

Environmental Utilities
PO Box 7
Placida, FL 33946

January 27, 2021

DICT #: 20200226

To Whom It May Concern;

We just received this letter on Monday; January 25, 2021. (See attachment #A1&2). We are responding today and expect it to be counted.

We find it strangely convenient for your company that the date to respond was dated 30 days after December 17, 2020. In fact, after consulting a criminal attorney; we would most likely put it in our records as mail fraud. I am currently contacting the Manasota post office to see exactly when this was mailed using permit #765.

We are currently building a home on Little Gasparilla Island. We purchased the land in October 15th 2015 and have had 4 1/2 years of permitting and legal issues. Why in the world would the Charlotte County Health Department delay our building purchased in October 2015 and charge us outrageous fees for environmental, legal and septic issues (See attachment #B1 & C1-30) and then tell us to accept a sewage system. This is truly unfair, whatever your costs and or cost savings may be.

We want to be on record as an objection and a copy of this letter will be going to the office of the Commission Clerk, Florida Public Service Commission and to Martin S Friedman Esq.



Brian and Luz Matlin

cc: Hugo R Harmatz, Esq.
Manasota Post Office, the office of the Commission Clerk, Florida Public Service Commission and to Martin S Friedman Esq.

RECEIVED-PPSC
2021 FEB -4 PM 12:55
COMMISSION
CLERK

**NOTICE OF APPLICATION FOR ORIGINAL CERTIFICATE OF
AUTHORIZATION AND INITIAL RATES AND CHARGES
FOR WASTEWATER SERVICE**

Docket No. 20200226-SU - Application for certificate to provide wastewater service in Charlotte County by Environmental Utilities, LLC.

Notice is hereby given on the 17th day of December, 2020, pursuant to Section 367.045, Florida Statutes, and Section 25-30.030, Florida Administrative Code, of the Application for Original Wastewater Certificate in Charlotte County by Environmental Utilities, LLC. The Certificate will authorize Environmental Utilities, LLC. to provide wastewater service in Sections 28, 29, 32 and 33, Township 41 South, Range 20 East, in Sections 3, 4, 10, 15, 16, 21, 22 and 27 in Township 42 South, Range 20 East, which consists of the barrier islands of Little Gasparilla Island, Don Pedro Island, and Knight Island, and in Sections 2, 3, and 11 in Township 42 South, Range 20 East, and Section 34 in Township 41 South, Range 20 East, which consists of Cape Haze on the mainland, all in Charlotte County. This legal description has been simplified and to obtain a copy of the exact legal description please contact Martin Friedman at 407-310-2077 or mfriedman@deanmead.com.

Any objections to the Application must be made in writing and filed with the Commission Clerk, Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than 30 days from the date of this Notice, with a copy to Martin S. Friedman, Esquire, Dean Mead, 420 S. Orange Ave., Suite 700, Orlando, Florida 32801. The objection must state the grounds for the objection with particularity.

Environmental Utilities, LLC.
Post Office Box 7
Placida, Florida 33946
lgwu777@yahoo.com
Phone (941) 626-8294

Environmental Utilities, LLC
PO Box 7
Placida, FL 33946

1B

PRST STD
US POSTAGE PAID
MANASOTA FL
PERMIT #765



*****AUTO**SCH 5-DIGIT 33947

Matlin Brian G & Luz M
PO Box 89
Placida, FL 33946-0089

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



#2

Rick Scott
Governor

Celeste Phillip, MD, MPH
Surgeon General and Secretary

Vision : To be the Healthiest State in the Nation

August 03, 2017

412-1293

(DMK Associates)
7025-A Placida
Englewood, FL 34224

Request for Additional Information
Application Document No: 1293579
9876 & 9880 Little Gasparilla Is
Placida, FL 33946
Lot: P1/P1-1 Block: 16 Subdivision: Gasparilla Estates

Dear Applicant:

This will acknowledge receipt of an application and plans for an onsite sewage treatment and disposal system construction permit dated June 05, 2017 for a proposed system to be constructed on the above referenced property.

In response, we are requesting that you provide the following additional information, clarification or corrections:

- Redoxomporhic features are noted as being within 10YR 6/7 layer, no layer is indicated on soil profile. No such color in the Munsell Soil Charts.
- Total livable area is not indicated on floor plans.
- Need DEP coastal construction line permit
- Need Safe Uplands line water boundary check list completed.
- Shoulders and slopes can not be in a utility easement.
- Unobstructed area can not be in a utility easement, required unobstructed area not meet.
- Need Utility Restriction filed with the County Clerks Office to bind P-1 and P-1-1 together. Submit recorded copy to the Health department. If the 2 parcels have been combined into one parcel (p-3) please provide documentation.
-
-
-



COMMUNITY DEVELOPMENT

STATE OF FLORIDA
DEPARTMENT OF HEALTH
ONSITE SEWAGE TREATMENT AND DISPOSAL
SYSTEM

C 1-30

PERMIT #: 08-SM-1767820
APPLICATION #: AP1293579
DATE PAID: _____
FEE PAID: _____
RECEIPT #: _____
DOCUMENT #: PR1098197

CONSTRUCTION PERMIT FOR: OSTDS New
APPLICANT: Brian & Luz Matlin
PROPERTY ADDRESS: 9876 & 9880 Little Gasparilla Is Placida, FL 33946
LOT: P1/P1-1 BLOCK: 16 SUBDIVISION: Gasparilla Estates
PROPERTY ID #: 422027201005/422027201007 [SECTION, TOWNSHIP, RANGE, PARCEL NUMBER]
[OR TAX ID NUMBER]

SYSTEM MUST BE CONSTRUCTED IN ACCORDANCE WITH SPECIFICATIONS AND STANDARDS OF SECTION 381.0065, F.S., AND CHAPTER 64E-6, F.A.C. DEPARTMENT APPROVAL OF SYSTEM DOES NOT GUARANTEE SATISFACTORY PERFORMANCE FOR ANY SPECIFIC PERIOD OF TIME. ANY CHANGE IN MATERIAL FACTS, WHICH SERVED AS A BASIS FOR ISSUANCE OF THIS PERMIT, REQUIRE THE APPLICANT TO MODIFY THE PERMIT APPLICATION. SUCH MODIFICATIONS MAY RESULT IN THIS PERMIT BEING MADE NULL AND VOID. ISSUANCE OF THIS PERMIT DOES NOT EXEMPT THE APPLICANT FROM COMPLIANCE WITH OTHER FEDERAL, STATE, OR LOCAL PERMITTING REQUIRED FOR DEVELOPMENT OF THIS PROPERTY.

SYSTEM DESIGN AND SPECIFICATIONS

T [1,200] GALLONS / GPD Septic Tank CAPACITY
A [] GALLONS / GPD N/A CAPACITY
N [] GALLONS GREASE INTERCEPTOR CAPACITY [MAXIMUM CAPACITY SINGLE TANK:1250 GALLONS]
K [] GALLONS DOSING TANK CAPACITY [] GALLONS @ [] DOSES PER 24 HRS #Pumps []
D [767] SQUARE FEET Primary Drainfield SYSTEM
R [] SQUARE FEET N/A SYSTEM
A TYPE SYSTEM: [] STANDARD [] FILLED [x] MOUND []
I CONFIGURATION: [] TRENCH [x] BED []

N
F LOCATION OF BENCHMARK: 4"x4" Concrete Monument on the North-East property line, El. = 1.27 N.A.V.D.
I ELEVATION OF PROPOSED SYSTEM SITE [0.03] [INCHES / FT] [ABOVE / BELOW] BENCHMARK/REFERENCE POINT
E BOTTOM OF DRAINFIELD TO BE [0.53] [INCHES / FT] [ABOVE / BELOW] BENCHMARK/REFERENCE POINT
L
D FILL REQUIRED: [64.00] INCHES EXCAVATION REQUIRED: [0.00] INCHES

O
T
H
E
R
The system is sized for 4 bedrooms with a maximum occupancy of 8 persons (2 per bedroom), for a total estimated flow of 460gpd. The licensed contractor installing the system is responsible for installing the minimum category of tank in accordance with s. 64E-6.013(3)(f), FAC. *Aggregate Required. *PTI-9 Drainfield 1LF = 3SF Aggregate, 766.6SF/3SF/1LF = 255.6LF of PTI-9. *PTI-9 Drainfield w/ (8)lines @ 35' = 280.0 L.F. (255.6 L.F. Required).

SPECIFICATIONS BY: Kreg E Maheu TITLE: _____
APPROVED BY: Christina E High TITLE: Environmental Specialist I Charlotte CHD
DATE ISSUED: 03/15/2018 EXPIRATION DATE: 09/15/2019



STATE OF FLORIDA
DEPARTMENT OF HEALTH
ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM
CONSTRUCTION PERMIT

PERMIT NO. _____
DATE PAID: _____
FEE PAID: _____
RECEIPT #: _____

CONSTRUCTION PERMIT FOR:

New System Existing System Holding Tank Innovative
 Repair Abandonment Temporary _____

APPLICANT: Brian & Luz Matlin

PROPERTY ADDRESS: 9876 & 9880 Little Gasparilla Island

LOT: P1/P1-1 BLOCK: 16 SUBDIVISION: Gasparilla Estates
[SECTION, TOWNSHIP, RANGE, PARCEL NUMBER]
PROPERTY ID #: 422027201005 / 422027201007 27/42/20 [OR TAX ID NUMBER]

SYSTEM MUST BE CONSTRUCTED IN ACCORDANCE WITH SPECIFICATIONS AND STANDARDS OF SECTION 381.0065, F.S., AND CHAPTER 64E-6, F.A.C. DEPARTMENT APPROVAL OF SYSTEM DOES NOT GUARANTEE SATISFACTORY PERFORMANCE FOR ANY SPECIFIC PERIOD OF TIME. ANY CHANGE IN MATERIAL FACTS, WHICH SERVED AS A BASIS FOR ISSUANCE OF THIS PERMIT, REQUIRE THE APPLICANT TO MODIFY THE PERMIT APPLICATION. SUCH MODIFICATIONS MAY RESULT IN THIS PERMIT BEING MADE NULL AND VOID. ISSUANCE OF THIS PERMIT DOES NOT EXEMPT THE APPLICANT FROM COMPLIANCE WITH OTHER FEDERAL, STATE, OR LOCAL PERMITTING REQUIRED FOR DEVELOPMENT OF THIS PROPERTY.

SYSTEM DESIGN AND SPECIFICATIONS

T [1200] GALLONS / GPD SEPTIC TANK/AEROBIC UNIT CAPACITY MULTI-CHAMBERED/IN-SERIES []
A [] GALLONS / GPD n/a CAPACITY MULTI-CHAMBERED/IN-SERIES []
N [] GALLONS GREASE INTERCEPTOR CAPACITY [MAXIMUM CAPACITY SINGLE TANK: 1250 GALLONS]
K [] GALLONS DOSING TANK CAPACITY [] GALLONS @ [] DOSES PER 24 HRS # PUMPS []

D [767] SQUARE FEET PRIMARY DRAINFIELD SYSTEM *Aggregate Required
R [] SQUARE FEET n/a SYSTEM

A TYPE SYSTEM: [] STANDARD [] FILLED MOUND []

I CONFIGURATION: [] TRENCH BED []

F LOCATION OF BENCHMARK: 4"x4" Conc. Monument on the Northeast property line El.=1.27' N.A.V.D.

