

TAB 9



City of Palmetto Agenda Item

Meeting Date

8/20/12

Presenter: Lorraine Lyn **Department:** Planning

Title:

Roy Family Ranches Subdivision Final Plat
2007 & 2011 21st Street W
Property Owners: Charles A. and Pamela G. Roy and Brian T. and Heidi A. Allwood
Property Size: 8.01 acres

On 11/7/2011, the City Commission approved the annexation (AN 2011-03); plan amendment from Residential-3 (County) to Residential-4 (City) (PA 2011-03); rezoning from E-R (City) and A-1 (County) to PD-H (Z 2011-03) and GDP and preliminary subdivision plat for 6 lots at a gross density of 0.75 du/ac with the following stipulations:

1. The maximum number of lots shall not exceed 6 lots.
2. The minimum lot size shall be 1.0 acre.
3. Horses may be kept and housed on an approved lot or parcel.
4. Residences on lots 1 and 6 shall face 21st Street and meet a 50-foot setback from 21st Street.

On July 6, 2012, the applicant filed applications for a Final Plat and a Development Agreement to defer construction of drainage facilities for the remaining 4 vacant lots. The City's Engineers signed off on the construction plans and final plat on July 12, 2012. The City Attorney's Office has reviewed the declaration of restrictions, various title and joinder matters and the plat for overall legal issues associated with compliance with state law.

Planning staff has reviewed the final plat and finds it consistent with the Preliminary Plat, Subdivision regulations and the GDP conditions approved by the City Commission. The final plat consists of 6 lots with the smallest lots (3 & 4) being 1.06 acres in size. There are 2 existing homes on Lots 2 and 5 which access 21st Street W from an existing private drive. The final plat provides for all 6 lots to access this private drive. Staff recommends approval of the Roy Family Ranches Subdivision Final Plat.

Budgeted Amount: \$0.00 **Budget Page No(s):** **Available Amount:** \$0.00 **Expenditure Amount:** \$0.00

Additional Budgetary Information:

Funding Source(s): **Sufficient Funds Available:** Yes No **Budget Amendment Required:** Yes No **Source:**

City Attorney Reviewed: Yes No N/A **Advisory Board Recommendation:** For Against N/A **Consistent With:** Yes No N/A **Preliminary Plat Approval:**

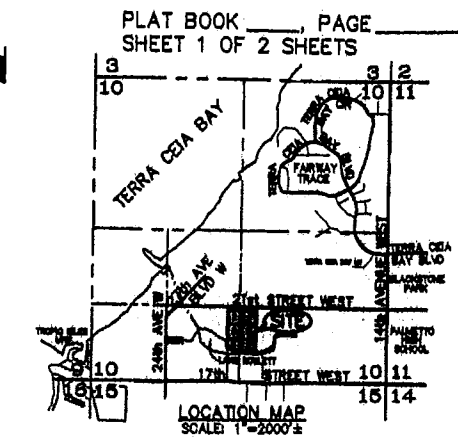
Potential Motion/Direction Requested: The City Commission shall APPROVE or DENY the proposed final plat for ROY FAMILY RANCHES SUBDIVISION

Staff Contact: Lorraine Lyn City Planner 723-4580 Ext. 2135

Attachments: Roy Family Ranches Subdivision Final Plat (11 x 17)

ROY FAMILY RANCHES SUBDIVISION

A PARCEL OF UNPLATTED LAND AND
 A REPLAT OF A PORTION OF LOT 3, CHURCH HILL DOWNS SUBDIVISION PER PLAT THEREOF RECORDED IN PLAT BOOK 20, PAGES 196 AND 197,
 LYING AND BEING IN SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST,
 CITY OF PALMETTO, COUNTY OF MANATEE, STATE OF FLORIDA.



