



# PLANNING AND DEVELOPMENT DEPARTMENT FLS & FLD APPLICATION

**THIS APPLICATION IS REQUIRED FOR ALL LEVEL ONE FLEXIBLE STANDARD DEVELOPMENT (FLS) AND LEVEL TWO FLEXIBLE DEVELOPMENT (FLD) APPLICATIONS. ALL APPLICATIONS MUST BE SUBMITTED ONLINE AT: [epermit.myclearwater.com](http://epermit.myclearwater.com)**

NOTE THAT THE APPLICANT AND/OR AGENT IS REQUIRED TO SUBMIT COMPLETE AND CORRECT INFORMATION AS INCLUDED IN THIS APPLICATION. THIS APPLICATION IS REQUIRED TO BE SUBMITTED IN PERSON OR ONLINE TO THE PLANNING & DEVELOPMENT DEPARTMENT (INCLUDING PLANS AND DOCUMENTS, UPLOADED, PROCESSED AND FINALIZED) BY NOON ON THE SCHEDULED DEADLINE DATE [SUBMITTAL CALENDAR](#). IF THE PROPERTY OWNER IS NOT A NATURAL PERSON, SUCH AS AN ORGANIZATION (COMPANY OR TRUST), THE NAME OF THE PERSON SIGNING ON BEHALF IS REQUIRED. IF THERE IS MORE THAN ONE AGENT OR REPRESENTATIVE, THE NAME OF EACH PERSON NEEDS TO BE PROVIDED. THE APPLICANT, BY FILING THIS APPLICATION, AGREES TO COMPLY WITH ALL APPLICABLE REQUIREMENTS OF THE COMMUNITY DEVELOPMENT CODE. [ADDITIONAL INFORMATION ON SUBMITTAL REQUIREMENTS INCLUDING WORKSHEETS AND HANDOUTS, ETC.](#)

**FIRE DEPARTMENT PRELIMINARY**

**SITE PLAN REVIEW FEE:** \$200 (NOT APPLICABLE FOR DETACHED DWELLING OR DUPLEXES)

**APPLICATION FEES:**  
\$100 (FLS – ACCESSORY STRUCTURES ASSOCIATED WITH A SINGLE-FAMILY OR DUPLEXES)  
\$200 (FLS – DETACHED DWELLINGS OR DUPLEXES)  
\$475 (FLS – ATTACHED DWELLINGS, MIXED-USE, AND NONRESIDENTIAL USES)  
\$300 (FLD – DETACHED DWELLINGS, DUPLEXES, AND THEIR ACCESSORY STRUCTURES)  
\$1,205 (FLD – ATTACHED DWELLINGS, MIXED-USE, AND NONRESIDENTIAL USES)

**PROPERTY OWNER (PER DEED):** \_\_\_\_\_  
**MAILING ADDRESS:** \_\_\_\_\_  
**PHONE NUMBER:** \_\_\_\_\_  
**EMAIL:** \_\_\_\_\_

**APPLICANT/PRIMARY CONTACT**  
**NAME:** \_\_\_\_\_  
**COMPANY NAME:** \_\_\_\_\_  
**MAILING ADDRESS:** \_\_\_\_\_  
**PHONE NUMBER:** \_\_\_\_\_  
**EMAIL:** \_\_\_\_\_

**ADDRESS OF SUBJECT**  
**PROPERTY:** \_\_\_\_\_  
**PARCEL NUMBER (S):** \_\_\_\_\_  
**SITE AREA (SQUARE FEET AND ACRES):** \_\_\_\_\_  
**ZONING:** \_\_\_\_\_  
**FUTURE LAND USE:** \_\_\_\_\_  
**DESCRIPTION OF REQUEST:** \_\_\_\_\_  
**(MUST INCLUDE USE, REQUESTED FLEXIBILITY, PARKING, HEIGHT, ETC)** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# PLANNING AND DEVELOPMENT DEPARTMENT FLS & FLD APPLICATION

## GENERAL INFORMATION

PROVIDE THE FOLLOWING GENERAL INFORMATION ON THE PROPOSED PROJECT. IF NOT APPLICABLE MARK N/A. THE MAXIMUM PERMITTED OR REQUIRED AMOUNTS ARE LISTED IN THE ZONING DISTRICT IN THE COMMUNITY DEVELOPMENT CODE WHICH IS AVAILABLE ONLINE AT:

[HTTPS://LIBRARY.MUNICODE.COM/FL/CLEARWATER/CODES/COMMUNITY DEVELOPMENT CODE](https://library.municode.com/fl/clearwater/codes/community_development_code)

### **DWELLING UNITS:**

A DWELLING UNIT IS A BUILDING OR PORTION OF A BUILDING PROVIDING INDEPENDENT LIVING FACILITIES FOR ONE FAMILY INCLUDING THE PROVISION FOR LIVING, SLEEPING, AND COMPLETE KITCHEN FACILITIES.

