NOTICE OF HEARING MUNICIPAL CODE ENFORCEMENT BOARD CITY OF CLEARWATER, FLORIDA Case 103-18

Certified Mail May 30, 2018

Owner: NOW Investments Inc P O Box 12729 St. Petersburg, FL 33733-2729

Violation Address:

1745 Drew St., Clearwater

Sky Crest Unit No. 2 Blk C, Lots 1 and 2

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday**, **June 27**, **2018**, at **1:30** p.m. there will be a public hearing before the Municipal Code Enforcement Board in the Council Chambers, 3rd floor, City Hall at 112 South Osceola Avenue, Clearwater, Florida, concerning violation of Section **3-1806.A & 29.30(1)** of the Clearwater City Community Development Code. (See attached Affidavit of Violation).

You are hereby ordered to appear before the Municipal Code Enforcement Board on that date to answer these charges and to present your side of the case. Failure to appear may result in the Board proceeding in your absence. Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Board. If you are absent and represented at the hearing, that person must present to the Board your letter stating your approval of such representation. You will have the opportunity to present witnesses as well as question witnesses against you prior to the Board making a determination. Please be prepared to present evidence at this meeting concerning the amount of time necessary to correct the alleged violations, should you be found to be in violation of the City Code.

The case shall be presented to the Board even if the violations described in the attached Affidavit(s) of Violation are corrected prior to the Board hearing.

Should you be found in violation of the City code, the Municipal Code Enforcement Board has the power by law to levy fines of up to \$250 a day per violation against you and your property for every day each violation continues beyond the date for compliance set in an order of the Board.

If you wish to have any witnesses subpoenaed, please contact the Secretary of the Municipal Code Enforcement Board within five (5) days at 727-562-4097. If you have any questions regarding the cited violations or if the violations are corrected prior to the hearing, please contact the Inspector whose name appears on the affidavit(s) of violation.

Sincerely,

SECRETARY TO THE MUNICIPAL CODE ENFORCEMENT BOARD

The Municipal Code Enforcement Board was created pursuant to General Act 80-300, General Laws of Florida, 1979, and Ordinance 2169-80 of the City of Clearwater. The purpose of this quasi-judicial Board of seven citizens is to quickly and fairly render decisions and facilitate enforcement of certain codes of the City of Clearwater.

The City of Clearwater strongly supports and fully complies with the Americans with Disabilities Act (ADA). Please advise us at least 48 hours prior to the meeting if you require special accommodations at 727-562-4090. Assisted Listening Devices are available. Kindly refrain from electronic devices during the meeting.

FLORIDA STATUTE 286.0105 STATES THAT ANY PERSON APPEALING A DECISION OF THIS BOARD WILL NEED A RECORD OF THE PROCEEDINGS.

Disole Sprague

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

NAME OF VIOLATOR:

NOW INVESTMENTS INC

CITY CASE#: BIZ2018-00154

MAILING ADDRESS:

PO BOX 12729

ST PETERSBURG, FL 33733-2729

VIOLATION ADDRESS:

1745 DREW ST CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 3/9/2018

LEGAL DESCRIPTION OF PROPERTY: SKY CREST UNIT NO. 2 BLK C, LOTS 1 AND 2

PARCEL #: 14-29-15-82404-003-0010

DATE OF INSPECTION: 5/18/2018 10:59:00 AM

SECTION(S) OF THE CITY CODE WHICH HAVE BEEN VIOLATED: CODE SECTION VIOLATED

3-1806.A. ** TEMPORARY SIGNS ** Within its zoning districts and subject to any applicable provisions with Section 3-1806, general provisions for signs, the city shall allow temporary signs that meet the criteria and limitations set forth in Table 3-1806.1a and Table 3-1806.1b, shown below.

TABLE 3-1806.1b. ** CRITERIA AND LIMITATIONS FOR ALL OTHER TEMPORARY SIGNS IN ALL ZONING DISTRICTS ** Please see the enclosed copy of Table 3-1806.1b.

