

# **26 North Sewall's Point Road**

**1201**

**SFR**

1201

Permit No. \_\_\_\_\_

Date \_\_\_\_\_

APPLICATION FOR A PERMIT TO BUILD A HOUSE OR COMMERCIAL BUILDING

This application must be accompanied by three sets of complete plans, to scale, (1/4" scale for building drawings), including plot plan, foundation plan, floor plans, wall and roof cross-sections; plumbing, electrical and air-conditioning layouts, and at least two elevations, as applicable. A copy of the property deed is required for new house or commercial building construction.

Owner Ira H Gottlieb Present address 1454 Sunshine Ave.

Phone 334-8014 Pt. St. Lucie, Fla.

General contractor self Address \_\_\_\_\_

Phone \_\_\_\_\_

Where licensed \_\_\_\_\_ License No. \_\_\_\_\_

Plumbing contractor Dorsey License No. 0013 Martin Co.

Electrical contractor W.N. ROOSA ELEC. Co License No. 0013 MARTIN CO.

Air-conditioning contractor C.R. Air Conditioning License No. CA C015167

Describe the building, or alteration to existing building ONE family dwelling

Name the street on which the building, its front building line and its front yard will face 26 North Sewall Point Road

Subdivision India Lucie East Lot No. 10 Area \_\_\_\_\_

Building area, inside walls (excluding garage, carport, porches, pools, etc.)...square feet 2947

Contract price (excluding land, carpeting, appliances, landscaping, etc.) \$ 58,000

Cost of permit \$ 516.30 Plans approved as submitted 546 or, as marked \_\_\_\_\_

I understand that this permit is good for 12 months from the date of its issue and that the building for which this permit is issued must be completed within that time and in accordance with the approved plans. I further understand that approval of these plans in no way relieves me of complying with the Town of Sewall's Point Ordinances and the South Florida Building Code. I agree that the building site will be clean and rough-graded before a Certificate of Occupancy is sought, and, moreover, that I shall be responsible for maintaining the construction site in a neat and orderly fashion, policing the area for trash, scrap building materials and other debris, such debris being gathered in one area and at least once a week, or oftener when necessary, removing same from the area and from the Town of Sewall's Point. Failure to comply with the above requirements may result in a Building Inspector or a Town Commissioner "Red-tagging" the building project.

Contractor Ira H Gottlieb

I understand that this building must be in accordance with the approved plans and that it must comply with all code requirements before a Certificate of Occupancy will be issued and the project approved for all utility services. I agree that within 90 days after the building is approved for occupancy, the property will be landscaped so as to be compatible with its neighborhood, as required by the Town's zoning ordinance.

Owner Ira H Gottlieb

Note: Speculation builders will be required to sign both of the above statements.

TOWN RECORD

Date submitted \_\_\_\_\_

Approved by Building Inspector (date) 9/11/80

Inspector's initials JM

Approved by Town Commissioner (date) 9/16/80

Commissioner's initials AS

Certificate of Occupancy issued (date) \_\_\_\_\_

Approved of these plans in no way relieves the contractor of complying with the Point of Sewall's Building Code. 287-8402

1201

**FLORIDA COMPENSATION RATING BUREAU**

POST OFFICE BOX 8899  
 9570 REGENCY SQUARE BLVD., JACKSONVILLE, FLORIDA 32211  
 904 — 725-6241

**DATE:** August 21, 1980

Ira H. Gottlieb  
 1454 Sunshine Ave.  
 Pt. St. Lucie, FL 33452

**Re:** Workmen's Compensation and Employers' Liability Policy Binder

Gentlemen:

This is to acknowledge receipt of an estimated or deposit premium payment and your application requesting coverage through the Workmen's Compensation Insurance Plan (Florida).

Coverage has been bound for 30 days beginning at 12:01 A.M. on the effective date indicated below, and with the insurance company named below. Coverage is provided under the Florida Workmen's Compensation Law, subject to provisions of the Standard Workmen's Compensation and Employers' Liability Policy which will be issued prior to expiration of your binder. The limit of Employers' Liability coverage is \$100,000. Your binder identification number is also indicated below.

Insurance Company	Effective Date	Binder Identification Number
Pen Fire	9-1-80	652      ARB

Please retain this binder as evidence of coverage until you receive your policy.

Yours very truly,

Mrs. T. Dillman/r11

**AGENCY NAME:**

Robert M. Johnson Ins. Agy., Inc.  
 PO Box 376  
 Stuart, Florida 33494

Carrier: Check attached for \$326.00

**INSURANCE COMPANY:**

Peninsular Fire Insurance Co.  
 PO Box 2079  
 Jacksonville, Florida 32203

372851

WARRANTY DEED  
INDIVID. TO INDIVID

RAMCO FORM 01

**This Warranty Deed** Made the 10th day of April A. D. 1980 by  
FRANK EDWARD BARNARD and MILDRED M. BARNARD, his wife

hereinafter called the grantor, to

IRA H. GOTTLIEB

whose postoffice address is 1454 Sunshine Ave., Port St. Lucie, Fl. 33452  
hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

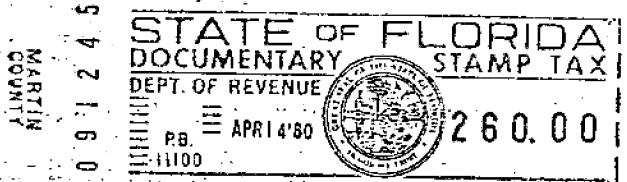
**Witnesseth:** That the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Martin County, Florida, viz:

Lot 10, of INDIALUCIE EAST, SEWALL'S POINT, Florida, according to the Plat thereof, as recorded in Plat Book 5, Page 11, of the Public Records of Martin County, Florida.

Subject to taxes for the current year, easements, restrictions, reservations of record and zoning.

Subject to first Mortgage of record to BESSEMER SECURITIES CORP.

PREPARED WITHOUT OPINION OF TITLE.



**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold,** the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1979.

**In Witness Whereof,** the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

*John C. Guerriero*  
*Comesue Miller Moore*

*Frank Edward Barnard*  
Frank Edward Barnard  
*Mildred M. Barnard*  
Mildred M. Barnard

STATE OF Florida  
COUNTY OF St. Lucie

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared FRANK EDWARD BARNARD and MILDRED M. BARNARD, his wife

to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 10th day of April, A. D. 1980.

*Comesue Miller Moore*

NOTARY PUBLIC STATE OF FLORIDA AT LARGE

This Instrument prepared by JOHN C. GUERRIERO, Esquire

SPACE BELOW FOR RECORDERS USE

BOOK 493 PAGE 1884

LOUISIANA CLERK OF SUPERIOR COURT

BO APR 14 PM 1:54

FILE FOR RECORD MARTIN COUNTY, FLA.



STATE OF FLORIDA  
DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES

APPLICATION FOR SEPTIC TANK PERMIT  
AND FINAL INSPECTION FORM

Authority:  
Chapter 381, 386, 387, FS  
Chapter 10D-6, FAC

DATE May 7, 1980 Permit Number HD 80-349

Name of Applicant Ira H. Gottlieb Telephone No. \_\_\_\_\_  
Mailing Address of Applicant 1454 Sunshine Avenue, Port St. Lucie, Fla. 33452  
To Be Installed At: (Give Street Address)\* Sewall's Point Road  
Lot No. 10 Block No. \_\_\_\_\_ Subdivision Indian Point East Page P.B. 5, Pg. 11 Martin  
Size of Lot: 338 By 164 No. Living Units 1 No. Bedrooms 4 No. People 5  
Type of Business NA No. Toilets 3 No. Wash Basins NA No. Employees NA  
Total Square Feet in Building \_\_\_\_\_

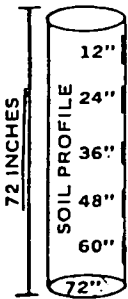
\*Note: Attach Site Location Map and Other Supportive Documents

*Ira H. Gottlieb*  
Signature of Applicant

SITE INFORMATION

Distance to Sanitary Sewer NA Distance to Stream, Lake, Canal 200' East to Indian River  
Distance to Public Water Supply 100' Distance to Private Well(s) greater than 75'  
Rainfall Data: \_\_\_\_\_  
Is Area Subject to Flooding? no Does Site have Good Natural Drainage? yes  
Which Way Does Lot Drain? East Any Perimeter Ditches? no Depth of Ditches NA  
Is there Standing Water in Ditches? no Depth of Water in Ditches NA  
Distance to Nearest Residence (North 500'+ East 1000'+ South 50' West 500') Are Buildings  
in this Area on: Septic Tanks X Sand Filters \_\_\_\_\_ Other \_\_\_\_\_  
Any Known Drainfield Failures in this Area no

SOIL PROFILE AND PERCOLATION DATA



12"	Water Table	At <u>72</u> inches
24"	Hard Pan	At _____ inches
36"	Clay	At _____ inches
48"	Muck	At _____ inches
60"	Other	At _____ inches
72"	Soil Classification:	<u>SP-1</u>
	Percolation Rate:	<u>greater than 1/2"/min.</u>

*Wm J. Mathers*

INSTALLATION SPECIFICATIONS

Septic Tank Capacity: 1050 Drain Tile (Linear Ft.): \_\_\_\_\_  
Dosing Tank Capacity: REMOVE ALL IMPERVIOUS MATERIALS Size: (Sq. Ft.) \_\_\_\_\_  
Grease Trap Capacity: TO A DEPTH OF 6' AND BACKFILL WITH Bed Size: (Sq. Ft.) 340  
Perforated Pipe: (Linear Ft.) A GOOD GRADE OF SAND IN ENTIRE Drainfield Size: (Sq. Ft.) \_\_\_\_\_  
Other Specifications: AREA OF DRAINFIELD.

RECOMMENDATION: Approval  Disapproval   
Signature of Sanitarian Robert Williams Date Processed 5-8-80  
County Health Department MARTIN  
**THIS PERMIT EXPIRES ONE (1) YEAR FROM DATE OF ISSUANCE**  
**PERMIT VOID if well or septic system is installed in a location other than area permitted. PRIOR HEALTH DEPARTMENT APPROVAL REQUIRED**

FINAL INSPECTION DATA

Date and Time of Inspection \_\_\_\_\_ Type of Tank (Concrete, Fiberglass, Etc.) \_\_\_\_\_  
Size Tank Installed \_\_\_\_\_ Drainfield Size \_\_\_\_\_ No. Tile Feet \_\_\_\_\_  
Dosing Tank Size \_\_\_\_\_ Grease Trap Size \_\_\_\_\_ Sand Filter Size \_\_\_\_\_  
Who Made Installation \_\_\_\_\_

RECOMMENDATION: Approval  Disapproval   
Signature of Sanitarian \_\_\_\_\_  
HRS-H FORM 4015, Aug 78 (Replaces San-428)

DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES, DIVISION OF HEALTH.  
 INDIVIDUAL SEWAGE DISPOSAL FACILITIES. PLOT PLAN, SCALE: 1" = 50'

PB. 5 PG. 11 DATE 1972

INDIAN RIVER

45'

N

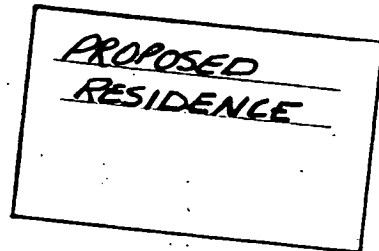
NOTE: NO WELLS  
 OR SEPTIC TANK  
 WITHIN 75' OF PROP.

NOTE: PUBLIC WATER SUPPLY

LOT 3  
 (VACANT)

LOT 10

LOT 9



371.12'

306.4'

*Wm J Mathers*

222.72'

50' R.W.

SEWALLS POINT RD

WET SEASON WATER TABLE: 6'

LEGEND

- EXISTING SEPTIC TANK AND DRAINFIELD
- PROPOSED SEPTIC TANK AND DRAINFIELD
- PROPOSED WATER SUPPLY WELL
- EXISTING WATER SUPPLY WELL
- SOIL BORING AND PERCOLATION TEST LOCATION

JOB No.

155-01-01

DATE:

5/7/80

MATHERS

&

ASSOCIATES

ENGINEERS — SURVEYORS  
 STUART, FLORIDA

BESSEMER PROPERTIES

A DIVISION OF

BESSEMER SECURITIES CORPORATION

249 ROYAL PALM WAY

PALM BEACH, FLORIDA 33480

August 14, 1980

Mr. Ira H. Gottlieb  
1454 Sunshine Avenue  
Port St. Lucie, Florida 33452

Re: Lot 10 - Indialucie East

Dear Mr. Gottlieb:

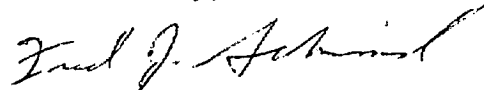
Enclosed are two sets of plans for a proposed residence for you which have been approved by Bessemer Securities Corporation.

In approving these plans, it is understood that the floor area of the residence shall not be less than 2,500 square feet, not including the area of porches unless roofed and closed in on three sides, carports or outbuildings, and shall cost not less than \$35,000.00.

The plans indicate that the residence will have cedar shingle roof which is also acceptable.

It is also understood that you will comply with the Zoning Code and Ordinances of the Town of Sewall's Point.

Sincerely,



Fred J. Schwind

FJS:hj  
Enclosures



1201  
Price Engineering Company

A Professional Corporation

Engineers-Environmental Consultants

Planners-Surveyors



Principal

Ronald J. Price, P.E. & L.S.

Associates

Arthur W. Hood, L.S. & P.P.

Paul C. Welch, P.E.

Engineering

Municipal

Drainage

Sewerage

Water

HVAC

Mechanical

Electrical

Highways

Bridges

Solar

Subdivisions

Surveying

Topographic

Boundary

Construction Layout

Riparian Surveys

Environmental

CAFRA Reports

Riparian Applications

Stream Encroachment

Wetlands Applications

Pinelands Exemptions

Bulkhead Applications

Planning

Master Plans

Urban Renewal

Land Planning

Recreation Planning

Reply To: P.O. Box 2116  
Stuart, FL 33495  
305-287-5628

February 26, 1981

Ira Gottlieb  
26 N. Sewall's Pt. Rd.  
Jensen Beach, FL 33457

Dear Mr. Gottlieb:

I hereby certify that these are existing elevations  
as required for additional protection under the  
National Flood Insurance for the above described.  
First floor level has been determined at 8.5.

Sincerely,

Ronald J. Price  
R.L.S. 2683



# METROPOLITAN DADE COUNTY • FLORIDA

100 POINT METHOD \*

FORM 5209

FOR RESIDENTIAL CONSTRUCTION

\*Design approved by Energy Regulation Board that complies with Energy Conservation Requirements of Chapter 52, of the South Florida Building Code.

PROJECT NAME		PROJECT NO: 8031
ADDRESS	SEWALLS POINT ROAD	
A/E FIRM	JAIME MONSERRAT	
OWNER	IRH H. GOTTLIEB	

## STATISTICAL DATA

ZONE:	FLOOR AREA	ROOF R-VALUE	HEATING SYSTEM TYPE (A/C)			
8	2950 sqft	R-19	STRIP: <input checked="" type="checkbox"/>	HT.PUMP: <input type="checkbox"/>	GAS: <input type="checkbox"/>	OIL: <input type="checkbox"/> SOLAR: <input type="checkbox"/>
EPI	WALL AREA	WALL R-VALUE	HOT WATER SYSTEM TYPE (DOMESTIC)			
68.57	2495 sqft	R-5.7	ELECTRIC: <input checked="" type="checkbox"/>	HT.REC.: <input type="checkbox"/>	GAS: <input type="checkbox"/>	OIL: <input type="checkbox"/> SOLAR: <input type="checkbox"/>
A/C SYSTEM	GLASS AREA	WALL CONSTRUCTION	NUMBER OF UNITS PER STRUCTURE			
EER-8.5	367 sqft	CBS: <input checked="" type="checkbox"/> FRAME: <input type="checkbox"/>	SING.FAM.: <input checked="" type="checkbox"/>	DUPLEX: <input type="checkbox"/>	TRIPLEX: <input type="checkbox"/>	OVER 3: <input type="checkbox"/>
CCP-1.00	S.C. = 1.00					

TOTAL HOUSE POINTS	CERTIFIED BY
EPI- 68.57	
<small>Lower total points mean greater energy savings.</small>	DATE 9-2-80

## SOLAR WATER HEATER CALCULATION

NUMBER OF BEDROOMS IN HOUSE	N/A
HOT WATER TANK CAPACITY (GALLONS)	
TANK CAPACITY PER BEDROOM (= tank capacity ÷ number of bedrooms)	
DCR OF COLLECTOR (daily collection rate in Btu's at 122°F, from Mfr. data)	
DCR PER BEDROOM (= DCR ÷ number of bedrooms)	
HOT WATER POINTS (from table 9c)	
<small>Attach copy of collector rating certificate. Collector must be mounted within 30° of south.</small>	

## HEAT RECOVERY UNIT CALCULATION

NUMBER OF BEDROOMS IN HOUSE	N/A
HOT WATER TANK CAPACITY (GALLONS)	
TANK CAPACITY PER BEDROOM (= tank capacity ÷ number of bedrooms)	
HRU CERTIFIED RATING (In Btu/h per ton)	
BACK-UP SYSTEM (electric or gas)	
HOT WATER POINTS (from table 9c)	
<small>Attach copy of HRU's rating certificate indicating output in Btu/h/ton when operating with proposed A/C system.</small>	

POINTS CALCULATION

WINTER		GROSS WINTER POINTS
COMPONENT	AREA * WPM =	POINTS
SUMMER		GROSS SUMMER POINTS
COMPONENT	AREA * SPM =	POINTS

OPAQUE WALLS		
FRAME & OR BRICK VENEER	CONCRETE BLOCK	
R0-109		9.6
R11-189		2.5
R198 UP		1.5
OPAQUE WALLS		
FRAME & OR BRICK VENEER	CONCRETE BLOCK	
R0-29		24.9
R3-39		5.2
R4-59	2040	5.0 10200
R68 UP		4.4
DOORS		
SOLID WOOD	INSULATED RS	STORM DOOR RS
88		
86.5	44.0	44.5
7612		42.1

OPAQUE CEILING		
SINGLE ASSEMBLY (NO ATTIC)	UNDER ATTIC	
R0-109		23.8
R11-189		2.9
R19-219	2950	1.9 5605
R22-299		1.7
R308 UP		1.5
R0-59		23.8
R6-79		5.4
R9-99		4.0
R10-119		3.5
R12-189		2.5
R198 UP		1.9

OPAQUE CEILING		
SINGLE ASSEMBLY (NO ATTIC)	UNDER ATTIC	
R0-109		33.9
R11-189		23.3
R19-219	2950	5.2 24780
R22-299		7.5
R308 UP		5.3
R0-59		50.9
R6-79		33.5
R9-99		27.3
R10-119		14.5
R12-189		20.8
R198 UP		8.4

FLOOR OVER UNCOND. SPACE		
CONCRETE	3/4" WOOD	
R0-69		5.8
R7-109		2.4
R11-189		2.1
R198 UP		1.4
R0-29		6.8
R3-59		4.3
R6-109		3.4
R11-189		2.3
R198 UP		1.5

SUB-TOTAL 1 (WINTER) . . . 23417

FLOOR OVER UNCOND. SPACE		
CONCRETE	3/4" WOOD	
R0-69		6.5
R7-109		2.9
R11-189		2.3
R198 UP		1.5
R0-29		6.2
R3-59		5.7
R6-109		3.5
R11-189		2.3
R198 UP		1.9

SUB-TOTAL 1 (SUMMER) . . . 95730

GLASS TINT SELECTED: CLEAR

THICKNESS: 1/8" S.C.: 1.00 SINGLE: YES DEL: No (3)

GLASS (WINTER)	U <sub>n</sub>	U <sub>g</sub>	AREA (±2)	SINGLE	DOUBLE	WOP	GWP	GLASS (SUMMER)	STM	AREA (±2)	SINGLE CLR.TTN.	DOUBLE CLR.TTN.	SOP	GSP		
2:0 N			22.8	55.4	38.5	1.00	1269			22.8	204	176	163	139	1.00	4651
				55.4	38.5						309	264	258	218		
2:0 E			35.2	55.4	38.5	.85	1658			35.2	425	360	362	304	.99	14810
				55.4	38.5						418	354	355	298		
2:0 S			50.4	55.4	38.5	.84	2350			50.4	346	294	287	242	.99	17264
				55.4	38.5						418	354	355	298		
2:0 W			8.0	55.4	38.5	1.00	443			8.0	425	360	362	304	.99	3366
				55.4	38.5						309	264	258	218		
				22.6	6.8						720	605	627	524		
16:0 N			149	55.4		1.00	8255			149	204				.97	29484
02:0 E			42	55.4		1.00	2327			42	425				.62	11067
18:0 S			44	55.4		1.00	2428			44	396				.64	9743
H: HORIZONTAL GLASS (SKYLIGHTS)							*FOR TINTED GLASS WITH A S.C.=0.85									
SUB-TOTAL 2 (WINTER).....							18734	SUB-TOTAL 2 (SUMMER).....							96385	

OL: OVERHANG LENGTH IN FEET  
S.C.: Shading Coefficient of glass.

