

Planning Commission Minutes
January 5th, 2023 - 5:30 p.m.

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



Terry Thompson
Larry Schenavar
Alternate 1 –
Alternate 2 –
Chuck Dixon – School Board*

- 1) Call to Order
- 2) Roll Call

Commissioners Present: Dan Grannan, Tonia Herring, Terry Thompson, Larry Schenavar, Deborah MacArthur Anderson, Karen Cunningham, Rick Laxton.

Commissioners Absent: None.

Staff Present: Planning Director Brian Herrmann, Urban Planner Jenette Collins, Zoning Coordinator Zach Ciciera, City Attorney Robert Batsel.

- 3) Moment of Silence was led by Chairman Grannan.
- 4) Pledge of Allegiance was led by Chairman Grannan.
- 5) Administration to Oath of Office for Planning Commissioner Richard Laxton.
- 6) Chairman Comments: None.
- 7) Motion to adopt the agenda was made by Commissioner Thompson, seconded by Commissioner Herring. **Motion carried 7-0.**
- 8) Motion to approve minutes of the Planning Commission meeting held November 3rd, 2022, was made by Commissioner Cunningham, seconded by Commissioner Thompson. **Motion carried 7-0.**
- 9) Citizen Input: None.
- 10) Public Hearings:

1. Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ21-0041 brought by CRYSTAL RIVER PLANTATION CORPORATION – An amendment of the Official Zoning Map by changing the zoning on 7.21 acres from High Intensity Commercial (CH) to Planned Unit Development (PUD), and by adding the 7.21 acres to, and renewing and amending the Planned Unit Development (PUD) Master Plan known as “Plantation Outpost Club and Resort,” having a total 68.84 acres, and which property address is 9520 W Fort Island Trail, Crystal River, Florida.

Applicant requested continuance of application to future hearing. A motion to continue APPLICATION NO. PZ21-0041 to a future hearing was made by Commissioner Thompson, seconded by Commissioner Laxton. **Motion carried 6-1 with Commissioner Herring in opposition.**

2. Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ22-0089 brought by EASTROB, LLC – An Amendment to the Official Zoning Map of the City of Crystal River, Florida, to

change the zoning on 14.04 acres +/-, and which property address is 9372 W Fort Island Trail, Crystal River, Florida, from Commercial Waterfront (CW) to Planned Unit Development (PUD), and to establish a Master Plan of Development known as “Eastrob, LLC RV Resort” for a planned recreational vehicle (“RV”) park.

Chair opened the quasi-judicial meeting.

Conflict of Interest: None.

Ex Parte Communication: None.

Staff Presentation:

Jenette Collins, Urban Planner, presented the staff findings to the commission. Mrs. Collins stated staff is unable to support the application based upon inconsistencies with the Comprehensive Plan.

Commissioner Comment:

Commissioner Herring questioned if the applicant is proposing to dredge the waterway located along the eastern and southern boundary of the parcel.

Applicant presentation:

Clark Stillwell, 320 US HWY 41, Inverness, Florida, presented on behalf of the applicant to the commission. Mr. Stillwell stated the canal which abuts the proposed property is not located within a manatee protection area, however no vessel’s will be launched from the site. Revisions were made to the master plan to remove the existing boat launch, thus adding a floating dock. He also stated that geotechnical reports are not applicable at this stage in the project.

Commissioner Questions:

Commissioner Thompson questioned if the applicant will be dredging the waterway located along the eastern and southern boundary of the parcel, as stated by Commissioner Herring prior to the applicant’s presentation. Clark Stillwell responded stating the applicant is not proposing to change or dredge the canal, it will remain as is.

Commissioner Thompson stated he is in favor of a third party to remove all RVs from the site in the event of a category 5 hurricane. Thompson also stated he does not support the tying down of RV’s or the removal of the wheels on site.

Chairman Grannan raised concern about the potential contamination of the aquifer. Clark Stillwell responded, stating a building permit through the city is not possible until an approved SWFWMD permit is obtained.

Commissioner Herring questioned if the applicant will be adding fill dirt to the parcel. Clark Stillwell responded by saying no substantial fill will be added to the site, only overburden will be removed.

Commissioner Herring asked that the waiver request pursuant to buffer and landscaping requirements be denied.