MAX. PERMITTED: \_\_\_\_\_ PROPOSED: \_\_\_\_\_

### **HOTEL ROOMS:**

A HOTEL ROOM IS AN INDIVIDUAL ROOM, ROOMS OR SUITE WITHIN AN OVERNIGHT ACCOMMODATIONS USE DESIGNED TO BE OCCUPIED, OR HELD OUT TO BE OCCUPIED AS A SINGLE UNIT FOR TEMPORARY OCCUPANCY.

MAX. PERMITTED: \_\_\_\_\_ PROPOSED: \_\_\_\_\_

### **PARKING:**

LIST PARKING SPACES. PARKING SPACES MUST MEET THE REQUIREMENTS OF THE COMMUNITY DEVELOPMENT CODE (CDC) INCLUDING LOCATION, MATERIALS AND DIMENSIONS. BACK OUT PARKING IS PROHIBITED FOR MOST USES.

REQUIRED: \_\_\_\_\_ PROPOSED: \_\_\_\_\_

### **FLOOR AREA RATIO (FAR):**

DO NOT INCLUDE PARKING GARAGES, CARPORTS, STAIRWELLS AND ELEVATOR SHAFTS. AREA IS FOUND BY MULTIPLYING THE LENGTH TIMES THE WIDTH DIMENSION FOR EACH FLOOR AND SHOULD BE EXPRESSED IN SQUARE FEET. DO NOT INCLUDE PARKING GARAGES, CARPORTS, STAIRWELLS AND ELEVATOR SHAFTS. FAR IS NOT REQUIRED FOR RESIDENTIAL ONLY PROJECTS UNLESS IN US 19 ZONING DISTRICT.

MAX. PERMITTED: \_\_\_\_\_ PROPOSED: \_\_\_\_\_

### **IMPERVIOUS SURFACE RATIO (ISR):**

ISR MEANS A MEASUREMENT OF INTENSITY OF HARD SURFACED DEVELOPMENT ON A SITE, BASICALLY ANY SURFACE THAT IS NOT GRASS OR LANDSCAPED AREAS ON PRIVATE PROPERTY. AN IMPERVIOUS SURFACE RATIO IS THE RELATIONSHIP BETWEEN THE TOTAL IMPERVIOUS VERSUS THE PERVIOUS AREAS OF THE TOTAL LOT AREA. [LINK TO ADDITIONAL INFORMATION INCLUDING ISR WORKSHEET.](#)

MAX. PERMITTED: \_\_\_\_\_ PROPOSED: \_\_\_\_\_  
*PLEASE LIST PERCENTAGE % AND SQUARE FEET.*



# PLANNING AND DEVELOPMENT DEPARTMENT FLS & FLD APPLICATION

## GENERAL APPLICABILITY CRITERIA

PROVIDE COMPLETE RESPONSES TO EACH OF THE SIX (6) GENERAL APPLICABILITY CRITERIA OF COMMUNITY DEVELOPMENT CODE SECTION 3-914.A.1 THROUGH 6, EXPLAINING HOW, IN DETAIL, THE CRITERIA IS MET. USE ADDITIONAL SHEETS AS NECESSARY:

- 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.

---

---

---

- 2. THE PROPOSED DEVELOPMENT WILL NOT HINDER OR DISCOURAGE THE APPROPRIATE DEVELOPMENT AND USE OF ADJACENT LAND AND BUILDINGS OR SIGNIFICANTLY IMPAIR THE VALUE THEREOF.

---

---

---

- 3. THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT THE HEALTH OR SAFETY OR PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

---

---

---

- 4. THE PROPOSED DEVELOPMENT IS DESIGNED TO MINIMIZE TRAFFIC CONGESTION.

---

---

---

- 5. THE PROPOSED DEVELOPMENT IS CONSISTENT WITH THE COMMUNITY CHARACTER OF THE IMMEDIATE VICINITY OF THE PARCEL PROPOSED FOR DEVELOPMENT.

---

---

---

- 6. THE DESIGN OF THE PROPOSED DEVELOPMENT MINIMIZES ADVERSE EFFECTS, INCLUDING VISUAL, ACOUSTIC, AND OLFACTORY AND HOURS OF OPERATION IMPACTS, ON ADJACENT PROPERTIES.

