

REQUEST TO ESTABLISH DOCKET

(PLEASE TYPE)

Date February 6, 1996

Docket No. 960144-WU

- 1. Division Name/Staff Name WAW/ C. Tomlinson *CT*
- 2. DPR _____
- 3. OCR _____

4. Suggested Docket Title Request for exemption from Florida Public Service Commission regulation for provision of water service in Highlands County by Pine Ridge Park.

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
- B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

1. Parties and their representatives (if any)

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

2. Interested Persons and their representatives (if any)

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

6. Check one:

- Documentation is attached.
- Documentation will be provided with the recommendation.

RECEIVED
FLORIDA PUBLIC
SERVICE COMMISSION

ORIGINAL
FILE COPY

CHARLES L. FILLER, JR.
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FEB 2 AM 9 33

MAIL ROOM

960144-WU

January 30, 1996

Public Service Commission
Attn: Christie Tomlinson
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0873

RECEIVED

FEB 03 1996

Florida Public Service Commission
Division of Water and Wastewater

Dear Ms Tomlinson:

Re: Pine Ridge Park
303 SR 70 East
Lake Placid, FL 33852

Enclosed please find Form 5 - Application for Landlord-Tenant Exemption - completed. Also enclosed is a Prospectus (Offering Circular) which sets forth the operating structure of the facility. On pages 3 and 4 of the attached Prospectus it can be seen that there is no separate charge for both water service and wastewater service.

The Water Supply and Distribution system is Permitted under DEP PWS ID #5280241.

There are two wells which supply water to the Park. One 4" well and one 2" well. The two inch well is to be plugged and replaced with another 4" well.

It is requested that this Application for Landlord-Tenant Exemption, Section 367.022(5), Florida Statutes Rule 25-30.060(3)(e), Florida Administrative Code be approved.

If I can be of further assistance please call (941) 655-1415.

Sincerely,



CHARLES L. FILLER, JR.
GEOLOGICAL ENGINEER CONSULTANT

cc: Ben Tucciarone

DOCUMENT NUMBER-DATE

01515 FEB-88

FPSC-RECORDS/REPORTING

APPLICATION FOR LANDLORD-TENANT EXEMPTION
SECTION 367.022(5), FLORIDA STATUTES
RULE 25-30.060(3)(e), FLORIDA ADMINISTRATIVE CODE

NAME OF SYSTEM: Pine Ridge Park

PHYSICAL ADDRESS OF SYSTEM: 303 S.B. 70 East, Lake
Placid, FL 33852

MAILING ADDRESS (IF DIFFERENT): Same

COUNTY: Highlands

PRIMARY CONTACT PERSON:

NAME: Mark Tucciarone

ADDRESS: 303 S.B. 70 East
Lake Placid FL 33852

PHONE #: (941) 465-4815

NATURE OF APPLICANT'S BUSINESS ORGANIZATION: (CORPORATION,
PARTNERSHIP, SOLE PROPRIETOR, ETC.) Sole proprietor

I believe this system to be exempt from regulation of the
Florida Public Service Commission pursuant to Section 367.022(5),
Florida Statutes, for the following reasons:

1. The landlord will provide utility service solely to its tenants.
2. Charges for service are non-specifically contained in rental charges.
3. The system provides (CHOOSE THE ONE THAT IS APPLICABLE):
Water service only _____
Wastewater service only _____
Both X

APPLICATION FOR LANDLORD-TENANT EXEMPTION

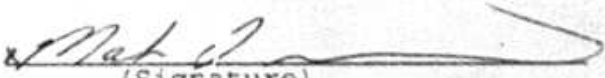
4. The service area is located at: Lake Placid, FL
Section 4, Twp 38 S, Rge 30 E

5. A copy of the landlord's most recent version of a standard lease or rental agreement, stating that there is no separate charge for water service, wastewater service, or both is attached to this application.

I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in S. 775.082, S. 775.083, or S. 775.084.

