

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: Final Plat Approval for Tuscany Island Subdivision.

DEPARTMENT: Planning & Development DIVISION: Development Review

AUTHORIZED BY: Donald S. Fisher CONTACT: Michael Rumer EXT. 7337

Agenda Date 05/11/04 Regular Consent Work Session Briefing
Public Hearing - 1:30 Public Hearing - 7:00

MOTION/RECOMMENDATION:

Approve the final plat for Tuscany Island located on the west side of Tuskawilla Road at Old Bear Run and approximately 1500 feet north of the intersection of Tuskawilla Road and SR 426 in Section 36, Township 21 South, and Range 30 East.

District 1 - Maloy (Michael Rumer, Planner)

BACKGROUND:

The applicant, Lance Bennett, is requesting final plat approval for Tuscany Island Subdivision located on Tuskawilla Road. This subdivision is comprised of five (5) single family lots on approximately four (4) acres and is zoned R-1AA. The project will connect to Seminole County utilities for water service and use septic tanks for waste water.

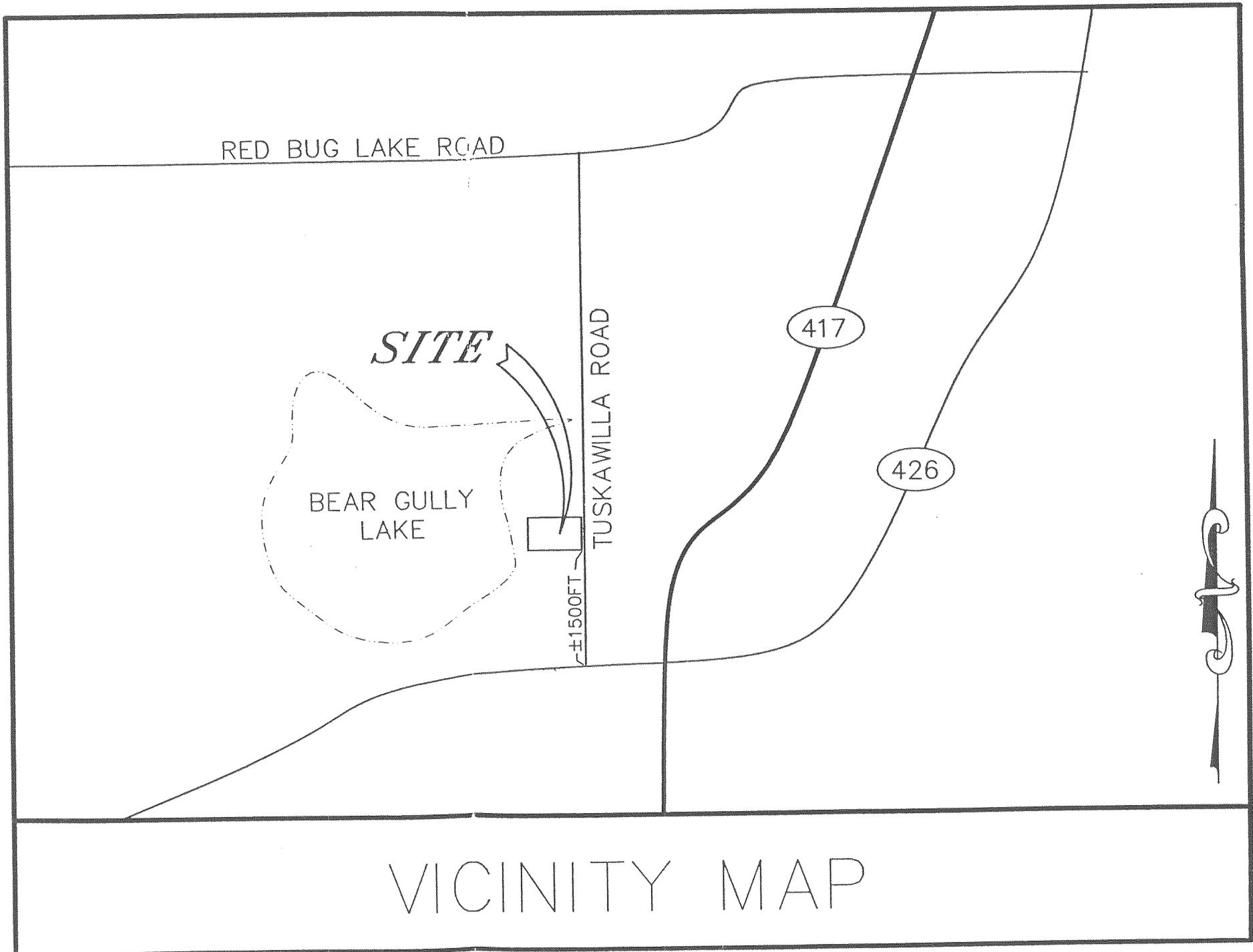
The applicant has submitted a performance bond for completion of subdivision improvements. Staff has reviewed the plat and finds that it meets all requirements of the applicable zoning and of Ch. 177 F.S. and the Land Development Code.