---

---

---





# PLANNING AND DEVELOPMENT DEPARTMENT AFFIDAVIT TO AUTHORIZE AGENT/REPRESENTATIVE

1. Provide names of all property owners on deed – PRINT full names:

861 Hercules Avenue LLC Jenny Tsantilas, Manager of 861 Hercules Avenue, LLC

2. That (I am/we are) the owner(s) and record title holder(s) of the following described property:

861 N. Hercules Avenue, Clearwater, FL 33765

3. That this property constitutes the property for which a request for (describe request):

Flexible Development Application for Comprehensive Infill Redevelopment Project use

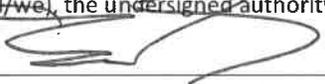
4. That the undersigned (has/have) appointed and (does/do) appoint:

Brian J. Aungst, Jr., Esq. of Macfarlane, Ferguson & McMullen, P.A.  
as (his/their) agent(s) to execute any petitions or other documents necessary to affect such petition;

5. That this affidavit has been executed to induce the City of Clearwater, Florida to consider and act on the above described property;

6. That site visits to the property are necessary by City representatives in order to process this application and the owner authorizes City representatives to visit and photograph the property described in this application;

7. That (I/we), the undersigned authority, hereby certify that the foregoing is true and correct.

 <u>CEO</u> Property Owner/ Registered Agent of Organization <u>Jenny Tsantilas</u>	Property Owner/ Registered Agent of Organization
Property Owner/ Registered Agent of Organization	Property Owner/ Registered Agent of Organization

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means \* physical presence or \* online notarization, this 30 day of May, 2025 by Jenny Tsantilas as (CEO) owner of (861 Hercules Avenue LLC), who \_\_\_ is/are personally known to me or X who has/have produced a driver's license as identification.

NOTARY PUBLIC

Signature: Bethanne Verville

My Commission expires: January 30, 2028



## NARRATIVE REQUEST

Applicant is requesting a Level Two, Flexible Development Use approval for 861 N. Hercules Avenue to allow for use of the site as a comprehensive infill redevelopment project. The proposed uses on the site are for: a private school (K-4), a child care center, and therapeutic services such as counseling (with the ability to prescribe medication), occupational therapy, behavioral therapy, and voice/speech therapy. Use of the subject site as a school and for therapeutic services (office uses) is permissible as-of-right in the Office “O” zoning district. However, use as a child care center is considered a ‘retail sales and services’ use which necessitates this request for a comprehensive infill redevelopment project. It should be noted that use as a child care center was approved for the subject site in FLD2024-04011, but due to the additional uses being proposed and re-design of the layout of uses this request is needed under Section 2-1004.A, Flexibility Criteria for Comprehensive infill redevelopment projects.

Applicant’s team brings over two decades of proven success in the development, licensing, and operation of educational and early learning services and facilities. Notably, Applicant’s team founded and built the first Plato Academy and for more than twenty years have operated its before and after care programs, as well as provided all early learning education for Plato Academy’s nine campuses in three separate counties (Pinellas, Pasco Hillsborough). Currently, the Applicant’s team operates two centers in Pinellas County which serve infants through school-age children (FUNdamentals Early Learning) with a focus on nurturing development in safe, accredited environments. Applicant has extensive experience managing and operating K-4 educational programs as well as building, developing, and maintaining facilities designed for academic use. Applicant’s years of experience serving the community have led to expansion of their services after seeing the critical need in the area. This depth of experience underscores Applicant and its team’s commitment to quality, safety, and community enrichment and ensures the proposed development will be professionally operated and aligns with City goals.

### SECTION 3-914 – GENERAL APPLICABILITY CRITERIA

*A. Level One applications, in order to be approved by the community development coordinator, and Level Two applications, in order to be approved by the community development board, shall meet each and every one of the following criteria:*

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 request is for renovation of an existing structure and parking lot located on the site for use as a private school (K-4), child care center, and a range of therapeutic services such as counseling (with the ability to prescribe medication), occupational therapy, behavioral therapy, and voice/speech therapy. The proposed renovation will not significantly alter the exterior of the structure which is in harmony with the scale, bulk, coverage, density and character of adjacent properties in the area. Plato Academy, a K-8 charter school, operates at the parcel directly adjacent to the east of the subject site and office uses are located to the north of the subject site. Furthermore, the proposed child care use was approved in FLD2024-04011, thus the proposed use of the site is in harmony with the scale, bulk, coverage, density and character of adjacent properties.

