



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**

It is the responsibility of the applicant to submit complete and correct information. Incomplete or incorrect information may invalidate your application. All applications are to be filled out completely and correctly and submitted (including plans and documents, uploaded, processed and finalized) by 12 noon on the scheduled deadline date submittal calendar. 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)
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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): BROOKE ENTERPRISES LLC c/o Max Villalobos
 Phone Number: 813-463-6948
 Email: mvillalobos@cprankin.com

Applicant/Primary Contact Name: Max Villalobos
 Company Name: N/A
 Phone Number: 813-463-6948
 Email: mvillalobos@cprankin.com and acarrier@transystems.com

Address of Subject Property: 691 W HARBOR ISLAND

Parcel Number (s): 05-29-15-43456-073-0200

Site Area (Square feet and Acres): _____
 Zoning: Single-family residential
 Future Land Use: Single-family residential

Description of Request (must include **use**, requested flexibility, parking, height, etc) : Construct 81' x 4' walkout platform 16' x10' and a 4'x16' lower landing with 2 boat lift (40k & 60k). Total SF of dock 561.



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

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: N/A

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: N/A

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: N/A

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: N/A

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: N/A
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.
See attached narrative.

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.
See attached narrative.

3. The proposed development will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use.
See attached narrative.

4. The proposed development is designed to minimize traffic congestion.
See attached narrative.

5. The proposed development is consistent with the community character of the immediate vicinity of the parcel proposed for development.
See attached narrative.

6. The design of the proposed development minimizes adverse effects, including visual, acoustic, and olfactory and hours of operation impacts, on adjacent properties.
See attached narrative.

Flexible Development Application

Residential Docking Facility

691 Harbor Island

City of Clearwater

Brooke Enterprises, LLC is requesting a construction permit from the City of Clearwater to build a dock with Two (2) boat lifts and roof over lifts structures at their property at 691 Harbor Isle, Clearwater. The Flexible Development Application includes a request to deviate the dock length due to the location of seagrasses and setback to the south. The proposed dock, boat lift and roof structure meet the side setback on the north. The proposed south boat lift and roof structure encroach the south side setback and the adjacent south property owner has provided a signed and notarized statements of no objection.

Project site

The proposed project site is located at 691 Harbor Island adjacent to Big Mangrove Key/Diamond Island. The land use is single-family residential, and the Brooke Enterprises, LLC are currently constructing a new residence at this location and wish to construct a new docking facility. The surrounding residences all have docks and/or boat lift facilities. Having a dock and boat is one of the attractions to this area.

The proposed dock and boat lifts were designed to minimize environmental impacts and visual impacts to the adjoining neighbors. The boat lifts would be set to lie perpendicular to the shoreline, reducing the amount of the impact on their neighbor's view of the bay.

Necessity for Longer Docking Facility

The subject property had a 38 foot long dock that became in disrepair and was removed in 2020. The dock and boat lifts proposed to replace the existing dock will extend 95 feet as measured from the seawall. A benthic survey prepared by Quest Ecology that identified existing seagrass extended approximately 60 feet from the seawall.

In order to avoid impacts to the seagrass bed, the new 4 foot wide walkout will be constructed with open grating to allow sunlight to penetrate the water column and allow the seagrass to survive. The boat lifts and roof structures have be placed outside the seagrass foot print to reduce any shading of the seagrass. The Benthic Survey is submitted with this application.

Flexible Development Level II Application Responses to General Applicability 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.**

Response: The proposed dock, boat lifts and roof structures will be in harmony and conformity with the surrounding residences and land uses. The majority of the homes in the neighborhood have a similar dock and boat lifts. The proposed structure will be in character with the 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.

Response: The proposed dock will not hinder or discourage the development and use of the adjacent land, nor will it diminish the values of the surrounding properties. In fact, the developed parcel and the improved dock facilities will increase the value of the property and surrounding properties.

3. The proposed development will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use.

Response: The proposed dock will not adversely affect the health or safety of persons residing in the neighborhood. The proposed dock is a private residential dock for use of the upland home.

