

Denial of Pinellas County Applications  
#FLU22-04 and #ZON22-05

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# Development Potential

Development Potential Under the **Existing** R-E Zoning Designation:

$$2.5 \text{ d.u./ac.} \times 2.79 \text{ ac.} = \underline{\mathbf{7 \text{ units}}}$$

Development Potential Under the **Proposed** RM – CO Zoning Designation:

$$5.0 \text{ d.u./ac.} \times 2.79 \text{ ac.} = \underline{\mathbf{14 \text{ units}}}$$

**With 50 Percent Density Bonus:**

$$5.0 \text{ d.u./ac.} \times 1.5 \text{ bonus} = 7.5 \text{ d.u./ac.}$$

$$7.5 \text{ d.u./ac.} \times 2.79 \text{ ac.} = \underline{\mathbf{21 \text{ units}}}$$



Division 2 – Conditional Overlay  
Section 138-1200 – Definition, Purpose & Intent

“The purpose of a Conditional Overlay (CO) is to provide for additional limitations to the underlying zoning district, *to ensure compatibility with surrounding uses* and consistency with the comprehensive plan and this Code.” (emphasis added)

## Section 138-1202 – Limitation on permitted development regulations

- Development regulations imposed by a CO shall be limited to those which:
  - a) Prohibit certain Type 1, 2 and 3 uses and accessory uses otherwise authorized in the underlying zoning district;
  - b) Decrease the number or average density of dwelling units that may be constructed on the subject property;
  - c) Increase minimum lot size, minimum lot depth or minimum lot width requirements;
  - d) Limit maximum floor area ratio (FAR);
  - e) Limit maximum height;
  - f) Increase minimum yard and setback requirements
  - g) Limit building or impervious coverage;
  - h) Impose specific design criteria; AND/OR
  - i) Restrict access to/from adjacent roadways.

# Uses in R-E Zoning District

## PERMITTED USES

- Residential Uses
  - Community Residential Home, Category 1: 1 to 6 residents
  - Dwelling, Live/Work
  - Dwelling, Single-family Detached and their customary accessory uses
  - Modern Manufactured Home
- Accommodations
  - Short-Term Vacation Rentals
- Arts, Recreation, and Entertainment Uses
  - Natural Resources and Wildlife Management Uses
  - Parks and Recreation areas – Facility-based Low Intensity
  - Parks and Recreation areas – Resource-based
  - Day Care, Family
  - Wireless Communication Tower
- Utilities
  - Utilities, Class I
  - Utilities, Class II
- Agricultural Uses
  - Community Gardens

## ACCESSORY USES

- Animals and Livestock
  - Farm Animals
  - Non-Traditional Pets (examples include pot-bellied pigs, pygmy goats, and marmosets)
- Utilities
  - Solar Energy Systems
- Transportation, Communication, and Information Uses
  - Wireless Communication Antennae (WCA)
- Commercial and Office Uses
  - Food Carts/Food Trucks – Mobile
  - Model Dwelling Units and Pre-construction Sales Offices
- Residential Uses
  - Accessory Dwelling Unit
  - Accessory Dwelling Unit, Owner/Manager
  - Home Occupation
  - Outdoor Storage, Residential

# Incompatibility of Uses

- The applicants have not addressed the incompatibility between the proposed development of twenty (20) residential units housing up to twenty-eight (28) residents and the adjacent R-E zoning district.
- Construction of a multi-family development in an area surrounded by parcels zoned R-E will create an area with uses which are incompatible with one another.
- Further, parcels with owners which have utilized these historically compatible uses in the R-E zoning district will end up being criticized by the residents of the proposed multi-family development due to the incompatibility of the uses.