2. The proposed development will not hinder or discourage the appropriate development and use of adjacent land and buildings or significantly impair the value thereof.
  - The requested uses and the proposed renovations will revive the site and encourage further development and use of adjacent land and buildings. The school located directly adjacent to the east of the site has successfully operated at its location and has provided a boost to the adjacent land uses and buildings by injecting life into the neighborhood and providing a much-needed service for families. School and office uses are allowable as-of-right in the Office zoning district and the proposed child care use was approved in FLD2024-04011, so all of the uses working in conjunction will not hinder or discourage the appropriate development and use of adjacent land and buildings, nor will the uses significantly impair the value thereof.
3. The proposed development will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use.
  - The proposed uses and renovations will not adversely affect the health or safety of persons residing or working in the neighborhood. On the contrary, the proposed development will likely provide a benefit to the health and safety of persons residing or working in the neighborhood by providing safe and secure facilities for children to be taken care of on a daily basis. Redevelopment of the site through renovations will be performed in accordance with the City of Clearwater's Comprehensive Plan and Code, thus improving the site and the safety of the neighborhood.
4. The proposed development is designed to minimize traffic congestion.
  - Applicant has performed a trip generation summary including all of the proposed uses and has designed the site so that the proposed development minimizes traffic congestion. The private school is proposing to have approximately 75 students (K-8) along with the child care center with approximately 100-120 children (ages 0-5) once at capacity. These two uses, along with the proposed therapeutic service uses, are not expected to generate a significant increase in overall traffic on the site as compared to the existing office use.
5. The proposed development is consistent with the community character of the immediate vicinity of the parcel proposed for development.
  - The proposed development is consistent with the community character of the immediate vicinity of the parcel proposed for development. As noted in the answer to question (1) above, a K-8 charter academy operates on the parcel directly to the east, but at a much higher capacity (more than five times the students and children proposed to be on the subject site) and with additional grade levels being taught. The proposed development is a much less intense use as substantially less students/children are proposed to be taught and cared for on-site and the proposed therapeutic service uses will also help to support the children and students learning at the site. Both the proposed school use and therapeutic service uses (office uses) are allowed as-of-right under the Code on the subject site and the child care use was approved in FLD2024-

04011, thus the proposed development is consistent with the community character of the immediate vicinity of the subject site.

6. The design of the proposed development minimizes adverse effects, including visual, acoustic, and olfactory and hours of operation impacts, on adjacent properties.
  - The proposal for redevelopment keeps the existing design of the subject site and renovates the interior of the existing building. The site was designed and approved by the City in its current layout which minimizes adverse effects including visual, acoustic, and olfactory and hours of operation impacts, on adjacent properties. However, the applicant will minimize any adverse effects through mitigation techniques to ensure that no excessive visual, acoustic, and/or olfactory impacts are felt by adjacent properties.

#### SECTION 2-1004 – FLEXIBILITY CRITERIA

##### *A. Comprehensive infill redevelopment projects.*

1. The development or redevelopment is otherwise impractical without deviations from the use and/or development standards set forth in this zoning district;
  - The proposed redevelopment incorporates a number of uses, including a private school and therapeutic services (office uses), which are permitted under the Office zoning designation, as well as a child care center use which is considered ‘retail sales and services’ under the Code. Applicant applied for and received approval for use solely as a child care center under FLD2024-04011. However, the applicant determined that the best use for the subject site would be to include the permissible uses as a school and office along with the child care center use. Without deviation from the use/redevelopment standards set forth in the Office zoning district, a child care center use would not be allowable as part of an otherwise permissible school/office use therefore making the redevelopment otherwise impractical without deviation from the zoning requirements.
2. The development or redevelopment will be consistent with the goals and policies of the Comprehensive Plan, as well as with the general purpose, intent and basic planning objectives of this Code, and with the intent and purpose of this zoning district;
  - The intent and purpose of the Office “O” District is to provide the citizens of the City of Clearwater with convenient access to professional services and high quality jobs throughout the city without adversely impacting the integrity of residential neighborhoods, diminishing the scenic quality of the City of Clearwater or negatively impacting the safe and efficient movement of people and things within the City of Clearwater. Approval of the proposed redevelopment and uses fit seamlessly within this intent and purpose by providing convenient access to a private school, child care center, and therapeutic services, each of which generates high-quality jobs, and which uses will positively impact the integrity of the surrounding residential neighborhoods and safe movement of people in the area.

