



City of North Port

ORDINANCE NO. 2024-02

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, ANNEXING ± 2.491 ACRES OF REAL PROPERTY LOCATED ON THE NORTHWEST CORNER OF NORTH RIVER ROAD AND SOUTH TAMIAMI TRAIL IN THE UNINCORPORATED AREA OF SARASOTA COUNTY, FLORIDA AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF NORTH PORT, FLORIDA; REDEFINING THE BOUNDARY LINES OF THE CITY OF NORTH PORT TO INCLUDE THE PROPERTY; PROVIDING FOR FINDINGS; PROVIDING FOR ANNEXATION; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR ASSESSMENT AND TAXATION; PROVIDING FOR FILING OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 26, 2023, Martin Black of SRI GMR Properties, LLC, in its capacity as agent of US 41 & Tamiami TR, LLC (“Petitioner”), submitted Petition No. ANX-23-129 for the voluntary annexation of certain real property into the corporate limits of the City of North Port, Florida (the “Petition”). The Petition is attached as “Exhibit A” and bears the signature of the property owner; and

WHEREAS, the Petition relates to ± 2.491 acres of real property, identified in the legal description and boundary survey attached as “Exhibit B” (the “Property”); and

WHEREAS, the location of the Property is identified on the map attached as “Exhibit C”; and

WHEREAS, in compliance with Section 53-22.E(1) of the Unified Land Development Code (“ULDC”), the City has prepared a fiscal impact analysis, attached as “Exhibit D”; and

WHEREAS, the Planning and Zoning Advisory Board, designated as the local planning agency, held a properly noticed public hearing on February 15, 2024, to receive public comment on the subject matter of this ordinance and to make its recommendation to the City Commission; and

WHEREAS, the City Commission of the City of North Port held properly noticed public hearings at the first and second reading of this ordinance to review the recommendations of the Planning and Zoning Advisory Board and the administrative report, and to receive public comment on the subject matter of this ordinance; and

WHEREAS, the City Commission determined that its action serves the public health, safety, and welfare of the citizens of the City of North Port, Florida.

**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 In accordance with Florida Statutes Section 166.041(4)(a), the City timely posted a business impact estimate on the City’s website on or before the date the newspaper published notice of this ordinance’s final reading.
- 1.03 The City Commission makes the following additional findings:
 - a. The Property is wholly located in an unincorporated area of Sarasota County, is contiguous to the boundaries of the City of North Port, and is reasonably compact.
 - b. Annexing the Property will not result in the creation of enclaves.
 - c. The City is equipped to extend urban services to the Property on the date of annexation on substantially the same basis and in the same manner as those services provided within the municipality prior to annexation.
 - d. The City is equipped to supply municipal water and sewer services to the Property so that, when services are provided, property owners can secure public water and sewer service according to the City’s policies for extending water and sewer lines to individual lots or subdivisions.
 - e. The Petition and the Property meet all requirements of Florida Statutes Chapter 171 pertaining to voluntary annexations.
 - f. The Petition and the Property meet all requirements of ULDC Section 53-22 pertaining to annexations.
 - g. All procedural and notice requirements mandated by state law; the Code of the City of North Port, Florida; and the ULDC have been followed and satisfied.
- 1.04 All identified exhibits are incorporated in this ordinance by reference.

SECTION 2 – ANNEXATION AND OFFICIAL ZONING MAP

- 2.01 The City Commission approves the Petition to voluntarily annex the Property. The Property is hereby annexed into the corporate limits of the City of North Port, Florida and the boundary lines of the City are hereby redefined to include the Property.
- 2.02 The Property is designated as Future Annexation Area on the City of North Port’s Comprehensive Plan Future Land Use Map. The Property will be designated a land use on the City’s Comprehensive Plan Future Land Use Map at a later date, and the map will be redefined to include the Property at that time.

- 2.03 The City Commission approves the amendment to the City’s Official Zoning Map revised Official Zoning Map, attached as “Exhibit E,” incorporating the Property with a zoning designation of “No Zoning Designation.”

SECTION 3 – ASSESSMENT AND TAXATION

- 3.01 The City will assess and tax the Property as permitted under the law as of the effective date of this ordinance.