Commissioner Herring stated the applicant should be required to conduct a transportation concurrency study prior to submittal. Clark responded that the aforementioned study is not required by code.

Public Comment:

Mike Dunn, Crystal River, raised concern regarding the potential increase in traffic along Fort Island Trail and the nearby canal.

Ron Johnson, Crystal River, raised concern with the applicants lack of flood mitigation. Also spoke on the potential danger of RV's turning left into the site off Fort Island Trail.

Ben Torricelli, Crystal River, raised concerned that the RV's will not be removed from the site during the event of a storm.

Mary Catherine Moore, Crystal River, raised concern regarding short term rentals allowed on site and how it will create an increase in traffic.

Holly VanNess, Crystal River, raised concern regarding hurricane evacuation. Also stated clearance on the adjacent bridge is too tight to support the proposed development.

Liz Holla, Crystal River, raised concern about the applicant's unwillingness to release information regarding environmental protection.

David Carpenter, Crystal River, raised concern regarding the applicant's statement on fill dirt. Mr. Carpenter also stated the applicant is not required to meet base flood elevation yet other residents are.

Susan Doring, Crystal River, stated the existing infrastructure cannot handle the existing traffic let alone the increase that will occur with the proposed development.

Mike Regan, Crystal River, questioned if a traffic light would be added to accommodate the proposed development. Mr. Regan also stated the traffic will ultimately increase since short term rentals are permitted on the site.

Mary Ann Gibbons, Crystal River, stated the existing infrastructure cannot support the proposed development.

Mary Schlumberger, Crystal River, stated Fort Island Trail has existing issued regarding litter and it will only increase with the proposed development.

Chuck Tomberland, Crystal River, stated there is a proposed mobile home park under county jurisdiction in close proximity to this site.

Applicant Rebuttal:

Clark Stillwell stated fill dirt will only be added for the construction of the building to comply with FEMA regulations, otherwise fill dirt will not be added to the rest of the 14-acre parcel.

Commissioner Discussion:

A motion to recommend City Council approval of APPLICATION NO. PZ22-0089 brought by Eastrob LLC, with recommendation that no fill dirt to be allowed on site, a traffic study be done prior to master plan approval, and concession for third party/mandatory removal process of RV's to be kept (Condition 8 of proposed Ordinance, Exhibit B), was made by Commissioner Thompson, seconded by Chairman Grannan. *Motion denied 3-4 with Commissioners MacArthur, Herring, Schenavar, and Laxton in opposition.*

Chairman Grannan called for a 5-minute recess at 7:52pm.

Meeting resumed at 7:56pm.

3. a.) Conduct a Public Hearing for APPLICATION NO. PZ22-0110 brought by JJGIPE AUTO BODY, LLC – A Small-Scale Amendment of the Comprehensive Plan's Future Land Use Map (FLUM) to change the subject property, located at 837 NE 5th Terrace, Crystal River Florida, from Medium Density Residential (MDR) to Highway Commercial (HC).

b.) Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ22-0111 brought by JJGIPE AUTO BODY, LLC – An Amendment of the Official Zoning Map to change the subject property, located at 837 NE 5th Terrace, Crystal River Florida, from Medium Density Residential (R-2) to High Intensity Commercial (CH).

Chair opened the quasi-judicial meeting.

Conflict of Interest: None.

Ex Parte Communications: None.

Staff Presentation:

Jenette Collins, Urban Planner, presented the application to the commission. Mrs. Collins stated staff is unable to support the application based upon inconsistencies with the Comprehensive Plan.

Commissioner Comments:

Commissioner Macarthur questioned how close the property is to the Crystal River Primary School.

Applicant Presentation:

Nicole Blumenauer, presented on behalf of the applicant to the commission. Ms. Blumenauer stated the site is to accommodate the lack of parking and access to the auto shop off SR44. She also stated that if approved, the applicant will comply with city code regarding buffer and landscaping requirements. The site will be screened as necessary.

Public Comment:

Coressa Natteal, Crystal River, stated the existing property resembles a junk yard. Ms. Natteal also stated she is against the rezoning, and the lot cannot accommodate the growth of the associated business.

Clifford Smith, Crystal River, stated he owns the single-family residence directly behind the subject property. He stated the work being done has become a nuisance to him and his privacy has been compromised.

