

## Planning Commission Amended Minutes May 6, 2021 - 5:30 p.m.

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



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

- 1) Call to Order: Chair Froehling called the meeting to order at 5:31 pm
  - 2) Roll Call:
    - a) Present:
      - i) Chair Froehling, Vice-Chair Grannan, Commissioner Martin, Commissioner Kish, Commissioner Ebert, Commissioner Smith, Commissioner Herring, Alternate Thompson, Alternate Morris
      - ii) Staff Present: City Manager Ken Frink, Director Brian Herrmann, City Attorney Robert Batsell, Urban Planner Jenette Collins, and Zoning Administrator Jeanette Rehberg.
  - 3) Moment of Silence: A moment of silence was observed.
  - 4) Pledge of Allegiance: Led by Chair Froehling
  - 5) Adoption of Agenda:
 

Motion to Adopt the Agenda: Vice-Chair Grannan  
Second: Commissioner Smith                      Vote: Unanimous to adopt the Agenda
  - 6) Approval of Minutes: **April 1, 2021**

Motion to approve the April 1, 2021 minutes: Vice-Chair Grannan  
Second: Commissioner Martin                      Vote: Unanimous to approve the April 1, 2021 minutes
  - 6) Citizen Input: 3 minutes
    - (1) Jackie Brooks, 665 N. Country Club Drive, Spoke in opposition to Application No. PZ21-0032 and Application No. PZ21-0042.
    - (2) Ben Torricelli, 670 Country Club Drive, spoke regarding the potential traffic issues that may increase due to this proposed development.
    - (3) Ken Steves, 480 N. Country Club Drive, spoke regarding the potential traffic issues that may increase due to this proposed development.
- City Attorney Batsell announced that though the Agenda Items 8(b & c) were advertised as a public hearing, that prior to the meeting the applicant agreed to change the hearing to a workshop; request that comments regarding Items 8(b and c) be held until the workshop portion of the meeting.
- 7) Public Hearings: Chair stated the quasi-judicial proceedings format and requirements. City Attorney Batsell clarified the Quasi-Judicial Hearing applies only to item 8(a).
    - a) **APPLICATION NUMBER PZ21-0032, from ROBERTS DEVELOPMENT CORPORATION** for a Variance of the City of Crystal River Land Development Code (LDC) to allow for a fence exceeding the maximum height requirement for a lot having a main structure (residence) and vacant adjacent lots, pursuant to Section 5.01.11 Fences, hedges, and walls of the LDC, on property located in Section 20, Township 18S, Range 17E; specifically, Lots 10, 11 and 12, Block A of Magnolia Shores (AK #1067766 and 1067774 ), whose addresses are 226 and 246 NW Magnolia Circle, Crystal River. **Chair** opened the quasi-judicial hearing and the Vice-Chair read the request by Title only.

*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.*

**Conflicts of Interest:** None

**Ex-Parte Communications:** None by Commissioners

City Attorney does not have any Conflicts or Ex-Parte Communication regarding the matter before the Commission, however, his firm represents the applicants on other, non-related matters.

**Staff Presentation:** Director Herrmann presented a PowerPoint presentation (Exhibit "A") that reflects his staff report.

**Staff Recommendation:** None

**Commission Discussion:** Commissioner Ebert inquired as to why the homeowners need a five (5) foot fence in the front yards of their properties. Chair informed him that the applicant would answer that in their presentation.

**Expert Witnesses:** None

**Applicant Presentation:** Dee Beck, Owner's Representative informed the Commission that this is a family vacation home, and they need the fence to secure the homeowner's pets in the yard and to keep trespassers off the vacant property.

**Commissioners Discussion:** Applicant brought up a fence at 395 NW Magnolia as being taller than forty-two (42) inches offered to show a picture of the fence. Commissioners discussed this and then inquired how often the property owners use the property and how the fence was to be installed. Director Herrmann discussed the code's requirements to fence the entire perimeter and the allowable placement of a fence.

**Public Comment:**

- 1) Shannon Steele, 216 NW Magnolia Circle, spoke in opposition of granting the application.
- 2) Dawn Trigg, 202 NW Magnolia Circle, spoke in opposition of granting the application.

