

IN RE: The Petition for
Declaratory Statement of:
EARL L. RATLIFF, JR.
DS-PLS-87-07

FINAL ORDER

Pursuant to Section 120.565, Florida Statutes and Rule 28-4, Florida Administrative Code, the above referenced petition of EARL L. RATLIFF, JR., a registered land surveyor, came before the Board of Professional Land Surveyors for consideration on November 20, 1987. Upon consideration of the petition and being otherwise fully advised in the premises, the Board makes the following findings and conclusions:

FINDINGS OF FACT

1. Petitioner, Earl L. Ratliff, Jr., is a licensed land surveyor in the state of Florida, having been issued License No. 3400.
2. Petitioner, as of the filing of the Petition for Declaratory Statement, is employed by the King Engineering Associates, Inc., a business entity engaging in the practice of land surveying, located at 2145 U.S. 19 North, Clearwater, Florida 33575.
3. Petitioner states that he is in doubt as to the application of Sections 177.091(7) and (18), F.S. to the procedures for preparation of plats. Specifically, he is unable to ascertain whether those sections require that permanent reference monuments (PRMs) must be placed at each change in direction on a plat boundary, if the change occurs within a distance of fewer than 310 feet, and what role roads play in creating physical blocks within the meaning of Section 177.091(18), F.S.
4. Petitioner, Earl L. Ratliff, Jr., states that the issues of whether PRMs must be placed at each change in direction on a boundary, even if the change occurs within a distance of fewer than 310 feet, and whether roads create physical blocks are in doubt. Petitioner requests clarification of Section 177.091(7) and (18), F.S.
5. The Petition for Declaratory Statement was noticed on November 20, 1987 at page 4439, Vol. 13, No. 47 of the *Florida Administrative Weekly*.

CONCLUSIONS OF LAW

1. The Board has jurisdiction in this matter pursuant to Section 120.565, Florida Statutes and Rule Chapter 28-4, Florida Administrative Code.

2. The Board concludes that Petitioner has the requisite substantial interest to bring this petition, and further concludes that petition is in substantial compliance with Rule Chapter 28-4, Florida Administrative Code.

3. Section 177.091(7), F.S. provides as follows:

Permanent reference monuments shall be placed at each corner or change in direction on the boundary of the lands being platted; however, "PRMs" need not be set closer than 310 feet, but shall not be more than 1400 feet apart. In all cases there shall be a minimum of four "PRMs" placed on the boundary of lands being platted. Where such corners are in an inaccessible place, "PRMs" shall be set on a nearby offset within the boundary of the plat and such offset shall be so noted on the plat. Where a corner is found to coincide with a previously set "PRM," the number on the previously set "PRM" shall be shown on the new plat or if unnumbered, shall so state. Permanent reference monuments shall be set before the recording of the plat and this will be so stated in the surveyor's certificate on the plat. Such PRMs shall be shown on the plat by an appropriate designation.

4. Section 177.091(18), F.S. provides follows:

All lots shall be numbered either by progressive numbers or, if in blocks, progressively numbered in each block, and the blocks progressively numbered or lettered, except the blocks in numbered additions bearing the same name, may be numbered consecutively throughout the several additions.

5. Upon consideration, the Board answers Petitioner's questions in the negative. With regard to Section 177.091(7), the Board concludes that PRMs are not required in changes of direction of fewer than 310 feet on a plat boundary. With regard to Section 177.091(18), the Board concludes that that section does not require blocks; Section 177.091(18) requires that lots throughout a subdivision be consecutively numbered and that if blocks are used, that lots and blocks will both be consecutively numbered.

WHEREFORE, the Board concludes 1) that PRMs are not required to be set on a plat boundary on changes of direction occurring within a distance of fewer than 310 feet, and 2) that although 177.091(18) does not require blocks, that it does require lots throughout a subdivision be consecutively numbered and requires further that if blocks are used, lots and blocks both be consecutively numbered.

This order may be appealed within 30 days of its filing to the District Court of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure.

DONE and ORDERED this 11th day of January, 1987.