

Buyer Info Packet

303 N Riverside Dr.
Indialantic FL, 32903

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Seller's Property Disclosure Waiver
for Exclusive Right of Sale Listing Agreements

Property Address: 303 N Riverside Drive, Indialantic, Florida 32903

Listing Date: February 21, 2025

Seller Name(s): Brookside Development

Compass Agent Name: Dewayne Carpenter

☐ **Option 1:**

The Seller(s) above hereby acknowledge that they will complete and execute a Seller Property Disclosure for the above-referenced Property. This Disclosure must be completed prior to the acceptance of an executed purchase agreement.

☒ **Option 2:**

The Seller(s) above hereby elect not to execute a Seller Property Disclosure for the above-referenced property and thereby understand and agree that they release Compass Florida, LLC from any and all disputes, claims or causes of action arising out of or relating to their election not to execute the same.

William Bengelton July 8, 2025
Seller Signature Date

Dewayne Carpenter July 8, 2025
Listing Agent Signature Date

Seller Signature Date

Flood Disclosure

Florida Statute 689.302 requires a seller to complete and provide a flood disclosure to a purchaser of residential real property **at or before** the time the sales contract is executed.

Seller, Brookside Development, provides Buyer the following flood disclosure **at or before** the time the sales contract is executed.

Property address: 303 N Riverside Drive, Indialantic, Florida 32903

Seller, please check the applicable box in paragraphs (1) and (2) below.

FLOOD DISCLOSURE

Flood Insurance: Homeowners' insurance policies do not include coverage for damage resulting from floods. Buyer is encouraged to discuss the need to purchase separate flood insurance coverage with Buyer's insurance agent.

- (1) Seller ☐ has ☒ has not filed a claim with an insurance provider relating to flood damage on the property, including, but not limited to, a claim with the National Flood Insurance Program.
- (2) Seller ☐ has ☒ has not received federal assistance for flood damage to the property, including, but not limited to, assistance from the Federal Emergency Management Agency.
- (3) For the purposes of this disclosure, the term "flooding" means a general or temporary condition of partial or complete inundation of the property caused by any of the following:
 - a. The overflow of inland or tidal waters.
 - b. The unusual and rapid accumulation of runoff or surface waters from any established water source, such as a river, stream, or drainage ditch.
 - c. Sustained periods of standing water resulting from rainfall.