SPECIFICALLY,

Up to 4 temporary signs can be erected at a non-residential property that are no greater than 16 square feet in total sign area and must be at least 5 feet from all property lines, no closer than 15 feet apart from each other, and follow all the criteria and limitations set forth in Table 3 -1806.1b. At the property United One Insurance has erected multiple temporary signs too close to the property lines and too close to each other. It is the responsibility of the property owner to make sure that all current and future tenants are aware of all City ordinances and that the property and tenants come into and remain in compliance. Compliance can be met by making sure no more than 4 temporary signs no greater than 16 square feet in total sign area per sign are erected at the property no closer than 5 feet from all property lines and no closer than 15 feet from each other, while following all other criteria and limitations set forth in Table 3-1806.1b. To avoid fines starting at \$143.00 or having this case brought in front of the Municipal Code enforcement Board please meet compliance by the compliance date. Please contact me with any questions. Thank you.

A violation exists and a request for hearing is being made.

Daniel Knight

SWORN AND SUBSCRIBED before me on this 21th day of May, 2018, by Daniel Knight.

STATE OF FLORIDA COUNTY OF PINELLAS

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

Type of Identification

(Notary Signature)

DIANE DEVOL State of Florida-Notary Public Commission # GG 116308 My Commission Expires October 14, 2021

Name of Notary (typed, printe	d, stamped)		
FILED THIS 30th DAY OF	thay	, 20_18	
	Ü	MCEB CASE NO.	103.18
		Buce Gra	que
		Secretary, Municipal Code	1 1

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

NAME OF VIOLATOR:

NOW INVESTMENTS INC

PO BOX 12729

CITY CASE#: BIZ2018-00155

MAILING ADDRESS:

ST PETERSBURG, FL 33733-2729

VIOLATION ADDRESS:

1745 DREW ST CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 3/9/2018

LEGAL DESCRIPTION OF PROPERTY: SKY CREST UNIT NO. 2 BLK C, LOTS 1 AND 2

PARCEL #: 14-29-15-82404-003-0010

DATE OF INSPECTION: 5/18/2018 11:04:00 AM

SECTION(S) OF THE CITY CODE WHICH HAVE BEEN VIOLATED: CODE SECTION VIOLATED

29.30(1) - **BUSINESS TAX RECEIPT REQUIRED** Any person who maintains a permanent business location or branch office within the city to manage a profession, business or occupation shall first obtain a city business tax receipt and pay the appropriate fee.

SPECIFICALLY,

Multiple business units at the property have not obtained their Business Tax Receipts (BTR) to be doing business within the City of Clearwater City limits. The business that need to obtain their BTR are: United One Insurance, Tu Tienda Latina, Health is Life and Flawless Experience Salon. Please note that it is responsibility of the property owner to make sure that all current and future tenants are aware of all City ordinances and that the property and tenants come into and remain in compliance. Compliance can be met by having all tenants located at the property that have not obtained their BTRs to come into the Municipal Services Building (MSB) located at 100 S. Myrtle and apply and obtain their BTRs. Please note that each business could potentially have different costs associated with their business, so each individual business owner will need to come to the MSB to apply for their BTR. To avoid fines starting at \$143.00 or having this case brought in front of the Municipal Code Enforcement Board please meet compliance by the compliance date. If you have any questions please contact me with any questions. Thank you.

A violation exists and a request for hearing is being made.

Daniel Knight

SWORN AND SUBSCRIBED before me on this 21th day of May, 2018, by Daniel Knight.

STATE OF FLORIDA **COUNTY OF PINELLAS**

PERSONALLY KNOWN TO ME

RODUCED AS IDENTIFICATION

Type of Identification

(Notary Signature)

DIANE DEVOL State of Florida-Notary Public Commission # GG 116308 My Commission Expires October 14, 2021

Name of Notary (typed, printed, stamped)

FILED THIS 30 DAY OF _	May	, 20	
	J	MCEB CASE NO.	103-18
		Bielle Sprag	que
		Secretary, Municipal Code	



CITY OF CLEARWATER

Planning & Development Department
Post Office Box 4748, Clearwater, Florida 33758-4748
Municipal Services Building, 100 South Myrtle Avenue, Clearwater, Florida 33756
Telephone (727) 562-4720 Fax (727) 562-4735

