

**THE CITY OF MADEIRA BEACH
PUBLIC NOTICE**

A Special Magistrate Hearing of the City of Madeira Beach, Florida will be held at the Madeira Beach City Centre in the Commission Chambers, located at 300 Municipal Drive, Florida 33708 to discuss the agenda items of City Business listed below.

**SPECIAL MAGISTRATE
VARIANCE/SPECIAL EXCEPTION USE
AGENDA**

2:00 P.M.

MONDAY, FEBRUARY 22, 2016

COMMISSION CHAMBERS

- A. CALL TO ORDER**
- B. SPECIAL MAGISTRATE STATEMENT**
- C. ADMINISTRATION OF OATH TO RESPONDENTS/WITNESSES**
- D. NEW BUSINESS**

1. APPLICATION 2016.01

Property Owner: Pines Madeira, LLC
3301 Ponce De Leon Boulevard
Coral Gables, Florida 33134-7273

Applicant: David A. Yescavage
Security Vault Works, Inc.
Pompano Beach, FL 33069

Property Address: 15101 Gulf Blvd

Parcel I.D. #: 09-31-15-00000-130-0400
09-31-15-00000-130-0600

Land Use/Zoning: Retail Commercial (C-3)/Planned Re-Development Mixed Use (PR-MU)

Request: The applicant is requesting the addition of a drive-up ATM to be located in a parking lot of an existing commercial site.

2. APPLICATION 2016.02

Property Owner: Downstream Properties, LLC
Hawaiian Cottages
13630 Gulf Boulevard, Suite 200C
Madeira Beach, Florida 33708-2594

Applicant: Downstream Properties, LLC
Paul Ingledue
13630 Gulf Boulevard, Suite 200C
Madeira Beach, Florida 33708-2594

Property Address: 13354 Gulf Boulevard, Madeira Beach

Parcel I.D. #: 15-31-15-58320-007-0120

Land Use/Zoning: Medium Density Multi-Family Residential (R-3)/ 1932
Resort Facilities Medium (RFM)

Request: **Variance Request: Section 110-231(4)b.1, Minimum Setback – Side Yard**
Required: 10 feet
Requested: 0 feet
Variance: 10 feet

E. OLD BUSINESS

F. ADJOURNMENT

Any person who decides to appeal any decision at this Public Hearing with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The law does not require the City Clerk to transcribe verbatim minutes; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation in order to participate in this meeting should call 727-391-9951 or fax a written request to 727-399-1131.

Property Posted: February 12, 2016



SPECIAL MAGISTRATE – SPECIAL EXCEPTION REQUEST

**February 22, 2016
Application 2016.01**

I. GENERAL INFORMATION

Request: The applicant is requesting the addition of a drive-up ATM to be located in a parking lot of an existing commercial site.

Property Owner

**Pines Madeira, LLC
3301 Ponce De Leon Boulevard
Coral Gables, Florida 33134-7273**

Applicant

**David A. Yescavage
Security Vault Works, Inc.
Pompano Beach, FL 33069**

Property Address

15129 Madeira Way

Parcel I.D. #

**09-31-15-00000-130-0400
09-31-15-00000-130-0600**

Zoning/Land Use

Retail Commercial (C-3)/Planned Re-Development Mixed Use (PR-MU)

II. BACKGROUND

The site plan for the existing CVS Pharmacy, located at 15101 Gulf Blvd, was approved in November of 2013. The project originally received Special Exception approval for a drive-through pick-up window for the pharmacy. The applicant is requesting the addition of a drive-up ATM to be located in the existing parking lot. This addition requires approval as a Special Exception.

The request was considered by the Local Planning Agency on November 19, 2015 at which time the item was continued to February 8, 2016 in order to resolve questions regarding potential impacts to the adjacent Winn Dixie Shopping Center which at the time was considering plans for redevelopment. On February 8, 2016, the Local Planning Agency again considered the request and unanimously recommended approval of the Special Exception for the drive-up ATM.

III. SPECIAL EXCEPTION CRITERIA AND FINDINGS

In accordance with Section 110-124(b) of the Code of Ordinances, Special Exceptions shall comply with the following requirements:

(1) That the use is a permitted special use.

Drive-in or drive-through retail personal service, business, and financial services are Special Exception uses in the C-3 (Retail Commercial) zoning district.

(2) That the use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.

The proposed drive-up ATM has been reviewed for adequate vehicle queuing, traffic circulation, parking, drainage, and landscaping. The proposed site plan for this addition meets the requirements of the Land Development Regulations and will not adversely affect public health, safety, welfare, or convenience.

(3) That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

The subject parcel is located along Gulf Boulevard in an area that contains other automobile oriented commercial uses. Although the ATM is proposed for location between an adjacent commercial site and the beach, the ATM will not adversely affect the adjacent property in its current state, and it is not expected to significantly affect the future development potential of the adjacent property. The ATM is a relatively small structure that will not be in continuous use. Additionally, it is proposed in an existing parking lot and is separated from the beach by Gulf Boulevard and the existing parking lot at the Archibald Beach Park.

(4) That the use will be compatible with adjoining development and the proposed character of the district where it is to be located.

The ATM is proposed for location in an existing parking lot, and the subject parcel is located along Gulf Boulevard in an area that contains other automobile oriented commercial uses. The proposed ATM will not be out of character with the district in which it is proposed.

(5) That adequate landscaping and screening is provided as required in the land development regulations, or otherwise required.

The minimum landscaping requirements of the Land Development Regulations have been met.

(6) That adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.

The proposed ATM requires the removal of two on-site parking spaces. However, the minimum parking standards for the overall development have been met.

(7) That the use conforms with all applicable regulations governing the district where located, except as may otherwise be allowable for planned unit developments.

The use conforms with all applicable regulations of the C-3 (Retail Commercial) zoning district in which it is proposed.

(8) If a variance is also desired, and/or required, a separate application shall be submitted concurrently with the special exception application.

A variance has not been requested.

(9) Special exception use will not grant to the land more privilege than the best use available in a zone where that special exception use would be a principal permitted use.

Drive-up ATMs are not listed as a principal permitted use in any zoning district.

(10) No application for special exception use shall be considered until the applicant has paid in full any outstanding charges, fees, interest, fines or penalties owed to the city by the applicant or the owner or possessor of the property under any section of the Code.

There are no outstanding charges, fees, interest, fines, or penalties owed to the city by the applicant, owner, or possessor of the property under consideration.

IV. RECOMMENDATION

The proposed drive-up ATM has been reviewed for compliance with the requirements for Special Exceptions of Section 110-24(b). Staff has determined that the proposal satisfies these requirements. Based on these findings and the recommendation of the Local Planning Agency, we recommend **approval** of the Special Exception.

V. EXHIBITS

- A. Proposed Site Plan
- B. Site Photographs
- C. Planning Commission/Local Planning Agency Minutes



**MADEIRA BEACH PLANNING COMMISSION/LOCAL PLANNING
AGENCY**

February 8, 2016 – Agenda Report

FROM:

Luis N. Serna, AICP, Planning and Zoning

SUBJECT:

CVS Pharmacy – Request for Special Exception
Continuance from November 19, 2015

BACKGROUND:

The site plan for the existing CVS Pharmacy, located at 15129 Madeira Way, was approved in November of 2013. The project originally received Special Exception approval for a drive-through pick-up window for the pharmacy.

The applicant is requesting the addition of a drive-up ATM to be located in the existing parking lot. This addition requires approval as a Special Exception.

This item was continued at the November 19, 2015 meeting due to the possible, imminent redevelopment of the Winn Dixie shopping center, which is adjacent to the CVS. According to testimony received at the meeting, the location of the proposed ATM could conflict with the possible redevelopment on the adjacent site because the ATM is proposed for location between the adjacent property and the beach.

Since the November meeting, redevelopment plans for the Winn Dixie site have not been submitted for consideration by City. However, the issue of a future potential conflict remains. The relevant review criteria of Section 110-124(b) and our findings regarding impacts to adjacent property are addressed below:

(2) That the use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.

The proposed drive-up ATM has been reviewed for adequate vehicle queuing, traffic circulation, parking, drainage, and landscaping. The proposed site plan for this addition meets the requirements of the Land Development Regulations and will not adversely affect public health, safety, welfare, or convenience.

(3) That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

Although the ATM is proposed for location between an adjacent commercial site and the beach, the ATM will not adversely affect the adjacent property in its current state, and it is not expected to significantly affect the future development potential of the adjacent property. The ATM is a relatively small structure that will not be in continuous use. Additionally, it is proposed in an existing parking lot and is separated from the beach by Gulf Boulevard and the existing parking lot at the Archibald Beach Park.

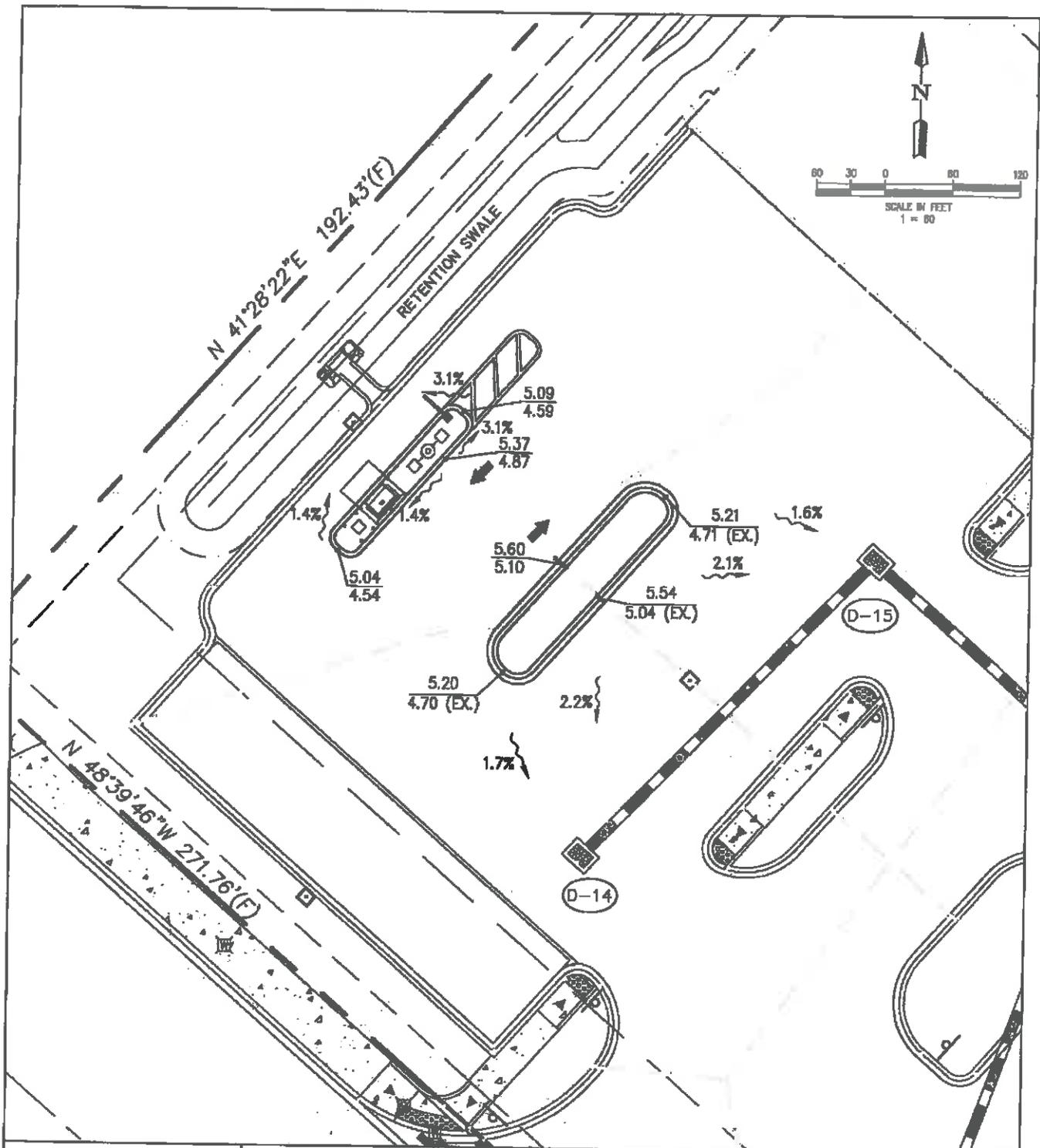
(4) That the use will be compatible with adjoining development and the proposed character of the district where it is to be located.

The ATM is proposed for location in an existing parking lot, and the subject parcel is located along Gulf Boulevard in an area that contains other automobile oriented commercial uses. The proposed ATM will not be out of character with the district in which it is proposed.

RECOMMENDATION: Based on our review of the criteria for Special Exceptions of Section 110-24(b), addressed above, and in our Staff report dated November 19, 2015, staff recommends that the Local Planning Agency recommend approval of the Special Exception.

ATTACHMENT(S): November 19, 2015 staff report and exhibits

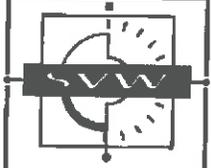
Agenda Item: _____



PROJECT
**WELLS FARGO
 MADEIRA BEACH
 REMOTE DRIVE-UP ATM
 INSTALLATION**

LOCATION:
 15129 GULF BLVD
 MADEIRA BEACH, FL

CLIENT:



WELLS FARGO
 BANK
 10000 W. 15th Avenue, Suite 4
 Tampa, FL 33607
 Phone: 813.549.3250
 Fax: 813.521.3580
 www.wellsfargo.com

ENGINEER:

FORESITE

FL CA 26115
 Foresite Group, Inc.
 10150 Highland Manor Dr.
 Suite 210
 Tampa, FL 33610

o | 813.549.3250
 f | 813.521.3580
 w | www.fg-inc.net

TITLE:
**GRADING
 EXHIBIT**

DATE: 11/06/2015

PROJECT NUMBER: 572.001



Wells Fargo - Madeira Beach REMOTE DRIVE-UP ATM INSTALLATION CONSTRUCTION DOCUMENTS



James M. Hamill
ARCHITECT
580 Dacker Drive
Suite 170
Irving, Texas 75062
Phone 972/714.0420
Fax 972/714.0282

Local Address:
Gulf and Madeira Way
Madeira, FL 33708

Developer/Applicant/Designer:
Ana Rodriguez
Security Vault Works
3033 NW 25th Ave.
Pompano Beach, FL 33069
954-991-2466 Ext. 1804

Schedule of Drawings

- GENERAL**
C.1 - Cover Sheet
ARCHITECTURAL
A.1 - Site Plans
A.2 - Plans and Elevations
A.3 - Details
A.4 - Electrical Details