SECTION 4 – FILING OF DOCUMENTS

- 4.01 Upon this ordinance taking effect, the City Clerk is directed to place in the City Clerk’s files an updated Official Zoning Map in accordance with the requirements of ULDC Sections 53-14, 53-16, and 53-17, State of Florida’s Office of Economic and Demographic Research specifying the population census effect and the affected land area, with Petitioner paying all related filing costs.

SECTION 5 – CONFLICTS

- 5.01 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 6 – SEVERABILITY

- 6.01 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 7 – EFFECTIVE DATE

- 7.01 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 _____, 2024.

ADOPTED by the City Commission of the City of North Port, Florida on the second and final reading in public session on _____, 2024.

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



CITY OF NORTH PORT
Neighborhood Development Services
Planning Division
Planninginfo@cityofnorthport.com

Annexation Packet

The following items are to be included in the submission:

- Annexation Application
- Affidavit(s)
- Annexation Checklist
- Annexation Fee Sheet
- Billable Fee Payment Agreement

Note

Please be advised that each application is considered a separate petition and will be reviewed as such. Packets will not be processed if incomplete or missing requested information.

If there is more than one property owner of the subject property, all owners must complete an affidavit.

There are additional costs included with this application. Fees for legal advertisements and adjacent property owner notifications will be billed to the applicant at actual cost. These costs shall be paid in full before any development orders/orders of approval are issued.

Exhibit A



CITY OF NORTH PORT
Neighborhood Development Services
Planning Division
4970 City Hall Boulevard
North Port, FL 34286-4100
www.cityofnorthport.com
Phone (941) 429-7150

DATE RECEIVED – DATE STAMP

RECEIVED
By Joy McRae-Fox at 8:37 am, Apr 18, 2023

APPROVED
By kmuhammad at 3:17 pm, Apr 26, 2023

VOLUNTARY ANNEXATION AMENDMENT APPLICATION

Upon making any application to the City for any reason, the applicant agrees to comply with all the requirements of the Unified Land Development Code and further agrees to allow authorized city staff and personnel to enter and inspect the property during normal business hours

Date Application Received: _____ Accepted by: _____ Project No: _____ - _____ - _____

Above to Be Completed by Planning Staff P.P. _____

Project Name: US 41 & TAMIAMI TR LLC Annexation

Name of Applicant: SRI GMR PROPERTIES, LLC (AGENT: MARTIN BLACK) contract purchaser

Name of Corporation/LLC (If Applicable): SRI GMR PROPERTIES, LLC

Street Address: 1190 SHOREVIEW DR

City: ENGLEWOOD State: FL Zip Code: 34223

Phone: 9419153435 FAX No. _____ E-mail: MARTYBLACK@OUTLOOK.COM

Name of Property Owner: (If different from the applicant above) US 41 & TAMIAMI TR LLC

Street Address: 7901 4TH ST N, ST PETERSBURG, FL, 33702

City: _____ State: _____ Zip Code: _____

Phone: 9419153435 FAX No. _____ E-mail: martyblack@outlook.com

Name of Architect: (If Applicable) NA

Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ FAX No. _____ E-mail: _____

Name of Engineer: (If Applicable) NA

Street Address: _____

City: _____ State: _____ Zip Code: _____

Exhibit A

Phone: _____ FAX No. _____ E-mail: _____

Name of Attorney: (If Applicable) NA

Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ FAX No. _____ E-mail: _____

Name of Surveyor: (If Applicable) _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ FAX No. _____ E-mail: _____

Name of Contractor: (If Applicable) NA

Street Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ FAX No. _____ E-mail: _____

Property Description: (Please list additional PID's on a separate sheet of paper) (Information can be found at <http://www.sc-pa.com/testsearch/>)

Parcel I.D. No(s): 1. 0787130003 - _____ 2. _____

Legal: Lot(s): _____ Block: _____ Addition: _____ Tract or Parcel: _____

Subdivision: _____

Section: _____ Township: _____ Range: _____ Acreage: _____

Street Address: _____

Purpose of Application: Please briefly state what the intended use of the property will be or why you are making this application (e.g. general project description). Annexation, to be followed with applicable applications to allow City Future Land Use

and Zoning petitions to be filed for proposed commercial and office uses.

