

I, Nick Danaluk, Jr., am the sole owner of 715 South Ocean Drive, Unit D, Hutchinson Island, FL 34949 Parcel ID: 2401-504-0044-000-2. I purchased the unit on March 22, 2019. The property was purchased with the intention of my part time residence, for short term rental both transient and non-transient, and to donate vacation to families as a way to give back to the community. My spouse, serving as applicant, has applied for a short term rental permit on July 12, 2019. We currently use personal vacations and we share the unit by gifting respite vacations to Childhood Cancer Families. The plan is to utilize the unit as a Vacation Rental by Owner in accordance with Florida Statute Chapter 509 and all governing Florida Administrative Codes. The current status is all approvals have been met or are in the process of met with the exception of the sign off by the Ft. Pierce Building Official based on his opine that the use for this property now changes from R-2 to R-3 per the Florida Building Code, 6th edition (letter attached.)

My representative hired a professional engineer who has opined that the building use does not change due to the application for one unit to be converted to a vacation by owner rental in the unit (condominium.) He interprets the building's use continues to primarily permanent in nature and there is no change of use thereby driving a change of occupancy (letter attached.) After meeting with the building official and his assistant, he would not reconsider his opinion and decided the only remedy for changing his opinion was to seek a binding interpretation from the Florida Building Commission due to the fact there is no local appeals board (letter attached.) pursuant to Florida State Statue 553.775.

The building in question is a thirteen (13) unit condominium (R-2) that upon approval will have one unit operate as a vacation rental per F.S. Ch 509. The primary use of the building is nontransient. The use of my unit when I am not there by others will not be limited to either transient or nontransient as I will offer the unit both short term (transient/less than 30 days) and long term (nontransient/30 days or more) as a vacation rental. There is not appropriate fire separation between units to consider them independent. The unit in consideration is approximately six hundred eighty (680') square feet.

I cannot operate my non-for-profit until the Ft. Pierce Building Official signs off on my license.