Notice of Violation

NOW INVESTMENTS INC PO BOX 12729 ST PETERSBURG, FL 33733-2729

BIZ2018-00154

ADDRESS OR LOCATION OF VIOLATION: 1745 DREW ST

LEGAL DESCRIPTION: SKY CREST UNIT NO. 2 BLK C, LOTS 1 AND 2

DATE OF INSPECTION: 3/8/2018 PARCEL: 14-29-15-82404-003-0010

Section of City Code Violated:

3-1806.A. ** TEMPORARY SIGNS ** Within its zoning districts and subject to any applicable provisions with Section 3-1806, general provisions for signs, the city shall allow temporary signs that meet the criteria and limitations set forth in Table 3-1806.1a and Table 3-1806.1b, shown below.

TABLE 3-1806.1b. ** CRITERIA AND LIMITATIONS FOR ALL OTHER TEMPORARY SIGNS IN ALL ZONING DISTRICTS ** Please see the enclosed copy of Table 3-1806.1b.

Specifically: Up to 4 temporary signs can be erected at a non-residential property that are no greater than 16 square feet in total sign area and must be at least 5 feet from all property lines, no closer than 15 feet apart from each other, and follow all the criteria and limitations set forth in Table 3-1806.1b. At the property United One Insurance has erected multiple temporary signs too close to the property lines and too close to each other. It is the responsibility of the property owner to make sure that all current and future tenants are aware of all City ordinances and that the property and tenants come into and remain in compliance. Compliance can be met by making sure no more than 4 temporary signs no greater than 16 square feet in total sign area per sign are erected at the property no closer than 5 feet from all property lines and no closer than 15 feet from each other, while following all other criteria and limitations set forth in Table 3-1806.1b. To avoid fines starting at \$143.00 or having this case brought in front of the Municipal Code enforcement Board please meet compliance by the compliance date. Please contact me with any questions. Thank you.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 4/13/2018. FAILURE TO CORRECT THE ABOVE LISTED VIOLATION BY THE DATE INDICATED, OR RECURRENCE OF THE VIOLATION AFTER CORRECTION, WILL RESULT IN A LEGAL ACTION BY THE CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER OR BY THE PINELLAS COUNTY COURT. SUCH ACTION MAY RESULT IN A FINE. THE ALLEGED VIOLATOR MAY BE LIABLE FOR THE REASONABLE COSTS OF THE INVESTIGATION, PROSECUTION AND THE ADMINISTRATIVE HEARING SHOULD THIS PERSON BE FOUND GUILTY OF THE VIOLATION.

Inspector: Daniel Knight Inspector Phone: 727-562-4732

THE

Date Printed: 3/9/2018

CC: Unit 1747: United One Insurance.



CITY OF CLEARWATER

Planning & Development Department
Post Office Box 4748, Clearwater, Florida 33758-4748
Municipal Services Building, 100 South Myrtle Avenue, Clearwater, Florida 33756
Telephone (727) 562-4720 Fax (727) 562-4735

Notice of Violation

NOW INVESTMENTS INC PO BOX 12729 ST PETERSBURG, FL 33733-2729

BIZ2018-00155

ADDRESS OR LOCATION OF VIOLATION: 1745 DREW ST

LEGAL DESCRIPTION: SKY CREST UNIT NO. 2 BLK C, LOTS 1 AND 2

DATE OF INSPECTION: 3/9/2018 PARCEL: 14-29-15-82404-003-0010

Section of City Code Violated:

29.30(1) - **BUSINESS TAX RECEIPT REQUIRED** Any person who maintains a permanent business location or branch office within the city to manage a profession, business or occupation shall first obtain a city business tax receipt and pay the appropriate fee.

