

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

DOCKET

Thursday, February 8, 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 #EC2017-0131 Driftwood Villas- 1206 SE Paradise Ave- Peter Vega-----CONTINUED

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----CONTINUED

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-----CONTINUED

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 # EC2017-0202 -135 NE 3rd St- Dumpster Enclosure- Kooks Holdings 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.

5. Case EC2017-0300 917 Three sisters Trl.- Mc Quade

(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.

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 - 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.

6. Case #EC2018-0001-2351 NW Hwy 19-Divine Crystal River LLC-

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.

7. Case # EC2017-0312 706 NE US Highway 19- Acquisitions South LLC

(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. Case # EC2017-0307 787 NE 5th St – Highway Investments

(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. Case# EC2017-0287 NW Magnolia Cir- Crystal Inlet LLC

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

Boats (not including canoes and kayaks), boat trailers, utility trailers, and similar vehicles shall not be parked overnight in any zoning district except in compliance with the following standards:

1. Such vehicles may be parked or stored in a completely enclosed building, or a carport attached to a principal building.

2. Such vehicles shall display a current license or registration when a license or registration is required for the operation of the vehicle.

3. One (1) such vehicle may be parked in a side or rear yard.

D. Other Business

E. Adjourn