

**PLANNING COMMISSION MINUTES
SEPTEMBER 2, 2021 - 5:30 p.m.**

**Robert Froehling- Chair
Daniel Grannan - Vice Chair
Randy Martin
Charles Kish
Scott Ebert**



**Doug Smith
Tonia Herring
Alternate 1 - Terry Thompson
Alternate 2 – Vince Morris**

- 1) Call to Order by Vice Chair Grannan at 5:31 pm
- 2) Roll Call:

1. Commissioner's Present:

- 1) Daniel Grannan, Vice-Chair
- 2) Randy Martin
- 3) Charles Kish
- 4) Scott Ebert
- 5) Tonia Herring
- 6) Terry Thompson, Alternate 1
- 7) Vince Morris, Alternate 2

Commissioner's Absent:

- 8) Robert Froehling, Chair
- 9) Doug Smith

2. Staff Present:

- 1) Brian Herrmann, City Planner
- 2) Jenette Collins, Urban Planner
- 3) Robert Batsell, City Attorney
- 4) Jeanette Rehberg, Zoning Administrator

- 3) Moment of Silence called for by Vice Chair Grannan
- 4) Pledge of Allegiance led by Vice Chair Grannan
- 5) Agenda Item 5 added by Vice-Chair during meeting: Vice Chair presented the Rules of Order for the conduct of the Planning Commission Meeting
- 6) Adoption of Agenda:

Motion to adopt the agenda by Commissioner Thompson

2nd: Commissioner Martin

Vote: To adopt the Agenda passed 7-0

- 7) Approval of Minutes: **August 5, 2021**

Motion to approve the Minutes as presented by Commissioner Kish

2nd: Commissioner Thompson

Vote: To approve the minutes passed 7-0

- 8) Citizen Input: 3 minutes: None

NOTICE TO PUBLIC

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9) Public Hearings: Vice Chair requested City Attorney Batsell to review the rules governing Quasi-Judicial hearings.

Public Hearing

- a) **APPLICATION NO. PZ21-0087, brought by CRYSTAL MOTOR CAR COMPANY, INC.** PROVIDING FOR A SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN, RECLASSIFYING 8.83 ACRES (MOL) OF PROPERTY OWNED BY CRYSTAL MOTOR CAR COMPANY, INC, ALSO IDENTIFIED AS PARCEL ID 17E18S27 43240 (AK# 3464182) IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER FROM (SPLIT FUTURE LAND USE) HIGHWAY COMMERCIAL (HC) AND HIGH DENSITY RESIDENTIAL (HDR), TO HIGHWAY COMMERCIAL (HC) LAND USE. (This application is associated with the next Item 8b.)

Vice Chair: Read by title into the record

Staff Presentation: Ms. Collins informed the Commission that items 9(a) and (b) (formerly 8(a) and (b)) will be presented together and voted on separately; as such, Item 9(b) will be heard as a Quasi-Judicial hearing.

Vice Chair: Announced the Quasi-Judicial hearing and requested the Clerk swear-in all witnesses. Vice Chair reviewed the rules governing the Quasi-Judicial hearings.

Quasi-Judicial Public Hearing

- b) **APPLICATION NO. PZ21-0088, brought by CRYSTAL MOTOR CAR COMPANY, INC.** BY REZONING 8.83 ACRES (MOL) OF PROPERTY OWNED BY CRYSTAL MOTOR CAR COMPANY, INC, ALSO IDENTIFIED AS PARCEL ID 17E18S27 43240 (AK# 3464182) IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER FROM (SPLIT ZONING) HIGH INTENSITY COMMERCIAL (CH) AND HIGH DENSITY RESIDENTIAL (R-3), TO HIGH INTENSITY COMMERCIAL (CH) ZONING. (This application is contingent on the previous Item 8a.)

Staff Presentation: Ms. Collins presented a PowerPoint describing the applicants requests, the subject property and surrounding properties, and consistency with the City's Comprehensive Plan. Staff recommends approval of the application.

Commissioners: No discussion

Conflicts of Interest: None

Ex-Parte Communication: None

Applicants Presentation: Steve Uiterwyk had nothing to add to the staff presentation, he was there to answer Commissioners questions.

