

# Planning Commission Agenda

## June 06, 2024 - 5:30 p.m.

**Daniel Grannan – Chair**  
**Tonia Herring**  
**Richard Laxton**  
**Deborah MacArthur Anderson**  
**Karen Cunningham**



**Terry Thompson– Vice Chair**  
**Larry Schenavar**  
**Alternate 1 – Gregory Acker**  
**Alternate 2 – Kimberly Salter**  
**Chuck Dixon – School Board\***

- 1) Call to Order
- 2) Roll Call
- 3) Moment of Silence
- 4) Pledge of Allegiance
- 5) Adoption of Agenda
- 6) Approval of Minutes: **April 4th, 2024**
- 7) Citizen Input: 3 minutes
- 8) Public Hearings:
  - A.) **Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PV24-0002 brought by Highwater Ranch LLC** – A two-part variance request of the City of Crystal River Land Development Code (LDC) to allow for a residential swimming pool (without an overhead enclosure) 1) exceeding the maximum allowed 45 percent impervious surface ratio (ISR) in the RW, Residential Waterfront zoning district pursuant to Section 4.02.01 Standards for lot design; and 2) having less than the required minimum setback of ten (10) feet behind the front plane of the house pursuant to Section 5.01.13 Swimming pool and pool enclosures, of the LDC, for Lot 10, Block 12, Woodland Estates, Unit No. 2, Plat Book 3, Page 89, of the Public Records of Citrus County, Florida (ALTKEY 1062403) and which address is 1500 NW 18<sup>th</sup> Court, Crystal River, Florida.
  - B.)
    1. **Conduct a Public Hearing for APPLICATION NO. PCA24-0002 brought by Frye One Petes Pier LLC** – A Small-Scale Comprehensive Plan Amendment to the Future Land Use Map to change 0.16 acres +/- from MDR, Medium Density Residential to CW, Waterfront Commercial, for Lot 1A, Aqua Vista, Plat Book 11, Page 144 of the public records of Citrus County, Florida, (ALTKEY 1996970); and which address is 447 SW 1<sup>st</sup> Place, Crystal River; and

### NOTICE TO PUBLIC

Any person who decides to appeal any decision of the Planning Commission with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to provide that a verbatim record of the proceeding is made, which record includes testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

Any person requiring reasonable accommodation at this meeting because of a disability or physical impairment should contact the City of Crystal River, City Manager's Office, 123 N. W. Highway 19, Crystal River, FL 34428 (352) 795-4216, at least two (2) days prior to the meeting.

2. **Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZMA24-0002 brought by Frye One Petes Pier LLC** – An amendment to the Official Zoning Map to change 0.16 acres +/-from R-W, Residential Waterfront to CW, Waterfront Commercial, for Lot 1A, Aqua Vista, Plat Book 11, Page 144 of the public records of Citrus County, Florida, (ALTKEY 1996970), and which address is 447 SW 1<sup>st</sup> Place, Crystal River.

- 10.) Unfinished Business
- 11.) New Business
- 12.) Citizen Input: 5 minutes
- 13.) Staff Comments
- 14.) Commissioner’s Comments
- 15.) Chairman’s Comments
- 16.) Adjournment

\*Appointed by School Board pursuant to §163.3174, Florida Statutes.

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**Planning Commission Minutes (Draft)**  
**April 4, 2024 - 5:30 p.m.**

**Daniel Grannan – Chair**  
**Tonia Herring**  
**Richard Laxton**  
**Deborah MacArthur Anderson**  
**Karen Cunningham**



**Terry Thompson– Vice Chair**  
**Larry Schenavar**  
**Alternate 1 – Gregory Acker**  
**Alternate 2 – Kimberly Salter**  
**Chuck Dixon – School Board\***

- 1) Call to Order
- 2) Roll Call

**Commissioners Present:** Daniel Grannan, Richard Laxton, Deborah MacArthur Anderson, Larry Schenavar.

**Commissioners Absent:** Tonia Herring, Karen Cunningham, Gregory Acker, Kimberly Salter, Terry Thompson.

- 3) Moment of Silence was led by Chairman Grannan
- 4) Pledge of Allegiance was led by Chairman Grannan
- 5) Adoption of Agenda- Motion to adopt the agenda was made by Chairman Grannan; seconded by Commissioner Schenavar- **Motion carried 4-0**
- 6) Approval of Minutes: March 7<sup>th</sup>, 2024- Motion to approve minutes of March 7, 2024, was made by Chairman Grannan; seconded by Commissioner Schenavar- **Motion carried 4-0**
- 7) Citizen Input: 3 minutes- None
- 8) Public Hearings:

- A.) **Conduct a Public Hearing for APPLICATION NO. PV24-0001 brought by Chris and Beth— Ensing** – This application is brought by Chris and Beth Ensing who propose to develop a single-family residence with a detached garage and are requesting multiple Variances of the City of Crystal River Land Development Code (LDC) to allow for 1) a single-family residence having less than the minimum required 25-foot building to front-yard line setback, pursuant to **Section 4.02.02 Standards for buildings and building placement (setbacks)**, of the LDC; and 2) to allow for an accessory detached garage having less than the minimum required 25-foot building to side, adjacent-to-street line setback, and to exceed the maximum allowed 16 feet in height, pursuant to **Section 5.01.02 Accessory building and structures in all zoning districts**, of the LDC, at 1004 NE 3<sup>rd</sup> Avenue, Crystal River.

**Staff Presentation:** Jenette Collins, Growth Management Director presented the application to the commission. Mrs. Collins detailed how under the current code staff could not support this proposal since the applicant could redesign the home and the detached garage to eliminate or minimize the

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desired variances, however, the existing topography and preservation of trees do warrant consideration. Mrs. Collins did indicate that the proposal was consistent with the current draft of the new form-based code, not yet adopted.

**Commissioner Discussion:** Commissioners discussed the consistency of the new code and how it would apply to this request. Commissioner Schenavar questioned the amount of fill dirt to be used.

**Applicant presentation:** Brought by Chris and Beth Ensing: Mr. Ensing addressed consistency with community goals and how the proposed form-based code will apply to this project. He discussed the unique property conditions and how his proposal would reduce the amount of fill (In response to Commissioner Schenavar's question). He emphasized how the placement of this project will allow the maximum number of mature trees on the property to be preserved. Additionally, Mr. Ensing stated that the proposed detached garage would not exceed the height of the proposed home, which is in line with the current draft of the proposed code.

**Commissioner Discussion:** No further questions. A motion for approval was made by Commissioner Laxton; seconded by Commissioner Schenavar- **Motion Carried 4-0**

- 10.) Unfinished Business- None
- 11.) New Business - None
- 12.) Citizen Input: 5 minutes- None
- 13.) Staff Comments- None
- 14.) Commissioner's Comments- None
- 15.) Chairman's Comments- None
- 16.) Adjournment- Motion to adjourn the meeting was made by Chairman Grannan: and seconded by Commissioner Laxton. **Motion carried 4-0** Adjourned at 6:03 P.M.

\*Appointed by School Board pursuant to §163.3174, Florida Statutes.

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# CITY OF CRYSTAL RIVER PLANNING COMMISSION

## STAFF REPORT

Growth Management Department

<b>MEETING DATE:</b>	June 6, 2024
<b>VARIANCE APPLICATION NO. PV24-0002 Highwater Ranch LLC</b>	
<b>VARIANCE REQUESTED:</b>	A two-part variance request of the City of Crystal River Land Development Code (LDC) to allow for a residential swimming pool (without an overhead enclosure) 1) exceeding the maximum allowed 45 percent impervious surface ratio (ISR) in the RW, Residential Waterfront zoning district pursuant to Section 4.02.01 <u>Standards for lot design</u> ; and 2) having less than the required minimum setback of ten (10) feet behind the front plane of the house pursuant to Section 5.01.13 <u>Swimming pool and pool enclosures</u> , of the LDC
<b>SUBJECT PROPERTY:</b>	Section 18, Township 18S, Range 17E; specifically, Lot 10, Block 12, Woodland Estates, Unit No. 2, Plat Book 3, Page 89, of the Public Records of Citrus County, Florida (ALTKEY: 1062403); and which address is 1500 NW 18 <sup>th</sup> Court, Crystal River, Florida. A complete legal description of the property is on file with the Planning and Development Services Department.
<b>ACREAGE:</b>	Approximately 11,801 square feet (0.27 acres).
<b>ZONING DISTRICT:</b>	RW, Residential Waterfront
<b>FLOOD ZONE:</b>	According to the Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone AE with a Base Flood Elevation (BFE) of 12.00 feet, as found on FIRM Panel Number 12017C0170E. (Effective date: January 15, 2021)
<b>SURROUNDING AREA:</b>	North – RW Zoning (canal and single-family residence) South – CON, Conservation Zoning (Crystal River Preserve State Park located across NW 15 <sup>th</sup> St) East – RW (public dedicated conservation and retention area located across NW 18 <sup>th</sup> Ct) West – RW (single-family residence) The surrounding area is developed as a residentially committed subdivision.
<b>PREPARED BY:</b>	Jenette Collins, AICP, Growth Management Director

**BACKGROUND INFORMATION:** This application is brought by Highwater Ranch LLC that proposes to construct a swimming pool (without an overhead enclosure) together with a spa and deck as accessory to an existing single-family residence and is requesting the following variances of the LDC.

**Variance request of Section 4.02.01 Standards for lot design:**

- The applicant is requesting a 48.1% ISR rather than the maximum allowed 45% ISR in a RW Zoning District.

**Variance request of Section 5.01.13 Swimming pool and pool enclosures:**

- The applicant is requesting to locate the swimming pool in the front yard (forward of the front plane of the house) having a three-foot setback as measured from the right-of way of NW 18<sup>th</sup> Court, rather than the required minimum allowed setback of ten feet behind the front plane of the house.

The subject property is irregular in shape and located on the northwest corner of NW 15<sup>th</sup> Street and NW 18<sup>th</sup> Court, both local, 50-foot public rights-of-way. The lot is “L” shaped, being 80-foot wide along NW 15<sup>th</sup> Street and varying in depth from 125 feet and 170 feet, due to a canal cut-out at the rear. The canal extends from the Crystal

River that is designated as an Outstanding Florida Waterway. According to the Citrus County Property Appraiser tax record, the existing residence was built in 2007 and comprises 2,600 square feet of floor living area having a total of 5,380 square feet under roof.

The residence was built fronting NW 18<sup>th</sup> Court, that makes for a back yard having a 12.1-foot setback. As such, the owner desires to construct a swimming pool that varies in width from 22 feet to 18 feet and a length of 30 feet, together with a 10-foot by 10-foot spa area, and associated deck all to be located on the north side and forward of the front plane of the house. The applicant proposes to remove the northern driveway to minimize the ISR variance request. The circular driveway in front of the residence will remain.

The applicant indicates that the hardship stems from the irregular shape of the lot and how the house is oriented leaving a shallow back yard.

ANALYSIS: The applicant is requesting a two-part variance.

**Variance request of Section 4.02.01 Standards for lot design:** Section 4.02.01 of the LDC, allows for a maximum 45-percent impervious surface ratio (ISR) in the RW zoning district. The LDC defines *impervious surface* as follows:

“Impervious surface: A surface which has been compacted or covered with a layer of material so that it is resistant to infiltration by water. The term includes streets, roofs, sidewalks, parking lots, swimming pools, water, or areas covered by asphalt, brick, concrete, or other similar materials.”

The ISR is calculated by dividing the total area of impervious surface(s) by the total site area. The subject lot currently maintains a 42.6 percent ISR. The proposed pool area (combined swimming pool, spa, and deck) will add an additional 1,290 square feet of impervious surface. To minimize the proposed ISR variance request, the applicant proposes to remove the second driveway (approximately 640 square feet of impervious surface) located on the north side of the lot.

**Existing:** 5,027 s.f. existing impervious surface/11,801 lot area = 42.6% ISR

**Proposed:** 5,027 s.f. – 640 s.f. driveway + 1,290 s.f. pool area = 5,677 s.f./11,801 lot area = 48.1% ISR

The proposed 48.1% ISR represents a minimum variance being less than the 10% maximum that may be permitted administratively pursuant to section 9.03.00 Administrative waivers, of the LDC. However, consideration must be given to the neighborhood which is prone to coastal flooding. Increases in impervious surfaces can contribute to potential flooding. It is noted that the canals, which extend from the Crystal River, are tidally influenced.

A recommended condition of approval is to require that a swale of eight (8) inches in depth from the natural grade be installed and maintained between the edge of the pool deck and the canal to protect water quality from onsite stormwater runoff and assist to minimize potential flooding.

**Variance request of Section 5.01.13 Swimming pool and pool enclosures:** Section 5.01.13 of the LDC, was adopted by the City Council on February 13, 2023, as a means to allow for the placement of a swimming pools (accessory to the primary use residence) without an overhead enclosure to be setback a minimum 10-feet from a waterfront yard (in this case the canal), rather than the standard minimum required 25-foot waterfront setback. Pursuant to section 4.02.02 Standards for building and building placement setbacks, of the LDC, the pool deck shall be limited to a maximum height of two (2) feet above pre-construction grade when allowed to encroach within the standard minimum 25-foot setback of a water adjacent yard. In accordance with section 5.01.13, a swimming pool that lacks an overhead enclosure shall be allowed to adhere to the following setback requirements (with emphasis added on the bolded sentence):

1. *Side yard: Ten (10) feet*
2. *Rear yard: Ten (10) feet*
3. *Side yard, adjacent to street: Ten (10) feet*
4. *Front yard: not permitted (see exception below).*
5. *Waterfront: Ten (10) feet from the mean high-water line*

A swimming pool shall not be permitted to be sited in the front yard unless the front façade of the house addresses the bay or river and the rear yard addresses the street. In such a case, waterfront setbacks shall be utilized in the front.

