

Planning Commission Agenda
June 1st, 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 – 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: **May 4th, 2023**
- 7) Citizen Input: 3 minutes
- 8) Public Hearings:

A.) i. Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PV23-0001 brought by

ROGER VANDERGRIFF – A Variance request of the City of Crystal River Land Development Code (LDC) to allow for a residential access (driveway apron) and driveway exceeding the maximum width requirements allowed pursuant to Section 6.04.02 Access and driveway design requirements, of the LDC, which address is 416 SW 1st Place, Crystal River, Florida.

B.) i. Conduct a Public Hearing for APPLICATION NO. PCA23-0003 brought by SCOTT &

CHRISTINE JOHNSON – Amendment to the Comprehensive Plan’s Future Land Use Map (FLUM) from Coastal Low Density Residential (CLDR) and Medium Density Residential (MDR) to Industrial (IND) which address is 4264 N Tallahassee Road, Crystal River, Florida.

ii. Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZMA23-0002 brought by

SCOTT & CHRISTINE JOHNSON – Amendment to the Official Zoning Map from Residential Conservation (R-C) and Medium Density Residential (R-2) to Industrial (IND) which address is 4264 N Tallahassee Road, Crystal River, Florida.

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.

C.) i. Conduct a Public Hearing for APPLICATION NO. PZT23-0004 brought by BOE BRACCIO –

Three text amendments to the LDC to allow a Class I Mobile Kitchen in (CW) Waterfront Commercial if the use is located outside of the Community Redevelopment Area (CRA) district.

- 9) Unfinished Business
- 10) New Business
- 11) Citizen Input: 5 minutes
- 12) Staff Comments
- 13) Commissioner's Comments
- 14) Chairman's Comments
- 15) Adjournment

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

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Planning Commission Minutes
May 4th, 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 – Gregory Acker
Alternate 2 – Kimberly Salter
Chuck Dixon – School Board*

- 1) Call to Order
- 2) Roll Call

Commissioners Present: Deborah MacArthur Anderson, Dan Grannan, Terry Thompson, Kim Salter, Karen Cunningham, Tonia Herring, Greg Acker.

Commissioners Absent: Rick Laxton, Larry Schenavar.

Staff Present: Brian Herrmann, Jenette Collins, Zach Ciciera.

- 3) Moment of Silence was led by Chairman Grannan.
- 4) Pledge of Allegiance was led by Chairman Grannan.
- 5) Motion to adopt the agenda was made by Chairman Grannan, seconded by Commissioner Herring. **Motion carried 7-0.**
- 6) Motion to approve minutes of the Planning Commission meeting held May 4th, 2023, was made by Commissioner Thompson, seconded by Chairman Grannan. **Motion carried 7-0.**
- 7) Citizen Input: None.
- 8) Public Hearings:

A.) i. Conduct a Public Hearing for APPLICATION NO. PCA23-0002 brought by the JGIPE

AUTOBODY LLC – Small-Scale Amendment of the Comprehensive Plan’s Future Land Use Map (FLUM) to change the subject property from Medium Density Residential (MDR) to Highway Commercial (HC). – 837 NE 5th Terrace, Crystal River, FL.

ii. Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PUD23-0001 brought by

JGIPE AUTOBODY LLC – Amendment to the Official Zoning Map to change the subject property from Medium Density Residential (R-2) to Planned Unit Development (PUD), having a master plan of development to allow a parking lot that is ancillary to Special-T Auto. – 837 NE 5th Terrace, Crystal River, FL.

Chair opened the quasi-judicial meeting.

Conflict of Interest: None.

Ex Parte Communication: None.

Staff Presentation:

Jenette Collins, Urban Planner, presented the application to the commission on behalf of city staff. Ms. Collins stated staff recommends City Council denial based on inconsistencies with the existing neighborhood.

Commissioner Questions:

Commissioner Thompson questioned the 14 parking spots proposed on the site plan. He stated the existing site has more than 14 cars parked on the lot and questioned what the consequences will be if the applicant exceeds the 14-car allowance. Jenette Collins deferred the question to the applicant. Ms. Blumenauer stated the applicant will comply with the adopted plan and any non-compliance would result in code enforcement by the city.

Applicant Presentation:

Nicole Blumenauer, Land Use Attorney, presented to the commission on behalf of the applicant. Ms. Blumenauer stated the proposal will comply with all city codes. The decision of this application is critical to whether the applicant will be able stay in business within the city.

Commissioner Questions:

Commissioner Herring questioned the required 4-foot-tall hedge stating it would look out of place based on the existing neighborhood. Ms. Blumenauer responded stating that the applicant is willing to work with City Staff to come to a solution regarding the required buffer.

Public Comment:

Clifford Smith, 838 NE 6th Street, Crystal River, stated his property is located adjacent to the subject property. Mr. Smith stated the subject property is unorganized and packed with vehicles. Mr. Smith stated he is against the proposal.

Willie Joyner, 886 NE 6th Street, Crystal River, stated he owned the subject property in 2001. Mr. Joyner stated he was forced to remove his trailer which he had parked on the property by the City's code enforcement, which he complied. Mr. Joyner stated he is against the proposal because the existing neighborhood should be maintained as a residential area.

Applicant Rebuttal:

Nicole Blumenauer stated the required buffer in the proposal will not only solve the current issues with neighboring landowners but will also become consistent with the surrounding land. Ms. Blumenauer states

the owner has grown his business and depends on this lot to be able to continue to operate. They will work with the city to obtain compliance with any requirements.

Commissioner Questions:

Commissioner Thompson stated the subject property is within a residential neighborhood within Knights Addition to Crystal River Subdivision and that he does not support the application.

Commissioner Discussion:

A motion to recommend City Council denial of APPLICATION NO. PCA23-0002 brought by the JGIPE AUTOBODY LLC, was made by Commissioner Thompson, seconded by Commissioner Acker. **Motion carried unanimously 7-0.**

A motion to recommend City Council denial APPLICATION NO. PUD23-0001 brought by JGIPE AUTOBODY LLC, was made by Commissioner Thompson, seconded by Chairman Grannan. **Motion carried unanimously 7-0.**

B.) i. Conduct a Public Hearing for APPLICATION NO. PZT23-0003 brought by the City of Crystal River – Text Amendment to the Land Development Code – Establishing a Means for Revising an Existing Special Use Permit for a Mobile Outdoor Commercial Kitchen.

Staff Presentation:

Brian Herrmann, Planning Director, presented the application to the commission on behalf of city staff.

Public Comment:

Paresh Desai, Crystal River, stated the construction of the new restaurant is a creative way to comply with FEMA requirements by using a mobile kitchen.

Chris Kohfmehl, Crystal River, stated the restaurant has all the amenities of a primary use restaurant except the kitchen is mobile and able to be removed from the site at the time of a flood.

Commissioner Questions:

Commissioner Anderson questioned if the original scope of work is changing. Mr. Herrmann stated the scope of work is not changing.

Commissioner Acker stated if a permanent commercial kitchen were to get flooded, the damage costs would be so high it could put them out of business.

Commissioner Discussion:

A motion to recommend City Council approval of APPLICATION NO. PZT23-0003 brought by the City of Crystal River, was made by Commissioner Thompson, seconded by Commissioner Cunningham.

Motion carried unanimously 7-0.

C.) i. Conduct a Public Hearing for APPLICATION NO. PZT23-0001 brought by the City of Crystal River – Text amendment to the Bed & Breakfast use in the Land Development Code.

Staff Presentation:

Brian Herrmann, Planning Director, presented the application to the commission on behalf of city staff. Mr. Herrmann stated the existing supplemental standards will now apply to zoning districts CH, CG, CW, and NBR while removing the use from zoning districts R-2, and R-3.

Commissioner Questions:

Commissioner Cunningham stated bed and breakfast inns would make sense within R-2 and R-3 with supplemental standards as these districts allow for multifamily uses.

Public Comment: None.

Commissioner Discussion:

A motion to recommend City Council approval of APPLICATION NO. PZT23-0003 brought by the City of Crystal River, with conditions to allow the use with supplemental standards in R-2 and R-3 zoning districts, was made by Commissioner Thompson, seconded by Commissioner Cunningham. **Motion carried unanimously 7-0.**

D.) i. Conduct a Public Hearing for APPLICATION NO. PZT23-0002 brought by the City of Crystal River – Text amendment to add “Kayak, Canoe, or Paddleboard Rental with Launch” to the Land Development Code.

Staff Presentation:

Brian Herrmann, Planning Director, presented the application to the commission on behalf of city staff.

Commissioner Questions:

Commissioner Thompson questioned if the proposed language will address all human-powered watercraft devices. He stated the language should be changed to cover this.

Chairman Grannan agreed with Commissioner Thompson, stating that if the application is approved, a condition shall be made to cover all human-powered watercraft devices.

Public Comment: None.

Commissioner Discussion:

A motion to recommend City Council approval of APPLICATION NO. PZT23-0002 brought by the City of Crystal River, with a condition to change “kayak, canoe, or paddleboard rental with launch” to “all human-powered watercraft devices with launch” within table 2.03.02. of the City’s Land Development Code, was made by Chairman Grannan, seconded by Commissioner Thompson. **Motion carried unanimously 7-0.**

9) Unfinished Business: None.

10) New Business: None.

11) Citizen Input: None.

12) Staff Comments: None.

13) Commissioner’s Comments: None.

14) Chairman’s Comments: None.

15) Motion to adjourn was made by Commissioner Thompson, seconded by Chairman Grannan. **Motion carried 7-0.**

Meeting adjourned at 7:19pm.

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



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

| | |
|--|---|
| MEETING DATE: | June 1, 2023 |
| VARIANCE APPLICATION NO. PV23-0001 – ROGER VANDERGRIF | |
| VARIANCE REQUESTED: | A Variance request of the City of Crystal River Land Development Code (LDC) to allow for a residential access (driveway apron) and driveway exceeding the maximum width requirements allowed pursuant to Section 6.04.02 <u>Access and driveway design requirements</u> , of the LDC. |
| SUBJECT PROPERTY: | Section 21, Township 18S, Range 17E, specifically, Lot 22 of Aqua Vista, as recorded in Plat Book 11, Page 144, of the Public Records of Citrus County, Florida (Atkey 1997721), which address is 416 SW 1 st Place, Crystal River. A complete legal description of the property is on file with the Planning and Development Services Department. |
| ACREAGE: | Approximately 38,500 square feet (0.88 acres). |
| ZONING DISTRICT: | R-W, Residential Waterfront District |
| FLOOD ZONE: | According to the FEMA Flood Insurance Rate Map (FIRM), the subject property is partially in Flood Zone CAZ with a Base Flood Elevation (BFE) of 13 feet, and partially in Flood Zone VE with a BFE of 14 feet, as found on FIRM Panel Number 12017C0188E. (Effective date: January 15, 2021) |
| SURROUNDING AREA: | North – residential lot (vacant) South – residential lot (s.f. residence) East – SW 1 st Place across residential lot (vacant) West – Kings Bay on the Crystal River |
| PREPARED BY: | Jenette Collins, AICP, Urban Planner, Planning and Community Development Services Department |

BACKGROUND INFORMATION: This residential variance request is made to develop a single-family residential lot per the submitted site plan having a driveway apron width and driveway width that exceed the requirements of the Section 6.04.02 Access and driveway design requirements, of the LDC as follows:

- Requesting a driveway apron width of 34 feet rather than the maximum 20-foot width allowed when no sidewalk is present or planned.
- Requesting a driveway width of 34 feet rather than the maximum 20-foot width allowed within the property lot line.

The driveway apron is described as that part of the driveway located between the lot line and the finished surface of the road right-of-way (row), whereas the driveway is that part located inside of the lot typically situated between the lot line and the carport, garage, or parking area under the house.

The subject lot is 100 feet wide located along SW 1st Place, a 50-foot, city maintained local road. The lot has an average depth of 399.41 feet lying contiguous to Kings Bay, designated as a Class II Outstanding Florida Waterway. The property owner has made an application (PB23-0078) to develop the property with a single-family residence. The subject property contains significant forested wetlands and a tidal

flat that limits the residential development to the easternmost perimeter of the site to an approximate 184-foot depth extending back from the edge of the road row. The applicant has advised that they have sought an Environmental Resource Permit (ERP No. 0175189) from the Florida Department of Environmental Protections (FLDEPT) to mitigate and minimize the effects on the wetlands. He has also received a permit (SAJ-1988-00282) from the Department of Army Corp of Engineers (ACOE), which is typical for work being done in areas that are in, or adjacent to, surface waters (in this case, Kings Bay).

ANALYSIS: Section 6.04.02 Access and driveway design requirement, of the LDC, requires that if no sidewalk is present or planned in the row, then the width of the driveway apron may be a minimum of 12 feet and a maximum of twenty feet. Furthermore, the standard residential driveway may be a minimum of twelve feet in width and a maximum of twenty feet in width when located between the lot line and the carport, garage, or parking area under the house.

The applicant makes the request for a 34-foot-wide apron and driveway in response to the site’s wetlands condition in adherence to the issued FLDEP ERP. The request limits the driveway parking area to 612 square feet (34 feet wide by 18 feet deep) of impervious surface. The applicant desires the proposed apron and related driveway width to be able to park a minimum of two automobiles and allow adequate entry width to allow golfcart passage and an elevated crossing path to the proposed residence.

The upland areas of the property range in elevation from 1.71 feet to 3.67 feet above mean sea level (MSL) extending from the top of the bank (landward of the tidal flat) to the front of the lot at the edge of the road row. The residence will need to be elevated to meet the FEMA FIRM designated base flood elevation of 13 feet in a CAZ (coastal A zone) plus the one-foot freeboard above MSL. The CAZ carries a higher standard for constructing a residence to allow for wave action free of obstructions. As such the residence is proposed on pilings.

The site design proposes an impervious surface area that is less than the maximum 45 percent impervious surface ratio (ISR) allowed in the R-W zoning district. The proposed driveway area comprises less than 0.2 percent impervious surface of the total lot area. The site plan as presented proposes all construction (residence, associated decking and boardwalk) on raised pilings that will allow for natural waterflow/wave action in the CAZ flood zone. Except for what is requested for variance, site development shall adhere to all other development standards of the LDC.

An analysis of the existing *neighboring residential driveway widths* proximate to the subject property and located on SW 1st Place measure as follows:

| Lot/Site Address | Apron/Driveway width | Note on driveway status |
|--|---------------------------------|--|
| Subject Lot 22/416 SW 1ST PL | Proposed 34 feet/34 feet | Will extend into lot 18' from row |
| Lot 23/406 SW 1 ST PL | Existing 24 feet/24 feet | Extends into lot 25+/-'to residence |
| Lots 19-20/442 SW 1 ST PL | Existing 24 feet/ 20 feet | Extends into lot 25+'to residence |
| Lot 18/456 SW 1 ST PL | Existing 19 feet/19 feet | Extends into lot 25+' to residence |

It is noted that Section 9.03.00 Administrative waivers, of the LDC, allows a twenty percent administrative adjustment of certain standard requirements of the LDC, including driveway apron and driveway widths. Using this waiver, the apron and driveway may be administratively considered at the discretion of the city’s supervisory planner to allow a maximum 24-foot width without the need for a

variance. The requested variance represents a 41.66 percent increase of the maximum allowed apron and driveway width when considering the administrative waiver.

REQUIRED FINDINGS FOR GRANTING A VARIANCE: Pursuant to Section 9.02.02 of the Crystal River Land Development Code, 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;*** Staff response: The subject property contains significant wetlands and is partially inundated by a tidal flat contiguous to Kings Bay. Chapter 3 of the LDC requires that such areas be protected from the harmful effects of development. The applicant has obtained a FDEP agency ERP, which allows specific development subject to strict adherence to certain mitigation measures to minimize environmental impacts and reduce the impervious footprint. In addition, the subject property is located in a FEMA FIRM CAZ zone, which carries a higher standard for constructing a residence to allow for wave action free of obstructions. Given the site development constraints, the applicant has made the request to exceed the maximum allowed driveway width to allow parking, however having a driveway depth of 18 feet within the lot to minimize the impacts.
2. ***The hardship is not a result of actions of the owner and is not based solely on a desire to reduce development costs;*** Staff response: The requested variance is made as a result of an FDEP agency ERP to minimize the impervious footprint of the development in adherence to wetlands permitting.
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;*** Staff response: The subject property is a lot that is part of a record plat for the subdivision of Aqua Vista recorded on January 8, 1980, prior to current subdivision regulations and the LDC. At that time, there were no requirements for environmental preservation or flood management. The lot, as platted, is unique to other lots in the district that do not contain the same environmental conditions and development constraints as previously noted.
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;*** Staff response: The proposed variance for the widened driveway apron driveway will allow the applicant the same property right that is available to other property owners to have two residential parking spaces and an access path to serve a proposed residence in the R-W zoning district.
5. ***The granting 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;*** Staff response: No special privilege is being given. The proposed residential use is permissible in the existing zoning district, and all other provisions of the LDC must 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;*** Staff response: The proposed variance will not serve to increase congestion on the street, but is made to provide off-street parking consistent with the parking

requirements of the LDC for a single family residence, which supports the health, safety and general welfare of the public.


7. ***The development following the proposed variance is compatible with adjacent and nearby development and does not alter the essential character of the district;*** Staff response: The proposed variance does not alter the essential character of the R-W district for residential development.
8. ***The variance granted is the minimum variance that results in reasonable use of the land, building, or structure;*** Staff response: Although the proposed driveway width could be reduced to adequately allow for two parking spaces and an access path, the proposed mitigation plan must be taken into consideration as a means to minimize environmental and flood impacts and further serves to allow reasonable use of the property for a single-family residence. The applicant's request to increase the apron and driveway width takes into consideration a golfcart path, which is not necessary to make reasonable use of the property.
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 Staff response: The proposed variance is consistent with the general intent of the LDC which provides parking requirements for single family residences up to two spaces. The intent of this variance is to consider allowing a 34-foot apron/driveway width due to the unique circumstance where there is a need to protect environmentally sensitive properties, while still allowing for the reasonable use of the residential lot.
10. ***The effect of the proposed variance is consistent with the comprehensive plan.*** Staff response: The proposed variance is consistent with the Crystal River Comprehensive Plan, particularly the intent of the ***Conservation Element*** which contains goals, objectives, and policies to ensure that development does not endanger important natural resources and follows FLDEP rules for the non-degradation of Outstanding Florida Waters.

In summary, staff finds that the requested 34-foot apron/driveway width could be reduced, but that it appears evident that a variance will be required to allow adequate width for a minimum of two off-street parking spaces and a footpath entrance from the street to the residence. Instead, staff finds that a 28-foot width would serve as a minimum variance to allow reasonable use of the property by providing for two 10-foot-wide off-street parking spaces and an eight-foot-wide path (as an extension of the proposed 8-foot boardwalk).

PLANNING COMMISSION ACTION: The Planning Commission shall approve, deny, or approve with conditions the application PV23-0001 for variance, based upon making positive findings regarding conditions set forth in subsection 9.02.02. A., of the LDC.

