PLANNING & DEVELOPMENT DEPARTMENT COMMUNITY DEVELOPMENT BOARD STAFF REPORT

MEETING DATE: October 21, 2025
AGENDA ITEM: ID#25-0962
CASE: FLD2025-06015
REQUEST: Flexible Development approval of an existing 2,115 square foot commercial dock (new boat lift) accessory to 64-unit attached dwellings within the High Density Residential (HDR) District for the property located at 1591 Gulf Boulevard, #202S. Requested is flexibility for a commercial dock. (Community Development Code Section 3-601. C. 2-3)

GENERAL DATA:

Agent..... Darwin Lewis
Owners..... Darwin Lewis
Location..... Southeast corner of Marina Del Rey Court and Gulf Boulevard

Property Size..... 2.98 acres
Future Land Use..... Residential High (RH) and Preservation (P)
Zoning..... High Density Residential (HDR) and Preservation (P)
Special Area Plan.....
Adjacent Zoning... North: Open Space/Recreation (OS/R)
South: High Density Residential (HDR)
East: Medium Density Residential (MDR)
West: High Density Residential (HDR) and Commercial (C)
Existing Land Use..... 64-unit Attached Dwellings with accessory dock
Proposed Land Use..... Boat lift on existing dock

BACKGROUND

Location and Existing Conditions:

The 2.98-acre project site is located on the southeast corner of Marina Del Rey Court and Gulf Boulevard. The project site consists of a parcel with a frontage of 553 feet along the east side of Gulf Boulevard and 234 feet along the waterfront property.

LOCATION MAP

The project site is located within the High Density Residential (HDR) and Preservation (P) Districts with Residential High (RH) and Preservation (P) future land use designations. There are existing docks and boat lifts located at 1591 Gulf Boulevard, and Unit 202S currently has a boat slip.

The immediate vicinity is characterized by a high density attached dwelling units. The surrounding development pattern consists of one-story and multi-story, attached dwellings located to the east, north and south, all of which have docks along the Mandalay Channel. The Harbour Condominiums, located at 1591 Gulf Boulevard, is an eight-story attached dwelling development constructed in 1980 with a 33-slip (with 25 lifts), 2,115 square-foot, multi-use dock which was expanded over multiple decades prior to the adoption of the current code requirements for docks in 1999, as amended.

ZONING MAP

The Pinellas County Department of Water and Navigation is the issuing entity for all dock and marina permits within Pinellas County. Each local jurisdiction is charged with reviewing all proposed dock and marina projects against the local jurisdictional codified ordinances prior to the submittal with the county.

EXISTING SURROUNDING USES MAP

Site History:

- Dating back to 1996- records indicate that, permits have been issued for general dock repairs as well as the installation of boat lifts on existing slips.
- No prior flexibility applications have been submitted for this property.

Code Compliance Analysis:

There are no active Code Compliance cases.

Development Proposal:

The applicant proposes to install a 24,000-pound Hi-Tide boat lift, measuring 13 feet by 16 feet, within an existing slip (Slip S1B) associated with Unit 202S at The Harbour Condominiums. The lift will be supported by four new pilings. This slip is located on the southern portion of the condominium's commercial dock, which was originally constructed in 1980. Unit 202S has not previously had a boat lift installed. The existing dock contains a total of 33 slips, 25 of which are currently improved with boat lifts.

Overall, the dock is designated exclusively for the residential use of condominium owners; commercial use is not permitted. Pursuant to CDC Section 3-601.C.2–3, the dock is classified as a commercial dock because it exceeds 500 square feet in size. Accordingly, a Level Two Flexible Development application is required. Since the proposed boat lift constitutes an expansion to a structure already exceeding 500 square feet but never received Community Development Board approval, it must be reviewed under the heightened standards outlined in Section 3-601.C.3.a–g, which apply to larger, multi-use dock structures. Although the current request pertains to the installation of a lift for an individual unit owner, the overall dock and associated lifts at the Harbour Condominiums will be formally recognized as a multi-use commercial dock.

Both the Harbour Condominium Homeowners Association and the Harbor Master have reviewed and they have no objections to the proposed installation.