STM: Summer Tint Multiplier  
\*For glass with a S.C. < 0.85 see sheet 5 for the STM calculation method.

SUB-TOTAL 1 + 2 (WINTER) ... = 42151

SUB-TOTAL 1 + 2 (SUMMER) ... = 186115

TOTAL GROSS WINTER POINTS	<u>42151</u>	TOTAL GROSS SUMMER POINTS	<u>186115</u>
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DUCT INSULATION MULTIPLIER	WINTER		SUMMER	
	1" FIBERGLASS	42151 x 1.15	186115 x 1.15	214032
1" FIBERGLASS	42151	48474	186115	214032
1.5" FIBERGLASS		1.12		1.12
DUCT IN COND.SP.		1.00		1.00

ESH from table 9A	<u>48474 x 1.00</u>	<u>48474</u>	CSH from table 9B	<u>214032 x .76</u>	<u>162664</u>
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FLOOR AREA (DIVIDE)	<u>48474 ÷ 2950</u>	<u>16.43</u>	FLOOR AREA (DIVIDE)	<u>162664 ÷ 2950</u>	<u>55.14</u>
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WINTER POINTS (WP)	<u>16.43</u>	SUMMER POINTS (SP)	<u>55.14</u>
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CREDIT POINTS	CEILING FANS	MULTIZONE A/C	VENTILATION	LANDSCAPING	TOTAL CREDIT PTS.
from table 9D	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>3</u>
Not more than 15 total credit points allowed					

PENALTY POINTS	W.&D. IN COND. SPACE	INOPERABLE WINDOWS	TOTAL PENALTY PTS.
from table 9E	<u>0</u>	<u>0</u>	<u>0</u>

TOTALS					
WINTER POINTS	SUMMER POINTS	HOT WATER POINTS	CREDIT POINTS	PENALTY POINTS	ENERGY POINT INDEX
<u>16.43</u>	<u>55.14</u>	<u>0</u>	<u>3</u>	<u>0</u>	<u>68.57 EPI</u>
FEWER POINTS ARE ENCOURAGED FOR MAXIMUM ENERGY SAVINGS					NOT TO EXCEED 100

# **GLEN BLACKBURN TRUCKING, INC.**

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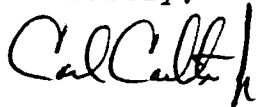
RT. 4, BOX 157-A • FORT PIERCE, FLORIDA 33450 • PHONE 461-6857  
PSC 916

August 19, 1980

To whom it may concern,

On August 19, 1980 we compacted the fill located on Lot 10  
Plat Book S East to suitable density and compaction.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carl Carlton, Jr.", written in dark ink.

Carl Carlton, Jr.  
President

# FRASER ENGINEERING AND TESTING

PHONE: (305) 461-7508

3504 INDUSTRIAL 33 RD STREET

FORT PIERCE, FLORIDA - 33450

## Report of DENSITY OF SOIL IN PLACE

ASTM 2167-66

**Client:** Ira Gottlieb  
1454 Sunshine Ave., PSL  
**Contractor:** Client

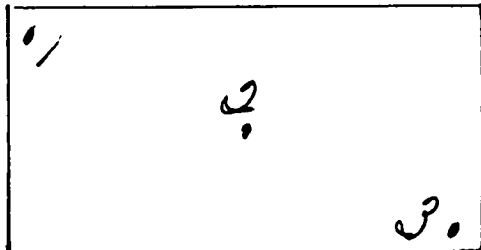
**Date:** September 10, 1980

**Site:** Lot 10, Indialucie East  
26 N. Sewells Point Rd.

Test No.	Location	Elevation	In Place Dry Density	Moisture Density Relationship		Percent Compaction
				Test No.	Max. Dry Density	
36943	Map Location #1	0 - 1'	104.2	36942	105.0	99.2
36944	Map Location #1	1 - 2'	100.8	36942	105.0	96.0
36945	Map Location #2	0 - 1'	104.3	36942	105.0	99.3
36946	Map Location #2	1 - 2'	101.2	36942	105.0	96.4
36947	Map Location #3	0 - 1'	104.7	36942	105.0	99.7
36948	Map Location #3	1 - 2'	101.9	36942	105.0	97.0

All elevations below slab grade.

**Copies** Client - 1  
Sewells Pt. Bldg. Dept. - 1



Respectfully submitted,  
  
ALEXANDER H. FRASER, P. E.

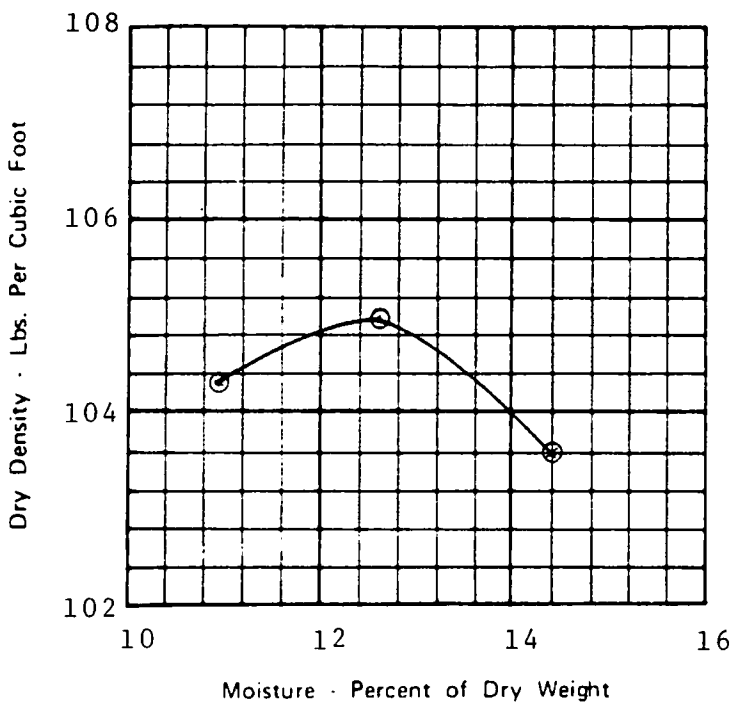
Report  
 of  
**MOISTURE DENSITY RELATIONSHIP**  
 ASTM 1557-70

Client: Ira Gottlieb

Date: September 10, 1980

Contractor: Client

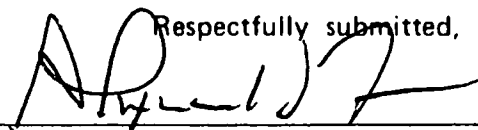
Site: Lot 10, Indialucie East  
 26 N. Sewells Point Rd.



Test No.	Test Method	Sample Location	Optimum Moisture %	Max Dry Density-P.C.F.	Soil Description
36942	A	Composite	12.6	105.0	Orange fine sand.

Client - 1

Copies Sewells Pt. Bldg. Dept. - 1

Respectfully submitted,  
  
 ALEXANDER H. FRASER, P. E.

1201

May 18, 1981

Mr. Joe Mazzucca  
City Building Inspector  
Town of Sewall's Point

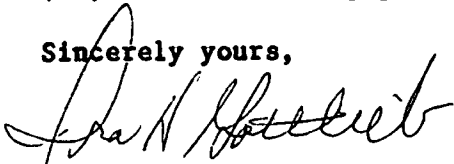
Dear Mr. Mazzucca,

This letter is to inform you of a permit taken out on September 11, 1980, building permit number 1201 in the name of Ira H. Gottlieb, for the amount of \$103,145.00.

At the present time I hold a general contractors builders liscences, State of Georgia. My experience in construction has been all my life. Which is more than 40 years.

I'm requesting that the town of Sewall's Point, notify the county or state to change the price that is on the permit to the true value of construction, which I can vetify with paid bills. The total sum of \$73,800.00 excluding garage and porch.

Sincerely yours,



Ira H. Gottlieb  
26 North Sewall's Point Road  
Jensen Beach, Florida



TOWN OF SEWALL'S POINT, FLORIDA

CERTIFICATE OF APPROVAL FOR OCCUPANCY

Date 4/2/81

This is to request that a Certificate of Approval for Occupancy be issued to Mr. Scottlieb  
For property built under Permit No. 1201 Dated 9/11/80 when completed in  
conformance with the Approved Plans.

[Signature]  
Signed

RECORD OF INSPECTIONS

Item	Date	Approved by
Set-backs and footings	9/26/80	} <u>[Signature]</u>
Rough plumbing	9/23/80 + 11/18/80	
Slab	9/26/80	
Perimeter beam	10/22/80	
Close-in, roof and rough electric	11/18/80	
Final Plumbing	4/2/81	
Final Electric	4/2/81	
Insulation	11/21/80	
Final Inspection for Issuance of Certificate for Occupancy.		

Approved by Building Inspector [Signature] date 4/2/81

Approved by Building Commissioner [Signature] date 4/7/81

Utilities notified 4/2/81 date

Original Copy sent to \_\_\_\_\_

(Keep carbon copy for Town files)

**3408**

**RE-ROOF**

DATE 6-11-93

TAX FOLIO NO.

**3408**

APPLICATION FOR A PERMIT TO BUILD A DOCK, FENCE, POOL, SOLAR HEATING DEVICE, SCREENED ENCLOSURE, GARAGE OR ANY OTHER STRUCTURE NOT A HOUSE OR A COMMERCIAL BUILDING.

This application must be accompanied by three (3) sets of complete plans, to scale, including a plot plan showing set-backs; plumbing and electrical layouts, if applicable, and at least two (2) elevations, as applicable.

Owner IRA GOTTLIEB Present Address 26 N. Sewells Pt. DR.

Phone 286-5333 STUART FL.

Contractor DAVID HARRIS CONST Address 10420 CARLTON RD. FT. PIERCE FL

Phone 466-5575

Where licensed MARTIN COUNTY License Number SP01794

Electrical Contractor \_\_\_\_\_ License Number \_\_\_\_\_

Plumbing Contractor \_\_\_\_\_ License Number \_\_\_\_\_

Describe the structure, or addition or alteration to an existing structure, for which this permit is sought: Re ROOF

State the street address at which the proposed structure will be built:

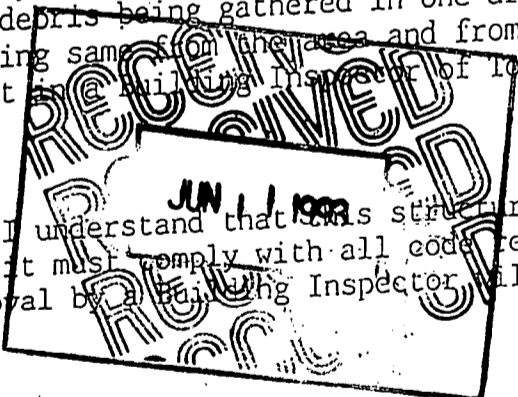
26 N. Sewells Pt. DR.

Subdivision India Lucie Lot Number 10 Block Number \_\_\_\_\_

Contract Price \$ 3800.00 Cost of Permit \$ 100.00

Plans approved as submitted N/A Plans approved as marked N/A

I understand that this permit is good for 12 months from the date of its issue and that the structure must be completed in accordance with the approved plan. I further understand that approval of these plans in no way relieves me of complying with the Town of Sewall's Point Ordinances and the South Florida Building Code. Moreover, I understand that I am responsible for maintaining the construction site in a neat and orderly fashion, policing the area for trash, scrap building materials and other debris, such debris being gathered in one area and at least once a week, or oftener when necessary, removing same from the area and from the Town of Sewall's Point. Failure to comply may result in a Building Inspector of Town Commissioner "Red-Tagging" the construction project.



Contractor David Harris

I understand that this structure must be in accordance with the approved plans and that it must comply with all code requirements of the Town of Sewall's Point before final approval by a Building Inspector will be given.

Owner Ira Gottlieb - (D.H.)

TOWN RECORD  
Approved: Dale Brown 6/11/93  
Building Inspector Date

Date submitted 6/11/93

Approved: \_\_\_\_\_ Date \_\_\_\_\_  
Commissioner

Certificate of Occupancy issued(if applicable) \_\_\_\_\_ Date \_\_\_\_\_

Permit No. \_\_\_\_\_

**7023**

**ROOF**

**REPAIR**

MASTER PERMIT NO. \_\_\_\_\_

### TOWN OF SEWALL'S POINT

Date 11/5/04

BUILDING PERMIT NO. 7.023

Building to be erected for Office

Type of Permit ROOF REPAIR

Applied for by O/B (Contractor)

Building Fee \_\_\_\_\_

Subdivision INDIAN WOOD EAST Lot 10 Block \_\_\_\_\_

Radon Fee \_\_\_\_\_

Address 26 N. Sewall's Point Rd

Impact Fee \_\_\_\_\_

Type of structure SR

A/C Fee N/A

Parcel Control Number:  
3537410000010080000

Electrical Fee DAMAGE

Plumbing Fee \_\_\_\_\_

Amount Paid \_\_\_\_\_ Check # \_\_\_\_\_ Cash \_\_\_\_\_ Other Fees ( \_\_\_\_\_ )

Roofing Fee \_\_\_\_\_

Total Construction Cost \$ 2400.00

TOTAL Fees \_\_\_\_\_

Signed [Signature]  
Applicant

Signed [Signature]  
Town Building Official

## PERMIT

- BUILDING
- PLUMBING
- DOCK/BOAT LIFT
- SCREEN ENCLOSURE
- FILL
- TREE REMOVAL

- ELECTRICAL
- ROOFING
- DEMOLITION
- TEMPORARY STRUCTURE
- HURRICANE SHUTTERS
- STEMWALL

- MECHANICAL
- POOL/SPA/DECK
- FENCE
- GAS
- RENOVATION
- ADDITION

## INSPECTIONS

- UNDERGROUND PLUMBING \_\_\_\_\_
- UNDERGROUND MECHANICAL \_\_\_\_\_
- STEMWALL FOOTING \_\_\_\_\_
- SLAB \_\_\_\_\_
- ROOF SHEATHING \_\_\_\_\_
- TRUSS ENG/WINDOW/DOOR BUCKS \_\_\_\_\_
- ROOF TIN TAG/METAL \_\_\_\_\_
- PLUMBING ROUGH-IN \_\_\_\_\_
- MECHANICAL ROUGH-IN \_\_\_\_\_
- FRAMING \_\_\_\_\_
- FINAL PLUMBING \_\_\_\_\_
- FINAL MECHANICAL \_\_\_\_\_
- FINAL ROOF \_\_\_\_\_

- UNDERGROUND GAS \_\_\_\_\_
- UNDERGROUND ELECTRICAL \_\_\_\_\_
- FOOTING \_\_\_\_\_
- TIE BEAM/COLUMNS \_\_\_\_\_
- WALL SHEATHING \_\_\_\_\_
- LATH \_\_\_\_\_
- ROOF-IN-PROGRESS \_\_\_\_\_
- ELECTRICAL ROUGH-IN \_\_\_\_\_
- GAS ROUGH-IN \_\_\_\_\_
- EARLY POWER RELEASE \_\_\_\_\_
- FINAL ELECTRICAL \_\_\_\_\_
- FINAL GAS \_\_\_\_\_
- BUILDING FINAL \_\_\_\_\_

RECEIVED

Town of Sewall's Point
BUILDING PERMIT APPLICATION

Permit Number: \_\_\_\_\_

Date: 1/10/04 @ 2/2004

OWNER/TITLEHOLDER NAME: Robert J Ott

772 Phone (Day) 485 5460 (Fax) 221 8963

Job Site Address: 26N. Sewalls Pt Rd

City: Sewalls State: FL Zip: 34996

Legal Desc. Property (Subd/Lot/Block) INDIANWIC EAST LOT 10

Parcel Number: 3537410000010080000

Owner Address (if different): NA

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of Work To Be Done: ROOF REPAIR - REPLACE MISC. SHINGLES

WILL OWNER BE THE CONTRACTOR?:

YES NO

COST AND VALUES:

Estimated Cost of Construction or Improvements: \$ 2,400.00

(Notice of Commencement needed over \$2500)

Estimated Fair Market Value prior to improvement: \$ \_\_\_\_\_

Is Improvement cost 50% or more of Fair Market Value? YES NO

Method of Determining Fair Market Value: \_\_\_\_\_

(If no, fill out the Contractor & Subcontractor sections below)
(If yes, Owner Builder Affidavit must accompany application)

CONTRACTOR/Company:

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Street: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

State Registration Number: \_\_\_\_\_ State Certification Number: \_\_\_\_\_ Martin County License Number: \_\_\_\_\_

SUBCONTRACTOR INFORMATION:

Electrical: \_\_\_\_\_ State: \_\_\_\_\_ License Number: \_\_\_\_\_

Mechanical: \_\_\_\_\_ State: \_\_\_\_\_ License Number: \_\_\_\_\_

Plumbing: \_\_\_\_\_ State: \_\_\_\_\_ License Number: \_\_\_\_\_

Roofing: \_\_\_\_\_ State: \_\_\_\_\_ License Number: \_\_\_\_\_

ARCHITECT

Lic.#: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Street: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

ENGINEER

Lic.# \_\_\_\_\_ Phone Number: \_\_\_\_\_

Street: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

AREA SQUARE FOOTAGE - SEWER - ELECTRIC

Living: \_\_\_\_\_ Garage: \_\_\_\_\_ Covered Patios: \_\_\_\_\_ Screened Porch: \_\_\_\_\_

Carpport: \_\_\_\_\_ Total Under Roof \_\_\_\_\_ Wood Deck: \_\_\_\_\_ Accessory Building: \_\_\_\_\_

I understand that a separate permit from the Town may be required for ELECTRICAL, PLUMBING, MECHANICAL, SIGNS, POOLS, WELLS, FURNACE, BOILERS, HEATERS, TANKS DOCKS, SEA WALLS, ACCESSORY BUILDING, SAND OR FILL ADDITION OR REMOVAL, AND TREE REMOVAL AND RELOCATIONS.

