

and building permits for single family residence along with some accessory structure were issued on each of the two new lots.

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, staff recommends denial of the plat since Artesia Avenue is not paved to County standards nor is it in the Seminole County maintenance program. It has been the 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, with rare exceptions. These code sections require that a proposed plat be adequately served by suitable public facilities. Since Artesia is unpaved and not maintained by the County it cannot support the potential for additional development. In order to bring the road up to County standards for the subject development, the applicant would need to pave approximately 1100' of roadway to the west. The applicant is not proposing to improve this roadway and is asking for a waiver of this requirement.

Staff's concern as it specifically relates to Artesia Avenue is based on the future development potential of the surrounding properties that would develop using Canal and Artesia for access and the cumulative effect on these roads. If all other parcels in the vicinity that use Artesia Avenue for their access were subdivided in the same manner this could result in 44 new parcels. The County wetland maps, which are conceptual, show this entire area to be wetland and because wetlands are considered in determining the net buildable area, the total yield could be less.

Staff's concern as it relates to the approval of this plat with this particular waiver is the likelihood that this will set a precedence for other similar requests and that the future impact to other substandard County roads through out the rural area could not be contained.

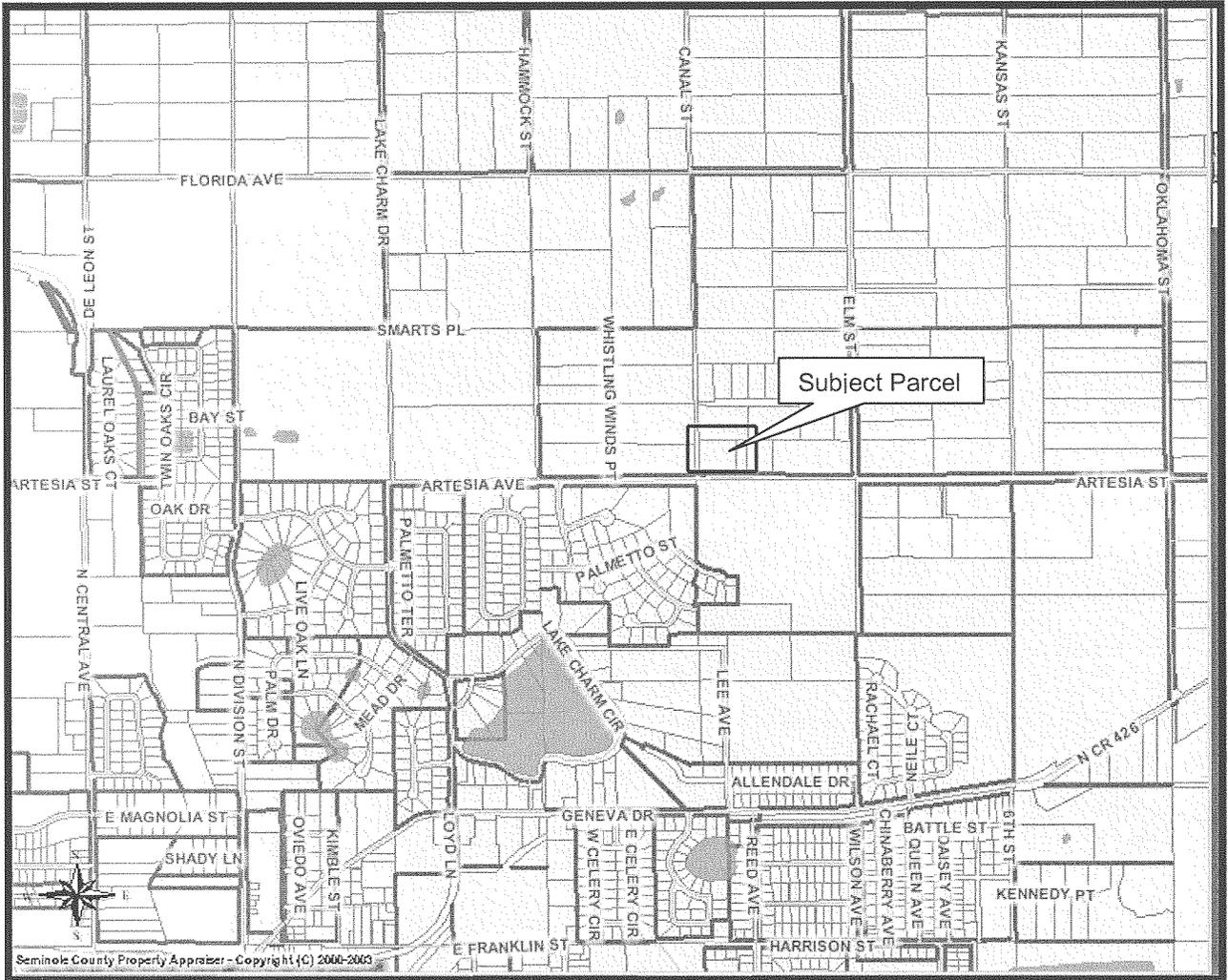
STAFF RECOMMENDATION:

