

# Planning Commission Agenda

## October 6<sup>th</sup>, 2022 - 5:30 p.m.

**Daniel Grannan – Chair**  
**Tonia Herring – Vice Chair**  
**Billy Gause**  
**Deborah MacArthur Anderson**



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

- 1) Call to Order
- 2) Roll Call
- 3) Moment of Silence
- 4) Pledge of Allegiance
- 5) Administration to Oath of Office for Planning Commissioner Deborah MacArthur Anderson.
- 6) Chairman Comments
- 7) Adoption of Agenda
- 8) Approval of Minutes: **August 4, 2022**
- 9) Citizen Input: 3 minutes
- 10) Public Hearings:

**1. Conduct a Public Hearing for VARIANCE APPLICATION NO. PZ22-0082 brought by Casey & Katherine Damron –** A two-part Variance request of the City of Crystal River Land Development Code (LDC) to construct a swimming pool and raised patio addition by 1.) reducing the minimum waterfront setback pursuant to Section 4.02.02. – Standards for buildings and building placement (setbacks), of the LDC, and 2.) to exceed the maximum impervious surface ratio allowed in zoning district R-W (Residential Waterfront) pursuant to Section 4.02.01. – Standards for lot design, of the LDC.

**2. Conduct a Public Hearing for APPLICATION NO. PZ22-0084 brought by the City of Crystal River –** Text Amendment to Appendix A – Land Development Code of Crystal River, Florida, Code of Ordinances by adding a new Section 6.04.12 Vehicular cross-access required between adjoining developments

- 11) Unfinished Business

### 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.**

- 12) New Business
- 13) Citizen Input: 5 minutes
- 14) Staff Comments
- 15) Commissioner's Comments
- 16) Chairman's Comments
- 17) Adjournment

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

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**Planning Commission Minutes**  
**August 4<sup>th</sup>, 2022 - 5:30 p.m.**

**Daniel Grannan – Chair**  
**Tonia Herring – Vice Chair**  
**Billy Gause**  
**Randy Martin**  
**Doug Smith**



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

1) Call to Order by Chairman Grannan at 5:30pm.

2) Roll Call

**Commissioners Present:** Dan Grannan, Tonia Herring, Terry Thompson, Larry Schenavar, Randy Martin, Doug Smith.

**Commissioners Absent:** Billy Gause.

**Staff Present:** Planning Director Brian Herrmann, Urban Planner Jenette Collins, Zoning Coordinator Zach Ciciera.

3) Moment of Silence was led by Chairman Grannan.

4) Pledge of Allegiance was led by Chairman Grannan.

5) Chairman Comments: None.

6) Motion to adoption the agenda was made by Chairman Grannan; seconded by Commissioner Martin. **Motion carried 6-0.**

7) Motion to approve minutes of the Planning Commission meeting held July 7, 2022, was made by Chairman Grannan; seconded by Commissioner Thompson. **Motion carried 6-0.**

8) Citizen Input: None.

9) Public Hearings:

- a) **Conduct a Public Hearing for VARIANCE APPLICATION NO. PZ22-0064 brought by MJ STOKES CONSULTING O/B/O HART WW DEVELOPMENT, LLC (SCOOTERS COFFEE)** – A Variance request of the City of Crystal River Land Development Code (LDC) to exceed the maximum number of parking spaces allowed for an eating establishment with a drive-thru facility pursuant to Section 6.04.07 Standards for parking and parking lots, of the LDC. Section 22, Township 18S, Range 17E; specifically, Parcel 13300 0020 which address is 1049 NE 5th St., Crystal River, Florida.

**Staff Presentation:** Jenette Collins presented the variance request for Scooters Coffee to the commission. Stated that the size of the structure in relation to the lot is a unique circumstance. Staff supports the variance request.

**Applicant Presentation:** John Stoeckel presented on behalf of the owner/applicant.

**Jeff Hart, Owner of Scooters Coffee,** presented the traffic flow plan for the parcel and general goal of the company to provide fast and efficient service.

**Commission Discussion:** *A motion was made by Vice Chair Herring to approve Variance Application NO. PZ22-0064 brought by MJ STOKES CONSULTING O/B/O HART WW DEVELOPMENT, LLC (SCOOTERS COFFEE) – A Variance request of the City of Crystal River Land Development Code (LDC) to exceed the maximum number of parking spaces allowed for an*

*eating establishment with a drive-thru facility pursuant to Section 6.04.07 Standards for parking and parking lots, of the LDC. Section 22, Township 18S, Range 17E; specifically, Parcel 13300 0020 which address is 1049 NE 5th St., Crystal River, Florida. **Motion carried 6-0 to approve a total of 7 parking spaces as requested.***

- b) **Conduct a Public Hearing for APPLICATION NO. PZ22-0065 brought by the City of Crystal River – Evaluation and Appraisal Report (EAR) Based Comprehensive Plan Amendment – Ordinance No. 22-O-23 – An Amendment to the Crystal River Comprehensive Plan by providing revision to the Recreation Element pursuant to Chapter 163, Florida Statutes.**

**Staff Presentation:** Jenette Collins presented the updates made to the recreation element of the Comprehensive Plan.

**Commission Discussion:** *A motion was made by Vice Chair Herring to recommend Council approval of Application NO. PZ22-0065 brought by the City of Crystal River – Evaluation and Appraisal Report (EAR) Based Comprehensive Plan Amendment – Ordinance No. 22-O-23 – An Amendment to the Crystal River Comprehensive Plan by providing revision to the Recreation Element pursuant to Chapter 163, Florida Statutes. **Motion carried 6-0.***

- c) **Conduct a Public Hearing for APPLICATION NO. PZ22-0055 brought by the City of Crystal River – Amendment to the City of Crystal River Code of Ordinances, Appendix A – Land Development Code, Chapter 12 SIGNS, as conveyed in Ordinance NO. 20-O-19. Continuance of the July 7, 2022 Planning Commission meeting.**

**Staff Presentation:** Planning Director Brian Herrmann presented the revisions made to the sign ordinance as well as the nine (9) sign types that were not discussed in the July 7<sup>th</sup> meeting.

**Commission Discussion:** *A motion was made by Commissioner Thompson to recommend Council approval, with revisions made to Table 12.00.07.B: Commercial Canopy Signs, of Application NO. PZ22-0055 brought by the City of Crystal River – Amendment to the City of Crystal River Code of Ordinances, Appendix A – Land Development Code, Chapter 12 SIGNS, as conveyed in Ordinance NO. 20-O-19. Continuance of the July 7, 2022 Planning Commission meeting. **Motion carried 6-0.***

10) Unfinished Business: Planning Director Brian Herrmann addressed possible alterations to the minimum and maximum parking standards that may be brought forward to the planning commission in the future.

11) New Business: None.

12) Citizen Input: None.

13) Staff Comments: None.

14) Commissioner's Comments: None.

15) Chairman's Comments: None.

16) Adjournment: A motion to adjourn was made by Commissioner Thompson; seconded by Chairman Grannan.

**Motion carried 6-0.** Meeting adjourned at 7:16pm.

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

ATTEST:

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Zoning Coordinator Zach Cicera

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Chairman Daniel Grannan

DRAFT



## CITY OF CRYSTAL RIVER PLANNING COMMISSION

### STAFF REPORT

Planning and Development Services Department

<b>MEETING DATE:</b>	October 6, 2022
<b>VARIANCE APPLICATION NO. PZ22-0082 DAMRON, CASEY AND KATHERINE</b>	
<b>VARIANCE REQUESTED:</b>	A two-part Variance request of the City of Crystal River Land Development Code (LDC) to construct a swimming pool and raised patio addition by 1.) reducing the minimum waterfront setback pursuant to Section 4.02.02. – <u>Standards for buildings and building placement (setbacks)</u> , of the LDC, and 2.) to exceed the maximum impervious surface ratio allowed in zoning district R-W (Residential Waterfront) pursuant to Section 4.02.01. – <u>Standards for lot design</u> , of the LDC.
<b>SUBJECT PROPERTY:</b>	Section 20, Township 18 S, Range 17 E; specifically, Lot 13, Block “A” of MAGNOLIA SHORES, (AK #2402491) which address is 256 NW Magnolia Circle, Crystal River, Florida. A complete legal description of the property is on file with the Planning and Community Development Services Department.
<b>ACREAGE:</b>	Approximately 14,443 square feet (0.33 acres +/-).
<b>ZONING DISTRICT:</b>	R-W, Residential Waterfront
<b>FLOOD ZONE:</b>	According to the Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone AE with a Base Flood Elevation (BFE) of 13 feet, as found on FIRM Panel Number 12017C0 188E. (Effective date: January 15, 2021)
<b>SURROUNDING AREA:</b>	North – R-W District, single-family residence South – King’s Bay East – R-W District, single-family residence West – R-W District, single-family residence
<b>PREPARED BY:</b>	Zach Ciciara, Zoning Coordinator, Planning and Community Development Services

**BACKGROUND INFORMATION:** The property owners propose to construct a swimming pool and raised patio, in addition to their (in construction) single-family residence. The purpose of this two-part variance is to request 1.) an 8.5-foot building setback from the waterway as measured from the shortest distance of the exterior patio to the outer edge of the seawall on the canal, and 2.) to exceed the maximum impervious surface ratio allowed in zoning district R-W (45%) by 4.61 percent (totaling 49.61%). The swimming pool and patio will be placed at the rear of the residence.

