

TOWN OF SEWALL'S POINT



SPECIAL MAGISTRATE HEARING AGENDA

Town of Sewall's Point, Town Hall Chambers,
One South Sewall's Point Road,
Sewall's Point, Florida 34996

June 12, 2024
10:00 AM

HONORABLE TYSON J. WATERS PRESIDING

I. CALL TO ORDER

- a. Pledge of Allegiance
- b. Roll Call
- c. Swearing-in of Staff

II. PUBLIC TO BE HEARD

a.

PUBLIC COMMENT ON NON-AGENDA ITEMS- PLEASE SUBMIT A COMMENT CARD TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING AND LIMIT YOUR COMMENTS TO THREE MINUTES. *If the thirty (30) minute time period has been exhausted, the Magistrate will entertain any remaining comments near the end of the meeting with the same three (3) minute per person time limitation.*

[1\) TSP-Public Comment Guidelines.pdf](#)

III. APPROVAL OF AGENDA

IV. VIOLATION HEARINGS

- a. **B24-0026 – Charles Simpson – 8 N. Sewall’s Point Road - Section 14-164 – Permit and application required for property rental; and Section 14-165 (e) - Miscellaneous Provisions; owner –occupied dwellings with rooms for rental; prohibition of short term rentals**

[1\) B24-0026 8 N Sewall's Point Rd_Hearing Packet.pdf](#)

b.

B24-0032 – Gerhard & Katharina Stejskal - Section 70-22 - Permit Required for Tree Removal; Section 70-155 – Mitigation; and Section 70-154 Civil penalties

[1\) B24-0032 10 Oakwood Dr_Hearing packet.pdf](#)

V. ADJOURN

CIVILITY CLAUSE: It is the policy of the Sewall's Point Town Commission that all persons addressing a town board or attending a Town board meeting shall conduct themselves in a manner that does not disrupt the orderly and efficient conduct of the meeting. Boisterous or unruly behavior; threatening or inciting an immediate breach of the peace; or use of profane, slanderous or obscene speech will not be tolerated and could result in ejection from the meeting after warning from the presiding officer. In accordance with the provisions of the Americans with Disabilities Act (ADA) this document may be requested in an alternate format. Persons in need of a special accommodation to participate in this proceeding shall, within 3 working days prior to any proceeding, contact the Town Clerk's office, One South Sewall's Point Road, Sewall's Point, Florida 34996 (772) 287-2455. If any person decides to appeal any decision made by the Town Commission with regard to any matter considered at such meeting or hearing, s/he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.



Guidelines for Public Comments

- Everyone will have 3 minutes
- When recognized step forward to the podium and state your name for the record
- Remarks should be addressed to the Special Magistrate
- The public comment period is for receipt of public comments, not debate. It is not intended as a time for problem solving but rather for hearing the citizens for their input
- Any person addressing the Special Magistrate who disrupts the orderly and efficient conduct of the meeting, uses profane or obscene language may be removed from the meeting



Town of Sewall's Point

BUILDING DEPARTMENT



Notice of Violation and Notice of Hearing*

CASE #B24-0026

Property Owner: Charles Simpson
Owner Address: 8 N Sewall's Point Rd
Sewall's Point, FL 34996

DATE: May 7, 2024

VIOLATION ADDRESS: 8 N Sewalls Point Rd
PARCEL ID #: 35-37-41-003-000-00020-5

The Town of Sewall's Point works to ensure that the Town is a great place to live and visit and to keep its neighborhoods safe and well maintained. Sometimes this requires Town staff to issue a code enforcement violation that may result in fines, administrative costs and liens. In an attempt to prevent that from occurring, we would like to make you aware that your property is in violation of the following Town of Sewall's Point Code of Ordinances:

Violation: Property rental listing without a permit and short-term rentals not permitted

Sec. 14-164. - Permit and application required.

(a) Permit required. An annual permit issued by the town manager or designee shall be required for any owner of residential property to rent or lease, or offer to rent or lease, all or part of any residential dwelling in the town. A copy of the permit shall be made available for inspection at all times at the subject dwelling, and shall be attached to and made part of the terms of any lease of residential property within the town.

(b) It shall be unlawful for any person to allow another person to lease any dwelling within the town, or offer a dwelling for rent within the town, unless the property has been registered as a rental with the town and a permit obtained in accordance with the provisions of this article. The town manager or designee is authorized to exempt an owner from the requirement of a rental permit if the dwelling is being maintained by a caretaker or house sitter who occupies and maintains the property, and who is not otherwise paying rent for his or her occupation of the dwelling.

(c) Application required.

(1) Every owner who is not exempt and who leases a dwelling, regardless of term, is required to obtain a rental permit from the town manager or designee prior to leasing or subleasing a dwelling to another person or other persons, regardless of their relationship to the owner. In the case of a dwelling with multiple owners, it shall be sufficient for any one of the owners to have obtained a rental permit for the dwelling.

(2) The town is authorized to charge a reasonable fee for the rental permit to compensate for all associated administrative expenses. The fees for obtaining a permit shall be provided for, from time to time, by resolution adopted by the town commission.

Sec. 14-165. Miscellaneous provisions.

(e) *Owner-occupied dwellings with rooms for rent; prohibition of short-term rentals.* A residential rental permit is required by any owner who occupies a single-family dwelling and who also rents space in that dwelling to any unrelated, natural person(s) for the purpose of occupying the whole or part of a dwelling as a separate housekeeping unit; provided that no owner, either directly or through a local responsible party, agent, employee or any other person, may enter into a short-term rental, or permit a short-term tenant to occupy any portion of a single-family dwelling within the town.

To avoid the need to go to a hearing and the possibility of any fines, please comply the violation(s) on or before **May 17, 2024**, and contact the undersigned Code Enforcement Officer to verify compliance on or before that date. If you do not understand what is required to come into compliance or if you have any other questions regarding the violation, please contact the Code Enforcement Officer at the number below. We strive to work with our residents to resolve all code enforcement issues without the need for a hearing. However, if the violation remains after the

time set for compliance above, the Code provides that the Town will hold a **public hearing before the Code Enforcement Board/Special Magistrate**. This hearing will be held on June 12, 2024, at 10 a.m. in the Town Commission Chambers, 1 S. Sewall's Point Road, Sewall's Point, Florida. The Code provides that the hearing may be held if the violation is not complied prior to the date given for compliance, even if the violation has been corrected prior to the hearing. These provisions also provide that if the violation is corrected and then re-occurs, the hearing may go forward. If you do not attend the hearing, the Code Enforcement Board/Special Magistrate may base the findings solely upon the testimony of the code enforcement officer and that of any other witness present and upon any evidence presented. Therefore, it is important that you are present at the hearing to share your perspective, testimony and evidence regarding the alleged violation.

If the Code Enforcement Board/Special Magistrate finds that the alleged violation exists on your property, Florida law makes the property owner responsible for the administrative costs incurred by the Town in pursuing the enforcement of the violation. These costs may be included with any fines imposed by the Code Enforcement

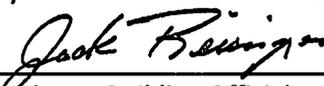
Board/Special Magistrate or may be collected as otherwise authorized by ordinance and/or law. The Code Enforcement Board/Special Magistrate has the authority to levy fines of up to \$250.00 per day, per violation and up to \$500.00 per day, per repeat violation, for each and every day that each violation continues.

Florida law provides that once ordered and recorded, the administrative costs (and all other costs incurred) and any fines imposed by the Code Enforcement Board/Special Magistrate will constitute a lien on the property described above and upon any other real or personal property owned by the property owner(s). The Town encourages all property owners who receive a notice of violation to contact the Town so that we may work together towards compliance so that these legal remedies are unnecessary.

The Town is required by law to advise you that if you disagree with a decision of the Code Enforcement Board/Special Magistrate, you may appeal to the Circuit Court of Martin County within 30 days after the order is entered. If a person decides to appeal any such order, with respect to any matter considered at subject hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based (sec. 286.0105, Fla. Stat.).

If you require further information or otherwise wish to discuss the violation, please contact Jack Reisinger, Building Official, at **772-287-2455**. Please be sure to have your case number available so we may promptly assist you.

Thank you and we look forward to working with you to resolve this matter.



Jack Reisinger, Building Official

*This Notice was X sent certified mail, return receipt requested and first class mail.

TOWN of SEWALL'S POINT
One South Sewall's Point Road
Sewall's Point, Florida 34996

FORWARD SERVICE REQUESTED

CHARLES SIMPSON
8 N SEWALLS POINT RD
SEWALLS POINT, FL 34996

FIRST-CLASS



US POSTAGE^{IMI}PITNEY BOWES



ZIP 34996 \$ 000.64⁰
02 7H
0006051328 MAY 07 2024

TOWN of SEWALL'S POINT
One South Sewall's Point Road
Sewall's Point, Florida 34996

FORWARD SERVICE REQUESTED

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL[®]



7022 2410 0002 2184 8205

CHARLES SIMPSON
8 N SEWALLS POINT RD
SEWALLS POINT, FL 34996

FIRST-CLASS



US POSTAGE^{IMI}PITNEY BOWES



ZIP 34996 \$ 008.69⁰
02 7H
0006051328 MAY 07 2024

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ _____
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

5/17/24

Postmark
Here

Postage

\$

Total Postage

\$

Sent To

Street and

City, State, and ZIP+4®

CHARLES SIMPSON
8 N SEWALLS POINT RD
SEWALLS POINT, FL 34996

7

7022 2410 0002 2184 8205

Certified Mail service provides the following benefits:

- A receipt (this portion of the Certified Mail label).
- A unique identifier for your mailpiece.
- Electronic verification of delivery or attempted delivery.
- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.