Commissioners Questions:

- Access to SE 8th Avenue
- Reference to what the property will be used for

Public Comment: None

Intervening Parties: None

Commission Discussion: None

Motion: To recommend approval of PZ21-0087 to the City Council by Commissioner Thompson

Second: Commissioner Ebert

Vote: 7-0 to approve the motion

Motion: To recommend approval of PZ21-0088 to the City Council by Commissioner Thompson

Second: Commissioner Herring

Vote: 7-0 to approve the motion

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c) **APPLICATION NO. V21-0007, FILE NO. PZ21-0086, from M. JORIANE HORNING FOR WEALTH TRUST SERVICES, INC.** FOR A THREE-PART VARIANCE REQUEST OF THE CITY OF CRYSTAL RIVER LAND DEVELOPMENT CODE (LDC) FOR A SINGLE-FAMILY RESIDENCE TO ALLOW FOR 1) A FENCE EXCEEDING THE MAXIMUM HEIGHT REQUIREMENT OF FOUR FEET WHEN PLACED IN THE FRONT YARD PURSUANT TO SECTION 5.01.11 FENCES, HEDGES, AND WALLS; 2) THE PLACEMENT OF A FENCE WITHIN THE REQUIRED 25-FOOT CLEAR VISIBILITY TRIANGLE PURSUANT TO SECTION 6.04.04 VISIBILITY AT INTERSECTIONS; AND 3) A RESIDENTIAL DRIVEWAY EXCEEDING THE MAXIMUM WIDTH REQUIREMENTS OF TEN FEET AT THE LOT LINE THAT MAY INCREASE TO A MAXIMUM TWENTY FEET PURSUANT TO SECTION 6.04.02 ACCESS AND DRIVEWAY DESIGN REQUIREMENTS, OF THE LDC. ON PROPERTY LOCATED IN SECTION 21, TOWNSHIP 18S, RANGE 17E; SPECIFICALLY, LOT 34 OF SPRINGDALE ADDITION TO SPRINGS O'PARADISE (PARCEL ID: 17E18S21 0180 0340 AK#1077583) WHICH ADDRESS IS 222 SE KINGS BAY DRIVE, CRYSTAL RIVER.

Vice Chair: Read by title into the record.

Conflicts of Interest: None

Ex-Parte Communication: Commissioner Kish spoke with "some folks" about the application

City Attorney: Request Commissioner Kish explain what discussion he had. Commissioner Kish explained it was with neighbors who were opposed to Variance request.

Staff Presentation: Ms. Collins presented a PowerPoint describing the applicants requests, the subject property and surrounding properties, and consistency with the City's Comprehensive Plan. Staff recommends denial of the request for a fence exceeding the maximum height in a front yard. Staff recommends approval of the two remaining variance requests.

Applicants Presentation: Explained the reasons why they are requesting the three variances:

- For safety of her family
- Privacy for a potential future pool
- Privacy from neighbors

Applicant submitted photos (Exhibit "A") in support of their application.

Commissioner's Discussion:

- Designation of a front yard on a corner lot
- Placement of fence behind the planters that are to be removed
- Can a berm be added to place the fence on
- Safety Issues along the roadways and sidewalks

Public Comment:

- **Opposed:**
 - Keith Shewbart, 224 SE Kings Bay Drive, opposed to 6' fence variance only.

Intervening Parties: None

Applicant's Rebuttal: Addressed Mr. Shewbart's concerns.

Commissioner's Discussion:

- Need to stay consistent with Commissions decisions.

Motion: Three part variance request, vote separately for each part:

Part 1 – Motion: Deny excessive height of the fence in the front yard by Commissioner Thompson

Second: Commissioner Martin

Vote: 7-0 motion approved

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Part 2 – Motion: Deny fence within the visibility triangle by Commissioner Thompson

Second: Commissioner Morris

Vote: 3-4 motion denied

Called for New Part 2 – Motion: Approve fence within the visibility triangle by Commissioner Herring

Second: Commissioner Ebert

Vote: 4-3 motion approved

Part 3 – Motion: Approve to allow the driveway to exceed the width of the driveway

Second: Commissioner Herring

Vote: 7-0 motion approved

- d) **APPLICATION NO. PZ21-0085, BROUGHT BY THE CITY OF CRYSTAL RIVER, FLORIDA AMENDING ORDINANCE NUMBER 05-O-09, APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, AS AMENDED; ESTABLISHING STANDARDS FOR CRAFT BREWERY, WINERY, OR DISTILLERY USE BY AMENDING SECTION 2.03.00 LAND USES PERMITTED IN EACH ZONING DISTRICT, TABLE 2.03.02 PERMITTED USES; BY ADDING SECTION 5.05.17. CRAFT BREWERIES, WINERIES, AND DISTILLERIES.**

Vice Chair: Read by title into the record.

Conflicts of Interest: None

Ex-Parte Communication: None

Staff Presentation: Mr. Herrmann presented the application.

Commissioner Questions:

- Who is the applicant? The City or Pingawear?

Mr. Herrmann continued his PowerPoint presentation of this application.