I ELEVATION OF PROPOSED SYSTEM SITE [0.03] [INCHES/FT] [ABOVE/BELOW] BENCHMARK/REFERENCE POINT

E BOTTOM OF DRAINFIELD TO BE [0.53] [INCHES/FT] [ABOVE/BELOW] BENCHMARK/REFERENCE POINT

D FILL REQUIRED: [64"] INCHES EXCAVATION REQUIRED: [n/a] INCHES

O *PTI-9 Drainfield 1LF=3SF Aggregate 766.6SF/3SF/1LF= 255.6LF of PTI-9

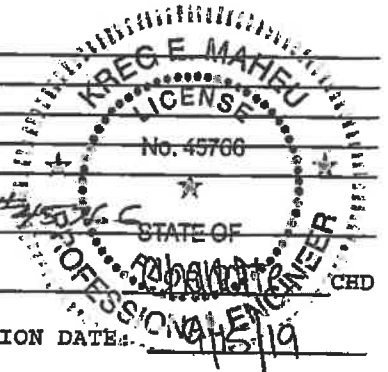
T *PTI-9 Drainfield w/ (8)lines @ 35' = 280.0 L.F. (255.6 L.F. Required)

H
E
R

SPECIFICATIONS BY: [Signature] 3-8-18 TITLE: PE #15015

APPROVED BY: [Signature] TITLE: ESI

DATE ISSUED: 3/5/18 EXPIRATION DATE: 3/5/19



NOTICE OF RIGHTS

A party whose substantial interest is affected by this order may petition for an administrative hearing pursuant to sections 120.569 and 120.57, Florida Statutes. Such proceedings are governed by Rule 28-106, Florida Administrative Code. A petition for administrative hearing must be in writing and must be received by the Agency Clerk for the Department, within twenty-one (21) days from the receipt of this order. The address of the Agency Clerk is 4052 Bald Cypress Way, BIN A-02, Tallahassee, Florida 32399. The Agency Clerk's facsimile number is 850-413-8743.

Mediation is not available as an alternative remedy.

Your failure to submit a petition for hearing within 21 days from receipt of this order will constitute a waiver of your right to an administrative hearing, and this order shall become a 'final order'.

Should this order become a final order, a party who is adversely affected by it is entitled to judicial review pursuant to Section 120.68, Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings may be commenced by filing one copy of a Notice of Appeal with the Agency Clerk of the Department of Health and a second copy, accompanied by the filing fees required by law, with the Court of Appeal in the appropriate District Court. The notice must be filed within 30 days of rendition of the final order.



STATE OF FLORIDA
 DEPARTMENT OF HEALTH
 ONSITE SEWAGE TREATMENT AND DISPOSAL
 SYSTEM
 APPLICATION FOR CONSTRUCTION PERMIT

PERMIT NO. _____
 DATE PAID: _____
 FEE PAID: _____
 RECEIPT #: _____

APPLICATION FOR:

- New System Existing System Holding Tank Innovative
 Repair Abandonment Temporary

APPLICANT: Brian & Luz Matlin

AGENT: DMK ASSOCIATES, INC

TELEPHONE: 941-412-1293

MAILING ADDRESS: 421 Commercial Court, Suites C-D, Venice, FL 34292

===== TO BE COMPLETED BY APPLICANT OR APPLICANT'S AUTHORIZED AGENT. SYSTEMS MUST BE CONSTRUCTED BY A PERSON LICENSED PURSUANT TO 489.105(3)(m) OR 489.552, FLORIDA STATUTES. IT IS THE APPLICANT'S RESPONSIBILITY TO PROVIDE DOCUMENTATION OF THE DATE THE LOT WAS CREATED OR PLATTED (MM/DD/YY) IF REQUESTING CONSIDERATION OF STATUTORY GRANDFATHER PROVISIONS. =====

PROPERTY INFORMATION

LOT: P1/P1-1 BLOCK: 16 SUBDIVISION: Gasparilla Estates PLATTED: 12/14/53

PROPERTY ID #: 422027201005/422027201007 27/42/20 ZONING: BBI I/M OR EQUIVALENT: No

PROPERTY SIZE: 1.54 ACRES WATER SUPPLY: PRIVATE PUBLIC <=2000GPD >2000GPD

IS SEWER AVAILABLE AS PER 381.0065, FS? No DISTANCE TO SEWER: N/A FT

PROPERTY ADDRESS: 9876 & 9880 LITTLE GASPARILLA ISLAND

DIRECTIONS TO PROPERTY: See attached site location map

BUILDING INFORMATION

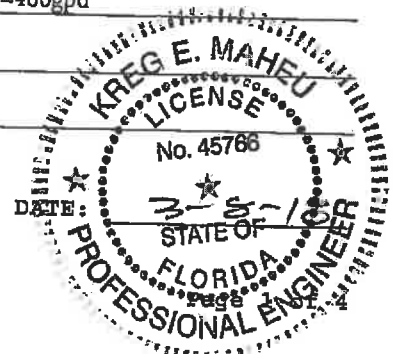
RESIDENTIAL COMMERCIAL

Unit No	Type of Establishment	No. of Bedrooms	Building Area Sqft	Commercial/Institutional System Design Table 1, Chapter 64E-6, FAC
1	Single Family	4	3,890	4 Bedrooms = 400gpd
2				590 Extra SF = 60gpd
3				Total=400gpd+60gpd=460gpd
4				

Floor/Equipment Drains Other (Specify) _____

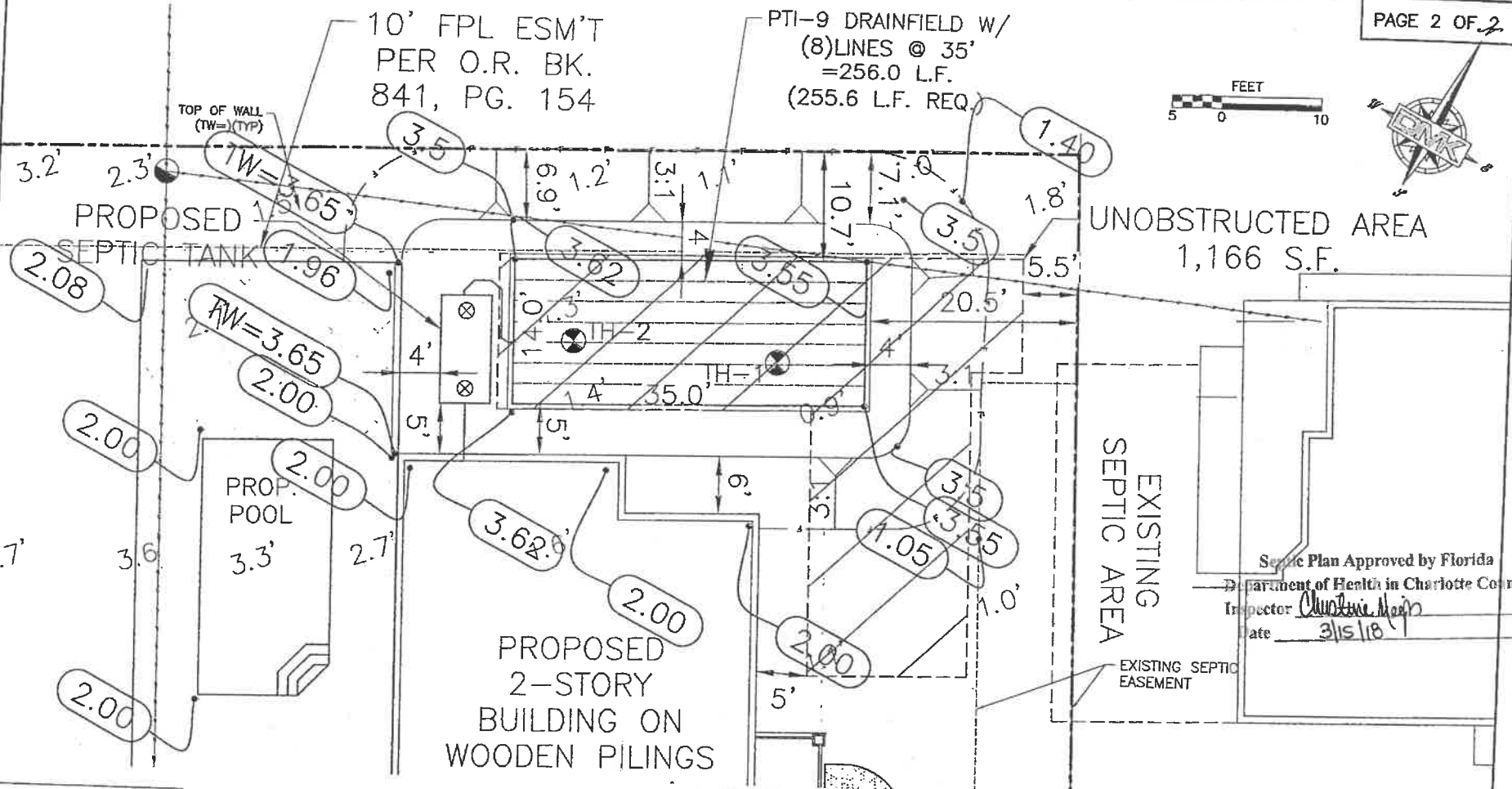
SIGNATURE: _____

Kreg E. Maheu PE #45766





Drawing name: F:\Projects\2015\15-0238 Birm Metlin Assessment\dwg\Sept_Files\Sept15-0238-SEPTIC_07-06-20.dwg
 Date Printed: Thu, 08 Mar 2018 - 2:10pm
 Tab: 10 SCALE



Septic Plan Approved by Florida
 Department of Health in Charlotte County
 Inspector Christine May
 Date 3/15/18

- LEGEND:**
- F — SEPTIC-FILL LINE
 - ⊕ POWER POLE
 - ⊙ BORING LOCATION
 - OVERHEAD UTILITY

- NOTES:**
1. NO WELLS OR SEPTICS (OTHER THAN SHOWN) FOUND WITHIN 75' OF THE SUBJECT PROPERTY.
 2. THE WATER METER AND WATER LINE SHOWN ARE PROPOSED AND CONTRACTOR SHALL FIELD VERIFY LOCATION.
 3. SEPTIC DESIGN PLAN SUBJECT TO APPROVAL BY C.C.P.H.U.. DO NOT USE THIS SEPTIC DESIGN DRAWING WITHOUT AN ATTACHED APPROVED SEPTIC PERMIT.

H.W.:	-0.20	B.D.B.:	1.80	STUBOUT:	2.76	F.F.E.:	14.33'(MIN.)	FLOOD ZONE:	VE' (EL.=14)
SCALE: 1" = NOTED DENOTES ELEVATION DENOTES SOIL REPLACEMENT AREA DENOTES PERFORATED DRAINLINES DENOTES BOUNDARY OF UNOBSTRUCTED AREA DENOTES NON-PERF. PIPE, EDGE OF DRAINFIELD AND TOP OF MOUND LOT: P1/P1-1 BLOCK: SUBDIVISION:									
TOP OF MOUND ELEVATIONS (TO BENCHMARK) HIGH END: 3.62 (MIN.) LOW END: 3.55 (MIN.) DENOTES RISER (EL.: 3.97) (1166.0 SQ.FT. MIN.) GASPARILLA ESTATES									
(NON SUBDIVISION) SEC. 27 TNSHP 42 S RANGE 20 E									
DMK ASSOCIATES ENGINEERS & SURVEYORS 421 Commercial Court Suite C, Venice, Florida 34292 TEL: (841) 412-1293 FAX: (841) 412-1043 E.B. No. 3943									
JOB # 15030 E 03/08/18 DWN: [Signature] UPDATES: REV. No. 45700 STATE OF FLORIDA ENGINEER [Signature]								Date Date	
Reviewer								Date	



STATE OF FLORIDA
DEPARTMENT OF HEALTH
ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM
SITE EVALUATION AND SYSTEM SPECIFICATIONS

PERMIT # _____

APPLICANT: Brian & Luz Matlin AGENT: DMK ASSOCIATES, INC

LOT: P1/P1-1 BLOCK: 16 SUBDIVISION: Gasparilla Estates

PROPERTY ID #: 422027201005/422027201007 [Section/Township/Parcel No. or Tax ID Number]

TO BE COMPLETED BY ENGINEER, HEALTH DEPARTMENT EMPLOYEE, OR OTHER QUALIFIED PERSON. ENGINEERS MUST PROVIDE REGISTRATION NUMBER AND SIGN AND SEAL EACH PAGE OF SUBMITTAL. COMPLETE ALL ITEMS.