LEGAL DESCRIPTION

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY FLORIDA; THENCE S00°13'30"E, 33.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 21ST STREET WEST FOR THE POINT OF BEGINNING; THENCE S89°53'45"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 223.15 FEET TO THE NORTHEAST CORNER OF LOT 3, CHURCH HILL DOWNS SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 20, PAGES 196 AND 197 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S00°05'36"W, ALONG THE EAST LINE OF SAID LOT 3, A DISTANCE OF 598.98 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE WEST, 5.99 FEET, MORE OR LESS, TO THE NORMAL HIGH WATER LINE OF LAKE ROWLETT; THENCE MEANDERING SOUTHERLY, ALONG SAID NORMAL HIGH WATER LINE, A DISTANCE OF 99.0 FEET, MORE OR LESS, TO THE POINT OF INTERSECTION OF SAID NORMAL HIGH WATER LINE AND THE SOUTHERLY EXTENSION OF SAID EAST LINE OF LOT 3; THENCE CONTINUE MEANDERING SOUTHEASTERLY, ALONG SAID NORMAL HIGH WATER LINE, A DISTANCE OF 740.0 FEET, MORE OR LESS, TO THE POINT OF INTERSECTION OF SAID NORMAL HIGH WATER LINE AND THE EAST LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORD BOOK 2233, PAGE 4309, OF AFORESAID PUBLIC RECORDS; THENCE N00°12'48"E, ALONG SAID EAST LINE, A DISTANCE OF 728.82 FEET, MORE OR LESS, TO THE POINT OF INTERSECTION OF SAID EAST LINE AND THE AFOREMENTIONED SOUTH RIGHT-OF-WAY LINE OF 21ST STREET WEST; THENCE S89°53'47"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 249.83 FEET; THENCE S89°53'45"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 26.80 FEET TO THE POINT OF BEGINNING.

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE, CHARLES A. ROY AND PAMELA G. ROY, INDIVIDUALLY AND PAMELA G. ROY, AS TRUSTEE OF THE PAMELA G. ROY REVOCABLE TRUST - 2007 UNDER AGREEMENT DATED MARCH 1, 2007 AS TO AN UNDIVIDED ONE-HALF INTEREST AS TENANTS IN COMMON AND CHARLES A. ROY AS TRUSTEE OF THE CHARLES A. ROY REVOCABLE TRUST - 2007 UNDER AGREEMENT DATED APRIL 11, 2007, AS TO AN UNDIVIDED ONE-HALF INTEREST AS TENANTS IN COMMON, BY VIRTUE OF CONVEYANCE RECORDED 03/01/2002 IN OFFICIAL RECORDS BOOK 1732 PAGE 1455 AND CONVEYANCE RECORDED 7/20/2004 IN OFFICIAL RECORDS BOOK 1942 PAGE 7891 AND CONVEYANCE RECORDED 03/07/2008 IN OFFICIAL RECORDS BOOK 2249, PAGE 7193, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF A PORTION OF THE PROPERTY DESCRIBED HEREON AND DO HEREBY DEDICATE ALL STREETS AND EASEMENTS, SHOWN OR DESCRIBED ON THIS PLAT, ENTITLED "ROY FAMILY RANCHES SUBDIVISION", UNLESS SPECIFICALLY RESERVED, FOR USE BY THE GENERAL PUBLIC FOREVER.

WE, BRIAN T. ALLWOOD AND HEIDI A. ALLWOOD, HUSBAND AND WIFE, AS TO AN UNDIVIDED 2/3 INTEREST AND PAMELA G. ROY, A MARRIED WOMAN, AS TO AN UNDIVIDED 1/3 INTEREST, AS JOINT TENANTS WITH FULL RIGHTS OF SURVIVORSHIP, BY VIRTUE OF CONVEYANCE RECORDED 11/01/2007 IN OFFICIAL RECORDS BOOK 2233, PAGE 4309, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REMAINING PORTION OF THE PROPERTY DESCRIBED HEREON AND DO HEREBY DEDICATE ALL STREETS AND EASEMENTS, SHOWN OR DESCRIBED ON THIS PLAT, ENTITLED "ROY FAMILY RANCHES SUBDIVISION", UNLESS SPECIFICALLY RESERVED, FOR USE BY THE GENERAL PUBLIC FOREVER.

