

Planning Commission Agenda

April 4, 2024 - 5:30 p.m.

Daniel Grannan – Chair
Tonia Herring
Richard Laxton
Deborah MacArthur Anderson
Karen Cunningham



Terry Thompson– Vice Chair
Larry Schenavar
Alternate 1 – Gregory Acker
Alternate 2 – Kimberly Salter
Chuck Dixon – School Board*

- 1) Call to Order
- 2) Roll Call
- 3) Moment of Silence
- 4) Pledge of Allegiance
- 5) Adoption of Agenda
- 6) Approval of Minutes: **March 7th, 2024**
- 7) Citizen Input: 3 minutes
- 8) Public Hearings:
 - A.) **Conduct a Public Hearing for APPLICATION NO. PV24-0001 brought by Chris and Beth Ensing** – This application is brought by Chris and Beth Ensing who propose to develop a single-family residence with a detached garage and are requesting multiple Variances of the City of Crystal River Land Development Code (LDC) to allow for 1) a single-family residence having less than the minimum required 25-foot building to front-yard line setback, pursuant to **Section 4.02.02 Standards for buildings and building placement (setbacks)**, of the LDC; and 2) to allow for an accessory detached garage having less than the minimum required 25-foot building to side, adjacent-to-street line setback, and to exceed the maximum allowed 16 feet in height, pursuant to **Section 5.01.02 Accessory building and structures in all zoning districts**, of the LDC, at 1004 NE 3rd Avenue, Crystal River.
- 10.) Unfinished Business
- 11.) New Business
- 12.) Citizen Input: 5 minutes
- 13.) Staff Comments
- 14.) Commissioner’s Comments

NOTICE TO PUBLIC

Any person who decides to appeal any decision of the Planning Commission with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to provide that a verbatim record of the proceeding is made, which record includes testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

Any person requiring reasonable accommodation at this meeting because of a disability or physical impairment should contact the City of Crystal River, City Manager's Office, 123 N. W. Highway 19, Crystal River, FL 34428 (352) 795-4216, at least two (2) days prior to the meeting.

15.) Chairman's Comments

16.) Adjournment

*Appointed by School Board pursuant to §163.3174, Florida Statutes.

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Planning Commission Minutes
March 7, 2024 - 5:30 p.m.

Daniel Grannan – Chair
Tonia Herring
Richard Laxton
Deborah MacArthur Anderson
Karen Cunningham



Terry Thompson– Vice Chair
Larry Schenavar
Alternate 1 – Gregory Acker
Alternate 2 – Kimberly Salter
Chuck Dixon – School Board*

- 1) Call to Order at 5:30 P.M.
- 2) Roll Call
Commissioners Present: Daniel Grannan, Terry Thompson, Richard Laxton, Deborah MacArthur Anderson, and Gregory Acker,
Commissioners Absent: Tonya Herring, Karen Cunningham, Larry Schenavar, and Kimberly Salter.
- 3) Moment of Silence was led by Chairman Grannan
- 4) Pledge of Allegiance was led by Chairman Grannan
- 5) Adoption of Agenda-Motion to adopt the agenda was made by Chairman Grannan; seconded by Commissioner Laxton- Motion carried 5-0
- 6) Approval of Minutes: **February 1st, 2024- Motion to approve the minutes of February 1st 2024, was made by Vice Chairman Thompson; seconded by Chairman Grannan- Motion carried 5-0**
- 7) Citizen Input: 3 minutes Public- None
- 8) Hearings: None
- 9) Training: **Quasi-Judicial Training** – Training was presented by Attorney Robert Batsel of Gooding & Batsel, PLLC., to highlight application of Quasi-Judicial function. Additionally, Attorney Batsel answered questions about Sunshine Law. Attorney Batsel explained ex parte communication and due process. Attorney Batsel spoke about competent testimony and how to be impartial. Attorney Batsel introduced examples of recent cases and concluded by answering questions from the presentation.
- 10.) Unfinished Business- None
- 11.) New Business- None
- 12.) Citizen Input: 5 minutes- None

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- 13.) Staff Comments- Growth Management Director Jenette Collins announced agenda items coming up on April's agenda.
- 14.) Commissioner's Comments- None
- 15.) Chairman's Comments- None
- 16.) Adjournment- Motion to adjourn the meeting was made by Vice Chairman Thompson, seconded by Chairman Grannan, **Motion carried 5-0** at 6:37 P.M.

*Appointed by School Board pursuant to §163.3174, Florida Statutes.

ATTEST:

Recording Secretary Heather Lacey

Chairman Daniel Grannan

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CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Development Services Department

MEETING DATE:	April 4, 2024
VARIANCE APPLICATION NO. PV24-0001 CHRIS & BETH ENSING	
VARIANCE REQUESTED:	A multiple Variance request of the City of Crystal River Land Development Code (LDC) to allow for 1) a single-family residence having less than the minimum required 25-foot building to front-yard line setback, pursuant to Section 4.02.02 Standards for buildings and building placement (setbacks) , of the LDC; and 2) to allow for an accessory detached garage having less than the minimum required 25-foot building to side, adjacent-to-street line setback, and to exceed the maximum allowed 16 feet in height, pursuant to Section 5.01.02 Accessory building and structures in all zoning districts, of the LDC.
SUBJECT PROPERTY:	Section 21, Township 18S, Range 17E; specifically, Lots 205 & 206, Plat of the Townsite of Crystal Park, Plat Book 1, Page 2 (AK: 1070171); which address is 1004 NE 3 rd Avenue, Crystal River, FL. A complete legal description of the property is on file with the Planning and Development Services Department.
ACREAGE:	Approximately 15,000 square feet (0.34 acres).
ZONING DISTRICT:	R-2, Medium Density Residential
FLOOD ZONE:	According to the Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone AE with a Base Flood Elevation (BFE) of 11 feet, as found on FIRM Panel Number 12017C0189E. (Effective date: January 15, 2021)
SURROUNDING AREA:	North – vacant residential South – residential across NE 10 th St East – residential across NE 3 rd Ave West – vacant residential The surrounding area is zoned R-2 committed to single-family residential on quarter-acre lots, often developed on two or more contiguous lots.
PREPARED BY:	Jenette Collins, AICP, Growth Management Director

BACKGROUND INFORMATION: This application is brought by Chris and Beth Ensing who propose to develop a single-family residence with a detached garage and are requesting the following variances of the LDC.

Variance request of Section 4.02.02. Standards for buildings and building placement (setbacks):

- A single-family residence having a 13-foot setback rather than the minimum required 25-foot front yard setback as measured from the right-of-way of NE 3rd Avenue, including front steps that will extend three feet perpendicular from the front horizontal plane of the residence; and

Variance request of Section 5.01.02 Accessory building and structures in all zoning districts:

- An accessory detached garage having a 15-foot setback rather than the minimum required 25-foot side-street setback as measured from the right-of-way of NE 10th Street; and
- having a 20-foot height rather than the maximum allowed 16-foot height.

The subject property comprises two combined lots located on the northwest corner of NE 3rd Avenue (a local collector road) and NE 10th Street (a local road). The property is rectangular in shape, measuring 100 feet wide on NE 3rd Avenue, and 150 feet deep along NE 10th Street. The property has an existing single-family residence built in 1930¹ preceding current code standards, having nonconforming setbacks as shown on the survey prepared by Compass Surveying. The property owner is in the process of demolishing the existing residence to redevelop the property as requested with this application.

The proposed single-family residence includes an attached swimming pool that will adhere to the minimum allowed 15-foot side, adjacent-to-street setback requirements of the primary structure as per Section 5.01.13 *Swimming pools and pool enclosures*, of the LDC.

ANALYSIS:

Setback Variance for the Residence: Section 4.02.02. *Standards for buildings and building placement (setbacks)*, of the LDC, requires that the primary structure (in this case a single-family residence) must maintain a minimum 25-foot setback from the front property line as measured to the edge of the right-of-way line, and a minimum 15-foot setback from the secondary right-of-way line. The applicant desires to construct the residence on the southern side of the lot similarly located as the original residence. The existing residence (under demolition) was built prior to current LDC standards and was set back approximately 20 feet from NE 3rd Street, and 8.2 feet from NE 10th Street. It contained a small, wooden covered entry with a ramp that extended toward and connected to the sidewalk located on NE 3rd Street. The proposed residence is requesting to have a 13-foot setback from NE 3rd Street and will maintain the minimum required 15-foot setback from NE 10th Street.

The applicant's narrative (included in the application submittal) indicates that the hardship is based partially on the grade of the property which slopes down from NE 10th Street from a 9-foot elevation to a 4-foot elevation, and that constructing the building at the required setback would require significant fill along with a retaining wall to meet the minimum flood elevation requirements. A review of the Federal Emergency Map Agency's FIRM finds that the subject property is in a designated Special Flood Hazard Zone AE having a required base flood elevation (BFE) of 11 feet above mean sea level (MSL). The city also requires an additional 1-foot freeboard for a total minimum elevation requirement of 12 feet above MSL. This criterion is applied to the finished floor elevation of the residence. The FIRM elevation contour lines show the property fluctuates from 5 to 9 feet above mean sea level. The applicant also is concerned that additional fill will be detrimental to the existing trees to be maintained central to the subject property. The trees, which are at least 12 inches in diameter or larger, are designated as protected trees pursuant to Section 4.05.05 *Requirements for trees and tree protection*, of the LDC.

The applicant has indicated his desire to design the re-development of the property consistent with the intent of the city's Civic Master Plan adopted by Resolution on April 11, 2022. This document endorses the future vision of the city, resulting in the city's current development of a new community development code to promote form-based design for a walkable and connected community. The Community Development Code has not been adopted; however, the proposal is consistent with the intent of the proposed code.

¹ Year built source: Citrus County Property Appraiser datasets.

It is noted that the subject property is not located within the Crystal River Community Redevelopment Area (CRA). The proposed residence shall adhere to all other development standards of the LDC, including clear visibility triangle and impervious surface area. A review of the neighboring properties on the Property Appraiser’s website finds that many of the surrounding residences were built prior to zoning regulations in the city. The front yard setbacks in the immediate neighborhood vary in front yard setback from 30 feet and 135 feet as demonstrated in the table.