MARK TUCCIAZONE
(Applicant please type or print)

x 1-26-96
(Date)


(Signature)

x Vice President
(Title)

When you finish filling out the application, the original and two copies of application and lease or rental agreement should be mailed to: Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399-0850.

PINE RIDGE PARK

THIS PROSPECTUS (OFFERING CIRCULAR) CONTAINS IMPORTANT MATTERS TO BE CONSIDERED IN LEASING A MOBILE HOME LOT.

THE STATEMENTS CONTAINED HEREIN ARE ONLY SUMMARY IN NATURE. A PROSPECTIVE LESSEE SHOULD REFER TO ALL REFERENCES, ALL EXHIBITS HERETO, THE CONTRACT DOCUMENTS AND SALES MATERIAL.

ORAL REPRESENTATIONS SHOULD NOT BE RELIED UPON AS CORRECTLY STATING THE REPRESENTATIONS OF THE PARK OWNER OR OPERATOR. REFER TO THIS PROSPECTUS (OFFERING CIRCULAR) AND ITS EXHIBITS FOR CORRECT REPRESENTATIONS.

UPON DELIVERY OF THE PROSPECTUS TO A PROSPECTIVE LESSEE, THE RENTAL AGREEMENT IS VOIDABLE BY THE LESSEE FOR A PERIOD OF 15 DAYS.

SUMMARY

THIS IS THE OFFERING CIRCULAR FOR PINE RIDGE PARK LOCATED AT 303 STATE ROAD 70 EAST, LAKE PLACID, FLORIDA 33852. THERE ARE PRESENTLY 80 MOBILE HOME LOTS WITHIN THE PROPERTY.

WITHIN THE FACILITY THERE IS ONE RECREATIONAL BUILDING, ONE SWIMMING POOL, 2 SHUFFLEBOARD COURTS and 2 HORSESHOE COURTS. THE RECREATIONAL HALL IS OPENED FROM 9:00 A.M. to 5:00 P.M. DAILY, WHILE THE SWIMMING POOL, SHUFFLEBOARD COURTS (2) AND HORSESHOE COURTS (2) ARE AVAILABLE FROM 9:00 A.M. TO SUNSET. USE OF THE FACILITIES IS SUBJECT TO RULES AND REGULATIONS OF THE PARK, AND ARE SUBJECT TO BEING CLOSED DOWN TO ALLOW PROPER MAINTENANCE.

THE MOBILE HOME OWNER IS REQUIRED TO INSTALL A CARPORT, UTILITY ROOM, SCREEN ROOM, SODDED LOT AND T.V. TOWER (IF MOBILE HOME OWNER DESIRES TO HAVE ANTENNA) AS A CONDITION OF HIS OCCUPANCY IN THE PARK. UTILITIES SERVICING THE PARK ARE REFLECTED HEREAFTER IN ARTICLE VII, PAGE 3.

RENTAL INCREASES REQUIRE 90 DAYS' NOTICE TO THE MOBILE HOME OWNER. THE PARK RULES AND REGULATIONS ARE ATTACHED AS EXHIBIT "A" AND ARE SUBJECT TO AMENDMENT UPON 90 DAYS' WRITTEN NOTICE TO MOBILE HOME OWNERS.

THE PROPERTY CONSISTS OF A MOBILE HOME PARK AND TRAVEL TRAILER PARK WHICH ARE ZONED M-2 AND CG-1, OR CG-3, RESPECTIVELY. THERE ARE NO PLANNED CHANGES IN THE USE OF THE LAND COMPRISING THE MOBILE HOME PARK.

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I. NAME AND ADDRESS OF THE MOBILE HOME PARK

The name and address of the mobile home park is PINE RIDGE PARK, 303 State Road 70, East, Lake Placid, Florida 33852.