IN WITNESS WHEREOF, WE THE UNDERSIGNED, HAVE HEREUNTO SET OUR HANDS AND SEALS THIS _____ DAY OF _____, 20____.

CHARLES A. ROY & CHARLES A. ROY AS TRUSTEE OF THE CHARLES A. ROY REVOCABLE TRUST - 2007 UNDER AGREEMENT DATED APRIL 11, 2007

PAMELA G. ROY & PAMELA G. ROY AS TRUSTEE OF THE PAMELA G. ROY REVOCABLE TRUST - 2007 UNDER AGREEMENT DATED MARCH 1, 2007

WITNESSES:

WITNESSES:

SIGNATURE _____ PRINTED NAME _____

SIGNATURE _____ PRINTED NAME _____

SIGNATURE _____ PRINTED NAME _____

SIGNATURE _____ PRINTED NAME _____

BRIAN T. ALLWOOD

HEIDI A. ALLWOOD

WITNESSES:

WITNESSES:

SIGNATURE _____ PRINTED NAME _____

SIGNATURE _____ PRINTED NAME _____

SIGNATURE _____ PRINTED NAME _____

SIGNATURE _____ PRINTED NAME _____

ACKNOWLEDGMENTS

STATE OF FLORIDA: SS
 COUNTY OF MANATEE:

THE FOREGOING CERTIFICATE OF OWNERSHIP AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____, DAY OF _____, 20____, BY CHARLES A. ROY, PAMELA G. ROY, BRIAN T. ALLWOOD AND HEIDI A. ALLWOOD WHO ARE ALL PERSONALLY KNOWN TO ME OR WHO HAVE PRODUCED _____ AS IDENTIFICATION.

NOTARY PUBLIC _____ PRINTED NAME _____ (SEAL)

RESERVATION OF EASEMENTS

INGRESS AND EGRESS OVER ROADS - THE "DEVELOPER" HEREBY GRANTS TO ALL OWNERS OF THE PROPERTY IN ROY FAMILY RANCHES SUBDIVISION AND THEIR GUESTS, LICENSEES, INVITEES, SUCCESSORS AND ASSIGNS, ALL EMERGENCY AND LAW ENFORCEMENT SERVING THE SUBDIVISION, AND ALL OTHER PERSONS PROVIDING ESSENTIAL SERVICES TO THE SUBDIVISION, A NON EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS TRACT "A" AS SHOWN ON THIS PLAT.

PUBLIC UTILITY EASEMENTS - THE "DEVELOPER" HEREBY GRANTS A NON-EXCLUSIVE UTILITY EASEMENT TO FLORIDA POWER & LIGHT COMPANY AND OTHER AUTHORIZED UTILITY COMPANIES, TEN (10) FEET IN WIDTH AND SHOWN ON SHEET 2 ALONG THE EAST AND WEST SIDE OF THE ROY FAMILY RANCHES SUBDIVISION AS PRIVATE EASEMENTS 1 AND 2 FOR INSTALLATION AND MAINTENANCE OF UNDERGROUND POWER, GAS, TELEPHONE, WATER, REUSE WATER, SEWER, ELECTRIC, CABLE TELEVISION, TELECOMMUNICATIONS, AND OTHER UTILITIES LINES AND FACILITIES.

PRIVATE DRAINAGE EASEMENT - THE "DEVELOPER" DOES HEREBY GRANT TO ROY FAMILY RANCHES HOMEOWNERS ASSOCIATION, INC. A NON-EXCLUSIVE EASEMENT FOR DRAINAGE PURPOSES UNDER AND ACROSS EACH AREA DEPICTED ON THIS PLAT AS A "PRIVATE EASEMENT 1" AND "PRIVATE EASEMENT 2".