Site Location Map
Scale: NOT TO SCALE

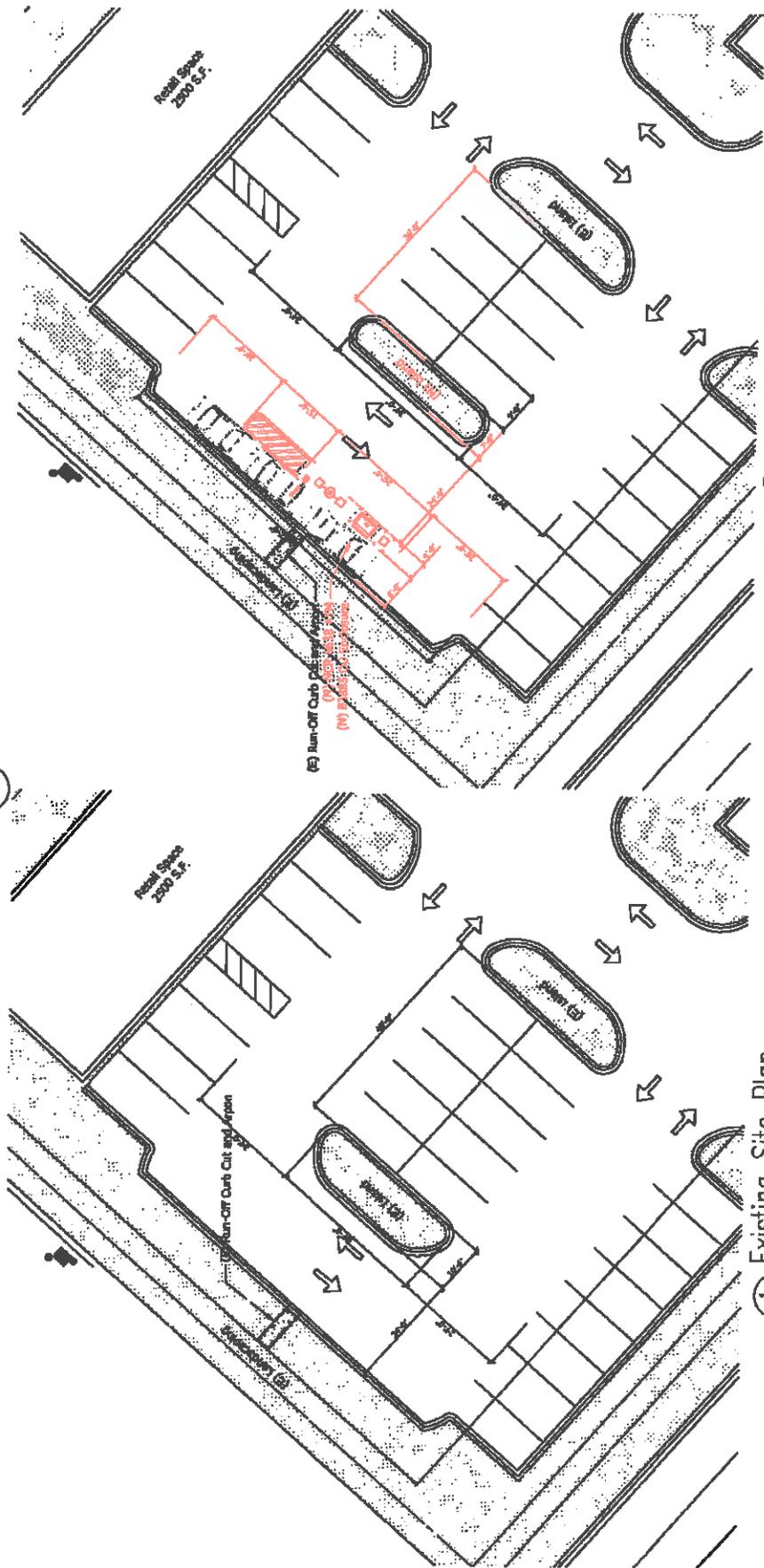


Building Codes:
5th Edition (2014) of the Florida Building Code, Building
2010 National Electrical Code

Building Construction Type:
2B Unprotected non-combustible

	<p>Madeira Beach - Madeira, FL Gulf and Madeira Way Madeira, Florida</p>	<p>William M. Merrill Professional Engineer No. 12000 12000 S.W. 11th Street Miami, Florida 33155 Tel: 305-224-1111 Fax: 305-224-1112</p>	<p>Scale: 1" = 10'-0"</p>	<p>2 Proposed Site Plan A1 Scale: 1" = 10'-0"</p>
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Plans and Elevations

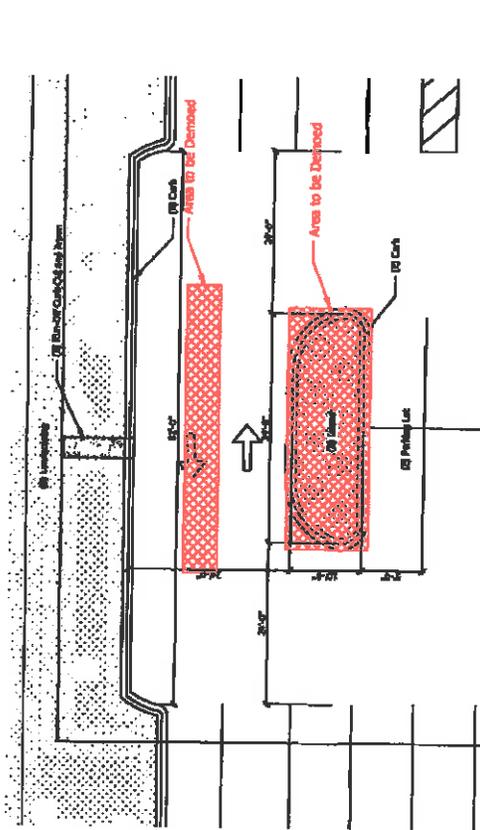


1 Existing Site Plan
A1 Scale: 1" = 10'-0"

2 Proposed Site Plan
A1 Scale: 1" = 10'-0"

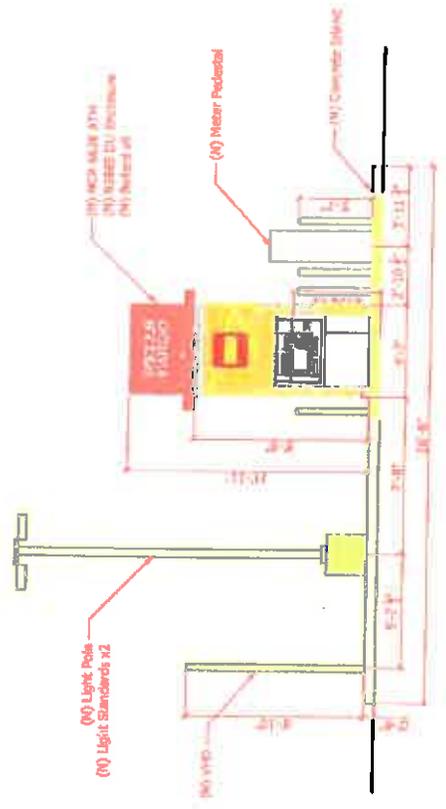
	<p>MADEIRA BEACH - MADEIRA, FL GOLF AND MADEIRA WAY MADEIRA BEACH, FL</p>	<p>MADEIRA BEACH - MADEIRA, FL GOLF AND MADEIRA WAY MADEIRA BEACH, FL</p>	<p>MADEIRA BEACH - MADEIRA, FL GOLF AND MADEIRA WAY MADEIRA BEACH, FL</p>	<p>MADEIRA BEACH - MADEIRA, FL GOLF AND MADEIRA WAY MADEIRA BEACH, FL</p>	<p>MADEIRA BEACH - MADEIRA, FL GOLF AND MADEIRA WAY MADEIRA BEACH, FL</p>
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Plans and Elevations

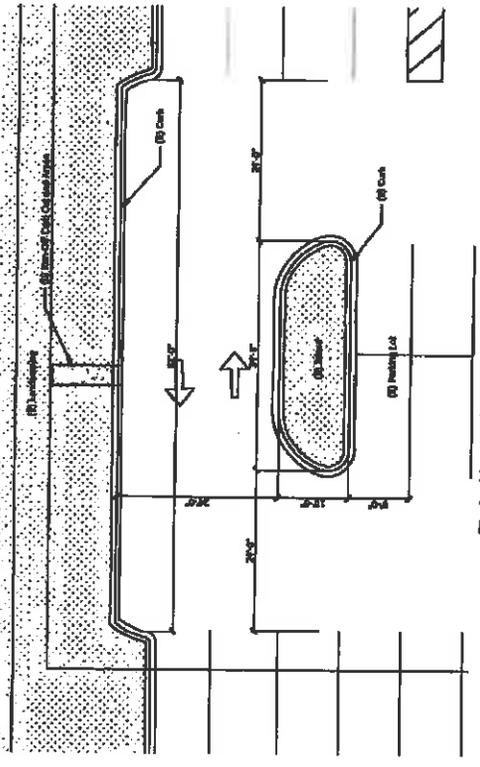


2 Demolition Plan
 Scale: 1/8" = 1'-0"

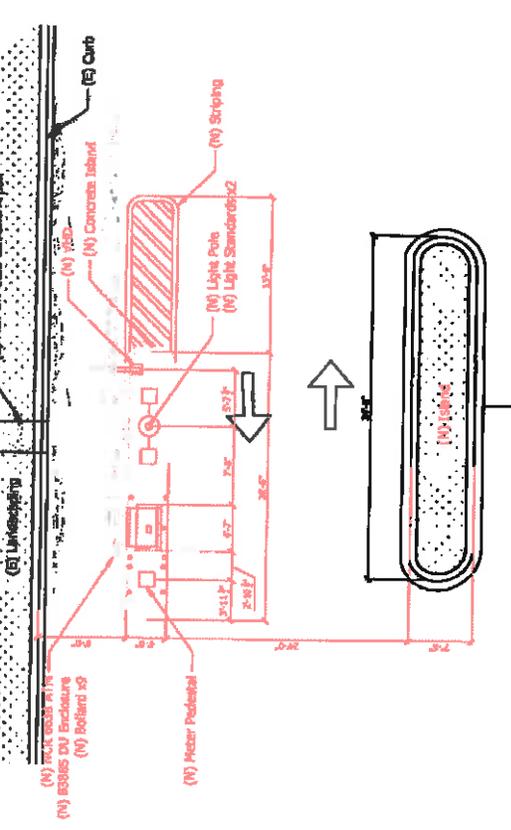
GENERAL NOTES:
 1. ALL AREAS TO BE DEMOLISHED SHALL BE SHOWN IN RED HATCHED AREAS.
 2. THE CONTRACTOR SHALL VERIFY THE EXISTING UTILITIES AND REMOVE THEM AS NECESSARY.



4 Proposed Elevation
 Scale: 3/8" = 1'-0"



1 Existing Layout Plan
 Scale: 1/8" = 1'-0"



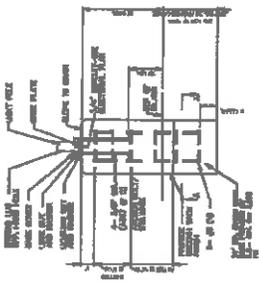
3 Proposed Layout Plan
 Scale: 3/16" = 1'-0"



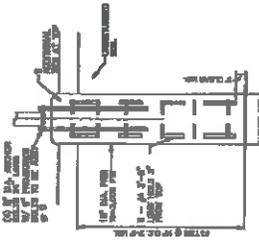
Ⓐ Bollard Foundation Detail
Scale 1/2" = 1'-0"



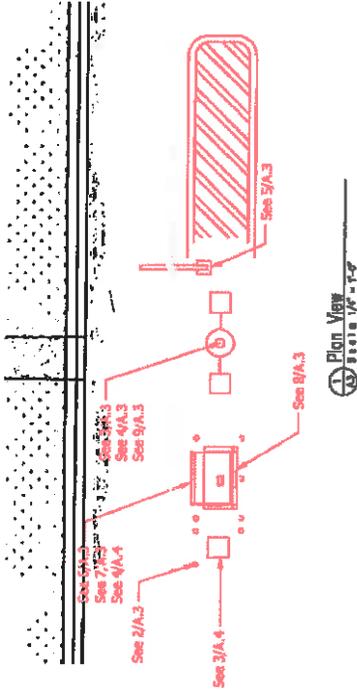
Ⓐ Light Pole Base Plate Detail
Scale 3/4" = 1'-0"



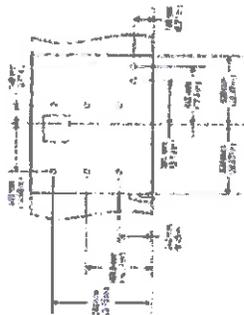
Ⓐ Light Pole Foundation Detail
Scale 1/2" = 1'-0"



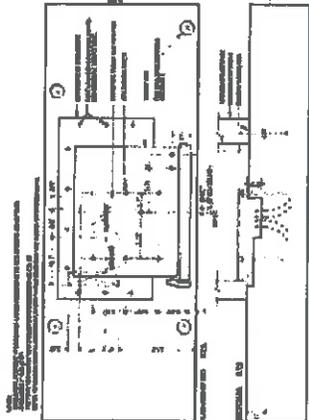
Ⓐ VFD Base Foundation Plan
Scale 1/2" = 1'-0"



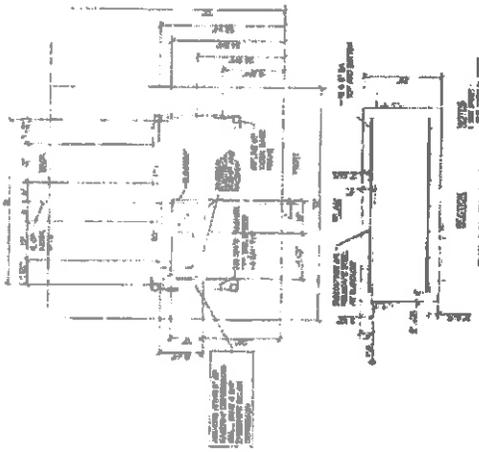
Ⓐ Light Fixture Detail
Scale 1/2" = 1'-0"



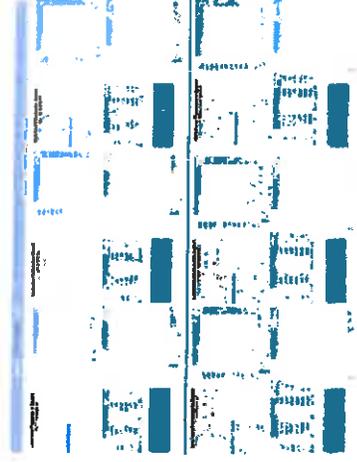
Ⓐ NCR 6638 Bolt Pattern Detail
Scale 1/2" = 1'-0"



Ⓐ NCR 6638 Foundation Detail
Scale 1/2" = 1'-0"



Ⓐ B3895 Enclosure Foundation Detail
Scale 1/2" = 1'-0"



Ⓐ Light Fixture Detail
Scale 1/2" = 1'-0"

GENERAL NOTES:
1. ALL DIMENSIONS UNLESS NOTED OTHERWISE ARE IN FEET AND INCHES.

Madeira Beach - Madeira, FL	Gulf and Madeira Way Madeira, Florida	<p>GUYER ENGINEERING CONSULTANTS, INC. 10000 W. BOULEVARD SUITE 100 FORT LAUDERDALE, FL 33404 TEL: 954-473-1111 FAX: 954-473-1112</p>	<p>Approved By: _____ Date: _____</p>	<p>Checked By: _____ Date: _____</p>	<p>Drawn By: _____ Date: _____</p>	<p>Scale: _____ Sheet: _____ of _____</p>
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SPECIAL MAGISTRATE – VARIANCE REQUEST

February 22, 2016

Application 2016.02

I. GENERAL INFORMATION

Request: The applicants are requesting a variance to Section 110-(4)b.1, Minimum Side Yard Setback Requirements of the R-3 zoning district, to allow the placement of central air conditioning units within the minimum side yard setbacks.

Property Owner

Downstream Properties, LLC
Hawaiian Cottages
13630 Gulf Boulevard, Suite 200C
Madeira Beach, Florida 33708-2594

Applicant

Downstream Properties, LLC
Paul Ingledue
13630 Gulf Boulevard, Suite 200C
Madeira Beach, Florida 33708-2594

Property Address

13354 Gulf Boulevard, Madeira Beach

Parcel I.D. #

15-31-15-58320-007-0120

Zoning/Future Land Use

Medium Density Multi-Family Residential (R-3)/
Resort Facilities Medium (RFM)

Year Built

1932

Variance Request: Section 110-231(4)b.1, Minimum Setback – Side Yard

Required: 10 feet
Requested: 0 feet
Variance: 10 feet

II. BACKGROUND

The applicant is requesting a variance to Section 110-231(4)b.1, Minimum Side Yard Setback Requirements of the R-3 zoning district, to allow the placement of central air conditioning units within the minimum side yard setback. The site currently contains seven multi-family units that are separated into three buildings (See Exhibit E). According to the Property Appraiser’s records, these units were built in 1932 and have undergone several renovations. The buildings do not currently meet the minimum side yard setback of 10 feet.

During a recent renovation, the applicant replaced the units’ window air conditioners with central air conditioning units without obtaining permits. The applicant was informed by the City that permits would need to be obtained for this work and that a Variance would be required if the applicant wanted to legally be permitted to place the central units in the side yard setback. These nonconforming air conditioning units have since been removed.

