



CITY OF ST. PETERSBURG, FLORIDA
PLANNING & DEVELOPMENT SERVICES DEPT.
DEVELOPMENT REVIEW SERVICES DIVISION

STAFF REPORT
DEVELOPMENT REVIEW COMMISSION
AFTER-THE-FACT VARIANCE REQUEST
PUBLIC HEARING

According to Planning and Development Services Department records, no Commission Member has a direct or indirect ownership interest in real property located within 2,000 linear feet of real property contained within the application (measured by a straight line between the nearest points on the property lines). All other possible conflicts should be declared upon announcement of the item.

REPORT TO THE DEVELOPMENT REVIEW COMMISSION FROM DEVELOPMENT REVIEW SERVICES DIVISION, PLANNING & DEVELOPMENT SERVICES DEPARTMENT, for Public Hearing and Executive Action on **Wednesday, February 2nd at 1:00 P.M.** at Council Chambers, City Hall, located at 175 5th Street North, St. Petersburg, Florida. The City's Planning and Development Services Department requests that you visit the City website at www.stpete.org/meetings for up-to-date information.

CASE NO.: 21-54000093 PLAT SHEET: C-28

REQUEST: Approval of an after-the-fact variance to the waterfront yard and side yard setbacks to allow a 3-foot-tall deck with a four-foot-high open fence and an accessory structure (Tiki Hut) to remain.

OWNER: David and Kristeen Bulluck
1336 51st Avenue Northeast
Saint Petersburg, FL 33703

ADDRESS: 1336 51st Avenue Northeast

PARCEL ID NO: 04-31-17-72578-002-0460

ZONING: Neighborhood Suburban Single-Family (NS-1)

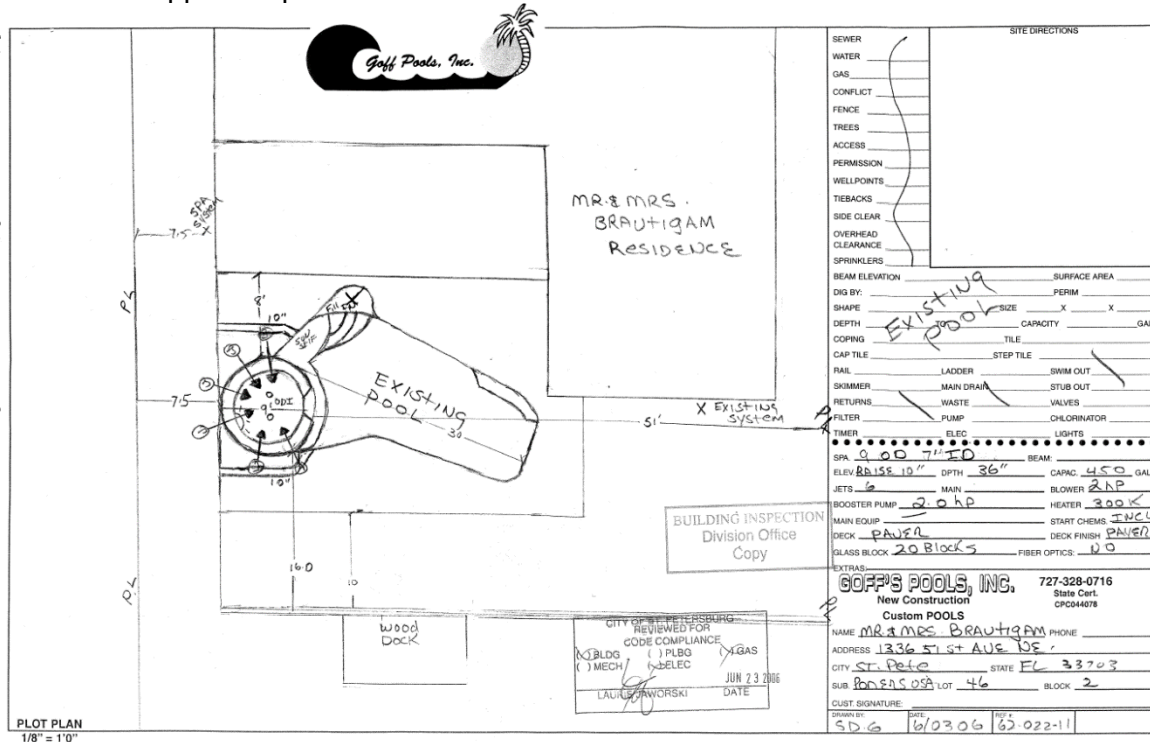
Structure	Required Setback	Actual Setback	Variance	Magnitude
Accessory Structure and Deck				
Pool Deck (over 30 inches above existing grade or the top of an existing seawall)	15 ft waterfront, 7'-6" interior side	3'-8" waterfront, 1'-11" right side approx.	11'-4" waterfront, 5'-6" side	75% waterfront, 74% side
Accessory Structure (Tiki-hut)	15-ft waterfront, 7'-6" interior side	4'-7" waterfront, 1'-11" right side approx.	10'-5" waterfront, 5'-6" side	70% waterfront, 74% side

BACKGROUND:

The property consists of one platted lot of record (Lot 46, Block 2) of the Ponderosa of Shore Acres Unit 3 Subdivision with a single-family residence constructed in 1973. The property is within the boundaries of the Shore Acres Neighborhood.

The waterfront yard contains an in-ground pool, elevated deck with an open 4-foot fence and a covered open-air structure (tiki-hut) at the rear of the property. According to the property card and permit records the in-ground pool was constructed in 1977. A later permit was submitted by the previous owner and approved to add a spa and paver deck in 2006 (Exhibit A). The approved plans for the spa and deck, depict the setback for the deck as 10-feet from the seawall.

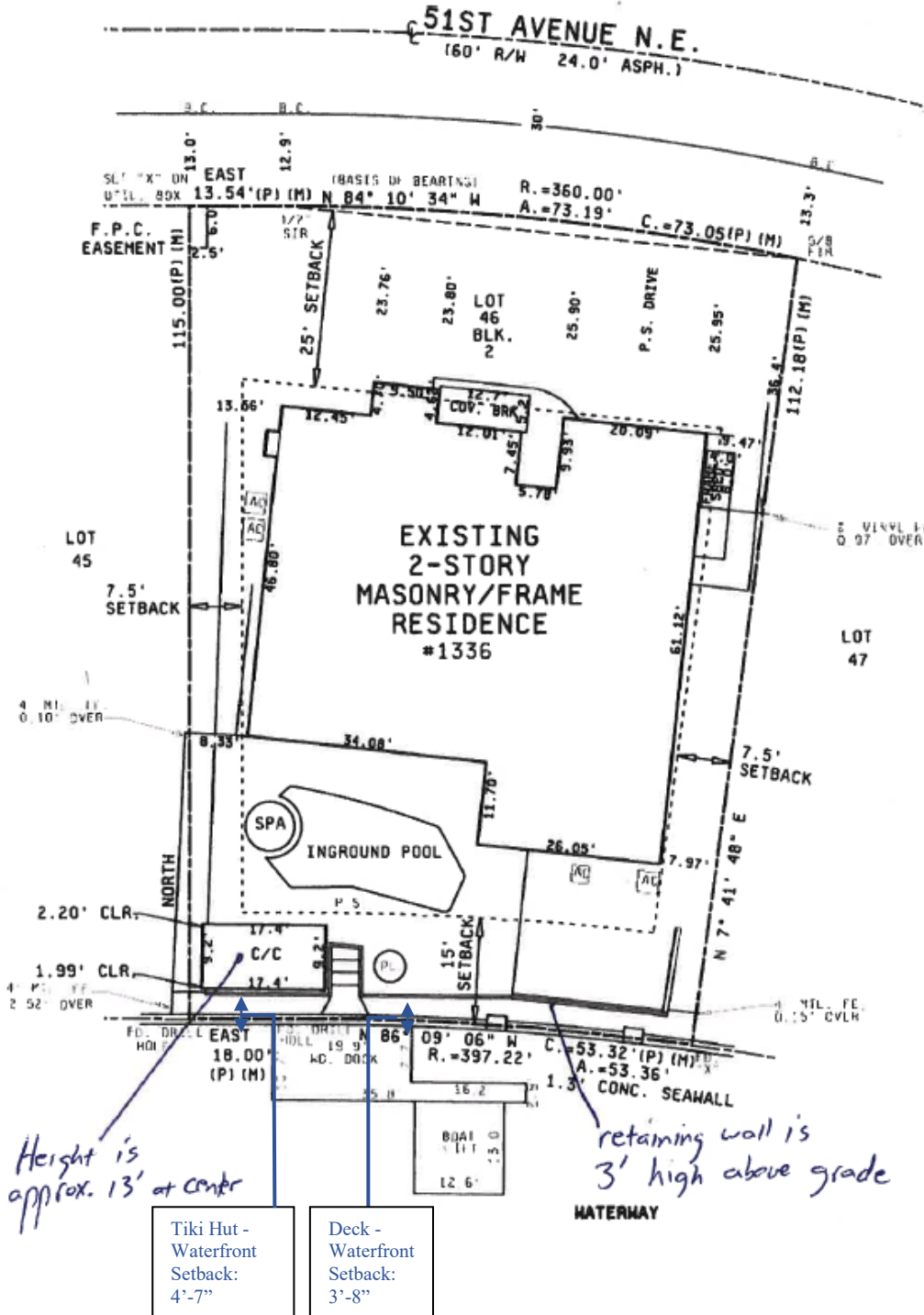
Exhibit A – Approved plans under BP06-06001374



The current location of the deck extends beyond what is shown in the permit drawings that were approved in 2006 and is approximately 3'-8" from the seawall. The required setback is 15-feet for structures in the water-front yard, measured from the center of the seawall, including decks over 30 inches in height. The required side yard setback is 7.5 feet.

In addition to the deck there is an accessory structure (tiki-hut) also located in the waterfront and interior side yards. The tiki hut is approximately 13-feet tall and is approximately 4'-7" from the seawall and 1'-11" from the side property line. Accessory structures have a minimum setback of 15-feet from the seawall as well as a side setback of 7.5-feet. Neither the deck nor the tiki-hut meet the required waterfront and side yard setbacks, thus they do not comply with City Code (Exhibit B).

Exhibit B: Current Site plan



A Codes Compliance case was initiated in January of 2021 regarding an over height hedge, deck and fencing. The case was closed the following April as the inspector was not able to access the site to verify the status of the violation in the waterfront yard.

The applicant purchased the subject property in August of 2020. The alterations made to the home were completed by the previous owner. The applicant is requesting an after-the-fact variance to allow a 3-foot tall deck with an open fence and accessory structure to remain in the waterfront and interior side yards.

CONSISTENCY REVIEW COMMENTS: The Planning & Development Services Department staff reviewed this application in the context of the following criteria excerpted from the City Code and found that the requested variance is **inconsistent** with these standards. Per City Code Section 16.70.040.1.6 Variances, Generally, the DRC's decision shall be guided by the following factors:

1. *Special conditions exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to lands, buildings, or other structures in the same district. Special conditions to be considered shall include, but not be limited to, the following circumstances:*

a. *Redevelopment. If the site involves the redevelopment or utilization of an existing developed or partially developed site.*

The request involves the utilization of an existing developed site.

b. *Substandard Lot(s). If the site involves the utilization of an existing legal nonconforming lot(s) which is smaller in width, length or area from the minimum lot requirements of the district.*

This criterion is not applicable. The site has a lot width of 78.6-feet and approximately 9,397 square feet of lot area. The minimum lot width and area requirements for a property zoned NS-1 is 75-feet wide and 5,800 square feet respectively. The subject lot exceeds the minimum lot width and area requirements for the NS-1 Zoning District.

c. *Preservation district. If the site contains a designated preservation district.*

This criterion is not applicable. The subject property is not located in a designated preservation district.

d. *Historic Resources. If the site contains historical significance.*

This criterion is not applicable. The subject property does not contain historic resources.

e. *Significant vegetation or natural features. If the site contains significant vegetation or other natural features.*

This criterion is not applicable.

f. *Neighborhood Character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements.*

The subject property is a waterfront property that has an inground pool, raised deck and tiki hut. The development pattern of the neighborhood of the surrounding properties include in-ground pools and pool decks. Staff is unable to conclude whether any of the surrounding properties have compliance issues with the setbacks or height for accessory structures located in the waterfront yard due to access.

- g. Public Facilities. If the proposed project involves the development of public parks, public facilities, schools, public utilities or hospitals.*

This criterion is not applicable.

- 2. The special conditions existing are not the result of the actions of the applicant;*

The alterations made to the home were completed before the applicant acquired the property. The applicant and current property owner purchased the property in August of 2020, thus the existing conditions are not the result of the applicant.

- 3. Owing to the special conditions, a literal enforcement of this Chapter would result in unnecessary hardship;*

It would take an extensive amount of effort and cost to bring the over height deck into compliance. However, the tiki hut could be relocated to meet the required side setback of 7.5-feet and waterfront setback of 15-feet for accessory structures, per NS code section 16.20.020.7.

- 4. Strict application of the provisions of this chapter would provide the applicant with no means for reasonable use of the land, buildings, or other structures;*

Per Code Section 16.20.020.7. accessory structures have a required setback of 7.5-feet from the interior side property line and 15-feet for the waterfront. Uncovered decks (more than 12 inches and less than 30 inches above existing grade or the top of an existing seawall) are permitted to be 8-feet from the rear property line and 5-feet from the side property line.

The applicant is permitted to have both a pool deck and tiki hut or accessory structure in the waterfront yard of the subject property, however both structures are required to meet the required setbacks.

- 5. The variance requested is the minimum variance that will make possible the reasonable use of the land, building, or other structure;*

The requested variance is not the minimum variance that will make possible the reasonable use of the land as the applicant is able to relocate the tiki-hut structure to meet the required setbacks.

- 6. The granting of the variance will be in harmony with the general purpose and intent of this chapter;*

The granting of the variance will not be in harmony with the general purpose of the code but may provide hardship for the applicant if they have to bring the deck into compliance.

7. *The granting of the variance will not be injurious to neighboring properties or otherwise detrimental to the public welfare; and,*

Per Code Section 16.10.010.4., “the purpose of setbacks is to ensure that an effective separation is provided between properties, structures and uses to foster compatibility, identity, privacy, light, air and ventilation.”

The granting of the variance will not be detrimental to public welfare. However it may be injurious to neighboring properties as the tiki-hut structure may restrict visibility to the waterway for the adjacent property owners.