ATTACHMENTS:

1. Variance Application
2. Notification Letter
3. Site Plan/Application submittal with Backup

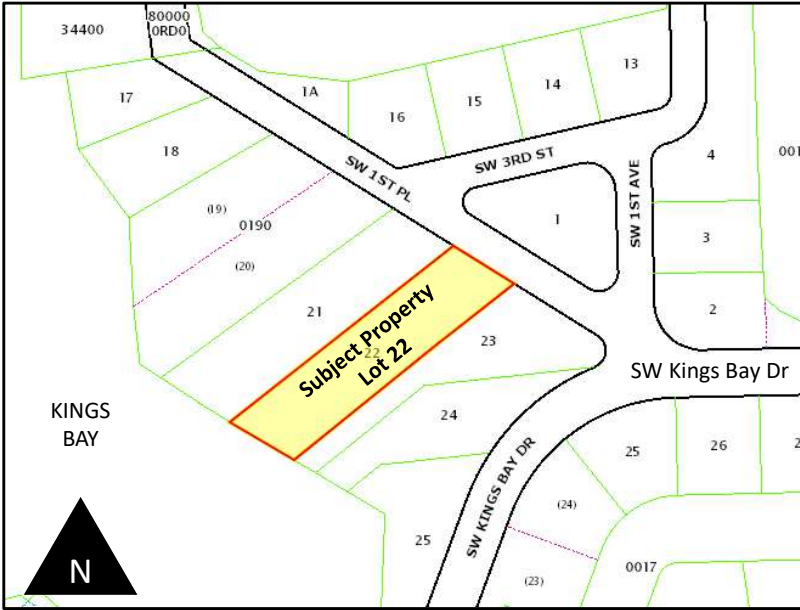


PV23-0001
Variance Request
ROGER VANDERGRIF

Crystal River Planning Commission Meeting of June 1, 2023

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1



KINGS BAY

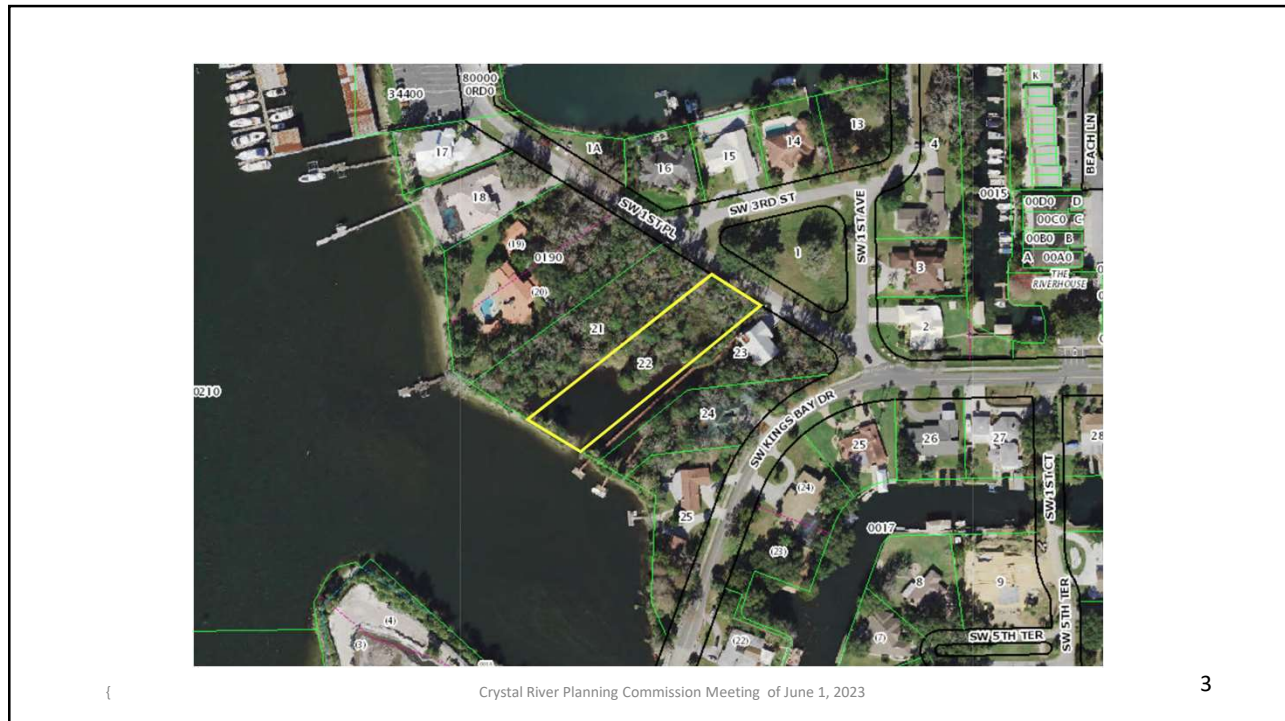
SW 1ST PL SW 3RD ST SW 1ST AVE SW KINGS BAY DR

Subject Property Lot 22

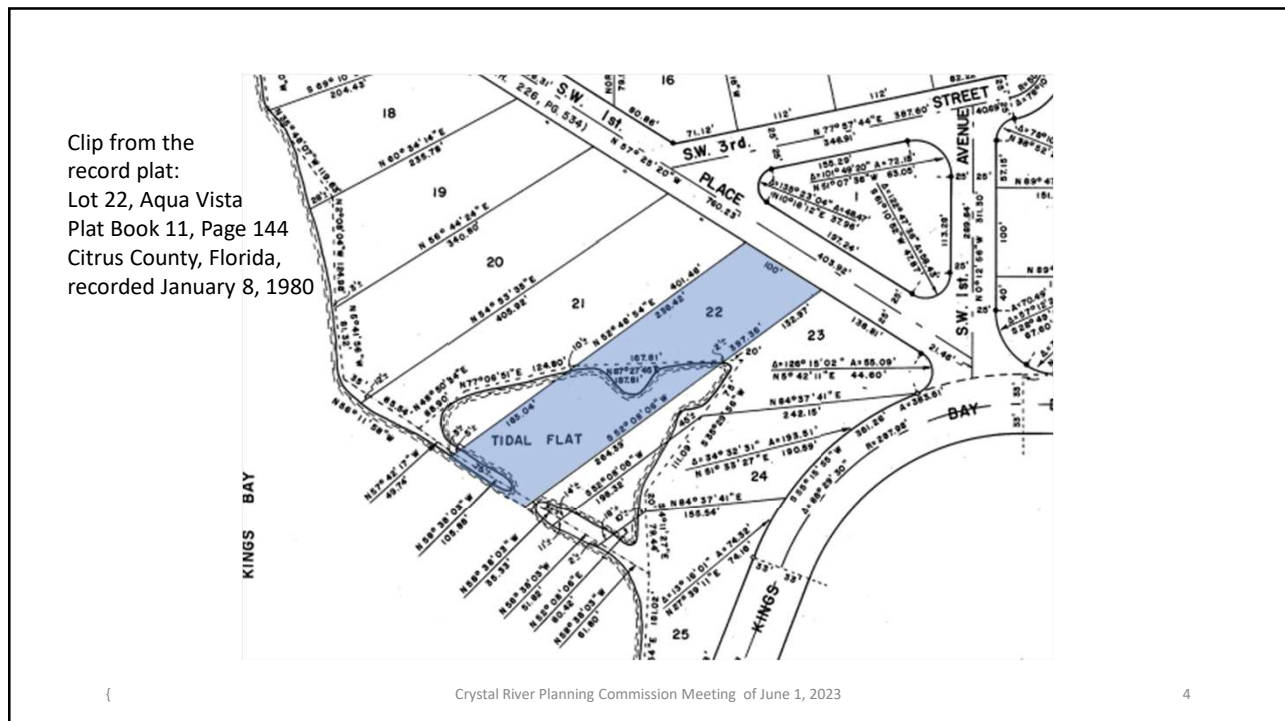
Crystal River Planning Commission Meeting of June 1, 2023

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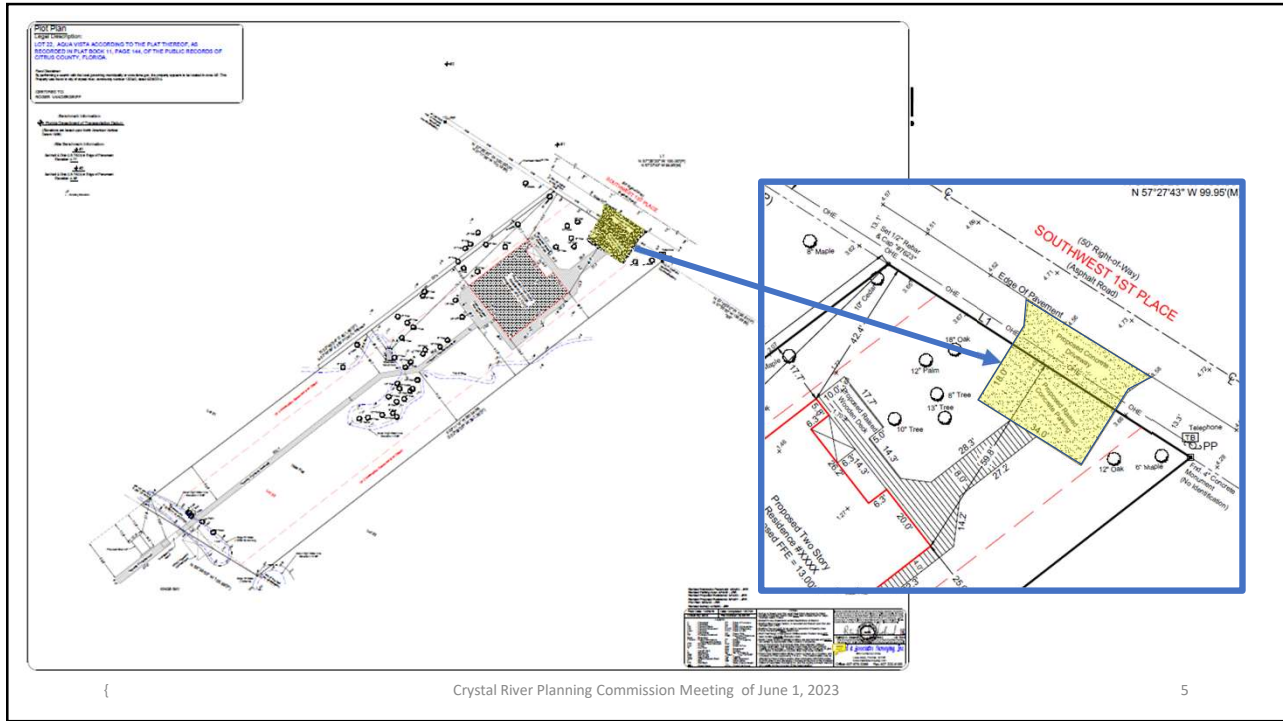
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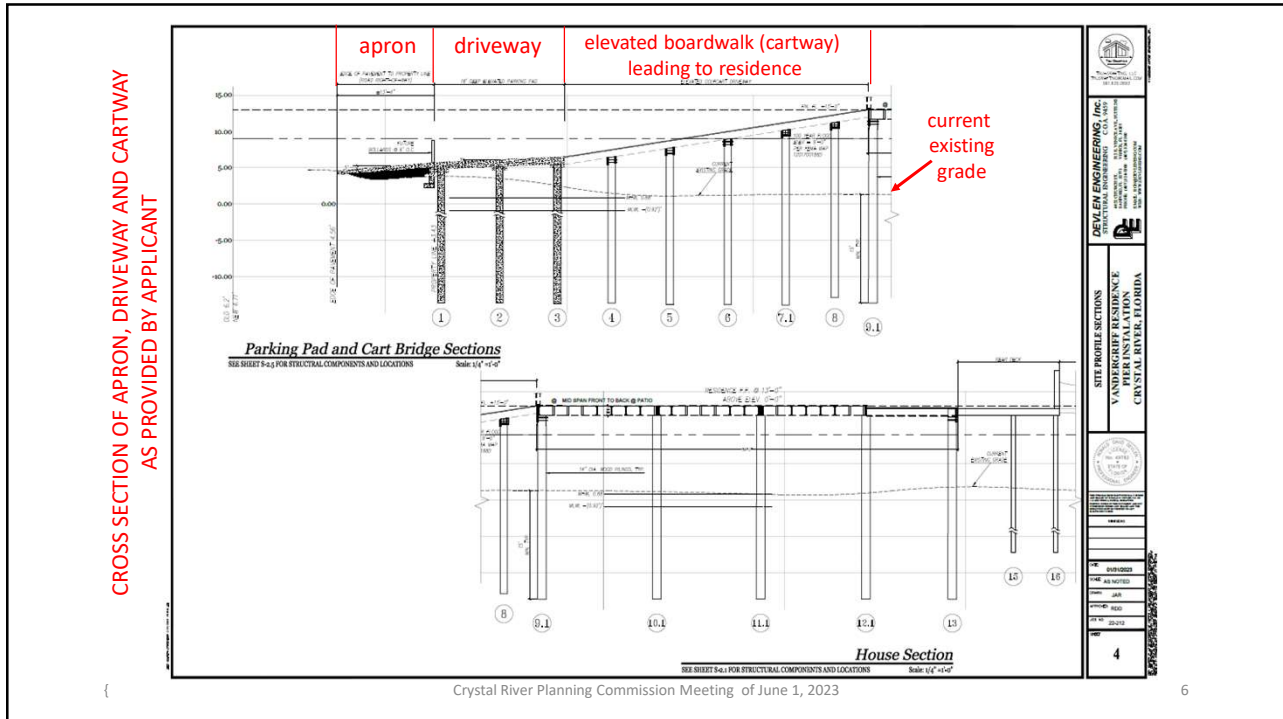
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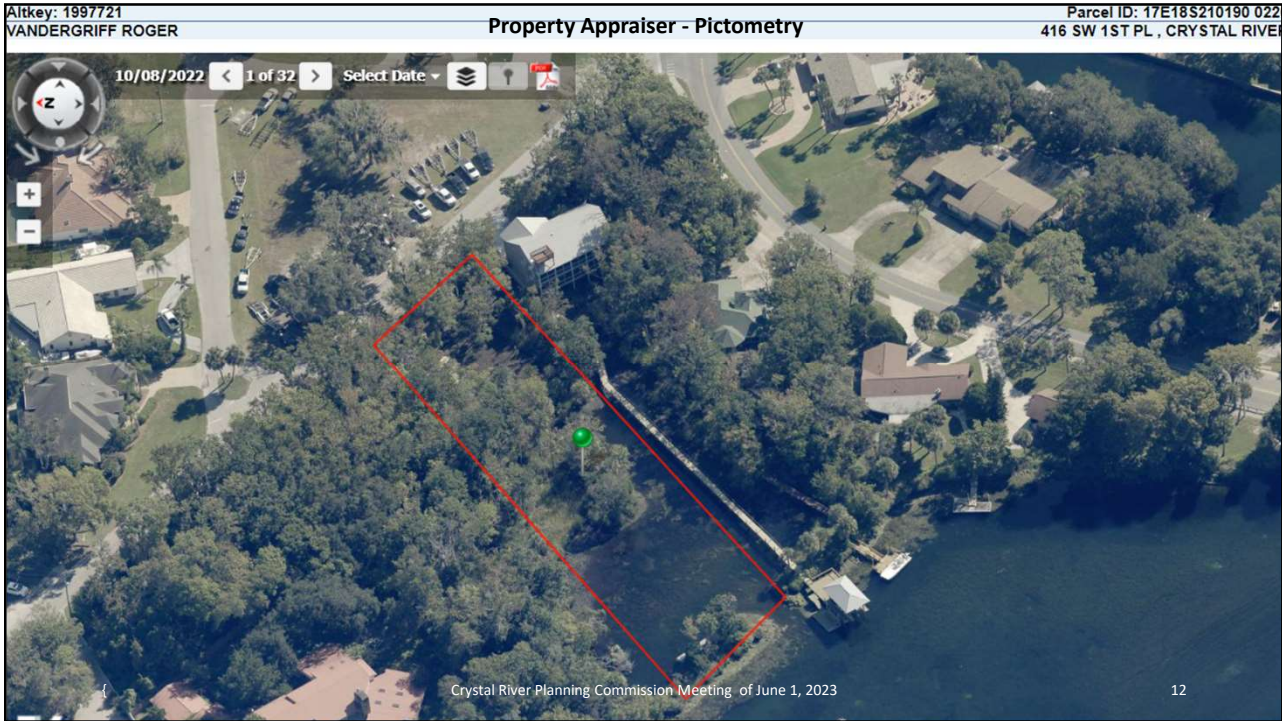
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QUESTIONS?

PV23-0001
Variance Request
ROGER VANDERGRIF

Crystal River Planning Commission Meeting of June 1, 2023

13

Plot Plan
Legal Description:
LOT 22, AQUA VISTA ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 11, PAGE 144, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA.

Flood Disclaimer:
 By performing a search with the local governing municipality or www.fema.gov, the property appears to be located in zone AE. This Property was found in city of crystal river, community number 120340, dated 9/26/2014.

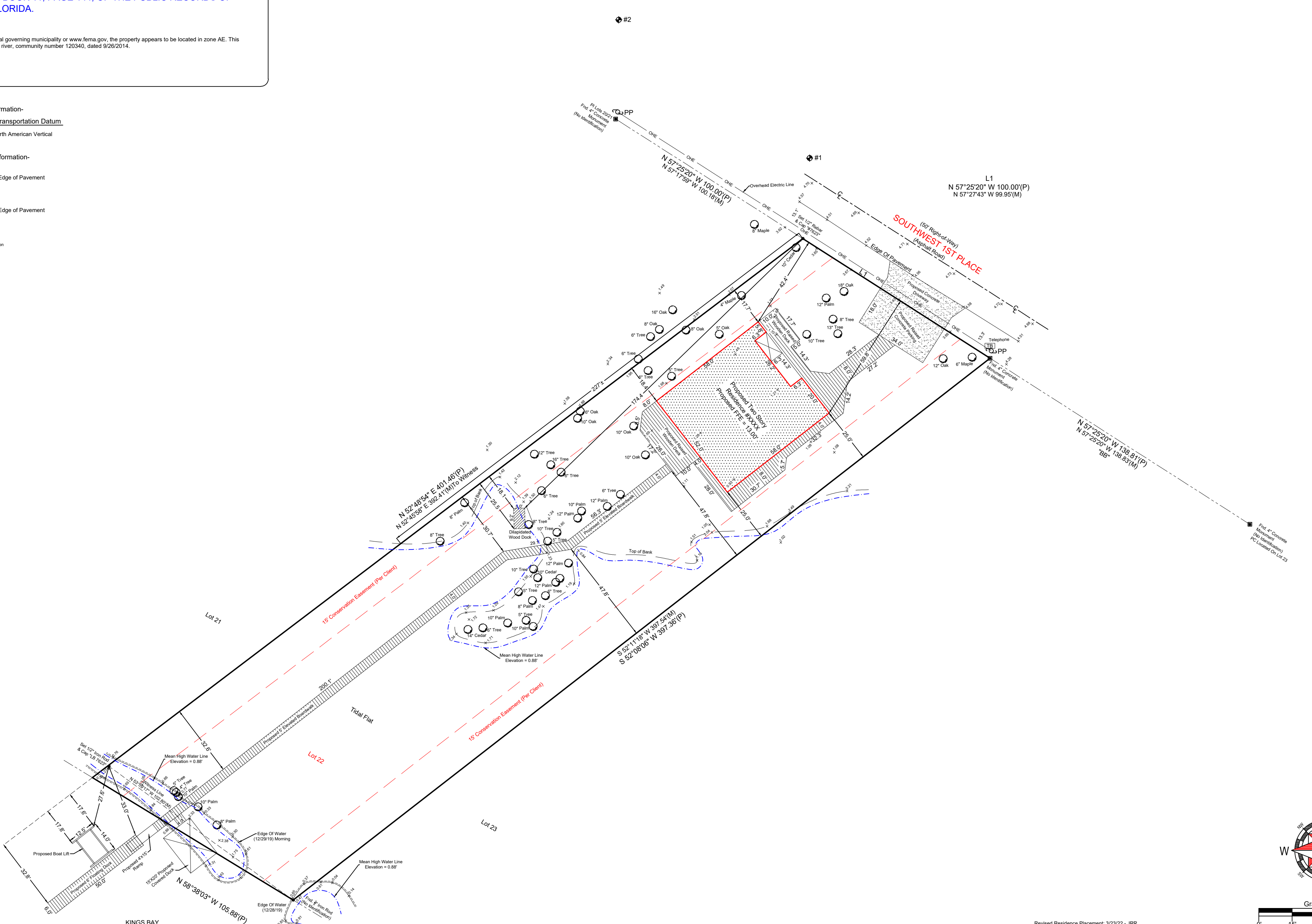
CERTIFIED TO:
 ROGER VANDERGRIFF

Benchmark Information-
Florida Department of Transportation Datum
 (Elevations are based upon North American Vertical Datum 1988)

-Site Benchmark Information-
#1
 Set Nail & Disk (LB 7623) in Edge of Pavement
 Elevation: 4.71'

#2
 Set Nail & Disk (LB 7623) in Edge of Pavement
 Elevation: 4.38'

\times Existing Elevation



Revised Residence Placement: 3/23/22 - JRR
 Revised Parking Area: 3/16/22 - JRR
 Revised Proposed Residence: 3/14/22 - JRR
 Revised Proposed Residence: 8/10/21 - JRR
 Plot Plan: 9/23/20 - JRR
 Revised Survey: 4/29/20 - JRR

| Field Date: 12/28/19 | Date Completed: 1/27/20 |
|----------------------|-------------------------|
| Drawn By: MKS | File Number: IS-68761 |

Legend-

| | |
|--|------------------------------------|
| C - Calculated | PC - Point of Curvature |
| CB - Concrete Block | PP - Point of Intersection |
| CM - Concrete Monument | P.P.B. - Point of Beginning |
| Conc. - Concrete | P.L. - Point of Line |
| D - Description | RF - Power Pole |
| DE - Drainage Easement | PRM - Permanent Reference Monument |
| Easmt. - Easement | PT - Point of Tangency |
| F.E.M.A. - Federal Emergency Management Agency | R - Radial |
| FFE - Finished Floor Elevation | Rad. - Radial |
| FR - Flag | RB&C - Rod & Cap |
| FS - Flag Stake | RF - Roofline |
| L - Length (As) | RI - Roofline |
| M - Measured | RS - Set "X" Range & Measure |
| N&D - Nail & Disk | Tab - Cap "LB 7623" |
| N.B. - Noted | TE - Utility Easement |
| ORB - Official Records Book | UL - Utility Line |
| P - Plot | VM - Utility Meter |
| PL - Plot Location | W - Well |
| PL - Wood Fence | Z - Zoned (Corner Angle) |
| | Z - Chain-Line Fence |

Notes-

- Survey is Based upon the Legal Description Supplied by Client.
- Subjacent Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Halts.
- Subject to any Easements and/or Restrictions of Record.
- Bearing Basin shown hereon, is Assumed and Based upon the Line Denoted with "B".
- Building Ties are NOT to be used to reconstruct Property Lines.
- Owner Ownership is NOT determined.
- Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.
- Specific Tanks and/or Disinfectant Locations are approximate and MUST be verified by appropriate Utility Location Companies.
- Use of This Survey for Purposes other than Intended, Without Written Verification, Will be the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Constructed to give ANY Rights or Benefits to Anyone other than Those Certified.
- Flood Zone Determination Shows Hereon is Given as a Courtesy, and is Subject to Final Approval by FEMA. This Determination will be Affected by Flood Factors and/or Information Not Herein Shown by NOAA given to this Surveying Company at the time of this Endeavor Ireland & Associates Surveying, Inc. and the signing surveyor assume NO Liability for the Accuracy of this Determination.