STAFF RECOMMENDATION:

Staff recommends approval of the final plat for Tuscany Island.

District 1 - Maloy
Attachments: Location Map
Reduced copy of Plat

Reviewed by: _____
Co Atty: KZC
DFS: _____
Other: _____
DCM: SS
CM: JB
File No. # cpdd03



TUSCANY ISLAND

SHEET 1 OF 2

PLAT BOOK PAGE

SECTION 36, TOWNSHIP 21 SOUTH, RANGE 30 EAST,
SEMINOLE COUNTY, FLORIDA

LEGAL DESCRIPTION

The North 300 feet of the South 405 feet of the Northwest 1/4 of the Northeast 1/4 of Section 36, Township 21 South, Range 30 East, being Lots 2 and 3 of SURVEY FOR R.E. PERVIS, as recorded in Deed Book 151, Page 319, of the Public Records of Seminole County, Florida, less the East 25 feet for road right-of-way (per ORB 3814, Pages 1181-1183).
And Less:

A parcel of land in the Northwest 1/4 of the Northeast 1/4 of Section 36, Township 21 South, Range 30 East, being a part of Lot 2 and Lot 3 of the SURVEY FOR R.E. PERVIS as recorded in Deed Book 151, Page 319, of the Public Records of Seminole County, Florida, described as follows:

Commence at the Southeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 36, Township 21 South, Range 30 East, Seminole County, Florida; thence run North 89°39'32" West along the South line of said Northwest 1/4 of the Northeast 1/4 a distance of 15.25 feet to the existing West right-of-way line of Tuskawilla Road as shown on the right-of-way map of Seminole County Project No. PS-0041, Tuskawilla Road; thence run North 00°00'00" West along said existing West right-of-way line 105.00 feet to the Point of Beginning on the North line of the South 105 feet of said Northwest 1/4 of the Northeast 1/4; thence run North 89°39'32" West along said North line 29.83 feet; thence run North 01°29'15" East 300.05 feet to the North line of the South 405 feet of said Northwest 1/4 of the Northeast 1/4; thence run South 89°39'32" East along said North line of the South 405 feet a distance of 22.04 feet to the existing West right-of-way line thence run South 00°00'00" East 300.00 feet to the POINT OF BEGINNING.

Less:

The South 100 feet of the following described parcel of land:

The North 300 feet of the South 405 feet of the Northwest 1/4 of the Northeast 1/4 of Section 36, Township 21 South, Range 30 East, being Lots 2 and 3 of the SURVEY FOR R.E. PERVIS, as recorded in Deed Book 151, Page 319, of the Public Records of Seminole County, Florida, less the East 25 feet for road right-of-way.