II. NAME AND ADDRESS OF THE PERSON AUTHORIZED TO RECEIVE NOTICE

The name and address of the person authorized to receive notices and demands on the Park's owner's behalf is BENEDETTO TUCCIARONE, 303 State Road 70, East, Lake Placid, Florida 33852.

III. DESCRIPTION OF THE MOBILE HOME PARK PROPERTY

There are presently eighty (80) Mobile Home Lots within the property which, are more particularly described hereafter. The law requires a 5' setback from front and side lines and a 7 1/2' setback from rear lines. In addition, the Park requires a 12' setback from front lines.

The maximum number of mobile home lots within the property that will use the shared facilities of the Park will be eighty-three (83). It should be noted that the shared facilities can also be presently used by a maximum of 341 travel trailer lots. The projected maximum number of lots which could use the shared facilities is 500. The present lots and the size of each is as follows:

| LOT #'S | DIMENSION OF LOTS | LOT #'S | DIMENSION OF LOTS |
|---------|-------------------|---------|-------------------|
| 1 | 55' X 91' | 35 | 50' X 80' |
| 2 | 51' X 91' | 36 | 50' X 80' |
| 3 | 55' X 91' | 37 | 50' X 80' |
| 4 | 54' X 91' | 38 | 50' X 80' |
| 5 | 58' X 91' | 39 | 50' X 80' |
| 6 | 55' X 91' | 40 | 50' X 80' |
| 7 | 59' X 80' | 41 | 50' X 80' |
| 8 | 50' X 80' | 42 | 50' X 80' |
| 9 | 52' X 83' | 43 | 50' X 80' |
| 10 | 52' X 83' | 44 | 50' X 80' |
| 11 | 53' X 88' | 45 | 50' X 80' |
| 12 | 55' X 88' | 46 | 50' X 80' |
| 13 | 49' X 83' | 47 | 60' X 70' |
| 14 | 49' X 83' | 48 | 60' X 70' |
| 15 | 49' X 83' | 49 | 60' X 70' |
| 16 | 62' X 85' | 50 | 60' X 70' |
| 17 | 62' X 84' | 51 | 60' X 70' |
| 18 | 62' X 84' | 52 | 60' X 70' |
| 19 | 62' X 84' | 53 | 60' X 70' |
| 20 | 62' X 80' | 54 | 60' X 70' |
| 21 | 62' X 87' | 55 | 60' X 70' |
| 22 | 61' X 87' | 56 | 60' X 70' |
| 23 | 61' X 87' | A | 48' X 67' X 72' |
| 24 | 60' X 88' | B | 66' X 69' |
| 25 | 64' X 88' | C | 60' X 71' |
| 26 | 50' X 88' | D | 61' X 66' |
| 27 | 63' X 71' | E | 62' X 67' |
| 28 | 63' X 67.6 | F | 69' X 71' |
| 29 | 63' X 65' | G | 90' X 78' X 70' |
| 30 | 50' X 88' | H | 72' X 58' |
| 31 | 50' X 88' | I | 75' X 55' |
| 32 | 50' X 88' | J | 72' X 56' |
| 33 | 50' X 88' | K | 70' X 61' |
| 34 | 50' X 88' | L | 70' X 61' |

LOT #'S DIMENSION OF LOTS

M 88' X 95'
 N 78' X 95'
 O 68' X 95'
 P 64' X 95'
 Q 56' X 95'
 R 45' X 95'

LOT #'S DIMENSION OF LOTS

S 60' X 96'
 T 60' X 96'
 U 50' X 96'
 V 50' X 96'
 W 60' X 96'
 X 90' X 96'

IV. A DESCRIPTION OF THE RECREATIONAL AND OTHER COMMON FACILITIES

There is one (1) recreational building containing one (1) room which is used for dances, meetings, card games and other general recreational purposes consistent with a recreational hall, subject to the Rules and Regulations of the Park which have been attached hereto as Exhibit A. The capacity of the building is for 300 people. The Recreational Building is located 500' Southeast from the Front Entrance and contains approximately 2000' square foot of floor area.