It is also possible that the elevated deck could contribute to privacy issues for neighboring properties and may also set precedence for other properties to also encroach into the waterfront yard and side setbacks.

8. *The reasons set forth in the application justify the granting of a variance;*

The applicant has stated that the alterations made to the deck and the addition of the tiki-hut were made by the previous owner and he believes that both structures have been in place for over 15 years. The applicant also provided a copy of the Sellers Disclosure from when they purchased the property in August 2020 where the former owner failed to disclose that there was unpermitted work completed on the property.

The applicant has also noted in their application that there are other property owners in their neighborhood that have extended their deck toward the seawall and encroach into the setback. However non-conforming decks and structures on surrounding properties are not a means to support approval of after-the-fact nonconforming structures relating to the subject property.

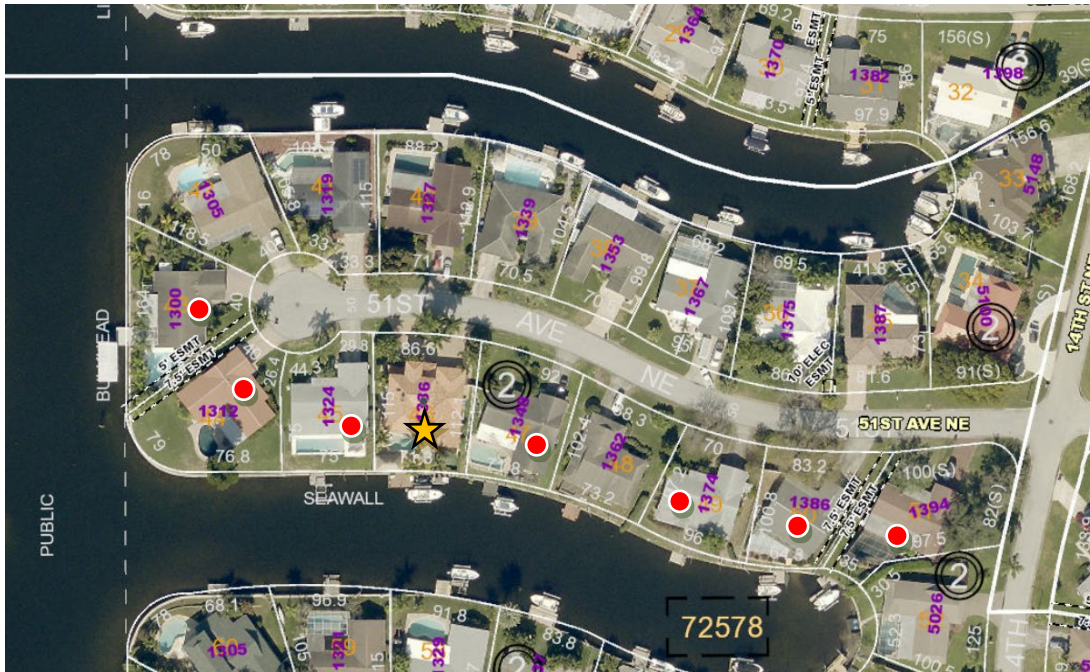
9. *No nonconforming use of neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted use of lands, buildings, or other structures in adjacent districts shall be considered as grounds for issuance of a variance permitting similar uses.*

None were considered.

PUBLIC COMMENTS: The subject property is within the boundaries of the Shore Acres Civic Association. The applicant has received (6) signatures of support and (1) letter of support. The property owners who are in support of the request are shown in relation to the subject property on the map below (Exhibit C).

Staff has also received one comment by email from a neighboring property owner who is in support of the raised deck but not in support of the accessory structure (tiki-hut) located in the waterfront yard.

Exhibit C
(Neighboring properties in support of the request)



- Legend**
- ★ - Subject Property
 - - Neighboring properties in support of the request

STAFF RECOMMENDATION: Based on a review of the application according to the evaluation criteria contained within the City Code, the Planning and Development Review Services Department Staff recommends **DENIAL** of the requested after-the-fact variance.

CONDITIONS OF APPROVAL: If the variance is approved consistent with the site plan submitted with this application, the Planning and Development Services Department Staff recommends that the approval shall be subject to the following:

1. Approval of this variance does not grant or imply other variances from the City Code or other applicable regulations.
2. Maximum impervious surface on the site must not exceed 60%, all plans submitted for permitting on this site must show the extent of all improvements on site and the Impervious Surface Ratio.

ATTACHMENTS: Application, Location Map, site plan, photographs, applicant's narrative, signatures of support, Neighborhood Participation Report, Sellers Disclosure.

Report Prepared By:

/s/ Candace Scott

01/25/2022

Candace Scott, Planner I
Development Review Services Division
Planning & Development Services Department

Date

Report Approved By:

/s/ Dave Goodwin

01/25/2022

Dave Goodwin, Interim Zoning Official
Development Review Services Division
Planning & Development Services Department

Date

DG:CAS



VARIANCE

Application No. _____

List of Required Submittals

Only complete applications will be accepted:

Included in this packet:

- Pre-Application Meeting Notes
- Application
- Affidavit to Authorize Agent
- General Information
- Narrative
- Neighborhood Worksheet
- Public Participation Report

Planning and
Development Services
Department

Development Review
Services

City of St. Petersburg
P.O. Box 2842
St. Petersburg, FL
33731-2842
727.893.7471

UPDATED: 03-24-2020

- Completed variance application and narrative
- Pre-application Meeting Notes
- Affidavit to Authorize Agent, if Agent signs application
- Application fee payment
(See fee schedule on Variance Application)
- Public Participation Report
- Proof that Notice of Intent to File was sent to Neighborhood and Business Associations
- 2 copies of Site Plan or Survey of the subject property:
 - To scale on 8.5" x 11" or 11" x 17" paper
 - North arrow
 - Setbacks of structures to the property lines
 - Dimensions and exact locations of all property lines, structures, parking spaces, trees, and landscaping
- 2 copies of Floor Plans:
 - To scale on 8.5" paper
 - Locations of all doorways, windows and walls (interior and exterior)
 - Dimensions and area of each room
- 2 copies of Elevation Drawings:
 - On 8.5" x 11", 8.5" x 14", or 11" x 17" paper
 - Depicts all sides of existing & proposed structure(s)
- Samples or a detailed brochure for new materials to be used
- PDF of all above items (may be emailed to Staff Planner)

The following items are optional, but strongly suggested:

- Neighborhood Worksheet
- Photographs of the subject property and structure(s)

A Pre-Application Meeting is Required Prior to Submittal.

To schedule, please call (727) 892-5498.

Completeness review by City Staff _____



Pre-Application Meeting Notes

Meeting Date: 10/22/2021 Zoning District: NS-1

Address/Location: 1336 51st Ave NE

Request: To allow over height deck, fence and structure in the waterfront yard

Type of Application: Variance Staff Planner for Pre-App: CAS

Attendees: David M. Bulluck, Jennifer Bryla, Candace Scott

Neighborhood and Business Associations within 300 feet:

Assoc.	Contact Name:	Email:	Phone:
SHORE ACRES CIVIC ASSN	Gary Grudzinskas	garyg@grudzinskas.com	

(See Public Participation Report in applicable Application Package for CONA and FICO contacts.)

Notes: Applicant purchased the home 1-year ago. Multiple renovations/ additions had been completed by the previous owner including: the addition of a raised pool deck, a 4-ft fence constructed on top of a retaining wall and a tiki hut located within the setback. Applicant is to get the signatures and support of the most affected property owners. Staff has requested the applicant contact the City's Fire Rescue Department to gain information on the minimum required distance of the tiki hut to the principal structure, staff will provide contact information via email. Applicant to provide a site plan that includes the height of the fence, deck and tiki hut, measured from the natural grade as well as photos of the site alterations involved in the request . The request includes 3 variances in total. The next submittal date is Nov. 8th

A notice of intent to file must be sent 10 days prior to submittal to the Shore Acres Neighborhood Association, CONA and FICO. The contact information for both CONA and FICO can be found in the Variance application at the bottom of the Public Participation Form. An appointment is required with the Staff Planner in order to submit.



VARIANCE

Application No. _____

All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg's Development Review Services Division, located on the 1st floor of the Municipal Services Building, One Fourth Street North.

GENERAL INFORMATION	
NAME of APPLICANT (Property Owner): David & Kristeen Bulluck	
Street Address: 1336 51st Ave NE	
City, State, Zip: St. Petersburg, FL 33703	
Telephone No: (813) 505-0275	Email Address: david.bulluck@yahoo.com
NAME of AGENT or REPRESENTATIVE:	
Street Address:	
City, State, Zip:	
Telephone No:	Email Address:
PROPERTY INFORMATION:	
Street Address or General Location: 1336 51st Ave NE, St. Petersburg, FL 33703	
Parcel ID#(s): 04-31-17-72578-002-0460	
DESCRIPTION OF REQUEST: Variance for unpermitted work completed by previous homeowner that is located within the setback area & includes the existing (1) tiki hut, (2) level walking surface and pool deck with retaining wall, and (3) 48" open fence located on retaining wall.	
PRE-APPLICATION DATE: 10/22/2021	PLANNER: CAS

FEE SCHEDULE

1 & 2 Unit, Residential - 1 st Variance	\$350.00	Each Additional Variance	\$100.00
3 or more Units & Non-Residential - 1 st Variance	\$350.00	After-the-Fact	\$500.00
		Docks	\$400.00
		Flood Elevation	\$300.00

Cash, credit, checks made payable to "City of St. Petersburg"

AUTHORIZATION

City Staff and the designated Commission may visit the subject property during review of the requested variance. Any Code violations on the property that are noted during the inspections will be referred to the City's Codes Compliance Assistance Department.

The applicant, by filing this application, agrees he or she will comply with the decision(s) regarding this application and conform to all conditions of approval. The applicant's signature affirms that all information contained within this application has been completed, and that the applicant understands that processing this application may involve substantial time and expense. Filing an application does not guarantee approval, and denial or withdrawal of an application does not result in remittance of the application fee.

NOTE: IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE, OR INCORRECT INFORMATION MAY INVALIDATE YOUR APPROVAL.

Signature of Owner / Agent*:

David Bulluck Kristeen Bulluck Date: 11/03/2021

*Affidavit to Authorize Agent required, if signed by Agent.

Typed Name of Signatory: David Bulluck & Kristeen Bulluck



CITY OF ST. PETERSBURG
PLANNING & DEVELOPMENT SERVICES DEPT.
DEVELOPMENT REVIEW SERVICES DIVISION

DEVELOPMENT REVIEW COMMISSION
AFFIDAVIT TO AUTHORIZE AGENT

I am (we are) the owner(s) and record title holder(s) of the property noted herein

Property Owner's Name: David & Kristeen Bulluck

This property constitutes the property for which the following request is made

Property Address: 1336 51st Ave NE, St. Petersburg, FL 33703

Parcel ID No.: 04-31-17-72578-002-0460

Request: Variance for unpermitted work completed by previous homeowner that is located within the setback area

& includes the existing (1) tiki hut, (2) level walking surface and pool deck with retaining wall, and (3) 48" open fence located on retaining wall.

The undersigned has(have) appointed and does(do) appoint the following agent(s) to execute any application(s) or other documentation necessary to effectuate such application(s)

Agent's Name(s): N/A

This affidavit has been executed to induce the City of St. Petersburg, Florida, to consider and act on the above described property.

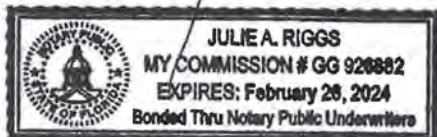
I(we), the undersigned authority, hereby certify that the foregoing is true and correct.

Signature (owner): *Kristeen Bulluck* David Bulluck & Kristeen Bulluck
Printed Name

Sworn to and subscribed on this date

Identification or personally known: *Personally known*

Notary Signature: *Julie Riggs* Date: 11-3-2021
Commission Expiration (Stamp or date):





VARIANCE

GENERAL INFORMATION

Pre-application Meeting

All applicants are required to schedule a pre-application meeting **two weeks prior to submittal of an application**. Meetings may be held via telecom. If an application is submitted without a pre-application meeting, and the application is deemed to be incomplete or incorrect, the application may be delayed. Please contact Iris Winn to schedule: 727-892-5498.

Public Participation Report

All applicants are required to contact the applicable Neighborhood Association President, **Business Association, CONA and FICO, a minimum of 10-days prior to filing the application** and complete the Public Participation Report prior to submittal of an application. Applications without the Public Participation Report will not be accepted. The contact information will be provided to the applicant by staff at the pre-application meeting. **Reports may be updated and resubmitted up to 10-days prior to the scheduled public hearing.**

Commission Review

By applying to the Commission, the applicant grants permission for Staff and members of the Commission to visit the subject property to evaluate the request. Applicants with special requests related to timing of site visits should advise Staff in writing at the time of application submittal. Any Code violations found by the City Staff or the Commission members during review of the subject case will be referred to the Codes Compliance Assistance Department.

Legal Notification

All applications made to the Commission are required by Florida Statute and City Code to provide public notification of requested variances, reinstatements of grandfathered uses, and redevelopment plans. The applicant will be required to post a sign on the subject property and send via the U.S. Postal Service by "Certificate of Mailing" notification letters to all property owners within **300-feet** of the subject property. The City will provide one (1) original notification letter, a list of properties, mailing labels, sign, and procedures to complete the posting of the sign and the notification of property owners. These legal notifications must be completed by the dates noted on the Commission schedule with verification of mailing **and sign posting** returned to Staff within seven (7) days of the meeting date.

Public Hearing

Applications appropriate for public hearing will be heard by the Commission on the dates listed on the Commission schedule. The public hearings begin at 2:00 P.M. **and will be held temporarily at the Sunshine Center (Auditorium), located at 330 5th Street North**. All proceedings are quasi-judicial. Therefore, it is required that the property owner or authorized representative attend the hearing.

Commission Approvals

If approved by the Commission, permits, inspections, business taxes, and certificates of occupancy are required, when applicable. All conditions of approval must be completed and approved by the date specified in the report. Failure to satisfy these requirements will invalidate the approval of the request. Approval of a request by the Commission or POD (person officially designated) does not grant or imply other variances from the City Code, FEMA regulations, or other applicable codes. Applicants are advised to contact the Construction Services and Permitting Division at (727) 893-7231 to determine if any other regulations may affect a given proposal.