Important Reminders:

- You may purchase Certified Mail service with First-Class Mail®, First-Class Package Service®, or Priority Mail® service.
- Certified Mail service is *not* available for international mail.
- Insurance coverage is *not* available for purchase with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
- For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
 - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your mailpiece;

for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.

- Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
- Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
- Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).
- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

IMPORTANT: Save this receipt for your records.

8

AFFIDAVIT CONFIRMING HAND DELIVERY OF NOTICE

Street Address: 8 N Sewall's Point Rd
PCN: 35-37-41-003-000-00020-5
Case No.: B24-0026

Signature of recipient of Notice of Violation and Notice of Hearing

Signature

Print Name

Respondent accepted notice but refused to sign.

Posted Property and took photo, no answer at residence.

STATE OF FLORIDA)
COUNTY OF MARTIN)

I, Jack Reisinger, being duly sworn, depose and say that:

1. I am a Code Enforcement Officer for the Town of Sewall's Point.

2. I hand delivered the Notice of Violation and Notice of Hearing to 8 N. Sewall's Point Rd at 11:52 a.m, Sewall's Point, Florida, on the 22 day of MAY, 2023.

I understand that I am swearing or affirming under oath to the truthfulness of the claims made above.

[Signature]
Signature

5-22-24
Date

The foregoing instrument was acknowledged before me this 22nd day of May, 2024, by Jack Reisinger He She is personally known to me or has produced _____ as identification.

[Signature]
Notary Public, State of Florida
My Commission Expires:



CHRYSTAL GOMEZ
Commission # HH 339139
Expires February 24, 2027

From: [Jack Reisinger](#)
To: [Chrystal Gomez](#)
Subject: 8 N Sewall's Point Rd
Date: Wednesday, May 22, 2024 11:53:46 AM



Sent from my iPhone

Tracking Number:

Remove X

70222410000221848205

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 1:08 pm on May 9, 2024 in STUART, FL 34996.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

STUART, FL 34996

May 9, 2024, 1:08 pm

Arrived at USPS Regional Facility

WEST PALM BEACH FL DISTRIBUTION CENTER

May 7, 2024, 9:38 pm

Hide Tracking History

Feedback

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package



Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

[FAQs](#)



Town of Sewall's Point

BUILDING DEPARTMENT



Notice of Non-Compliance

CASE #B24-0026

Property Owner: Charles Simpson
Owner Address: 8 N Sewall's Point Rd
Sewall's Point, FL 34996

DATE: April 25, 2024

VIOLATION ADDRESS: 8 N Sewalls Point Rd
PARCEL ID #: 35-37-41-003-000-00020-5

The Town of Sewall's Point works to ensure that the Town is a great place to live and visit and to keep its neighborhoods safe and well maintained. We would like to make you aware that your property is in violation of the following Town of Sewall's Point Code of Ordinances:

Non-Compliance violation: Property rental listing without a permit and short-term rentals not permitted

Sec. 14-164. - Permit and application required.

(a) Permit required. An annual permit issued by the town manager or designee shall be required for any owner of residential property to rent or lease, or offer to rent or lease, all or part of any residential dwelling in the town. A copy of the permit shall be made available for inspection at all times at the subject dwelling, and shall be attached to and made part of the terms of any lease of residential property within the town.

(b) It shall be unlawful for any person to allow another person to lease any dwelling within the town, or offer a dwelling for rent within the town, unless the property has been registered as a rental with the town and a permit obtained in accordance with the provisions of this article. The town manager or designee is authorized to exempt an owner from the requirement of a rental permit if the dwelling is being maintained by a caretaker or house sitter who occupies and maintains the property, and who is not otherwise paying rent for his or her occupation of the dwelling.

(c) Application required.

(1) Every owner who is not exempt and who leases a dwelling, regardless of term, is required to obtain a rental permit from the town manager or designee prior to leasing or subleasing a dwelling to another person or other persons, regardless of their relationship to the owner. In the case of a dwelling with multiple owners, it shall be sufficient for any one of the owners to have obtained a rental permit for the dwelling.

(2) The town is authorized to charge a reasonable fee for the rental permit to compensate for all associated administrative expenses. The fees for obtaining a permit shall be provided for, from time to time, by resolution adopted by the town commission.

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(e) *Owner-occupied dwellings with rooms for rent; prohibition of short-term rentals.* A residential rental permit is required by any owner who occupies a single-family dwelling and who also rents space in that dwelling to any unrelated, natural person(s) for the purpose of occupying the whole or part of a dwelling as a separate housekeeping unit; provided that no owner, either directly or through a local responsible party, agent, employee or any other person, may enter into a short-term rental, or permit a short-term tenant to occupy any portion of a single-family dwelling within the town.

Please comply on or before **May 3, 2024** and contact the undersigned Code Enforcement Officer to verify compliance. If you require further information or otherwise wish to discuss the notice of non-compliance, please contact Jack Reisinger, Town Building Official, at **772-287-2455**. Please be sure to have your case number available so we may promptly assist you.

Thank you and we look forward to working with you to resolve this matter.

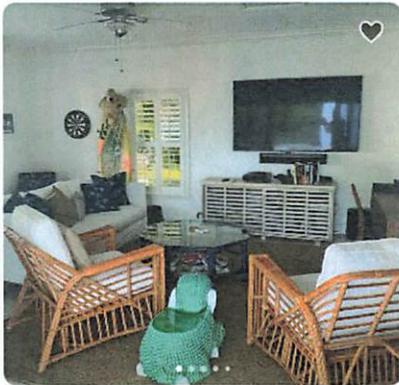
Jack Reisinger, C.B.O., Town Building Official



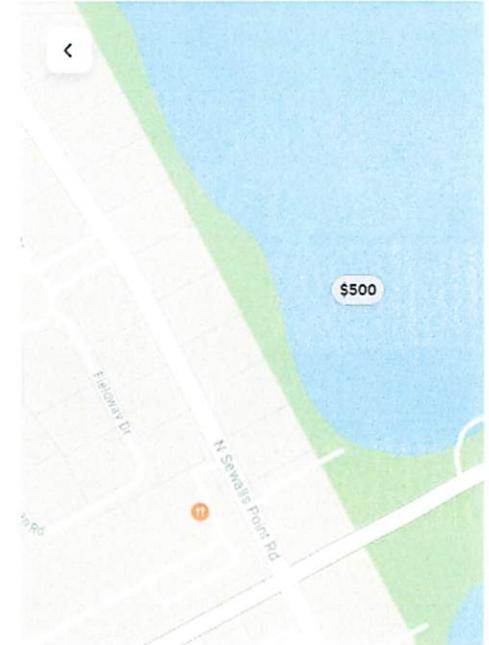
Map area Any week Add guests

- Your search
- Amazing pools
- Lake
- Beachfront
- Amazing views
- Rooms
- National parks
- Countryside
- Play
- Chef's kitchens
- Lakefront
- Trending
- Design
- New
- Tiny homes
- Filter

1 place within map area

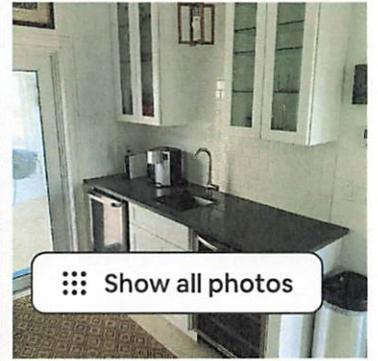


Guesthouse in Stuart ★ New
Private Intracoastal Oasis.
1 bed
May 1 – 6
\$625 \$500 night



Private Intracoastal Oasis.

[Share](#) [Save](#)



[Show all photos](#)

Entire guesthouse in Stuart, Florida

2 guests · 1 bedroom · 1 bed · 1 bath

★ New



Hosted by Charlie

New Host



Free cancellation before Apr 30

Get a full refund if you change your mind.

Kick back and relax in this calm, stylish space. Come by sea or land. 5 minute drive and 25 minute bike ride to the beach. Walk to restaurants and Shops. Enjoy the pool, outdoor kitchen and seating area. Private beach. Paddle boards and more. The dock can accommodate boats up to 36'.

What this place offers

Kitchen

Wifi

Dedicated workspace

Free parking on premises

Pool

TV

Air conditioning

Fire pit

Show all 13 amenities

~~\$625~~ \$500 night

CHECK-IN
5/1/2024

CHECKOUT
5/6/2024

GUESTS
1 guest



Reserve

You won't be charged yet

\$625 x 5 nights \$3,125

Special offer -\$625

Airbnb service fee \$353

Total before taxes \$2,853



Special offer: save \$625

This Host is offering a deal on their first 3 bookings.

[Report this listing](#)

5 nights in Stuart

May 1, 2024 - May 6, 2024

May 2024							June 2			
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We
			1	2	3	4				
5	6	7	8	9	10	11	2	3	4	5
12	13	14	15	16	17	18	9	10	11	12
19	20	21	22	23	24	25	16	17	18	19
26	27	28	29	30	31		23	24	25	26
							30			



No reviews (yet)

Where you'll be

Stuart, Florida, United States

Meet your Host



Host details

Response rate: 100%
Responds within a few hours

[Message Host](#)

 To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

Things to know

House rules

2 guests maximum

[Show more >](#)

Safety & property

Carbon monoxide alarm

Smoke alarm

[Show more >](#)

Cancellation policy

Free cancellation before Apr 30.