III. VARIANCE CRITERIA [Section 2-507(b)]

- (1) *Special conditions and circumstances exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to the lands, building, or other structures in the same district. Special conditions to be considered shall include, but are not limited to, the following circumstances:*
 - a. *Substandard or irregular-shaped lot. If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations;*
 - b. *Significant vegetation or natural features. If the site contains significant native vegetation or other natural features;*
 - c. *Residential 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;*
 - d. *Public facilities. If the proposed project involves the development of public parks, public facilities, schools, or public utilities;*
 - e. *Architectural and/or engineering considerations. If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.*
- (2) *The special conditions and circumstances do not result from the actions of the applicant. A self-created hardship shall not justify a variance.*
- (3) *Granting the variance will not confer on the applicant any special privilege that is denied to other lands, buildings or structures in the same zoning district.*
- (4) *Literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development regulations, subpart B of this Code and would work unnecessary and undue hardship on the applicant.*
- (5) *The variance granted is the minimum variance that will make possible the reasonable use of the land.*
- (6) *The granting of the variance will be in harmony with the general intent and purpose of the city land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

IV. ANALYSIS

Staff has reviewed this request with respect to the variance criteria. Based on this review, staff finds the following:

1. **Variance Criteria #1.** The existing buildings are non-conforming in regard to the minimum side yard setback, limiting the available areas in which a central air conditioning unit could be placed without further encroaching into the side yard. However, the applicant has the option of utilizing window air conditioning units or placing the units on the roofs of the buildings. The applicant has indicated that placement of the units on the roofs will not allow the addition of roof-top solar panels. However, staff does not find that this limitation would constitute a hardship to the land owner.
2. **Variance Criteria #2.** According to the Property Appraiser's records, the original buildings on this property were constructed in 1932. The current owner purchased the property in 2015. Although the current owner was not responsible for the original construction of the buildings that do not meet the current side yard setback standards, the buildings may be used and maintained as they currently exist. The limitation of further extension into the side yard for the addition of central air conditioning units does not constitute a hardship since other options exist for the location of these units within the existing building footprint.
3. **Variance Criteria #3.** Granting of the requested variance would allow placement of air conditioner units in the side yard setbacks when other options are available.
4. **Variance Criteria #4.** Literal interpretation of the Code would not constitute a hardship to the property owner. The applicant has the option of placing the units on the roofs of the buildings or continuing to use window air conditioning units.

5. **Variance Criteria #5.** The applicant has the option of placing the units within the existing building footprint and not extending further into the side yard setback.
6. **Variance Criteria #6.** The proposed variance is not in keeping with the purpose of the minimum side yard setback standards of this zoning district. Other viable options are available that would not impact adjacent property owners.

V. RECOMMENDATION

For the reasons outlined in this report, staff recommends **DENIAL** of the requested variance to allow a 10-foot encroachment into the minimum side yard setback.

VI. EXHIBITS

- A. Zoning Map
- B. R-3 Zoning District Standards
- C. Application/ Applicants' Exhibits
- D. Pinellas County Property Appraiser's Database
- E. Site Survey
- F. Site Photograph

**Exhibit A:
Zoning Map**

11

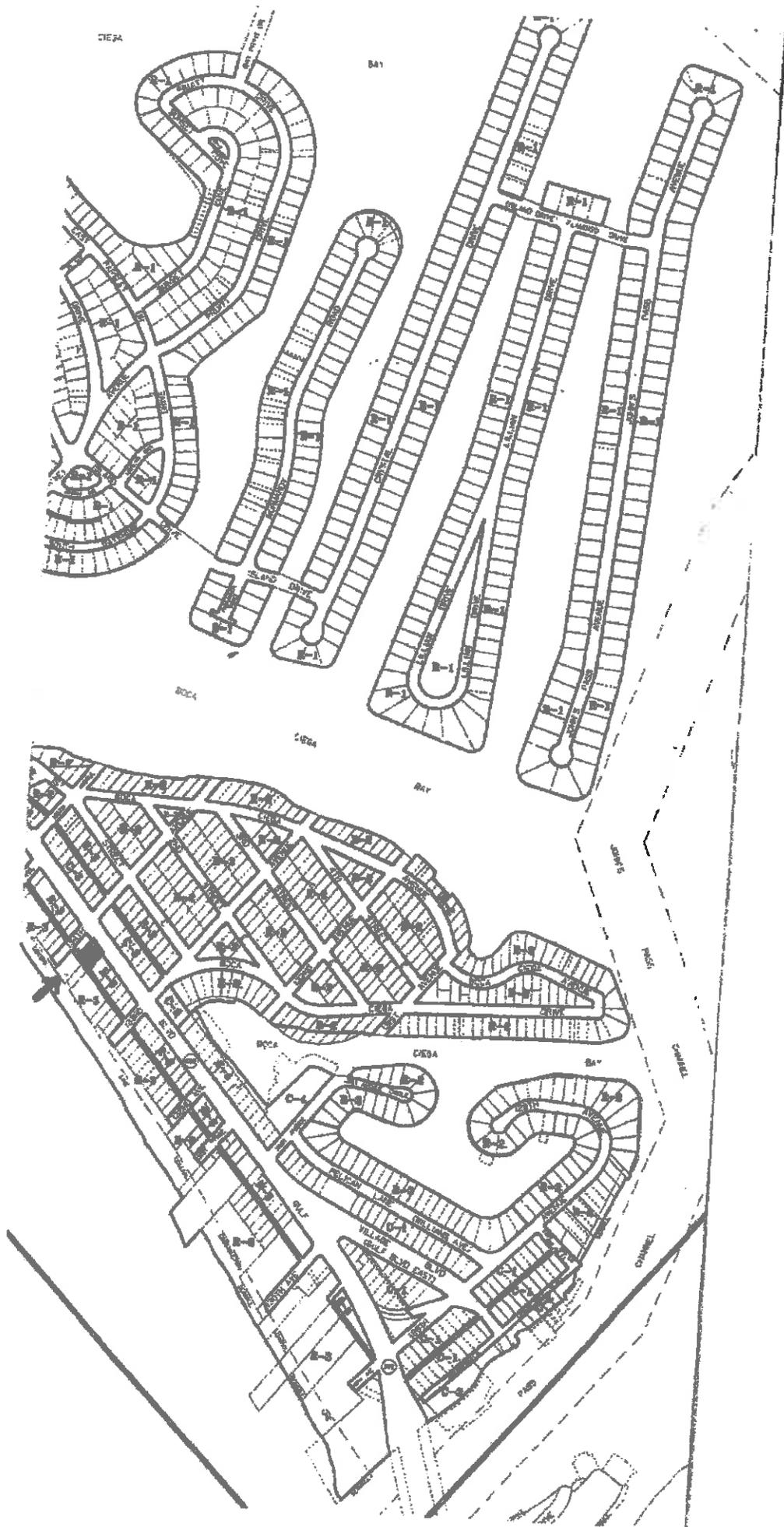


Exhibit B:
R-3 Zoning District Standards

DIVISION 4. - R-3, MEDIUM DENSITY MULTIFAMILY RESIDENTIAL

Sec. 110-226. - Definition; purpose and intent.

The R-3, medium density multifamily residential district provides for medium density development for both permanent and tourist residential facilities at locations where public facilities are adequate to support such intensity. The R-3, medium density multifamily residential district correlates with the resort facilities medium (RFM) category of the Countywide Plan.

(Code 1983, § 20-404; Ord. No. 1138, § 4, 12-9-08)

Cross reference— Definitions generally, § 1-2

Sec. 110-227. - Permitted uses.

The permitted uses in the R-3, medium density multifamily residential district are as follows:

- (1) Single-family.
- (2) Duplex.
- (3) Triplex.
- (4) Multifamily.
- (5) Tourist dwelling units.
- (6) Restaurants, excluding drive-in restaurants.
- (7) Publicly owned or operated parks and recreation areas.

(Code 1983, § 20-404)

Sec. 110-228. - Accessory uses.

The accessory uses in the R-3, medium density multifamily residential district are as follows:

- (1) Home occupation.
- (2) Private garages and carports.
- (3) Swimming pools or cabanas used as bath houses.
- (4) Residential docks.
- (5) Essential services.
- (6) Wireless communication antennas as regulated by article VI, division 12, subdivisions I, II and IV of this chapter.

(Code 1983, § 20-404)

Sec. 110-229. - Special exception uses.

Upon application for a special exception to the board of adjustment and favorable action thereon, the following uses may be permitted in the R-3, medium density multifamily residential district:

- (1) Retail and personal service uses only ancillary to a permitted use.
- (2) Public service facilities.
- (3) Commercial recreation and entertainment facilities.

(Code 1983, § 20-404)

Sec. 110-230. - Minimum building site area requirements.

The minimum building site area requirements in the R-3, medium density multifamily residential district are as follows:

- (1) Lot size:
 - a. Single-family: 4,000 square feet.
 - b. Duplex, triplex: 3,000 square feet per dwelling unit.
 - c. Multifamily: 2,420 square feet per dwelling unit.
 - d. Restaurants: 5,000 square feet.
 - e. Public service facilities: Shall not exceed a maximum area of three acres. Like uses or contiguous like uses in excess of this threshold shall require the parcel to be amended to the P-SP zoning district and the appropriate land use category.
- (2) Lot width:
 - a. Single-family, duplex, triplex: 40 feet.
 - b. Multifamily and tourist: 60 feet.
 - c. Restaurants: 60 feet.
- (3) Lot depth: All permitted uses 80 feet.
- (4) The density shall be a maximum of 18 residential dwelling units or temporary lodging units as shown in the table below. A combination of both residential and tourist dwelling units may be permissible provided that the provisions of subsections 110-236(b) and (d) are met.

Land Area of the Development Site	Units/Acre	FAR	ISR
Less than one acre	45	1.0	0.85
One acre up to three acres	60	1.5	0.85
Greater than three acres	75	2.0	0.85

(Code 1983, § 20-404; Ord. No. 1043, § 1, 6-14-05; Ord. No. 1138, § 4, 12-9-08)

Sec. 110-231. - Setback requirements.

The following minimum setbacks shall apply in the R-3, medium density multifamily residential district:

- (1) Front yard:
 - a. Single-family, duplex and triplex: 20 feet, measured from right-of-way to structure.
 - b. Multifamily, tourist and restaurants: 25 feet.
- (2) Rear yard: 25 feet, unless otherwise provided in the land development regulations, and then the more restrictive requirement shall apply.

- (3) Waterfront yard: For lots with a waterfront yard on the Gulf of Mexico, the setback shall be landward of to the county coastal construction control line.
- (4) Side yard setbacks:
- a. Single-family, duplex and triplex dwellings:
 1. For lots less than 50 feet in width, the minimum side yard setback shall be five feet.
 2. For lots 50 feet or greater in width, the minimum total side yard setback shall be 15 feet with a minimum of seven feet on either side.
 - b. Multifamily, tourist dwellings and restaurants:
 1. For proposed uses located on properties between 60 and 80 feet in width, the minimum side yard setback shall be ten feet.
 2. For lot widths greater than 80 feet in width, the minimum side yard setback shall be as follows: A total of 33 percent of the lot width shall be reserved for side yard setbacks. In no event shall one side be less than the following:
 - i. Lots less than 120 feet: ten feet.
 - ii. Lots less than 240 feet: 15 feet.
 - iii. Lots 240 feet or greater: 20 feet.

(Code 1983, § 20-404)

Sec. 110-232. - Maximum building height.

No building in the R-3, medium density multifamily residential district shall exceed 40 feet in height or three stories, whichever is more restrictive.

(Code 1983, § 20-404)

Sec. 110-233. - Maximum lot coverage.

The maximum lot coverage in the R-3, medium density multifamily residential district is as follows:

- (1) Residential use: Floor area ratio (FAR) 0.65. The maximum area of a lot or parcel to be covered by structures shall be 40 percent.
- (2) Tourist and related uses: The floor area ratio is as set forth in the table in subsection 110-230(4), provided that the requirements of subsections 110-236(b) and (d) are met for temporary lodging.
- (3) Commercial/nonresidential: Floor area ratio (FAR) 0.55.
- (4) Public service facilities: Floor area ratio (FAR) 0.65.
- (5) Public owned parks and recreation facilities: Floor area ratio (FAR) 0.25.

(Code 1983, § 20-404; Ord. No. 1138, § 4, 12-9-08)

Sec. 110-234. - Impervious surface ratio (ISR).

The impervious surface ratio (ISR) in the R-3, medium density multifamily residential district for all uses is 0.70.

(Code 1983, § 20-404)

Sec. 110-235. - Buffering requirements.

Buffering requirements in the R-3, medium density multifamily residential district are as follows:

- (1) Parking lots/garages for tourist dwellings and nonresidential uses shall be designed to minimize their impacts to any adjacent residential uses as established in the land development regulations.
- (2) During the development process, existing curb cuts shall be reoriented, if necessary, to minimize the negative impact on adjacent properties.
- (3) All development within this category will meet or exceed the buffering/landscape requirements as outlined in chapter 106, article II.

(Code 1983, § 20-404)

Sec. 110-236. - Special requirements.

- (a) No structure in the R-3, medium density multifamily residential district shall be constructed that is greater than 250 feet in width. If two structures are proposed on the same lot or parcel, the buildings shall be separated by a minimum of ten feet or 50 percent of the height of the tallest building, whichever is more restrictive.
- (b) Mixed uses in a single development shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property.
- (c) Institutional, other than public educational facilities shall not exceed a maximum area of five acres. Transportation and/or utility uses shall not exceed a maximum area of three acres.
- (d) Higher densities for temporary lodging shall be allowable only when a development agreement is adopted pursuant to the requirements of Section 4.2.7.6. of the Countywide Plan Rules.

(Code 1983, § 20-404; Ord. No. 1138, § 4, 12-9-08)

Secs. 110-237—110-255. - Reserved.

Exhibit C:
Application/Applicants' Exhibits



CITY OF MADEIRA BEACH
 300 MUNICIPAL DRIVE • MADEIRA BEACH, FLORIDA 33708
 PHONE (727) 391-9951 • FAX (727) 395-9361
 www.madeirabeachfl.gov



SPECIAL MAGISTRATE – VARIANCE APPLICATION

APPLICATION _____

PAID

CK # 429

APPLICATION FEE

DATED: _____

Applicant:

Name and Address

Property Owner:

Name and Address

Downstream Properties LLC DBA
PAWAHAIN Cottages - 13354 GULF BLVD
MADEIRA BEACH FL 33708

Downstream Properties LLC/Pavel
Englebre - 13630 GULF BLVD #2000
MADEIRA BEACH FL 33708

Telephone #:

704-654-7512

Telephone #:

704-654-7512

Email Address:

pavlingledue@gowpstream.net

Email Address:

pavlingledue@gowpstream.net

Application for property located at (street address or location of vacant lot):

MADEIRA BEACH, FL 33708

13354 GULF BLVD

Legal description:

Block 7 Lots 12 + 13 Mitchell's Beach

Approx. lot area:

6,960
sq. ft.

Lot(s)

Lot width

80'

ft.

Lot depth

87.26
ft.

Zoning district:

Present structures on property:

3 individual buildings + a pool

Present use of property:

under construction for weekly rentals

The date my request for a Building Permit was denied:

N/A

FILING FEES

- _____ Zoning Variance for Residential Dwelling Units (one, two or three units)
- _____ Zoning Variance for Multi-Family, Tourist Dwellings or Commercial
- _____ After-the-Fact Variance

\$350 per variance
 \$350 per variance
 \$500

Variance(s) needed from the zoning requirements are: allow me to install A/C units
on the back side of units 3, 4 and 5 which would require
a variance due to encroachment of units and property lines
units 3, 4 and 5 back up to a parking lot. Units are too close to
property line

PLEASE ATTACH REQUIRED SUPPORTING MATERIALS

SITE PLAN, SURVEY, PICTURES, DEED, SURVEYOR'S SKETCH, DRAWINGS, ETC.