CODE EDITIONS IN EFFECT AT TIME OF APPLICATION: National Electrical Code: 2002 Florida Building Code (Structural, Mechanical, Plumbing, Gas): 2001 Florida Energy Code: 2001 Florida Accessibility Code: 2001

I HEREBY CERTIFY THAT THE INFORMATION I HAVE FURNISHED ON THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND I AGREE TO COMPLY WITH ALL APPLICABLE CODES, LAWS AND ORDINANCES DURING THE BUILDING PROCESS.

OWNER OR AGENT SIGNATURE (required)

[Signature]

CONTRACTOR SIGNATURE (required)

State of Florida, County of: MARTIN

On State of Florida, County of: \_\_\_\_\_

This the 4th day of NOVEMBER, 2004

This the \_\_\_\_\_ day of \_\_\_\_\_, 200

by ERIC OTT who is personally

by \_\_\_\_\_ who is personally

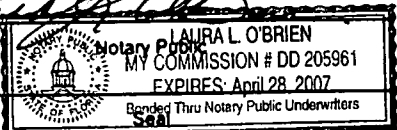
known to me or produced

known to me or produced \_\_\_\_\_

as identification

As identification. \_\_\_\_\_

My Commission Expires:



Notary Public

My Commission Expires: \_\_\_\_\_

Seal

PERMIT APPLICATIONS VALID 30 DAYS FROM APPROVAL NOTIFICATION - PLEASE PICK UP YOUR PERMIT PROMPTLY!

**TOWN OF SEWALL'S POINT**  
**ONE SOUTH SEWALL'S POINT ROAD**  
**SEWALL'S POINT, FLORIDA 34996**

**TOWN OF SEWALL'S POINT OWNER/BUILDER AFFIDAVIT**  
**(To be submitted if permit is to be pulled by Owner/Builder)**

**DISCLOSURE STATEMENT**

State law requires construction to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own contractor even though you do not have a license. You must supervise the construction yourself. You may build or improve a one-family or two-family residence or a farm outbuilding. You may also build or improve a commercial building at a cost of \$25,000 or less. The building must be for your own use and occupancy. It may not be built for sale or lease. If you sell or lease a building you have built yourself within 1 year after the construction is complete, the law will presume that you built it for sale or lease, which is a violation of this exemption. You may not hire an unlicensed person as your contractor. It is your responsibility to make sure that people employed by you have licenses required by State law and by County or Municipal licensing ordinances. Any person working on your building who is not licensed must work under your supervision and must be employed by you, which means that you must deduct F.I.C.A. and withholding tax and provide workers' compensation for that employee, all as prescribed by law. Your construction must comply with all applicable laws, ordinances, building codes and zoning regulations. Florida Statutes 489.103(7).

I have read the above and agree to comply with the provisions as stated.

Name: Eric Ott, Date: 11.4.04

Signature: ESO

Address: 2600 Sewalls Pt Rd

City & State: Sewalls Point FL 34996

Permit No. \_\_\_\_\_

**10887**

**FENCE**





TOWN OF SEWALL'S POINT BUILDING DEPARTMENT  
 One S. Sewall's Point Road  
 Sewall's Point, Florida 34996  
 Tel 772-287-2455 Fax 772-220-4765

## BUILDING PERMIT CARD

**THIS CARD MUST BE POSTED IN A CONSPICUOUS PLACE IN PLAIN VIEW FROM THE STREET PRIOR TO BEGINNING ANY WORK**

**A FINAL INSPECTION IS REQUIRED FOR ALL PERMITS**

PERMIT NUMBER:	10887	DATE ISSUED:	5/29/2014
SCOPE OF WORK:	FENCE		
CONTRACTOR:	OWNER / BUILDER		
PARCEL CONTROL NUMBER:	353741003000001008	SUBDIVISION	INDIALUCIE E LOT 10
CONSTRUCTION ADDRESS:	26 N SEWALL'S POINT ROAD		
OWNER NAME:	ERIC OTT		
QUALIFIER:		CONTACT PHONE NUMBER:	772 634-3567

**WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. A CERTIFIED COPY OF THE RECORDED NOTICE OF COMMENCEMENT MUST BE SUBMITTED TO THE BUILDING DEPARTMENT PRIOR TO THE FIRST REQUESTED INSPECTION.**

NOTICE: IN ADDITION TO THE REQUIREMENTS OF THIS PERMIT, THERE MAY BE ADDITIONAL RESTRICTIONS APPLICABLE TO THIS PROPERTY THAT MAY BE FOUND IN PUBLIC RECORDS OF THIS COUNTY, AND THERE MAY BE ADDITIONAL PERMITS REQUIRED FROM OTHER GOVERNMENTAL ENTITIES SUCH AS WATER MANAGEMENT DISTRICTS, STATE AGENCIES, OR FEDERAL AGENCIES.

**24 HOUR NOTICE REQUIRED FOR INSPECTIONS - ALL CONSTRUCTION DOCUMENTS MUST BE AVAILABLE ON SITE  
 CALL 287-2455 - 8:00AM TO 4:00PM**

INSPECTIONS: 9:00AM TO 3:00PM - MONDAY THROUGH FRIDAY

### INSPECTIONS

UNDERGROUND PLUMBING	_____	UNDERGROUND GAS	_____
UNDERGROUND MECHANICAL	_____	UNDERGROUND ELECTRICAL	_____
STEM-WALL FOOTING	_____	FOOTING	_____
SLAB	_____	TIE BEAM/COLUMNS	_____
ROOF SHEATHING	_____	WALL SHEATHING	_____
TIE DOWN /TRUSS ENG	_____	INSULATION	_____
WINDOW/DOOR BUCKS	_____	LATH	_____
ROOF DRY-IN/METAL	_____	ROOF TILE IN-PROGRESS	_____
PLUMBING ROUGH-IN	_____	ELECTRICAL ROUGH-IN	_____
MECHANICAL ROUGH-IN	_____	GAS ROUGH-IN	_____
FRAMING	_____	METER FINAL	_____
FINAL PLUMBING	_____	FINAL ELECTRICAL	_____
FINAL MECHANICAL	_____	FINAL GAS	_____
FINAL ROOF	_____	BUILDING FINAL	_____

**ALL RE-INSPECTION FEES AND ADDITIONAL INSPECTION REQUESTS WILL BE CHARGED TO THE PERMIT HOLDER. THE CONTRACTOR OR OWNER /BUILDER MUST SCHEDULE A FINAL INSPECTION. FAILURE TO RECEIVE A SUCCESSFUL FINAL INSPECTION WILL RESULT IN PERMIT RENEWAL FEES, FINES, AND OR DENIAL OF FUTURE BUILDING PERMITS TO THE CONTRACTOR OR OWNER /BUILDER.**



**TOWN OF SEWALL'S POINT BUILDING DEPARTMENT**  
 One S. Sewall's Point Road  
 Sewall's Point, Florida 34996  
 Tel 772-287-2455 Fax 772-220-4765

**BUILDING PERMIT RECEIPT**

<b>PERMIT NUMBER:</b>	<b>10887</b>		
<b>ADDRESS:</b>	<b>26 N SEWALL'S POINT ROAD</b>		
<b>DATE ISSUED:</b>	<b>5/29/2014</b>	<b>SCOPE OF WORK:</b>	<b>FENCE</b>

<b>SINGLE FAMILY OR ADDITION /REMODEL</b>		<b>Declared Value</b>	<b>\$</b>	
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Plan Submittal Fee (\$350.00 SFR, \$175.00 Remodel < \$200K)		\$	
(No plan submittal fee when value is less than \$100,000)			
Total square feet air-conditioned spa @ \$ 121.75 per sq. ft. s.f.		\$	-
Total square feet non-conditioned space, or interior remodel: @ \$ 59.81 per sq. ft. s.f.		\$	-
Total square feet remodel with new trusses: \$ 90.78 per sq. ft. s.f.		\$	-
<b>Total Construction Value:</b>		\$	\$ -
Building fee: (2% of construction value SFR or >\$200K)		\$	n/a
Building fee: (1% of construction value < \$200K + \$100 per insp.)		\$	-
Total number of inspections (Value < \$200K) \$ 100.00 per insp. # insp			n/a
Dept. of Comm. Affairs Fee: (1.5% of permit fee - \$2.00 min)		\$	n/a
DBPR Licensing Fee: (1.5% of permit fee - \$2.00 min.)		\$	n/a
Road impact assessment: (.04% of construction value - \$5 min.)			n/a
Martin County Impact Fee:		\$	
<b>TOTAL BUILDING PERMIT FEE:</b>		\$	\$ -

<b>ACCESSORY PERMIT</b>	<b>Declared Value:</b>	\$	\$ 2,000.00
Total number of inspections: @ \$ 100.00 per insp. # insp		\$ 1.00	\$ 100.00
Dept. of Comm. Affairs Fee: (1.5% of permit fee - \$2.00 min)		\$	\$ 2.00
DBPR Licensing Fee: (1.5% of permit fee - \$2.00 min.)		\$	\$ 2.00
Road impact assessment: (.04% of construction value - \$5 min.)			\$ 5.00
<b>TOTAL ACCESSORY PERMIT FEE:</b>		\$	<b>109.00</b>

*Pa 5-29-14  
 CK 1454*

**Town of Sewall's Point  
BUILDING PERMIT APPLICATION**

Permit Number: 10887

Date: 5.21.14

OWNER/LESSEE NAME: Eric Ott Phone (Day) 772 634 3567 (Fax) 772 382 6437  
 Job Site Address: 26 N Sewalls Pt Rd City: Stuart State: FL Zip: 34996  
 Legal Description \_\_\_\_\_ Parcel Control Number: 35-37-41-003-000-  
 Fee Simple Holder Name: Eric + Robert Ott Address: 00100-8  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone: \_\_\_\_\_

**\*SCOPE OF WORK (PLEASE BE SPECIFIC):**

**WILL OWNER BE THE CONTRACTOR?**  
 (If yes, Owner Builder questionnaire must accompany application)  
 YES  NO \_\_\_\_\_  
**Has a Zoning Variance ever been granted on this property?**  
 YES \_\_\_\_\_ (YEAR) \_\_\_\_\_ NO   
 (Must include a copy of all variance approvals with application)

**COST AND VALUES: (Required on ALL permit applications)**  
 Estimated Value of Improvements: \$ 2,000  
 (Notice of Commencement required when over \$2500 prior to first inspection, \$7,500 on HVAC change out)  
 Is subject property located in flood hazard area? VE10 \_\_\_\_\_ AE9 \_\_\_\_\_ AE8 \_\_\_\_\_ X \_\_\_\_\_  
**FOR ADDITIONS, REMODELS AND RE-ROOF APPLICATIONS ONLY:**  
 Estimated Fair Market Value prior to improvement: \$ \_\_\_\_\_  
 (Fair Market Value of the Primary Structure only, Minus the land value)  
 PRIVATE APPRAISALS MUST BE SUBMITTED WITH PERMIT APPLICATION

Construction Company: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Qualifiers name: \_\_\_\_\_ Street: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 State License Number: \_\_\_\_\_ OR: Municipality: \_\_\_\_\_ License Number: \_\_\_\_\_

LOCAL CONTACT: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
 DESIGN PROFESSIONAL: \_\_\_\_\_ Fla. License# \_\_\_\_\_  
 Street: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone Number: \_\_\_\_\_

AREAS SQUARE FOOTAGE: Living: \_\_\_\_\_ Garage: \_\_\_\_\_ Covered Patios/ Porches: \_\_\_\_\_ Enclosed Storage: \_\_\_\_\_  
 Carport: \_\_\_\_\_ Total under Roof \_\_\_\_\_ Elevated Deck: \_\_\_\_\_ Enclosed area below BFE: \_\_\_\_\_  
 \* Enclosed non-habitable areas below the Base Flood Elevation greater than 300 sq. ft. require a Non-Conversion Covering Agreement

CODE EDITIONS IN EFFECT THIS APPLICATION: Florida Building Code (Structural, Mechanical, Plumbing, Existing Gas): 2010  
 National Electrical Code: 2008, Florida Energy Code: 2010, Florida Accessibility Code: 2010, Florida Fire Prevention Code: 2010

**WARNINGS TO OWNERS AND CONTRACTORS:**

- YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. WHEN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION.
- IT IS YOUR RESPONSIBILITY TO DETERMINE IF YOUR PROPERTY IS ENCUMBERED BY ANY DEED RESTRICTIONS. SOME RESTRICTIONS APPLICABLE TO THIS PROPERTY MAY BE FOUND IN THE PUBLIC RECORDS OF MARTIN COUNTY OR THE TOWN OF SEWALL'S POINT. THERE MAY BE ADDITIONAL PERMITS REQUIRED FROM OTHER GOVERNMENTAL ENTITIES SUCH AS WATER MANAGEMENT DISTRICTS, STATE AGENCIES, OR FEDERAL AGENCIES.
- BUILDING PERMITS FOR SINGLE FAMILY RESIDENCES AND SUBSTANTIAL IMPROVEMENTS TO SINGLE FAMILY RESIDENCES ARE VALID FOR A PERIOD OF 24 MONTHS. RENEWAL FEES WILL BE ASSESSED AFTER 24 MONTHS PER TOWN ORDINANCE 50-95.
- THIS PERMIT WILL BECOME NULL AND VOID IF THE WORK AUTHORIZED BY THIS PERMIT IS NOT COMMENCED WITHIN 180 DAYS, OR IF WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 180 DAYS AT ANY TIME AFTER THE WORK IS COMMENCED. ADDITIONAL FEES WILL BE ASSESSED ON ANY PERMIT THAT BECOMES NULL AND VOID. REF. FBC 2007 SECT. 105.4.1, 105.4.1.1 - .5.

**\*\*\*\*\* A FINAL INSPECTION IS REQUIRED ON ALL BUILDING PERMITS \*\*\*\*\***

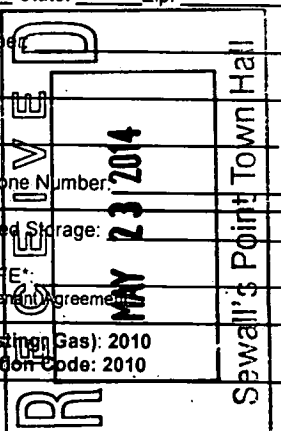
**AFFIDAVIT:** APPLICATION IS HEREBY MADE TO OBTAIN A PERMIT TO DO THE WORK AS SPECIFICALLY INDICATED ABOVE. I CERTIFY THAT NO WORK OR INSTALLATION HAS COMMENCED PRIOR TO THE ISSUANCE OF A PERMIT AND THAT THE INFORMATION I HAVE FURNISHED ON THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I AGREE TO COMPLY WITH ALL APPLICABLE CODES, LAWS, AND ORDINANCES OF THE TOWN OF SEWALL'S POINT DURING THE BUILDING PROCESS.

OWNER /AGENT/LESSEE - NOTARIZED SIGNATURE:  
 X Eric Ott  
 State of Florida, County of: MARTIN  
 On This the 23rd day of MAY, 20 14  
ERIC JOSEPH OTT who is personally  
 known to me or produced FL/D/030210-73-095-0  
 As identification, Christine C Bergeron  
 Notary Public  
 My Commission Expires: \_\_\_\_\_

CONTRACTOR/LICENSEE NOTARIZED SIGNATURE:  
 X \_\_\_\_\_  
 State of Florida, County of: \_\_\_\_\_  
 On This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
 by \_\_\_\_\_ who is personally  
 known to me or produced \_\_\_\_\_  
 As identification, \_\_\_\_\_  
 Notary Public  
 My Commission Expires: \_\_\_\_\_

**SINGLE FAMILY PERMIT APPLICATIONS MUST BE ISSUED WITHIN 30 DAYS OF APPROVAL NOTIFICATION (FBC 105.3.4) ALL OTHER APPLICATIONS WILL BE CONSIDERED ABANDONED AFTER 180 DAYS (FBC 105.3.2) - PLEASE PICK UP YOUR PERMIT PROMPTLY!**

CHRISTINE C. BERGERON  
 Commission # DD 082114  
 Expires June 21, 2014  
 Bonded thru Troy Fair Insurance 800-385-7019



**Martin County, Florida  
Laurel Kelly, C.F.A**
*generated on 3/18/2014 2:11:46 PM EDT*
**Summary**

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
35-37-41-003-000-00100-8	9498	26 N SEWALL'S POINT RD, SEWALL'S POINT	\$548,200	3/15/2014

**Owner Information**

<b>Owner(Current)</b>	OTT ERIC J OTT ROBERT J
<b>Owner/Mail Address</b>	26 N SEWALLS POINT RD STUART FL 34996
<b>Sale Date</b>	2/21/2006
<b>Document Book/Page</b>	2114 0361
<b>Document No.</b>	1912116
<b>Sale Price</b>	400000

**Location/Description**

<b>Account #</b>	9498	<b>Map Page No.</b>	SP-02
<b>Tax District</b>	2200	<b>Legal Description</b>	INDIALUCIE EAST LOT 10
<b>Parcel Address</b>	26 N SEWALL'S POINT RD, SEWALL'S POINT		
<b>Acres</b>	.9830		

**Parcel Type**

<b>Use Code</b>	0100 Single Family
<b>Neighborhood</b>	193000 N. Sewall Pt Indialucie East,

**Assessment Information**

<b>Market Land Value</b>	\$400,000
<b>Market Improvement Value</b>	\$148,200
<b>Market Total Value</b>	\$548,200



TOWN OF SEWALL'S POINT BUILDING DEPARTMENT  
 One S. Sewall's Point Road  
 Sewall's Point, Florida 34996  
 Tel 772-287-2455 Fax 772-220-4765

**OWNER/BUILDER QUESTIONNAIRE AND DISCLOSURE STATEMENT  
 MUST BE COMPLETED AND REVIEWED PRIOR TO PERMIT ISSUANCE**

**APPLICABLE ONLY TO OWNER-OCCUPIED SINGLE FAMILY RESIDENCES  
 AND COMMERCIAL IMPROVEMENTS LESS THAN \$75,000 IN VALUE**

NOTICE: FLORIDA STATUTE 489 REQUIRING CONSTRUCTION TO BE DONE ONLY BY LICENSED CONTRACTORS PROVIDES AN EXEMPTION FROM LICENSING FOR A PROPERTY OWNER WHO ACTS AS HIS/HER OWN CONTRACTOR UNDER SPECIFIC CONDITIONS. ANSWERS TO THE FOLLOWING QUESTIONS ARE ESSENTIAL TO DETERMINE IF THOSE STATE QUALIFICATIONS ARE SATISFIED BY AN OWNER/BUILDER APPLICANT.

