

Hydrant Test Service Order

Action: 2809656		Action Code: FHTST	Created By: BMCLEMOR	Jun-03-25 14:59
		Effective Date: Jun-04-2025		

Distribution: **WATER**

Customer: 2148354	NORTHSIDE ENGINEERING SERVICES,		
Phone number(s): BUS	727-235-8475	Ext. Renee	
Phone number(s): FAX	727-446-8036		
Phone number(s): BUS	727-443-2869	Ext. doreen	
Account: 4155046	NORTHSIDE ENGINEERING SERVICES, INC.		
DBA:			

Service Order Data Entry	Ser.#:	Read:	Meter/Asset Type:
	OLD	OLD	OLD
	Ser.#:	Read:	Meter/Asset Type:
	NEW	NEW	NEW
	Status:	Read/Complete Date: 6/4/25	Completed by: C. Gordon

Comment: please perform hydrant flow test map 258A #6 static and 258A #16 residual flow per Sandy Bradbury 727-443-2869

C. Gordon \ 63601 - 1hr
A. Brown \

I. Tinajero-pena \ 64891 - 1hr
A. Reedy \

Ran a flow test on Hydrants #6/#16
in grid 258A.
and took just the static Reading on both



CITY OF CLEARWATER
FIRE HYDRANT FLOW TEST
STANDARD OPERATING
PROCEDURE



GENERAL INFORMATION

Hydrant flow Test Request Department *Northside Engineering Services, INC*
Grid#: *258-A*
Primary Hydrant Address: *630 Bay Esplanade*
Date: *6/4/25*

FIELD VERIFICATION AND HYDRANT INFORMATION

Residual Fire Hydrant (ID): *16*
Flow Fire Hydrant (IDs): *6*
General Comment (I.E. Uses XXX-Dedtlorination Method):

RESIDUAL HYDRANT (UPSTREAM)

Time: *8:30 am*
Static Reading (psi): *72*
Pressure drop greater than 10 psi? (Yes, record residual pressure/ No, open more hydrants)
Time: *8:35 am*
Residual Reading (psi): *60*

FLOW HYDRANT (DOWNSTREAM)

Hydrant Test No/ ID	ID (inches) ¹	C _d ²	Pitot (psi)	Flow(gpm) ³
1/ <i>16</i>	<i>2.5</i>	<i>.9</i>	<i>20</i>	<i>698</i>
2/				
3/				
4/				
5/				
TOTAL				

NOTES/CALCULATIONS

1. ID is inner diameter of hydrant outlet, genera Hy 2.5"
2. C_d is discharge coefficient. Rounded Smooth= 0.9, Square Sharp= 0.8, Square and into barren= 0.7
3. Flow (gpm) = 29.84 * C_d * ID ^ 2 * Pressure ^ 0.5

Notes:

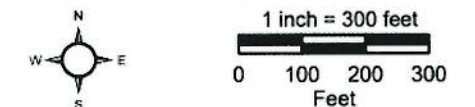
*PRINT AND ATTACH HYDRANT TEST AREA MAP



Prepared by:
Department of Public Works - Engineering
Geographic Technology Division
100 S. Myrtle Ave, Clearwater, FL 33756
Ph: (727)562-4750, Fax: (727)526-4755
www.MyClearwater.com

Disclaimer:
Public information data is furnished by the City of Clearwater Public Works Department, and must be accepted and used by the recipient with the understanding that the data received was collected for the purpose of developing a graphic infrastructure inventory. As such, the City of Clearwater makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of this data for any other particular use. Furthermore, the City of Clearwater assumes no liability whatsoever associated with the use or misuse of such data.

Notice:
This map may not incorporate the latest field information. For the most up-to-date depiction of this infrastructure, consult the City of Clearwater's GIS Mapping Applications at: <http://clearwater/GIS/index.asp>



- Legend:**
- | | |
|-------------------------------|---------------------------|
| Potable Water Hydrants | Wells |
| Hydrant, City | Active Production |
| Hydrant, County | Active Monitor |
| Hydrant, Private | Inactive Well |
| Potable Water Fixtures | Proposed Well |
| Valve NOT FOUND | RAW Water Fixtures |
| Valve | Valve |
| Left Hand Turn Valve | Air Release Valve |
| Double Check Valve | Sleeve |
| INSERTA Valve | Tapping Sleeve |
| Line Stop Saddle | Reducer |
| Tapping Sleeve | Blowoff |
| Blowoff | Cap |
| Reducer | Raw Water Lines |
| Dialysis Machine | Active |
| Pump Station | Inactive |
| Meter Pit | Other Features |
| County Interconnect | Unincorporated |
| Cap | Parcel Boundaries |
| Potable Water Lines | Building Footprint |
| City | Stormwater Pond |
| County | Structures |
| St. Petersburg | Railroad Line |
| Private, Potable | Water Line Casing |
| Private, Fireline | CLWTR Service Area |

300 Scale Water Atlas

Updated: 1/31/2025

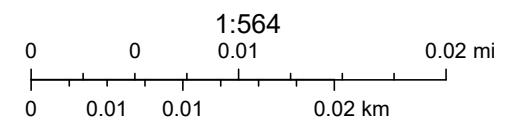
SW 1/4 of 5-29-15

258A

05-29-15-54756-079-0110



7/29/2025





Parcel Summary (as of 29-Jul-2025)				Parcel Map
Parcel Number 05-29-15-54756-079-0110				
Owner Name OGAND LLC				
Property Use 0820 Duplex-Triplex-Fourplex				
Site Address 612 BAY ESPLANADE CLEARWATER, FL 33767				
Mailing Address 47 05 104TH ST CORONA, NY 11368-2810				
Legal Description MANDALAY UNIT NO. 5 REPLAT BLK 79, LOT 11 AS DESC IN PL 20 PG 27				
Current Tax District CLEARWATER (CW)				
Year Built 1950				
Heated SF 2,284	Gross SF 2,320	Living Units 3	Buildings 1	

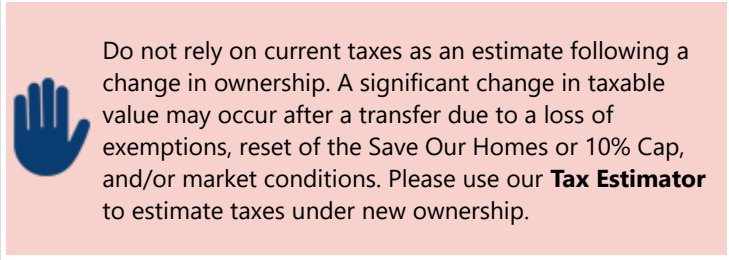
Exemptions				
Year	Homestead	Use %	Status	Property Exemptions & Classifications
2026	No	0%		
2025	No	0%		
2024	No	0%		
				No Property Exemptions or Classifications found. Please note that Ownership Exemptions (Homestead, Senior, Widow/Widower, Veterans, First Responder, etc... will not display here).

Miscellaneous Parcel Info							
Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Zoning	Plat Bk/Pg
20875/2372	Find Comps	260.03	A	Current FEMA Maps	Check for EC	Zoning Map	20/48

2024 Final Values					
Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2024	\$990,000	\$948,338	\$948,338	\$990,000	\$948,338

Value History (yellow indicates corrected value)						
Year	Homestead Exemption	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2023	N	\$880,000	\$862,125	\$862,125	\$880,000	\$862,125
2022	N	\$828,000	\$783,750	\$783,750	\$828,000	\$783,750
2021	N	\$712,500	\$712,500	\$712,500	\$712,500	\$712,500
2020	N	\$669,671	\$407,107	\$407,107	\$669,671	\$407,107
2019	N	\$518,373	\$370,097	\$370,097	\$518,373	\$370,097

2024 Tax Information



Sales History

Sale Date	Price	Qualified / Unqualified	Vacant / Improved	Grantor	Grantee	Book / Page
31-Jan-2020	\$700,000	U	I	DEBENEDITTIS MARIE EST	OGAND LLC	20875/2372
26-Aug-2010	\$0	U	I	DEBENEDITTIS IRENE PR	DEBENEDITTIS NANCY DECD	17017/0264
26-Aug-2010	\$76,700	U	I	LAMORGESE CARMELA	DE BENEDITTIS MARIE	17141/1334
30-Sep-1983	\$135,000	Q				05601/0426

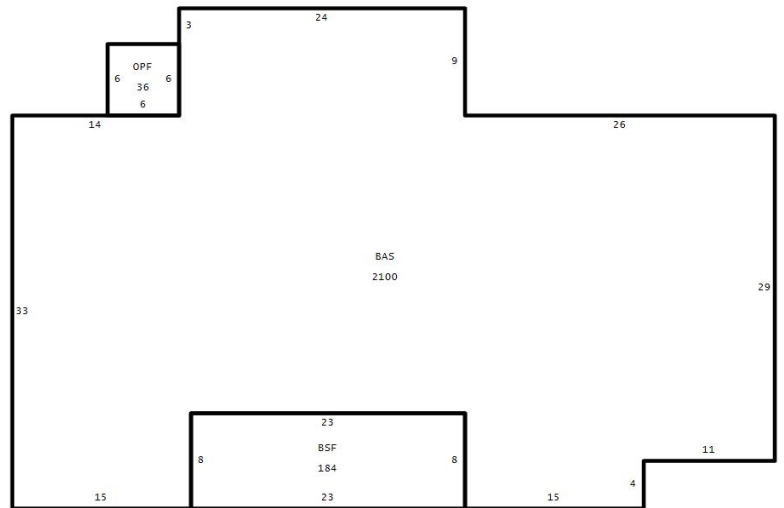
2024 Land Information

Land Area: $\cong$ 9,008 sf $\cong$ 0.20 acres	Frontage and/or View: None	Seawall: No
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Property Use	Land Dimensions	Unit Value	Units	Method	Total Adjustments	Adjusted Value
Multi-Fam <10 Units	78x110	\$115	8,580	SF	1.0000	\$986,700

2024 Building 1 Structural Elements and Sub Area Information

Structural Elements		Sub Area	Heated Area SF	Gross Area SF
Foundation	Continuous Footing Poured	Base (BAS)	2,100	2,100
Floor System	Slab On Grade	Base Semi-finished (BSF)	184	184
Exterior Walls	Cb Stucco/Cb Reclad	Open Porch (OPF)	0	36
Unit Stories	1	Total Area SF	2,284	2,320
Living Units	3			
Roof Frame	Gable Or Hip			
Roof Cover	Shingle Composition			
Year Built	1950			
Building Type	Duplex - 4-Plex			
Quality	Average			
Floor Finish	Carpet/Hardtile/Hardwood			
Interior Finish	Drywall/Plaster			
Heating	Central Duct			
Cooling	Cooling (Central)			
Fixtures	9			
Effective Age	36			



2024 Extra Features					
Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
FIREPLACE	\$8,000.00	1	\$8,000	\$3,200	1950
PATIO/DECK	\$14.00	280.0	\$3,920	\$1,882	2004

Permit Data

Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). We are required to list all improvements, which may include unpermitted construction. Any questions regarding permits, or the status of non-permitted improvements, should be directed to the permitting jurisdiction in which the structure is located.

Permit Number	Description	Issue Date	Estimated Value
BCP2014-11139	WINDOWS/DOORS	11/07/2014	\$2,002
BCP2006-05425	MISCELLANEOUS	06/07/2006	\$2,300
BCP2004-04031	ROOF	05/20/2004	\$4,400

\$700,000⁰⁰
REC \$18⁵⁰
Doc ST \$4,900⁰⁰

THIS INSTRUMENT PREPARED BY AND RETURN TO:

William J. Kimpton, Esq.

WILLIAM J. KIMPTON, P.A.

605 PALM BOULEVARD, SUITE B

DUNEDIN, FLORIDA 34698

Property Appraisers Parcel Identification (Folio) Numbers:

05-29-15-54756-079-0110

Space Above This Line For Recording Data

THIS WARRANTY DEED, made effective the 31st day of **January, 2020** by **IRENE DEBENEDITTIS**, Individually and as **Personal Representative** of the **ESTATE OF MARIE DEBENEDITTIS**, deceased, herein called the grantors, to **OGAND, LLC**, a **Florida limited liability company**, whose post office address is **47-05 104TH STREET, CORONA, NY 11360**, hereinafter called the Grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

W I T N E S S E T H: That the grantors, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00)** Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in **PINELLAS County, State of Florida**, viz.:

Lot Eleven (11), Replat of Block 79, MANDALAY UNIT #5, a subdivision according to the plat thereof recorded in Plat Book 20, Page 27, of the Public Records of Pinellas County, Florida.

SUBJECT TO EASEMENTS, COVENANTS, RESTRICTIONS OF RECORD (NONE OF WHICH ARE RE-IMPOSED HEREBY) AND TAXES FOR THE YEAR 2020 AND SUBSEQUENT YEARS.

THIS PROPERTY IS NOT NOW NOR EVER HAS BEEN THE HOMESTEAD PROPERTY OF EITHER OF THE GRANTORS.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the grantors hereby covenant with said grantee that the grantors are lawfully seized of said land in fee simple; that the grantors have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same

Warranty Deed, page 2

against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2019.

IN WITNESS WHEREOF, the said grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

+ *Alejandra Gargnani*
 Witness
ALEJANDRA GARGNANI
 Printed Name

+ *Ann Marie Barbagallo*
 Witness
Ann Marie Barbagallo
 Printed Name

x *Irene DeBenedittis*
**IRENE DEBENEDITTIS, Individually and
 as Personal Representative of the ESTATE
 OF MARIE DEBENEDITTIS, deceased**
 46-02 104TH STREET, CORONA, NY 11368

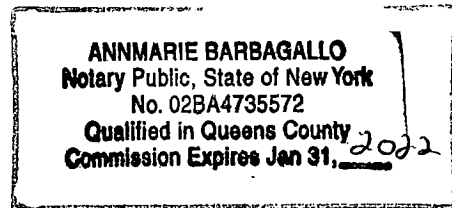
STATE OF NEW YORK
 COUNTY OF *Queens*

I HEREBY CERTIFY, that on this _____ day of January, 2020, personally appeared before me an officer duly authorized to administer oaths and take acknowledgments, IRENE DEBENEDITTIS, Individually and as Personal Representative of the ESTATE OF MARIE DEBENEDITTIS, deceased, (✓) who is personally known to me or () has produced driver's license (s) as identification, who executed the foregoing instrument and acknowledged before me that the same was executed for the purposes therein expressed, and who did not take an oath.

x *Ann Marie Barbagallo*
 Notary Public

My Commission Expires:

Jan. 31, 2022



2025 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L19000269197

Entity Name: OGAND, LLC

Current Principal Place of Business:

28-20 214TH STREET
BAYSIDE, NY 11360

Current Mailing Address:

28-20 214TH STREET
BAYSIDE, NY 11360 US

FEI Number: NOT APPLICABLE

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

KIMPTON, WILLIAM J ESQ.
605 PALM BLVD., SUITE B
DUNEDIN, FL 34698 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title MGR
Name RAPOSO, OCTAVIO
Address 28-20 214TH STREET
City-State-Zip: BAYSIDE NY 11360

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: OCTAVIO RAPOSO

MANAGER

03/13/2025

Electronic Signature of Signing Authorized Person(s) Detail

Date

LETTER OF AUTHORIZATION

This letter will serve as authorization for **Housh Ghovae** with Northside Engineering, Inc. to act as an agent for: **Ogand, LLC** and to execute any and all documents related to securing permits and approvals for the construction on the property generally located: **612 Bay Esplanade** (City of Clearwater) lying within PINELLAS County, State of FLORIDA.