PROPERTY SIZE CONFORMS TO SITE PLAN: YES [] NO NET USABLE AREA AVAILABLE: 1.54 ACRES
TOTAL ESTIMATED SEWAGE FLOW: 460 GALLONS PER DAY [RESIDENCES-TABLE 1]
AUTHORIZED SEWAGE FLOW: 3,850 GALLONS PER DAY [2500 GPD/ACRE]
UNOBSTRUCTED AREA AVAILABLE: 1,114 sq ft UNOBSTRUCTED AREA REQUIRED: 1,150 SQFT

BENCHMARK/REFERENCE POINT LOCATION: CP 31518 4"x4" Concrete Monument on the North-East property line, El. =1.27' N.A.V.D.
ELEVATION OF PROPOSED SYSTEM SITE IS 0.03 [FT] [ABOVE] BENCHMARK/REFERENCE POINT

THE MINIMUM SETBACK WHICH CAN BE MAINTAINED FROM THE PROPOSED SYSTEM TO THE FOLLOWING FEATURES
SURFACE WATER: 160.0 FT DITCHES/SWALES: N/A FT NORMALLY WET? [] YES NO
WELLS: PUBLIC: N/A FT LIMITED USE: N/A FT PRIVATE: N/A FT NON-POTABLE: N/A FT
BUILDING FOUNDATIONS: 5.0 FT PROPERTY LINES: 10.7 FT POTABLE WATER LINES: 63.2 FT

SITE SUBJECT TO FREQUENT FLOODING: [] YES NO 10 YEAR FLOODING? [] YES NO
10 YEAR FLOOD ELEVATION FOR SITE: N/A FT MSL/NGVD SITE ELEVATION: N/A FT MSL/NGVD

SOIL PROFILE INFORMATION SITE 1

MUNSELL #/COLOR	TEXTURE	DEPTH
10YR 2/1 Blk	FS w/roots	0" TO 6"
10YR 5/2 GrBr	FS	6" TO 18"
10YR 6/2 Lt Br	FS	++18" TO 24"
10YR 6/3 PlBr	FS	24" TO 48"
	*End of Boring	TO
		TO
		TO
		TO
		TO

USDA SOIL SERIES: Mapped as #2 Canaveral

SOIL PROFILE INFORMATION SITE 2

MUNSELL #/COLOR	TEXTURE	DEPTH
10YR 2/1 Blk	Roots/Organics FS	0" TO 6"
10YR 5/2 GrBr	FS	6" TO 18"
10YR 6/2 Lt Br	FS	++18" TO 24"
10YR 6/3 PlBr	FS	24" TO 48"
	*End of Boring	TO
		TO
		TO
		TO
		TO

USDA SOIL SERIES: Mapped as #2 Canaveral

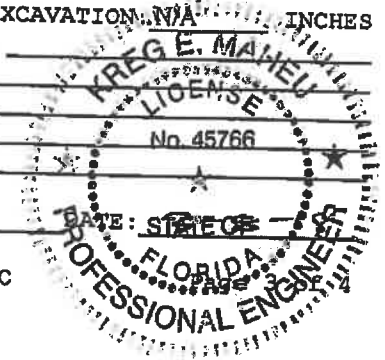
OBSERVED WATER TABLE: 24 INCHES [BELOW] EXISTING GRADE. TYPE: [APPARENT]
ESTIMATED WET SEASON WATER TABLE ELEVATION: 18 INCHES [BELOW] EXISTING GRADE
HIGH WATER TABLE VEGETATION: [] YES NO MOTTLING: YES [] NO DEPTH: 18 INCHES stripping

SOIL TEXTURE/LOADING RATE FOR SYSTEM SIZING: 0.60GPD/SF DEPTH OF EXCAVATION: N/A INCHES
DRAINFIELD CONFIGURATION: [] TRENCH BED [] OTHER (SPECIFY)

REMARKS/ADDITIONAL CRITERIA: *Both soil borings collapsed at 4 feet below grade
++ stripping 10YR 6/3 within 10YR 6/2 layer, noting water table movement

Soil Profile Site 1 El.=1.20'
Soil Profile Site 2 El.=1.30'

SITE EVALUATED BY: [Signature] PC #45766



OSTDS Permit # _____

Tidally Influenced Surface Water Boundary Determination

I am requesting that the department use what may be a more restrictive boundary for determining setbacks on my property from a tidally influenced surface water. I understand that use of this more restrictive boundary may result in denial of my permit, and that I have the right to submit a Mean High Water Line (MHWL) determination from a professional surveyor or mapper. I have indicated my selection below:

<http://data.labins.org/2003/SurveyData/WaterBoundary/waterboundary.cfm>

X A professional surveyor and mapper has established the safe uplands line on my property in place of the MHWL. I have submitted a copy of the survey indicating the safe uplands line as well as a copy of the details of the nearest LABINS tidal datum point utilized by the surveyor. The safe uplands line is an elevation determined by adding 0.5 feet to the nearest tidal datum point, which must be within a 1/2 mile radius of the established safe uplands line. I understand that a more restrictive surface water setback will be measured to the safe uplands line and that a more restrictive authorized sewage flow will be calculated using the limit of the safe uplands line as the surface water boundary.

_____ A professional surveyor and mapper has established the elevation of the top of the sea wall or canal wall on my property in place of the MHWL. When the elevation of the top of the sea or canal walls is lower than the tidal datum point, a MHWL must be determined by a surveyor. I have submitted a copy of the survey indicating this elevation. I understand that a more restrictive surface water setback to the onsite sewage system will be measured from the sea wall or canal wall and that a more restrictive authorized sewage flow will be calculated using the location of the sea wall or canal wall as the surface water boundary.

_____ I have submitted a copy of the details of the nearest LABINS tidal datum point that is within a 1/2 mile radius of the wall.

<http://data.labins.org/2003/SurveyData/WaterBoundary/waterboundary.cfm>

_____ I am requesting the county health department obtain the nearest LABINS tidal datum point that is within a 1/2 mile radius of the wall.


Applicant or Property Owner Signature

12-1-17
Date



STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Water Resource Management
2600 Blair Stone Road - Mail Station 3522
Tallahassee, Florida 32399-2400
(850) 245-8336

PERMITTEE

PERMIT NUMBER: CH-625

Brian G. and Luz M. Matlin
c/o Kreg Maheu
DMK Associates, Inc
421 Commercial court, Suites C-D
Venice, Florida 34292

**NOTICE TO PROCEED AND PERMIT FOR CONSTRUCTION OR OTHER ACTIVITIES
PURSUANT TO SECTION 161.053, FLORIDA STATUTES**

FINDINGS OF FACT: An application for authorization to conduct the activities seaward of the coastal construction control line that are indicated in the project description, was filed by the applicant/permittee named herein on December 6, 2016, and was determined to be complete pursuant to rule on March 7, 2017. The proposed project is to be located landward of the 30-year erosion projection. There is no reasonable and continuous existing line of construction established by major structures in the immediate area.

CONCLUSIONS OF LAW: After considering the merits of the proposal and any written objections from affected persons, the Department finds that upon compliance with the permit conditions, the activities indicated in the project description of this permit are of such a nature that they will result in no significant adverse impacts to the beach/dune areas or to adjacent properties; that the work is not expected to adversely impact nesting sea turtles, their hatchlings, or their habitat; that the work is expendable in nature and/or is appropriately designed in accordance with Section 62B-33.005, Florida Administrative Code. Based on the foregoing considerations, the Department approves the application; authorizes construction and/or activities at the location indicated below in strict accordance with the project description, the approved plans (if any) and the General Permit Conditions which are by this reference incorporated herein, and any additional conditions shown below, pursuant to Section 161.053(4), Florida Statutes.

EXPIRATION DATE: May 11, 2020

LOCATION: Between approximately 60 feet and 165 feet north of the Department of Environmental Protection's reference monument R-57 in Charlotte County. Project address: 9876 and 9880 Little Gasparilla Island, Placida.

PROJECT DESCRIPTION:

Two Story Single-Family Dwelling

1. Location relative to Control line: A maximum of 180.9 feet seaward at the southwest corner.
2. Exterior dimensions: 36 feet in the shore-normal direction by 58.2 feet in the shore-parallel direction.
3. Type of foundation: Pile.
4. Elevation of understructure slab: + 2.4 feet (NAVD)

Swimming Pool

1. Location relative to control line: A maximum of 183 feet seaward at the southwest corner.
2. Exterior dimensions: 13 feet in the shore-normal direction by 25 feet in the shore-parallel direction.
3. Type of foundation: Shell concrete over soil bearing foundation.
4. Deck elevation of swimming pool: +2.0 feet (NAVD).
5. Maximum depth of swimming pool: 6 feet.
6. Height of pool deck relative to existing grade: 1.5 feet below.

Excavation/Fill

1. Total volume of excavation: Approximately 109.5 cubic yards. Volume of net excavation: None; excavated material to be placed as fill on the project site.
2. Location of excavation: From approximately 100 feet to approximately 194 feet seaward of the control line.
3. Volume of fill to be placed: Approximately 208 cubic yards.
4. Location of fill to be placed: From approximately 100 feet to 194 feet seaward of the control line.

Other Structures and Activities/Minor Structures and Activities

1. An 8-foot wide, open, wooden deck is to be located seaward of the swimming pool a maximum distance of 194 feet seaward of the control line at the southwest corner.
2. A septic tank drain field is to be located approximately 160.6 feet seaward of the control line on the north side of the dwelling.
3. Landward 4-foot wide shell walkway is to be located a maximum of 100 feet seaward of the control line.
4. Landscaping.
5. Exterior lighting.

SPECIAL PERMIT CONDITIONS:

1. Prior to commencement of construction activity authorized by this permit, a preconstruction conference shall be held at the site among the contractor, the owner or authorized agent, and a staff representative of the Department to establish an understanding among the parties as to the items specified in the special and general conditions of the permit. The proposed locations of the structures shall be staked out for the conference. **Contact Jennifer Cowart at (239) 344-5627 to schedule a conference.**

2. Prior to commencement of construction activity authorized by this permit, a temporary construction fence shall be erected along the perimeter of the permitted activity. The fence shall remain in place until the construction authorized by this permit is complete. The optimum siting of the construction fence shall be determined during the preconstruction conference by the staff representative so as to provide maximum protection to the existing native vegetation and dune features located on the site.
3. All imported fill material shall be obtained from a source landward of the control line and shall consist of sand which is similar to that already on the site in both grain size and coloration. This fill material shall be free of construction debris, rocks, or other foreign matter. A sample of the sand shall be provided to the staff representative of the Department during the preconstruction conference.
4. Prior to completion of construction activities authorized by this permit, the permittee shall remove all invasive nuisance plants, such as listed in the Florida Exotic Pest Plant Council's List of Category I and II Invasive Species. The permittee shall plant a mix of a minimum of three native salt-tolerant species to restore any disturbed natural area seaward of the authorized structures. Dune restoration plantings shall consist of salt-tolerant species indigenous to the native plant communities existing on or near the site or with other native species approved by the Department. Sod composed of non-native grasses is not authorized seaward of a major structure or decks. Plantings in other areas of the project site shall not include invasive nuisance plant species such as listed in the Florida Exotic Pest Plant Council's List of Category I and II Invasive Species.
5. All lighting shall be installed and maintained as depicted in the approved lighting schematic. No additional permanent exterior lighting is authorized.
6. Permittee shall submit compliance reports as specified in Special and General Permit Conditions of this permit. General Permit Conditions 1(q), 1(r), and 1(s) pertain to written reports which must be submitted to the Department of Environmental Protection at specified times. The forms for the reports: 1(q) Periodic Progress Report (DEP Form 73-111), 1(r) Foundation Location Certification (DEP Form 73-114B), and 1(s) Final Certification (DEP Form 73-115B) are available at the website: <http://www.dep.state.fl.us/beaches/forms.htm#CCCL>. Each form may be submitted electronically. The periodic reports are due in the office monthly. No progress reports are required until construction activities have started.

