

## Supporting Narrative 13000 Park Blvd – Land Use and Zoning Amendment

### Applicant's Requests:

1. **Plan Amendment from Residential Suburban (RS) to Residential Low (RL)**
2. **Rezoning from Residential Estate (R-E) to Multi-Family Residential (RM) With Conditional Overlay an Affordable Housing Development (“AHD”), subject to the following conditions:**
  - a. The number of single-unit, residential, attached dwelling units shall be limited to a maximum of 20.
  - b. Dwelling units shall be limited to 1- and 2-bedroom units only.
  - c. The dwelling units will be occupied as independent living units by a maximum of **24** persons with intellectual and developmental disabilities, as defined by F. S. Section 393.063(1), a protected class under the Fair Housing Act, who are capable of living independently, with supportive housing services.
  - d. Supportive housing services will be offered only to residents.
  - e. The height of the new structures on the property will be limited to one story. The existing 2-story structure will be allowed to remain.
  - f. Front and side setbacks will meet the standards of the R-E zoning district as follows:
    - o Front: 25 feet
    - o Side: 15 feet
  - g. The rear setback shall be a minimum of 200 feet.

### Parcel

**Identification Numbers:** 29-30-15-70794-400-0703 and 29-30-15-70794-400-0701

**Address:** 13000 Park Blvd, Seminole, Florida 33776

**Owner:** Community Assisted & Supported Living Inc.  
2911 Fruitville Road, Sarasota, FL 34237-5320

**Zoning:** R-E – Residential Estate District (Single family detached, accessory uses, agriculture and livestock for personal use)

### Future Land

**Use:** RS – Residential Suburban

**Existing Land** Single Family Home

### Use:

**Proposed Development:** Housing for Persons with intellectual and developmental disabilities, a protected class under the Fair Housing Act/Affordable Housing

**Size:** 2.79 acres

## I. Background and Proposed Development

The property proposed for a plan amendment and rezoning is located on 2.79 acre site consisting of two parcels addressed as 13000 Park Blvd in Seminole, Florida (the “Property”). The Property is conveniently located in a mixed use area fronting on the south side of Park Boulevard. The Property lies at the edge of a transition between commercial/office areas to the west, heavy commercial and more intense

residential to the north, and a residential-estate zoned neighborhood to the south. The proposed development:

- Provides housing that is compatible with the surrounding neighborhood;
- Is consistent with the goals, policies, and objectives of the Comprehensive Plan; and
- Will provide desperately-needed, quality, affordable housing, to adults with intellectual and development disabilities (“IDD”), who are capable of independent living, a protected class under the Fair Housing Act (“FHA”).

The Property’s Future Land Use designation under the Pinellas County Comprehensive Plan is RS – Residential Suburban. The purpose of RS is to depict those areas of Pinellas County that are now developed, or appropriate to be developed, in a suburban, low density residential manner, and to recognize such areas as primarily well-suited for residential uses that are consistent with the suburban, non-intensive qualities and natural resource characteristics of such areas.

The Property is currently zoned R-E, Residential Estate which permits single family detached, accessory uses, agriculture and livestock for personal use.

The 2.79 acre Property is currently improved with an attractive, two-story, tudor-style single-family home, and two outbuildings. The Owner wishes to develop the property up to 10 single-story residential structures for a maximum of 20 dwelling units, a community clubhouse for residents, and other community amenities and open space (the “Project”). The existing single family home on the Property will be converted to an amenity center/clubhouse, but will retain its overall exterior appearance as a single-family home. Additional one-story residential structures will be constructed to have the look and feel of single family homes that are complementary to the existing building in style and quality, but will contain two or three residential dwelling units (duplexes or triplexes). The clubhouse and other on-site amenities will be available for use by residents of the development, not to the general public.

The Project will be developed as an Affordable Housing Development (“AHD”) as defined by Section 138-3211 of the Pinellas County Land Development Code, and will qualify for a density bonus as a result. An AHD offering rental units is defined as one in which at least 20% of the units are affordable to households at or below 60% of the area median income (“AMI”). The Developer will apply for AHD certification with Pinellas County.