Signature of Property Owner

Octavio Raposo
Print Name of Property Owner

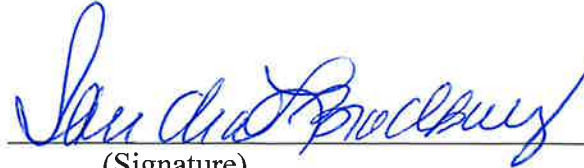
28-20 214th Street
Address of Property Owner

Manager
Title

Bayside, New York 11360
City/State/Zip Code

516-315-3468
Telephone Number

State of Florida The foregoing instrument was acknowledged before me this 6th day
County of Pinellas of June, 2023, by Octavio Raposo, as manager
who is personally known to me or who has produced personally
known
as identification and who did (did not) take an oath.


(Signature) Notary Public

Commission # GG367540 Expires: 08/19/2023

(SEAL ABOVE) Sandra L Bradbury (Name of Notary Typed, Printed or Stamped)



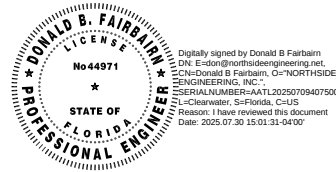
DRAINAGE NARRATIVE Bay Esplanada Suites, Clearwater, FL.

LOCATION:

612 Bay Esplanada, Clearwater, FL

PROPOSED ACTIVITY:

Construction of a six story Overnight Accommodation.



DESIGN CRITERIA:

Clearwater Drainage Criteria Manual

For Re-Development projects, use a factor of $C = 0.50$ for existing impervious.

For Detention Areas Without Out Fall, use 50 year storm – one hour storm.

For the rational method, the rainfall intensity shall be found on the FDOT Zone 6 IDF curves.

OFF SITE CONNECTION:

The off site connection for the project's stormwater management system is a Bubbler. Which leads to a valley gutter. The grate elevation is 4.0 ft. .

PRE DEVELOPMENT CONDITION:

Area = 8,677 sq.ft. 0.2 acre

Design Storm = 50 year $C1 = .33$ $Tc = 60$ Min

Intensity = 4.0 in/hr (Zone 6 FDOT Rainfall – Intensity Curve)

Pre Condition Discharge = 0.26 cfs

PROPOSED CONDITION:

Area = 8,677 sq.ft. 0.20 acre

Design Storm = 50 year $C2 = 0.70$ $Tc = 60$ Min

Intensity = 4.0 in/hr (Zone 6 FDOT Rainfall – Intensity Curve)

Required Attenuation Volume = 1061.4 cu.ft.

Clearwater Office
300 South Belcher Road
Clearwater, Florida 33765
727-443-2869

housh@northsideengineering.net
sandy@northsideengineering.net

*Civil ~ Land Planning ~ Due Diligence Report
Re-Zoning, Land Use & Annexation
Stormwater Management ~ Utility Design
Traffic ~ Construction Administration*

www.northsideengineering.net

Nashville Office
601 River Peral Place
Nashville, Tennessee 37207
727-709-0943

housh@northsideengineering.net
sandy@northsideengineering.net

DRAINAGE NARRATIVE
Bay Esplanada Suites, Clearwater, FL.

Required Attenuation Volume = 1061.4 cu.ft.

Required Treatment Volume = 361.54 cu.ft.
(0.20 acres X 43560 sq.ft./acre X 0.5 inch / 12 in.per ft.) = 361.54 cu.ft.

Design High Water = 3.48 ft.

Weir Elev. = 2.5., Length = 1.0 inch.

NORTHSIDE ENGINEERING
DRAINAGE CALCULATIONS - POND AND SLOT DESIGN

Bay Esplanade NEI # 1912

PRE - CONSTRUCTION DETERMINE RUNOFF FACTOR

Impervious	3833.00	X	0.500	=	1916.50				
Pond	0.00	X	1.000	=	0.00				
Pervious	4844.00	X	0.200	=	968.80				
Total	8677.00				2885.30	C 1 =	0.33		
	0.20		Acre						

EXISTING CONDITIONS - PRE DEVELOPMENT FLOW

Time Of Concentration	60	Minutes	Area =	0.20	Q=CiA		
Rain Fall	4	In/Hr	C1 =	0.33	Q=	0.26	cfs

Tc = 60 Min 50 year storm i= 4.0 inch / hour

PROPOSED CONDITIONS - DETERMINE RUNOFF FACTOR

Impervious	5820.00	X	0.950	=	5529.00			
Pond	0.00	X	1.000	=	0.00			
Pervious	2857.50	X	0.200	=	571.50			
Total	8677.50				6100.50	C 2 =	0.70	
	0.20		Acre					

DETERMINE POND VOLUME

$$\text{Volume} = (C2-C1) * I * A$$

$$\text{Volume} = \frac{(C2-C1)}{60} * i * \text{Area} = \frac{(0.70-0.33)}{60} * 4 * 0.20 = 1061.4 \text{ cu.ft.}$$

Tc = 60 min 50 year storm i= 4.0 inch / hour

$$\text{Treatment Volume} = \text{Area} * \frac{1}{2} \text{ Inch} / 12 \text{ Inch per foot} = 8677.50 * 0.5 = 361.56 \text{ cu.ft.}$$

Note: Treatment is included in atenuation volume.

$$1422.94$$

SLOT DESIGN

Flow :	Q =	C I A				
	Q =	0.26				
Slot Length	=	Q / 3.33 X 1 ^{1.5}				
Slot Length	=	0.26/3.33x 1 ^{1.5}				
Slot Length	=	0.031	Height =	0.52		

Weir Length = 1 inch

BAY ESPLANADE

POND 52 FT BY 14 FT (Inside dimensions)

SHWT = 1.00

Required WQ volume = 361.56 cf

Provided WQ volume = 364.00 cf

Multiplier 1.00

Input stage only

	Stage (ft)	Area (sf)	Inc. Vol (cf)	Cum Vol (cf)	Interp Area (sf)	Interp Inc. Vol (cf)	Interp Cum Vol (cf)	Area (ac)	Cum Vol (ac ft)
TOB →	4.00	728.00		1,456.00				0.0167	0.0334
→			364.00		0.00	0.00	0.00		
	3.50	728.00		1,092.00				0.0167	0.0251
DHW →	3.48		364.00		728.00	349.44	1,077.44		
	3.00	728.00		728.00				0.0167	0.0167
			364.00		0.00	0.00	0.00		
Weir →	2.50	728.00		364.00				0.0167	0.0084
			364.00		0.00	0.00	0.00		
BOT →	2.00	728.00		0.00				0.0167	0.0000
					0.00	0.00	0.00		
	0.00	0.00		0.00				0.0000	0.0000
			0.00		0.00	0.00	0.00		
	0.00	0.00		0.00				0.0000	0.0000
			0.00		0.00	0.00	0.00		
	0.00	0.00		0.00				0.0000	0.0000
			0.00		0.00	0.00	0.00		
	0.00	0.00		0.00				0.0000	0.0000
			0.00		0.00	0.00	0.00		
	0.00	0.00		0.00				0.0000	0.0000
			0.00		0.00	0.00	0.00		
	0.00	0.00		0.00				0.0000	0.0000
			0.00		0.00	0.00	0.00		
	0.00	0.00		0.00				0.0000	0.0000

sf

728.00 sf

728.00 sf

728.00 sf

728.00 sf

728.00 sf

all elevations in feet NAVD 88

Required Pond Volume = 1,061.38 cu.ft.
 Provided Pond Volume 1,077.44 cu.ft.
 Design High Water 3.48 ft

Soil Map—Pinellas County, Florida (Somerset Bay Esplanade)



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Pinellas County, Florida

Survey Area Data: Version 17, Jun 9, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jan 8, 2020—Jan 27, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
16	Matlacha and St. Augustine soils and Urban land	1.9	100.0%
Totals for Area of Interest		1.9	100.0%

Pinellas County, Florida

16—Matlacha and St. Augustine soils and Urban land

Map Unit Setting

National map unit symbol: 134ch

Elevation: 0 to 80 feet

Mean annual precipitation: 48 to 56 inches

Mean annual air temperature: 70 to 77 degrees F

Frost-free period: 335 to 365 days

Farmland classification: Not prime farmland

Map Unit Composition

Matlacha and similar soils: 33 percent

St. augustine and similar soils: 32 percent

Urban land: 31 percent

Minor components: 4 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Matlacha

Setting

Landform: Ridges on marine terraces

Landform position (three-dimensional): Interfluve, rise

Down-slope shape: Convex

Across-slope shape: Linear

Parent material: Sandy mine spoil or earthy fill

Typical profile

C - 0 to 42 inches: sand

A/Eb - 42 to 80 inches: fine sand

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Somewhat poorly drained

Runoff class: Very low

Capacity of the most limiting layer to transmit water (Ksat): High
(2.00 to 6.00 in/hr)

Depth to water table: About 24 to 36 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 5 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Sodium adsorption ratio, maximum: 4.0

Available water capacity: Low (about 3.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 6s

Hydrologic Soil Group: B
Forage suitability group: Forage suitability group not assigned (G154XB999FL)
Other vegetative classification: Forage suitability group not assigned (G154XB999FL)
Hydric soil rating: No

Description of St. Augustine

Setting

Landform: Ridges on marine terraces, rises on marine terraces
Landform position (three-dimensional): Interfluve, rise
Down-slope shape: Convex
Across-slope shape: Linear
Parent material: Sandy mine spoil or earthy fill

Typical profile

A - 0 to 8 inches: sand
C1 - 8 to 33 inches: loamy fine sand
C2 - 33 to 48 inches: fine sand
C3 - 48 to 63 inches: sandy loam
C4 - 63 to 80 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Somewhat poorly drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): High to very high (2.00 to 20.00 in/hr)
Depth to water table: About 18 to 36 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum: 4.0
Available water capacity: Low (about 3.9 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7s
Hydrologic Soil Group: A
Forage suitability group: Forage suitability group not assigned (G154XB999FL)
Other vegetative classification: Forage suitability group not assigned (G154XB999FL)
Hydric soil rating: No

Description of Urban Land

Setting

Landform: Marine terraces
Landform position (three-dimensional): Interfluve, talf

Down-slope shape: Linear
Across-slope shape: Linear
Parent material: No parent material

Interpretive groups

Land capability classification (irrigated): None specified
Forage suitability group: Forage suitability group not assigned (G154XB999FL)
Other vegetative classification: Forage suitability group not assigned (G154XB999FL)
Hydric soil rating: Unranked

Minor Components

Wulfert

Percent of map unit: 2 percent
Landform: Tidal marshes on marine terraces
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Other vegetative classification: Forage suitability group not assigned (G154XB999FL)
Hydric soil rating: Yes

Kesson

Percent of map unit: 2 percent
Landform: Tidal marshes on marine terraces
Landform position (three-dimensional): Interfluve, talf
Down-slope shape: Linear
Across-slope shape: Linear
Other vegetative classification: Forage suitability group not assigned (G154XB999FL)
Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Pinellas County, Florida
Survey Area Data: Version 17, Jun 9, 2020



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748

MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567

Case number: [TDR2025-07001 -- 60 SOMERSET ST](#)

Owner(s): Clearwater JV II LLC
5391 Lakewood Ranch Blvd., Suite 100
Sarasota, FL 34240
PHONE: (941) 737-0041, Fax: No fax, Email: No email

Applicant: Housh Ghovae
300 South Belcher Road
33765
PHONE: (727) 443-2869, Fax: No fax, Email: Housh@northsideengineering.Net

Representative: Sandy Bradbury
Northside Engineering
300 South Belcher Road
Clearwater, FL 33765
PHONE: (727) 443-2869, Fax: No fax, Email: Sandy@northsideengineering.Net

Location: North side of Somerset Street at the northwest corner with Bay Esplanade. (0.46 acres)

Atlas Page:

Zoning District: T - Tourist

Request: Transfer of Development Rights of one (1) attached dwelling unit from 60, 62 and 64 Somerset Street to a resort attached dwelling development located at 612 Bay Esplanade located in the Tourist (T) District.

Proposed Use: Resort Attached Dwellings

Neighborhood Association(s): Clearwater Neighborhoods Coalition
Board of County Commissioners
Pinellas County School Board
Clearwater Beach Association

Assigned Planner: Melissa Hauck-Baker, Senior Planner

Workflow:

Review Name	Task Status	Status Date	Last Name
Determination of Completeness	Complete	09/03/2025	Hauck-Baker
Stormwater Review	No Comments	09/19/2025	Vo
Environmental Review	No Comments	09/22/2025	Kessler
Planning Review	Comments	09/25/2025	Hauck-Baker
Harbor Master Review	No Response	09/25/2025	Hauck-Baker



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748

MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567

The DRC reviewed this application with the following comments:

Planning Review

Melissa Hauck-Baker

melissa.hauckbaker@myclearwater.com 727-444-8769

Prior to CDB: Disclaimer (Acknowledge)

Please note that additional comments may be generated at or after the Development Review Committee (DRC) meeting based on responses to DRC comments. Substantial redesign or unresolved issues will delay the ability to receive a Development Order and another DRC meeting may be required prior to proceeding to the Community Development Board (CDB).

All plans and supporting documents must match. Additionally, any changes to plans, elevations, and other supporting documents must be coordinated for consistency across all documentation to move forward.

Pursuant to Fla. Stat. § 166.033, "Within 120 days after the municipality has deemed the application complete, or 180 days for applications that require final action through a quasi-judicial hearing or a public hearing, the municipality must approve, approve with conditions, or deny the application for a development permit or development order. Both parties may agree to a reasonable request for an extension of time, particularly in the event of a force majeure or other extraordinary circumstance."

In order to be reviewed by the Community Development Board (CDB) on November 18, 2025, electronic version of all updated materials must be submitted no later than 12:00pm on October 10, 2025.

Response: Acknowledged.

Planning Review

Melissa Hauck-Baker

melissa.hauckbaker@myclearwater.com 727-444-8769

Prior to CDB: TDR Deed, Beach by Design and CDC Responses

1. The application did not include a draft TDR deed, which is the document that will legally transfer the unit, must be reviewed by the Legal Department prior to CDB.

Response: Please find a copy of the draft TDR Deed.

2. Provide the proposed project compliance with Section A. Density, Beach by Design, Design Guidelines.

Response: Please see revised narratives.

3. Ensure that the responses provided to CDC Sections 4-1402 and 4-1404 accurately detail how the request meets with all CDC requirements.

Response: Please see revised narratives.

4. Remaining DRC comments are contained within companion case FLD2025-07017.

Response: Acknowledged.