Front Yard Setbacks* of Existing Residences Proximate to the Subject Property

Lot Number	Yr Built	Residential Address	Front Street Setback	Side Street Setback
205, 206	Proposed	1004 NE 3 rd Ave	13 feet from NE 3 rd Ave	15 feet from NE 10 th St
218, 219	1945	1007 NE 3 rd Ave	30 feet from NE 3 rd Ave	10 feet from NE 10 th St
150 - 152	1968	945 NE 3 rd Ave	80 feet from NE 3 rd Ave	17 feet from NE 10 th St
142 - 146	1900	950 NE 3 rd Ave	135 feet from NE 3 rd Ave	20 feet from NE 10 th St

*Source: **Note: Front Yard Setback measurements are approximated based on Citrus County Property Appraiser’s GIS.**

Setback and Height Variance for the Detached Garage: *Section 5.01.02 Accessory building and structures in all zoning districts*, of the LDC, allows for detached accessory buildings associated with the primary structure. This provision allows for up to three accessory structures not to exceed 12 feet in height, however, that one of the structures may be constructed up to 16 feet in height to accommodate recreational vehicles, boats, or other large objects. It also requires that the accessory building must maintain a 25-foot building setback to any side adjacent to a street.

The applicant proposes a 28-foot by 36-foot detached garage area with a loft room above having a 20-foot height and a 15-foot building setback as measured from the right-of-way of NE 10th Street. The applicant has advised that he wants the detached garage to be consistent with the proposed 15 -foot setback of the residence as proposed on NE 10th Street, and that the 20-foot height variance will aesthetically match but not exceed the height of the residence.

As with the proposed residence, the application states the same hardship regarding desire to minimize fill so that the garage elevations are in keeping the residence and to minimize removal of the trees central to the subject property.

REQUIRED FINDINGS FOR GRANTING A VARIANCE: Pursuant to Section 9.02.02 of the Crystal River Land Development Code, in order for an application for a variance to be approved or approved with conditions, the planning commission shall make a positive finding, based on the evidence submitted, with regard to each of the following conditions.

1. ***There is a specific hardship affecting the development of the lot resulting from the strict application of the provisions of the LDC;*** The applicant advises that that there is a physical hardship of the lot due to the topography which slopes down from NE 10th Street from a 9-foot elevation to a 4-foot elevation, in addition to the desire to preserve trees located central to the property. Applying the strict provisions of the LDC would require elevating the home by bringing in additional fill which may be detrimental to the maintenance of the existing trees.
2. ***The hardship is not a result of actions of the owner and is not based solely on a desire to reduce development costs;*** The hardship is derived from the existing conditions of the subject property.

The home could be built to meet the criteria of the LDC which would likely result in additional costs by building the home on pilings without the need to bring in additional fill.


- 3. *The need for the proposed variance is due to the physical shape, configuration, or topographical condition of the lot in such a manner as to distinguish it from other adjacent or nearby lots or from other lots in the district;*** The lots in the Townsite of Crystal Park are all consistent in area and size, except that some of the adjacent or nearby lots have been developed using an cumulation of more than two lots. In the case of this variance, the change in topography is a relevant condition of the lot which distinguishes it from other nearby lots.
- 4. *The proposed variance is necessary to preserve a substantial property right where such property right is generally available to other property owners of adjacent or nearby lots or other lots in the zoning district;*** The homes in the immediate area have been developed with residences with some having detached or attached garages. The proposed variance is not necessary to preserve a right that is otherwise available to other property owners on nearby lots. The applicant could redesign the home and detached garage to eliminate the desired variances, but such design would likely result in the elimination of protected trees and require a change in lot elevation to meet flood plain management requirements of the Flood Plain Ordinance.
- 5. *The grant of the proposed variance does not confer on the applicant any special privilege that is prohibited by this LDC to other lands, buildings, or structures in the same zoning district;*** No special privilege is given. The proposed use is permissible in the existing zoning district, and all other provisions of the LDC will be adhered to as part of the permitting process.
- 6. *The proposed variance does not substantially increase congestion on surrounding streets, does not increase the danger of fire or other hazard, and is not otherwise detrimental to the health, safety, or general welfare of the public;*** The variance request will not impact congestion in the neighborhood or otherwise be detrimental to the public health safety or welfare.
- 7. *The development following the proposed variance is compatible with adjacent and nearby development and does not alter the essential character of the district;*** The proposed variance is generally consistent with the historical pattern of development in the immediate neighborhood which predates current requirements of the LDC.
- 8. *The variance granted is the minimum variance that results in reasonable use of the land, building, or structure;*** The applicant could redesign the home and detached garage to eliminate or reduce the variance, resulting in the reasonable use of the land.
- 9. *The effect of the proposed variance is consistent with the general intent of the LDC and the specific intent of the relevant standards and criteria; and*** The requested variance is generally found consistent with the intent of the LDC, whereby the request is intended to assist in other requirements of the code for tree preservation and stormwater management concerns with the placement of fill.
- 10. *The effect of the proposed variance is consistent with the comprehensive plan.*** The request is consistent with the Comprehensive Plan.

Although staff can not fully support the proposed variance since the applicant could redesign the home and detached garage to eliminate or minimize the desired variances to achieve reasonable use of the property, the existing conditions of the property (topography and the preservation of protected trees) warrant consideration. Staff does support the request as being consistent with the intent of the proposed Community Development Code (form based code), which may allow for such development without the need for a variance.

PLANNING COMMISSION ACTION: The Planning Commission shall approve, deny, or approve with conditions the application for variance, based upon making positive findings regarding conditions set forth in subsection 9.02.02. A., of the LDC.

ATTACHMENTS:

1. Power Point Presentation
2. Site Plan/Application submittal with Backup



PV24-0001
Three-Part Variance
Chris and Beth Ensing

Crystal River Planning Commission Meeting of April 4, 2024

1

1

Aerial – Subject Property

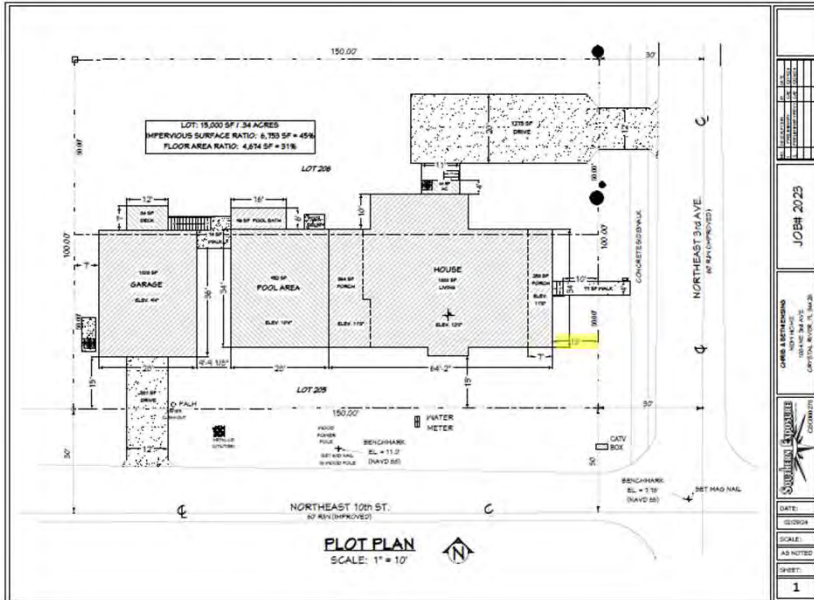


Crystal River Planning Commission Meeting of April 4, 2024

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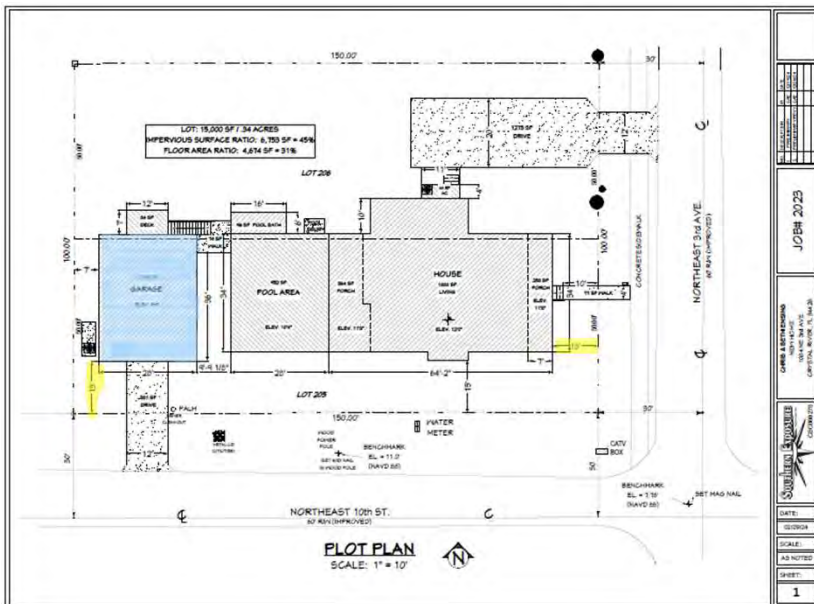
- 1) Variance for a single-family residence having a 13-foot setback from NE 3rd Ave rather than the required 25-foot building to front-yard line setback.



