



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

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): Clearwater Beach Investments LLC (a Michigan corporation)

MAILING ADDRESS: 5640 108TH ST SECALEDONIA, MI 49316-9304

PHONE NUMBER: 6164437141

EMAIL: sgalloway7141@gmail.com

APPLICANT/PRIMARY CONTACT

NAME: Spencer Galloway

COMPANY NAME: Clearwater Beach Investments LLC (a Michigan corporation)

MAILING ADDRESS: 5640 108TH ST SECALEDONIA, MI 49316-9304

PHONE NUMBER: 616-443-7141

EMAIL: sgalloway7141@gmail.com

ADDRESS OF SUBJECT

PROPERTY: 26 Heilwood St, Clearwater, FL 33767

PARCEL NUMBER (S): 05-29-15-16362-005-0110

SITE AREA (SQUARE FEET AND 4,358 sq ft or .1 acres

ACRES):

ZONING: Tourist District

FUTURE LAND USE: Resort Facilities High

DESCRIPTION OF REQUEST: Requesting approval for a single story (walk-on roof) addition and new in-ground swimming pool. Existing resort attached dwelling use which will not change. Flexibility request: East side lot line setback reduce to 5'. West side lot line setback reduce to 6'. Front lot line setback reduce to 13'. Existing parking and flexible landscaping standards under the 25% rule.

(MUST INCLUDE USE, REQUESTED FLEXIBILITY, PARKING, HEIGHT, ETC)



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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](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: 3 (30/acre) PROPOSED: 2 (existing)

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: NA PROPOSED: NA

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: Existing non-conforming (25% rule) PROPOSED: Existing non-conforming (25% rule)

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: 1.0 (4,358sf/4,358sf) PROPOSED: .65 (2,838sf/4,358sf)

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: .95 (4,140sf/4,358sf) PROPOSED: .73 (3,187sf/4,358sf)
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.

See pages 6 & 7

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 pages 6 & 7

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

See pages 6 & 7

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

See pages 6 & 7

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

See pages 6 & 7

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

See pages 6 & 7



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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:

See pages 8-10



PLANNING AND DEVELOPMENT DEPARTMENT

AFFIDAVIT TO AUTHORIZE AGENT/REPRESENTATIVE

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

Clearwater Beach Investments LLC

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

Parcel 05-29-15-16362-005-0110, 26 Hailwood St

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

Level 2, FLD Application for approval for side yard setback.

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

Paul Foderingham or Jessica Foderingham

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.

Property Owner/ Registered Agent of Organization

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 10th day of October, 2025 by Spencer Galbraith as (Owner) of Clearwater Beach Invest., who (is/are personally known) to me or LLC who has/have produced a driver's license as identification.

NOTARY PUBLIC

Signature:

My Commission expires:

J. Foderingham
03/23/2028



JESSICA FODERINGHAM
Commission # HH 491662
Expires March 23, 2028



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:

Page 1 of 2

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.

Answer: All properties in the surrounding area with 4 or fewer dwelling units have similar land coverage, size/scale and density and all have similar or smaller front/side setbacks as in the proposed design for 26 Heilwood street. The 12'-1" high proposed addition to the 22' high existing structure is in scale and proportion with other existing buildings in the immediate area (which vary greatly). There are only 9 buildings on all of Heilwood street (plus part of the new large-scale condo under development) which include four house-type structures ranging from 13'-28' (which are all utilized as short term vacation rentals), three resort dwelling-type buildings ranging from 25'-40' (which are all rented short term), two condo buildings ranging from 35'-60' (many of which are rented short term) plus the new high rise under construction that is much taller. The proposed design keeps in mind the beach like feel, appeal and character of the area to fit in with local properties, and aligns well with the design guidelines of the "Old Florida District" and Beach by Design by, for example, substantially enhancing the street facing façade over the existing structure (utilizing awnings, reliefs and other architectural features) and by adding larger areas of landscaping beds. The proposed structure enriches and enhances the existing structure and provides a marquee property at the gateway of Heilwood street which is also visible from Mandalay avenue.

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.

Answer: The current use of the property is resort attached dwelling with 2 dwelling units which will not change with the proposed development. The proposed addition will enhance the look and feel of the property and will in no manner hinder or discourage the development or use of any adjacent land or buildings. The use is consistent with the resort attached dwelling use of the vast majority of properties that are currently on Heilwood Street.

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

Answer: The proposed development is a small addition to a two-unit short term rental property which will have no impact on the health or safety of persons residing or working in the neighborhood.

