



## LOCAL PLANNING AGENCY (LPA) STAFF REPORT

**Case Number:** FLU-25-01

**LPA Public Hearing:** April 9, 2025

**Applicant:** Mila Mania Properties, Inc.

**Representative:** Same as Above

**Subject Property:** Approximately 0.21 acres located at 4500 40<sup>th</sup> St N in Lealman.

**Parcel ID(s):** 03-31-16-00000-310-1900



### **REQUEST:**

Future Land Use Map (FLUM) amendment from Residential Urban (RU) to Residential Medium (RM).

### **LOCAL PLANNING AGENCY (LPA) RECOMMENDATION:**

The LPA finds the proposed Future Land Use Map amendment consistent with the Pinellas County Comprehensive Plan and recommends approval by the Board of County Commissioners. (The vote was 4-2, in favor.)

### **Development Review Committee (DRC) RECOMMENDATION:**

- **Staff recommends** that the LPA find the proposed Future Land Use Map amendment **inconsistent** with the Pinellas County Comprehensive Plan, based on this report.
  - **Staff further recommends** that the LPA recommend **denial** of the proposed Future Land Use Map amendment to the Pinellas County Board of County Commissioners.
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## **SUMMARY REPORT**

The Development Review Committee (DRC) reviewed this application on March 10, 2025. The DRC Staff summary discussion and analysis follows:

The subject property consists of 0.21 acres located at 4500 40th St N in Lealman, within the Lealman Community Redevelopment Area (CRA). The site is currently developed with a one-story, single-family home and an attached two-story building that includes garage space on the ground floor and a residential dwelling unit above, for a total of two residential dwelling units. According to the submitted application, the applicant intends to revitalize the property to include an additional dwelling unit for a total of three units.

The current RU land use designation allows for a variety of residential development as well as limited ancillary uses including, for example, institutional, office, retail, and recreation/open space uses where certain property size and location criteria are met. Up to 7.5 dwelling units per acre are permitted in the RU land use designation; and the subject property could accommodate up to two residential dwelling units per the RU designation, given the property size. Furthermore, the RU designation allows for a non-residential use Floor Area Ratio (FAR) of up to 0.4 and an Impervious Surface Ratio (ISR) of up to 0.65.

The proposed RM land use designation allows for similar uses with a maximum of 15 dwelling units per acre. Under the RM designation, a total of up to three dwelling units could potentially be accommodated on the subject property. Furthermore, the RM designation allows for a non-residential use FAR of up to 0.5 and an ISR of up to 0.75.

The current zoning classification is R-4, One, Two and Three Family Residential district. The R-4 district permits single family, duplex, triplex, and townhome residential dwelling units; thus, a rezoning would not be required to redevelop the property with three attached dwelling units (i.e., a triplex). As such, no change in zoning is currently proposed. Redevelopment would potentially bring other zoning requirements into the development process, such as parking, landscaping, setbacks, etc. Important to note, potential zoning-related requirements are not subject to this FLUM application review.

### **Surrounding Uses, Land Use Designations and Zoning Districts**

The subject property is located at the northwest corner of 45<sup>th</sup> Avenue N and 40<sup>th</sup> Street N in Lealman, within the Lealman CRA. This is a residential neighborhood that includes mostly single family residential and some duplex and triplex residential units. There are some industrial and heavy commercial uses to the east, and a mobile home park to the north. Directly adjacent to the subject property include residential duplexes. While the subject property is 0.21 acres in size, neighborhood properties significantly vary in both size and configuration (i.e., width and depth).

All adjacent properties have a land use designation of RU, as do the vast majority of properties in the neighborhood. The nearest RM-designated properties are located approximately 1,250 feet to the west. The zoning is similar with all adjacent properties and the vast majority of neighborhood properties are zoned R-4.

Similar to the County's FLUM, the Countywide Land Use designated on the subject property, all adjacent properties, and the vast majority of properties in the neighborhood is Residential Low Medium on the Countywide Plan Map. If this FLUM amendment proposal were to be approved, a subsequent Countywide Plan Map amendment to Residential Medium would also be required through Forward Pinellas, the Countywide Planning Authority.

### Flood Risk

The subject property is neither within the Coastal High Hazard Area (CHHA) nor the Coastal Storm Area (CSA). The subject property lies within Flood Zone X which is out of the 500-year floodplain. The subject property is not within an Evacuation Zone.

### Conclusion

The DRC staff believes that the proposed land use amendment from Residential Urban (RU) to Residential Medium (RM) is inappropriate for the subject property and general area. All adjacent properties and the vast majority of surrounding properties within the neighborhood are designated RU. A change in land use would amount to an isolated 0.21-acre parcel with a land use designation different from most of the rest of the neighborhood and would also amount to a 100% increase in the maximum permitted residential density from 7.5 to 15 dwelling units per acre.

The DRC also finds the amendment inconsistent with the Pinellas County Comprehensive Plan (see specifically cited goals, objectives and policies listed below).

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### **SURROUNDING ZONING AND LAND USE FACTS:**

	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Existing Use</b>
<b>Subject Property:</b>	Residential Urban (RU)	R-4, One, Two, & Three Family Residential	Duplex
<b>Adjacent Properties:</b>			
<b>North</b>	Residential Urban (RU)	R-4, One, Two, & Three Family Residential	Duplex
<b>South</b>	Residential Urban (RU)	R-4, One, Two, & Three Family Residential	Duplex
<b>East</b>	Residential Urban (RU)	R-4, One, Two, & Three Family Residential	Duplex
<b>West</b>	Residential Urban (RU)	R-4, One, Two, & Three Family Residential	Duplex

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### **IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN**

Staff finds that the proposed amendment is inconsistent with the following adopted goals, objectives, policies, and strategies of the Pinellas County Comprehensive Plan:

### **FUTURE LAND USE ELEMENT**

**FLU POLICY 1.1.1:**

Future Land Use Categories established by Pinellas County will be consistent with the Countywide Plan Map.

**FLU POLICY 1.1.2:**

Future Land Use Categories will be established to prescribe (1) the purpose and intent, (2) standards pertaining to the density and intensity of development, (3) use characteristics, (4) locational characteristics.

**FLU POLICY 1.1.3:**

Maintain a Future Land Use Map (FLUM) that reflects the land use and growth strategy for Unincorporated Pinellas County.

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**COUNTY DEVELOPMENT REGULATIONS**

Approval of this request does not ensure that the site can meet County development regulations, including concurrency management regulations, which apply at the time of site plan review.

**PROPOSED BCC HEARING DATE:** May 20, 2025, at 6:00 p.m.

**CORRESPONDENCE RECEIVED TO DATE:**

One photograph of the subject property.

**PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:**

Two people appeared in opposition.

**ATTACHMENTS:**

Case Maps  
Impacts Analysis  
Traffic Impacts  
Amendment Application