GENERAL PERMIT CONDITIONS

(1) The following general permit conditions shall apply, unless waived by the Department or modified by the permit:

(a) The permittee shall carry out the construction or activity for which the permit was granted in accordance with the plans and specifications that were approved by the Department as part of the permit. Deviations therefrom, without written approval from the Department, shall be grounds for suspension of the work and revocation of the permit pursuant to Section 120.60(7), F.S., and shall result in assessment of civil fines or issuance of an order to alter or remove the unauthorized work, or both. No other construction or activities shall be conducted. No modifications to project size, location, or structural design are authorized without prior written approval from the Department. A copy of the notice to proceed shall be conspicuously displayed at the project site. Approved plans shall be made available for inspection by a Department representative.

(b) The permittee shall conduct the construction or activity authorized under the permit using extreme care to prevent any adverse impacts to the beach and dune system, marine turtles, their nests and habitat, or adjacent property and structures.

PERMITTEE: Brian G. and Luz M. Matlin

PERMIT NUMBER: CH-625

PAGE 4

(c) The permittee shall allow any duly identified and authorized member of the Department to enter upon the premises associated with the project authorized by the permit for the purpose of ascertaining compliance with the terms of the permit and with the rules of the Department until all construction or activities authorized or required in the permit have been completed and all project performance reports, certifications, or other documents are received by the Department and determined to be consistent with the permit and approved plans.

(d) The permittee shall hold and save the State of Florida, the Department, and its officers and employees harmless from any damage, no matter how occasioned and no matter what the amount, to persons or property that might result from the construction or activity authorized under the permit and from any and all claims and judgments resulting from such damage.

(e) The permittee shall allow the Department to use all records, notes, monitoring data, and other information relating to construction or any activity under the permit, which are submitted, for any purpose necessary except where such use is otherwise specifically forbidden by law.

(f) Construction traffic shall not occur and building materials shall not be stored on vegetated areas seaward of the control line unless specifically authorized by the permit. If the Department determines that this requirement is not being met, positive control measures, such as temporary fencing, designated access roads, adjustment of construction sequence, or other requirements, shall be provided by the permittee at the direction of the Department. Temporary construction fencing shall not be sited within marine turtle nesting habitats.

(g) The permittee shall not disturb existing beach and dune topography and vegetation except as expressly authorized in the permit. Before the project is considered complete, any disturbed topography or vegetation shall be restored as prescribed in the permit with suitable fill material or revegetated with appropriate beach and dune vegetation.

(h) All fill material placed seaward of the control line shall be sand which is similar to that already existing on the site in both coloration and grain size. All such fill material shall be free of construction debris, rocks, clay, or other foreign matter; shall be obtained from a source landward of the coastal construction control line; and shall be free of coarse gravel or cobbles.

(i) If surplus sand fill results from any approved excavation seaward of the control line, such material shall be distributed seaward of the control line on the site, as directed by the Department, unless otherwise specifically authorized by the permit.

(j) Any native salt-tolerant vegetation destroyed during construction shall be replaced with plants of the same species or, by authorization of the Department, with other native salt-tolerant vegetation suitable for beach and dune stabilization. Unless otherwise specifically authorized by the Department, all plants installed in beach and coastal areas – whether to replace vegetation displaced, damaged, or destroyed during construction or otherwise – shall be of species indigenous to Florida beaches and dunes, such as sea oats, sea grape, saw palmetto, panic grass, saltmeadow hay cordgrass, seashore saltgrass, and railroad vine, and grown from stock indigenous to the region in which the project is located.

(k) All topographic restoration and revegetation work is subject to approval by the Department, and the status of restoration shall be reported as part of the final certification of the actual work performed.

(l) If not specifically authorized elsewhere in the permit, no operation, transportation, or storage of equipment or materials is authorized seaward of the dune crest or rigid coastal structure during the marine turtle nesting season. The marine turtle nesting season is May 1 through October 31 in all counties except Brevard, Indian River, St. Lucie, Martin, Palm Beach, and Broward counties where leatherback turtle nesting occurs during the period of March 1 through October 31.

(m) If not specifically authorized elsewhere in the permit, no temporary lighting of the construction area is authorized at any time during the marine turtle nesting season and no additional permanent exterior lighting is authorized.

(n) All windows and glass doors visible from any point on the beach must be tinted to a transmittance value (light transmission from inside to outside) of 45% or less through the use of tinted glass or window film.

(o) The permit has been issued to a specified property owner and is not valid for any other person unless formally transferred. An applicant requesting transfer of the permit shall sign two copies of the permit transfer

agreement form, agreeing to comply with all terms and conditions of the permit, and return both copies to the Department. The transfer request shall be provided on the form entitled "Permit Transfer Agreement" – DEP Form 73-103 (Revised 1/04), which is hereby adopted and incorporated by reference. No work shall proceed under the permit until the new owner has received a copy of the transfer agreement approved by the Department. A copy of the transfer agreement shall be displayed on the construction site along with the permit. An expired permit shall not be transferred.

(p) The permittee shall immediately inform the Department of any change of mailing address of the permittee and any authorized agent until all requirements of the permit are met.

(q) For permits involving major structures or activities, the permittee shall submit to the Department periodic progress reports on a monthly basis beginning at the start of construction and continuing until all work has been completed. If a permit involves either new armoring or major reconstruction of existing armoring, the reports shall be certified by an engineer licensed in the State of Florida. The permittee or engineer, as appropriate, shall certify that as of the date of each report all construction has been performed in compliance with the plans and project description approved as a part of the permit and with all conditions of the permit, or shall specify any deviation from the plans, project description, or conditions of the permit. The report shall also state the percent of completion of the project and each major individual component. The reports shall be provided to the Department using the form entitled "Periodic Progress Report" – DEP Form 73-111 (Revised 6/04), which is hereby adopted and incorporated by reference. Permits for minor structures or activities do not require submittal of periodic reports unless required by special permit condition.

(r) For permits involving habitable major structures, all construction on the permitted structure shall stop when the foundation pilings have been installed. At that time the foundation location form shall be submitted to and accepted by the Department prior to proceeding with further vertical construction above the foundation. The form shall be signed by a professional surveyor, licensed pursuant to Chapter 472, F.S., and shall be based upon such surveys performed in accordance with Chapter 472, F.S., as are necessary to determine the actual configuration and dimensioned relationship of the installed pilings to the control line. The information shall be provided to the Department using the form entitled "Foundation Location Certification" – DEP Form 73-114B (Revised 9/05), which is hereby adopted and incorporated by reference. Phasing of foundation certifications is acceptable. The Department shall notify the permittee of approval or rejection of the form within seven (7) working days after staff receipt of the form. All survey information upon which the form is based shall be made available to the Department upon request. Permits for repairs or additions to existing structures with nonconforming foundations are exempt from this condition.

(s) For permits involving major structures, the permittee shall provide the Department with a report by an engineer or architect licensed in the State of Florida within thirty (30) days following completion of the work. The report shall state that all locations specified by the permit have been verified and that other construction and activities authorized by the permit have been performed in compliance with the plans and project description approved as a part of the permit and all conditions of the permit; or shall describe any deviations from the approved plans, project description, or permit conditions, and any work not performed. Such report shall not relieve the permittee of the provisions of paragraph 62B-33.0155(1)(a), F.A.C. If none of the permitted work is performed, the permittee shall inform the Department in writing no later than 30 days following expiration of the permit. The report shall be provided on the form entitled "Final Certification" DEP Form 73-115B (Revised 9/05), which is hereby adopted and incorporated by reference.

(2) The permittee shall not commence any excavation, construction, or other physical activity on or encroaching on the sovereignty land of Florida seaward of the mean high water line or, if established, the erosion control line until the permittee has received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use.

(3) The permittee shall obtain any applicable licenses or permits required by Federal, state, county, or municipal law.

(4) This permit does not authorize trespass onto other property.

(5) In the event of a conflict between a general permit condition and a special permit condition, the special

PERMITTEE: Brian G. and Luz M. Matlin
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PAGE 6

permit condition shall prevail.

(6) Copies of any forms referenced above can be obtained by writing to the Department of Environmental Protection, 2600 Blair Stone Road, MS 3522, Tallahassee, Florida 32399-2400, or by telephoning (850)245-8336.

Approved plans are incorporated into this permit by reference.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Tony D. McNeal, P.E., Administrator
Coastal Construction Control Line Program

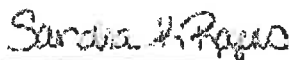
CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were sent on the filing date below to the following listed persons:

Owner: Brian and Lutz Matlin: brianandluz@yahoo.com
Agent: Kreg Maheu: kmaheu@dmkassoc.com
Charlotte County Planning and Zoning: William.byle@charlottecountyfl.gov
Field Inspector: Jennifer Cowart

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

05/11/2017

Date

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under sections 120.569 and 120.57, Florida Statutes, before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57, Florida Statutes. Pursuant to rule 28-106.201, Florida Administrative Code, a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with rule 62-110.106(3), Florida Administrative Code, petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under section 120.60(3), Florida Statutes, must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under section 120.60(3), Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57, Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205, Florida Administrative Code.

Extension of Time

Under rule 62-110.106(4), Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to section 120.68, Florida Statutes, by filing a Notice of Appeal pursuant to rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Newspaper Publication

The Agency will not publish or require the person requesting a permit to publish in a newspaper a notice of receipt of the permit application or notice of Agency action granting or denying the permit.

Persons receiving a permit are advised that interested parties who become aware of Agency action approving or denying the permit, or who observe work on the project within certain time frames without any prior notice, may have rights to petition for an administrative hearing under Chapter 120, F.S. For this reason, it may be in the best interest of the person proposing the activity to publish, at its expense, a one-time "Notice of Permit Issuance" in a newspaper of general circulation in the county where the activity is located meeting the requirements of Chapter 50, F.S. Agency staff can provide persons with the information for such a notice upon request. Persons who are substantially affected by the proposed action may petition for an administrative hearing within the time frames specified in the notice and Chapter 120, F.S.