The subject property is located on the southern end of NW Magnolia Circle (a local road) and abuts King’s Bay. The residential lot is currently being developed to erect a single-family residence pursuant to building permit number PB22-0118. The owner purchased the property in June 2018.

**ANALYSIS:** In the R-W, Residential-Waterfront District, the LDC requires a minimum building setback of 25 feet from the rear lot line or waterfront, whichever the case may be. All setbacks are measured at the shortest distance from the exterior building wall to the property line. A waterfront yard is defined in the LDC, Section 1.07.00 B. *List of defined terms*, as “the yard extending between lot lines and along a waterway, including open water, bays, bayous, lakes over five (5) acres in area, *manmade canals*, and similar navigable water.”

The requested setback shall be measured from the nearest edge of the patio rather than the swimming pool as proposed patio is to be greater than 2 feet in height from grade. This is conveyed in Section 4.02.02. – Standards for buildings and building placement (setbacks), of the LDC, as follows:

1. The minimum yards required in this section for each and every building existing at the time of the adoption of this LDC, or for any building hereafter erected or altered, shall not be encroached upon or reduced, except as specifically set forth in this section. ***The following items may encroach upon a required yard, and may be located in the setback for buildings and accessory structures:***

a. Plantings, security gates, paths, walkways, retaining walls, seawalls, mailboxes, utility poles, lighting fixtures, patios, at-grade-driveways, curbing, ***pool decks and related equipment***, outdoor furniture, fire pits, HVAC, and the like (if permitted by the city manager); so long as the sight triangle on corner lots is protected. Fences, hedges and walls are addressed in section 5.01.11 (fences, hedges, and walls).

***b. Any encroachment identified in subsection a. above that is located in the required setback of a water adjacent yard, and whose base exceeds one (1) square foot shall be limited to a maximum height of two (2) feet. Residential HVAC equipment, if raised, shall be exempt from the two (2) feet height restriction.***

The (in construction) residence has a total impervious surface ratio of 41.37 percent of the lot. The construction of the swimming pool and raised patio will add an additional impervious area of 7.71 percent. The proposed swimming pool and patio, together with the developing single-family residence, and driveway will have a total impervious surface ratio (ISR) of 49.61 percent, which is greater than the maximum allowed 45 percent ISR for lots in the RW District per Section 4.02.02 of the LDC. The subject property also has an existing dock waterward of the seawall.

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

1. ***There is a specific hardship affecting the development of the lot resulting from the strict application of the provisions of the LDC;*** The width of the subject lot is 100 feet with a depth of 145 feet making any development outside of the approved plans for the single family home difficult.
2. ***The hardship is not a result of actions of the owner and is not based solely on a desire to reduce development costs;*** The owner is requesting a variance reduction of approximately 16.5 feet so that the proposed swimming pool and patio will setback 8.5 feet from the waterway (as measured to the outer edge of the seawall). The request is not based on a desire to reduce development costs.
3. ***The need for the proposed variance is due to the physical shape, configuration, or topographical condition of the lot in such a manner as to distinguish it from other adjacent or nearby lots or from***

**other lots in the district;** The subject lot is not irregular in shape and is consistent with the neighboring lots in size and area.

- 4. The proposed variance is necessary to preserve a substantial property right where such property right is generally available to other property owners of adjacent or nearby lots or other lots in the zoning district;** The proposed swimming pool and patio is not necessary for the reasonable development of this property. Surrounding properties with swimming pools have developed consistent to the standards of this LDC. The applicant is constructing a 12,512 square foot 3-story single family residence with a building footprint of 4,969 square feet. The size of the home limits further development of this property creating a self-imposed hardship.
- 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;** The proposed swimming pool and patio is an allowed structure that is considered accessory and incidental to the residential use of the property, and would not be a prohibited use to other lands, buildings, or structures in the same zoning district when constructed in strict conformance to the LDC.
- 6. The proposed variance does not substantially increase congestion on surrounding streets, does not increase the danger of fire or other hazard, and is not otherwise detrimental to the health, safety, or general welfare of the public;** The proposed swimming pool and raised patio does not increase traffic impacts and should not create any health, safety, and welfare concerns to the surrounding area.
- 7. The development following the proposed variance is compatible with adjacent and nearby development and does not alter the essential character of the district;** The proposed swimming pool and patio is not consistent with the character of the R-W district exclusive to the waterfront setback regulations. The owner has advised that the design of the pool and patio will be similar to that of the adjacent property to the west. The waterfront setback of the neighboring pool is unknown.
- 8. The variance granted is the minimum variance that results in reasonable use of the land, building, or structure;** Although the proposed pool and patio is a reasonable use conditional of the residence, the size of the home itself having a building footprint of 4,969 square feet limits further development 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** The proposed variance is not consistent with the general intent of the LDC based upon the standards set forth in section 4.02.02 of the LDC.
- 10. The effect of the proposed variance is consistent with the comprehensive plan.** The proposed variance is found consistent with the intent of the City's Comprehensive Plan.



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

ATTACHMENTS:

1. Staff PowerPoint Presentation
2. Notification Letter
3. Site Plan/Application submittal with Backup

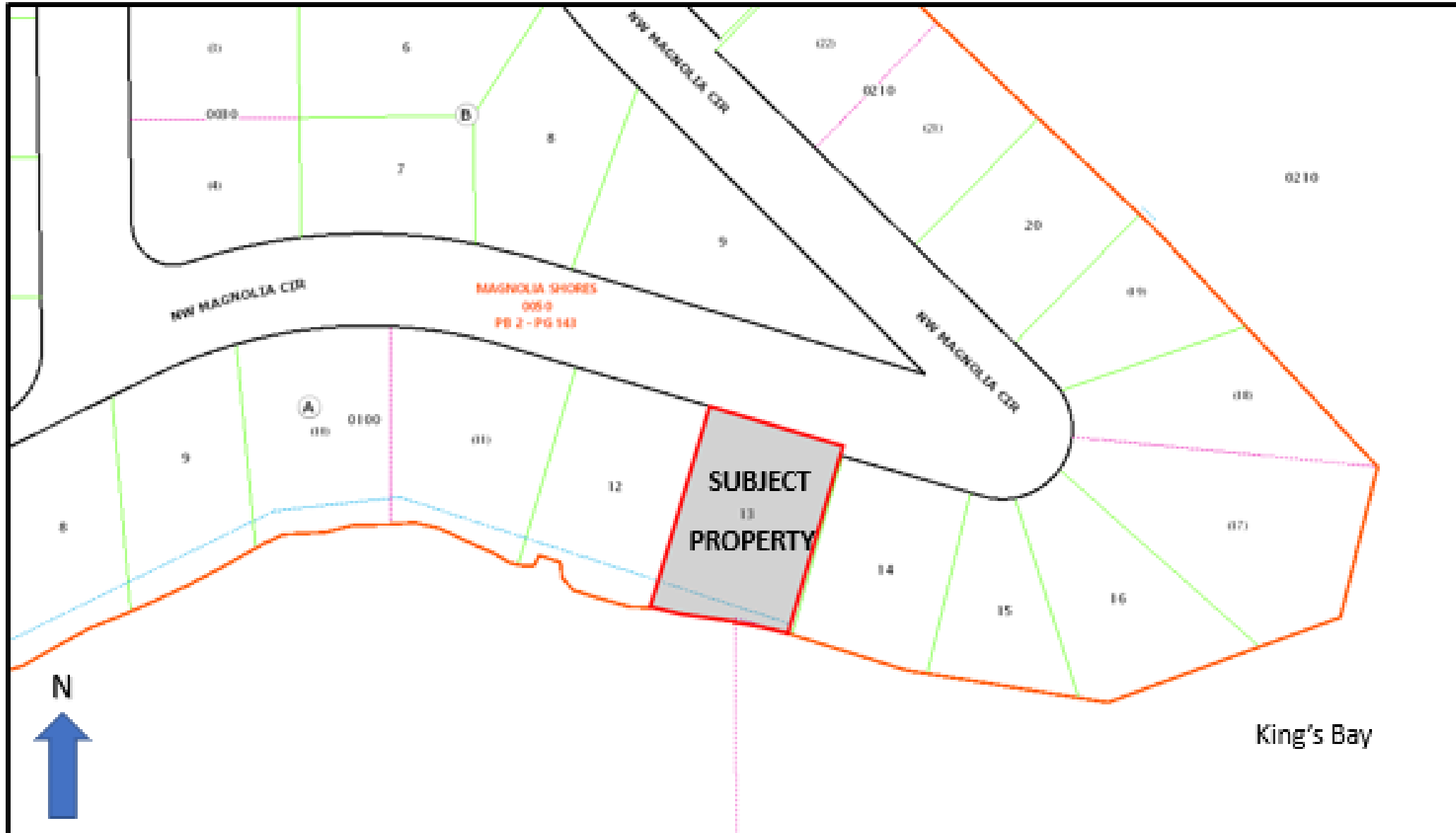


**PZ22-0082**

**VARIANCE**

**DAMRON, CASEY & KATHERINE**

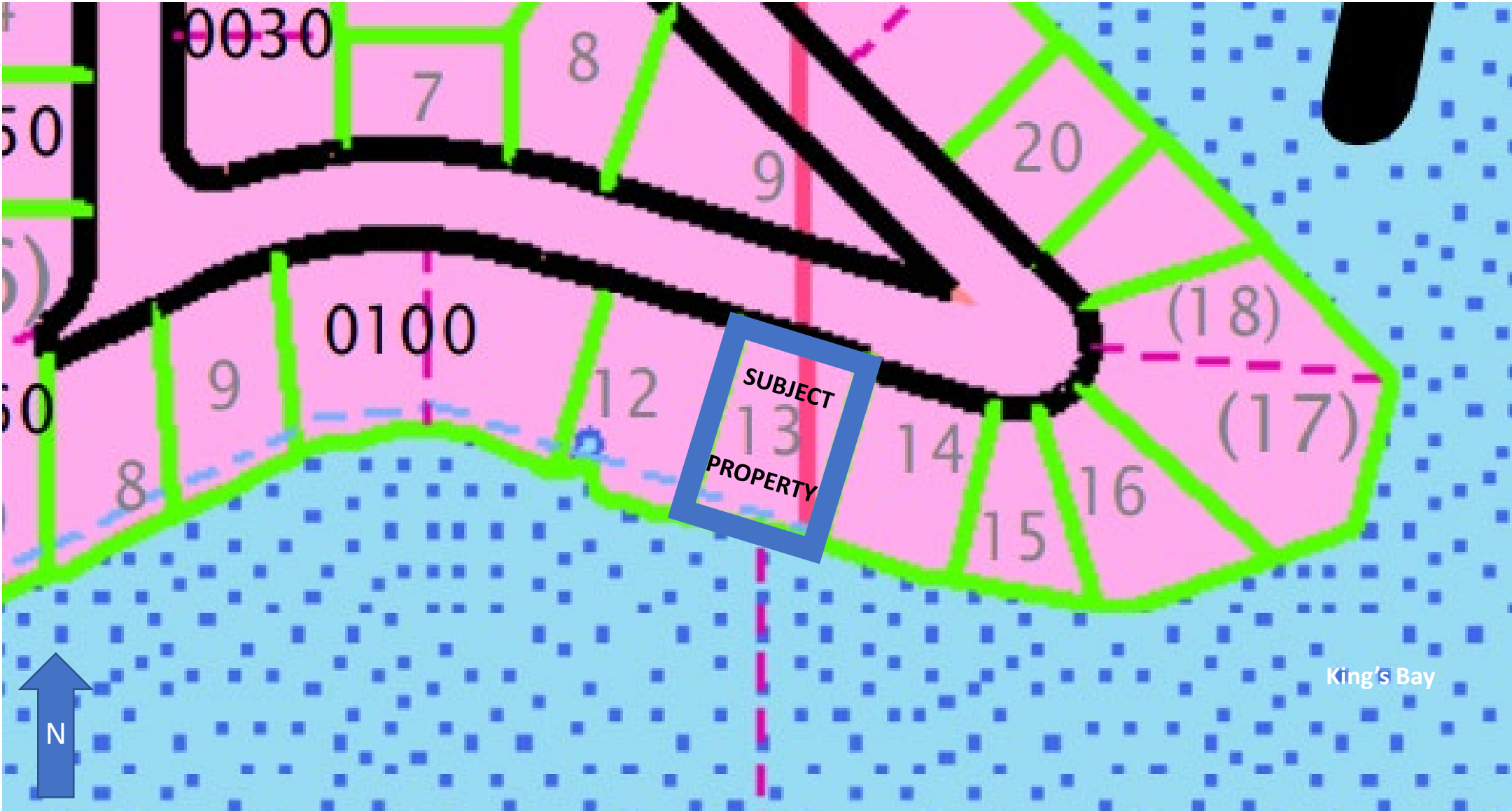
# LOCATOR MAP



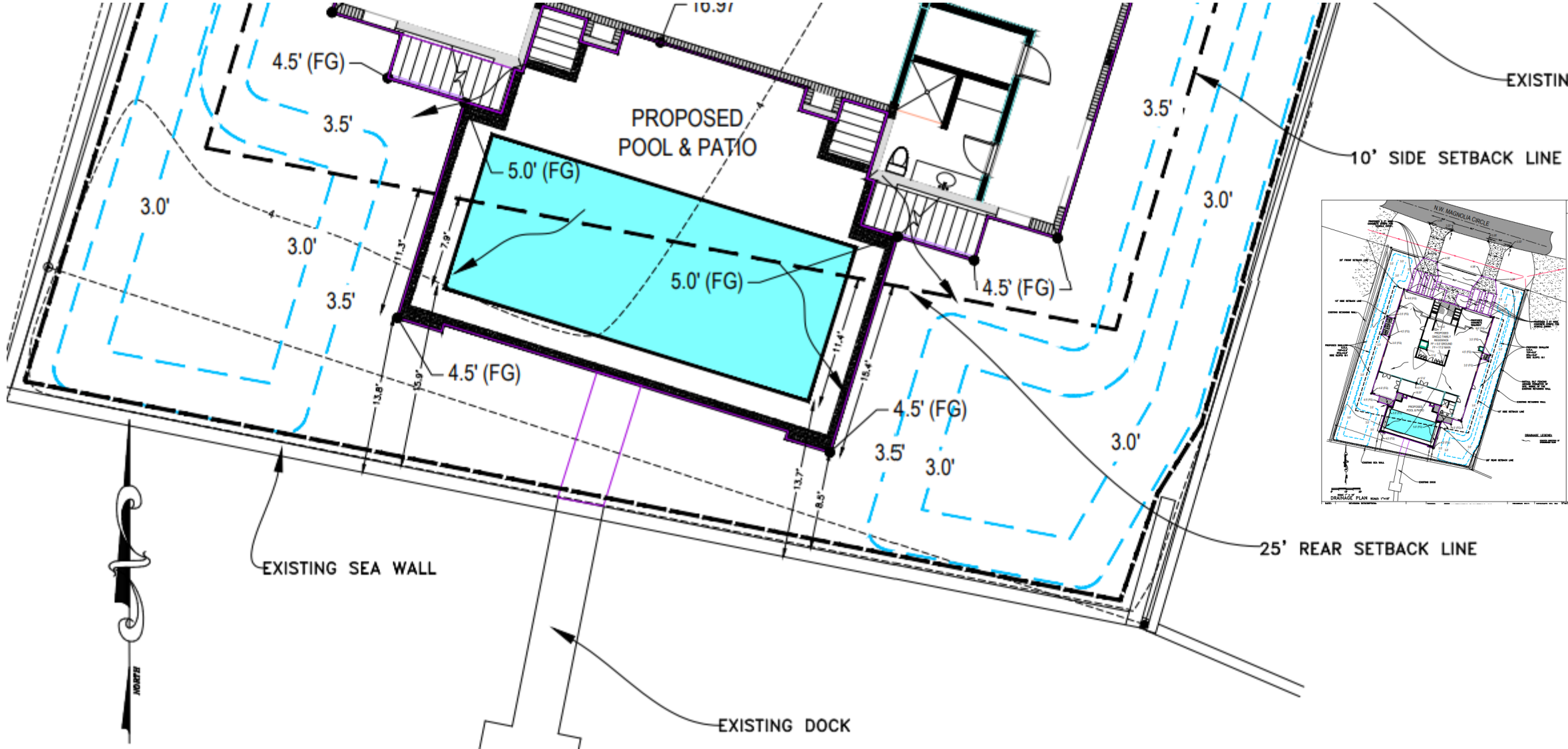
# AERIAL MAP

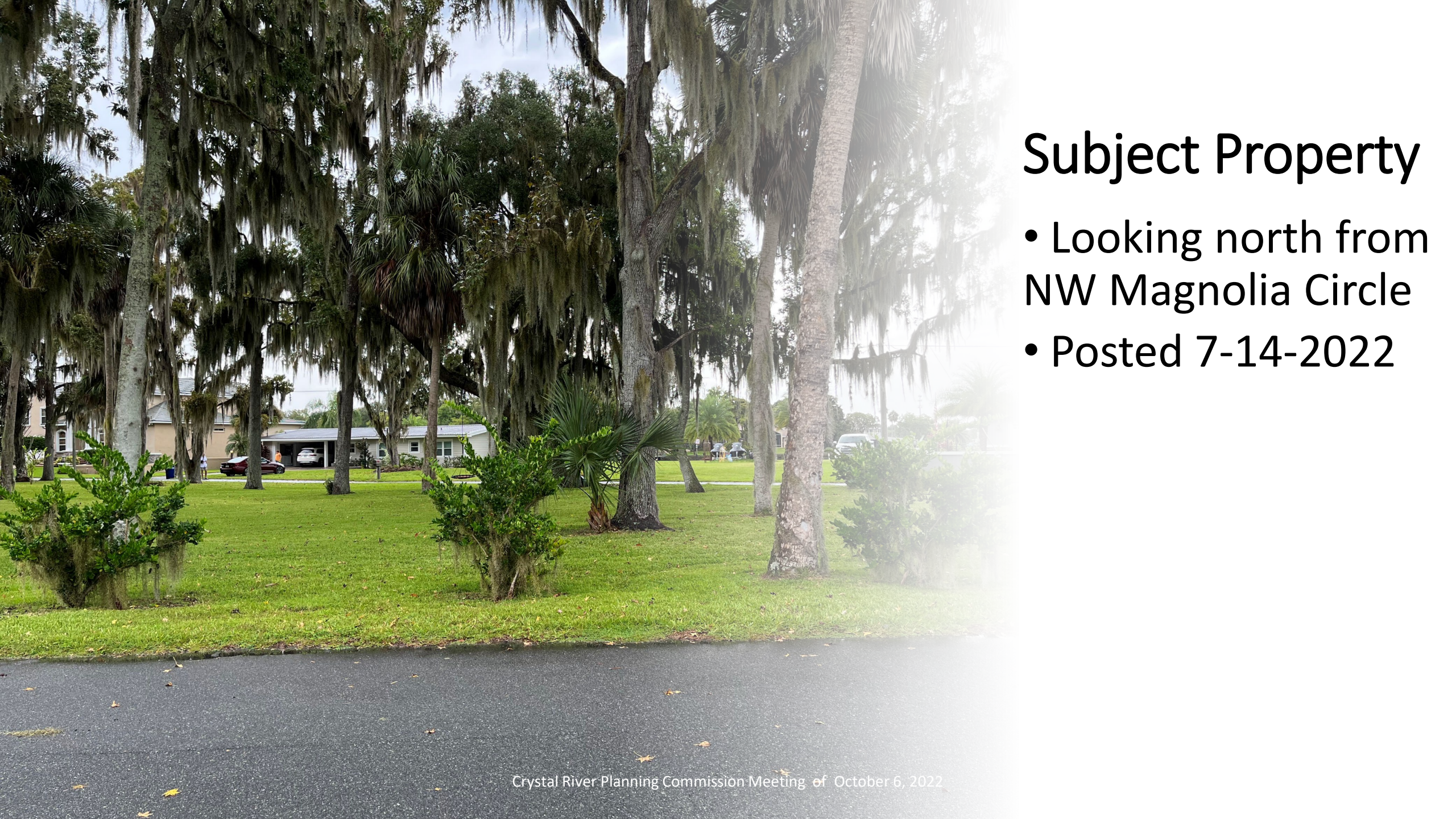


# ZONING MAP



# SITE PLAN





# Subject Property

- Looking north from NW Magnolia Circle
- Posted 7-14-2022

# Looking east on NW Magnolia Circle



Subject  
Property



# Looking west on NW Magnolia Circle



Subject  
Property

# Looking south into King's Bay



# Looking east from the rear yard of the subject property



# Looking west from the rear yard of the subject property



Looking south into King's Bay, measured at about 9-feet from the outer edge of the existing seawall





# QUESTIONS?

**PZ22-0082**

**VARIANCE**

**DAMRON, CASEY & KATHERINE**



RECEIVED  
SEP 02 2022  
BY: ZC

VARIANCE APPLICATION

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

Return to: [development@crystalriverfl.org](mailto:development@crystalriverfl.org)

Office Use Only: Paid _____	Date _____
Residential - \$250	Commercial - \$500

**Applicant Information:**

Name: Casey & Katherine Damron Phone 352-400-9313  
 Street Address: 3415 W. Shadow Creek LP Lecanto, FL 34461  
CITY ST ZIP  
 Email Address: casey@sodiumusa.com

**Site Information:**

Site Address: 256 NW Magnolia Cir Crystal River  
 Alt Key #: 2402491 Parcel Id # 17E18S210005000010  
(AVAILABLE AT THE CITRUS COUNTY PROPERTY APPRAISER'S WEBSITE: [WWW.CITRUSFLA.GOV](http://WWW.CITRUSFLA.GOV))  
 Legal Description: Magnolia Shores pb 2, pg 143, Lot 13, B1KA.

or attach description on a separate page)

Subdivision: Magnolia Shores Lot: 13 Block: A

Current Zoning District: \_\_\_\_\_

Flood Zone: \_\_\_\_\_ Base Flood Elevation: \_\_\_\_\_  
(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\\_APPXALADE\\_CO\\_CH29VACORE\\_9.02.02VA](https://library.municode.com/fl/crystal_river/codes/code_of_ordinances?nodeId=PTIICOOR_APPXALADE_CO_CH29VACORE_9.02.02VA)

Request to reduce water front setback to 8.5'  
Request for allow 49.6% imp ratio on lot

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. (Will what you are proposing have any negative effects on your neighbors or any other property or to public property?)
10. The effect of the proposed variance is consistent with the comprehensive plan. (City staff will assist with this.)

**Notes:**

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

**Attachments:**

1. Deed or other proof of ownership.
2. A site plan, if applicable
2. Elevations if applicable

Casey L. Damon Katherine C. Damon  
 SIGNATURE  Owner  Agent

8/29/2022  
 Date

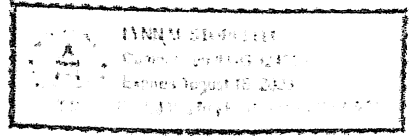
Casey L. Damon Katherine C. Damon  
 PRINT NAME

STATE OF FLORIDA

COUNTY OF Citrus

The foregoing instrument was acknowledged (Or Affirmed) <sup>personally appeared</sup> before me this 29 day of August, 2022, who is/are personally known to me or has/have produced \_\_\_\_\_ as identification.

Dee M. Stappell  
 Notary Public





## 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. <b>There is a specific hardship affecting the development of the lot resulting from the strict application of the provisions of the LDC.</b> <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. <b>The hardship is not a result of actions of the owner and is not based solely on a desire to reduce development costs.</b> <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. <b>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.</b> <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. <b>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.</b> <i>(Explain that if the variance is not approved would any development of the proposed property be possible?)</i>
	5. <b>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.</b> <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. <b>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.</b> <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. <b>The development following the proposed variance is compatible with adjacent and nearby development and does not alter the essential character of the district.</b> <i>(Will the variance cause the character of your neighborhood to change?)</i>