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

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MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567

DRAFT ACTION AGENDA DEVELOPMENT REVIEW COMMITTEE

Thursday, October 2, 2025

8:30 AM - Staff Review

8:30 AM

Case number: [FLD2025-07017 -- 612 BAY ESPLANADE](#)

Owner(s): Ogand LLC
47 05 104th St
Corona, NY 11368-2810
PHONE: No phone, Fax: No fax, Email: No email

Applicant: Sandra Bradbury
300 South Belcher Road
Clearwater, FL 33765
PHONE: (727) 443-2869, Fax: (727) 446-8036, Email:
Sandy@northsideengineering.Net

Representative: Sandra Bradbury
Northside Engineering, Inc.
300 South Belcher Road
Clearwater, FL 33765
PHONE: (727) 443-2869, Fax: (727) 446-8036, Email:
Sandy@northsideengineering.Net

Location: South and west sides of Bay Esplanade approximately 114 feet east from the intersection of Cyprus Avenue and Bay Esplanade. (0.20 acres)

Atlas Page: 258A

Zoning District: T - Tourist

Request: Flexible Development approval to add one resort attached dwelling unit through a transfer of development rights as part of a proposed six resort attached dwelling units in the Tourist (T) zoning district and the Old Florida District of Beach by Design for the property located at 612 Bay Esplanade. The building will not exceed 50 feet in height and includes nine off-street parking spaces. Requested is flexibility for the use, from front setback requirements, and reduced interior landscaping and landscape buffers along the property lines through a Comprehensive Landscape Program. (Community Development Code Sections 2-803.L, 3-1202.D., E. and G., Article 4, Division 14 and Beach by Design)

Proposed Use: Resort Attached Dwellings

Neighborhood Association(s): Board of County Commissioners
Clearwater Neighborhoods Coalition
Pinellas County School Board
Clearwater Beach Association

Assigned Planner: Melissa Hauck-Baker, Senior Planner



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748

MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567

Workflow:

Review Name	Task Status	Status Date	Last Name
Determination of Completeness	Complete	09/03/2025	Hauck-Baker
Parks and Rec Review	Comments	09/18/2025	Santiago
Fire Review	Comments	09/19/2025	Ramos
Stormwater Review	Comments	09/19/2025	Vo
Solid Waste Review	No Comments	09/19/2025	Portalatin
Public Utilities Review	No Comments	09/19/2025	Vacca
No Comments			
Environmental Review	Comments	09/22/2025	Kessler
Engineering Review	Comments	09/24/2025	Dresch
Traffic Eng Review	Comments	09/24/2025	Dresch
Land Resource Review	Comments	09/24/2025	McDonnell
Planning Review	Comments	09/25/2025	Hauck-Baker
Route to Meeting	Ready for DRC	09/26/2025	Hauck-Baker
Harbor Master Review	No Response	09/26/2025	Hauck-Baker

Plan Room Issues:



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

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MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567

ENGINEERING - Prior to CDB (Acknowledge) - General Comments

Set to OPEN on 9/24/2025 4:30:14 PM

Issue created by Raymond Dresch on 9/24/2025 4:30:14 PM
raymond.dresch@myclearwater.com - 727-444-8775

Please acknowledgment each condition in your response:

1. Written Acknowledgement of all Engineering (including Stormwater, Traffic, Utilities and Environmental) conditions/comments is required. **Response: Acknowledged.**
2. Plans submitted have been reviewed for general engineering criteria only, additionally. **Response: Acknowledged.**
3. comments (including Stormwater, Traffic, Utilities and Environmental) may be forthcoming upon submittal of a Building Permit Application. **Response: Acknowledged.**
4. Bring all sidewalks and ramps adjacent to or as part of the project up to Standards, including A.D.A. (Per Sec.47.181). **Response: Acknowledged.**
5. Work on right-of-way shall require a permit with the appropriate entity. **Response: Acknowledged.**
6. Applicant shall be responsible for maintaining all landscaping, hardscaping and lighting located within Right of Way. **Response: Acknowledged.**
7. Contractor shall request an easement inspection prior to any construction near an easement. **Response: Acknowledged.**
8. If the proposed project necessitates infrastructure modifications to satisfy the site-specific water capacity and pressure requirements and/or wastewater capacity requirements, the modifications shall be completed by the applicant and at their expense. If underground water mains and hydrants are to be installed, the installation shall be completed and in service prior to construction in accordance with Fire Department requirements. **Response: Acknowledged.**

ENVIRONMENTAL - Prior to issuance of Building Permit

Set to OPEN on 9/22/2025 2:38:48 PM

Issue created by Sarah Kessler on 9/22/2025 2:38:48 PM
sarah.kessler@myclearwater.com - 727-444-8233

1. Continue to provide erosion control measures on plan sheet and provide notes detailing erosion control methods. Note: all silt fencing and other erosion control measures will be installed prior to the commencement of site work and maintained throughout the project.
2. Provide stormwater vault specifications showing the vault provides water quality benefits, and provide a vault maintenance schedule that has been signed and accepted by the owner.
3. An Asbestos Survey is usually required prior to conducting any demolition or renovations. Contact Pinellas County Air Quality (727/464-4422) for more information.

Response: Acknowledged.

FIRE - Acknowledge prior to CDB: Fire Comments

Set to OPEN on 9/19/2025 10:06:20 AM

Issue created by Walter Ramos on 9/19/2025 10:06:20 AM
Issue is attached to Plans on sheet A000
walter.ramos@myclearwater.com - 727-444-7723

Plan shows dumpster location. Shall meet the requirements of NFPA 1 2021 Edition Section 19.2.1.4 Rubbish within Dumpsters. Please Acknowledge prior to CDB

Response: Acknowledged.

FIRE - Acknowledge prior to CDB: Fire Comments

Set to OPEN on 9/19/2025 10:08:26 AM

Issue created by Walter Ramos on 9/19/2025 10:08:26 AM
Issue is attached to Plans on sheet A000
walter.ramos@myclearwater.com - 727-444-7723

Separate plans and permits will be required for Fire Alarm, Fire Sprinkler, Fire Line Underground work. Please acknowledge and describe on plans prior to CDB.

Response: Acknowledged.



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

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MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567

FIRE - Acknowledge prior to CDB: Fire Comments

Set to OPEN on 9/19/2025 10:06:48 AM

Issue created by Walter Ramos on 9/19/2025 10:06:48 AM

Issue is attached to Plans on sheet A000

walter.ramos@myclearwater.com - 727-444-7723

NFPA 101 2021 Edition Chapter 7.5.1.3.2 describes two exits, exit accesses, or exit discharges are required, they shall be located at a distance from one another not less than one-half the length of the maximum overall diagonal dimension of the building or area to be served, measured in a straight line between the nearest edge of the exits, exit accesses, or exit discharges, unless otherwise provided in 7.5.1.3.3 through 7.5.1.3.5. Measurement not showing remoteness of exits located on drawing. Shall meet the requirements of NFPA 101 2021 Edition Section 7.5.1.3 Remoteness. Where more than one exit, exit access, or exit discharge is required from a building or portion thereof, such exits, exit accesses, or exit discharges shall be remotely located from each other and be arranged to minimize the possibility that more than one has the potential to be blocked by any one fire or other emergency conditions. Please acknowledge prior to CDB

Response: Acknowledged.

FIRE - Acknowledge prior to CDB: Fire Comments

Set to OPEN on 9/19/2025 10:07:19 AM

Issue created by Walter Ramos on 9/19/2025 10:07:19 AM

Issue is attached to Plans on sheet A000

walter.ramos@myclearwater.com - 727-444-7723

An approved water supply capable of supplying the required fire flow for fire protection shall be provided. Please show how new hydrant meets the requirements of NFPA 1 2021 Edition Section 18.4 Fire Flow Requirements for Buildings. Please Acknowledge prior to CDB.

Response: Hydrant Flow Test was provided on 07.30.2025 submittal; Fire Planner will submit further information at time of BCP submittal.

FIRE - Acknowledge prior to CDB: Fire Comments

Set to OPEN on 9/19/2025 10:07:42 AM

Issue created by Walter Ramos on 9/19/2025 10:07:42 AM

Issue is attached to Plans on sheet A000

walter.ramos@myclearwater.com - 727-444-7723

Fire hydrant to be used for firefighting use not showing on plans. An additional supporting fire hydrant is required to supply the FDC. This fire hydrant shall be located within 25-50 feet, as measured along a normal access route, of the fire department connection. FDC shall be a minimum of 15' from building. Fire Department Connection shall be a 2 1/2-inch Siamese connection listed for such use. Please acknowledge prior to CDB

Response: Plan is revised Please see FHA & FDC on sheet C4.1.

FIRE - Acknowledge prior to CDB: Fire Comments

Set to OPEN on 9/19/2025 10:08:08 AM

Issue created by Walter Ramos on 9/19/2025 10:08:08 AM

Issue is attached to Plans on sheet A000

walter.ramos@myclearwater.com - 727-444-7723

Roof top pool shall meet the requirements of NFPA 101 2021 Edition Section 7.4 The number of means of egress from any balcony, mezzanine, story, or portion thereof shall be not less than two. Please acknowledge prior to CDB

Response: Acknowledged.

LAND RESOURCE - Prior to BCP: Irrigation Plan

Set to OPEN on 9/23/2025 3:49:16 PM

Issue created by Danny McDonnell on 9/23/2025 3:49:16 PM

danny.mcdonnell@myclearwater.com - 727-444-8765

Please acknowledge:

An irrigation plan must be submitted prior to BCP.

Response: Acknowledged.

LAND RESOURCE - Prior to CDB: Arborist Information

Set to OPEN on 9/24/2025 9:26:33 AM

Issue created by Danny McDonnell on 9/24/2025 9:26:33 AM

danny.mcdonnell@myclearwater.com - 727-444-8765

Please clearly label the name of the ISA Certified Arborist, contact information, and ISA certification number on all plan sheets involving trees. This includes but is not limited to the tree inventory, tree preservation plans, and any demo sheets showing tree removal.

Response: Please see Arborist Report with ISA Certified Name and see Sheet C2.1 with recommendations.



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748

MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567

LAND RESOURCE - Prior to CDB: Landscape

Set to OPEN on 9/23/2025 3:46:19 PM

Acknowledgement

Issue created by Danny McDonnell on 9/23/2025 3:46:19 PM
danny.mcdonnell@myclearwater.com - 727-444-8765

Please acknowledge:

All landscaped areas must be covered with shrubs, ground cover, natural turf, three inches of organic mulch, artificial turf (where permissible), or other suitable material which permits percolation.

1. Where mulch is used, it must be protected from washing out of the planting bed.
2. Landscape rock with a minimum size of ¾ inch to one inch in diameter shall be used to redirect stormwater from gutter systems to prevent erosion.
3. Plastic sheets shall not be installed under mulches.
4. Artificial turf shall be installed according to the standards in Section 3-1203.

Response: Please see Notes on sheet L1.1.

LAND RESOURCE - Prior to CDB: Landscape Plan

Set to OPEN on 9/23/2025 3:53:25 PM

Issue created by Danny McDonnell on 9/23/2025 3:53:25 PM
danny.mcdonnell@myclearwater.com - 727-444-8765

Shade trees must be a minimum of 5 feet from any impervious surface. Please revise the landscape plan to reflect this.

Response: Plan is revised please see sheet L1.1.

PARKS AND REC - Prior to C.O.: Parks & Rec Impact Fees

Set to OPEN on 9/18/2025 8:29:50 AM

Issue created by Amanda Santiago on 9/18/2025 8:29:50 AM
Issue is attached to Plans on sheet A101
amanda.santiago@myclearwater.com - 727-444-8313

It appears that the proposal is for six new attached dwelling units where three dwelling units exist/existed.

A Parks and Recreation Impact Fee of \$2,024 per dwelling unit (estimate of \$6,072 total) will be due prior to the issuance of any Certificate of Occupancy.

Please coordinate with Parks and Recreation Staff to determine the final amount due.

Please acknowledge this comment prior to CDB.

Response: Acknowledged, please see sheet C1.1.

PLANNING - Prior to CDB: Beach by Design, Old Florida District, Maximum Building Height (Acknowledge)

Set to OPEN on 9/23/2025 12:29:20 PM

Issue created by Melissa Hauck-Baker on 9/23/2025 12:29:20 PM
melissa.hauckbaker@myclearwater.com - 727-444-8769

Beach by Design, Section II.A.1.c. Property throughout the remainder of the Old Florida District shall be permitted a maximum building height of 65 feet for attached dwellings and 75 feet for overnight accommodations.

The proposed use of resort attached dwellings is permitted a maximum building height of 65 feet in the Old Florida District as the project site is not adjacent to Somerset Street. However, the project is being designed to a maximum building height of 50 feet which must include any habitable/amenity areas occurring on the roof tops. Additionally, the items encroaching on the 50-foot maximum height of the building must be detailed further, including dimensions to top of the parapet and top of the elevator shaft. Any increase in height above 50 feet will increase the proposed step-backs of Beach by Design and CDC Section 8-102, Definitions. Keep in mind that any shade structures for rooftop occupancy count towards height.

Response: Acknowledged, no shade structures, including umbrellas, will be installed on the elevated pool deck area.



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

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MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567

PLANNING - Prior to CDB: Beach by Design, Design Guidelines, Density

Set to OPEN on 9/25/2025 12:49:10 PM

Issue created by Melissa Hauck-Baker on 9/25/2025 12:49:10 PM

melissa.hauckbaker@myclearwater.com - 727-444-8769

Provide the proposed project compliance with Section A. Density "The maximum permitted density of residential development shall be 30 dwelling units per acre. Through the use of Transfer of Development Rights (TDRs) from other property located within the Clearwater Beach Community Redevelopment District, the maximum permitted density for residential development may be increased by not more than 20 percent."

Response: Acknowledged.

PLANNING - Prior to CDB: Beach by Design, Design Guidelines, Materials and Colors

Set to OPEN on 9/23/2025 10:59:57 AM

Issue created by Melissa Hauck-Baker on 9/23/2025 10:59:57 AM

melissa.hauckbaker@myclearwater.com - 727-444-8769

Provide the proposed exterior building materials and colors. Please provide the proposed project compliance with Section L. Materials and Colors of the Beach by Design, Design Guidelines. This section addresses building facades, sidewalk treatments, street furniture and the recommended color palette for building colors.

Response: Acknowledged.

PLANNING - Prior to CDB: Beach by Design, Design Guidelines, Parking Areas

Set to OPEN on 9/23/2025 11:02:38 AM

Issue created by Melissa Hauck-Baker on 9/23/2025 11:02:38 AM

melissa.hauckbaker@myclearwater.com - 727-444-8769

Provide the proposed project compliance with Section F. Parking Areas of the Beach by Design, Design Guidelines; "To create a well-defined and aesthetically appealing street boundary, all parking areas will be separated from public rights of way by a landscaped decorative wall, fence or other opaque landscape treatment of not less than three feet (3') and not more than three and one-half feet (3½') in height"

Response: Plan is revised please see L1.1 , A403 & A404 for the proposed exterior building materials and colors. Colors selected per recommended color palette in Beach by Design Guidelines. Glass curtain walls are NOT being used. Proposed sidewalks width of 42" will be implemented as required by Beach by Design.

PLANNING - Prior to CDB: Beach by Design, Design Guidelines, Sidewalks

Set to OPEN on 9/23/2025 11:01:59 AM

Issue created by Melissa Hauck-Baker on 9/23/2025 11:01:59 AM

melissa.hauckbaker@myclearwater.com - 727-444-8769

Provide the proposed project compliance with Section H. Sidewalks in the Design Guidelines of Beach by Design. This section addresses sidewalk widths, landscaping treatment, and requirements for portions of sidewalks improved for non-pedestrian purposes including outdoor dining and landscape material.

Response: Please refer to sheets A403 & A404 for the proposed 42" max. landscape hedge, which will serve as the required landscape treatment of not less than 3' and not more than 3.5' in height. This landscape hedge separates parking areas from the public rights of way at both the N and E facade as required. Also, an aluminum slat system is being used to shield and separate the parking area from the public right of way.

PLANNING - Prior to CDB: Beach by Design, Design Guidelines, Street Level Façades

Set to OPEN on 9/23/2025 10:59:10 AM

Issue created by Melissa Hauck-Baker on 9/23/2025 10:59:10 AM

melissa.hauckbaker@myclearwater.com - 727-444-8769

Providing the proposed project compliance with Section E. Street-Level Facades of the Beach by Design, Design Guidelines, sixty percent of the street level facades of buildings used of non-residential purposes, which abuts a public street or pedestrian access way, will be transparent.

Response: Parking utilizes landscape and an aluminum slat system to improve the human scale and aesthetic appeal of the facades as well as shielding parking from a public street. Goods for sale will NOT be displayed outside of the building, and the building entrance features an inviting, well-lit sign that matches the building's aesthetic.