Crystal River Planning Commission Meeting of April 4, 2024

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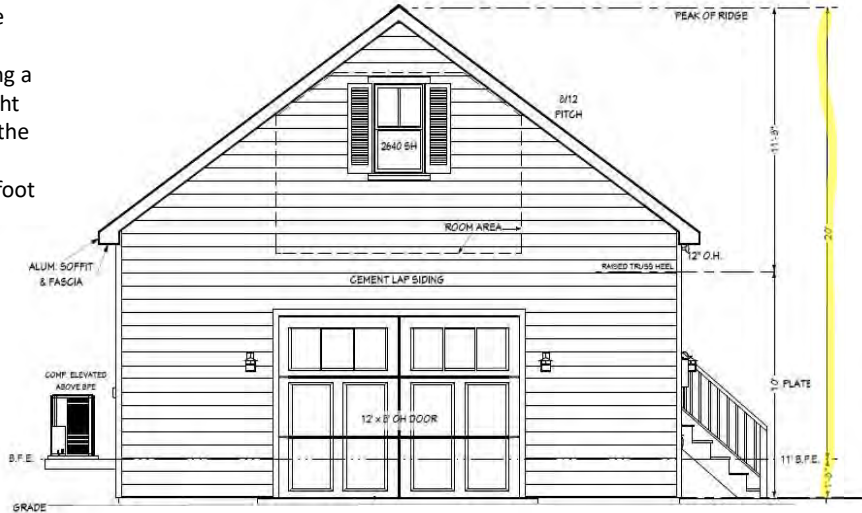
- 2) Variance to allow for detached garage having a 15-foot setback from NE 10th Street rather than the minimum required 25-foot building to side, adjacent to street line setback.



Crystal River Planning Commission Meeting of April 4, 2024

4

- 3) Variance to allow for the detached garage having a 20-foot height rather than the maximum allowed 16-foot height.



Crystal River Planning Commission Meeting of April 4, 2024

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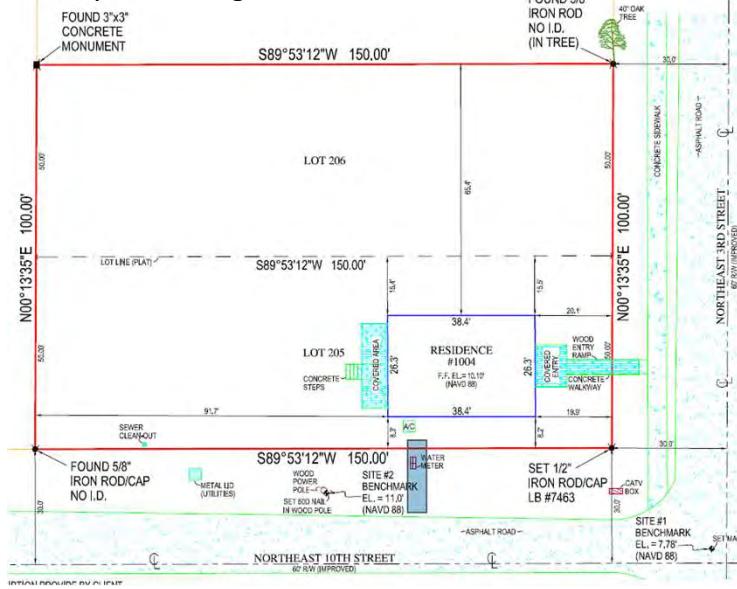
Existing residence that was demolished for redevelopment.



Crystal River Planning Commission Meeting of April 4, 2024

6

Survey of existing residence that was demolished

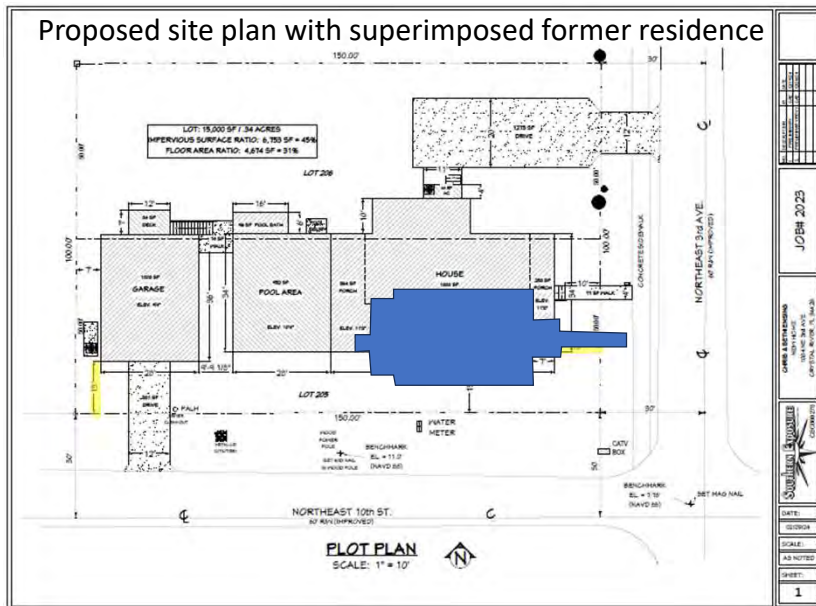


Crystal River Planning Commission Meeting of April 4, 2024

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7

Proposed site plan with superimposed former residence



Crystal River Planning Commission Meeting of April 4, 2024

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8

Subject property posted on March 15, 2024



Crystal River Planning Commission Meeting of April 4, 2024

9

9

Subject property located on the NW corner of NE 10th Street and NE 3rd Ave



Crystal River Planning Commission Meeting of April 4, 2024

10

10

Looking north from NE 10th Street toward the site proposed garage location.



Crystal River Planning Commission Meeting of April 4, 2024

11

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Looking east and across NE 3rd Ave from the subject property.



Crystal River Planning Commission Meeting of April 4, 2024

12

12

Below: Looking north on NE 3rd Ave from front of site.

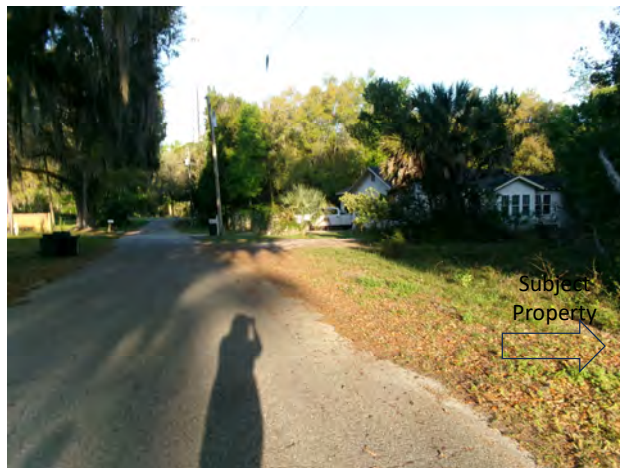


Below: Looking south on NE 3rd Ave from front of site.



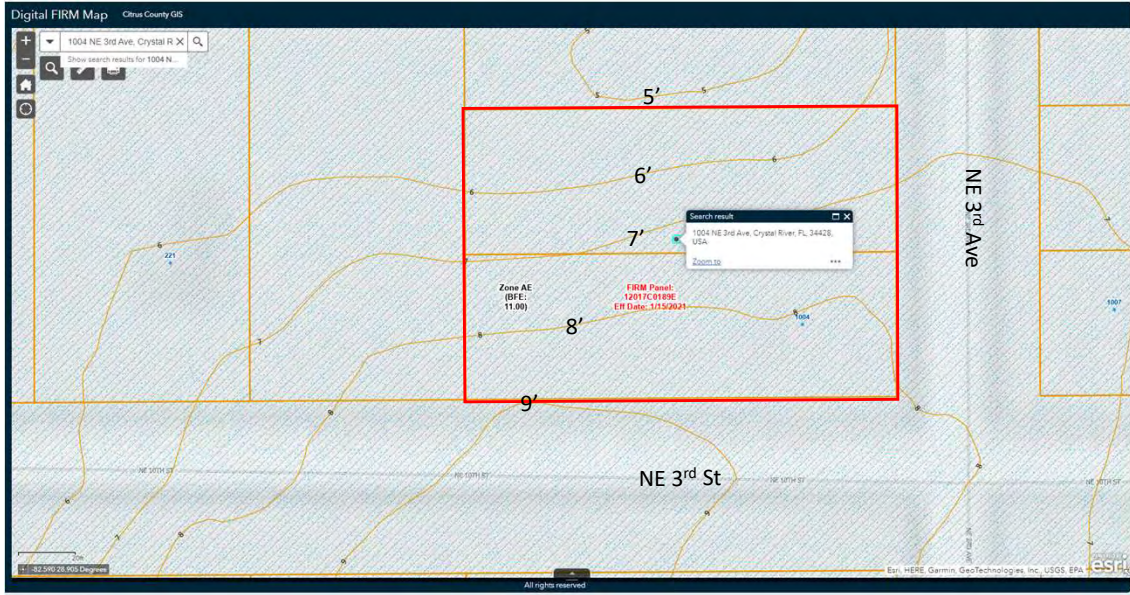
Crystal River Planning Commission Meeting of April 4, 2024

Looking west on NE 10th street from front of site.



Crystal River Planning Commission Meeting of April 4, 2024

Digital Flood Insurance Rate Map (FIRM)




Crystal River Planning Commission Meeting of April 4, 2024

15



Crystal River Planning Commission Meeting of April 4, 2024

16



QUESTIONS?