Although the Project is classified as multi-family residential because it is a development of multiple, single-unit attached residential units under the Pinellas County Code, it is unique in that it will be specifically designed as independent housing for adults with IDD who can live independently with supportive services. The Applicant will seek funding from Florida Housing Finance Corporation to provide financing to develop the Property as housing for persons with IDD. Under applicable program regulations, the Project must maintain a strict ratio of one- to two-bedroom units, and each unit must be separately addressed. Upon approval of the funding, the Applicant will be required to enter into a Land Use Restrictions Agreement (“LURA”) that will limit the development of the property with up to 20 units containing 1 and 2 bedroom units for no more than 24 residents. Sixteen (16) of the units will be 1-bedroom units, while the other 4 will be two-bedroom units. There will be opportunities for social interaction, and supportive housing services, but no personal care services will be offered as part of residency as there would be in a group living, congregate care facility, or assisted living facility. Importantly, the proposed occupancy will be comparable to that of an assisted living facility that could provide between 21 and 33

“equivalent residential units,” in the existing RS future land use category, depending upon the application of affordable housing density incentives.

In the immediately surrounding neighborhood, there are currently two (2) similar housing types offering housing for multiple, unrelated adults with disabilities. According to the Florida Agency for Health Care Administration website, Oak Tree Manor provides 58 beds, and Greenbrier Manor provides twelve (12) beds. Assisted living facilities are allowed in the R-E zoning district, and density is calculated on the basis of “equivalent residential units” (ERUs), where each ERU is equivalent to 1 dwelling unit. Because the Project is not an assisted living facility (it offers *independent* living to adults with disabilities who do not need the personal care services that an assisted living facility offers), the number of *units* is counted rather than the number of *persons*. If density were calculated in the same way as it is for assisted living facilities, the density would be 8. This density would be allowed in the RS future land use category with a density bonus. The Project will be squarely within the middle of the scale for the number of total residents as the other similar existing uses in the neighborhood. The FHA’s reasonable accommodations provision requires that the housing opportunities available at the Property be treated similarly to others. Calculating the density to allow a similar number of independent living opportunities for disabled adults as for assisted living residents is a reasonable accommodation for persons with IDD, a protected class under the FHA, who would otherwise not be able to enjoy the equal opportunity for housing in this area.

## **II. Future Land Use Amendment**

In order to accommodate the proposed development, the Applicant requests a plan amendment to change the Property’s plan category by one level from RS, Residential Suburban to RL, Residential Low. The RS future land use category allows 2.5 dwelling units per acre, and the RL future land use category allows 5 dwelling units per acre. Application of the density bonus for affordable housing developments brings RS up to 4 dwelling units per acre and RL up to 7.5 dwelling units per acre. The proposed RL future land use category is more appropriate for the Property because it is the category for residential uses such as that proposed by the Applicant that are consistent with low density residential uses and serves as a transition between more suburban and more urban residential areas.

Here, the Property is surrounded by a more urban area. The Property has direct access/frontage to Park Boulevard, a major, divided four-lane arterial through Pinellas County. The Property is also adjacent to a commercial node centered on 131<sup>st</sup> Street with R/OG future land use category, which allows residential density of up to 15 units per acre. The heavy commercial area to the north of the Property is designated as CG future land use, which allows residential densities of up to 24 units per acre. The residentially zoned areas on the north side of Park Boulevard to the east of the commercial areas are in the RL future land use category. The proposed future land use amendment would maintain a low density residential future land use category for the Property, while also bringing the residential density in line with the other low density residential future land use categories along Park Boulevard. It would also provide a much-needed transition from the higher intensity areas to the west and north of the Property.