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

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MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567

PLANNING - Prior to CDB: Beach by Design, Old Florida District, Flexibility of Setbacks/Step-backs

Set to OPEN on 9/23/2025 1:27:36 PM

Issue created by Melissa Hauck-Baker on 9/23/2025 1:27:36 PM
melissa.hauckbaker@myclearwater.com - 727-444-8769

Section II.A.4. Flexibility of Setbacks/Step-backs for Building in Excess of 35 Feet in Height.

a. Setbacks

(1) Except for properties fronting on Mandalay Avenue, a maximum reduction of five (5) feet from any required setback may be possible if the decreased setback results in an improved site plan, landscaping areas in excess of the minimum required and/or improved design and appearance; and

(2) To ensure that unimpaired access to mechanical features of a building is maintained, a minimum five (5) foot unobstructed access must be provided along the entire side setback of properties, except for those properties fronting on Mandalay Avenue where a zero (0) foot setback is permissible; and

(3) Setbacks can be decreased at a rate of one (1) foot in required setback per two (2) feet in additional required step-back, if desired.

b. Step-backs

(1) A maximum reduction of five (5) feet from any required building step-back may be possible if the decreased building step-back results in an improved site plan, landscaping areas in excess of the minimum required and/or improved design and appearance.

(2) Building step-backs can be decreased at a rate of two (2) feet in step-back per one (1) foot in additional required setback, if desired.

The project requests flexibility of setbacks including a 5-foot reduction to the 15-foot front yard setback along the north property line, which requires an increase of 10 feet to the step-back.

Response: Acknowledged.

PLANNING - Prior to CDB: Beach by Design, Old Florida District, Landscape Buffers

Set to OPEN on 9/23/2025 1:45:35 PM

Issue created by Melissa Hauck-Baker on 9/23/2025 1:45:35 PM
melissa.hauckbaker@myclearwater.com - 727-444-8769

Section II.A.6. Landscape Buffers

a. A ten (10) foot landscape buffer is required along the street frontage of all properties, except for that portion of a property fronting on Mandalay Avenue, and except for properties 35 feet and below in height that may be granted flexibility in the required setback, in which case the entire setback shall be landscaped; and

b. For that portion of a property fronting on Mandalay Avenue, a zero (0) foot setback may be permissible for 80% of the property frontage. The remaining 20% property frontage is required to have a landscaped area for a minimum of five (5) feet in depth. The 20% may be located in several different locations on the property frontage, rather than placed in only one location on the property frontage.

The project site does not feature frontage along Mandalay Avenue and includes a 10-foot (north) and a 15-foot (east) front landscape buffers. Additionally, the project includes a Comprehensive Landscaping Program for the five- to ten-foot-wide landscape buffers along the west and south property lines where landscape buffers are not required.

Response: Acknowledged.



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

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MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567

PLANNING - Prior to CDB: Beach by Design, Old Florida District, Required Building Step-backs (Acknowledge)

Set to OPEN on 9/23/2025 1:05:26 PM

Issue created by Melissa Hauck-Baker on 9/23/2025 1:05:26 PM
melissa.hauckbaker@myclearwater.com - 727-444-8769

Section II.A.3. Required Building Step-backs or Alternative Increased Setbacks for Buildings Exceeding 35 Feet in Height

- a. Building step-back means a horizontal shifting of the building massing towards the center of the building.
- b. Any development exceeding 35 feet in height shall be required to incorporate a building step-back on at least one side of the building (at a point of 35 feet) or an increased setback on at least one side of the building in compliance with the ratios provided in Section A.3.f. Additional step-backs and/or setbacks may be required to provide additional separation between buildings and/or to enhance view corridors.
- c. All properties (except those fronting on Mandalay Avenue) which front on a right-of-way that runs east and west, shall provide a building step-back on the front side of the building, or an increased front setback in compliance with the ratios provided in Section A.3.f. Additional step-backs and/or setbacks may be required to provide additional separation between buildings and/or to enhance view corridors.
- d. All properties (except for properties fronting on Mandalay Avenue) which front on a right-of-way that runs north and south, shall provide a building step-back on the side of the building or an increased side setback in compliance with the ratios provided in Section A.3.f. Additional step-backs and/or setbacks may be required to provide additional separation between buildings and/or to enhance view corridors.
- e. Properties fronting on Mandalay Avenue must provide a building step-back on the front side of the building or an increased front setback in compliance with the ratios provided in Section A.3.f. Additional step-backs and/or setbacks may be required to provide additional separation between buildings and/or to enhance view corridors.
- f. Step-back/Setback Ratios
 - (1) For properties fronting on streets that have a right-of-way width of less than 46 feet, the step-back/setback/height ratio is one (1) foot for every two (2) feet in building height above 35 feet.
 - (2) For properties fronting on streets that have a right-of-way width between 46 and 66 feet, the step-back or setback/height ratio is one (1) foot for every two and one-half (2.5) feet in building height above 35 feet; and
 - (3) For properties fronting on streets that have a right-of-way width of greater than 66 feet, the step-back or setback/height ratio is one (1) foot for every three (3) feet in building height above 35 feet.

The proposed building height is 50 feet, the project site is located along a street running both east to west and north to south, and the right-of-way is 60 feet in width which requires a step-back or setback/height ratio of 1-foot for every 2.5-feet in building height above 35 feet, which results in a required step-back of 6-feet.

Response: Acknowledged.



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748

MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567

PLANNING - Prior to CDB: Beach by Design, Old Florida District, Required Setbacks

Set to OPEN on 9/23/2025 12:48:19 PM

Issue created by Melissa Hauck-Baker on 9/23/2025 12:48:19 PM
melissa.hauckbaker@myclearwater.com - 727-444-8769

Beach by Design, Section II.A.2. Minimum Required Setbacks.

- a. A 15-foot front setback shall be required for all properties throughout the District, except for properties fronting on Mandalay Avenue, which may have a zero (0) foot front setback for 80% of the property line; and
- b. A ten (10) foot side and rear setback shall be required for all properties throughout the district, except for properties fronting on Mandalay Avenue, which may have a zero (0) foot side setback and a ten (10) foot rear setback.

The project does not feature frontage along Mandalay Avenue. The required front yard setbacks are 15 feet along the frontage of Bay Esplanade. The project includes a 15-foot front yard setback along the east property line and seeks flexibility for a reduced front yard setback of 10 feet along the north property line adjacent to Bay Esplanade.

The required and proposed side yard setbacks are 10 feet along the west and south property lines.

Response: Please see revised plans.

PLANNING - Prior to CDB: Confirm balconies encroachment into setback

Set to OPEN on 9/23/2025 2:34:55 PM

Issue created by Melissa Hauck-Baker on 9/23/2025 2:34:55 PM
melissa.hauckbaker@myclearwater.com - 727-444-8769

Prior to CDB - clarify in a narrative and on the site plan that balconies overhang 24 inches or less into the setback. Sec 3-908.D.1

Response: Acknowledged, balconies overhand 24" into E setback and is being shown in both floor plans and elevations.

PLANNING - Prior to CDB: Disclaimer (Acknowledge)

Set to OPEN on 9/23/2025 11:04:37 AM

Issue created by Melissa Hauck-Baker on 9/23/2025 11:04:37 AM
melissa.hauckbaker@myclearwater.com - 727-444-8769

Please note that additional comments may be generated at or after the Development Review Committee (DRC) meeting based on responses to DRC comments. Substantial redesign or unresolved issues will delay the ability to receive a Development Order, and another DRC meeting may be required prior to proceeding to the Community Development Board (CDB).

All plans and supporting documents must match. Additionally, any changes to plans, elevations, and other supporting documents must be coordinated for consistency across all documentation to move forward.

Pursuant to Fla. Stat. § 166.033, "Within 120 days after the municipality has deemed the application complete, or 180 days for applications that require final action through a quasi-judicial hearing or a public hearing, the municipality must approve, approve with conditions, or deny the application for a development permit or development order. Both parties may agree to a reasonable request for an extension of time, particularly in the event of a force majeure or other extraordinary circumstance."

In order to be reviewed by the Community Development Board (CDB) on November 18, 2025, electronic versions of all updated materials must be submitted no later than 12:00pm on October 10, 2025.

Response: Acknowledged.



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

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MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567

PLANNING - Prior to CDB: FEMA Flood Guidance (Acknowledge)

Set to OPEN on 9/23/2025 10:58:19 AM

Issue created by Melissa Hauck-Baker on 9/23/2025 10:58:19 AM
melissa.hauckbaker@myclearwater.com - 727-444-8769

It has been determined that your proposed project is in a flood zone and will be required to be designed accordingly. The city has adopted higher standards which will impact your final building design flood elevations. Please verify the base flood elevation for your property as established on a Flood Insurance Rate Map (FIRM) and confirm if locally determined data from the Pinellas County Sea Level Rise and Storm Surge Vulnerability Assessment was used to establish more restrictive flood elevations. For properties that are affected by multiple flood zones the design should be based on the most stringent base flood elevation (FIRM or County Vulnerability Assessment) that intersects the proposed structure and include the required two (2') feet of additional elevation (i.e. freeboard) to determine your final design flood elevation.

Flood related reference material may include, but is not limited to ASCE 24-14, FBC 1612, FBCR 322, the city's Flood Ordinance (i.e. Community Development Code Chapter 51 Flood damage prevention. Please contact our Floodplain Administrator or a Plans Examiner if you have any questions at 727-562-4567.

Response: Acknowledged.

PLANNING - Prior to CDB: Findings of Fact (Applicant to Verify)

Set to OPEN on 9/23/2025 2:09:27 PM

Issue created by Melissa Hauck-Baker on 9/23/2025 2:09:27 PM
melissa.hauckbaker@myclearwater.com - 727-444-8769

1. The 0.20-acre site is located on the south and west sides of Bay Esplanade approximately 114 feet east of the intersection of Bay Esplanade and Cyprus Avenue.
2. The property is in the Old Florida District of Beach by Design and the Tourist (T) District with the consistent Resort Facilities High (RFH) future land use designation.
3. The project site is comprised of one parcel of 9,008 square feet in area with a frontage of 182 feet along Bay Esplanade.
4. The proposal includes a transfer of development rights from 60 Somerset Street (PIN#05-29-15-54756-083-0010), where one attached dwelling unit will be transferred to the project site through concurrent case, TDR2025-07001.
5. The proposal includes the construction of a 6-unit resort attached dwelling use with front yard setbacks of 10 feet to the north and 15 feet to the east, and side yard setbacks of 10 feet to the west and south.
6. The proposal includes a 6-unit resort attached dwelling development with an ISR of 0.67.
7. The proposal includes nine onsite off-street parking spaces where nine parking spaces are required.
8. There are no active Code Compliance cases for the subject property.

Response: Acknowledged.

PLANNING - Prior to CDB: Mechanical Equipment

Set to OPEN on 9/23/2025 2:22:31 PM

Issue created by Melissa Hauck-Baker on 9/23/2025 2:22:31 PM
melissa.hauckbaker@myclearwater.com - 727-444-8769

Provide language regarding the proposed location of the mechanical equipment and please clarify how (1) this will be accomplished and (2) how the equipment will be screened. The note must include the following details; "Mechanical equipment will be screened from view from adjacent properties and rights-of-way with fencing and or landscaping."

Response: Please see note on sheet C3.1, mechanical equipment will be installed on the roof with screening.

PLANNING - Prior to CDB: Response to DRC Comments

Set to OPEN on 9/25/2025 12:54:26 PM

Issue created by Melissa Hauck-Baker on 9/25/2025 12:54:26 PM
melissa.hauckbaker@myclearwater.com - 727-444-8769

Provide responses to each of the Issues and ensure that the response addresses each criterion individually.

PLANNING - Prior to CDB: Sight Visibility Triangles

Set to OPEN on 9/23/2025 12:14:18 PM



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

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MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567

Issue created by Melissa Hauck-Baker on 9/23/2025 12:14:18 PM
melissa.hauckbaker@myclearwater.com - 727-444-8769

Must be clearly shown on the plans, noting any potential conflicts as consistent with CDC
Section 3-904.

Response: Plan is revised please see 20'x20' Sight Triangle on sheet C3.1 & L1.1.

PLANNING - Prior to CDB: Signage

Set to OPEN on 9/23/2025 2:32:46 PM

Issue created by Melissa Hauck-Baker on 9/23/2025 2:32:46 PM
melissa.hauckbaker@myclearwater.com - 727-444-8769

Signage will require a separate application for permitting. No signage is being approved through this application for Flexible Development, and all signage references should be removed from the submittal.

Response: Acknowledgement.

PLANNING - Prior to CDB: Solid Waste

Set to OPEN on 9/23/2025 12:10:36 PM

Issue created by Melissa Hauck-Baker on 9/23/2025 12:10:36 PM
melissa.hauckbaker@myclearwater.com - 727-444-8769

Please provide details regarding the method of solid waste handling, which must be approved by Solid Waste.

Response: Acknowledged.

PLANNING - Prior to CDB: Storm Tolerant Native Plant Materials

Set to OPEN on 9/23/2025 1:57:36 PM

Issue created by Melissa Hauck-Baker on 9/23/2025 1:57:36 PM
melissa.hauckbaker@myclearwater.com - 727-444-8769

Native Ground Covers for Storm Tolerance

Coontie (*Zamia integrifolia*): A tough, prehistoric cycad with a deep root system and flexible fronds that allow it to recover quickly from storms and tolerate salt spray.

Beach Sunflower (*Helianthus debilis*): This drought-resistant ground cover is known for its butterfly-attracting flowers and ability to handle the coastal conditions that often accompany storms.

Sunshine Mimosa (*Mimosa strigillosa*): A dense, native ground cover with attractive pink flowers that also acts as a nitrogen fixer.

Railroad Vine (*Ipomoea pes-caprae*): A creeping native vine that can withstand the sandy soils and coastal winds.

Virginia Chain Fern (*Woodwardia virginica*): This native fern can help with erosion control and thrive in damp or swampy areas.

Additional resources via www.sfwmd.gov

Response: Acknowledged.

PLANNING - Prior to CDB: TDR Deed

Set to OPEN on 9/23/2025 2:31:34 PM

Issue created by Melissa Hauck-Baker on 9/23/2025 2:31:34 PM
melissa.hauckbaker@myclearwater.com - 727-444-8769

The application did not include a draft TDR deed, which is the document that will legally transfer the unit must be reviewed by the Legal Department prior to CDB.

Response: TDR Deed is included in this resubmittal.

PLANNING - Prior to CDB: TDR Responses

Set to OPEN on 9/23/2025 2:23:19 PM

Issue created by Melissa Hauck-Baker on 9/23/2025 2:23:19 PM
melissa.hauckbaker@myclearwater.com - 727-444-8769

Ensure that the responses provided to CDC Sections 4-1402 and 4-1403 accurately detail how the request meets with all CDC requirements.

Response: Acknowledged.

STORMWATER - Prior to CDB - General conditions (acknowledge)

Set to OPEN on 9/19/2025 12:18:16 PM

Issue created by Phuong Vo on 9/19/2025 12:18:16 PM
phuong.vo@myclearwater.com - 727-444-8228

- SWFWMD ERP permit is required prior to certificate of occupancy.
- DRC review is a prerequisite for Building Permit Review; additional conditions will be forthcoming upon a comprehensive review of Building Permit submittal.

Response: Acknowledged.



CITY OF CLEARWATER

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MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567

STORMWATER - Prior to CDB (acknowledge)

Set to OPEN on 9/19/2025 12:15:52 PM

Issue created by Phuong Vo on 9/19/2025 12:15:52 PM
phuong.vo@myclearwater.com - 727-444-8228

Demonstrate at Building Permit application that the following are met:

- Water quality and attention volume draws down within 72 hours with a safety factor of 2. SHWT is minimum 6" below vault's bottom. Soil's information for stormwater design shall be based off a signed and sealed geotechnical analysis.
- FFE is 1' min above crown of pavement abutting the building site.
- Offsite drainage is routed in a manner not causing any adverse impacts to other properties.