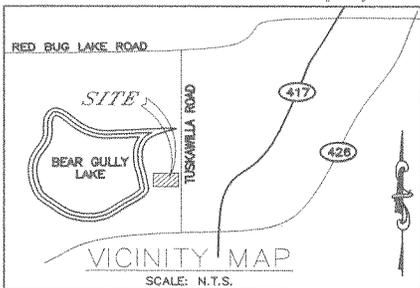
Together With:

That part of Lot 4 and a part of a 25' roadway of SURVEY FOR R.E. PERVIS, as recorded in Deed Book 151, Page 319, of the Public Records of Seminole County, Florida, and that part of an Ingress & Egress Easement as recorded in ORB 4104, PP 136-136B, Public Records of Seminole County, Florida, being more particularly described as follows:

Commencing at the intersection of the South line of said Lot 4 with the existing, monumented Western R/W line of Tuskawilla Road; thence run N 89°56'54" W along the South line of said Lot 4, a distance of 358.93 feet; thence run N 00°07'27" W, a distance of 85.08 feet; thence run S 89°26'17" E, a distance of 24.79 feet; thence run N 00°10'32" E, a distance of 40.11 feet to the North line of said 25' roadway and South line of Lot 10 of said SURVEY FOR R.E. PERVIS; thence run S 89°56'39" E along the North line of said 25' roadway and South line of Lot 10, a distance of 337.45 feet to the intersection of the North line of said 25' Ingress & Egress Easement and the South line of said Lot 10 with the existing, monumented Western R/W line of Tuskawilla Road; thence run S 01°29'15" W along said existing, monumented Western R/W line of Tuskawilla Road, a distance of 124.98 feet to the POINT OF BEGINNING, and being subject to an Ingress & Egress easement over the North 25.00 feet thereof, LESS AND EXCEPT the North 12.5 feet of the above described property as conveyed to Edith M. Marsh and Norine F. Bills, by virtue of that certain Quit Claim Deed recorded February 9, 1990 in Official Records Book 2151, Page 1142, Public Records of Seminole County, Florida.

Being more particularly described as follows:

Commence at the Southeast Corner of the Northwest 1/4 of the Northeast 1/4 of Section 36, Township 21 South, Range 30 East; thence N.89°39'32"W. for a distance of 15.25 feet to the East line of said Northwest 1/4 of the Northeast 1/4; thence N.00°00'00"W. along said East Line for a distance of 105.00 feet; thence N.89°39'32"W. for a distance of 29.83 feet to the West Right-of-way Line of Tuskawilla Road as shown on Seminole County Right-of-way map, Project Number: PS-041; Thence N.00°29'15"E. along said Westerly Right-of-way Line for a distance of 100.01 feet to the Point of Beginning; Thence departing said right-of-way line run N. 89°56'16"W. for a distance of 657.83 feet to a point on a curve concave Westerly and having a radius of 1547.31 feet and a Chord Bearing of N.05°41'16"W., thence Northerly along the arc of said curve through a central angle of 07°28'14" for an arc length of 201.75 feet; Thence S.89°56'54"E. for a distance of 327.56 feet; Thence N.00°07'27"W. for a distance of 85.08 feet; Thence S.89°26'17"E. for a distance of 24.79 feet; Thence North 00°10'32"E for a distance of 27.60 feet; Thence S.89°56'39"E. for a distance of 337.16 feet to the aforesaid Westerly Right-of-way line of Tuskawilla Road; Thence S.01°29'15"W. along said Westerly Right-of-way line for a distance of 312.49 feet to the Point of Beginning.