**Intervening Parties:** None

**Applicant Rebuttal:** None

**Commissioner's Discussion:**

Commissioner Kish noted that this type of request has come before the commission previously and that containing dogs is not a reason to grant a fence height variance. Vice-Chair Grannan agreed with the earlier comment that they work for the citizens and we must consider all sides. Chair agreed with Commissioner Kish regarding previous applications, and he is against this request.

Motion to deny Application Number PZ21-0032 by Commissioner Kish

Second: Commissioner Ebert

Discussion: City attorney clarified the motion.

Vote: 6-1 to approve the motion

City Attorney Batsell announced for newcomers that the Quasi-Judicial hearing has been changed to a Workshop and that the change applies to Items 8(b & c) only. The Commission, staff, and applicant will listen to the public comments, review, and discuss them and bring the applications back for a Quasi-Judicial hearing. Procedurally, the Workshop will follow the format of the hearing, but will remain a Workshop.

- b) **PROJECT NO. JPMC-0001, APPLICATION NO. PZ21-0042, from CRYSTAL RIVER PLANTATION CORPORATION, A FLORIDA CORPORATION** to amend the Crystal River Florida Zoning Map by reclassifying their 7.21 acres (MOL) of property from Planned Unit Development (PUD) and High Intensity Commercial (CH) to Planned Unit Development (PUD) zoning, located at 9453 W Plantation Lane, Crystal River, also identified as Section 33, Township 18 S, Range 17 E; Specifically, Parcel 41300 (AK #2333537), Parcel 42000 0060 (AK #3522576), Part Of Parcel 14000 0050 (AK#3522575), and Part Of Parcel 22000 0010 (AK#3522573) in the records of the Citrus County Property Appraiser.
- c) **PROJECT NO. JPMC-0001, APPLICATION NO. PZ21-0041, from CRYSTAL RIVER PLANTATION CORPORATION, A FLORIDA CORPORATION** TO Amend the Master Plan adopted by Ordinance Number 18-O-07 of the City of Crystal River by modifying the PUD known as

*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.*

“Plantation Outpost Club and Resort” located at 9453 W Plantation Lane, Crystal River; also identified as Section 33, Township 18 S, Range 17 E; Specifically, Parcel 41300 (AK #2333537), Parcel 42000 0060 (AK #3522576), Part Of Parcel 14000 0050 (AK#3522575), and Part Of Parcel 22000 0010 (AK#3522573) in the records of the Citrus County Property Appraiser, by including 7.21 acres (MOL) to the existing PUD, subsequently amending the Master Plan of development for the planned RV Park.

**Chair called on the City to present the applications.**

**Staff Presentation:** Jenette Collins presented a PowerPoint, additional handouts, and a memorandum (Exhibit B), based on additional input received by the City. The first part of the application (PZ21-0042) is an amendment to the City’s Zoning Map and Part two (PZ21-0041) is an application to Modify the existing PUD.

Policies included in the Ordinance for the PUD Modification:

- i. Identify as transient uses (6 months or less only).
- ii. Development will meet FEMA standards.
- iii. Development will be required to connect to water/sewer with a Master Meter.
- iv. Development will meet Environmental Resources Permit (ERP) of Southwest Florida Water Management District (SWFWMD).
- v. Development will include a heightened buffer standard and a six (6) foot fence.
- vi. Developers must submit a tree survey in compliance with the Land Development Code (LDC).
- vii. An Evacuation Plan must be submitted and approved.

Ms. Collins at behest of Commission Chair read into the record staff’s recommendation and the Addendum to her staff report.

**Commissioner’s Discussion:** Commissioners requested clarification about these additional standards for the PUD including Emergency ingress and egress, water requirements, (addressed by City Manager Ken Frink), what impact fees would be paid, park model emergency removals, and FEMA flood issues. City Attorney Batsell explained the differences between the original PUD and this application. The potential Extension of waterways and creating waterfront lots; City Manager and Applicant responded to this issue.

**Applicant Presentation:** Presented by Daniel Baker, P.E. licensed in the State of Florida. Mr. Baker presented a Power Point (Exhibit “C”).