Response: Acknowledged.

TRAFFIC ENG - Prior to CDB (Acknowledge) - Multimodal Impact Fee (estimate)

Set to OPEN on 9/24/2025 4:59:07 PM

Issue created by Raymond Dresch on 9/24/2025 4:59:07 PM
raymond.dresch@myclearwater.com - 727-444-8775

Please acknowledge that an estimated Multimodal Impact Fee in the amount of \$6,841.00 has been determined by the current plans. Please see worksheet in the Accela system under "Documents". This fee will need to be collected by the City prior to issuance of building permit or CO.

Please acknowledge that you will be responsible for a multimodal impact fee estimated in the amount of \$6,841.00. Please see "Multimodal Impact Fee (estimate)" calculation sheet in the Accela system under "Documents". This fee will need to be collected by the City prior to issuance of CO related to a subsequent BCP. The fee rate is based on Pinellas County Code Chapter 150 - IMPACT FEES.

Response: Acknowledged.

Plan Room Conditions:

No Plan Room Conditions on this case.

Plan Room Notes:

No Plan Room Notes on this case.

F Bay Esplanade Resort
Attached Dwellings
Beach by Design¹ Compliance²

In addition to the Clearwater Comprehensive Plan, Clearwater Beach is governed by *Beach by Design*, a special area plan governing in detail, Clearwater Beach. In *Beach by Design*, the subject site is in the “Old Florida” sub-area, which is primarily a residential area intended for preservation and renovations at limited densities, (pp. 5 - 6).

The proposed development is generally consistent with, and supported by, *Beach by Design*, as follows:

Bay Esplanade Resort Attached Dwellings, will assist in the desired revitalization of Clearwater Beach, (pp. 1-2). With respect to the Old Florida district, *Beach by Design* establishes the following policies:

The Old Florida District, ... is an area of transition between resort uses in Central Beach to the low intensity residential neighborhoods to the north of Acacia Street. The mix of uses primarily includes residential, recreational, overnight accommodations and institutional uses. Given the area's location and historical development patterns, this area should continue to be a transitional District.

To that end, Beach by Design supports the development of new overnight accommodations and attached dwellings throughout the District ...

To ensure that the scale and character of development in Old

¹ City of Clearwater *Beach by Design*, as amended through Ordinance 9340-19.

² In the original submittals the following narrative was included in the Project Narrative. The City, in May, 2025, DRC comments requested that compliance with *Beach by Design* be treated in separate document and this document has been prepared and updated in response to that request.

Florida provides the desired transition between the adjacent tourist and residential areas, enhanced site design performance is a priority. Beach by Design contemplates greater setbacks and/or building stepbacks and enhanced landscaping for buildings exceeding 35 feet in height. (*Ibid.*)

Bay Esplanade Resort Attached Dwellings, complies with these policies in that it:

- aids the transition of the Old Florida District;
- includes resort attached uses;
- employs enhanced site design; and
- provides enhanced landscaping.

Beach by Design establishes the following design parameters with which the proposed site plan comports.

Section II A 1.c

As clearly shown on the revised site and architectural plans, the proposed height of *Bay Esplanade Resort Attached Dwellings*, has been carefully designed, and reconfirmed, to conform with the height design requirements of *Beach by Design* as set out in this Section with respect to the various design/height requirements. The criteria outlined in the DRC Action Agenda are acknowledged. No shade structures, including umbrellas, will be installed on the elevated pool deck area.

Section II A 2 a-b

No flexibility from yard requirements is sought.

Section II A 3 a-f

As clearly shown on the revised site and architectural plans, the proposed height, setbacks and

stepbacks of *Bay Esplanade Resort Attached Dwellings*, have been carefully designed, and reconfirmed, to conform with the design requirements of *Beach by Design* as set out in this Section with respect to the various design/height/setback/stepback requirements. In particular, the criteria enumerated on pages 7, 8 and 9 of the DRC Action Agenda are acknowledged and are fulfilled in the project design. Balconies overhang 24" into east setback and are being shown in both floor plans and elevations. There are no other encroachment into any required yard.

Section II A 4 a-b

The reduction in the required north setback to be achieved through the flexed design is offset as required by *Beach by Design* by with height, setback and stepback design configurations as shown on the site and architectural plans. These configurations will result in an improved design and appearance, particularly by improving uniformity and design in the north yard, along the north property line and in relationship with the south right-of-way line of Bay Esplanade. The east landscape buffer has also been increased to 15 feet.

Section II A 6 a-b

The proposed sites plan **fully and completely complies with all landscape requirements of *Beach by Design*** and all other City codes and requirements. Therefore, no Comprehensive Landscaping Program application is required. In particular, the criteria enumerated on page 7 of the DRC Action Agenda are acknowledged and are fulfilled in the project landscape design.

Scale

Beach by Design, p. 64, Item Bulk 1

Bay Esplanade Resort Attached Dwellings, promotes redevelopment which is in scale with the character and function of Clearwater Beach. In particular, the original maximum density permissible for resort attached for this site is 30 units per acre or six units. Thus, *Bay Esplanade Resort Attached Dwellings*, fits perfectly into the scale of its surroundings.

No Transfer of Development Rights (TDR) is known to have occurred with respect to the subject

1 site but TDR of one unit is sought (TDR 2025-07001) concurrently herewith.

2
3 Infrastructure

4 Beach by Design, p. 64, Item Bulk 2

5 Public infrastructure in the vicinity of *Bay Esplanade Resort Attached Dwellings*, is adequate to
6 serve the proposed development. Potable water, reclaimed water, sanitary sewer, natural gas,
7 power, telephone service and cable television are available to the site and are adequate to serve
8 the proposed resort attached development.

9
10 Additional stormwater runoff will be retained and treated onsite in full compliance with the City
11 of Clearwater's stormwater management requirements.

12
13 Police, fire, and emergency medical services are all available to, and adequate for, the proposed
14 development. As a resort attached development, the project will have little, if any, impact on
15 services such as schools, parks and libraries.

16
17
18 Compatibility

19 Beach by Design, p. 64, Item Bulk 3

20 *Bay Esplanade Resort Attached Dwellings*, is compatible with the existing development in the
21 area. The project has a footprint of less than 5,000 square feet; therefore the *Beach by Design*
22 Design Guidelines are inapplicable. See also the discussion of the project scale, above.

23
24 The site design provides adequate setbacks and landscape areas to meet design challenges. The
25 Old Florida District requires a 10-foot landscape buffer along the street frontage of Bay
26 Esplanade, which this proposal meets and exceeds by increasing the east landscape buffer to 15
27 feet. The landscape buffer along the Bay Esplanade street frontage will be planted with palm and
28 accent trees, shrubs and ground covers to soften the facade of this building and enhance the
29 visual appeal of this site to pedestrians and vehicular traffic (See Sheet L1.1). Therefore, the
30 proposed *Bay Esplanade Resort Attached Dwellings*, proposal comports with this criterion.

Character

Beach by Design, p. 64, Item Bulk 4

The Design Guidelines require that the height and mass of buildings be correlated to: (1) the dimensional aspects of the parcel and (2) adjacent public spaces such as streets and parks. The adjacent Bay Esplanade right-of-way width is 60 feet. The closest point of the building to the front property lines is 15 feet. The surrounding area is developed with attached and detached tourist and resort dwellings. Therefore, this provision is supported by this proposal.

Wall Effect

Beach by Design, p. 64, Item Bulk 5

This criterion does not apply to the inland *Bay Esplanade Resort Attached Dwellings*.

Diversity

Beach by Design, p. 64, Item Bulk 6

The design of *Bay Esplanade Resort Attached Dwellings*, also promotes diversity in the scale, mass and height of buildings. The building design is distinctive from other buildings in the Old Florida area, in part because of its height. The exterior finishing of the building is also distinctive, thereby further adding to the diversity created by the development. In particular, as evidenced by the architectural elevations, the building resembles the stern of a river boat, particularly appropriate in the Old Florida context.

Sidewalks

Beach by Design, p. 64, Item Bulk 7

New concrete sidewalks will be constructed to code on the Bay Esplanade frontage of the site. There are no measurable onsite sidewalks. Sidewalks and landscape treatments will conform and meet all requirements under the Old Florida District by *Beach by Design*

Height

Beach by Design, p. 64, Item Bulk 8

The height of the *Bay Esplanade Resort Attached Dwellings*, is relative to, and in scale with, the width of public places in the vicinity. For the subject site the maximum permitted height is 53 feet measured from the design flood elevation, with up to 16 feet of mechanical equipment exempt from the height calculation. No flexibility from this criterion is sought. See, also, above.

It is acknowledged that any structure placed on the roof to accommodate an active use of the roof must be below the maximum height and that this standard cannot be flexed.

The proposal includes a building height of 53 feet (to top of roof deck from DFE) for the flat roofed building. The elevator and stairs provide access to the sun and pool deck for sunbathing. The proposed resort attached building height complies with the maximum height permissible in the Old Florida District, meeting this Guideline.

Architecture

Beach by Design, p. 64, Item Design 1

As evidenced by the plans, *Bay Esplanade Resort Attached Dwellings*, is designed with aesthetically pleasing architecture in a tropical vernacular. In particular, as evidenced by the architectural elevations, the building resembles the stern of a river boat, particularly appropriate in the Old Florida context.

Street Level

Beach by Design, p. 64, Item Design 2

While this requirement is more applicable to the core area of Clearwater Beach where there is very significantly more pedestrian traffic, *Bay Esplanade Resort Attached Dwellings*, does comply with this criterion. The architectural design of *Bay Esplanade Resort Attached Dwellings*, creates a human scale place at street level. The setbacks of the building, which fully comply with the Community Development Code as flexed and with *Beach by Design*, as flexed, keep the building at the prescribed distances from the adjacent sidewalks.

Form and Function

Beach by Design, p. 64, Item Design 3

The design of *Bay Esplanade Resort Attached Dwellings*, enhances the integration of form and function. Vehicular access from Bay Esplanade into the building functions smoothly while the form of the project, described above, is in keeping with the character and intensity of Clearwater Beach, particularly the Old Florida area; is compatible with its area; promotes diversity in building design; and is at an appropriate height. Further, the project design is aesthetically pleasing at a human scale.

The applicable minimum required setbacks, as established in the Old Florida District pursuant to *Beach by Design*, and as established in the "T" Zoning District, and the setbacks actually provided are shown on the table on page 2 of the Project Narrative submitted herewith.

Landscaping along the north and east sides will be planted with trees, shrubs and ground covers to soften the building facade and enhance the visual appeal of this site from the adjacent properties. A detailed landscaping plan is shown on Sheet L1.1 and landscape details are found on Sheet L.1.2.

Beach Community

Beach by Design, p. 64, Item Design 4

As an resort attached use, *Bay Esplanade Resort Attached Dwellings*, will cater to tourists. Those tourists will avail themselves, by car and on foot, of the numerous community amenities available on Clearwater Beach, including restaurants, shopping and amusement facilities.

Landscaping Materials

Beach by Design, p. 64, Item Design 5

As illustrated on the landscape plans, the called-out landscape materials will differentiate Clearwater Beach from other beach areas and intensely developed places in Pinellas County.

Surface Parking

Beach by Design, p. 64, Item Design 6

There is no onsite surface parking. Please refer to sheets A403 & A404 for the proposed 42" maximum landscape hedge, which will serve as the required landscape treatment of not less than 3' and not more than 3.5' in height. This landscape hedge separates parking areas from the public rights of way at both the north and east facade as required. Also, an aluminum slat system is being used to shield and separate the parking area from the public right of way.

Pedestrian Friendly

Beach by Design, p. 64, Item Design 7

The addition of sidewalks to the area makes the ground level of the site pedestrian friendly, providing access to the building via a new 42" sidewalk along the south side of the building. Because of its location, the project is not expected to see a great deal of pedestrian traffic.

Density

Beach by Design, p. 65, Item A

At six resort attached uses units the density of the project is 30 resort attached dwellings per acre. Thus, *Bay Esplanade Resort Attached Dwellings*, is within the density limits imposed by *Beach by Design*. The Transfer of Development Rights (TDR) is from other property located within the Clearwater Beach Redevelopment District, and does not exceed the maximum permitted density for residential development. Therefore, there is no increase in density.

Height

Beach by Design, p. 66, Item B

See above.

The floorplate is significantly less than 25,000 square feet.

Design, Scale and Mass

Beach by Design, p. 68, Item C

Applicant respectfully states that the building falls into the “good” category on the “good, bad or ugly” spectrum and is to be constructed in compliance with these *Beach by Design* requirements as set out below. See above. Further, the materials and color of the building enhance the comparability of the development with its natural surroundings. In particular:

1. No more than two of the three building dimensions in the vertical or horizontal planes are equal in length;
2. No plane of a building continues uninterrupted for more than 100 feet;
3. At least 60% of all elevations are covered with windows or architectural decorations;
4. The height and mass of the building is correlated to the dimensional aspects of the parcel proposed for development and to adjacent public and semi-public spaces such as streets and parks; and
5. No mix of use is proposed.

As set out on the table on page 2 of the Project Narrative, the proposed *Bay Esplanade Resort Attached Dwellings*, development complies with the required separation criteria.

Setbacks and Stepbacks

Beach by Design, p. 69, Item D

The developer has requested a reduction in the north setback from 15 feet to 10 feet. This requires a stepback on the east of 10 feet. All other setbacks on the site are at least 10 feet. Additionally, due to the building height above 35 feet, 7.2 feet will be added to the stepback on the east. As shown in the drawings, a stepback of 17.2 feet on the east has been accounted for as required.

The Design Guidelines provides that no more than 60 percent of the theoretical maximum building envelope located above 45 feet will be occupied by a building. As shown on the architectural plans, the building design complies with this criterion.

Street Level Facades

Beach by Design, p. 72, Item E

As illustrated on the Architectural plans, all facades are at a human scale, with strong aesthetic appeal, and with the transparency envisioned by *Beach by Design*. Parking utilizes landscape and an aluminum slat system to improve the human scale and aesthetic appeal of the facades as well as shielding parking from a public street. Goods for sale will not be displayed outside of the building, and the building entrance features an inviting, well-lit sign that matches the building's aesthetic

In particular, there are no overly long runs of structure walls; no unbroken features that dominate the design; no monolithic structures; no “wall” or “canyon” effects caused by the building; and no “seas of asphalt,” that would tend to make habitants feel out-of-place within the project. All architectural features are of sizes, shapes, forms, materials and colors that are easy for an average person to use and with which an average person would be comfortable.

Parking

Beach by Design, p. 73, Item F

All parking is provided within the principal structure of the resort attached project and there are no separate parking structures. Interior elements of Level 1 will be as consistent as possible with the balance of the building recognizing the automobile related function of Level 1.

There is no parking that is not within the building's footprint

Signage

Beach by Design, p. 74, Item G

Separate sign applications will be filed with signage design complying with *Beach by Design* in that it will be creative, unique, simple and discrete.

Sidewalks

Beach by Design, p. 74, Item H

Sidewalks will be constructed to code on Bay Esplanade and will be landscaped with palm trees, spaced to a maximum of thirty-five feet (35') on centers, in compliance with the sidewalk landscaping requirements of *Beach by Design*. Improvements to sidewalks within public rights-of-way will be constructed to City specifications.

Street Furniture and Bicycle Racks

Beach by Design, p. 75, Item I

Because of the location of the project, no street furniture is proposed to be installed on Bay Esplanade. A bicycle rack is proposed as shown on the site plan.

Street Lighting

Beach by Design, p. 75, Item J

Because of the location of the project, not a lot of pedestrian traffic will be present. Nonetheless, the developer will work with the City and Duke Energy to ensure the provision of street lights compliant with *Beach by Design*.