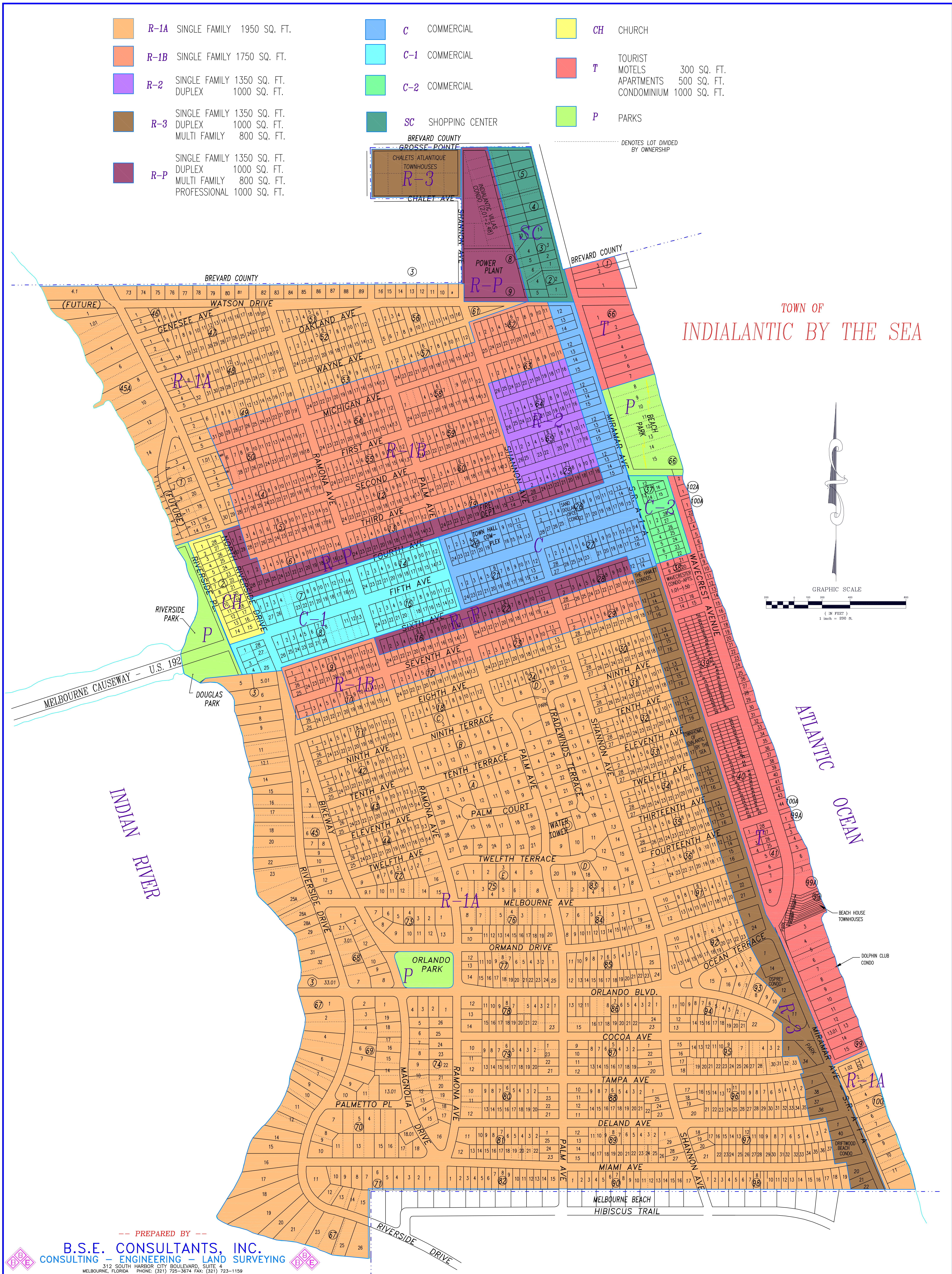
Seller: William Bragelton

Date: July 8, 2025

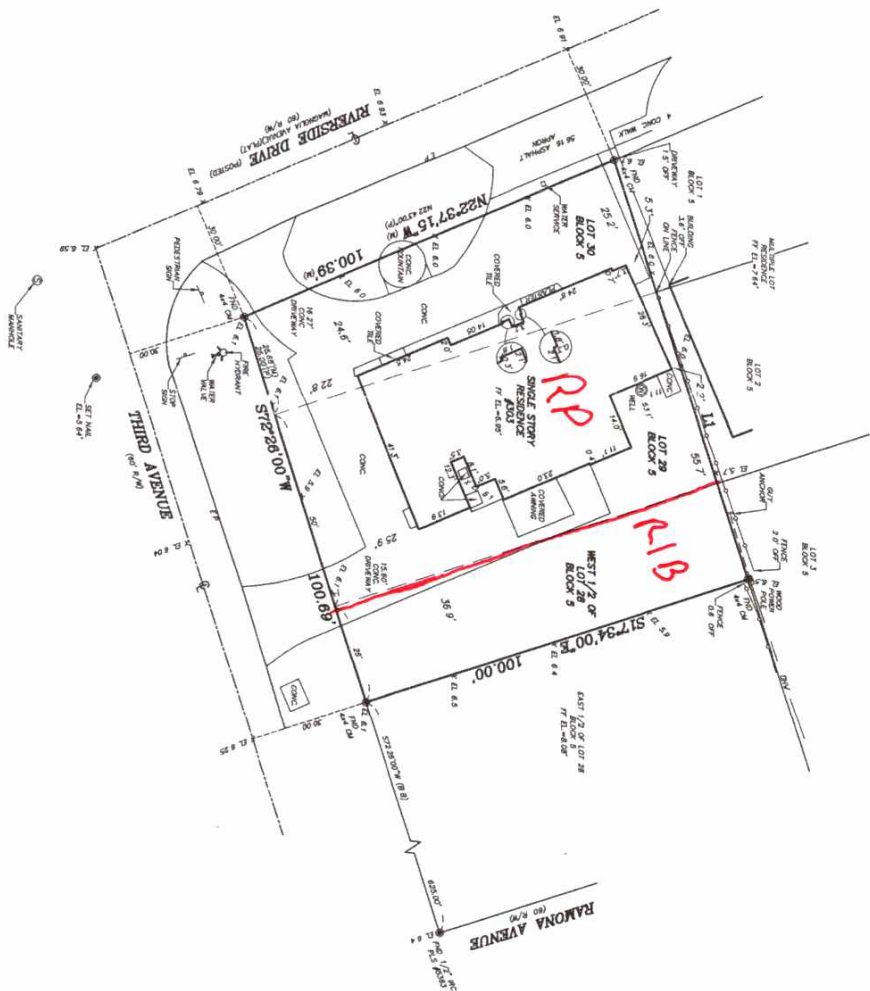
Seller: _____

Date: _____

Copy provided to Buyer on _____ by ☐ email ☐ facsimile ☐ mail ☐ personal delivery.




LINE TABLE		
LINE	BEARING	LENGTH
L1	N72°26'00"E	109.53'