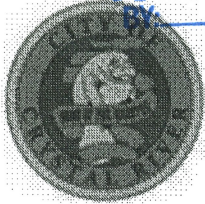
I hereby Certify that this Boundary Survey of the above Described Property True and Correct to the Best of my Knowledge and Based on recently Surveyed under my Direct or the Best of my Knowledge and Based on Information as the same Relied and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 471.02 Florida Administrative Code, Professional Land Surveyors of Florida Statutes.

Patrick K. Ireland
 Patrick K. Ireland - 0000000337 LB 7633
 This Survey is intended for the use of Said Certified Parties. The Survey NOT VALID UNLESS signed and entered with Surveyor's Seal.

Ireland & Associates Surveying, Inc.
 800 Currency Circle
 Lake Mary, Florida 32746
 www.irelandsurveying.com
 Office-407.678.3366 Fax-407.320.8165

RECEIVED
APR 28 2023
zc

PV23-0001



VARIANCE APPLICATION

Dept. of Planning & Community
Development Services
123 NW Highway 19
Crystal River, FL 34428
352-795-4216, ext. 306
Fax: 352-795-6245

Return to: zciciera@crystalriverfl.org

| | |
|-----------------------------|--------------------|
| Office Use Only: Paid _____ | Date _____ |
| Residential - \$400 | Commercial - \$600 |
| ATF - DOUBLE FEE | |

Applicant Information:

Name: ROGER VANDERGRIFF Phone 423-240-4537
 Street Address: 506 S. JACKSON ST Beverly Hills FL 34465
CITY ST ZIP
 Email Address: BOATSSUNANDFUN@AOL.COM

Site Information:

416
 Site Address: LOT 22 SW 1ST PL CRYSTAL RIVER
 Alt Key #: 1997721 Parcel ID # 17E185210190-0220
(AVAILABLE AT THE CITRUS COUNTY PROPERTY APPRAISER'S WEBSITE: www.citruspa.org.)

Legal Description: _____

AQUA VISTA PB11 PG 144 LOT 22 or attach description on a separate page)
 Subdivision: AQUA VISTA Lot: 22 Block: _____
 Current Zoning District: R-W
 Flood Zone: WE CAZ Base Flood Elevation: .9 FT
(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=PTIICOOR_APXALADE_CO_CH9VACORE_9.02.00VA
Our Architect, Engineer and FDEP worked together to minimize the effects on the wetlands and preserve the natural topography. We are asking for the City for approval for the parking variance as submitted and approved by FDEP

CHAP 4 SITE DESIGN 4.07.07. - PARKING

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.

| 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</i> |

Filing Requirements Checklist

| | |
|----|--|
| 1. | Completed application form available from the city. |
| 2. | Applicable filing fee as required by the city. The applicant will also be billed at a later date for advertising and postage fees for costs incurred due to <u>required</u> notification to abutting property owners by mail and advertising in a newspaper of general circulation. Applicants are billed actual costs incurred for public notification. No application shall be processed for final adoption until all fees are paid. |
| 3. | Proof of ownership and legal description of property (tax notice or copy of deed will suffice). |
| 4. | Site Plan (DRAWN TO SCALE). All site plans and drawings for application shall clearly readable and be prepared at the same scale. The sheet size shall not be less than <u>11" x 17"</u> and not be larger than 36' x 48'. Where site plans are larger than 11" x 17", electronic copies must be provided as part of submittal. SITE PLANS SHALL SHOW THE FOLLOWING INFORMATION: |
| A. | Lot dimensions along all property lines. Include North arrow to indicate orientation. |
| B. | Lot area and percentage of lot covered (impervious surface area). |
| C. | Driveway access location with dimensions and parking space arrangement. (For commercial, must delineate internal aisle and parking with dimensions.) |
| D. | All rights-of-way and easements adjacent to and crossing the subject property. |
| E. | All watercourses, waterbodies, canals, and/or jurisdictional wetlands adjacent to or on property. |
| F. | Proposed or existing source of potable water/well or sewer/septic system. |
| G. | Existing and proposed location of building/structures including heights and separation. |
| H. | All setbacks (measured in feet) must be shown between buildings/structures and property lines. |
| I. | Any existing or proposed walls/fences – show location, height, and material types. |
| J. | Existing and/or proposed stormwater management systems as applicable. |
| K. | Signs (show location and dimensions) as applicable. |
| L. | Loading (show location and dimensions) as applicable. |
| 5. | A property survey containing the legal description, land area, and existing improvements on the site. The survey shall be signed by a surveyor licensed in the State of Florida and shall have been performed not more than two (2) years prior to the date of application. (Not required for residential applications.) |
| 6. | When the applicant is a representative of the property owner, a notarized statement authorizing the representative to act as an agent of the property owner with regard to the application and associated procedures. |

I HEREBY ACKNOWLEDGE THAT FAILURE TO SUBMIT THE ABOVE INFORMATION ALONG WITH THE RETURN OF THIS FORM, AND/OR THAT THE INFORMATION SUBMITTED IS INSUFFICIENT FOR REVIEW AND MAY DELAY PROCESSING CAUSING THE APPLICATION TO BE SCHEDULED TO A LATER HEARING DATE. APPLICATIONS FOUND INCOMPLETE WILL BE RETURNED TO THE APPLICANT.

Return this application to:

City of Crystal River
 Planning and Development Services Department
 123 Northwest Highway 19
 Crystal River, Florida 34428
zciciera@crystalriverfl.org

Applicant Signature: _____ Date: _____

| | |
|--|---|
| | <i>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. Site plan.

[Signature]
 SIGNATURE Owner Agent

4/22/23
 Date


Roger Vandegriffe
 PRINT NAME

STATE OF FLORIDA

COUNTY OF CITRUS

The foregoing instrument was acknowledged (Or Affirmed) before me this 22 day of APRIL, 20 23, who is/are personally known to me or has/have produced FL DL as identification.

[Signature]
 Notary Public

(SEAL)  **ZACHARY CICIERA**
 Notary Public
 State of Florida
 Comm# HH250215
 Expires 4/6/2026

JANICE A. WARREN C.F.C.
CITRUS COUNTY TAX COLLECTOR

2022 Paid Real Estate
NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

| ACCOUNT NUMBER | ESCROW/CD | MILLAGE CODE |
|----------------|-----------|--------------|
| 1997721 | | 000R |

VANDERGRIF ROGER
506 S JACKSON ST
BEVERLY HILLS, FL 34465

SW 1ST PL
AQUA VISTA PB 11 PG 144 LOT 22

Exemptions:

MAILING ADDRESS: 210 N. APOPKA AVE., SUITE 100 • INVERNESS, FL 34450-4298 • (352) 341-6500

| AD VALOREM TAXES | | | | | | |
|----------------------------|----------------|------------------|----------------|--------------|--------------|------------|
| TAXING AUTHORITY | ASSESSED VALUE | EXEMPTION AMOUNT | TAXABLE AMOUNT | MILLAGE RATE | TAXES LEVIED | |
| General County | 146,821 | 0 | 146,821 | 6.5057 | 955.17 | |
| Transportation Trust | 146,821 | 0 | 146,821 | 0.7860 | 115.40 | |
| Health Department | 146,821 | 0 | 146,821 | 0.0614 | 9.01 | |
| Library | 146,821 | 0 | 146,821 | 0.3147 | 46.20 | |
| Schools Local Req'd Effort | 167,330 | 0 | 167,330 | 3.2750 | 548.01 | |
| Schools Capital Outlay | 167,330 | 0 | 167,330 | 1.5000 | 251.00 | |
| Schools Discretionary | 167,330 | 0 | 167,330 | 0.7480 | 125.16 | |
| City of Crystal River | 146,821 | 0 | 146,821 | 6.5900 | 967.55 | |
| SWFWMD General | 146,821 | 0 | 146,821 | 0.2260 | 33.18 | |
| Mosquito Control | 146,821 | 0 | 146,821 | 0.4307 | 63.24 | |
| TOTAL | | | | | 20.4375 | \$3,113.92 |

| NON-AD VALOREM ASSESSMENTS | | |
|-----------------------------------|------|--------|
| LEVYING AUTHORITY | RATE | AMOUNT |
| | | \$0.00 |
| NON-AD VALOREM ASSESSMENTS | | \$0.00 |

| | | |
|---------------------------------------|------------|---|
| COMBINED TAXES AND ASSESSMENTS | \$3,113.92 | See reverse side for important information. |
|---------------------------------------|------------|---|

| | | | | | |
|-------------------------|---------------------|--|--|--|--|
| If Postmarked By | Feb 28, 2023 | | | | |
| Please Pay | \$0.00 | | | | |

JANICE A. WARREN C.F.C.
CITRUS COUNTY TAX COLLECTOR

2022 Paid Real Estate
NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

| ACCOUNT NUMBER | ESCROW/CD | MILLAGE CODE |
|----------------|-----------|--------------|
| 1997721 | | 000R |

VANDERGRIF ROGER
506 S JACKSON ST
BEVERLY HILLS, FL 34465

SW 1ST PL
AQUA VISTA PB 11 PG 144 LOT 22

MAILING ADDRESS: 210 N. APOPKA AVE., SUITE 100 • INVERNESS, FL 34450-4298 • (352) 341-6500

| | | | | | |
|-------------------------|---------------------|--|--|--|--|
| If Postmarked By | Feb 28, 2023 | | | | |
| Please Pay | \$0.00 | | | | |

RETAIN THIS PORTION FOR YOUR RECORDS.
WALK-IN CUSTOMERS,
PLEASE BRING FOR RECEIPT.

DO NOT WRITE ON BOTTOM PORTION

RETURN WITH PAYMENT.

Altkey: 1997721
VANDERGRIFF ROGER

Parcel ID: 17E18S210190 0220
416 SW 1ST PL , CRYSTAL RIVER

Citrus County Property Appraiser, Cregg E. Dalton

PC Code 0000 - VACANT
Bldg Counts Res 0 / MH 0 / Comm 0
Nbhd 2160 - CRYSTAL RIVER WATERFRONT
Tax District 000R - CITY OF CRYSTAL RIVER
Subdivision 000042 - AQUA VISTA (CRYSTAL RIVER)
Short Legal AQUA VISTA PB 11 PG 144 LOT 22
Est. Parcel Sqft 38,500
Est. Parcel Acres .88
Map SC-TW-RG 21-18S-17E

Mailing Address

Name VANDERGRIFF ROGER
Mailing Address 506 S JACKSON ST
BEVERLY HILLS FL 34465

All Owners

| Name | Owner Type |
|-------------------|-----------------|
| VANDERGRIFF ROGER | IN - Individual |

Value History and Tax Amount

| Year | Land Value | Impr Value | Just Value | Non-Sch. Assessed | Non-Sch. Exemptions | Non-Sch. Taxable | HX Cap Savings | Tax Estimate | Tax Link |
|------|------------|------------|------------|-------------------|---------------------|------------------|----------------|--------------|----------------------|
| 2022 | \$167,330 | \$0 | \$167,330 | \$146,821 | \$0 | \$146,821 | \$0 | \$3,113.92 | Link |
| 2021 | \$142,460 | \$0 | \$142,460 | \$133,474 | \$0 | \$133,474 | \$0 | \$2,757.19 | Link |

Buyer Beware!

Property taxes may be affected with change in ownership. When buying real estate property, you should not assume that property taxes will remain the same. Whenever there is a change in ownership, the assessed value of the property may reset to full market value, which could result in higher property taxes. Please use our tax estimator to approximate your new property taxes.

Homestead exemptions and agricultural classifications are not transferable to the new owner. You must apply for your own exemptions and agricultural classifications.

Sales

| Sale Date | Sale Price | Book/Page | Instr Type | V/I |
|------------|------------|-----------|-------------------------|-----|
| 05/03/2018 | \$150,000 | 2904/0200 | 00-WARRANTY DEED | V |
| 05/01/2000 | \$100 | 1367/2137 | 03-SAME FAMILY/DEED FOL | V |
| 06/01/1998 | \$41,000 | 1249/1435 | 00-WARRANTY DEED | V |
| 11/01/1994 | \$100 | 1060/0640 | 01-CORRECTIVE/QC/TD/COT | V |
| 08/01/1989 | \$4,000 | 0827/1510 | 17-17 | V |
| 12/01/1984 | \$35,600 | 0657/1399 | 00-WARRANTY DEED | V |
| 10/01/1981 | \$40,000 | 0585/1442 | 00-WARRANTY DEED | V |

DISCLAIMER

Sales do not generally appear in database until approximately 8 to 10 weeks after the recording date. If a recent sale does not show up in this list, please allow more time for the sale record to be processed.

Land & Agricultural

| Line | Land Use | Type | Units | Frontage | Depth | Ag Flag | Classified Value | Just Value | Zoning |
|------|-------------------------------|--------------|--------|----------|-------|---------|------------------|------------|--------|
| 1 | 0003-RIVER FRT- RES VACANT | F-FRONT FOOT | 107.00 | 107.0 | 202 | | | | RW |

| |
|-------------------------|
| Total Misc Value |
|-------------------------|



City of Crystal River

123 Northwest Highway 19
Crystal River, Florida 34428
Telephone: (352) 795-4216
Facsimile: (352) 795-6245
www.crystalriverfl.org

Variance Application No. PV23-0001

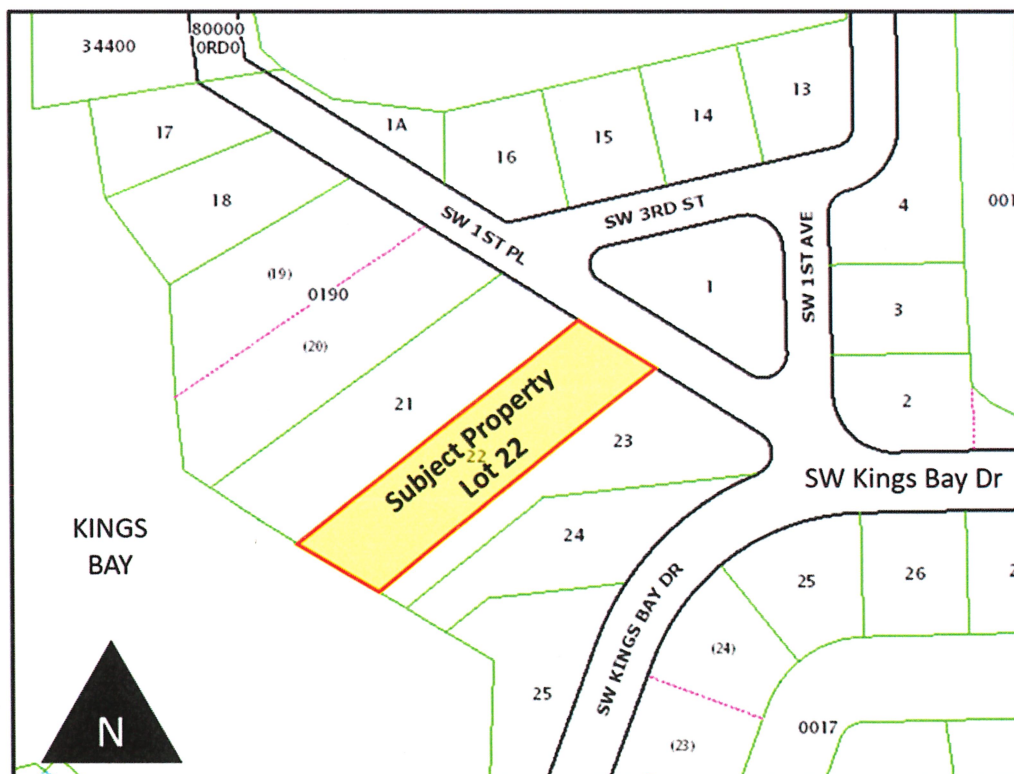
May 15, 2023

NOTICE OF A REQUEST FOR VARIANCE FROM THE CITY OF CRYSTAL RIVER LAND DEVELOPMENT CODE

Dear Property Owner:

Please be advised that ROGER VANDERGRIFF has made a formal application to the City of Crystal River for a Variance request of the City of Crystal River Land Development Code (LDC) to allow for a residential access (driveway apron) and driveway exceeding the maximum width requirements allowed 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 22 of Aqua Vista, as recorded in Plat Book 11, Page 144, of the Public Records of Citrus County, Florida (Atkey 1997721), which address is 416 SW 1st Place, Crystal River. A complete legal description of the property is on file with the Planning and Community Development Services Department.

Subject Property Address: 416 SW 1ST PL, Crystal River, FL



You are being sent a notification because you own property within 300 feet of the subject property. Please be advised that a Quasi-Judicial Public Hearing will be held on **Thursday, June 1, 2023, at 5:30 p.m.** before the City Planning Commission at City Hall, 123 NW Highway 19, Crystal River, FL 34428, if you wish to speak for or against this request for a Variance from the City of Crystal River Land Development Code. The applicant's presence is requested at the public hearing.

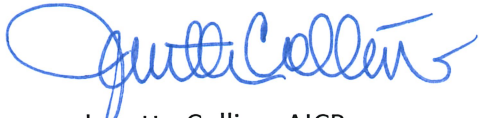
Any person deciding to appeal any decision made by the commission with respect to any matter considered at this meeting or hearing will need a record of the proceedings, and that, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

This application is available for viewing during normal business hours, 8:30 a.m. to 4:30 p.m. in the Planning and Community Development Department located at 123 NW Highway 19, Crystal River, Florida 34428.

Any person requiring reasonable accommodation at this meeting because of a disability or physical impairment should contact the City of Crystal River, Florida 34428, (352) 795-4216, at least two (2) days prior to the meeting.

If you have any questions concerning this application, please call (352) 795-4216, Extension 340.

Sincerely,



Jenette Collins, AICP
Urban Planner
Planning and Community Development Services Department
City of Crystal River

File: PV23-0001



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

| | | |
|-----------------------------|--|---|
| MEETING DATE: | June 1, 2023 | |
| APPLICATION NO.: | PCA23-0003/PZMA23-0002 SCOTT AND CHRISTINE JOHNSON | |
| PROPOSED AMENDMENTS: | COMPREHENSIVE PLAN | Amendment to the Comprehensive Plan's Future Land Use Map (FLUM) from Coastal Low Density Residential (CLDR) and Medium Density Residential (MDR) to Industrial (IND). |
| | ZONING MAP | Amendment to the Official Zoning Map from Residential Conservation (R-C) and Medium Density Residential (R-2) to Industrial (IND). |
| SUBJECT PROPERTY: | Section 08, Township 18S, Range 17E; specifically, Parcel ID 17E18S08 33100 (AK# 1051991), which address is 4264 N Tallahassee Road, Crystal River. A complete legal description of the property is on file with the Community Planning & Development Services Department. | |
| PROPERTY OWNER: | Scott A. Johnson and Christine R. Johnson | |
| LAST OCCUPANT: | Vacant | |
| ACREAGE | Approximately 17.22 acres | |
| FLOOD ZONE: | According to the Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone AE with Base Flood Elevations (BFEs) of 11 Feet, as found on FIRM Panel Number 12017C0186E. (Effective date: January 15, 2021) | |
| SURROUNDING AREA: | North | Future Land Use – CL, Low Intensity Coastal & Lakes (unincorporated Citrus County) |
| | | Zoning – CLR, Coastal & Lakes Residential along N Tallahassee Road (unincorporated Citrus County) These properties are vacant, or developed with single family residences. |
| | South | Future Land Use – CL, and LDR - Low Density Residential (unincorporated Citrus County); and HDR - High Density Residential (City) |
| | | Zoning Designation – CLR, and LDR (unincorporated Citrus County); and R-3, High Density Residential (City) These properties are vacant, or developed with multi-family (apartments). |
| East | Future Land Use – across N Tallahassee Road – CLR, RVP – Recreational Vehicle Park, and LDR (unincorporated Citrus County); and LDR (City) | |
| | Zoning Designation – RVP and LDR (unincorporated Citrus County); and R-1 – Low Density Residential (City) These properties are vacant, or developed as single family residential. | |
| West | Future Land Use – CL (unincorporated Citrus County) | |
| | Zoning Designation – CL and CLR (unincorporated Citrus County) These properties are vacant, or developed as single family residential. | |
| Reviewed by: | Jenette Collins, AICP, Urban Planner Crystal River Planning and Community Development Services Department | |

BACKGROUND INFORMATION: The subject property comprises approximately 17.22 acres located on N Tallahassee Road, a county maintained, 50-foot local road. The parcel is triangular shaped, vacant and densely forested, having approximately 1,600 feet of frontage along N Tallahassee Road.

The applicant desires to amend the Future Land Use map and Zoning Map to develop the property with an outdoor storage facility for motorized and non-motorized vehicles. According to the City’s Land Development Code, Section 2.03.02 *Table of permitted uses*, the “IND” is the only zoning district that allows for “Uses requiring primarily outdoor storage...,” therefore prompting the application requests.

ANALYSIS: This is a joint application to amend the Future Land Use Map and Official Zoning Map for the City of Crystal River.

Comprehensive Plan – Future Land Use Map Amendment: This request is to change the land use category from CLDR (approximately 8.62 acres) and MDR (approximately 8.6 acres) to IND (total 17.22 acres). The following table shows a comparison of the existing and proposed future land use designations.

| Comprehensive Plan FLUM Category: | From CLDR and MDR | | To IND |
|-----------------------------------|---|---|--|
| | Category Description: | <u>CLDR, Coastal Low Density Residential:</u> Limited residential on predominantly uplands with minor disturbed wetlands. | <u>MDR, Medium Density Residential:</u> Single and multi-family residential. |
| Maximum Density: | 0.5 units per acre with water and sewer | 3.1 to 8 units** per acre | n/a |
| Maximum FAR* | n/a | n/a | 0.5 |

*FAR – Floor to Area Ratio **Number of units depend on the availability of central water and sewer.