Fountains

Beach by Design, p.76, Item K

No exterior fountains are proposed on or adjacent to the subject site.

Materials and Colors

Beach by Design, p. 76 Item L

The building colors will be muted and are in a coastal theme in accordance with the recommended color palatte. No bright colors, awnings, glass curtain walls, or street furniture are proposed.

1 Please refer to sheets A403 & A404 for the proposed exterior building materials and colors.
2 Proposed sidewalks width of 42" will be implemented as required by *Beach by Design*.
3
4

5 Accordingly, the proposed development of *Bay Esplanade Resor, Attached Dwellings*, both
6 complies with the design standards of *Beach by Design*, and also affirmatively advances the
7 goals, objectives and policies of *Beach by Design*.
8

ARBORISTS' REPORT

February 24, 2021

Location: 610-612 Bay Esplande
Clearwater Beach, FL

Prepared for: Housh Ghovae
Northside Engineering Services, Inc.
300 S. Belcher Rd
Clearwater, FL 33765



Urban Forestry Solutions, llc

727.224.2818 UFSLLC@VERIZON.NET

By: Rick Albee

ISA Certified Arborist, SO-0989A

ISA Tree Risk Assessment Qualified (TRAQ)



Tree Inventory

The following Arborist's Report is a Level 2, Basic Assessment, submitted by Urban Forestry Solutions, LLC, and includes findings that I believe are accurate based on my over 30 years of education, experience and knowledge in the field of Arboriculture. I have no interest personally or financially in this property and my report is factual and unbiased.

The following Tree Inventory Report will identify each tree by its size, species and overall condition rating with accompanying notes justifying the Condition Rating. The Tree Survey indicates the location of the tree on the site by the tree identification number. This tree identification number corresponds to the number on the Tree Inventory Report.

Methodology

Tree evaluations can be performed at different levels of intensity:

Level 1: Limited Visual Assessment – A visual assessment performed, typically on foot, to identify obvious defects.

Level 2: Basic Assessment – A detailed visual inspection of a tree and the surrounding site. This assessment may include the use of simple tools. A Level 2 Assessment requires the tree risk assessor to walk completely around the tree trunk, to exam any surface roots above ground, the trunk, and the branches.

Level 3: Advanced Assessment – An assessment performed to provide detailed information about specific tree parts, defects, targets, or site conditions. Specialized equipment, data collection and analysis, and/or expertise are usually required.

Arboricultural Glossary

The following are arboricultural terms used in tree inventories. A basic understanding of these terms will help the reader understand a tree problem.

DBH: The diameter of a tree measured at breast height or 4.5' above grade.

Co-dominant trunks or branches: A condition when two or more trunks or branches emanate from the same position and are essentially the same size.

Included bark: This condition occurs when the bark in the crotch of a co-dominant trunk or branch grows inward and becomes embedded in the crotch and prevents the formation of a branch bark ridge. This condition is a structural defect and may lead to failure.

Structural root plate: Basically, it is the pedestal on which the tree sits on to insure structural stability of the tree. The general rule for determining the size of the root plate is multiplying the trees DBH by 5. Severing or restricting structural roots within this distance may dispose the tree to failure.

Topping cut: An improper pruning cut used to reduce the height or width of a tree. The cut indiscriminately removes the upper portion of a large branch leaving a wound open to decay.

Dieback: A condition in which the branches in the tree crown die from the tip toward the center. This typically indicates decline from root loss, damage and/or disease.

Phototropism: The growth of a plant in the direction of its light source. This typically occurs when younger trees grow under the canopy of a larger older tree. These younger trees typically do not form scaffold branches and are a leggy single stem tree with poor live crown ratio and poor crown density.

Live crown ratio: A measurement of the percentage of live foliage measured vertically. Typically caused by over elevating the tree.

Tree Inventory Data

A tree inventory is a written record of a tree's condition at the time of inspection. Problems not apparent upon visual observations from the ground cannot be noted and were not noted. A tree inventory is also a valuable tool to prioritize tree maintenance and/or removal of trees with problems that could lead to failure and cause personal injury or property damage. The following is an explanation of the data used in the inventory:

Tree# - location - Each tree is assigned a number for reference in the inventory that corresponds with a number on the Tree Survey that identifies the location of the tree in the field.

Size – Diameter at breast height (DBH) is the size of the tree's trunk measured at 4.5' above grade. If there is a fork in the trunk at that point, the diameter is measured at the narrowest area below the fork. Palm species are measured in feet of clear trunk (C.T.). Palm trees <10' are not protected.

Species – Each tree is listed by its common and botanical name the first time it is listed in the inventory. For simplicity, the tree is listed by its common name thereafter.

Condition Rating – The Condition Rating is an assessment of the tree's overall structural strength and systemic health.

Elements of structure include: 1) the presence of cavities, decayed wood and/or split, cracked, or rubbing branches etc., 2) branch arrangements and attachments (i.e., well-spaced branches vs. several branches emanating from the same area on the trunk; co-dominant trunks vs. single leader trunks; presence of branch collars vs. included bark).

Elements of systemic health relate to the tree's overall energy system measured by net photosynthesis (food made) vs. respiration (food used). A tree with good systemic health will have a vascular system that moves water, nutrients and photosynthate around the tree as needed. If a tree is said to be Chlorotic (yellowing) it is lacking nutrients or fertilizer. Indicators of a healthy systemic system used in the overall condition rating include: 1) live crown ratio (the amount of live crown a tree has relative to its mass), 2) crown density (density of the foliage). Poor density typically indicates a declining tree and/or the tree's crown does not have adequate space to develop, generally due to competition from adjacent trees, 3) tip growth (shoot elongation is a sign that the tree is making and storing energy.) The overall condition rating also takes into consideration the species, appearance and any unique features. The rating scale is 0-6 with 0 being a dead tree and 6 a specimen. Increments of 0.5 are used to increase accuracy. Examples of the tree rating system are as follows:

0- A dead tree

1- A tree that is dying, severely declining, hazardous, harboring a communicable disease. A tree with a rating of #1 should be removed as it is beyond treatment and is a threat to cause personal injury or property damage.

2 – A tree exhibiting serious structural defects such as: co-dominant stems with included bark at or near the base; large cavities; large areas of decayed wood; extreme crown dieback; cracked/split scaffold branches; etc. Also included is a tree with health issues (low energy, low live crown ratio, serious disease or insect problems, nutritional deficiencies or soil pH problems). A tree with a rating of #2 or 2.5 should be removed unless the problem(s) can be treated. A tree with a #2 Condition Rating will typically require a considerable amount of maintenance to qualify for an upgrade of the Condition Rating.

3- A tree with average structure and systemic health, minor crown dieback and problems that can be corrected with moderate maintenance. A tree with a co-dominant stem not in the basal area that can be subordinated, cabled and braced or a co-dominant stem that will soon have included bark can be included as a #3. A tree with a rating of #3 has average appearance, crown density and live crown ratio and should be preserved if possible.

4- A tree with a rating of #4 has good structure and systemic health with minor problems that can be easily corrected with minor maintenance. The tree should have an attractive appearance and be essentially free of any debilitating disease or insect problem. The tree should also have above average crown density and live crown ratio. Mature trees exhibiting scars, old wounds, small cavities or other problems that are not debilitating can be included in this group particularly if they possess unique form or other aesthetic amenities relating to their age. A tree with a rating of #4 is valuable to the property and should be preserved.

5 – A tree with very high live crown ratio and exceptional structure and systemic health and virtually free of insect or disease problems or nutritional deficiencies. A tree in this category should have a balanced crown with exceptional aesthetic amenities. A tree in this category should be of a species that possess characteristics inherent to longevity and withstanding construction impacts. A tree with a #5 rating lends considerable value to the site and should be incorporated into the site design. A tree with a #5 rating is worthy of significant site plan modification to ensure its preservation.

6 – A specimen tree. A specimen tree is a tree that possesses a combination of superior qualities regarding systemic health, structural strength, crown density, live crown ratio, form (balanced crown), overall aesthetic appeal, size, species, age and uniqueness. A great effort should be made to preserve a specimen tree including shifting structures that would adversely impact the tree. A specimen tree should have an undisturbed growth area equal to its drip line (equal to the branch spread). Only an experienced and competent International Society of Arboriculture (I.S.A.) Certified Arborist should be allowed to perform maintenance work on a specimen tree.

TREE INVENTORY REPORT

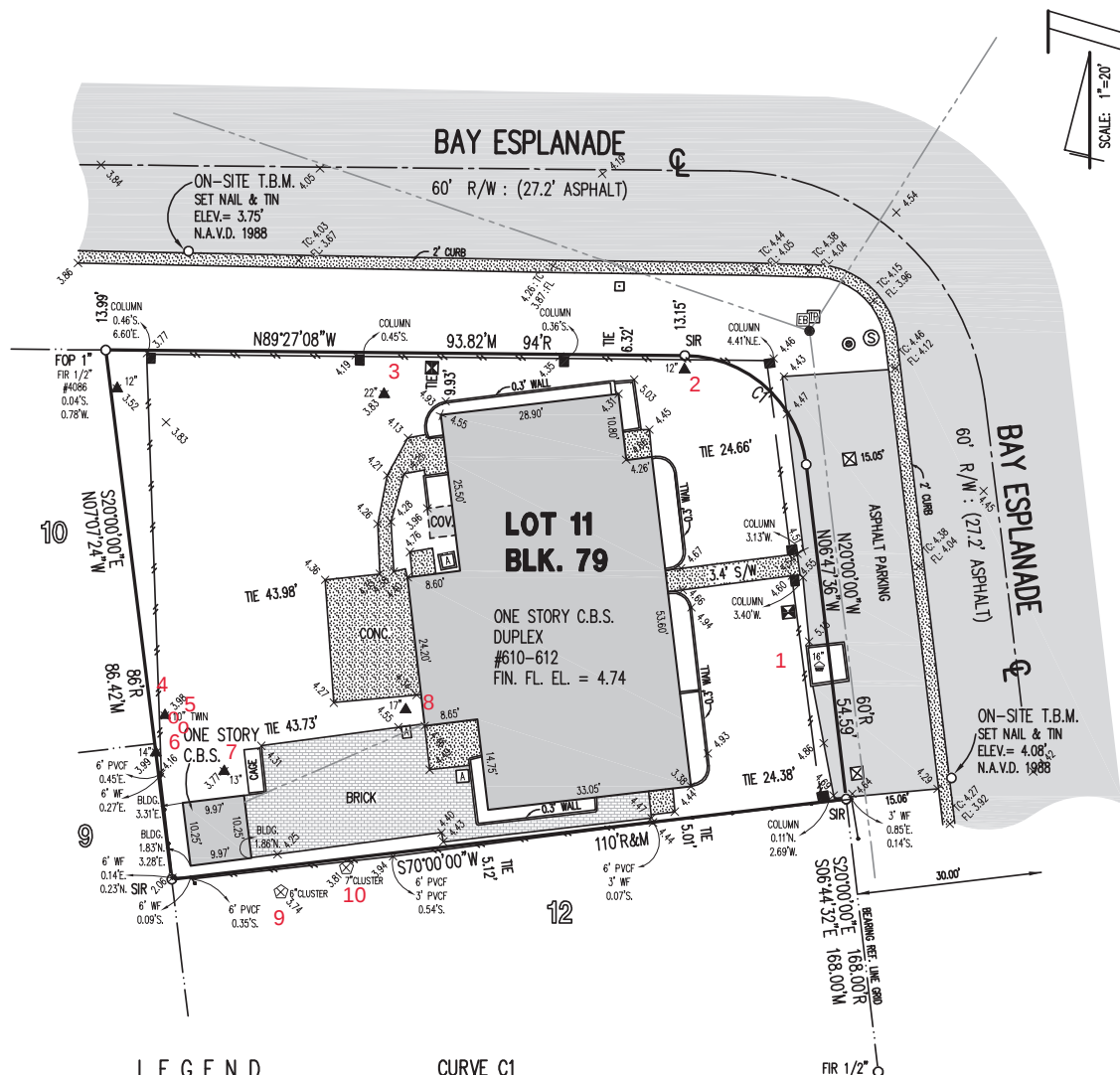
Please note: Trees are living organisms, and with all living organisms, certain degrees of stress may be experienced when they are disturbed in any way. It must be pointed out that it is not humanly possible to entirely ascertain the full extent of stress that the tree may experience. Nor is it possible to assure with 100% probability that the trees will survive. However, with professional arboricultural consulting, it is hoped that the stress factors can be held to a minimum and that the trees will continue to thrive during and following construction.

TREE #	SIZE	SPECIES	RATING
1	45"	Southern Red Cedar (<i>Juniperus virginiana</i>)	2.0
	- Severely restricted structural root plate. Surrounded by a brick wall and asphalt parking lot. - Uplifting adjacent wall and parking lot. - Topped lower scaffold and lateral branches and stubs. - Multi-dominant scaffold branches with 2' of included bark from grade. - Moderate tip dieback. - Broken, dead lateral branches and stub.		
2	16' CT	Queen Palm (<i>Syagrus romanzoffiana</i>)	2.0

		- Minor nutrient deficiencies. - Severely restricted upper trunk from over pruning.	
3	11' CT	Sabal Palm (<i>Sabal palmetto</i>)	4.5
		Minor nutrient deficiencies.	
4	14' CT	Sabal Palm	3.0
		- Moderate phototropic lean to the west. - Severely restricted canopy on the east side. - Minor nutrient deficiencies.	
5	12' CT	Sabal Palm	3.5
		- Minor phototropic lean to the northeast. - Minor nutrient deficiencies.	
6	5"	Carrotwood (<i>Cupaniopsis anacardioides</i>)	1.5
Note: Carrotwood trees are on the Florida Exotic Pest Plant Council's (FLEPPC) list of invasive plant species, category I, and is recommended for removal by the FLEPPC.			
		Poor live crown ratio.	
7	41' CT	Washington palm (<i>Washingtonia robusta</i>)	2.5
Note: Washington palms are on the Florida Exotic Pest Plant Council's (FLEPPC) list of invasive plant species, category I, and is recommended for removal by the FLEPPC.			
		- Minor phototropic lean to the west. - Minor nutrient deficiencies.	
8	13' CT	Sabal Palm	4.0
		Minor nutrient deficiencies.	
9	5", 5", 4", 4"	Sea Grape (<i>Coccoloba uvifera</i>)	3.0
		Multi-stem.	
10	10", 8", 4", 4", 4"	Sea Grape	3.0
		Multi-stem.	

5

BOUNDARY SURVEY - SHEET 1 OF 2



LEGEND

- AIR CONDITIONER
- ELECTRIC BOX
- + 0.00 ELEVATION
- POWER POLE
- ⊠ RECLAIMED WATER METER
- ⊙ SANITARY SEWER MANHOLE
- ⊙ SEWER CLEAN OUT
- SIGN
- TELCOM PEDESTAL
- ⊠ WATER METER
- OVERHEAD WIRES
- 00' ▲ PALM
- 00' ○ UNKNOWN
- 00' ○ SEA GRAPE
- COLUMN
- WOOD FENCE
- PVC FENCE

CURVE C1

RADIUS = 20' R
 ARC = 28.86'
 CHORD = 26.42' M
 CHD. BRG. = S48°07'51"E M

LEGAL DESCRIPTION

LOT 11, REPLAT OF BLOCK 79, MANDALAY UNIT NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 20, PAGE 27, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

FLOOD ZONE

THE ABOVE DESCRIBED PROPERTY APPEARS TO BE IN ZONE "AE" (BASE OF FLOOD ELEVATIONS OF 11 FEET), IN ACCORDANCE WITH THE FIRM MAP OF THE CITY OF CLEARWATER, PINELLAS COUNTY, COMMUNITY NUMBER 125096 (MAP NUMBER 12103C-0102-G), MAP DATED SEPTEMBER 3, 2003.

