

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: LYLE BROWN MINOR PLAT

DEPARTMENT: Planning & Development DIVISION: Development Review

AUTHORIZED BY: Donald S. Fisher CONTACT: Denny Gibbs EXT. 7359

Agenda Date 8/24/04 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

1. Approve the Lyle Brown Minor Plat subject to staff's recommendations for approval;
or
2. Deny the Lyle Brown Minor Plat

Located in Section 28, Township 21 South, Range 31 East; West of Alafaya Trail, at 270 Lake Drive Oviedo, Florida.

District 1 – Maloy (Denny Gibbs, Planner) *LF*

BACKGROUND:

The applicant, Stephen Ratcliff representing Lyle Brown, is requesting approval of a one lot minor plat with waivers to Sec. 35.122 Minor Plat approval criteria for frontage on a public road. This property is a vacant 4.908 acre property zoned A-1 located west of Alafaya Trail on Lake Drive.

The applicant is proposing the minor plat in order to make the parcel legal so that one single family home may be built on the property. The proposed plat meets the lot area and lot width requirements of the A-1 zoning but the property fronts on a 10' dirt road within a 30' right-of-way easement called Lake Drive.

The parent parcel consisted of 17 acres which was subdivided into two parcels prior to 1983. One was 6 acres and the other was 11 acres, parcels 3D and 3E respectively. The 11 acre piece, Parcel 3E, was again divided in 1988 creating Parcel 3F of the easterly 5 acres. Mr. Brown has been the property owner of Parcel 3F since 1990. Two building permits were issued in 1988 for single family houses on parcels 3D and 3E. Mr. Brown's parcel, 3F, is the last vacant parcel on Lake Drive.

Although the proposed plat meets the lot area and width requirements of the A-1 zoning district and the minimum requirements of Chapter 177, Florida Statutes, it has been the

Reviewed by:
Co Atty: *[Signature]*
DFS: _____
Other: *[Signature]*
DCM: *[Signature]*
CM: *[Signature]*
File No. rpdd01

County's position to disapprove plats fronting on roads that are not paved to Seminole County standards based on sections 35.62 (a) and 35.122 (a) (3) of the Seminole County Land Development Code. These code sections require that a proposed plat be adequately served by suitable public facilities. Lake Drive is a dirt road and a private easement.

