

RESOLUTION NO. 21-122

RESOLUTION CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 2.18 ACRES LOCATED AT 1736 WINCHESTER ROAD IN UNINCORPORATED LARGO; PAGE 704 OF THE ZONING ATLAS, AS BEING IN SECTION 30, TOWNSHIP 29, RANGE 16; FROM R-R, RURAL RESIDENTIAL TO R-3-CO, SINGLE FAMILY RESIDENTIAL – CONDITIONAL OVERLAY, WITH THE CONDITIONAL OVERLAY RESTRICTING THE MAXIMUM NUMBER OF LOTS TO SEVEN, ESTABLISHING THE MINIMUM LOT WIDTH AS 80 FEET, ESTABLISHING THE MINIMUM LOT SIZE AS 9,500 SQUARE FEET, AND REQUIRING AN ADDITIONAL FIVE FEET TO THE MINIMUM SETBACK ON THE EAST AND SOUTH SIDES OF THE PROPERTY; REVERSING AND OVERTURNING PINELLAS COUNTY RESOLUTION NO. 21-27; UPON APPLICATION OF DUSHYANT GULATI, Z/LU-20-12

WHEREAS, Dushyant Gulati, owner of the property hereinafter described, had petitioned the Board of County Commissioners of Pinellas County, Florida (“Board”) to change the zone classification of the real property from R-R, Rural Residential to R-3, Single Family Residential on the subject property; and

WHEREAS, the Board, on April 27, 2021, in Resolution No. 21-27, denied the application to change the zone classification of the real property from R-R, Rural Residential to R-3, Single Family Residential, 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 proposes a settlement and recommendation to the Board in case no. Z/LU-20-12; and

WHEREAS, the proposed settlement and recommendation would, in part, reverse the Board’s denial of the petition to change the zone classification of the real property from R-R,

Rural Residential to R-3, Single Family Residential in Resolution No. 21-27, by approving such zoning reclassification with a Conditional Overlay that restricts the number of lots to seven (7), establishes the minimum lot width as eighty (80) feet, establishes the minimum lot size as nine thousand five hundred (9,500) square feet, and requires an additional five (5) feet to the required minimum setback on the east and south sides of the real property, such that the east property line minimum setback is twenty-five (25) feet, and south property line minimum setback is fifteen (15) for the rear setback and eleven (11) feet for the side setback; and

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

WHEREAS, legal notice of public hearing on such proposed change of zone classification was duly published as required by law, as evidenced by publisher's affidavit filed with the Clerk; and

WHEREAS, said public hearing has been held on the date and at the time specified in said published notice at which citizens and interested persons have been given opportunity to be heard, and all requirements of law and of rules promulgated by this Board have been complied with.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County in regular session duly assembled this 26th day of October 2021, that the zone classification of the following described real property in Pinellas County, Florida, to wit:

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

be, and the same is hereby changed from R-R, Rural Residential to R-3-CO, Single Family Residential-Conditional Overlay, with a Conditional Overlay that restricts the number of lots to

seven (7), establishes the minimum lot width as eighty (80) feet, establishes the minimum lot size as nine thousand five hundred (9,500) square feet, and requires an additional five (5) feet to the required minimum setback on the east and south sides of the real property, such that the east property line minimum setback is twenty-five (25) feet, and south property line minimum setback is fifteen (15) for the rear setback and eleven (11) feet for the side setback, subject to an amendment to the Pinellas County Future Land Use Map from Residential Suburban to Residential Low, Z/LU-20-12.

The action of the Board of County Commissioners in Resolution No. 21-27 to deny the petition to change the zone classification of the real property from R-R, Rural Residential to R-3, Single Family Residential in case no. Z/LU-20-12 is hereby reversed and overturned.

Commissioner \_\_\_\_\_Peters\_\_\_\_\_ offered the foregoing resolution and moved its adoption, which was seconded by Commissioner \_\_\_\_\_Long\_\_\_\_\_ upon the roll call the vote was:

Ayes: Eggers, Justice, Gerard, Long, and Peters.

Nays: Flowers and Seel.

Absent and not voting: None.

**APPROVED AS TO FORM**  
By: David S. Sadowsky  
Office of the County Attorney