Staff recommends denial of the plat based on the fact that Artesia Avenue is not paved to County standards.

District 2 – Morris

Attachments: Location Map

Plat reduction



**LOCATION MAP
BURN'S ADDITION TO BLACK HAMMOCK
MINOR PLAT**

BURNS ADDITION TO BLACK HAMMOCK
A REPLAT OF LOT 144, LESS THE EAST 887.89 FEET THEREOF, OF THE
"MAP OF VAN ARSDALE OSBORNE BROKERAGE CO'S ADD TO BLACK HAMMOCK",
AS RECORDED IN PLAT BOOK 1, PAGE 31
PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA
SECTION 22, TOWNSHIP 21 SOUTH, RANGE 32 EAST

LEGAL DESCRIPTION:

LOT 144, LESS THE EAST 887.89 FEET THEREOF, OF THE "MAP OF VAN ARSDALE OSBORNE BROKERAGE CO'S ADD TO BLACK HAMMOCK", AS RECORDED IN PLAT BOOK 1, PAGE 31 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 144 OF THE "MAP OF VAN ARSDALE OSBORNE BROKERAGE CO'S ADD TO BLACK HAMMOCK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 31 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. RUN ALONG THE SOUTH LINE OF SAID LOT 144, S 89°09'18" E, 393.76 FEET; THENCE N 00°37'34" E, 305.41 FEET TO THE NORTH LINE OF THE AFORESAID LOT 144; THENCE N 89°09'08" W, ALONG SAID NORTH LINE, 394.37 FEET TO THE EAST RIGHT OF WAY LINE OF CANAL STREET; THENCE S 00°30'42" W, ALONG SAID EAST RIGHT OF WAY LINE, 305.43 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.76 ACRES MORE OR LESS.

SUBJECT TO AN INGRESS/EGRESS EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 75.0 FEET OF THE SOUTH 50.0 FEET OF LOT 144 OF THE "MAP OF VAN ARSDALE OSBORNE BROKERAGE CO'S ADD TO BLACK HAMMOCK" AS RECORDED IN PLAT BOOK 1, PAGE 31 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, LESS THE SOUTH 25.0 FEET THEREOF AND THE SOUTH 25.0 FEET OF SAID LOT 144 LESS THE EAST 887.89 FEET THEREOF.

Notes:

- Bearings are based on: The west line of lot 144 as being S 00°30'42"W, assumed.
- In accordance with Chapter 177.001, Board of Professional Land Surveyors Laws & Rules. All plotted utility easements shall provide that such 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.
- Per Florida Statute 177.081(3)-"However, nothing herein shall be construed as creating an obligation upon any governing body to perform any act of construction or maintenance within such dedicated areas except when the obligation is voluntarily assumed by the governing body".
- The G.L.S. monument coordinates have been rotated to fit the bearing basis of the original plat. The coordinated shown hereon are recorded coordinates from the county. The rotated coordinates are as follows:

For G.L.S. 0218	For G.L.S. 0122
N= 1586326.7942	N= 1584474.8889
E= 598402.3779	E= 591443.2222

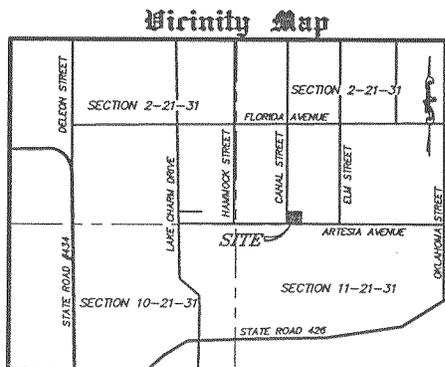
- LEGEND**
- = SET 4" X 4" CONCRETE MONUMENT FROM LB5777
 - = SET 1/2" IRON ROD & CAP LB5777

UNLESS OTHERWISE NOTED

NOTICE: This plat, as recorded in its 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 Seminole County, Florida.