Ryan Lampasona, Crystal River, stated the subject property is located in the middle of a residential neighborhood and that he is against the rezoning.

Desiree Manos, Crystal River, stated the subject property has increased the volume of cars in disrepair parked on the lot over time and the property is an eyesore within a residential neighborhood.

Willie Joyner, Crystal River, stated the entire block shall remain consistent regarding zoning. Mr. Joyner stated he is against the rezoning.

Applicant Rebuttal:

Nicole Blumenauer stated if approved, the applicant will fully comply with city codes and buffer requirements to screen the parking lot. Stated all vehicles parked on the subject property are insured.

Tim Weiss, prior owner of subject property, stated the problem is not the current owner, the problem lies upon the lack of access from SR44. Mr. Weiss stated the access is extremely limited from the main thoroughfare.

Commissioner Discussion:

Commissioner Schenavar asked if the subject property was taken through code enforcement in the past. Mrs. Blumenauer responded stating the active code enforcement case on the subject is on hold, awaiting council decision on the rezoning/FLUM amendment application.

A joint motion to recommend City Council denial of APPLICATION NOS. PZ22-0110 and PZ22-0111 brought by JGIPE AUTO BODY, LLC, was made by Commissioner Thompson, seconded by Commissioner Schenavar. **Motion carried 7-0.**

4. Conduct a Public Hearing for APPLICATION NO. PZ22-0108 brought by CHRISTOPHER LUETGERT – A text amendment to Section 5.01.13. Swimming pools and pool enclosures, of the City of Crystal River’s Land Development Code, to modify setback standards for swimming pools

Staff Presentation:

Planning Director Brian Herrmann presented the proposed text amendment to the commission. Mr. Herrmann stated the proposal will reduce the waterfront setback for an unenclosed swimming pool from 25 feet to 10 feet, in addition to side and rear yard setbacks.

Commissioner Comments:

Chairman Grannan questioned the differences between a pool with an enclosure versus a pool that lacks such structure as it relates to the proposed setback.

Applicant Presentation:

Christopher Luetgert, Crystal River, presented to the commission stating the current setback restricts many existing homes from building a pool based on lot size. Mr. Luetgert also stated the current setback is far more strict than other coastal municipalities regarding swimming pools.

Public Comment: None.

Commissioner Discussion:

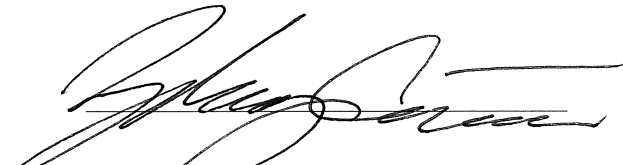
A motion to recommend City Council approval of APPLICATION NO. PZ22-0108 brought by Christopher Luetgert, was made by Commissioner Schenavar, seconded by Commissioner Thompson. **Motion carried 5-2 with Chairman Grannan and Commissioner Herring in opposition.**

- 11) Unfinished Business: Planning Director Brian Herrmann stated the firm selected to rewrite the city’s Land Development Code, Stringfellow Planning & Design, will be making a presentation at the January 9th, 2023, City Council meeting.
- 12) New Business: Chairman Grannan discussed scheduling the annual review of Planning Commissioner By-Laws and election of officers.

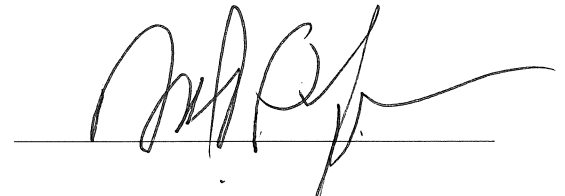
- 13) Citizen Input: Gail Kostelnick, Crystal River, addressed application no. PZ22-0108, stating the existing setbacks for swimming pools should be maintained. Ms. Kostelnick mentioned a non-enclosed swimming pool 10 feet from the water would increase bugs and other pests surrounding the swimming pool.
- 14) Staff Comments: None.
- 15) Commissioner's Comments: None.
- 16) Chairman's Comments: None.
- 17) Motion to adjourn was made by Chairman Grannan, seconded by Commissioner Herring. *Motion carried 7-0.*
Meeting adjourned at 8:57pm.

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

ATTEST:



Zoning Coordinator Zach Ciciera



Chairman Dan Grannan