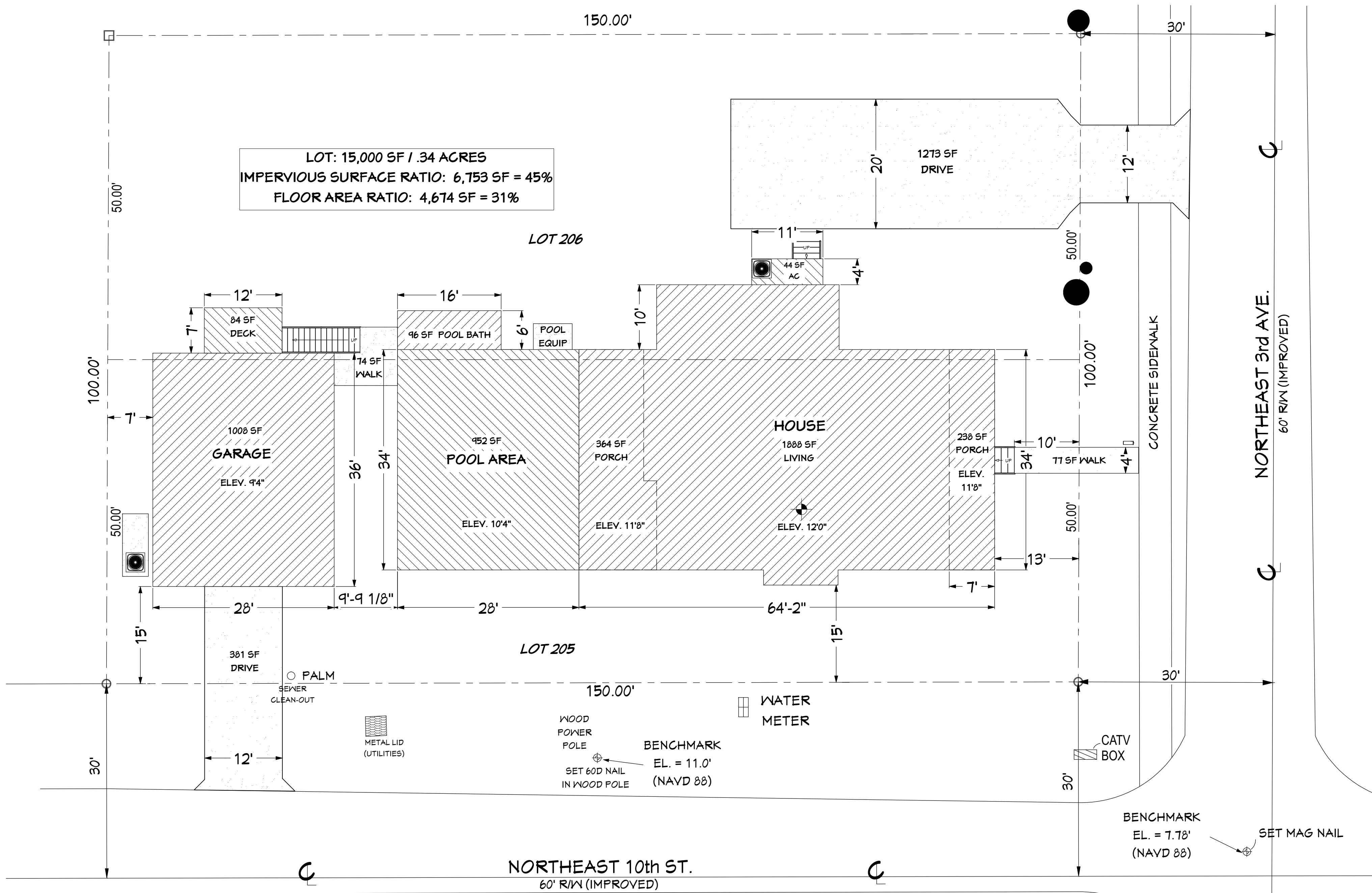
PV24-0001
Two-Part Variance
Chris and Beth Ensing

Crystal River Planning Commission Meeting of April 4, 2024

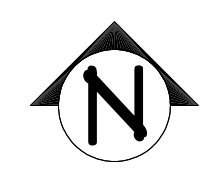
17



18



PLOT PLAN
 SCALE: 1" = 10'



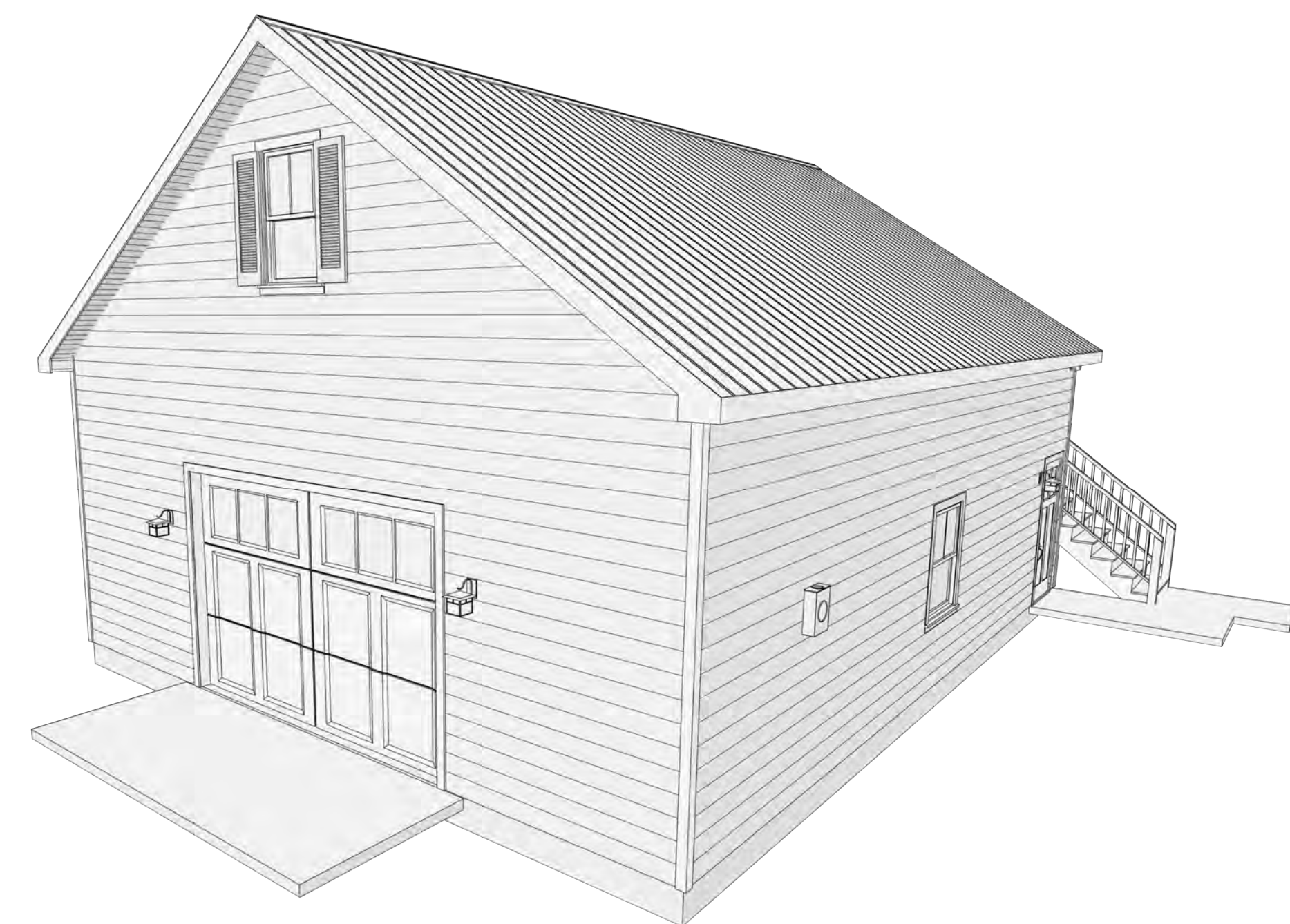
NO.	DESCRIPTION	BY	DATE
1.	PRELIMINARY	CAE	12/19/24
2.	PRELIMINARY REV1	CAE	12/26/24