Moreover, the need for a transition between the high density commercial areas and the very low density residential areas to the south along 74<sup>th</sup> Avenue (Old Oakhurst Road) can be seen in the existing development pattern of the properties to the immediate east of the Property fronting on Park Boulevard. While these properties formerly were 3 oversized estate lots, they now include a cul-de-sac subdivision accessed via DeLong Way consisting of 4 smaller lots, and a 58-bed Assisted Living Unit. The Property is currently the only existing lot fronting on Park Boulevard that is comparable in size to the larger estate lots along 74<sup>th</sup> Avenue (Old Oakhurst Road), located on the south side of the block.

In addition, the proposed development of the Property as affordable housing for persons with IDD is recognized by the Pinellas County Comprehensive Plan as essential for the well-being of the community. The plan specifically notes that “[t]he range of housing types, sizes, and costs should be available and affordable for all.” The clustered, small-scale, multi-unit housing type proposed for the Property advances Pinellas County’s stated goal of making safe, quality housing available for all its residents.

Finally, the State of Florida has recognized the need for more affordable housing in Florida counties through the enactment of HB 1339, which has been codified as Chapter 2020-27 (“HB 1339”). In addition to providing more opportunities for affordable housing incentives, HB 1339 goes a step further and provides that affordable housing may be developed on any parcel zoned for residential, commercial, or industrial use, notwithstanding any other law or local ordinance to the contrary. Clearly, the provision of affordable housing is a top priority in Florida. The proposed Project addresses the need in a way that is consistent with the scale of the surrounding land uses.

The proposed RL Land Use category is appropriate for the Property, and is also consistent with the Pinellas County Comprehensive Plan. Additional analysis demonstrating consistency with the Pinellas County Comprehensive Plan is contained in Section IV of this Narrative.

### **III. Rezoning from R-E to RM-CO**

Concurrently with the requested future land use map amendment, the Applicant is requesting a rezoning from the R-E Zoning District to RM-CO (Residential Multi-family with a Conditional Overlay). The purpose of a Conditional Overlay is to provide for additional limitations to the underlying zoning district to ensure compatibility with surrounding uses and consistency with the Pinellas County Comprehensive Plan and Land Development Code. In other words, the Conditional Overlay allows the Applicant and the BOCC through conditions, to precisely tailor and limit the type of development that will be allowed on the Property. The end result is a development that will be more compatible than many of the uses that could otherwise be allowed by right in the R-E zoning district. The Conditional Overlay is especially useful in areas such as this with multiple different land use categories.

Specifically, the proposed conditional overlay imposes the following additional development regulations on the Property:

1. The number of residential dwelling units shall be limited to a maximum of **20**.
2. Dwelling units shall be limited to 1- and 2-bedroom units only.
3. The dwelling units will be occupied as independent living units by a maximum of **24** persons with intellectual and developmental disabilities, as defined by F. S. Section 393.063(1), who are capable of living independently, with supportive housing services.
4. Supportive housing services will be offered only to residents.
5. The height of the new structures on the Property will be limited to one story. The existing 2-story structure will be allowed to remain.
6. Front and side setbacks will meet the standards of the R-E zoning district.

Specifically, the following setbacks will apply:

- Front: 25 feet
  - Side: 15 feet
7. The rear setback shall be a minimum of 200 feet.

As illustrated on the attached conceptual site plan, the conditions will result in a thoughtful site layout that places 14 of the dwelling units to the western side of the Property adjacent to the medical office parcel. The remaining dwelling units will be located towards the front of the Property closest to Park

Boulevard. The deep rear setback will be achieved by relocating the existing pond on the Property to a larger drainage retention area located at the south end of the parcel. No residential dwelling units will be located within 130 feet of any existing single family home parcel, with the exception of the home owned by an affiliate of the Applicant at 12948 Park Boulevard. The proposed Conditional Overlay results in a finely-tuned development that balances the heavier commercial/office/residential areas to the north and west of the site with the less intense residential area to the south and east, without sacrificing the development needs of the Property.