The Park has one (1) swimming pool which is located approximately 250' southeast of the office and approximately 400' southeast of the Recreational Hall. The pool is 24' by 50' and varies in depth from 3' to 6'. The pool has a capacity for 20 persons and has a deck which contains 1100 square feet. The pool is heated.

The Park also has four (4) shuffleboard courts and two (2) horseshoe courts, which are located approximately 500' southwest from the front entrance. There are no items of personal property available for use by the mobile home owner.

The Recreational Hall is available seven (7) days a week from 9:00 A.M. to 5:00 P.M., subject to availability (proper calendaring and reservation) and to the Rules and Regulations of the Park which are attached as Exhibit A. The swimming pool, shuffleboard courts (2), and horseshoe courts (2) are available from 9:00 A.M. to sunset. All of the above facilities are subject to being closed down if required for proper servicing. All improvements are completed.

V. MANAGEMENT OF THE PARK AND MAINTENANCE AND OPERATION OF THE PARK PROPERTY

The mobile home lot is maintained by the mobile home lot tenant. The common grounds are managed and maintained by the Park Owner. These Common Grounds are the recreational areas above described, the Administrative Office and the road system. The Park Owner employs persons and maintains equipment necessary for everyday maintenance, as mowing, painting and pool maintenance and hires independent contractors for major maintenance items (i.e. roofing).

VI. DESCRIPTION OF IMPROVEMENTS REQUIRED TO BE INSTALLED BY MOBILE HOME OWNER

Mobile Home Owners whose tenancy commenced subsequent to June 4, 1984 are required to install the following items as a condition of

their occupancy in the Park, each of same to be approved by Park Owner prior to installation:

- A. Carport.
- B. Utility Room.
- C. Screen Room.
- D. Sodded Lot.
- E. TV tower (if mobile home owner desires to have antenna).
- F. Driveway

VII. UTILITIES

The manner in which utility and other services will be provided and the person or entity furnishing them are as follows:

| <u>UTILITY</u> | <u>PROVIDED</u> | <u>PERSON OR ENTITY FURNISHING UTILITY</u> |
|--------------------|--------------------------------|--|
| Sewage *** | Yes (central sewage system) | PINE RIDGE PARK, INC.* |
| Waste Disposal *** | Yes (central pickup site) | PINE RIDGE PARK, INC.* |
| Cable Television | Yes | PRTV, INC. |
| Water Supply *** | Yes (central water systems) | PINE RIDGE PARK, INC.* |
| Storm Drainage ** | Yes | Provided naturally by design of the Park (i.e. natural runoff) |
| Electric | Yes | GLADES ELECTRIC |
| Telephone | Yes | UNITED TELEPHONE |
| LP Gas | Yes | RIDGE FUEL COKER FUEL TOWER GAS |

* Park Owner reserves the right upon 90 days notice to discontinue this service(s) provided a third party then provides same.

** Provided as part of the Base Rent

*** Charges included in Lot Rental Amount - Please see VIII.

VIII. LOT RENTAL AMOUNT

The mobile home owner will be notified of any rental increase at least ninety (90) days in advance of the increase in writing. Current fees and charges in the Park are as follows:

| <u>DESCRIPTION</u> | <u>CURRENT COSTS</u> |
|--|----------------------|
| BASE RENTAL | \$ <u>150.00</u> |
| ENTRANCE FEE (not applicable to purchases of mobile homes already in park) | \$ <u> </u> |
| LATE CHARGES | \$ <u>5.00</u> |
| BAD CHECK CHARGES | \$ <u>20.00</u> |

7
ADDITIONAL OCCUPANT FEE

\$ 40.00 per mo. per person

GUEST FEE

\$ 2.00 per day per person

MAINTENANCE FEE

\$ 0

WATER, SEWAGE, WASTE DISPOSAL

\$ 0

GOVERNMENTAL AND UTILITY CHARGES

\$ 0

TOTAL CURRENT LOT RENTAL AMOUNT

\$ 150.00 plus any of the

above charges when applicable.