SKETCH AND DESCRIPTION:

DESCRIPTION:

A SEPTIC DRAIN FIELD EASEMENT BEING OVER UNDER AND ACROSS A PORTION OF PARCEL 2, AS DESCRIBED IN OFFICIAL RECORDS BOOK 3574, PAGES 1174 THROUGH 1176, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY FLORIDA. SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID PARCEL 2, THENCE SOUTH 28 DEGREES 10 MINUTES 11 SECONDS EAST ALONG THE EAST LINE OF SAID PARCEL 2, A DISTANCE OF 22.51 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 28 DEGREES 10 MINUTES 11 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 46.41 FEET; THENCE SOUTH 61 DEGREES 45 MINUTES 46 SECONDS WEST A DISTANCE OF 9.31 FEET; THENCE NORTH 26 DEGREES 54 MINUTES 02 SECONDS WEST A DISTANCE OF 46.42 FEET; THENCE NORTH 61 DEGREES 45 MINUTES 46 SECONDS EAST A DISTANCE OF 8.29 FEET TO THE POINT OF BEGINNING. SAID EASEMENT CONTAINING 408.2 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTATIONS:

1. THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY AND IS ONLY INTENDED TO DEPICT THE DESCRIPTION HEREON.
2. BEARINGS ARE BASED ON DEED DATA BEARING REFERENCED TO THE EAST LINE OF PARCEL 2, BEING SOUTH 28 DEGREES 10 MINUTES 11 SECONDS WEST.
3. ALL DISTANCES ARE EXPRESSED IN U.S. STANDARD FEET AND DECIMALS THEREOF.
4. THIS SKETCH AND DESCRIPTION CONTAINS TWO (2) SHEETS AND IS INTENDED TO BE USED IN ITS ENTIRETY.
5. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER.

PREPARED FOR THE EXCLUSIVE USE OF:

ROBERT AND CATHERINE HARVIE:
MORGAN STANLEY:
MILLER, CROSBY & MILLER, P.A.:
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY.

LEGEND:

Approx.=Approximate	P.B.=Plat Book
(C)=Calculated data	PG=Page
C.=Chord Length	P.I.D.=Parcel Identification
C.B.=Chord Bearing	P.O.B.=Point of Beginning
D.O.T.=Department of Transportation	P.O.C.=Point of Commencement
Drain.=Drainage	P.O.T.=Point of Terminus
Es'mt=Easement	R/W=Right-of-Way
L.B.=Land Surveying Business	S.F.=Square Feet
O.R.=Official Records	Util.=Utility
(P)=Plat data	⊙=Centerline
(F)=Field data	▬=Property Line
P.T.=Point of Tangency	P.R.C.=Point of Reverse Curve
P.C.=Point of Curve	P.C.C.=Point of Compound Curve

DATE: 10/30/13

BY: WARREN (BARRY) McLEOD
Professional Surveyor and Mapper
Florida Licensed Surveyor No. 4855
Land Surveying Business No. 3943

NOTE: "Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper".

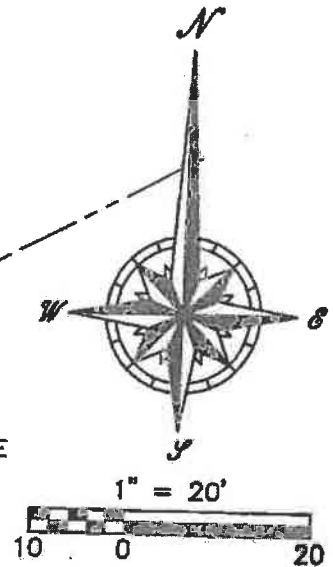
Additions, Deletions, or Reproductions of this survey is prohibited without the written consent of DMK Associates, Inc.

SHEET 1 OF 2

	DMK ASSOCIATES ENGINEERS & SURVEYORS	DATE: 10/30/13	JOB No. 13-0183	
	4315 S. ACCESS ROAD ENGLEWOOD, FL 33224	SCALE: N/A	DWN. TDM CK'D WAM	
	TEL: (813) 475-8503	UPDATES & REV.	DATE	DWN. BY:
	FAX: (813) 475-1821			

SKETCH AND DESCRIPTION:

TRACT 15
GASPARILLA ESTATES
(PLAT BOOK 2, PAGE 94)
PARCEL ID. 422027201004
OFFICIAL RECORDS BOOK 2817, PAGE 1161



P.O.C.
PARCEL 2
NORTHEAST CORNER OF THOSE
LANDS RECORDED IN OFFICIAL
RECORDS BOOK 3574, PAGES
1174 THROUGH 1176

PLATTED LOT LINE

N.61°45'46"E. 8.29'

S.28°10'11"E.
22.51'

P.O.B.

PARCEL 1
PARCEL ID.
422027201006

PARCEL 2
PORTION OF TRACT 16
GASPARILLA ESTATES
(PLAT BOOK 2, PAGE 94)
PARCEL ID. 422027201004
OFFICIAL RECORDS BOOK 2817, PAGE 1161

S.28°10'11"E. 46.41'
N.26°54'02"W. 46.42'

EAST LINE
PARCEL 2

S.61°45'46"W. 9.31'

PARCEL 3
PARCEL ID. 422027201007
OFFICIAL RECORDS BOOK 3574,
PAGES 1174 THROUGH 1176

NOTE:
1. THIS IS NOT A BOUNDARY SURVEY
2. THIS SKETCH AND DESCRIPTION
CONTAINS TWO (2) SHEETS AND IS
INTENDED TO BE USED IN ITS
ENTIRETY.

SHEET 2 OF 2



DMK ASSOCIATES
ENGINEERS & SURVEYORS
4315 S. ACCESS ROAD
ENGLEWOOD, FL 32224
TEL: (904) 475-3593
FAX: (904) 475-1831

DATE: 10/30/13	JOB No. 13-0183
SCALE: 1"=20'	DWN. TDM CK'D WAM
UPDATES & REV.	DATE DWN. BY:



Florida Power & Light Company, 2248 Murphy Ct., North Port, FL 34289
941-423-4838

February 23, 2018

Brian Matlin
P.O. Box 89
Placida, F., 33946

Re: Easement Encroachment
9876 Little Gasparilla Island

Mr. Matlin:

Thank you for contacting FPL about the encroachment of 10' FPL easement on 9876 & 9880 Little Gasparilla Island in the platted utility easement at the referenced location. FPL has no objection to this trenching through the easement, however FPL does not agree to the future encroachment of any other structures into the easement.

If I can be of any further assistance, please contact me at 941-423-4838.

Sincerely,

Jane Wolford
Technical Specialist I

Prepared by: W. E. Hankins

Rec. 500
Dec. 50

EASEMENT

Form 2722 (Stacked) Rev. 5/80

ER No. 2467-7-570 THIS INSTRUMENT WAS PREPARED BY
Pole No. FLORIDA POWER & LIGHT COMPANY, Sec. 27 Twp. 42 Rge. 20
P.O. BOX 1730
VENICE, FLORIDA 34284 OR 841 PG 154

The undersigned, owner (s) of the premises described below, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as, the size of and remove such facilities or any of them, on the property described as follows:

FILE 85-739969

An easement of the Northerly ten (10) feet of a part of Tract 16, Gasparilla Estates Subdivision, as recorded in Plat Book 2, Page 94, Public Records of Charlotte County, Florida being more particularly described as follows:

Parcel No. 2

Commencing at a point where the Northernmost line of Tract 16 intersects the M.H.W.L. on the shore line of Little Gasparilla Sound. Thence S 01° 49' 49" E along said North line Tract 16. 107 feet more or less to a standard marker now set and the Point of Beginning. Thence S 28° 10' 11" E from the Point of Beginning 73.0 feet to a point on a line being the South line of the North 73 feet of Tract 16, thence S 61° 49' 49" W and parallel with the North line Tract 16, 60.00 feet, thence N 28° 10' 11" W, 30.0 feet, thence S 61° 49' 49" W to a point on the M.H.W.L. on the shore line of the Gulf of Mexico, 175 feet +/-, thence in a Northwesterly direction meandering along said M.H.W.L. 45 feet +/- to a point of intersection with the North line of Tract 16, passing through the Point of Beginning and having a bearing of S 61° 49' 49" W, thence N 61° 49' 49" E from said point 244.4 feet more or less to the Point of Beginning.

together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes with the right of ingress and egress to said premises at all times, to clear the land and keep it cleared of all trees, undergrowth or other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution, and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining through said property.

RECEIVED
ENGINEERING
BRANCH
DEC 30 1985

IN WITNESS WHEREOF, the undersigned has signed and sealed this agreement on September 6, 1985.

Signed, sealed and delivered in the presence of:

Laura Rason
Jan D. Mullen
Don Kachenburger
Janie Scott

John Hay (SEAL)
Don Kachenburger (SEAL)
Janie Scott (SEAL)

STATE OF FLORIDA AND COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 1985.

by _____ and _____
President and Secretary of _____
corporation, on behalf of the corporation.

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES: _____

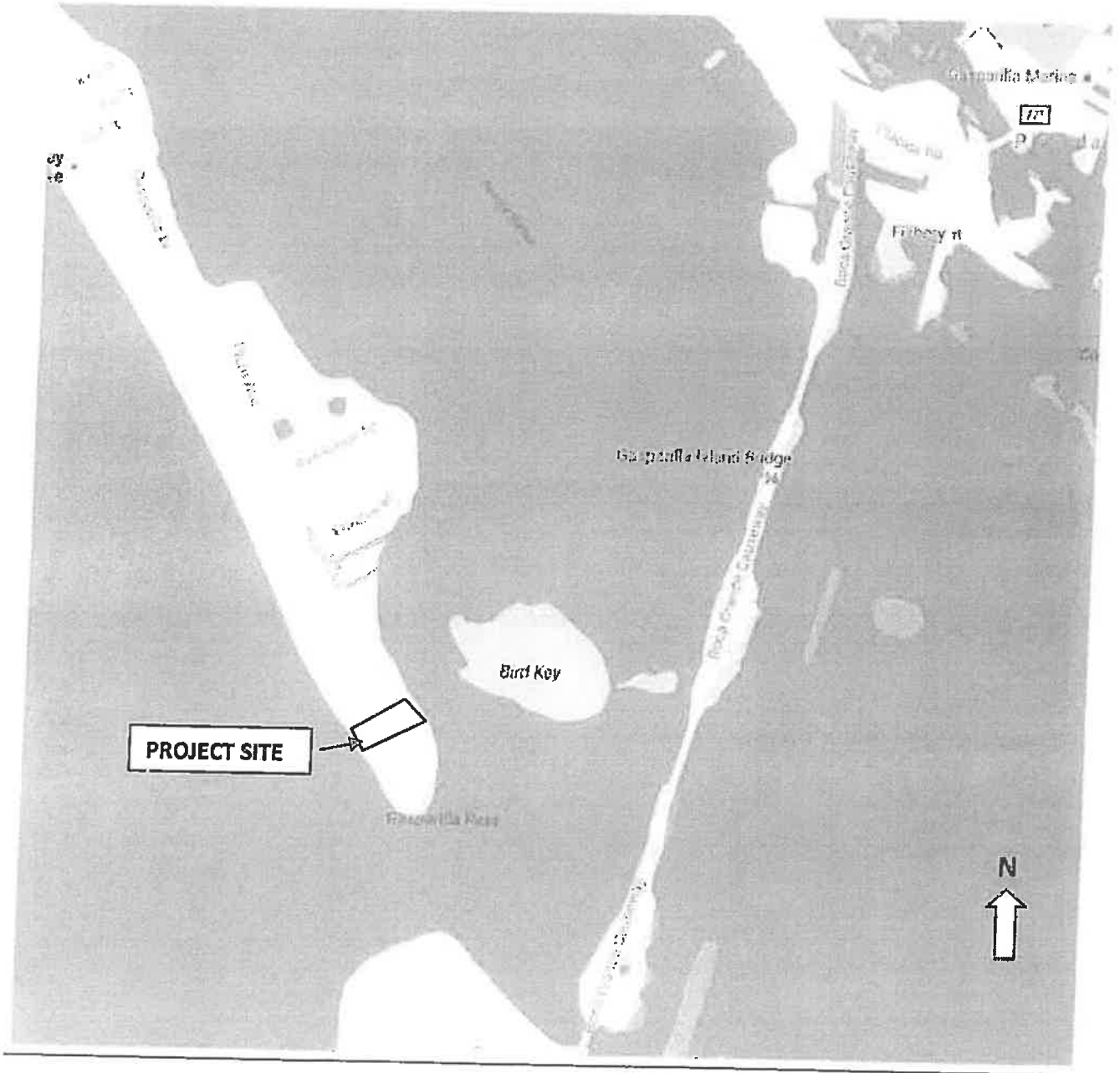
STATE OF FLORIDA AND COUNTY OF Dade

The foregoing instrument was acknowledged before me this 6th day of Sept., 1985

by _____ and _____

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES: July 25, 1988

BRIAN MATLIN
9876 LITTLE GASPARILLA ISLAND
LOCATION MAP



DMK ASSOCIATES, INC. USE ONLY
 Date Received _____
 Job No. 15-0239

ON-SITE WASTEWATER DISPOSAL SYSTEM APPLICATION/SUBMITTAL AUTHORIZATION FORM

CLIENT INFORMATION

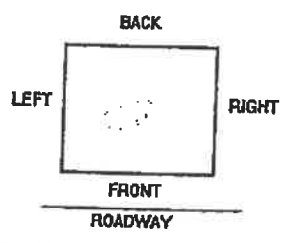
ORDERED BY: Kreg Maheu Builder Owner Auth. Rep. PHONE: 941-412-1293
 GENERAL CONTRACTOR'S NAME: _____ PHONE: _____
 PROPERTY OWNER'S FULL NAME (AS ON DEED): Brian and Luz Matlin PHONE: 886-649-1805
 OWNER'S ADDRESS: 9876 and 9880 Little Gasparilla Island, Placida 33946