***If a swimming pool is located in a side yard or a side yard that fronts the street, the swimming pool shall be set back a minimum of ten (10) feet behind the front plane of the house.***

The applicant makes the request to locate the swimming pool forward of the front plane of the house and having a three-foot setback as measured from the right-of way of NW 18th Court. The applicant has advised that the pool deck will not exceed maximum 2-foot height above pre-construction grade and will not have an overhead enclosure.

It is noted that all pools shall provide fencing or enclosures in compliance with the safety requirements of Florida Building Codes. In this case, a fence enclosure would need to be provided. The RW zoning district allows a fence having a maximum permitted height of four feet (48") in a front yard in accordance with section 5.01.11 Fences, walls and hedges, of the LDC.

The request for a swimming pool was reviewed in comparison to the surrounding development of the surrounding residential lots. The results captured using the Property Appraiser's data and mapping tool indicate that five of the twelve lots developed with residences within a 300-foot radius of the subject property have swimming pools. Using the scaling tool provided by the Property Appraiser's website, all existing pools have been constructed behind the residences and appear to meet the minimum 25-foot waterfront building setback requirement of the LDC. (Reference map in PowerPoint.)

**REQUIRED FINDINGS FOR GRANTING A VARIANCE:** Pursuant to Section 9.02.02 Required findings for a grant of a variance, of the Crystal River Land Development Code, in order for an application for a variance to be approved or approved with conditions, the planning commission shall make a positive finding, based on the evidence submitted, with regard to each of the following conditions.

1. ***There is a specific hardship affecting the development of the lot resulting from the strict application of the provisions of the LDC;*** The applicant has indicated on the application that "With the way the house sits on the lot there is no way to put a pool in the back yard." The lot is irregular in shape, and the existing residence is oriented to face the wide side of the lot along NW 18<sup>th</sup> Ct. If the house was oriented to face NW 15th Street, only a ten-foot building setback would be required from NW 18<sup>th</sup> Ct (as a side yard, adjacent to street).
2. ***The hardship is not a result of actions of the owner and is not based solely on a desire to reduce development costs;*** Although the lot is irregular in shape, part of the hardship is being created by the pre-existing development design, and is not based on the desire to reduce development costs.
3. ***The need for the proposed variance is due to the physical shape, configuration, or topographical condition of the lot in such a manner as to distinguish it from other adjacent or nearby lots or from other lots in the district;*** The subject property is "L" shaped, located on a street corner lot and subject to two street-side and waterfront setbacks.

4. ***The proposed variance is necessary to preserve a substantial property right where such property right is generally available to other property owners of adjacent or nearby lots or other lots in the zoning district;*** Approximately 42% of the surrounding residences within a 300-foot radius of the subject property have swimming pool additions, but have been designed to meet standard building code setbacks for both waterfront and street setback requirements.
5. ***The grant of the proposed variance does not confer on the applicant any special privilege that is prohibited by this LDC to other lands, buildings, or structures in the same zoning district;*** The proposed swimming pool and patio is an allowed structure that is considered accessory and incidental to the residential use of the property, and would not be a prohibited use to other lands, buildings, or structures in the same zoning district when constructed in strict conformance to the LDC.
6. ***The proposed variance does not substantially increase congestion on surrounding streets, does not increase the danger of fire or other hazard, and is not otherwise detrimental to the health, safety, or general welfare of the public;*** The proposed swimming pool with spa and deck is accessory and incidental to the existing residence, and does not increase traffic impacts and should not create any health, safety, and welfare concerns to the surrounding area, however, excessive impervious surface area can contribute to flooding from storm events.
7. ***The development following the proposed variance is compatible with adjacent and nearby development and does not alter the essential character of the district;*** The proposed variance request to locate the swimming pool with spa and deck forward of the front plane of the residence is not consistent with the character of the R-W district exclusive to the front yard setback regulations.
8. ***The variance granted is the minimum variance that results in reasonable use of the land, building, or structure;*** A swimming pool with spa is not necessary to make reasonable use of the property. The property has been reasonably developed with a single-family residence having a total of 5,380 square feet under roof. The proposed pool area (combined swimming pool, spa, and deck) will add an additional 1,290 square feet of impervious surface having 3-foot front yard setback. A smaller pool area could be designed to increase the front yard setback and subsequently minimize the impervious surface area variance request.
9. ***The effect of the proposed variance is consistent with the general intent of the LDC and the specific intent of the relevant standards and criteria; and*** The request is found inconsistent with the design principles of the LDC to avoid unnecessary impervious surface cover and to adhere to bulk standards that promote compatibility within the zoning district in which the development is located.
10. ***The effect of the proposed variance is consistent with the comprehensive plan.*** The variances requested are found inconsistent with Objective 3.2, Policy A. of the Future Land Use Element of the Comprehensive Plan, which states that “The City will permit only residential developments, ***residential accessory uses***, and limited specified uses which are compatible with residential uses in residential neighborhoods. Limited specified uses will be allowable only for those uses which meet the supplemental standards of being residential support uses or uses which are compatible with residential character of the surrounding neighborhoods and otherwise consistent with the Comprehensive Plan. ***Compatibility shall be determined by intensity of use as well as similarity in scale, bulk, and other aspects of site design*** [with emphasis added].”

STAFF RECOMMENDATION: Staff is unable to support the proposed variance requests as presented as per the analysis and findings stated herein. The requested swimming pool, with spa and deck proposed to be located forward of the front plane of the house are excessive in size for the subject property that has been found to be reasonably developed with the existing residence and other amenities.




If the Planning Commission is inclined to approve the subject variance requests as presented or as may be modified with an increased setback and/or reduced ISR, then staff recommends that the following recommended items be included as “conditions of approval”.

1. The pool deck shall not exceed a 2-foot height above the natural pre-construction grade of the subject property.
2. The pool shall not have an overhead enclosure (e.g. screen enclosure) but must otherwise be enclosed with fencing as required by applicable city and Florida building codes.
3. The applicant shall install and maintain a natural berm of eight (8) inches in height or a natural swale of eight (8) inches in depth between the edge of the pool deck and the waterbody (canal).

**PLANNING COMMISSION ACTION:** The Planning Commission shall approve, deny, or approve with conditions the application for variance, based upon making positive findings regarding conditions set forth in subsection 9.02.02. A., of the LDC.

**ATTACHMENTS:**

1. PowerPoint
2. Site Plan/Application submittal with Backup

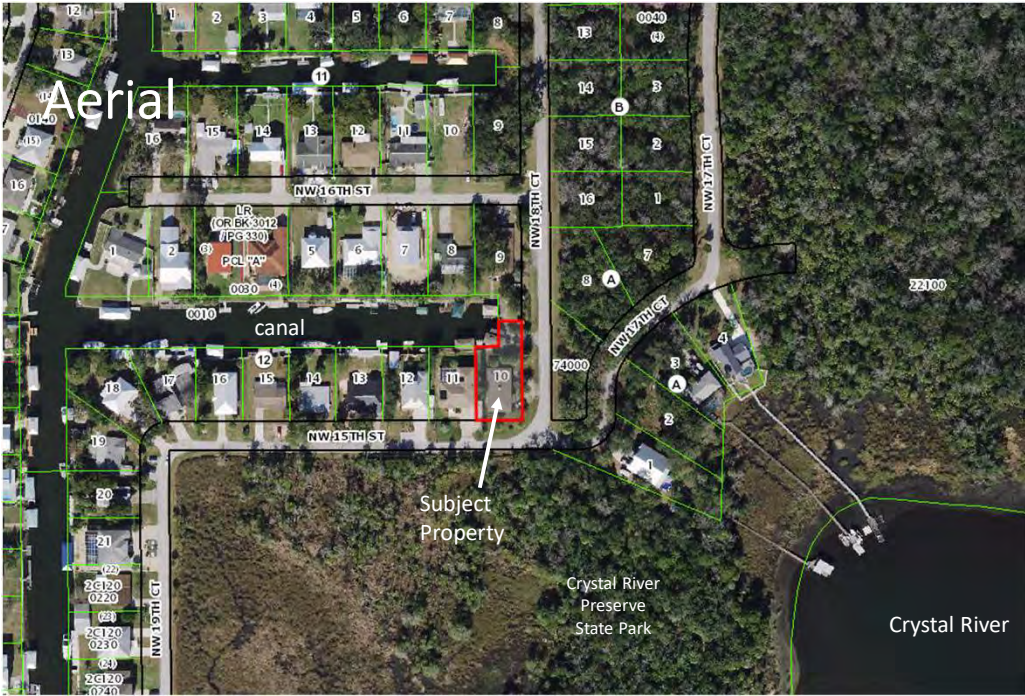


**PV24-0002**  
**Variance of the Land Development Code**  
**Highwater Ranch LLC**

Crystal River Planning Commission Meeting of June 6, 2024

1

1



**Aerial**

Subject Property

Crystal River Preserve State Park

Crystal River

2

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The applicant is requesting a two-part variance of the Land Development Code (LDC) to allow for a residential swimming pool (without an overhead enclosure)...

- 1) Exceeding the maximum allowed 45 percent impervious surface ratio (ISR) in the RW, Residential Waterfront zoning district pursuant to Section 4.02.01 Standards for lot design, of the LDC. *The applicant is requesting a 48.1% ISR rather than the maximum allowed 45% ISR in a RW Zoning District.*

**And,**

- 2) Having less than the required minimum setback of ten (10) feet behind the front plane of the house pursuant to Section 5.01.13 Swimming pool and pool enclosures, of the LDC. *The applicant is requesting to locate the swimming pool in the front yard (forward of the front plane of the house) having a three-foot setback as measured from the right-of way of NW 18<sup>th</sup> Court, rather than the required minimum allowed setback of ten feet behind the front plane of the house.*

Crystal River Planning Commission Meeting of June 6, 2024 3

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Crystal River Planning Commission Meeting of June 6, 2024 4

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Subject Property posted May 17, 2024



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Crystal River Planning Commission Meeting of June 6, 2024

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# QUESTIONS?

**PV24-0002**  
**Variance of the Land Development Code**  
**Highwater Ranch LLC**

Crystal River Planning Commission Meeting of June 6, 2024

4

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# VARIANCE APPLICATION

Growth Management Department  
123 NW Highway 19  
Crystal River, FL 34428  
Phone 352-795-4216

Return to: [development@crystalriverfl.org](mailto:development@crystalriverfl.org)

Office Use Only: Paid _____	Date _____
Residential - \$400	Commercial - \$600
ATF-DOUBLE FEE	

**Applicant Information:**

Name: Highwater Ranch Dianna Titman Phone 813-714-3563  
 Street Address: 31053 Lakeside Lane Dade City FL 33523  
CITY ST ZIP  
 Email Address: DIANNA.McGRANE (A) HOTMAIL.COM

**Site Information:**

Site Address: 1500 NW 18th Court Crystal River FL 34428  
 Alt Key #: \_\_\_\_\_ Parcel ID # 17E18S170020 00120 0100  
(AVAILABLE AT THE CITRUS COUNTY PROPERTY APPRAISER'S WEBSITE: [www.citruspa.org](http://www.citruspa.org))  
 Legal Description: See Attached

\_\_\_\_\_  
 \_\_\_\_\_ (or attach description on a separate page)  
 Subdivision: Woodland Estates Lot: \_\_\_\_\_ Block: \_\_\_\_\_  
 Current Zoning District: \_\_\_\_\_  
 Flood Zone: \_\_\_\_\_ Base Flood Elevation: \_\_\_\_\_  
 (This information shall be based on the latest Flood Insurance Rate Maps)

*The applicant for a variance has the burden of proof of demonstrating that the application for a variance complies with each of the requirements of Section 9.02.02(A).*

**Variance Request:** Please enter a description of request and Land Development Code Sections that pertain to the requested action.  
[https://library.municode.com/fl/crystal\\_river/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_APXALADE\\_CO\\_CH9VACORE\\_9.02.00VA](https://library.municode.com/fl/crystal_river/codes/code_of_ordinances?nodeId=PTIICOOR_APXALADE_CO_CH9VACORE_9.02.00VA)

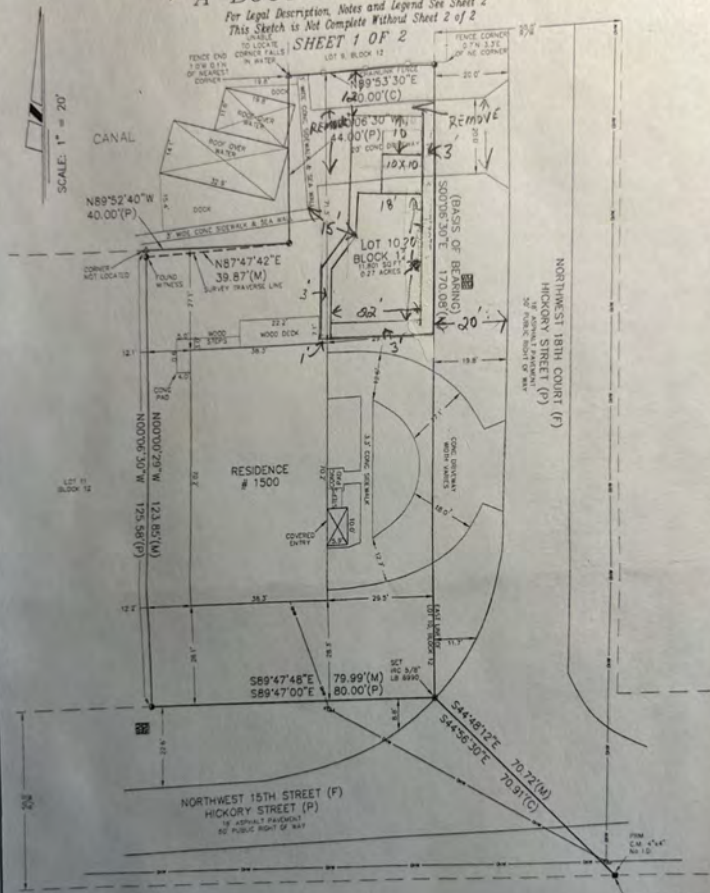
#3 With The Way The House Sits on The Lot  
There Is No way To put A Pool In the Back Yard  
I Am requesting A Variance To place A Pool  
In The Side Yard (See Attached)

WADE INDMAS

# A BOUNDARY SURVEY

For Legal Description, Notes and Legend See Sheet 2  
This Sketch is Not Complete Without Sheet 2 of 2

SHEET 1 OF 2



CERTIFIED TO:  
HIGHWATER RANCH, LLC

Revision:

Job No.: 0224-187

Scale: 1" = 20'

Date of Survey: 03/01/2024

Field Book & Page: H32956-39

I hereby certify that the survey represented hereon meets all applicable requirements of the Standards of Practice as contained in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. Not valid without the original signature and seal of a Florida Licensed Surveyor and Mapper.