This application to the Special Magistrate is requesting permission to be allowed to:

Install A/C units on the back side of units 3, 4 and 5.
If installed the units will be too close to the property
line between units 3, 4 and 5 and a parking lot.
If I am not allowed to do this then I will have
to install on the roof which will prevent me from installing
solar panels needed to heat the pool.

A variance granted by the Special Magistrate shall be consistent with the public interest, when owing to a special condition and literal enforcement of the provisions of the code will not result in an unnecessary and undue hardship to the applicant. Further, that the special condition or unique circumstance does not result from the intentional act of the applicant or the applicant's agent(s). In order to authorize any variance from the provisions of the City Code the Special Magistrate shall consider the following criteria and shall find that the criteria has been substantially satisfied and that a hardship exists:

EXPLAIN IN DETAIL HOW YOUR REQUEST COMPLIES WITH THE FOLLOWING RULES.

1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, building, or other structures in the same district. Special conditions to be considered shall include, but are not limited to, the following circumstances:
 - a. *Substandard or irregular-shaped lot.* If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations;

N/A

- b. *Significant vegetation or natural features.* If the site contains significant native vegetation or other natural features;

N/A

c. *Residential 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;

N/A

d. *Public facilities.* If the proposed project involves the development of public parks, public facilities, schools, or public utilities;

N/A

e. *Architectural and/or engineering considerations.* If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.

N/A

2. Demonstrate that a special conditions and circumstances do not result from the actions of the applicant. A self-created hardship shall not justify a variance.

I replaced window A/C units with central A/C units which required a permit. The new building code requires a certain setback from the property line which I am unable to meet unless I locate the new A/C units on the roof. I would have no issues with locating the units in the roof but it would prevent me from putting the eight solar panels that have been planned/permitted to go on the roof of units 3, 4 and 5. The roof area is not large enough to put the A/C units and solar panels so I will be forced to heat the pool with

3. Demonstrate that granting the variance will not confer on the applicant any special privilege that is denied to other lands, buildings or structures in the same zoning district.

I can not provide any specifics as whether others have been denied or allowed variances but would understand if others have been granted variances in order to provide a comfortable space to stay in and allow the owner the right to save on our natural resources.

4. Demonstrate that literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development regulations, subpart B of this Code and would work unnecessary and undue hardship on the applicant.

not allowing me the right to install the A/C units (which by the way are not an "eye sore" in any way) would force me to install on the roof. The A/C units will not look any better on the roof and it make it difficult/dangerous to access because of the small roof area. This will also prevent me from putting the eight solar panels on the roof which will force me to pay for gas or electric to heat which will be very costly and a waste of natural resources.

5. Demonstrate the variance granted is the minimum variance that will make possible the reasonable use of the land.

allowing me to install the A/C units on the back side of the building will allow me the ability to install eight solar panels on the roof which will allow me the ability to heat the pool with natural resource - the sun. Having the units installed at the highest point on the back side of the units will not cause any harm or danger to anyone. It literally backs up to a parking lot which will be shaded with vegetation.

6. Demonstrate that the granting of the variance will be in harmony with the general intent and purpose of the city land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

granting this variance will allow me to heat the pool with the beautiful resource that Florida has - plenty of sun light. Reducing the dependence on oil & gas will only benefit the residents of our city / country.

Please see attached 1A, 1B, 1C, 2A, 2B, 3A, 3B, 3C, 4A, 5A, 6A, 6B, 6C, 6D, 6E, 6F, 6G, 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H, 7I, 7J

CERTIFICATION

I hereby authorize permission for the Special Magistrate, Building Official and Community Development Director to enter upon the above referenced premises for purposes of inspection related to this petition.

I hereby certify that I have read and understand the contents of this application, and that this application, together with all supplemental data and information, is a true representation of the facts concerning this request; that this application is made with my approval, as owner and applicant, as evidenced by my signature below.

It is hereby acknowledged that the filing of this application does not constitute automatic approval of the request; and further, if the request is approved, I will obtain all the necessary permits and comply with all applicable orders, codes, conditions, rules and regulations pertaining to the subject property.

I have received a copy of the Special Magistrate Requirements and Procedures (attached), read and understand the reasons necessary for granting a variance and the procedure, which will take place at the Public Hearing.

Appeals. (City Code, Sec. 2-109) An aggrieved party, including the local governing authority, may appeal a final administrative order of the Special Magistrate to the circuit court. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within 30 days of the execution of the order to be appealed.

Date: 1/20/16 Property owner's signature: [Signature]

Before me, this 21 day of JAN, 2016, appeared in person

PAUL TUGLOUE who, being sworn, deposes and says that the forgoing
(name of property owner)

is true and correct certification.

STATE OF FLORIDA
COUNTY OF PINELLAS – NOTARY SIGNATURE

[Signature]

Personally Known to me: _____ Commission Expires: June 17 2019
Stamp

Identification Taken: 7102



NOTICE: Persons are advised that, if they decide to appeal any decision made at this hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CERTIFICATION

I hereby certify that I have read and understand the contents of this application, and that this application, together with all supplemental data and information, is a true representation of the facts concerning this request; that this application is made with my approval, as applicant, as evidenced by my signature below.

It is hereby acknowledged that the filing of this application does not constitute automatic approval of the request; and further, if the request is approved, I will obtain all the necessary permits and comply with all applicable orders, codes, conditions, rules and regulations pertaining to the subject property.

I have received a copy of the Special Magistrate Requirements and Procedures (attached), read and understand the reasons necessary for granting a variance and the procedure, which will take place at the Public Hearing.

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Date: _____ **Applicant's signature, if**
other than Property owner: _____

Before me, this _____ day of _____, 20____, appeared in person

_____ who, being sworn, deposes and says that the forgoing
(name of applicant, if other than property owner)

Is true and correct certification.

STATE OF FLORIDA
COUNTY OF PINELLAS – NOTARY SIGNATURE _____

Personally Known to me: _____ Commission Expires: _____
Stamp

Identification Taken: _____

NOTICE: Persons are advised that, if they decide to appeal any decision made at this hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

SPECIAL MAGISTRATE: REQUIREMENTS AND PROCEDURES (City Code Sec. 2-507)

An affirmative decision by the Special Magistrate shall be necessary to reverse the decision of the administration and grant a variance. The Special Magistrate, during the review of your petition, shall take note of the following:

- (1) Special conditions and circumstances exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to the lands, building, or other structures in the same district. Special conditions to be considered shall include, but are not limited to, the following circumstances:
 - a. *Substandard or irregular-shaped lot.* If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations;
 - b. *Significant vegetation or natural features.* If the site contains significant native vegetation or other natural features;
 - c. *Residential 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;
 - d. *Public facilities.* If the proposed project involves the development of public parks, public facilities, schools, or public utilities;
 - e. *Architectural and/or engineering considerations.* If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.
- (2) The special conditions and circumstances do not result from the actions of the applicant. A self-created hardship shall not justify a variance.
- (3) Granting the variance will not confer on the applicant any special privilege that is denied to other lands, buildings or structures in the same zoning district.
- (4) Literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development regulations, subpart B of this Code and would work unnecessary and undue hardship on the applicant.
- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land.
- (6) The granting of the variance will be in harmony with the general intent and purpose of the city land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

In granting any variance, the special magistrate may prescribe appropriate conditions and safeguards in conformity with the city land development regulations. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of this Code. The special magistrate may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed or both. Under no circumstances except as specified in subsection (a) shall the special magistrate grant a variance to allow a use not generally or by special exception use permitted in the applicable zoning district of the city land development regulations. A nonconforming use of neighborhood lands, structures or buildings in the same zoning district shall not be considered grounds for the authorization of a variance. Financial loss standing alone is not sufficient justification for a variance.

The hearing will be conducted in the following manner:

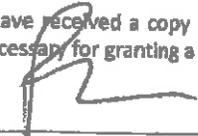
1. Public notice will be read along with correspondence received.
2. City presents its case, and the applicant may cross-examine.
3. The Applicant presents his or her case supported by witnesses and evidence; and the City has the right to cross-examine each witness.
4. Public comment will only be solicited or received from parties directly affected by the variance. Individuals testifying do not have the right to cross-examine the parties.
5. Public participation will be closed, the Special Magistrate deliberates and makes a decision to grant or deny each variance requested in the application.

All variances granted by the Special Magistrate and not acted on within one (1) year of being granted will automatically expire.

The granting of a variance does not relieve the applicant from obtaining a building permit. The Special Magistrate does not have the authority to grant variances from the 100 Year Flood Level for Residential or Commercial Property.

Appeals. (City Code, Sec. 2-109) An aggrieved party, including the local governing authority, may appeal a final administrative order of the Special Magistrate to the circuit court. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within 30 days of the execution of the order to be appealed.

I have received a copy of the Special Magistrate Requirements and Procedures (attached), read and understand the reasons necessary for granting a variance and the procedure, which will take place at the Public Hearing.


Signature of Applicant

1/21/16
Date

SPECIAL MAGISTRATE: REQUIREMENTS AND PROCEDURES (City Code Section 2-507)

An affirmative decision by the Special Magistrate shall be necessary to reverse the decision of the administration and grant a variance. The Special Magistrate, during the review of your petition, shall take note of the following:

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 - d. *Public facilities.* If the proposed project involves the development of public parks, public facilities, schools, or public utilities;
 - e. *Architectural and/or engineering considerations.* If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.
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- (3) Granting the variance will not confer on the applicant any special privilege that is denied to other lands, buildings or structures in the same zoning district.
- (4) Literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development regulations, subpart B of this Code and would work unnecessary and undue hardship on the applicant.
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1. Public notice will be read along with correspondence received.
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4. Public comment will only be solicited or received from parties directly affected by the variance. Individuals testifying do not have the right to cross-examine the parties.
5. Public participation will be closed, the Special Magistrate deliberates and makes a decision to grant or deny each variance requested in the application.

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The granting of a variance does not relieve the applicant from obtaining a building permit. The Special Magistrate does not have the authority to grant variances from the 100 Year Flood Level for Residential or Commercial Property.

Appeals. (City Code, Sec. 2-109) An aggrieved party, including the local governing authority, may appeal a final administrative order of the Special Magistrate to the circuit court. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within 30 days of the execution of the order to be appealed.

I have received a copy of the Special Magistrate Requirements and Procedures (attached), read and understand the reasons necessary for granting a variance and the procedure, which will take place at the Public Hearing.

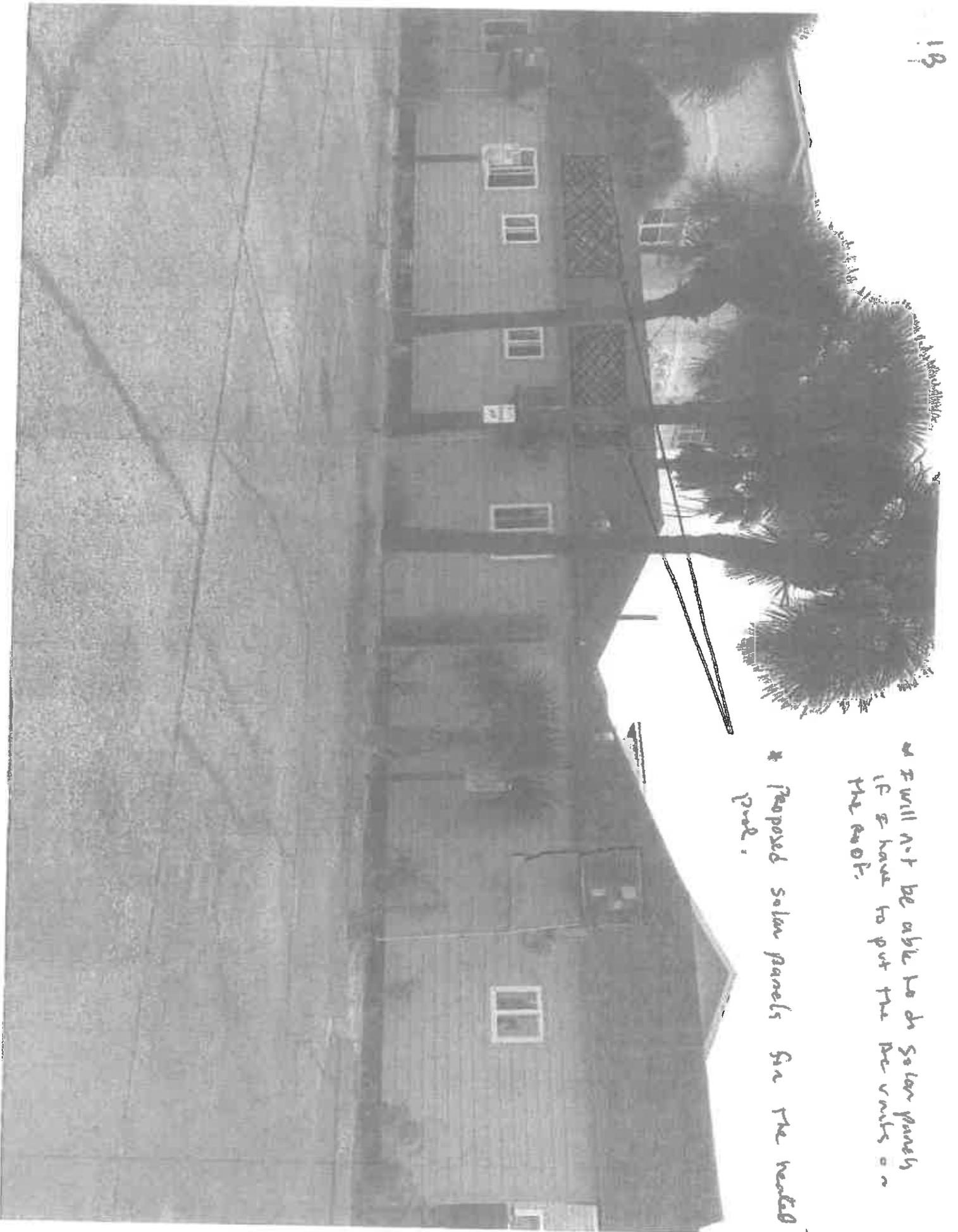
APPLICANT'S COPY

Initials of Recelpt

Date

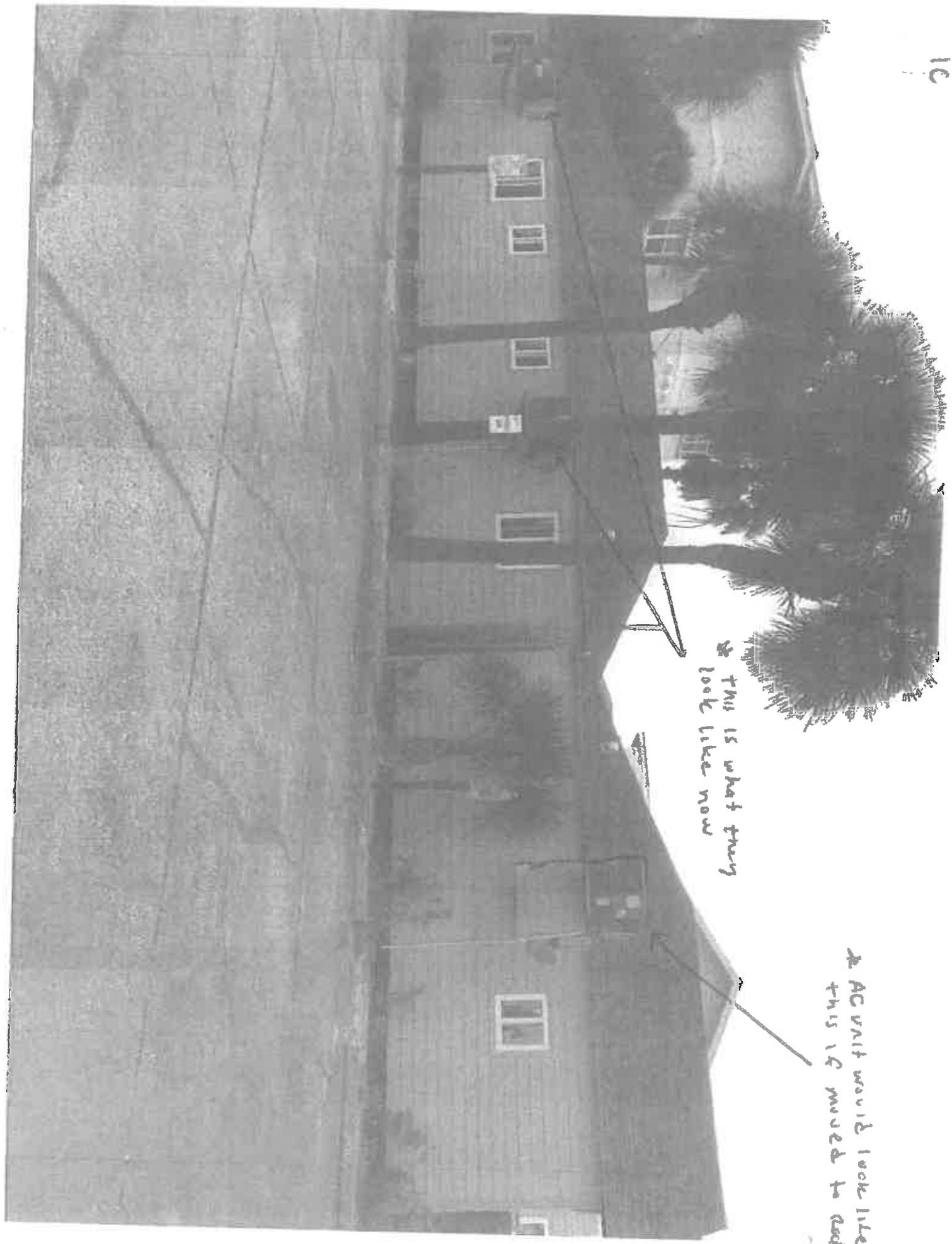


* AC units look like this
 on the bench of unit 31415



* I will not be able to do solar panels
 if I have to put the AC units on
 the roof.