VARIANCE

NARRATIVE (PAGE 1)

All applications for a variance must provide justification for the requested variance(s) based on the criteria set forth by the City Code. It is recommended that the following responses be typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

APPLICANT NARRATIVE	
Street Address: 1336 51st Ave NE, St. Petersburg, FL 33703	Case No.: 04-31-17-72578-002-0460
Detailed Description of Project and Request:	
1. What is unique about the size, shape, topography, or location of the subject property? How do these unique characteristics justify the requested variance?	
Please see responses to No. 3 and 4.	
2. Are there other properties in the immediate neighborhood that have already been developed or utilized in a similar way? If so, please provide addresses and a description of the specific signs or structures being referenced.	
Throughout St. Petersburg and within a 2 mile radius of our home, there are numerous tiki huts that exist next to houses, over docks and by seawalls. There are also numerous pool decks and patio decks that are built to create an even walking surface towards the seawall.	
3. How is the requested variance not the result of actions of the applicant?	
In approximately 2006, the previous homeowner performed extensive home renovations and additions. In 2006, the previous owner had a permit issued for a new pool where the pool deck was to be located 10' from the sea wall. It is believed after obtaining the final on this permit, the previous owner performed additional unpermitted work that included extending the pool deck & level walking surface approx. 7' towards the seawall and added a tiki hut. The extended pool deck and level walking surface with a retaining wall, and the tiki hut have existed for approximately 15 years. We purchased the home in August of 2020.	
At that time, the previous owner produced disclosures and a survey containing misrepresentations that all work to the house was permitted and not in violation of any set backs. We did not discover the truth of these misrepresentations until after we purchased the home. The removal of these structures will cost tens of thousands of dollars and diminish the value of our home as well as the surrounding homes.	



VARIANCE

NARRATIVE (PAGE 2)

All applications for a variance must provide justification for the requested variance(s) based on the criteria set forth by the City Code. It is recommended that the following responses be typed. Illegible handwritten responses will not be accepted. Responses may be provided as a separate letter, addressing each of the six criteria.

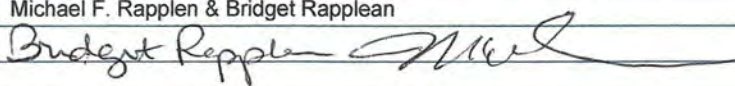
ALL OF THE FOLLOWING CRITERIA MUST BE ANSWERED.

APPLICANT NARRATIVE
<p>4. How is the requested variance the minimum necessary to make reasonable use of the property? In what ways will granting the requested variance enhance the character of the neighborhood?</p> <p>The current pool deck and level walking surface with a retaining wall and tiki hut have existed for 15+ years. The walking surface and pool deck does not obstruct the view of the waterfront. We have complied with City Code in maintaining a 48" open fence that is located along the edge of the pool deck which does not obstruct the view of the waterfront. Further, we have removed all plants and hedges that were planted by the previous owner that blocked the view of the waterfront. The removal of the pool deck will require a significant amount of construction and disruption in the neighborhood that will also be at substantial cost. There are no current code complaints by any neighbors related to the tiki hut, pool deck and level walking surface with retaining wall, or fence. As the tiki hut, level walking surface with pool deck and retaining wall, and 48" open fence currently exist, they are visually appealing, and increase the value of the home which helps to increase other home values in the neighborhood.</p>
<p>5. What other alternatives have been considered that do not require a variance? Why are these alternatives unacceptable?</p> <p>Please see responses to No. 3 and 4.</p>
<p>6. In what ways will granting the requested variance enhance the character of the neighborhood?</p> <p>Please see responses to No. 3 and 4.</p>

VARIANCE

NEIGHBORHOOD WORKSHEET

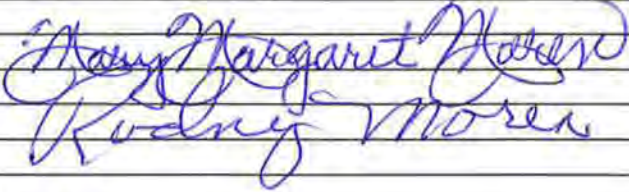
Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

NEIGHBORHOOD WORKSHEET	
Street Address: 1336 51st Ave NE	Case No.:
Description of Request: Variance for unpermitted work performed by previous homeowner that is within the set back area and includes the existing pool deck, tiki hut and 48" open fence.	
The undersigned adjacent property owners understand the nature of the applicant's request and do not object (attach additional sheets if necessary):	
1. Affected Property Address: 1386 51st Ave NE	
Owner Name (print): Michael F. Rapplen & Bridget Rapplean	
Owner Signature: 	
2. Affected Property Address: 1374 51st Ave NE	
Owner Name (print): Rodney Moren & Mary Moren	
Owner Signature:	
3. Affected Property Address: 1362 51st Ave NE	
Owner Name (print): Frederick Dorsett & Marcia Rankin	
Owner Signature:	
4. Affected Property Address: 1348 51st Ave NE	
Owner Name (print): Charles McGowan & Robin McGowan	
Owner Signature:	
5. Affected Property Address: 1324 51st Ave NE	
Owner Name (print): Robert Crim & Walter Crim	
Owner Signature:	
6. Affected Property Address: 1312 51st Ave NE	
Owner Name (print): James Martin & Susan Martin	
Owner Signature:	
7. Affected Property Address: 1300 51st Ave NE	
Owner Name (print): Kurt Mickus & Kimberly Mickus	
Owner Signature:	
8. Affected Property Address:	
Owner Name (print):	
Owner Signature:	

VARIANCE

NEIGHBORHOOD WORKSHEET

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VARIANCE

NEIGHBORHOOD WORKSHEET

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Description of Request: Variance for unpermitted work performed by previous homeowner that is within the set back area and includes the existing pool deck, tiki hut and 48" open fence.	
The undersigned adjacent property owners understand the nature of the applicant's request and do not object (attach additional sheets if necessary):	
1. Affected Property Address: 1386 51st Ave NE	
Owner Name (print): Michael F. Rapplen & Bridget Rapplean	
Owner Signature:	
2. Affected Property Address: 1374 51st Ave NE	
Owner Name (print): Rodney Moren & Mary Moren	
Owner Signature:	
3. Affected Property Address: 1362 51st Ave NE	
Owner Name (print): Frederick Dorsett & Marcia Rankin	
Owner Signature:	
4. Affected Property Address: 1348 51st Ave NE	
Owner Name (print): Charles McGowan & Robin McGowan	
Owner Signature:	
5. Affected Property Address: 1324 51st Ave NE	
Owner Name (print): Robert Crim & Walter Crim	
Owner Signature: <i>Walter Crim / Robert Crim</i>	
6. Affected Property Address: 1312 51st Ave NE	
Owner Name (print): James Martin & Susan Martin	
Owner Signature:	
7. Affected Property Address: 1300 51st Ave NE	
Owner Name (print): Kurt Mickus & Kimberly Mickus	
Owner Signature:	
8. Affected Property Address:	
Owner Name (print):	
Owner Signature:	

VARIANCE

NEIGHBORHOOD WORKSHEET

Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

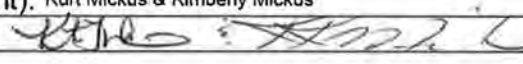
NEIGHBORHOOD WORKSHEET	
Street Address: 1336 51st Ave NE	Case No.:
Description of Request: Variance for unpermitted work performed by previous homeowner that is within the set back area and includes the existing pool deck, tiki hut and 48" open fence.	
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Owner Signature:	
3. Affected Property Address: 1362 51st Ave NE	
Owner Name (print): Frederick Dorsett & Marcia Rankin	
Owner Signature:	
4. Affected Property Address: 1348 51st Ave NE	
Owner Name (print): Charles McGowan & Robin McGowan	
Owner Signature:	
5. Affected Property Address: 1324 51st Ave NE	
Owner Name (print): Robert Crim & Walter Crim	
Owner Signature:	
6. Affected Property Address: 1312 51st Ave NE	
Owner Name (print): James Martin & Susan Martin <i>ST Martin - James Martin</i>	
Owner Signature:	
7. Affected Property Address: 1300 51st Ave NE	
Owner Name (print): Kurt Mickus & Kimberly Mickus	
Owner Signature:	
8. Affected Property Address:	
Owner Name (print):	
Owner Signature:	



VARIANCE

NEIGHBORHOOD WORKSHEET

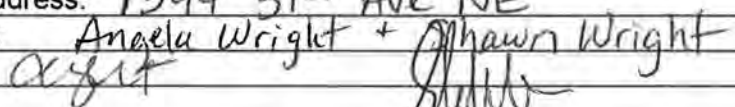
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Owner Name (print): Frederick Dorsett & Marcia Rankin	
Owner Signature:	
4. Affected Property Address: 1348 51st Ave NE	
Owner Name (print): Charles McGowan & Robin McGowan	
Owner Signature:	
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Owner Signature:	
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Owner Signature: 	
8. Affected Property Address:	
Owner Name (print):	
Owner Signature:	

VARIANCE

NEIGHBORHOOD WORKSHEET

Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

NEIGHBORHOOD WORKSHEET	
Street Address: 1336 51st Ave NE	Case No.:
Description of Request: Variance for unpermitted work performed by previous homeowner that is within the set back area and includes the existing pool deck, tiki hut and 48" open fence.	
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Owner Name (print): Frederick Dorsett & Marcia Rankin	
Owner Signature:	
4. Affected Property Address: 1348 51st Ave NE	
Owner Name (print): Charles McGowan & Robin McGowan	
Owner Signature:	
5. Affected Property Address: 1324 51st Ave NE	
Owner Name (print): Robert Crim & Walter Crim	
Owner Signature:	
6. Affected Property Address: 1312 51st Ave NE	
Owner Name (print): James Martin & Susan Martin	
Owner Signature:	
7. Affected Property Address: 1300 51st Ave NE	
Owner Name (print): Kurt Mickus & Kimberly Mickus	
Owner Signature:	
8. Affected Property Address: 1394 51st Ave NE	
Owner Name (print): Angela Wright + Shawn Wright	
Owner Signature: 	

Charles D. McGowan & Robin P. McGowan
1348 51st Avenue N.E.
St. Petersburg, FL 33703

November 4, 2021

To whom it may concern –

As it relates to the variance request submitted by our neighbors at 1336 51st Avenue N.E. in St. Petersburg, FL we are eager to be neighborly. It is our understanding, and it was our observation that the elevated pool deck area was in existence before the current homeowners took possession of the property. The Tiki Hut on the deck area was likewise in place when we purchased our property.

We have no objection to the current owner's request to address through the Variance process the pool deck and Tiki Hut structures that we have been told was unpermitted work completed by the previous homeowner.

Additionally, as it relates to infringement on our property rights and set back requirements that would protect our water views, the new open fence installed by the current homeowner, while measuring 48 inches above the elevated grade of the pool deck, is an acceptable compromise for the safety of his children. While we are accepting this compromise, any additional changes that impede our view would be considered by us to represent new code violations.

While we support the request for the variance specific to pre-existing or current structures, we would object to additional changes that do not comply with city code.

Thank you,

Charles D. McGowan

Robin P. McGowan

Charles D. McGowan
Robin P. McGowan



PUBLIC PARTICIPATION REPORT

Application No. _____

In accordance with LDR Section 16.70.040.1.F., "It is the policy of the City to encourage applicants to meet with residents of the surrounding neighborhoods prior to filing an application for a decision requiring a streamline review or public hearing. Participation in the public participation process prior to required public hearings will be considered by the decision-making official when considering the need, or request, for a continuance of an application. It is not the intent of this section to require neighborhood meetings, (except when the application is for a local historic district) but to encourage meetings prior to the submission of applications for approval and documentation of efforts which have been made to address any potential concerns prior to the formal application process."

NOTE: This Report may be updated and resubmitted up to 10 days prior to the scheduled Public Hearing.

APPLICANT REPORT	
Street Address: 1336 51st Ave NE, St. Petersburg, FL 33703	
1. Details of techniques the applicant used to involve the public	
(a) Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal	
On October 9 and 10, 2021, Applicant personally met with, explained the requested variance, and provided a copy of this completed variance application with each neighbor listed on the Neighborhood Worksheet. At that time, the attached signatures were obtained.	
(b) Content, dates mailed, and number of mailings; including letters, meeting notices, newsletters, and other publications	
October 27, 2021, Notice of intent was emailed to CONA and the Shore Acres Civic Assoc.	
On October 28, 2021, Notice of intent was sent via registered mail to FICO	
(c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located	
See addresses on neighborhood worksheet as well as addresses on the attached Notices of Intent.	
2. Summary of concerns, issues, and problems expressed during the process	
See response to 1(a)	
NOTICE OF INTENT TO FILE	
A minimum of ten (10) days prior to filing an application for a decision requiring Streamline or Public Hearing approval, the applicant shall send a copy of the application by email to the Council of Neighborhood Associations (CONA) (c/o Judy Landon at variance@stpetecon.org), by standard mail to Federation of Inner-City Community Organizations (FICO) (c/o Kimberly Frazier-Leggett at 3301 24th Ave. S., St. Pete 33712) and by email to all other Neighborhood Associations and/or Business Associations within 300 feet of the subject property as identified in the Pre-Application Meeting Notes. The applicant shall file evidence of such notice with the application.	
<input type="checkbox"/> Date Notice of Intent to File sent to Associations within 300 feet, CONA and FICO: <u>October 27 & 28, 2021</u>	
<input type="checkbox"/> Attach the evidence of the required notices to this sheet such as Sent emails.	