ALL QUESTIONS MUST BE ANSWERED. IF A QUESTION DOES NOT APPLY, INDICATE BY WRITING "N/A"

Owner/Builder Applicant Name: Eric Ott

Site address of the proposed building work: 26 N Sewall's Pt Rd Stuart FL 34996

Name of legal title owner of the address above: Eric + Robert Ott

Describe the scope of work for the proposed new construction: Wood + Chain Link Fence

Name of Architect of Record: NA Structural Engineer of Record: NA

Who will supervise the trade work to meet the applicable code? Eric

What provisions have you made for Liability and Property Damage Insurance? Insurance

What provisions exist for withholding Social Security and Federal Income Taxes, as required by Federal Law, from wages paid to people you hire who are not licensed? W-2 if Necessary

**What previous Owner/Builder improvements have you done in the State of Florida?**

Location: 1814 NE Dixie Dr BFL Scope of Work Done: Screened Room Year: \_\_\_\_\_

Location: 1814 NE Dixie Dr BFL Scope of Work Done: Wood Deck Year: \_\_\_\_\_

What code books do you have available for reference? Building: \_\_\_\_\_

Electric: \_\_\_\_\_ Plumbing: \_\_\_\_\_ HVAC: \_\_\_\_\_

Other: Reference All Online

I have internet access and will view The Florida Building code at [www.floridabuilding.org](http://www.floridabuilding.org) YES  NO

Do you understand that as the permit holder you are liable for following all Local, County, State and Federal codes, laws and requirements, and you are also liable for anyone injured on the construction site?  (yes/no)

Have you consulted with your Homeowner's Insurance Agent? Y Lender? Y Attorney? Y

In order to assure your success in this project, please signify your awareness that the function of the building department is to issue you a building permit and verify code compliance through plan review and the inspection process. I am aware that town staff is not obligated to offer supervision, design or instructional advice prior or during my project. EO (initials).



**TOWN OF SEWALL'S POINT BUILDING DEPARTMENT**  
One S. Sewall's Point Road  
Sewall's Point, Florida 34996  
Tel 772-287-2455 Fax 772-220-4765

**OWNER/BUILDER DISCLOSURE STATEMENT**

**NOTICE: STATE LAW REQUIRES THAT ALL PERMITTING AGENCIES PROVIDE INDIVIDUALS SUBMITTING APPLICATIONS FOR OWNER/BUILDER PERMITS THE FOLLOWING INFORMATION:**

1. THE TOWN OF SEWALL'S POINT CODE OF LAWS AND ORDINANCES REQUIRES THAT ANY PERSON DESIRING TO ENGAGE IN BUSINESS AS A CONTRACTOR IN THE TOWN OF SEWALL'S POINT BE A HOLDER OF A CERTIFICATE OF COMPETENCY.
2. FLORIDA STATUTES 489.103 (7) ALLOWS YOU, AS A PROPERTY OWNER, AN EXEMPTION TO CONSTRUCT OR IMPROVE A SINGLE FAMILY DWELLING AND ACCESSORY-USE STRUCTURES ON SAID PROPERTY FOR YOUR OWN USE OR OCCUPANCY WITHOUT HAVING A CERTIFICATE OF COMPETENCY.
3. AS AN OWNER/BUILDER, YOU MUST PHYSICALLY PERFORM OR MATERIALLY SUPERVISE ALL CONSTRUCTION/IMPROVEMENTS SPECIFIED ON YOUR OWNER/BUILDER PERMIT AND YOU ARE TOTALLY RESPONSIBLE FOR ALL ACTIVITIES ASSOCIATED THEREWITH. OWNER/BUILDERS WHO WISH TO DO ELECTRICAL OR PLUMBING WORK MUST PASS A SHORT OPEN BOOK QUIZ ADMINISTERED BY THE BUILDING DEPARTMENT.
4. IF YOU DO NOT PHYSICALLY PERFORM A SPECIFIC PHASE OF SAID CONSTRUCTION/IMPROVEMENT, BUT CHOOSE TO SUB-CONTRACT IT, THEN SUCH CONSTRUCTION/IMPROVEMENT MUST BE SUB-CONTRACTED TO A LOCALLY LICENSED OR STATE CERTIFIED CONTRACTOR.
5. YOU MAY NOT HIRE AN UNLICENSED INDIVIDUAL WHO IN ANY MANNER ACTS IN THE CAPACITY OF A GENERAL CONTRACTOR, THAT IS, ONE WHO FULFILLS YOUR DUTIES UNDER PARAGRAPH (3) ABOVE.
6. UNDER AN OWNER/BUILDER PERMIT YOU MAY NOT CONSTRUCT A BUILDING WHICH YOU INTEND TO SELL OR LEASE. THE SALE OR LEASE, OR OFFERING FOR SALE OR LEASE, OF ANY SUCH STRUCTURE BY THE OWNER-BUILDER WITHIN 1 YEAR AFTER COMPLETION OF SAME CREATES A PRESUMPTION THAT THE CONSTRUCTION WAS UNDERTAKEN FOR PURPOSES OF SALE OR LEASE WHICH IS A VIOLATION OF THIS EXEMPTION.
7. THIS EXEMPTION SHALL NOT APPLY TO ANY PERSON WHO HAS LEASED, SOLD, OR OFFERED FOR SALE MORE THAN 1 STRUCTURE BUILT UNDER AN OWNER-BUILDER PERMIT IN ANY JURISDICTION WITHIN THE 5 YEARS IMMEDIATELY PRECEDING THE APPLICATION FOR A PERMIT.
8. THERE MUST BE A THIRTY-SIX (36) MONTH PERIOD BETWEEN THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE INITIAL DWELLING AND THE SUBMITTAL OF AN OWNER/BUILDER APPLICATION FOR A SUBSEQUENT DWELLING. NO OTHER BUILDING PERMIT FOR A HOME SHALL BE ISSUED TO THAT OWNER/BUILDER, THE OWNER/BUILDER'S SPOUSE OR ANY MEMBER OF THE OWNER/BUILDER'S IMMEDIATE FAMILY UNDER EIGHTEEN YEARS OF AGE UNTIL THREE YEARS AFTER THE HOME BUILT UNDER THE FIRST BUILDING PERMIT HAS RECEIVED A CERTIFICATE OF OCCUPANCY.
9. ALL CONSTRUCTION IMPROVEMENTS PERFORMED UNDER YOUR OWNER/BUILDER PERMIT MUST BE IN STRICT COMPLIANCE WITH FLORIDA STATE STATUTE SECTION 489, SEWALL'S POINTS CODE OF LAWS AND ORDINANCES, ALL BUILDING & ZONING CODES AND REGULATIONS PERTAINING TO SINGLE FAMILY DWELLINGS, ACCESSORY USE STRUCTURES AS APPLICABLE.
10. YOUR OWNER/BUILDER EXEMPTION DOES NOT WAIVE ANY PERMIT CONDITIONS OR REQUIREMENTS OR WAIVE ANY PORTION OR PORTIONS OF ANY APPLICABLE BUILDING OR SWIMMING POOL CODES OR TOWN ORDINANCES.
11. ALL CONSTRUCTION/IMPROVEMENTS PERFORMED UNDER YOUR OWNER/BUILDING PERMIT MUST ALSO BE IN STRICT COMPLIANCE WITH ALL APPLICABLE ZONING REGULATIONS (QUESTIONS REGARDING ZONING REGULATIONS SHOULD BE DIRECTED TO THE TOWN OF SEWALL'S POINT AT 772-287-2455.)



TOWN OF SEWALL'S POINT BUILDING DEPARTMENT  
 One S. Sewall's Point Road  
 Sewall's Point, Florida 34996  
 Tel 772-287-2455 Fax 772-220-4765

12. YOU MUST BE FAMILIAR WITH AND CALL FOR THE REQUIRED INSPECTIONS OF ALL CONSTRUCTION/IMPROVEMENTS PERFORMED UNDER YOUR OWNER/BUILDER PERMIT.

13. AS AN OWNER/BUILDER YOU MUST VERIFY THAT ALL INDIVIDUALS OR FIRMS ENGAGED IN CONSTRUCTION/IMPROVEMENTS ACTIVITIES UNDER YOUR OWNER/BUILDER PERMIT ARE PROPERLY LICENSED AS REQUIRED BY STATE LAW OR LOCAL ORDINANCE.

14. AS AN OWNER/BUILDER, YOU ARE LIABLE TO AND RESPONSIBLE FOR THOSE PEOPLE HIRED TO ASSIST YOU. SUCH LIABILITY AND RESPONSIBILITY MAY INCLUDE, BUT IS NOT LIMITED TO, COMPLIANCE WITH APPLICABLE LAWS RELATING TO LIENS, WORKERS' COMPENSATION, SOCIAL SECURITY, UNEMPLOYMENT, FEDERAL WITHHOLDING TAX, AND PUBLIC LIABILITY.

15. I, AS AN OWNER/BUILDER, IN CONSIDERATION OF A BUILDING PERMIT ISSUED BY SEWALL'S POINT, FLORIDA, AGREE TO INDEMNIFY AND HOLD HARMLESS SAID SEWALL'S POINT, FLORIDA, ITS OFFICERS AND AGENTS FROM ANY AND ALL CLAIMS, DAMAGES, OR EXPENSES THAT SEWALL'S POINT MAY BE LIABLE FOR WHICH ARISE FROM THE CONSTRUCTION/IMPROVEMENTS ACCOMPLISHED IN CONNECTION WITH SAID BUILDING PERMIT.

I HEREBY ACKNOWLEDGE THAT I HAVE THOROUGHLY READ AND COMPLETELY UNDERSTAND THE PRECEDING PAGE OF THE OWNER/BUILDER DISCLOSURE STATEMENT.

ON THIS 22 DAY OF May, 2014.

PROPERTY ADDRESS 26 N Sewalls Pt Rd

CITY Stuart STATE FL ZIP 34996

SIGNATURE OF OWNER/BUILDER

SWORN TO AND SUBSCRIBED BEFORE ME THIS 23rd DAY OF MAY 2014

BY ERIC JOSEPH OTT

PERSONALLY KNOWN \_\_\_\_\_

OR PRODUCED ID FL DJL 0300 210 73 095-0

TYPE OF ID \_\_\_\_\_

Christine C. Bergeron

NOTARY SIGNATURE



Site Plan For Fence Installation  
at 26 North Sewall's Point Road SP FL

Fence to be installed

1. Along South property boundary setback approximately one to six inches from Southeast to Southwest in the following material form:
  - A. From Southeast material of four foot height chain link fence set in "Typical Fence Footer" form as detailed in SP "Fence and Pool Barrier Checklist" spacing in ten foot intervals or more frequently a necessary to work with lengths of fence attached to top rail and posts continuing until
  - B. Wood fence of four foot height and eight foot width is installed in 4"x4"x8' PT posts in accord with "Typical Fence Footer" form as detailed in SP "Fence and Pool Barrier Checklist" eight feet on center within 35' setback from SW property corner or as required by SP Code.
2. Along West property boundary setback approximately one to twenty four inches from NW & SW property corners as surveyed and staked by Bloomster Survey in PT wood posts set in "Typical Fence Footer" form as detailed in SP "Fence and Pool Barrier Checklist" spacing four feet on center, 2"x4"x16' top and bottom rails with six foot pickets spaced one to six inches apart.
3. PT wood gates will attach to double 6"x6"x8' posts with "Typical Fence Footer" form as detailed in SP "Fence and Pool Barrier Checklist" lagged together in the form of double swing eastward to open approximately 6'x6' or shorter in height (more precisely to conform with the actual opening width found when gate is recessed back into property allowing vehicle to park safely off street to open and close gates) with cross brace or corner bracket support of 2"x4"x6' or less box gate structure with six foot or shorter pickets spaced one to six inches apart possibly in a shadow box formation.
4. Property has no easements.
5. 811 has been called and flagged
6. Value of construction does not exceed \$2,500.00



# TOWN OF SEWALLS POINT

## BUILDING DEPARTMENT - INSPECTION LOG

Date of Inspection  Mon  Tue  Wed  Thur  Fri *5/27-14* Page      of     

PERMIT #	OWNER/ADDRESS/CONTRACTOR	INSPECTION TYPE	RESULTS	COMMENTS
10710	<i>Arrow</i> 7 Oak Hill Jmc Cont.	Slab Insp.	PASS	Letter from Ampt  INSPECTOR <i>AT</i>
10762	Tuforo 16 E High Point Rd Dreamworks Remodeling	Lath Insp.	PASS	INSPECTOR <i>AT</i>
10887	<del>10710</del> <del>26 N. 5th St</del>	<del>PERM NO</del> <del>PERMIT</del>	<del>PASS</del>	INSPECTOR
	9 PINE APPLE	TREE		INSPECTOR
				INSPECTOR
				INSPECTOR
				INSPECTOR
				INSPECTOR

# TOWN OF SEWALLS POINT

## BUILDING DEPARTMENT - INSPECTION LOG

Date of Inspection  Mon  Tue  Wed  Thur  Fri -14 Page \_\_\_\_\_ of \_\_\_\_\_

PERMIT #	OWNER/ADDRESS/CONTRACTOR	INSPECTION TYPE	RESULTS	COMMENTS
10688	STEJSKAL 108 S 8th RD	ROOF SHERDING	Pass	INSPECTOR <i>JA</i>
10887	<del>OTD</del> <del>216 N. Seawalls Pt Rd</del>	<del>ADDITION</del> <del>91FE VISIT</del> FENCE	<del>OK</del>	INSPECTOR
	DE JOAN 10 HERITAGE WAY	TREE	SEE THRU	INSPECTOR
		ILLEGAL POOL WATER DISCHARGE	6 PPM CHLORINE	<i>OK</i> INSPECTOR
	SEBASTIANO 6 HICKS PT	SPRINK - NO PERMIT	<i>OK</i>	INSPECTOR <i>JA</i>
				INSPECTOR
				INSPECTOR

# **CORRESPONDENCE**

GLANTZ & GLANTZ, P. A.  
ATTORNEYS AT LAW

7951 Southwest Sixth Street  
Suite 100  
Plantation, FL 33324



English  
954.423.0086 • 800.290.7871

Spanish  
954.423.3516 • 800.213.8629

January 20, 2006

✓ Chief Larry McCarty/Town Manager James Bardelis  
Sewalls Point Police Department/Town Hall  
1 S. Sewalls Point Road 34996

RE: Our Client: Mr. Eric Ott  
Our File No.: 347790  
Re: Confirmation of Landscape Approval

Dear Chief McCarty:


Please be advised that the Law Offices of Glantz & Glantz, P.A., is writing on behalf of the above-named client to confirm your approval for landscaping to our client's residence..

Our client has advised us that in a recent conversation you advised that it was okay to have mulch, earth, stone, sod or any other material placed in front of the property of 26 North Sewalls Point Road, Sewalls Point, FL 34996 as long as this material does not obstruct the right of way and may remain in place for the duration of the project.

**Therefore, please confirm that it is okay for our client to proceed with this venture or advise of any additional restrictions that he will need to follow to complete the project to be in compliance with local codes. Please provide this information to our client within ten days of your receipt of this letter. Your response can be directed to our client at the following address: 26 N. Sewalls Point Road Sewalls Point, FL 34996 .**

Sincerely,

**LAW OFFICES OF GLANTZ & GLANTZ, P.A.**

By:   
MICHAEL C. GREENBERG, Esq.

# TOWN OF SEWALLS POINT

## BUILDING DEPARTMENT - INSPECTION LOG

Date of Inspection  Mon  Tue  Wed  Thur  Fri 10-25-11 Page      of     

PERMIT #	OWNER/ADDRESS/CONTRACTOR	INSPECTION TYPE	RESULTS	COMMENTS
9913	Bruner 19 Riceview Kammell Windows	Window Initial	Pass	INSPECTOR <i>A</i>
	Jan Delmalino 24 Fieldway Dr.	Trees	OK	INSPECTOR
	Sabine Marcell 5 Oakhill	Tree	OK	INSPECTOR
	Martinez 2 Knowles Road Martinez C/B	Windows Final	Pass	Close INSPECTOR <i>A</i>
9912	Bostwick 27 Emerald Way Cardenal	Roofing Initial	Pass	INSPECTOR
<del>    </del>	<del>    </del> <del>INVESTIGATE</del>	<del>    </del> <del>UNCOMPLETED</del>	<del>    </del>	<del>    </del> PLAY SET INSPECTOR
<del>    </del>	<del>    </del> <del>26 N. SP. RD.</del> <del>Views from 24 N. Sp. Rd.</del>	<del>    </del> <del>    </del>	<del>    </del>	<del>    </del> INSPECTOR
				INSPECTOR

# TOWN OF SEWALLS POINT

## BUILDING DEPARTMENT - INSPECTION LOG

Date of Inspection  Mon  Tue  Wed  Thur  Fri 3/19 - 14 Page        of       

PERMIT #	OWNER/ADDRESS/CONTRACTOR	INSPECTION TYPE	RESULTS	COMMENTS
10782	KING	FRAMING		
	30 RIO VISTA DR		PASS	
	LIPPARD CONST			INSPECTOR <i>CF</i>
10794	BIETRO	FINAL SOLAR		
	4 CASTLE HILL		PASS	CLOSE
	SOLAR ENERGY SYS			INSPECTOR <i>CF</i>
10796	DELOAN	FINAL FENCE		
	10 HERITAGE		PASS	CLOSE
	STUART FENCE			INSPECTOR <i>CF</i>
10787	FELCHER	FINAL FENCE		
	17 MANDALAY		PASS	CLOSE
	STUART FENCE			INSPECTOR <i>CF</i>
10549	CHANTOS	PRE-POUR		
	83 S. SENECA ST RD	DRIVENWAY	PASS	
	MODERN MOVERS			INSPECTOR <i>CF</i>
10706	KIPLINGER	DOCK FINAL		
	143 S. RIVER RD		PASS	CLOSE
	HARBOR BAY MARINE			INSPECTOR <i>CF</i>
<del>      </del>	<del>      </del>	<del>      </del>	<del>      </del>	<del>      </del>
10:30	26 N.S. POND	<i>Ob</i>		
				INSPECTOR

①

# Florida Department of Environmental Protection

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## SUBMERGED LANDS AND ENVIRONMENTAL RESOURCE PROGRAM

### INSPECTION REPORT

DATE: 06/12/2013      TIME: 9:55 AM  
SITE ID#: 319388  
PROJECT ID #: 338084  
PROJECT NAME: Ott, Eric J and Robert J  
ADDRESS: 26 North Sewall's Point Road, Stuart, Florida 34996  
DEP REPRESENTATIVES: Katy Collins, Bruce Kay and Susan Mason  
OTHER REPRESENTATIVES: Ray Bergman  
WORK IN COMPLIANCE: No

### LOCATION OF INSPECTION

The project is located on the Indian River Lagoon, adjacent to 24 North Sewall's Point Road, Stuart, in Martin County.