ANALYSIS

Community Development Code Section 3-601.C.3.a-g. – Commercial Dock Criteria

As stated previously, any new multi-use dock with a deck area exceeding 500 square feet shall be assessed as a commercial dock and shall be reviewed for compliance with the following criteria.

DIMENSIONAL STANDARD	COMPLIANCE WITH STANDARD
a) Use and compatibility. *i) The proposed dock shall be subordinate to and contribute to the comfort, convenience or necessities of the users or the occupants of the principal use of the property.* *ii) The proposed dock shall be in harmony with the scale and character of adjacent properties and the neighborhood in general.* *iii) The proposed dock shall be compatible with dock patterns in the general vicinity.*	The proposed boatlift will serve Unit 202S of The Harbour Condominiums and is intended to enhance the functionality and character of the property by providing dedicated vessel dockage for the condominium owner. As an amenity, the boatlift will improve convenience, accessibility, and overall enjoyment for the resident. The project is compatible with the established character of adjacent waterfront properties within the High Density Residential (HDR) and Preservation (P) Zoning District. In addition, the

	size and scale of the proposed boatlift are consistent with the existing dock structures on the subject property, as well as with comparable improvements located to the east along Marina Del Rey Court.
b) Impacts on existing water recreation activities. The proposed dock/tie poles or use thereof, shall not adversely impact the health, safety or well being of persons currently using the adjacent waterways for recreational and/or commercial uses. Furthermore, the dock shall not preclude the existing uses of the adjacent waterway. Such uses include but are not limited to non-motorized boats and motorized boats.	The proposed boatlift is part of an existing dock facility serving The Harbour Condominiums. The design complies with all dimensional standards established by the City of Clearwater Code. The applicant is not requesting flexibility related to dock length, setbacks, or density; the request pertains solely to the installation of the boatlift. The waterward-most piling will be fitted with reflective tape to assist in nighttime navigation. The dock is located within a designated "Slow Speed Minimum Wake Zone" and will not impede navigation of the waterway. The Harbormaster has reviewed the application and confirmed that the proposed improvement will not obstruct navigational routes.
c) Impacts on navigation. The existence and use of the proposed dock shall not have a detrimental effect on the use of adjacent waters for navigation, transportation, recreational or other public conveniences.	The project will not adversely impact navigation, as the slip proposed for the boatlift measures only 16 feet in length. In addition, the Harbormaster has reviewed the application and confirmed that the proposal will not result in any negative impacts to the waterway.
d) Impacts on marine environment. *i) Docks shall be sited to ensure that boat access routes avoid injury to marine grassbeds or other aquatic resources in the surrounding areas.* *ii) Docks shall not have an adverse impact upon natural marine habitats, grass flats suitable as nursery feeding grounds for marine life, or established marine soil suitable for producing plant growth of a type useful as nursery or feeding grounds for marine life; manatee sanctuaries; natural reefs and any such artificial reef which has developed an associated flora and fauna which have been determined to be approaching a typical natural assemblage structure in both density and diversity; oyster beds; clam beds; known sea turtle nesting site; commercial or sport fisheries or shell fisheries areas; and habitats desirable as juvenile fish habitat.*	The proposed boatlift will not have an adverse impact on natural marine habitats or sensitive environmental resources. The project is located within an existing dock facility that has been in place since the construction of The Harbour Condominiums. The slip proposed for the boatlift is 16 feet in length and limited to residential use, thereby minimizing potential environmental disturbance. No impacts are anticipated to grass flats, nursery or feeding grounds, manatee sanctuaries, natural or artificial reefs, oyster or clam beds, sea turtle nesting sites, commercial or sport fisheries, or juvenile fish habitats.
e) Impacts on water quality. *i) All turning basin, access channels, boat mooring areas and any other area associated with a dock shall have adequate circulation and existing*	The applicant proposes the installation of a boatlift on an existing dock supported by 10-inch wooden pilings, located in an area with adequate water depths suitable for motorized vessels. The