	8. <b>The variance granted is the minimum variance that results in reasonable use of the land, building, or structure.</b> <i>(Have you looked at all other options to do what you want to do and found that the variance you are seeking is for the least amount necessary?)</i>

Variance Application  
Casey and Katherine Damron  
Site: 256 NW Magnolia Cir Crystal River  
(352) 400-9313  
[casey@sodiumusa.com](mailto:casey@sodiumusa.com)

Provisions:

1. There is a specific hardship affecting the development of the lot resulting from the strict application of the provisions of the LDC  
A: The lot shape is such that although widest at the street, as it runs toward the water line, it narrows significantly
2. The hardship is not a result of actions of the owner and is not based solely on a desire to reduce development costs.  
A: The proposed location of the pool is an attempt to keep the pool out of the flood plain; The builder is proposing multiple house floors so as to minimize the ground floor footprint.
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.  
A: The lot narrows as the parcel lines run SW of the Front lot line/Street, there is a known flood plain to take into consideration
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.  
A: A pool is enjoyed by the adjacent neighbors and we are willing to install in a method that has minimal impact; The neighbors views will not be affected as they tilt toward SW and we are NW
5. The grant of the proposed variance does not confer on the applicant any special privilege that is prohibited by this LDS to other lands, buildings, or structures in the same zoning district.  
A. True
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.  
A. True. The proposed is located in the back of the property, behind the home, furthest from the street,
7. The development following the proposed variance is compatible with adjacent and nearby development and does not alter the essential character of the district.  
A. True. The proposed home will be in compliance and the pool and deck will be compatible and built with the neighborhood's essence in mind.
8. The variance granted is the minimum variance that results in reasonable use of the land, building, or structure.  
A. True, the proposed house will be multiple floors due to the small size of the parcel so that we could minimally impact the remainder of the parcel for the pool and deck and yet still keeping in mind the restrictions due to the flood plain and the narrowing of the lot .

K: \$10.00  
D: \$2625.00

After Recording Return to:

**RETURN TO GRANTEE**

This Instrument Prepared by:  
Yaisa Myers  
A-1 Title of the Nature Coast  
7655 W. Gulf to Lake Hwy., Suite 4  
Crystal River, FL 34429  
as a necessary incident to the fulfillment of conditions  
contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):  
20 18S 17E 0050 000A0 0130  
File No.: 1813891

**WARRANTY DEED**

This Warranty Deed, Made the 7 day of June, 2018, by Christopher M. Fallows and Judith L. Fallows, husband and wife, whose post office address is: 70 N. Lecanto Hwy., Lecanto, FL 34461 hereinafter called the "Grantor", to Casey Damron and Katherine Damron, husband and wife, whose post office address is: 3415 W. Shadow Creek Ln., Lecanto, FL 34461 hereinafter called the "Grantee".

**WITNESSETH:** That said Grantor, for and in consideration of the sum of **Three Hundred Seventy Five Thousand Dollars and No Cents (\$375,000.00)** and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in **Citrus County, Florida**, to wit:

**Lot 13, Block "A" of MAGNOLIA SHORES, according to the map or plat thereof as recorded in Plat Book 2, page 143, Public Records of Citrus County, Florida.**

The property is not the homestead of the Grantor(s) under the laws and constitution of the state of Florida in that neither Grantor(s) or any member of the household of Grantor(s) reside thereon.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 2017, reservations, restrictions and easements of record, if any.