WATERBODY: Indian River Lagoon, Class III Waters

### COMPLAINT DETAILS

On June 12, 2013, Department staff received a complaint alleging that the resident at 26 North Sewall's Point Road had placed concrete blocks below the mean high water (MHW) line. The complaint was received from Ray Bergman from 24 North Sewall's Point Road in Sewall's Point, Florida.

### INVESTIGATION PROCEDURES AND FINDINGS:

All observations were made from the neighboring property to the south. On June 12, 2013, ERP staff members Katy Collins, Bruce Kay, and Susan Mason visited the area. The site inspection was timed to occur during low tide levels to enable observation of the area.

Three distinct areas were observed where concrete block and other debris including rebar were placed below mean high water. Staff also observed debris partially buried in the vicinity of the high water mark. No permit for shoreline stabilization or dredge and fill was located for this site. Staff is unable to ascertain what the property owner's

intentions are to determine what scope of work is permissible. Some types of fill used are not considered clean and must be removed from State Lands.

### RECOMMENDED ACTIONS

Send compliance assistance letter to property owner requesting removal of all concrete block and debris below mean high water.

### ADDITIONAL INSPECTION NECESSARY

Yes

### PHOTOGRAPHS TAKEN:



Three locations where debris was placed below MHW at 26 North Sewall's Point Road



Rebar visible in this debris pile

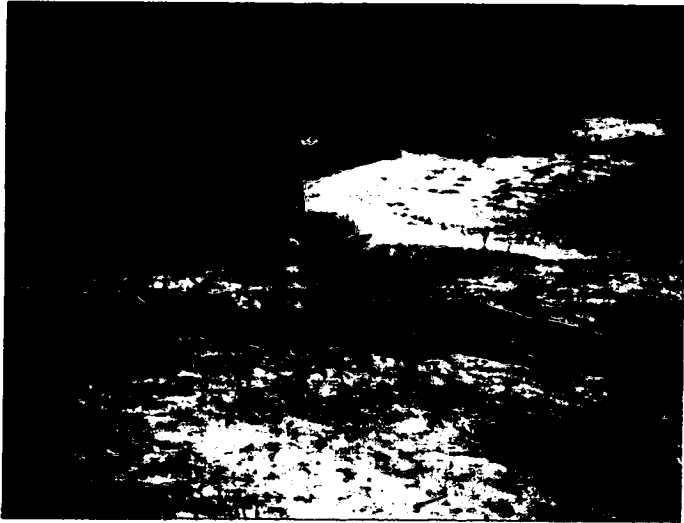




"L" shaped line of debris placed below the MHW line.



Third pile of debris below MHW



Cinder blocks partially  
buried; some may be below  
MHW line

**SEWALL'S POINT, FLORIDA**  
**CODE ENFORCEMENT BOARD**

**TOWN OF SEWALL'S POINT**  
**Petitioner,**

**v.**

**ERIC J. OTT AND ROBERT J. OTT,**  
**Respondents.**

**FINAL ORDER**

THIS MATTER having come before the Code Enforcement Board for a hearing on May 15, 2012 regarding real property located at ~~26 N. Sewall's Point Road~~, Sewall's Point Florida 34996 and the Board having considered the evidence and testimony presented, and being fully advised of the matter, the Board finds and determines as follows:

**FINDINGS OF FACT**

1. The Respondents are the owners of the subject real property located at 26 N. Sewall's Point Road, Sewall's Point, FL 34996.
2. The Respondents were served with the Notice of Hearing on May 4, 2012, providing the Respondents with sufficient notice of the code enforcement hearing held on May 15, 2012.
3. For several years the Respondents had maintained and landscaped the road right-of-way area, comprised of an area immediately abutting the edge of the road pavement on N. Sewall's Point Road and in front of their residence. This included installing plants, laying black matting material to prevent weed growth and mulching.

*Jul*

4. Until recently, the Respondents had maintained and treated the right-of-way area as part of their lawn. The Board finds that the Respondent's lawn extends to and includes the right-of-way area abutting N. Sewall's Point Road.
5. In addition, it is customary and necessary in Sewall's Point for residents to maintain their lawns, including the lawn areas in the road right-of-ways in front of their residences.
6. The Respondents received the Notice of Violation dated April 11, 2012 via e-mail and by facsimile. The N.O.V. gave them ten (10) days to correct the violations.
7. Based on the evidence, the Respondents came into partial compliance by mowing the lawn surrounding their residence on or before the complaint's deadline of April 21, 2012.
8. The Respondents did not, however, come into compliance regarding the road right-of-way area immediately abutting N. Sewall's Point Road in front of their residence and failed to maintain or mow that area. The violation of Sewall's Point ordinance, Section 22-2(f)(1)(e) in the right-of-way area was not corrected by the Respondents within the time specified for correction in the Notice of Violation dated April 11, 2012.

#### CONCLUSIONS OF LAW

1. The Findings of Fact and evidence considered by the Board support that the Respondents violated Section 22-2(f)(1)(e) of the Town ordinances which state:

"Lawn shall be maintained in a neat and healthy condition, reasonably free of weeds, accumulation of decayed, dead, dying, or bare areas. Lawns shall be kept no higher than eight inches in height."

2. The Respondents violated Section 22-2(f)(1)(e) by failing to properly maintain their lawn in the area immediately abutting N. Sewall's Point Road , between the road way curb and an area of hedges running parallel to N. Sewall's Point Road . *Zwl*

COMPLIANCE

1. IT IS HEREBY ORDERED, that Respondents, **ROBERTT J. OTT and ERIC J. OTT**, shall comply with the above Sections of the Town of Sewall's Point Ordinance as follows:
  - a. **COMPLIANCE DEADLINE: That on or before May 27, 2012, the Respondents shall comply with Section 22-2(f)(1)(e) by insuring that their lawn, including the lawn area in the road right-of-way, is properly mowed and maintained as required by the ordinance.** Should they fail to come into compliance on that date, or fail to maintain compliance thereafter, there shall be imposed a fine in the amount of \$100.00 per day, pursuant to **Section 18.605, Fines**. Any fine imposed as a result of future non-compliance shall accrue until the violation comes into compliance.
  - b. Upon compliance, the Respondents shall request an inspection by contacting the Town's Building Official. A request for inspection must be made at least one (1) day prior to the requested inspection date.
  - c. Pursuant to Chapter 162, Florida Statutes, no further hearing shall be required for the entry of any fines and any costs. In addition, all fines and costs become liens on the property of the Respondents pursuant to **Section 18-606, Filing of lien; Foreclosure**.
2. Based upon the nature of the violation, the evidence presented and other facts and circumstances found by the Board to exist, the Board concludes that the compliance steps required are necessary to bring this violation into compliance.

DONE AND ORDERED this 15 day of May, 2012.

  
Chairperson  
Code Enforcement Board

Copies furnished to:

Eric J. Ott  
Robert J. Ott  
John Adams  
Robert Kellogg

BEFORE THE CODE ENFORCEMENT BOARD IN AND  
FOR THE TOWN OF SEWALL'S POINT, FLORIDA

CASE NO: 2012-03      DATE: May 4, 2012

TOWN OF SEWALL'S POINT, a political  
Subdivision of the State of Florida,

*INSPECTED ON  
5-9-12 11:30 AM*

Petitioner,

Vs Eric Ott  
26 N. Sewall's Point Road  
Sewall's Point, FL. 34996

Respondent(s),

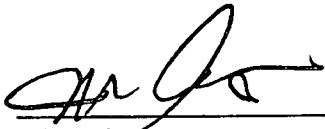
**NOTICE OF HEARING**

TO: Eric Ott

PLEASE TAKE NOTICE that the undersigned has called for Hearing the following, pursuant to the Town of Sewall's Point Code of Ordinances, Chapter 22, Section 22-2, you are hereby requested to appear before the Town of Sewall's Point Code Enforcement Board at 10:00 a.m. for violations of the following Ordinances or Codes:

MATTER: Notice of violations, Property Maintenance  
DATE : May 15, 2012  
TIME: 10:00 A.M.  
TRIBUNAL: TOWN OF SEWALL'S POINT CODE ENFORCEMENT BOARD  
PLACE: Town of Sewall's Point  
Commission Meeting Room  
One South Sewall's Point Road  
Sewall's Point, Florida 34996

PLEASE GOVERN YOURSELF ACCORDINGLY,



John Adams  
BUILDING OFFICIAL AND CODE ENFORCEMENT OFFICER

Method of delivery: Personal Delivery, Faxed

**NOTE: THE CODE ENFORCEMENT BOARD WILL HEAR ALL TESTIMONY AND EVIDENCE PRESENTED UNDER OATH SUBJECT TO PENALTY OF PERJURY UNDER THE LAW.**

If you correct the violation(s) prior to the hearing date, contact the Town of Sewall's Point at (772) 287-2455 in order to arrange for an inspection. If the violation is corrected and then reoccurs, or if the violation is not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Code Enforcement Board even if the violation is corrected prior to the Board meeting.

The Code Enforcement Board is empowered to levy a fine up to \$500.00 each day the violation continues past the date set for compliance. A fine not to exceed \$500.00 per day may be levied for a repeat violation. The fine may become a lien against both your real and personal property.

NOTICE: All proceedings before the Town of Sewall's Point Code Enforcement Board, Sewall's Point, Florida are electronically recorded. Any person who decides to appeal any action taken by the Code Enforcement Board at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made. Upon request of any party to the proceedings, individual's testifying during a hearing will be sworn in. Any party to the proceeding will be granted an opportunity to cross-examine an individual testifying during a hearing upon request. Written comments received in advance of the public hearing will also be considered.

**If you have any questions regarding this Notice, please call (772) 287-2455 ext. 15, and ask for John Adams the Building Official.**



CODE VIOLATION

CASE # 12-094

ERIC OTT

26 NSPR

① 03/21/12 - 2:32PM

SENT OTT AN E-MAIL GIVING HIM  
"INFORMAL" NOTICE & TO HAVE WEEDS  
CUT BY THE COMING WEEK-END

② 03/21/12 - 5:13PM

OTT RETURNED E-MAIL ASKING WHY HE  
WASN'T GIVEN 10 DAYS, & STATING HE  
WOULD MOW ON MONDAY 03/26/12.

③ 04/11/12 - FAX SENT TO OTT  
NOTICE OF VIOLATION

④ 04/13/12 - E-MAIL SENT TO OTT  
NOTICE OF VIOLATION

⑤ 04/13/12

OTT CALLED & SAID HE WAS NOT  
RESPONSIBLE FOR MAINTAINING THE  
R-O-W. SAID HE WOULD MOW HIS  
LAWN. (RECEIVED NOTICE OF VIOLATION).

# TOWN OF SEWALL'S POINT

JACQUI THURLOW-  
LIPPISCH  
Mayor

PAUL SCHOPPE  
Vice Mayor

THOMAS P BAUSCH  
Commissioner

PAMELA BUSHA  
Commissioner

PAUL LUGER  
Commissioner



ROBERT L. KELLOGG  
Town Manager

ANN-MARIE S. BASLER  
Town Clerk

ERIC CERNIGLIA  
Chief of Police

JOHN R. ADAMS  
Building Official

JOSE TORRES  
Maintenance

## Notice of Violation

**Re: Town of Sewall's Point Ordinance Sec. 22-2(f)(1)e, and Sec. 38-32(c)**

**Date of Inspection:** March 20, March 26, and April 10, 2012

**Date:** April 11, 2012

**Description of Violation:** 1. Property Maintenance Code, and 2. Streets

**Violation Address:** 26 North Sewall's Point Road

**Owner:** Ott, Eric J. and Ott, Robert J.


Dear Sir,

A recent inspection of the referenced property noted a violation of two Town ordinances. Specifically:

1. Violation of municipal code section 22-2(f)(1)e which states: Lawns shall be maintained in a neat and healthy condition reasonably free of weeds, accumulation of decayed, dead, dying, or bare areas. Lawns shall be kept no higher than eight inches in height.
2. Violation of municipal code section 38-32(c) which states: It shall be unlawful for any person to plant any trees or plants that exceed, or are expected to exceed upon maturity, 12 inches in height, within the right-of-way of any public street, regardless of whether the right-of-way is paved or unpaved.

You were notified via e-mail on March 20, 2012 of these violations. You replied that the violations would be addressed by March 26, 2012. However, the violations continue to exist. You are hereby required to take appropriate action to abate the nuisance described herein within 10 days. Failure to do so will result in the town taking such actions as necessary to abate the nuisance and the cost shall be assessed against the property, and that a lien may be recorded to secure the recovery of the town's expenses.

With best regards,

  
Eric Cerniglia  
CHIEF OF POLICE

Via Facsimile



One S. Sewall's Point Road, Sewall's Point, Florida 34996  
Town Hall (772) 287-2455 • Fax (772) 220-4765 • E-Mail: [clerk@sewallspoint.martin.fl.us](mailto:clerk@sewallspoint.martin.fl.us)  
Police Department (772) 781-3378 • Fax (772) 286-7669 • E-Mail: [sppd@sewallspoint.martin.fl.us](mailto:sppd@sewallspoint.martin.fl.us)

# TOWN OF SEWALL'S POINT

JACQUI THURLOW-  
LIPPISCH  
Mayor

PAUL SCHOPPE  
Vice Mayor

THOMAS P BAUSCH  
Commissioner

PAMELA BUSHA  
Commissioner

PAUL LUGER  
Commissioner



ROBERT L. KELLOGG  
Town Manager

ANN-MARIE S. BASLER  
Town Clerk

ERIC CERNIGLIA  
Chief of Police

JOHN R. ADAMS  
Building Official

JOSE TORRES  
Maintenance

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With best regards,

*Eric Cerniglia*

Eric Cerniglia  
CHIEF OF POLICE

Via e-mail



## Eric Cerniglia

---

**From:** Eric Cerniglia [ecernig@sewallspoint.martin.fl.us]  
**Sent:** Friday, April 13, 2012 11:16 AM  
**To:** 'eric'  
**Cc:** 'Robert Kellogg'  
**Subject:** Notice of Violation  
**Attachments:** Notice of Violation OTT via email.doc

Eric,  
See attached notice of violation.  
Chief Eric Cerniglia  
Sewall's Point P.D.

## Robert Kellogg

---

**From:** eric [otterej@aol.com]  
**Sent:** Wednesday, March 21, 2012 5:13 PM  
**To:** ecernig@sewallspoint.martin.fl.us; rkellogg@sewallspoint.martin.fl.us; Otterej@aol.com  
**Subject:** Re: Property Maintenance

The 26 N Sewalls Point Road property will be mowed Monday March 26th. Thank you for your patience and understanding. Poor health of a family member has us out of town until Monday.

What happened to ten days to correct? Why has your procedure changed, Chief Eric Cerniglia?

Chief Eric Cerniglia, your email below states, "portion of the yard visible through the driveway opening from N. Sewall's Point Rd., has weeds and is well over the 8-inch height limit" in regard to this statement please be very specific so that any possible "violations" can be remedied. The statement says driveway opening and there are two openings. Please, be specific as to your purpose so remedy can be adequately addressed.

Please, respect this public records request for all similar communications or "Notice of Violation" that has/have been issued to all properties in the Town of Sewalls Point for "weeds" within the last ten days or between March 11 and 21, 2012. Please, make double sided copies of these communications. Please, also define "weeds" as recognized by the Town of Sewalls Point.

Has the estate size lot across the street from 32 N Sewalls Point Road received the same threatening communication? If no why not? If yes please produce double sided copies of the efforts to communicate and consider this a public records request.

How did communicating with 24 N Sewalls Point Road about cutting back vegetation overgrowth go?

You, Chief Eric Cerniglia, mentioned in our last conversation over a month ago you would make sure the hedges of 24 N Sewalls Point Road were maintained in accord with Town Code.

Why are the violations persisting? Has "Notice of Violation" been issued?

Please, produce a copy your daily notes or records indicating that you in fact to action to remedy this situation of extreme overgrowth creating a dangerous condition.

Please, consider this request for your records a public records request. Please, produce the copies on two sided pages.

In regard to the previous production of a public record from you, Chief Eric Cerniglia, about Ray Bergman's medical records, the production was not what was requested and no monies will be paid.

The issue of redacting raises some interesting questions. We are not in accord with the decision to redact anything and the redacting is in conflict with your prior actions.

During our last conversation you, Chief Eric Cerniglia, mentioned the Town of Sewalls Point charter is in municode. Where is the Town of Sewalls Point Charter publically recorded? Please, be very specific because the Secretary of the State of Florida has no listing and referred us to the Martin County Clerk where there seems to be no recording.

Was there ever a permit issued for an electric fence at 24 N Sewalls Point Road?

Was there ever a permit issued for the pool located at 24 N Sewalls Point Road? If yes where is it? Who is the custodian for this record?

Thank you, Chief Eric Cerniglia and RObert Kellogg, for responding promptly to the above. The 26 N Sewalls Point Road property will be mowed Monday March 26th.

