

Largo, Florida, January 14, 2021

The Pinellas County Local Planning Agency (LPA) (as established by Section 134-12 of the Pinellas County Land Development Code, as amended) met in regular session using the Zoom virtual meeting platform and in person at the Pinellas County Extension Office, 12520 Ulmerton Road, Largo, Florida at 9:00 A.M. on this date with the following members present:

Steven Klar, Chairman
Mattaniah Jahn
Lari Johnson
Susan M. Reiter
Paul Wikle
Valerie Hibbard (Alternate)
Charlene Beyer (non-voting School Board Representative)

Not Present
Rodney Collman
Ronald Schultz

Also Present
Chelsea D. Hardy, Assistant County Attorney
Glenn Bailey, Planning Department Zoning Manager
Christopher Young, Program Planner
Other interested individuals
Jenny Masinovsky, Senior Board Reporter, Deputy Clerk

CALL TO ORDER

Chairman Klar called the meeting to order at 9:00 A.M. and announced that under Agenda Item No. III.A, the Board would conduct the hearing for Case No. ZON-21-01 first, followed by the hearing for Case No. Z/LU-20-12; whereupon, he reviewed the procedure for the public hearings and announced that today's cases will be heard by the Board of County Commissioners (BCC) on February 23, 2021, and any documents to be reviewed by the BCC should be submitted to staff by February 2.

MINUTES OF NOVEMBER 13, 2020 MEETING – APPROVED

Mr. Wikle moved, seconded by Ms. Hibbard and carried unanimously, that the minutes of the November 13 meeting be approved.

PUBLIC HEARING ITEMS

Legal notice having been published for the items on the agenda, as evidenced by affidavit of publication filed with the Clerk, public hearings were held on the following items. All correspondence provided to the Clerk's Office has been filed and made a part of the record. All persons planning to give testimony were duly sworn by a Deputy Clerk.

PROPOSED ORDINANCE AND RESOLUTIONS AMENDING THE FUTURE LAND USE MAP AND ZONING ATLAS AND A DEVELOPMENT MASTER PLAN

2. APPLICATION OF KATIE HODGES FOR A ZONING CHANGE FROM R-A, RESIDENTIAL AGRICULTURAL, TO R-R, RURAL RESIDENTIAL (ZON-21-01) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Katie Hodges for the above zoning change (ZON-21-01), re approximately 1.59 acres located at 4720 Roberts Road in Palm Harbor.

Referring to a PowerPoint presentation containing maps and photographs, Mr. Young provided information regarding the location of the subject property and discussed surrounding land uses. He indicated that the request is for the development of two single-family detached homes; that the zoning change would eliminate a nonconformity with regard to the lot size; and that the future land use would remain unchanged; whereupon, he related that staff finds the proposal to be compatible with the Comprehensive Plan and recommends approval.

Upon the Chairman's call for the applicant, Katie Hodges, Palm Harbor, appeared and indicated that she had no additional information to add to the staff presentation. No one appeared in response to Chairman Klar's call for proponents or opponents of the application.

Ms. Hibbard moved, seconded by Ms. Jahn and carried unanimously, that the LPA recommend approval of the zoning change to the BCC in accordance with the staff recommendation.

1. APPLICATION OF DUSHYANT GULATI FOR A ZONING CHANGE FROM R-R, RURAL RESIDENTIAL, TO R-3, SINGLE FAMILY RESIDENTIAL, AND A LAND USE CHANGE FROM RESIDENTIAL SUBURBAN TO RESIDENTIAL LOW (Z/LU-20-12) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION

Public hearing was held on the application of Dushyant Gulati for the above zoning and land use changes (Z/LU-20-12), re approximately 2.18 acres located at 1736 Winchester Road in unincorporated Largo.

Referring to a PowerPoint presentation containing maps and photographs, Mr. Bailey provided information regarding the location of the subject property and the surrounding land uses. He described the proposed development, indicating that the request is to allow for single-family detached homes on lots of at least 6,000 square feet and a maximum density of 5.0 units per acre; whereupon, he related that the amendments to the Future Land Use Map and Zoning Atlas are consistent with the Comprehensive Plan; and that staff recommends approval.

Responding to query by Mr. Wikle, Mr. Bailey indicated that improvements to Winchester Road are the responsibility of the applicant, which would be addressed as part of the site plan review process.

Upon the Chairman's call for the applicant, Dushyant Gulati, Clearwater, stated that he is the owner of the property. He distributed documents regarding the application including letters, photographs, and maps, and related that his intent is to build nice homes and improve the street, as it is currently a dirt road.

In response to queries by the members, Mr. Gulati indicated that objects pictured on the unimproved road are not on his property; and that he suspects there is enough room to build seven to nine single-family detached homes.