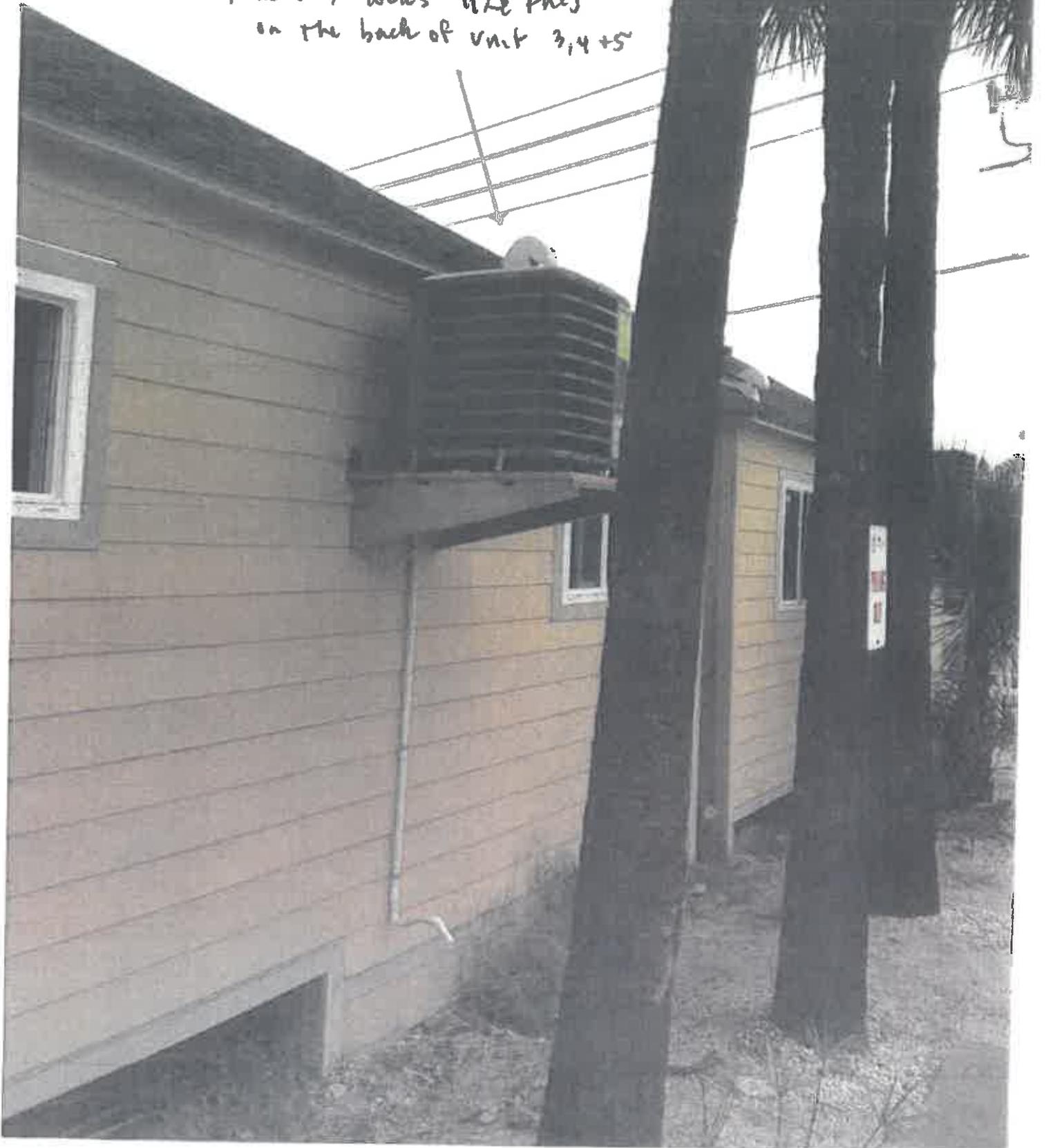
* Proposed solar panels for the rooftop
 pool.



* this is what they
 look like now

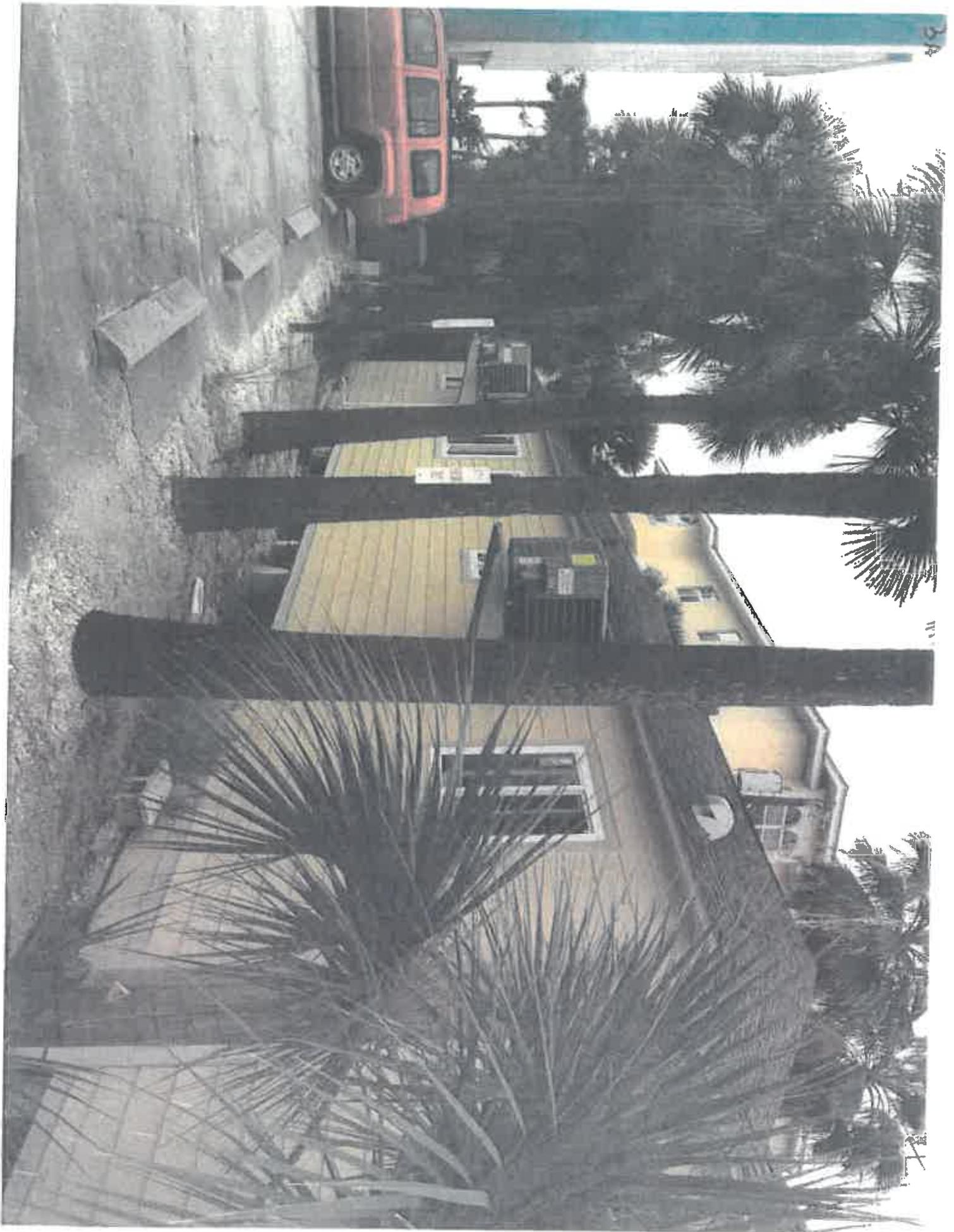
* AC UNIT would look like
 this if moved to roof

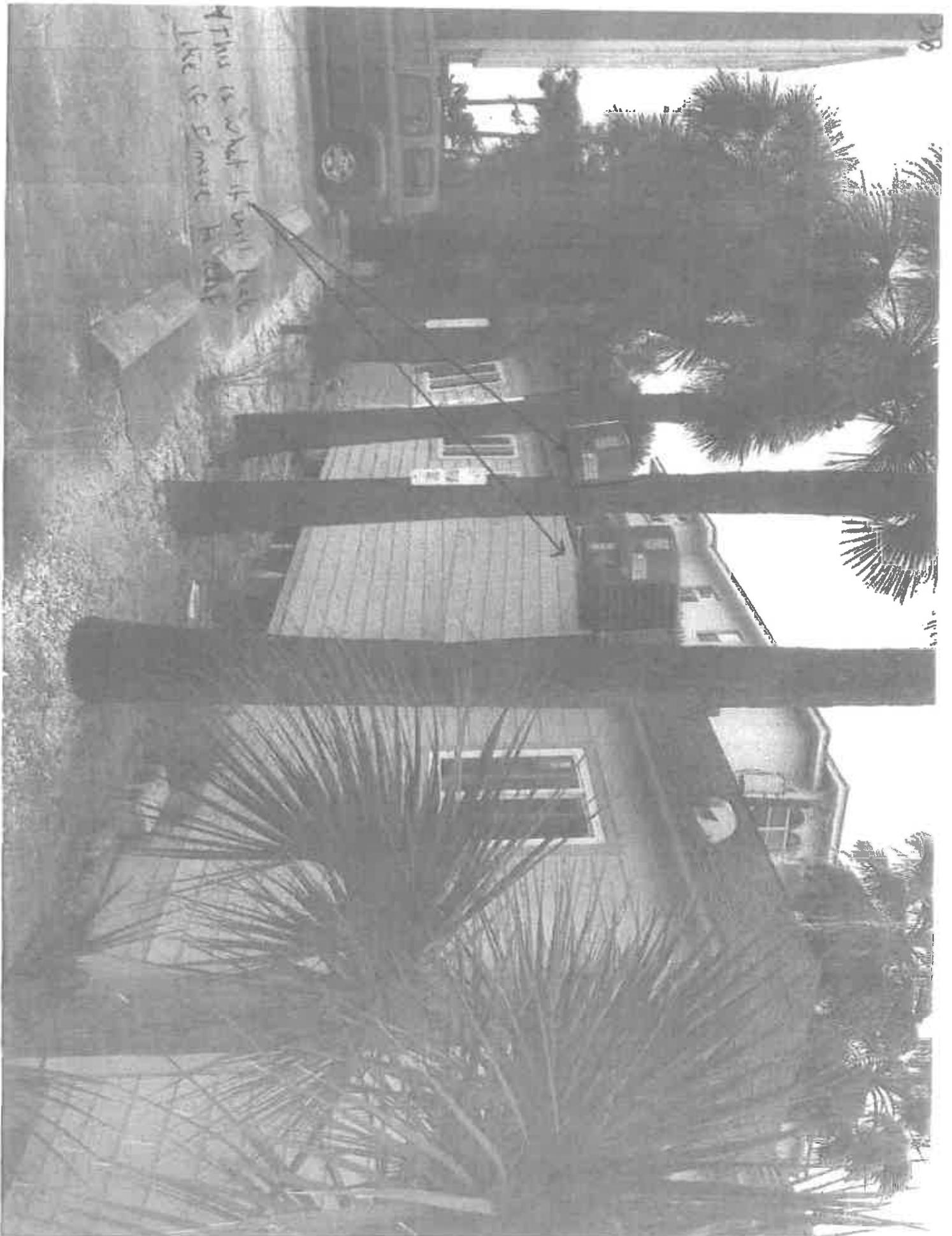
* AC unit looks like this
on the back of unit 3, 4 + 5