Commissioner's Discussion:

- Are the Standards generic
- Legal non-conforming use – City Attorney explained legal non-conforming use
- Maximum use/gallons allowed to be produced

Public Comment: None

Motion: To recommend approval of PZ21-0085 to City Council by Commissioner Thompson

Second: Commissioner Martin

Vote: 7-0 motion approved

Quasi-Judicial Hearings Closed: Closed at 6:57 p.m.

10) Public Workshop: Opened at 6:57 p.m.

- a) **APPLICATION NO. PZ21-0089. BROUGHT BY THE CITY OF CRYSTAL RIVER, FLORIDA AMENDING ORDINANCE NUMBER 05-O-09, APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, AS AMENDED; ADDING SECTION 4.03.04 LIGHTING, BY ESTABLISHING STANDARDS FOR ALL LAND USES; AMENDING SECTION 4.07.09 USES, BY REVISING STANDARDS FOR ACCESSORY DWELLING UNITS IN THE CRA OVERLAY DISTRICT; AMENDING SECTION 4.07.10 ADMINISTRATION, BY REVISING REVIEW PROCESSES FOR THE CRA OVERLAY DISTRICT; AMENDING SECTION 5.01.05 ACCESSORY DWELLINGS IN RW, R1, NBR, ZONING DISTRICTS, BY ADDING R2, R3, CW, CG, IND, CON AND PI ZONING DISTRICTS, AND REVISING STANDARDS; DELETING SECTION 5.01.06 ACCESSORY DWELLINGS IN IND, CON, AND PI ZONING DISTRICTS; AMENDING SECTION 5.01.11 FENCES, HEDGES, AND WALLS, BY REVISING STANDARDS; DELETING SECTION 5.01.16 ACCESSORY DWELLINGS CG ZONING DISTRICTS; AMENDING SECTION 6.04.02 ACCESS AND DRIVEWAY DESIGN STANDARDS; AMENDING SECTION 6.04.07 STANDARDS FOR PARKING AND PARKING LOTS, TABLE 6.04.07(A) PARKING SPACE REQUIREMENTS; AMENDING SECTION 8.02.02**

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MEMBERSHIP AND TERMS, BY REVISING PLANNING COMMISSION TERMS; AMENDING SECTION 9.03.01 AUTHORITY AND LIMITATIONS, BY REVISING STANDARDS FOR ADMINISTRATIVE WAIVERS; AMENDING SECTION 10.00.06 COMBINING LOTS, BY REVISING STANDARDS; AMENDING SECTION 10.02.01 GENERALLY, BY REVISING NOTICING REQUIREMENTS; AMENDING SECTION 10.02.03 MAILED NOTICE REQUIREMENTS.

Vice Chair: Read opening of Title, did not read into the record the complete Title.

Staff Presentation: Presented 14 proposed amendments to the Land Development Code.

- 1 Section 4.03.04 – Lighting
- #2 Section 4.07.09 – Uses: Residential Accessory Dwelling Units in the CRA
- #3 Section 4.07.10 – Administration: Administrative Waivers in the CRA
- #4 Section 5.01.05 – Accessory Dwelling Units in R-W, R1, R2, R3, NBR, CW, CG, IND, CON, PI
- #5 Section 5.01.06 – Accessory Dwelling Units in IND, CON, PI zoning districts
- #6 Section 5.01.11 – Fences, Walls, and Hedges
- #7 Section 5.01.16 – Accessory Dwelling Units in CG zoning districts
- #8 Section 6.04.02 – Access and Driveway Design Requirements
- #9 Table 6.04. – Parking Space Requirements
- #10 Section 8.02.02 – Membership and Terms (Planning Commission)
- #11 Section 9.03.01 – Authority and Limitations (Administrative Waivers)
- #12 Section 10.00.06 – Combining Lots
- #13 Section 10.02.01 – Generally (Notice Requirements)
- #14 Section 10.02.03 – Mailed Notice Requirements

Commissioners Comments:

- Discussions regarding:
 - Lighting changes
 - Accessory Dwellings
 - Fences
 - Parking space requirements
 - Planning Commission Membership changes
 - Admin Waivers
 - Lot Combination
 - Notice requirements

11) Unfinished Business: None

12) New Business: None

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- 13) Citizen Input: 5 minutes - None
- 14) Staff Comments: Update on the Civic Master Plan
- 15) Commissioner's Comments: Commissioner Kish thanked staff for the hard work
- 16) Chairman's Comments: This was his second time chairing a meeting, thanks the Commissioners for their help.
- 17) Adjournment:
 - Motion:** To adjourn by Commissioner Thompson
 - Second:** Commissioner Morris
 - Vote:** 7-0 motion approved

ATTEST:



Recording Secretary Signature



Chairperson Signature

MIA FINK, CITY CLERK
Recording Secretary – Printed Name

DANIEL GRANNAN
Chairperson – Printed Name

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