MARCH 2024  
Signed and Sealed

*Willis R. Howell*  
Willis R. Howell, Inc.  
Professional Land Surveyor No. 5448  
Florida Licensed Business No. 6990



## Variance Provisions

In order for an application for a variance to be approved or approved with conditions, the Planning Commission shall make a positive finding, based on the evidence submitted, with regard to each of the following provisions. Submit an explanation to each of the provisions below.

Findings	Provisions (Sec. 9.02.02(A))
	1. There is a specific hardship affecting the development of the lot resulting from the strict application of the provisions of the LDC. <i>(Explain how you will be deprived of reasonable use of the land, building, or structure, equivalent to the use made of lands, buildings or structures in the same neighborhood. Show that you have an unnecessary hardship, more than mere inconvenience or a preference for more lenient standards.)</i>
	2. The hardship is not a result of actions of the owner and is not based solely on a desire to reduce development costs. <i>(It is not enough to say that the development will cost more in order to comply. You must show the substantial and undue nature of that additional cost as compared to others subject to the same restriction.)</i>
X	3. The need for the proposed variance is due to the physical shape configuration, or topographical condition of the lot in such a manner as to distinguish it from other adjacent or nearby lots or from other lots in the district. <i>(An example would be a pie shaped lot where the lot narrows dramatically towards the front yard and the side yard setback prohibits you from building an addition.)</i>
	4. The proposed variance is necessary to preserve a substantial property right where such property right is generally available to other property owners of adjacent or nearby lots or other lots in the zoning district. <i>(Explain that if the variance is not approved would any development of the proposed property be possible?)</i>
	5. The grant of the proposed variance does not confer on the applicant any special privilege that is prohibited by this LDC to other lands, buildings, or structures in the same zoning district. <i>(Is what you want to do something that other properties in the same zoning district have been allowed to do? If so, how does the ordinance prevent you from doing so?)</i>
	6. The proposed variance does not substantially increase congestion on surrounding streets, does not increase the danger of fire or other hazard, and is not otherwise detrimental to the health, safety, or general welfare of the public. <i>(Will granting the variance harm public safety? (Example: A property owner may prove an unnecessary hardship exists from limitations on on-site drives and parking for a commercial use. The increased traffic and stormwater effects could prove to harm public safety)</i>
	7. The development following the proposed variance is compatible with adjacent and nearby development and does not alter the essential character of the district. <i>(Will the variance cause the character of your neighborhood to change?)</i>
	8. The variance granted is the minimum variance that results in reasonable use of the land, building, or structure. <i>(Have you looked at all other options to do what you want to do and found that the variance you are seeking is for the least amount necessary?)</i>



## Filing Requirements Checklist

1.	Completed application form available from the City.
2.	Applicable filing fee as required by the City. The applicant will also be billed at a later date for advertising and postage fees for costs incurred due to notification to abutting property owners by mail and advertising in a newspaper of general circulation. Applicants are billed actual costs incurred for public notification. No application shall be processed for final adoption until all fees are paid.
3.	Proof of ownership and legal description of property (tax notice or copy of deed will suffice).
4.	Site Plan ( <b>DRAWN TO SCALE</b> ). All site plans and drawings for application shall clearly readable and be prepared at the same scale. The sheet size shall not be less than 8 ½ x 11 and not be larger than 36' x 48' (Where site plans are larger than 11' x 17', electronic copies must be provided as part of submittal. <b>SITE PLANS SHALL SHOW THE FOLLOWING INFORMATION:</b>
	A. Lot dimensions along all property lines. Include North arrow to indicate orientation.
	B. Lot area and percentage of lot covered (impervious surface area).
	C. Driveway access location with dimensions and parking space arrangement. (For commercial, must delineate internal aisle and parking with dimensions.)
	D. All rights-of-way and easements adjacent to and crossing the subject property.
	E. All watercourses, waterbodies, canals, and/or jurisdictional wetlands adjacent to or on property.
	F. Proposed or existing source of potable water/well or sewer/septic system.
	G. Existing and proposed location of building/structures including heights and separation.
	H. All setbacks (measured in feet) must be shown between buildings/structures and property lines.
	I. Any existing or proposed walls/fences – show location, height, and material types.
	J. Existing and/or proposed stormwater management systems as applicable.
	K. Signs (show location and dimensions) as applicable.
	L. Loading (show location and dimensions) as applicable.
5.	A property survey containing the legal description, land area, and existing improvements on the site. The survey shall be signed by a surveyor licensed in the State of Florida, and shall have been performed not more than two (2) years prior to the date of application. (Not required for residential applications.)
6.	When the applicant is a representative of the property owner, a notarized statement authorizing the representative to act as an agent of the property owner with regard to the application and associated procedures.

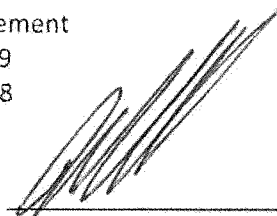
I HEREBY ACKNOWLEDGE THAT FAILURE TO SUBMIT THE ABOVE INFORMATION ALONG WITH THE RETURN OF THIS FORM, AND/OR THAT THE INFORMATION SUBMITTED IS INSUFFICIENT FOR REVIEW MAY DELAY PROCESSING CAUSING THE APPLICATION TO BE SCHEDULED TO A LATER HEARING DATE. APPLICATIONS FOUND INCOMPLETE WILL BE RETURNED TO THE APPLICANT.

Return this application to:

City of Crystal River  
Department of Growth Management  
123 Northwest Highway 19  
Crystal River, Florida 34428

Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_



4-25-2024

**From:** [Mike Richie](#)  
**To:** [Jenette Collins](#)  
**Subject:** [External]Re: [External]Re: Your Variance Request - City of Crystal River - PV24-0002 Sufficiency Review  
**Date:** Monday, May 6, 2024 9:58:41 AM

---

Bennett,

Listed below is the ISR calculations: For Wade Thomas project.

TOTAL 11,801sq.ft.

Residence.	2,688sq.ft.
Concrete driveway	1,440sq.ft
Covered entry	60sq.ft.
Steps	24sq.ft.
Concrete pad	16sq.ft
Sidewalk	114sq.ft.
Back conc pad	45sq.ft.
Pool area	1,290sq.ft.

TOTAL 5,677sq.ft.

ISR 48.1%

On May 3, 2024, at 5:25 PM, Jenette Collins <jcollins@crystalriverfl.org> wrote:

Hi Mike – Carly forwarded the site plan for the Thomas’ proposed swimming pool. I still need the ISR calculation. Also, we need the actual site plan drawn to scale....the pdf submittal is distorted. The items are not clearly labeled as to what is existing and what is proposed. What is the 10x10 square representing? It appears that you are proposing a 3’ setback from the right-of-way line and 15’ from outer edge of the seawall and 12’ to the north boundary line? Is the swimming pool deck raised and how high will it be above the natural grade? Will the swimming pool have a screen enclosure? These need to be addressed for clear representation to the Planning Commission.

1. Please revise your site plan to clearly identify by labeling what is being “proposed” and what is “existing”. (see clarification above)
1. Please include the calculated impervious surface ratio (ISR). (This is the proportion of development that is covered by an impervious surface and includes the swimming pool. It is calculated by dividing the total area of impervious surface by the total lot area. Please be advised that for the RW Zoning District, the maximum ISR is 45% maximum coverage.

Please submit as soon as possible so that we can begin preparing the legal

advertisement and staff analysis based on the requirements of Section 4.02.02 *Standards for buildings and building placement setbacks*, and Section 5.01.13 *Swimming pools and pool enclosures*, of the Crystal River Land Development Code (link below my signature line) to keep in on schedule for the June 6, 2024, Planning Commission meeting.

Please call me if you have any questions.

Thank you,

<image001.png> **Jenette Collins, AICP**  
**Growth Management Director**  
Cell: 352-212-8226  
123 NW Highway 19  
Crystal River, FL 34428

Link to Crystal River Land Development Code [Mini TOC: APPENDIX A - LAND DEVELOPMENT CODE | Code of Ordinances | Crystal River, FL | Municode Library](#)

<image003.png>The City of Crystal River is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. Email messages are covered under Chapter 119 and are thus subject to public records disclosure. All email messages sent and received are captured by our server and retained as public records. This footnote also confirms that this email message has been swept for the presence of computer viruses, and illegal or questionable content. This system is a private system and is monitored for electronic tampering. Violators will be prosecuted to the fullest extent of the law. This email may contain confidential or privileged material. Use or disclosure of it by anyone other than the recipient is unauthorized. If you are not the intended recipient, please delete this email.

---

**From:** Carly Hanson <[chanson@crystalriverfl.org](mailto:chanson@crystalriverfl.org)>  
**Sent:** Friday, May 3, 2024 4:15 PM  
**To:** Jenette Collins <[jcollins@crystalriverfl.org](mailto:jcollins@crystalriverfl.org)>  
**Subject:** Fw: [External]Re: Your Variance Request - City of Crystal River - PV24-0002 Sufficiency Review

---

**From:** Mike Richie <[shandscair3@gmail.com](mailto:shandscair3@gmail.com)>  
**Sent:** Thursday, May 2, 2024 4:00 PM  
**To:** Carly Hanson <[chanson@crystalriverfl.org](mailto:chanson@crystalriverfl.org)>

**Subject:** [External]Re: Your Variance Request - City of Crystal River - PV24-0002  
Sufficiency Review

Carly,

Attached is Wade Thomas survey with the pool area. Let me know if you need anything else.

Thanks,  
Mike  
Richie Pools Inc.  
(352) 563-8889

<image002.jpg>

On May 2, 2024, at 9:44 AM, Carly Hanson  
<[chanson@crystalriverfl.org](mailto:chanson@crystalriverfl.org)> wrote:

---

**From:** Jenette Collins <[jcollins@crystalriverfl.org](mailto:jcollins@crystalriverfl.org)>  
**Sent:** Wednesday, May 1, 2024 4:20 PM  
**To:** [diannamcgrave@hotmail.com](mailto:diannamcgrave@hotmail.com)<[diannamcgrave@hotmail.com](mailto:diannamcgrave@hotmail.com)>  
**Cc:** Carly Hanson <[chanson@crystalriverfl.org](mailto:chanson@crystalriverfl.org)>; Heather Lacey  
<[hlacey@crystalriverfl.org](mailto:hlacey@crystalriverfl.org)>  
**Subject:** Your Variance Request - City of Crystal River - PV24-0002  
Sufficiency Review

Good Afternoon, This follows my telephone conversation with Mr. Wade Thomas. The City of Crystal River, Growth Management Department is in receipt of your variance request for a swimming pool having less than the required setbacks and to be located in a side-yard. We need some additional information and the fee paid to deem the submittal sufficiently complete so that it can be placed on June 6, 2024, Planning Commission agenda.

1. Please revise your site plan to clearly identify by labeling what is being “proposed” and what is “existing”.
2. The proposed swimming pool needs to include the proposed setbacks (building to line measurement) from all property

- lines....front, side and from waterbody (at closest point).
3. Please include the calculated impervious surface ratio (ISR). (This is the proportion of development that is covered by an impervious surface and includes the swimming pool. It is calculated by dividing the total area of impervious surface by the total lot area. Please be advised that for the RW Zoning District, the maximum ISR is 45% maximum coverage.
  4. Please remit the variance fee of \$400.00. I am attaching the Invoice. You may call the Crystal River Finance Department 352-795-4216, Extension 312, and speak to Angela or Allison. Payment by credit will incur a \$12.00 service fee.

Tomorrow, May 2<sup>nd</sup>, is the filing deadline, so we request that you try to get everything to us by close of day 4:30 p.m. We do start “running” with these types of applications by preparing the legal ads for publication, letter and report to the Planning Commission. Also, please be advised that we will be to the property (likely Friday, May 17) to post the property and take pictures. We will reach out to you to confirm this and keep you informed throughout the process.

Please call me if you have any questions.

Thank you,

<image001.png> **Jenette Collins, AICP**  
**Growth Management Director**  
Cell: 352-212-8226  
123 NW Highway 19  
Crystal River, FL 34428

Link to Crystal River Land Development Code [Mini TOC: APPENDIX A - LAND DEVELOPMENT CODE | Code of Ordinances | Crystal River, FL | Municode Library](#)

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monitored for electronic tampering. Violators will be prosecuted to the fullest extent of the law. This email may contain confidential or privileged material. Use or disclosure of it by anyone other than the recipient is unauthorized. If you are not the intended recipient, please delete this email.