TRACT DESIGNATION

TRACT "A" IS A PRIVATE ROAD RIGHT-OF-WAY AND PRIVATE DRAINAGE EASEMENT TRACT, WHICH SHALL BE MAINTAINED BY THE ROY FAMILY RANCHES HOMEOWNERS ASSOCIATION, INC. AND THE USE OF WHICH SHALL BE GOVERNED BY ROY FAMILY RANCHES RESTRICTIONS.

CERTIFICATE OF APPROVAL OF THE CITY COMMISSION OF THE CITY OF PALMETTO

STATE OF FLORIDA :
 COUNTY OF MANATEE : SS

IT IS HEREBY CERTIFIED THAT THIS PLAT HAS BEEN OFFICIALLY APPROVED BY THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, THIS _____, DAY OF _____, 20____.

CITY CLERK _____ MAYOR _____

CITY ENGINEER APPROVAL _____ CITY ATTORNEY APPROVAL _____

CERTIFICATE OF THE CLERK OF THE CIRCUIT COURT

STATE OF FLORIDA :
 COUNTY OF MANATEE : SS

I, R.B. SHORE, CLERK OF THE CIRCUIT COURT OF MANATEE COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND THAT IT COMPLIES IN FORM WITH ALL THE REQUIREMENTS OF THE STATUTES OF FLORIDA PERTAINING TO MAPS AND PLATS, AND THAT THIS PLAT HAS BEEN FILED FOR RECORD IN PLAT BOOK _____, PAGES _____, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, THIS _____, DAY OF _____, 20____.

CLERK OF THE CIRCUIT COURT, MANATEE COUNTY, FLORIDA (SEAL)

CERTIFICATE OF APPROVAL OF THE CITY SURVEYOR

STATE OF FLORIDA :
 COUNTY OF MANATEE : SS

IT IS HEREBY CERTIFIED THAT THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY WITH THE REQUIREMENTS OF CHAPTER 177, PART 1 OF THE FLORIDA STATUTES AND THE LAND DEVELOPMENT CODE OF THE CITY OF PALMETTO AND THE SUBDIVISION ORDINANCE OF THE CITY OF PALMETTO.

CITY SURVEYOR _____ DATE _____ SURVEYOR'S SEAL

CERTIFICATE OF SURVEYOR

I, THE UNDERSIGNED PROFESSIONAL SURVEYOR AND MAPPER, 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, THAT THE SURVEY DATA COMPLIES WITH ALL REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES AND THE LAND DEVELOPMENT CODE OF THE CITY OF PALMETTO AND THE SUBDIVISION ORDINANCE OF THE CITY OF PALMETTO, AND THAT THE PERMANENT REFERENCE MONUMENTS AND THE LOT CORNERS HAVE BEEN INSTALLED.