JOB# 2023

CHRIS & BETH ENSING
 NEW HOME
 1004 NE 3rd AVE.
 CRYSTAL RIVER, FL 34428



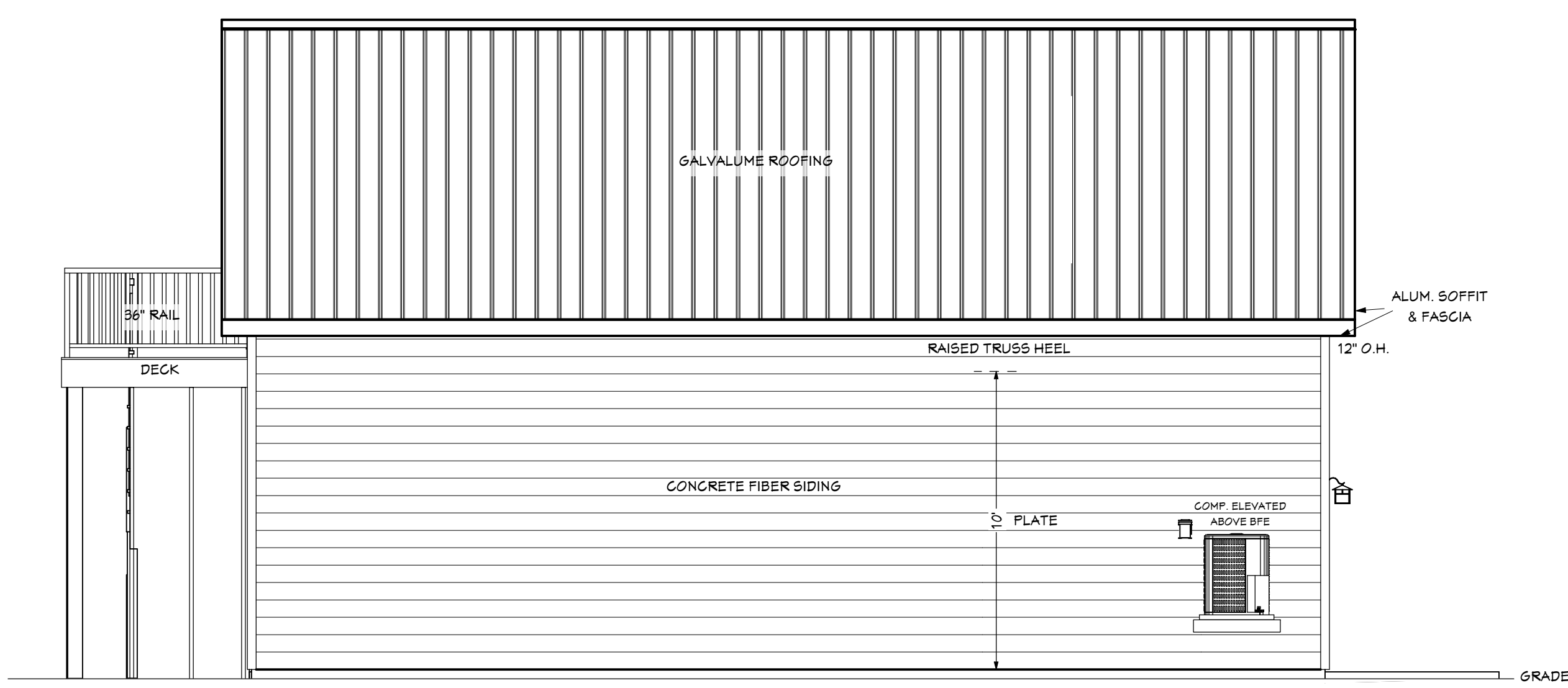
DATE:	02/29/24
SCALE:	AS NOTED
SHEET:	1



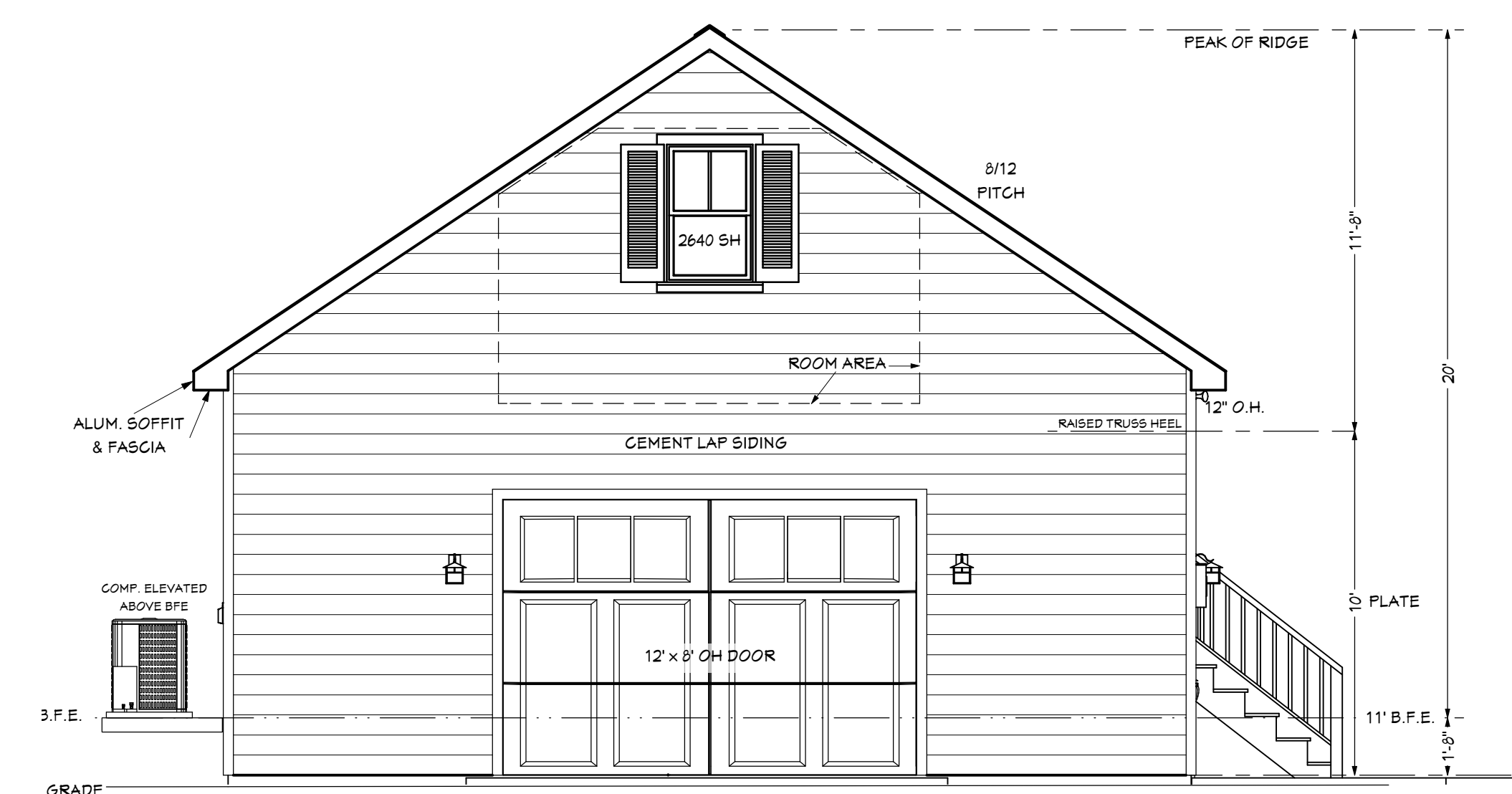
GENERAL NOTES 1

1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS, SETBACKS AND OVERALL SITE CONDITIONS PRIOR TO CONSTRUCTION
2. IF ANY DISCREPANCIES BETWEEN THIS PLAN AND EXISTING CONSTRUCTION ARE FOUND, THE CONTRACTOR SHALL CONTACT THE ENGINEER IMMEDIATELY.

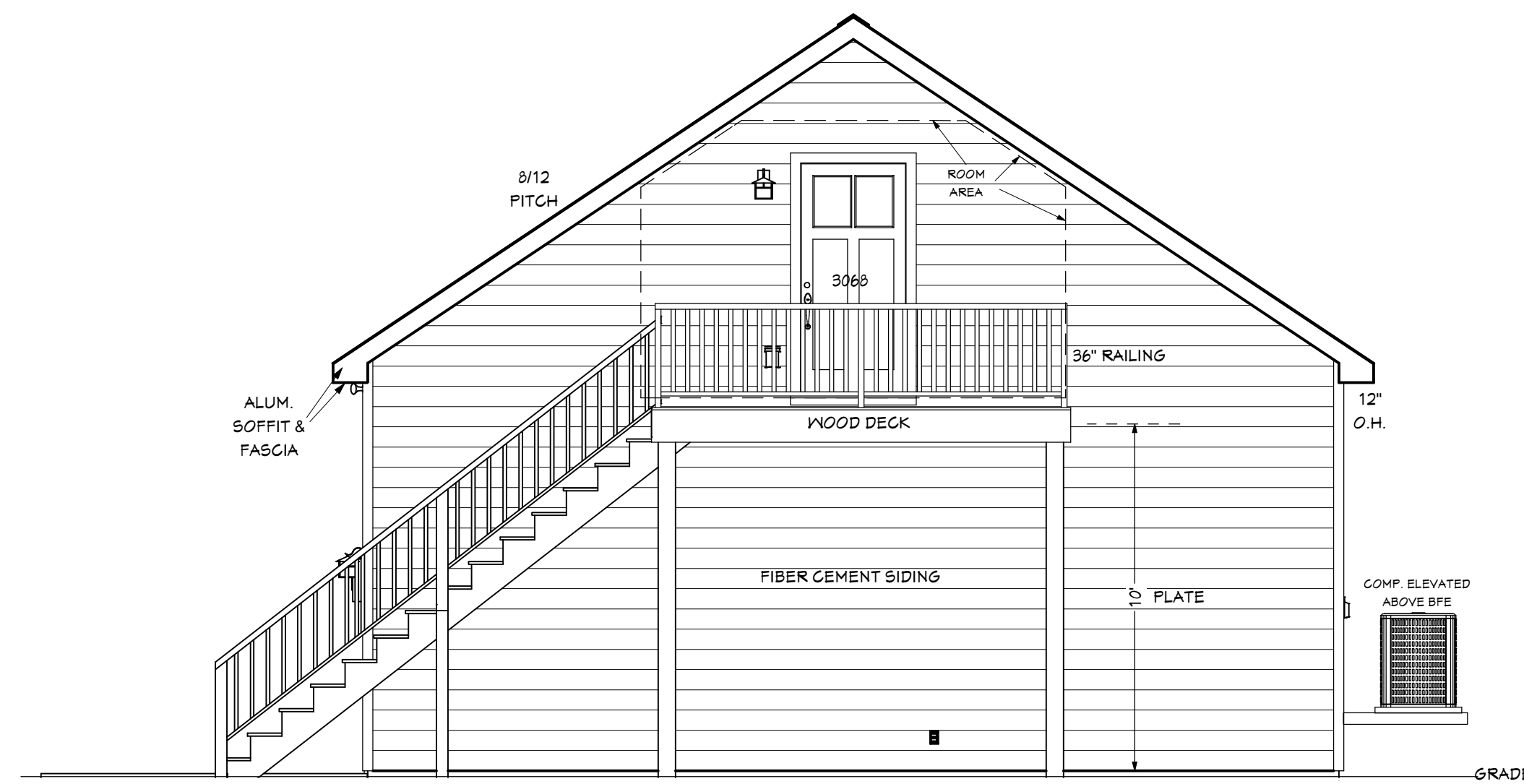
THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS SHOWN, AND THAT ALL CONSTRUCTION COMPLIES WITH LOCAL BUILDING CODES & ORDINANCES. DESIGN AND ELEVATIONS WERE PROVIDED BY THE CLIENT/OWNER. SOUTHERN EXPOSURE CONSTRUCTION, INC. SHALL BE HELD HARMLESS FROM ANY CLAIMS THAT ARISE THROUGH THE REPRODUCTION OF ANY PLANS OR CONSTRUCTION OF ANY PROJECT RELATED OR UNRELATED TO ANY COPYRIGHT INFRINGEMENT. OWNER SHALL ASSUME ALL COPYRIGHT RESPONSIBILITY.