Review the Host's full cancellation policy which applies even if you cancel for illness or disruptions caused by COVID-19.

[Show more >](#)

[Airbnb](#) > [United States](#) > [Florida](#) > [Martin County](#) > [Sewall's Point](#)

Explore other options in and around Stuart

West Palm Beach
Vacation rentals

Boca Raton
Vacation rentals

Fort Lauderdale
Vacation rentals

Miami Beach
Vacation rentals

Miami
Vacation rentals

Kissimmee
Vacation rentals

Orlando
Vacation rentals

Naples
Vacation rentals

Sarasota
Vacation rentals

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[Sewall's Point monthly stays](#)

[Vacation rentals with a pool in Martin County](#)

[Guesthouse vacation rentals in Martin County](#)

[Guesthouse vacation rentals in Florida](#)

[Guesthouse vacation rentals in United States](#)

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[AirCover](#)

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[Disability support](#)

[Cancellation options](#)

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 [English \(US\)](#)  [USD](#)

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Basic Info

PIN 35-37-41-003-000-00020-5	AIN 9490	Situs Address 8 N SEWALLS POINT RD SEWALLS POINT FL	Website Updated 4/25/24
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General Information

CHANGE MAILING ADDRESS

SIGN UP FOR PROPERTY FRAUD ALERT

Property Owners SIMPSON CHARLES	Parcel ID 35-37-41-003-000-00020-5	Use Code/Property Class 0100 - 0100 Single Family
Mailing Address 8 N SEWALLS POINT RD STUART FL 34996	Account Number 9490	Neighborhood 193000 N. Sewall Pt Indialucie East
Tax District SEWALL'S POINT	Property Address 8 N SEWALLS POINT RD SEWALLS POINT FL	Legal Acres 0.71
	Legal Description INDIALUCIE E LOT 2	Ag Use Size (Acre\Sq Ft) N/A

Current Value

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	Total County Exemptions	County Taxable Value
2023	\$ 1,312,500	\$ 1,110,800	\$ 2,423,300	\$ 931,177	\$ 1,492,123	\$ 50,000	\$ 1,442,123

Market values shown on the website reflect market conditions as of January 1st, the statutory assessment date. We are prohibited by law from relying on sales that occur after the January 1 assessment date. Therefore, market values shown on the website do not reflect today's market conditions, but rather the market conditions last year. In addition, the statutes require the county Property Appraiser to deduct for typical costs of sale (which include expenses such as commissions, title insurance, appraisals, inspection fees, etc.) when arriving at market value for tax purposes. That is why the market value for tax purposes is different from what a property would sell for today.

Current Sale

Sale Date 7/12/17	Grantor (Seller) KOENKE STEVE	Doc Num 2646311
Sale Price \$ 1,850,000	Deed Type Wd Full Covenant and Warranty Deed	Book & Page <u>2938 0802</u>

Legal Description

INDIALUCIE E LOT 2

The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the uses or interpretations of the legal description.

TOWN of SEWALL'S POINT

One South Sewall's Point Road
Sewall's Point, Florida 34996

FORWARD SERVICE REQUESTED

**CHARLES SIMPSON
8 N SEWALLS POINT RD
SEWALLS POINT, FL 34996**

FIRST-CLASS



US POSTAGE TM PITNEY BOWES



ZIP 34996

02 7H

0006051328

\$ 000.64⁰

APR 25 2024

Chrystal Gomez

From: Charlie Simpson <drsimpson18@gmail.com>
Sent: Tuesday, May 7, 2024 10:08 AM
To: Chrystal Gomez
Subject: Airbnb

Thank you for reminding me this listing was up. We never truly intended to rent out the cabana. However, when we do decide to. I'll get the permit.

Charlie

Sent from my iPhone

Chrystal Gomez

From: Charlie Simpson <drsimpson18@gmail.com>
Sent: Tuesday, May 7, 2024 10:45 AM
To: Chrystal Gomez
Subject: Re: Airbnb

It was never rented. Put that in your records.

Sent from my iPhone

> On May 7, 2024, at 10:23 AM, Chrystal Gomez <CGomez@sewallspoint.org> wrote:

>

> Air B& B is not permitted in the town only rentals of a minimum of 180 days. Per Jack this will still go before the Special Magistrate for review and determination June 12th, a hearing notice has been mailed out.

>

>

>

> Chrystal Gomez

> Administrative Assistant

> Town of Sewall's Point

> One S. Sewall's Point Road

> Sewall's Point, FL 34996

> (772) 287-2455 x10

> Cgomez@sewallspoint.org

>

> -----Original Message-----

> From: Charlie Simpson <drsimpson18@gmail.com>

> Sent: Tuesday, May 7, 2024 10:08 AM

> To: Chrystal Gomez <CGomez@sewallspoint.org>

> Subject: Airbnb

>

> Thank you for reminding me this listing was up. We never truly intended to rent out the cabana. However, when we do decide to. I'll get the permit.

>

> Charlie

>

>

> Sent from my iPhone

Chrystal Gomez

From: Charlie Simpson <drsimpson18@gmail.com>
Sent: Tuesday, May 14, 2024 8:46 AM
To: Chrystal Gomez
Subject: Code

I haven't heard back from you regarding the last email. I need you to send me the confirmation noting that the rental listing was removed and the violation was corrected. If you are not the correct person of contact, Please send the correct email

Thank you

Sent from my iPhone

From: Chrystal Gomez
To: ["Charlie Simpson"](#)
Subject: RE: Code
Date: Tuesday, May 21, 2024 11:39:00 AM
Attachments: [B24-0026 8 N Sewalls Point Rd NOH_001.pdf](#)
[B24-0026 8 N Sewalls Point Rd usps tracking delivered.pdf](#)

Attached is the notice of hearing for June 12th @ 10am that was mailed on May 7, 2024 and according to the usps tracking receipt it was delivered on May 9, 2024.

This hearing will only be for a review and determination of the violation

Chrystal Gomez
Administrative Assistant
Town of Sewall's Point
One S. Sewall's Point Road
Sewall's Point, FL 34996
(772) 287-2455 x10
Cgomez@sewallspoint.org

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

From: Charlie Simpson <drsimpson18@gmail.com>
Sent: Wednesday, May 15, 2024 9:53 AM
To: Chrystal Gomez <CGomez@sewallspoint.org>
Subject: Re: Code

Didn't get that.

Sent from my iPhone

> On May 15, 2024, at 9:07 AM, Chrystal Gomez <CGomez@sewallspoint.org> wrote:

>

> Per my previous email and Notice of Hearing mailed to you Per Jack the Hearing for June 12th is still on

>

>

>

> Chrystal Gomez
> Administrative Assistant
> Town of Sewall's Point
> One S. Sewall's Point Road
> Sewall's Point, FL 34996
> (772) 287-2455 x10
> Cgomez@sewallspoint.org

>

> -----Original Message-----

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> **Sent:** Tuesday, May 14, 2024 8:46 AM
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> **Subject:** Code

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the correct email

>

> Thank you

>

>

> Sent from my iPhone



Town of Sewall's Point

BUILDING DEPARTMENT

Notice of Violation and Notice of Hearing*

CASE #B24-0032

Property Owner: Gerhard & Katharina Stejskal

Owner Address: 108 S Sewalls Point Rd
Sewall's Point, FL 34996

DATE: May 31, 2024
VIOLATION ADDRESS: 10 Oakwood Dr
PARCEL ID #: 13-38-41-009-000-00020-4

Pursuant to the provisions of the Town of Sewall's Point, you are hereby notified that the property described above is in violation of the following Town of Sewall's Point Code of Ordinances:

Violations:

- 1: Tree removed without permit
- 2: Unable to fulfill tree replacement mitigation obligation that was a condition of permit

Section 70-22: Permit Required for Tree Removal – No Permit issued by this administration for removal of Tree #108, Specimen tree of 120 inch in diameter. Although a tree removal permit for this property was approved on 12/15/22 (see Exhibit "A," attached hereto), removal of Tree #108 was not authorized thereunder. Further, the terms of the permit have been violated because it was expressly conditioned upon replacement of 468.5 caliper inches.

Section 70-155 Mitigation In addition to or in lieu of civil penalties as provided for by this chapter, the town may require replacement of illegally removed trees or other protected vegetation on an inch-for-inch basis or accumulation of tree diameters equaling the diameter of the tree(s) removed. A combination of money and tree replants may be required.

Each tree (with a two-inch caliper or more) removed without a permit is a separate violation. These violations are irreparable and/or irreversible in nature and a **hearing before the Code Enforcement Board/Special Magistrate will be held on June 12, 2024, at 10:00 a.m.** in the Town Commission Chambers, 1 S. Sewall's Point Road, Sewall's Point, Florida. If you fail to attend the hearing, the Code Enforcement Board/Special Magistrate may base the findings solely upon the testimony of the code enforcement officer and that of any other witness present and upon any evidence presented. **Please be advised that pursuant to Section 70-22, if the Town has to procure the services of a professional licensed in the State of Florida to ascertain the state or type and number of the trees that were removed without a permit, such cost will be borne by the property owner(s).**

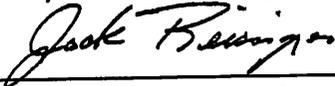
If the Town is successful in prosecuting your case before the Code Enforcement Board/Special Magistrate, administrative costs will be assessed to cover the cost of such prosecution and said costs may be included with any fines imposed by the Code Enforcement Board/Special Magistrate or may be collected as otherwise authorized by ordinance and/or law. **Pursuant to Section 70-154, the Code Enforcement Board/Special Magistrate has the authority to levy fines for each tree (with a two-inch caliper or more) as follows: 2-5 inch caliper/\$500.00; 6-10 inch caliper/\$1,500.00; 11-15 inches/\$3,000.00; and over 15 inches/\$5,000.00 (50% of such fines apply to palm trees).**

Once ordered and recorded, the administrative costs (and all other costs incurred) and any fines imposed by the Code Enforcement Board/Special Magistrate shall constitute a lien on the property described above and upon any other real or personal property owned by the property owner(s). Failure to pay these costs and fines may result in a foreclosure action by the Town.