PREPARED FOR
 OCTAVIO RAPOSO

Tree Inventory Corresponding Numbered Tree Survey
 Prepared by: Urban Forestry Solutions, LLC
 Rick Albee, ISA Certified Arborist #SO-0980A

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CERTIFICATION: I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE SURVEY SHOWN HEREON SUBSTANTIALLY MEETS THE STANDARDS OF PRACTICE FOR LAND SURVEYING DESCRIBED IN THE STATE OF FLORIDA RULE 5J-17, F.A.C. FURTHERMORE, THIS CERTIFICATION SHALL NOT EXTEND TO ANY OTHER PERSONS OR PARTIES OTHER THAN THOSE NAMED ON THIS SURVEY AND SHALL NOT BE VALID AND BINDING AGAINST THE UNDERSIGNED SURVEYOR WITHOUT THE ORIGINAL RAISED SEAL AND SIGNATURE OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

UNOFFICIAL COPY

FOR INFORMATIONAL PURPOSES ONLY FOR THE CERTIFIED PARTIES

JOB NUMBER: 190164 DATE SURVEYED: 07-22-2019
 DRAWING FILE: 190164.DWG DATE DRAWN: 7-25-2019
 LAST REVISION: N/A X REFERENCE: N/A



**GEORGE A. SHIMP II
 AND ASSOCIATES, INCORPORATED**

LAND SURVEYORS LAND PLANNERS
 3301 DeSOTO BOULEVARD, SUITE D
 PALM HARBOR, FLORIDA 34683

PHONE (727) 784-5496 FAX (727) 786-1256

K.R.
 LB 1834



CITY OF CLEARWATER
PLANNING & DEVELOPMENT DEPARTMENT
POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748
MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
TELEPHONE (727) 562-4567 FAX (727) 562-4576

August 4, 2025

Sandra Lee Bradbury
Northside Engineering, Inc.
300 South Belcher Road
Clearwater, FL 33765

VIA FAX: 7274468036

RE: FLD2025-07017 -- 612 BAY ESPLANADE-- Letter of Incompleteness

Dear Sandra Lee Bradbury:

The Planning Staff has entered your application into the Department's filing system and assigned the case number: FLD2025-07017. After a preliminary review of the submitted documents, staff has determined that the application is Incomplete with the following comments.

1. Completeness Review #1

1. The uploaded FLD application is the outdated version, please utilize the copy available on the website which is eleven pages long and has a revision date of May 30, 2025.

Response: Please see revised/new FLD Application.

2. Beach by Design - Old Florida, Section II.A.1.c. Maximum Building Heights. Sheets A403-A404, Color Building Elevations, detail that Level 6 begins at 40 feet (DFE), however, Sheet A116 details that Level 6 has two floor areas which are separated by a set of seven stairs and assuming the riser is 7" and tread is 11" would equal a floor height difference of +/-4.08 feet between the upper/lower portions of Level 6. This is not included in the building elevation measurements which also impacts the calculation of the required step-backs. Based on this Level 6 (upper portion) would begin at +/-44.08 feet (DFE) and the proposed building height will exceed 50 feet (DFE) as noted on Sheet C1.1. Revisions are required and must be consistent throughout the entire submittal before the project can move forward.

Response: The raised platform at the pool deck is an auxiliary structure which has no impact on the structural level indicated as Level 6. The 40' DFE measures to the top of the structure at this level and the next structural element above is the roof structure at 50' DFE. There is no structure located above the raised deck and as such this has NO IMPACT on the overall height of the building.

3. Beach by Design - Old Florida, Section II.A.2.a.-b. Minimum Required Setbacks. Sheet C1.1, Site Data lists the proposed north setback of 15 feet (Front N/E) and 10 feet (Side S/W) however, Sheet C3.1, Site Plan, shows that there are parking spaces and buffer wall encroaching into the north setback. The proposed front setback along the north elevation is 10 feet and the 5-foot setback reduction impacts the calculation of required step-backs. Revisions are required and must be consistent throughout the entire submittal before the project can move forward.

Response: Per the 5' setback reduction along the north property line, 10' have been added to the east step back. All parking spaces and green wall (landscape hedges) are located outside of the front setback along the north elevation.

8/4/2025

Letter_Of_Incompleteness



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748

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4. Beach by Design - Old Florida, Section II.A.3.a.-f. Required Building Step-backs or Alternative Increased Setbacks for Buildings Exceeding 35 feet in Height. The right-of-way is 60 feet which requires a step-back or setback/height ratio of 1 foot for every 2.5 feet of building height above 35 feet (DFE). Sheet C1.1, Site Data lists maximum proposed height of 50 feet (DFE) and due to the issues raised regarding Level 6, the revised building height of +/-54.08 feet (DFE) would increase the required step-back +/-7.63 feet in addition to the required step-back for the reduced front yard setback of 10 feet along the north property line. Revisions are required and must be consistent throughout the entire submittal before the project can move forward.

Response: The step-back is based on the actual height of the finished roof, and as such is consistent with the drawings which show 50'-0" DFE. As noted above in response to paragraph 2, the raised pool deck does not create any change to the height of the roof as there is no structure above the raised portion of Level 6. The setback plus step-back (per ratio of 2.5:1) shall be 16'-0".

5. Beach by Design - Old Florida, Section II.A.4.a.-b. Flexibility of Setbacks/Step-backs for Building in Excess of 35 feet in Height. The proposed building fronts along a right-of-way that runs east and west, as well as north and south. As presently designed the project does not include a setback greater than the minimum required. The maximum setback reduction of 5 feet may be possible if the decreased setback results in an improved site plan, landscaping areas in excess of the minimum required and/or improved design and appearance which has not been addressed in the narrative. Additionally, the setback can be decreased at a rate of 1 foot for every 2 feet in additional step-back. The proposed reduced north setback from 15 feet to 10 feet would require a 10-foot step-back which is in addition to the required step-back of +/-7.63 feet in Section II.A.3, resulting in a required step-back of 17.63 feet. Revisions are required and must be consistent throughout the entire submittal before the project can move forward.

Response: Per the 5' setback reduction along the north property line, 10' have been added to the east step back. Step back on east property line to be 16' (10' per north setback reduction; 6' per step back/height ratio 1' for every 2.5' of building above 35'). Also, 5-feet of additional landscape buffer has been provided along the front east elevation. Additionally, please see response to paragraph 4 regarding required step-back per building height.

6. Beach by Design - Old Florida, Section II.A.6.a.-b. Landscape Buffers. A 10-foot landscape buffer is required along the north and east property lines. However, the requested front yard setback reduction along the north property line requires that the proposed landscaping must be in excess of the minimum required. This is not detailed in the submitted plans and application. The submittal did not include a Comprehensive Landscaping Program application.

Response: 5-feet of additional landscape buffer has been provided along the front east elevation. Refer to sheet A101 Ground Floor Plan.

Section 4-1008 of the Community Development Code states that if an application is deemed incomplete, the deficiencies of the application shall be specified by Staff. No further development review action shall be taken until the deficiencies are corrected and the application is deemed complete. Please re-submit by August 8, 2025, at NOON. Failure to do so will result in the application being withdrawn.

If you have any questions, please do not hesitate to contact me at 727-444-8769 or melissa.hauck-baker@myclearwater.com.

Sincerely yours,

Melissa Hauck-Baker
Planner III

8/4/2025

Letter_Of_Incompleteness

"EQUAL EMPLOYMENT AND AFFIRMATIVE ACTION EMPLOYER"



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748

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TELEPHONE (727) 562-4567 FAX (727) 562-4576

August 13, 2025

Sandra Lee Bradbury
Northside Engineering, Inc.
300 South Belcher Road
Clearwater, FL 33765

VIA FAX: 7274468036

RE: FLD2025-07017 -- 612 BAY ESPLANADE-- Letter of Incompleteness

Dear Sandra Lee Bradbury:

The Planning Staff has entered your application into the Department's filing system and assigned the case number: FLD2025-07017. After a preliminary review of the submitted documents, staff has determined that the application is Incomplete with the following comments.

8/13/2025

Letter_Of_Incompleteness

"EQUAL EMPLOYMENT AND AFFIRMATIVE ACTION EMPLOYER"



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748

MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4567 FAX (727) 562-4576

1. Completeness Review #2 8-11-25 (TDR2025-07001-Companion)
 1. Beach by Design - Old Florida, Section II.A.1.c. Maximum Building Heights.
Permitted maximum building height for attached dwellings is 65 feet (DFE) and the project is proposed at 50 feet (DFE). There are unresolved issues regarding the height. Specifically, the transition between Level 6 and the Pool Deck. Sheet A403, has been revised to show the Pool Deck at 43.5 feet (DFE). However, the proposed floor area of the Pool Deck encroaches 12 feet into the proposed floor area and railing/window for Level 6, this includes the ADA lift. Additionally, the railing/window height on Level 6 does not accommodate the ADA lift or the portion of the Pool Deck where the proposed railing/window height is approximately 5 feet in height. Anyone taller than 5 feet will be able to hang over the side of the railing/window at a height of four stories. Finally, the railing/window height on Level 6 is 8.6 feet in height and is 6.25 feet on the Pool Deck, something here doesn't make sense. Ultimately, these issues may impact the proposed height of the building which is permitted up to 65 feet (DFE) which may also impact the required building setbacks.
 1. Per our conference Teams call, it was determined that the raised pool deck does NOT increase overall building height. Proposed building height is 50' (DFE). Please refer to sheets A403 & A404.
 2. Beach by Design - Old Florida, Section II.A.2.a.-b. Minimum Required Setbacks.
The required front setback is 15 feet and the side setback is 10 feet. Sheet A101 shows the correct front (north) setback of 10 feet. The proposed side (south) setback was 10 feet and now shows the a parking space encroaching into the setback reducing it to approximately 7 feet. Reduced setbacks directly impact the required setbacks.
 2. Please refer to revised sheet A101. Parking space has been relocated and is no longer encroaching into the south setback.
 3. Beach by Design - Old Florida, Section II.A.3.a.-f. Required Building Setbacks or Alternative Increased Setbacks for Buildings Exceeding 35 feet in Height.
The right-of-way is 60 feet which requires a setback or setback/height ratio of 1 foot for every 2.5 feet of building height above 35 feet (DFE). The current height of 50 feet (DFE) requires a base setback of 7.5 feet.
 3. Per required setback calculation = $50' - 35' = 15' / 2.5 = 6'$ has been accounted for and incorporated into the east setback.
 4. Beach by Design - Old Florida, Section II.A.4.a.-b. Flexibility of Setbacks/Stepbacks for Building in Excess of 35 feet in Height.
The proposed building fronts along a right-of-way that runs east and west, as well as, north and south. As presently designed the project does not include a setback greater than the minimum required. The maximum setback reduction of 5 feet may be possible if the decreased setback results in an improved site plan, landscaping areas in excess of the minimum required and/or improved design and appearance. A setback can be decreased at a rate of 1 foot for every 2 feet in additional stepback. The proposed reduced front (north) setback from 15 feet to 10 feet would require an additional 10-foot stepback for a total required 17.5-foot stepback. The proposed stepback of 16 feet as shown on Sheet A110 is not correct. Additionally, the proposed reduced side (south) setback from 10 feet to 7 feet would require an additional 6-foot stepback for a total of 23.5 feet.
 4. The north setback reduction from 15' to 10' requires 10' east stepback. 6' will be added (see response narrative #3) for total of 16' east stepback. South setback to stay at 10' so no further additions to stepback required.
 5. Beach by Design - Old Florida, Section II.A.6.a.-b. Landscape Buffers.
The reduced setbacks require that the proposed landscaping be in excess of the minimum required. The project does not include increased landscape buffers and the resubmittal did not include a Comprehensive Landscaping Program application.
 5. East landscape buffer has been increased from required 10' to 15'.

Section 4-1008 of the Community Development Code states that if an application is deemed incomplete, the deficiencies of the application shall be specified by Staff. No further development review action shall be taken until the deficiencies are corrected and the application is deemed complete. Please resubmit by September 1, 2025 at NOON. Failure to do so will result in the application being withdrawn.

If you have any questions, please do not hesitate to contact me at 727-444-8769 or melissa.hauck-baker@myclearwater.com.

8/13/2025

Letter_Of_Incompleteness

"EQUAL EMPLOYMENT AND AFFIRMATIVE ACTION EMPLOYER"

EXHIBIT "A"
Legal Description

A parcel of land that is a part of Block 83 of A REPLAT OF LOTS 1 TO 8 INCLUSIVE. BLOCK 83 - LOTS 11 TO 20 INCLUSIVE. BLOCK 84 - LOTS 9 TO 16 INCLUSIVE. BLOCK 85 - LOTS 5-6-7 BLOCK 86 AND ALL OF BLOCKS 76-77-78-79-80-81-82-87 UNIT NO. 5 MANDALAY, according to the plat thereof as recorded in Plat Book 20, Page 48, Public Records of Pinellas County, Florida, said parcel for the purposes of locating is shown as Lot 1, and a portion of Lot 2, Block 83, MANDALAY UNIT No. 5, according to Plat Book 20, Page 27, Public Records of Pinellas County, Florida, said part of said Lot 2 is described as follows:

Beginning at the NE corner of said Lot 2 and running thence West along its North boundary 20 feet, thence Southerly in a straight line to a point in the South boundary of said Lot 2, which is 20 feet West, along said boundary from the Southeast corner of said Lot 2, thence East 20 feet to said Southeast corner and thence North along the East boundary of said Lot 2, 110 feet to the Point of Beginning

AND

That part of Block Eighty-three (83) of Unit Five (5), MANDALAY, according to the plat of said subdivision recorded in Plat Book 20 on page 48 of the Public Records of Pinellas County, Florida, described as follows:

From the Northeast corner of said Block Eighty-three (83) run thence West along its North boundary seventy-nine and five-tenths (79.5) feet for a Point of Beginning; run thence Southerly one hundred ten (110) feet in a straight line to a point in the South boundary of said Block which is eighty-six (86) feet West along said boundary from the Southeast corner of said Block; thence West along said South boundary fifty (50) feet; thence Northerly one hundred ten (110) feet in a straight line to a point in the North boundary of said Block which is forty-nine and five-tenths (49.5) feet West along said boundary from the Point of Beginning; thence East forty-nine and five-tenths (49.5) feet to the Point of Beginning.

AND

That part of Block 83, Unit 5, MANDALAY, according to the plat thereof, recorded in Plat Book 20, Page 48, Public Records of Pinellas County, Florida, described as follows:

From the Northeast corner of said Block 83, run West along its North Boundary, 129 feet for the Point of Beginning; thence run Southerly 110 feet in a straight line to a point in the South boundary, which is 136 feet West along said South boundary from the Southeast corner of said block; thence West along the South boundary 50 feet; thence Northerly 110 feet in a straight line to a point in the North boundary of said block which is 49.5 feet West along said boundary from the Point of Beginning; thence East 49.5 feet to the Point of Beginning.