<PV24-0002 Variance Invoice.pdf>



Home Parcel Search

Altkey: 1062403  
HIGHWATER RANCH LLC

Parcel ID: 17E18S170020 00120 0100  
1500 NW 18TH CT, CRYSTAL RIVER

1 of 1

[Return to Search Results](#)  
My Tax Year: 2024

Summary

Legal

Citrus County Property Appraiser, Cregg E. Dalton

Land & Agriculture

PC Code 0100 - SINGLE FAMILY

Residential

Bldg Counts Res 1 / MH 0 / Comm 0

Commercial

Nbhd 2155 - WOODLAND ESTATES

Misc Improvements

Tax District 000R - CITY OF CRYSTAL RIVER  
Subdivision 001997 - WOODLAND ESTATES UNIT 2  
Short Legal WOODLAND ESTS UNIT 2 PB 3 PG 89 LOT 10 BLK 12

Values

Est. Parcel Sqft 11,811

Sketch

Est. Parcel Acres .27

Photos

Map SC-TW-RG 18-18S-17E

Permits

Mailing Address

Quick Links

Name HIGHWATER RANCH LLC  
Mailing Address 31053 LAKESIDE LN  
DADE CITY FL 33523

Map

Pictometry

Actions

- [Neighborhood Sales](#)
- [Printable Summary](#)
- [Printable Version](#)

Reports

- [Attribute Export](#)
- [Mailing List](#)
- [Property Record Card](#)
- [Original Trim Notice](#)

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Links

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All Owners

Name	Owner Type
HIGHWATER RANCH LLC	BU - Business

Value History and Tax Amount

Year	Land Value	Impr Value	Just Value	Non-Sch Assessed	Non-Sch Exemptions	Non-Sch Taxable	HX Cap Savings	Tax Estimate	Tax Link
2023	\$169,740	\$616,955	\$786,695	\$519,669	\$0	\$519,669	\$0	\$12,359.62	<a href="#">Link</a>
2022	\$145,310	\$487,649	\$632,959	\$472,426	\$0	\$472,426	\$0	\$10,541.83	<a href="#">Link</a>

Tax Estimate upon sale of the property (no assessment capping or exemptions)

Year	Tax Dist	District Name	Market Value	Millage Rate	Tax Estimate
2023	000R	CITY OF CRYSTAL RIVER	\$786,695	20.9863	\$16,509.82

Buyer Beware!

Property taxes may be affected with change in ownership. When buying real estate property, you should not assume that property taxes will remain the same. Whenever there is a change in ownership, the assessed value of the property may reset to full market value, which could result in higher property taxes. Please use our tax estimator to approximate your new property taxes. Homestead exemptions and agricultural classifications are not transferable to the new owner. You must apply for your own exemptions and agricultural classifications.

Sales

Sale Date	Sale Price	Book/Page	Instr Type	V/I
02/17/2021	\$100	3375/0185	01-CORRECTIVE/QC/TD/COT	I
10/02/2017	\$100	2870/1960	10-DEEDS CONVEYING PARTIAL INTEREST	I
08/01/2008	\$410,000	2235/2166	04-TO OR FROM BANKS/LOAN CO.	I
06/01/2008	\$377,500	2232/1765	04-TO OR FROM BANKS/LOAN CO.	I
02/01/2004	\$135,000	1689/1016	00-WARRANTY DEED	V
05/01/2002	\$67,500	1508/1578	00-WARRANTY DEED	V
07/01/1997	\$35,000	1196/1494	00-WARRANTY DEED	I
04/01/1996	\$100	1128/0885	11-11	I

DISCLAIMER

Sales do not generally appear in database until approximately 8 to 10 weeks after the recording date. If a recent sale does not show up in this list, please allow more time for the sale record to be processed.

Permit Summary

Permit Date	Permit Number	Description	Amount	Occupancy Date
04/05/2006	SW060004	RIP RAP SEAWALL	\$5,000	
03/22/2006	SFR060004	SF RESIDENCE	\$446,000	03/06/2007

Land & Agricultural

Line	Land Use	Type	Units	Frontage	Depth	Ag Flag	Classified Value	Just Value	Zoning
1	0104-SFR CANAL FRONT F-FRONT FOOT		84.00	84.0	147				RW

**Residential**

Bldg Number	1
Class	R1 - RESIDENTIAL SINGLE FAMILY
Year Built	2007
Total FLA	2,660
Total Under Roof	5,380
Exterior Wall	29 - VINYL SIDING
Foundation	5 - SPECIAL
HVAC	109 - HEAT PUMP
Stories	2
Floor System	02 - WOOD SUB-FLOOR
Roof Frame	02 - HIP
Roof Cover	09 - CUSTOM FIBERGLASS
Fuel	1 - ELECTRIC
Bedrooms/Full Baths/Half Baths	3/2/
Addl Fixtures	3
FPL: Stacks/Openings	1 / 1

RCN  
RCNLD

**Additions to Base Area**

Building	Description	Year Built	Area
1	MAIN BULDING	2007	2,318
1	OPEN PORCH FIN	2007	60
1	FLR LIV AREA	2015	318
1	GARAGE FINISHED	2007	336
1	UTLY STOR FINISHED	2007	1,940
1	GARAGE FINISHED	2007	384
1	UPPER FLR LIV AREA	2015	24

**Miscellaneous Improvements**

Building #	Line	Description	Year Built	L	W	Units	Area	Value
1	1	DECKING WOOD-[1-SF]	2007	7	20	1	140	
1	3	SEA WALL RIP-RAP/ROCK/SANDBAG-[2-LINEAL]	2007			1	85	
1	4	BOAT DOCK AVERAGE SYNTHETIC-[1-SF]	2015			1	392	
1	5	BOATCOVER AVERAGE METAL-[1-SF]	2015	20	12	1	240	
1	6	BOATCOVER AVERAGE METAL-[1-SF]	2015	30	14	1	420	
1	7	BLT STRADDLE HOIST-[3-UNIT]	2015			1	1	
1	8	BLT STRADDLE HOIST-[3-UNIT]	2015			1	1	

<b>Total Misc Value</b>
-------------------------

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Home Parcel Search ▾

Summary

Legal

Land & Agriculture

Residential

Commercial

Misc Improvements

Values

Sketch

Photos

Permits

Quick Links

Map

Pictometry

Altkey: 1062403  
HIGHWATER RANCH LLC

Parcel ID: 17E18S170020 00120 0100  
1500 NW 18TH CT, CRYSTAL RIVER

1 of 1

[Return to Search Results](#)  
My Tax Year: 2024 ▾

Legal Description

Legal Description  
WOODLAND ESTS UNIT 2 PB 3 PG 89 LOT 10 BLK 12

DISCLAIMER

Legal description as shown is not to be used on legal documents. The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the legal description.

Actions

- Neighborhood Sales
- Printable Summary
- Printable Version

Reports

- [Attribute Export](#)
- [Mailing List](#)
- [Property Record Card](#)
- [Original Trim Notice](#)

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Links

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[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

## Detail by Entity Name

Florida Limited Liability Company  
HIGHWATER RANCH LLC

### Filing Information

<b>Document Number</b>	L14000130948
<b>FEI/EIN Number</b>	47-1643469
<b>Date Filed</b>	08/20/2014
<b>Effective Date</b>	08/20/2014
<b>State</b>	FL
<b>Status</b>	ACTIVE

### Principal Address

31053 LAKESIDE LANE  
DADE CITY, FL 33523

### Mailing Address

31053 LAKESIDE LANE  
DADE CITY, FL 33523

### Registered Agent Name & Address

AXIOM BUSINESS CONSULTING, LLC  
13234 Telecom Dr  
TAMPA, FL 33637

Name Changed: 01/29/2021

Address Changed: 01/29/2021

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

THOMAS, WADE  
31053 LAKESIDE LN  
DADE CITY, FL 33525

Title Secretary

Thomas, Dianna

31053 LAKESIDE LANE  
DADE CITY, FL 33523

**Annual Reports**

<b>Report Year</b>	<b>Filed Date</b>
2022	01/18/2022
2023	02/05/2023
2024	04/03/2024

**Document Images**

<a href="#">04/03/2024 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/05/2023 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/18/2022 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/29/2021 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/08/2020 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/11/2019 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/16/2018 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">07/06/2017 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">03/17/2016 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">04/27/2015 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">08/20/2014 -- Florida Limited Liability</a>	<a href="#">View image in PDF format</a>

Florida Department of State, Division of Corporations

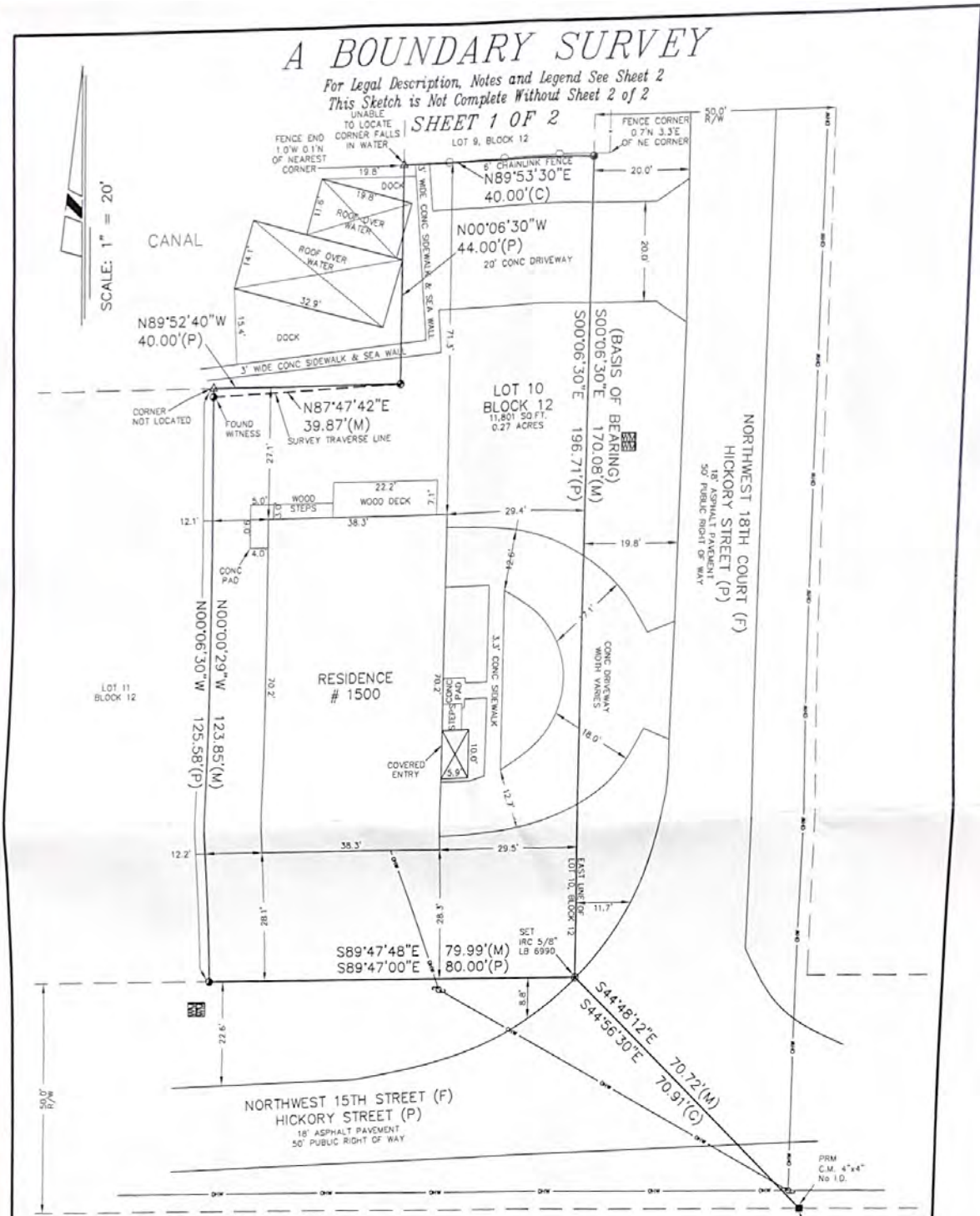




# A BOUNDARY SURVEY

For Legal Description, Notes and Legend See Sheet 2  
 This Sketch is Not Complete Without Sheet 2 of 2

SHEET 1 OF 2



CERTIFIED TO:  
 HIGHWATER RANCH, LLC

Revisions:

Job No.: 0224-187
Scale: 1" = 20'
Date of Survey: 03/01/2024
Field Book & Page: H329/58-59

I hereby certify that the survey represented hereon meets all applicable requirements of the Standards of Practice as contained in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. Not valid without the original signature and seal of a Florida Licensed Surveyor and Mapper.

MARCH 2024  
 Signed and Sealed

*Willis R. Howell*  
 Willis R. Howell  
 Willis R. Howell, Inc.  
 Professional Land Surveyor No. 5448  
 Florida Licensed Business No. 6990

4752 West Abeline Drive  
 Dunnellon, Florida 34433  
 Telephone: (352) 746-2511  
 Facsimile: (352) 746-7230

**WILLIS R. HOWELL, INC.**



# CITY OF CRYSTAL RIVER PLANNING COMMISSION

## STAFF REPORT

Growth Management Department

<b>MEETING DATE:</b>	June 6, 2024	
<b>JOINT APPLICATION NO. PCA24-0002/PZMA24-0002 – Frye One Petes Pier LLC - Land Use/Zoning Amendment</b>		
<b>PROPOSED AMENDMENTS:</b>	<b>COMPREHENSIVE PLAN</b>	Small-Scale Comprehensive Plan Amendment to the Future Land Use Map to change 0.16 acres +/- <b>from</b> MDR, Medium Density Residential <b>to</b> CW, Waterfront Commercial.
	<b>ZONING MAP</b>	Amendment to the Official Zoning Map to change 0.16 acres +/- <b>from</b> R-W, Residential Waterfront <b>to</b> CW, Waterfront Commercial.
<b>SUBJECT PROPERTY:</b>	Section 21, Township 18 S, Range 17 E; specifically, Lot 1A, Aqua Vista, Plat Book 11, Page 144 of the public records of Citrus County, Florida, (ALTKEY 1996970); whose address is 447 SW 1 <sup>st</sup> Place, Crystal River. A complete legal description of the property is on file with the Growth Management Department.	
<b>PROPERTY OWNER:</b>	Frye One Petes Pier LLC	
<b>LAST OCCUPANT:</b>	Vacant	
<b>ACREAGE</b>	Approximately 7,036 square feet or 0.16 acres+/-	
<b>FLOOD ZONE:</b>	According to the FEMA Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone CAZ with a Base Flood Elevation (BFE) of 13.00 feet, as found on FIRM Panel Number 12017C0188E. (Effective date: January 15, 2021).	
<b>SURROUNDING AREA:</b>	<b>North</b> – Waterfront abutting Kings Bay. <b>South</b> – Across SW 1 <sup>st</sup> Place is three (3) single-family residential homes. <b>East</b> – Abutting is one (1) single-family residential home. <b>West</b> – Abutting Pete’s Pier, an improved commercial use.	
<b>PREPARED BY:</b>	Carly Hanson, Assistant Growth Management Director	

### **BACKGROUND INFORMATION:**

These applications are brought forward by Frye One Petes Pier LLC to amend the land use category and zoning district on a 0.16 acre +/- vacant parcel located on the northeastern side of SW 1<sup>st</sup> Place, immediately to the southeast of Pete’s Pier.

