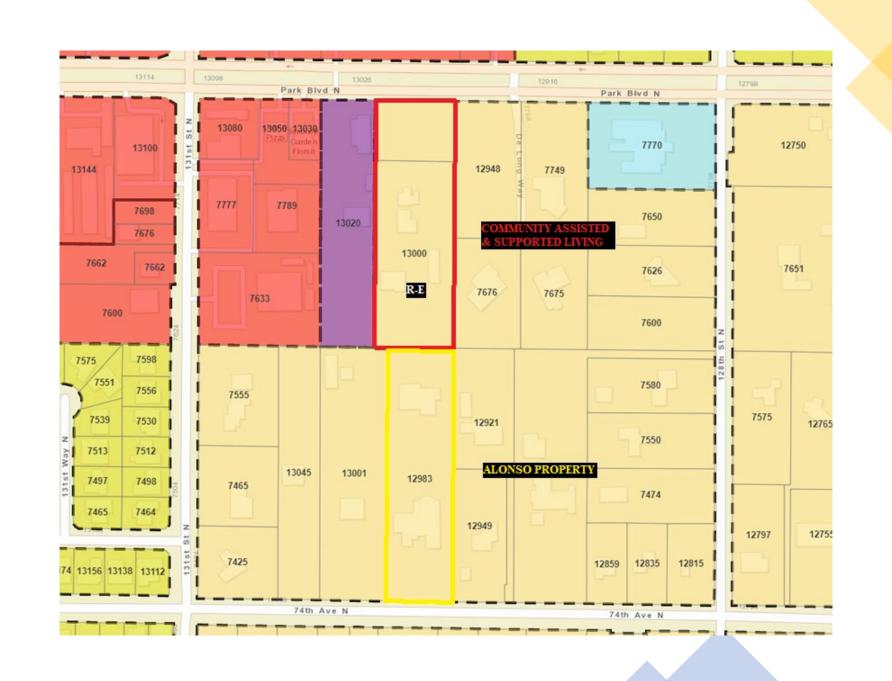
Denial of Pinellas County Applications #FLU22-04 and #ZON22-05

Brian J. Aungst, Jr.





Development Potential

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

2.5 d.u./ac. x 2.79 ac. = <u>7 units</u>

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

5.0 d.u./ac. x 2.79 ac. = **14 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 d.u./ac. x 2.79 ac. = **21 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.