*(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)*  
**IN WITNESS WHEREOF**, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES  
**TWO SEPARATE DISINTERESTED WITNESSES REQUIRED**

Witness Signature: [Signature]  
Printed Name: Schmitter Kelly Christopher M. Fallows

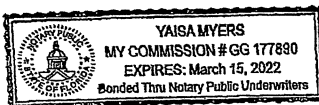
Witness Signature: [Signature]  
Printed Name: Yaisa Myers Judith L. Fallows

State of Florida  
County of Citrus

The foregoing instrument was acknowledged before me this 7 day of June, 2018 by Christopher M. Fallows and Judith L. Fallows, husband and wife, who is/are personally known to me or has/have produced driver license(s) as identification.

[Signature]  
Notary Public Signature  
Printed Name: Yaisa Myers

My Commission Expires: 3-15-22  
(SEAL)



# LUETGERT DEVELOPMENT CORPORATION

State Certified General Contractor • CGC 1508026 • Since 2004

September 6, 2022

TO: Planning & Community Development Services  
City of Crystal River

RE: PB2-118- Variance Request Hearing  
Casey and Katherine Damron  
Property ID: 17E18S20050 000A0 0130  
Address: 256 NW Magnolia Cir, Crystal River, FL 34482

To whom it may concern:

We, Casey and Katherine Damron, authorize Paolo Mastroserio, PE to be our agent to represent us at the hearing to address our variance request from the City of Crystal River. Thank you.

By: Casey Damron  
Casey Damron, Owner

By: Katherine Damron  
Katherine Damron, Owner

STATE OF FLORIDA  
COUNTY OF Citrus

Sworn to (or affirmed) and subscribed before me this 13<sup>th</sup> day of Sept, 2022 by  
Casey Damron and Katherine Damron (Name of Person(s) Making Statement)

(SEAL)



Lynn M. Stoppelli  
Signature of Notary Public

Lynn M. Stoppelli  
Print, Type or Stamp Name of Notary Public

Personally Known: X  
OR Produced Identification: \_\_\_\_\_

Type of Identification Produced: \_\_\_\_\_

# DAMRON RESIDENCE DRAINAGE PLAN

**SITE DATA:**

SITE AREA: 13,723 S.F. = 0.315 AC  
 OWNER: CASEY DAMRON  
 ADDRESS: 256 NW MAGNOLIA CIRCLE  
 CRYSTAL RIVER, FL 34428

CONTACT: (352)-400-9313  
 PARCEL: 1718200050000A00130  
 ZONING: RW  
 LAND USE: MDR  
 SETBACKS: 25 FT FRONT  
 10 FT SIDE  
 25 FT REAR  
 25 FT WATERFRONT

**PROPOSED COVERAGE**  
 SITE AREA: 13,723 S.F. (100%)  
**PROPOSED BUILDING:** 4,968 S.F. (36.20%)  
**PROPOSED CONCRETE:** 782 S.F. (5.17%)  
**PROPOSED DECK & POOL:** 1,058 S.F. (7.71%)  
**TOTAL IMPERVIOUS AREA:** 6,808 S.F. (49.61%)  
**TOTAL PERVIOUS AREA:** 6,915 S.F. (50.39%)

**DRAINAGE BASIN #1 VOLUME CALCULATION:**

TOTAL SITE AREA LESS AREA UNDER ROOF = 8,755 S.F.

$(0.75" \times 8,755 \text{ S.F.}) / (1\text{FT}/12") = 547.20 \text{ C.F.}$   
 TOTAL VOLUME REQUIRED = 548 C.F.  
 TOTAL VOLUME PROVIDED = 1,011 C.F.

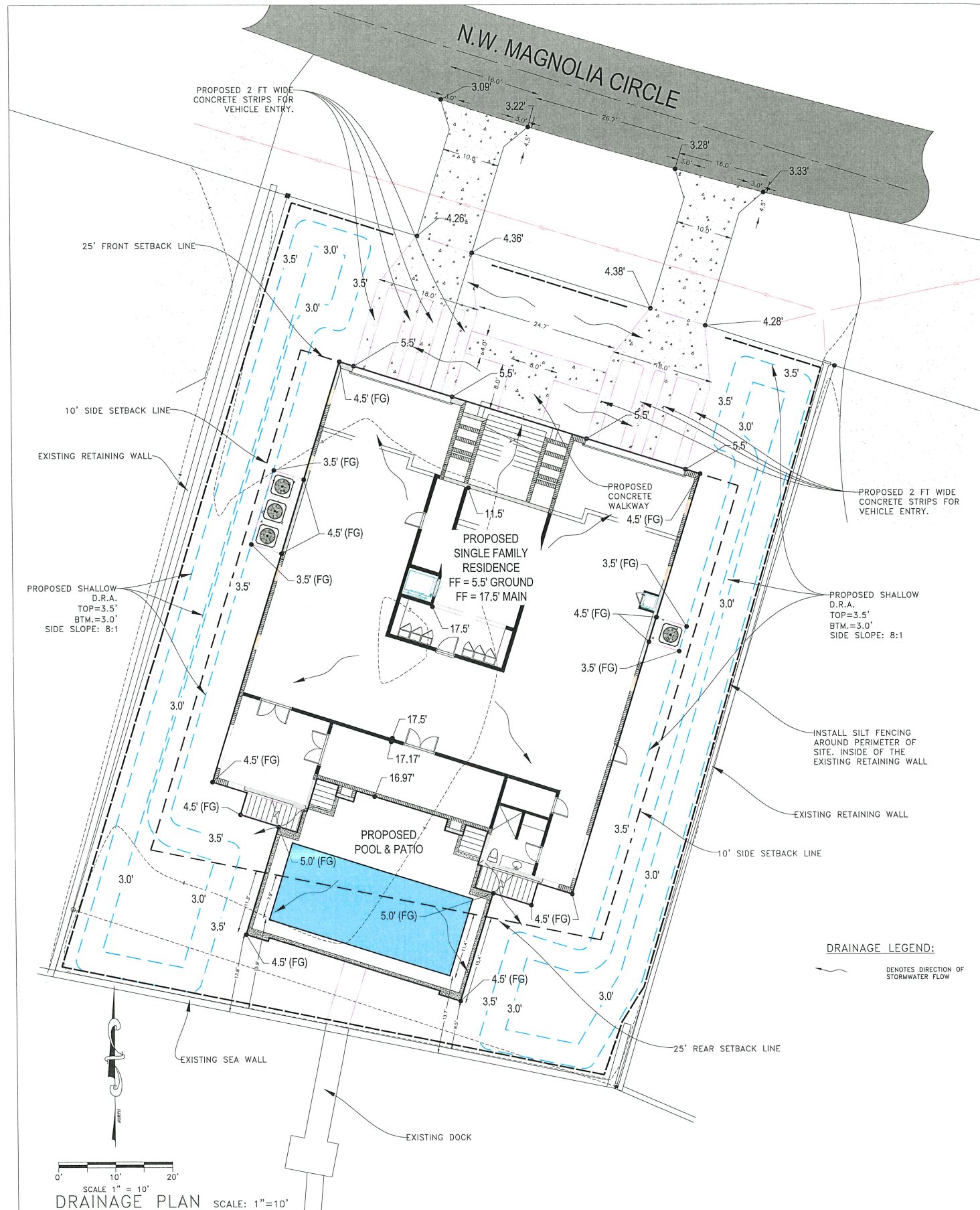
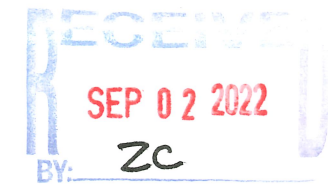
PROPOSED DRA VOLUME					
STAGE	AREA (SF)	PERIMETER	AREA (ACRE)	VOLUME(FT^3)	VOLUME(CY)
3.5	3213	623	0.0738	1011	37.4
3	831	563	0.0191	0	0.0

**FLOOD ZONE NOTE:**  
 FLOOD ZONE ON SITE = 13.00'  
 LOWER FLOOR ELEVATION = 5.50'  
 MIDDLE FLOOR ELEVATION = 17.50'  
 UPPER FLOOR ELEVATION = 29.50'

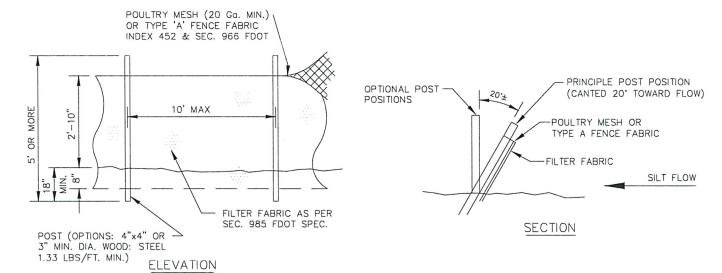
**NOTE:**  
 AN ELECTRONIC COPY OF THIS PLAN WILL BE PROVIDED TO THE CONTRACTOR FOR SURVEYING & STAKING.