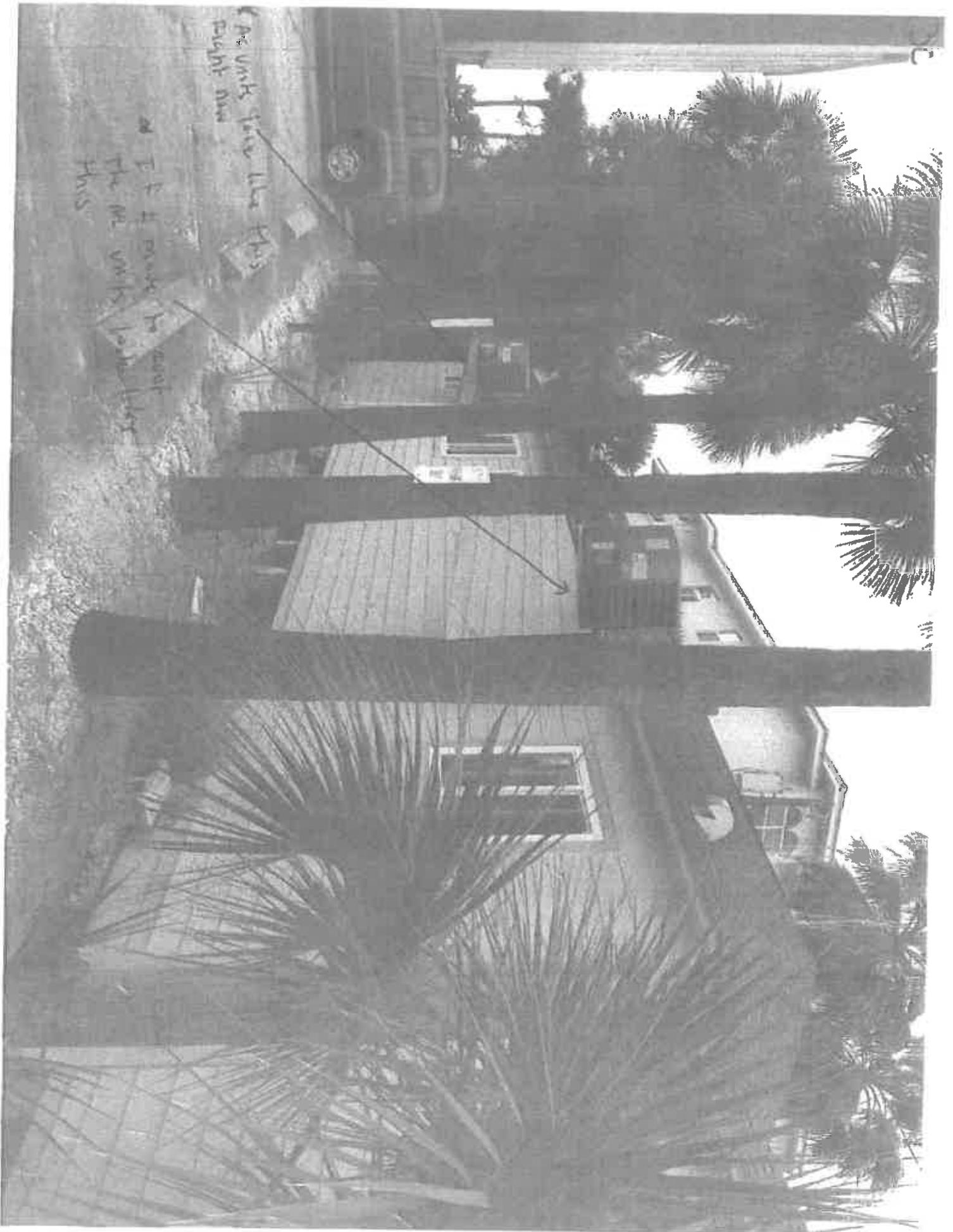


AC units will look like this if I move to the roof









As vents face like this
Eight now

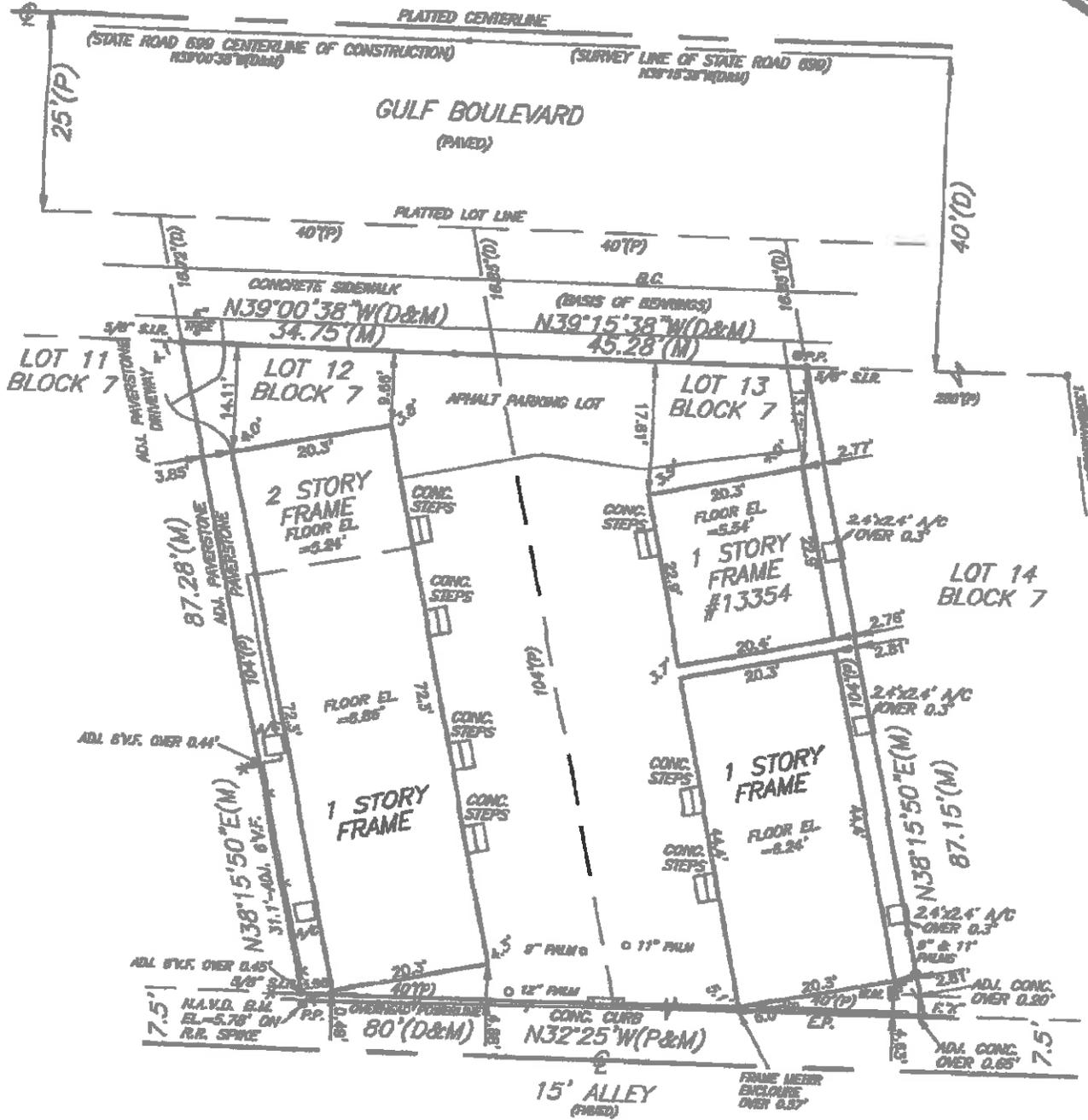
I F I made to vent
the air vents look like
this





42

4A



A BOUNDARY SURVEY OF LOTS 12 AND 13, BLOCK 7, MITCHELL'S BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 34, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY IN FINAL JUDGEMENT RECORDED IN O.R. BOOK 4721, PAGE 58, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

JOB NUMBER: MMXV438 TELEPHONE: (727) 380-0636 DATE OF FIELD SURVEY: 11/25/15 SCALE: 1 INCH = 20 FEET DRAWN BY: DCH	DAVID C. HARNER PROFESSIONAL LAND SURVEYOR 9925 GULF BOULEVARD TREASURE ISLAND, FL 33706	FLOOD ZONE: "AE" FLOOD MAP DATE: 8/18/09 COMMUNITY NUMBER: 125127 PANEL NUMBER: 0191 G CHECKED BY: DCH
SECTION 15 TOWNSHIP 31 SOUTH RANGE 15 EAST CERTIFIED TO: DOWNSTREAM PROPERTIES, LLC		

ELEVATION CERTIFICATE

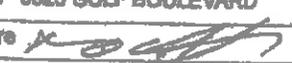
Important: Read the instructions on pages 1-9.

OMB No. 1660-0008
 Expiration Date: July 31, 2015

SECTION A - PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
A1. Building Owner's Name DOWNSTREAM PROPERTIES, LLC	Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 13354 GULF BOULEVARD ((SOUTHEASTERLY BUILDING))	Company NAIC Number:	
City MADEIRA BEACH State FL ZIP Code 33708		
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) LOTS 12 AND 13, BLOCK 7, MITCHELL'S BEACH, LESS ROAD RIGHT OF WAY		
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) RESIDENTIAL		
A5. Latitude/Longitude: Lat. 27.7888 Long. -82.7877 Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983		
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.		
A7. Building Diagram Number 5		
A8. For a building with a crawlspace or enclosure(s):		
a) Square footage of crawlspace or enclosure(s) NA sq ft	A9. For a building with an attached garage:	
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade _____ sq ft	a) Square footage of attached garage NA sq ft	
c) Total net area of flood openings in A8.b _____ sq ft	b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____ sq ft	
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No	c) Total net area of flood openings in A9.b _____ sq ft	
	d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No	

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number MADEIRA BEACH 125127		B2. County Name PINELLAS		B3. State FLORIDA	
B4. Map/Panel Number 12103CO191	B5. Suffix G	B6. FIRM Index Date 9/03/03	B7. FIRM Panel Effective/Revised Date 8/18/09	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) 13'
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in item B9. <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? Designation Date: <u>NA</u> <input type="checkbox"/> CBRS <input type="checkbox"/> OPA <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)	
C1. Building elevations are based on: <input type="checkbox"/> Construction Drawings* <input type="checkbox"/> Building Under Construction* <input checked="" type="checkbox"/> Finished Construction	
*A new Elevation Certificate will be required when construction of the building is complete.	
C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, ARIA, AR/AE, ARIA1-A30, ARIA/H, ARIA/O. Complete items C2.a-h below according to the building diagram specified in item A7. In Puerto Rico only, enter meters.	
Benchmark Utilized: <u>SEE COMMENTS</u> Vertical Datum: <u>NAVD 1988</u>	
Indicate elevation datum used for the elevations in items a) through h) below. <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____	
Datum used for building elevations must be the same as that used for the BFE.	
Check the measurement used.	
a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	5.5 <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
b) Top of the next higher floor	NA <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
c) Bottom of the lowest horizontal structural member (V Zones only)	NA <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
d) Attached garage (top of slab)	NA <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	5.5 <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
f) Lowest adjacent (finished) grade next to building (LAG)	3.7 <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
g) Highest adjacent (finished) grade next to building (HAG)	4.1 <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	3.9 <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION	
This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.	
<input checked="" type="checkbox"/> Check here if comments are provided on back of form.	Were latitude and longitude in Section A provided by a licensed land surveyor? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Check here if attachments.	
Certifier's Name DAVID C. HARNER	License Number 2660
Title LAND SURVEYOR	Company Name DAVID C. HARNER
Address 9825 GULF BOULEVARD	City TREASURE ISLAND State FL ZIP Code 33708
Signature 	Date 11-25-15 Telephone 727-360-0636



ELEVATION CERTIFICATE, page 2

60

IMPORTANT: In these spaces, copy the corresponding information from Section A.		FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 13354 GULF BOULEVARD (SOUTHEASTERLY BUILDING)		Policy Number:
City MADEIRA BEACH	State FL ZIP Code 33708	Company NAIC Number:

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments C2a.-VARIOUS EQUIPMENT IN THE BUILDING AT FLOOR ELEVATION. TEMPORARY BENCHMARK ELEVATION=5.78' ON RAILROAD SPIKE IN POWERPOLE BY NORTHWEST PROPERTY CORNER.

Signature  Date 11-26-15

SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete items E1-E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For items E1-E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
 - a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ feet meters above or below the HAG.
 - b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ feet meters above or below the LAG.
- E2. For Building Diagrams 6-9 with permanent flood openings provided in Section A items 8 and/or 9 (see pages 8-9 of instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ feet meters above or below the HAG.
- E3. Attached garage (top of slab) is _____ feet meters above or below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is _____ feet meters above or below the HAG.
- E5. Zone AO only: if no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? Yes No Unknown. The local official must certify this information in Section G.

SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner's or Owner's Authorized Representative's Name _____

Address _____ City _____ State _____ ZIP Code _____

Signature _____ Date _____ Telephone _____

Comments _____

Check here if attachments.

SECTION G - COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in items G6-G10. In Puerto Rico only, enter meters.

- G1. The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. The following information (items G4-G10) is provided for community floodplain management purposes.

G4. Permit Number _____	G5. Date Permit issued _____	G6. Date Certificate Of Compliance/Occupancy issued _____
-------------------------	------------------------------	---

- G7. This permit has been issued for: New Construction Substantial improvement
- G8. Elevation of as-built lowest floor (including basement) of the building: _____ feet meters Datum _____
- G9. BFE or (in Zone AO) depth of flooding at the building site: _____ feet meters Datum _____
- G10. Community's design flood elevation: _____ feet meters Datum _____

Local Official's Name _____ Title _____

Community Name _____ Telephone _____

Signature _____ Date _____

Comments _____

Check here if attachments.

Building Photographs

See Instructions for item A8.

20

IMPORTANT: In these spaces, copy the corresponding information from Section A.

FOR INSURANCE COMPANY USE

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
13354 GULF BOULEVARD (SOUTHEASTERLY BUILDING)

Policy Number:

City MADEIRA BEACH

State FL

ZIP Code 33708

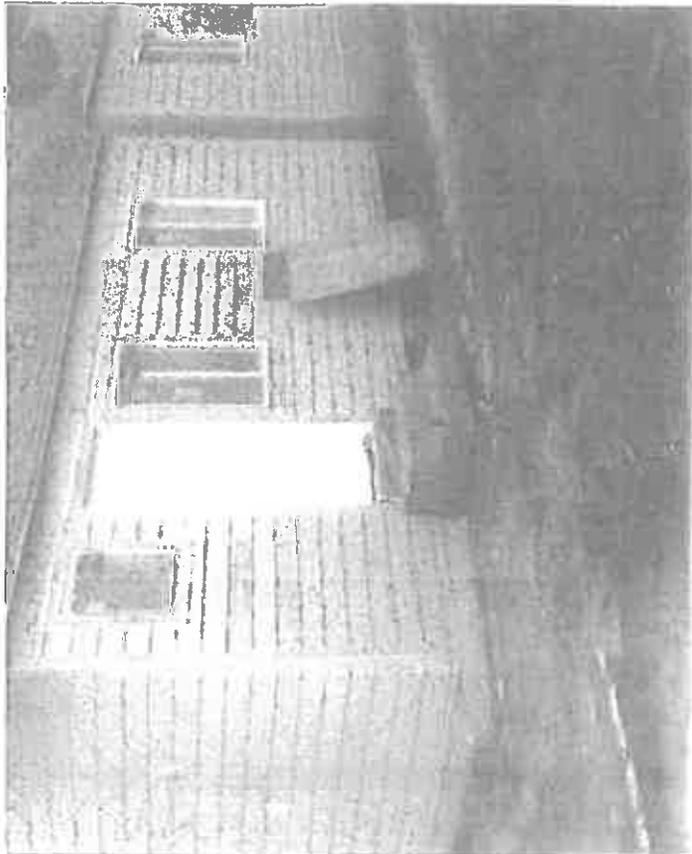
Company NAIC Number:

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A8. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.

11-25-15

REAR VIEW

FRONT VIEW



ELEVATION CERTIFICATE

Important: Read the instructions on pages 1-9.

OMB No. 1660-0008
 Expiration Date: July 31, 2015

SECTION A - PROPERTY INFORMATION

A1. Building Owner's Name DOWNSTREAM PROPERTIES, LLC		FOR INSURANCE COMPANY USE	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 13354 GULF BOULEVARD ((SOUTHEASTERLY BUILDING))		Policy Number:	
City MADEIRA BEACH State FL ZIP Code 33708		Company NAIC Number:	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) LOTS 12 AND 13, BLOCK 7, MITCHELL'S BEACH, LESS ROAD RIGHT OF WAY			
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) RESIDENTIAL			
A5. Latitude/Longitude: Lat. 27.7099 Long. -82.7877 Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983			
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.			
A7. Building Diagram Number 5			
A8. For a building with a crawlspace or enclosure(s):		A9. For a building with an attached garage:	
a) Square footage of crawlspace or enclosure(s) NA sq ft		a) Square footage of attached garage NA sq ft	
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade _____		b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____	
c) Total net area of flood openings in A8.b _____ sq in		c) Total net area of flood openings in A9.b _____ sq in	
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No		d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No	

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number MADEIRA BEACH 126127		B2. County Name PINELLAS		B3. State FLORIDA	
B4. Map/Panel Number 12163CO191	B5. Suffix G	B6. FIRM Index Date 9/03/03	B7. FIRM Panel Effective/Revised Date 8/18/00	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) 13'
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in item B9. <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? Designation Date: N.A. <input type="checkbox"/> CBRS <input type="checkbox"/> OPA <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction
 *A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, ARIA, ARIAE, ARIA1-A30, ARIAH, ARIA0. Complete items C2.a-h below according to the building diagram specified in item A7. In Puerto Rico only, enter meters.
 Benchmark Utilized: **SEE COMMENTS** Vertical Datum: **NAVD 1988**
 Indicate elevation datum used for the elevations in items a) through h) below. NGVD 1929 NAVD 1988 Other/Source: _____
 Datum used for building elevations must be the same as that used for the BFE.

a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	5.5	Check the measurement used.
b) Top of the next higher floor	NA	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
c) Bottom of the lowest horizontal structural member (V Zones only)	NA	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
d) Attached garage (top of slab)	NA	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	5.5	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
f) Lowest adjacent (finished) grade next to building (LAG)	3.7	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
g) Highest adjacent (finished) grade next to building (HAG)	4.1	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	3.8	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Check here if comments are provided on back of form. Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No

Check here if attachments.