If you disagree with a decision of the Code Enforcement Board/Special Magistrate, you may appeal to the Circuit Court of Martin County within 30 days after the order is entered. If a person decides to appeal any such order, with respect to any matter considered at subject hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based (sec. 286.0105, Fla. Stat.).

If you wish to discuss a settlement of this case prior to the scheduled hearing or if you require further information, please contact Robert Daniels, Town Manager, at 772-287-2455. Please be sure to have your case number available so we may promptly assist you.

Please govern yourself accordingly.



Jack Reisinger, C.B.O., Town Building Official

*This Notice was X sent certified mail, return receipt requested and first class mail.



APPLICATION FOR TREE REMOVAL, RELOCATION OR REPLACEMENT PERMIT

Required for any tree over 2" in diameter 4' from the top of soil
Action that severely alters a tree's natural function is EFFECTIVE REMOVAL per Ord. 70-1
PENALTIES FOR UNPERMITTED TREE REMOVAL ARE UP TO \$5,000 PER TREE



TREE CITY USA

Property Owner: GERHARD STETSZKA, Email: gerhard@aircraftinternational.com
Property Address: 10 OAKWOOD DR. SEWALL PT, Phone: 732-768-3027
Contractor: DRIFTWOOD HOMES, Email: albano@beekwith.com, Phone: 772-215-0074

Lot Size (check one): [] under 1/2 acre [X] 1/2 to 1 acre [] Over 1 acre
Total Number of Trees (excluding citrus) with a trunk over 8 feet tall and 3" in diameter currently on the lot:
Palms _____ Other Trees _____

TREES PROPOSED FOR REMOVAL, RELOCATION, OR REPLACEMENT:
Species: PALMS No. of Trees: 230 Diameter: 230" (measured at 4' above soil)
Species: OAKS No. of Trees: 49 Diameter: 578" (measured at 4' above soil)
Reason for tree removal/relocation/replacement: IN FOOTPRINT OF HOME, POOL, AND DRIVEWAY - SOME DISEASED (SEE ATTACHED)

PLEASE ATTACH PHOTOGRAPHS OR EMAIL TO TOWNHALL@SEWALLPOINT.ORG
PLEASE ATTACH A SKETCH SHOWING THE LOCATION OF THE TREE(S) ON THE PROPERTY

By my signature I confirm that the information set forth above is true and that any prohibited species Invasive Plant List Category I and II under the Florida Exotic Pest Plant Council (http://www.fleppc.org/list/list.htm) on the property will be removed immediately and as a condition of this permit.

Signature of Property Owner: [Signature] Date: 10/6/22

NOTICE: The Town may require that you retain the services of a Certified Arborist to complete the International Society of Arboriculture Basic Tree Risk Assessment if the permit application includes removal of an apparently healthy tree.

Fee of \$15 paid by [X] cash [] check or [] credit card Received by Town Staff on 12/15/22 (date) [Signature] (Initials)
This Space for Official Use Only:
(No fee shall be required to remove prohibited species, dead, dying, or damaged trees)

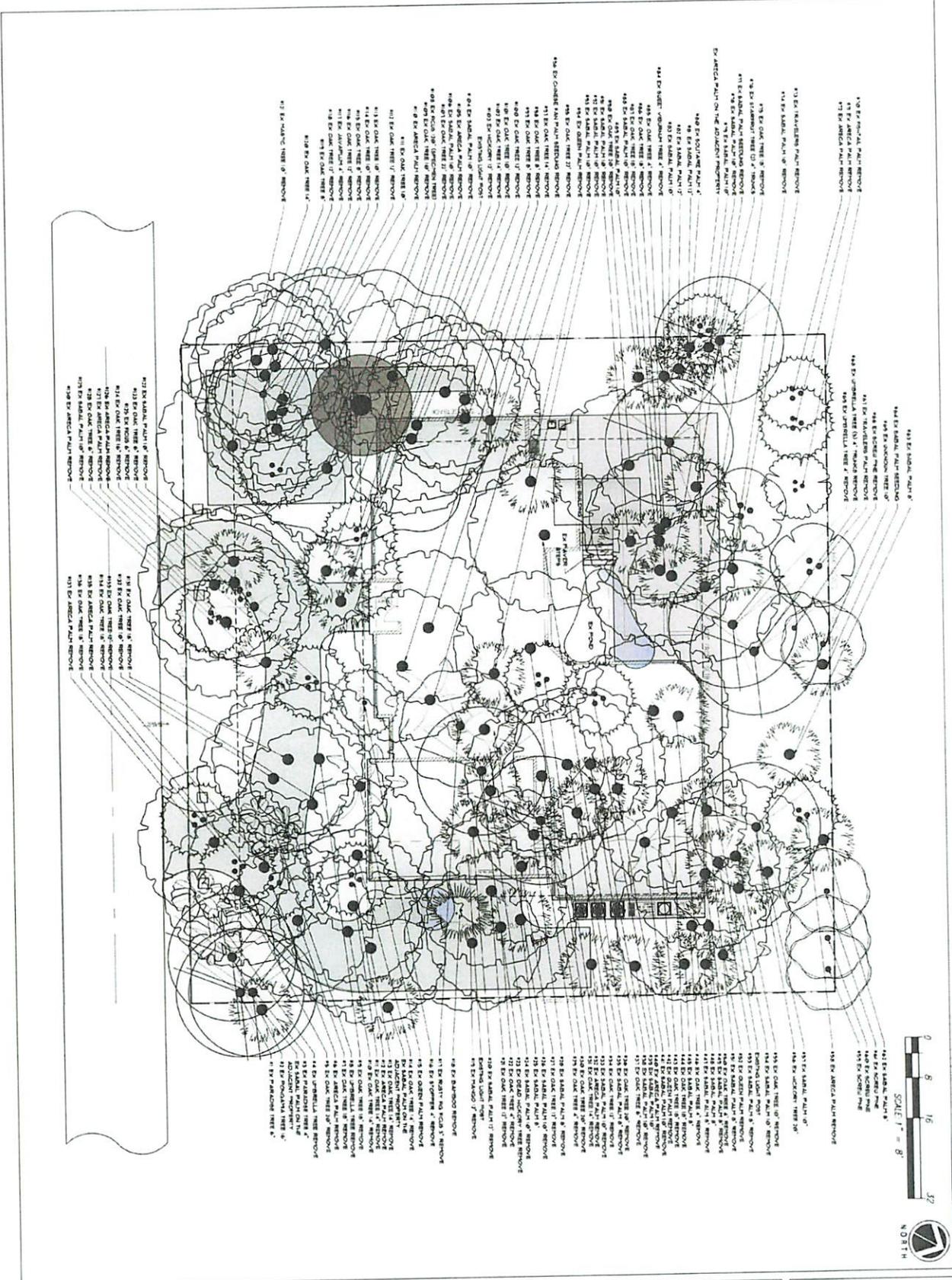
Review Criteria:

- 1. ___ yes ___ no: Would approval cause significant adverse impacts to soils, water, ecological systems, noise, wildlife habitat, property values, and other criteria identified in Town ordinance section 70-86?
2. ___ yes ___ no: Is the subject tree a "Specimen Tree," i.e. one having high aesthetic or ecological value?

If the answer to both questions is NO, at least one of the following three conditions must be met:

- 1. [] yes [] no Is the tree in an area where structures or utilities are permitted under Town codes? (and)
[] yes [] no If yes, would preserving the tree unreasonably restrict the economic enjoyment of the property? (and)
or [] yes [] no If yes, can the tree reasonably be relocated on the property?
2. [] yes [] no Is the tree diseased or injured? (or)
[] yes [] no Is the tree located too close to structures or interfering with existing utility service? (or)
or [] yes [] no Does the tree create an unsafe visual obstruction?
3. [] yes [] no Is the tree is to be moved or replaced by another tree on the owner's property?

Permit Approved [X] Permit Denied [] Reason for Denial: _____
Town Official: [Signature] Date: 12-15-22



Date: 06/17/2022
 Drawn by: MF, PA
 Reviewed by: MF
 Scale: 1"=8'
 Revised:

Preliminary Landscape Plan
STEJASKAL RESIDENCE
 10 Oakwood Drive, Sewall's Point, FL 34996

Sheet
L1
 Sitework plan

Michael Flough
 LANDSCAPE ARCHITECT

1149 S. US HWY 1
 SEWALL'S POINT, FL 34996
 888.444.4444
 www.michaelflough.com

Basic Info

PIN 13-38-41-009-000-00020-4	AIN 27840	Situs Address 10 OAKWOOD DR SEWALLS POINT FL	Website Updated 5/30/24
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General Information

CHANGE MAILING ADDRESS

SIGN UP FOR PROPERTY FRAUD ALERT

Property Owners
STEJSKAL GERHARD F
STEJSKAL KATHARINA

Parcel ID
13-38-41-009-000-00020-4

Use Code/Property Class
0000 - 0000 Vacant Residential

Mailing Address
108 S SEWALLS POINT RD
STUART FL 34996

Account Number
27840

Neighborhood
120200 South Sewall's Point

Tax District
SEWALL'S POINT

Property Address
10 OAKWOOD DR SEWALLS POINT FL

Legal Acres
0.379

Legal Description
OAKWOOD LOT 2

Ag Use Size (Acre\Sq Ft)
N/A

Current Value

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	Total County Exemptions	County Taxable Value
2023	\$ 325,000	\$ 0	\$ 325,000	\$ 22,500	\$ 302,500	\$ 0	\$ 302,500

Market values shown on the website reflect market conditions as of January 1st, the statutory assessment date. We are prohibited by law from relying on sales that occur after the January 1 assessment date. Therefore, market values shown on the website do not reflect today's market conditions, but rather the market conditions last year. In addition, the statutes require the county Property Appraiser to deduct for typical costs of sale (which include expenses such as commissions, title insurance, appraisals, inspection fees, etc.) when arriving at market value for tax purposes. That is why the market value for tax purposes is different from what a property would sell for today.