water depths to ensure that a minimum of a one foot clearance is provided between the lowest member of a vessel (e.g. skegs, rudder, prop) and the bottom of the waterbody at mean or ordinary low water (-0.95 NGVD datum). *ii) The dock shall not effectively cause erosion, extraordinary storm drainage, shoaling of channels, or adversely affect the water quality presently existing in the area or limit progress that is being made toward improvement of water quality in the area in which the dock is proposed to be located.*	site is adjacent to a navigation channel within an open bay that experiences sufficient tidal flow to ensure adequate water circulation. The dock is designed to accommodate vessels with motors, consistent with the use of surrounding slips in the vicinity. To protect water quality during construction, turbidity curtains will be installed around the work area prior to commencement. The dock and slips are situated outside the influence of storm drains, and no adverse impacts to water quality are anticipated as a result of the proposed activity.
f) Impacts on natural resources. *i) The dock shall not have a material adverse impact upon the conservation of wildlife, marine life, and other natural resources, including beaches and shores, so as to be contrary to the public interest.* *ii) The dock shall not have an adverse impact on vegetated areas; vegetative, terrestrial, or aquatic habitats critical to the support of listed species providing one or more of the requirements to sustain their existence, such as range, nesting or feeding grounds; habitats which display biological or physical attributes which would serve to make them rare within the confines of the city; designated preservation areas such as those identified in the comprehensive land use plan, national wildlife refuges, Florida outstanding waters or other designated preservation areas, and bird sanctuaries.*	The proposed boatlift will be installed at an existing slip supported by new 10-inch wooden pilings, which are minimal in scale and not expected to result in significant adverse effects on surrounding habitats. Based on staff's review, impacts to marine resources are anticipated to be minimal. The slip provides adequate depth to accommodate vessel mooring. The dock is not located within any area designated by City, County, State, or Federal agencies as environmentally significant. No protected aquatic or shoreline resources are present within the project area. The uplands are developed, and there are no designated preservation areas, national wildlife refuges, bird sanctuaries, or other environmentally protected zones in proximity to the site.
g) Impacts on wetlands habitat/uplands. The dock shall not have a material adverse affect upon the uplands surrounding.	The project will not impact any surrounding upland areas and there are no existing wetlands habitats within the project vicinity.
h) Dimensional standards.. *i) <u>Setbacks for commercial and/or multi-use docks – 3-601.C.3.h</u>* *a) If the commercial or multi-use dock is located adjacent to a waterfront property occupied by a detached dwelling or two-unit attached dwelling use and the use of said property conforms to the zoning district, the setback adjacent to the residential property line as extended into the water shall be a minimum of*	a) Not applicable.

one-third of the applicant's waterfront property width measured from the side property lines;	
b) If a commercial or multi-use dock located on non-residentially zoned property is adjacent to any waterfront residentially zoned property, the setback adjacent to the residentially zoned property line as extended into the water shall be a minimum of 20 percent of the applicant's waterfront property width measured from the side property lines;	b) Not applicable.
c) In all other circumstances, commercial and multi-use docks shall be located so that the setback from any property line as extended into the water shall be a minimum of ten percent of the applicant's waterfront property width measured from the side property lines	c) No change to existing dock setbacks.
ii) <u>Length of commercial and/or multi-use docks – 3-601.C.3.h</u> *The length of commercial and multi-use docks shall not extend from the mean high-water line or seawall of the applicant's property more than 75 percent of the width of the applicant's property measured at the waterfront property line, up to a maximum of 250 feet. Tie poles may extend beyond the dock provided such poles do not project into the navigable portion of the waterway by more than an additional 50 feet or 25 percent of such waterway, whichever is less, and do not constitute a navigational hazard.*	ii) No change to existing dock width.
iii) <u>Width of commercial and/or multi-use docks – 3-601.C.3.h.</u> *The width of commercial and multi-use docks shall not extend 75 percent of the width of the applicant's property measured at the waterfront property line.*	iii) No change to existing dock width.
i)Deviations. Applications for deviations to the dimensional standards set forth in Section C-301.C.3.h. may be approved by the Community Development Board based on the following:	Not applicable as the dock is existing the proposed boatlift on an existing slip does not require dimensional deviations.

Community Development Code Section 3-914. General Applicability Standards

The proposal supports the General Applicability standards of this Code as follows.