GENERAL NOTES

- EXCEPT AS PROVIDED IN THE DEDICATION APPEARING ON THE PLAT, NO STREETS, ALLEYS, EASEMENTS, RIGHTS-OF-WAY AND OTHER COMMON AREAS OR RIGHTS THEREIN ARE DEDICATED TO SEMINOLE COUNTY OR THE PUBLIC.
- THE LANDS OF TUSCANY ISLAND WILL BE SUBJECT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS FOR TUSCANY ISLAND AS RECORDED IN ORB _____, PAGES _____ THROUGH _____.
- TRACT "A" IS A PRIVATE RIGHT-OF-WAY WITH A PAVED STREET AND IS NOT DEDICATED TO THE PUBLIC. A LIMITED EASEMENT FOR INGRESS AND EGRESS IS HEREBY DEDICATED TO THE GENERAL PUBLIC OVER AND ACROSS SAID PRIVATE STREET. TRACT "A" IS ALSO A UTILITY, LANDSCAPE AND DRAINAGE TRACT TO BE OWNED AND MAINTAINED AS COMMON PROPERTY BY THE TUSCANY ISLAND HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND/OR ASSIGNS. A UTILITY EASEMENT ACROSS TRACT "A" IS HEREBY DEDICATED TO SEMINOLE COUNTY, FLORIDA.
- AN EASEMENT 15 FEET IN WIDTH IS RESERVED ALONG ALL FRONT LOT LINES FOR THE PURPOSE OF PROVIDING FOR SIDEWALKS, DRAINAGE, LANDSCAPING AND INSTALLATION AND MAINTENANCE OF PRIVATE AND PUBLIC UTILITIES, INCLUDING PROGRESS ENERGY FOR UNDERGROUND ELECTRIC, UNDERGROUND CABLE TV, AND UNDERGROUND TELEPHONE ON THE CONDITION THAT SUCH EASEMENT RIGHT SHALL NOT PREVENT ACCESS TO THE LOTS AND THAT EASEMENT AREA SHALL BE RETURNED TO THE ORIGINAL CONDITION PRIOR TO ANY USE OF THE EASEMENT; SAID EASEMENT IS HEREBY DEDICATED TO THE TUSCANY ISLAND HOMEOWNER'S ASSOCIATION.
- PORTIONS OF LOTS 1 AND 2 ARE SUBJECT TO A CONSERVATION EASEMENT AS SET FORTH IN OFFICIAL RECORD BOOK _____, PAGE _____.
- TRACT "B" IS A STORMWATER RETENTION, COMMON AREA, LANDSCAPING, SIDEWALK, RECREATIONAL, AND UTILITY TRACT TO BE OWNED AND MAINTAINED BY THE TUSCANY ISLAND HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND/OR ASSIGNS.
- TRACT "C" IS A COMMON AREA, INGRESS AND EGRESS, AND UTILITY EASEMENT. TRACT "C" IS TO BE OWNED BY THE TUSCANY ISLAND HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND/OR ASSIGNS AND IS SUBJECT TO THE EASEMENTS AND AGREEMENTS RECORDED IN ORB 3343, PAGES 1214 & 1215; ORB 1975, PAGES 1875; ORB 1830, PAGES 1698-1699; ORB 1388, PAGES 1995-1996; AND ORB 2151, PAGE 1142.
- BEARINGS ARE BASED ON THE WESTERN RIGHT OF WAY LINE OF TUSKAWILLA ROAD AS BEING N. 01°29'15" E. AS PER SEMINOLE COUNTY RIGHT-OF-WAY MAP, PROJECT #PS-041.
- THE WALL, FENCE & LANDSCAPE EASEMENTS AND DRAINAGE EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE TUSCANY ISLAND HOMEOWNERS ASSOCIATION, INC. AND SEMINOLE COUNTY FOR DRAINAGE AND MAINTENANCE PURPOSES. CONSTRUCTION AND RELATED ACTIVITIES THERETO ARE HEREBY PROHIBITED WITHIN SAID DRAINAGE EASEMENTS, DISTURBANCE, GRADING, FILLING, RELOCATION, ALTERATION, OR LOSS OF RETENTION VOLUME IS HEREBY PROHIBITED. FENCES ARE REQUIRED TO BE AT LEAST 6 INCHES ABOVE THE EXISTING GRADE WITHIN RETENTION POND AREAS.
- STATE PLANE COORDINATES SHOWN HEREON ARE BASED ON SEMINOLE COUNTY HORIZONTAL CONTROL POINTS AS NOTED HEREON.