Current Sale

Sale Date 5/21/20	Grantor (Seller) BRADEN FAMILY REVOCABLE TRUST	Doc Num 2815914
Sale Price \$ 297,500	Deed Type Wd Full Covenant and Warranty Deed	Book & Page 3130 1968

Legal Description

OAKWOOD LOT 2

The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the uses or interpretations of the legal description.

TOWN of SEWALL'S POINT
One South Sewall's Point Road
Sewall's Point, Florida 34996

FORWARD SERVICE REQUESTED

GERHARD & KATHARINA STEJSKAL
108 S SEWALLS POINT RD
SEWALLS POINT, FL 34996

FIRST-CLASS



US POSTAGE^{IMI}PITNEY BOWES



ZIP 34996 \$ 000.88⁰
02 7H
0006051328 MAY 31 2024

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL[®]



7022 2410 0002 2184 8236

TOWN of SEWALL'S POINT
One South Sewall's Point Road
Sewall's Point, Florida 34996

FORWARD SERVICE REQUESTED

GERHARD & KATHARINA STEJSKAL
108 S SEWALLS POINT RD
SEWALLS POINT, FL 34996

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| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ _____ |
| <input type="checkbox"/> Adult Signature Required | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

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GERHARD & KATHARINA STEJSKAL
108 S SEWALLS POINT RD
SEWALLS POINT, FL 34996

36

7022 2410 0002 2184 8236

JOHN TOMPECK
Mayor

FRANK FENDER
Vice Mayor

DAVID KURZMAN
Commissioner

KAIJA MAYFIELD
Commissioner

VINNY BARILE
Commissioner

TOWN OF SEWALL'S POINT



ROBERT DANIELS, ICMA-CM
Town Manager

APRIL C. STONCIUS, MMC
Town Clerk

TINA CIECHANOWSKI
Chief of Police

JACK REISINGER, CBO
Building Official/PW Director

MARIA PIERCE
Finance/HR Director

April 10, 2024
Gerhard F. Stejskal
Katrina Stejskal
108 S. Sewall's Point Road
Sewall's Point, FL 34996

Re: Tree Mitigation 10 Oakwood Dr.

Dear Mr. and Mrs. Stejskal,

We received an email from Mr. Pete Anderson of Michael Flaugh Landscape Architects, representing you. Mr. Anderson proposed a mitigation table indicating how you are planning to handle the remaining 169" of mitigation required per your submittal. The proposal is to submit a payment into the tree fund based on (57) 3" caliper Green Buttonwood trees. This will equal 171" of mitigation. The wholesale cost for a 3" caliper Green Buttonwood in a 45-gallon container is \$200. We are proposing to double the wholesale cost to cover delivery and installation, which creates a per-tree cost of \$400. The 57 proposed trees at \$400 per tree totals \$22,800.

The Town's calculation differs with the calculation being \$55,000 based on $169" / 15in = 11 \times \$5000 = \$55,000.00$. The \$5000 is the upper tier under section 70-154 of the Sewall's Point Code of Ordinances, which is the policy for cases where trees have been removed before they are documented by size.

Under the Town of Sewall's Point Code of Ordinances, Section 70-82, the Code Enforcement Board or Special Magistrate may, upon appropriate application in writing and payment of a \$100.00 fee, reduce the fines established under section 70-154. This may be granted due to unreasonable hardship, overriding public interest, or the general public welfare....after approval of the Town Manager. If you would submit an application and the fee, I would be willing to approve taking the matter to the Special Magistrate, notwithstanding the time limits stated in Section 70-82. The matter would then be placed on the agenda for the next available hearing, at which time you could present your case for modification of the fine and/or mitigation plan.

Please contact me with any questions you might have.

Sincerely,

Robert Daniels; Town Manager



Town of Sewall's Point One South Sewall's Point Road Sewall's Point, FL 34996
(772) 287-2455 Fax (772) 220-4765

THall@sewallspoint.org
www.sewallspoint.org



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 Total \$
 Sent \$
 Size \$
 City:

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy)
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 Adult Signature Restricted Delivery
 Adult Signature Restricted Delivery

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4/12/24

GERHARD & KATRINA STEJSKAL
108 S SEWALL'S POINT RD
SEWALL'S POINT, FL 34996

PS Form 3800, April 2015 PSN 7530-02-000-9047

SENDER: COMPLETE THIS SECTION See Reverse for Instructions **POSTAGE PAID BY ADDRESSEE**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: _____
 Is delivery address different from item 1? Yes
 Enter delivery address below: No

GERHARD & KATRINA STEJSKAL
108 S SEWALL'S POINT RD
SEWALL'S POINT, FL 34996



9590 9402 8002 2305 4075 48

2. Article Number (Transfer from service label)
 7022 2410 0002 2184 7550

3. Service type
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 - Adult Signature Restricted Delivery
 - Certified Mail®
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 - Registered Mail™
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 - Signature Confirmation Restricted Delivery

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Agent
 Addressee

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38

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- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear this USPS postmark. If you would like a postmark on this Certified Mail item at a Post Office® for postmarking, if you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

To receive a duplicate return receipt for no additional fee, present this return receipt to the addressee's authorized agent.

Restricted delivery service, which requires the addressee to be at least 21 years of age (not available at retail).

Adult signature service, which requires the addressee to be at least 21 years of age (not available at retail).

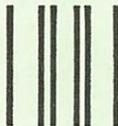
Adult signature restricted delivery service, which requires the addressee to be at least 21 years of age (not available at retail).

To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear this USPS postmark. If you would like a postmark on this Certified Mail item at a Post Office® for postmarking, if you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

IMPORTANT: Save this receipt for your records.

22-000-9047

USPS TRACKING #



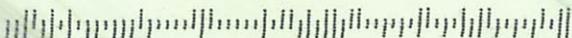
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TOWN OF SEWALL'S POINT
1 S SEWALL'S POINT ROAD
SEWALL'S POINT, FL 34996



Chrystal Gomez

From: April Stoncius
Sent: Monday, April 15, 2024 9:01 AM
To: Chrystal Gomez
Subject: FW: mitigation on 10 Oakwood Drive

FYI ~

From: Diane Corson [mailto:dctheot@comcast.net]
Sent: Friday, April 12, 2024 6:09 PM
To: John Tompeck <JTompeck@sewallspoint.org>; Frank Fender <FFender@sewallspoint.org>; Kaija Mayfield <KMayfield@sewallspoint.org>; Dave Kurzman <DKurzman@sewallspoint.org>; Vincent Barile <VBarile@sewallspoint.org>; Robert Daniels <RDaniels@sewallspoint.org>; April Stoncius <AStoncius@sewallspoint.org>; Jack Reisinger <JReisinger@sewallspoint.org>
Subject: mitigation on 10 Oakwood Drive

Dear Sewall's Point Commissioners, Town Manager, Building Official, and Town Clerk:

I live at 7 Oakwood Drive. I have watched the property at 10 Oakwood Drive change from a forest to an almost finished house on a daily basis. I watched as the trees were destroyed. I watched as trees with orange ribbons that were supposed to remain, were destroyed. I watched as a remaining Gumbo Limbo tree on the property was pushed over by an excavator type machine, exposing the roots; which were then covered when city officials were called. I watched as the driveway was installed to cover a large portion of the remaining front and side yards with what appear to be concrete pavers. I watched as they mixed concrete to then pour in between the concrete pavers.

I have been told that the house project and setbacks have been approved. I have been told that the owner will be required to replace all the trees that were removed, not by the number of trees, but by the diameter of trees. I have been told that the drainage issues were considered.

Now I have been told that the owners will not be required to replace the same diameter of trees. I have been told the owners will be assessed a fee of \$55,000, but they want to reduce that fee to \$22,000. I think they should be held accountable to replace the amount of trees that were removed.

I am concerned and saddened by this process. We are designated a tree city. We take pride in our beautiful trees and our beautiful neighborhoods. This construction project should be used as an example of what not to allow: to not allow the destruction of nearly 100% of the trees on a lot and to not allow the building of a house and driveway so large that the required amount of trees can not be replaced in the new landscaping.

I respectfully submit this letter explaining my thoughts, as my husband and I will not be able to attend the meeting when this is discussed. I hope you will take my feedback into future considerations of building projects and tree preservation. I appreciate your time and consideration.