4. The proposed development is designed to minimize traffic congestion.

Response: The proposed dock will be for use by the upland resident, therefore, there will not be any adversely affect traffic or the capacity of the adjoining roadways.

5. The proposed development is consistent with the community character of the immediate vicinity of the parcel proposed for development.

Response: Many properties in the immediate area have single family residential dock. As noted above, the dock is comparable in size and location to newly constructed docks due to avoidance of the of seagrass and environmentally sensitive areas that are typically located along the seawall. The proposed dock is similar in character and number of slips as existing facilities in the immediate area.

6. The design of the proposed development minimizes adverse effects, including visual, acoustic and olfactory and hours of operation impacts, on adjacent properties.

Response: The proposed dock and boat slips are comparable in size, character and number of slips as existing facilities in the immediate area. The proposed dock and boat lifts are located a further distance from the seawall to avoid environmental impacts.

Flexibility Criteria or Use Specific Criteria

Provide complete responses to the applicable flexibility criteria (or use specific criteria in US 19 and Downtown Zoning Districts). These criteria are specific to the use and the Zoning District of the subject property and are part of the Community Development Code available online at [municode.com](https://library.municode.com/fl/clearwater/codes/community_development_code) https://library.municode.com/fl/clearwater/codes/community_development_code

If you need help finding the criteria or standards please contact a Development Review Planner at the Zoning Line 727-562-4604. Use additional sheets as necessary:

Level II Flexible
Development
application As per code
CDC 3-601.C.1.g.ii:

ii) No dock shall be allowed to deviate from the length requirements specified in Section 3-601.C.1.b. by more than an additional 50 percent of the allowable length or project into the navigable portion of the waterway by more than 25 percent of such waterway, whichever length is less, except as stipulated in Section 3-601.C.1.g.iii. and iv. below.

iii) Deviations for dock length in excess of that which is permitted in Section 3-601.C.1.g.ii. above may be approved through a Level Two (flexible development) approval process only under the following conditions:

a) A dock of lesser length poses a threat to the marine environment, natural resources, wetlands habitats or water quality; and

The proposed docking facilities were designed to completely avoid the seagrass bed present in front of the property. The waterfront length of the property is 80 feet allowing a dock length of 40 feet, (1/2 of the water front length). The seagrass extends approximately 60 feet, at its farthest point, from the seawall. The proposed dock, boatlifts and roof structures have been placed to avoid and shading of the existing seagrass bed. The seagrass bed does not extend beyond 60 feet from the seawall. The main walkout is limited to 4 foot wide and will be constructed of open grating material to prevent any shading over the seagrass bed.

(b) A literal enforcement of the provisions of this section would result in extreme hardship due to the unique nature of the project and the applicant's property; and

The applicants bought the property on the assumption that they could house their boat on a dock in the rear of their property and use the boat at their discretion from this location. The seagrass bed location requires the boatlift and dock be placed past the seagrass, farther out than 60 feet. If the boat is kept in closer to the shoreline, the seagrass bed would be impacted, as would the benthic bottom.

(c) The deviation sought to be granted is the minimum deviation that will make possible the reasonable use of the applicant's property; and

The requested variance would solely allow the subject property owners to keep their boat at this location. The allowed dock length per code without deviation is 1/2 of the waterfront length or 1/2 of 80 feet, or 40 foot overall length. The presence of seagrasses requires that the boat be docked farther out from the seawall than the 1/2 of the waterfront length or 1/2 of 80 feet, (40 foot). The overall length of the dock is 95 feet as measured from the seawall. The seagrass extends 60 feet from the seawall. The length of the usable portion of the dock and boat lifts is 60 feet.

(d) The granting of the requested deviation will be in harmony with the general intent and purpose of this section and will not be injurious to the area involved or otherwise detrimental or of adverse effect to the public interest and welfare.

The proposed variance would in fact help preserve and protect the natural resources at the subject location and assist in maintaining the quality of the surrounding waters, as well as the environment and ecology of the water associated natural community. By allowing the dock facilities to be placed in the requested location, will not be detrimental to the welfare of the area, and would in fact be in the best public interest.