

**BOARD OF SUPERVISORS OF**  
**THE SAN CARLOS ESTAES WATER CONTROL DISTRICT**  
**TUESDAY NOVEMBER 20, 2018**

**6:00 P.M.**

**HYATT PLACE COCONUT POINT, 23120 VIA VILLAGIO, ESTERO, FL 34135**

1. **Call Meeting to Order:** Judy Tapply (Judy) called the meeting to Order at 6:05pm.
2. **Roll Call of the Board of Officers:** Present are Supervisors Judy, Ben Bogacz (Ben) and John Nickerson (John); Attorney Richard Pringle; Engineer Stephen Vervaecke (Stephen); Sec/Treas Julia Roberts (Julia) and 5 guests.
3. **Receive Engineer's Report on District Works:**
  - Permit Status – Stephen did a review of all open permits.
  - Bill Morris (Bill) is working on the 2018-19 maintenance schedule for the swales and culverts.
  - 24230 Cock Robin – the property owner has done some repairs of the culvert pipe, but the pipe requires additional attention and will be added to the annual maintenance schedule.
  - Bill is working with BSU regarding the driveway permit on Waterfall. BSU will be working with a preexisting permit and exempt from new permit specifications.
  - 25124 Luci – the swale has not been fully restored. Stephen has sent a notice of violation requesting the property owner complete the restoration.
  - NPDES Permit has been completed and submitted to Lee County and SFWM.
  - 24230 Roger Dodger – Stephen has sent a letter requesting that vegetation be cleared from the culvert pipe. Julia will request Elite Grading examine the area and area may be added to maintenance schedule.
4. **Chairs Report:**
  - 24000 Claire – there are boulders on the canal edge which the property owner committed to move. Julia will send a follow up letter to the property owner reminding him of this commitment.
5. **Treasurer's Report:**
  - Julia presented the Board an invoice from Gerald's Tree Service (GTS) in the amount of \$2,500 and an estimate of \$8,640 for the removal of dead pine trees due to damage from Hurricane Irma.
  - Julia has sent The Brooks (Chuck Adams) an invoice for the shared cost of the Bonita Bill Canal annual cleaning.
  - The District has received \$24,795 from the State of Florida for Hurricane Irma expense reimbursement.
6. **Attorney's Report:**
7. **Comments from Guests:** No public input.
8. **Old, New and Unfinished Business:**

- Kozak litigation – Mr. Pringle presented Ms. Kozak’s attorney with a settlement offer which was rejected with no counter offer. No Board action required at this time and litigation will move forward.
- 10220 Strike Ln. vacation of easement – the property owner submitted requested information. A Motion was made by Ben and 2<sup>nd</sup> by Judy to approve the request of partial vacation of utility easement, authorize the Attorney and Engineer to complete the documentation and authorize the Chair to sign. Motion Passed 3-0.
- 24032 Stillwell Pkwy condition of swale – boulders are in the right of way. A final certificate of occupancy will not be approved until these are removed.
- Modification of driveway permit – Stephen presented the Board with the modified permit without the option for a concrete surface. Judy requested that a stipulation for a final inspection prior to Certificate of Occupancy be added.
- A Motion was made by Ben and 2<sup>nd</sup> by Judy to approve the \$2,500 GTS invoice for tree removal. Motion passed 3-0. A Motion was made by Ben and 2<sup>nd</sup> by Judy to approve the \$8,640 estimate for pine tree removal. Motion passed 3-0.

**9. Next meeting date, January 15, 2019.**

**10. Approve October Bank Statement and Payment of Bills:** A Motion was made by Ben and 2<sup>nd</sup> by John to approve October Bank Statement. Motion passed 3-0.

**11. Approve Minutes of October 2018 Monthly Meeting:** A Motion was made by Ben and 2<sup>nd</sup> by John to approve the 10/23/18 Monthly Meeting Minutes. Motion passed 3-0.

**12. Adjournment:** A Motion was made by Ben and 2<sup>nd</sup> by John to adjourn the Monthly Meeting. Motion passed 3-0. Meeting adjourned at 6:48 pm.



