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Michael Vork
Digitally signed by Michael Vork
Date: 2026.02.17 12:43:07 -05'00'
Signature
941-240-8069
Phone No.

2/17/2026
Date
PW ENG.
Name of Utility

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

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[X] 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 9/21/2025 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 [Handwritten Signature]
Phone No. 240 8021

Date 09-15-25
Name of Utility NP UTILITIES

Please e-mail responses to ASILVA@NORTHPORTEFL.GOV

NOTICE: The information contained in this document may be confidential and/or legally privileged information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any copying, dissemination or distribution of confidential or privileged information is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone.

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

**Sun Newspapers**  
**Legal Advertising**  
**23170 Harborview Rd**  
**Port Charlotte, FL 33980**

**01/06/26**

Phone: (941) 206-1025 Email: [legals@yoursun.com](mailto:legals@yoursun.com)

Notice to intent City of North Port, Sarasota County Florida To whom it may concern: Notice is hereby given pursuant to the provision of Chapter 177, Florida Statutes, that Ronald L. Cross and Christine A. Cross, the property owners, intend to petition the City of North Port to vacate 10-foot utility and drainage easements from back end of the property located on Lot 1 Block 1538 31ST Addition to the Port Charlotte Subdivision, according to the plat thereof as recorded on plat book 12, pages 20, 20A, through 20BB, of the public records of Sarasota County, Florida.  
 Publish: 01/08/26, 01/15/26  
 395956 3979770

Acct#: <b>395956</b>	Date: <b>01/08/26</b>
	Ad Date: <b>01/08/26</b>
	Class: <b>3138</b>
	Ad ID: <b>3979770</b>
<b>NOTICE OF ACTION/PUBLIC NOTICES</b>	Ad Taker: <b>MPRESCOTT</b>
<b>4615 SW HIGHWAY 17</b>	Sales Person: <b>200</b>
<b>LAKELAND, FL 33803</b>	Words: <b>102</b>
	Lines: <b>21</b>
Telephone: <b>(941) 206-1028</b>	Agate Lines: <b>25</b>
	Depth: <b>2.583</b>
	Inserts: <b>2</b>
	Description: <b>Vacation of</b>

Other Charges:	\$0.00	Gross:	\$60.06
Discount:	\$0.00	Paid Amount:	- \$0.00
Surcharge:	\$0.00	Amount Due:	\$60.06
Credits:	\$0.00		
Bill Depth:	2.583		

Publication	Start	Stop	Inserts	Cost
Charlotte Sun (CS)	01/08/26	01/15/26	2	\$60.06

Paid 1/6/26 (LR)

Ad Note:

Customer Note:

*We Appreciate Your Business!*  
*Thank You !*

**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:  
**0955153801**  
Tax Year:  
**2025**

Tax Type:  
**Real Estate**  
Property Address:  
**5270 Halkett Ter 005**

Mailing Address:  
**Zalov Vladislav**  
**Zalov Kaitlyn Taylor**  
**5270 Halkett Ter North Port Fl**  
**34286-6486**

Exemption Detail:  
**HX 25000,H2 25722**

Millage Code:  
**0500**

Escrow Code:  
**N/A**

Legal Description:  
**LOT 1 BLK 1538 31ST ADD TO PORT CHARLOTTE**

### Ad Valorem Taxes

Taxing Authority	Millage Rate	Assessed Value	Exemption Amount	Taxable Value	Taxes Levied
Sarasota Co. General Revenue	3.2273	\$390,400.00	\$50,722.00	\$339,678.00	\$1,096.24
Bonds-Debt Service	0.0667	\$390,400.00	\$50,722.00	\$339,678.00	\$22.66
Sarasota Co. Legacy Trl	0.0382	\$390,400.00	\$50,722.00	\$339,678.00	\$12.98
Mosquito Control	0.0520	\$390,400.00	\$50,722.00	\$339,678.00	\$17.66
Sarasota Co. Hospital Dist.	1.0420	\$390,400.00	\$50,722.00	\$339,678.00	\$353.94
SW FL Water Management Dist.	0.1831	\$390,400.00	\$50,722.00	\$339,678.00	\$62.20
West Coast Inland Navigation	0.0394	\$390,400.00	\$50,722.00	\$339,678.00	\$13.38
School Board - State	2.8470	\$390,400.00	\$25,000.00	\$365,400.00	\$1,040.29
School Board - Local	3.2480	\$390,400.00	\$25,000.00	\$365,400.00	\$1,186.82
City of North Port	3.7667	\$390,400.00	\$50,722.00	\$339,678.00	\$1,279.47
	<b>Total Millage</b>				<b>Total Taxes</b>
	14.5104				\$5,085.64

### Non-Ad Valorem Assessments

Levying Authority	Amount
North Port Fire & Rescue	\$414.53
North Port Solid Waste	\$332.75
North Port Road & Drainage	\$291.09
North Port R&D Capital Improve	\$46.00
	<b>Total Assessments</b>
	\$1,084.37

Total Payable: **\$0.00**

<b>2025</b>			
PAID			
Status	Amount Due	Amount Due If Paid By Date	Paid
● Paid	+ \$5,984.91	+ \$0.00	\$5,984.91

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

Payment Details

Year	Date Paid	Receipt Number	Paid
2025	12/15/25	5559950.0001	\$5,984.91