PREPARED BY:

LAND SURVEYING & MAPPING CORP.
 350 S. Central Ave., Ocala, FL 32765
 P.O. Box 621892, Ocala, FL 32762
 Voice (407) 365-1036
 Fax (407) 365-1838
 Certificate of Authorization No. 5777



NOT TO SCALE
 IN SEMINOLE COUNTY, FLORIDA

Index of sheets:

- SHEET 1 - DEDICATION, CERTIFICATIONS, APPROVALS, LEGAL DESCRIPTION, & NOTES
- SHEET 2 - GRAPHICAL DEPICTION OF ENTIRE SITE

CERTIFICATE OF CLERK OF 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 COURT
 in and for Seminole County, Florida

BY D.C.

PLAT BOOK _____ PAGE _____

BURNS ADDITION TO BLACK HAMMOCK DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That Marshal Wolfe, being the owner in fee simple of the lands described in the foregoing caption of this plat and has caused said lands to be surveyed and that this Plat, made in accordance with said survey, is hereby adopted as the true and correct Plat of said lands. No part of said lands is dedicated to Seminole County, Florida or the Public.

The owner does hereby grant to himself and his successors or assigns forever the Ingress & Egress Easements shown hereon for the purpose of providing access to and from the individual Lot herein.

IN WITNESS WHEREOF has caused these presents to be signed by the owner named below on _____, 2004.

By: _____ ADDRESS: 1100 E. Artesia St.
 Printed Name: MARSHAL WOLFE Ocala, FL 32765
 Signed and seated in the presence of:

By: _____ By: _____
 Printed Name: _____ Printed Name: _____
 STATE OF: _____ COUNTY OF: _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2004, by Marshal Wolfe who is personally known to me or produced _____ as identification.

Printed Name: _____
 NOTARY PUBLIC _____
 COMMISSION NUMBER _____
 MY COMMISSION EXPIRES _____

CERTIFICATE OF APPROVAL BY COUNTY SURVEYOR

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

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

DATE: _____

CERTIFICATE OF APPROVAL BY ZONING COMMISSION

THIS IS TO CERTIFY, That on..... the..... Planning and Zoning Commission of Seminole County, Florida, examined and approved the foregoing plat.

..... Chairman

CERTIFICATE OF APPROVAL BY MUNICIPALITY

THIS IS TO CERTIFY, That on..... the Board of County Commissioners of Seminole County, Florida, examined and approved the foregoing plat.

..... CHAIRMAN OF THE BOARD

ATTEST:

..... CLERK OF THE BOARD

BY D.C.