Upon the Chairman's call for citizens wishing to be heard, the following individuals stated their concerns and responded to queries by the members:

Keith Magruder, Clearwater
Karrie Meeks, Clearwater
Stephen Yeatman, Clearwater

Jessica Jurek, Clearwater
Kim Farmington, Clearwater
Don Leibe, Clearwater
Tedmund Baird, Clearwater
Leo Torres, Largo (submitted correspondence)

In rebuttal, Mr. Gulati addressed the concerns of the opponents by stating that he intends to build nice homes, improve the road, and obtain an environmental study, if needed. He noted that he has spoken with the County regarding bringing utilities to the property. Lengthy discussion ensued regarding various zoning districts and other concerns. Attorney Hardy and Mr. Bailey provided input and responded to numerous queries by the members and indicated that all requirements would need to be complied with.

Ms. Jahn moved, seconded by Mr. Wikle, that the LPA recommend approval of the application to the BCC based on the evidence contained in the staff report and presented at today's hearing, finding it consistent with the Land Development Code and the Comprehensive Plan.

Upon call for the vote, the motion carried 4 to 2, with Mses. Hibbard and Reiter dissenting.

PROPOSED ORDINANCE AMENDING THE PINELLAS COUNTY LAND DEVELOPMENT CODE

- 1. AMENDMENTS TO THE PINELLAS COUNTY LAND DEVELOPMENT CODE CHAPTERS 138, ZONING, AND 154, SITE DEVELOPMENT, RIGHT-OF-WAY IMPROVEMENTS, SUBDIVISIONS, AND PLATTING; AND ADOPTION OF THE TRANSPORTATION DESIGN MANUAL (LDR-21-01) – RECOMMEND APPROVAL AS PER STAFF RECOMMENDATION**
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Public hearing was held regarding a proposed ordinance amending the Pinellas County Land Development Code, Chapters 138 and 154, and providing for the adoption of the Transportation Design Manual.

Mr. Bailey stated that a major Code update was adopted by the BCC in 2018 and went into effect January 1, 2019; and that the update consolidated regulations resulting in a reduction in the number of variance requests received by the County. He noted that further enhancements are needed; that redundancies and inconsistencies still remain; and that the

proposed amendment will correct the issues, allowing for clarification and more flexibility within the Code.

Mr. Bailey indicated that the proposal includes adoption of the Transportation Design Manual, which defines County design requirements related to transportation and traffic facilities, noting that the changes will incorporate certain sections of Code Chapter 154. He stated that it is consistent with the Comprehensive and Countywide Plans and the Countywide Rules; and that the Development Review Committee is recommending approval.

Referring to Land Development Code Section 138-3509-(c)(1) regarding light trespass on neighboring properties, Mr. Bailey noted that staff is requesting a change to amend the Section and strike the exemption for motion sensing lighting, noting that swaying branches and animals often trip the sensors resulting in complaints to Code Enforcement.

Discussion ensued, and Mr. Bailey reviewed the proposed changes in greater detail and responded to queries by the members. He noted that staff is continuing to review the Land Development Code, and there will likely be changes to other chapters in the future.

Ms. Johnson moved, seconded by Ms. Reiter and carried unanimously, that the LPA recommend approval of the Code amendment to the BCC with the stated change requested by staff, and recommend adoption of the Transportation Design Manual, as revised.

SELECTION OF 2021 OFFICERS – MR. KLAR RE-ELECTED CHAIRMAN AND MS. JOHNSON AS VICE-CHAIRMAN

Upon the Chairman's call for nominations, Ms. Johnson nominated Mr. Klar to serve as Chairman for another year, and after brief comments, Mr. Klar accepted the nomination. Ms. Hibbard nominated Ms. Johnson to serve as Vice-Chairman.

Ms. Hibbard moved, seconded by Ms. Reiter and carried unanimously, that Steven Klar and Lari Johnson serve as Chairman and Vice-Chairman, respectively, for 2021.

ATTORNEY COMMENTS

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Attorney Hardy stated that the next LPA meeting will be held in March, as there are no cases scheduled to be heard in February. She indicated that at the next meeting, she will present a short legal review for the members regarding public records and Florida's Government in the Sunshine Law; that it will also include basic ethics and procedural information regarding legislative and quasi-judicial hearings; and that she intends to review the topics annually with the members.

In response to query by Ms. Johnson, Attorney Hardy indicated that both elected officials and appointees to boards making official recommendations are subject to the Sunshine Law.

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ADJOURNMENT

Upon motion by Mr. Wilke, seconded by Ms. Johnson and carried unanimously, the meeting was adjourned at 10:30 A.M.

Chairman