Diane Corson

M: 954-605-2682

7 Oakwood Drive; Sewall's Point, FL 34996

Chrystal Gomez

From: Pete Anderson <pete@mikeflaughla.com>
Sent: Monday, April 1, 2024 10:14 AM
To: Jack Reisinger
Cc: Robert Daniels; Mike Flaugh; gerhard aircraftinternational.com; Chrystal Gomez
Subject: FW: 10 Oakwood Drive
Attachments: Stejaskal 240314 L2 - Mitigation Table.pdf

Hi Jack,

I sent the following email on March 14th but Chrystal reminded me that you were on vacation. I just wanted to bring this back to the top of your email as I'm sure you returned to a full inbox. The following email suggests a tree fund payment based on the inches of mitigation that we are not able to provide onsite.

Let me know if you would like to have a quick meeting to discuss this information.

Thanks

Thank you for using email, it is the best way for us to accurately interpret, respond, share and archive client comments and information.

Pete Anderson
Senior CAD Designer

772-419-0024

FL reg # LA0001728

Member American Society of Landscape Architects

www.MikeFlaughLA.com

Stuart

3744 SE Ocean Blvd, Stuart, FL 34996.

Islamorada

80925 Overseas Highway, #7, FI 33036

Naples

4850 Tamiami Trail N Suite 301, FL 34103

From: Pete Anderson
Sent: Thursday, March 14, 2024 12:58 PM
To: Jack Reisinger <JReisinger@sewallspoint.org>
Cc: rdaniels@sewallspoint.org; Mike Flaugh <mike@mikeflaughla.com>; gerhard aircraftinternational.com <gerhard@aircraftinternational.com>; Chrystal Gomez <Cgomez@sewallspoint.org>
Subject: 10 Oakwood Drive

Hi Jack,

We have updated the attached mitigation table for the project located at 10 Oakwood Drive.

The proposed mitigation inches have not changed from our previous submittal. We are still proposing 214" of mitigation to be planted on site.

This mitigation table indicates how we are proposing to handle the remaining 169” of mitigation. We are proposing a payment into the tree fund based on (57) 3” caliper Green Buttonwood trees. This will equal 171” of mitigation. The wholesale cost for a 3” caliper Green Buttonwood in a 45-gallon container is \$200. We are proposing to double the wholesale cost to cover delivery and installation which creates a per tree cost of \$400. The 57 proposed trees at \$400 per tree totals \$22,800.

All of this information is listed at the bottom of the attached mitigation table. If you find this to be an acceptable solution, we will resubmit the entire plan set for your approval.

Feel free to contact me with any comments or questions.

Thanks,

Thank you for using email, it is the best way for us to accurately interpret, respond, share and archive client comments and information.

Pete Anderson
Senior CAD Designer

772-419-0024

FL reg # LA0001728

Member American Society of Landscape Architects

www.MikeFlaughLA.com

Stuart

3744 SE Ocean Blvd, Stuart, FL 34996.

Islamorada

80925 Overseas Highway, #7, FI 33036

Naples

4850 Tamiami Trail N Suite 301, FL 34103

Chrystal Gomez

From: Mike Flaugh <mike@mikeflaughla.com>
Sent: Friday, March 22, 2024 1:12 PM
To: Robert Daniels
Cc: Jack Reisinger; Chrystal Gomez
Subject: RE: Oakwood

Hi Bob,

Sorry for the confusion, I am talking about the mitigation table that we delivered last week that showed a payment of 22,800 that the owner agreed to as way of compensating for the trees.

Thanks

Mike

Thank you for using email, it is the best way for us to accurately interpret, respond, share and archive client comments and information.

Mike Flaugh, Landscape Architect

772-419-0024

FL reg # LA0001728

Member American Society of Landscape Architects

www.MikeFlaughLA.com

Stuart

3744 SE Ocean Blvd, Stuart, FL 34996.

Islamorada

80925 Overseas Highway, #7, FI 33036

Naples

4850 Tamiami Trail N Suite 301, FL 34103

From: Robert Daniels <RDaniels@sewallspoint.org>
Sent: Friday, March 22, 2024 1:08 PM
To: Mike Flaugh <mike@mikeflaughla.com>
Cc: Jack Reisinger <JReisinger@sewallspoint.org>; Chrystal Gomez <CGomez@sewallspoint.org>
Subject: RE: Oakwood

Mike,

The builder was quite aware of Jack's schedule. I did look at the mitigation, and as you know, it falls short of what was required. I will discuss it with Jack upon his return. I requested this information at the start of the project, a lot sooner than we received it.

Bob

Robert Daniels, Town Manager ICMA-CM
Town of Sewall's Point

1 S. Sewall's Point Road
Sewall's Point, FL 34996
Telephone: 772-287-2455
Email: rdaniels@sewallspoint.org

NOTE: Florida has a very broad public records law. Most written communications to or from Town of Sewall's Point's officials and employees regarding public business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity.

PUBLIC RECORDS REQUESTS - Contact Information for the Town of Sewall's Point Records Custodian Please provide all public records requests to the Town Clerk's Office: Town Clerk, 1 S. Sewall's Point Road, Sewall's Point, FL 34996 Email: townclerk@sewallspoint.org Telephone: (772) 287-2455 X. 14

From: Mike Flaugh <mike@mikeflaughla.com>
Sent: Friday, March 22, 2024 12:52 PM
To: Robert Daniels <RDaniels@sewallspoint.org>
Subject: Oakwood

Hi Robert,
Sorry to bother you, builder and owner are barking at me nonstop about the mitigation on 10 Oakwood, I have told them several times Jack is out this week, but they are relentless! Have you looked at the proposed monetary settlement alternative for mitigation? Is this something you can act on or should I tell them they need to wait until Jack returns?
Many thanks
Mike

Thank you for using email, it is the best way for us to accurately interpret, respond, share and archive client comments and information.

Mike Flaugh, Landscape Architect
772-419-0024
FL reg # LA0001728
Member American Society of Landscape Architects
www.MikeFlaughLA.com

Stuart
3744 SE Ocean Blvd, Stuart, FL 34996.

Islamorada
80925 Overseas Highway, #7, FI 33036

Naples
4850 Tamiami Trail N Suite 301, FL 34103

Chrystal Gomez

From: Chrystal Gomez
Sent: Wednesday, April 10, 2024 12:36 PM
To: Jack Reisinger
Cc: Robert Daniels
Subject: tree mitigation 10 Oakwood

Sec. 70-154. Civil penalties.

Any person who violates any provision of this chapter shall forfeit and pay to the town a civil penalty for the vegetation illegally removed or damaged, based on the caliper of the vegetation, as follows for each tree:

- (1) Two to five inches—\$1,000.00;
- (2) Over five to ten inches—\$2,500.00;
- (3) Over ten to 15 inches—\$4,000.00;
- (4) Over 15 inches—up to \$5,000.00 or the maximum amount permitted by law.

169 in of tree required divided by 15 in= 11

11 x 5000= \$55,000.00

Chrystal Gomez
Administrative Assistant
Town of Sewall's Point
One S. Sewall's Point Road
Sewall's Point, FL 34996
(772) 287-2455 x10
Cgomez@sewallspoint.org

original tree permit reviewed



APPLICATION FOR TREE REMOVAL, RELOCATION OR REPLACEMENT PERMIT

Required for any tree over 2" in diameter 4' from the top of soil
 Action that severely alters a tree's natural function is EFFECTIVE REMOVAL per Ord. 70-1
 PENALTIES FOR UNPERMITTED TREE REMOVAL ARE UP TO \$5,000 PER TREE



TREE CITY USA

Property Owner GERHARD STEJSKAL Email gerhard@aircraftinternational.com
 Property Address 10 OAKWOOD DR. SEWALLS PT Phone 732-748-3027
 Contractor DRIFWOOD HOMES Email albom@drifwood.com Phone 772-215-0074

Lot Size (check one): under 1/2 acre 1/2 to 1 acre Over 1 acre
 Total Number of Trees (excluding citrus) with a trunk over 8 feet tall and 3" in diameter currently on the lot:
 Palms _____ Other Trees _____

TREES PROPOSED FOR REMOVAL, RELOCATION, OR REPLACEMENT:
 Species: PALMS No. of Trees 04 Diameter: 230" (measured at 4' above soil)
 Species: OAKS No. of Trees 49 Diameter: 578" (measured at 4' above soil)
 Reason for tree removal/relocation/replacement IN FOOTPRINT OF HOME, POOL, AND DRIVEWAY - SOME DISEASED (SEE ATTACHED)

PLEASE ATTACH PHOTOGRAPHS OR EMAIL TO TOWNHALL@SEWALLSPOINT.ORG
PLEASE ATTACH A SKETCH SHOWING THE LOCATION OF THE TREE(S) ON THE PROPERTY

By my signature I confirm that the information set forth above is true and that any prohibited species Invasive Plant List Category I and II under the Florida Exotic Pest Plant Council (<http://www.fleppc.org/list/list.htm>) on the property will be removed immediately and as a condition of this permit.
 Signature of Property Owner [Signature] Date 10/6/22

NOTICE: The Town may require that you retain the services of a Certified Arborist to complete the International Society of Arboriculture Basic Tree Risk Assessment if the permit application includes removal of an apparently healthy tree.

Fee of \$15 paid by cash check or credit card Received by Town Staff on 12/15/22 (date) [Signature] (Initials)
 (No fee shall be required to remove prohibited species, dead, dying, or damaged trees)

Review Criteria:

- yes no: Would approval cause significant adverse impacts to soils, water, ecological systems, noise, wildlife habitat, property values, and other criteria identified in Town ordinance section 70-26?
- yes no: Is the subject tree a "Specimen Tree," i.e. one having high aesthetic or ecological value?