2025 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L21000460721

Entity Name: CLEARWATER JV II, LLC

Current Principal Place of Business:

1144 TALLEVAST ROAD, SUITE 109-110
SARASOTA, FL 34243

Current Mailing Address:

1144 TALLEVAST ROAD, SUITE 109-110
SARASOTA, FL 34243 US

FEI Number: APPLIED FOR

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

NRAI SERVICES, INC.
1200 S PINE ISLAND RD
PLANTATION, FL 33324 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title MANAGER
Name CLEARWATER VILLAGE INVESTORS,
 LLC
Address 1144 TALLEVAST ROAD, SUITE 109-
 110
City-State-Zip: SARASOTA FL 34243

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: JILL WHITE

ASST SECRETARY

03/20/2025

Electronic Signature of Signing Authorized Person(s) Detail

Date

2025 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L21000388095

Entity Name: CLEARWATER VILLAGE INVESTORS, LLC

Current Principal Place of Business:

1144 TALLEVAST ROAD, SUITE 109-110
SARASOTA, FL 34243

Current Mailing Address:

1144 TALLEVAST ROAD, SUITE 109-110
SARASOTA, FL 34243 US

FEI Number: APPLIED FOR

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

NRAI SERVICES, INC.
1200 SOUTH PINE ISLAND ROAD
PLANTATION, FL 33324 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title MGR
Name CVP SRQ, LLC
Address 1144 TALLEVAST ROAD, SUITE 109-110
City-State-Zip: SARASOTA FL 34243

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: JILL WHITE

ASST SECRETARY

03/20/2025

Electronic Signature of Signing Authorized Person(s) Detail

Date

2025 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L22000162797

Entity Name: CVP SRQ, LLC

Current Principal Place of Business:

1144 TALLEVAST ROAD, SUITE 109-110
SARASOTA, FL 34243

Current Mailing Address:

1144 TALLEVAST ROAD, SUITE 109-110
SARASOTA, FL 34243 US

FEI Number: APPLIED FOR

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

NRAI SERVICES, INC.
1200 SOUTH PINE ISLAND ROAD
PLANTATION, FL 33324 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title MANAGER
Name CASTO VACATION PROPERTIES, LLC
Address 1144 TALLEVAST ROAD, SUITE 109-110
City-State-Zip: SARASOTA FL 34243

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: JILL WHITE

ASST SECRETARY

03/24/2025

Electronic Signature of Signing Authorized Person(s) Detail

Date

2025 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L20000355735

Entity Name: CASTO VACATION PROPERTIES, LLC

Current Principal Place of Business:

1144 TALLEVAST ROAD, SUITE 109-110
SARASOTA, FL 34243

Current Mailing Address:

1144 TALLEVAST ROAD, SUITE 109-110
SARASOTA, FL 34243 US

FEI Number: APPLIED FOR

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

NRAI SERVICES, INC.
1200 SOUTH PINE ISLAND ROAD
PLANTATION, FL 33324 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

Authorized Person(s) Detail :

Title MGR
Name HUTCHENS, JOHN
Address 1144 TALLEVAST ROAD, SUITE 109-110
City-State-Zip: SARASOTA FL 34243

Title MGR
Name MOTT, ADAM
Address 711 58TH STREET NW
City-State-Zip: BRADENTON FL 34209

Title MGR
Name MOTT, JENNIFER
Address 711 58TH STREET NW
City-State-Zip: BRADENTON FL 34209

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: HUTCHENS , JOHN

MANAGER

03/19/2025

Electronic Signature of Signing Authorized Person(s) Detail

Date

Prepared by and Return To
Mandalay Realty
620 Mandalay Avenue
Clearwater Beach, FL 33767

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that, Clearwater JV II LLC, a Florida for profit corporation, of the County of Pinellas, State of Florida, Seller, for and in consideration of the sum of ten dollars (\$10.00) lawful money of the United States, to it paid by OGDAN LLC, a New York , for profit corporation of the County of Queens, Purchaser, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold, transferred and delivered, and by these presents does grant, bargain, sell, transfer, convey and deliver unto the said Purchaser, the following goods and chattels:

One (1) Resort Attached Dwelling density unit on property located at 692 Bay Esplanade, Clearwater, Florida 33767, more fully described in that certain Transfer of Development Rights Application filed with the City of Clearwater Planning Department on or about June 30, 2024.

TO HAVE AND TO HOLD the same unto the said Purchaser forever.

And it does covenant to and with the said Purchaser that it is the lawful owner of the said goods and chattels; that they are free from all encumbrances; that it has good right to sell the same as aforesaid, and that it will warrant and defend the sale of the said property, goods and chattels hereby made, unto the said Buyer, against the lawful claims and demands of all persons whomsoever.

1

IN WITNESS WHEREOF, the said Seller has caused these presents to be signed in its name by its Officer/Director, and its corporate seal to be affixed, attested by its Secretary this __ day of _____, 2025

In the Presence of:

Print Name

Print Name

Clearwater JV II LLC,

Florida for profit corporation

By _____

as its Officer/Director

PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT (this “Agreement”) is made by and between **OGAND, LLC**, a New York limited liability company, (“Purchaser”), and **CLEARWATER JV II LLC**, a Florida limited liability company, (“Seller”).

In consideration of the mutual covenants and representations herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller and Purchaser agree as follows:

ARTICLE 1 PURCHASE AND SALE

1. **Purchase, Sale, and Transfer of Development Rights.** Subject to the terms and conditions of this Agreement, Seller hereby agrees to sell and convey to Purchaser, and Purchaser hereby agrees to purchase from Seller, the Seller’s assignable and transferable right, title and interest in one (1) Resort Attached Dwelling density unit on property located at 692 Bay Esplanade, Clearwater, Florida, more fully described in that certain Transfer of Development Rights Application to be filed with the City of Clearwater Planning Department on or about July 31, 2025, which is attached hereto as Exhibit “A” (herein collectively called the “Property”).

ARTICLE 2 PURCHASE PRICE

2. **Purchase Price.** The purchase price (the “Purchase Price”) for the Property shall be TEN AND NO/100 DOLLARS (\$10.00) and shall be paid in cash by Purchaser to Seller at the Closing (as defined herein) by hand.

ARTICLE 3 CONDITIONS TO CLOSING

3. Purchaser and Seller shall have the right to terminate this Agreement after the Purchaser’s appeal of a denial of that certain Transfer of Development Rights Application and/or that certain Flexible Development Application which is attached hereto as Exhibit “A” has been resolved or after the Purchaser, the City, or any interested party’s right to appeal has expired. Seller shall have the right to terminate this agreement in the event the Purchaser does not close on the sale of the transferred development rights per the terms of this Agreement. Purchaser shall have the right to terminate this Agreement in the event it does not close on the purchase of the property located at 612 Bay Esplanade (the “Receiving Site”) and does not take title to the Receiving Site.

ARTICLE 4 CLOSING

4.1 Closing. The Closing (the “Closing”) shall be held at the office of the Seller on or before ten (10) calendar days following the City of Clearwater’s non-appealable approval of the Transfer of Development Rights Application attached hereto as Exhibit “A” (the “Closing Date”) and the Purchaser’s closing on and taking title to the Receiving Site, unless the parties mutually agree in writing upon another place, time or date.

4.2 Seller’s Obligations at the Closing. At the Closing, Seller shall deliver to Purchaser or the Title Company the following:

(a) Evidence of Authority. Such organizational and authorizing documents of Seller as shall be reasonably required to evidence Seller’s authority to consummate the transactions contemplated by this Agreement.

(b) Assignment and Assumption of Development Rights. An Assignment and Assumption of the Property as more fully described in Exhibit “A.”

4.3 Purchaser’s Obligations at the Closing. At the Closing, Purchaser shall deliver to Seller the following:

(a) Purchase Price. The Purchase Price in cash.

(b) Assignment. The Assignment executed by Purchaser.

(c) Evidence of Authority. Such organizational and authorizing documents of Purchaser as shall be reasonably required to evidence Purchaser’s authority to consummate the transactions contemplated by this Agreement.

ARTICLE 5 MISCELLANEOUS

5.1 Notices. All notices, demands and requests which may be given or which are required to be given by either party to the other, and any exercise of a right of termination provided by this Agreement, shall be in writing and shall be deemed effective either:

(a) on the date personally delivered to the address below, as evidenced by written receipt therefor, whether or not actually received by the person to whom addressed;

(b) on the third (3rd) business day after being sent, by certified or registered mail. return receipt requested, addressed to the intended recipient at the address specified below;

(c) on the first (1st) business day after being deposited into the custody of a nationally recognized overnight delivery service such as Federal Express Corporation or UPS, addressed to such party at the address specified below; or

(d) on the date delivered via electronic mail to the electronic mail address below, as evidenced by printed confirmation with the successful electronic transmission of the message.

For purposes of this Section 5.1, the addresses of the parties for all notices are as follows

(unless changed by similar notice in writing given by the particular person whose address is to be changed):

To Purchaser: OGDAN, LLC
 47 05 104th Street
 CORONA, NY, 11368

To Seller: CLEARWATER JV II LLC
 5391 LAKEWOOD RANCH BLVD STE 100
 SARASOTA FL 34240-8622

5.2 Entire Agreement. This Agreement embodies the entire agreement between the parties relative to the subject matter hereof, and there are no oral or written agreements between the parties, nor any representations made by either party relative to the subject matter hereof, which are not expressly set forth herein.

5.3 Amendment. This Agreement may be amended only by a written instrument executed by the party or parties to be bound thereby.

5.4 Headings. The captions and headings used in this Agreement are for convenience only and do not in any way limit, amplify, or otherwise modify the provisions of this Agreement.

5.5 Time of Essence. Time is of the essence of this Agreement; however, if the final date of any period which is set out in any provision of this Agreement falls on a Saturday, Sunday or legal holiday under the laws of the United States or the State of Florida, then, in such event, the time of such period shall be extended to the next day which is not a Saturday, Sunday or legal holiday.

5.6 Governing Law. This Agreement shall be governed by the laws of the State of Florida and the laws of the United States pertaining to transactions in such State.

5.7 Successors and Assigns and Assignment. This Agreement shall bind and inure to the benefit of Seller and Purchaser and their respective heirs, executors, administrators, personal and legal representatives, successors and permitted assigns. Purchaser shall not assign Purchaser's rights under this Agreement without the prior written consent of Seller except to an entity owned and controlled by Purchaser or its principals.

5.8 Invalid Provision. If any provision of this Agreement is held to be illegal, invalid or unenforceable under present or future laws, such provision shall be fully severable; this Agreement shall be construed and enforced as if such illegal, invalid or unenforceable provision had never comprised a part of this Agreement; and, the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by such illegal, invalid, or unenforceable provision or by its severance from this Agreement.

5.9 Attorneys' Fees. In the event it becomes necessary for either party hereto to file suit to enforce this Agreement or any provision contained herein, the party prevailing in such suit shall be entitled to recover, in addition to all other remedies or damages, as provided herein, reasonable attorneys' fees incurred in such suit.

5.10 No Broker or Agent. No broker, finder, agent or similar intermediary has acted for or on behalf of either Party in connection with this Agreement or the transactions contemplated hereby, and no broker, finder, agent or similar intermediary is entitled to any broker's, finder's or similar fee or other commission in connection therewith based on any agreement, arrangement or understanding with either Party or any action taken by either Party.

5.11 Multiple Counterparts. This Agreement may be executed in a number of identical counterparts which, taken together, shall constitute collectively one (1) agreement; in making proof of this Agreement, it shall not be necessary to produce or account for more than one such counterpart with each party's signature.

5.12 Effective Date. As used herein the term "Effective Date" shall mean the last date either party executes this Agreement, not including the title company (whether in counterparts or not).

5.13 No Recordation. Seller and Purchaser hereby acknowledge that neither this Agreement nor any memorandum or affidavit thereof shall be recorded of public record in Pinellas County, Florida, or any other county. Should Purchaser ever record or attempt to record this Agreement, or a memorandum or affidavit thereof, or any other similar document, then, notwithstanding anything herein to the contrary, said recordation or attempt at recordation shall constitute a default by Purchaser hereunder, and, in addition to the other remedies provided for herein, Seller shall have the express right to terminate this Agreement by filing a notice of said termination in the county in which the land is located.

5.14 Merger Provision. Except as otherwise expressly provided herein, any and all rights of action of Purchaser for any breach by Seller of any representation, warranty or covenant contained in this Agreement shall merge with the Assignment and other instruments executed at Closing, shall terminate at Closing and shall not survive Closing.

5.15 Jury Waiver. To the extent permitted by applicable law, purchaser and seller do hereby knowingly, voluntarily and intentionally waive their right to a trial by jury in respect of any litigation based hereon, or arising out of, or under or in connection with this agreement, the documents delivered by purchaser at closing or seller at closing, or any course of conduct, course of dealings, statements (whether verbal or written) or any actions of either party arising out of or related in any manner with this agreement or the property (including without limitation, any action to rescind or cancel this agreement and any claims or defenses asserting that this agreement was fraudulently induced or is otherwise void or voidable). This waiver is a material inducement for seller to enter into and accept this agreement and the documents delivered by

purchaser at closing and shall survive the closing of termination of this agreement.

Purchaser:

Date of Execution by Purchaser:

Seller:

Date of Execution by Seller:

EXHIBIT A
TRANSFER OF DEVELOPMENT RIGHTS APPLICATION

Prepared by and Return To
Mandalay Realty
620 Mandalay Avenue
Clearwater Beach, FL 33767

AFFIDAVIT AS TO TRANSFER OF DEVELOPMENT RIGHTS

Before me, the undersigned authority, personally appeared _____, as Officer/Director of CLEARWATER JV II LLC, (Seller) in connection with that certain Purchase and Sale Agreement dated _____, 2025, who, after being first duly sworn, deposes and says, under oath:

1. That Affiant is familiar with the sale of the following property (Property): One (1) Resort Attached Dwelling density units on property located at 692 Bay Esplanade, Clearwater, Florida 33767, more fully described in that certain Transfer of Development Rights Application filed with the City of Clearwater Planning Department on or about _____, 2025, which is attached hereto as Exhibit A (herein collectively called the Property).

2. That the rights to such Property reflected in the instrument of conveyance have not been previously transferred, assigned or conveyed by Seller to another person or entity.

3. That the Property has not previously been used or exercised by Seller or any other person or entity.

FURTHER AFFIANT SAYETH NOT.

CLEARWATER JV II LLC,
BY _____
Its _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged
before me this _____ day of 2025, by

who is personally known to me or who has
produced a _____
as identification and who did take an oath.

Notary Public

My Commission Expires:

Prepared by and Return To
Mandalay Realty
620 Mandalay Avenue
Clearwater Beach, FL 33767

**SPECIAL WARRANTY DEED
TRANSFER OF DEVELOPMENT RIGHTS**

THIS INDENTURE made this ____ day of _____, 2024, by and between Clearwater JV II LLC, 5391 Lakewood Ranch Boulevard, Suite 100, Sarasota FL 34240-8622, a Florida for profit corporation, Seller, and OGANDM LLC, whose mailing address is: 47 05 104th Street, Corono, NY 11368 a New York for profit corporation, Purchaser:

W I T N E S S E T H:

That the said Seller, for and in consideration of the sum of Ten Dollars (\$10.00) to it in hand paid by the said Purchaser, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained and sold to the said Purchaser, its successors and assigns forever, the following described development rights, situate, lying and being in the County of Pinellas, State of Florida, to-wit:

One (1) Resort Attached Dwelling density units on property located at 692 Bay Esplanade, Clearwater, Florida 33767, more fully described in that certain Transfer of Development Rights Application filed with the City of Clearwater Planning Department on or about June 30, 2024 which is attached hereto as Exhibit "A" (herein collectively called the "Property").

THIS CONVEYANCE is as to the development rights only and does not serve as a conveyance of any other interest in the subject real property.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Seller hereby covenants with the Purchaser that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said development rights, that it hereby fully warrants the title to said development rights and will defend the same against the lawful claims of all persons claiming by, through or under the said Seller but not otherwise.

IN WITNESS WHEREOF, the said Seller has hereunto set its hand and seal the day and year first above written.

Signed, Sealed and Delivered
in Our Presence:

Print Name _____

Print Name _____

As to Seller Clearwater JV II LLC, a Florida for profit corporation,

By: _____ (SEAL)

as its Officer/Director