LEGAL DESCRIPTION

LOT: 16B and 16D BLOCK: _____ SUBDIVISION: Gasparilla Estates
 STREET ADDRESS: 9876 and 9880 Little Gasparilla Island
 SECTION: 27 TOWNSHIP: 42 S RANGE: 20 E COUNTY: CHARLOTTE

SITE PLAN SPECIFICS

SETBACKS: FRONT 21.8' BACK 52.5' R. SIDE 72.2' L. SIDE 13.3'
 WATER LINE: R. FRONT _____ L. FRONT _____ R. SIDE _____ L. SIDE _____ BACK _____
 SIDEWALK: YES NO



SUBMITTAL CHECKLIST

- A. BUILDING PLANS: SUBMITTED TO BE DELIVERED BY _____ (DATE)
- B. SURVEY: SUBMITTED ORDERED
- C. AUTHORIZED AGENT: OWNER CONTRACTOR DMK ASSOCIATES, INC. (Complete "Owner's Authorization to Act as Agent" below)
Note: DMK will submit to Health Dept. only if authorized as Agent.
- D. PROOF OF OWNERSHIP: DEED SUBMITTED TO BE DELIVERED BY _____ (DATE)
 TAX CERTIFICATION

NOTES:

OWNER'S AUTHORIZATION TO ACT AS AGENT

Pursuant to Section 64E-6.004(2), I hereby certify that I am Owner of the land as described in the attached deed and/or tax certificate, and I therefore authorize DMK Associates, Inc., Engineers and Surveyors, to act in my behalf in all aspects of the preparation and submittal of an application for an on-site sewage treatment and disposal system.

PRINTED/TYPED NAME Brian and Luz Matlin

SIGNATURE *[Handwritten Signature]* DATE 6-16-17

104

DECLARATION OF RESTRICTIONS/UTILITY EASEMENT
ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM

The undersigned Brian G. and Luz M. Matlin as owner(s) of the following described real property located in Charlotte County, Florida, for the sum of \$10.00 and other good and valuable consideration, receipt of which is hereby acknowledged, and to qualify for issuance by the Florida Department of Health(FDOH/CCHD) of an Onsite Sewage Treatment and Disposal System (OSTDS) construction permit, hereby agrees to the following restrictions against the property described as:

GASPARILLA ESTATES BEG NE COR TRACT 16 TH SW 107.14 FT POB CONT SW 233 FT SE 45 FT NE 170 FT SE 30 FT NE 48.3 FT NW 73 FT TO POB AKA P-1 301/479 349/274 798/1825 916/910 1138/2038 3574/1174 E3824/799 4020/979

GASPARILLA ESTATES S 60 FT OF W 173 FT OF N 103 FT TRACT 16 & S 30 FT OF E 162 FT OF N 103 FT TRACT 16 BEING MORE PARTICULARLY DESC IN 349/274 AKA P1-1 360/297 468/782 1039-1580 1138/2040 3574/1174 E3824/799 4020/979

- A. The above-described property shall contain the following restrictions, which are referred to as "Utility Easement" pursuant to Florida Administrative Code ("F.A.C.") Section 64E-6.004(7)(a):
 1. Tract 16 Parcels P-1 and P-1-1, House constructed on multiple lots with one septic system. All lots must be sold as a single unit and cannot be subdivided for any real estate transaction.
 2. This Declaration of Restrictions/Utility Easement shall be deemed a covenant running with the land and shall be binding upon the undersigned, their lessees, successors and assigns, until sanitary sewers are made available to and accessed by the property, at which time the restriction shall be terminated and released.
 3. The OSTDS shall be maintained and operated pursuant to the more stringent of the laws, rules and regulations of Section 381.0065, Florida Statutes ("F.S."); Chapter 64E-6, F.A.C.; Code Chapter 3-8-250 – 3-8-263 as amended.

B. This Declaration of Restrictions/Utility Easement shall be recorded in the public property records of Charlotte County, Florida and a certified copy provided to the FDOH/CCHD.

Executed the 26 day of October, 2017.

BY: [Signature]
 Owner's Signature Luz Matlin
 Print Owner's Name Luz Matlin

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
 OR BOOK: 4250 PAGE 1384 PAGE: 1 OF 1
 INSTR. # 2562224 Doc Type: RES
 Recorded: 11/1/2017 at 10:53 AM
 Rec. Fee: RECORDING \$10.00
 Cashier By: SARAHR

STATE OF FLORIDA)
)
 COUNTY OF CHARLOTTE) Miami Dade

The foregoing instrument was acknowledged before me this 26 day of October, 2017, by Matlin / Brian Matlin, who is personally known to me/ produced FLDL as identification.

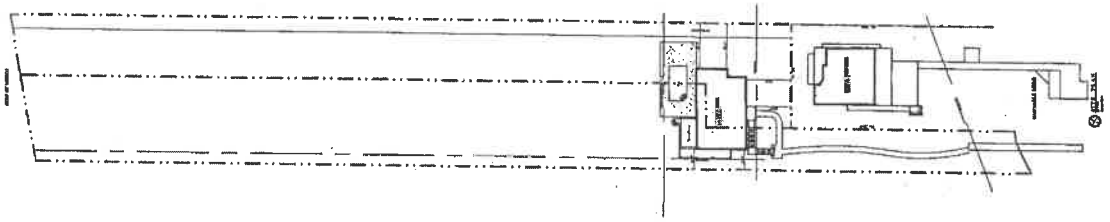
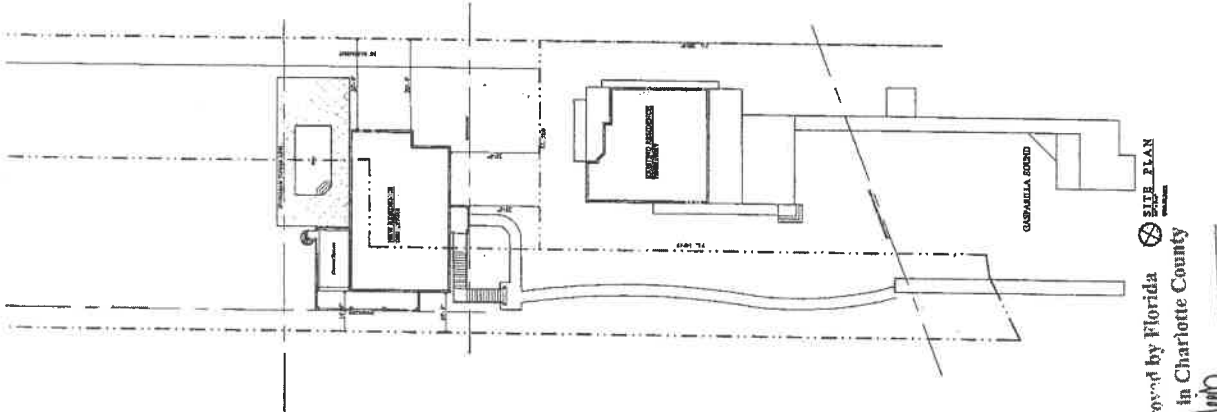
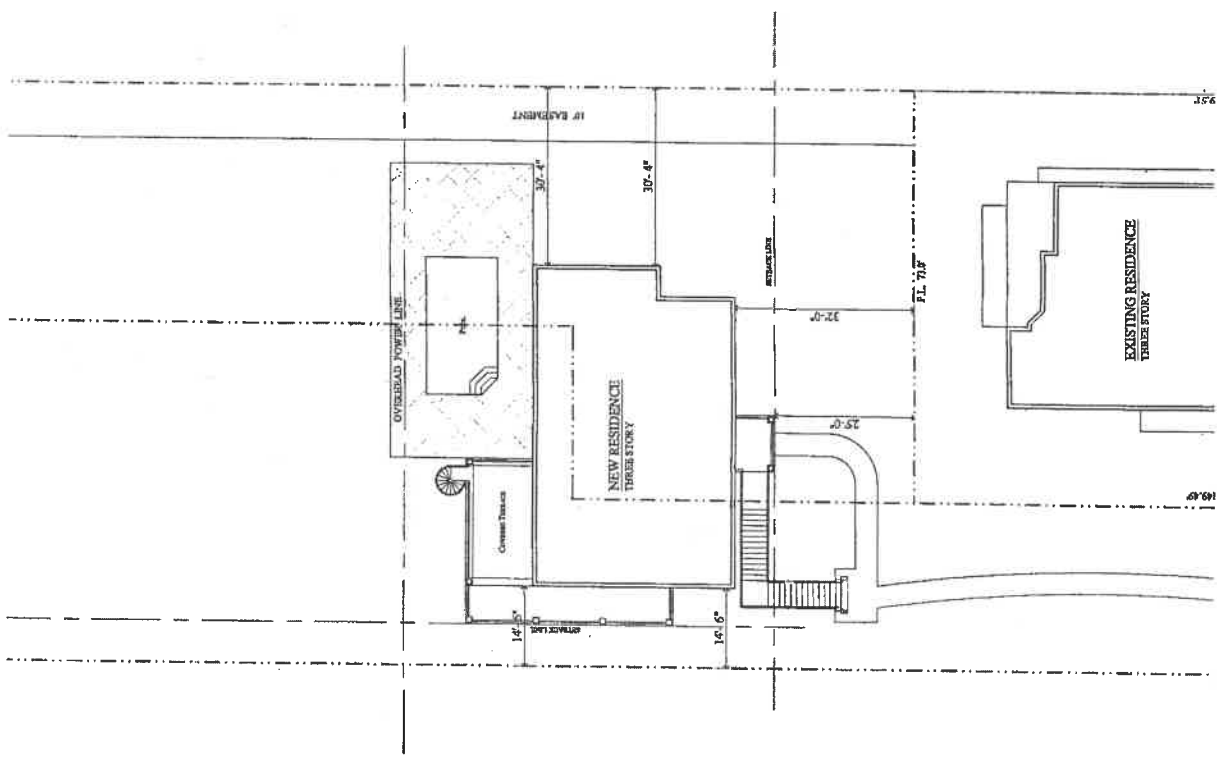
[Signature]
 NOTARY PUBLIC
Amy Diaz
 PRINT NAME

M 345-533-56-828-0
M 345-067-56-259-0
 Commission No. FF 215941

My commission expires: 03, 31, 2019.