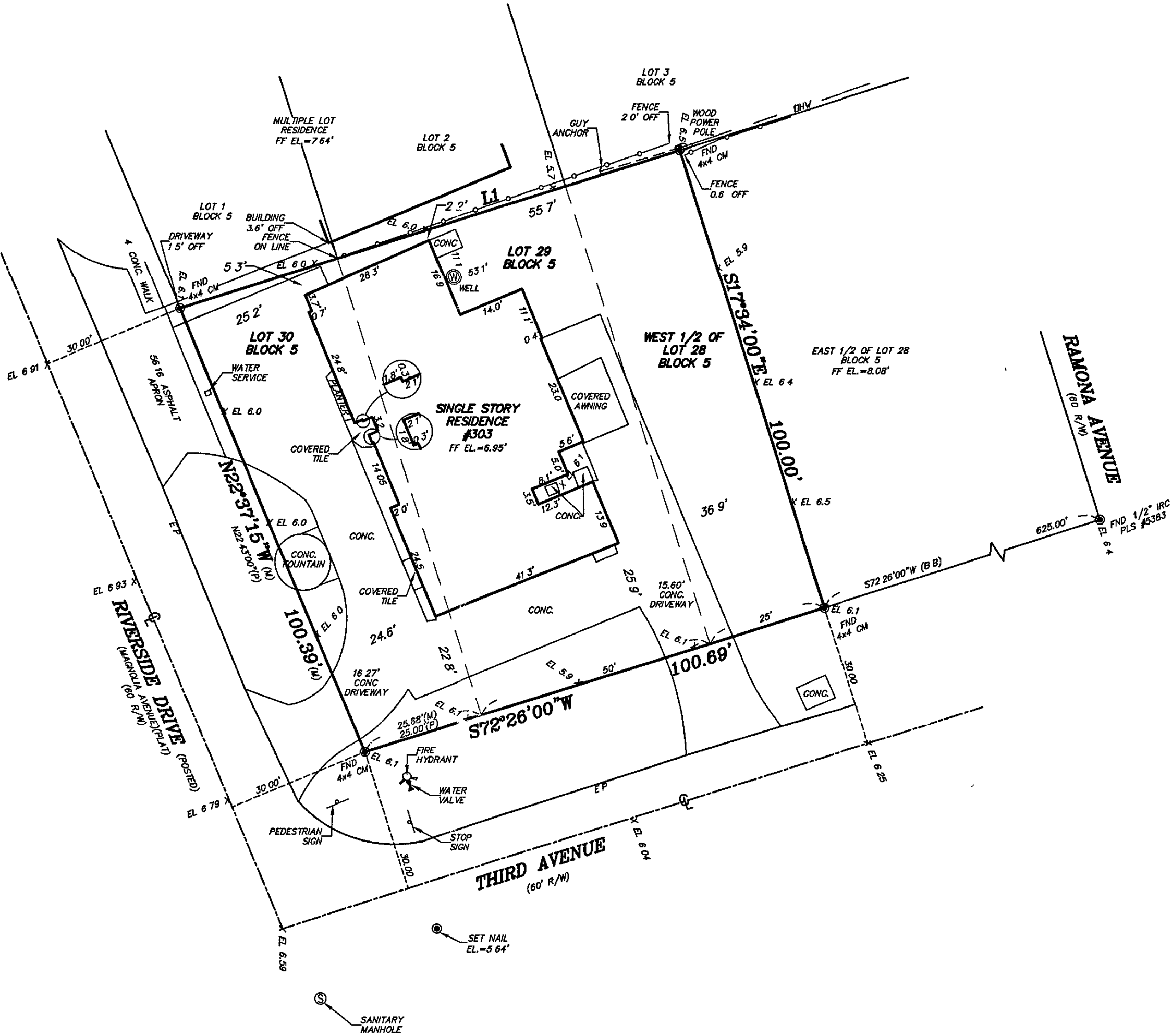
303 N. Riverside - Zoning Split

AAL LAND SURVEYING SERVICES, INC.

1	DATE OF SURVEY	04-15-24
2	SECTION	36
3	TOWNSHIP	22 SOUTH
4	RANGE	31 EAST
5	PROJECT	98801
6	REDACTED SURVEY	
7	SCALE	1" = 30'
8	NORTH	
9	ADJACENT	
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100	ADJACENT	

PROJECT BENCHMARK
BREWSTER COUNTY BENCHMARK 422-2
3.5" FLDOT BRASS DISK
IN CONCRETE SIG MARK
STAMPED 422-25 2003
EL. 5.72 (NAVD 88)
EL. 7.14 (MOI 20)

LINE TABLE		
LINE	BEARING	LENGTH
L1	N72°26'00"E	109.53'



PROJECT BENCHMARK
BREVARD COUNTY BENCHMARK 422-25
3 1/2" FLOOD BRASS DISK
IN CONCRETE SIDEWALK
STAMPED "422-25 2005"
EL 5.72 (NAVD 88)
EL 7.14 (NGVD 29)

AAL LAND SURVEYING SERVICES, INC.

ACCORDING TO FIRM #12009C 0604 H
DATED JANUARY 29, 2021, THIS PROPERTY
IS LOCATED WITHIN FLOOD ZONE X
(NAVD 88)

BOUNDARY SURVEY

SCALE 1" = 20'

REVISION _____

REVISION _____

REVISION _____

REVISION _____

REVISION _____

FIELD DATE 04-15-24

SECTION 36,
TOWNSHIP 27 SOUTH,
RANGE 37 EAST

PROJECT #49601

GENERAL NOTES:

1. THIS SURVEY AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES

2. THIS SURVEY IS FOR THE SOLE BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE NOTED AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES

3. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR, AND REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN

4. NO OPINION OF TITLE OR OWNERSHIP IS HEREBY EXPRESSED OR IMPLIED BY THE SURVEYOR

5. THIS SURVEY WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR BY THE CLIENT AND MAY BE SUBJECT TO EASEMENTS OR LIMITATIONS EITHER RECORDED OR IMPLIED