Thank you,  
Eric Ott

-----Original Message-----

From: Eric Cerniglia <ecernig@sewallspoint.martin.fl.us>

To: 'eric' <otterej@aol.com>

Cc: ecernig <ecernig@sewallspoint.martin.fl.us>

Sent: Wed, Mar 21, 2012 2:32 pm

Subject: Property Maintenance

Eric,

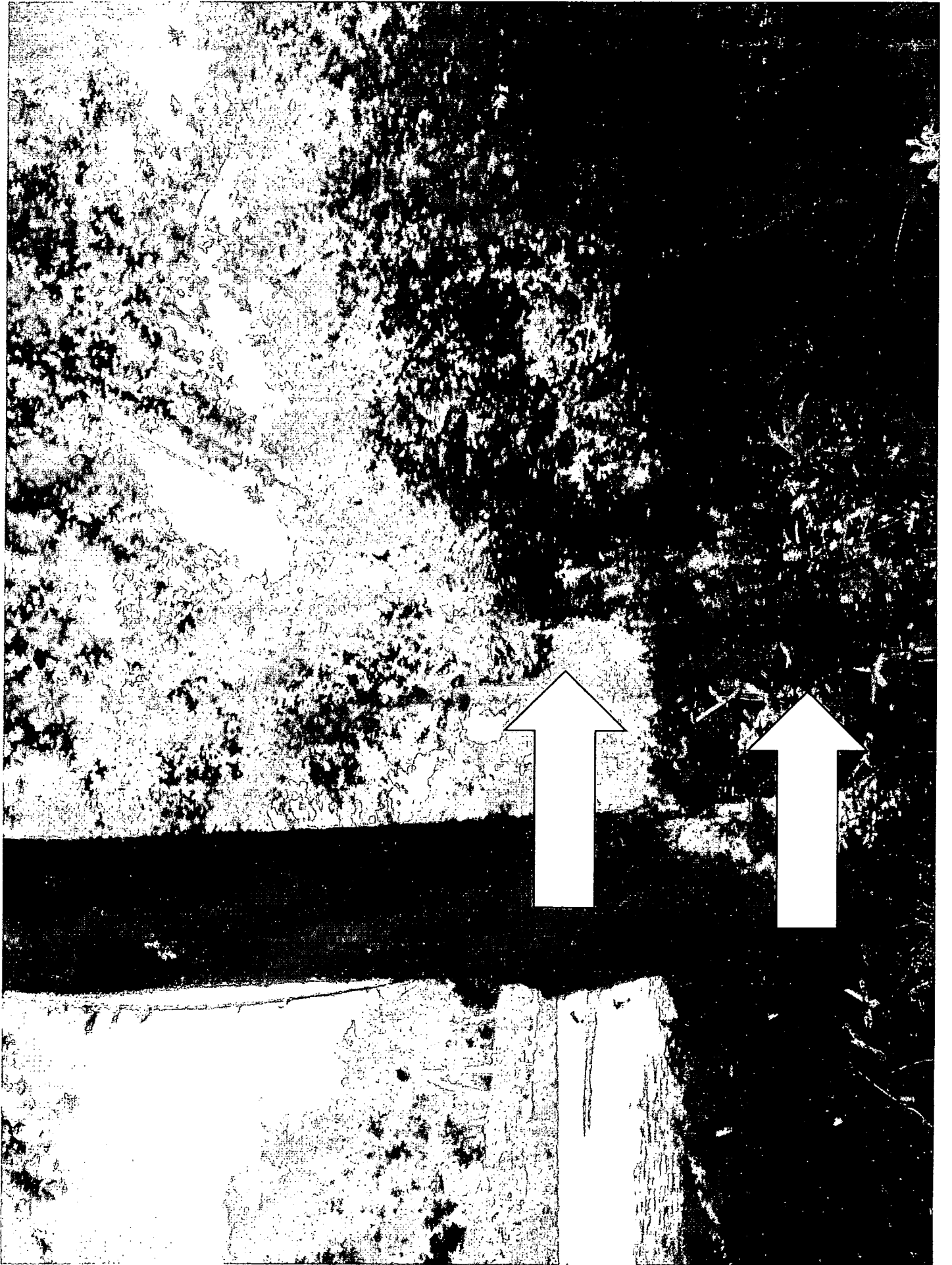
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Sincerely,

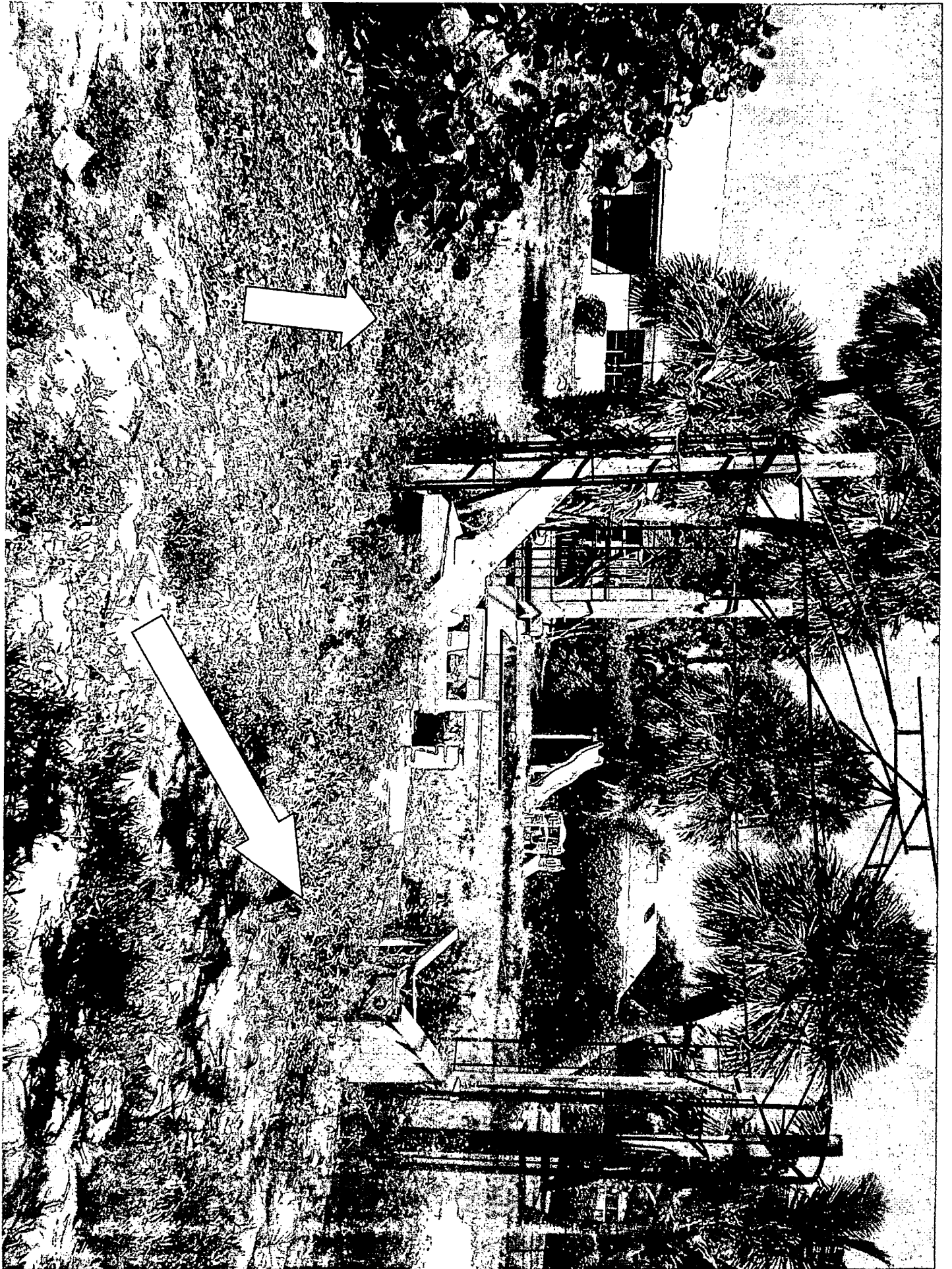
Chief Eric Cerniglia

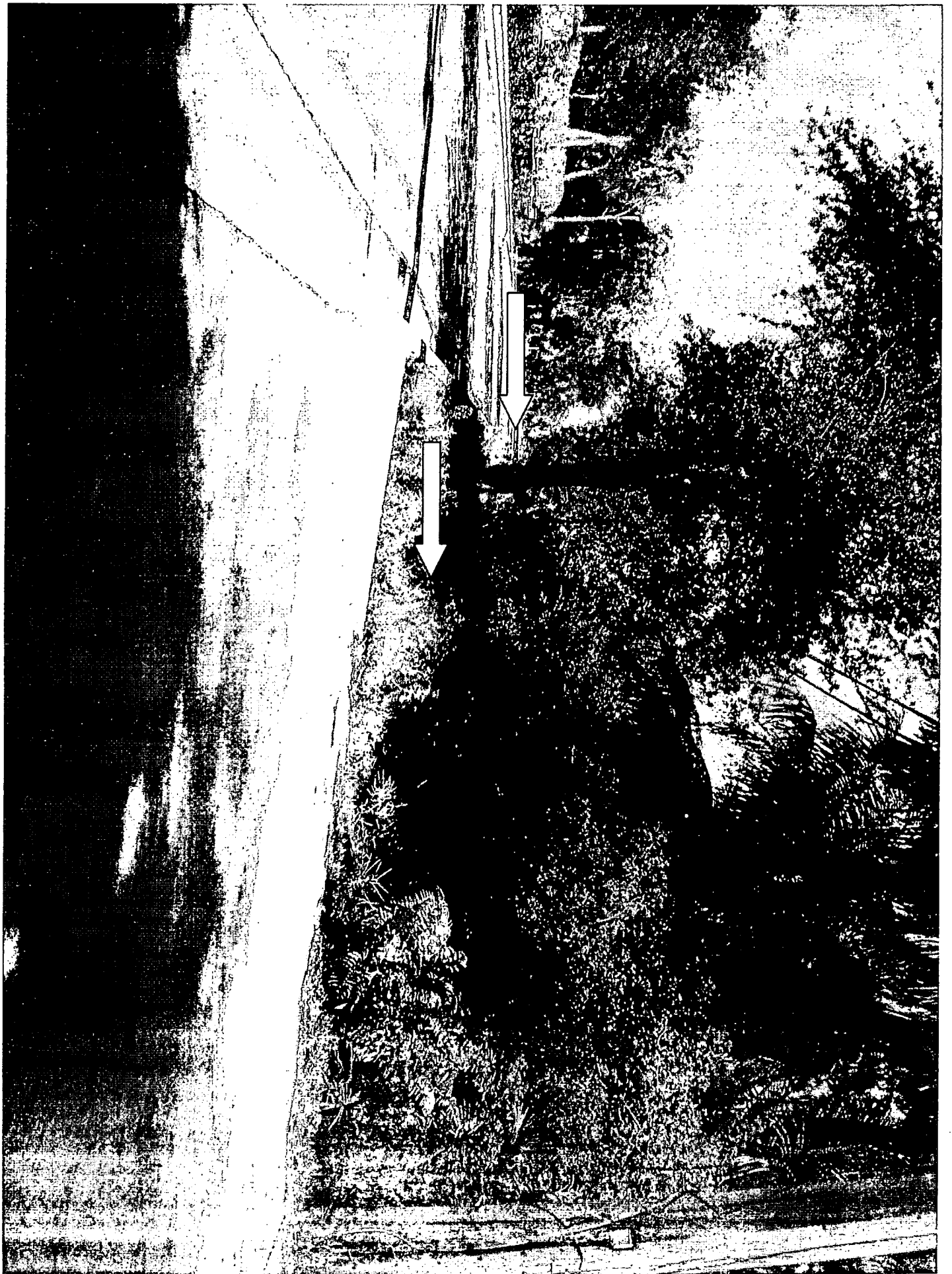
Sewall's Point P.D.

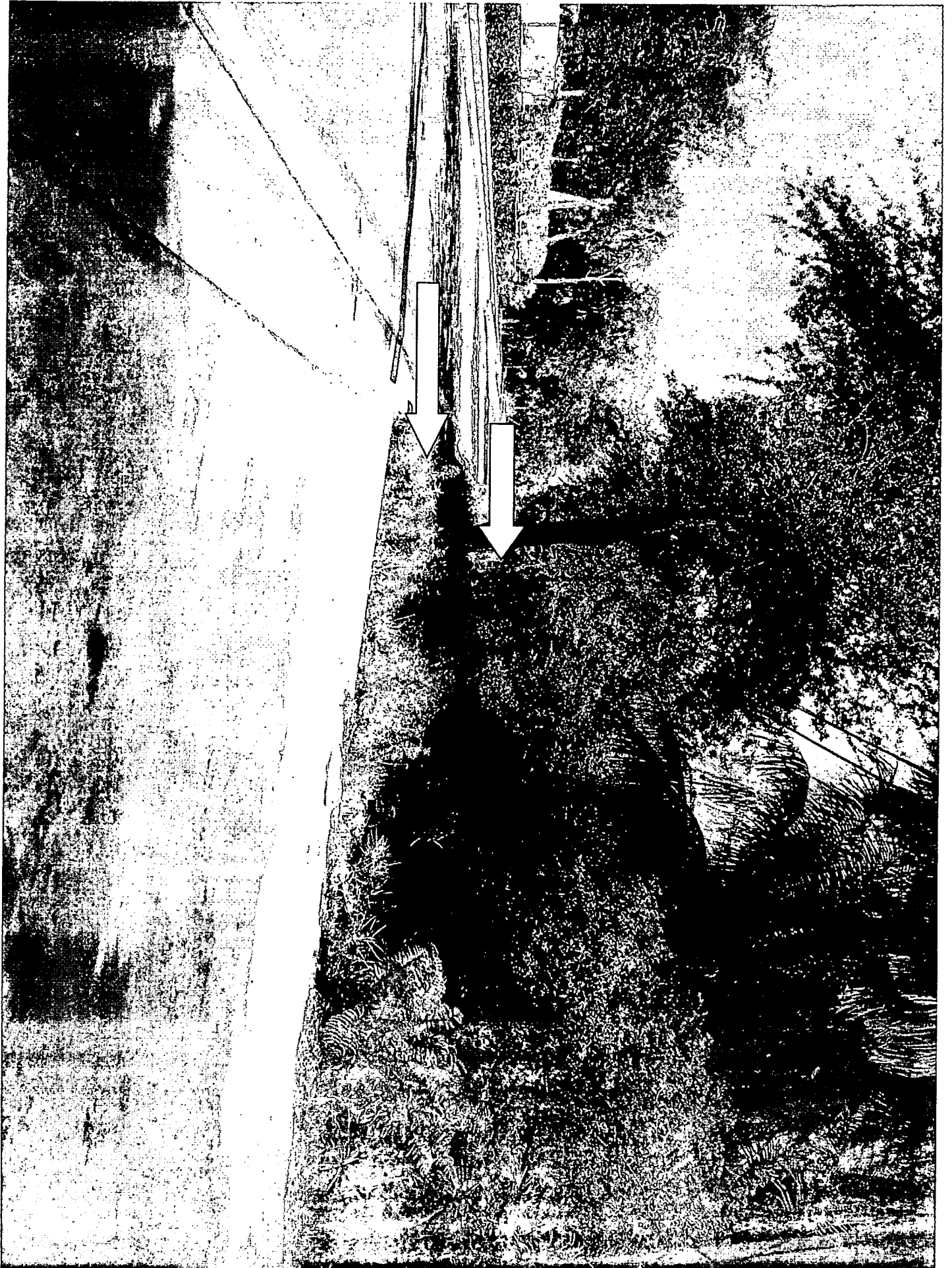














Agency ORI# <b>FLO-430300</b>	<b>SEWALL'S POINT POLICE DEPARTMENT</b> 1 SOUTH SEWALL'S POINT RD, SEWALLS POINT, FL, 34996	AGENCY REPORT NUMBER 2012-000094
Phone <b>(772) 7813378</b>	<b>OFFENSE</b>	Juvenile <input type="checkbox"/> 1. Original 2. Supplement <input checked="" type="checkbox"/>

Agency ORI Number <b>FLO-430300</b>	Agency Name <b>SEWALL'S POINT POLICE DEPARTMENT</b>	Agency Report Number <b>2012-000094</b>			
Reported: Day <b>Wednesday</b>	Date <b>03/21/2012</b>	Time(mil) <b>14:32</b>	Time Dispatched (mil)	Time Arrived (mil)	Time Completed (mil)
Incident: Day From <b>TUESDAY</b>	Date <b>03/20/2012</b>	Time (mil) <b>08:00</b>	Day To <b>FRIDAY</b>	Date <b>05/04/2012</b>	Time (mil) <b>15:00</b>
Incident Type <b>ORDINANCE VIOLATION</b>					

OFFENSE(S)			
Statute Violation Number <b>000.000</b>	Description <b>CODE VIOLATION TOWN OF SEWALL'S POINT</b>	Offense <b>1</b>	Counts <b>1</b>
Offense Status <b>COMMITTED</b>	Offense Type <b>ORDINANCE</b>	Type Weapon	Situation Type:
Crime Category	Crime Circumstances		
Forced Entry? <b>UNKNOWN</b>	Occupancy: <b>N/A</b>	Justifiable Homicide/Manslaughter	Sub-Code

LOCATION	
Incident Location (Common Name, Street, Apt. Number) <b>- 26 N. SEWALL'S POINT RD.</b>	
Cross Streets	City, State <b>SEWALL'S POINT, FL</b>
Zip <b>34996</b>	Geographic Indicator <b>RESIDENCE-SINGLE</b>

NARRATIVE	
SEE NARRATIVE CONTINUATION	
COPY	

ADMINISTRATIVE									
Report Contains						Related Report Number(s)			
Officer(s) Reporting <b>E CERNIGLIA</b>	ID. Number <b>044</b>	Name	ID. Number	Unit <b>040</b>	Date <b>05/05/2012</b>				
Officer Reviewing (If Applicable) <b>E CERNIGLIA</b>	ID. Number <b>044</b>	Approved Date <b>05/05/2012</b>	# Offenses <b>1</b>	# Victims <b>0</b>	# Offenders <b>1</b>	# Premises Ent. <b>0</b>	# Vehicles Stolen <b>0</b>	# Arrested <b>0</b>	
Routed To <b>CITY HALL</b>		Referred To							
Assigned To		Assigned By			Assigned Date				
Case Status <b>OPEN</b>		Exception Type			Date Cleared				

# OFFENSE - PERSON(S)

Juvenile       1. Original    
 2. Supplement  1

Agency ORI Number <b>FL 0-430300</b>	Agency Name <b>SEWALL'S POINT POLICE DEPARTMENT</b>	Agency Report Number <b>2012-000094</b>
Original Report Date <b>03/21/2012</b>	Incident Type <b>ORDINANCE VIOLATION</b>	

<b>SUSPECT</b>										
Offense Indicator	Suspect Code <b>SUSPECT</b>	Juvenile <b>NO</b>	Name (First Middle Last +Family) <b>ERIC JOSEPH OTT</b>							
Family / Maiden Name		Place of Birth <b>FL</b>	Citizenship <b>UNITED STATES</b>				Occupation			
Last Known Address (Street, Apt. Number)			City <b>SEWALL'S POINT</b>	State <b>FL</b>	Zip <b>34996</b>	Residence Phone				
Employer / School			Address		City <b>SEWALL'S POINT</b>	State <b>FL</b>	Zip <b>34996-</b>	Business Phone		
Social Security Number	Res. Type <b>CITY</b>	Res. Status <b>FULL YEAR</b>	INS# <b>0</b>	NCIC#	Arrest#	OBTS#				
Driver License Number	DL State	DL Class	Driver License Expiration	Driver License Status	Suspension Length <b>0</b>					
Required Endorsements	Commercial DL <b>NO</b>	Commercial Vehicle <b>NO</b>	Person Name Different Than On DL <b>NO</b>	Operator Owns Vehicle <b>NO</b>	NCIC	Cancelled By				
Race	Ethnicity	Sex	Date of Birth	Age	Height	Weight	Build			
Hair Color	Hair Length	Hair Style	Facial Hair	Eye Color	Complexion					
Scars / Marks / Tattoos (Location / Describe)										
Amputee		Special Identifiers				Unusual Features				
Injury Type(s)		Extent of Injury	Mental / Physical Condition	Medication Required / Type		Doctor / Medical (Name, Phone Number)				
Medical Aid Given	Treated	Sobriety	Transported?	Transported To:		Beginning Mileage:		Ending Mileage:		

## ADMINISTRATIVE

Report Contains						Related Report Number(s)			
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## OFFENSE - NARRATIVE CONTINUATION

 Juvenile 

 1. Original 

 2. Supplement  1

Agency ORI Number <b>FL0-430300</b>	Agency Name <b>SEWALL'S POINT POLICE DEPARTMENT</b>	Agency Report Number <b>2012-000094</b>
Original Date Reported <b>03/21/2012</b>	Incident Type <b>ORDINANCE VIOLATION</b>	

### NARRATIVE CONTINUATION

ON 03/20/12 I OBSERVED THAT THE LAWN AT 26 N. SEWALL'S POINT RD. WAS OVERGROWN AND IN VIOLATION OF TOWN CODE 22-2(F)(1)(E), PROHIBITING WEEDS, AND ALSO REQUIRES THAT LAWNS NOT BE OVER 8 INCHES IN HEIGHT. THE FRONT (WEST SIDE) OF THE PROPERTY ABUTS N. SEWALL'S POINT RD. THERE IS A CONCRETE DRIVEWAY AT BOTH THE NORTH AND SOUTH SIDES OF THE PROPERTY UP TO A CARPORT OF THE FRONT OF THE HOUSE. THE AREA BETWEEN THE DRIVEWAYS, FROM THE CURB TO THE HEDGE/LANDSCAPING CONTAINED NUMEROUS WEEDS THAT WERE ABOUT A FOOT HIGH. THE FRONT YARD WAS VISIBLE THROUGH BOTH DRIVEWAY OPENINGS, AND IT CONTAINED NUMEROUS WEEDS AS WELL. ALL OF THE LAWN AREA VISIBLE WAS WELL OVER 8 INCHES IN HEIGHT.

