

ORDINANCE NO. 21-27

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF PINELLAS COUNTY, FLORIDA BY CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 2.18 ACRES LOCATED AT 1736 WINCHESTER ROAD IN UNINCORPORATED LARGO LOCATED IN SECTION 30, TOWNSHIP 29, RANGE 16; FROM RESIDENTIAL SUBURBAN TO RESIDENTIAL LOW; REVERSING AND OVERTURNING PINELLAS COUNTY RESOLUTION NO. 21-27; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the application for an amendment to the Future Land Use Map of Pinellas County, Florida, hereinafter listed, has been presented to the Board of County Commissioners of Pinellas County (“Board”); and

WHEREAS, notice of public hearings and advertisements have been given as required by Florida Law; and

WHEREAS, this is a small-scale development amendment, as defined by Section 163.3187(1), Florida Statutes; and

WHEREAS, the Board, on April 27, 2021, in Resolution No. 21-27, denied the subject application for amendment to the Future Land Use Map of Pinellas County, Florida, in case no. Z/LU-20-12; and

WHEREAS, the Applicant, Dushyant Gulati, filed a Request for Relief to s. 70.51, Florida Statutes and a Request for Mediation Pursuant to s. 163.81(4), Florida Statutes; and

WHEREAS, after engaging in mediation on this matter, the Special Magistrate, the Applicant, and Pinellas County executed a Report and Joint Stipulation of Special Magistrate Pursuant to Sections 70.51 and 163.3181(4), Florida Statutes, which contains a settlement and recommendation to the Board in case no. Z/LU-20-12. The terms of the settlement and recommendation are the approval of: (1) the land use amendment from Residential Suburban to Residential Low, in this Ordinance, and the (2) rezoning amendment from R-R, Rural

Residential to R-3, Single Family Residential, with the addition of a Conditional Overlay that has restrictions on the number, size, width, and setbacks of lots, in a separate Board resolution; and

WHEREAS, the proposed settlement and recommendation would reverse the Board's denial of the application for an amendment to the Future Land Use Map of Pinellas County, Florida in Resolution No. 21-27, and approve the land use redesignation of the subject property from Residential Suburban to Residential Low; and

WHEREAS, pursuant to Section 70.51(21), Florida Statutes, the Board may accept, modify, or reject the proposed settlement and recommendation.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pinellas County, Florida in a regular meeting duly assembled this 26th day of October 2021 that:

Section 1. The Future Land Use Map of Pinellas County, Florida is amended by redesignating the property described as: Approximately 2.18 acres located at 1736 Winchester Road in unincorporated Largo. Referenced as Case Z/LU-20-12, and owned by Dushyant Gulati, from Residential Suburban to Residential Low. Legal Description: PINELLAS GROVES NW ¼, SEC 30-29-16 PART OF LOT 21 DESC FROM NE COR OF SW ¼ OF NW ¼ TH S 356.72 FT TH N 89 DW 15 FT FOR POB TH S 317 FT(S) TH W 290 FT(S) TO SW COR OF LOT 21 TH N 337 FT(S) TH E 143 FT(S) TH S 20 FT TH S89DE 144.74 FT TO POB

Section 2. The action of the Board of County Commissioners in Resolution No. 21-27 to deny the amendment to the Future Land Use Map of Pinellas County, Florida in case no. Z/LU-20-12 is hereby reversed and overturned.

Section 3. This Ordinance shall take effect upon:

- a) Receipt of notice from the Secretary of State that the Ordinance has been filed is received; and
- b) Pursuant to Section 163.3187(5)(c), Florida Statutes, this amendment shall become effective upon 31 days following its adoption. If timely challenged, this amendment shall not become effective until the state land planning agency or the Administration Commission issues a final order determining the adopted small-scale amendment is in compliance. No development orders, development permits, or land uses dependent on this Amendment may be issued or commence before the amendment has become effective.