

CITY OF CRYSTAL RIVER
CODE COMPLIANCE HEARING
City Hall – City Council Chambers
DOCKET
Thursday, June 14, 2018 @ 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# EC2018-0082- 1134 SE 2nd St-Ferreya

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# 2018-0081- 1611 NE 20th Ave- Lyell

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

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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:

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- C. Creation of timeshare estates or periods of less than three (3) consecutive months.

3. Case# EC2018-0097- 1014 SE 4th Ave- Battiste-

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

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- C. Creation of timeshare estates or periods of less than three (3) consecutive months.

4. Case# 2018-0104- 601 NE 12th St- Berend & Hedwig Rietberg

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

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- C. Creation of timeshare estates or periods of less than three (3) consecutive months.

5. Case # EC2018-0047 -630 NE 2nd Ave.- Authentic Taste of Philly Subshoppe Inc.

Signs. 12.00.08. - Prohibitions.

1. The following signs and related equipment are prohibited in all districts:
 - a. Any sign and/or sign structure which does not meet all the criteria set forth in this article.
 - b. Animated/fluttering signs, flags (not including flags of the United States) and pole mounted banners.
 - c. Outside pennants, banners, balloons, flags or streamers, except as otherwise specifically allowed in this chapter.
 - g. Rotating signs.
 - h. Portable Signs; except signs placed on public or private land for declared public or noncommercial civic, religious municipal, county, state or national celebrations or events as authorized by and under such conditions as prescribed by the city council or city manager to include temporary portable signs.
 - i. Signs which use the words DANGER, STOP or LOOK or any other words, phrases, graphics or characters in a manner as to interfere, confuse or mislead traffic.
 - m. Unauthorized signs on property owned by or under control of the City of Crystal River.
 - q. Nongeometric signs shaped to depict figures or demonstrative shapes used to attract attention to the business activity with which the sign is associated.
 - r. Supplemental off-site advertisement signs shall be prohibited. Existing permitted signs shall be allowed to remain until the advertised business changes owners, closes, moves, etc.

6. Case # 2018-0071 719/723 NE US Hwy 19. Rezco Inc.

(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. Case#EC2018-0079- 601 NE 11th St -Williams

(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.

(21) All fences shall be maintained in sound condition and good repair.

(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.

8. Case # EC2018-120 NE US Hwy 19- Morse Realty Inc.-Maintenance and More

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.

6.04.08. - Specific parking restrictions for commercial vehicles, recreational vehicles, boats, and trailers.

B. Motor homes, travel trailers, travel campers, recreational vehicles, and similar vehicles regularly or periodically utilized for dwelling purposes shall not be parked overnight in any zoning district except in an area specifically designated by this LDC for that purpose. Motor homes, travel trailers, travel campers, recreational vehicles, and similar vehicles, when unoccupied, may be parked or stored in a completely enclosed building, or a carport attached to a principal building, or in a side or rear yard.

9. Case # EC2018-0074-61 NE Highway19 and NE 1st Ter

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.

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.

10. 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;

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C. Creation of timeshare estates or periods of less than three (3) consecutive months.

11. 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;

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- C. Creation of timeshare estates or periods of less than three (3) consecutive months.

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

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- C. Creation of timeshare estates or periods of less than three (3) consecutive months.

13. Case# 2018-0072 Kings Bay Duplex of CR-Peter Vega- 431 NW 14th PL

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- C. Creation of timeshare estates or periods of less than three (3) consecutive months.

Other Business:

Case# 2017-0123 1123 NE 5th St- Acuri- Tree ordinance

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

D. Adjourn