Has this property undergone previous City development review and approval?

No: Yes: _____ If yes, when? (Month/Date/Year) _____

Exhibit A

Existing land use (e.g., house, commercial structure, vacant): Vacant

Surrounding existing land uses/zoning of adjacent properties:
North: VACANT/PCD
South: VACANT/US41
East: VACANT/COMMERCIAL
West: VACANT/PCD

Is the property designated as a "Future Annexation Area" on the Comprehensive Plan's Future Land Use Map?

No: Yes: X

Is property located near a Gateway? No: X Yes: (distance) feet

Adopted Future Land Use Map Designation: ACTIVITY CENTER
Proposed Future Land Use Map Designation: ACTIVITY CENTER
Adopted Zoning Map Designation: COUNTY ZONING
Proposed Zoning Map Designation: CITY - PCD

Provide the following information relative to the proposed annexation: If Property to be annexed has existing development, please provide a detailed written narrative describing the existing uses on the site.

Total acres
0 Total wetland acres

FIRE & RESCUE:
Nearest Fire Hydrant: 200 (feet)

TRAFFIC:
List the Roadways immediately serving the site:
RIVER ROAD US41

List the Roadways serving this site with existing or anticipated curb-cuts (driveways) and if any, designate on site plan:
NA - will be provided in subsequent site and development applications

Nearest: Traffic Control Light: 50 (feet) Stop Sign: NA (feet)

UTILITIES:

How will Potable Water service be provided? Please contact North Port Utilities (941) 240-8000.

Private Well (Submit a letter or application from the Sarasota County Department of Health.)
X North Port Utilities (Please provide a letter from the service provider stating that the proposed development is within their service area and that they have adequate capacity to serve the proposed development.)

Exhibit A

How will Sanitary Sewer service be provided? Please contact North Port Utilities (941) 240-8000.

- Private Septic System (If property is located in the Conservation Restricted Overlay Zone a class 1 aerobic water treatment system is required for single family home sites. Submit a letter or application the Sarasota County Department of Health.)
North Port Utilities (Please provide a letter from the service provider stating that the proposed development is within their service area and that they have adequate capacity to serve the proposed development.)

STORMWATER: Please contact the City Stormwater Manager/Environmentalist at (941) 240-8321. (Flood Information can be found at http://www.cityofnorthport.com Search: Flood Update)

Is the application site in a FEMA Hazardous Flood Zone? No: Yes: If yes, what zone?

Is the application site in the Conservation Restricted Zone? No: Yes: If yes, what zone?

Is the application site in the Big Slough Watershed Flood Zone? No: Yes: If yes, what is the 100-year 1-day flood elevation? ft. NGVD

Does the application site contain wetlands? Yes No If yes, existing wetland acres:

Has the Department of Environmental Protection been notified of wetlands? Yes No

Is the property located in the Myakka River Protection Zone? No: Yes:

Is the property adjacent to the Myakka River jurisdictional wetlands? No: Yes:

(If yes, please provide acreage and map of the area and schedule a meeting with City Stormwater Manager/Environmentalist.)

ENVIRONMENTAL:

Are there any known Historical or Archaeological sites on the property? (If unsure, please contact Sarasota County – Division of Historical Resources, (941) 316-1115.)

No: Yes: Please describe:

Has an Environmental Assessment Report/Review been prepared for this property? No: Yes: Date survey was conducted:

Does the property contain gopher tortoise burrows, scrub jay habit, or any plant or animal species listed as "rare", "threatened", "endangered", or "species of special concern" by State and/or Federal agencies? If yes, the applicant will be required to produce documents on how listed species or habitats will be protected or managed at the Site Development stage.