EXHIBIT “A”

Surveys

JOB NO.: 210958
 DRAWN BY: MRB
 CHECKED BY: EDM
 DATE OF FIELD WORK: 6/10/2021

MURPHY'S LAND SURVEYING, INC.
 PROFESSIONAL LAND SURVEYORS
 5760 11TH AVENUE NORTH
 ST. PETERSBURG, FLORIDA 33710
 WWW.MURPHYSLANDSURVEYING.COM

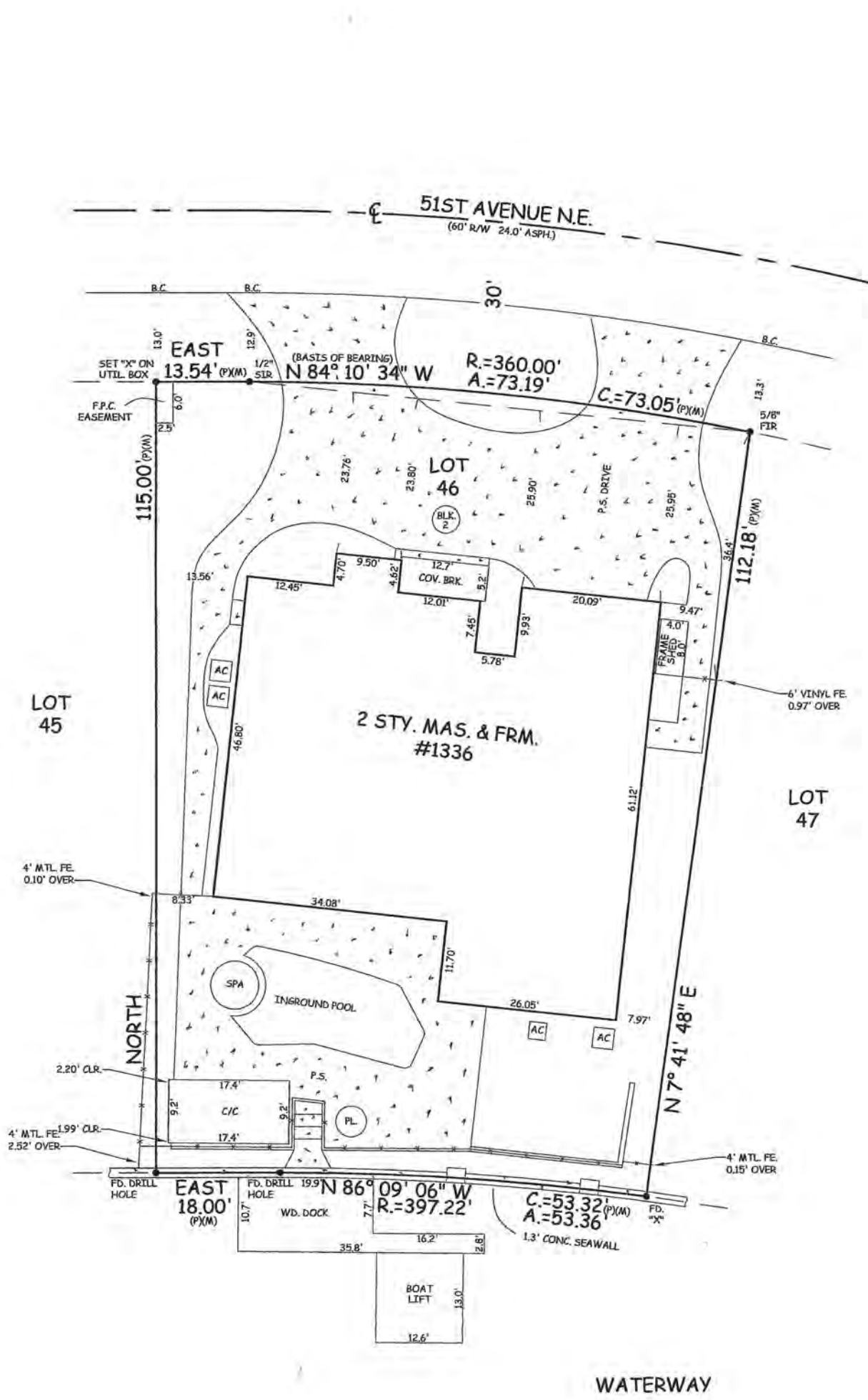
L.B. #7410
 PH. (727) 347-8740
 FAX (727) 344-4640

CERTIFIED TO: David Bulluck

SCALE: 1" = 20'

Survey not valid for more than one (1) year from date of field work.

SEC. 05 TWP. 31 S. RGE. 17 E.



A BOUNDARY SURVEY OF: Lot 46, Block 2, PONDEROSA OF SHORE ACRES UNIT 3, as recorded in Plat Book 69, Page 89 of the Public Records of Pinellas County, Florida.

According to the maps prepared by the U.S. Department of Homeland Security, this property appears to be located in
 Flood zone: AE Comm. Panel No. : 125148 0228 G Map Date : 9/03/03 Base Flood Elev : 9.0'

FOR THE EXCLUSIVE USE OF THE HEREON PARTY(IES), I HEREBY CERTIFY TO ITS ACCURACY (EXCEPT SUCH EASEMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LANDS, OR ON THE SURFACE OF THE LANDS AND NOT VISIBLE), AND THAT THE SURVEY REPRESENTED HEREON MEETS THE MINIMUM REQUIREMENTS OF CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE TO THE BEST OF MY KNOWLEDGE AND BELIEF. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN AND OTHER RESTRICTIONS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. (THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH). SURVEY NOT VALID FOR MORE THAN ONE YEAR FROM DATE OF FIELD WORK AND NOT VALID UNLESS EMBOSSED WITH SURVEYOR'S SEAL. BEARINGS SHOWN ARE BASED ON PLAT, UNLESS OTHERWISE NOTED.

Edward D. Murphy
 EDWARD D. MURPHY REG. P.L.S. #5333

LEGEND: F.I.P. - FOUND IRON PIPE F.C.M. - FOUND CONCRETE MONUMENT F.I.R. - FOUND IRON ROD S.I.R. - SET IRON ROD 1/2" LB #7410 P.R.C. - POINT OF REVERSE CURVATURE P.C.C. - POINT OF COMPOUND CURVATURE FIN. FLR. - FINISHED FLOOR ELEVATION P.R.M. - PERMANENT REFERENCE MONUMENT N.A.V.D. - NORTH AMERICAN VERTICAL DATUM OF 1988	F.D. - FOUND N.A.D. - NAIL AND DISK P.O.L. - POINT ON LINE P.C. - POINT OF CURVATURE P.T. - POINT OF TANGENCY P.I. - POINT OF INTERSECTION -X-X-X- - FENCE FE - FENCE C.L.F. - CHAIN LINK FENCE -// - ADJACENT FENCE ADJ. - ADJACENT	R. - RADIUS A. - ARC C. - CHORD Δ - DELTA R/W - RIGHT OF WAY # - NUMBER MAS. - MASONRY FRM. - FRAME G.I. - GRATE INLET C.B. - CATCH BASIN F.H. - FIRE HYDRANT	MS - METAL SHED ALUM. - ALUMINUM W.H. - WATER HEATER P.S. - PATIO STONE C.P. - CARPORT PL - PLANTER B.C. - BACK OF CURB E.P. - EDGE OF PAVEMENT E.R. - EDGE OF ROAD E.O.W. - EDGE OF WATER T.O.B. - TOP OF BANK	W/W - WING WALL C. - CENTERLINE R/W - RIGHT OF WAY (P) - PLAT (C) - CALCULATION (D) - DEED (M) - MEASURED N. - NORTH S. - SOUTH E. - EAST W. - WEST	ESMT. - EASEMENT M.H. - MANHOLE CONC. - CONCRETE CLR. - CLEAR COL. - COLUMN WD. - WOOD BLK. - BLOCK S/W - SEAWALL ASPH. - ASPHALT UTIL. - UTILITY DR. - DRAINAGE	O.H. - OVERHANG GAR. - GARAGE C/WD. - COVERED WOOD C/P.S. - COVERED PATIO STONE C/C - COVERED CONCRETE A/C - AIR CONDITIONER S.P. - SCREENED PORCH P-P - OVERHEAD POWER LINES T-T - OVERHEAD TELEPHONE LINES P.P. - POWER POLE L.P. - LIGHT POLE
--	--	---	---	---	--	--

51ST AVENUE N.E.
(60' R/W 24.0' ASPH.)

SET "X" ON UTIL. BOX EAST 13.54'(P) (M) (BASIS OF BEARING) N 84° 10' 34" W R.=360.00' A.=73.19' C.=73.05(P) (M)

F.P.C. EASEMENT

LOT 45

EXISTING 2-STORY MASONRY/FRAME RESIDENCE #1336

LOT 47

4' MTL. FE. 0.10' OVER

5' VINYL FE. 0.97' OVER

2.20' CLR.

1.99' CLR.

4' MTL. FE. 2.52' OVER

4' MTL. FE. 0.15' OVER

FD. DRILL HOLE EAST 18.00' (P) (M)

FD. DRILL HOLE N 86° 09' 06" W R.=397.22' A.=53.36' C.=53.32'(P) (M)

WD. DOCK 19.9'

1.3' CONC. SEAWALL

BOAT LIFT 13.0'

WATERWAY

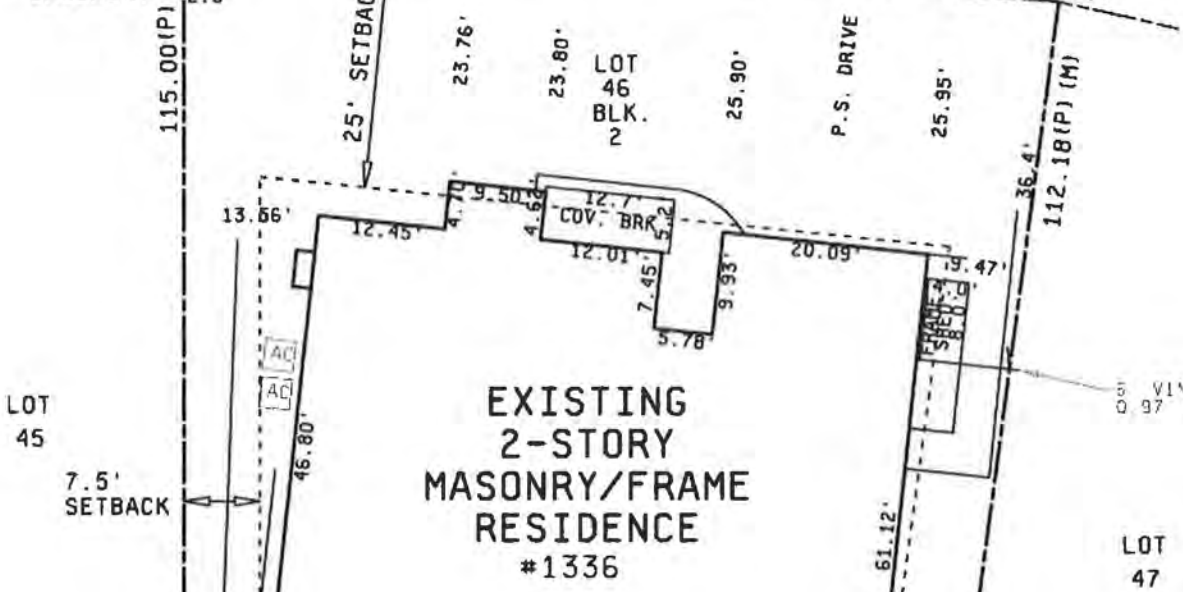


51ST AVENUE N.E.

160' R/W 24.0' ASPH.)

SET "X" ON EAST (BASIS OF BEARINGS)
 UTILITY BOX 13.54' (P) (M) N 84° 10' 34" W R. = 360.00'
 A. = 73.19' C. = 73.05 (P) (M)

F.P.C. EASEMENT



EXISTING 2-STORY MASONRY/FRAME RESIDENCE #1336

SPA
 INGROUND POOL

C/C

BOAT LIFT
 13.0
 12.6

4 MIL. FE. 0.10' OVER

5 VINYL FE. 0.97' OVER

2.20' CLR.

1.99' CLR.

4 MIL. FE. 0.52' OVER

4 MIL. FE. 0.15' OVER

FO. DRILL HOLE EAST 18.00' (P) (M) S. DRILL HOLE N 86° 09' 06" W R. = 397.22' A. = 53.32' (P) (M) A. = 53.36' 1.3' CONC. SEAWALL

Height is approx. 13' at center

retaining wall is 3' high above grade

WATERWAY

EXHIBIT “B”

Notices of Intent



BULLUCK LAW GROUP

— PERSONAL INJURY & TRIAL LAW —

October 27, 2021

Via Email: garyg@grudzinkas.com

Mr. Gary Grudzinkas
Shore Acres Civic Association

*Re: Notice of Intent to File Variance Application
1336 51st Ave NE, St. Petersburg, Florida 33703*

Dear Mr. Grudzinkas:

Please accept this Notice of Intent to File a Variance Application for my homesteaded residence located at 1336 51st Ave NE, St. Petersburg, Florida 33703. The application seeks a variance of the setback area along the waterfront yard for improvements made by the previous homeowner in approximately 2006. Please contact me if you have any questions or concerns.

Sincerely,

/s/ David Bulluck

David M. Bulluck

www.BulluckLawGroup.com

Bulluck Legal Center
306 Bullard Parkway
Temple Terrace, FL 33617

Tel: (813) 988-7800
Fax: (813) 988-7878

From: [David Bulluck](#)
To: garyg@grudzinkas.com
Subject: Notice of Intent to File Variance Application
Date: Wednesday, October 27, 2021 10:12:00 PM
Attachments: [Ltr - NOI Shore Acres Civic Assoc 10.27.2021.pdf](#)

Good evening, Mr. Grudzinkas:

Please see the attached Notice of Intent to File a Variance Application. Please confirm receipt of this email. Thank you.

Sincerely,

David M. Bulluck, Esq.



BULLUCK LAW GROUP
PERSONAL INJURY & TRIAL LAW

Bulluck Legal Center
306 Bullard Parkway
Temple Terrace, FL 33617
Tel: (813) 988-7800
Fax: (813) 988-7878



Website: www.BulluckLawGroup.com

Email: David@BulluckLawGroup.com

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From: [Microsoft Outlook](#)
To: garyg@grudzinskas.com
Subject: Relayed: Notice of Intent to File Variance Application
Date: Wednesday, October 27, 2021 10:12:58 PM
Attachments: [Notice of Intent to File Variance Application.msg](#)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
garyg@grudzinskas.com (garyg@grudzinskas.com) <mailto:garyg@grudzinskas.com>
Subject: Notice of Intent to File Variance Application

From: [Gary Grudzinskas](#)
To: [David Bulluck](#)
Subject: Re: Notice of Intent to File Variance Application
Date: Thursday, October 28, 2021 4:28:31 PM

Hi David,

Received but we are not a homeowners association so I'm not sure you need to notify the Shore Acres Civic Association.

Thanks, Gary

On Wed, Oct 27, 2021 at 10:12 PM David Bulluck <david@bullucklawgroup.com> wrote:

Good evening, Mr. Grudzinskas:

Please see the attached Notice of Intent to File a Variance Application. Please confirm receipt of this email. Thank you.

Sincerely,

David M. Bulluck, Esq.