Source: Crystal River Comprehensive Plan, Future Land Use Element (Ord. No. 21-O-06)

Zoning Map Amendment: This request is to rezone the property to compliment the requested FLUM amendment, and would be required to allow for the proposed outdoor storage facility. The applicant requests to rezone the property from R-C (approximately 8.62 acres) and R-2 (approximately 8.6 acres) to IND (total 17.22 acres).

New development shall be designed to comply with the Crystal River Land Development Code (LDC). The rezoning would result in the following density/intensity changes as per the LDC:

| Zoning District: | From R-C and R-2 | | To IND |
|-------------------------|---|--|--|
| Max Density/Use: | <u>R-C, Residential Conservation:</u> Single-family residential at 0.5 units per acre | <u>R-2, Low Density Residential:</u> Single-family residential at 3.0 units per acre | <u>IND, Industrial:</u> Assembling, processing, warehousing, and shipping uses |
| Max ISR*: | 10% | 45% waterfront 55% non-waterfront | n/a waterfront 70% non-waterfront |
| Max FAR: | n/a | n/a | 0.5 |

| Zoning District: | | From R-C and R-2 | | To IND |
|---|--------|--|---|--|
| Minimum Required planted buffers (Based on Adjacent Zoning) | NORTH: | New subdivision – none required adjacent to local road | New subdivision – Type “A” (10’-width) to adjacent local road | “D” (20’-width) to adjacent local road |
| | SOUTH: | New subdivision – none required to adjacent residential zoning | New subdivision – Type “A” (10’-width) to adjacent residential zoning | “D” (20’-width) to adjacent residential zoning |
| | EAST: | New subdivision – none required adjacent to local road | New subdivision – Type “A” (10’-width) to adjacent local road | “D” (20’-width) to adjacent local road |
| | WEST: | New subdivision – none required to adjacent residential zoning | New subdivision – Type “A” (10’-width) to adjacent residential zoning | “D” (20’-width) to adjacent residential zoning |

*ISR – Impervious Surface Ratio

Source: Crystal River Land Development Code (Ordinance No. 05-O-08).

Compatibility with Adjacent Land Uses: The subject property abuts residential land uses to the west and to the south. Across N Tallahassee Road is predominantly vacant land zoned for a Recreational Vehicle Park (in the County) which was never developed, and low density residential. The proposed FLUM and zoning amendments to an Industrial land use are not found compatible with the adjacent residential properties.

The applicant desires to develop the site with an outdoor storage facility, however, when reviewing a request for IND land use/IND zoning, all potential industrial zoning uses (highest use) inclusive of assembling, processing, warehousing, and shipping must be considered when determining compatibility with adjacent residential uses, environmental conditions, and available supporting infrastructure. The required “D” buffers may assist in mitigating visual impacts between adjacent land uses, however other possible conditions common to industrial uses, such as noise and odors, must be considered when determining compatibility.

Environmental: The subject property is located in the Coastal High Hazard Area (CHHA¹) and Level A evacuation zone. According to the Flood Insurance Rate Map, elevation contours indicate that the property’s elevations range from four to six feet above mean sea level (MSL).

According to the USDA Soil Survey, the soil types found on the subject property are described as follows:

- Approximately 53.1% of the site (mostly southeastern) is classified as (28) *Redlevel fine sand* (parent material: sandy marine deposits over limestone), having a drainage class defined as somewhat poorly drained, and having a depth to water table of about 18 to 42 inches.
- Approximately 29.1% of the site (west-central area) is classified as (64) *Citronelle fine sand* (parent material: sandy marine deposits over limestone), having a drainage class of somewhat poorly drained, and having a depth to water table of 6 to 18 inches.
- Approximately 16.4% of the site (northernmost) is classified as (59) *Cypress Lake fine sand, frequently ponded, 0 to 1 percent slopes* (parent material: Sandy and loamy marine deposits over limestone) having a drainage class defined as very poorly drained, and having a depth to water table of about 0 inches.

¹ CHHA is the area below the elevation of the category one storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model [Section 163.3178 (2)(H), Florida Statutes].

- Approximately less than 2 percent of the site (on the north-eastern fringe) is classified as (50) *Kanapaha-Kanapaha, wet, fine sand, 0 to 5 percent slopes* (parent material: Sandy and loamy marine deposits) having a drainage class defined as poorly drained, and having a depth to water table of about 6 to 18 inches.

The LDC (Section 3.02.11, et seq.) provides standards for environmentally sensitive lands protection where applicable. According to the USDA Soil Survey, the soil types found on the property indicate the presence of wetlands. A professionally prepared biological survey is required for all development in excess of five (5) acres on previously undisturbed properties. Applications for development in wetlands shall demonstrate issuance of a permit or determination of exemption from the appropriate regional, state, or federal agency with authority for wetlands permitting.

The area of the subject property designated as CLDR on the FLUM (predominant of environmentally sensitive lands) is likely not suitable for high density or high impact development.

INFRASTRUCTURE:

Transportation (Ingress/Egress): Access is taken from N Tallahassee Road, a county maintained, 50-foot local road, which parallels and leads to US Highway 19 via several east-west, local road connections. In this vicinity, US Highway 19 is a Florida Department of Transportation (FDOT) maintained, 4-lane divided principal arterial, operating at a level of service “C”. The applicant would be required to obtain a right-of-way utilization permit from Citrus County government to gain access from N Tallahassee Road, and determine the road’s suitability for large truck traffic which may be associated with industrial uses.

Water/Sewer: Connection to the City’s central water is available to the south and on the east side of N Tallahassee Road, however, via a 6” water main which may pose fire flow limitations for industrial use development. No central sewer is available. New development is required to connect to central water and a wastewater disposal system. The Future Land Use Element of the Comprehensive Plan states that the CLDR land use (a category assigned to lands containing wetland conditions) requires that all new development be required to hook up to central water and sewer services.

These applications have been reviewed for consistency with the *Infrastructure Element* of the Comprehensive Plan and compliance with Section 3.03.00 *Wellfield protection* of the LDC, as it relates to the prohibition of certain industrial uses within wellfield protection areas. It is noted that the subject property is not located within a five-hundred foot radius of any designated public wellfield.

Stormwater Management: Stormwater management requirements must be approved as established by the Southwest Florida Water Management District (SWFWMD) for a commercial project. All stormwater treatment systems shall meet the latest SWFWMD and State standards for water quality and peak discharge. This requires that the rate of post-development runoff conditions shall not exceed pre-development runoff conditions.

CONSISTENCY WITH THE COMPREHENSIVE PLAN: The proposed application for FLUM amendment and rezoning is found inconsistent with the Comprehensive Plan, more specifically, that the proposal does not meet the intent of the following Goals, Objectives and Policies of the Comprehensive Plan:

Future Land Use Element

GOAL 1: Ensure coordination and compatibility of existing and future land use patterns with topography, soil conditions, and the timing and availability of public facilities and services.

OBJECTIVE 1.1: City of Crystal River shall discourage the proliferation of urban sprawl through coordination of future land use with the availability of services at adopted levels of service and with the topography and soil conditions of the area.

POLICIES:

B) Building permits or development orders will not be issued for new development where public facilities and services are not available at the level of service standards established in this plan.

C) Zoning designations and other land development regulations shall direct development to areas where public facilities are available.

GOAL 2: Crystal River will be a balanced and well-planned community.

OBJECTIVE 2.1 Provide for reasonable use of property while protecting, conserving, and maintaining the natural resources and systems identified in this and other elements of this Plan.

POLICIES:

B) Land use in wetlands will be limited to recreation, preservation or conservation, and low density residential development.

C) The City will continue to implement regulations for the protection of trees and environmentally sensitive lands consistent with policies in the Conservation Element.

D) The City will ensure that all proposed development and redevelopment is consistent with the Comprehensive Plan, and the implementing land development regulations.

E) Land development regulations shall continue to be implemented which ensure the compatibility of the proposed use with adjacent uses; regulations shall include provisions designed to mitigate incompatibility, such as setbacks, landscaping buffers, building type and/or orientation, scale, parking lot landscaping, or driveway location.

Staff Comment: The proposed FLUM amendment to IND is not preferable where public wastewater facilities are not available for the proposed development, where wetland conditions exist, and where industrial uses are incompatible with the existing, adjacent residential uses.

Conservation Element:

GOAL 1: Crystal River will ensure that development does not endanger important natural resources.

OBJECTIVE 1.4 The current level of groundwater quality will be maintained.

POLICIES:

B) Development in wetlands will be limited to conservation, passive recreation, preservation, and elevated low density residential uses.

D) Development in wetlands will be prohibited except where central water and sewer are available.

Staff Comment: The USDA Soil Survey identifies soil types on the subject property which are indicative of hydric (wetland) soils. The applicant has not provided any professional analysis to verify the extent of the wetland conditions onsite. Industrial land use is not favorable to lands having soil types that indicate wetland conditions.

SUMMARY OF PUBLIC COMMENTS: Public comments have not been received as of the writing of this Staff Report.

FINDINGS: As conveyed in Section 8.02.03 of the LDC, the Planning Commission shall have the role and responsibility to hear, consider, and make recommendations to the City Council regarding applications to amend the comprehensive plan and the official zoning map.

The following findings of fact are presented:

1. The request is to amend the FLUM of the Comprehensive Plan from CLDR and MDR to IND category.
2. The request is to amend the Official Zoning Map from R-C and R-2 Districts to IND district.
3. The subject property gains access from a 2-lane, classified local road (N Tallahassee Trail).
4. The project must be served by central water and sewer. No central sewer is available.
5. According to the USDA Soil Survey, the soil types found on the property indicate the presence of wetlands.
6. The proposal is inconsistent with goals, objectives, and policies of the Comprehensive Plan's Future Land Use Element and Conservation Element as stated herein.

STAFF RECOMMENDATION: Based on the analysis above, staff finds that the proposed amendments are inconsistent with the intent of the Comprehensive Plan for IND land use in areas containing wetland conditions and where central sewer is not available. The requested IND land use category /IND zoning district is found incompatible with the adjacent residentially committed properties.

SUPPORTING DIAGRAMS ILLUSTRATIONS & TABLES: Please see Staff's PowerPoint presentation.

PLANNING COMMISSION ACTION: As conveyed in Subsection (C.) (#4) of 10.03.04 Procedures for action by the Planning Commission, of the LDC, the Planning Commission shall recommend to the City Council that the application(s) be approved, or denied.


1. PCA23-0003 – Future Land Use Map Amendment
2. PZMA23-0002 – Zoning Map Amendment

CITY COUNCIL ACTION:

1. PCA23-0003 – Future Land Use Map Amendment
2. PZMA23-0002 – Zoning Map Amendment

ATTACHMENTS:

1. Staff PowerPoint Presentation
2. Draft Ordinances
3. Applicant's Submittal with supporting documents

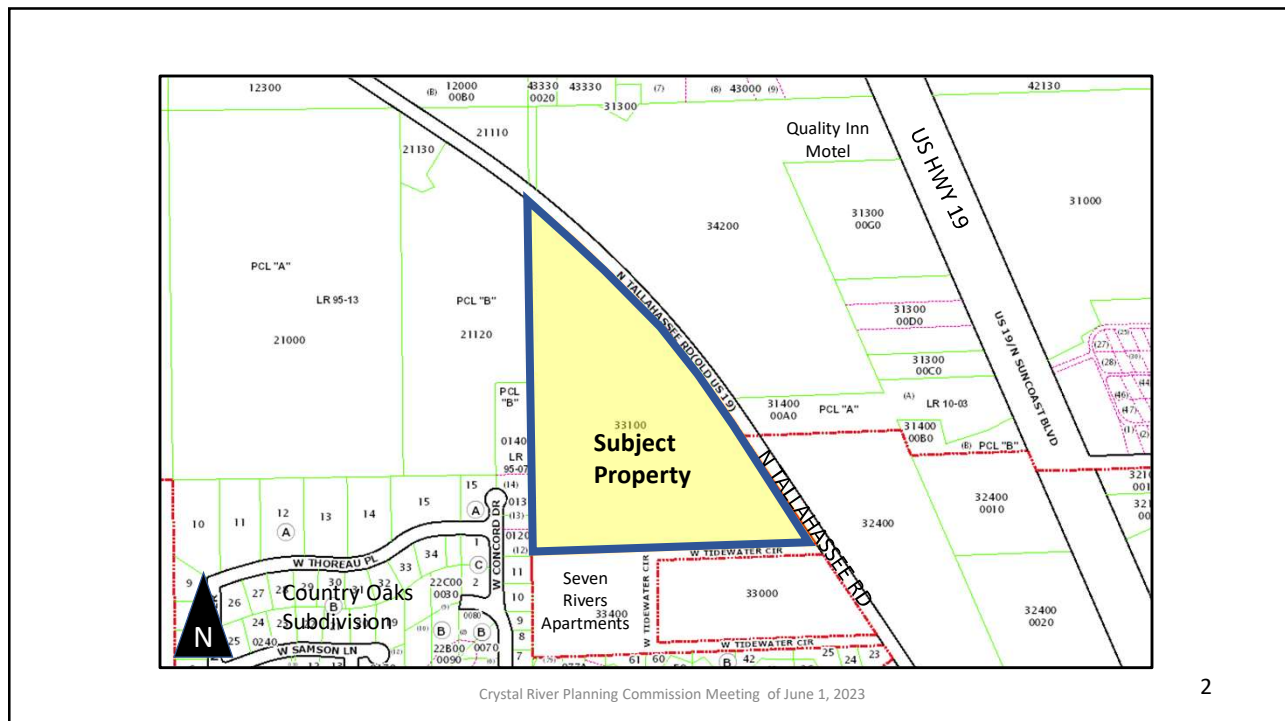


PCA23-0003/PZMA23-0002
FLUM AMENDMENT AND ZONING AMENDMENT
SCOTT & CHRISTINE JOHNSON

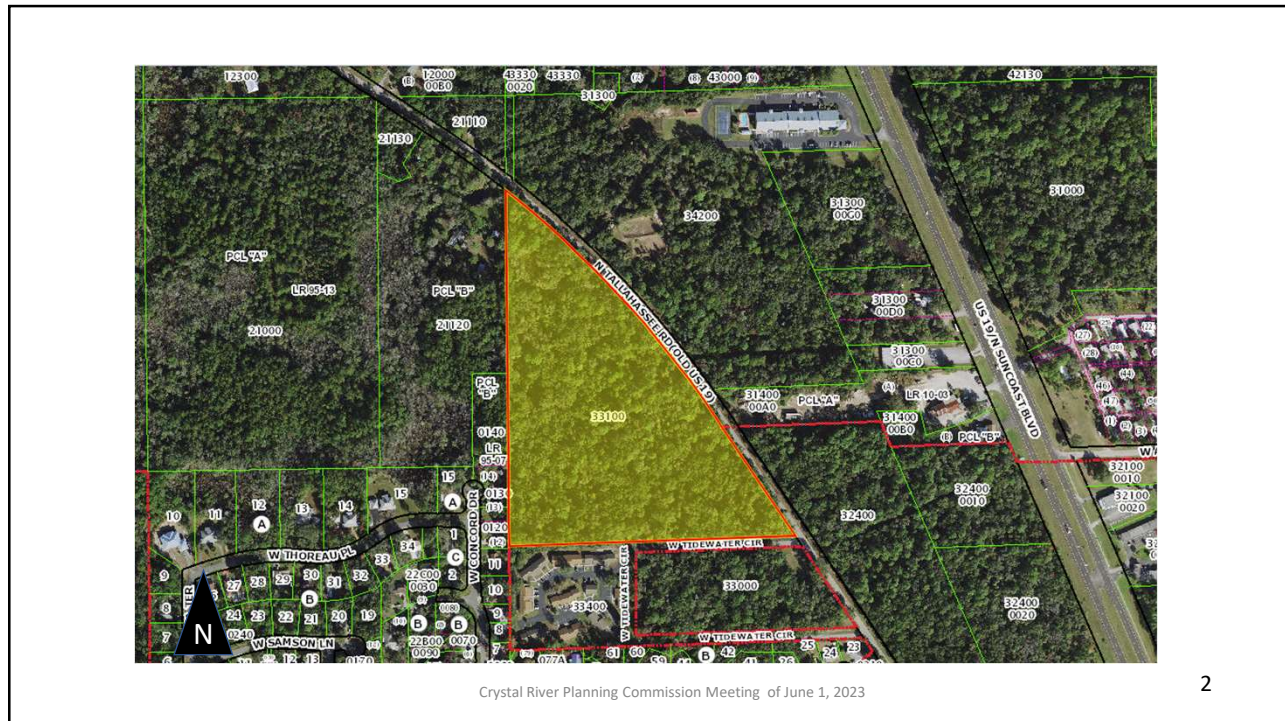
Crystal River Planning Commission Meeting of June 1, 2023

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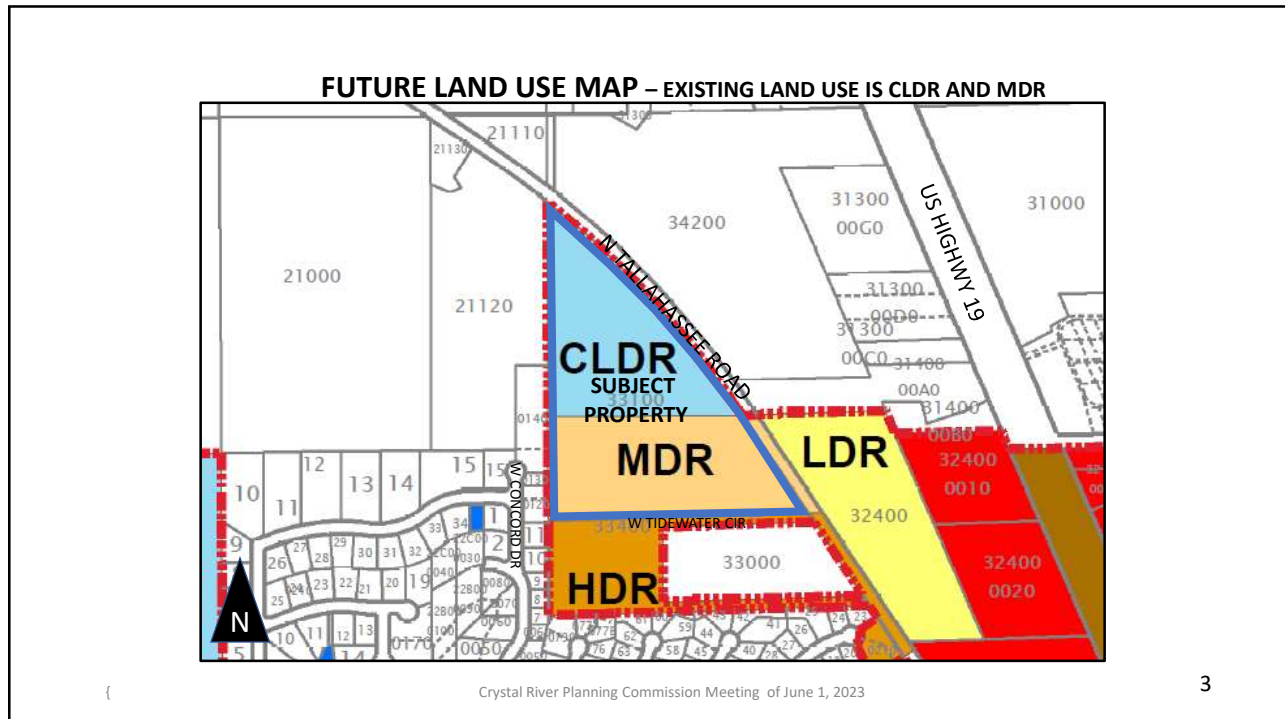


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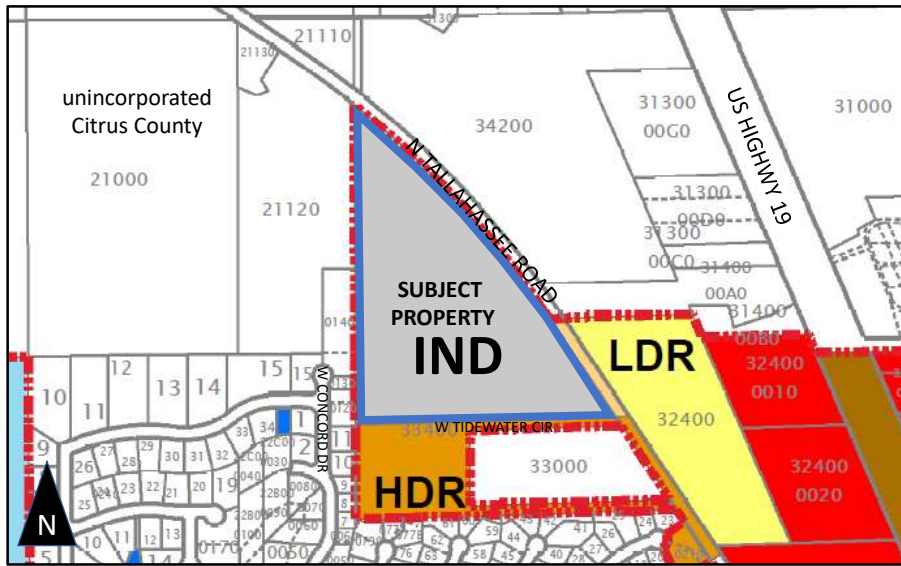
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FUTURE LAND USE MAP – PROPOSED AMENDMENT FROM CLDR AND MDR TO IND