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

Answer: The proposed development does not change current traffic congestion. The addition of a pool to the property will likely encourage renters to stay around the home for larger portions of their vacation when they might otherwise drive somewhere which may nominally reduce traffic.

Page 2 of 2 (General Applicability Criteria)

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

Answer: The proposed development has the same coastal Florida/beach look and architectural feel as all surrounding properties that have not been redeveloped into condominiums. The proposed addition does not increase the height of the building, but it actually aligns the building more closely with one element of the design guidelines from Beach by Design in that the addition creates a “stepped back” building flow as the building rises in height. The design also aligns well with the design guidelines in the “Old Florida District” of Beach by Design.

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

Answer: This property is short-term residential rental property with no proposed change in use and the addition will not create any adjacent property adverse issues with visual impact, sounds or smells. The “courtyard” nature that the addition creates will actually help reduce and in part contain any potentially excessive noises emanating from the property users’ outdoor activities. The visual appearance of the property will be enhanced and updated yet keeping in mind all historical aspects. The addition will create no new odors. The proposed development will have no impact on the hours of operation of adjacent properties as the proposed property will continue as a resort attached dwelling use and as all adjacent properties (and the subject property) are residential or vacation rental uses.



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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:

RE: FLD Application for 26 Heilwood Street, Clearwater FL 33767

Flexibility Criteria from the Community Development Code, Article 2, Division 8, Section 2-803

L. *Resort attached dwellings.*

1. *Lot area and width:* The reduction in lot area will not result in a building which is out of scale with existing buildings in the immediate vicinity of the parcel proposed for development.

Answer: A reduction in lot area and width is not proposed.

2. *Height:*

- a. The increased height results in an improved site plan or improved design and appearance.

Answer: Increased height is not proposed.

- b. The increased height is necessary to allow the improvement of off-street parking on the ground floor of the residential building.

Answer: Increased height is not proposed.

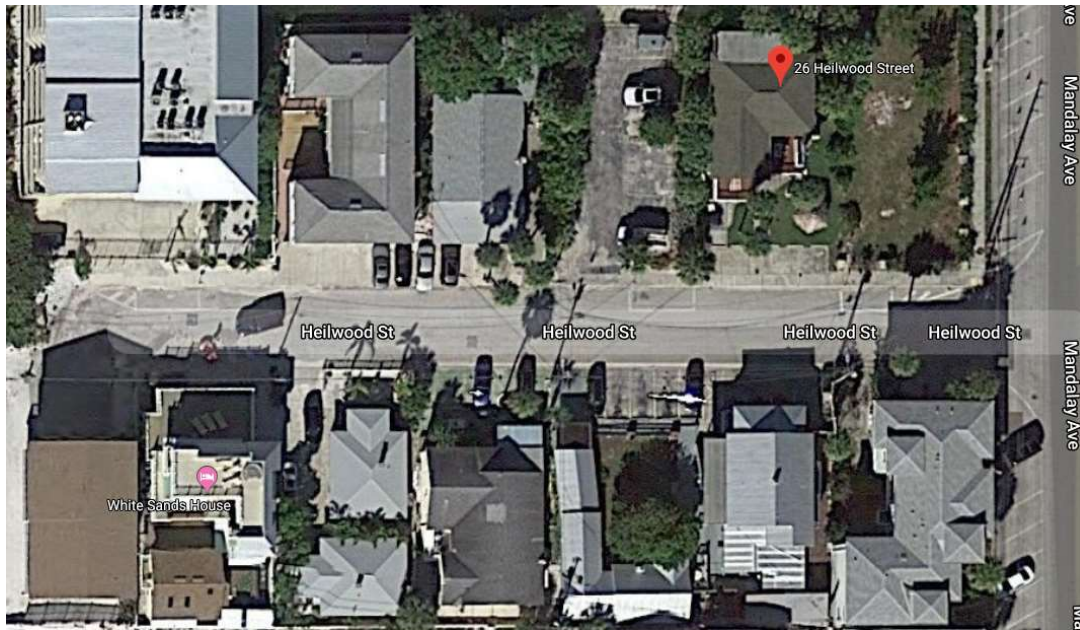
- c. The increased height does not exceed the height specified for residential uses for the Beach by Design Character District in which the subject property is located.

Answer: Increased height is not proposed.