Specifically: Multiple business units at the property have not obtained their Business Tax Receipts (BTR) to be doing business within the City of Clearwater City limits. The business that need to obtain their BTR are: United One Insurance, Tu Tienda Latina, Health is Life and Flawless Experience Salon. Please note that it is responsibility of the property owner to make sure that all current and future tenants are aware of all City ordinances and that the property and tenants come into and remain in compliance. Compliance can be met by having all tenants located at the property that have not obtained their BTRs to come into the Municipal Services Building (MSB) located at 100 S. Myrtle and apply and obtain their BTRs. Please note that each business could potentially have different costs associated with their business, so each individual business owner will need to come to the MSB to apply for their BTR. To avoid fines starting at \$143.00 or having this case brought in front of the Municipal Code Enforcement Board please meet compliance by the compliance date. If you have any questions please contact me with any questions. Thank you.

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Inspector: Daniel Knight Inspector Phone: 727-562-4732

I - Phyl-

Date Printed: 3/9/2018

CC: Businesses: United One Insurance, Tu Tienda Latina, Health is Life & Flawless Experience Salon

TABLE 3-1806.1b. CRITERIA AND LIMITATIONS FOR ALL OTHER TEMPORARY SIGNS IN ALL ZONING DISTRICTS

CRITERIA	Residential Zoning Districts	Non-Residential Zoning Districts	
Maximum number of temporary signs per parcel ¹	8	4	
Maximum sign size (area) for a temporary sign ²	4 sq. ft.	16 sq. ft.	
Maximum sign height for a temporary freestanding sign ³	6 ft.	6 ft.	
Maximum sign height for a temporary attached sign (inclusive of a window sign)	15 ft.	15 ft.	
Minimum sign setback required to be maintained by a temporary freestanding sign from any property line ⁴	5 ft.	5 ft.	
Minimum sign setback required to be maintained by a temporary freestanding sign from the edge of any paved street or road	5 ft.	5 ft.	
Minimum radial spacing that is required to be maintained by a temporary freestanding sign from any other temporary freestanding sign ⁵	15 ft.	15 ft.	
Maximum aggregate surface area allocated for all temporary signs on a parcel ⁶	64 sq. ft.	128 sq. ft.	
Whether temporary sign is allowed on public property or public right-of-way	No	No	
Whether temporary sign is allowed within a sight visibility triangle	No	No	
whether direct illumination of surface of a temporary sign is allowed	No	No	

Whether fluorescent color on a temporary sign is allowed	No	No
Duration allowed after event ends	3 calendar days	3 calendar days
		:

- The number of temporary commercial signs per parcel shall be no more than two signs; however, no more than one temporary commercial sign per parcel may be a banner sign and a temporary commercial banner sign is limited to a maximum duration of display of no more than 30 days per calendar year per parcel.
- The square footage limitation is per side for a back-to-back sign. For example, a four square foot limitation means that there is a limit of four square feet of surface area per side of a back-to-back sign, and an aggregate limit of eight square feet is allowed if the sign is a back-to-back temporary sign.
- ³ Not applicable to signs displayed on flagpoles.
- ⁴ Minimum sign setbacks do not apply to attached signs. Except as set forth in Section 3-1806 for sidewalk signs as allowed herein and for valet stands as allowed herein, all temporary signs are prohibited on public property and from public rights-of-way.
- ⁵ Not applicable to signs displayed on flagpoles.
- ⁶ There is no limit to the number of separate messages that may appear on the allowable surface(s) of any temporary sign. The maximum aggregate surface area allowed is subject to circumstances that may reduce the maximum aggregate surface area allowable on some parcels.

(Ord. No. 9029-17, § 2(Exh. A), 7-20-17)

Editor's note—Ord. No. 9029-17, § 2(Exh. A), adopted July 20, 2017, repealed the former § 3-1806, and enacted a new § 3-1806 as set out herein. The former § 3-1806 pertained to general standards and derived from Ord. No. 8343-12, § 2(Exh. 1), adopted Aug. 16, 2012; Ord. No. 8402-13, § 1, adopted June 6, 2013.

Section 3-1806. – Temporary signs.