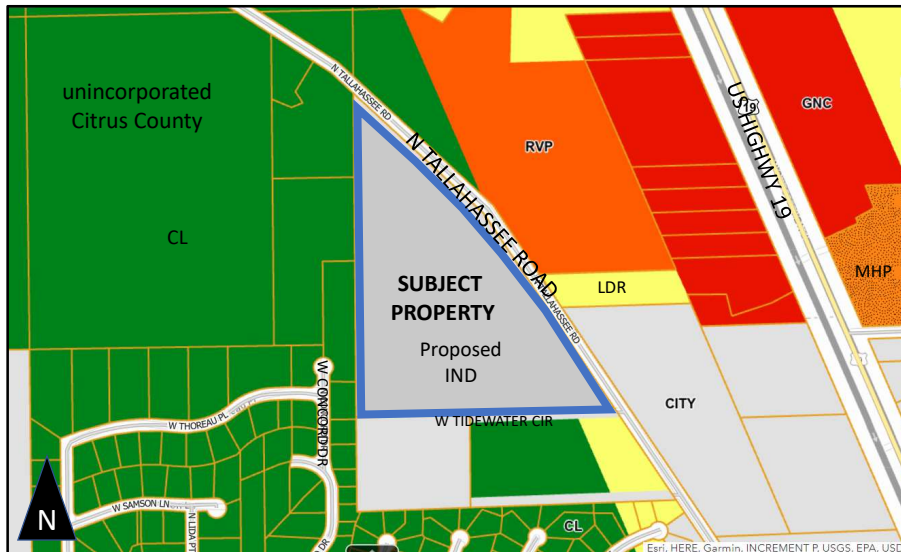


Crystal River Planning Commission Meeting of June 1, 2023

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5

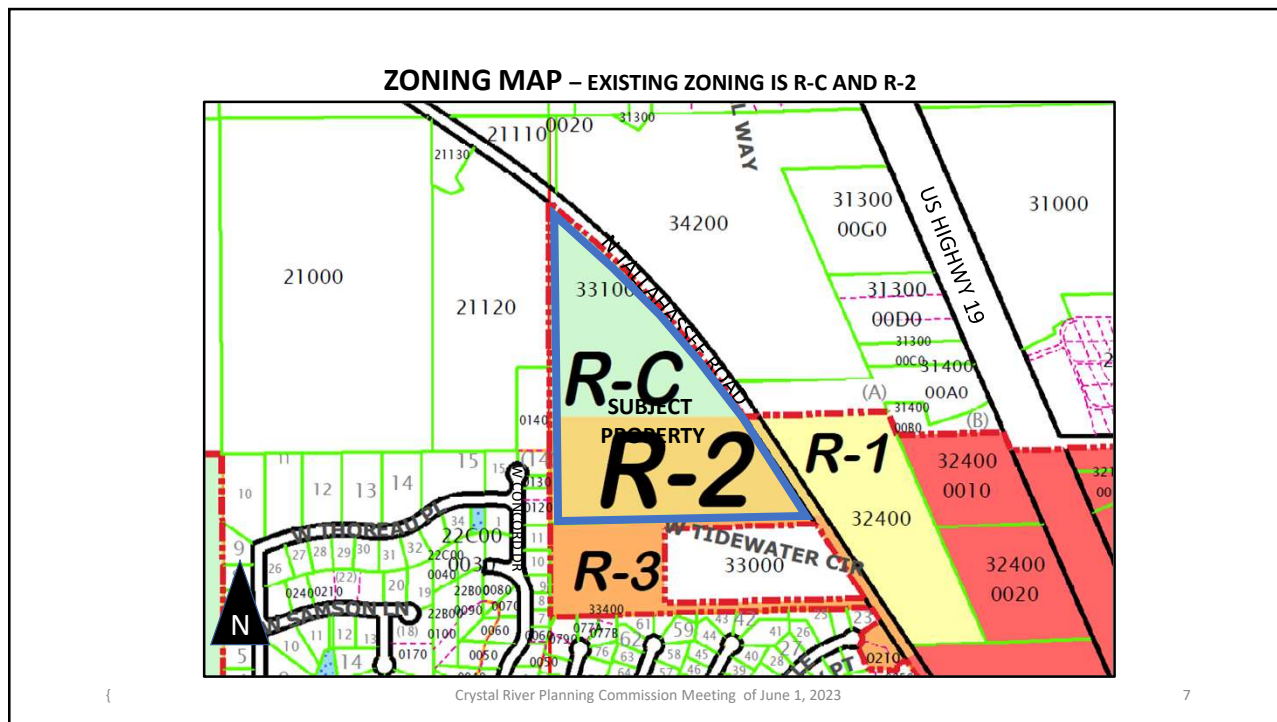
CITRUS COUNTY FUTURE LAND USE MAP – SURROUNDING LAND USE



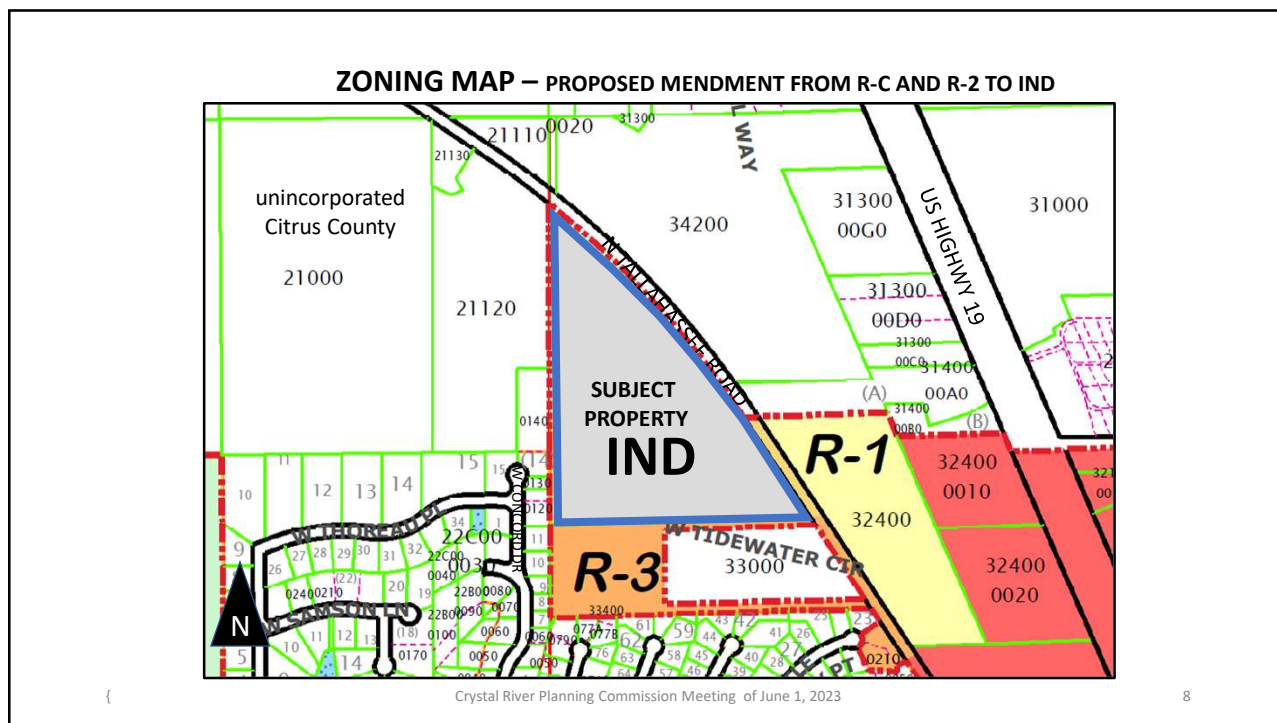
Crystal River Planning Commission Meeting of June 1, 2023

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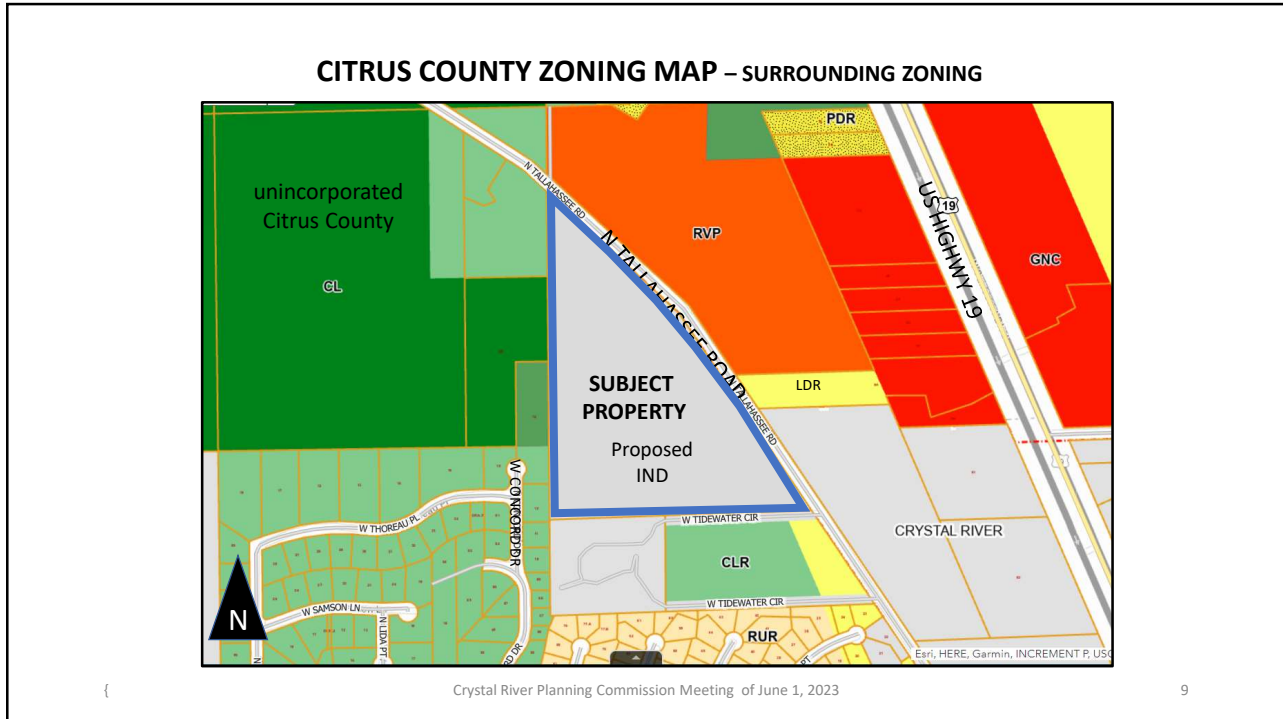
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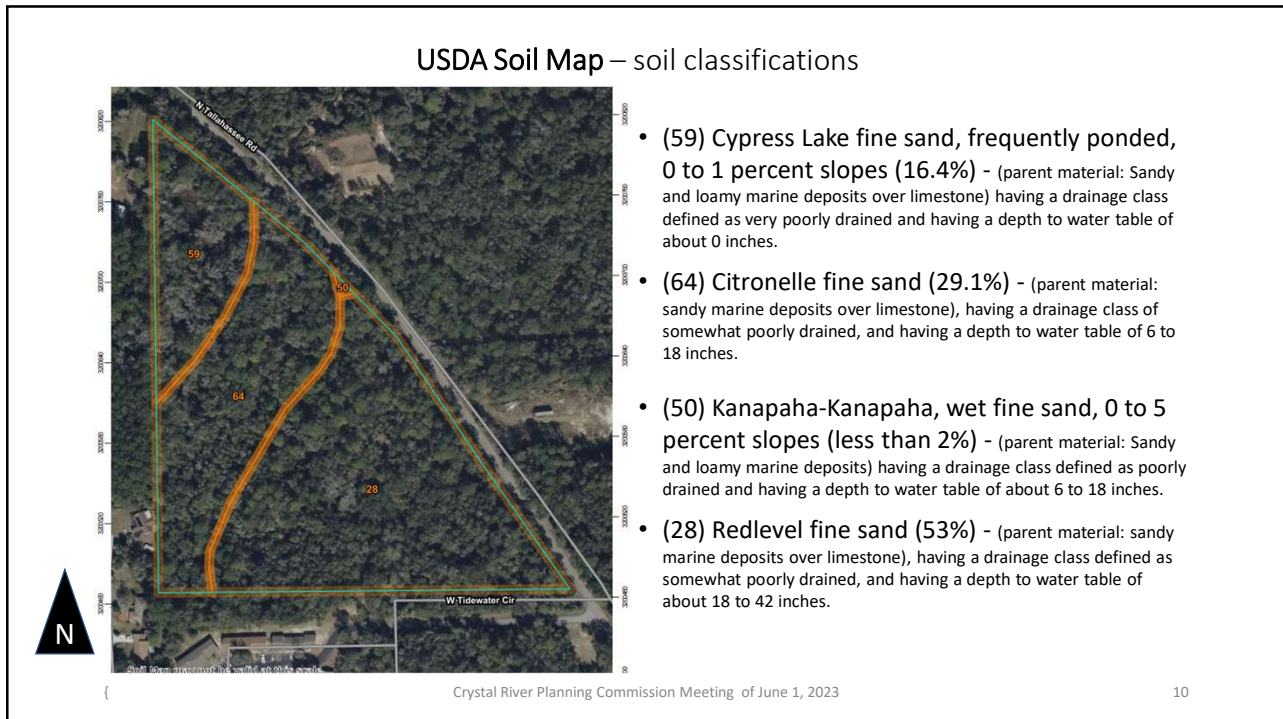
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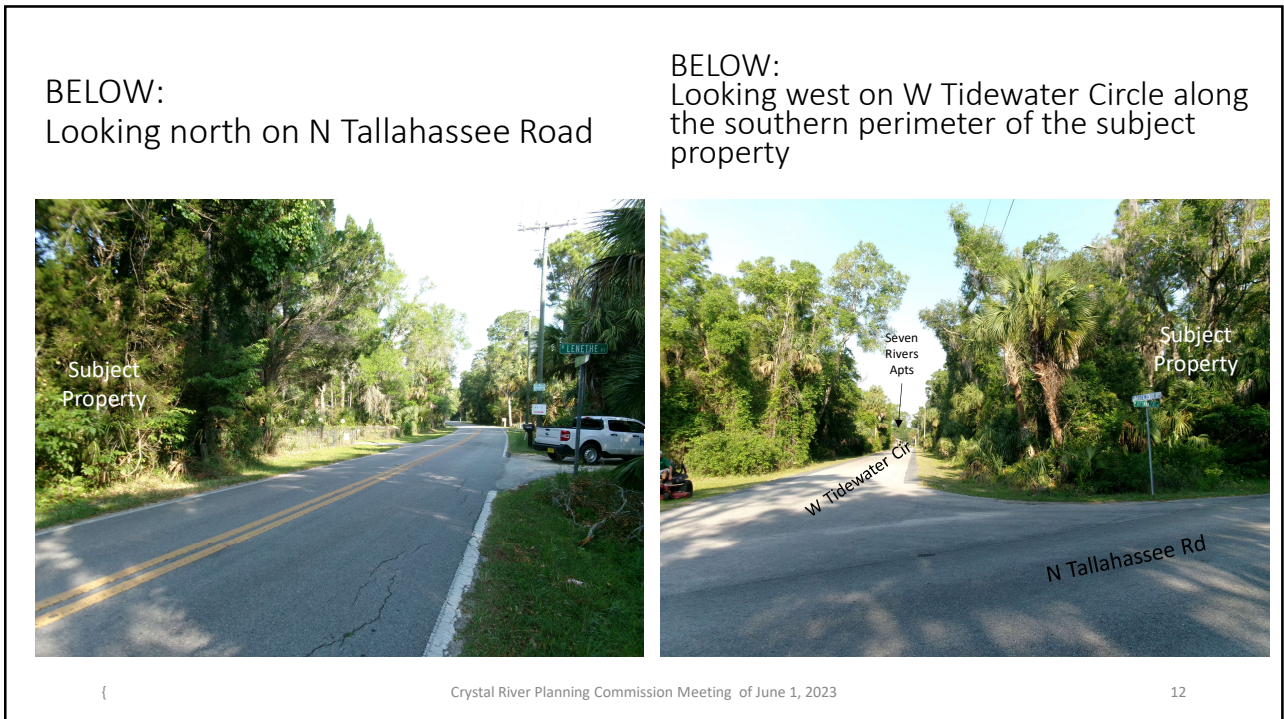
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QUESTIONS?

PCA23-0003/PZMA23-0002
FLUM AMENDMENT AND ZONING AMENDMENT
SCOTT & CHRISTINE JOHNSON

Crystal River Planning Commission Meeting of June 1, 2023

14

14

ORDINANCE NO. 23-O-26

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, PROVIDING FOR A SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN BY REDESIGNATING THE FUTURE LAND USE FOR 17.22 ACRES (MOL) FROM COASTAL LOW DENSITY RESIDENTIAL (CLDR) AND MEDIUM DENSITY RESIDENTIAL (MDR) LAND USE CATEGORIES TO INDUSTRIAL (IND) LAND USE CATEGORY FOR CERTAIN REAL PROPERTY LYING IN SECTION 08, TOWNSHIP 18 SOUTH, RANGE 17 EAST, SPECIFICALLY PARCEL ID: 17E18S08 33100 (ALT KEY 1051991) AS IDENTIFIED IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, AND OWNED BY SCOTT AND CHRISTINE JOHNSON; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Crystal River, Florida recognizes the need to plan for orderly growth and development; and

WHEREAS, the City Council of the City of Crystal River, Florida adopted the Crystal River Comprehensive Plan, Ordinance No. 11-O-06 on September 12, 2011, and subsequent amendments, and

WHEREAS, this small-scale amendment was considered subsequent to the annexation of said real property as referenced and described herein, and which annexation was duly considered in a public hearing conducted pursuant to published notice; and

WHEREAS, a small-scale amendment may be adopted only under the conditions set forth in Chapter 163, Florida Statutes, and other provisions of State and local law; and

WHEREAS, the proposed small-scale amendment was advertised as required by the Florida Statutes and the Crystal River Land Development Code; and

WHEREAS, in accordance with the law, the proposed amendment was required to be reviewed by the City's Local Planning Agency at a duly advertised meeting, scheduled on <date>, and the Local Planning Agency has determined such application to be consistent with the Comprehensive Plan and appropriate to the future land uses within the City; and

WHEREAS, the City of Crystal River has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

WHEREAS, the City Council of the City of Crystal River, Florida, has determined that adoption of this Ordinance is in the best interests of the health, safety, and welfare of the citizens of Crystal River.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA THAT THE CITY'S COMPREHENSIVE PLAN IS AMENDED AS FOLLOWS:

SECTION 1. PURPOSE

The purpose of this Ordinance is to allow a small-scale amendment to the Future Land Use Map of the Comprehensive Plan of the City of Crystal River, Florida, for 17.22 acres (MOL) owned by Scott and Christine Johnson, by redesignating the Future Land Use from CLDR, Coastal Low Density Residential and MDR, Medium Density Residential land use categories to IND, Industrial land use category for the reasons set forth in the above "WHEREAS" clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY

The City of Crystal River City Council is authorized to amend the Crystal River Comprehensive Plan pursuant to Article III of the City Charter of the City of Crystal River and Part II, Code of Ordinances, Chapter 1, General Provisions, of the Code of Ordinances of the City of Crystal River, and as otherwise authorized by applicable Florida Statutes.

The City Council of the City of Crystal River, Florida, hereby adopts and incorporates into this Ordinance the memorandum and application packet relating to the proposed amendments to the Future Land Use Map of the City of Crystal River, as if fully restated herein, in their entirety.

SECTION 3. FUTURE LAND USE MAP AMENDED

APPLICATION NO. PCA23-0003 SCOTT AND CHRISTINE JOHNSON

The Future Land Use Map of the Comprehensive Plan of the City of Crystal River is hereby amended to change the future land use category designation from CLDR, Coastal Low Density Residential and MDR, Medium Density Residential to IND, Industrial on property legally described and as shown in **EXHIBIT "A"** attached hereto and incorporated herein by reference.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 5. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

It is the intention of the City Council of the City of Crystal River, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Crystal River Comprehensive Plan of the City of Crystal River, Florida. The actual text of the Sections to this Ordinance need not be codified. The Code codifier of the City is given broad and liberal authority to appropriately codify the Exhibits into the provisions of the City of Crystal River Comprehensive Plan in a format that can be readily published and distributed in a useable and manageable format. The City Manager, in conjunction with the City Clerk and the City Attorney, are hereby granted the authority to take any and all necessary and appropriate actions to accomplish the provisions of this Section. The Exhibits to this Ordinance are hereby incorporated herein by the references thereto as if fully set forth herein verbatim.

SECTION 6. SEVERABILITY

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 7. EFFECTIVE DATE

This Ordinance shall become effective thirty-one (31) days after adoption if no challenge is filed. If this Ordinance is challenged within thirty (30) days after adoption, small scale development amendments do not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a final order determining that the adopted small-scale development amendment is in compliance with the law.