The applicant wishes to redesignate the land use and zoning for the parcel to be consistent with the land use and zoning of Pete’s Pier. No development plan is proposed as part of this request.

### **ANALYSIS:**

The analysis for the proposed Comprehensive Plan amendment provides for the legal status of the comprehensive plan and future land use map, and that the land development regulations and proposed zoning map amendment are consistent with and implement the adopted comprehensive plan.

**Comprehensive Plan – Future Land Use Map Amendment** – The proposed FLUM amendment will change the future land use designation from the MDR, Medium Density Residential category to CW, Waterfront Commercial. The following comparison table is provided:



Comprehensive Plan FLUM Category:	FROM EXISTING MDR	TO PROPOSED CW
<b>Category Description:</b>	<b>MDR, Medium Density Residential:</b> Provides a location for single- and multi-family residential development and customary residential accessory uses incidental to the residential uses on site	<b>CW, Waterfront Commercial:</b> Provides for water dependent businesses and water related uses
<b>Maximum Density:</b>	3.1 to 8 units per acre	None
<b>Maximum Impervious Surface Ratio:</b>	Shall not exceed 55%	Shall not exceed 50% outside the Community Redevelopment Area

Source: Crystal River Comprehensive Plan, Future Land Use Element.

The proposed future land use amendment would result in a decrease in allowable density and impervious surface ratio while increasing the commercial uses allowed, specifically those for water dependent businesses and water related uses.

The proposed Community Development Code (draft form-based code currently under review by the city) recommends that this property should be considered for Suburban Neighborhood Low zoning.

**Zoning Map Amendment** – The proposed zoning map amendment will change the zoning from R-W, Residential Waterfront to CW, Waterfront Commercial. The following comparison table is provided:

Zoning District:	From Existing: R-W	To Proposed: CW
<b>Allowed Use:</b>	<b>R-W, Residential Waterfront:</b> Established for single-family residential uses, associated accessory structures, and essential public services	<b>CW, Waterfront Commercial:</b> Established for water-related business and commercial uses, resort housing units, associated accessory structures, and essential public services
<b>Max Density:</b>	4.0 units per acre	None
<b>Max ISR*:</b>	45% Waterfront; 45% Non-Waterfront	50% Waterfront; None for Non-Waterfront
<b>Max FAR**:</b>	NA	0.5
<b>Max Height:</b>	35 Feet	50 Feet

\*ISR – Impervious Surface Ratio; \*\* FAR – Floor to Area Ratio  
Source: Crystal River Land Development Code (Ord. No. 05-O-08)

The proposed CW Zoning District shall be used to implement the proposed CW FLUM land use category. The proposed zoning districts will decrease the allowable density, increase the allowable impervious lot coverage, restrict the maximum floor area ratio, and increase the maximum developable height.

**INFRASTRUCTURE:**

**Transportation (Ingress/Egress)** – The subject property is located on SW 1<sup>st</sup> Place, a City-maintained 2-lane local road. Future driveway connections will require a right-of-way utilization permit from the City of Crystal River.

**Water** – The City currently has adequate water supply to serve future development. Extension of utility lines constructed within the public roadway will require right-of-way utilization permits from the City of Crystal River.

**Sewer** – The City currently has adequate sewer capacity to serve future development. Extension of utility lines constructed within the public roadway will require right-of-way utilization permits from the City of Crystal River.

**Stormwater Management** – Stormwater management requirements must be approved as established by the Southwest Florida Water Management District (SWFWMD) for any intended commercial project. All stormwater treatment systems shall meet the latest SWFWMD and State standards for water quality and peak discharge. This requires that the rate of post-development runoff conditions shall not exceed pre-development runoff conditions.

**OTHER ITEMS:**

**Environmental Factors** – According to the FEMA FIRM Map, elevation contours occur and vary from 1- to 3-feet above mean sea level (MSL). Development will be required to meet FEMA FIRM BFE as summarized in the introduction table above.

According to the USDA Soil Survey, the soil types found on the subject property are as follows:

- Approximately 41.7% of the site is classified as (37) Matlacha, limestone substratum – urban land complex (parent material: sandy mine spoil or earthy fill), having a drainage class defined as somewhat poorly drains, and having a depth to the water table of about 24 to 36 inches.
- Approximately 58.3% of the site is classified as (99) Water.

Please note that the soil map utilized to identify soil types is not valid for the site-specific level. As a result, a misunderstanding of the detail of mapping and accuracy of soil line placement may be occurring.

The subject property is vacant with little vegetation. A tree survey to determine the presence of protected and/or heritage trees will be required at the time of development permit in accordance with LDC standards.

**Restrictions and Covenants of Aqua Vista Subdivision** – Although restrictions and covenants of local subdivisions generally cannot be enforced by the City, it should be noted that the Restrictions and Covenants of the Aqua Vista Subdivision restrict the use of the property for one residential dwelling unit by stating the following:

*“1. This property shall be owned, occupied and used for residential purposes only, and there shall not be erected any buildings or structure other than a one family private dwelling together with no less than a two car attached garage to be used by the family and guest occupants of said dwellings only; no outbuildings are permitted.”*

**CONSISTENCY WITH THE COMPREHENSIVE PLAN:** The request for FLUM amendment and rezoning must be found consistent with the Goals, Objectives, and Policies of the Crystal River Comprehensive Plan, including the following:

**Future Land Use Element:**

**GOAL 1:** *Ensure coordination and compatibility of existing and future land use patterns with topography, soil conditions, and the timing and availability of public facilities and services.*

**OBJECTIVE 1.1:** *City of Crystal River shall discourage the proliferation of urban sprawl through coordination of future land use with the availability of services as adopted levels of service and with the topography and soil conditions of the area.*

**POLICIES:**

*A) All public facilities and services must meet the level of service (LOS) standards adopted in this plan concurrent with the impacts of development.*

*B) Building permits or development orders will not be issued for new development where public facilities and services are not available at the level of service standards established in this plan.*

*C) Zoning designations and other land development regulations shall direct development to areas where public facilities are available.*

Staff Comment: The proposed amendments are compatible with the existing land use patterns for the area. The subject property is located adjacent to an existing commercial use. Adequate public facilities are currently available to service the subject area.

**GOAL 3:** *Crystal River will promote and maintain the character of community through consistent land use.*

**OBJECTIVE 3.2:** *The Character and quality of existing residential neighborhoods will be maintained or upgraded.*

**POLICIES:**

*A) The City will permit only residential developments, residential accessory uses, and limited specified uses which are compatible with residential uses in residential neighborhoods. Limited specified uses will be allowable only for those uses which meet the supplemental standards of being residential support uses, or uses which are compatible with residential character of the surrounding neighborhoods and otherwise consistent with the Comprehensive Plan. Compatibility shall be determined by intensity of use as well as similarity in scale, bulk, and other aspects of site design.*

*B) Existing residential neighborhoods will be designated for future residential use at a compatible density.*

*C) New residential developments will provide two on-site parking spaces for each unit.*

Staff Comment: The proposed amendment, for Lot 1A of the Aqua Vista subdivision, would prohibit the residential development of this site as the CW Future Land Use does not provide for density. Although “uses which are compatible with residential character of the surrounding neighborhoods” could be permissible, no specific use was provided with this application. As a result, the compatibility of the uses cannot be determined. The intent of this Policy is not met by this proposed amendment.

**SUMMARY OF PUBLIC COMMENTS:** Public comments have not been received as of this writing of the Staff Report.

**FINDINGS:** As conveyed in Subsections (A.) and (B.) of section 8.02.03 of the Crystal River Zoning Ordinance, the Planning Commission shall have the role and responsibility to hear, consider, and make recommendations to the City Council regarding amendment of its adopted Comprehensive Plan, and amendments of the official zoning map (rezoning).

The following findings of fact are presented:

1. The request is a Small-Scale Amendment of the Comprehensive Plan for 0.16 acres +/- parcel to change the future land use designation from MDR, Medium Density Residential category to CW, Waterfront Commercial.

2. The request is to re-zone 0.16 acres +/- on the Official Zoning Map by changing the zoning from R-W, Residential Waterfront to CW, Waterfront Commercial.
3. Adequate City public facilities are currently available to service the subject area.
4. Access to the subject property is supported by one local roadway.
5. The request is found to be inconsistent with Goal 3, Objective 3.2, Policy A and Policy B.
6. All other standards of the Crystal River Land Development Code, or as amended, will be applicable at the time of development order for development.

**STAFF RECOMMENDATION:** Denial of the Small-Scale Comprehensive Plan Amendment and the amendment to the Official Zoning Map as presented herein. The proposed amendment is not consistent with the Crystal River Comprehensive Plan.

**SUPPORTING DIAGRAMS ILLUSTRATIONS & TABLES:**

Please see Staff's PowerPoint presentation.

**PLANNING COMMISSION ACTION:** As conveyed in Subsections (A.) and (B.) of Section 8.02.03 of the Crystal River Zoning Ordinance, the Planning Commission shall recommend to the City Council that the application(s) be approved or denied.

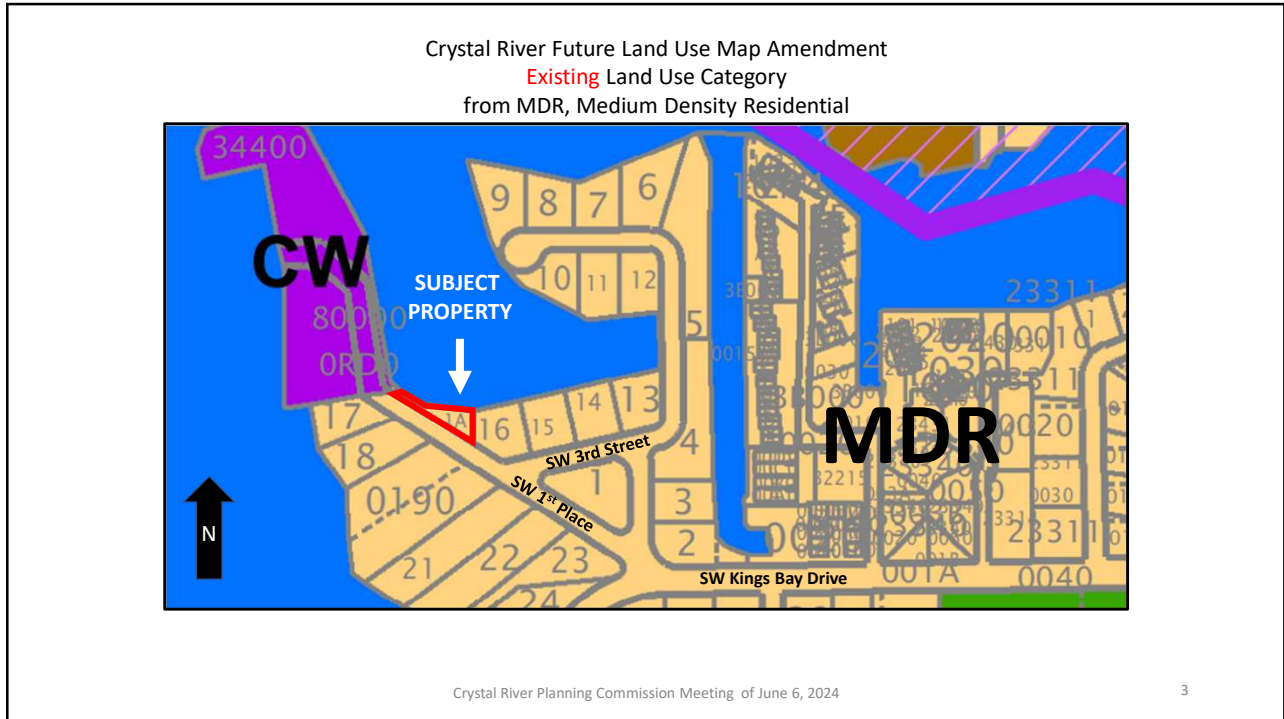
1. PCA24-0002 Future Land Use Map Amendment
2. PZMA24-0002 Zoning Amendment