- A. Within its zoning districts and subject to any applicable provisions with Section 3-1806, general provisions for signs, the city shall allow temporary signs that meet the criteria and limitations set forth in Table 3-1806.1a and Table 3-1806.1b, shown below.
- B. A temporary sign displayed on a window surface must be displayed on the inside of the window surface, shall cover no more than twenty-five (25%) of the aggregate window surface area, and shall not be illuminated. This temporary sign allowance shall be reduced by any window surface area already covered by signage allowed in Section 3-1805.O.

TABLE 3-1806.1b. CRITERIA AND LIMITATIONS FOR ALL OTHER TEMPORARY SIGNS IN ALL ZONING DISTRICTS

CRITERIA	Residential Zoning Districts	Non-Residential Zoning Districts
Maximum number of temporary signs per parcel ¹	8	4
Maximum sign size (area) for a temporary sign ²	4 sq. ft.	16 sq. ft.
Maximum sign height for a temporary freestanding sign ³	6 ft.	6 ft.
Maximum sign height for a temporary attached sign (inclusive of a window sign)	15 ft.	15 ft.
Minimum sign setback required to be maintained by a temporary freestanding sign from any property line ⁴	5 ft.	5 ft.
Minimum sign setback required to be maintained by a temporary freestanding sign from the edge of any paved street or road	5 ft.	5 ft.
Minimum radial spacing that is required to be maintained by a temporary freestanding sign from any other temporary freestanding sign ⁵	15 ft.	15 ft.
Maximum aggregate surface area allocated for all temporary signs on a parcel ⁶	64 sq. ft.	128 sq. ft.
Whether temporary sign is allowed on public property or public right-of-way	No	No
Whether temporary sign is allowed within a sight visibility triangle	No	No
whether direct illumination of surface of a temporary sign is allowed	No	No

Whether fluorescent color on a temporary sign is allowed		No	No	
Duration allowed after event ends	3	calendar days	3 calendar days	
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- ¹ The number of temporary commercial signs per parcel shall be no more than two signs; however, no more than one temporary commercial sign per parcel may be a banner sign and a temporary commercial banner sign is limited to a maximum duration of display of no more than 30 days per calendar year per parcel.
- ² The square footage limitation is per side for a back-to-back sign. For example, a four square foot limitation means that there is a limit of four square feet of surface area per side of a back-to-back sign, and an aggregate limit of eight square feet is allowed if the sign is a back-to-back temporary sign.
- Not applicable to signs displayed on flagpoles.
- ⁴ Minimum sign setbacks do not apply to attached signs. Except as set forth in Section 3-1806 for sidewalk signs as allowed herein and for valet stands as allowed herein, all temporary signs are prohibited on public property and from public rights-of-way.
- Not applicable to signs displayed on flagpoles.
- ⁶ There is no limit to the number of separate messages that may appear on the allowable surface(s) of any temporary sign. The maximum aggregate surface area allowed is subject to circumstances that may reduce the maximum aggregate surface area allowable on some parcels.

(Ord. No. 9029-17, § 2(Exh. A), 7-20-17)

Editor's note—Ord. No. 9029-17, § 2(Exh. A), adopted July 20, 2017, repealed the former § 3-1806, and enacted a new § 3-1806 as set out herein. The former § 3-1806 pertained to general standards and derived from Ord. No. 8343-12, § 2(Exh. 1), adopted Aug. 16, 2012; Ord. No. 8402-13, § 1, adopted June 6, 2013.

Sec. 29.30. - Business tax receipt required.

- (1) Any person who maintains a permanent or temporary business location or branch office within the city to manage a profession, business or occupation shall first obtain a city business tax receipt for each location and pay the appropriate fee as prescribed in Appendix A of this Code. Such business tax receipt shall be signed by the director of the department and shall have the city seal affixed.
- (2) Any person who does not maintain a permanent business location or branch office within the city but who transacts any business or engages in any occupation or profession in interstate commerce where such business tax is not prohibited by section 8 of article 1 of the United States Constitution shall also be liable for obtaining a city business tax receipt.
- (3) Any person who does not maintain a permanent business location or branch office within the city but who desires to transact a business or within the city shall register with the city manager the business tax receipt of that municipality or other governmental subdivision in which they maintain a permanent business location, or if no business tax receipt is required by the other municipality, a registration of the business shall be required, unless otherwise provided by this article. Such registration shall be accomplished prior to the commencement of the business, shall be subject to a registration fee as prescribed in appendix A to this Code and shall be valid from the date of issuance to the next succeeding September 30.
- (4) The burden of securing a business tax receipt rests with the principal of a business, but in the event of noncompliance by the principal, his agent or employee shall be subject to the same enforcement policies.
- (5) For properties with multiple businesses, a business tax receipt shall be required for each business.
- (6) Accessory uses, as defined by this article, shall be exempt from business tax receipt requirements.
- (7) Each business shall display the business tax receipt in a prominent location within the individual business location. Each registered business shall have the business tax receipt or a copy of the business tax receipt in/on possession of the business representative(s) while conducting business within the city.