GENERAL APPLICABILITY STANDARDS	FINDINGS
Section 3-914.A.1. The proposed development of the land will be in harmony with the scale, bulk, coverage, density and character of adjacent properties in which it is located.	The proposed boat lift will be installed on an existing slip serving Unit 202S of the larger dock facility at The Harbour Condominiums. The dock is for the exclusive use of the resident of Unit 202S, and no commercial vessels will utilize the slip. The proposed boat lift is comparable in size and design to other boat lifts currently installed on the dock.
Section 3-914.A.2. The proposed development will not hinder or discourage development and use of adjacent land and buildings or significantly impair the value thereof.	The proposed development complies with all of the commercial dock standards and will not hinder or discourage the development of adjacent properties.
Section 3-914.A.3. The proposed development will not adversely affect the health or safety of persons residing or working in the neighborhood.	The proposed boatlift will provide transient dockage for the condominium owner. The design and scale of the dock is consistent with the character of the surrounding waterfront neighborhood. The project is not anticipated to have any adverse effects on the health, safety, or well-being of the surrounding community.
Section 3-914.A.4. The proposed development is designed to minimize traffic congestion.	The dock facility is intended to provide transient dockage for the owner of unit 202S. As this proposal involves a single boatlift on an existing dock that already contains 25 boatlifts, it is not expected to result in any increase in local traffic.
Section 3-914.A.5. The proposed development is consistent with the community character of the immediate vicinity.	The proposed dock is a common accessory use that complies with the requirements of the Clearwater Development Code (CDC). The boatlift will be installed on an existing dock and will be compatible in design and scale with other docks, with lifts, in the Harbour Yacht Club.
Section 3-914.A.6. The design of the proposed development minimizes adverse effects, including visual, acoustic and olfactory and hours of operation impacts on adjacent properties.	The design of the proposed boatlift minimizes potential adverse effects on adjacent properties. The dock and lift are limited in scale and consistent with existing structures in the area, reducing visual impacts. No commercial or high-traffic use is proposed, so noise and activity levels are expected to remain low. Additionally, as a residential accessory use, there are no operations that would generate objectionable odors, and activity is limited to typical daytime use associated with private boat docking.

RECOMMENDATION

The Development Review Committee (DRC) reviewed the application and supporting materials at the DRC meeting of September 4, 2025. The Planning and Development Department, having reviewed all materials submitted by the applicant and the requirements of the Community Development Code, recommends the following findings of facts and conclusions of law.

Recommended Findings of Fact

1. The 2.98-acre project site is located at the southeast corner of Marina Del Rey Court and Gulf Boulevard.
2. The project site is located within the High Density Residential (HDR) and Preservation (P) Zoning Districts and the compatible Residential High (RH) and Preservation (P) future land use categories.
3. CDC Section 3-601.A requires that, "No dock may be constructed, added to, or structurally altered without first obtaining approval by the city and a permit from the Pinellas County Water and Navigation Control Authority."
4. CDC Section 3-601.C.3 requires that a multi-use dock exceeding 500 square feet must be reviewed as a commercial dock through a Level Two, Flexible Development review process.
5. The proposed boatlift does not require any deviations from the Community Development Code, as it will be placed within an existing slip and is consistent with CDC Section 3-601.C.3.a–h.
6. There are no active Code Compliance cases.

Recommended Conclusions of Law

1. The development proposal is consistent with the uses and density permitted for the Residential High(RH) future land use category in the city's Comprehensive Plan.
2. The development proposal is consistent with criteria for commercial docks pursuant to CDC Sections 3-601.C.2 and 3.
3. The development proposal is consistent with the General Standards for Level One and Two Approvals pursuant to CDC Section 3-914.A.

Based on the above recommended findings of fact and conclusions of law, the Planning and Development Department recommends **APPROVAL** of application FLD2025-06015, subject to the following conditions:

Conditions of Approval

General/Miscellaneous Conditions

1. An application for a building permit for the lift be submitted no later than October 21, 2026, unless time extensions are granted pursuant to CDC Section 4-407.
2. The upland project must remain generally consistent with the site plans as constructed and permitted.
3. The dock/lift shall be designed, located, and constructed as approved by the Community Development Board.
4. No portion of the dock/lift is permitted to be leased to non-residents of the upland development.
5. All applicable state or federal permits shall be obtained for the subject project prior to the commencement of development as defined under Fla. Stat. § 380.04.
6. Acknowledge that each condition of approval will be met with any applicable permit submittal subject to any applicable timing requirement to the satisfaction of City Staff.