LOCATION MAP  
 SCALE: 1"=100'



**DRAINAGE LEGEND:**  
 DENOTES DIRECTION OF STORMWATER FLOW



TYPE III SILT FENCE DETAIL "A"  
 N.T.S.  
 FDOT INDEX #102

DATE:	REVISION DESCRIPTION:
08-25-22	REVISED DRAINAGE/DRIVEWAY/GRADING

SCALE:  
 1"=10'  
 (ON 24X36')

**MASTROSERIO ENGINEERING, INC**  
 CIVIL \* ENVIRONMENTAL \* SITE DESIGN  
 170 SE 32ND PLACE  
 OCALA, FL 34471  
 PH: (352)433-2185  
 PAOLO@MASTROSERIOENG.COM

DRAWING FILE:  
 MASTER.DWG  
 DATE:  
 04-23-2022

DESIGNED BY: PM  
 DRAWN BY: PM  
 CHECKED BY: PM

**ENGINEER'S CERTIFICATION:**  
 DATE:  
 PAOLO MASTROSERIO, P.E. 58691  
 MASTROSERIO ENGINEERING, INC. C.A.#26159  
 170 SE 32ND PLACE  
 OCALA, FL 34471

PROJECT: DAMRON RESIDENCE- DRAINAGE PLAN  
 LOCATION: CITRUS COUNTY, FLORIDA  
 TITLE: DRAINAGE PLAN

JOB#: 22-14  
 SHEET  
 1 OF 1

Standard pool engineering.jpg

From: Christopher Luetgert (cluettgert@luetgertdev.com)

To: jenniferpermitting@yahoo.com

Date: Monday, August 29, 2022 at 12:17 PM EDT

RECEIVED  
SEP 02 2022  
BY: ZC

PERMIT 20220825-1 (182E48E4832C1E4F0326F84E0D23110)

**GENERAL SPA PLAN NTS**  
**POOL SECTION DETAIL NTS**  
**STEEL AT SKIMMER BEAM DETAIL NTS**  
**POOL SPA DECK BEAM WALL FLOOR NTS**

**REQUIREMENTS FOR SPA DECK**  
 The spa deck shall be constructed and finished as shown on this set of drawings. The spa deck shall be finished with a non-slip, water-resistant material. The spa deck shall be finished with a material that is compatible with the spa chemicals. The spa deck shall be finished with a material that is compatible with the spa equipment. The spa deck shall be finished with a material that is compatible with the spa structure. The spa deck shall be finished with a material that is compatible with the spa finish.

**GENERAL SPA REQUIREMENTS**  
 The spa shall be constructed and finished as shown on this set of drawings. The spa shall be finished with a non-slip, water-resistant material. The spa shall be finished with a material that is compatible with the spa chemicals. The spa shall be finished with a material that is compatible with the spa equipment. The spa shall be finished with a material that is compatible with the spa structure. The spa shall be finished with a material that is compatible with the spa finish.

**STRUCTURAL REQUIREMENTS**  
 The spa structure shall be constructed and finished as shown on this set of drawings. The spa structure shall be finished with a non-slip, water-resistant material. The spa structure shall be finished with a material that is compatible with the spa chemicals. The spa structure shall be finished with a material that is compatible with the spa equipment. The spa structure shall be finished with a material that is compatible with the spa structure. The spa structure shall be finished with a material that is compatible with the spa finish.

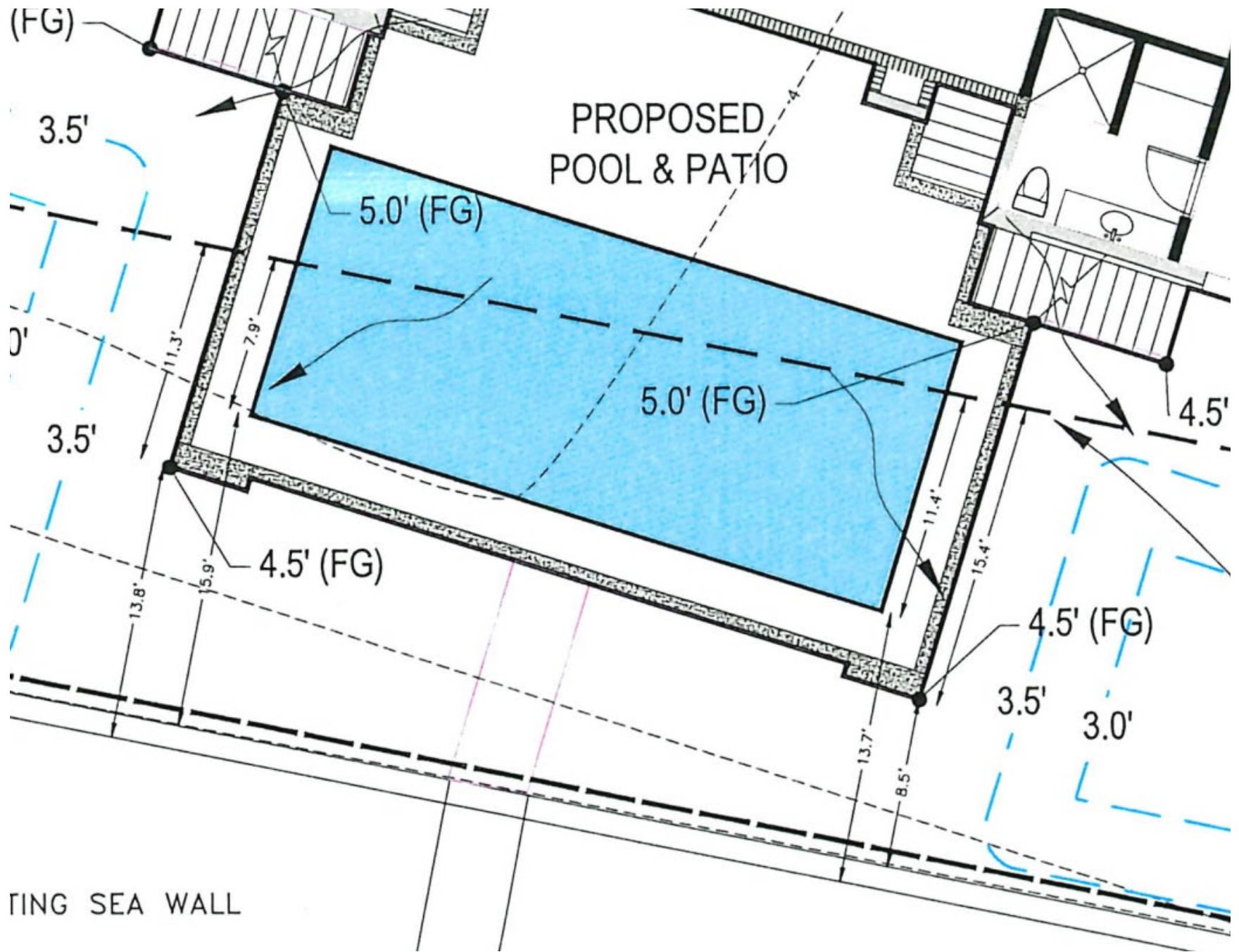
**POOL SPA DECK REQUIREMENTS**  
 The pool spa deck shall be constructed and finished as shown on this set of drawings. The pool spa deck shall be finished with a non-slip, water-resistant material. The pool spa deck shall be finished with a material that is compatible with the pool spa chemicals. The pool spa deck shall be finished with a material that is compatible with the pool spa equipment. The pool spa deck shall be finished with a material that is compatible with the pool spa structure. The pool spa deck shall be finished with a material that is compatible with the pool spa finish.

**POOL SPA DECK REQUIREMENTS**  
 The pool spa deck shall be constructed and finished as shown on this set of drawings. The pool spa deck shall be finished with a non-slip, water-resistant material. The pool spa deck shall be finished with a material that is compatible with the pool spa chemicals. The pool spa deck shall be finished with a material that is compatible with the pool spa equipment. The pool spa deck shall be finished with a material that is compatible with the pool spa structure. The pool spa deck shall be finished with a material that is compatible with the pool spa finish.

**COMPLETED WITH MAXIMUM ALLOWABLE LOADS FROM SPAS/POOLS**

U.S. ENGINEERING CONSULTANTS, P.A.  
 2477 W. DUNE CROWN AVENUE  
 SUITE 201  
 Ocala, FL 32664  
 Standard Residential Pool & Spa Design

Christopher Luetgert  
 President  
 Luetgert Development Corp  
 505 SE 1st Ave  
 Ocala, FL 34471





# CITY OF CRYSTAL RIVER PLANNING COMMISSION

## STAFF REPORT

Planning and Community Development Services Department

<b>MEETING DATE:</b>	October 6, 2022
<b>APPLICATION NO:</b>	PZ22-0084 – Text Amendment to Land Development Code – Cross-Access
<b>PROPOSED LAND DEVELOPMENT CODE TEXT AMENDMENT:</b>	Text Amendment to Appendix A – Land Development Code of Crystal River, Florida, Code of Ordinances by adding a new Section 6.04.12 <i>Vehicular cross-access required between adjoining developments</i>
<b>APPLICANT:</b>	City of Crystal River
<b>PROJECT MANAGER:</b>	Jenette Collins, AICP, Urban Planner Planning and Community Development Services Department

**BACKGROUND INFORMATION:** The staff brings forward an amendment to the text of the City of Crystal River’s Land Development Code (LDC) to include standards requiring vehicular cross-access interconnection between non-residential, mixed-use development, or adjacent vacant parcels. The proposal does not apply to committed residential lots. The text amendment is added to Chapter 6 as a sub-section of Section 6.04.00 *Transportation, access, and parking requirements*, of the LDC.