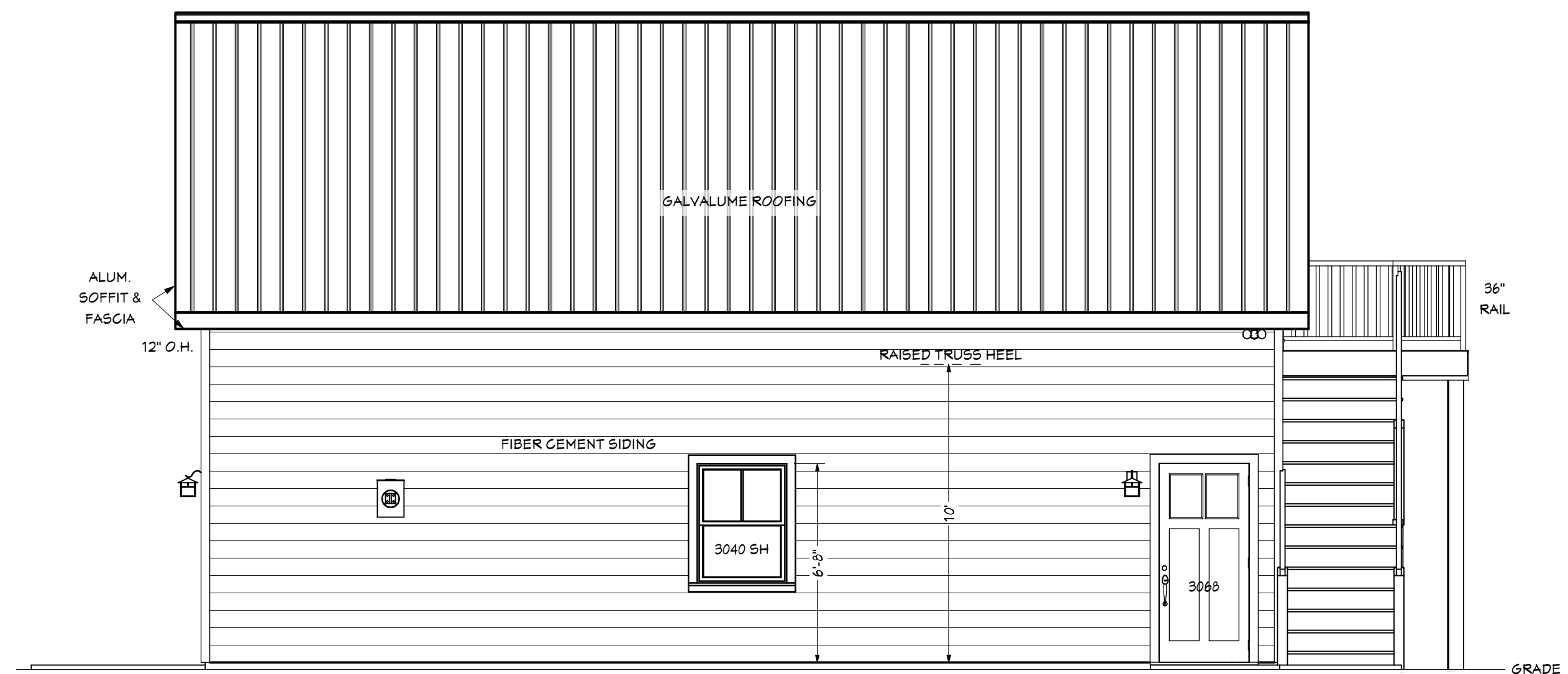
FRONT ELEVATION (WEST)
SCALE: 1/4" = 1'-0"



FRONT ELEVATION (SOUTH)
SCALE: 1/4" = 1'-0"



FRONT ELEVATION (NORTH)
SCALE: 1/4" = 1'-0"



FRONT ELEVATION (EAST)
SCALE: 1/4" = 1'-0"

DETACHED GARAGE
CHRIS & BETH ENSING
1004 NE 3rd AVE.
CRYSTAL RIVER, FL 34429

JOB#: 2023
DATE: 03/01/2024
REVISION 1
FINAL: _____

SHEET
G1



VARIANCE APPLICATION

Growth Management Department
123 NW Highway 19
Crystal River, FL 34428
Phone 352-705-4216

PV24-0001
~~10224-2536~~

Return to: development@crystalriverfl.org

Office Use Only:	Paid <u>2/28/24</u>	Date <u>2/28/24</u>
Residential - \$400	Commercial - \$600	ATF-DOUBLE FEE

Applicant Information:

Name: Chris & Beth Ensing Phone (352) 302-6165
 Street Address: P.O. Box 995 Crystal River, FL 34423
CITY ST ZIP
 Email Address: chrisensing52@gmail.com

Site Information:

Site Address: 1004 NE 3rd Ave., Crystal River
 Alt Key #: 1070171 Parcel ID # 17E18S210010 2050
(AVAILABLE AT THE CITRUS COUNTY PROPERTY APPRAISER'S WEBSITE: www.citruspa.org)
 Legal Description: TOWNSITE OF CRYSTAL RIVER PARK, PB 1, PG 2, LOTS 205 & 206

(or attach description on a separate page)

Subdivision: Townsite of Crystal River Lot: 205 & 206 Block: _____
 Current Zoning District: R1 - SF Residential
 Flood Zone: A11 Base Flood Elevation: 11'
(This information shall be based on the latest Flood Insurance Rate Maps)

The applicant for a variance has the burden of proof of demonstrating that the application for a variance complies with each of the requirements of Section 9.02.02(A).

Variance Request: Please enter a description of request and Land Development Code Sections that pertain to the requested action.
https://library.municode.com/fl/crystal_river/codes/code_of_ordinances?nodeId=PTICOOR_APXALADE_CO_CH9VACORE_9.02.00VA

Setback Requirements FRONT - RESIDENCE 13'-0"
SIDE (CORNER LOT) ACCESSORY BUILDING
15'-0" FRONT (SIDE/CORNER)

Variance Provisions

In order for an application for a variance to be approved or approved with conditions, the Planning Commission shall make a positive finding, based on the evidence submitted, with regard to each of the following provisions. Submit an explanation to each of the provisions below.

SEE ATTACHED - EXPLANATIONS

Findings	Provisions (Sec. 9.02.02(A))
✓	1. There is a specific hardship affecting the development of the lot resulting from the strict application of the provisions of the LDC. <i>(Explain how you will be deprived of reasonable use of the land, building, or structure, equivalent to the use made of lands, buildings or structures in the same neighborhood. Show that you have an unnecessary hardship, more than mere inconvenience or a preference for more lenient standards.)</i>
✓	2. The hardship is not a result of actions of the owner and is not based solely on a desire to reduce development costs. <i>(It is not enough to say that the development will cost more in order to comply. You must show the substantial and undue nature of that additional cost as compared to others subject to the same restriction.)</i>
✓	3. The need for the proposed variance is due to the physical shape configuration, or topographical condition of the lot in such a manner as to distinguish it from other adjacent or nearby lots or from other lots in the district. <i>(An example would be a pie shaped lot where the lot narrows dramatically towards the front yard and the side yard setback prohibits you from building an addition.)</i>
✓	4. The proposed variance is necessary to preserve a substantial property right where such property right is generally available to other property owners of adjacent or nearby lots or other lots in the zoning district. <i>(Explain that if the variance is not approved would any development of the proposed property be possible?)</i>
✓	5. The grant of the proposed variance does not confer on the applicant any special privilege that is prohibited by this LDC to other lands, buildings, or structures in the same zoning district. <i>(Is what you want to do something that other properties in the same zoning district have been allowed to do? If so, how does the ordinance prevent you from doing so?)</i>
✓	6. The proposed variance does not substantially increase congestion on surrounding streets, does not increase the danger of fire or other hazard, and is not otherwise detrimental to the health, safety, or general welfare of the public. <i>(Will granting the variance harm public safety? (Example: A property owner may prove an unnecessary hardship exists from limitations on on-site drives and parking for a commercial use. The increased traffic and stormwater effects could prove to harm public safety)</i>
✓	7. The development following the proposed variance is compatible with adjacent and nearby development and does not alter the essential character of the district. <i>(Will the variance cause the character of your neighborhood to change?)</i>
✓	8. The variance granted is the minimum variance that results in reasonable use of the land, building, or structure. <i>(Have you looked at all other options to do what you want to do and found that the variance you are seeking is for the least amount necessary?)</i>

✓	9. The effect of the proposed variance is consistent with the general intent of the LDC and the specific intent of the relevant standards and criteria. <i>(Will what you are proposing have any negative effects on your neighbors or any other property or to public property?)</i>
✓	10. The effect of the proposed variance is consistent with the comprehensive plan. <i>(City staff will assist with this.)</i>

Notes:

1. Any variance authorized by the Planning Commission, and not used and acted upon by the applicant, or the applicant's successor in interest, within one (1) year from the date on which the decision of the Planning Commission is reduced to a written order, or if appealed, the date on which the order becomes final, shall be deemed abandoned and be void and of no further force and effect.
2. A variance shall not be granted which authorizes a use that is not permissible in the zoning district in which the property subject to the variance is located.
3. A variance shall not be granted which authorizes any use or standard that is expressly prohibited by this LDC.
4. No nonconforming use of adjacent lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts shall be considered grounds for the authorization of a variance.

Attachments:

1. Deed or other proof of ownership.
2. A site plan.

[Handwritten Signature]

SIGNATURE Owner Agent

Date 2/28/24

PRINT NAME _____

STATE OF FLORIDA


COUNTY OF Citrus

The foregoing instrument was acknowledged (Or Affirmed) before me this 28th day of February, 2024, who is/are personally known to me or has/have produced _____ as identification.

[Handwritten Signature]

Notary Public

JOSEPH R. PALMINTERI
 Notary Public
 State of Florida
 Comm# HH474136
 Expires 12/18/2027



From: [Chris Ensing](#)
To: [Jenette Collins](#); [Carly Hanson](#); [Chris Ensing](#); [Beth Ensing](#)
Subject: [External]Amend Variance Application
Date: Sunday, March 3, 2024 7:49:02 PM
Attachments: [Garage Plans 3_01_24 Elevations.pdf](#)
[Ensing House Plans 3_01_24 Elevations.pdf](#)

Jenette,

As per our conversation, I would like to amend my variance request to add:

- Ridge Height of detached garage to be 20' & NOT higher than the main structure.