(Code 1980, § 71.01; Ord. No. 5841-95, § 8, 8-3-95; Ord. No. 6101-96, § 1, 11-7-96; Ord. No. 7724-07, § 7, 1-31-07)

Interactive Map of this parcel Sales Query Back to Query Results New Search Tax Collector Home Page Contact Us WM

14-29-15-82404-003-0010

Compact Property Record Card

Tax Estimator

<u>Updated</u> May 19, 2018

Email Print Radius Search

FEMA/WLM

Ownership/Mailing Address <u>Change</u> <u>Mailing Address</u>	Site Address
NOW INVESTMENTS INC C/O ARVANA INC PO BOX 12729 ST PETERSBURG FL 33733-2729	1745 DREW ST CLEARWATER



<u>Property Use:</u> 1121 (Strip Store - (2 or more stores - some may include an office, convenience store, bar and/or restaura)

Living Units:

[click here to hide] **Legal Description** SKY CREST UNIT NO. 2 BLK C, LOTS 1 AND 2

File for Homestead Exemption			2018 Parcel Use
Exemption	2018	2019	
Homestead:	No	No	
Government:	No	11 13() 1	Homestead Use Percentage: 0.00%
Institutional:	No	No	Non-Homestead Use Percentage: 100.00%
Historic:	No	No	Classified Agricultural: No

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

Most Recent Recording	<u>Sales</u> <u>Comparison</u>	Census Tract	Evacuation Zone (NOT the same as a FEMA Flood Zone)	Plat Book/Page
10669/0590	Sales Query	121030266022	NON EVAC	<u>28/3</u>

2017 Final Value Information

2017	<u>Value</u> \$400,000	-	**Taxable Value **400,000	<u>Taxable Value</u> \$400,000	<u>Taxable Value</u> \$400,000
Year	Just/Market	Assessed Value/	County	School	Municipal

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

Year	Homestead Exemption	<u>Just/Market</u> <u>Value</u>	Assessed Value/ SOH Cap	<u>County</u> <u>Taxable Value</u>	School Taxable Value	Municipal Taxable Value
2017	No	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000
2016	No	\$382,000	\$382,000	\$382,000	\$382,000	\$382,000

CERTIFIED MAIL® RECEIPT Domestic Mail Only =0 ம Certified Mail Fee Extra Services & Fees (check box, add fee as appropriate) 40 Return Receipt (hardcopy) Return Receipt (electronic) ☐ Certified Mail Restricted Delivery Adult Signature Required Adult Signature Restricted Delivery 3070 Postage Total Postage and Fees Street and Apt. No., or PO Box No. City, State, ZIP+4® PS Form 3800, April 2015 PSN 7530-02-000-9047

בי	CERTIFIED MAIL® REC Domestic Mail Only	
0000 8831 657	For delivery information, visit our website Certified Mail Fee \$ Extra Services & Fees (check box, add fee as appropriate) Return Receipt (hardcopy) \$ Certified Mail Restricted Delivery \$ Adult Signature Required \$	Postmark Here
30.10	Adult Signature Restricted Delivery \$ Postage \$ Total Postage and Fees \$	
7016	Sent To Street and Apt. No., or PO Box No. City, State, ZIP+4*	
	PS Form 3800, April 2015 PSN 7530-02-000-9047	See Reverse for Instructions