SEVER DESIGN ARCHITECTS Mark Sever Architect 5300 N.E. 20th Ave First Landmark Tower, 17th Floor (954) 270-4021 Fax (954) 459-0923 Email: sever@severdesign.com		SHEET 1 of 7 PROJECT 7-21-18
MATLIN RESIDENCE NEW THREE STORY RESIDENCE 786 LITTLE GASPARILLA ISLAND - PORT CHARLOTTE		

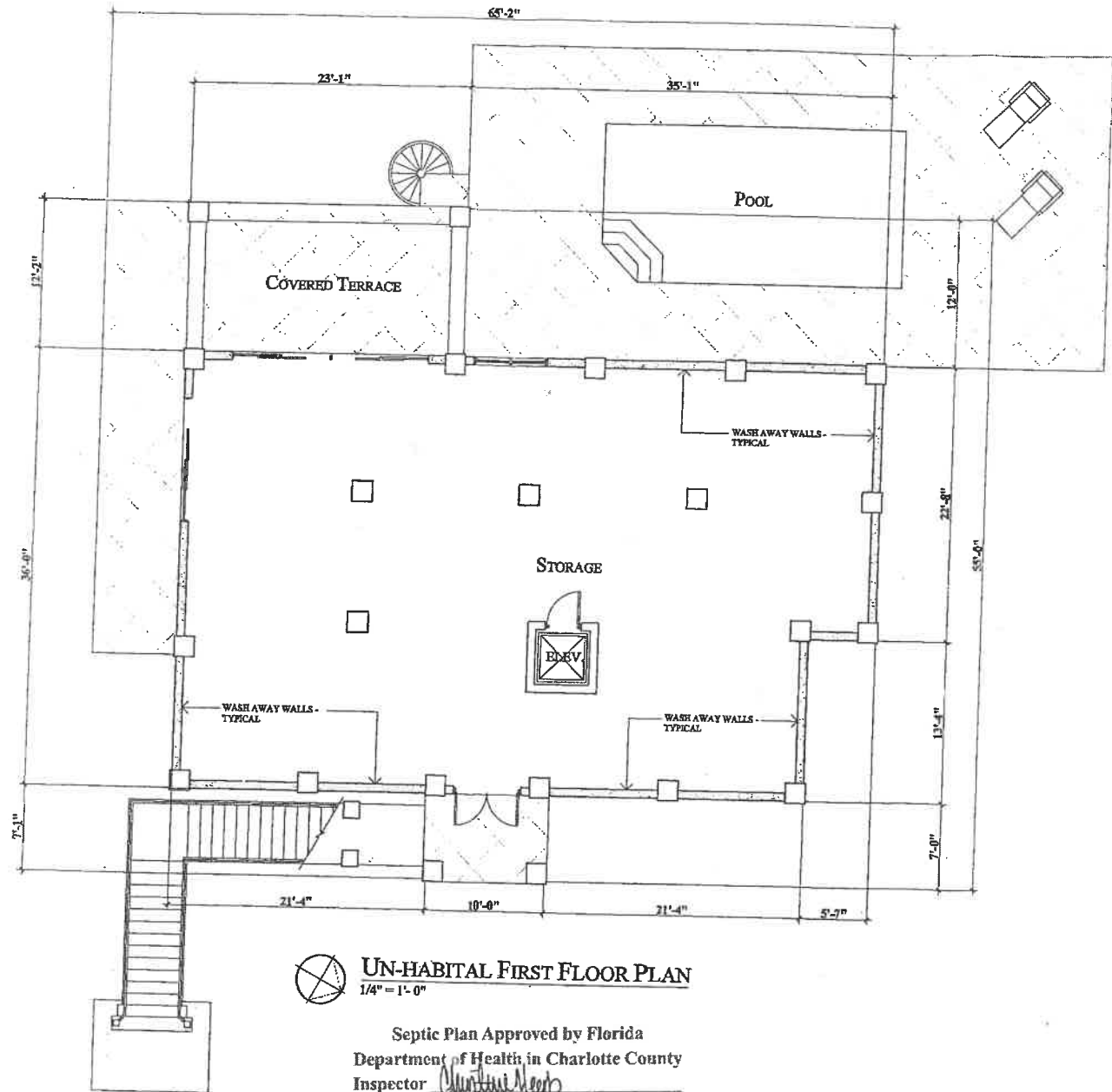


SEVER DESIGN ARCHITECTS

Septic Plan Approved by Florida Department of Health in Charlotte County

Inspector Matthew Alford
Date 3/15/18

SEVER DESIGN ARCHITECTS



UN-HABITAL FIRST FLOOR PLAN
 1/4" = 1'-0"

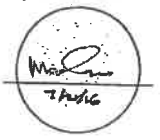
Septic Plan Approved by Florida
 Department of Health in Charlotte County
 Inspector *Christine Heaps*
 Date 3/15/18

MATLIN RESIDENCE
NEW THREE STORY RESIDENCE
 9776 LITTLE OASISWILLA ISLAND - NOEL CHARLOTTE

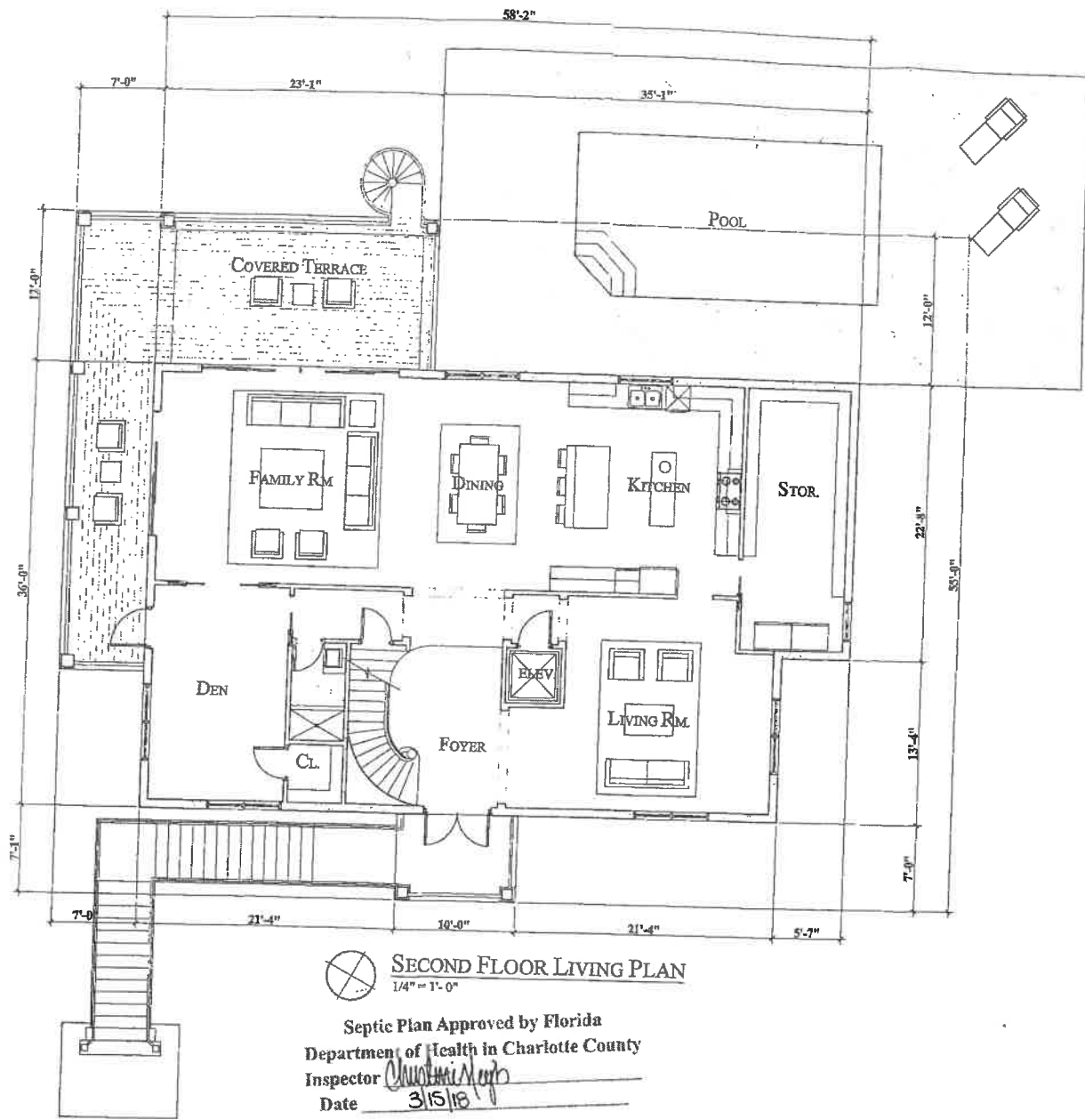
SEVER DESIGN
 ARCHITECTS
 Mark Sever Architect
 5349 N.E. 28th Ave Fort Lauderdale, Florida 33308
 (954) 274-6007 Fax (954) 894-0822 Email: sever@severdesign.com

160211	REVISED
7-21-16	CONCRETE
SHEET:	
2	of 7

Florida License No. 1400000000000000
 All other states



2ND FLOOR LIVABLE AREA: 2,020 SF



SECOND FLOOR LIVING PLAN
1/4" = 1'-0"

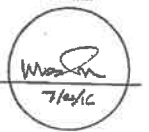
Septic Plan Approved by Florida
Department of Health in Charlotte County
Inspector *Christina Neff*
Date 3/15/16

MAIN RESIDENCE
NEW THREE STORY RESIDENCE
9876 LITTLE GARDENIA ISLAND - PORT CHARLOTTE

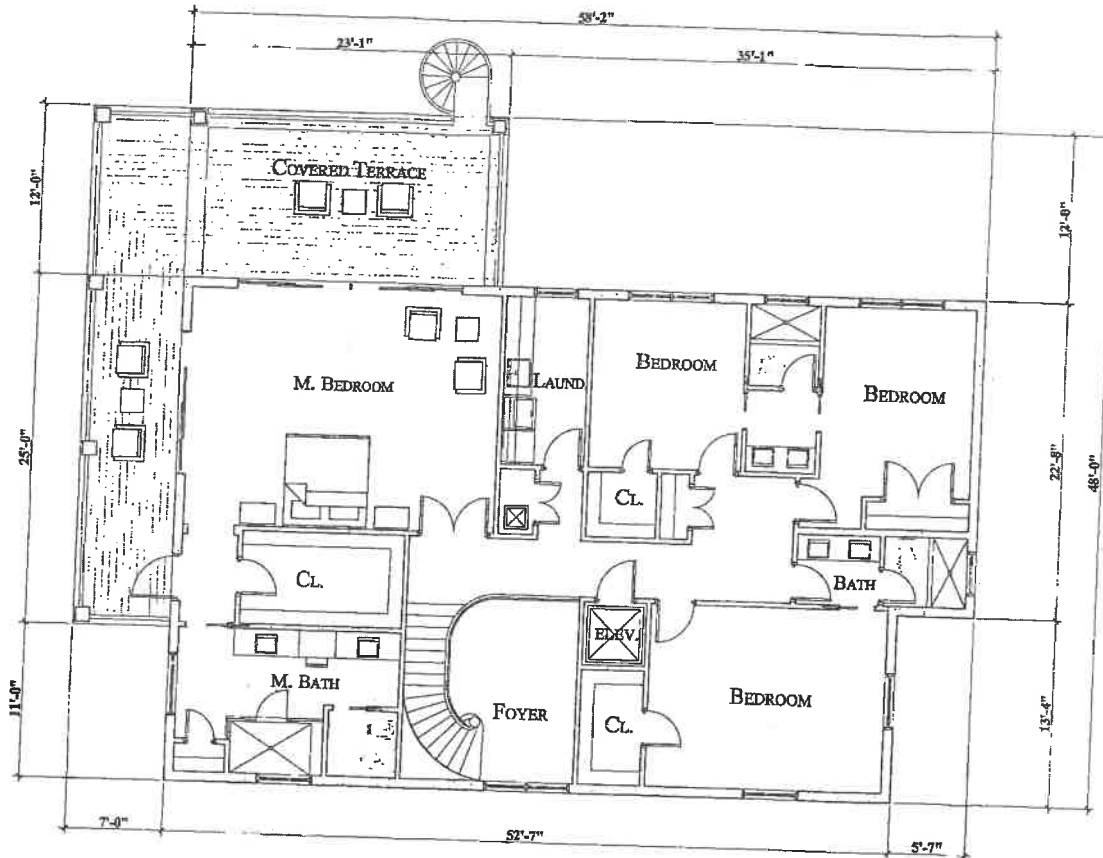
SEVER DESIGN
ARCHITECTS
Mark Sever Architect
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(954) 278-0025 Fax (954) 460-8223 Email: SeverArch@AOL.Com