LINO T. SANFT, P.S.M.
110 Old Hickory Court
Longwood, Florida 32750
Phone: 407-786-9456
Fax: 407-786-0659
Email: PLS5792@aol.com

**SURVEYING,
MAPPING
AND
REPROGRAPHICS
TECHNOLOGY
SERVICES & SUPPLIES**

NOTICE:
THIS PLAT, AS RECORDED IN THIS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

JOINER AND CONSENT

The undersigned hereby certifies that it is the holder of a mortgage, lien or other encumbrance upon the lands described in the caption to this Plat and that the undersigned hereby joins in and consents to the dedication of the lands, streets, easements, and Tracts "A", "B", and "C" described on this Plat, Tuscany Island, in the Certificate of Dedication by the owner thereof and agrees that its mortgage, lien, and other encumbrance which is recorded in Official Records Book _____, Pages _____, and its Collateral Assignment of Contracts and Deposits as recorded in Official Records Book _____, Pages _____ and its UCC-1 Financing Statement as recorded in Official Records Book _____, Pages _____ all in the Public Records of Seminole County, Florida, shall be and are hereby subordinated to said dedication and reservations thereon.

IN WITNESS WHEREOF, the undersigned hereunto set hand on April 8th, 2004.

[Signature]
By _____
Printed Name: Wanda D
Title: Vice President

Witness: [Signature]
Printed Name: Chas. Light
Witness: [Signature]
Printed Name: Deborah

STATE OF _____
COUNTY OF _____

This is to certify that the foregoing instrument was acknowledged before me this _____ day of _____, 2004, by _____ as _____ for _____.

He is (check one) personally known to me
 produced _____ as identification.

[Signature]
Notary

Printed Name _____
Notary Public State of Florida
Commission # _____
My Commission Expires _____

TUSCANY ISLAND DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That the Corporation named below, the owner in fee simple of the lands described in Hereby dedicates to the public for the perpetual use of the public an easement granting access to emergency vehicles and easements for the installation and maintenance of utilities as described in the general notes or graphically shown. No other easements are dedicated or granted to the public, it being the intention of the undersigned that all streets and other easements and common areas be privately owned and maintained and that the public and Seminole County have no right or interest therein.

IN WITNESS WHEREOF, the undersigned has caused these presents to be signed and attested to by the officer named below and its corporate seal to be affixed hereto on _____

BY [Signature]
Title / Printed Name _____

Attest: _____
Title / Printed Name _____

STATE OF FLORIDA COUNTY OF SEMINOLE

THIS IS TO CERTIFY, the foregoing instrument was acknowledged before me this _____ day of _____, 2004 by managing partner of Via Tuscany Development, LLC, a private limited liability company a Florida Corporation. He is personally known to me and did not take an OATH IN WITNESS WHEREOF, I hereunto set my hand and seal on the above date.

[Signature]
Notary Public
County and State aforesaid
My Commission Expires Feb 1, 2008

CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a licensed professional surveyor and mapper, does hereby certify that on October 7, 2003, he completed the survey of the lands shown in the foregoing plat, and that said plat was prepared under his direction and supervision and that said plat complies with all of the survey requirements of Chapter 177, part 1, Florida Statutes, and that said land is located in Seminole County, Florida.

[Signature] Date 7-7-04

Lino T. Sanft,
Professional Surveyor & Mapper
Florida Registration Number 5792
LINO T. SANFT SURVEYING & MAPPING
110 Old Hickory Court
Longwood, Florida 32750
Phone (407) 786-9456 / FAX (407) 786-0659

COUNTY SURVEYOR'S CERTIFICATE

I have reviewed this plat and find it to be in conformity with Chapter 177 Florida Statutes.

Sleve L. Wessels, PLS
Florida Registration Number 4589
County Surveyor for Seminole County, Florida

Date: _____

CERTIFICATE OF ACCEPTANCE OF DEDICATION BY BOARD OF COUNTY COMMISSIONERS

THIS IS TO CERTIFY That the Board of County Commissioners hereby accepts all easements and areas dedicated for public use on this plat.