**ATTACHMENTS:**

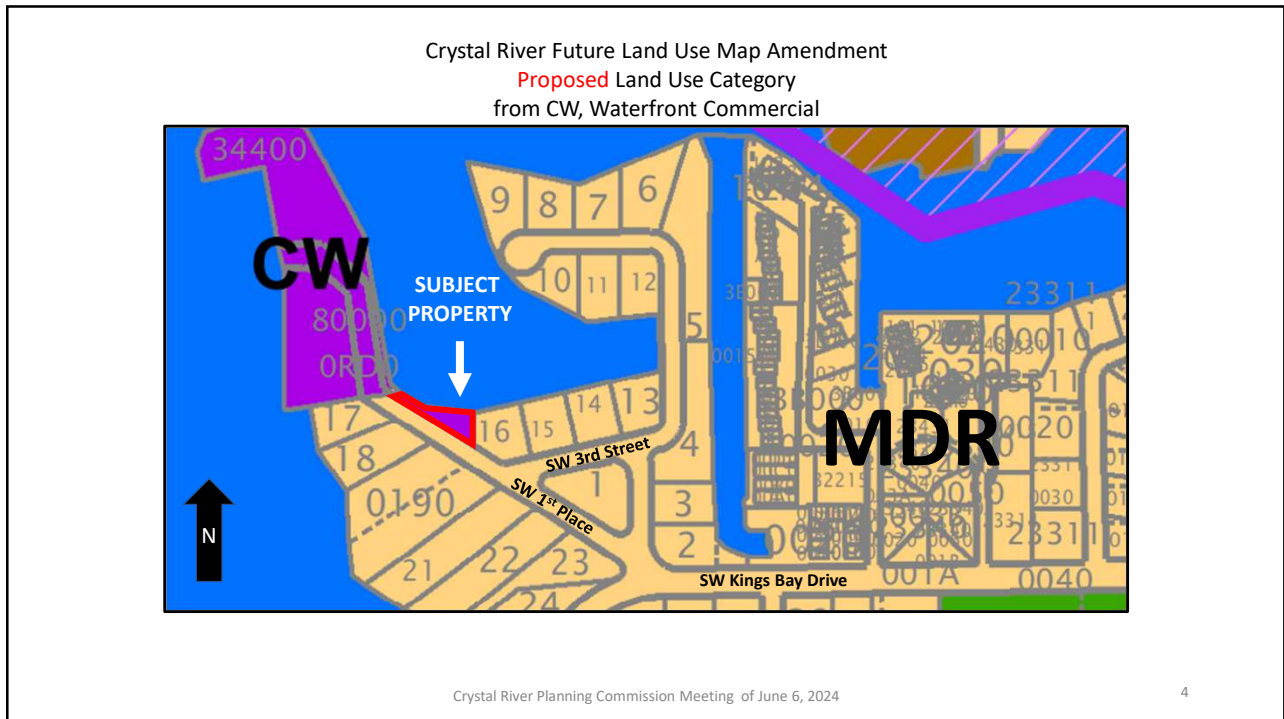
1. Staff PowerPoint Presentation
2. Draft Ordinances
3. Application



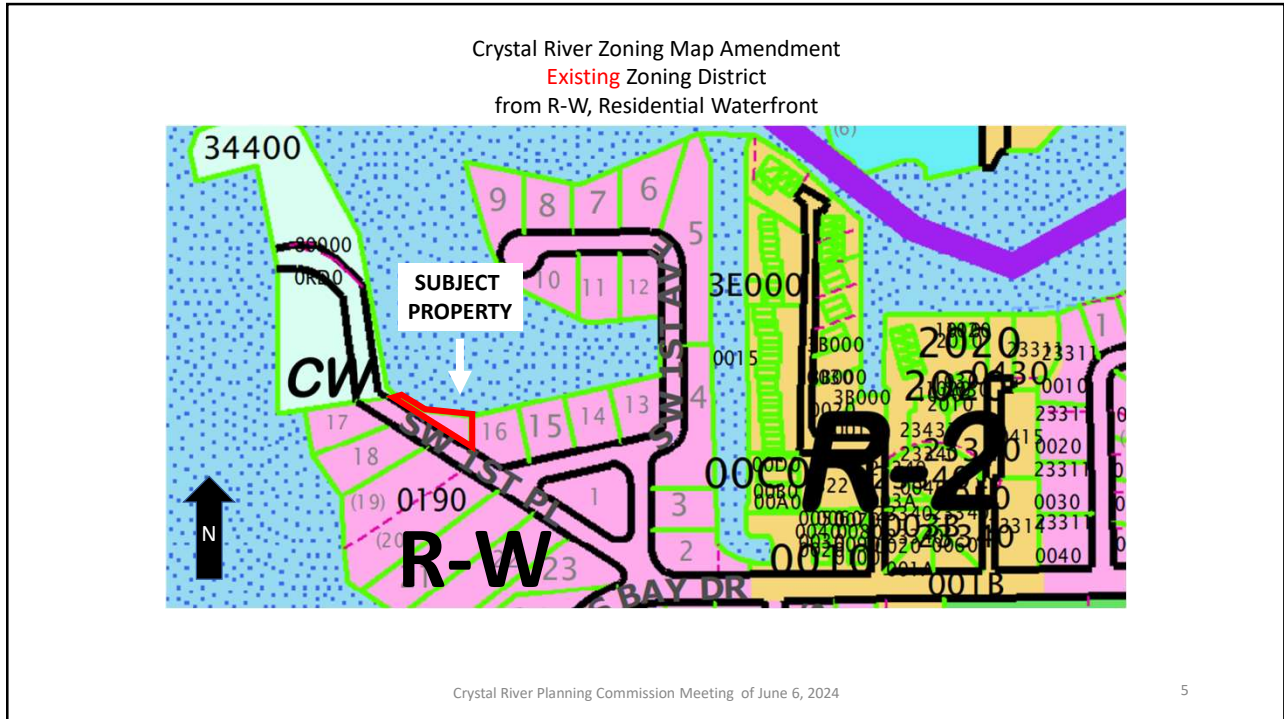




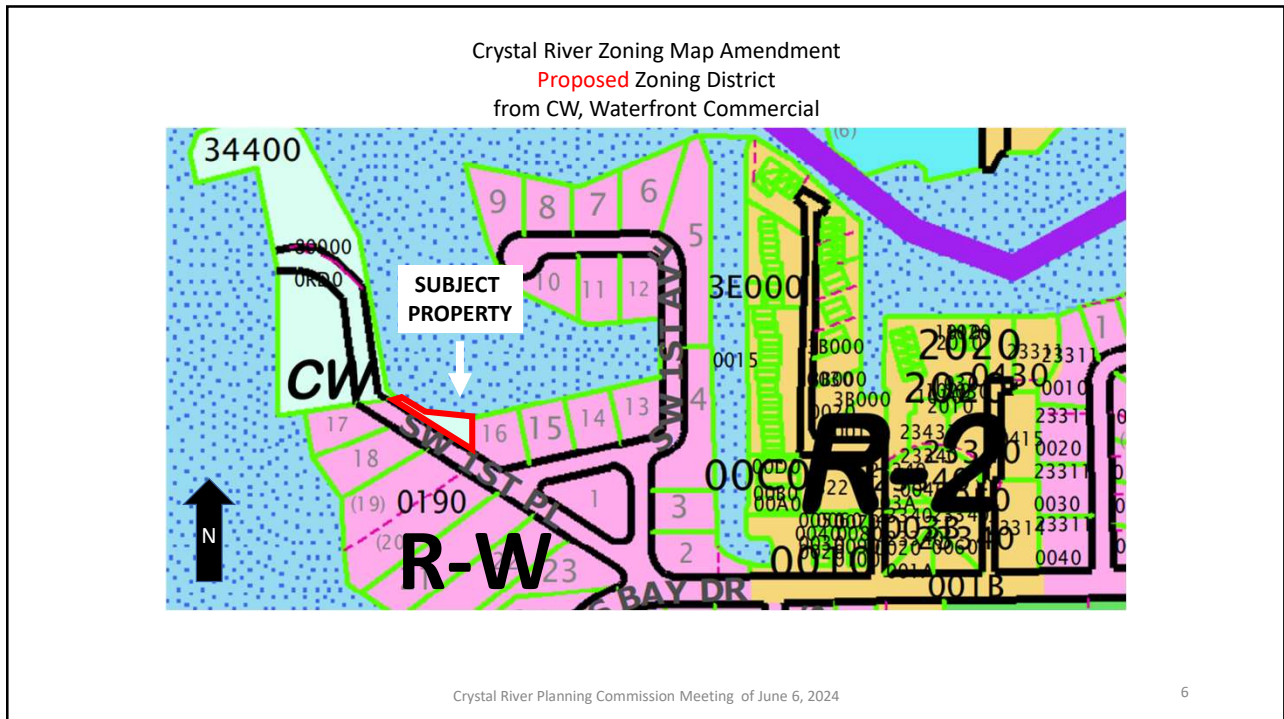
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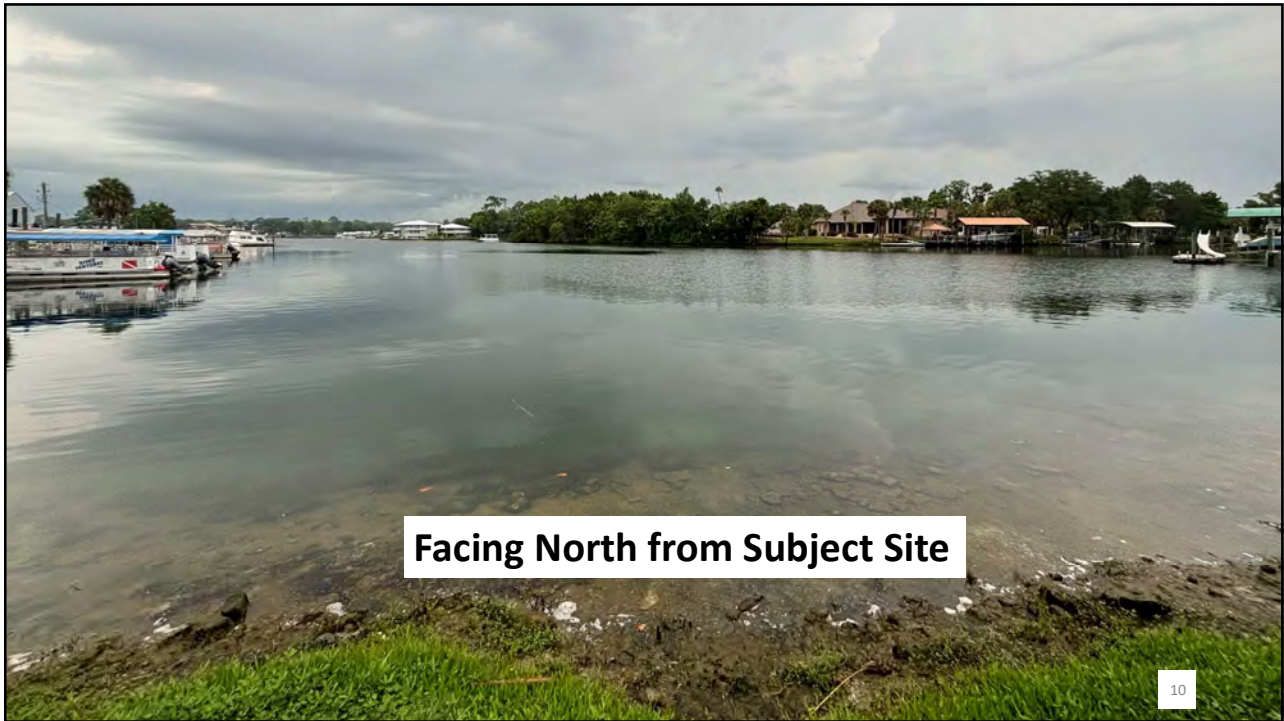




**Subject Property was posted on May 17, 2024**

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**Facing North from Subject Site**

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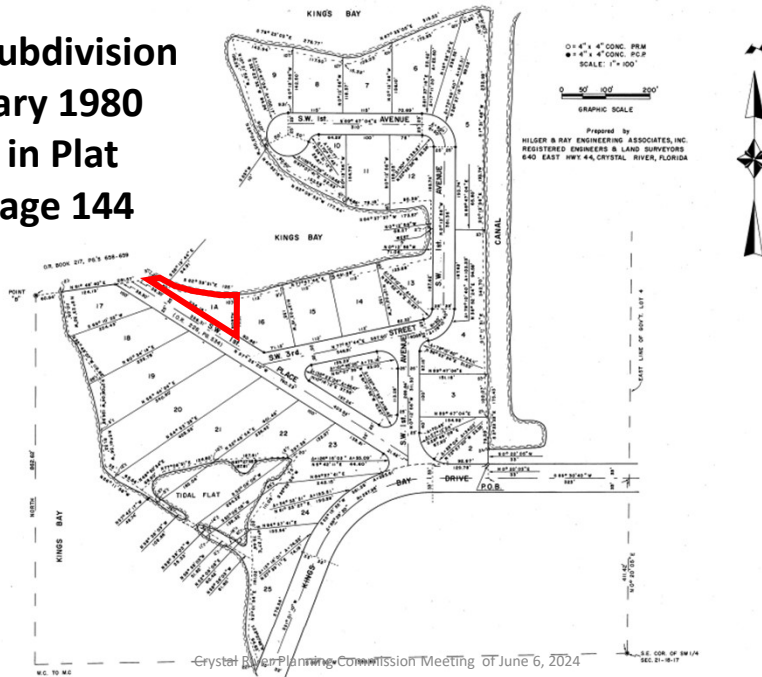


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**Aqua Vista Subdivision  
Filed January 1980  
Recorded in Plat  
Book 11 Page 144**



Crystal River Planning Commission Meeting of June 6, 2024

**Aqua Vista Subdivision  
Restrictions and Covenants**

**RESTRICTIONS AND COVENANTS  
OF  
AQUA VISTA SUBDIVISION**

KNOW ALL MEN BY THESE PRESENTS, that A. R. L. & W., Inc., a Florida Corporation, Fred Abbott, President, the fee owner of Aqua Vista Subdivision as per plat thereof recorded in Plat Book 11 Page 144, Public Records of Citrus County, Florida, does hereby impose the following restrictions and covenants which are to be regarded as running with the land and binding on all parties and all persons claiming interest or ownership and from this date to be faithfully abided by, kept and performed:

1. This property shall be owned, occupied and used for residential purposes only, and there shall not be erected any buildings or structure other than a one family private dwelling together with no less than a two car attached garage to be used by the family and guest occupants of said dwelling only; no outbuildings are permitted.

Crystal River Planning Commission Meeting of June 6, 2024





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**OBJECTIVE 3.2:** The Character and quality of existing residential neighborhoods will be maintained or upgraded.

**POLICIES:**

- A) The City will permit only residential developments, residential accessory uses, and limited specified uses which are compatible with residential uses in residential neighborhoods. Limited specified uses will be allowable only for those uses which meet the supplemental standards of being residential support uses; or uses which are compatible with residential character of the surrounding neighborhoods and otherwise consistent with the Comprehensive Plan. Compatibility shall be determined by intensity of use as well as similarity in scale, bulk, and other aspects of site design.
- B) Existing residential neighborhoods will be designated for future residential use at a compatible density.
- C) New residential developments will provide two on-site parking spaces for each unit.