ON 03/20/12 AT 10:45AM AND AGAIN ON 03/21/12 AT 2:32PM I SENT THE RESIDENT, MR. ERIC OTT, AN E-MAIL ADVISING HIM OF THE VIOLATION, AND REQUESTING HE REMEDY THE SITUATION BY THE COMING WEEK-END.

MR. OTT REPLIED VIA E-MAIL ON 03/21/12 AT 5:13PM, STATING THAT HE WOULD MOW THE LAWN ON MONDAY, 03/26/12. ON 03/27/12 I OBSERVED THAT THE VIOLATIONS HAD NOT BEEN CORRECTED. NO FURTHER ACTION WAS TAKEN AT THAT TIME.

ON 04/11/12 I OBSERVED THAT THE CODE VIOLATIONS STILL EXISTED AT 26 N. SEWALL'S POINT RD. I SENT MR. OTT A "NOTICE OF VIOLATION" LETTER VIA FACSIMILE. MR. OTT HAD PREVIOUSLY INDICATED THAT HE WAS NOT RECEIVING ANY MAIL FROM THE USPS AT HIS RESIDENCE, AND HAD REQUESTED THAT ALL COMMUNICATIONS BE VIA FACSIMILE OR E-MAIL. THE "NOTICE OF VIOLATION" LETTER ADVISED MR. OTT THAT HE HAD TEN DAYS TO REMEDY THE SITUATION.

ON 04/13/12 I SENT MR. OTT A "NOTICE OF VIOLATION" LETTER VIA E-MAIL.

MR. OTT THEN CALLED AND SPOKE TO ME ON THE TELEPHONE. HE INDICATED THAT HE WAS AWARE OF THE VIOLATION NOTICES, HOWEVER, HE SAID THAT AS A PROPERTY OWNER HE WAS ONLY RESPONSIBLE FOR MAINTAINING HIS OWN PROPERTY AND NOT ANY ROAD RIGHT-OF-WAY. HE STATED THAT HE WOULD MAINTAIN HIS LAWN ACCORDING TO TOWN CODE.

I RESEARCHED THE TOWN ORDINANCES BUT COULD NOT LOCATE ANY

### ADMINISTRATIVE

Report Contains		Related Report Number(s)						
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Routed To <b>CITY HALL</b>		Referred To						
Assigned To		By				Assigned Date		
Case Status <b>OPEN</b>		Exception Type				Date Cleared		

## OFFENSE - NARRATIVE CONTINUATION

 Juvenile 

 1. Original 

 2. Supplement 

1

Agency ORI Number <b>FL0-430300</b>	Agency Name <b>SEWALL'S POINT POLICE DEPARTMENT</b>	Agency Report Number <b>2012-000094</b>
Original Date Reported <b>03/21/2012</b>	Incident Type <b>ORDINANCE VIOLATION</b>	

### NARRATIVE CONTINUATION

CODE THAT REQUIRED A PROPERTY OWNER TO MAINTAIN A ROAD RIGHT-OF-WAY THAT ABUTS THEIR PROPERTY. TOWN MAPS INDICATE THAT N. SEWALL'S POINT RD. IN FRONT OF #26 HAS A FIFTY FOOT RIGHT-OF-WAY. IT APPEARS THAT THERE IS APPROXIMATELY TEN FEET OF LANDSCAPE AREA BETWEEN THE EASTERN CURB OF N. SEWALL'S POINT RD. AND THE WEST BOUNDARY LINE OF MR. OTT'S PROPERTY.

NOTWITHSTANDING THE RIGHT-OF-WAY ISSUE, MR. OTT HAS NOT CORRECTED THE WEED AND OVERHEIGHT LAWN VIOLATIONS EXISTING ON HIS PROPERTY (FRONT AND REAR LAWN). ALSO, MR. OTT WAS ADVISED ON 05/10/2011 OF VIOLATIONS REGARDING DEBRIS PILES (PALM FRONDS AND DECAYING VEGETATIVE MATERIAL) ON HIS PROPERTY WHICH HAVE NOT YET BEEN CORRECTED.

ON 05/04/12 MR. OTT WAS ISSUED A "NOTICE OF HEARING" BY THE TOWN'S BUILDING OFFICIAL, JOHN ADAMS, TO APPEAR BEFORE THE TOWN'S CODE ENFORCEMENT BOARD ON 05/15/12 AT 10:00AM. ON THIS SAME DATE, THE NOTICE WAS DELIVERED TO MR. OTT IN PERSON BY OFFICER WADE OF THE SEWALL'S POINT POLICE DEPARTMENT, AND WAS ALSO SENT VIA FACSIMILE.

THIS VIOLATION IS PENDING THE OUTCOME OF THE CODE ENFORCEMENT BOARD'S HEARING.

### ADMINISTRATIVE

Report Contains		Related Report Number(s)						
Officer(s) Reporting <b>E CERNIGLIA</b>	ID. Number <b>044</b>	Name			ID. Number	Unit <b>040</b>	Date <b>05/05/2012</b>	
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Assigned To		By			Assigned Date			
Case Status <b>OPEN</b>		Exception Type			Date Cleared			



## Eric Cerniglia

---

**From:** Eric Cerniglia [ecernig@sewallspoint.martin.fl.us]  
**Sent:** Tuesday, March 20, 2012 10:45 AM  
**To:** 'eric'  
**Subject:** Property Maintenance

Eric,  
The lawn at 26 North Sewall's Point Road is overdue for mowing. The portion abutting N. Sewall's Point Rd., as well as the portion of the yard visible through the driveway opening from N. Sewall's Point Rd., has weeds and is well over the 8-inch height limit specified in the Town Code (Sec. 22-2.f.1.e). I'm hoping that you can remedy the situation by this coming weekend so that there will be no need to issue a "Notice of Violation". Thank you for your prompt attention to this important matter.

Sincerely,  
Chief Eric Cerniglia  
Sewall's Point P.D.

## Eric Cerniglia

---

**From:** Eric Cerniglia [ecernig@sewallspoint.martin.fl.us]  
**Sent:** Wednesday, March 21, 2012 2:32 PM  
**To:** 'eric'  
**Cc:** 'ecernig@sewallspoint.martin.fl.us'  
**Subject:** Property Maintenance

<b>Tracking:</b>	Recipient	Read
	'eric'	
	'ecernig@sewallspoint.martin.fl.us'	Read: 3/21/2012 2:33 PM

Eric,  
The lawn at 26 North Sewall's Point Road is overdue for mowing. The portion abutting N. Sewall's Point Rd., as well as the portion of the yard visible through the driveway opening from N. Sewall's Point Rd., has weeds and is well over the 8-inch height limit specified in the Town Code (Sec. 22-2.f.1.e). I'm hoping that you can remedy the situation by this coming weekend so that there will be no need to issue a "Notice of Violation". Thank you for your prompt attention to this important matter.

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Sewall's Point P.D.

## Eric Cerniglia

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**From:** Eric Cerniglia [ecernig@sewallspoint.martin.fl.us]  
**Sent:** Thursday, March 22, 2012 1:13 PM  
**To:** 'eric'  
**Cc:** 'Robert Kellogg'  
**Subject:** RE: Property Maintenance

Eric,

As a courtesy, I was trying to give you an informal warning to gain your compliance with the Town Code. Perhaps that approach should not be attempted in the future. I will try to answer all your questions - - -

- As far as the ten-day time frame, that is generally given on an official "Notice of Violation" letter or Civil Code Citation.
- The visibility of your property is through both driveway openings, and should have been stated in the plural.
- There has been one other notice for weeds and other property maintenance violations during the last ten days. This notice was issued verbally to the property owner.
- Weeds are defined in the Town Code, Chapter 22-1 Definitions. There is a noxious weed list and a description of underbrush weeds.
- The property owner at 33 NSPR has been contacted previously and complied. There has been no recent communication. I will have the property inspected, and take action accordingly.
- The resident at 24 NSPR agreed to trim the vegetation along the ROW line of the property. This was also a verbal communication.
- The medical records produced at your request were provided as directed by the Town Attorney pursuant to Florida's public records law.
- The Town of Sewall's Point was chartered according to the requirements of the Laws of Florida, Chapter 57-1865.
- Permits for electric fences and/or swimming pools are processed by the Building Dept. You need to contact the Town's Building Official, John Adams, for information pertaining to this.

Thank you in advance for your compliance with the property maintenance violation.

Chief Eric Cerniglia  
Sewall's Point P.D.

---

**From:** eric [mailto:otterej@aol.com]  
**Sent:** Wednesday, March 21, 2012 5:13 PM  
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What happened to ten days to correct? Why has your procedure changed, Chief Eric Cerniglia?

Chief Eric Cerniglia, your email below states, "portion of the yard visible through the driveway opening from N. Sewall's Point Rd., has weeds and is well over the 8-inch height limit" in regard to this statement please be very specific so that any possible "violations" can be remedied. The statement says driveway opening and there are two openings. Please, be specific as to your purpose so remedy can be adequately addressed.

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Thank you, Chief Eric Cerniglia and RObert Kellogg, for responding promptly to the above. The 26 N Sewalls Point Road property will be mowed Monday March 26th.

Thank you,  
Eric Ott

-----Original Message-----

From: Eric Cerniglia <[ecernig@sewallspoint.martin.fl.us](mailto:ecernig@sewallspoint.martin.fl.us)>

To: 'eric' <[otterej@aol.com](mailto:otterej@aol.com)>

Cc: ecernig <[ecernig@sewallspoint.martin.fl.us](mailto:ecernig@sewallspoint.martin.fl.us)>

Sent: Wed, Mar 21, 2012 2:32 pm

Subject: Property Maintenance

Eric,  
The lawn at 26 North Sewall's Point Road is overdue for mowing. The portion abutting N. Sewall's Point Rd., as well as the portion of the yard visible through the driveway opening from N. Sewall's Point Rd., has weeds and is well over the 8-inch height limit specified in the Town Code (Sec. 22-2.f.1.e). I'm hoping that you can remedy the situation by this coming weekend so that there will be no need to issue a "Notice of Violation". Thank you for your prompt attention to this important matter.

Sincerely,  
Chief Eric Cerniglia  
Sewall's Point P.D.

# TOWN OF SEWALL'S POINT

JACQUI THURLOW-  
LIPPISCH  
Mayor

PAUL SCHOPPE  
Vice Mayor

THOMAS P BAUSCH  
Commissioner

PAMELA BUSHA  
Commissioner

PAUL LUGER  
Commissioner



ROBERT L. KELLOGG  
Town Manager

ANN-MARIE S. BASLER  
Town Clerk

ERIC CERNIGLIA  
Chief of Police

JOHN R. ADAMS  
Building Official

JOSE TORRES  
Maintenance

## Notice of Violation

### Re: Town of Sewall's Point Ordinance Sec. 22-2(f)(1)e, and Sec. 38-32(c)

**Date of Inspection:** March 20, March 26, and April 10, 2012      **Date:** April 11, 2012

**Description of Violation:** 1. Property Maintenance Code, and 2. Streets

**Violation Address:** 26 North Sewall's Point Road

**Owner:** Ott, Eric J. and Ott, Robert J.


Dear Sir,

A recent inspection of the referenced property noted a violation of two Town ordinances. Specifically:

1. Violation of municipal code section 22-2(f)(1)e which states: Lawns shall be maintained in a neat and healthy condition reasonably free of weeds, accumulation of decayed, dead, dying, or bare areas. Lawns shall be kept no higher than eight inches in height.
2. Violation of municipal code section 38-32(c) which states: It shall be unlawful for any person to plant any trees or plants that exceed, or are expected to exceed upon maturity, 12 inches in height, within the right-of-way of any public street, regardless of whether the right-of-way is paved or unpaved.

You were notified via e-mail on March 20, 2012 of these violations. You replied that the violations would be addressed by March 26, 2012. However, the violations continue to exist. You are hereby required to take appropriate action to abate the nuisance described herein within 10 days. Failure to do so will result in the town taking such actions as necessary to abate the nuisance and the cost shall be assessed against the property, and that a lien may be recorded to secure the recovery of the town's expenses.

With best regards,

  
Eric Cerniglia  
CHIEF OF POLICE

Via Facsimile



One S. Sewall's Point Road, Sewall's Point, Florida 34996  
Town Hall (772) 287-2455 • Fax (772) 220-4765 • E-Mail: [clerk@sewallspoint.martin.fl.us](mailto:clerk@sewallspoint.martin.fl.us)  
Police Department (772) 781-3378 • Fax (772) 286-7669 • E-Mail: [sppd@sewallspoint.martin.fl.us](mailto:sppd@sewallspoint.martin.fl.us)



## SEWALL'S POINT POLICE DEPARTMENT

# FAX

TO: Eric Ott FROM: Eric Cerniglia, Chief of Police

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FAX: (772) 382-6437 DATE: April 11, 2012

---

PHONE: (772) 781-3378 PAGES: (including cover sheet) 2

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RE: Code Violation CC:

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Urgent     For Review     Please Comment     Please Reply     Please Recycle

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This correspondence is to advise you that there are existing code violations on your property at 26 North Sewall's Point Road, and to provide notice that you have ten (10) work days to correct the situation or face a fine in accordance with Town Codes.

The area in violation is the swale area (right-of-way) along North Sewall's Point Road and the front (West) side of your property. The issues are:

- 1) The plantings in the right-of-way have exceeded the 12" height limitation.
- 2) There are weeds growing in the right-of-way.
- 3) The front lawn has grown above the 8" height limitation.
- 3) There are weeds growing in the front lawn.

This area has become unsightly and is not being maintained in a neat and healthy condition in violation of Town Code. Included with this facsimile is the official "Notice of Violation" letter.

I am anticipating your prompt compliance for the benefit of all.

Chief Eric Cerniglia  
Sewall's Point P.D.

This facsimile transmission is from the Sewall's Point Police Department and the information contained, including any attachments, is intended only for the use of the individual(s) to whom it is addressed, and it is considered confidential. If you are neither the intended recipient nor the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any unauthorized use, disclosure, copying, distribution of this transmission (including any attachments) in any way, or taking of any action in reliance on this communication is strictly prohibited. If you believe that you received this facsimile in error, please notify the sender immediately at (772) 781-3378.

# TOWN OF SEWALL'S POINT

JACQUI THURLOW-  
LIPPISCH  
Mayor

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With best regards,

*Eric Cerniglia*

Eric Cerniglia  
CHIEF OF POLICE

Via e-mail



One S. Sewall's Point Road, Sewall's Point, Florida 34996  
Town Hall (772) 287-2455 • Fax (772) 220-4765 • E-Mail: [clerk@sewallspoint.martin.fl.us](mailto:clerk@sewallspoint.martin.fl.us)  
Police Department (772) 781-3378 • Fax (772) 286-7669 • E-Mail: [sppd@sewallspoint.martin.fl.us](mailto:sppd@sewallspoint.martin.fl.us)

## Eric Cerniglia

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**From:** Eric Cerniglia [ecernig@sewallspoint.martin.fl.us]  
**Sent:** Friday, April 13, 2012 11:16 AM  
**To:** 'eric'  
**Cc:** 'Robert Kellogg'  
**Subject:** Notice of Violation  
**Attachments:** Notice of Violation OTT via email.doc

Eric,  
See attached notice of violation.  
Chief Eric Cerniglia  
Sewall's Point P.D.



## Eric Cerniglia

---

**From:** Eric Cerniglia [ecernig@sewallspoint.martin.fl.us]  
**Sent:** Friday, April 13, 2012 11:20 AM  
**To:** 'eric'  
**Cc:** 'Robert Kellogg'  
**Subject:** Notice of Violation

<b>Tracking:</b>	<b>Recipient</b>	<b>Read</b>
	'eric'	
	'Robert Kellogg'	Read: 4/13/2012 12:00 PM

Eric,  
See attached Notice of Violation.  
Chief Eric Cerniglia  
Sewall's Point P.D.

BEFORE THE CODE ENFORCEMENT BOARD IN AND  
FOR THE TOWN OF SEWALL'S POINT, FLORIDA

CASE NO:        DATE:  
2012-03        May 4, 2012

TOWN OF SEWALL'S POINT, a political  
Subdivision of the State of Florida,

Petitioner,

Vs Eric Ott  
26 N. Sewall's Point Road  
Sewall's Point, FL. 34996

Respondent(s),

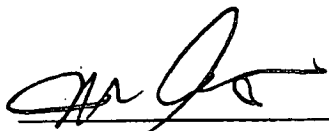
**NOTICE OF HEARING**

TO: Eric Ott

PLEASE TAKE NOTICE that the undersigned has called for Hearing the following, pursuant to the Town of Sewall's Point Code of Ordinances, Chapter 22, Section 22-2, you are hereby requested to appear before the Town of Sewall's Point Code Enforcement Board at 10:00 a.m. for violations of the following Ordinances or Codes:

MATTER:        Notice of violations, Property Maintenance  
DATE :         May 15, 2012  
TIME:         10:00 A.M.  
TRIBUNAL:     TOWN OF SEWALL'S POINT CODE ENFORCEMENT BOARD  
PLACE:        Town of Sewall's Point  
                Commission Meeting Room  
                One South Sewall's Point Road  
                Sewall's Point, Florida 34996

PLEASE GOVERN YOURSELF ACCORDINGLY,



John Adams  
BUILDING OFFICIAL AND CODE ENFORCEMENT OFFICER

Method of delivery: Personal Delivery, Faxed

**NOTE: THE CODE ENFORCEMENT BOARD WILL HEAR ALL TESTIMONY AND EVIDENCE PRESENTED UNDER OATH SUBJECT TO PENALTY OF PERJURY UNDER THE LAW.**

If you correct the violation(s) prior to the hearing date, contact the Town of Sewall's Point at (772) 287-2455 in order to arrange for an inspection. If the violation is corrected and then reoccurs, or if the violation is not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Code Enforcement Board even if the violation is corrected prior to the Board meeting.