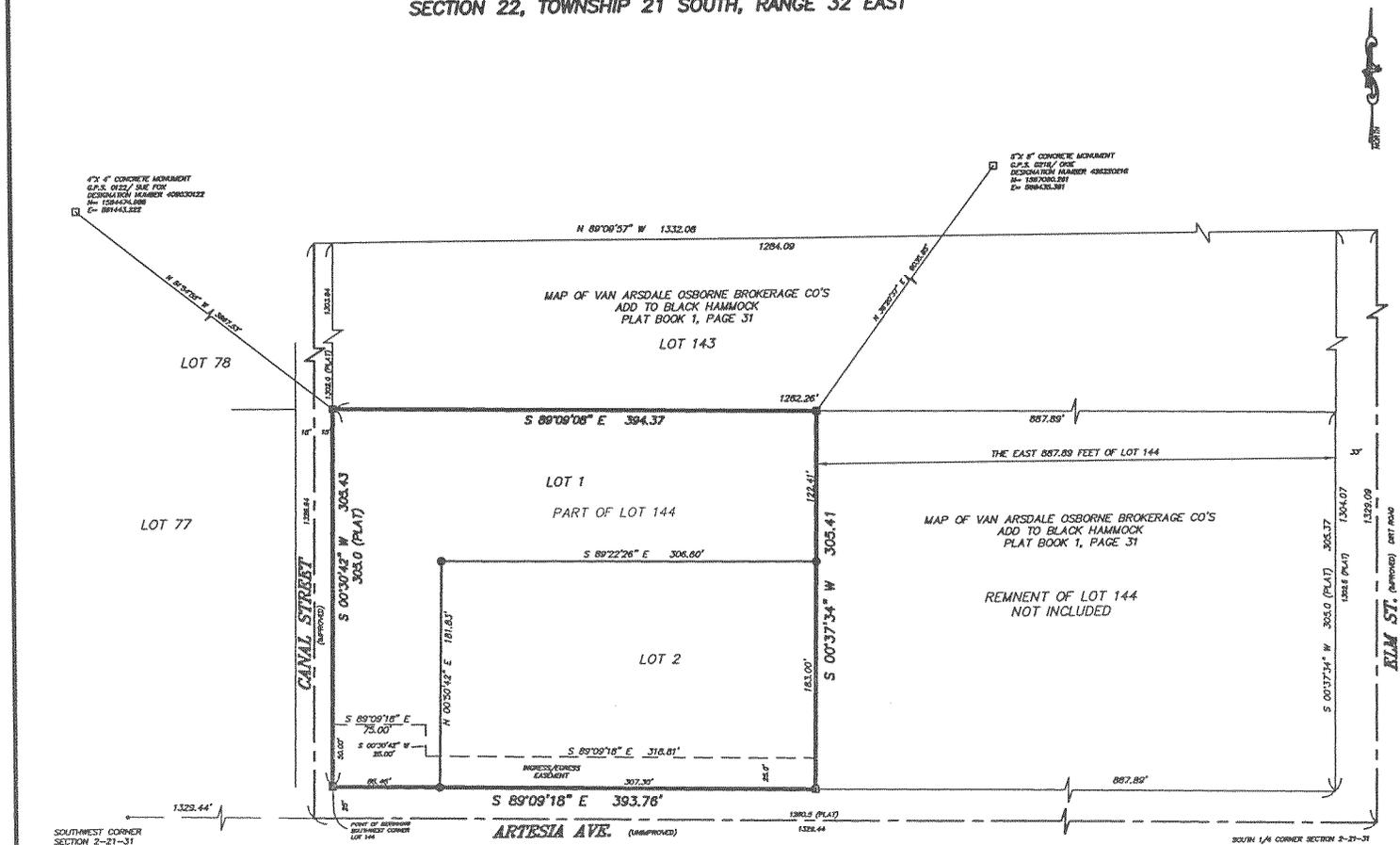
CERTIFICATE OF SURVEYOR

I hereby certify that this plat is a true and correct representation of the lands surveyed, that the survey was made under my responsible direction and supervision, and that the survey data contained herein complies with all of the requirements of Chapter 177 of the Florida Statutes. I further certify that I have complied with the requirements of Chapter 177.091(7) regarding "permanent reference monuments", and that the land is located within Seminole County, Florida.

Dated.....

Signature.....
 P.R.(RICK) BURNS LAND-TECH SURVEYING & MAPPING CORP.
 350 S. Central Ave., Ocala, FL 32765

BURNS ADDITION TO BLACK HAMMOCK
 A REPLAT OF LOT 144, LESS THE EAST 887.89 FEET THEREOF, OF THE
 "MAP OF VAN ARSDALE OSBORNE BROKERAGE CO'S ADD TO BLACK HAMMOCK",
 AS RECORDED IN PLAT BOOK 1, PAGE 31
 PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA
 SECTION 22, TOWNSHIP 21 SOUTH, RANGE 32 EAST



SOUTHWEST CORNER SECTION 2-21-31

SOUTH 1/4 CORNER SECTION 2-21-31

LEGEND

- = SET 4" x 4" CONCRETE MONUMENT "PRM LB5777"
- ⊙ = SET 1/2" IRON ROD & CAP "LB5777"