See Attached Elevation Details

Thanks,

Chris Ensing
Real Estate & Construction
(352) 302-6165



Variance Provisions

1004 NE 3rd Ave.

I believe that the unique circumstances and physical characteristics of my property warrant a deviation from the standard setback requirements outlined in the zoning code. I respectfully request the opportunity to present my case and seek approval for the requested variance.

1. **Unique Property Conditions:** Our property presents distinctive conditions that make strict adherence to the setback regulations impractical and burdensome.

There are 4 distinct features of this lot that pose problems to development.

1. **Corner Lot:** The lot is a corner lot which dictates a 15' side setback for the main house (which we can meet) but it dictates a 25' setback for the detached garage. A 25' setback of the garage from NE 10th St., would require enormous amounts of fill and a tall stemwall.
 2. **Slope:** The lot slopes away from 10th St. from a 9' elevation to 4' elevation (a 5' elevation change). Base Flood Elevation (BFE) is 11' & the City's flood standards require finished floors to be 1' above. The finished floor heights would be very high and would look absurd and require design features not in keeping with the City's vision for design.
 3. **Trees:** Although some trees will be removed, the largest "specimen" trees are located to the northwest portion of the property. Excess fill and building too close to "drip lines" and root systems will pose a hazard to the structures, but more importantly may be detrimental to the trees.
 4. **Flood Prone:** The north side of this lot, as well as the adjoining property to the north have shown to flood during storm events. As a resident of Crystal River for over 30 years and a builder, I am very cognizant of the challenges that building in these areas pose. My goal is to avoid sending or holding more water to that side of the property and potentially causing flooding and/or damage to surrounding properties and homes.
2. **Avoidance of Unnecessary Hardship:** Enforcing the standard setbacks on my property would result in undue hardship and significant challenges to the development of the property. As noted above, large amounts of fill, destroying specimen trees and excessively tall structures will be both challenging and costly.
 3. **Consistency with the Community Goals:** Though my proposed setback variance deviates from the current regulations, it aligns with the broader goals and objectives of the community. The citizens of Crystal River, this board and the City Council support both our requested setbacks and the design features we have implemented. This is demonstrated by the development of a proposed "Form Based Code". Once this code is adopted, *nothing* about our plan will conflict with the City's LDC and vision for Crystal River. In addition, this variance will not create any conflicts, street congestion, danger, fire or flood hazard or problems to neighboring properties and in fact will enhance the neighborhood and inspire this type of responsible development.

4. **Comparable Development:** I can show examples of nearby properties which do not meet the current setback rules.

I have taken the liberty of preparing the necessary documentation to support my request, which includes site plans, architectural drawings, survey reports, and photographs. These materials provide a comprehensive understanding of the physical limitations and how my proposed development aligns with the community's goals.

I appreciate the opportunity to present my case before the zoning board at an upcoming public hearing. I am prepared to address any concerns and provide further evidence to support my variance request.

Thank you for considering my appeal for a setback variance. I appreciate your attention to this matter and your commitment to ensuring fair and reasonable zoning practices within our community.

Sincerely,

Chris A. Ensing
Property Owner

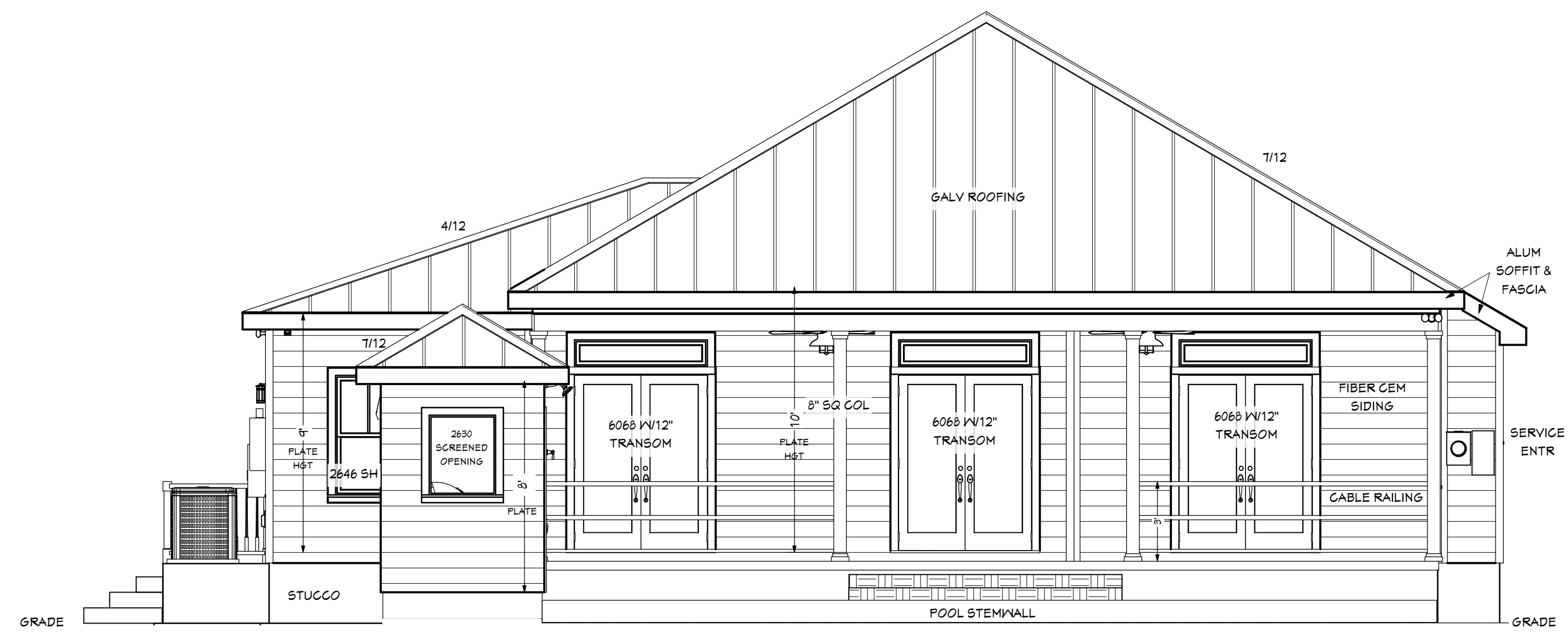
THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS SHOWN, AND THAT ALL CONSTRUCTION COMPLIES WITH LOCAL BUILDING CODES & ORDINANCES. DESIGN AND ELEVATIONS WERE PROVIDED BY THE CLIENT/OWNER. SOUTHERN EXPOSURE CONSTRUCTION, INC. SHALL BE HELD HARMLESS FROM ANY CLAIMS THAT ARISE THROUGH THE REPRODUCTION OF ANY PLANS OR CONSTRUCTION OF ANY PROJECT RELATED OR UNRELATED TO ANY COPYRIGHT INFRINGEMENT. OWNER SHALL ASSUME ALL COPYRIGHT RESPONSIBILITY.

NEW CUSTOM HOME
CHRIS & BETH ENSING
1004 NE 3rd AVE.
CRYSTAL RIVER, FL 34429

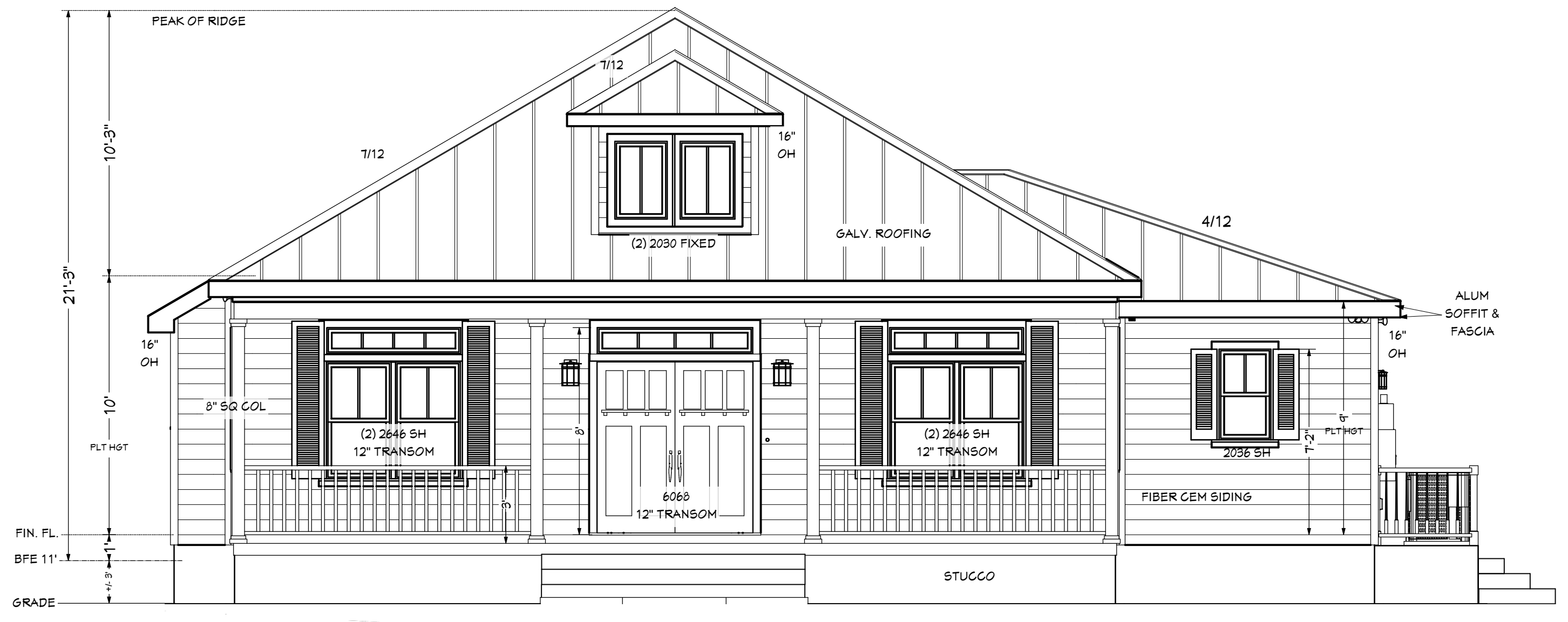
JOB#: 2023
DATE: 03/01/2024

SHEET

1



REAR ELEVATION (WEST)
SCALE: 1/2" = 1'-0"