Chairman of the Board

ATTEST: _____
Clerk of the Board

CERTIFICATE OF APPROVAL BY BOARD OF COUNTY COMMISSIONERS

THIS IS TO CERTIFY, That on _____ the foregoing plat was approved by the Board of County Commissioners of Seminole County, Florida.

Chairman of the Board

ATTEST: _____
Clerk of the Board

CERTIFICATE OF CLERK

I HEREBY CERTIFY, That I have examined the foregoing plat and find that it complies in form with all the requirements of Chapter 177, Florida Statutes, and was filed for record on _____ at _____ File No. _____

Clerk of the Circuit Court
in and for Seminole County, Fla.

TUSCANY ISLAND

SECTION 36, TOWNSHIP 21 SOUTH, RANGE 30 EAST,
SEMINOLE COUNTY, FLORIDA

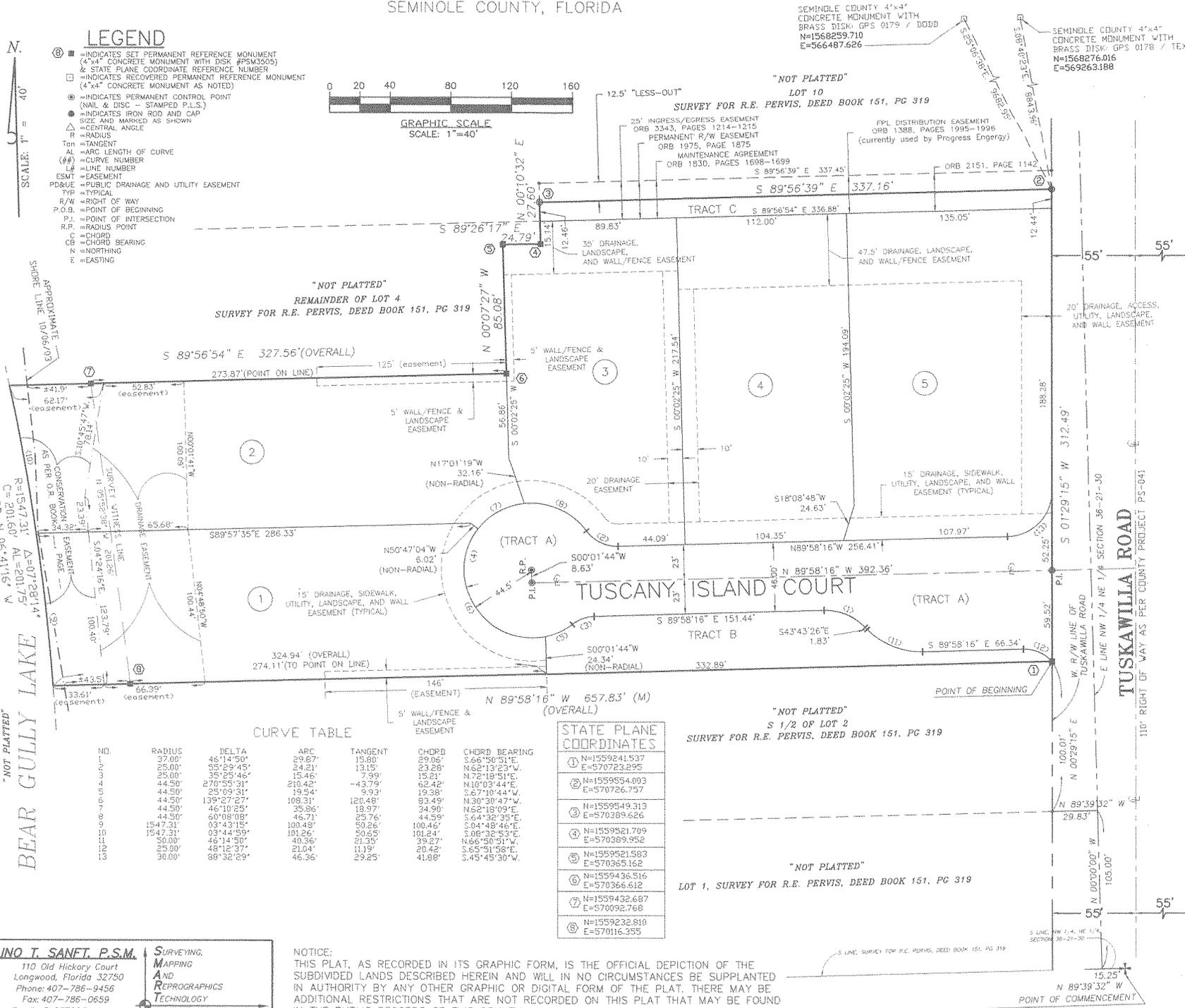
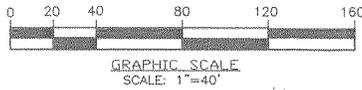
SHEET 2 OF 2