UNLESS OTHERWISE NOTED

GRAPHIC SCALE

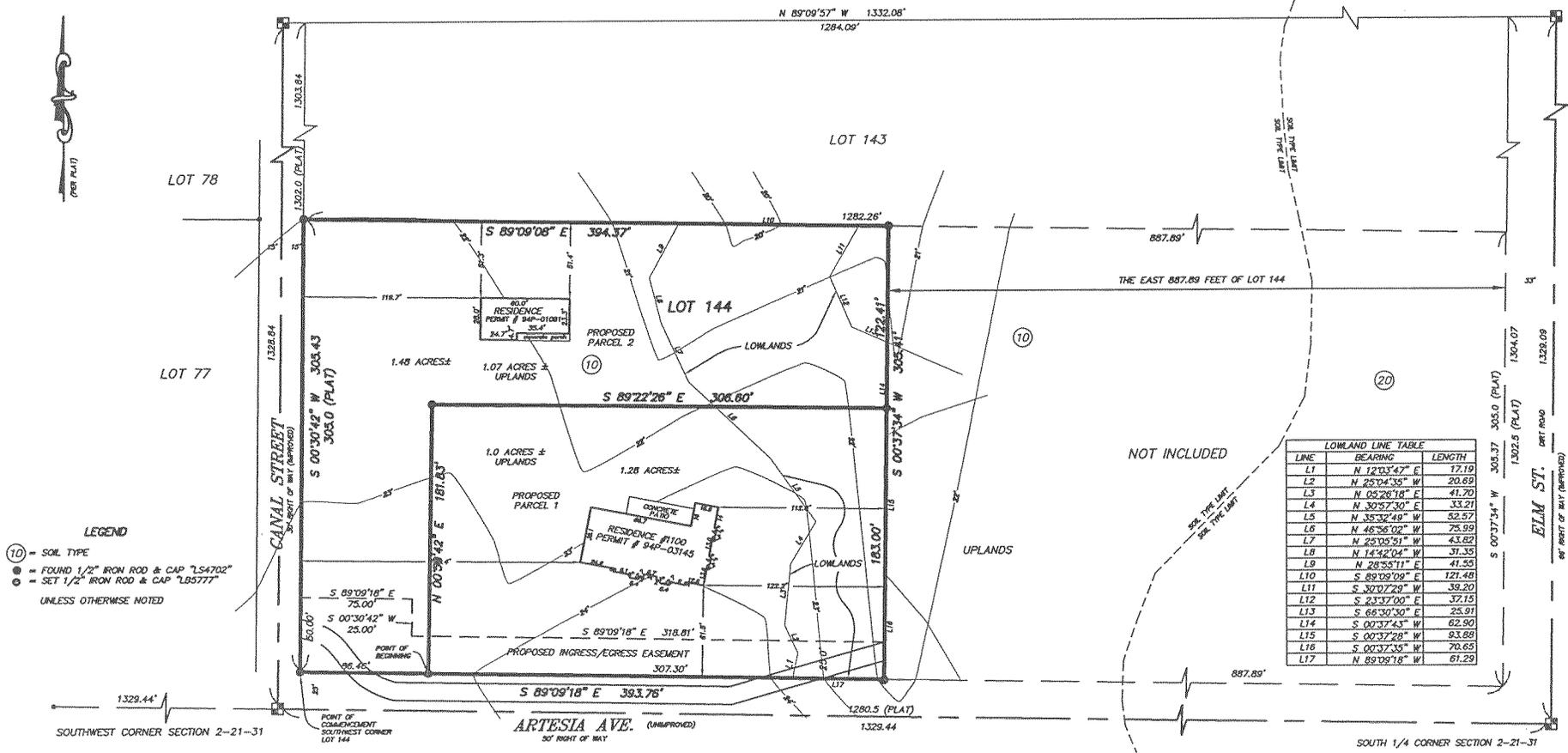


PREPARED BY:



SURVEYING & MAPPING CORP.
 330 S. Central Ave., Oviedo, FL 32765
 P.O. Box 621892, Oviedo, FL 32762
 Voice (407) 365-1036
 Fax (407) 365-1838
 Certificate of Authorization No. 5777

NOTICE:
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PARENT PARCEL LEGAL DESCRIPTION:

LOT 144, LESS THE EAST 887.89 FEET THEREOF, OF THE "MAP OF VAN ARSDALE OSBORNE BROKERAGE CO'S ADD TO BLACK HAMMOCK", AS RECORDED IN PLAT BOOK 1, ON PAGE 31 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA CONTAINING 2.78 ACRES MORE OR LESS INCLUDING PROPOSED EASEMENT

PROPOSED PARCEL 1

COMMENCE AT THE SOUTHWEST CORNER OF LOT 144 OF THE "MAP OF VAN ARSDALE OSBORNE BROKERAGE CO'S ADD TO BLACK HAMMOCK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 31 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. RUN ALONG THE SOUTH LINE OF SAID LOT 144, S 89°09'18" E, 86.46 FEET FOR THE POINT OF BEGINNING; THENCE N 00°30'42" E, 181.83 FEET; THENCE S 89°22'26" E, 306.60 FEET; THENCE S 00°37'34" W, 183.00 FEET TO THE AFORESAID SOUTH LINE OF LOT 144; THENCE ALONG SAID SOUTH LINE N 89°09'18" W, 307.30 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.28 ACRES MORE OR LESS

PROPOSED PARCEL 2

LOT 144, LESS THE EAST 887.89 FEET THEREOF, OF THE "MAP OF VAN ARSDALE OSBORNE BROKERAGE CO'S ADD TO BLACK HAMMOCK", AS RECORDED IN PLAT BOOK 1, ON PAGE 31 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