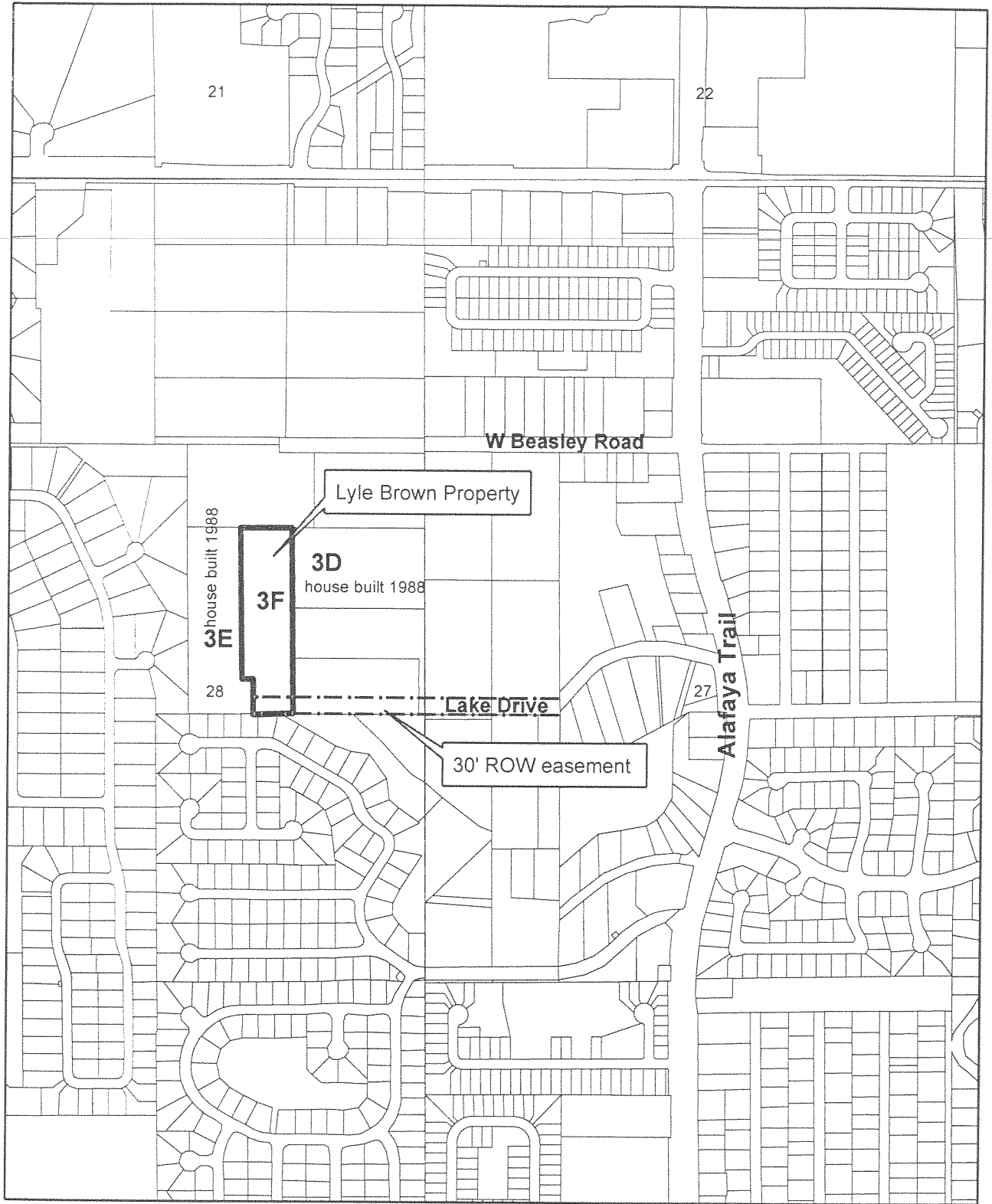
Staff has general concerns about approving minor plats with waivers to the required road frontage because of the impact resulting from future development potential of other similarly situated property. However, staff supports this particular request for the following reasons:

- 1) this is the last vacant parcel to be served by the Lake Drive easement therefore it will have minimal impact;
- 2) one single family house would be permitted on the entire property and the house would be sited on the upland portion thus mitigating impacts to wetland areas;
- 3) the minor plat shows approximately two-thirds of the property encumbered by a conservation easement which reduces the development potential of this property from four SFR over the 4.908 acre to one SFR over the 4.908 acres;
- 4) if the minor plat is approved this property would not be eligible for further subdivision based on requirements of SCLDC 35 Subdivision Regulations.

STAFF RECOMMENDATION:

Staff recommends approval of the Lyle Brown Minor Plat.

District 1 – Grant Maloy
Attachments: Location Map
Plat reduction



LOCATION MAP LYLE BROWN MINOR PLAT

-LYLE BROWN PLAT-
SECTION 28, TOWNSHIP 21 SOUTH, RANGE 31 EAST
SEMINOLE COUNTY, FLORIDA

SHEET 1 OF 2

PLAT
BOOK

PAGE

**LYLE BROWN PLAT
DEDICATION**

KNOW ALL MEN BY THESE PRESENTS, That the **SEMINOLE COUNTY** being the owner of the tracts of the lands described in the foregoing caption to this plat, hereby dedicates said lands and plat for the uses and purposes therein expressed and dedicates the **CONSERVATION EASEMENT, WETLAND BUFFER** shown hereon to the perpetual use of the public.

IN WITNESS WHEREOF, has caused these presents to be signed and attested to by the officers named below and its seal affixed hereto on the _____ day of _____ 200__.