6. BEARINGS ARE BASED ON ASSUMED DATUM AND ON THE LINE SHOWN AS BEING THE BASIS OF BEARINGS

7. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN

8. ELEVATIONS, IF SHOWN, ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988, UNLESS OTHERWISE NOTED

9. "NO WELLS" AND "NO SEPTICS" ARE DEFINITIONS TO SHOW AN ATTEMPT BY THE SURVEYOR TO LOCATE POSSIBLE EXISTING WELLS AND SEPTICS, HOWEVER NONE WERE FOUND USING STANDARD SURVEY LOCATING EQUIPMENT

3970 MINTON ROAD, WEST MELBOURNE, FL 32904 L.B.#6623
PHONE: (321)768-8110 FAX: (321)952-9771 E-MAIL: frontdesk@aalsurvey.com

ANDREW W. POWSHOK
P.L.S. No. 5383

DANIEL D. GARNER
P.L.S. No. 6189

LEGEND

(B.B.) - BASIS OF BEARING
(M) - MEASURED
(P) - PLAT
(D) - DEED
(R) - IRON ROD
(F) - IRON PIPE
(N&D) - NAIL AND DISC
(N&TT) - NAIL AND TIN TAB
(CM) - CONCRETE MONUMENT
(PRM) - PERMANENT REFERENCE MARKER
(EOW) - EDGE OF WATER
(TBM) - TEMPORARY BENCHMARK
(D) - DELTA
(R) - RADIUS
(L) - ARC LENGTH
(FND) - FOUND
(CH) - CHORD LENGTH
(P.O.B) - POINT OF BEGINNING
(P.C) - POINT OF CURVATURE
(P.T) - POINT OF TANGENCY
(P.I) - POINT OF INTERSECTION
(P.R.C) - POINT OF REVERSE CURVE
(R/W) - RIGHT OF WAY
(B.S.L) - BUILDING SETBACK LINE
(OHW) - OVERHEAD WIRES
(E.P) - EDGE OF PAVEMENT
(P.U) - PUBLIC UTILITY EASEMENT
(D.E) - DRAINAGE EASEMENT
(EL) - ELEVATION
(FF) - FINISHED FLOOR
(CONC) - CONCRETE
(R.C.P) - REINFORCED CONCRETE PIPE
(C.M.P) - CORRUGATED METAL PIPE
(C) - CENTERLINE
(L.B) - LICENSED BUSINESS
(P.L.S) - PROFESSIONAL LAND SURVEYOR

SURVEY PREPARED FOR:
BROOKSIDE DEVELOPMENT, LLC

DESCRIPTION LOTS 29, 30 AND W. 1/2 OF LOT 28, BLOCK 5, PLAT OF INDIALANTIC BY THE SEA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 35, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

Sec. 113-335. - R-P Residential—Professional Districts.

Within R-P Residential—Professional Districts, the following regulations shall apply:

(1) *Permitted uses.* The following uses only shall be permitted:

- a. Single-family dwellings.
- b. Parish houses.
- c. Essential municipal uses.
- d. Public utilities serving the neighborhood area, excluding towers, buildings or storage areas.
- e. Gardening activities customarily incidental to single-family dwellings.
- f. Duplex family living units.
- g. Multiple family living units, except townhouse residential units.
- h. Satellite dish antenna in the manner specified in section 113-243.
- i. The professional activities listed below, to the extent that they do not involve the manufacture, preparation, or sale of an article or commodity on or from within the premises except that uses accessory to the principal permitted uses shall be allowed:
 1. Accountants.
 2. Architects.
 3. Attorneys.
 4. Barber shops/beauty salons.
 5. Chiropractors.
 6. Dental labs.
 7. Dentists.
 8. Engineers.
 9. Existing church building.
 10. Insurance brokers.
 11. Optometrists.
 12. Osteopaths.
 13. Physicians.
 14. Real estate brokers.