Gerald's Tree Service, LLC  
25169 Busy Bee Dr.  
Bonita Springs, FL 34135 US  
(239) 498-9933  
geraldstree@gmail.com  
www.GeraldsTree.com



# Invoice

**BILL TO**

SAN CARLOS ESTATES WATER  
CONTROL DISTRICT

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
4739	11/20/2018	\$2,500.00	11/20/2018	Due on receipt	

**SALES REP**

Gerald

ACTIVITY	QTY	RATE	AMOUNT
<b>Tree Removal</b> Removal of 22 dead pine trees	1	2,500.00	2,500.00

Thank you for your business!

**BALANCE DUE**

**\$2,500.00**

JFN  
JoB

APPROVED  
CHK # 3755  
DATE 11-21-18  
SUP. \_\_\_\_\_  
SUP. \_\_\_\_\_  
SUP. \_\_\_\_\_



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Estimate

ADDRESS

SAN CARLOS ESTATES WATER  
CONTROL DISTRICT

ESTIMATE #

DATE

2652

11/20/2018

SALES REP

Gerald

ADDRESS

Perimeter canal

ACTIVITY	QTY	RATE	AMOUNT
<b>Tree Removal</b> Removal of 64 dead pine trees	64	135.00	8,640.00

Thank you for your business!