By: Lyle R. Brown - Owner Ruthann Brown - Owner
Attest:

Signed and sealed in the presence of

Printed Name _____
Printed Name _____

STATE OF FLORIDA COUNTY OF SEMINOLE

THIS IS TO CERTIFY, That the foregoing instrument was acknowledged before me this _____ day of _____ 200__ personally appeared LYLE R. BROWN, RUTHANN BROWN authorized to take acknowledgements in the State of Florida, and addressed County, known to be the individuals described in and who executed the foregoing dedication and severally acknowledged the execution thereof to be his free act and deed as such owners, and the said conveyance is the act and deed of said individuals and who are personally known to me, or has produced _____ as identification and who DID/DO NOT take an oath.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the above date _____
NOTARY PUBLIC DATE _____
MY COMMISSION EXPIRES _____ COMMISSION NUMBER _____

**QUALIFICATION STATEMENT OF
SURVEYOR AND MAPPER**

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a professional surveyor and mapper, has prepared the foregoing plat and was made under his direction and supervision and that the plat is a correct representation of the lands therein described and that it complies with all of the survey requirements of Chapter 177, Florida Statutes, and that said land is located in Seminole County, Florida.

Date: 01-05-04 Signed Jama P. Legend
Registration Number 4200

Ireland Surveying, Inc.
6001 Brick Court, Suite 117
Winter Park, FL 32782
Certificate of Authorization No. LB 3687

**CERTIFICATE OF APPROVAL BY
THE BOARD OF COUNTY COMMISSIONERS**

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

Chairman of the Board
ATTEST: _____ Date _____
Clerk of the Board

CERTIFICATE OF APPROVAL BY COUNTY SURVEYOR

I hereby certify that I have reviewed this Plat and find it to be in conformity with Chapter 177, Florida Statutes.

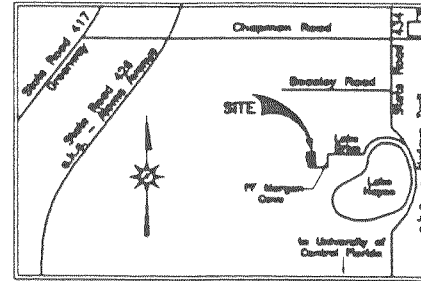
Signed Steve Wassels, PLS
Florida Registration Number 4598
County Surveyor for Seminole County, Florida
Date: _____

LEGAL DESCRIPTION

A PORTION OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, RUN THENCE NORTH 89°46'54" EAST, ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 471.00 FEET EAST, A POINT OF BEGINNING, CONTINUE THENCE NORTH 89°46'54" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 187.80 FEET TO A POINT; THENCE NORTH 80°27'01" WEST, A DISTANCE OF 808.00 FEET TO A POINT; THENCE SOUTH 89°23'27" WEST, A DISTANCE OF 294.82 FEET; THENCE SOUTH 89°24'24" EAST, A DISTANCE OF 741.87 FEET TO A POINT; THENCE SOUTH 89°46'54" EAST, A DISTANCE OF 848.31 FEET TO A POINT; THENCE SOUTH 01°16'22" WEST, A DISTANCE OF 176.79 FEET TO THE ABOVE DESCRIBED POINT OF BEGINNING.

SAID PROPERTY CONTAINING 213787.4 SQUARE FEET, 4.888 ACRES MORE OR LESS



-VICINITY MAP-
SCALE: NTS

SHEET INDEX

- SHEET 1 - LEGAL DESCRIPTION, DEDICATION, VICINITY MAP, NOTES, LEGEND & SHEET INDEX
- SHEET 2 - PROPERTY, NORTH ARROW, GRAPHIC SCALE, CURVE TABLES & QIS CORNERS