The primary goals associated with these changes are to:

1. Improve traffic circulation within commercial projects and broadening the access choices for the driver;
2. Minimize the need for additional driveways on arterial and collector road systems, thereby reducing conflict points;
3. Provide consistency with the Florida Department of Transportation (FDOT) Access Management Standards for requiring cross parcel access on the State’s arterial road system; and
4. Improve upon the City’s built environment by fostering and preserving the public health, welfare and safety of its citizens.

**ANALYSIS:** The proposed text amendment is presented in its entirety as Exhibit “A” of the attached draft ordinance. The amendment is summarized as follows:

- NEW Section 6.04.12 *Vehicular cross-access required between adjoining developments*
  - Requires cross-access for proposed non-residential or mixed-use developments along arterial and collector public roads.
  - Cross-accessways shall be provided using a driveway aisle or other means that meets standards for LDC parking lot requirements.
  - Where the applicant is unable to attain cross-access agreement, the development shall provide a stub-out, and abutting parcel must connect when developed (or re-developed).



- Where physical constraints make it impractical, the City Manager has authority to provide a waiver. (Or the applicant may request a Variance where the City Manager rejects a waiver.)

The proposed cross-access standards would apply specifically to non-residential or mixed-use development as zoning allows and when located on the arterial and collector classified roadways listed in Table 2-1: *Existing Number of Lanes, Functional Classification, and Jurisdiction*, of the City's Multi-Modal Transportation Element (see attached).

**Reason for the Change** – This amendment was brought following a discussion during a pre-application meeting between staff and a potential developer that desires to provide a vehicular cross-connection between its proposed coffee house and a neighboring restaurant. The connection would be desirable to redirect traffic through the adjacent restaurant site on to a side-street that connects to an arterial roadway. Although the developer intends to pursue a cross-connection with the neighboring site, the City does not currently have cross-access requirements in its LDC to compel the developer to do so or require the adjacent owner to interconnect. In such cases, safety is of the utmost concern, and a cross-access connection would minimize vehicular conflict points (thus, reducing potential accidents where traveler's paths cross) on the arterial highway.

On arterial highways US-19 and SR-44, driveway connections are reviewed by FDOT that determines the driveway design and construction elements based on roadway conditions such as speed of traffic, amount of traffic, and spacing requirements between driveways and intersections<sup>1</sup>. These conditions determine the need for cross-access, which may impose a temporary driveway connection onto the arterial given the project's ability to gain access via interconnection through the adjacent development. This requirement does not intend to deny access, but to limit the number of driveway connections onto the highway. It is noted that Citrus County government also contains cross-access requirements in its LDC consistent with FDOT standards.

By adopting cross-access standards, the City will have the ability to work with applicants of proposed non-residential and mixed-use developments on state arterial highways as well as local collector roadways, particularly where there are challenges in retrofit situations. Cross-access is especially encouraged in shopping centers where outparcels should interconnect internally to existing driveway aisles and parking lots, and traffic is encouraged to enter and exit through shared driveway connections.

Additionally, internal site connections are particularly helpful in the development of small shallow land parcels and corner lots by minimizing the need for multiple driveways at proximity to each other and close to intersections, and by allowing traffic to enter or exit from an existing side street.<sup>2</sup> Reducing driveways on arterials and collectors helps in maintaining a safe flow of traffic, subsequently

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<sup>1</sup> State of Florida Department of Transportation, Systems Implementation Office, *FDOT Access Management Guidebook* (November 2019), Sec. 3.2 Driveways

<sup>2</sup> *ibid*, Sec. 7.8 Shared Driveways and Internal Site Connections

assisting in maintaining an acceptable level of service. Minimizing driveway connections also increases pedestrian safety in a desired walkable community.

**CONSISTENCY WITH THE COMPREHENSIVE PLAN:** The proposed change to the text of the City's Land Development Code is consistent with the **GOALS, OBJECTIVES,** and **POLICIES** found in the City of Crystal River Comprehensive Plan, including the following:

**Goal 1 of the Multi-Modal Transportation Element, which states:** *"Provide a multimodal transportation system that provides a system for both motorized and non-motorized modes of transportation which serves to maximize public safety, supply convenient access to destination, and maintain adopted levels of services for the City of Crystal River."*

**Objective 1 of the of the Multi-Modal Transportation Element for Intergovernmental Coordination, which states:** *"Continue to coordinate with Citrus County, the Hernando-Citrus Metropolitan Planning Organization (MPO), and the Florida Department of Transportation (FDOT) to mitigate the projected capacity deficiencies along segments of state and county roadways and evacuation routes."*

**Policy 1.3 of the of the Multi-Modal Transportation Element for Intergovernmental Coordination, which states:** *"The City will continue to enforce access management provisions in the Crystal River Land Development Regulations and coordinate with FDOT on commercial development proposals with impacts on state roads."*

**Objective 7 of the Multi-Modal Transportation Element for Right-of-Way Preservation, which states:** *"The City shall administer land development code regulations that require safe and convenient on-site traffic circulation that incorporates vehicle parking."*

**Policy 7.3 of the Multi-Modal Transportation Element for Right-of-Way Preservation, which states:** *"The City shall regulate access management, specifically driveway access, through the Land Development Code. The City shall coordinate with FDOT and Citrus County regarding State and County arterials."*

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

**PLANNING COMMISSION RESPONSIBILITIES:** As conveyed in Subsection 8.02.03(B.)(2.) 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:**

The proposed text amendment supports existing standards found in the LDC for transportation, access management, and parking standards as identified the analysis above. The text amendment is found consistent with the City's Comprehensive Plan. This amendment will improve traffic circulation,

increase safety for vehicular access to commercial projects, assist in reducing traffic conflict points, and serves to improve the City's built environment. Staff recommends approval.

**SUPPORTING DIAGRAMS, ILLUSTRATIONS & TABLES:**

Please see the PowerPoint presentation provided by Staff.

**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 for an amendment of the LDC be approved, approved with modifications, or denied.

- PZ22-0084 - Text Amendment to the City of Crystal River Land Development Code

**CITY COUNCIL ACTION:**


- PZ22-0084- Text Amendments to the City of Crystal River Land Development Code

**ATTACHMENT(S):**

1. Table 2-1 (Functional Classification) of the C.R. Multi-Modal Transportation Element
2. Staff PowerPoint Presentation

**Table 2 - 1: Existing Number of Lanes, Functional Classification, and Jurisdiction**

Roadway	From	To	Number of Lanes	Functional Classification	Jurisdiction
US 19/98	City Limits (N)	SR 44	4	Principal Arterial	FDOT
US 19/98	SR 44	City Limits (S)	6	Principal Arterial	FDOT
SR 44	City Limits (E)	US 19/98	4	Principal Arterial	FDOT
Citrus Avenue	NE 2 <sup>nd</sup> Street	NE 11 <sup>th</sup> Street	2	Major Collector	City
Citrus Avenue	NE 11 <sup>th</sup> Street	City Limits (N)	2	Major Collector	County
N Turkey Oak Drive	US 19/98	Citrus Avenue	2	Major Collector	County
SE Ft. Island Trail	US 19/98	City Limits	2	Minor Collector	County
SE Cutler Spur Boulevard	W Ft. Island Trail	NE 3 <sup>rd</sup> Avenue /NE 1 <sup>st</sup> Terrace	2	Minor Collector	City
NE 3 <sup>rd</sup> Avenue	NE 1 <sup>st</sup> Terrace	US 19/98	2	Minor Collector	City
NE 3 <sup>rd</sup> Avenue	US 19/98	NE 13 <sup>th</sup> Terrace	2	Local Collector	City
Crystal Street	NW 6 <sup>th</sup> Avenue	SR 44	2	Local Collector	City
SE Paradise Point Road	US 19/98	SE Kings Bay Drive	2	Local Collector	City
SE Kings Bay Drive	US 19/98	SW 1 <sup>st</sup> Court	2	Local Collector	City
SE 8 <sup>th</sup> Avenue	US 19/98 (S)	NE 1 <sup>st</sup> Terrace	2	Local Collector	City
NE 8 <sup>th</sup> Avenue	NE 1 <sup>st</sup> Terrace	NE 13 <sup>th</sup> Street	2	Local Collector	City
NW 14 <sup>th</sup> Place	NW 6 <sup>th</sup> Street	End of Road	2	Local Collector	City
NW 6 <sup>th</sup> Street	US 19/98	NW 14 <sup>th</sup> Place	2	Local Collector	City
NW 19 <sup>th</sup> Street	US 19/98	NW 21 <sup>st</sup> Court	2	Local Collector	City
NE 12 <sup>th</sup> Avenue	Crystal Street	SE 1 <sup>st</sup> Street	2	Local Collector	City
NE 11 <sup>th</sup> Street	NE 8 <sup>th</sup> Avenue	Citrus Avenue	2	Local Collector	City
NE 3 <sup>rd</sup> Street	NE 7 <sup>th</sup> Avenue	City Limits (E)	2	Local Collector	City



**PZ22-0084**  
 City of Crystal River  
 Text Amendment of the LDC  
***Vehicular Cross-Access Requirements***

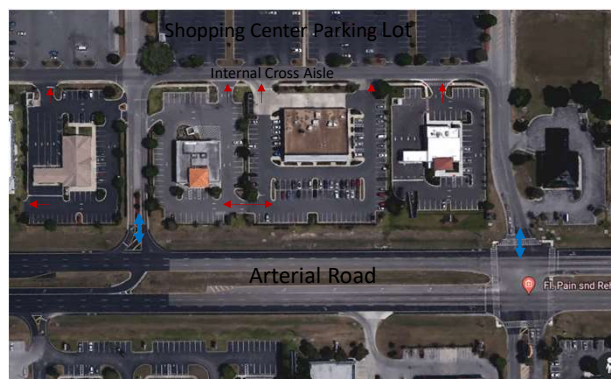
Crystal River Planning Commission Meeting of October 06, 2022