TOTAL

**\$8,640.00**

Accepted By

JFN  
BAB

Accepted Date

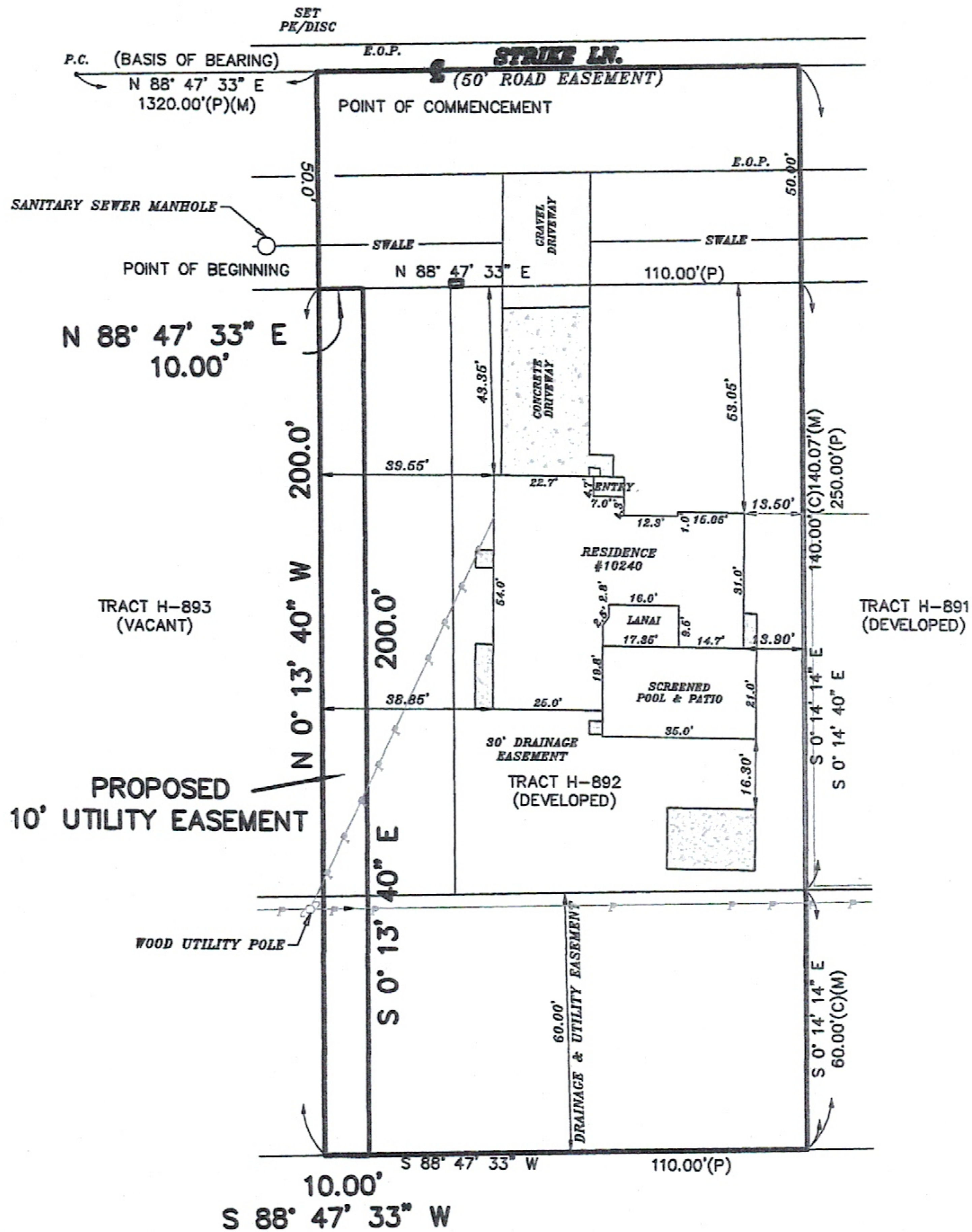


#### UTILITY EASEMENT TRACT H-892

A 10 foot utility easement over the Westerly 10 feet of Tract H-892, of that certain subdivision known as San Carlos Estates, according to the plat thereof on file and recorded in Official Records Book 557, Pages 354 through 355, Public Records of Lee County, Florida more particularly described as follows:  
Commence at the Northwest corner of said Tract H-892; ; thence S00°13'40"E, along the West line of said Tract H-892, a distance of 50.00 feet to the Point of Beginning: thence N88°47'33"E, along the South Right-of-Way line of a 50 foot roadway easement, a distance of 10.00 feet; thence S00°13'40"E, parallel to the West line of said Tract h-892, a distance of 200.00 feet to the South Line of said Tract H-892; thence S88°47'33"W, along said South line of Tract h-892, a distance of 10.00 feet to the Southwest corner thereof; thence N00°13'40"W, along the West line of said Tract h-892, a distance of 200.00 feet to the Point of Beginning.



# SKETCH OF DESCRIPTION



SCALE: 1"=40"

LIS LAND SURVEYING, LLC

*Charles L. Degraff*

21430 PALM BEACH BLVD.  
ALVA, FLORIDA 33920  
239-481-2366 239-481-2437 (FAX)

11/20/18

JOB NO: 22662

CHARLES L. DEGRAFF  
REGISTERED LAND SURVEYOR PSM NO. 4706

PAGE 1 OF 2



# LEGAL DESCRIPTION

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PAGE 2 OF 2



#### UTILITY EASEMENT TRACT H-893

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Commence at the Northeast corner of said Tract H-893; ; thence  $S00^{\circ}13'40''E$ , along the East line of said Tract H-893, a distance of 50.00 feet to the Point of Beginning: thence continue  $S00^{\circ}13'40''E$ , along the East line of said Tract h-893, a distance of 200.00 feet to the South Line of said Tract H-893; thence  $S88^{\circ}47'33''W$ , along said South line of Tract h-893, a distance of 10.00 feet; thence  $N00^{\circ}13'40''W$ , parallel to the East line of said Tract h-893, a distance of 200.00 feet to the South Right-of-Way line of a 50 foot roadway easement; thence  $N88^{\circ}47'33''E$ , along said South line, a distance of 10.00 feet; to the Point of Beginning.