ALSO LESS

COMMENCE AT THE SOUTHWEST CORNER OF LOT 144 OF THE "MAP OF VAN ARSDALE OSBORNE BROKERAGE CO'S ADD TO BLACK HAMMOCK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 31 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. RUN ALONG THE SOUTH LINE OF SAID LOT 144, S 89°09'18" E, 86.46 FEET FOR THE POINT OF BEGINNING; THENCE N 00°30'42" E, 181.83 FEET; THENCE S 89°22'26" E, 306.60 FEET; THENCE S 00°37'34" W, 183.00 FEET TO THE AFORESAID SOUTH LINE OF LOT 144; THENCE ALONG SAID SOUTH LINE N 89°09'18" W, 307.30 FEET TO THE POINT OF BEGINNING.

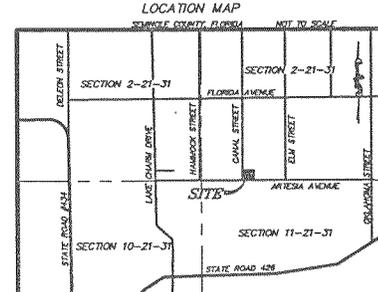
CONTAINING 1.48 ACRES MORE OR LESS

INGRESS/EGRESS EASEMENT

THE WEST 75.0 FEET OF THE SOUTH 50.0 FEET OF LOT 144 OF THE "MAP OF VAN ARSDALE OSBORNE BROKERAGE CO'S ADD TO BLACK HAMMOCK" AS RECORDED IN PLAT BOOK 1, PAGE 31 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, LESS THE SOUTH 25.0 THEREOF AND THE SOUTH 25.0 FEET OF SAID LOT 144 LESS THE EAST 887.89 FEET THEREOF.

SURVEYOR'S REPORT:

- 1) Based on the National Flood Insurance Program "986" Map Community - Parcel Number 120209 0163 & Dated 4/17/1983 the above described Property is located in Zone "X". Areas determined to be outside the 500 year flood plain.
- 2) Bearings are based on the road line of lot 144 as being S 00°30'42" E.
- 3) Vertical Datum is based on BM-8 For previous survey provided by client.
- 4) The Surveyor has not abstracted the lands shown herein for comments and/or rights of way of record.
- 5) No underground installations, foundation footings, or improvements have been located except as noted.
- 6) There may be additional restrictions that are not recorded on this plan that may or may not be found in the public records of this county.
- 7) There is no evidence on the ground of use of the property which might suggest a possible date of occurrence other than those shown on this survey.
- 8) This survey was prepared for the entities named herein and is "non-transferable".
- 9) Improvements within their specific easements have not been located as a part of this survey.
- 10) The contours depicted herein have been produced interpolating elevations per a previous survey and the USGS Quadrangular Map of Ocala, dated March 1906.
- 11) The soil information shown herein is per the "Soil Survey of Seminole County, Florida" Map prepared by the United States Department of Agriculture, dated March 1906.
- 12) Portions of this recorded plat are not legible, therefore this survey relies in part on Fred Williams notes obtained from the Seminole County Surveying Department.
- 13) The lowlands shown herein are based solely on information provided by the client and was not field verified.
- 14) Parcel is in Zone A-1 with setback being as follows:
Front: 80' side: 10' rear: 30'



CERTIFICATION:

I hereby certify that the survey represented on this map was made under my direction on the data shown based on the information furnished to me on and conforms to the NATIONAL TECHNICAL STANDARDS FOR LAND SURVEYING AND MAPPING BY THE STATE OF FLORIDA in accordance with CHAPTER 327B5, Florida Administrative Code.

LAND SURVEYING & MAPPING CORP.
 308 E. Central Ave., Ocala, FL 32715
 P.O. Box 62098, Ocala, FL 32762
 Voice (407) 365-1936
 Fax (407) 365-1938
 Licensed Business No. 5777

BOUNDARY SURVEY
MARSHAL WOLFE
 1100 & 1110 Artesia Ave.
 Ocala, Florida 32708

DATE OF THIS SURVEY: 9/10/04
 SHEET NO.: 93237
 SCALE: 1" = 50'

PREPARED BY: CB
 CHECKED BY: PRB

RECEIVED: 10/15/04
 TOWN AND COUNTY RECORDS
 Ocala, Florida 32708