BULLUCK LAW GROUP
PERSONAL INJURY & TRIAL LAW

Bulluck Legal Center

306 Bullard Parkway

Temple Terrace, FL 33617

Tel: (813) 988-7800

Fax: (813) 988-7878



BULLUCK LAW GROUP

— PERSONAL INJURY & TRIAL LAW —

October 27, 2021

Via Email: variance@stpetecona.org

Ms. Judy Landon

Council of Neighborhood Associations (CONA)

*Re: Notice of Intent to File Variance Application
1336 51st Ave NE, St. Petersburg, Florida 33703*

Dear Ms. Landon:

Please accept this Notice of Intent to File a Variance Application for my homesteaded residence located at 1336 51st Ave NE, St. Petersburg, Florida 33703. The application seeks a variance of the setback area along the waterfront yard for improvements made by the previous homeowner in approximately 2006. Please contact me if you have any questions or concerns.

Sincerely,

/s/ David Bulluck

David M. Bulluck

www.BulluckLawGroup.com

Bulluck Legal Center
306 Bullard Parkway
Temple Terrace, FL 33617

Tel: (813) 988-7800
Fax: (813) 988-7878

From: [David Bulluck](#)
To: variance@stpetecona.org
Subject: Notice of Intent to File Variance Application
Date: Wednesday, October 27, 2021 10:11:00 PM
Attachments: [Ltr - NOI CONA 10.27.2021.pdf](#)

Good evening, Ms. Landon:

Please see the attached Notice of Intent to File a Variance Application. Thank you.

Sincerely,

David M. Bulluck, Esq.



BULLUCK LAW GROUP
PERSONAL INJURY & TRIAL LAW

Bulluck Legal Center
306 Bullard Parkway
Temple Terrace, FL 33617
Tel: (813) 988-7800
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Website: www.BulluckLawGroup.com

Email: David@BulluckLawGroup.com

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From: [Microsoft Outlook](#)
To: variance@stpetecona.org
Subject: Relayed: Notice of Intent to File Variance Application
Date: Wednesday, October 27, 2021 10:11:38 PM
Attachments: [Notice of Intent to File Variance Application.msg](#)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
variance@stpetecona.org (variance@stpetecona.org) <mailto:variance@stpetecona.org>
Subject: Notice of Intent to File Variance Application



BULLUCK LAW GROUP

— PERSONAL INJURY & TRIAL LAW —

October 28, 2021

Via U.S. Mail, Delivery Confirmation: 9405503699300046079090

Ms. Kimberly Frazier-Leggett
Federation of Inner-City Community Organizations (FICO)
3301 24th Ave S.
St. Petersburg, FL 33712

Re: Notice of Intent to File Variance Application
1336 51st Ave NE, St. Petersburg, Florida 33703

Dear Ms. Frazier-Leggett:

Please accept this Notice of Intent to File a Variance Application for my homesteaded residence located at 1336 51st Ave NE, St. Petersburg, Florida 33703. The application seeks a variance of the setback area along the waterfront yard for improvements made by the previous homeowner in approximately 2006. Please contact me if you have any questions or concerns.

Sincerely,






/s/ David Bulluck

David M. Bulluck

www.BulluckLawGroup.com

Bulluck Legal Center
306 Bullard Parkway
Temple Terrace, FL 33617

Tel: (813) 988-7800
Fax: (813) 988-7878

 UNITED STATES POSTAL SERVICE®			
		usps.com 9405 5036 9930 0046 0790 90 0087 0000 0013 3712 \$8.70 US POSTAGE Flat Rate Envelope	
10/28/2021		Mailed from 33617	
PRIORITY MAIL 1-DAY™			
DAVID M BULLUCK 306 BULLARD PKWY TEMPLE TERR FL 33617-5514		Expected Delivery Date: 10/29/21 0006	
<div style="border: 1px solid black; padding: 5px; display: inline-block;">C019</div>			
SHIP TO: KIMBERLY FRAZIER-LEGGETT FEDERATION OF INNER-CITY COMMUNITY 3301 24TH AVE S ST PETERSBURG FL 33712-3305			
USPS TRACKING #			
			
9405 5036 9930 0046 0790 90			
Electronic Rate Approved #038555749			



Cut on dotted line.

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- Place your label so it does not wrap around the edge of the package.
- Adhere your label to the package. A self-adhesive label is recommended. If tape or glue is used, **DO NOT TAPE OVER BARCODE.** Be sure all edges are secure.
- To mail your package with PC Postage®, you may schedule a Package Pickup online, hand to your letter carrier, take to a Post Office™, or drop in a USPS collection box.
- Mail your package on the "Ship Date" you selected when creating this label.

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USPS TRACKING # : 9405 5036 9930 0046 0790 90					
Trans. #: 547042183 Print Date: 10/28/2021 Ship Date: 10/28/2021 Expected Delivery Date: 10/29/2021	<table border="0"> <tr> <td>Priority Mail® Postage:</td> <td style="text-align: right;">\$8.70</td> </tr> <tr> <td>Total:</td> <td style="text-align: right;">\$8.70</td> </tr> </table>	Priority Mail® Postage:	\$8.70	Total:	\$8.70
Priority Mail® Postage:	\$8.70				
Total:	\$8.70				
From: DAVID M BULLUCK 306 BULLARD PKWY TEMPLE TERR FL 33617-5514					
To: KIMBERLY FRAZIER-LEGGETT FEDERATION OF INNER-CITY COMMUNITY ORGANIZATIONS 3301 24TH AVE S ST PETERSBURG FL 33712-3305					
<small>* Retail Pricing Priority Mail rates apply. There is no fee for USPS Tracking® service on Priority Mail service with use of this electronic rate shipping label. Refunds for unused postage paid labels can be requested online 30 days from the print date.</small>					



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TEMPLE TERRACE
8761 N 56TH ST
TEMPLE TERRACE, FL 33617-6208
(800)275-8777

10/28/2021 09:36 AM

Product	Qty	Unit Price	Price
Prepaid Mail Saint Petersburg, FL 33712 Weight: 0 lb 1.70 oz Acceptance Date: Thu 10/28/2021 Tracking #: 9405 5036 9930 0046 0790 90	1		\$0.00

Grand Total: \$0.00

USPS is experiencing unprecedented volume increases and limited employee availability due to the impacts of COVID-19. We appreciate your patience.

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Tell us about your experience.
Go to: <https://postalexperience.com/Pos>
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or call 1-800-410-7420.

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Tracking Number: 9405503699300046079090

[Remove X](#)

Your item was delivered in or at the mailbox at 4:00 pm on October 29, 2021 in SAINT PETERSBURG, FL 33712.

USPS Tracking Plus™ Available [v](#)

Delivered, In/At Mailbox

October 29, 2021 at 4:00 pm
SAINT PETERSBURG, FL 33712

Feedback

Get Updates [v](#)

Text & Email Updates



Tracking History



USPS Tracking Plus™



Product Information



See Less [^](#)

Can't find what you're looking for?

EXHIBIT "C"

Photos Showing Condition at Time of
Purchase from Previous Owner













EXHIBIT "D"

Photos Showing Current Condition



2022/11/01



2022/11/01





2022/11/01





2022/11/03





2022/11/01

EXHIBIT "E"

2006 Pool Permit



June 14, 2006

RE: 1336 51st Ave NE
St Petersburg, FL

Proposed swimming pool construction – no conflict

BUILDING INSPECTION
Division Office
Copy

Dear Goff Pools, Inc:

Progress Energy has checked its facilities at the above referenced address(s) and has found no conflict with our facilities and the location of the pool. Therefore, we offer no objection to the proposed construction according to the drawing you have provided.

If you have any questions or need any additional information, please call Dawn Wallace at 727-893-9285. We at Progress Energy are committed to excellence in customer service and satisfaction, and we look forward to continuing to serve your needs.

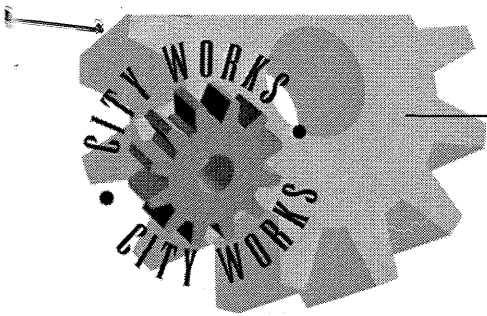
Sincerely,

Tara Miller

CITY OF ST. PETERSBURG
REVIEWED FOR
CODE COMPLIANCE
 BLDG PLBG GAS
 MECH ELEC
LAURIE JAWORSKI JUN 23 2006
DATE

Progress Energy
2501 25th Street North
St. Petersburg, FL 33713

24-hour Customer Service: 800.700.8744
To report an outage: 800.228.8485



NOTICE TO SWIMMING POOL OWNERS & CONTRACTORS

(effective date 8/17/04)

I, (insert name) MR. & MRS BRAUTIGAM
residing at 1336 51ST. AVE NE.
on this date ST. Pete hereby request a permit to build a swimming pool by
(contractors' name/company) Goff's Pools, INC

Be so advised that prior to final inspection, completion and use of the pool, the following regulations shall be met.

The private residential swimming pool specifications of the Florida State Statutes, Florida Building Code and St. Petersburg City Code requires a residential swimming pool, hot tub, or non-portable spa containing water over 18 inches deep to meet the pool safety feature requirements.

Unless the pool is equipped with a safety cover complying with the specifications of American Society for Testing and Materials standard F-1346-91. The pool must be isolated from access to the home by a barrier at least 4 feet high installed around the perimeter of the pool. The barrier shall not have any gaps or openings that can allow a child to crawl under, squeeze through or climb over the barrier and must be placed no less than 20 inches from the waters edge. Gates located in the pool barrier must open outwards away from the pool and shall be equipped with a self-closing and self-latching locking device located on the pool side of the gate and no less than 54 inches from the bottom of the gate. The barrier must be separate from any fence, wall, or other enclosure surrounding the yard unless the fence, wall or other enclosure or portion thereof is situated on the perimeter of the pool and meets the pool barrier requirements. Where a wall of a dwelling serves as part of the barrier one of the following shall apply. All doors and first floor windows with a sill height of less than 48 inches providing direct access from the home to the pool must be equipped with a hard wired or plug in type exit alarm that has a minimum sound pressure rating of 85 decibels at 10 feet, the alarm shall sound immediately upon opening the window or door unless the temporary by pass mechanism, allowing deactivation for no more than 15 seconds and located at least 54 inches above the threshold of the door, is activated, or; All doors providing direct access from the home to the pool must be equipped with a self-closing, self-latching device with a positive mechanical latching/locking device installed at least 54 inches above the threshold of the door.

According to Florida statutes, failure to comply with these requirements may be a misdemeanor of the second degree, punishable by imprisonment for up to 60 days or a fine of up to \$500, except that no penalty shall be imposed if within 45 days after arrest or issuance of a summons or notice to appear, the pool is equipped with at least one of the aforementioned safety features and the responsible person attends a drowning prevention education program developed by the Florida Department of Health.

City of St. Petersburg
Division Office
Copy

These requirements are the responsibility of the contractor.

Scott D Goff
CONTRACTOR'S SIGNATURE & DATE

Scott D Goff
CONTRACTOR'S NAME/PLEASE PRINT

[Signature]
OWNER'S SIGNATURE & DATE

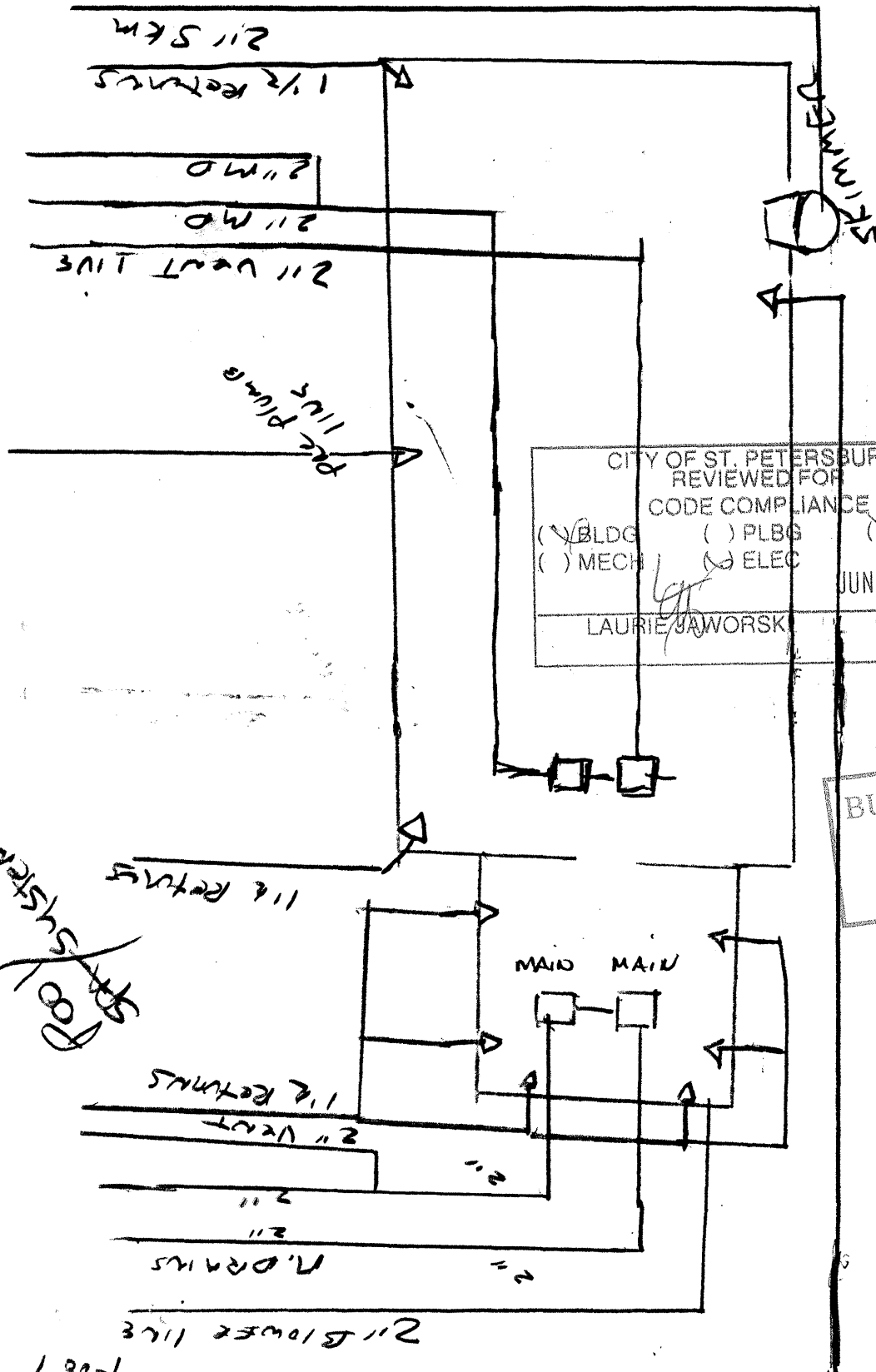
CITY OF ST. PETERSBURG
REVIEWED FOR
CODE COMPLIANCE

BLDG PLBG GAS
 MECH ELEC JUN 23 2006

Hank A. Brautigam DATE

OWNER'S NAME/PLEASE PRINT

Goff Pools, Inc.



