

CITY OF CRYSTAL RIVER
CODE COMPLIANCE HEARING
City Hall – City Council Chambers

DOCKET

Thursday, November 09, 2017 @ 1:30PM
123 Northwest Highway 19
Crystal River, FL 34428

Robert Christensen, Hearing Officer

A. Call to Order

B. Note: If any person decides to appeal any decision made by the Code Compliance Hearing Officer with respect to any matter considered at this public hearing, he/she will need to ensure that an at verbatim record of the proceedings is made which record shall include the testimony and evidence upon which the appeal is to be based.

C. Old & New Cases as follows:

(Administer Oath)

1. Case #EC2017-0131 Driftwood Villas- 1206 SE Paradise Ave- Peter Vega

City Code of Ordinances; Land & Development, General Provisions, Chapter I, Section 1.07.00 Acronyms & Definitions;

Resort housing units:

Resort housing units: Dwelling units, other than hotels and motels, made available to persons for temporary occupancy. "Made available for temporary occupancy" means rented or occupied for time periods of less than three (3) consecutive months in duration. Where resort housing units are a permitted use, there is no limit to the frequency of change or length of stay of occupants or tenants, except that rentals of less than a one-week period are not permitted. Where resort housing units are not a permitted use, dwelling units may not be made available for rental or occupancy for periods of less than three (3) consecutive months, provided that such restriction shall not apply to temporary, non-paying guests of lawful occupants. The following shall be *prima facie* evidence that a dwelling unit is being used as a resort housing unit:

- A. Advertising a unit as being available for rental for periods of less than three (3) consecutive months; or
- B. Recording or filing land use covenants, condominium declarations, cooperative documents, public offering statements, or other legal documents which sanction, authorize or approve rental or occupancy of a unit for periods of less than four (4) consecutive weeks; or
- C. Creation of timeshare estates or periods of less than three (3) consecutive months.

2. Case # EC2017-0209 Driftwood Villas- 1206 SE Paradise Ave- Peter Vega

**City Code of Ordinances; Land & Development, General Provisions, Chapter I, Section 1.07.00
Acronyms & Definitions;**

Resort housing units:

Resort housing units: Dwelling units, other than hotels and motels, made available to persons for temporary occupancy. "Made available for temporary occupancy" means rented or occupied for time periods of less than three (3) consecutive months in duration. Where resort housing units are a permitted use, there is no limit to the frequency of change or length of stay of occupants or tenants, except that rentals of less than a one-week period are not permitted. Where resort housing units are not a permitted use, dwelling units may not be made available for rental or occupancy for periods of less than three (3) consecutive months, provided that such restriction shall not apply to temporary, non-paying guests of lawful occupants. The following shall be *prima facie* evidence that a dwelling unit is being used as a resort housing unit:

- A. Advertising a unit as being available for rental for periods of less than three (3) consecutive months; or
- B. Recording or filing land use covenants, condominium declarations, cooperative documents, public offering statements, or other legal documents which sanction, authorize or approve rental or occupancy of a unit for periods of less than four (4) consecutive weeks; or
- C. Creation of timeshare estates or periods of less than three (3) consecutive months.

3. Case# 2017-0210 Driftwood Villas- 1206 SE Paradise Ave- Peter Vega

**City Code of Ordinances; Land & Development, General Provisions, Chapter I, Section 1.07.00
Acronyms & Definitions;**

Resort housing units:

Resort housing units: Dwelling units, other than hotels and motels, made available to persons for temporary occupancy. "Made available for temporary occupancy" means rented or occupied for time periods of less than three (3) consecutive months in duration. Where resort housing units are a permitted use, there is no limit to the frequency of change or length of stay of occupants or tenants, except that rentals of less than a one-week period are not permitted. Where resort housing units are not a permitted use, dwelling units may not be made available for rental or occupancy for periods of less than three (3) consecutive months, provided that such restriction shall not apply to temporary, non-paying guests of lawful occupants. The following shall be *prima facie* evidence that a dwelling unit is being used as a resort housing unit:

- A. Advertising a unit as being available for rental for periods of less than three (3) consecutive months; or
- B. Recording or filing land use covenants, condominium declarations, cooperative documents, public offering statements, or other legal documents which sanction, authorize or approve rental or occupancy of a unit for periods of less than four (4) consecutive weeks; or
- C. Creation of timeshare estates or periods of less than three (3) consecutive months.