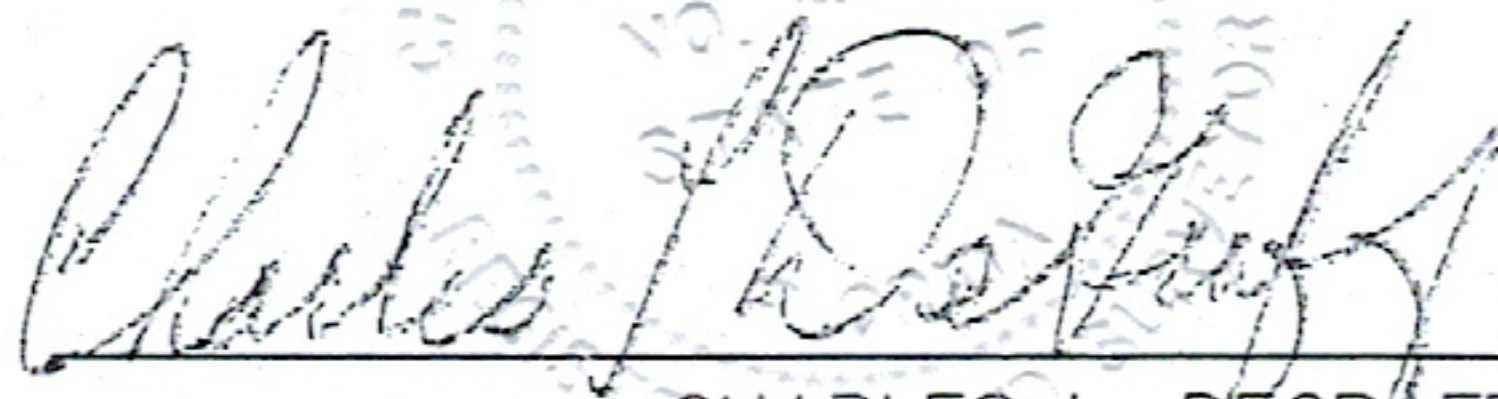


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11/20/18

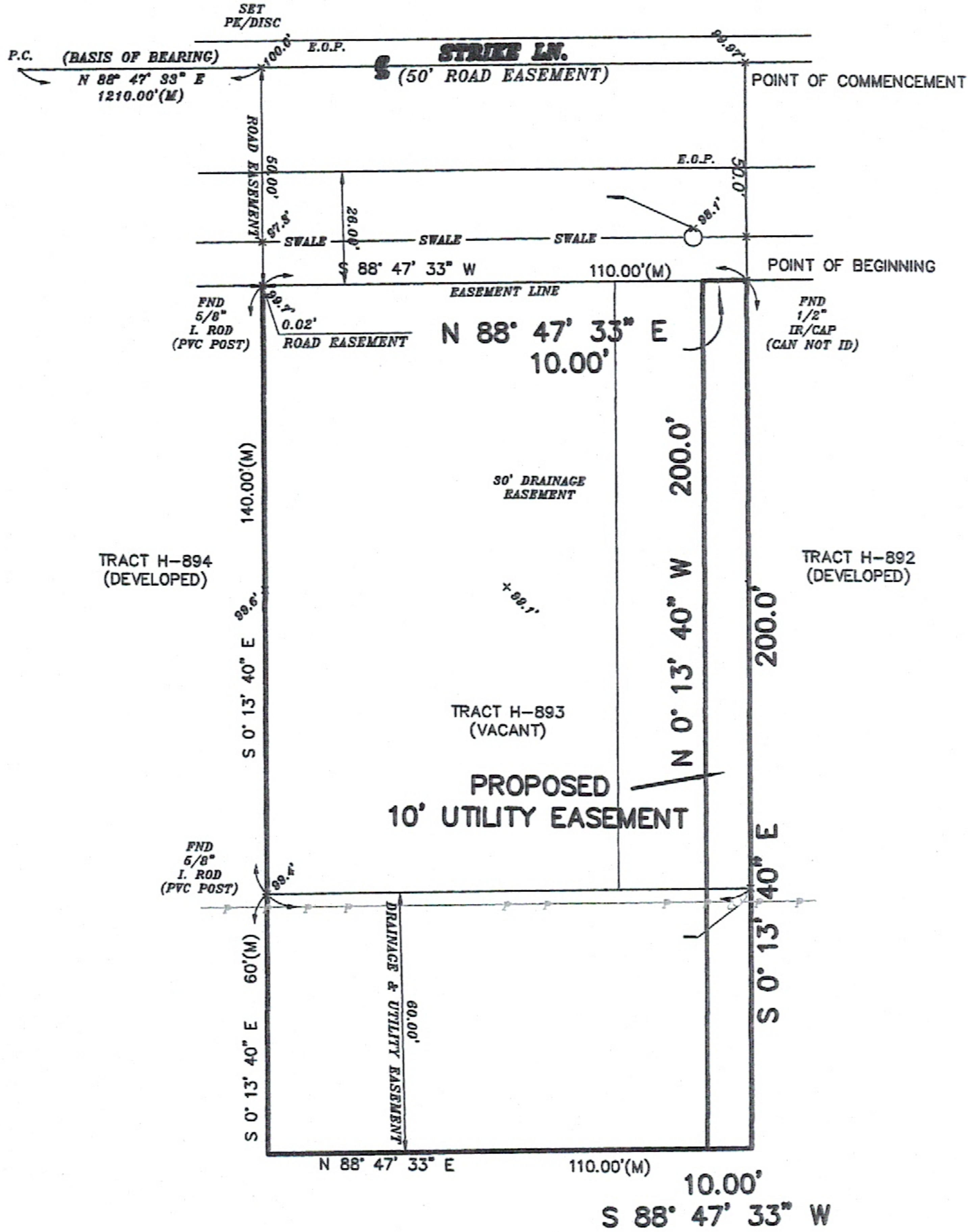
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PAGE 2 OF 2