Timing Conditions - Prior to Issuance of Permit, Excluding Demolition and Clearing and Grubbing or the Provision of Fill

7. The proposed Pinellas County Water/Navigation dock application shall not be approved by the City until the upland development for the resort attached dwellings has an active building construction permit which has passed a tie in survey.
8. All other applicable local, state and/or federal permits be obtained and evidence of such be submitted to city staff.

Prepared by Planning and Development Department Staff:

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Austen Dole, AICP, Planner II

ATTACHMENTS: Resume, Photographs

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PROFESSIONAL EXPERIENCE

- **Planning and Development**, October 2024 – Present
  City of Clearwater, Fl.

Responsible for reviewing and analyzing development applications and projects (site plans, architectural elevations, civil and landscape plans) for consistency with all applicable adopted plans, codes, and standards; conduct field studies; identify any issues for discussion and prepare planning comments as part of Development Review Committee. Conduct zoning reviews and provide follow up on building permits and business tax receipts.

- **Inspire Placemaking Collective, Consultant** January 2024 – October 2024
  Orlando, Fl

Facilitated public engagement events for the City of St. Peterburg's Melrose Mercy neighborhood plan update gathering community input and fostering stakeholder collaboration.

- **Bonnie C. Landry and Associates, Consultant** January 2022 – December 2022
  Stuart, Fl.

Responsible for assisting in development reviews for the City of Stuart, ensuring compliance with local regulations and standards.

- **City of Holmes Beach, Assistant City Planner** June 2020 – September 2021
  Anna Maria Island, Fl.

Wrote and organized site development plans, policies and procedures. Handled daily customer service questions and responsibilities related to zoning inquiries. Reviewed permit applications daily.

- **S&ME, Staff Planner II** June 2019 – June 2020
  Orlando, Fl

Assisted in the Fort Pierce Community Redevelopment Plan Update. Worked on Fort Pierce Comprehensive Plan EAR Based Amendments. Conducted Volusia Growth Management Commission Reviews. Preformed development reviews for the City of Kissimmee. Compiled due diligence reports for commercial development in Orange, Seminole, and Osceola Counties. Supported the City of Cocoa Parks and Recreation Master Plan development. Assisted in updating the City of Lake Wales Comprehensive Plan. Completed the Fining of Necessity report to expand the CRA boundary for the City of Mount Dora. Contributed to the City of Kissimmee Community Redevelopment agency GOP development.

- **Cotleur & hearing, Planning Intern** May 2018 – August 2018
  Jupiter, Fl

Completed due diligence reports, site plans and submittal documents for development applications in Palm Beach County. Acqui8red permitting and application requirements for projects throughout southeast Florida. Assisted in various landscape architecture and planning tasks.

- **Center for Health and the Built Environment, Senior Research Assistant** May 2017 – May 2019
  UF, Gainesville, Fl

Led a team of three (3) research assistants in coordinating and submitting grant applications for REDI designated communities throughout Florida for the Safe Routes to school grant. Developed regional strategies for Safe Routes to School in Florida, focusing on specific rural communities in need. Created Safe Routes to School Applications for Sante Fe High School and Irby Elementary (Alachua, Fl), Doctors Inlet Elementary (Middleburg, Fl), Lawtey Elementary (Lawtey, Fl).

EDUCATION

University of Florida, Gainesville, Master or Urban and Regional Planning, May 2017 – June 2019

University of Florida, Gainesville, Bachelor's of Science, Major of Sustainability and the Built Environment, June 2014 – May 2018

AWARDS & SKILLS

AICP Student Planner Award, May 2019
Microsoft Office Suite; 3D Rendering in SketchUp; Adobe InDesign/Photoshop; Community Engagement; Public Speaking; Project Management

Facing southwest towards proposed lift on the right at the subject property

Facing west from proposed lift area at the subject property

Facing south from the proposed lift at the subject property

Facing north from the proposed lift on the far right at the subject property