No development orders, development permits, or land uses dependent on the Comprehensive Plan amendments set forth in this Ordinance may be issued or commence before it has become effective.

APPROVED after due public notice and public hearing on the _____ day of _____, 2023.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

Approved as to form for the
Reliance of the City of Crystal River
only:

VOTE OF COUNCIL:

- Brown _____
- Guy _____
- Holmes _____
- Fitzpatrick _____
- Meek _____

Robert W. Batsel, Jr., City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION FOR COMPREHENSIVE PLAN AMENDMENT
TO THE CRYSTAL RIVER FUTURE LAND USE MAP

For real property lying in Section 08, Township 18 South, Range 17 East, Citrus County, Florida, specifically Parcel ID: 17E18S08 33100 (ALT KEY 1051991) as identified in the records of the Citrus County Property Appraiser, more particularly described as follows:

DESCRIPTION:

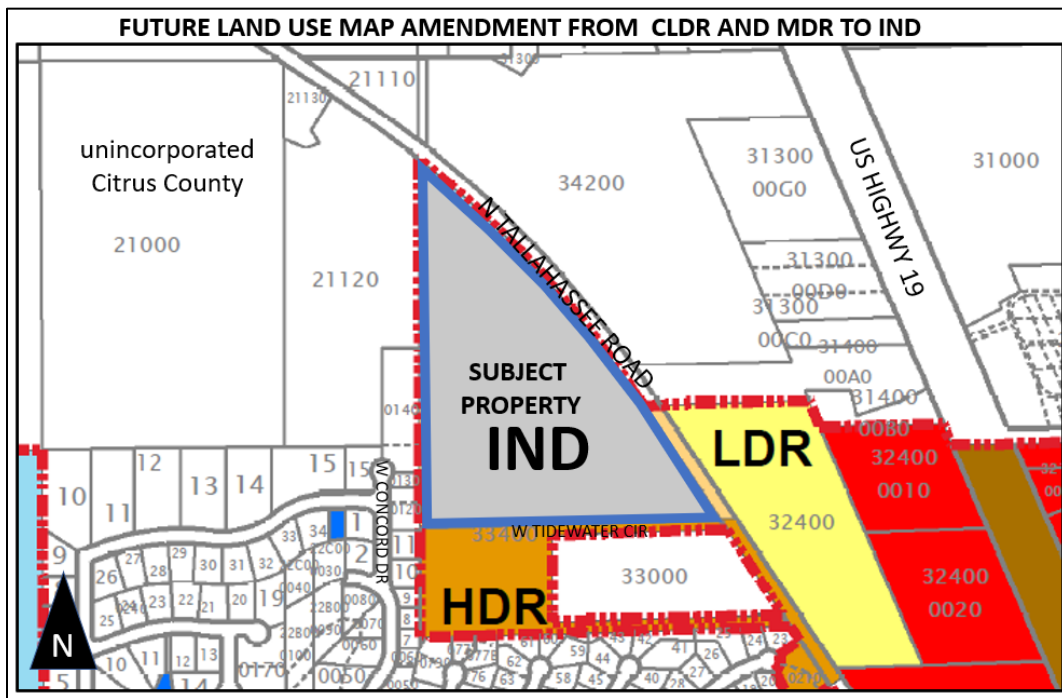
That portion of the following described property lying South and West of Old County Road, Old Highway No. 19, The N 1/2 of NW1/4 of SW1/4, and S 1/2 of NW 1/4 of SW 1/4 and N 1/2 of SW 1/4 of SW 1/4 of Section 8, Township 18 South, Range 17 East.

EXCEPT that portion of said lands included in right-of-way of Old Highway 19 and Old County Road from Crystal River to Red Level.

LESS AND EXCEPT that portion Deeded to Apalachee Construction Company, Inc., a Florida corporation in Warranty Deed recorded in Book 598, Page 516, more particularly described as follows:

All that part of the South 380 feet of the N 1/2 of the SW 1/4 of the SW 1/4 of Section 8, Township 18 South, Range 17 East, lying West of the right-of-way of Old Highway No. 19, formerly the Crystal River and Red Level hard road.

LOCATOR MAP
Section 08, Township 18 South, Range 17 East



End of Exhibit "A"

ORDINANCE 23-O-27

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CRYSTAL RIVER, FLORIDA BY REZONING 17.22 ACRES (MOL) FROM RESIDENTIAL CONSERVATION (R-C) AND MEDIUM DENSITY RESIDENTIAL (R-2) ZONING DISTRICTS TO INDUSTRIAL (IND) ZONING DISTRICT FOR CERTAIN REAL PROPERTY LYING IN SECTION 08, TOWNSHIP 18 SOUTH, RANGE 17 EAST, SPECIFICALLY PARCEL ID: 17E18S08 33100 (ALT KEY 1051991) AS IDENTIFIED IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, AND OWNED BY SCOTT AND CHRISTINE JOHNSON; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS on May 17, 2005, the City Council of the City of Crystal River, Florida, adopted the Crystal River Zoning Ordinance No. 05-O-08, and subsequent amendments, and

WHEREAS certain rezonings are necessary to maintain consistency with the Crystal River Comprehensive Plan; and

WHEREAS this rezoning was considered subsequent to the annexation of said real property as referenced and described herein, and which annexation was duly considered in a public hearing conducted pursuant to published notice; and

WHEREAS the proposed rezoning was advertised as required by the Florida Statutes, and the City of Crystal River Land Development Code; and

WHEREAS the City of Crystal River Planning Commission on **<date>**, voted ___ - ___ to recommend to the City Council that the request to amend the official zoning map be _____; and

WHEREAS the City Council of the City of Crystal River, Florida, after publication of a notice of its consideration of this ordinance, held two readings of this ordinance and public hearing as required by law; and

WHEREAS the City Council of the City of Crystal River, Florida, has determined that the requested change of zoning is consistent with the City of Crystal River Comprehensive Plan and Future Land Use Map, and

WHEREAS the City Council of the City of Crystal River, Florida has further determined that approval of the requested zoning change is in the best interests of the health, safety, and welfare of the citizens of Crystal River, Florida.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA, AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend the official zoning map of the City of Crystal River, Florida, by rezoning 17.22 acres (MOL) owned by Scott and Christine Johnson by redesignating the zoning from R-C, Residential Conservation and R-2, Medium Density Residential districts to IND, Industrial district for the reasons set forth in the above "WHEREAS" clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY

The City of Crystal River City Council is authorized to amend the Crystal River Code of Ordinances pursuant to Article III of the City Charter of the City of Crystal River and Part II, Code of Ordinances, Chapter 1, General Provisions of the Code of Ordinances of the City of Crystal River, and as otherwise authorized by applicable Florida Statutes.

SECTION 3. ZONING MAP AMENDMENT

APPLICATION NO. PZMA23-0002 SCOTT AND CHRISTINE JOHNSON

The official zoning map of the City of Crystal River is hereby amended to change the zoning district designation from R-C, Residential Conservation and R-2, Medium Density Residential to IND, Industrial on property legally described and as shown in **EXHIBIT "A"** attached hereto and incorporated herein by reference.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 5. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

It is the intention of the City Council of the City of Crystal River, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Crystal River, Florida, Official Zoning Map. The actual text of the Sections to this Ordinance need not be codified. The Code codifier of the City of Crystal River, Florida, is given broad and liberal authority to appropriately codify the Exhibits into the provisions of the City of Crystal River Official Zoning Map in a format that can be readily published and distributed in a useable and manageable format. The City Manager, in conjunction with the City Clerk and the City Attorney, are hereby granted the authority to take any and all necessary and appropriate actions to accomplish the provisions of this Section. The Exhibits to this Ordinance are hereby incorporated herein by the references thereto as if fully set forth herein verbatim.

SECTION 6. SEVERABILITY

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 7. EFFECTIVE DATE

This Ordinance shall become effective immediately upon adoption by the Crystal River City Council.

THIS ORDINANCE was introduced and placed on first reading on the _____ day of _____, 2023.

THIS ORDINANCE was introduced and placed on a second reading on the _____ day of _____, 2023, and upon motion duly made and seconded was passed on second reading.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

APPROVED AS TO FORM AND LEGALITY:

VOTE OF COUNCIL:

**ROBERT W. BATSEL, JR., ESQUIRE
CITY ATTORNEY**

Meek _____
Guy _____
Brown _____
Fitzpatrick _____
Holmes _____

EXHIBIT "A"

LAND DESCRIPTION FOR AMENDMENT TO THE CRYSTAL RIVER ZONING MAP

For real property lying in Section 08, Township 18 South, Range 17 East, Citrus County, Florida, specifically Parcel ID: 17E18S08 33100 (ALT KEY 1051991) as identified in the records of the Citrus County Property Appraiser, more particularly described as follows:

DESCRIPTION:

That portion of the following described property lying South and West of Old County Road, Old Highway No. 19, The N 1/2 of NW1/4 of SW1/4, and S 1/2 of NW 1/4 of SW 1/4 and N 1/2 of SW 1/4 of SW 1/4 of Section 8, Township 18 South, Range 17 East.

EXCEPT that portion of said lands included in right-of-way of Old Highway 19 and Old County Road from Crystal River to Red Level.

LESS AND EXCEPT that portion Deeded to Apalachee Construction Company, Inc., a Florida corporation in Warranty Deed recorded in Book 598, Page 516, more particularly described as follows:

All that part of the South 380 feet of the N 1/2 of the SW 1/4 of the SW 1/4 of Section 8, Township 18 South, Range 17 East, lying West of the right-of-way of Old Highway No. 19, formerly the Crystal River and Red Level hard road.



RECEIVED
MAY 01 2023
BY: zc

City of Crystal River

Department of Planning & Community Development
123 Northwest Highway 19
Crystal River, FL 34432
Telephone: (352) 795-4216
Facsimile: (352) 795-6351
development@crystalriverfl.org

APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

Fee: Small Scale - \$500 for 50 ac or fewer Large Scale - \$1,000 for > 50 ac
TO BE PAID AT TIME OF APPLICATION

Check One: Small Scale _____ # Acres _____ AltKey: 1051991
Large Scale _____ # Acres _____ Parcel #: 17E18S083310

Name of Petitioner(s): Scott Allen Johnson * Christine R Johnson

Address of Petitioner(s): 1598 W. Jenny St.
Lebanon FL 34461

City Lebanon State FL Zip Code 34461

Phone # 702-376-8796 Fax # _____ Cell # 702-376-3527

Email Address: LOTE314@gmail.com

Legal Description attached: Yes No _____ Survey attached: Yes No _____

Street address of property (if applicable): 4264 N. Tallahassee Road Crystal River

Existing Land Use: CLDR/MDR Proposed Land Use: IND

Reason for Request: Proposing outdoor storage and industrial type use zoning change.

- The following items are required (applications will not be processed if these items do not accompany the application):
- _____ Deed or Proof of Ownership
 - _____ Notarized signature of the current property owner(s) and the Agent's signature, if applicable.
 - _____ Survey or aerial of property from Property Appraiser website, printed on paper that is no less than 11" x 17". (Provide a complete legal description of area under consideration.)
 - _____ Paid application fee

I Christine R Johnson, being first duly sworn, affirm and say that I am the:

(check one)

owner, or

the legal representative authorized to speak on behalf of the subject matter, of the property described in this application.

[Signature]
Signature

1598 W Jenny St
Address

702-376-8796
Phone Number

DeLand FL 32746
City, State, Zip Code

State of FLORIDA

County of CITRUS

The foregoing instrument was acknowledged before me this 1, day of MAY, 2023, by CHRISTINE JOHNSON, who is personally known to me or has produced FL DL as identification and who did/did not take an oath.

[Signature]
Notary Public

Commission No.: _____

Commission Expires: _____



ZACHARY CICIERA
Notary Public
State of Florida
Comm# HH250215
Expires 4/6/2026



RECEIVED
MAY 01 2023
BY: ZC
REZONING APPLICATION

Department of Planning & Community Development
123 Northwest Highway 19
Crystal River, FL 34432
Telephone: (352) 795-4216
Facsimile: (352) 795-6351
development@crystalriverfl.org

Applicant Information:

Name: Christine Johnson - Disabled
Address: 1598 W Jenny St Lecanto FL
Phone #: 352 533 370 Fax #: _____ Cell #: 702 376 8796
Email Address: LOTE314@gmail.com

Property Description:

Parcel Account #: 17E18S083310 Alt. Key # 1051991
Street Address (or street & avenue location): 4264 N. Tallahassee Road Crystal River
Legal Description: (see attached)

(or attachment)

Property Acreage: 17.22 Sq. ft.: 749,914
Present F.L.U.M. Designation: 9908 PDR non waterfront
Present Zoning Designation: ~~CA~~ R2/RC

Requested Zoning Designation: Industrial (storage facility)
Reason for the Request: Build storage facility to provide for all vehicles, marine, & recreational for massive influx of population while preserving integrity of land. Retired Veteran

Explain Consistency with the Future Land Use Plan: Adjacent Easterly properties are all commercial/motel use and apartment southwest & will leave most if not all trees in northbound area of property & leave integrity of land use. a Disabled wife owner

Additional Contact Information (other than Owner or Agent)

Name: Scott A. Johnson - Retired Veteran
Address: 1598 W Jenny St. Lecanto
Phone #: 702 376 3527 Fax #: _____ Cell #: 702 376 3527
Email Address: Lot314@gmail.com

Fee: \$500 - To be paid at time of application

Altkey: 1051991
JOHNSON SCOTT A

Parcel ID: 17E18S08 33100
4264 N TALLAHASSEE RD , CRYSTAL RIVER

Legal Description

Legal Description

THAT PT OF THE FOLL DESC PROPERTY LY S & W OF OLD CO RD OLD
WHY NO 19 THE N1/2 OF NW1/4 OF SW1/4

---&---

S1/2 OF NW1/4 OF SW1/4

---&---

N1/2 OF SW1/4 OF SW1/4 OF SEC 8-18-17

---&---

EXCEPT THAT PORTION OF SD LANDS INCLUDED IN ROW OF OLD HWY
19 AND OLD CO RD FROM CRYSTAL RIVER TO RED LEVEL

---&---

LESS AND EXC THAT PORTION DEEDED TO APALACHEE CONSTRUCTION
CO INC A FLA CORP IN WARRANTY DEED REC IN BK 598 PG 516 MORE
PART DESC AS FOLL: ALL THAT PT OF THE S 380 FT OF THE N 1/2
OF THE SW 1/4 OF THE SW 1/4 OF SEC 8 T18S R17E LY W OF THE
ROW OF OLD HWY NO 19 FORMERLY THE CRYSTAL RIVER AND RED LEVEL
HARD ROAD

DISCLAIMER

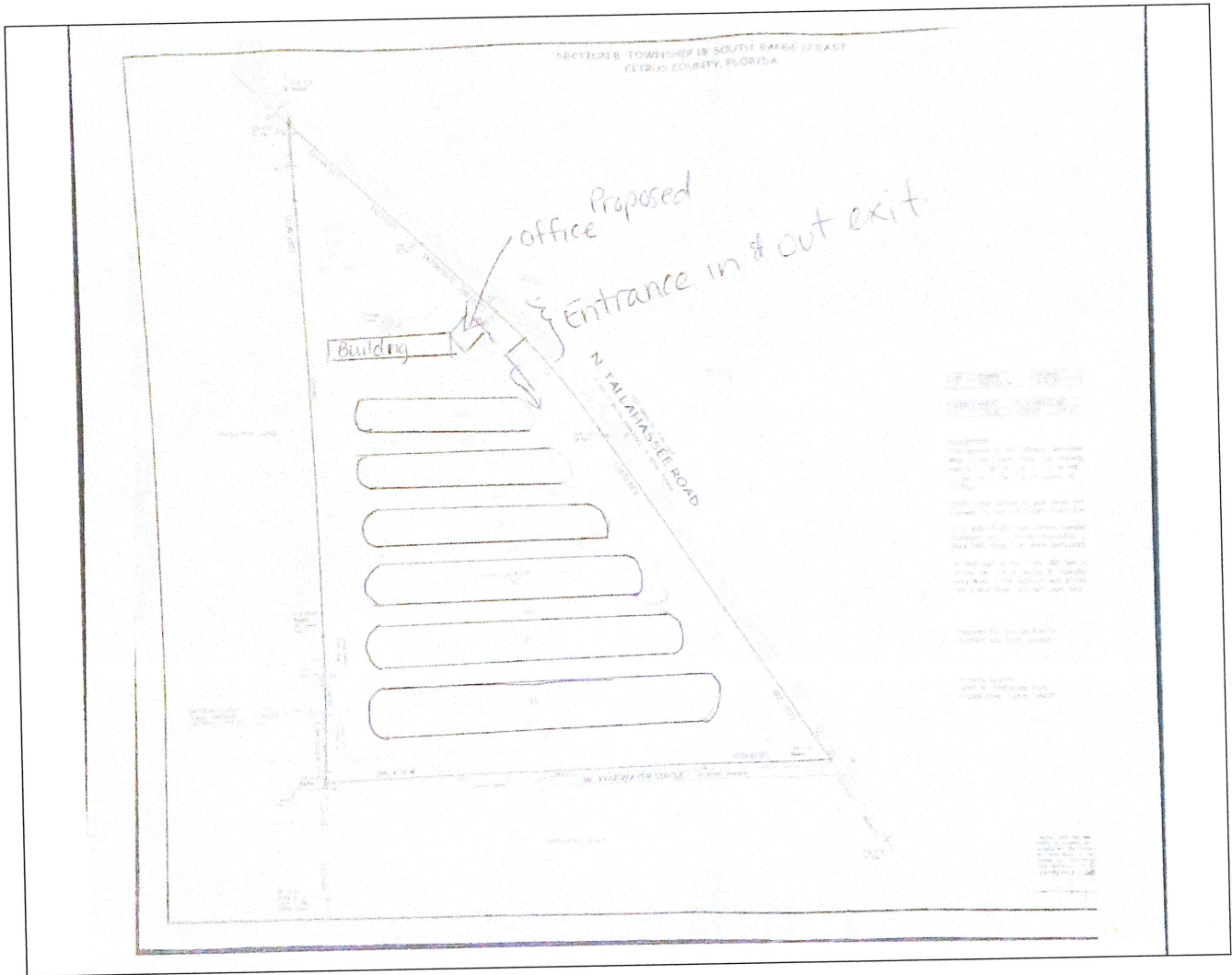
Legal description as shown is not to be used on legal documents. The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the legal description.

Attachments:

1. Survey & Legal Description
2. Deed, or other proof of ownership
3. Map (see Checklist)

The City of Crystal River may, within reason, request additional information, if the information provided by the applicant is insufficient to analyze the proposed change in zoning. Information submitted by the applicant at either the Planning Commission or City Council public hearing(s), which is beyond the scope of that submitted to the City in the original application, shall be grounds for a continuation of the public hearing until such time that the Planning Commission and Staff can review and analyze such information.

| Check | Requirements (Sec. 10.01.06) |
|-------|---|
| ✓ | A. The application shall include a map of the area that can be found on the Citrus County Property Appraiser website (www.citruspa.org) |
| ✓ | 1. The current zoning district designations for the subject property and all adjacent properties. The zoning map can be found at www.crystalriverfl.org |
| ✓ | 2. The land use categories from the Future Land Use Map that can be found at www.crystalriverfl.org |
| ✓ | B. A statement shall be provided including the following information: |
| ✓ | 1. A justification for the proposed zoning. |
| ✓ | 2. Deed, or other proof of ownership |



Zoning Change Request

Prepared for: Crystal River Zoning

Prepared by: Christine R Johnson, Owner

SCOTT AND CHRISTINE JOHNSON

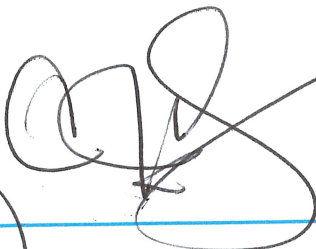
We would like to take this opportunity to Thank You for your consideration and processing of our request for Zoning change. This zoning change will enable us to build a much needed storage facility for all motorized and non-motorized vehicles and property for consumers and residents of not only Crystal river but surrounding areas and visitors. The change will cater to the massive expansion of growth that this city and our county has experienced in the past two years. Our business will serve the public and provide a designated spot for storage of personal belongings, a notary will be on sight as well to cater to all needs for storage and community as well. (With plans to install a Water and Ice dispensing machine to provide customers and surrounding area with access on the exterior portion near office and entrance.)

The property is adjacent to two commercial businesses, one being The Quality Inn that engulfs 21.0 acres and is the largest portion of land adjacent easterly on Tallahassee Road and Tidwell Paving holds 3.52 acres adjacent southeasterly. The property to the south west is an apartment housing complex. There is minimal impact to those adjacent parcels and if anything, could increase traffic for said parcels. The flow of traffic to and from will be an easy on and off of Tallahassee Road where there are no residential homes or parcels. There are two residential properties to the west of the property and will have the privacy of natural fencing and the security of chain link fencing to enclose the property.

The massive influx of people to Florida in general and the implementation of 40+ new developments in just this area, we will be able to provide the city and surrounding area, the services it not only needs but requires due to sheer demand. (Especially with the rise in RV parks and the use of living in RV's that has become full time. There is a tremendous need and demand for a storage facilities.