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JOB NO: 22515

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PAGE 1 OF 2



# San Carlos Estates Water Control District

## Access and Right of Way Use Permit Application and Driveway Purchase Order

ATTN: District Chief Engineer  
2914 Cleveland Avenue  
Fort Myers, Florida 33901  
(239) 337-3993  
[scewcd.driveways@m-da.com](mailto:scewcd.driveways@m-da.com)

### PART I – GENERAL INFORMATION

STRAP Number(s) (attach additional sheets if necessary):

		-			-			-			-								
--	--	---	--	--	---	--	--	---	--	--	---	--	--	--	--	--	--	--	--

Subject Property Street Number: \_\_\_\_\_

Brief description of proposed project: \_\_\_\_\_


### PART II – APPLICANT/OWNER/DEVELOPER INFORMATION

Enter information below as applicable for the relationship of the Applicant to the Permit

#### A. Applicant Information

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

Relationship of applicant to property: \_\_\_\_\_

#### B. Developer Information

Name of Developer: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_



**C. Authorized Agent Information**

Name of Authorized Agent: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**D. Property Owner Information**

Name of Property Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Home Contractor Information**

Contractor Name: \_\_\_\_\_

Date of Executed Construction Contract: \_\_\_\_\_



### PART III – DISCLOSURE OF OWNERSHIP INTEREST FORM

- A. If the property is owned in the fee simple by an **INDIVIDUAL**, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

- B. If the property is owned by a **CORPORATION**, list the officers and stockholders and the percentage of stock owned by each.

Name and Address	Percentage of Stock

- C. If the property is owned by a **TRUSTEE**, list the beneficiaries of the trust with percentages of interest.

Name and Address	Percentage of Interest

- D. If the property is owned by a **GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP**, list the names of general and limited partners.

Name and Address	Percentage of Interest

- E. If there is a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name and Address	Percentage of Interest



- F. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	Percentage of Interest

## PART IV – INSTRUCTIONS

- A. As adopted by the San Carlos Estates Water Control District (District) Board of Supervisors (Board), any and all work involving the lands, rights of way, infrastructure, and/or facilities of the District, shall not commence without a Board) approved permit.
- B. The purpose of this permit application is to provide for the construction of permanent legal access to the subject property to the adopted standards of the Board as indicated in the Access Standards Handbook. This application will operate not only as the permit for the subject property, but also as the purchase order agreement to have permanent legal access constructed and installed within the District maintained right-of-way. The application fee associated with this permit shall cover all one-time costs for the permitting, materials and labor for the construction of the specified access. **The District will provide a Contractor to construct new standard access to the easement line of the property for the cost indicated in the application, unless other improvements specified by the property owner or authorized agent acting on behalf of the property owner are proposed, which will be completed to the specifications adopted by the District Board.** This permit application will not be considered for approval by the District Board or it's duly appointed representative until all of the following has been accomplished:
- A complete Access and Right of Way Use Permit Application & Driveway Purchase Order (this form) has been completed and submitted to the District Chief Engineer together with the required permit application fee. The associated permit fee shall be in the form of a check made payable to "***San Carlos Estates Water Control District.***"
  - A copy of the proposed plan of construction has been delivered to the District Chief Engineer at either the physical or email address as shown above. If the application is submitted by email, the same will not be reviewed until the required permit application fee is received in full. The receipt of the required permit application fee is necessary prior to any review and/or inspection(s) by staff or professionals. The Site Plan must include at a minimum; the property boundary information, location of the proposed improvements on the property, and the location and size of the proposed driveway(s) with enough information for the District's Contractor to locate the driveway on site (recommend using a dimension from a side lot line to the centerline of the driveway).
  - Any and all required information requested by District Board and/or Staff is delivered to and is determined by the District Chief Engineer and/or the District Board to be complete and that the applicant has met the Access Standards adopted by the District Board, as may be amended from time to time. A copy of the District's Access Standards may be found on the District's website at: <http://scewcd.blogspot.com/>.



