

CITY OF CRYSTAL RIVER
CODE COMPLIANCE HEARING
City Hall – City Council Chambers
DOCKET
Thursday, July 13, 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 #EC2017-0150- William & Erin Nast -30 Valare Unit 202C

City Code of Ordinances;

Land & Development, General Provisions, Chapter I, Section 1.07.00 Acronyms & Definitions;

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;

2. Case # EC2017-0158 – Driftwood Villas, LLC- 1206 Paradise Ave-

City Code of Ordinances;

Land & Development, General Provisions, Chapter I, Section 1.07.00 Acronyms & Definitions;

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;

3. Case# 2017-0131-VPWE Land Trust- NW 19th St.

City Code of Ordinances;

***Chapter 6, Article V, Section 6-63 Exterior Maintenance Standards of the City of Crystal River
Land Development Code.***

(1)The premises, including abutting sidewalks, gutters and alleys, shall be kept free of high grass and weeds, rubbish, garbage and any material that creates a health, safety or fire hazard. Grass and weeds shall be kept below twelve (12) inches. All dead or broken trees, free limbs or shrubbery shall be cut and removed from the premises.

(2) Appendix A, Chapter 5, Section 5.01.07;

(N) When a structure is found by the city manager to be severely dilapidated or deteriorated and presents a navigational or safety hazard, the city manager may direct the property owner to sufficiently repair the structure so as to remove the hazard or remove the structure. The owner shall have ninety (90) days to repair or remove the structure, which ninety (90) days may be extended for additional thirty-day periods by the city manager for good cause shown. After such period of time, the city may cause the structure to be removed and shall charge the costs of such removal to the owner.

4. Case # EC2017-0168- 606 NE HWY 19 William & Pamela Bunch

Sec. 6-63. - Exterior maintenance standards.

The owner of a structure shall maintain the structure and premises in a safe and sanitary condition in accordance with the following standards:

(1)The premises, including abutting sidewalks, gutters and alleys, shall be kept free of high grass and weeds, rubbish, garbage and any material that creates a health, safety or fire hazard. Grass and weeds shall be kept below twelve (12) inches. All dead or broken trees, free limbs or shrubbery shall be cut and removed from the premises.

(2)No owner shall accumulate or permit the accumulation of junk, trash and debris, boxes, lumber, scrap metal, junk vehicles or any other such materials on the premises. Materials stored by the owner or permitted to be stored by the owner shall be stacked safely and elevated at least eighteen (18) inches above the ground.

(2) Sec. 9-115. - Unauthorized dumping prohibited.

(a)The discarding or accumulation of debris, junk, trash, garbage or abandoned property upon any public or private property within the city other than at places specifically designated as garbage dumps or disposal areas, is hereby prohibited.

(b)The storage or parking of any inoperative, unregistered or partially dismantled motor vehicle, trailer or boat on any public or private property, outside of a completely enclosed building, is hereby prohibited

5. Case#EC2017-0175-Gulfcoast Expeditions LLC-Charlene Ross-----Complied

Chapter 11 - LICENSES AND BUSINESS REGULATIONS

Sec.11-2. - Business tax required.

No person or association of persons shall engage in or manage any business, profession, or occupation required to be taxed by this chapter without first having paid the amount of the local business tax required to the city manager for the use and benefit of the city, and obtained a local business tax receipt therefor, which license local business tax receipt shall be issued to said person on receipt of the amount hereinafter provided and shall be signed by the city manager or designee, and the seal of the city shall be affixed.

All classifications applicable to the business will be listed on the Business Tax Receipt.

6. EC2017-0098-Carlos Pimentel- 705 NE 5th St

(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.

7. EC2017-0137- M and M Ventures- 525 NW 1St Ave-----Complied

Sec. 6-63. - Exterior maintenance standards.

The owner of a structure shall maintain the structure and premises in a safe and sanitary condition in accordance with the following standards:

(1)The premises, including abutting sidewalks, gutters and alleys, shall be kept free of high grass and weeds, rubbish, garbage and any material that creates a health, safety or fire hazard. Grass and weeds shall be kept below twelve (12) inches. All dead or broken trees, free limbs or shrubbery shall be cut and removed from the premises.

(2)No owner shall accumulate or permit the accumulation of junk, trash and debris, boxes, lumber, scrap metal, junk vehicles or any other such materials on the premises. Materials stored by the owner or permitted to be stored by the owner shall be stacked safely and elevated at least eighteen (18) inches above the ground.

8. EC2017-0127-Ronald Bergwerk-907 NE 4th Ave

(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 broker trees, free limbs or shrubbery shall be cut and removed from the premises.

(8)No structure, vehicle, receptacle, yard, lot, premises or part thereof shall be constructed, made, used, maintained or operated in any manner causing or producing any health or safety hazard or permitted to become a rat harborage or to become conducive to a rat harborage, nor shall it be permitted to become a mosquito harborage or to become conducive to a mosquito harborage.

(9)Every foundation, roof, floor, exterior wall and ceiling shall be safe to use and capable of supporting the loads that normal use may cause to be placed thereon and shall be kept in sound

condition and good repair. Every outside stair or step shall be maintained in sound condition and good repair.

(10) Every porch, stoop, deck, veranda, balcony and walk shall be maintained in sound condition and fit for its purpose.

(11) Structurally sound hand rails shall be provided on any exterior stairs containing four (4) risers or more. Porches, patios and balconies located more than three (3) feet higher than the adjacent areas shall have structurally sound protective guard rails or hand rails. All newly constructed protective railings shall have balusters placed at intervals of not more than four (4) inches apart or shall have other sufficient protective material between the protective railing and the flooring of tread so that a space of not more than four (4) inches is present. Existing protective guard railings shall be acceptable, provided they are maintained in sound condition and good repair.

(12) Every foundation, roof, exterior wall, door, skylight, window and door shall be weathertight, watertight, and damp-free shall be kept in sound condition and good repair.

(13) Every window, exterior door, hatchway or similar device, shall be maintained in sound condition and good repair;

a. Every exterior door and window that is capable of being opened and other potential means of ingress shall be equipped with hardware for locking and shall be secured so as to prevent unauthorized entry.

b. Every unprotected window which is broken, cracked or missing glass or glazing shall be replaced and maintained in good repair.

(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.

(16) Any tree, shrub or other type of vegetation growing in a location or manner which is likely to cause damage to any portion of a structure shall be trimmed or removed so that damage does not occur. Any damage that has occurred to the structure by overgrown trees, shrubs or other vegetation shall be repaired.

(17) Every owner shall be responsible for the extermination of insects, rats and other vermin in or about the premises.

(18) Every structure and the premises on which it is located shall be maintained in a rat-free and rat-proof condition.

A. All openings in the exterior walls, foundations, doors, windows, sewers, pipes, drains, basements, ground and first floors and roofs shall be closed and made rat-proof in an approved manner.

b. Interior floors of basements, cellars and other areas in contact with the soil shall be made rat-proof in a manner approved by the Crystal River Building Official.

(22) Accessory structures on the premises of a dwelling shall be structurally sound and be maintained in good repair and free of insects and rats. The exterior of such structures shall be made weather resistant through the use of decay-resistant materials, paint or other preservatives.

(23) Every door, widow or other potential means of ingress of any accessory structure shall be secured so as to prevent unauthorized entry.

D. Other Business

E. Adjourn