Thank You

Scott and Christine Johnson



Retired Atccc
US Army Veteran
Scott Johnson

PREPARED BY AND RETURN TO:

FLORALIND PROPERTIES, INC.
10000 1st Street, Surf City, North Carolina 28445
Attention: Florida Title Department

Corporate Warranty Deed

THIS INSTRUMENT was made this 23rd day of March, 2020, in the County of Leon, State of Florida, by and between FLORALIND PROPERTIES, INC., a Florida corporation, whose principal office address is 10000 1st Street, Surf City, North Carolina 28445, and Scott A. Johnson and Christine K. Johnson, husband and wife, whose joint office address is 1000 1st Street, Surf City, North Carolina 28445, Grantor.

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), to it in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee forever, the following described land, situate, lying and being in the County of Leon, State of Florida, to-wit:

FOR LEGAL DESCRIPTION, SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO covenants, easements and restrictions of record, if any.

WARRANTY

THE GRANTOR WARRANTS THAT THE GRANTOR HAS FULL TITLE TO THE PROPERTY DESCRIBED HEREIN AND THAT THE GRANTOR HAS THE RIGHT TO CONVEY THE SAME TO THE GRANTEE FREE AND CLEAR OF ALL ENCUMBRANCES, UNLESS OTHERWISE SPECIFIED IN THIS INSTRUMENT.

AND, the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed in its name and by its duly authorized officer and caused its corporate seal to be affixed the day and year first above written.

Signed, sealed and delivered in the presence of:
Margaret G. Dippel
Witness

FLORALIND PROPERTIES, INC.
BY: Anthony T. Tuboling, SR.
ANTHONY T. TUBOLING, SR., President
Address: PO Box 6077, Lenoir, North Carolina 28751

(CORPORATE SEAL)

State of FLORIDA
County of Leon

The foregoing instrument was acknowledged before me by means of X physical presence or [] online notarization, this 23rd day of March, 2020, by ANTHONY T. TUBOLING, SR., as President of FLORALIND PROPERTIES, INC., and Scott A. Johnson and Christine K. Johnson, husband and wife, personally known to me and their signatures are identified.

Notary Public Seal for Anthony T. Tuboling, SR., State of Florida, Commission Expires 12/31/2022

4264 N TALLAHASSEE RD CRYSTAL RI
 THAT PT OF THE FOLL DESC PROPERTY
 Y LY S & W OF OLD CO RD OLD WHY
 NO 19 THE N1/2 OF NW1/4 OF SW1/4
 ---&--- S1/2 OF NW1/4 OF SW1/4
 ---&--- N1/2 OF SW1/4 OF SW1/4 O
 See Additional Legal on Tax Roll



86
 5 - 22347

JOHNSON SCOTT A
 JOHNSON CHRISTINE R
 1598 W JENNY ST
 LECANTO FL 34461-8568



MAILING ADDRESS: 210 N. APOPKA AVE., SUITE 100 • INVERNESS, FL 34450-4298 • (352) 341-6500

AD VALOREM TAXES

| TAXING AUTHORITY | ASSESSED VALUE | EXEMPTION AMOUNT | TAXABLE VALUE | MILLAGE RATE | TAXES LEVIED |
|----------------------------|----------------|------------------|---------------|----------------|-------------------|
| General County | 93,687 | 0 | 93,687 | 6.5057 | 609.50 |
| Transportation Trust | 93,687 | 0 | 93,687 | .7860 | 73.64 |
| Health Department | 93,687 | 0 | 93,687 | .0614 | 5.75 |
| Library | 93,687 | 0 | 93,687 | .3147 | 29.48 |
| Schools Local Req'd Effort | 116,860 | 0 | 116,860 | 3.2750 | 382.72 |
| Schools Capital Outlay | 116,860 | 0 | 116,860 | 1.5000 | 175.29 |
| Schools Discretionary | 116,860 | 0 | 116,860 | .7480 | 87.41 |
| City of Crystal River | 93,687 | 0 | 93,687 | 6.5900 | 617.40 |
| SWFWMD General | 93,687 | 0 | 93,687 | .2260 | 21.17 |
| Mosquito Control | 93,687 | 0 | 93,687 | .4307 | 40.35 |
| TOTAL | | | | 20.4375 | \$2,042.71 |

RETAIN THIS PORTION FOR YOUR RECORDS.
 WALK-IN CUSTOMERS,
 PLEASE BRING FOR RECEIPT.

NON-AD VALOREM ASSESSMENTS

| LEVYING AUTHORITY | RATE | AMOUNT |
|---|------|---------------|
| Avoid waiting in line-Pay ONLINE at www.citrustc.us | | |
| TOTAL | | \$0.00 |

| | |
|---------------------------------------|-------------------|
| COMBINED TAXES AND ASSESSMENTS | \$2,042.71 |
|---------------------------------------|-------------------|

| IF POSTMARKED BY | Nov 30 2022 | Dec 31 2022 | Jan 31 2023 | Feb 28 2023 | Mar 31 2023 |
|------------------|-------------|-------------|-------------|-------------|-------------|
| | 1,961.00 | 1,981.43 | 2,001.86 | 2,022.28 | 2,042.71 |

JANICE A. WARREN, C.F.C.
 CITRUS COUNTY TAX COLLECTOR

2022 REAL ESTATE

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

| ACCOUNT NUMBER | ESCROW CODE | MILLAGE CODE |
|----------------|-------------|--------------|
| 1051991 | | 000R |

RETURN WITH PAYMENT

R

JOHNSON SCOTT A
 JOHNSON CHRISTINE R
 1598 W JENNY ST
 LECANTO, FL 34461

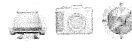
4264 N TALLAHASSEE RD CRYSTAL RI
 THAT PT OF THE FOLL DESC PROPERTY
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 ---&--- S1/2 OF NW1/4 OF SW1/4
 ---&--- N1/2 OF SW1/4 OF SW1/4 O
 See Additional Legal on Tax Roll

DO NOT WRITE ON BOTTOM PORTION

PAY IN U.S. FUNDS (NO POST DATED CHECKS) TO JANICE A. WARREN, TAX COLLECTOR • 210 N. APOPKA AVE., SUITE 100 • INVERNESS, FL 34450-4298

| IF POSTMARKED BY | Nov 30 2022 | Dec 31 2022 | Jan 31 2023 | Feb 28 2023 | Mar 31 2023 |
|------------------|-------------|-------------|-------------|-------------|-------------|
| | 1,961.00 | 1,981.43 | 2,001.86 | 2,022.28 | 2,042.71 |

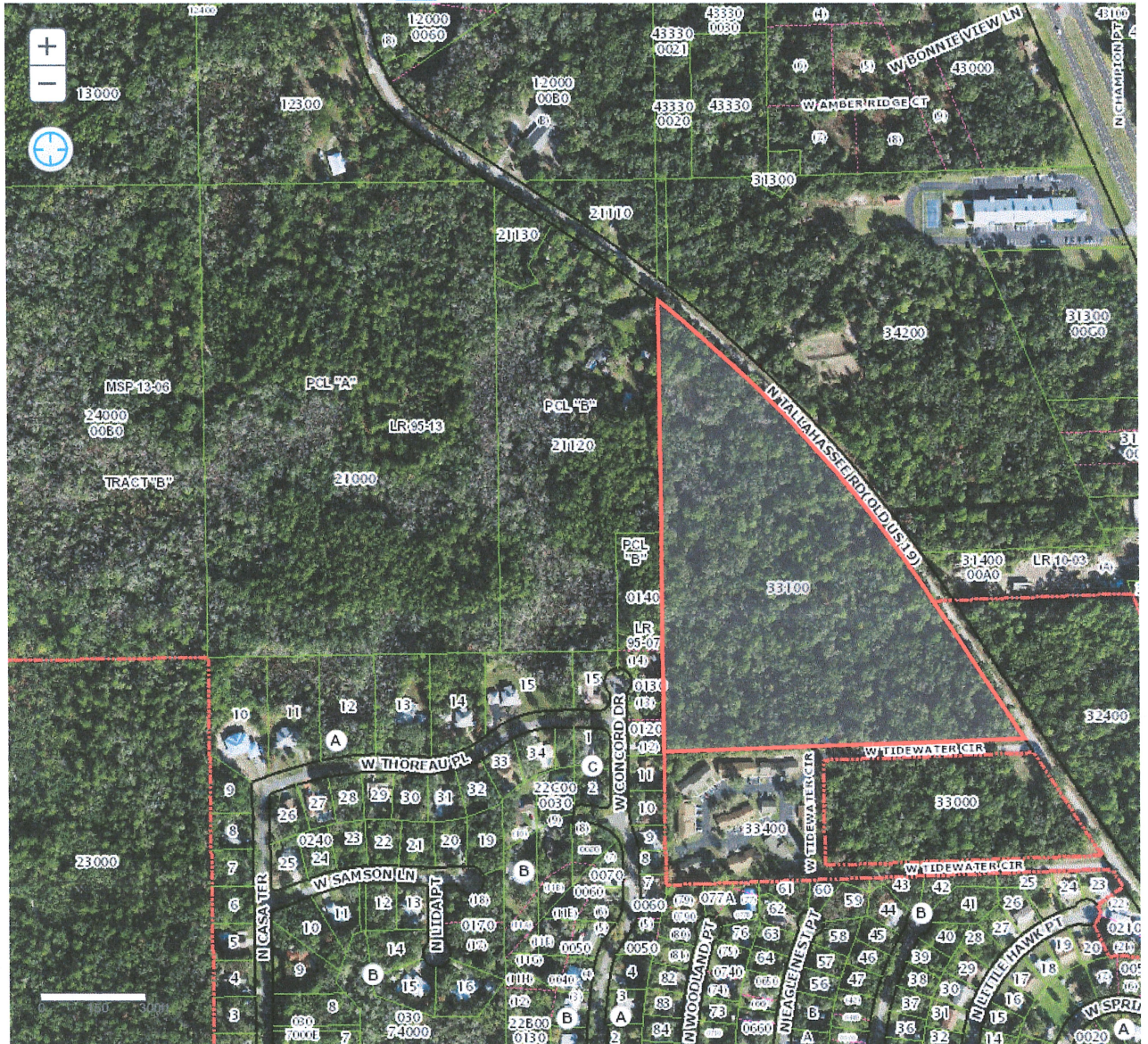
0000000000 0000204271 0000000001051991 0001 4



Map Scale: 1:4452.22
Coordinates: 457439.876, 1670060.425

Altkey: 1051991
JOHNSON SCOTT A

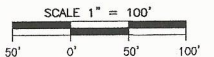
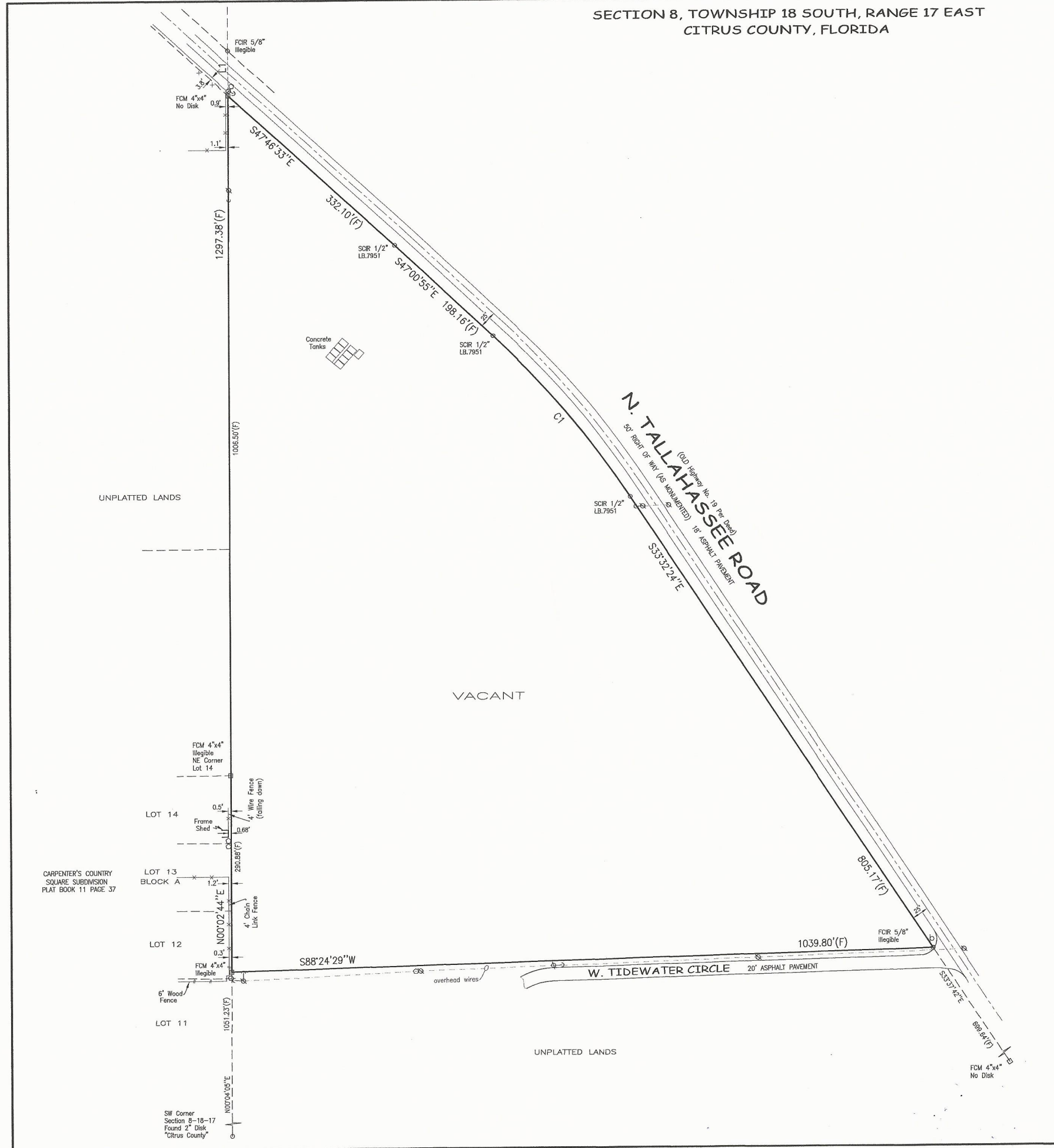
- Summary
- Legal
- Land & Agriculture
- Residential
- Commercial
- Misc Improvements
- Values
- Sketch
- Photos
- Permits
- Quick Links
- Map
- Pictometry



- Easterly adjacent property
Quality Inn. ALT Key. 1052009
21 acres
- Tidwell Bros Paving adjacent.
3.52 acres - ALT KEY 3488427

SECTION 8, TOWNSHIP 18 SOUTH, RANGE 17 EAST
CITRUS COUNTY, FLORIDA

BOUNDARY SURVEY
MERIDIAN BASED ON THE WEST BOUNDARY OF SECTION
8-18-17 AS BEARING N07°04'05"E (ASSUMED)



LEGEND

- PLS = Professional Land Surveyor
- LB = Licensed Business
- SCIR = Set Capped Iron Rod
- FCIR = Found Capped Iron Rod
- FCIP = Found Capped Iron Pipe
- FIR = Found Iron Rod
- FIP = Found Iron Pipe
- FCM = Found Concrete Monument
- SN&D = Set Nail and Disk
- FN&D = Found Nail and Disk
- (P) = Plat Dimension
- (F) = Field Measurement
- (D) = Deed Information
- (R) = Radial Line
- POB = Point of Beginning
- TBM = Temporary Benchmark
- A/C = Air Conditioner
- Conc. = Concrete
- P/E = Pool Equipment
- U = Utility Pole
- Fire Hydrant = Fire Hydrant
- Water Meter = Water Meter
- Telecommunications Box = Telecommunications Box
- Guy Anchor = Guy Anchor
- Electric Utility Box = Electric Utility Box
- Street Sign = Street Sign
- Water Valve = Water Valve
- Light Pole = Light Pole

| LINE | BEARING | DISTANCE |
|------|-------------|-----------|
| L1 | N00°18'42"W | 66.55'(F) |

| CURVE | RADIUS | DELTA ANGLE | ARC | CHORD | CHORD BEARING |
|-------|----------|-------------|---------|---------|-----------------|
| C1 | 1335.65' | 13°28'32" | 314.13' | 313.41' | S40°16'39"E (F) |

DESCRIPTION:
That portion of the following described property lying South and West of Old County Road, Old Highway No. 19, The N 1/2 of NW 1/4 of SW 1/4, and S 1/2 of NW 1/4 of SW 1/4 and N 1/2 of SW 1/4 of SW 1/4 of Section 8, Township 18 South, Range 17 East.

EXCEPT that portion of said lands included in right-of-way of Old Highway 19 and Old County Road from Crystal River to Red Level.

LESS AND EXCEPT that portion Deeded to Apalachee Construction Company, Inc., a Florida corporation in Warranty Deed recorded in Book 598, Page 516, more particularly described as follows:

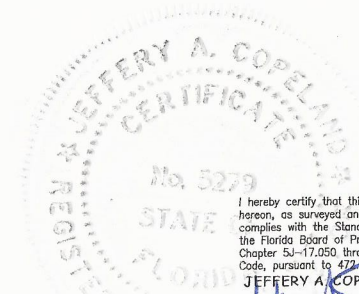
All that part of the South 380 feet of the N 1/2 of the SW 1/4 of the SW 1/4 of Section 8, Township 18 South, Range 17 East, lying West of the right-of-way of Old Highway No. 19, formerly the Crystal River and Red Level hard road.

Prepared for and Certified to:
Christine and Scott Johnson

Property Address:
4264 N. Tallahassee Road
Crystal River, Florida 34428

- NOTES:
1. Certifying Surveyor accepts no responsibility for right of way, easement restrictions or other matters affecting title to land surveyed other than those recited in the current deed and or instruments of records furnished by the client and or their agents.
 2. Underground encroachments, if any, NOT located.
 3. Unless it bears the signature and original raised seal of a Florida Licensed Land Surveyor and Mapper, this drawing, sketch, plot or map is for informational purposes only and is not valid.
 4. Occupation other than shown, not measured.

According to the National Flood Insurance Program 'Flood Insurance Rate Map' (FIRM), Community No. 120340, Panel No. 12017C0186E, with an effective date of 1/15/21, the subject property lies in Zone "AE".



I hereby certify that this Survey of the property described hereon, as surveyed and drawn under my supervision, complies with the Standards of Practice as set forth by the Florida Board of Professional Land Surveyors in Chapter 5J-17.050 through 17.055, Florida Administrative Code, pursuant to 47-827, Florida Statutes.
JEFFERY A. COPELAND, PLS No. 5279

JEFF COPELAND SURVEYING, INC.
LB. 7951 email: jcsurveying.com
 4300 LAKE IN THE WOODS DRIVE
 SPRING HILL, FLORIDA 34607
 PHONE: (352) 596-4111

JOB NO. 22-681
 Field Book No. 220 Page No. 44-46

| | | | |
|---------|-------------|----------|------------|
| DATE | Party Chief | Drawn By | Checked By |
| 2/16/23 | JBC | JAC | PC |

To: Joe Meeks, Mayor
Robert Holmes
Ken Brown
Cindi Guy
Patrick Fitzpatrick

Re: Redesignating zoning of
4264 North Tallahassee Road.

Crysta River is known as the
Nature Coast. It's home to springs,
wetlands, trees, etc. All of this
provide homes to wildlife. We have
tortoises, fish, turtles, deer, hogs
and the list goes on. Endangered plants?

With so much influx going on in
Citrus County, the infrastructure
can't handle much more. The
strain on Tallahassee from RV's,
boats, etc will require work.
Which tax payers will have to pay.

So much has been destroyed already
with campgrounds, housing, car washes
coming into the area.

At what point is it enough?

Personal concerns for not changing the zoning. The Johnsons may say its for boat, rv storage. But once changed to industrial. Who's to say that a warehouse or manufacturing plant wont be put in?

A zoning system especially a "flexible" or "reformed one can and does change the issues to which a land parcel maybe put at anytime. It's clearly destructive.

Zoning with complexity and changeability have spawned graft and corruption. A less restrictive variance maybe worth millions to the land developer.

Zoning should protect home values. This change to industrial will decrease bordering properties. Home owners insurance will increase.

IF allowed, this property will have people coming and going at all hours. It will be unsupervised. Crime will likely increase. Our homes will no longer be safe or quiet.

Let me ask you this: Please explain to your children, grand children and leave a written explanation to future generations, that your vote is the reason "The Nature Coast" no longer exist, and the wildlife gone.

Would you vote for this if you lived by the property, or your family did.

Please protect this property. We in Citrus County have ample boat and RV storage.

Thank you
Cindy Lago

Received 5/25/2023
JENKINS AK2889756
PCA23-0003/PZMA23-0002

From: [Bruce Jenkins](#)
To: [Jenette Collins](#)
Subject: [External]Parcel ID 17E18S08 33100
Date: Thursday, May 25, 2023 3:43:24 PM

My husband and I feel the change from residential to industrial would not be a great idea. Crystal River is the Nature Coast known for wild life plants, trees, springs and wet lands and so much more

We bought our house here in CR for the beauty it provides and the privacy. With all the construction going on now we are disrupting the natural environment and how much more can it handle. Who's to say it will stop at a storage lot, once changed it can grow from there. I'm sure there is land available that is already cleared and we don't have to disrupt what mother nature provided and any environmental concerns for a storage lot.