No: Yes: Please indicate which ones:

Exhibit A

***All of the information provided on this application is true and correct to the best of my knowledge.**



Signature of Applicant

JANUARY 25, 2023

Date

MARTIN P BLACK (agent)

Print Applicant Name

Exhibit A

Checklist of Required Submittal Items:

ANNEXATION

Please collate seven (7) packets of each of the following for distribution to reviewers:

- Exhibit A: Project Narrative**
- Exhibit B: Area Map**
- Exhibit C: Boundary survey** (A legal description and boundary survey signed and sealed by a registered land surveyor in the State of Florida.)
- Exhibit D- Deed or Title**
- Exhibit E- Articles of Corporation/Articles of Organization** (If Corporation or LLC is applicable)
- Exhibit F: Site Plan** (Plus 1 additional landscape plan)
- Exhibit G: Environmental Assessment**
- Exhibit H: Certification of payment of taxes and assessments**
- Exhibit I: Title Assurance**
- Exhibit J: Utilities availability letter**
- Exhibit K: Transportation Impact Analysis**
- Exhibit L: Pre-Annexation Agreement**
- Exhibit M: Fiscal Impact Analysis**
- Digital files:** The entire submittal package in PDF format on a CD. Also, please submit all project related spatial information in either CAD .dwg , GIS Shapefile or File Geodatabase format on the disk as well. The data must have coordinates in at least 4 corners of the petition area. The Coordinate system must be: A Projected Coordinate System, State Plane, NAD 1983 StatePlane Florida West FIPS 0902 (US Feet).

Exhibit A



CITY OF NORTH PORT
Annexation
Fee Sheet

Property Location (Address): RIVER ROAD AND US41

PID(s) #: 0787130003

Annexation Calculation

Fees	Total
10 acres or less \$1,200	
Over 10 acres and up to 50 acres \$1,600	
Over 50 acres \$2,500	
TOTAL	\$1200.00

- All fees should be made payable to the City of North Port. Fees must be paid prior to the processing of the submittal.
- Other billable fees will be assessed and will be required to be paid by the applicant as stated on the billable fee agreement.

Please contact Planning Staff if you have any questions, 941.429.7156


Exhibit A


BILLABLE FEE PAYMENT AGREEMENT

I/WE agree to pay all the costs associated with processing this application petition. Payment is due within 10 days of receipt of an invoice, and all processing of the petition will stop if payments are not made within 10 days.

Name(s): SRI GMR PROPERTIES LLC
Billing Address: 1190 SHOREVIEW DR, ENGLEWOOD, FL, 34223
Contact Number: 941-468-6114
Contact E-mail: sailendra.upendram@gmail.com

I understand and agree to the conditions outlined in this agreement, and certify that all the information provided is correct.

Signature: 
Print Name: Martin P Black
Date: April 28 2023

Witness: 
Print Name: Mary Dougherty
Date: April 28 2023

Applicants are billed for Legal Advertisement costs and actual postage costs for Adjacent Property Owner notifications. Fees will vary based on size of advertisement selected by the local newspaper, and amount of property owners to be notified.

To be filled out by Planning Staff
Petition Number: _____ - _____ - _____

Exhibit A

AFFIDAVIT

I (the undersigned), US 41 & Tamiami Tr. LLC being first duly sworn, depose and say that I am the owner, attorney, attorney-in-fact, agent, lessee or representative of the owner(s) of the property described and which is the subject matter of the proposed hearing; 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 true to the best of my (our) knowledge and belief. I understand this application must be complete and accurate before the hearing can be advertised, and that I am authorized to sign the application by the owner or owners. I (we) authorize City staff to visit the site as necessary for proper review of this petition. *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 16th day of March, 2023

[Signature] Signature of Applicant or Authorized Agent James L. Hauser, Managing Member Print Name and Title

STATE OF ILLINOIS COUNTY OF DUPAGE

The foregoing instrument was acknowledged by me this 16th day of March, 2023, by JAMES L HAUSER who is personally known to me or has produced IL DL H260-4525-8360 as identification, and who

did/did not take an oath.

[Signature] Signature - Notary Public



AFFIDAVIT

AUTHORIZATION FOR AGENT/APPLICANT

I (we), US 41 & Tamiami Tr. LLC, property owner(s), hereby authorize Martin Black to act as Agent/Applicant on our behalf to apply for this petition on the property described as (legal description) North West Corner of River Rd & Tamiami Trail Pld# 0787-13-0003

[Signature] Signature of Owner Managing Member Date 2-7-2023

STATE OF ILLINOIS COUNTY OF DUPAGE

The foregoing instrument was acknowledged by me this 7th day of February, 2023, by James Hauser who is personally known to me or has produced ILLINOIS DRIVERS LICENSE as identification, and who did

not take an oath.