4. Case # EC2017-Rose Lycans 850 NW 2nd Ave-

Chapter 6, Article I, Section 6-6, work commencing before approved permits issued.

Any person, firm, partnership, corporation, association, or other organization who commences any work on a building, structure, sign, electrical, gas, mechanical or plumbing system before obtaining the necessary permits, or who fail to comply with any part of the provisions of this section shall be punished by imprisonment for a term not exceeding sixty (60) days or by fine not exceeding five hundred dollars (\$500.00) or by both such fine and imprisonment. Each day such violation continues shall be deemed a separate offence, punishable as herein provided.

5.01.05. - Accessory dwellings in R-W, R-1, and NBR zoning districts.

Accessory apartments, detached guesthouses, and helper quarters shall be permissible in compliance with the following standards:

C. Freestanding accessory dwellings shall comply with the following standards:

1. The floor area shall not exceed four hundred fifty (450) square feet.
2. An accessory dwelling shall be located only within a rear yard.
3. A separate water meter shall be provided for a freestanding accessory dwelling.
4. An accessory dwelling shall comply with all standards set forth in sections 5.01.02 and 5.01.04

5. Case # EC2017-02264-Denea Lycans-NW 2nd Ave

Sec. 6-6. - Work commencing before permits issued.

Any person, firm, partnership, corporation, association, or other organization who commences any work on a building, structure, sign, electrical, gas, mechanical or plumbing system before obtaining the necessary permits, or who fail to comply with any part of the provisions of this section shall be punished by imprisonment for a term not exceeding sixty (60) days or by fine not exceeding five hundred dollars (\$500.00) or by both such fine and imprisonment. Each day such violation continues shall be deemed a separate offence, punishable as herein provided.

5.01.05. - Accessory dwellings in R-W, R-1, and NBR zoning districts.

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1. The floor area shall not exceed four hundred fifty (450) square feet.
2. An accessory dwelling shall be located only within a rear yard.
3. A separate water meter shall be provided for a freestanding accessory dwelling.
4. An accessory dwelling shall comply with all standards set forth in sections 5.01.02 and 5.01.04.

6. Case # 2017-0179 –Shellnut- 939 SE 4th St.

Sec. 6-6. - Work commencing before permits issued.

Any person, firm, partnership, corporation, association, or other organization who commences any work on a building, structure, sign, electrical, gas, mechanical or plumbing system before obtaining the necessary permits, or who fail to comply with any part of the provisions of this section shall be punished by imprisonment for a term not exceeding sixty (60) days or by fine not exceeding five hundred dollars (\$500.00) or by both such fine and imprisonment. Each day such violation continues shall be deemed a separate offence, punishable as herein provided.

7. Case # EC2017-0191-30 SE Valare LN- Magnolia Lodge

(1) In accordance with City's Code of Ordinance; 5.01.10. - Dumpsters and garbage containers

A. In addition to the requirements set forth in this section regarding location and screening standards for dumpsters and garbage containers, all placement and use of dumpsters and garbage containers shall fully comply with the requirements of chapter 9 of the City Code of Ordinances. Where there is any conflict between standards set forth in this section and standards set forth in chapter 9 of the City Code of Ordinances, the more restrictive standard shall apply.