The Code Enforcement Board is empowered to levy a fine up to \$500.00 each day the violation continues past the date set for compliance. A fine not to exceed \$500.00 per day may be levied for a repeat violation. The fine may become a lien against both your real and personal property.

**NOTICE:** All proceedings before the Town of Sewall's Point Code Enforcement Board, Sewall's Point, Florida are electronically recorded. Any person who decides to appeal any action taken by the Code Enforcement Board at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made. Upon request of any party to the proceedings, individual's testifying during a hearing will be sworn in. Any party to the proceeding will be granted an opportunity to cross-examine an individual testifying during a hearing upon request. Written comments received in advance of the public hearing will also be considered.

**If you have any questions regarding this Notice, please call (772) 287-2455 ext. 15, and ask for John Adams the Building Official.**

# FAX

## TOWN OF SEWALL'S POINT

TO: Eric Ott

FROM: John Adams, Building Official

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FAX: (772) 382-6437

DATE: May 4, 2012

---

PHONE: (772) 287-2455

PAGES: (including cover sheet) 3

---

RE: Notice of Violation

CC:

---

Urgent     For Review     Please Comment     Please Reply     Please Recycle

---

## Eric Cerniglia

---

**From:** Eric Cerniglia [ecernig@sewallspoint.martin.fl.us]  
**Sent:** Tuesday, May 10, 2011 9:19 AM  
**To:** 'otterej@aol.com'  
**Cc:** Robert Kellogg  
**Subject:** Existing Code Violations

<b>Tracking:</b>	<b>Recipient</b>	<b>Read</b>
	'otterej@aol.com'	
	Robert Kellogg	Read: 5/10/2011 10:34 AM

Eric,

The other day the Town Manager and I were at your neighbor's house to address the issue about shrubs at the right-of-way causing a potential visual obstruction. Ray was informed to trim back these bushes, and he has complied.

However, there were several issues observed on your property that need to be addressed, including: 1) a length of pipe lying exposed on the ground, 2) several bags of mulch or fertilizer lying on the ground, 3) several piles of debris – palm fronds & other vegetative waste – lying on the ground, and 4) several areas where grass and weeds have grown higher than the code allows. Please address these issues within one (1) week, or we will have to issue a code violation citation. Thank you for your anticipated cooperation in this important matter.

Chief EC

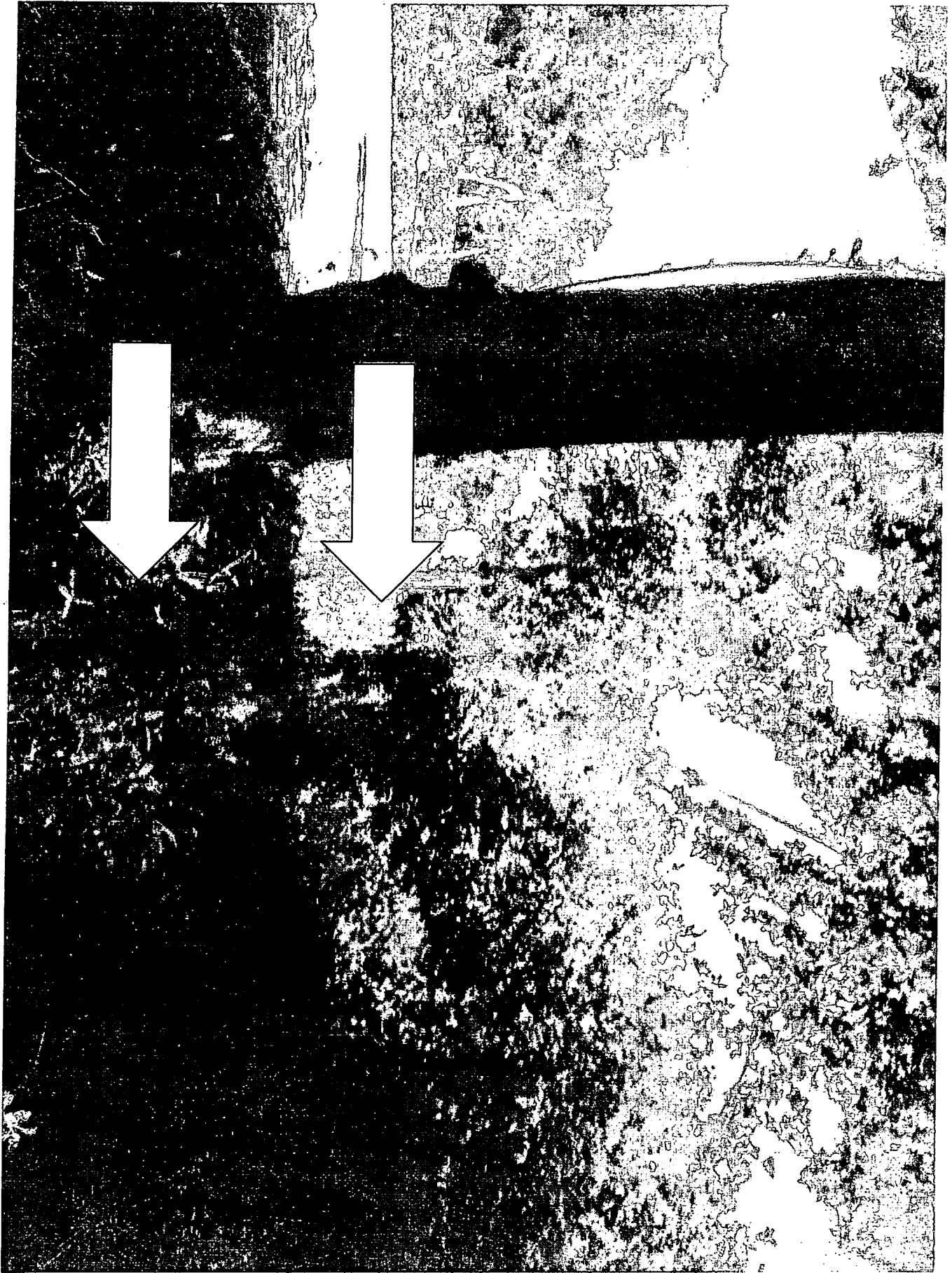


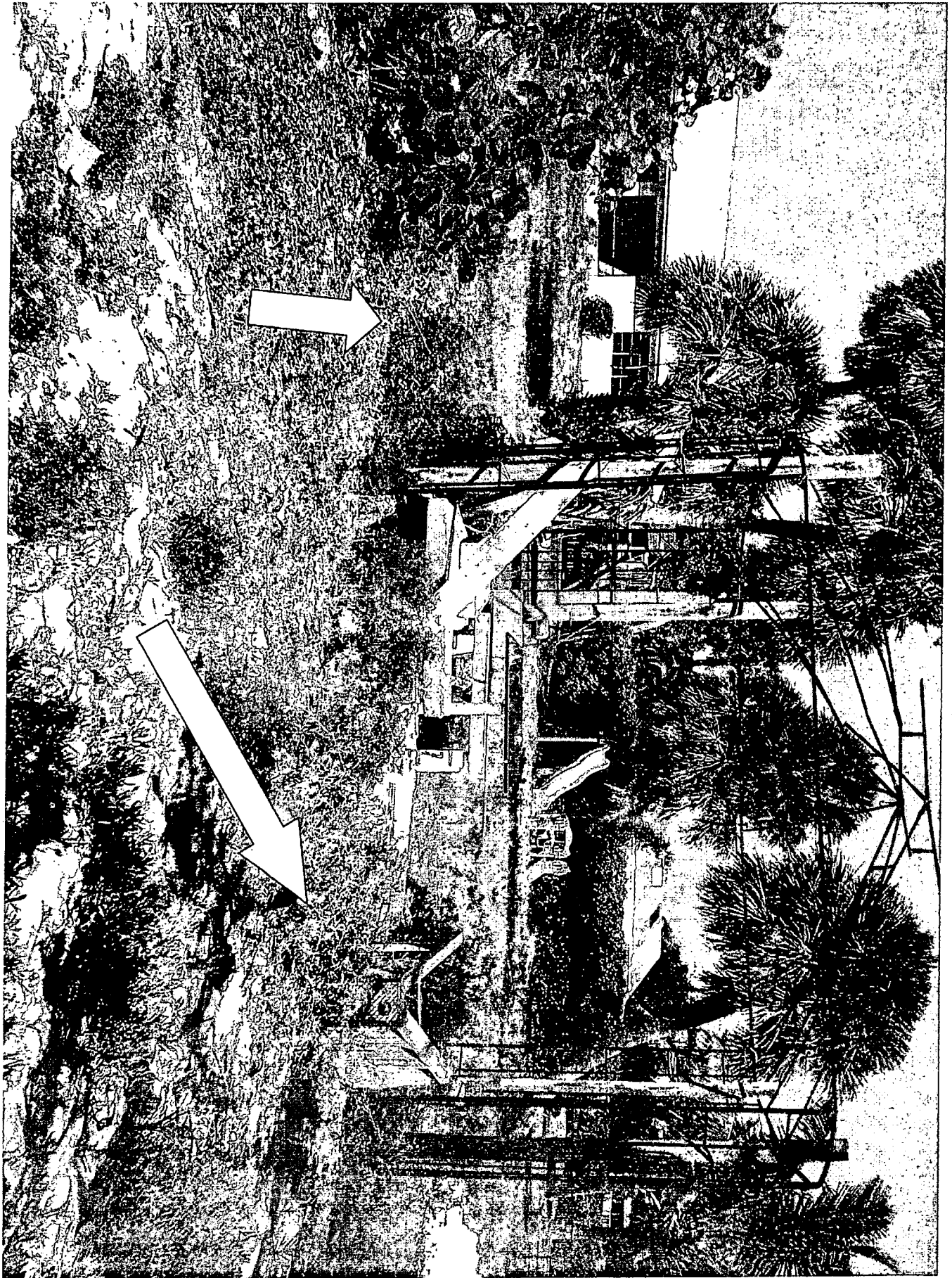
**CHIEF ERIC CERNIGLIA**  
SEWALL'S POINT POLICE DEPARTMENT

(772) 781-3378 Work  
ecernig@sewallspoint.martin.fl.us

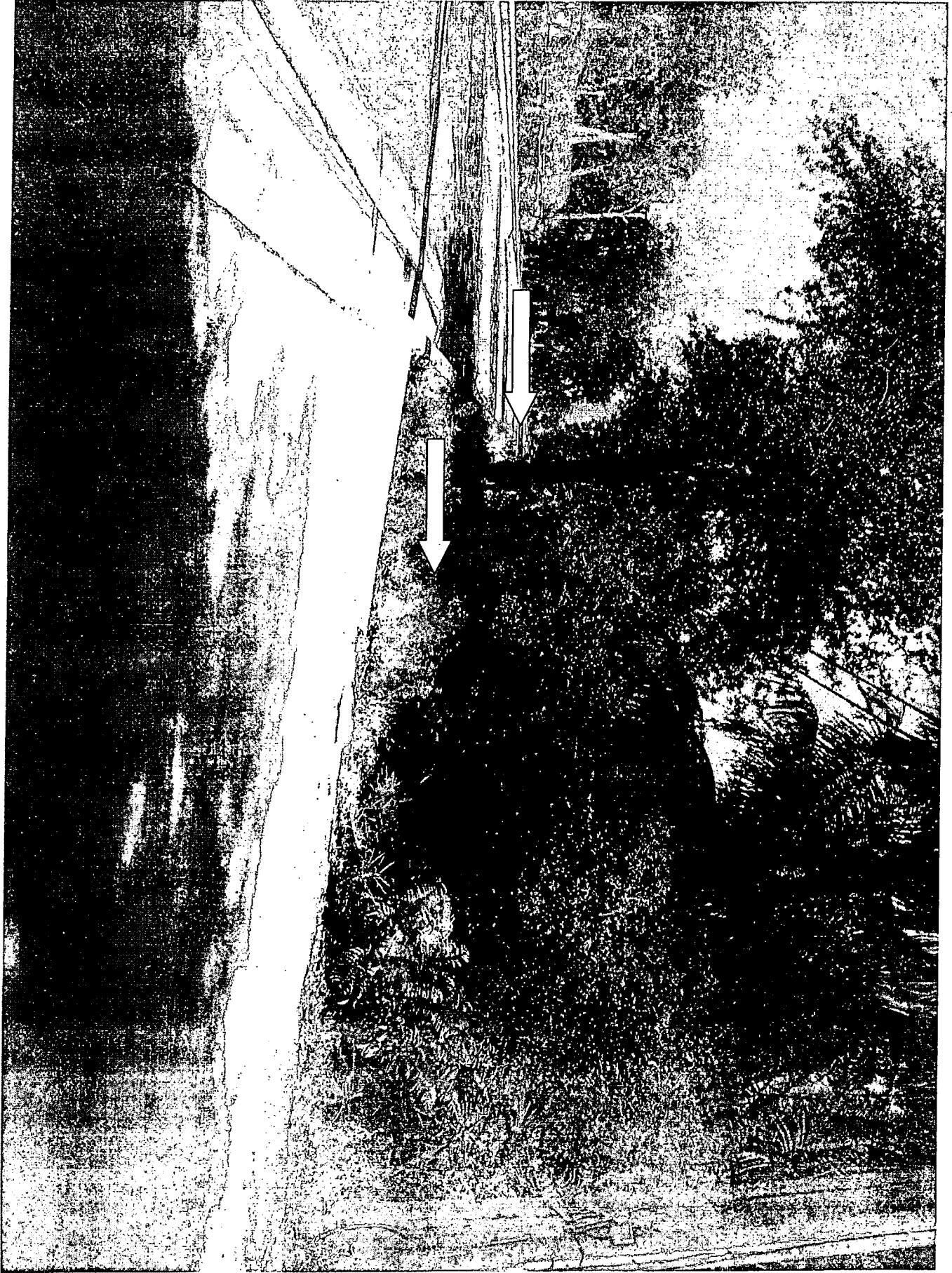
[www.sewallspoint.org](http://www.sewallspoint.org)

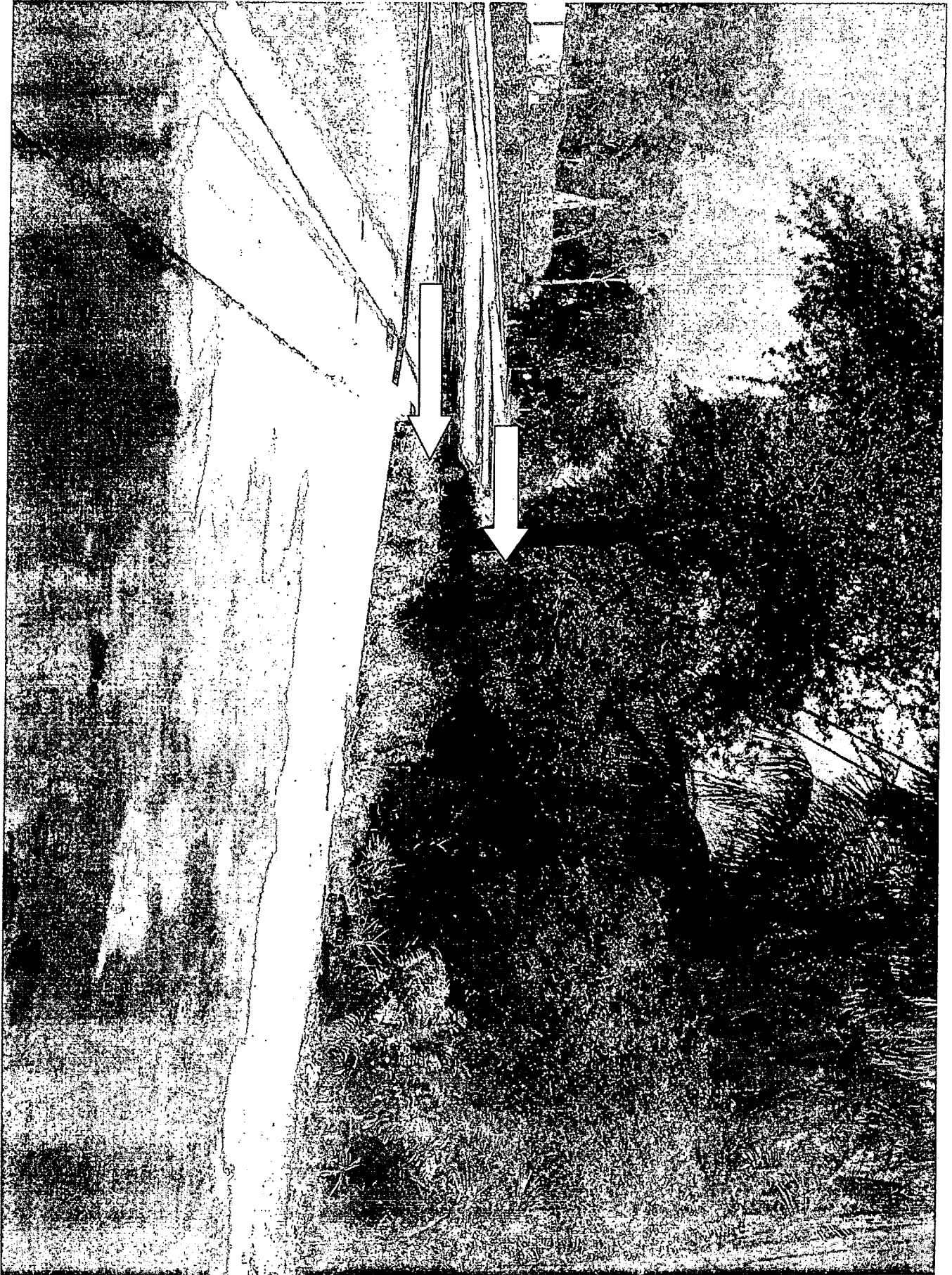














DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES, DIVISION OF HEALTH.  
 INDIVIDUAL SEWAGE DISPOSAL FACILITIES. PLOT PLAN, SCALE: 1" = 50'

PB. 5 PG. 11 DATE 1972

INDIAN RIVER

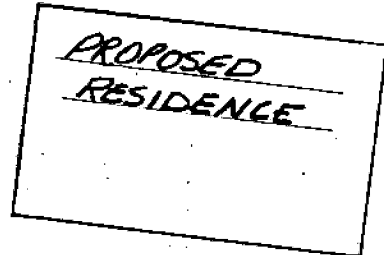
NOTE: NO WELLS  
 OR SEPTIC TANK  
 WITHIN 75' OF PROP.

NOTE: PUBLIC WATER SUPPLY

LOT 3  
 (VACANT)

LOT 10

LOT 9



*Wm J. Mathers*

SEWALLS POINT RD

50' R.W.

WET SEASON WATER TABLE 6'

LEGEND

- ☐= EXISTING SEPTIC TANK AND DRAINFIELD
- ☐= PROPOSED SEPTIC TANK AND DRAINFIELD
- ⊗ PROPOSED WATER SUPPLY WELL
- EXISTING WATER SUPPLY WELL
- ⊠ SOIL BORING AND PERCOLATION TEST LOCATION

JOB No.

155-01-01

DATE:

5/7/80

MATHERS

&

ASSOCIATES

ENGINEERS — SURVEYORS  
 STUART, FLORIDA