Once the above-referenced tasks have been accomplished by the application, the District Chief Engineer will review the application for compliance with District Standards. Upon a finding of compliance, the District Chief Engineer will issue the purchase order to the District Contractor to commence construction of the access.

In the event the District Chief Engineer, in his sole discretion, determines the proposed improvements are not in compliance with District Standards, a list of deficiencies will be provided to the Applicant for revision and the Applicant may revise their application accordingly.

In the event the Applicant requests a variance from the District Standards, District Staff will place the permit application on the public meeting agenda for the District Board and the same will be considered at a duly advertised regular public meeting at which all interested persons are invited to attend and be heard with respect to the permit application. Interested persons may appear on their own behalf or by agent or attorney. If anyone decides to appeal a decision made by the District Board with respect to the subject permit application review, a record of the proceeding will be needed for the appeal and for the purpose(s), you may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

- C. District permits approved and issued for the construction and installation of legal access to the subject property shall expire sixty (60) days after the date of District approval. Construction of the requested legal access shall be completed, inspected, and reviewed for final acceptance forty-five (45) days after the date of District approval.
  
- D. The City of Bonita Springs requires notification of District approval regarding final construction of any necessary improvements BEFORE the City of Bonita Springs will issue a Certificate of Occupancy (CO) for any building permit in accordance with City of Bonita Springs Land Development Code Sections 3-6(7)b, 3-302(o), 3-325(b), 3-326, 3-537(e).
  
- E. Additional District conditions of approval (if any): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## Part V - Improvement Details

Type of Improvement (check as applicable)

- ☐ Driveway & Culvert (Cost per Table I below)  
☐ Roadway Extension (Cost to be Determined)  
☐ Other - Please Identify (Cost to be Determined)

Note: For access driveways for a parcel the fee for the application includes cost for the District Contractor to construct the driveway up to the Right of Way line of the parcel as depicted on the typical Case drawing specific to the location of the parcel. See Fee Schedule for the application fee details.

Item	Unit	Unit Price	Quantity	Total
<b>Base Driveway Type - Choose by Location</b>				
Case I Driveway – Strike Lane South Side (20' width, limerock base, gravel surface)	Lump Sum	\$11,361.50		\$
Case II Driveway – Strike Lane North Side (20' width, limerock base, gravel surface)	Lump Sum	\$14,536.00		\$
Case III Driveway – All North-South Roads (20' width, limerock base, gravel surface)	Lump Sum	\$6,167.00		\$
<b>Optional Material Modifications</b>				
Case I – Base Driveway Additional Width (per foot)	Foot	\$229.44		\$
Case II – Base Driveway Additional Width (per foot)	Foot	\$303.39		\$
Case III – Base Driveway Additional Width (per foot)	Foot	\$121.45		\$
Case III – Pipe Substitution (18" RCP for HDPE)	Lump Sum	\$2,080.00		\$
Case III – Pipe Substitution (14"x23" ERCP for HDPE)	Lump Sum	\$2,200.00		\$
Case III only – add 18" Pipe (RCP)	Foot	\$52.00		\$
Case III only – add 14"x23" Pipe (ERCP)	Foot	\$55.00		\$
<b>Total of Items Selected =</b> <i>This is the Fee made payable to SCEWCD</i>				\$



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- ☐ Driveway & Culvert (Cost per Table I below)  
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<b>Total of Items Selected =</b> <i>This is the Fee made payable to SCEWCD</i>				\$

*Removed*  
*Handwritten signature*  
*0492*



By signing this form, the Property Owner or Authorized Applicant (if not the owner), hereby acknowledges reading and agreeing to compliance with the Access Standards Handbook duly adopted by the District. The Property Owner and/or Authorized Applicant further agrees by signature hereafter, to maintain improvements until the District accepts the construction activities proposed on the parcel as contemplated in this permit application in accordance with the Access Standards Handbook adopted by the District together with any special conditions required by the District, and/or District Chief Engineer as contemplated herein.

Owner/Authorized Agent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**PART V – SCEWCD ENGINEER USE ONLY**

Permit Number: \_\_\_\_\_ Date Issued: \_\_\_\_\_ Approved: \_\_\_\_\_

Final Inspection Date Completed: \_\_\_\_\_ Approved: \_\_\_\_\_

Construction Date Completed: \_\_\_\_\_ Approved: \_\_\_\_\_