Plan No. 16021	Sheet No.
Date 7.22.16	Description
SHEET:	
3	of 7

Florida License No.
AK 301123



3RD FLOOR LIVABLE AREA: 1,870 SF
 TOTAL LIVABLE AREA: 3,890SF



THIRD FLOOR LIVING PLAN

1/4" = 1'-0"

Septic Plan Approved by Florida
 Department of Health in Charlotte County
 Inspector *Christine Meep*
 Date 3/15/18

MATLIN RESIDENCE
NEW THREE STORY RESIDENCE
 985 LITTLE GASPARILLA ISLAND - PORT CHARLOTTE

SEVER DESIGN
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 Matt Sever Architects
 852 N.E. 28th Ave Fort Lauderdale, Florida 33308
 (954) 770-6666 Fax: (954) 480-0522 Email: severm@sdac.com

DATE	ISSUED
7.23.16	7.23.16
SHEET:	
4	of 7

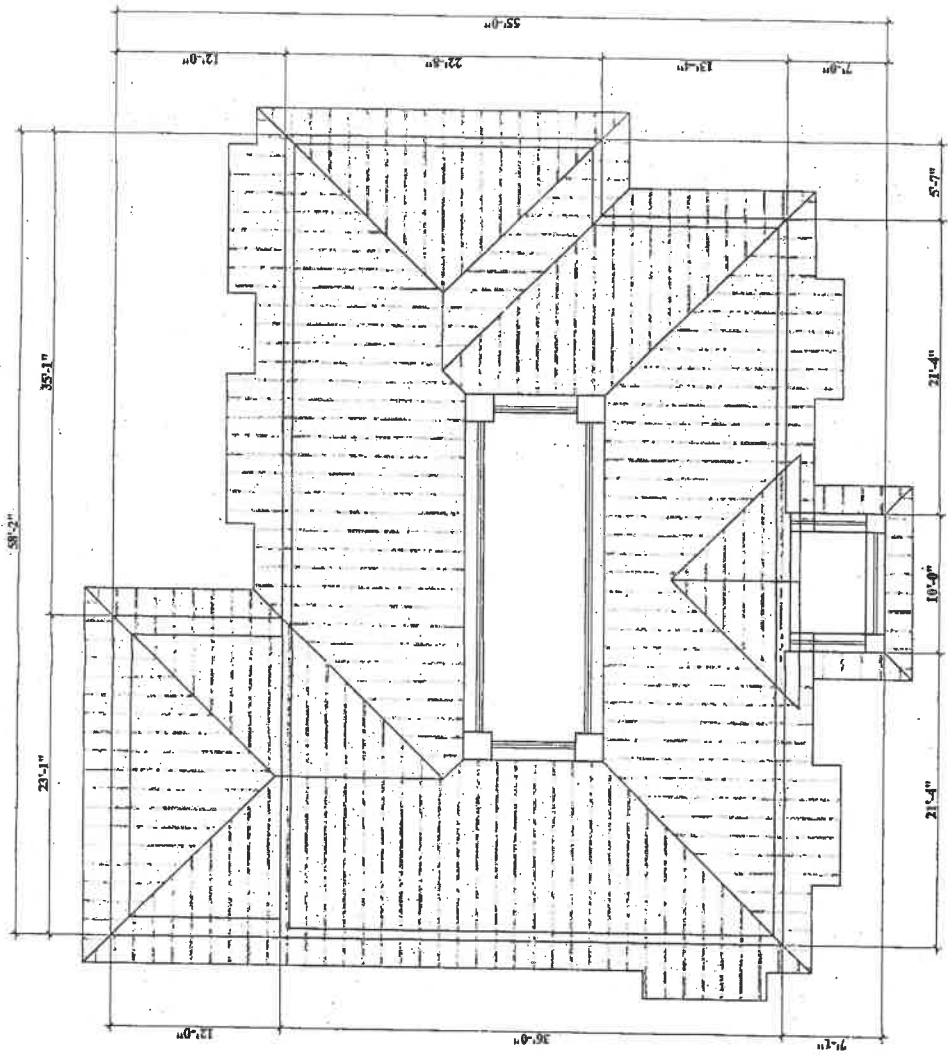
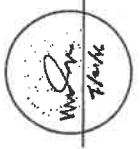
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 5550 N. 22nd Ave. Fort Lauderdale, Florida 33309
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MATLIN RESIDENCE
 NEW THREE STORY RESIDENCE
 795 LITTLE GASPARILLA ISLAND - FORT CHARLOTTE

DATE	7.21.16	SUBJECT	5 of 7
TOTAL	7.21.16		



ROOF PLAN
 1/4" = 1'-0"

Septic Plan Approved by Florida
 Department of Health in Charlotte County
 Inspector *Shirley Meek*
 Date *5/15/18*



SOUTH ELEVATION - REAR



EAST ELEVATION - FRONT

Septic Plan Approved by Florida
 Department of Health in Charlotte County
 Inspector Christina Meyer
 Date 3/15/18

MATTLIN RESIDENCE
NEW THREE STORY RESIDENCE
 993 LITTLE CAMPBELL ISLAND - FORT CHARLOTTE

SEVER DESIGN
 ARCHITECTS

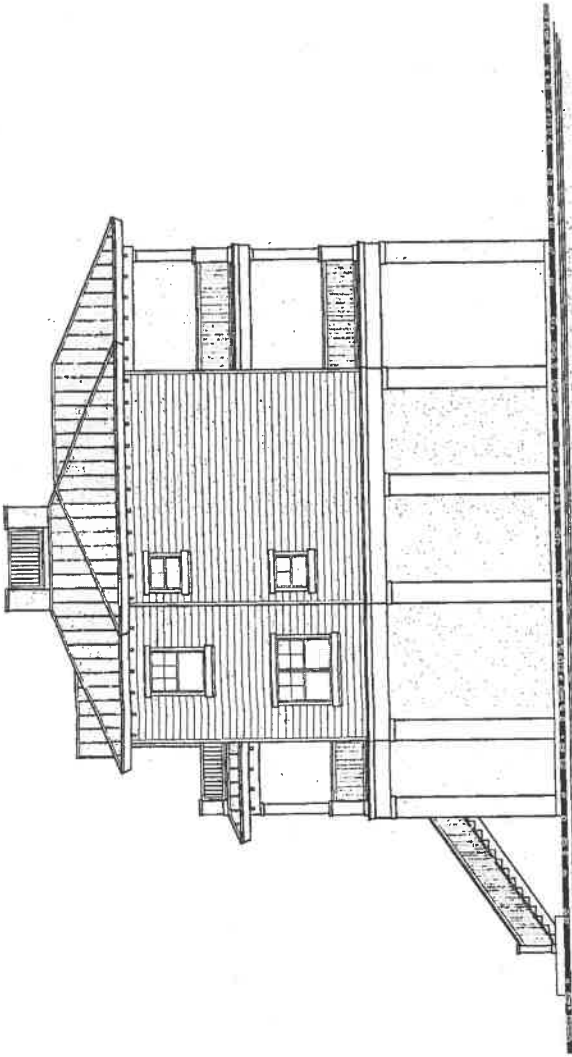
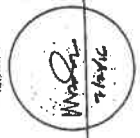
5400 N.E. 29th Ave. Fort Lauderdale, Florida 33306
 (954) 270-0022 Fax (954) 800-0022 Email: severdesign@aol.com

DATE	ISSUED
7.21.16	01/01/17
SHEET:	
6 of 7	

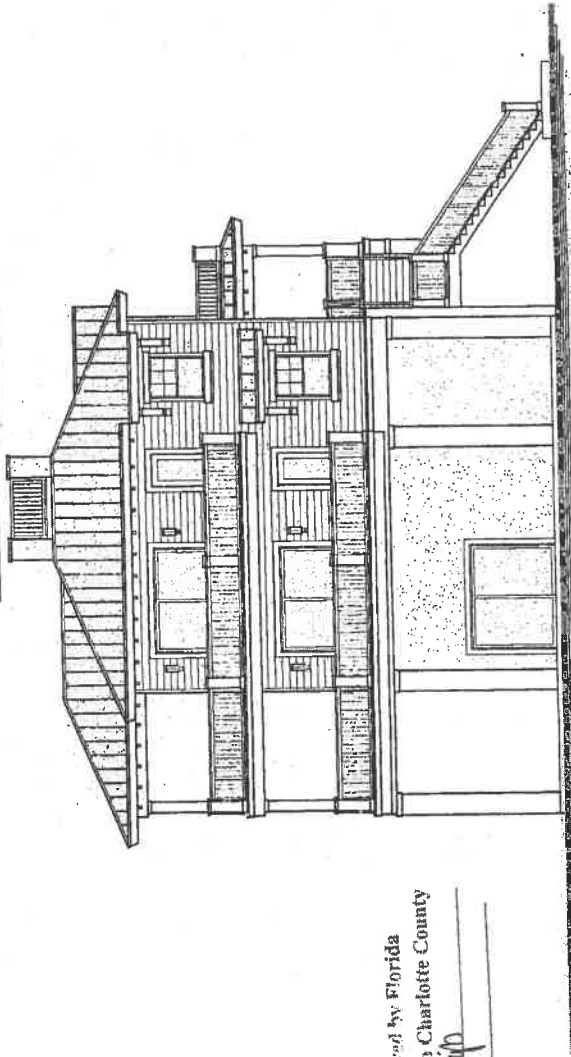
Florida License No.
 230 00108



MATLIN RESIDENCE NEW THREE STORY RESIDENCE <small>999 LITTLE GASPARETTA ISLAND - PORT CHARLOTTE</small>		SEVER DESIGN ARCHITECTS <small>Mark Sever Architect</small> <small>1530 N.E. 28th Ave Port Lauderdale, Florida 33308</small> <small>(954) 370-1022 Fax (954) 489-0823 Email: sever@severdesign.com</small>	SHEET: 7 of 7 DATE: T. H. 18
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NORTH ELEVATION - SIDE



SOUTH ELEVATION - SIDE

Septic Plan Approved by Florida
 Department of Health in Charlotte County
 Inspector *W. H. ...*
 Date 3/15/18