[Signature] Signature - Notary Public

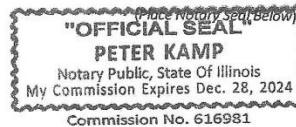


Exhibit C

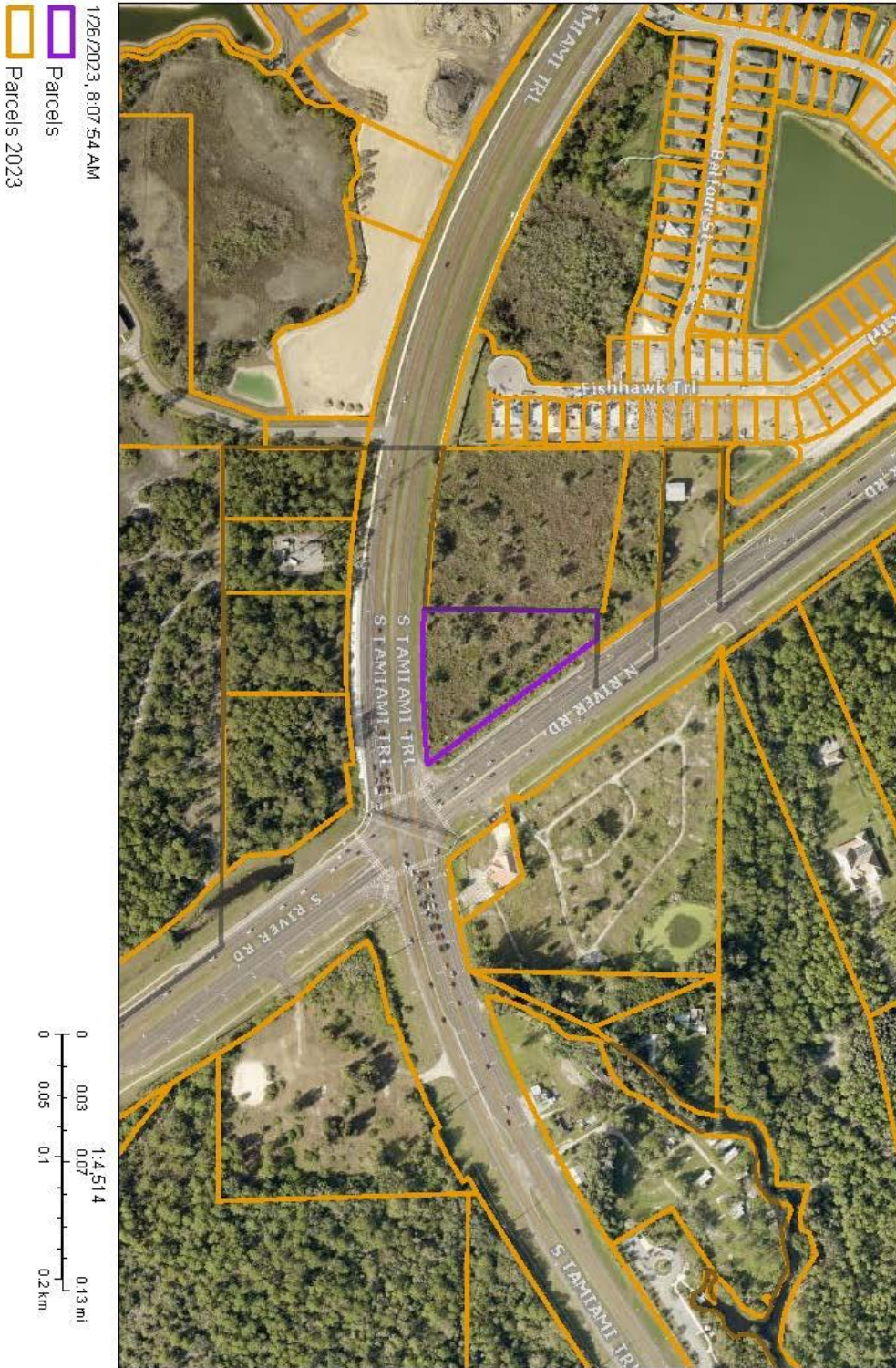


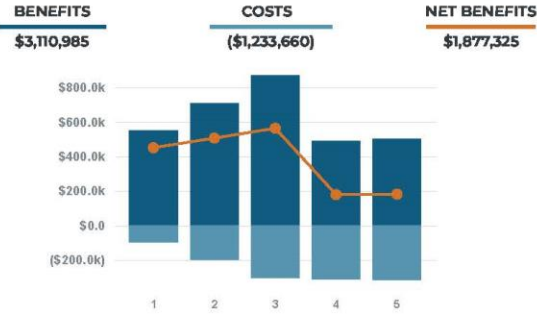
EXHIBIT D



IMPACT REPORT
FISCAL ANALYSIS
 ANX-23-129 US 41 & Tamiami Trl

● New/Startup 📊 Fiscal Analysis

City of North Port



JOBS

138.0
Direct

SALARIES

\$67,508 Avg
Direct

CAPITAL INVEST.

\$22.9M
Buildings + FF&E

RESIDENTIAL DEV.

1.4 Homes
13.8 Relocations

NET BENEFITS \$1,877,325

Present Value \$1,661,559

BENEFITS

Sales Taxes	\$52,655
Real Property Taxes	\$279,284
FF&E Property Taxes	\$13,856
New Residential Property Taxes	\$5,825
Impact Fees	\$1,153,603
Building Permits and Fees	\$0
Utility Revenue	\$519,518
Utility Franchise Fees	\$51,668
Miscellaneous Taxes and User Fees	\$976,189
Communications Services Taxes	\$26,761
Other Benefits	\$31,626
Benefits Subtotal	\$3,110,985

COSTS

Cost of Government Services	(\$669,714)
Cost of Utility Services	(\$563,946)
Costs Subtotal	(\$1,233,660)

NET BENEFITS OVER 5 YEARS

CITY	\$1,877,325
COUNTY	\$497,189
SCHOOL DISTRICT	\$424,531
OTHER	\$106,946



EXHIBIT E

Ordinance No. 2024-02

EXHIBIT "G"



Business Impact Estimate

This Business Impact Estimate is provided in accordance with Florida Statutes Section 166.041(4).

ORDINANCE NO. 2024-02

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, ANNEXING ± 2.491 ACRES OF REAL PROPERTY LOCATED ON THE NORTHWEST CORNER OF NORTH RIVER ROAD AND SOUTH TAMIAMI TRAIL IN THE UNINCORPORATED AREA OF SARASOTA COUNTY, FLORIDA AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF NORTH PORT, FLORIDA; REDEFINING THE BOUNDARY LINES OF THE CITY OF NORTH PORT TO INCLUDE THIS PROPERTY; PROVIDING FOR FINDINGS; PROVIDING FOR ANNEXATION; AMENDING THE OFFICIAL ZONING MAP; PROVIDING FOR ASSESSMENT AND TAXATION; PROVIDING FOR FILING OF DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