FRONT ELEVATION (EAST)
SCALE: 1/4" = 1'-0"



LEFT ELEVATION (SOUTH)
SCALE: 1/4" = 1'-0"



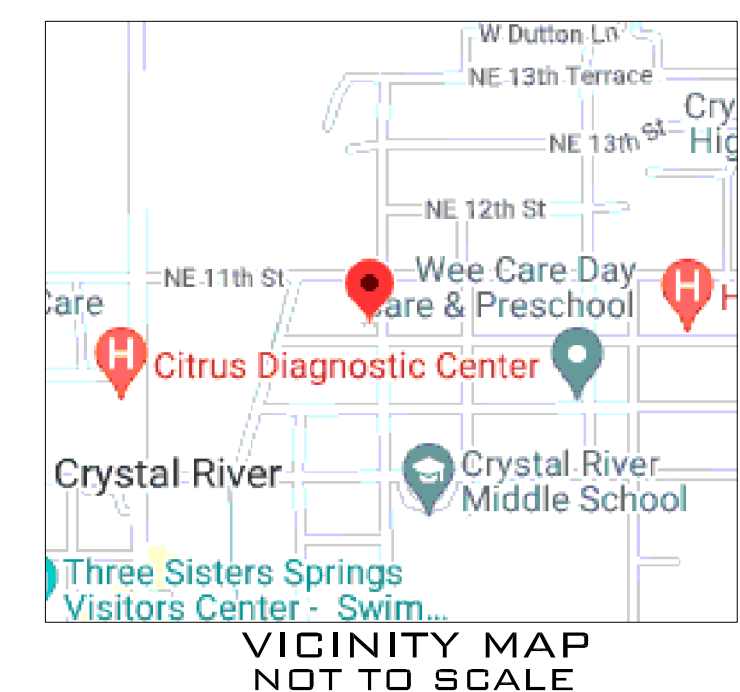
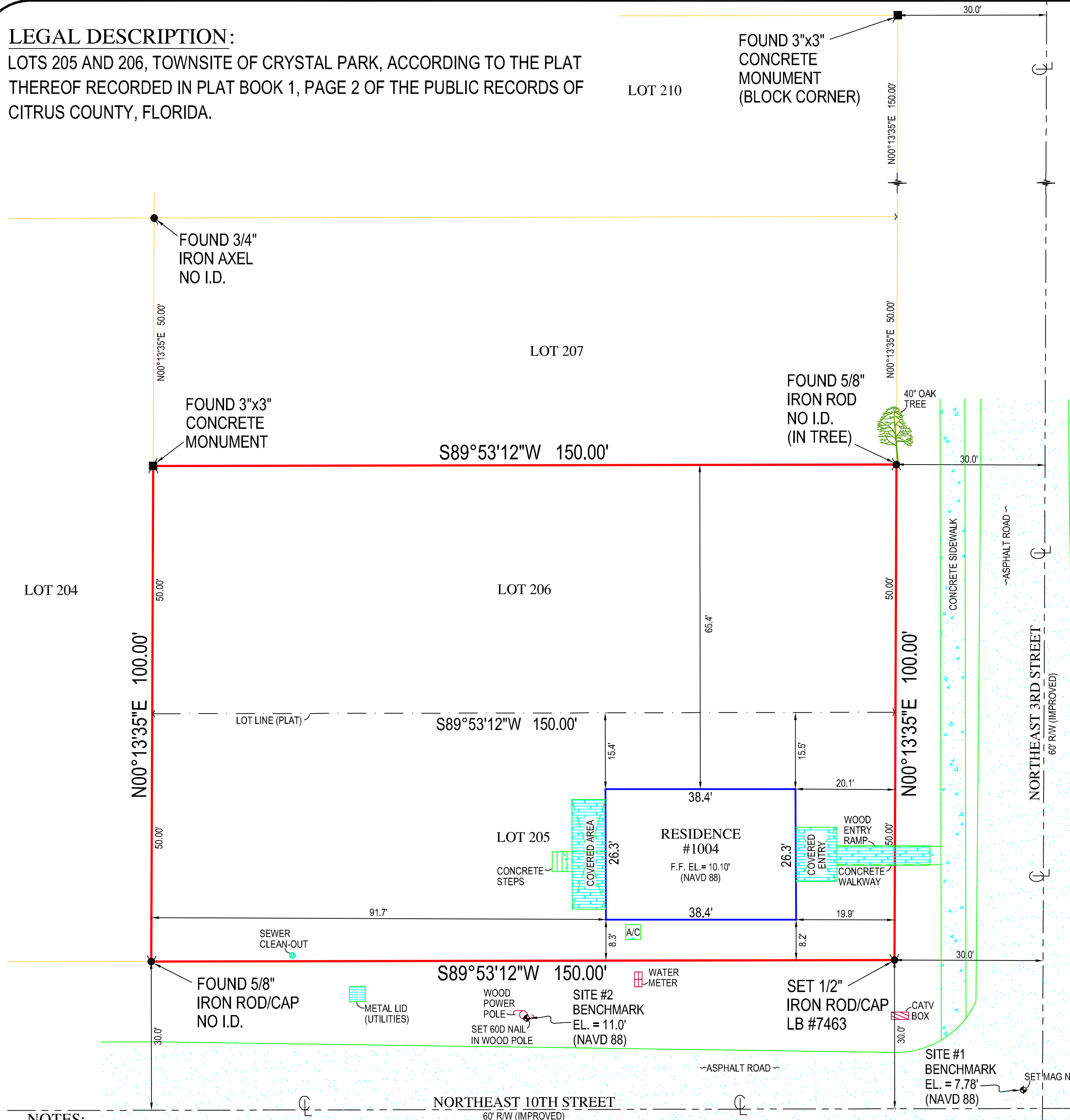
RIGHT ELEVATION (NORTH)
SCALE: 1/2" = 1'-0"

GENERAL NOTES 1

1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS, SETBACKS AND OVERALL SITE CONDITIONS PRIOR TO CONSTRUCTION.
2. IF ANY DISCREPANCIES BETWEEN THIS PLAN AND EXISTING CONSTRUCTION ARE FOUND, THE CONTRACTOR SHALL CONTACT THE ENGINEER IMMEDIATELY.

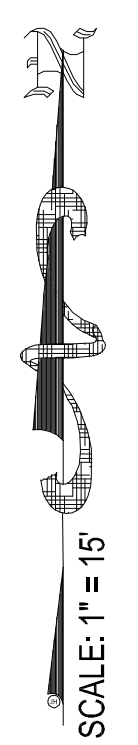
LEGAL DESCRIPTION:

LOTS 205 AND 206, TOWNSITE OF CRYSTAL PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 2 OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA.



ORIGINATION BENCHMARK
 NATIONAL GEODETIC SURVEY
 BRASS DISK "872-7343 C" PID=AL7753
 N.A.V.D. 88 ELEVATION = 4.20'

Flood Zone: AE
 Community Number: 120340
 Panel: 12017C0189
 Suffix: E
 Base Flood Elevation: 11
 FIRM Date: 01-15-2021
 FIRM Effect./Rev Date: 01-15-2021



LEGEND

A/C	AIR CONDITIONER
B.F.P.	BACKFLOW PREVENTER
CATV	CABLE TELEVISION
C.B.S.	CONCRETE BLOCK STRUCTURE
EL	ELEVATION
F.F.	FINISHED FLOOR
I.D.	IDENTIFICATION
L	LENGTH
L.B.	LICENSED BUSINESS
M	MEASURED
N.T.S.	NOT TO SCALE
N&D	NAIL & DISC
N.A.V.D. 88	NORTH AMERICAN VERTICAL DATUM 1988
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
O.R.B.	OFFICIAL RECORDS BOOK
P	PLAT
PID	PERMANENT IDENTIFIER
PSM	PROFESSIONAL SURVEYOR AND MAPPER
P.R.M.	PERMANENT REFERENCE MONUMENT
P.G.	PAGE
P.B.	PLAT BOOK
P.K.	PARKER KYLON NAIL
R	RADIUS
R/W	RIGHT-OF-WAY
TAN	TANGENT
T.B.M.	TEMPORARY BENCH MARK
C	CENTERLINE
AND	AND
#	NUMBER
Δ	DELTA OR CENTRAL ANGLE
—x—	CONCRETE
—//—	CHAIN LINK FENCE
— —	WOOD FENCE
—o—	MISCELLANEOUS FENCE

SURVEYORS CERTIFICATE:
 I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE.

- NOTES:**
- LEGAL DESCRIPTION PROVIDE BY CLIENT.
 - NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE.
 - NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY.
 - ALL ANGLES OR BEARINGS AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED.
 - SOME FEATURES MAY NOT BE AT SCALE IN ORDER TO SHOW DETAIL.
 - THE BEARINGS SHOWN HEREON ARE BASED UPON THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION CERTIFIED CORNER RECORD, HAVING A BEARING OF S89°53'12"W.

DATE OF FIELD WORK: 10-12-2022
 DATE OF MAP: 10-24-2022

(SIGNED)
 KENNETH J. OSBORNE
 PROFESSIONAL SURVEYOR AND MAPPER #6415

BOUNDARY SURVEY OF:
1004 NORTHEAST 3RD AVENUE
CRYSTAL RIVER, FL 34428
 PREPARED FOR:
CHRIS ENSING

Project:	C-563447
Date:	10/12/2022
Scale:	1" = 15'
Sheet:	1 OF 1

6250 N. MILITARY TRAIL
 SUITE 102
 WEST PALM BEACH, FL 33407
 PHONE: 561.640.4800
 FAX: 561.640.0576