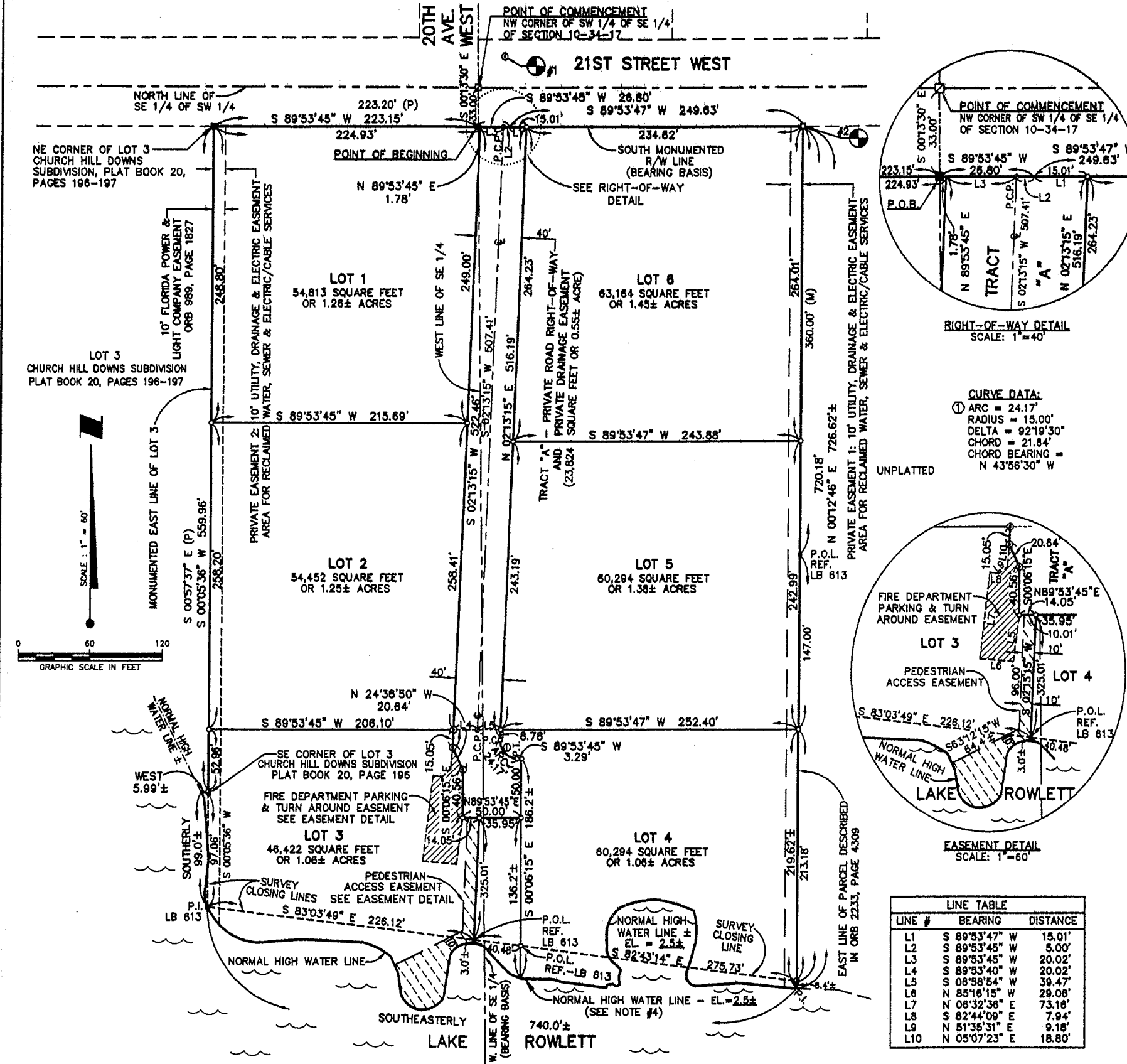
LEO MILLS, JR.
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 3513
 DATE OF CERTIFICATION: _____ SURVEYOR'S SEAL

Leo Mills & Associates, Inc.
 LICENSED SURVEYORS #613
 SURVEYING - LAND PLANNING
 820 8TH AVENUE 22 NORTH POLK AVENUE
 PALMETTO, FL. 34221 ARCADIA, FL. 34266

FILE: SERVER: C:\DRAWINGS\SUBDIVISIONS\ROYFAMILYRANCHES-PL.DWG
 DATE: 3-27-12 JOB NO: C7060 COOR: C6415.CSD
 REVISIONS: 8-03-12 CITY ATTORNEY'S COMMENTS

ROY FAMILY RANCHES SUBDIVISION

A PARCEL OF UNPLATTED LAND AND
A REPLAT OF A PORTION OF LOT 3, CHURCH HILL DOWNS SUBDIVISION PER PLAT THEREOF RECORDED IN PLAT BOOK 20, PAGES 196 AND 197,
LYING AND BEING IN SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST,
CITY OF PALMETTO, COUNTY OF MANATEE, STATE OF FLORIDA.