Certifier's Name DAVID C. HARNER		License Number 2850	
Title LAND SURVEYOR	Company Name DAVID C. HARNER		
Address 8925 GULF BOULEVARD	City TREASURE ISLAND	State FL	ZIP Code 33706
Signature	Date 11-25-15	Telephone 727-360-0536	



IMPORTANT: In these spaces, copy the corresponding information from Section A.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 13354 GULF BOULEVARD (SOUTHEASTERLY BUILDING)	FOR INSURANCE COMPANY USE	
City MADEIRA BEACH	State FL	ZIP Code 33708
		Policy Number:
		Company NAIC Number:

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments C2a.-VARIOUS EQUIPMENT IN THE BUILDING AT FLOOR ELEVATION. TEMPORARY BENCHMARK ELEVATION=5.76' ON RAILROAD SPIKE IN POWERPOLE BY NORTHWEST PROPERTY CORNER.

Signature [Signature] Date 11-25-15

SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete items E1-E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For items E1-E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
 - a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ feet meters above or below the HAG.
 - b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ feet meters above or below the LAG.
- E2. For Building Diagrams 8-9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 8-9 of instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ feet meters above or below the HAG.
- E3. Attached garage (top of slab) is _____ feet meters above or below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is _____ feet meters above or below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? Yes No Unknown. The local official must certify this information in Section G.

SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner's or Owner's Authorized Representative's Name _____

Address _____ City _____ State _____ ZIP Code _____

Signature _____ Date _____ Telephone _____

Comments _____

Check here if attachments.

SECTION G - COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8-G10. In Puerto Rico only, enter meters.

- 31. The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- 32. A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- 33. The following information (Items G4-G10) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate Of Compliance/Occupancy Issued
-------------------	------------------------	---

17. This permit has been issued for: New Construction Substantial Improvement

8. Elevation of as-built lowest floor (including basement) of the building: _____ feet meters Datum _____

9. BFE or (in Zone AO) depth of flooding at the building site: _____ feet meters Datum _____

10. Community's design flood elevation: _____ feet meters Datum _____

Local Official's Name _____ Title _____

Community Name _____ Telephone _____

Signature _____ Date _____

Comments _____

Check here if attachments.

Building Photographs

See Instructions for Item A6.

IMPORTANT: In these spaces, copy the corresponding information from Section A.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
13354 GULF BOULEVARD (SOUTHEASTERLY BUILDING)

City MADEIRA BEACH

State FL ZIP Code 33708

FOR INSURANCE COMPANY USE

Policy Number:

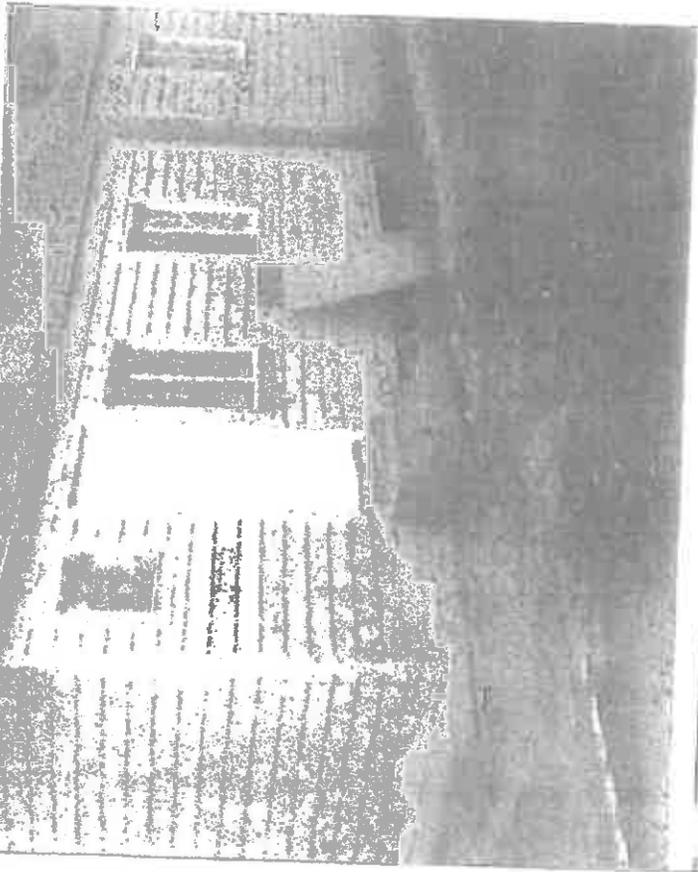
Company NAIC Number:

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A6. If submitting more photographs than will fit on this page, use the Continuation Page.

11-25-16

REAR VIEW

FRONT VIEW





A. Settlement Statement (HUD-1)

OMB Approval No. 2502-0265

B. Type of Loan

1. <input type="checkbox"/> FHA	2. <input type="checkbox"/> RHS	3. <input type="checkbox"/> CONV. UNINS.	6. File Number: 15-017	7. Loan Number:	8. Mortgage Insurance Case Number:
4. <input type="checkbox"/> VA	5. <input type="checkbox"/> CONV. INS.	C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.			
D. Name & Address of Borrower: Downstream Properties, LLC 13630 Gulf Blvd., #200C Madeira Beach, FL 33708		E. Name & Address of Seller: Sandra Lynn DeCarlo 13354 Gulf Blvd. Madeira Beach, FL 33708		F. Name & Address of Lender:	
G. Property Location: 13354 Gulf Blvd. Madeira Beach, Florida 33708 Pinellas County, Florida		H. Settlement Agent: Boss, Arrighi & Hoag, P.L. 9800 4th Street North, Suite 402 Saint Petersburg, Florida 33702 727-471-0039 fax: 888-297-7673		I. Settlement Date: February 19, 2015	
		Place of Settlement: Boss, Arrighi & Hoag, P.L. 9800 4th Street North, Suite 402 Saint Petersburg, Florida 33702 Phone: (727) 471-0039			

J. Summary of Buyer's Transaction		K. Summary of Seller's Transaction	
100. Gross Amount Due From Buyer:		400. Gross Amount Due To Seller:	
101. Contract Sales Price	455,000.00	401. Contract Sales Price	455,000.00
102. Personal Property		402. Personal Property	
103. Settlement Charges to Buyer (line 1400)	2,588.50	403.	
Adjustments for Items Paid by Seller in Advance:		Adjustments for Items Paid by Seller in Advance:	
106. City / Town Taxes		406. City / Town Taxes	
107. County / Parish Taxes		407. County / Parish Taxes	
108. Assessments		408. Assessments	
120. Gross Amount Due from Buyer:	457,588.50	420. Gross Amount Due to Seller:	455,000.00
200. Amounts Paid by or in Behalf of Buyer:		500. Reductions in Amount Due to Seller:	
201. Deposit or Earnest Money	5,000.00	501. Excess Deposit (see instructions)	
202. Principal Amount of New Loan		502. Settlement Charges to Seller (Line 1400)	25,138.13
203. Existing Loan(s) taken subject to		503. Existing Loan(s) taken subject to	
204.		504. Payoff of First Mortgage Loan to CitiMortgage	247,483.07
205.		505. Payoff of Second Mortgage Loan to Citi	75,354.32
206.		506. Purchase Money Mortgage	
Adjustments for Items Unpaid by Seller:		Adjustments for Items Unpaid by Seller:	
210. City / Town Taxes		510. City / Town Taxes	
211. County / Parish Taxes Jan 1, 2015 thru Feb 18, 2015	444.08	511. County / Parish Taxes Jan 1, 2015 thru Feb 18, 2015	444.08
212. Assessments		512. Assessments	
213. Seller Pays Owner's Policy	2,350.00	513. Seller Pays Owner's Policy	2,350.00
214. Unit #2 Feb rent Feb 19, 2015 thru Feb 26, 2015	371.43	514. Unit #2 Feb rent Feb 19, 2015 thru Feb 26, 2015	371.43
215. Unit #2 Cleaning Fee/Pet deposit	50.00	515. Unit #2 Cleaning Fee/Pet deposit	50.00
216. Unit #3 Feb Rent Feb 19, 2015 thru Feb 28, 2015	285.71	516. Unit #3 Feb Rent Feb 19, 2015 thru Feb 28, 2015	285.71
217. Unit #3 Security Deposit	800.00	517. Unit #3 Security Deposit	800.00
218. Unit #4 Feb Rent Feb 19, 2015 thru Feb 28, 2015	285.71	518. Unit #4 Feb Rent Feb 19, 2015 thru Feb 28, 2015	285.71
220. Total Paid by / for Buyer:	9,586.93	520. Total Reductions in Amount Due Seller:	352,572.45
300. Cash at Settlement from / to Buyer:		600. Cash at Settlement to / from Seller:	
301. Gross Amount due from Buyer (line 120)	457,588.50	601. Gross Amount due to Seller (line 420)	455,000.00
302. Less Amount Paid by/for Buyer (line 220)	9,586.93	602. Less Reductions Amount due Seller (line 520)	352,572.45
303. Cash From Buyer:	\$447,981.57	603. Cash To Seller:	\$102,427.55

The Public Reporting Burden for this collection of information is estimated at 35 minutes per response for collecting, reviewing, and reporting the data. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control

Previous editions are obsolete

HUD-1

number. No confidentiality is assured; this disclosure is mandatory. This is designed to provide the parties to a RESPA covered transaction with information during the settlement process.

Settlement Date: February 19, 2015

File Number: 15-017

L. Settlement Charges		Paid from Buyer's Funds at Settlement	Paid from Seller's Funds at Settlement
700. Total Sales / Broker's Commission: \$18,200.00			
Division of Commission (line 700) as follows			
701.	9,100.00 to Charles Rutenberg Realty Inc.		
702.	9,100.00 to Charles Rutenberg Realty Inc.		
703.	Commission Paid at Settlement		18,200.00
800. Items Payable in Connection with Loan:			
801.	Our origination charge (from GFE #1)	\$0.00	
802.	Your credit or charge (points) for the specific interest rate chosen (from GFE #2)	\$0.00	
803.	Your adjusted origination charges (from GFE #A)		
804.	Appraisal Fee		
805.	Credit Report		
808.	Tax Service		
807.	Flood Certification		
900. Items Required by Lender to be Paid In Advance:			
901.	Daily interest charge from Feb 19, 2015 (from GFE #10)		
902.	Mortgage Insurance Premium (from GFE #3)		
903.	Homeowner's Insurance (from GFE #11)		
1000. Reserves Deposited with Lender:			
1001.	Initial deposit for your escrow account (from GFE #9)		
1002.	Homeowner's Insurance		
1003.	Mortgage Insurance		
1004.	Property Taxes		
1100. Title Charges:			
1101.	Title services and lender's title insurance (from GFE #4)	200.00	
1102.	Settlement or Closing Fee to Boss, Arrighi & Hoag, P.L.	\$200.00	400.00
1103.	Owner's Title Insurance (First American Title Insurance Company) to Boss, Arrighi & Hoag, P.L. (from GFE #5)	2,350.00	
1104.	Lender's Title Insurance (First American Title Insurance Company) - Lender's Premium	\$	
1105.	Lender's Title Policy Limit \$		
1106.	Owner's Title Policy Limit \$455,000.00		
1107.	Agent's Portion of the Total Title Insurance Premium	\$1,645.00	
1108.	Underwriter's Portion of the Total Title Insurance Premium	\$705.00	
1109.	Search Fee to First American Title Insurance Company		75.00
1110.	Title Surcharge to First American Title Insurance Company		3.28
1200. Government Recording and Transfer Charges:			
1201.	Government Recording Charges (from GFE #7)	18.50	
1202.	Deed \$18.50 Mortgage \$0.00 Releases \$0.00		
1203.	Transfer Taxes (from GFE #8)		
1204.	City/County tax/stamps Deed \$0.00 Mortgage \$0.00		
1205.	State tax/stamps Deed \$3,185.00 Mortgage \$0.00		3,185.00
1206.	Intangible Tax		
1207.	Other Tax 2		
1300. Additional Settlement Charges:			
1301.	Required services that you can shop for (from GFE #6)		
1302.	Survey		
1303.	Pest Inspection		
1304.	Home Inspection		
1305.	Estoppel Letter		
1306.	2014 Real Estate Taxes to Pinellas Co. Tax Collector		3,274.85
1307.	Utility Lien Search		
1400. Total Settlement Charges (Enter on line 103, Section J and line 502, Section K)		\$2,568.50	\$25,138.13

20

Comparison of Good Faith Estimate (GFE) and HUD Charges			
Charges That Cannot Increase	HUD Line No.	Good Faith Estimate	HUD
Our origination charge	# 801	0.00	0.00
Your credit or charge (points) for the specific interest rate chosen	# 802	0.00	0.00
Your adjusted origination charges	# 803	0.00	0.00
Transfer taxes	#1203	0.00	0.00
Charges That In Total Cannot Increase More Than 10%			
Government Recording Charges	#1201	0.00	18.50
	Total		18.50
	Increase between GFE and HUD Charges	18.50	100.00%

Charges That Can Change	HUD Line No.	Good Faith Estimate	HUD
Initial deposit for your escrow account	#1001	0.00	0.00
Daily interest charge from Feb 19, 2015	# 901	0.00	0.00

Loan Terms

Your initial loan amount is	\$
Your loan term is	0 years
Your initial interest rate is	0 %
Your initial monthly amount owed for principal, interest, and any mortgage insurance is	\$ includes <input checked="" type="checkbox"/> Principal <input checked="" type="checkbox"/> Interest <input type="checkbox"/> Mortgage Insurance
Can your interest rate rise?	<input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes, it can rise to a maximum of ____%. The first change will be on _____ and can change again every _____ after _____. Every change date, your interest rate can increase or decrease by ____%. Over the life of the loan, your interest rate is guaranteed to never be LOWER than ____% or HIGHER than ____%.
Even if you make payments on time, can your loan balance rise?	<input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes, it can rise to a maximum of \$_____.
Even if you make payments on time, can your monthly amount owed for principal, interest, and mortgage insurance rise?	<input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes, the first increase can be on _____ and the monthly amount owed can rise to \$_____. The maximum it can ever rise to is \$_____.
Does your loan have a prepayment penalty?	<input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes, your maximum prepayment penalty is \$_____.
Does your loan have a balloon payment?	<input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes, you have a balloon payment of \$_____ due in _____ years on _____.
Total monthly amount owed including escrow account payments	<input checked="" type="checkbox"/> You do not have a monthly escrow payment for items, such as property taxes and homeowner's insurance. You must pay these items directly yourself. <input type="checkbox"/> You have an additional monthly escrow payment of \$_____ that results in a total initial monthly amount owed of \$_____. This includes principal, interest, any mortgage insurance and any items checked below: <input type="checkbox"/> Property taxes <input type="checkbox"/> <input type="checkbox"/> Flood insurance <input type="checkbox"/> <input type="checkbox"/> Homeowner's insurance <input type="checkbox"/>

Note: If you have any questions about the Settlement Charges and Loan Terms listed on this form, please contact your lender.

Settlement Date: February 19, 2015

File Number: 15-017

Buyers		
Downstream Properties, LLC 13630 Gulf Blvd., #200C Madeira Beach, FL 33708		
Sellers		
Sandra Lynn DeCarlo 13354 Gulf Blvd. Madeira Beach, FL 33708		
Property Addresses		
13354 Gulf Blvd. Madeira Beach, Florida 33708		

I have carefully reviewed the HUD-1 Settlement Statement, and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of HUD-1 Settlement Statement.

Buyer: Downstream Properties, LLC
 Paul Ingledue, Manager
 Address _____

Seller: Sandra Lynn DeCarlo
 Address _____

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with the instructions of the parties hereto.

Settlement Agent: _____

Date: February 19, 2015

WARNING: It is a crime to knowingly make false statements to the United States on this or any other similar form. Penalties upon conviction can include a fine and imprisonment. For details see Title 18 U.S. Code Section 1001 and Section 1010.