CITY OF ST. PETERSBURG
 REVIEWED FOR
 CODE COMPLIANCE
 BLDG PLBS GAS
 MECH ELEC
 JUN 23 2006
 LAURIE JAWORSKI DATE

- Pool system
1. 1.5 Hayward Pump
 2. 60 SQ FT P.E. Filter.
 3. PSI PUMP 3/4HP.
 4. AQUA RITE SALT
 5. SANDY VALVES

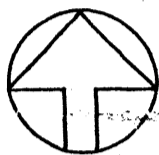
PLUMBING
 SCHEMATICS

BUILDING INSPECTION
 Division Office
 Copy

- SPA system
- 1 2.5 HAYWARD PUMP
 - 2 350 B.I.T.U'S HEATER
 - 3 RAY PAC
 - 3 2HP BLOCK AQUA.

RETURNS
 Page 1

NOTE: No instruments of record reflecting easements, rights-of-way, and/or ownership were furnished this Surveyor, except as shown.



SCALE: 1"=30'

This property lies within Flood Zone A9 as depicted on Flood Insurance Rate Map Community Panel # 125148 0002B Dated: Sep. 30, 1983

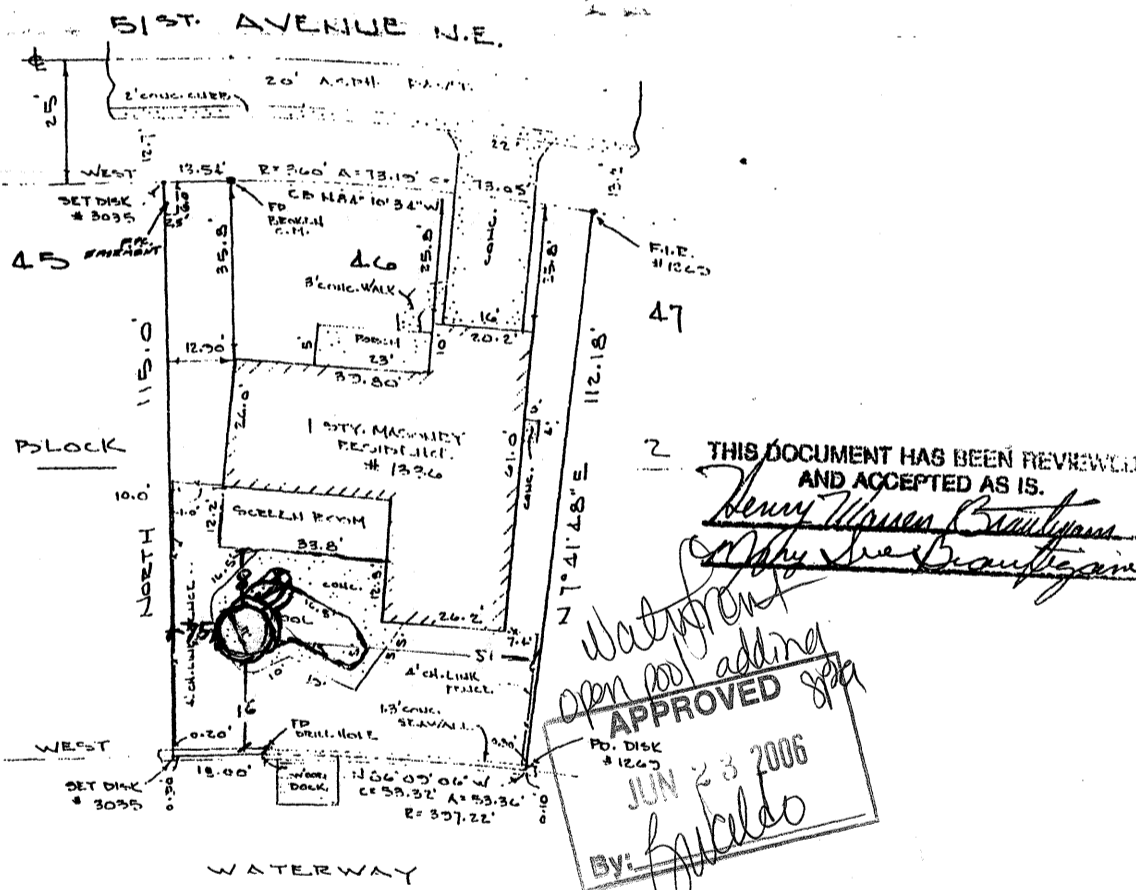
(Base Flood Elev: 9.00')

GENERAL NOTES: If elevations are shown, such elevations are based on N.G.V.D. 1929 (MSL=0.00').

BENCHMARK:

BASIS OF BEARINGS: Record Plat

BOUNDARY SURVEY: Lot 46, Block 2, PONDEROSA OF SHORE ACRES UNIT 3, according to the plat thereof as recorded in Plat Book 69, Page 89, Public Records of Pinellas County, Florida.



(R)=RECORD, (M)=MEASURED, (FIR)=Fd. IRON ROD, (SIR)=SET IRON ROD, (CM)=CONC. MONUMENT

SURVEY NOT VALID UNLESS
EMBOSSSED WITH SURVEYORS SEAL.
PREPARED FOR AND CERTIFIED TO:

Henry Brantigan
Mary Sue Brantigan
Crimmins Title
Sun Bank of Tampa Bay

TARGET LAND SURVEYING INC.

3665 EAST BAY DRIVE, SUITE 204-143
LARGO, FLORIDA 34641 PH: (813) 448-1846

I hereby certify that the survey represented hereon meets
the minimum requirements of Chapter 21 HH-6, Florida
Administrative Code

Phillip C. Stock
Phillip C. Stock, RLS #3035

9/27/90
DATE OF CERTIFICATION:

Field Survey 9/26/90

FB# 67-A Pg. 34

Job # 900925-3X

CITY OF ST. PETERSBURG
REVIEWED FOR
CODE COMPLIANCE

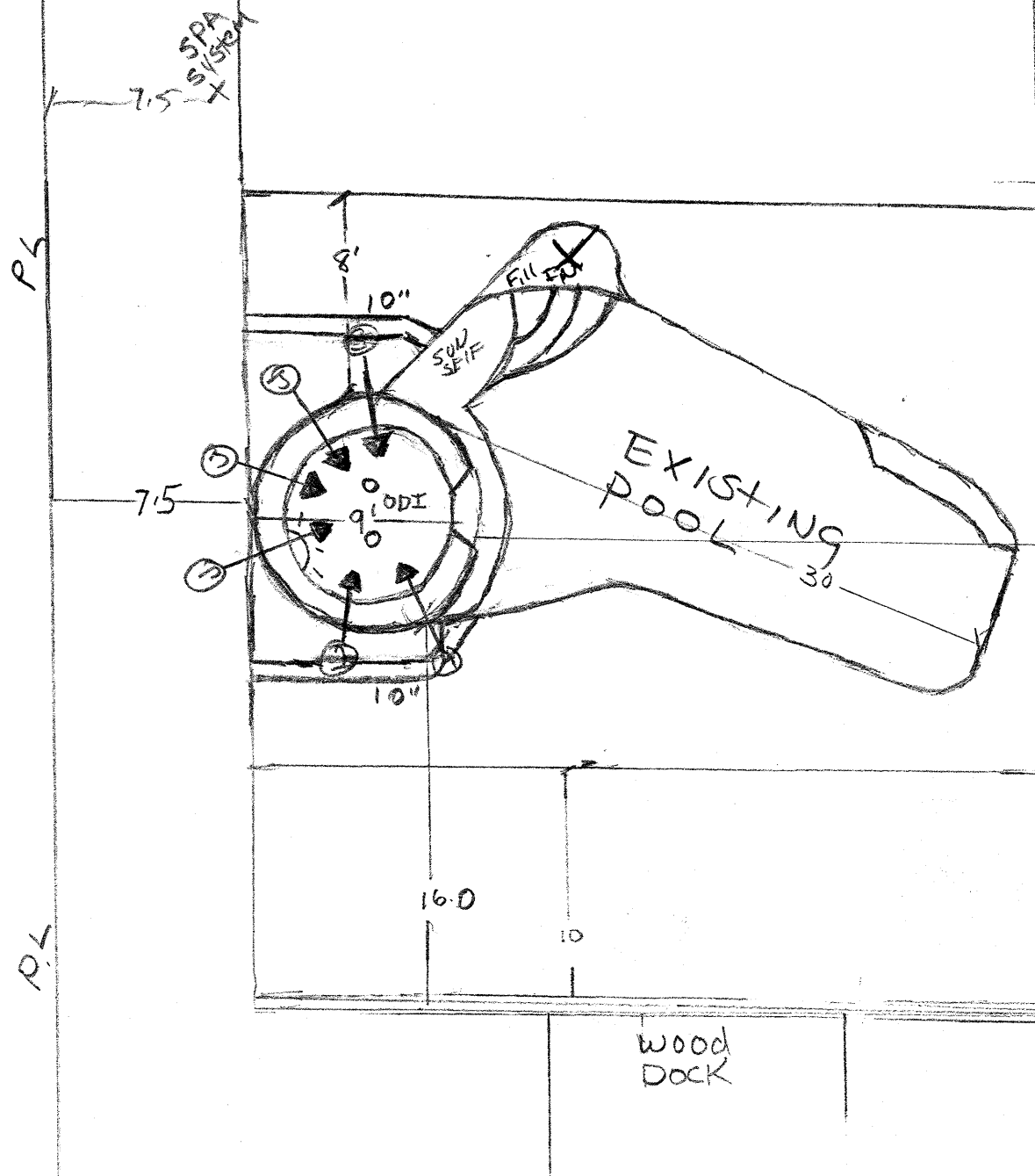
() BLDG
() MECH
() PLAG
() ELEC
() GAS

LAURIE JAWORSKI
DATE JUN 23 2006

BUILDING INSPECTION
Division Office
Copy



MR. & MRS.
BRAUTIGAM
RESIDENCE



5' X EXISTING system

BUILDING INSPECTION
Division Office
Copy

CITY OF ST. PETERSBURG
REVIEWED FOR
CODE COMPLIANCE
 BLDG PLBG GAS
 MECH ELEC
 LAURIE JAWORSKI DATE JUN 23 2006

SEWER	_____
WATER	_____
GAS	_____
CONFLICT	_____
FENCE	_____
TREES	_____
ACCESS	_____
PERMISSION	_____
WELLPOINTS	_____
TIEBACKS	_____
SIDE CLEAR	_____
OVERHEAD CLEARANCE	_____
SPRINKLERS	_____

SITE DIRECTIONS

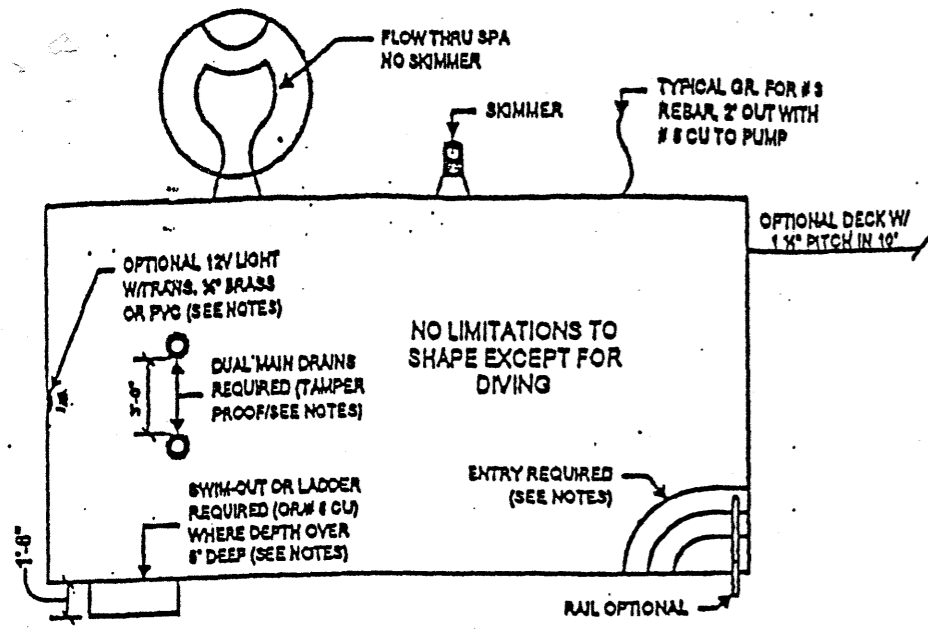
BEAM ELEVATION _____ SURFACE AREA _____
 DIG BY: _____ PERIM _____
 SHAPE _____ SIZE _____ X _____ X _____
 DEPTH _____ TO _____ CAPACITY _____ GAL
 COPING _____ TILE _____
 CAP TILE _____ STEP TILE _____
 RAIL _____ LADDER _____ SWIM OUT _____
 SKIMMER _____ MAIN DRAIN _____ STUB OUT _____
 RETURNS _____ WASTE _____ VALVES _____
 FILTER _____ PUMP _____ CHLORINATOR _____
 TIMER _____ ELEC _____ LIGHTS _____
 SPA: 9'00 7" ID BEAM: _____
 ELEV. RAISE 10" DPTH 36" CAPAC. 450 GAL.
 JETS 6 MAIN _____ BLOWER 2HP
 BOOSTER PUMP 2.0 hp HEATER 300K
 MAIN EQUIP _____ START CHEMS. INCL
 DECK PAVER DECK FINISH PAVERS
 GLASS BLOCK 20 Blocks FIBER OPTICS: NO

GOFF'S POOLS, INC. 727-328-0716
 New Construction State Cert. CPC044078
 Custom POOLS