As a further limitation on the development of the Property, the Applicant will seek funding from Florida Housing Finance Corporation to provide financing to develop the property as housing for persons with IDD. If approved, the Applicant will be required to enter into a Land Use Restrictions Agreement that will limit the development of the property with up to 20 units containing 1 and 2 bedroom units for no more than 24 residents with IDD, a protected class under the FHA.

As it exists today, the Property could be redeveloped in a number of ways that would be less compatible with the existing, surrounding uses than the Applicant's proposed development. For example, the Site potentially could be redeveloped into four (4) single-family homes with no specific limitation on the number of related residents (or up to eight (8) residents with disabilities per home under the Fair Housing regulations), by right, without any extraordinary approvals. If constructed as affordable housing, then single-family residential of up to 10 units could be constructed, subject to exceptions for lot size, setback reductions, and other development standards as described in Sec. 138-3211 of the Pinellas County Land Development Code. Other potential uses of the property could include ALF with up to 21 residents, a commercial nursery, and childcare facilities.

#### **IV. Review Criteria**

The Rezoning Application is considered to be a Type 3 use according to the Pinellas County Land Development Code ("LDC"). Section 138-241 of the Pinellas County LDC establishes the following criteria for granting Type 2 or Type 3 use.

"Sec. 138-241. Criteria for Granting Type 2 and/or Type 3 Uses.

- a) The proposed use is consistent with the Pinellas County Comprehensive Plan and with the purpose and intent of the applicable zoning district.
- b) There is adequate separation of the proposed use and related structures from adjacent and nearby uses by screening devices, buffer area, and/or other appropriate means.
- c) Adequate drives, walkways, and parking area available or proposed so that no vehicular circulation or parking problems are created.
- d) The proposed use will not create excessive vehicular traffic or other problems.
- e) Drainage problems will not be created on the subject property or nearby properties.
- f) All provisions and requirements of the applicable zoning district will be met, unless otherwise varied by the authorized reviewing body as authorized by this Code."

The proposed Plan Amendment and Rezoning with Conditional Overlay are consistent with each of the above criteria as shown in the following analysis:

##### **A. Analysis of Consistency with LDC Sec. 138-241 Review Criteria**

**1. The proposed use is consistent with the Pinellas County Comprehensive Plan and with the purpose and intent of the applicable zoning district.**

Analysis: The request is consistent with the following Goals, Objectives and Policies of the applicable elements of the Pinellas County Comprehensive Plan.

## **FUTURE LAND USE ELEMENT**

**FLU Goal 1: PROVIDE A VARIETY OF LAND USE CHARACTER AREAS TO MEET THE NEEDS OF A DIVERSE POPULATION AND SUPPORT THRIVING, RESILIENT, QUALITY COMMUNITIES.**

**FLU Objective 1: Future Land Use Categories that respond to the unique challenges of infill and (re)development within Unincorporated Pinellas County.**

**FLU Policy 1.1.3: Maintain a Future Land Use Map (FLUM) that reflects the land use and growth strategy for Unincorporated Pinellas County.**

Analysis: The Project is compatible with the natural environment, support facilities and services, and the land uses in the surrounding areas. The Property is located on a private, tree lined drive. The style of the multi-family homes to be constructed will be complementary in appearance to existing single family housing in the surrounding neighborhood to the east and south. The neighboring home to the east is owned by an affiliate of the Applicant, and will be of a complementary design with a smaller footprint. The development to the north across Park Blvd is commercial and the development to the west is a combination of professional and commercial uses. The use of the Property as low density residential will provide a transition from more intense uses to the west and north to the less intense uses to the south and east.

The existing driveway will be reconstructed to facilitate site access, but the Applicant will maintain existing trees to the extent possible, and will include recreational amenities onsite to enhance the living experience of the residents. Enhanced buffering will be provided to provide a retreat-like atmosphere for residents and to preserve the privacy of surrounding neighbors. The Applicant will comply with applicable stormwater, tree protection, landscaping, and wildlife protection rules and regulations during the site plan approval process. All sidewalks will be improved or constructed as needed to meet applicable accessibility standards.