As of the present time, there are no governmental and utility charges. Governmental and utility charges means those amount other than special use fees, which are itemized and charged separately from the rent and which represents the Mobile Home Owners share of costs, charged to the Park Owner by any state or local government or any Utility Company. Governmental and utility charges shall be allocated equally among all Mobile Home lots. The Park Owner reserves rights to commence governmental and utility charges as above defined and as allowed by law.

Factors to be considered, as to increase of lot rental, would be the operating expenses for the Park Owner, inclusive of increases in water rates, sewer rates, waste disposal rates, maintenance cost, management costs, property taxes, major repairs or improvements; increases in the Consumer Price Index for Urban Wage Earners and Clerical Workers United States City Average: All Items-Series A (1967-100); and the market rental value of similar lots in other Mobile Home Parks in Highlands County. An increase in one or more of the above factors may result in an increase in the homeowners rent or other charges as above set forth. Except as to ad valorem taxes and utility charges, there shall be no increase except annually.

IX. PARK RULES OR REGULATIONS

A current set of the Park Rules and Regulations is set forth in Exhibit A. If the Park Owner determines to amend said Rules and Regulations, then the Park Owner shall give written notice to each mobile home owner at least ninety (90) days prior to any change in the Rules and Regulations or such longer period as required unless a change in the Rules and Regulations is a result of restrictions imposed by governmental entities and required to protect the public health and safety and welfare.

X. EXISTING ZONING CLASSIFICATION

The Property consists of a mobile home park and a travel trailer park. That portion of the Park reserved for mobile homes is zoned M 2 which has the following allowable uses: Mobile home parking; Community utility; Community recreation facilities; Single family residence for owner, manager or custodian of park; Accessory buildings for storage incidental to operation of park.

That portion of the Park reserved for travel trailers is zoned CG1 which has the following allowable uses: Camping spaces for campers and travel trailers; Sanitary facilities, baths and toilets; Public and/or private utility buildings; Community recreational facilities; Fish camps with camping or cottage facilities, boat rentals, bait, etc.; Residence buildings for owner or custodian; Storage buildings for equipment and supplies; or is zoned CG3 which allows the above uses and allows construction of screenrooms.

The lands upon which the Park is situated are governed by the Highlands County Land Use Plan and by the Highlands County Zoning Ordinances, both of which are enforceable through the Highlands County Board of Commissioners and its Planning and Zoning Department. There are no planned changes in the use of the land comprising the mobile home park.

XI. USER FEES

The mobile home owner is responsible for the payment of user fees if the mobile home owner agrees to the provision of services for such fees by the park owner. "User Fees" are defined as those amounts charged in addition to the lot rental amount for non-essential, optional services provided by or through the park owner to the mobile home owner under a separate written agreement between the mobile home owner and the person furnishing the optional services or services.

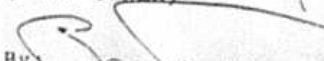
User Fees will increase based upon the factors which are considered for increases in the lot rental amount. These factors are listed in Article VIII of this prospectus. Notice of an increase in User Fee charges will be provided to the mobile owner five (5) days prior to that increase. Notice of Increase will be given by posting a notice at the facility, by personal delivery or by five (5) days notice by U.S. mail. Notice by U.S. mail will be considered made upon the mailing of notice to the mobile home owners last known address. There are currently no User Fees or services available in the park although this may be changed in the future.

Dated: 8-30-88

Approved: Bureau of Mobile Homes
Division of Florida Land Sales
July 14, 19 88

I.D. Number 2802129P86
Lot _____, Pine Ridge Park

PINE RIDGE PARK, INC.
(PARK OWNER)

By: 
BENEDETTO TUCCIARONE,
as its President