

**CITY OF CRYSTAL RIVER
CODE COMPLIANCE HEARING**

City Hall – City Council Chambers

DOCKET

Thursday, September 12, 2019 @ 1:30PM
123 Northwest Highway 19
Crystal River, FL 34428

Robert Christensen, Hearing Officer

A. Call to Order

B. Oath

C. 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.

D. Old & New Cases as follows:

TRAFFIC APPEALS:

1. LAURIE M PAUL- TICKET NUMBER- P10824
2. KOSTER, LANCE AND JANET - TICKET NUMBER -P10819

CASES:

1. Case# EC2019-0054- Campbell-913 SW Kings Bay Dr.

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.

4.02.02. - Standards for buildings and building placement (Setbacks).

A. Standards for setbacks:

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. Shrubbery, mailboxes, driveways, retaining walls, fences, curbs, and planted buffer strips shall not be construed to be encroachments of yards.

2. No part of any yard created by the setback standards and required in connection with any building, structure, or use by this LDC shall be considered to be part of a required yard for any other building, structure, or use.
3. The clear visibility requirements set forth in section 6.04.04 shall be maintained for all corner lots.

2. Case# EC2019-0111- GLV 41, LLC- 41 Beach lane unit Five/ 1E

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 #EC2019-0103-940 NW 5th Ter- Wardell

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.
- (3) No person shall deposit or place any refuse or other hazardous materials in or adjacent to any road, street, alley or other public place unless it is in proper containers for collection.

(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.

(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.

(19) Unless other provisions are made, gutters, leaders and downspouts shall be provided and maintained in good working condition so as to provide proper drainage of stormwater.

(20) Every premises shall be graded, drained free of standing water and maintained in a clean, sanitary and safe condition.

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

(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.

4. Case # EC2019-0108-Hernandez-241 SE 2nd Ave

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

Resort housing units:

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- 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.

5. Case#: EC2019-0113-YAI YAI-230 N Suncoast

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

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Other Business:

E. Adjourn