2e

Subject: Fwd: Corporate Filing - 800268935628
Date: Friday, January 30, 2015 at 9:14:04 AM Eastern Standard Time
From: Marla Cohen
To: Work Paul

FYI

Marla Cohen, CPA 201-687-0945

Begin forwarded message:

From: <limitedonline@dos.state.fl.us>
Date: January 30, 2015 at 9:12:06 AM EST
To: <MARLACOHEN@GOUSTREAM.NET>
Subject: Corporate Filing - 800268935628

The Articles of Organization for DOWNSTREAM PROPERTIES LLC were filed electronically on January 29, 2015, effective January 29, 2015, as verified by this email and authentication number shown below and were assigned document number L15000017912. Please refer to this number whenever corresponding with this office.

Electronic filing and certification is provided for in section 15.16, Florida Statutes and has the same legal effect as any other filing or certificate.

To maintain "active" status with the Division of Corporations, an annual report must be filed yearly between January 1st and May 1st beginning in the year following the file date or effective date indicated above. If the annual report is not filed by May 1st, a \$400 late fee will be added. It is your responsibility to remember to file your annual report in a timely manner.

A Federal Employer Identification Number (FEI/EIN) will be required when this report is filed. Apply today with the IRS online at:

<<https://sa.www4.irs.gov/modlein/individual/index.jsp>>

Please be aware if the limited liability company's address changes, it is the responsibility of the limited liability company to notify this office.

Should you have any questions regarding this matter, please contact this office at the address given below.

Jenna Harris
Regulatory Specialist II
Registration Section

Division of Corporations - P.O. Box 6327 - Tallahassee, FL
32314

Letter Number: 150130091205-800268935628

@ItsWorkingFL: <https://twitter.com/ItsWorkingFL>

The Department of State is leading the commemoration of Florida's 500th anniversary in 2013. For more information, please go to www.fla500.com.

The Department of State is committed to excellence. Please take our Customer Satisfaction Survey: <http://survey.dos.state.fl.us/index.aspx?email=LimitedOnline@dos.myflorida.com>



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[Document Searches](#)

[Forms](#)

[Help](#)

Florida Limited Liability Company Online Filing Information

Document Tracking #: 800268935628

The charge for your filing is: \$ 125.00

Your data entry is now complete and will be placed in a queue and processed by a document examiner on a first in, first out basis. If you feel you may have entered incorrect data, you must use the "Back Browser Arrow" and return to the first page of data entry. After verifying and correcting the information, be sure to use the "Continue" button to return back to this page. If all data is entered correctly, proceed to the "Payment Page" by pressing the "Continue" button below.

Please allow 1-2 business days for your document to be examined and filed by this office. Do not apply for a federal employer identification number (FEI#) until your document has been officially filed and you have received acknowledgment by e-mail from our office.

If you have any questions, please contact our Help Desk at (850)245-6939.

[Continue](#)

22

Date of this notice: 01-29-2015

Employer Identification Number:
47-2954635

Form: SS-4

Number of this notice: CP 575 B

DOWNSTREAM PROPERTIES LLC
PAUL INGLEDUE MBR
13630 GULF BLVD APT 200C
MADEIRA BEACH, FL 33708

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 47-2954635. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 1065

04/15/2016

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

Exhibit D:
Pinellas County Property Appraiser's Database

[Interactive Map of this parcel](#)

[Sales Query](#)

[Back to Query Results](#)

[New Search](#)

[Tax Collector Home Page](#)

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WM

15-31-15-58320-007-0120

[Compact Property Record Card](#)

[Portability Calculator](#)

Data Current as of February 02, 2016

[Email Print](#)

[Radius Search](#)

[Improvement Value per F.S. 553.844](#)



Ownership/Mailing Address Change Mailing Address	Site Address
DOWNSTREAM PROPERTIES LLC 13630 GULF BLVD STE 200C MADEIRA BEACH FL 33708-2594	13354 GULF BLVD MADEIRA BEACH

Property Use: 0822 (Apartment House-Boarding House (5-9 units))

Living Units: 5

[\[click here to hide\] Legal Description](#)

MITCHELL'S BEACH REVISED BLK 7, LOTS 12 AND 13 LESS RD R/W

File for Homestead Exemption			2016 Parcel Use	
Exemption	2015	2016		
Homestead:	To be removed December 31, 2015	No	Homestead Use Percentage: 0.00%	
Government:	No	No	Non-Homestead Use Percentage: 100.00%	
Institutional:	No	No	Classified Agricultural: No	
Historic:	No	No		

Parcel Information Latest Notice of Proposed Property Taxes (TRIM Notice)

Most Recent Recording	Sales Comparison	Census Tract	Evacuation Zone <small>(NOT the same as a FEMA Flood Zone)</small>	Plat Book/Page
18689/2113	Sales Query	121030278021	A	003/054

2015 Interim Value Information

Year	Just/Market Value	Assessed Value/ SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2015	\$360,000	\$220,129	\$195,129	\$195,129	\$195,129

[\[click here to hide\] Value History as Certified \(yellow indicates correction on file\)](#)

Year	Homestead Exemption	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2015	Yes	\$360,000	\$220,129	\$195,129	\$195,129	\$195,129
2014	Yes	\$336,000	\$207,811	\$182,811	\$182,811	\$182,811
2013	Yes	\$345,000	\$211,723	\$186,723	\$186,723	\$186,723
2012	Yes	\$360,000	\$218,567	\$193,567	\$193,567	\$193,567
2011	Yes	\$375,000	\$224,944	\$199,944	\$199,944	\$199,944
2010	Yes	\$375,000	\$224,391	\$199,391	\$199,391	\$199,391
2009	Yes	\$400,000	\$235,921	\$210,921	\$210,921	\$210,921
2008	Yes	\$465,000	\$268,385	\$243,385	\$243,385	\$243,385
2007	Yes	\$500,000	\$284,840	\$259,840	N/A	\$259,840
2006	Yes	\$599,100	\$333,540	\$308,540	N/A	\$308,540
2005	Yes	\$300,000	\$182,900	\$157,900	N/A	\$157,900
2004	Yes	\$252,000	\$158,000	\$133,000	N/A	\$133,000
2003	Yes	\$215,000	\$138,800	\$113,800	N/A	\$113,800
2002	Yes	\$212,000	\$136,600	\$111,600	N/A	\$111,600
2001	Yes	\$194,800	\$154,300	\$129,300	N/A	\$129,300
2000	Yes	\$131,100	\$110,600	\$85,600	N/A	\$85,600
1999	Yes	\$118,100	\$87,800	\$62,800	N/A	\$62,800
1998	Yes	\$56,600	\$56,600	\$31,600	N/A	\$31,600
1997	No	\$148,800	\$148,800	\$148,800	N/A	\$148,800
1996	No	\$148,800	\$148,800	\$148,800	N/A	\$148,800

2015 Tax Information

[Click Here for 2015 Tax Bill](#)

Tax Collector Mail 2015 Tax Bills October 31

Tax District: **MB**

2015 Final Millage Rate

18.2169

2015 Est Taxes w/o Cap or Exemptions

\$6,558.08

A significant change in taxable value may occur when sold due to changes in the market or the removal of exemptions. [Click here for more information.](#)

Ranked Sales [\(Click on Ranked Sales\)](#) [See all transactions](#)

Sale Date	Book/Page	Price	O/U	Y/I
19 Feb 2015	18689 / 2113	\$455,000	Q	I
09 Jan 1989	06913 / 1406	\$150,000	Q	
	05048 / 1245	\$143,500	Q	
	04490 / 0874	\$28,100	Q	
	04171 / 1476	\$32,000	Q	

2015 Land Information

Seawall: No

Frontage: None

View:

Land Use	Land Size	Unit Value	Units	Total Adjustments	Adjusted Value	Method
Multi-Fam <10 Units (08)	80x89	40.00	7120.0000	1.0000	\$284,800	SF

[click here to hide] 2015 Building 1 Structural Elements [Back to Top](#)
 Site Address: 13354 GULF BLVD

Quality: Average
 Square Footage: 1760.00
 Foundation: Piers
 Floor System: Wood
 Exterior Wall: Frame Siding
 Roof Frame: Gable Or Hip
 Roof Cover: Shingle Composition
 Stories: 2
 Living units: 2
 Floor Finish: Carpet/ Vinyl/Asphalt
 Interior Finish: Drywall/Plaster
 Fixtures: 6
 Year Built: 1932
 Effective Age: 36
 Heating: Central Duct
 Cooling: Cooling (Central)



[Compact Property Record Card](#)

Building 1 Sub Area Information

Description	Building Finished Ft ²	Gross Area Ft ²	Factor	Effective Ft ²
Utility Unfinished	0	305	0.25	76
Upper Story	320	320	0.90	288
Open Porch Unfinished	0	15	0.13	2
Base	1,120	1,120	1.00	1,120
Total Building finished SF: 1,440		Total Gross SF: 1,760		Total Effective SF: 1,486

[click here to hide] 2015 Building 2 Structural Elements [Back to Top](#)
 Site Address:

Quality: Average
 Square Footage: 1400.00
 Foundation: Piers
 Floor System: Wood
 Exterior Wall: Frame Siding
 Roof Frame: Gable Or Hip
 Roof Cover: Shingle Composition
 Stories: 1
 Living units: 3
 Floor Finish: Carpet/ Vinyl/Asphalt
 Interior Finish: Drywall/Plaster
 Fixtures: 9
 Year Built: 1932
 Effective Age: 36
 Heating: Unit/Space/Wall/Floor
 Cooling: None



[Compact Property Record Card](#)

Building 2 Sub Area Information

Description	Building Finished Ft ²	Gross Area Ft ²	Factor	Effective Ft ²
Open Porch Unfinished	0	40	0.15	6
Base	1,360	1,360	1.00	1,360
Total Building finished SF: 1,360		Total Gross SF: 1,400		Total Effective SF: 1,366

[click here to hide] 2015 Extra Features

Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
ASPHALT	\$1.75	1,400.00	\$2,450.00	\$2,450.00	0

[click here to hide] Permit Data

Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). We are required to list all improvements, which may include unpermitted construction. Any questions regarding permits, or the status of non-permitted improvements, should be directed to the permitting office in which the structure is located.

Permit Number	Description	Issue Date	Estimated Value
116	POOL	14 Dec 2015	\$0
201500364	HEAT/AIR	04 Jun 2015	\$16,800
201500345	HEAT/AIR	26 May 2015	\$2,750

201500198	WINDOWS (OVER 5K)	27 Mar 2015	\$22,500
201500198	WINDOWS (OVER 5K)	27 Mar 2015	\$22,500
201500167	SIDING/EXTERIOR WALL	19 Mar 2015	\$55,000
CB06-14049	HEAT/AIR	07 Aug 2006	\$1,590
CB923598	SPECIAL USE	21 Jul 2005	\$2,400
9800219	ROOF	29 May 1998	\$825
9800174	COMMERCIAL ADD	30 Apr 1998	\$12,000
97815	HEAT/AIR	12 Dec 1997	\$2,300



[Interactive Map of this parcel](#)

[Map Legend](#)

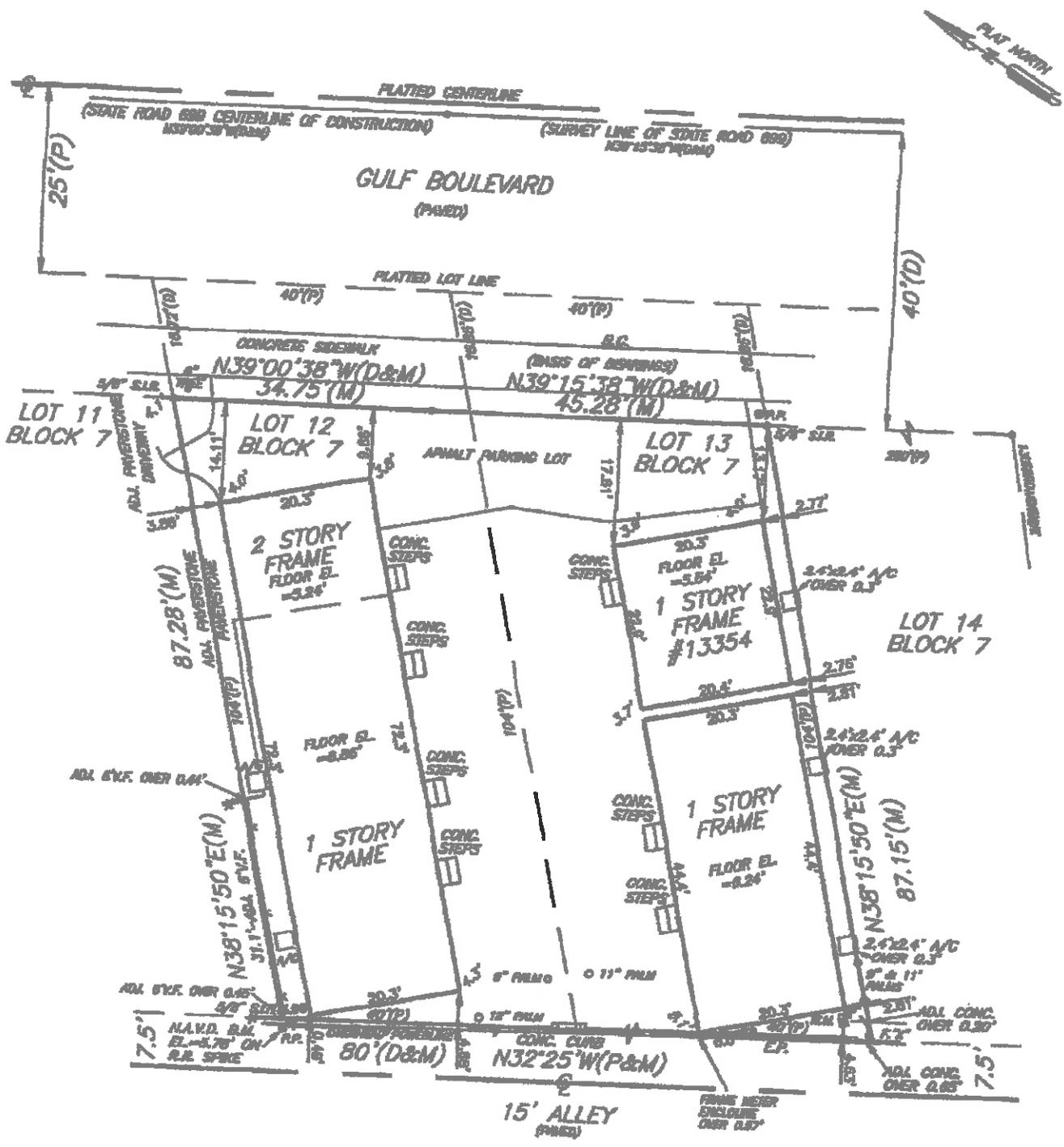
[Sales Query](#)

[Back to Query Results](#)

[New Search](#)

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A BOUNDARY SURVEY OF LOTS 12 AND 13, BLOCK 7, MITCHELL'S BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 54, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY IN FINAL JUDGEMENT RECORDED IN O.R. BOOK 4721, PAGE 58, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

<p>JOB NUMBER: M0XV438 TELEPHONE: (727) 380-0636 DATE OF FIELD SURVEY: 11/25/15 SCALE: 1 INCH = 20 FEET DRAWN BY: DCH CERTIFIED TO:</p>	<p>DAVID C. HARNER PROFESSIONAL LAND SURVEYOR 8925 GULF BOULEVARD TREASURE ISLAND, FL 33706 SECTION 15 TOWNSHIP 31 SOUTH RANGE 15 EAST</p>	<p>FLOOD ZONE: "AE" FLOOD MAP DATE: 8/18/09 COMMUNITY NUMBER: 125127 PANEL NUMBER: 0191 G CHECKED BY: DCH</p>
<p>DOWNSTREAM PROPERTIES, LLC</p>		

**Exhibit F:
Site Photographs**



Front of Property



Side yard (south)



Side yard (South)



Side yard (North)



Interior of Site



Interior of Site