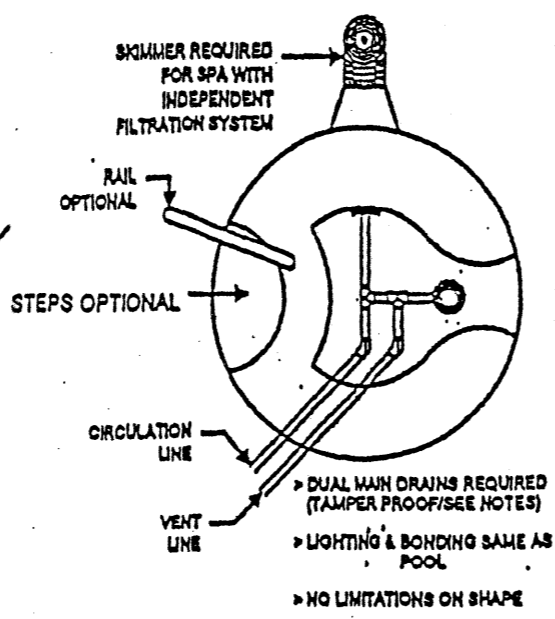
NAME MR. & MRS. BRAUTIGAM PHONE _____
 ADDRESS 1336 51st AVE NE
 CITY St. Pete STATE FL 33703
 SUB. PONDUS USA LOT 46 BLOCK 2
 CUST. SIGNATURE: _____

DRAWN BY: SDG DATE: 6/03/06 REF #: 62-022-11

PLOT PLAN
1/8" = 1'0"



GENERAL POOL PLAN
1/8" = 1'



GENERAL SPA PLAN
1/4" = 1'

GENERAL DESIGN REQUIREMENTS

- design, const. & workmanship shall be in conformity w/ the req. of ANSI/NSPI 3, ANSI/NSPI 4, ANSI/NSPI 5, & ANSI/NSPI 6 based on the pool type.
- see NSPI for diving water envelopes.
- slides shall meet the manufactures installation requirements;
- entry/exit req. at the shallow end & deep end if over 5' deep, acceptable are stairs (10" min. tread w/ 240 sq. inch min. area, 12" max. riser w/ intermediate treads & risers uniform). Ladders, under water seats & swim-outs (max. 20" below water).
- circulation systems, components & equip. shall comply w/ NSF 50.
- the max. turnover rate is 12 hours.
- filters shall have an air release & pressure gage.
- pumps 3 h.p. & less shall meet ansi/ul1081 corrosion resistant w/ strainer & meet the req. flow.
- surface skimmers shall meet NSF 50 & there shall be one for every 800 sq. ft. of surface area.
- return inlets shall be a min. of one for every 300 sq. ft.
- heater shall meet ansi-z21.56 or ul1261 or ul559.
- disinfectant equip. shall comply w/ NSF 50.
- pressure test piping at 35 PSI for 15 mins. or meet local code if greater.

SPECIAL SPA REQUIREMENTS

- max. water depth 4', max. seat depth 28" max.
- floor slope 1:12.
- steps: min. tread 10"x12", 7" min. riser, 12" max. riser except the bottom step may be 14" if it is the seat. Intermediate tread & risers to be uniform if the spa is operated Intermittently it shall have a one hour turn-over if continuous a six hour turnover.
- max. temperature 104 degrees.
- meet ANSI/NSPI article XVII safety instruction/safety signs.
- pressure test piping at 35 PSI for 15 mins. or meet local code if greater.

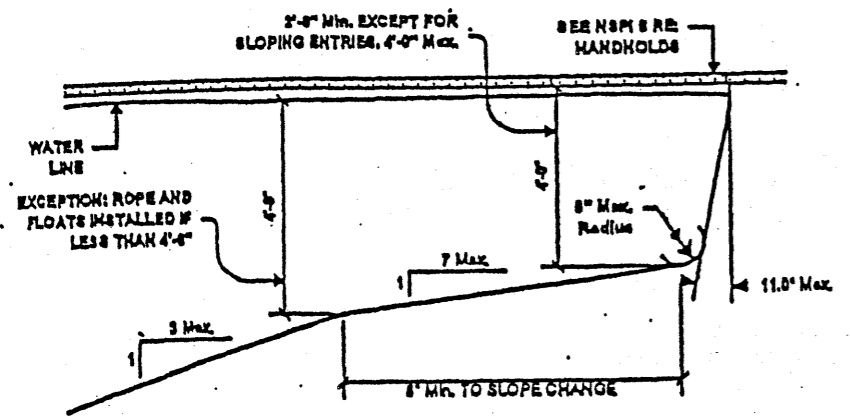
ELECTRICAL REQUIREMENTS

- wiring & bonding & all electrical to comply w/ chapter 27, FL. building code.
- no outlet or overhead power within 10' if within 15' protect by GFI, transformer min. 10' from pool, 8' above water, j box 4' from pool, brass to j box or transformer whichever is first except where PVC is approved.

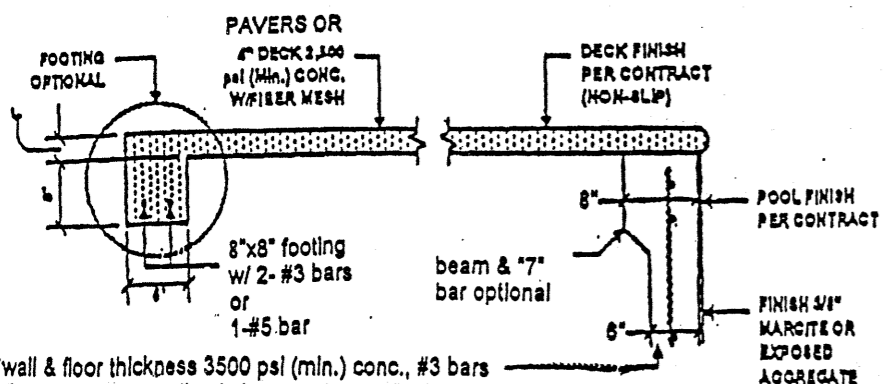
FLORIDA BUILDING CODE R4101

The pool contractor is responsible for furnishing all detail design requirements for each individual pool in accordance w/ the FL. building code, and all const. shall meet all applicable codes including plumbing, electrical and gas. Piping shall be SCH, 40 PVC, NSFpw, max. pressure velocity 10 FPS, suction 6-8 FPS. The pool plan shall show the design plumbing as per the sample w/ the information req. shown. Main drain plumbing shall be two drains separated by 3' w/ approved ANSI/ASME A112.19.8M covers. As an alternate the approved drains may be placed on different planes. The two drains shall have a common suction line: Suction grates may be used if approved at a max. of 1 1/2 FPS and the suction piping is recessed from the grate The distance equal to the suction pipe size. In addition a safety vacuum release system must be installed. This may consist of an air release system. The vent pipe shall be tied to the main drain lines, sized the same as the main drain suction line and brought back to the filter location, elbowed up and over w/ a grate for protection and labeled "safety vent". Skimmers do not req. protection and must be designed for a min. 25 GPM. The following shall be labeled w/ red label marker tape at the filter location: pipes, valves, "safety vent" or "safety device", pump(s) off switch.

It has been certified that these design req. are in compliance w/ the FL. building code R4101, 424.2-2004. ANSI/NSPI 3, ANSI/NSPI 4, ANSI/NSPI 5 and ANSI/NSPI 6.



POOL SECTION DETAIL
1/4" = 1'

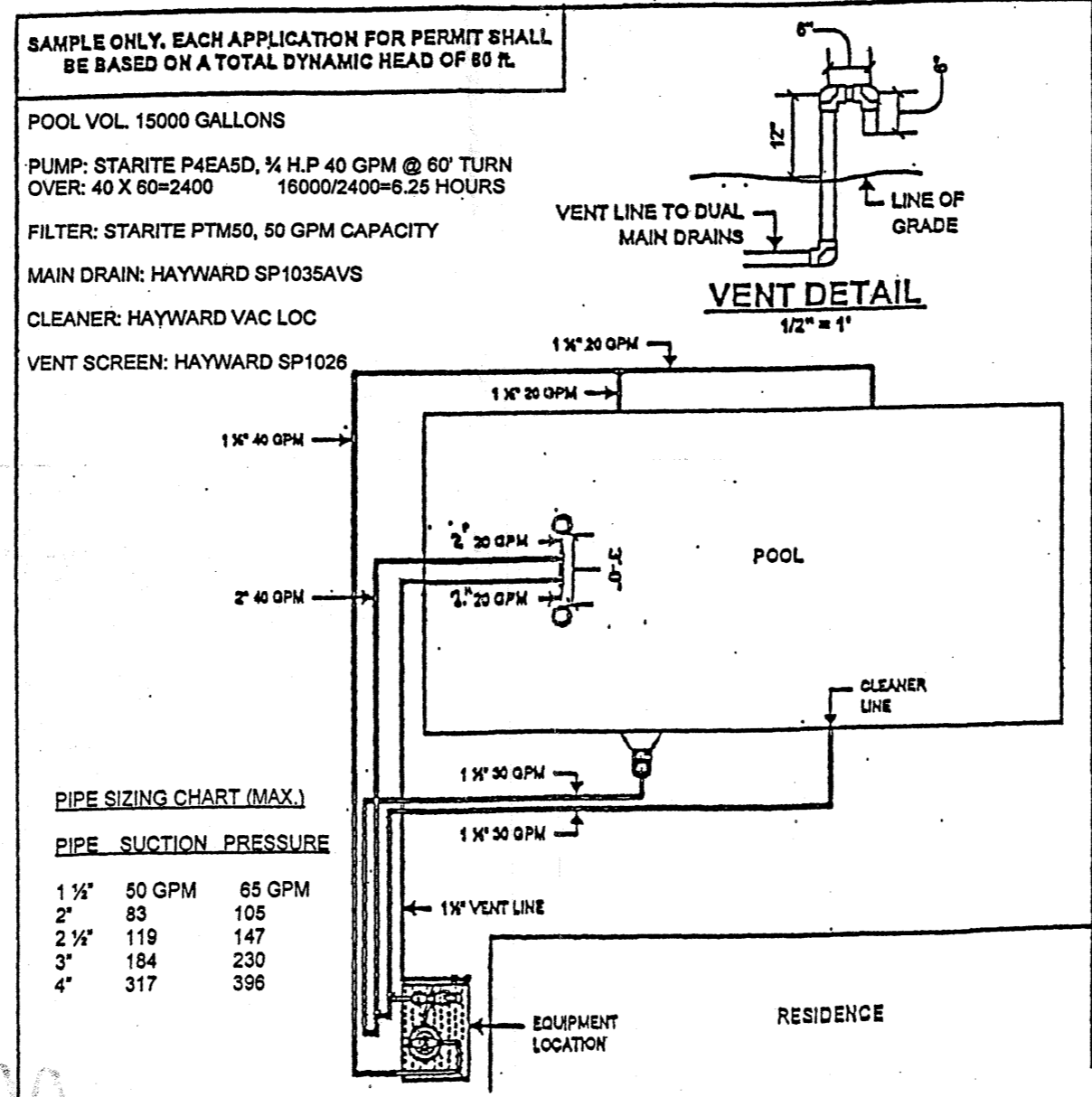


5" min. wall & floor thickness 3500 psi (min.) conc., #3 bars on 12" centers either way, tie all, intersections 15" min. overlap, 2" min. coverage on steel w/ concrete to ASTM A15, A16, ASTM A305

STRUCTURAL SUBJECT TO SUITABLE SOIL CONDITIONS

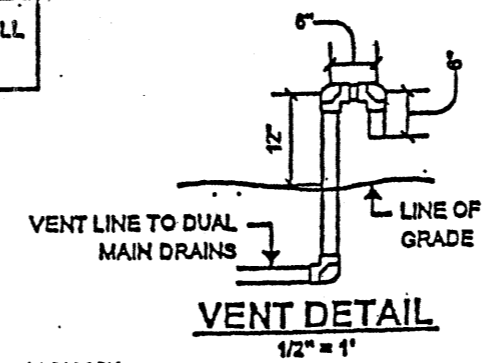
POOL/SPA, DECK, BEAM, WALL, FLOOR

1/2" = 1'



SAMPLE ONLY. EACH APPLICATION FOR PERMIT SHALL BE BASED ON A TOTAL DYNAMIC HEAD OF 80 FT.

- POOL VOL. 15000 GALLONS
- PUMP: STARITE P4EA5D, 1/2 H.P. 40 GPM @ 60' TURN OVER: 40 X 60=2400 16000/2400=6.25 HOURS
- FILTER: STARITE PTM50, 50 GPM CAPACITY
- MAIN DRAIN: HAYWARD SP1035AVS
- CLEANER: HAYWARD VAC LOC
- VENT SCREEN: HAYWARD SP1026



PIPE SIZING CHART (MAX.)

PIPE	SUCTION	PRESSURE
1 1/2"	50 GPM	65 GPM
2"	83	105
2 1/2"	119	147
3"	184	230
4"	317	396

BUILDING INSPECTION
Division Office
Copy

GOFF'S POOLS INC

CITY OF ST. PETERSBURG
REVIEWED FOR
CODE COMPLIANCE
BLDG () PLBG () GAS
() MECH () ELEC
JUN 23 2006
LAURIE JAWORSKI DATE

GARDNER B. COLLINS, P.E. 9702
1268 Rogers Street
CLEARWATER, FLORIDA 33756
(727) 442-8443

STANDARD RESIDENTIAL
POOL AND/OR SPA DETAIL

F-1-2-2-R-T
Box: 9534
4/6/21
Charles Parks

06-06001374

Prepared by and return to:
New Frontier Title, LLC.
Johnathan Thompson
801 49th Street North
St. Petersburg, Florida 33710

File Number: 20-0024
Folio Number: 04-31-17-72578-002-0460

BORROWER'S SURVEY AFFIDAVIT

State of Florida
County of Pinellas

I/We, Henry & Mary Brautigam, the undersigned Affiants, after being duly sworn, depose, and say the following:

1. That I/we am/are the owner(s) of the following described property:

Lot 46, Block 2, Ponderosa of Shore Acres Unit 3, a subdivision according to the plat thereof recorded in Plat Book 69, Page 89, of the Public Records of Pinellas County, Florida.
2. That attached hereto is a survey of the above described property drawn by Target Land and Surveying, LLC, dated September 26, 1990, being Job/Order No. 900925-3X and certified to us.
3. That since the date of the survey, there have been no modifications or additions to the improvements shown on the survey.
4. That, since that date of the survey to the best of affiant's knowledge, there have been no improvements or fences erected on any adjacent property.
5. That we have not granted any easement of any nature across the above described property.
6. That this Affidavit is made for the purpose of inducing New Frontier Title, LLC. and Old Republic National Title Insurance Company to issue a policy of title insurance without the survey and unrecorded easement exceptions, insuring a new mortgage on the above described property.
7. Affiants further states that Affiants are familiar with the nature of an oath, and with the penalties as provided by the laws of the State of Florida for falsely swearing to statements made in an instrument of this nature. Affiants further certifies that affiants have read, or have had read to themselves, the full facts of this affidavit and understands its context.