3. The development or redevelopment will not impede the normal and orderly development and improvement of surrounding properties;
  - The proposed redevelopment and uses will not impede the normal and orderly development and improvement of surrounding properties. Applicant is proposing to renovate the existing structure(s) rather than redevelopment of the entire site from scratch which will lessen any impact on surrounding sites and should have a minimal impact on any development/improvement of surrounding properties.
  
4. Adjoining properties will not suffer substantial detriment as a result of the proposed development;
  - Adjoining properties will not suffer substantial detriment as a result of the proposed development, but instead should see a benefit from the proposed development. The proposed uses will support the neighborhood by providing another superior option for schooling and child care along with necessary therapeutic services all at one location. The limited student and child care population will make the site far less intense than the K-8 school directly adjacent to the east and will bring a positive, impactful use onto the site.
  
5. The proposed use shall otherwise be permitted by the underlying future land use category, be compatible with adjacent land uses, will not substantially alter the essential use characteristics of the neighborhood; and shall demonstrate compliance with one or more of the following objectives:
  - a. The proposed use is permitted in this zoning district as a minimum standard, flexible standard of flexible development use;
    - The proposed use as a comprehensive infill redevelopment project is a permissible, flexible development use in the Office “O” District. Two of the proposed uses within the comprehensive infill are permitted uses as-of-right (school and offices for therapeutic services), while the other proposed use for a child care center was approved as a comprehensive infill by the City in FLD2024-04011.
  
  - b. The proposed use would be a significant economic contributor to the City’s economic base by diversifying the local economy or by creating jobs;
    - The proposed use will create jobs in the area and will also provide a much needed service for City families, allowing income-earning parents to more significantly contribute to the City’s economic base by having a quality option for child care and private schooling in the neighborhood.
  
  - c. The development proposal accommodates the expansion or redevelopment of an existing economic contributor;
    - The redevelopment proposal purports to change the use of the existing structure from solely an office use to diversify the uses on the site and include a private school and child care center along with office uses. The redevelopment of the site will expand the existing economic contributor by allowing for additional uses on the site and a more impactful use for the neighborhood.

- d. The proposed use provides for the provision of affordable housing;
    - Not applicable to the proposed request.
  - e. The proposed use provides for development or redevelopment in an area that is characterized by other similar development and where a land use plan amendment and rezoning would result in a spot land use or zoning designation; or
    - The proposed use of the site is compatible with the current zoning and land use designations. The surrounding area is characterized by similar development, including a much larger school directly adjacent to the east. Rezoning and/or a land use plan amendment would not resolve the issue that is the subject of this request and would create other issues on the site.
  - f. The proposed provides for the development of a new, and/or preservation of a working waterfront use.
    - Not applicable to the proposed request.
6. Flexibility with regard to use, lot width, required setbacks, height and off-street parking are justified based on demonstrated compliance with the following design objectives:
- a. The proposed development will not impede the normal and orderly development and improvement of the surrounding properties for uses permitted in this zoning district;
    - Approval of the proposed development will not be an impediment to the normal and orderly development and improvement of the surrounding properties for uses permitted in this zoning district. Use as a school and office (therapeutic services) are permissible as-of-right in the Office “O” District and use as a child care center was approved in FLD2024-04011. Additionally, the existing structure is proposed to be renovated rather than a full redevelopment of the site, minimizing the impact to any development of surrounding properties.
  - b. The proposed development complies with applicable design guidelines adopted by the city;
    - The proposed development complies with applicable design guidelines adopted by the city. Applicant will comply with implementing the applicable guidelines and ensuring that the subject site is developed in conformity therewith.
  - c. The design, scale and intensity of the proposed development supports the established or emerging character of an area;
    - The design, scale and intensity of the proposed development supports the established or emerging character of the area. The proposed uses are harmonious with the existing uses in the area and will fit seamlessly directly adjacent to the Plato Academy and office uses.
  - d. In order to form a cohesive, visually interesting and attractive appearance, the proposed development incorporates a substantial number of the following design elements: changes in horizontal building planes; use of architectural details such as

columns, cornices, stringcourses, pilasters, porticos, balconies, railings, awnings, etc.; variety in materials, colors and textures; distinctive fenestration patterns; building stepbacks; and distinctive roof forms.

➤ See attached development plans incorporating a substantial number of the listed design elements.

e. The proposed development provides for appropriate buffers, enhanced landscape design and appropriate distances between buildings.

➤ Applicant's design team has consulted with City staff and created a design which provides for appropriate buffers, enhanced landscape design, and appropriate distances between buildings (where applicable).