PLAT BOOK

PAGE

LEGEND

- ① INDICATES SET PERMANENT REFERENCE MONUMENT (4"x4" CONCRETE MONUMENT WITH DISK #PSM3505)
- ② STATE PLANE COORDINATE REFERENCE NUMBER
- ③ INDICATES RECOVERED PERMANENT REFERENCE MONUMENT (4"x4" CONCRETE MONUMENT AS NOTED)
- ④ INDICATES PERMANENT CONTROL POINT (NAIL & DISC - STAMPED P.L.S.)
- ⑤ INDICATES IRON ROD AND CAP SIZE AND MARKED AS SHOWN
- ⑥ CENTRAL ANGLE
- ⑦ RADIUS
- ⑧ TANGENT
- ⑨ ARC LENGTH OF CURVE
- ⑩ CURVE NUMBER
- ⑪ ALIEN NUMBER
- ⑫ EASEMENT
- ⑬ PUBLIC DRAINAGE AND UTILITY EASEMENT
- ⑭ TYPICAL
- ⑮ RIGHT OF WAY
- ⑯ POINT OF BEGINNING
- ⑰ POINT OF INTERSECTION
- ⑱ RADIUS POINT
- ⑲ CHORD
- ⑳ CHORD BEARING
- ㉑ NORTHING
- ㉒ EASTING



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SURVEYING, MAPPING AND REPROGRAPHICS TECHNOLOGY SERVICES & SUPPLIES

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STATE PLANE COORDINATES

①	N=1559241.537	E=570723.295
②	N=1559554.003	E=570726.757
③	N=1559549.313	E=570389.626
④	N=1559521.799	E=570389.952
⑤	N=1559521.583	E=570395.162
⑥	N=1559436.515	E=570366.632
⑦	N=1559432.687	E=570092.768
⑧	N=1559232.818	E=570116.353

CURVE TABLE

HD.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
37.00'	46°14'50"	29.87'	15.88'	29.06'	5.66°50'31"E	
38.00'	55°29'45"	24.21'	13.15'	23.28'	N62°13'23"W	
39.00'	65°09'46"	15.46'	7.99'	15.21'	N72°18'51"E	
40.00'	77°00'00"	219.42'	-43.78'	62.42'	N10°03'44"E	
41.00'	25°09'31"	19.54'	9.93'	19.38'	S67°10'44"W	
42.00'	139°27'27"	109.31'	120.48'	93.49'	N30°30'47"W	
43.00'	46°10'25"	35.96'	18.97'	34.90'	N52°18'09"E	
44.00'	46°10'25"	46.71'	29.76'	44.59'	S64°38'33"E	
45.00'	50°08'08"	100.49'	50.26'	100.45'	S04°48'46"E	
46.00'	03°43'15"	101.26'	50.65'	101.24'	S08°32'53"E	
47.00'	03°44'59"	40.36'	21.35'	39.27'	N66°50'51"W	
48.00'	48°12'37"	21.04'	11.19'	20.42'	S65°51'58"E	
49.00'	50.00'	46.36'	29.25'	41.88'	S45°45'30"W	

SE CORNER, NW 1/4, NE 1/4, SECTION 36--21--30