**FLU Goal 3 – PROMOTE MIXED-INCOME COMMUNITES THAT PROVIDE A RANGE OF HOUSING TYPES AND COSTS TO MEET THE NEEDS OF OUR RESIDENTS.**

**FLU Objective 3.1: Increase development and design flexibility to encourage a greater diversity of housing types in Unincorporated Pinellas County.**

**FLU Policy 3.1.3: Encourage the implementation of affordable housing developments (AHDs) as defined in the Land Development Code.**

Analysis: The Project will be developed as a high-quality, private, residential community that supports the quality of life for those who will call it home. With a private clubhouse, and plenty of on-site amenities, the residential development will be a community within a community. It will be constructed to maximize privacy for residents of the development as well as to respect the privacy of neighbors. Accordingly, the Project will be compatible with and support the integrity and viability of the existing residential neighborhood to the south and east of the Property.

**FLU Strategy 3.1.3.2: Implement a density bonus for AHDs in the Land Development Code consistent with the Countywide Plan. The density bonus shall not be allowed for affordable housing developments located within the Coastal Storm Area (CSA).**

Analysis: Because the Project will be developed as affordable housing for persons with IDD, a protected class under the FHA, the Applicant will apply for affordable housing incentives consistent with the Comprehensive Plan. Under the current land use category of RS, a density of 7 units for the 2.79 acre site would be allowed. If developed as affordable housing units as proposed, the applicable density bonus would allow a total of up to 11 dwelling units. Because the proposed development includes up to 20 dwelling units, the Applicant requests a land use amendment from RS to RL, which allows up to 5 dwelling units per acre, plus a 50% density bonus for affordable housing. Because the proposed density is a total of 20 dwelling units for the 2.79 acre site, the proposed density of 7.2 dwelling units would be allowed under the RL land use category with application of the bonus density.

**FLU Goal 7: PROVIDE A LAND USE PATTERN THAT CAN BE SUPPORTED BY COMMUNITY AND PUBLIC FACILITIES AND SERVICES.**

**FLU Objective 7.1: Ensure that the land use pattern established by the Future Land Use Map (FLUM) is supported by adequate public infrastructure and facilities.**

**FLU Policy 7.1.1: When making decisions to amend the FLUM or zoning atlas, the adequacy of existing and planned public infrastructure and facilities to support the amendment will be considered.**

**FLU Strategy 7.1.1.1: Decisions to amend the FLUM or zoning atlas will consider the impact on transportation infrastructure and facilities to include:**

- **The ability of the surrounding existing and planned transportation network to meet mobility needs;**
- **The capacity of the surrounding existing and planned transportation network to accommodate projected additional demand; and**
- **The projected impact on traffic patterns resulting from mixed-use development and an emphasis on pedestrian activity, existing and planned/programmed transit service and non-motorized modes of travel.**

Analysis: – Minimal transportation impacts are generated by the addition of 24 residents. The existing public infrastructure is adequate to support.

**FLU Strategy 7.1.1.2: Decisions to amend the FLUM or zoning atlas will consider the impact on utility infrastructure and facilities and associated master plans, including water, wastewater, solid waste and stormwater management.**

**FLU STRATEGY 7.1.1.3: Decisions to amend the FLUM or zoning atlas will consider the impact on community-serving infrastructure and services including parks, recreation and public schools.**

Analysis: Pinellas County maintains concurrency requirements for the following six (6) services: Potable Water, Wastewater, Solid Waste, Stormwater, Recreation and Mass Transit.

- There are existing water and wastewater lines that are available for connection with the Site.
- Solid waste services are available via the County’s collection contractor.

- With regard to Stormwater, concurrency is determined for each site at time of site plan review. It is recognized that the proposed plan amendment site must demonstrate compliance at that time.
- Ample opportunities for recreational activities will be made available to residents of the Property through the proposed clubhouse and other recreational amenities.

Therefore, in summary, the proposed plan amendment is consistent with the above-referenced Goal, Policy and Strategies, and the proposed plan amendment is concurrent for all services.