-LEGEND-

- | | | |
|-------------------------------|--|---|
| CL - CENTERLINE | R - RADIUS | RAO - RACIAL |
| D - DESCRIPTION | P.O.B - POINT OF BEGINNING | P.O.C - POINT OF COMMENCEMENT |
| DE - DRAINAGE EASEMENT | PRM - PERMANENT REFERENCE MONUMENT | RLS - REGISTERED LAND SURVEYOR |
| IP - IRON PIPE | R/W - RIGHT-OF-WAY | SEC 28-21-31 - SECTION, TOWNSHIP, RANGE |
| L - LENGTH (ARC) | SEC - UTILITY EASEMENT | DELTA (CENTRAL ANGLE) |
| M - MEASURED | DELTA - DENOTES PERMANENT REFERENCE MONUMENT (SET 4"x4" CONCRETE MONUMENT "PLS 4200" UNLESS OTHERWISE NOTED) PER CHAPTER 177, FLORIDA STATUTES | DELTA - DENOTES PERMANENT CONTROL POINT (SET #5 REBAR WITH CAP "PLS 4200" UNLESS OTHERWISE NOTED) PER CHAPTER 177, FLORIDA STATUTES |
| N.R. - NON RACIAL | PG - PAGE | PLS - PROFESSIONAL LAND SURVEYOR |
| ORR - OFFICIAL RECORDS BOOK | PLS - PROFESSIONAL LAND SURVEYOR | SC - SECTION CORNER |
| P - PLAT BOOK | SC - SECTION CORNER | |
| PC - POINT OF CURVATURE | | |
| PCP - PERMANENT CONTROL POINT | | |

GENERAL NOTES

1. BEARING STRUCTURE SHOWN HEREON IS BASED UPON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, AS BEING NORTH 89°46'54" EAST.
2. IN ACCORDANCE TO FLORIDA STATUTES CHAPTER 177.081(28), ALL PLATTED UTILITY EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES. PROVIDED HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC TELEPHONE, GAS OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
3. APPROVAL OF THIS PLAT SHALL NOT BE DEEMED TO PROVIDE ANY VESTED RIGHTS EXCEPT THOSE DEPICTED HEREON, THAT ARE CONSISTENT WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES.
4. CONSERVATION EASEMENT SHOWN HEREON IS DEDICATED TO THE HOMEOWNERS OF THE LOT. DEVELOPMENT RIGHTS TO THE CONSERVATION EASEMENT ARE DEDICATED TO SEMINOLE COUNTY, FLORIDA. NO CONSTRUCTION, CLEARING, GRADING OR ALTERATION WITHIN THE CONSERVATION EASEMENT IS PERMITTED WITHOUT THE PRIOR APPROVAL OF SEMINOLE COUNTY AND ALL OTHER APPLICABLE JURISDICTIONAL AGENCIES.
5. THE LOCATION OF THE JURISDICTIONAL WETLAND LIMITS WERE DETERMINED BY THE FOLLOWING: BHO-TECH CONSULTING, INC. DATED 10-21-03.

NOTICE:
THIS PLAT AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREON 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.

**CERTIFICATE OF APPROVAL
CLERK OF THE CIRCUIT COURT**

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, Florida
By: _____ D.C.

Ireland Surveying, Inc.
8001 Brick Court
Suite 117
Winter Park, Florida
32782
Office-407.678.3366
Fax-407.671.6678

