



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

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 \$200 (not applicable for detached dwelling or duplexes)
SITE PLAN REVIEW FEE:

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): Martha Posey Burke, Trustee of the Amendment and Restatement (cont. page 4)
Phone Number: 816.807.170
Email: Martha.Posey.Burk3@gmail.com

Applicant/Primary Contact Name: Martha Burke
Company Name: N/A
Phone Number: 816.807.1730
Email: Martha.Posey.Burke@gmail.com

Address of Subject Property: 710 Eldorado Avenue, 33767

Parcel Number (s): 05-29-15-54666-002-0030

Site Area (Square feet and Acres): 0.178 acre site located on the west side of Eldorado Avenue (cont. page 4)
Zoning: Low Medium Density Residential (LMDR) District
Future Land Use: Residential Urban (RU)

Description of Request (must include use, requested flexibility, parking, height, etc) : To install a 4 foot high, non Opaque sand fencing and dune plant materials within the western 30 feet of property, to the western property line, which is seaward of the Coastal Construction Control Line (CCCL). CDC Section 3-905.B provides that no building or structure shall be located seaward of the CCCL unless approved by the State of Florida. On January 8, 2025, FDEP issued field permit #8036715-PL (cont. page 4)



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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: N/A

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: N/A

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: N/A

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: N/A

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: N/A

Proposed: N/A

Please list percentage % and square feet.



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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.

Restoration of the sand dunes will be bring back the sand, native vegetation, birds, reptiles, and other wildlife native to this part of the north end of Clearwater Beach. As you can see from the attached Exhibit 3, the aerial photographs of Before and After Hurricanes Helene and Milton, most of the sand and vegetation was lost. This property was originally Beach Access until sometime in the 1940's/1950's when it was traded for Beach Access between 730 and 734 Eldorado Avenue. Until after Hurricanes Helene and Milton, a storm drain from the street drained into the dunes behind 710 & 712

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 proposed use of Sand Dune Fencing, Exhibit 2, will help re-establish the Sand Dunes that have been decimated by the past years of hurricanes and tropical storms. This restoration will help protect the landward residential properties, provide nesting for wildlife and native vegetation strengthening the natural environment of the North Beach of Clearwater.

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

The re-establishment of the Sand Dunes will provided additional safety to the properties and residents landward of said Sand Dunes by providing a natural barrier in the event of the next hurricane/tropical storm surge. Additionally since Hurricanes Helene and Milton the Storm Water Drain under 712 Eldorado that use to drain into the sand dunes behind 710 and 712 Eldorado has been tied to the Storm Water system. This will now prevent storm water drainage and raw sewage from accumulating in the sand dunes behind 710 and 712 Eldorado as can be seen in Exhibit 3, After.

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

The proposed Sand Dune Fencing will not impact traffic on North Beach, as this is an area protected from traffic under Florida Statue 161.58

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

Natural restoration of the sand dunes through the use of Sand Dune Fencing and replanting of Native plants will enhance the character of the beach. This area was one of the most popular places for families to have professional photo sessions prior to Hurricanes Helene and Milton because of the beauty of the dunes and the sea oats used as background.

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

The installation of the sand dune fencing (Exhibit 2) and replanting of Florida Native Beach and Dune Plants (Exhibit 4) will be undertaken by the property owner and will be passive in nature.

*mrb
01/09/2025*



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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:

Continued from Page 1, Paragraph "Property Owner": of Trust Agreement (Martha Posey Burke Trust Agreement) dated

May 3, 2016.

Continued from Page 1, Paragraph "Site Area": approximately 660 feet south of the intersection of Eldorado Avenue and Bohemia Circle.

Continued from Page 1, Paragraph "Description of Request": for the purposed sand fencing and dune vegetation planting to be located seaward of the CCCL for a maximum distance of 30 feet to the west terminating at the western property line. There are no active Code Compliance cases.



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Affidavit of Ownership

If multiple owners or properties, multiple affidavits may be required.

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

Martha Posey Burke, Trustee

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

710 Eldorado Avenue, 33767

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

This property's CCCL abuts the eastern edge of the Sand Dunes.

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

N/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.

Martha Posey Burke _____
Property Owner Property Owner

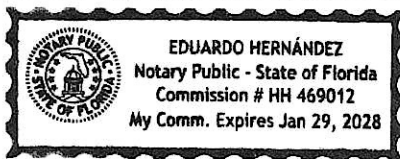
Property Owner Property Owner

STATE OF FLORIDA, COUNTY OF PINELLAS

BEFORE ME THE UNDERSIGNED, AN OFFICER DULY COMMISSIONED BY THE LAWS OF THE STATE OF FLORIDA, ON

THIS 2 DAY OF December, 2024, PERSONALLY APPEARED

Martha Posey Burke WHO HAVING BEEN FIRST DULY SWORN
DEPOSED AND SAYS THAT HE/SHE FULLY UNDERSTANDS THE CONTENTS OF THE AFFIDAVIT THAT HE/SHE
SIGNED.



Notary Seal/Stamp

[Signature]
Notary Public Signature

My Commission Expires: 1/29/2028