**QUESTIONS?**

PCA24-0002 Future Land Use Amendment  
PZMA24-0002 Zoning Map Amendment  
Frye One Petes Pete LLC

Crystal River Planning Commission Meeting of June 6, 2024

## ORDINANCE NO. 24-O-06

**AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, PROVIDING FOR A SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN BY RECLASSIFYING PROPERTY (0.16 ACRES MOL) LYING IN SECTION 21, TOWNSHIP 18 SOUTH, RANGE 17 EAST, SPECIFICALLY, LOT 1A, AQUA VISTA, PLAT BOOK 11, PAGE 144 OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA (ALTKEY 1996970); AS IDENTIFIED IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, AND OWNED BY FRYE ONE PETES PIER LLC, FROM MDR, MEDIUM DENSITY RESIDENTIAL TO CW, WATERFRONT COMMERCIAL LAND USE CATEGORY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS** the City Council of the City of Crystal River, Florida recognizes the need to plan for orderly growth and development; and

**WHEREAS** the City Council of the City of Crystal River, Florida adopted the Crystal River Comprehensive Plan, Ordinance No. 11-O-06 on September 12, 2011, and subsequent amendments, and

**WHEREAS** a small-scale amendment may be adopted only under the conditions set forth in Chapter 163, Florida Statutes, and other provisions of State and local law; and

**WHEREAS** the proposed small-scale amendment was advertised as required by the Florida Statutes and the Crystal River Land Development Code; and

**WHEREAS** in accordance with the law, the proposed amendment was required to be reviewed by the City's Local Planning Agency at a duly advertised meeting, scheduled on June 6, 2024, and the Local Planning Agency has determined such application to be consistent with the Comprehensive Plan and appropriate to the future land uses within the City; and

**WHEREAS** the City of Crystal River has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

**WHEREAS** the City Council of the City of Crystal River, Florida, has determined that adoption of this Ordinance is in the best interests of the health, safety, and welfare of the citizens of Crystal River.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA THAT THE CITY'S COMPREHENSIVE PLAN IS AMENDED AS FOLLOWS:**

### **SECTION 1. PURPOSE**

The purpose of this Ordinance is to allow a small-scale amendment to the Future Land Use Map of the Comprehensive Plan of the City of Crystal River, Florida, for 0.16 acres (MOL) owned by Frye One Petes Pier LLC by redesignating the Future Land Use from MDR, Medium Density Residential to CW, Waterfront Commercial, for the reasons set forth in the above "WHEREAS" clauses, which are incorporated herein, in haec verba.



## **SECTION 2. AUTHORITY**

The City of Crystal River City Council is authorized to amend the Crystal River Comprehensive Plan pursuant to Article III of the City Charter of the City of Crystal River and Part II, Code of Ordinances, Chapter 1, General Provisions, of the Code of Ordinances of the City of Crystal River, and as otherwise authorized by applicable Florida Statutes.

The City Council of the City of Crystal River, Florida, hereby adopts and incorporates into this Ordinance the memorandum and application packet relating to the proposed amendments to the Future Land Use Map of the City of Crystal River, as if fully restated herein, in their entirety.

## **SECTION 3. FUTURE LAND USE MAP AMENDED**

### APPLICATION NO. PCA24-0002 FRYE ONE PETES PIER LLC

The Future Land Use Map of the Comprehensive Plan of the City of Crystal River is hereby amended to change the future land use designations as follows.

- a) That the property legally described as shown in **EXHIBIT “A”** attached hereto and incorporated herein by reference, for 0.16 acres, is amended to CW, Waterfront Commercial

## **SECTION 4. REPEAL OF CONFLICTING ORDINANCES**

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

## **SECTION 5. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS**

It is the intention of the City Council of the City of Crystal River, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Crystal River Comprehensive Plan of the City of Crystal River, Florida. The actual text of the Sections to this Ordinance need not be codified. The Code codifier of the City is given broad and liberal authority to appropriately codify the Exhibits into the provisions of the City of Crystal River Comprehensive Plan in a format that can be readily published and distributed in a useable and manageable format. The City Manager, in conjunction with the City Clerk and the City Attorney, are hereby granted the authority to take any and all necessary and appropriate actions to accomplish the provisions of this Section. The Exhibits to this Ordinance are hereby incorporated herein by the references thereto as if fully set forth herein verbatim.

## **SECTION 6. SEVERABILITY**

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.



**SECTION 7. EFFECTIVE DATE**

This Ordinance shall become effective thirty-one (31) days after adoption if no challenge is filed. If this Ordinance is challenged within thirty (30) days after adoption, small scale development amendments do not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a final order determining that the adopted small-scale development amendment is in compliance with the law.

No development orders, development permits, or land uses dependent on the Comprehensive Plan amendments set forth in this Ordinance may be issued or commence before it has become effective.

**APPROVED** after due public notice and public hearing on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**ATTEST:**

**CITY OF CRYSTAL RIVER**

\_\_\_\_\_  
**MIA FINK, CITY CLERK**

\_\_\_\_\_  
**JOE MEEK, MAYOR**

Approved as to form for the  
Reliance of the City of Crystal River  
only:

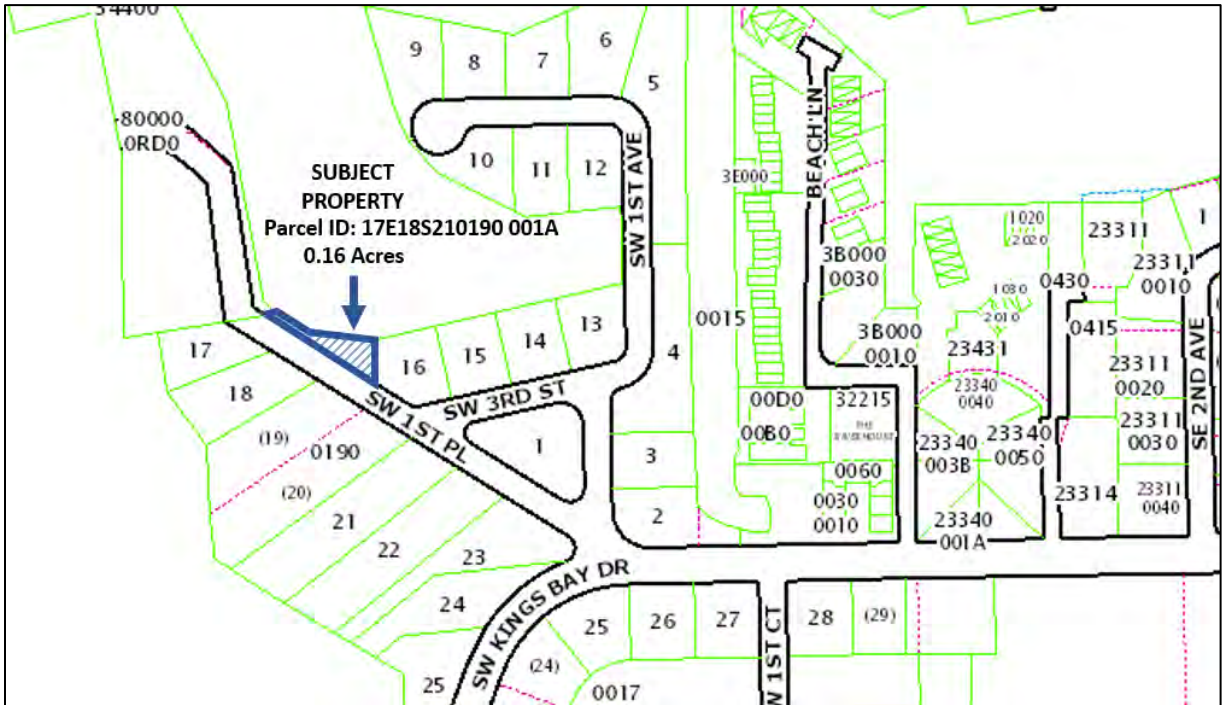
**VOTE OF COUNCIL:**

Joe Meek \_\_\_\_\_  
Ken Brown \_\_\_\_\_  
Cindi Frink \_\_\_\_\_  
Ken Frink \_\_\_\_\_  
Robert Holmes \_\_\_\_\_

\_\_\_\_\_  
Robert W. Batsel, Jr., City Attorney

EXHIBIT "A"

AQUA VISTA LOT 1A PB 11 PG 144



## **ORDINANCE 24-O-07**

**AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CRYSTAL RIVER, FLORIDA BY REZONING PROPERTY (0.16 ACRES MOL) LYING IN SECTION 21, TOWNSHIP 18 SOUTH, RANGE 17 EAST, SPECIFICALLY, LOT 1A, AQUA VISTA, PLAT BOOK 11, PAGE 144 OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA (ALTKEY 1996970); AS IDENTIFIED IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, AND OWNED BY FRYE ONE PETES PIER LLC, FROM R-W, RESIDENTIAL WATERFRONT TO CW, WATERFRONT COMMERCIAL ZONING DISTRICT PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on May 17, 2005, the City Council of the City of Crystal River, Florida, adopted the Crystal River Zoning Ordinance No. 05-O-08, and subsequent amendments, and

**WHEREAS**, certain rezonings are necessary to maintain consistency with the Crystal River Comprehensive Plan; and

**WHEREAS**, the proposed rezoning was advertised as required by the Florida Statutes, and the City of Crystal River Land Development Code; and

**WHEREAS**, the City of Crystal River Planning Commission on June 6, 2024, voted \_\_\_-\_\_\_ to recommend to the City Council that the request to amend the official zoning map be \_\_\_\_\_; and

**WHEREAS**, the City Council of the City of Crystal River, Florida, after publication of a notice of its consideration of this ordinance, held two readings of this ordinance and public hearings as required by law; and

**WHEREAS**, the City Council of the City of Crystal River, Florida, has determined that the requested change of zoning is consistent with the City of Crystal River Comprehensive Plan and Future Land Use Map, and

**WHEREAS**, the City Council of the City of Crystal River, Florida has further determined that approval of the requested zoning change is in the best interests of the health, safety, and welfare of the citizens of Crystal River, Florida.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA, AS FOLLOWS:**

### **SECTION 1. PURPOSE.**

The purpose of this Ordinance is to amend the official zoning map of the City of Crystal River, Florida, by rezoning 0.16 acres (MOL) owned by Frye One Petes Pier LLC by redesignating the zoning from R-W, Residential Waterfront to CW, Waterfront Commercial for the reasons set forth in the above "WHEREAS" clauses, which are incorporated herein, in haec verba.

## **SECTION 2. AUTHORITY**

The City of Crystal River City Council is authorized to amend the Crystal River Code of Ordinances pursuant to Article III of the City Charter of the City of Crystal River and Part II, Code of Ordinances, Chapter 1, General Provisions of the Code of Ordinances of the City of Crystal River, and as otherwise authorized by applicable Florida Statutes.

## **SECTION 3. ZONING MAP AMENDMENT**

### APPLICATION NO. PZMA24-0002 FRYE ONE PETES PIER LLC

The official zoning map of the City of Crystal River is hereby amended to change the zoning designations as follows:

- a. That the property legally described as shown in **EXHIBIT “A”** attached hereto and incorporated herein by reference, for 0.16 acres, is amended to CW, Waterfront Commercial

## **SECTION 4. REPEAL OF CONFLICTING ORDINANCES**

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

## **SECTION 5. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS**

It is the intention of the City Council of the City of Crystal River, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Crystal River, Florida, Official Zoning Map. The actual text of the Sections to this Ordinance need not be codified. The Code codifier of the City of Crystal River, Florida, is given broad and liberal authority to appropriately codify the Exhibits into the provisions of the City of Crystal River Official Zoning Map in a format that can be readily published and distributed in a useable and manageable format. The City Manager, in conjunction with the City Clerk and the City Attorney, are hereby granted the authority to take any and all necessary and appropriate actions to accomplish the provisions of this Section. The Exhibits to this Ordinance are hereby incorporated herein by the references thereto as if fully set forth herein verbatim.

## **SECTION 6. SEVERABILITY**

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

## **SECTION 7. EFFECTIVE DATE**

This Ordinance shall become effective immediately upon adoption by the Crystal River City Council.

**THIS ORDINANCE** was introduced and placed on first reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**THIS ORDINANCE** was introduced and placed on a second reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, and upon motion duly made and seconded was passed on second reading.