1. Summary of the proposed ordinance

This ordinance proposes the voluntary annexation of approximately 2.491± acres of certain contiguous real property into the corporate limits of the City of North Port, Florida in accordance with Florida Statutes Chapter 171 and the Unified Land Development Code Section 53-22.

The public purpose of the ordinance is to serve the health, safety, morals, and welfare of the citizens of the City of North Port, Florida. The property subject to this annexation request is vacant land. Annexation of the property is required for future connection to the City's water and wastewater utility upon development. Providing utility services to the future business development of this site serves the public and ensures public health will be maintained. Annexation of the property into the City limits will enhance the short-term property value and diversify the City's tax base in the long term as the property develops to its potential. Diversifying the tax base helps minimize the tax burden on residential property owners. Increased ad-valorem revenue to the City will supplement capital improvement projects to serve the community.

2. Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any, including:

- (a) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

This proposed ordinance imposes no direct compliance costs on businesses and imposes no new charges or fees on those businesses.

EXHIBIT E

Ordinance No. 2024-02

EXHIBIT "G"

3. The City's good faith estimate of the number of businesses likely to be impacted by the proposed ordinance.

None. The property is undeveloped.

4. Additional information the governing body deems useful, if any.

Annexation of the subject site has been anticipated by the North Port Comprehensive Plan since 2009. Annexation and future development of this site will add to the diversity of the City's tax base.