## **HOUSING ELEMENT**

### **HOU GOAL 1 (Housing Options): PROVIDE A RANGE OF HOUSING OPTIONS FOR ALL CURRENT AND ANTICIPATED FUTURE RESIDENTS.**

#### **HOU POLICY 1.1: Ensure that ample, affordable, safe and sound housing is available to accommodate current and project housing needs and market demand.**

Analysis: With a current wait list of more than 700 for housing for adults with IDD in Pinellas County, it is clear that there is not currently an ample supply of affordable, safe and sound housing to meet the demand. The Project will provide housing for 24 adults with IDD and fulfill a desperate need in the community.

#### **HOU POLICY 1.1.2.1: Ensure freedom of choice in housing type, tenure, and neighborhood for all, regardless of race, color, age, gender, familial status, sexual orientation, religion, national origin, income or ability.**

#### **HOU STRATEGY 1.1.2.2: Provide housing opportunities for the elderly, mentally disabled, physically disabled, or other special classes of persons, and other groups protected by the American Disabilities Act (sic),<sup>1</sup> in single, multiple or congregate living facilities.**

The Project will provide multi-family housing for adults with development differences through a private provider experienced in providing safe, affordable, and permanent supportive housing. The product type is designed to offer housing options to adults with IDD so that they can live in their own homes, as independently as possible. The surrounding mixed use neighborhood offers amenities that are convenient and desirable to all residents of the area, including those who will live in the Project. The location is adjacent to a commercial/office node, next door to a medical plaza, and across the street from a busy shopping plaza anchored by a Winn-Dixie grocery store. The adults living in the Project will have easy access to employment, enrichment, and recreational opportunities, as well as the needs of daily life.

The Project will allow persons with disabilities to broaden their options of housing types. Additionally, it will satisfy the mandate of the ADA and the FHA to integrate persons with disabilities into

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<sup>1</sup> The reference to American Disabilities Act in HOU STRATEGY 1.1.2.2 appears to be a typographical error that should reference the Americans with Disabilities Act (“ADA”).

It is also important to note that there are FHA implications in implementing HOU STRATEGY 1.1.2.2 to provide housing opportunities to persons with disabilities.



the community so that they may enjoy the benefits of community living available to other residents<sup>2</sup>. An integrated neighborhood is one that allows individuals with disabilities to live and interact with both other individuals with disabilities and individuals without disabilities. The Project provides integrated setting so that persons with disabilities who are capable of living independently that is appropriate to their needs, rather than being limited only to congregate care settings or unaffordable options in Pinellas County.

**HOU OBJECTIVE 1.4: Encourage the provision of housing to meet special needs.**

**HOU POLICY 1.4.2: Allow housing for persons with special living needs in residential neighborhoods.**

The small-scale, single-family, attached housing will provide 24 persons with special needs the opportunity to enjoy the residential neighborhood, conveniently located next to office, commercial and employment opportunities.

**2. There is adequate separation of the proposed use and related structures from adjacent and nearby uses by screening devices, buffer area, and/or other appropriate means.**

Analysis: The Applicant will maintain existing trees to the extent possible, and will include recreational amenities onsite to enhance the living experience of the residents. Enhanced landscape buffering will be provided, in addition to a 6-foot high, opaque fence between the Property and single-family residential uses to the east and south of the Property. This will provide a retreat-like atmosphere for residents, and preserve the privacy of surrounding neighbors. The Applicant will comply with applicable stormwater, tree protection, landscaping, and wildlife protection rules and regulations during the site plan approval process.

Additionally, front and side setbacks will meet the standards of the R-E zoning district. Specifically, the following setbacks will apply:

- Front: 25 feet
- Side: 15 feet

The rear setback will far exceed what would otherwise be required in an R-E zoning district, as it shall be a minimum of 200 feet. As illustrated on the attached conceptual site plan, the deep rear setback will be achieved by relocating the existing pond on the Property to a larger drainage retention area located at the north (rear) end of the parcel. No residential dwelling units will be located within 130 feet of any existing single family home parcel, with the exception of the home owned by an affiliate of the Applicant at 12948 Park Boulevard. The proposed Conditional Overlay results in a finely-tuned development that balances the heavier commercial/office/residential areas to the north and west of the site with the less intense residential area to the south, without sacrificing the development needs of the Property.