Lot 67

Lot 68

-LYLE BROWN PLAT-

SECTION 28, TOWNSHIP 21 SOUTH, RANGE 31 EAST
HERNANDALE COUNTY, FLORIDA

SHEET 2 OF 2

PLAT
BOOK

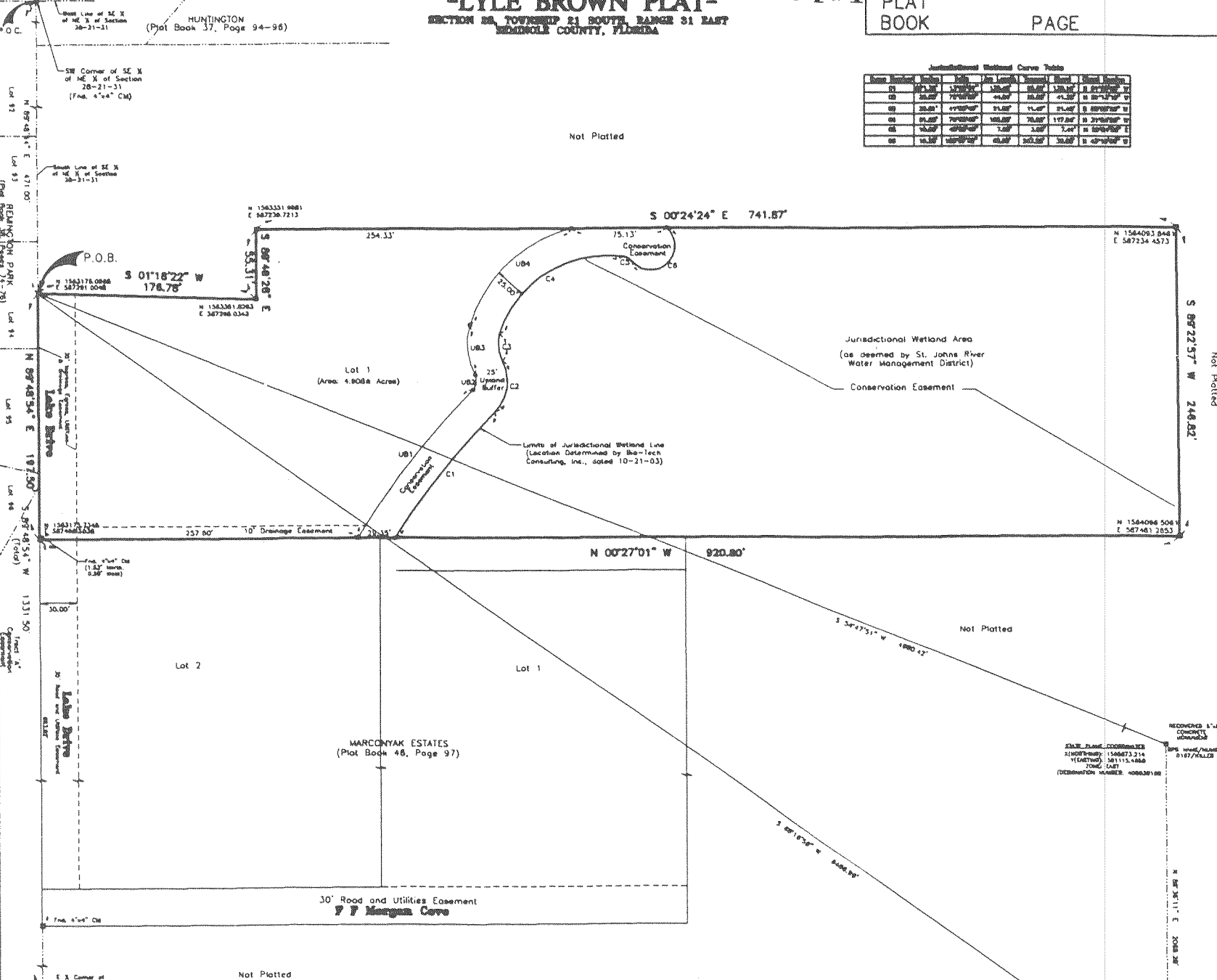
PAGE

HUNTINGTON
(Plat Book 37, Page 94-96)

Justified Wetland Curve Table

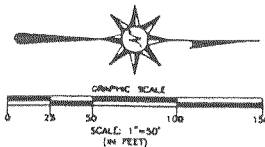
Curve Number	Radius	Chord	Chord Length	Central Angle	Area	Perimeter
UB1	100.00'	100.00'	100.00'	90.00°	7853.98	314.16
UB2	100.00'	100.00'	100.00'	90.00°	7853.98	314.16
UB3	100.00'	100.00'	100.00'	90.00°	7853.98	314.16
UB4	100.00'	100.00'	100.00'	90.00°	7853.98	314.16

Not Platted



Upland Buffer Curve Table

Curve Number	Radius	Chord	Chord Length	Central Angle	Area	Perimeter
UB1	100.00'	100.00'	100.00'	90.00°	7853.98	314.16
UB2	100.00'	100.00'	100.00'	90.00°	7853.98	314.16
UB3	100.00'	100.00'	100.00'	90.00°	7853.98	314.16
UB4	100.00'	100.00'	100.00'	90.00°	7853.98	314.16



Ireland Surveying, Inc.
 8007 Brick Court
 Suite 117
 Winter Park, Florida
 32788
Office-407.678.3366
Fax-407.671.6678

RECOVERED 1"-4" CONCRETE MONUMENT
 TYPE: IRON/ALUMINUM
 DATE: 01/07/2012
 RECOVERED 1"-4" CONCRETE MONUMENT
 TYPE: IRON/ALUMINUM
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