Highlights of Applicant presentation:

- i. Complementary use to Plantation Resort Hotel.
- ii. Working with City Manager and Public Works to ensure adequate stormwater management.
- iii. Adding flood controls to the property
- iv. Continue to take water from the Hourglass development.
- v. Working with the County on traffic impacts to Fort Island Trail, the improvements needed, and when they will be constructed.
- vi. Working with the State to ensure the water treatment meets or exceeds the state requirements.
- vii. Project to be phased in over a ten (10) year period.
- viii. Leaving an 18 hole golf course.

**Commissioner’s Comments:** Commissioners inquired whether a new, more up to date traffic study would be completed and what parameters would be used, i.e., time of year, etc. Applicant responded these decisions will be based on relevant data. Additional inquiries into dredging (none, will follow SWFWMD requirements), park model issues i.e., emergency response, type of park models (not converted shipping containers). City Manager also inquired about a plan to remove park models from park in case of emergency (hurricanes).

**Public Comment:**

- 1) Jackie Brooks, 665 N. Country Club Drive spoke in opposition to the requests.
- 2) Ben Torricelli, 670 Country Club Drive, spoke in opposition to the requests.
- 3) Jim Fike, 9315 W. Turnberry Loop, spoke in opposition to the requests.
- 4) Jim McGinity, 80 N. Country Club Drive, expressed concerns about the adequacy of the R.V. Park buffering and fencing.

*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.*

- 5) Jeff Patton, 610 Country Club Drive, requested that every step of this process be transparent, all agreements are in writing, and if a committee of community members for oversight could be formed.
- 6) Susan Doering, 124 N. Country Club Drive, stated she is a member of the Plantation Golf Course and expressed concerns about the adequacy of the R.V. Park buffering and protection of the water.
- 7) Craig Welby, 9564 W. Plantation Lane, spoke in opposition to the requests, however if it is approved the development needs to be completely fenced, take away the emergency entrance on Plantation Lane, and increase buffering requirements.
- 8) Marion Gibbons, 148 N. Country Club Drive, requests more public/private involvement.  
Chair responded that the City and County are working together regarding the traffic issues on Ft. Island Trail.
- 9) James Lemke, 202 N. Country Club Drive, would like to see “smart growth” applied to development in the City and County. Concerned about the environment, and the impact on his and his neighbors’ homes regarding flooding.
- 10) Judy McGonigle, 635 N. Afterglow, expressed concerns about the impact of short-term rentals in the park and whether the developer intends to sell boat access, i.e., paddle boards, canoes, etc.
- 11) Ralph Romb, 7208 Grover Cleveland Blvd., spoke in opposition to the requests.

**Staff Comments:** None

**Commissioner’s Comments:** Let the engineer and City Manager take all the input and bring it back before the Commission incorporating all the input and concerns. Appreciate the citizens coming out and offering their input. **Chair Comments:** Appreciate the citizen input and strive to protect everyone’s rights and appreciate the City Manager attending.

**Schedule next hearing:** By consensus of the Commission these matters will be brought back for public hearing at the regularly scheduled June 3, 2021 meeting at 5:30 p.m.; reserving the right to modify the hearing to a workshop.

8) Unfinished Business: None

9) New Business: Update on Charrettes for Master Plan – Dover/Kohl and Partners – Director Herrmann informed the Commission the Charrette will be June 21-25, 2021 invites everyone, citizens, Commissioners, etc. to attend, participate, and give input.

**Commissioner’s Comments:** Stakeholders can attend the meetings and give their input on how the City should grow over the next 25 years.

**City Attorney Comment:** Remind the public that there is another 5 minute Citizen Input Item on the Agenda; however, the Commissioners have heard their input regarding the Workshop Items.

10) Citizen Input: 5 minutes - None

11) Staff Comments: None

12) Commissioner’s Comments: None

13) Chairman’s Comments: None

14) Adjournment:

Motion to adjourn by Chairman Froehling

Second: Commissioner Smith

Vote: Unanimous to adjourn at 8:45 p.m.

Attest:

  
Jeanette Rehberg, Zoning Administrator

Attest:

  
Robert Foehling, Chairperson

*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.*