Henry Brautigam

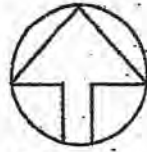

Mary Brautigam

State of Florida
County of Pinellas

The foregoing instrument was sworn to before me by means of [] physical presence or [] online notarization on August 07, 2020 by Henry & Mary Brautigam, husband and wife who are personally known to me or who produced a [user type id] as identification and who did/did not take an oath.

Notary Public
State of Florida at Large

NOTE: No instruments of record reflecting easements, rights-of-way, and/or ownership were furnished this Surveyor, except as shown.



This property lies within Flood Zone A9 as depicted on Flood Insurance Rate Map Community Panel # 125118 0009B Dated: Sept. 30, 1983
(Base Flood Elev: 9.00')

GENERAL NOTES: If elevations are shown, such elevations are based on N.G.V.D. 1929 (MSL=0.00').

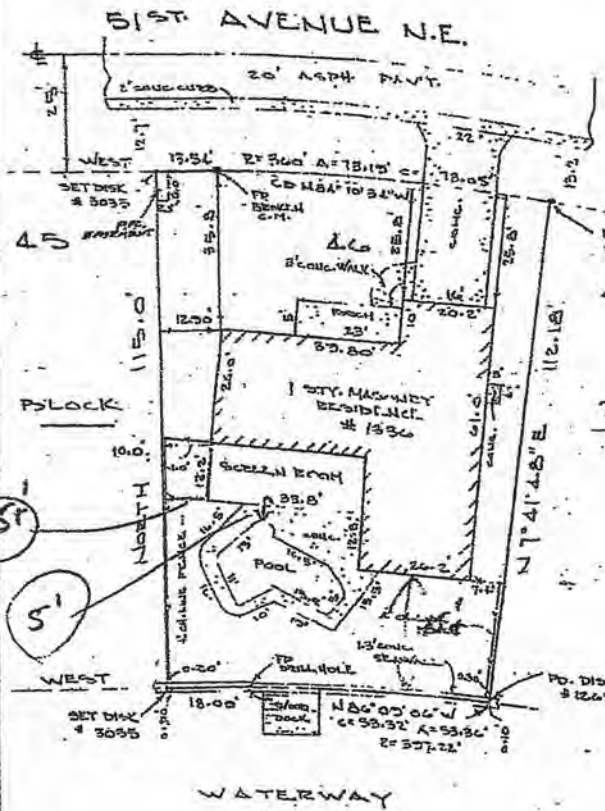
BENCHMARK:

SCALE: 1"=30'

BASIS OF BEARINGS: Record Plat

BOUNDARY SURVEY: Lot 16, Block 2, PONDEROSA OF SHORE ACRES UNIT 3, according to the plat thereof as recorded in Plat Book 69, Page 89, Public Records of Pinellas County, Florida.

X [Signature]
X Kristeen Bullwitt
Mary Sue Brantigan
 Date: 8/17/20
 Date: 8/17/2020



FILE # 1260
 47
 THIS PLAN REVIEWED BY
 CODE COM. # 1260
 DATE 2-1-2004
 Henry Brantigan
 Mary Sue Brantigan
 THIS DOCUMENT HAS BEEN REVIEWED
 AND ACCEPTED AS IS.
 Henry Brantigan
 Mary Sue Brantigan

APPROVED
 MAY 07 2004
 SCANNED FILED
 ENCLOSURE EXISTING

(R)=RECORD; (M)=MEASURED; (FIR)=F.I. IRON ROD; (SIR)=SET IRON ROD; (CM)=CONC. MONUMEN

SURVEY NOT VALID UNLESS
 EMBOSSED WITH SURVEYORS SEAL
 PREPARED FOR AND CERTIFIED TO:
 Henry Brantigan
 Mary Sue Brantigan
 Grimmine Title
 Sun Bank of Tampa Bay

TARGET LAND SURVEYING INC.
 3665 EAST BAY DRIVE, SUITE 204-143
 LARGO, FLORIDA 34641 PH: (813) 448-1846
 I hereby certify that the survey represented hereon meets
 the minimum requirements of Chapter 21 HH-6, Florida
 Administrative Code
 Philip C. Stock, RLS #3635
 9/27/90
 DATE OF CERTIFICATION:
 Field Survey 9/26/90
 FB# 67-A Pg 34
 Job# 900925-3X



Seller's Property Disclosure – Residential

Notice to Licensee and seller: Only the **Seller** should fill out this form.

Notice to Seller: Florida law¹ requires a **Seller** of a home to disclose to the **Buyer** all known facts that materially affect the value of the property being sold and that are not readily observable or known by the **Buyer**. This disclosure form is designed to help you comply with the law. However, this disclosure form may not address every significant issue that is unique to the Property. You should think about what you would want to know if you were buying the Property today; and if you need more space for additional information, comments, or explanations, check the Paragraph 12 checkbox and attach an addendum.

Notice to Buyer: The following representations are made by **Seller** and **not** by any real estate licensee. This disclosure is not a guaranty or warranty of any kind. It is not a substitute for any inspections, warranties, or professional advice you may wish to obtain. It is not a substitute for your own personal judgment and common sense. The following information is based upon **Seller's** actual knowledge of the Property's condition. **Sellers** can disclose only what they actually know. **Seller** may not know about all material or significant items. You should have an independent, professional home inspection to verify the condition of the Property and determine the cost of repairs, if any. This disclosure is not a contract and is not intended to be a part of any contract for sale and purchase.

Seller makes the following disclosure regarding the property described as: 1336 51st Ave NE
St Petersburg, FL 33703 (the "Property")

The Property is owner occupied tenant occupied unoccupied (If unoccupied, how long has it been since Seller occupied the Property? _____)

	Yes	No	Don't Know
1. Structures; Systems; Appliances			
(a) Are the structures including roofs: ceilings; walls; doors; windows; foundation; and pool, hot tub, and spa, if any, structurally sound and free of leaks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Is seawall, if any, and dockage, if any, structurally sound?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Are existing major appliances and heating, cooling, mechanical, electrical, security, and sprinkler systems, in working condition, i.e., operating in the manner in which the item was designed to operate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Does the Property have aluminum wiring other than the primary service line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Are any of the appliances leased? If yes, which ones: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) If any answer to questions 1(a) - 1(c) is no, please explain: _____			
2. Termites; Other Wood-Destroying Organisms; Pests			
(a) Are termites; other wood-destroying organisms, including fungi; or pests present on the Property or has the Property had any structural damage by them? <u>No</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Has the Property been treated for termites; other wood-destroying organisms, including fungi; or pests?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) If any answer to questions 2(a) - 2(b) is yes, please explain: <u>Treated for termites & will have house tented.</u>			
3. Water Intrusion; Drainage; Flooding			
(a) Has past or present water intrusion affected the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Have past or present drainage or flooding problems affected the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Is any of the Property located in a special flood hazard area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Is any of the Property located seaward of the coastal construction control line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Does your lender require flood insurance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Do you have an elevation certificate? If yes, please attach a copy.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(g) If any answer to questions 3(a) - 3(d) is yes, please explain: <u>Flood Zone AE</u>			

¹ Johnson v. Davis, 480 So.2d 625 (Fla. 1985)

Seller (JB) (SB) and Buyer (DB) (KB) acknowledge receipt of a copy of this page, which is Page 1 of 5.

SPDR-3 Rev 8/19

Serial#: 095355-600158-1531159

4. Plumbing

	Yes	No	Don't Know
(a) What is your drinking water source? <input checked="" type="checkbox"/> public <input type="checkbox"/> private <input type="checkbox"/> well <input type="checkbox"/> other			
(b) Have you ever had a problem with the quality, supply, or flow of potable water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Do you have a water treatment system? If yes, is it <input checked="" type="checkbox"/> owned <input type="checkbox"/> leased?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Do you have a <input checked="" type="checkbox"/> sewer or <input type="checkbox"/> septic system? If septic system, describe the location of each system: _____			
(e) Are any septic tanks, drain fields, or wells that are not currently being used located on the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Are there or have there been any defects to the water system, septic system, drain fields or wells?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Have there been any plumbing leaks since you have owned the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(h) Are any polybutylene pipes on the Property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) If any answer to questions 4(b), 4(c), and 4(e) - 4(h) is yes, please explain: _____			

5. Roof and Roof-Related Items

(a) To your knowledge, is the roof structurally sound and free of leaks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) The age of the roof is <u>14</u> years OR date installed _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Has the roof ever leaked during your ownership?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) To your knowledge, has there been any repair, restoration, replacement (indicate full or partial) or other work undertaken on the roof? If yes, please explain: <u>Tiles From High Winds + They were Replaced</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Are you aware of any defects to the roof, fascia, soffits, flashings or any other component of the roof system? If yes, please explain: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. Pools; Hot Tubs; Spas

Note: Florida law requires swimming pools, hot tubs, and spas that received a certificate of completion on or after October 1, 2000, to have at least one safety feature as specified by Section 515.27, Florida Statutes.

- (a) If the Property has a swimming pool, hot tub, or spa that received a certificate of completion on or after October 1, 2000, indicate the existing safety feature(s):
 enclosure that meets the pool barrier requirements approved safety pool cover
 required door and window exit alarms required door locks none
- (b) Has an in-ground pool on the Property been demolished and/or filled?

(a)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7. Sinkholes

Note: When an insurance claim for sinkhole damage has been made by the Seller and paid by the insurer, Section 627.7073(2)(c), Florida Statutes, requires the Seller to disclose to the Buyer that a claim was paid and whether or not the full amount paid was used to repair the sinkhole damage.

- (a) Does past or present settling, soil movement, or sinkhole(s) affect the Property or adjacent properties?
- (b) Has any insurance claim for sinkhole damage been made?
 If yes, was the claim paid? yes no If the claim was paid, were all the proceeds used to repair the damage? yes no
- (c) If any answer to questions 7(a) - 7(b) is yes, please explain:

(a)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	<u>Yes</u>	<u>No</u>	<u>Don't Know</u>
8. Homeowners' Association Restrictions; Boundaries; Access Roads			
(a) Is membership in a homeowner's association mandatory or do any covenants, conditions or restrictions (CCRs) affect the Property? (CCRs include deed restrictions, restrictive covenants and declaration of covenants.) Notice to Buyer: If yes, you should read the association's official records and/or the CCRs before making an offer to purchase. These documents contain information on significant matters, such as recurring dues or fees; special assessments; capital contributions, penalties; and architectural, building, landscaping, leasing, parking, pet, resale, vehicle and other types of restrictions.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Are there any proposed changes to any of the restrictions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Are any driveways, walls, fences, or other features shared with adjoining landowners?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Are there any encroachments on the Property or any encroachments by the Property's improvements on other lands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Are there boundary line disputes or easements affecting the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Are you aware of any existing, pending or proposed legal or administrative action affecting homeowner's association common areas (such as clubhouse, pools, tennis courts or other areas)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Have any subsurface rights, as defined by Section 689.29(3)(b), Florida Statutes, been severed from the Property? If yes, is there a right of entry? <input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(h) Are access roads <input type="checkbox"/> private <input type="checkbox"/> public? If private, describe the terms and conditions of the maintenance agreement: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) If any answer to questions 8(a) - 8(g) is yes, please explain: _____			

9. Environmental			
(a) Was the Property built before 1978? If yes, please see Lead-Based Paint Disclosure.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Does anything exist on the Property that may be considered an environmental hazard, including but not limited to, lead-based paint; asbestos; mold; urea formaldehyde; radon gas; methamphetamine contamination; defective drywall; fuel, propane, or chemical storage tanks (active or abandoned); or contaminated soil or water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Has there been any damage, clean up, or repair to the Property due to any of the substances or materials listed in subsection (b) above?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Are any mangroves, archeological sites, or other environmentally sensitive areas located on the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) If any answer to questions 9(b) - 9(d) is yes, please explain: _____			

10. Governmental, Claims and Litigation			
(a) Are there any existing, pending or proposed legal or administrative claims affecting the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Are you aware of any existing or proposed municipal or county special assessments affecting the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Is the Property subject to any Property Assessed Clean Energy (PACE) assessment per Section 163.08, Florida Statutes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Are you aware of the Property ever having been, or is it currently, subject to litigation or claim, including but not limited to, defective building products, construction defects and/or title problems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Have you ever had any claims filed against your homeowner's Insurance Policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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- | | Yes | No | Don't Know |
|--|--------------------------|-------------------------------------|--------------------------|
| (f) Are there any zoning violations or nonconforming uses? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (g) Are there any zoning restrictions affecting improvements or replacement of the Property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (h) Do any zoning, land use or administrative regulations conflict with the existing use of the Property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (i) Do any restrictions other than association or flood area requirements, affect improvements or replacement of the Property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (j) Are any improvements located below the base flood elevation? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (k) Have any improvements been constructed in violation of applicable local flood guidelines? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (l) Have any improvements to the Property, whether by you or by others, been constructed in violation of building codes or without necessary permits? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (m) Are there any active permits on the Property that have not been closed by a final inspection? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (n) Is there any violation or non-compliance regarding any unrecorded liens; code enforcement violations; or governmental, building, environmental and safety codes, restrictions or requirements? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (o) If any answer to questions 10(a) - 10(n) is yes, please explain: _____ | | | |

11. Foreign Investment in Real Property Tax Act ("FIRPTA")

- (a) Is the Seller subject to FIRPTA withholding per Section 1445 of the Internal Revenue Code?
If yes, Buyer and Seller should seek legal and tax advice regarding compliance.

12. (If checked) Other Matters; Additional Comments The attached addendum contains additional information, explanation, or comments.

Seller represents that the information provided on this form and any attachments is accurate and complete to the best of Seller's knowledge on the date signed by Seller. Seller authorizes listing broker to provide this disclosure statement to real estate licensees and prospective buyers of the Property. Seller understands and agrees that Seller will promptly notify Buyer in writing if any information set forth in this disclosure statement becomes inaccurate or incorrect.

Seller: *[Signature]* / Henry Brautigam (print) Date: 6/12/30
 Seller: *[Signature]* / Mary Brautigam (print) Date: _____
6/18/2020 2:55:59 PM EDT

Buyer acknowledges that Buyer has read, understands, and has received a copy of this disclosure statement.

Buyer: *[Signature]* / _____ (print) Date: _____
 Buyer: *[Signature]* / _____ (print) Date: _____
6/18/2020 2:58:14 PM EDT

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