If the answer to both questions is NO, at least one of the following three conditions must be met:

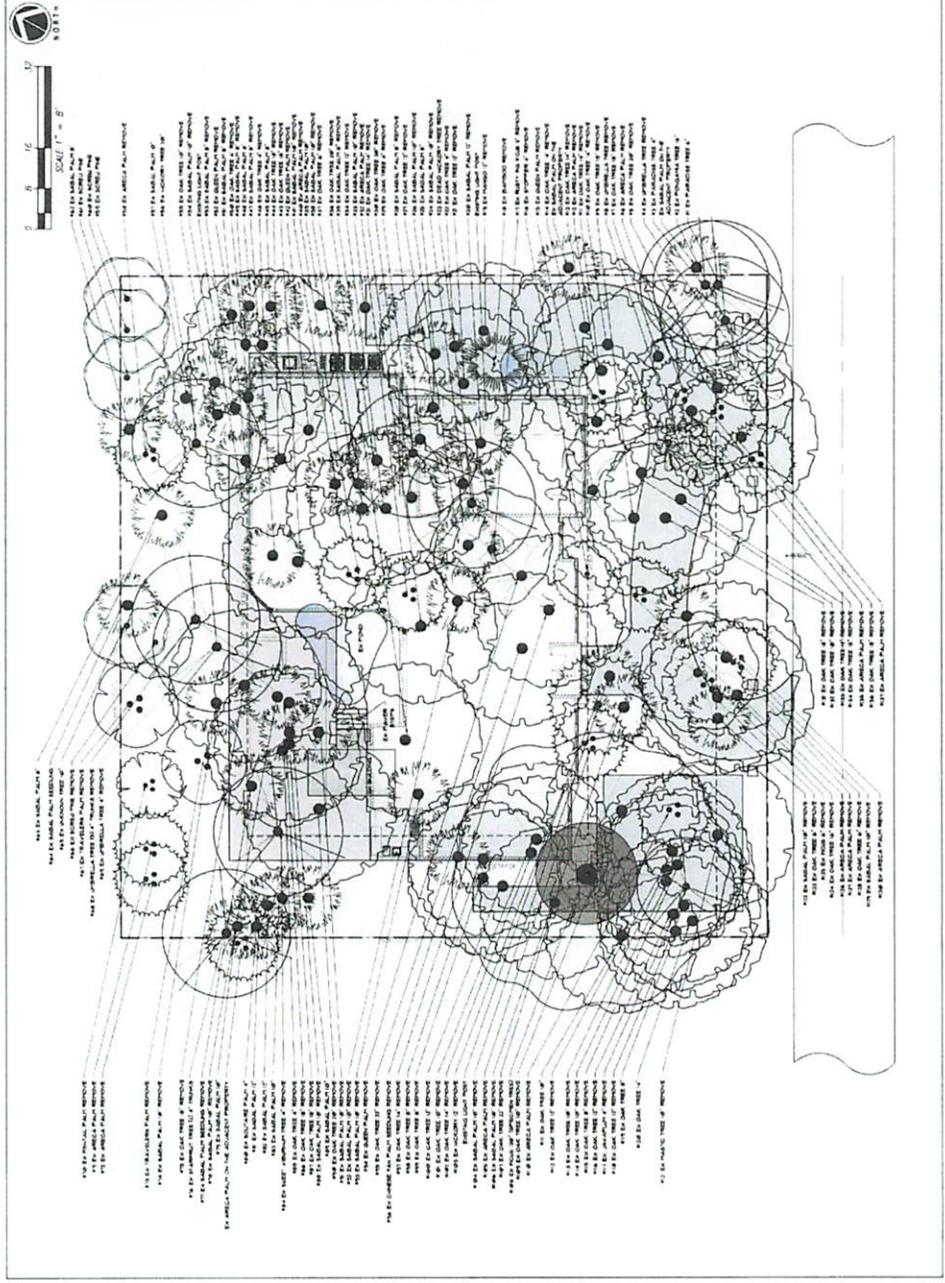
- yes no Is the tree in an area where structures or utilities are permitted under Town codes? (and) yes no If yes, would preserving the tree unreasonably restrict the economic enjoyment of the property? (and) yes no If yes, can the tree reasonably be relocated on the property?
- yes no Is the tree diseased or injured? (or) yes no Is the tree located too close to structures or interfering with existing utility service? (or) yes no Does the tree create an unsafe visual obstruction?
- yes no Is the tree is to be moved or replaced by another tree on the owner's property?

Permit Approved Permit Denied Reason for Denial: _____
 Town Official: [Signature] Date: 12-15-22

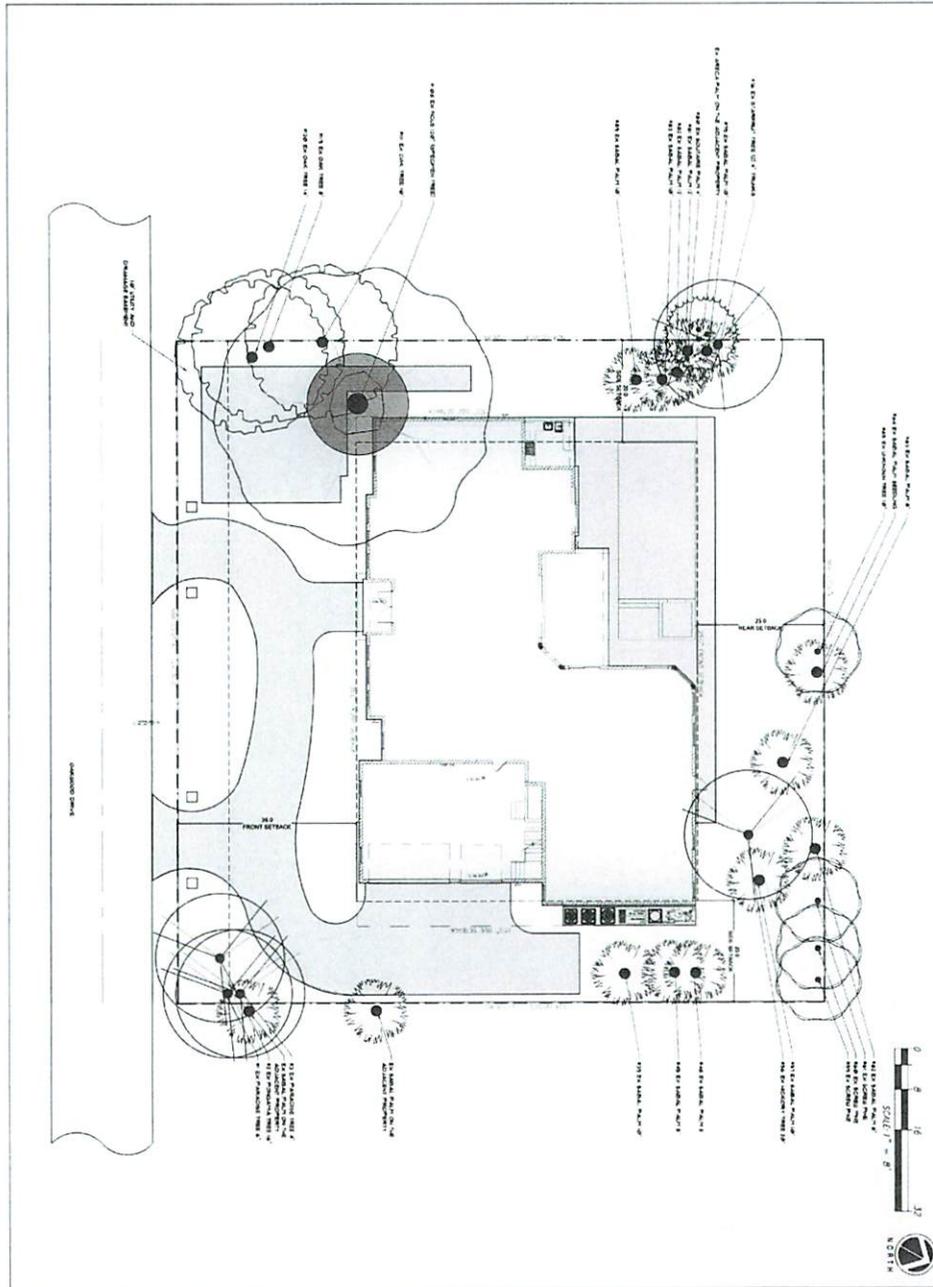
Date: 08/11/2022
 Drawn By: M. M.
 Review: 10
 Scale: 1/8" = 1'-0"

Preliminary Landscape Plan
STJASKAL RESIDENCE
 10 Oakwood Drive, Sawdell's Point, FL 33496

Sheet
 L1
 Sencor psm
 Michael Flaugh
 LANDSCAPE ARCHITECT
 222 4th Street
 Fort Lauderdale, FL 33304
 Phone: 754.771.1034



1-100: 100' TROPICAL PALM
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Date: 04/17/2022
 Drawn by: MF, PA
 Reviewed by: MF
 Scale: 1"=8'
 Revisited:

Preliminary Landscape Plan
STEJASKAL RESIDENCE
 10 Oakwood Drive, Sawall's Point, FL 34996

Sheet
L3
 Landscape plan



Michael Flough
 LANDSCAPE ARCHITECTS
 117 S. 14th Street
 Ft. St. Johns, FL 34949
 Phone: 888-333-3333
 Fax: 888-333-3333
 Website: www.mflough.com