15. Consultants to the above.
16. Professional activities similar and conforming to the standards governing the above and not more detrimental, objectionable, or annoying to the community.
- j. Community residential home (level I or level II facilities) subject to satisfying the standards set forth in section 113-246.
- k. Townhouse residential units subject to the following restrictions:
 1. Lot area for each unit. No townhouse residential unit site shall be less than 2,000 square feet, and each unit shall have its foundation on its individual site, except where the units are separated by a common party wall in which the foundation may be installed equidistant on each side of the lot line for the length of the party wall and its extension along the offset of the townhouses on abutting lots.
 2. No townhouse residential unit shall be smaller than 1,000 square feet.
 3. No townhouse residential unit shall be less than 20 feet in width.
 4. Grouping length. A grouping of townhouses shall not exceed 150 feet in length, and shall not contain more than six units, for each building in the grouping.
 5. Side yards for a townhouse residential unit shall be not less than ten feet at each end of the group of townhouses.
 6. For all individual townhouse residential units the building permit for which is issued after April 1, 2024 and which unit is not subject to a condominium form of ownership, said individual townhouse residential unit shall be subject to a plat or replat, the lot lines of which shall be coincident with the boundaries of the individual townhouse residential unit.
- (2) *Standards governing permitted uses.* The following standards shall govern uses:
 - a. No odor, dust, fumes, gas, smoke or other atmospheric pollutants shall be disseminated beyond the boundaries of the immediate site of the building in which the use is conducted.
 - b. Noise level from operations shall be negligible. No noise or vibration resulting from or in connection with the use shall be perceptible from any part of any residence district.
 - c. There shall be no glare resulting from or in connection with the use that is observable from outside the boundaries of the R-P residential-professional district.
 - d. The vehicular traffic resulting from or in connection with the use shall not add materially to the traffic on streets that primarily serve residence districts.

- e. The use shall not be otherwise detrimental, objectionable, or annoying to the owners or occupants of nearby property.
- (3) *Prohibited uses.* The following are specifically prohibited uses. Merely because a use is not specifically listed does not mean that the use is not prohibited.
 - a. All uses which are not permitted uses.
 - b. Vacation rentals.
 - c. Bed and breakfast facilities.
 - d. Medical marijuana treatment center dispensing facility.
- (4) *Building height limitation:*
 - a. The maximum height (see definition, section 113-4) of any building other than an accessory use shall be 30 feet, and the building shall not exceed two stories.
 - b. The maximum height permitted for an accessory use structure shall be eight feet, if the use is set back at least four feet from the rear and side lot lines. The maximum height permitted for an accessory use structure shall be increased 1½ feet to a maximum of 14 feet for each additional one foot that the accessory structure is set back, in excess of four feet, from the rear and side lot lines.
- (5) *Lot area.* Except as otherwise provided herein, the minimum area of any lot shall be 10,000 square feet.
- (6) *Lot dimensions.* Except as otherwise provided herein for townhouse residential units, the minimum dimensions of any lot shall be:
 - a. Depth: 100 feet.
 - b. Width at building line: 100 feet.
- (7) *Front yards.* Front yards shall be not less than 25 feet in depth.
- (8) *Side yards.* Except as otherwise provided herein for townhouse residential units, side yards shall be not less than:
 - a. Interior lots: ten feet in depth on each side;
 - b. Where side yard of a corner lot abuts one of two intersecting streets: 25 feet in depth on the side abutting the street and ten feet in depth on the other side.
- (9) *Rear yards.* Rear yards shall be not less than 20 feet in depth.
- (10) *Living and professional use areas.*
 - a. The minimum living area of any dwelling shall be:

1. Single-family dwellings: 1,350 square feet.
 2. Duplex dwellings: 800 square feet per unit.
 3. Multifamily dwellings (except townhouse residential units): 800 square feet per unit. For multifamily dwellings subject to a building permit issued after April 1, 2024, the minimum living area shall be 1,000 square feet.
- b. The minimum area for any professional use shall be 1,000 square feet per unit.
- (11) *Parking spaces.*
- a. All off-street parking facilities shall meet the requirements of section 113-232.
 - b. For professional uses, one parking space for every 400 square feet of floor area devoted to such use, excluding storage space, shall be provided.
- (12) *Rental use.* Renting rooms shall be permitted, provided the area devoted to such use shall not exceed 25 percent of the total area of any dwelling unit.
- (13) *Signs.* Article V of this chapter applies.
- (14) *Buffer wall.*
- a. Where the property abuts property in the R-1-A district, R-1-B district, R-2 district, or R-3 district, a solid wall, six feet high and at least six inches thick, constructed of brick, block, mortar, or similar building materials, and sufficient to obstruct the view of such abutting residential property, shall be provided.
 - b. The buffer wall shall parallel the length of the common boundary between the subject property located within the R-P district and the R-1-A district, R-1-B district, R-2 district, or R-3 district. The buffer wall shall be placed at the common property line of the R-P district and the R-1-A district, R-1-B district, R-2 district, or R-3 district. A wooden fence is strictly prohibited.
 - c. The buffer wall shall be installed when there is a substantial improvement to the R-P zoned property. As used in this section, the term "substantial improvement" means:
 1. A change in the use of a major and material nature. For example, a change from a residential use to a professional office use would constitute a major and material change;
 2. Clearing of an entirely undeveloped property and making use of the property. For example - use of the property as a parking lot;
 3. Demolition of an existing principal structure and construction of a new principal

structure for use as a professional office;

4. An expansion of the floor area of an existing professional office structure by ten percent or more; or
5. Construction of a professional office structure on undeveloped property.

(15) *Ground covering.* In addition to meeting the following requirements, a landscape plan shall be submitted to the town along with architectural plans.

- a. At least 20 percent of the parcel of land must be devoted to lawn or plants. At least one-half of the minimum required landscaping must be contained in the front yard area.
- b. A landscape buffer of not less than two feet wide along the side property lines shall be provided.

(16) *Density.* The maximum density for this zone shall be not greater than 15 units per acre.

(17) *Accessory buildings, structure and uses.*

- a. Accessory buildings, structures and uses customarily incidental to any use permitted by this section shall be allowed.
- b. All accessory buildings and structures located in the rear yard shall be set back not less than four feet from all lot lines. Utility sheds may be placed as permitted by section 113-225 of this Code. On corner lots when the lot abuts two intersecting streets, accessory use structures shall be set back not less than 25 feet from any lot line abutting a street or public right-of-way. All accessory use structures shall be set back not less than five feet from any principal or primary permitted use.
- c. All accessory uses shall meet the requirements of section 113-225.

(18) *Grading and drainage.* Chapter 14, article V applies.

(Code 1962, § 28-94; Code 1993, § 17-125; Ord. No. 142, 10-3-1972; Ord. No. 153, §§ 1, 5, 6-19-1973; Ord. No. 154, § 4, 1-15-1974; Ord. No. 197, § 1, 6-15-1976; Ord. No. 261, §§ 6, 17, 7-17-1979; Ord. No. 81-298, § 4, 8-18-1981; Ord. No. 84-344, § 2, 3-20-1984; Ord. No. 87-4, § 6, 2-17-1987; Ord. No. 87-9, § 3, 8-18-1987; Ord. No. 90-13, § 4, 1-15-1991; Ord. No. 92-3, § 6, 1-21-1992; Ord. No. 92-4, § 6, 2-18-1992; Ord. No. 92-13, § 6, 3-16-1993; Ord. No. 95-9, § 10, 7-18-1995; Ord. No. 95-13, § 7, 10-17-1995; Ord. No. 97-9, § 1, 7-1-1997; Ord. No. 00-05, §§ 1—3, 11-21-2000; Ord. No. 02-04, § 3, 2-18-2002; Ord. No. 08-01, § 8, 11-20-2007; Ord. No. 15-05, § 2, 8-12-2015; Ord. No. 17-10, § 6, 5-15-2017; Ord. No. 17-14, § 6, 9-13-2017; Ord. No. 2022-05, § 7, 5-11-2022; Ord. No. 2024-03, § 4, 3-13-2024)