Thank you,
Mr. And Mrs. Jenkins

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

| MEETING DATE: | Thursday, June 1, 2023 at 5:30 PM. | | | | | | | | |
|---|--|---|---|--|--|---|---|--|--------------------------------|
| APPLICATION NO: PZT23-0004 – Two text amendments to the LDC to allow a Class I Mobile Kitchen in (CW) Waterfront Commercial if the use is located outside of the Community Redevelopment Area (CRA) district. | | | | | | | | | |
| APPLICANT: | Pete’s Pier Marina – Boe Braccio; 1 SW 1 st Place, Crystal River Fl. 34429 | | | | | | | | |
| PROPOSED TEXT AMENDMENTS TO THE LAND DEVELOPMENT CODE (LDC): | 1. Section 4.02.07.3. – Roadside Vending Permit: Approval, Expiration, Suspension, and Revocation. Zoning Districts that allow for a Class I Mobile Kitchen when the use is located outside of the Community Redevelopment Area (CRA). | | | | | | | | |
| | <table border="1"> <thead> <tr> <th>Permitted Use</th> <th>Permitted Zoning District</th> </tr> </thead> <tbody> <tr> <td>Class I – Mobile Kitchens</td> <td>(CH) High Intensity Commercial (CW) <u>Waterfront Commercial outside of CRA</u></td> </tr> <tr> <td>Class II – Pushcarts and non-mobile food carts</td> <td>(CH) High Intensity Commercial (CG) General Commercial in CRA (CW) Waterfront Commercial in CRA</td> </tr> <tr> <td>Class III – Non-food kiosks, booths, and tents</td> <td>(CH) High Intensity Commercial</td> </tr> </tbody> </table> | Permitted Use | Permitted Zoning District | Class I – Mobile Kitchens | (CH) High Intensity Commercial (CW) <u>Waterfront Commercial outside of CRA</u> | Class II – Pushcarts and non-mobile food carts | (CH) High Intensity Commercial (CG) General Commercial in CRA (CW) Waterfront Commercial in CRA | Class III – Non-food kiosks, booths, and tents | (CH) High Intensity Commercial |
| | Permitted Use | Permitted Zoning District | | | | | | | |
| | Class I – Mobile Kitchens | (CH) High Intensity Commercial (CW) <u>Waterfront Commercial outside of CRA</u> | | | | | | | |
| | Class II – Pushcarts and non-mobile food carts | (CH) High Intensity Commercial (CG) General Commercial in CRA (CW) Waterfront Commercial in CRA | | | | | | | |
| Class III – Non-food kiosks, booths, and tents | (CH) High Intensity Commercial | | | | | | | | |
| 2. Table 4.02.07.A. – Class I Mobile Kitchen and Class II Pushcart and Non-Mobile Food Cart. | | | | | | | | | |
| <table border="1"> <thead> <tr> <th>Permitted Use</th> <th>Permitted Zoning District</th> </tr> </thead> <tbody> <tr> <td>Class I – Mobile Kitchens (food trucks)</td> <td>(CH) High Intensity Commercial (CW) <u>Waterfront Commercial outside of CRA</u></td> </tr> <tr> <td>Class II – Pushcarts and non-mobile food carts</td> <td>(CH) High Intensity Commercial (CG) General Commercial in CRA (CW) Waterfront Commercial in CRA</td> </tr> </tbody> </table> | Permitted Use | Permitted Zoning District | Class I – Mobile Kitchens (food trucks) | (CH) High Intensity Commercial (CW) <u>Waterfront Commercial outside of CRA</u> | Class II – Pushcarts and non-mobile food carts | (CH) High Intensity Commercial (CG) General Commercial in CRA (CW) Waterfront Commercial in CRA | | | |
| Permitted Use | Permitted Zoning District | | | | | | | | |
| Class I – Mobile Kitchens (food trucks) | (CH) High Intensity Commercial (CW) <u>Waterfront Commercial outside of CRA</u> | | | | | | | | |
| Class II – Pushcarts and non-mobile food carts | (CH) High Intensity Commercial (CG) General Commercial in CRA (CW) Waterfront Commercial in CRA | | | | | | | | |
| PROJECT MANAGER: | Brian Herrmann, <i>CNU-A, LEED AP</i> – Director of Planning and Development Services | | | | | | | | |

BACKGROUND INFORMATION:

In order to support local entrepreneurs, innovation, and tastes, the City of Crystal River permits food trucks, food carts, and non-food related sales on a temporary basis in very specific areas of the community. In fact, such uses are generally limited to a 200 square foot area within the parking lot of an occupied building that is open to the public, in possession of an active business license, and willing to allow the vendor to locate on their property. In addition, the unit may not hook up to water or sewer service and may only have limited signage. While these standards are somewhat restrictive, they help to protect our brick-and-mortar restaurants while ensuring that mobile vendors forge a relationship with the City’s permanent businesses.

That said, the City recognizes the benefits that food trucks provide to the community. They provide additional food options, new cuisines, increased convenience, and the opportunity to meet new people as well as the chef. However, because they tend to have lower startup and overhead costs

than traditional sit-down restaurants the argument is often made that this creates an unfair advantage that works against the City’s “brick and mortar” dining locations. As a result, the City has been extremely careful not to do anything that might put its permanent dining establishments at a disadvantage.

This proposal will expand upon the area that currently permits vending from a Class I Mobile Kitchen (food truck). However, the way in which the proposal has been written continues to restrict the use from the downtown **Community Redevelopment Area (CRA)**. Therefore, the impact will be minimal, while ensuring that similar properties throughout the City will be permitted to host similar uses.

ANALYSIS:

Currently, a Class I Mobile Kitchen (traditional food truck) is limited to the **High Intensity Commercial (CH)** zoning district. This district consists of properties that are located along State Highway 19, State Highway 44, North Turkey Oak Drive, and West Fort Island Trail. While a few parcels are close, the zoning district is not located within the heart of the City’s walkable downtown.

The applicant is proposing to add the use to the **(CW) Waterfront Commercial** zoning district, but only if the parcel is located outside of the Community Redevelopment Area (CRA). There are only two parcels that meet this standard; therefore, such a change would continue to limit Class I Mobile Kitchens from the heart of downtown and its restaurants. As a result, staff feels as though this change is appropriate, especially given that High Intensity Commercial zoning allows for the use, yet currently there are no Class I Mobile Kitchens located in the district.



Currently, food trucks are only permitted in the CH zoning district. One would now be permitted in CW outside the CRA.



A food truck would also be permitted in the above parcel as it is zoned CW and is located outside of the CRA district.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

All of the areas currently zoned **Waterfront Commercial (CW)** in the City are designated as **Waterfront Commercial (CW)** on the **FLUM** of the **Comprehensive Plan**. In fact, this is the only section of the Comprehensive Plan that may be used to implement the Waterfront Commercial (CW) zoning District. As a result, the proposed amendments will be consistent with the Future Land Use Map that is found within the Comprehensive Plan.

PZT23 – 0004 – PETE’S PIER MARINA – Two text amendments to the LDC to allow a Class I Mobile Kitchen in (CW) Waterfront Commercial if the use is located outside of the Community Redevelopment Area (CRA) district.

In addition, the proposed changes are consistent with specific **GOALS, OBJECTIVES, and POLICIES** that are found within the City of Crystal River Comprehensive Plan, including following:

Goal 2 of the Comprehensive Plan states:

“Crystal River will be a balanced and well-planned community.”

MEANING: The proposed amendments support the Goal of a balanced and well-planned community.

Objective 2.8 of the Comprehensive Plan states:

“Development in Crystal River will be consistent with all elements of the Crystal River Comprehensive Plan.”

MEANING: The proposed amendments are consistent with all elements of the Comprehensive Plan.

Goal 3 of the Comprehensive Plan states:

“Crystal River will promote and maintain the character of community through consistent land use.”

MEANING: The proposed amendments will continue to promote and maintain the character of our community through consistent land use.

SUMMARY OF PUBLIC COMMENTS:

No public comments were received prior to the writing of the Staff Report.

PLANNING COMMISSION RESPONSIBILITIES:

As conveyed in Subsection (B. #2) of 8.02.03 of the Crystal River LDC, the Planning Commission shall have the role and responsibility to hear, consider, and make recommendations to the City Council regarding applications to amend the text of the LDC.

STAFF RECOMMENDATION:

Assuming that all standards for the use are followed, the two proposed text amendments simply expand the area that a Class I Mobile Kitchen (traditional food truck) may operate in by two parcels. The use will continue to be permitted in just one zoning district within the Community Redevelopment Area, the **High Intensity Commercial (CH)** district. However, outside of the CRA the use will now be permitted in both the High Intensity Commercial (CH) district as well as the **Waterfront Commercial (CW)** zoning district.

In addition, the proposed changes are consistent with the City of Crystal River Comprehensive Plan.

Therefore, Staff feels as though these two text amendments are appropriate and ideal given the context; and should be made.

PLANNING COMMISSION ACTION:

- PZT23-0001 – Text Amendment to the City of Crystal River Land Development Code

SUPPORTING DIAGRAMS, ILLUSTRATIONS, & TABLES:

- A. Staff's PowerPoint Presentation
- B. Reserved.

ORDINANCE NO. 23-O-25

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING ORDINANCE NUMBER 05-O-08, APPENDIX A – LAND DEVELOPMENT CODE OF CITY OF CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, AS AMENDED; AMENDING SECTION 4.02.07.3. ROADSIDE VENDING PERMIT: APPROVAL, EXPIRATION, SUSPENSION, AND REVOCATION, TO ALLOW FOR CLASS 1 MOBILE KITCHEN (FOOD TRUCK) IN THE WATERFRONT COMMERCIAL (CW) ZONING DISTRICT OUTSIDE OF THE COMMUNITY REDEVELOPMENT AREA (CRA); AMENDING SECTION 4.02.07.4 GENERAL TO ALL, PROVIDING STANDARDS FOR CLASS 1 MOBILE KITCHEN IN THE CW ZONING DISTRICT OUTSIDE OF THE CRA; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Florida Statutes (F.S.), the City of Crystal River City Council adopted the City of Crystal River Comprehensive Plan; and

WHEREAS, on May 17, 2005, the City of Crystal River adopted the City of Crystal River Land Development Code (LDC) as ordinance 05-O-08, as further amended; and

WHEREAS, the City Council of the City of Crystal River, Florida, recognizes the need to update and revise the City’s LDC to maintain consistency with the goals, objectives, and policies of the Comprehensive Plan; and

WHEREAS, certain changes are necessary and desirable to improve the usability of the LDC.

WHEREAS, the City of Crystal River has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

WHEREAS, the City Council of the City of Crystal River, Florida, has determined that adoption of this Ordinance is in the best interests of the health, safety, and welfare of the citizens of Crystal River.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA, THAT THE CITY’S LAND DEVELOPMENT CODE IS AMENDED AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend Appendix A, Land Development Code of the Crystal River, Florida, Code of Ordinances, by amending Section 4.02.07.3. *Roadside Vending Permit: Approval, Expiration, Suspension, and Revocation* to allow for Class 1 Mobile Food Kitchen (Food Truck) in the Waterfront Commercial (CW) zoning district outside the Community

Redevelopment Area (CRA); and amending Section 4.02.07.4. *General to All* providing standards for Class 1 Mobile Kitchen in the CW zoning district outside the CRA, for reasons set forth in the above “WHEREAS” clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY.

The City of Crystal River City Council is authorized to amend Appendix A, Land Development Code of the City of Crystal River, Florida, Code of Ordinances, pursuant to Part 1, Article III of the City Charter of the City of Crystal River and Chapter 1 - General Provisions, of the City of Crystal River, Florida, Code of Ordinances, and as otherwise authorized by applicable Florida Statutes.

SECTION 3. AMENDMENT OF THE LAND DEVELOPMENT CODE.

The City Council of the City of Crystal River, Florida, hereby adopts this Ordinance to amend Section 4.02.07.3. *Roadside Vending Permit: Approval, Expiration, Suspension, and Revocation*; and to amend Section 4.02.07.4. *General to All*, as shown in **Exhibit “A”**, attached hereto, and incorporated herein by reference.

A copy of the Land Development Code, as amended, is on file at City Hall in Crystal River, Florida.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. CONDIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

It is the intention of the City Council of the City of Crystal River, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of Appendix A, Land Development Code of the City of Crystal River, Florida, Code of Ordinances. The actual text of the Sections to this Ordinance need not be codified. The Code codifier of the City is given broad and liberal authority to appropriately codify the Exhibit into the provisions of the Land Development Code in a format that can be readily published and distributed in a useable and manageable format. The City Manager, in conjunction with the City Clerk and the City Attorney, are hereby granted the authority to take any and all necessary and appropriate actions to accomplish the provisions of this Section. The Exhibit to this Ordinance is hereby incorporated herein by the references thereto as if fully set forth herein verbatim.

SECTION 6. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such

unconstitutionality or invalidity shall not be construed as to render unconstitutional or invalid the remaining provisions of the Ordinance.

SECTION 7. MODIFICATION.

It is the intent of the City Council that the provisions of this Ordinance may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated in the final version of the ordinance adopted by the Council and filed by the City Clerk.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall become effective as per Florida law.

First Reading after due public notice and public hearing was held on the _____ day of _____ 2023.

ADOPTED on Second Reading after due public notice and public hearing held on the _____ day of _____ 2023.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

**APPROVED FOR CORRECTNESS
AND FORM:**

VOTE OF COUNCIL:

Meek: _____

Brown: _____

Guy: _____

Fitzpatrick: _____

Holmes: _____

**ROBERT W. BATSEL, Jr., ESQUIRE
CITY ATTORNEY**

EXHIBIT "A"

Note: Underlined language is proposed language and ~~struck through~~ language is proposed to be deleted.

TEXT AMENDMENT 1 – THAT SECTION 4.02.07.3 ROADSIDE VENTING PERMIT: APPROVAL, EXPIRATION, SUSPENSION, AND REVOCATION, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED BY CHANGING SUB-ITEM "A" AS FOLLOWS:

4.02.07.3 ROADSIDE VENTING PERMIT: APPROVAL, EXPIRATION, SUSPENSION, AND REVOCATION.

A. *Zoning standards.* The following uses shall only be permitted in these zoning districts:


| Permitted Use | Permitted Zoning District |
|--|---|
| Class I – Mobile Kitchens | (CH) High Intensity Commercial <u>(CW) Waterfront Commercial outside of CRA</u> |
| Class II – Pushcarts and non-mobile food carts | (CH) High Intensity Commercial (CG) General Commercial in CRA (CW) Waterfront Commercial in CRA |
| Class III – Non-food kiosks, booths, and tents | (CH) High Intensity Commercial |

TEXT AMENDMENT 2 – THAT SECTION 4.02.07.04 GENERAL TO ALL, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED BY CHANGING THE TABLE 4.02.07.A: CLASS I MOBILE KITCHEN AND CLASS II PUSH CART AND NON-MOBILE FOOD CART, OF SUB-ITEM "G" AS FOLLOWS:

4.02.07.4 General to all.

G. The unit/temporary structure shall not have external water or sewer service provided to it from the primary use that is located on the site, nor the site in general.

Table 4.02.07.A: Class I Mobile Kitchen and Class II Pushcart and Non-Mobile Food Cart

| Description | |
|--|---|
| <p><i>Class I—Mobile kitchen (food truck).</i> Full-service mobile kitchens are comprised of a wheeled vehicle that is readily moveable and designed for the service of food from the interior of the unit. These vehicles may cook, prepare, and assemble food items on or in the unit and serve a full menu.</p> |  |
| <p><i>Class II—Pushcart and non-mobile food cart.</i> These non-motorized food carts cannot be driven but may be towed to the site. They vend items that require very little preparation, such as fruits, vegetables, hot dogs, pre-cooked and pre-packaged food and juices. Items may be heated and prepared for sale on the cart. Such carts require a commissary.</p> | |
| Permitted Use | Permitted Zoning District |
| Class I—Mobile kitchens (food trucks) | (CH) High Intensity Commercial <u>(CW) Waterfront Commercial outside of CRA</u> |
| Class II—Pushcarts and non-mobile food carts | (CH) High Intensity Commercial (CG) General Commercial in CRA (CW) Waterfront Commercial in CRA |
| Signage and Related Elements | |
| <ol style="list-style-type: none"> 1. Signage shall not be placed in the right-of-way of a street, lane, or pathway; nor shall it block vehicle visibility. 2. Unless specifically addressed herein, no sign, emblem, or decorative element shall be attached to, or extend outward from the top or side of a mobile kitchen, pushcart, or non-mobile food cart; specifically, the rectangular structure that forms the basic outline of the truck or cart. 3. Class I mobile kitchens and class II pushcarts and non-mobile food carts may have the following types of signage | |

and/or elements associated with the unit:

a. *Name and decorative emblem.* The name of the business, cart, or truck and one (1) or more decorative emblem (or emblems) associated with the name may be painted, printed, or applied directly upon one (1) or more of the four (4) sides that comprise the unit. The name as well as all decorative emblems shall be applied such that they are completely "flat" on the surface.

b. *Sidewalk signboard.* One sidewalk sandwich sign (A frame sign) may be sited within ten (10) feet of a truck or cart. The sign shall not to exceed six (6) SF., with a maximum width of twenty-four (24) inches and a maximum height of thirty-six (36) inches.

4. Class I mobile kitchens may have the following types of signage and/or elements associated with the unit:

1. *Awning or canopy.* An awning or canopy may be attached to the side of the mobile kitchen so long as no supporting posts or poles touch the ground. This type of signage and/or element provides shading that will keep customers cool and dry during hot or inclement weather.

a. An awning or canopy shall be attached to the side of the mobile kitchen (food truck) such that it covers the opening or window area that is used for ordering food and transferring payment when the unit is not in operation.

b. The maximum width of an awning or canopy shall not exceed the width of the current opening or window area that is used for ordering food and transferring payment by more than three (3) feet on either side.

c. The maximum length of an awning or canopy shall not exceed vertical length of the current opening or window that is used for ordering food and transferring payment by more than three (3) feet.

d. The maximum height of the awning or canopy shall not exceed the height of the primary roof that comprises the class I mobile kitchen (food truck).

e. A class I mobile kitchen (food truck) may have painted, printed, or applied letters and/or graphics located on the sloping plane or the valance of an awning. Such lettering and/or graphics shall be completely flat on the surface.

f. A class I mobile kitchen (food truck) may have three-dimensional text that conveys the name of the business, cart, or truck located on the top (roof) of the canopy. Such text shall not exceed twelve (12) inches in height, nor shall it extend beyond the two sides that comprise the canopy.

2. *Rooftop signage.* A class I mobile kitchen (food truck) may have a sign located on its roof that runs along each of the "long sides" of the truck that is sited no more than one (1) foot from the edge. The sign shall be comprised of three-dimensional text in the form of individual letters. Such letters shall not exceed twelve (12) inches in height. A "board sign" shall not be permitted. The text shall convey the name of the business, cart, or truck, and shall consist of no more than a few words or a phrase. The words or phrase shall be limited to an area that extends from four (4) feet to the left of the primary serving window to four (4) feet to the right of the primary serving window.

5. *Approval.* In order for a class I mobile kitchen and class II pushcart or non-mobile food cart to garner final approval of its signage, a dimensional drawing of all proposed structures and signage, including the verbiage, objects, dimensions, measurements, etc. shall be submitted to the planning and development services department for review.

6. *Review of deviations.* Any signage, emblem, or decorative element that fails to meet the standards conveyed above may be approved by the director of planning and development services if the deviation(s) from the standards.

a. Are minimal and not likely to be noticed when viewed as part of the overall proposal;

b. Promote a level of design or aesthetics that is equal to or exceeds that which would be present without the item;

c. Do not negatively impact the physical character of both the primary use and the secondary use; and

d. Continue to meet all aspects of the purpose and intent found in section 4.07.02 of this Code.



END OF EXHIBIT "A"



PERMIT NO: PZT23-0004 ORDINANCE NO. _____

City of Crystal River

Planning & Community Development
123 Northwest Highway 19
Crystal River, FL 34432
Telephone: (352) 795-4216
development@crystalriverfl.org

APPLICATION FOR LAND DEVELOPMENT CODE (LDC) TEXT AMENDMENT

Fee: \$500 DUE AT TIME OF APPLICATION

RECEIVED
APR 28 2023
BY: ZC

Name of Petitioner(s): Pete's Pier Marina

Address of Petitioner(s): 15w 1st Place
Crystal River FL 34429
City State Zip Code

Phone # 727-238-9157 Cell # same

Email Address: clubseaworthy@gmail.com

State the LDC Code Section(s) that you wish to Amend: 4.02.07.3

Reason for Proposed Amendment: To allow food Trucks in CW (CLASS 1 MOBILE VENDOR)

State evidence of consistency of the Proposed Amendment with the Comprehensive Plan.

I Boe Braccio, being first duly sworn, affirm and say that I am the:
(check one) owner, or _____ the legal representative authorized to speak on behalf of the subject matter, of the property described in this application.

ra
Signature

4/28/23
Date

Boe Braccio
Print Name

State of Florida
County of Citrus

The foregoing instrument was acknowledged before me by () physical presence or () remote audio-visual means this 28, day of APRIL, 2023, by BOE BRACCIO, who is personally known to me or has produced FLDL as identification and who did not take an oath.

[Signature]
Notary Public



ZACHARY CICIERA
Notary Public
State of Florida
Comm# HH250215
Expires 4/6/2026