Town of Sewall's Point
1 S. Sewall's Point Rd.
Sewall's Point, FL 34996

Receipt

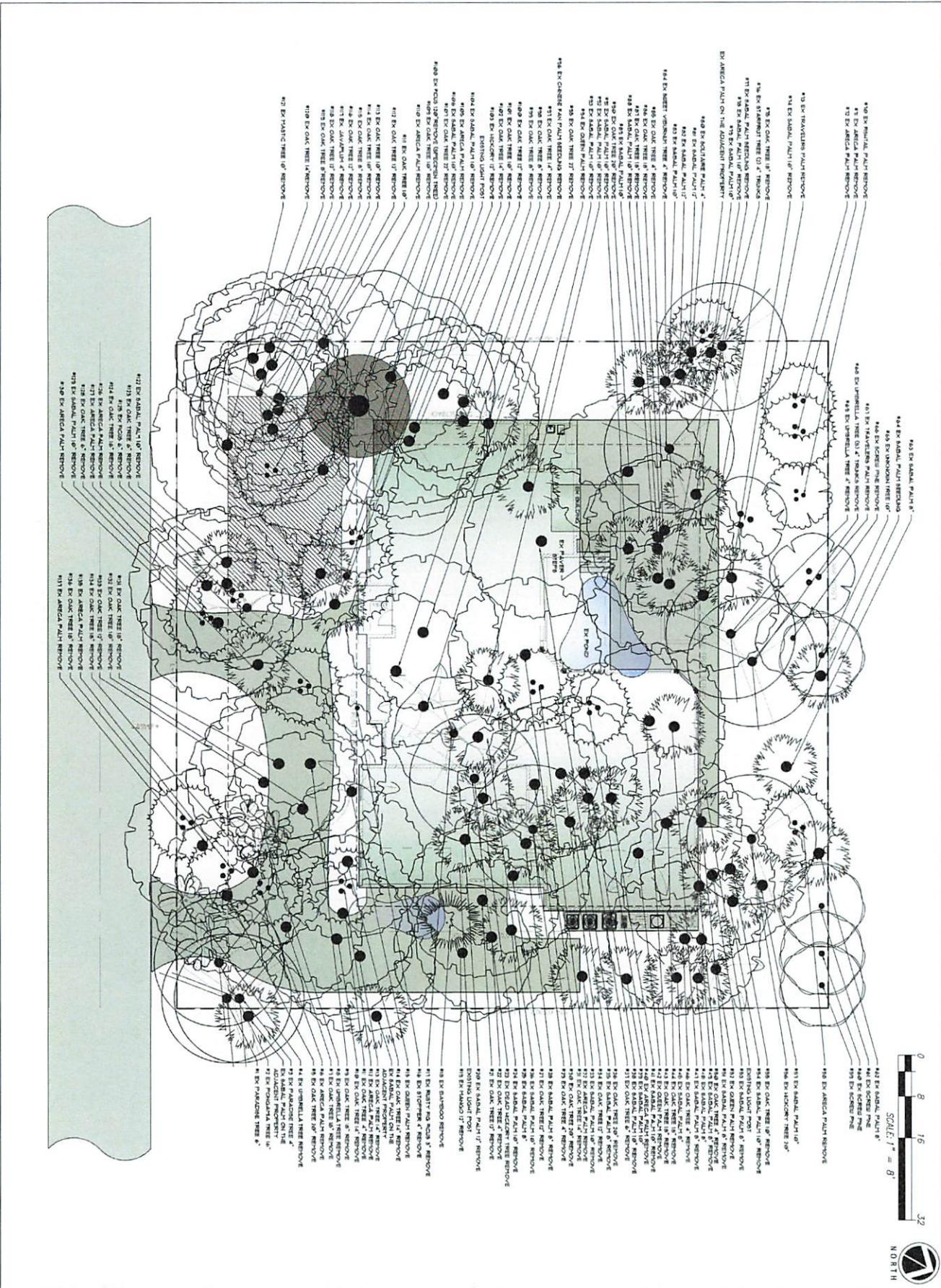
Date	Receipt No.
12/15/2022	1795

Received of:
DRIFTWOOD HOMES

Description: 10 OAKWOOD DR

Item	Description	Amount
TREEREM	TREE REMOVAL 001-000-367.000 15.00	15.00
TOTAL		15.00

Check No.	Payment Method	Amount
	CASH	15.00



Date: 06/17/2022
 Drawn by: MF, PA
 Reviewed by: MF
 Scale: 1"=8'
 Revised: 09/14/2022

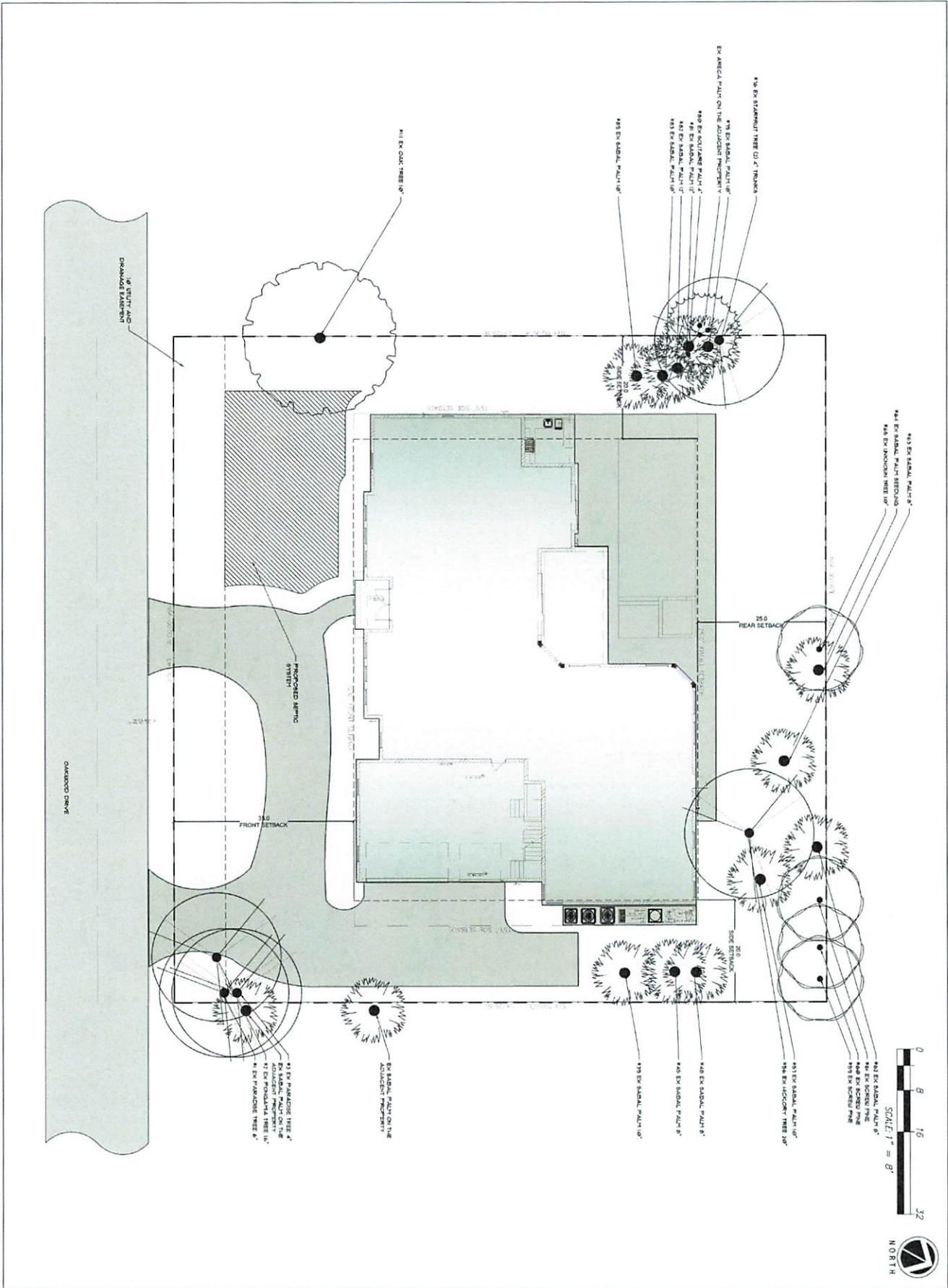
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 10 Oakwood Drive, Sewall's Point, FL 34996

Sheet
L1
 Sitework plan

Please note: This landscape plan is a professional interpretation of existing and proposed site observations based on multiple sources of information. These sources may include, but are not limited to, property surveys, on-site field notes, ground truth images, site observations, photographs and other data. All trees, trees, plants, and other landscape elements shown on this plan are subject to change and are not intended to be a final or definitive representation of the site. The landscape architect is not responsible for any errors or omissions in this plan or for any damage to property or persons resulting from the use of this plan. The landscape architect is not responsible for any damage to property or persons resulting from the use of this plan.

Michael Flough
 LANDSCAPE ARCHITECT

R. Reg. #A0001338
 772.419.0024
 flough@stejaskal.com



Date: 06/17/2022
 Drawn by: MEPA
 Reviewed by: MF
 Scale: 1"=8'
 Revised: 09/14/2022

Preliminary Landscape Plan
STEJASKAL RESIDENCE
 10 Oakwood Drive, Sewall's Point, FL 34996

Sheet
L3
 Landscape plan

Please note:
 This landscape plan is a preliminary representation of a design and project. The details are based on multiple sources of information. These sources may include, but are not limited to, property surveys, architectural plans, Google Earth images, site observations, photographs and other plans. All trees, plants, and other landscaping elements are indicated in accordance with the design and project documents. It is the customer's responsibility to verify all measurements and quantities prior to commencing work.

Michael Flough
 LANDSCAPE ARCHITECT

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 772 419 0024
 flough.com/practice/mflough www.mflough.com