1

1

## New LDC Section 6.04.13 *Vehicular cross-access required between adjoining developments*

- Requires cross-access for non-residential or mixed-use developments on Arterial or Collector roads (not for residentially committed lots!)
- Cross accessways shall be provided using interconnection of driveway aisle between parking lots



Crystal River Planning Commission Meeting of October 06, 2022

3

2

## New LDC Section 6.04.13 *Vehicular cross-access required between adjoining developments*

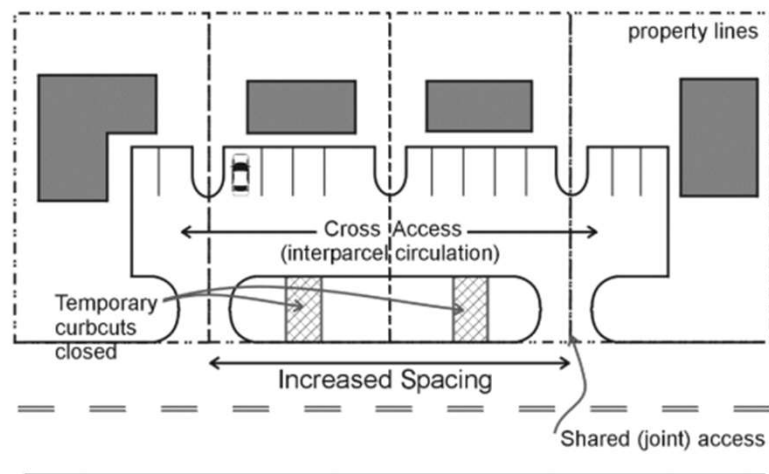
- Stub-out required when unable to attain cross-access agreement or up to undeveloped parcel
  - Abutting parcel must connect when developed (or redeveloped)
- Administrative waiver where physical constraints make it impractical (e.g. wetlands, protected trees, etc...)



Crystal River Planning Commission Meeting of October 06, 2022

3

3



**Figure 12: Joint and cross access.**

Source: City of Orlando, as adapted.

Crystal River Planning Commission Meeting of October 06, 2022

2

4

Vacant Land

○ = Parking lot cross-access

Source: City of Estero, FL, as adapted  
Crystal River Planning Commission Meeting of October 06, 2022

3

5

## QUESTIONS?

**PZ22-0084**  
 City of Crystal River  
 Text Amendment of the LDC  
***Vehicular Cross-Access Requirements***

Crystal River Planning Commission Meeting of October 06, 2022

4

6

**ORDINANCE NO. 22-O-28**

**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; ADDING SECTION 6.04.12 VEHICULAR CROSS-ACCESS REQUIRED BETWEEN ADJOINING DEVELOPMENTS TO ESTABLISH STANDARDS FOR INTERCONNECTION BETWEEN PARKING LOTS; 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 adding Section 6.04.12 Vehicular Cross-Access Required Between Adjoining Developments, 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 add a new Section 6.04.12 Vehicular Cross-Access Required Between Adjoining Developments, 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.

**DONE AND ADOPTED** in a regular meeting of the City Council of the City of Crystal River, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**ATTEST:**

**CITY OF CRYSTAL RIVER**

\_\_\_\_\_  
**MIA FINK, CITY CLERK**

\_\_\_\_\_  
**JOE MEEK, MAYOR**

**APPROVED FOR CORRECTNESS  
AND FORM:**

**VOTE OF COUNCIL:**

Meek: \_\_\_\_\_

Brown: \_\_\_\_\_

Guy: \_\_\_\_\_

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

Fitzpatrick: \_\_\_\_\_

Holmes: \_\_\_\_\_

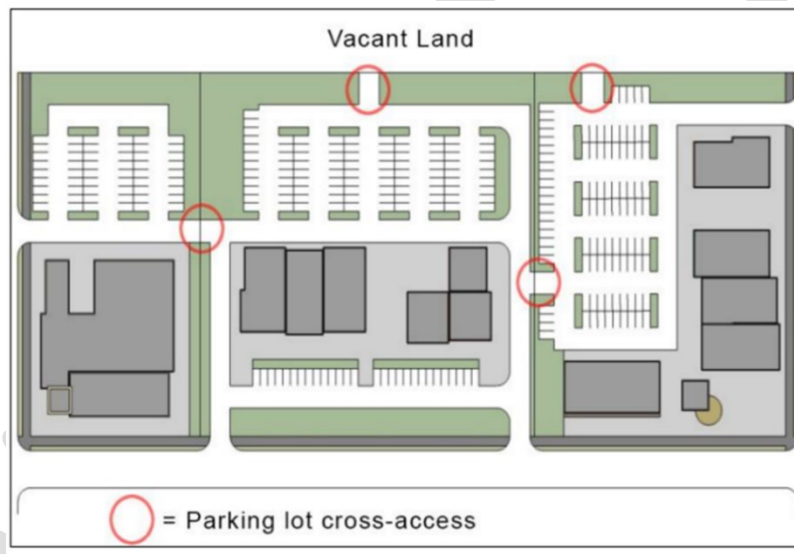
## EXHIBIT "A"

TEXT AMENDMENT - THAT A NEW SECTION 6.04.12 VEHICULAR CROSS-ACCESS REQUIRED BETWEEN ADJOINING DEVELOPMENTS, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY ADDED AS FOLLOWS:

### 6.04.12. VEHICULAR CROSS-ACCESS REQUIRED BETWEEN ADJOINING DEVELOPMENTS.

- A. To minimize the number of driveway connections along arterial and collector public roads and improve traffic circulation, proposed non-residential or mixed use development shall comply with the following standards:
- The internal vehicular circulation system for proposed non-residential or mixed use development shall be designed and constructed to provide vehicular cross-access interconnection between the development's parking area and those on adjoining parcels containing a non-residential or mixed use development, or to the boundary of a vacant parcel. (See Figure 6.04.12 (A). Cross Access Between Parking Areas of Adjoining Developments.)

Figure 6.04.12.A. Cross-Access Between Parking Areas and Adjoining Developments.



Source: City of Estero, Florida, as adapted.

- Cross-accessways shall provide for two-way vehicular traffic interconnection between the parking areas on the adjoining parcels through the use of a driveway aisle or accessway that meets the development standards for parking lots as set forth in Section 6.04.07 of this LDC.
  - If the applicant is unable to execute a cross-access agreement, then access aisles and parking shall still be oriented and provide a stub-out to facilitate future cross-access interconnections with adjoining parcels. Abutting properties developed or redeveloped at a later date shall at that time be required to enter into the requisite cross-access agreement.
- B. Where existing physical constraints make it impractical or precludes the construction of the cross-access interconnection, the City Manager, or designee, may authorize a waiver of the requirement or an adjustment of the dimensions of the interconnection. The City Manager may request reports from licensed engineers or landscape architects when considering modifications or waivers. In order to grant the authorization, the City Manager must find that:
- The irregular shape of the lot or significant natural features such as wetlands or protected trees as defined by this LDC precludes the construction of the connection; or
  - Site constraints necessitate the placement of a building that precludes a cross access connection.

**END OF EXHIBIT "A"**



PERMIT NO: PZ22-0084 ORDINANCE NO. \_\_\_\_\_

# City of Crystal River

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

## APPLICATION FOR LAND DEVELOPMENT CODE (LDC) TEXT AMENDMENT

Name of Petitioner(s): City of Crystal River, Department of Planning and Development Services  
Contact Person: Jenette Collins, AICP, Urban Planner

Address of Petitioner(s): 123 NW Highway 19, Crystal River, FL 34428

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone # 352-795-4216, Ext. 340 Cell # \_\_\_\_\_  
Email Address: jcollins@crystalriverfl.org

State the LDC Code Section(s) that you wish to Amend: Adds new Section 6.04.12 Vehicular Cross-Access  
Required Between Adjoining Developments

Reason for Proposed Amendment: Minimize need for additional driveways, reducing conflict points on supporting  
road system, and keeping with intent of FDOT Access Management standards.

State evidence of consistency of the Proposed Amendment with the Comprehensive Plan.  
Consistent with C.R. Multimodal Transportation Element goals, objectives and policies on right-of-way preservation.

I Jenette Collins, AICP, 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.

Jenette Collins  
Signature

10/6/2022  
Date

Jenette Collins  
Print Name

State of Florida  
County of Citrus

The foregoing instrument was acknowledged before me by  physical presence or ( ) remote audio-visual  
means this 6 day of September, 2022, by Jenette Collins  
who is personally known to me or has produced \_\_\_\_\_ as  
identification and who did not take an oath.

[Signature]  
Notary Public



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

The following items are required (applications will not be processed if these items do not accompany the application):

- Standard Application Form
- Notarized Letter of Authorization, if acting on another's behalf
- Copy of the proposed text change.
- Copy of the proposed ordinance in strike-through and underline form.
- Attach as many additional pages as necessary.