F. Dumpsters shall meet the following standards:

5. Dumpsters shall be screened as follows:
 - a. All four sides shall be screened.
 - b. Screening shall be in the form of evergreen trees and shrubs, or a solid wooden or masonry fence. Plants shall be planted in a double-staggered row to form a continuous hedge.
 - c. Trees and shrubs shall comply with the specifications for landscaping materials set forth in section 4.05.02, except that shrubs shall be a minimum of four (4) feet in height at the time of planting. Trees shall be selected from the list of understory trees and shall be planted a maximum of eight (8) feet apart, on center, in a double-staggered row. Trees and shrubs shall be maintained as required in subsection 4.05.02.D.
 - d. A gate shall be provided for access.

8. EC2017-0147-618 SE Hwy 19- Crystal Center Commons

(1) In accordance with City's Code of Ordinance; 5.01.10. - Dumpsters and garbage containers

A. In addition to the requirements set forth in this section regarding location and screening standards for dumpsters and garbage containers, all placement and use of dumpsters and garbage containers shall fully comply with the requirements of chapter 9 of the City Code of Ordinances. Where there is any conflict between standards set forth in this section and standards set forth in chapter 9 of the City Code of Ordinances, the more restrictive standard shall apply.

F. Dumpsters shall meet the following standards:

5. Dumpsters shall be screened as follows:
 - a. All four sides shall be screened.
 - b. Screening shall be in the form of evergreen trees and shrubs, or a solid wooden or masonry fence. Plants shall be planted in a double-staggered row to form a continuous hedge.
 - c. Trees and shrubs shall comply with the specifications for landscaping materials set forth in section 4.05.02, except that shrubs shall be a minimum of four (4) feet in height at the time of planting. Trees shall be selected from the list of understory trees and shall be planted a maximum of eight (8) feet apart, on center, in a double-staggered row. Trees and shrubs shall be maintained as required in subsection 4.05.02.D.
 - d. A gate shall be provided for access.

9. EC2017-0255 NW 19th St-Horace and Linda Allen

(1) In accordance with Crystal River's Code Ordinances 6.04.08 Specific parking restrictions for commercial, recreational vehicles, boats and trailers;

- A. Only one (1) commercial vehicle may be parked overnight in a residential zoning district, provided that the following conditions are met:
1. The vehicle is designed, used, or maintained primarily for the transportation of property;
 2. The vehicle has an empty gross vehicle weight of ten thousand (10,000) pounds or less

10.EC2017-0254- NW 15th St- Cunningham

(1) In accordance with City's Code of Ordinance;

Sec.10.5 . - Unimproved real property maintenance standards.

No person shall keep or allow to remain upon his/her premises within the city or upon premises in the city under his/her charge or control in such a manner as not to become a public or private nuisance. All unimproved parcels shall remain free and clear of debris, trash, garbage and other similar items. All prior landscaped or mowed lots in the city shall be kept free from the overgrowth of weeds and vegetation which exceed a height of twenty-four (24) inches. Upon written notice to the property owner requesting compliance with this section and the owner's timely failure to respond within ten (10) days, the city may mow weeds and vegetation in violation of this height requirement. A fee will be charged to the owner by the city for any mowing/maintaining of a parcel, such will be the actual cost for performing this service.

11. Case EC2017-0185-589 SE US Hwy 19- Mikeli Investments LLC

(1) In accordance with City's Code of Ordinance Chapter 6, Article V Section 6-63 Exterior Maintenance Standards.

- (1) The owner of a structure shall maintain the structure and premises in a safe and sanitary condition in accordance with the following standards. The premises, including abutting sidewalks, gutters and alleys, shall be free of high grass and weeds, rubbish, garbage and any material that creates health, safety or fire hazard. Grass and weeds shall be kept below twelve (12) inches. All dead and broken trees, free limbs or shrubbery shall be cut and removed from the premises.
- (14) All exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by paint or other preservative material. All wood surfaces shall be cleaned and freed of flaking, loose or defective surfacing materials prior to painting or applying other preservative material.
- (15) Every masonry wall, foundation and chimney shall be kept in sound, functional, weathertight condition and in good repair.

D. Other Business

Case#2017-0120 732 NE 1st Ave-Butler

Request permission for the City to remove the remaining items from the city's property, due to compliance not being fully obtained.

E. Adjourn