- LEGEND**
- PERMANENT REFERENCE MONUMENT - 4" X 4" CONCRETE MONUMENT SET (MARKED "PRM - LB 613")
 - PERMANENT REFERENCE OFFSET MONUMENT (MARKED "PRM - O/S - LB 613")
 - PERMANENT REFERENCE MONUMENT (MARKED "PRM - LB 613")
 - 4" X 4" CONCRETE MONUMENT FOUND
 - 4" X 4" CONCRETE MONUMENT FOUND
 - NAIL & TAB SET (MARKED "LB 613")
 - NAIL & BENCHMARK TAB FOUND - LB 613
 - IRON AXLE FOUND
 - 3/4" IRON PIPE FOUND (IPF)
 - 1/2" IRON ROD FOUND - IRF
 - 3/4" IRON PIPE FOUND - IPF
 - 1/2" IRON ROD SET MARKED "LB 613 P.C.P."
 - 1/2" IRON ROD SET - LB 613
 - ⊙ CURVE - SEE CURVE DATA
 - ORB OFFICIAL RECORD BOOK
 - O/S OFFSET
 - LB LICENSED BUSINESS
 - L# LINE - SEE LINE TABLE
 - P.C. PERMANENT CONTROL POINT
 - P.C.P. POINT OF CURVATURE
 - P.T. POINT OF TANGENCY
 - P.I. POINT OF INTERSECTION
 - PRM PERMANENT REFERENCE MONUMENT
 - REF. REFERENCE
 - R/W RIGHT-OF-WAY
 - P.O.L. POINT ON LINE
 - EL. ELEVATION
 - (P) PLAT OF CHURCH HILL DOWNS SUBDIVISION
 - (D) DESCRIPTION
 - (C) CENTER LINE
 - #1 BENCHMARK: NAIL & BENCHMARK TAB SET 1' S. OF EDGE OF PAVEMENT ON 21ST STREET W. AT EDGE OF PAVEMENT OF ASPHALT DRIVE ELEVATION = 8.88 FEET NGVD 1929
 - #2 BENCHMARK: TOP OF CONCRETE MONUMENT SET AT NE PROPERTY CORNER OF LOT 6 ELEVATION = 8.02 FEET NGVD 1929

SOURCE BENCHMARK:
NAIL & TAB FOUND 1' NORTH OF SOUTH EDGE OF PAVEMENT ON 21ST STREET WEST AT CENTERLINE OF #1615 - ELEVATION = 8.54 FEET NGVD 1929.

- NOTES:**
- BEARINGS SHOWN HEREON REFER TO THE NORTH LINE OF LOT 6, ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF 21ST STREET WEST BEING ASSUMED AS S 89°53'47" W.
 - ELEVATIONS SHOWN HEREON REFER TO NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D.) OF 1929 AND ARE UNDERLINED.
 - EXCEPT IN THE CASE OF AN IRREGULAR BOUNDARY OR WATER COURSE, NUMERICAL EXPRESSIONS SHOWN HEREON TO THE NEAREST FOOT OR TENTH OF A FOOT, ARE TO BE INTERPRETED AS HAVING A PRECISION TO THE NEAREST ONE HUNDREDTH OF A FOOT.
 - A WEIR AT DAVIDSON CREEK IN THE NORTHWEST CORNER OF LAKE ROWLETT CONTROLS THE WATER LEVEL OF THE LAKE. WEIR ELEVATION = 2.54 FEET NGVD 1929.

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 THIS COUNTY."

Leo Mills & Associates, Inc.
LICENSED SURVEYORS
SURVEYING - LAND PLANNING
620 8TH AVENUE PALMETTO, FL 34221
22 NORTH POLK AVENUE ARCADIA, FL 34266

FILE: SERVING: SUBDIVISIONS/ROY FAMILY RANCHES-P.L.M.G.
DATE: 1-2-2012 408 NO. 17080 COOR. CHAS. COO
REVISIONS: 3-27-12 MONUMENTATION SET
8-03-12 CITY ATTORNEY'S COMMENTS
8-10-12 REVENING SURVEYOR'S COMMENT