3. *Front setback:*

- a. The reduction in front setback contributes to a more active and dynamic street life;

Answer: The 2' requested reduction in the front setback will create more conformity and consistency with the other existing buildings on Heilwood Street. All other properties in the immediate area have similar reduced setbacks that are consistent with or smaller than the front setback being requested (most are much closer to the street than the proposed new construction). Reference the Google Images aerial view below. The proposed addition across the front of the property will increase the attractiveness and festiveness of the subject property for street pedestrian traffic. Many pedestrians from back-streets heavily utilize Heilwood street as a passageway to the beach. The proposed addition includes a large, elevated patio area that is larger and closer to the street than the current deck area. The new patio will be heavily utilized by resort guests for lounging, interacting and watching sunsets. Given the patio area's closer proximity to the street and the anticipated increased utilization of the patio, the guests on the patio will undoubtedly conversationally interact with the large quantity of pedestrians walking to and from the beach, thereby creating a more active and dynamic street life.



- b. The reduction in front setback results in an improved site plan or improved design and appearance.

Answer: The 2' requested reduction in front setback allows for the construction of a beautifully designed addition, which will replace the wooden deck, and will have a street facing façade utilizing a coastal Mediterranean architectural style that will employ multiple coordinated architectural features including several large windows with color coordinated Bahama shutters, a decorative round topped iron entrance gate framed by two wall mounted lamps, architectural quoin blocks for the entire height of the corners (and wrapping around to the east and west sides), banding around the windows crowned with keystone features, a large offset area around the front door, a cover type structure created by a cantilevered extension of the upper patio deck out over the entrance area (which creates an additional relief in the design) along with the utilization of high quality metal railing surrounding the upper patio deck (as opposed to the wooden railing on the current deck). The design is significantly enriched, and the overall appearance is vastly improved.

4. *Side and rear setbacks:*

- a. The reduction in side and rear setback does not prevent access to the rear of any building by emergency vehicles;

Answer: There is no reduction requested to the rear setback. The existing NW corner of the exterior wall is 6.8' from the west property line and the existing SW corner of the exterior wall is 6.4' from the west property line. The proposed addition to the south side of the home will require a reduction of the west side setback to approximately 6.25' to maintain uniformity with the existing west exterior wall line along the west side of the property. The proposed addition will follow the existing exterior wall on the west side of the property which will not prevent access and will maintain the existing emergency access. The proposed reduction in the east side setback will not impede emergency vehicle access to the rear of the building any more than it is currently impeded (before the proposed addition). Emergency personnel will have full access to the rear of the home for hoses, ladders, medical carts and/or other typical emergency equipment.

- b. The reduction in side and rear setback results in an improved site plan, more efficient parking or improved design and appearance.

Answer: There is no reduction request to the rear setback. The proposed addition, when complete, improves the overall appearance of the property with an enriched, updated and stylish addition

(creating a courtyard pool area) that looks fresh but blends perfectly with the Old Florida design concepts. The addition will not look like an “addition” as the design is fully integrated with the existing building. This addition will not impair the existing parking and will help shelter the neighboring properties from the sounds of the activities associated with the proposed pool.

5. *Off-street parking:* Off-street parking within the footprint of the residential building is designed and constructed to create a street level façade comparable to the architectural character and finishes of a residential building without parking on the ground level.

Answer: There is no off-street parking within the footprint of the residential building requested with this proposed design.

6. The design of all buildings complies with the Tourist District design guidelines in Division 5 of Article 3.

Answer: The design guidelines in Division 5 of Article 3 are governed by Beach by Design. Please see the separate “Narrative Addressing Design Guidelines” included in this FLD proposal package.

7. *Accessory uses:*

- a. Accessory uses, including but not limited to restaurants, snack bars, and sundries shops, must be incidental and subordinate to the primary use, and the maximum floor area for interior accessory uses shall not exceed, in the aggregate, 15 percent of the building footprint;

Answer: The only contemplated accessory use is the proposed pool which is incidental to and subordinate to the primary Resort Attached Dwelling use. No interior accessory uses are requested with this proposal.

- b. No signage shall be visible from outside of the development.

Answer: No signage is associated with the proposed addition. A sign that is currently located on the property advertising the site as a vacation rental will be removed in connection with the new development.

Note regarding additional “flexibility criteria” found in Beach by Design.

This Flexibility Criteria document addresses flexibility criteria that are applicable to the continued Resort Attached Dwelling use of the subject property as delineated in the Community Development Code. There are also “Flexibility Criteria” mentioned in Beach by Design pertaining to the flexibility in setbacks and the criteria required to consider that flexibility. That Beach by Design Flexibility Criteria is contained in the Design Guidelines section of Beach by Design and accordingly, answers to those flexibility criteria are presented in the “Narrative Addressing Design Guidelines”. The relevant flexibility sections presented and answered in that document are from Beach by Design sections II.A.5.a,b,c and II.A.6.a.