**3. Adequate drives, walkways, and parking area available or proposed so that no vehicular circulation or parking problems are created.**

Analysis: The existing driveway will be reconstructed to facilitate site access, and will comply with all applicable rules and regulations. Parking will be provided to comply with the County's standards. All sidewalks will be improved or constructed as needed to meet applicable accessibility standards.

**4. The proposed use will not create excessive vehicular traffic or other traffic problems.**

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<sup>2</sup> See *Olmstead v. L.C.*, 527 U.S. 581 (1999).

Analysis: The proposed use is not a type that will create excessive vehicular traffic or other traffic problems, and the Project will comply with all County standards necessary to reduce traffic concerns. In fact, the majority of the residents will not drive, but will rely primarily upon transportation provided as a community amenity.

**5. Drainage problems will not be created on the subject property or nearby properties.**

Analysis: The Project will be required to demonstrate to both Pinellas County and Southwest Florida Water Management District (SWFWMD) that an adequate on-site stormwater management system is designed and will be constructed for the Project. The Applicant will replace the existing pond with a drainage retention area, as shown on the attached conceptual site plan.

Unless and until both agencies approve the engineering design for the project, no building permits will be issued. The Applicant understands that this stormwater management system will be reviewed during the site plan review and building permit process and that the project's stormwater management system must comply with the County and SWFWMD requirements. Therefore, based on this analysis, the Plan Amendment/ Rezoning is consistent with this criterion.

**6. All provisions and requirements of the applicable zoning district will be met, unless otherwise varied by the authorized reviewing body as authorized by this Code.**

Analysis: The Applicant is aware of and will comply with the provisions and requirements of the RM Zoning District, as well as the additional development regulations imposed by the Conditional Overlay, and will comply. In the event that Applicant determines that a variance is necessary, then it will comply with the terms and conditions of any approved variances.

**B. Conditional Overlay**

In addition to the general requirements of the requested rezoning, the Applicant proposes that the Property be subject to a Conditional Overlay that will apply more restrictive development regulations to the Property in order to ensure that the Project remains compatible with the surrounding uses and consistency with the Comprehensive Plan and Land Development Code. Specifically, the Applicant proposes the following conditions:

(1) Allowed Uses: A maximum of 20 residential dwelling units that will include a combination of 1- and 2-bedroom units, to be occupied as independent housing for a maximum of 24 persons with IDD, as defined by Florida Statute Section 393.063(1), to include supportive housing services, provided, however, that no such permanent supportive services shall be provided to persons who are not occupants of the development. The development will be an Affordable Housing Development as defined in Section. 138-3211 of the Pinellas County Land Development Code.

(2) Density: Up to 20 residential dwelling units for a density of 7.2 du/acre.

(3) Duplexes/Triplexes: All units will be located in single-story residential structures.

(4) Total Occupancy: 24 total residents who shall be persons with IDD, as defined by F.S. Section 393.063(1), who are capable of living independently, with supportive housing services.

(5) Supportive Housing Services: Supportive will be offered only to residents.

(6) Height: The height of the new structures on the property will be limited to one story. The existing 2-story structure will be allowed to remain.

(7) Front and Side Setbacks: Front and side setbacks will meet the standards of the R-E zoning district, as follows:

- Front: 25 feet
- Side: 15 feet

(8) The rear setback shall be a minimum of 200 feet.

## **V. CONCLUSION**

The Applicant respectfully requests approval of the proposed Future Land Use Map Amendment and from Residential Suburban (RS) to Residential Low (RL) and the Rezoning from Residential Estate (R-E) to Multi-Family Residential (RM) With Conditional Overlay.