**ATTEST:**

**CITY OF CRYSTAL RIVER**

\_\_\_\_\_  
**MIA FINK, CITY CLERK**

\_\_\_\_\_  
**JOE MEEK, MAYOR**

Approved as to form for the  
Reliance of the City of Crystal River  
only:

VOTE OF COUNCIL:

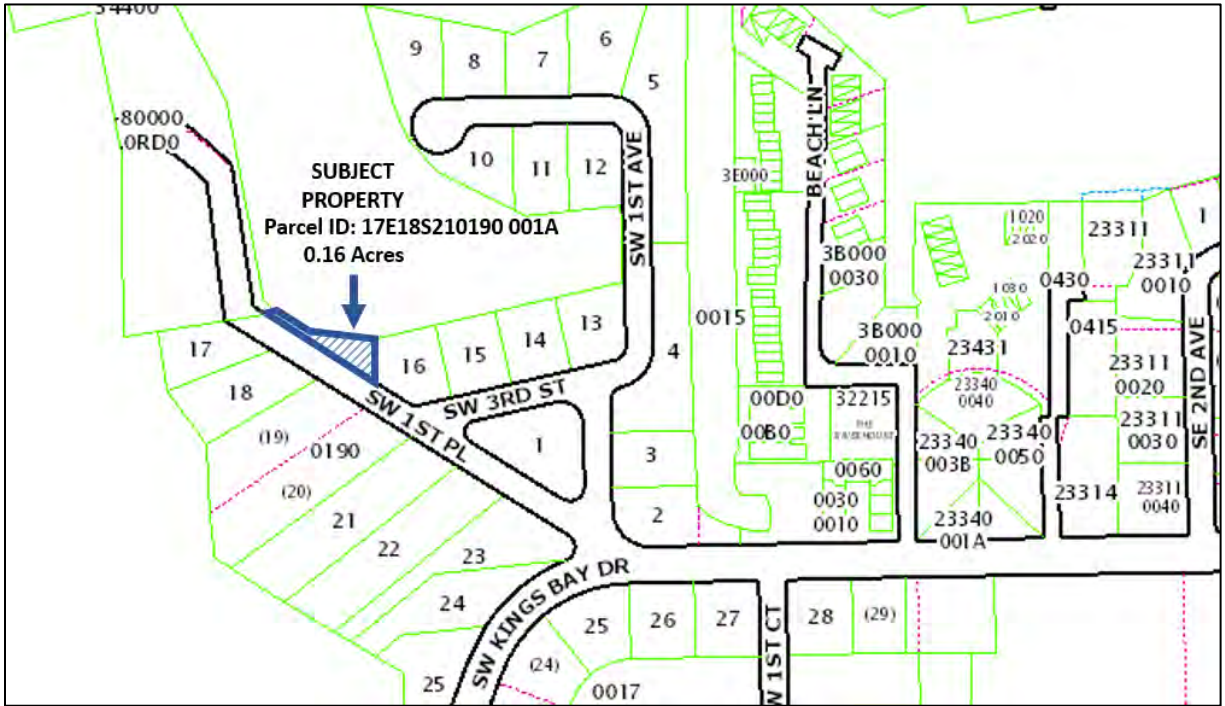
\_\_\_\_\_  
Robert W. Batsel, Jr., City Attorney

Joe Meek \_\_\_\_\_  
Ken Brown \_\_\_\_\_  
Cindi Frink \_\_\_\_\_  
Ken Frink \_\_\_\_\_  
Robert Holmes \_\_\_\_\_

DRAFT

EXHIBIT "A"

AQUA VISTA LOT 1A PB 11 PG 144





\$500.00

PCA24-0002



# City of Crystal River

Department of Planning & Community Development  
123 Northwest Highway 19  
Crystal River, FL 34432  
Telephone: (352) 795-4216  
Facsimile: (352) 795-6351  
development@crystalriverfl.org

## APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

**Fee: Small Scale - \$500 for 50 ac or fewer      Large Scale - \$1,000 for > 50 ac  
TO BE PAID AT TIME OF APPLICATION**

Check One: Small Scale  # Acres 1.6      AltKey: 1996970  
Large Scale  # Acres \_\_\_\_\_      Parcel #: 17E185210190001A

Name of Petitioner(s): Frye One Petes Pier LLC

Address of Petitioner(s): 1 SW 1st Pl  
CRYR



City CRYSTAL RIVER State FL Zip Code 34429

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Cell # \_\_\_\_\_

Email Address: \_\_\_\_\_

Legal Description attached: Yes  No \_\_\_\_\_ Survey attached: Yes \_\_\_\_\_ No

Street address of property (if applicable): \_\_\_\_\_

Existing Land Use: MDR Proposed Land Use: CW

Reason for Request: To match the balance of the zoning for Petes Pier

The following items are required (applications will not be processed if these items do not accompany the application):

- Deed or Proof of Ownership
- Notarized signature of the current property owner(s) and the Agent's signature, if applicable.
- Survey or aerial of property from Property Appraiser website, printed on paper that is no less than 11" x 17". (Provide a complete legal description of area under consideration.)
- Paid application fee

I BOB BRACCIO, being first duly sworn, affirm and say that I am the:

(check one)

X owner, or

\_\_\_\_\_ the legal representative authorized to speak on behalf of the subject matter, of the property described in this application.

[Signature]

Signature

1 S.W. 1st Place

Address

Phone Number

Crystal River, FL 34429  
City, State, Zip Code

State of FLORIDA

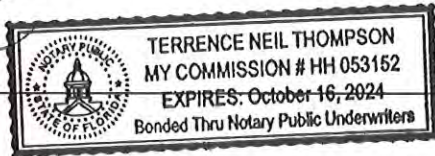
County of CITRAS

The foregoing instrument was acknowledged before me this 23rd day of April, 2024, by BOB BRACCIO, who is personally known to me or has produced \_\_\_\_\_ as identification and who did/did not take an oath.

[Signature]  
Notary Public

Commission No.:

Commission Expires:





\$500.00

PZM24-0002



REZONING APPLICATION

Department of Planning & Community Development
123 Northwest Highway 19
Crystal River, FL 34432
Telephone: (352) 795-4216
Facsimile: (352) 795-6351
development@crystalriverfl.org

Applicant Information:

Name: FRY ONE PATES PIER LLC

Address: 1 SW 1ST PLACE

Phone #: 727-238-9157 Fax #: Cell #:

Email Address:



Property Description:

Parcel Account #: 17E18S210190001A Alt. Key #: 1996970

Street Address (or street & avenue location):

Legal Description: AQUA VISTA LOT 1A PB11 Pg 144

(or attachment)

Property Acreage: .16 Sq. ft.: 7036

Present F.L.U.M. Designation: MDR

Present Zoning Designation: RW

Requested Zoning Designation: CW

Reason for the Request: TO BRING ZONING TO MATCH THE BALANCE OF PATES PIER

Explain Consistency with the Future Land Use Plan: PROPERTY CURRENTLY NOT BE USED FOR MDR BECAUSE OF SIZE

Additional Contact Information (other than Owner or Agent)

Name:

Address:

Phone #: Fax #: Cell #:

Email Address:

Fee: \$500 - To be paid at time of application [checkmark]

①

*Consideration \$ 3,200,000.00*

Prepared by & Return to:  
Gary N Strohauser, Esquire  
STROHAUSER & MANNION, P.A  
1150 Cleveland Street, Suite 300  
Clearwater, FL 33755  
File # 17-5082

PARCEL I D. NO: 17E18S21 32440; 17E18S210190 0010 and 17E18S210190 001A

**WARRANTY DEED**

THIS WARRANTY DEED, made this 31 day of May, 2018, by and between PETE'S PIER, INC, a Florida corporation, whose address is 1 SW 1<sup>st</sup> Place, Crystal River, FL 34429, ("Grantor") and FRYE ONE PETE'S PIER LLC., a Florida limited liability company, whose address is 8701 Bay Pines Blvd, St Petersburg, FL 33709, ("Grantee")

**W I T N E S S E T H:**

WITNESSETH, that Grantor, for and in consideration of the sum of Ten and 00/100 Dollars, and other valuable considerations, lawful money of the United States of America, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed to Grantee, its successors and assigns forever, all of the following described land in Citrus County, Florida ("Property"):

Parcel 1

Situate and being in Section 21, Township 18 South, Range 17 East, Citrus County, Florida and being further described as follows:

Beginning at Point "B" of the Government survey for Island # 5 in said Section 21, Township 18 South, Range 17 East, dated February 1929; thence from said beginning point, North 0°19'20" West along the bulkhead line accepted by the City Council of Crystal River, Florida, December 2, 1968, a distance of 370.23 feet; thence North 12°28'20" West 224.58 feet; thence South 78°41'37" West 131.34 feet; thence North 13°58'10" West 94.0 feet; thence North 22°30'40" East 26.95 feet; thence North 66°45'30" East 59.80 feet; thence North 72°00'50" East 61.57 feet; thence South 87°39'40" East 53.42 feet; thence South 76°42'40" East 39.28 feet; thence South 61°44'10" East 42.58 feet; thence South 28°50'40" East 289.03 feet; thence South 8°56'40" East 75.31 feet; thence South 6°06'50" East 82.61 feet; thence South 6°58'10" East 201.25 feet; thence South 47°37'44" East 64.75 feet; thence South 81°49'40" West 285.75 feet to the aforementioned beginning point.

TOGETHER WITH:

Beginning at a point North 1382.36 feet and West 1265.36 feet from the Southeast Corner of the SW 1/4 of said Section 21, the bearing of the East boundary of said SW 1/4 being North 0° 37' 53" East; thence South 75° 01' 15" West, 143.31 feet; thence North 65° 28' 30" West, 102.70 feet; thence North 21° 44' 27" West, 150.00 feet; thence South 48° 47' 30" East, 279.63 feet to the point of beginning, Citrus County, Florida.

LESS

Situate and being in Section 21, Township 18 South, Range 17 East, Citrus County, Florida, and being the center line of a roadway 50.0 feet wide, with the right of way line being perpendicular to and 25.0 feet from the aforesaid center line and being further described as follows:

Beginning at the Northern terminus of a roadway Center line as described in Official Record Book 226, Page 534, public records of Citrus County, Florida, thence along a line that is the center line of said roadway produced North 57°25'20" West, as described in said Official Record Book 226, Page 534, a distance of 9.84 feet; thence North 8°33'20" West, 254.57 feet; thence North 44°43'18" West, 36.96 feet; thence North 51°15'20" West 51.25 feet; thence North 62°47'23" West 34.12 feet; thence North 77°05'17" West, 35.75 feet; thence South 84°45'40" West, 37.01 feet M.O.L. to the waters edge of Crystal River and the terminus of said center line.

AND LESS

Situate and being in Section 21, Township 18 South, Range 17 East, Citrus County, Florida and being further described as follows:

Beginning at a point by measuring from the SE corner of the SW 1/4 of said Section 21, Township 18 South, Range 17 East, South 88°50' West 1366.86 feet to the Witness corner of the meander of the Government survey of January 1928; thence North 862.62 feet to point "B" of said Government survey; thence North 0°19'20" West 370.23 feet; thence North 12°28'20" West, 23.0 feet to the above mentioned beginning point; thence North 73°47' East 57.79 feet; thence South 74°36'10" East, 33.48 feet; thence South 52°49'25" East 46.80 feet; thence South 44°43'20" East, 53.45 feet to the Northeasterly right of way line of a roadway described in Official Record Book 230, Page 298, Public Records of Citrus County, Florida; thence along said roadway right of way line North 51°15'20" West, 55.20 feet; thence North 62°47'20" West, 40.18 feet; thence North 77°05'20" West 43.08 feet; thence South 84°45'40" West 38.85 feet; M.O.L. to the aforementioned beginning point.

Parcel 2

Lots 1 and 1A, AQUA VISTA, according to the plat thereof, recorded in Plat Book 11, Page 144, Public Records of Citrus County, Florida.

AND TOGETHER WITH:

All rights of Pete's Pier, Inc as Lessee under that certain Sovereignty Submerged Lands Lease recorded in Official Records Book 2424, Page 277, Public Records of Citrus County, Florida, which submerged lands are more fully described on Exhibit "A" attached hereto.

SUBJECT to easements, covenants and restrictions of record

SUBJECT to taxes for the 2018 and subsequent years.

AND the Grantor hereby fully warrants the title to said land, and will defend the same against the lawful claims of all persons whomsoever

IN WITNESS WHEREOF, the said Grantor has executed and delivered this deed the day and year first above written.

Signed, Sealed and Delivered  
In the Presence Of:

PETE'S PIER, INC.  
a Florida corporation

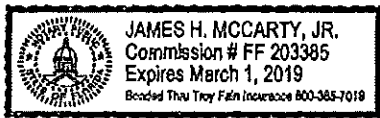
Sign name: [Signature]  
Print name: JAMES H. MCCARTY, JR.

By: [Signature]  
JUDITH CLARK, its President

Sign name: [Signature]  
Print name: Stacy Beck

STATE OF FLORIDA  
COUNTY OF BRACHUA

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of May, 2018, by JUDITH CLARK, as President of PETE'S PIER, INC., on behalf of the corporation, who is personally known to me or who has produced FLORIDA DRIVER'S LICENSE as identification.



[Signature]  
Notary Public, State of Florida



EXHIBIT "A"

SUBMERGED LANDS LEASE "A"

COMMENCE at the Southeast corner of the Southwest 1/4 of Section 21, Township 18 South, Range 17 East, Citrus County, Florida; THENCE S.88°50'00"W. along the South line of the Southwest 1/4 of said Section 21 a distance of 1,366.86 feet to the witness corner of the meander corner of the Government survey of January, 1928; THENCE N.00°00'00"E. a distance of 862.62 feet to the Point "B" as shown on the Government Survey for Government Island Number 5 in said Section 21, dated: February, 1929, said point also being the Southwest corner of Lands described in Official Records Book 738, Pages 2111 and 2112 of the Public Records of Citrus County, Florida; THENCE N.81°49'40"E. along the South line of said Lands a distance of 45.30 feet; THENCE S.78°01'07"W. a distance of 154.95 feet to the POINT OF BEGINNING; THENCE continue S.78°01'07"W. a distance of 100.00 feet; THENCE S.11°58'53"E. a distance of 16.00 feet; THENCE N.73°50'24"E. a distance of 100.27 feet; THENCE N.11°58'53"W. a distance of 8.69 feet to the POINT OF BEGINNING.

SUBMERGED LANDS LEASE "B"

COMMENCE at the Southeast corner of the Southwest 1/4 of Section 21, Township 18 South, Range 17 East, Citrus County, Florida; THENCE S.88°50'00"W. along the South line of the Southwest 1/4 of said Section 21 a distance of 1,366.86 feet to the witness corner of the meander corner of the Government survey of January, 1928; THENCE N.00°00'00"E. a distance of 862.62 feet to the Point "B" as shown on the Government Survey for Government Island Number 5 in said Section 21, dated: February, 1929, said point also being the Southwest corner of Lands described in Official Records Book 738, Pages 2111 and 2112 of the Public Records of Citrus County, Florida; THENCE N.00°19'20"W. along the West line of said Lands a distance of 370.23 feet THENCE N.12°28'20"W. a distance of 72.44 feet to the POINT OF BEGINNING; THENCE continue N.12°28'20"W. along the boundary of said Lands a distance of 44.74 feet to a point being on the Easterly boundary line of Lands described in Official Records Book 83, Page 328 of the Public Records of Citrus County, Florida; THENCE S.74°45'54"W. along said Easterly boundary line a distance of 0.39 feet; THENCE N.65°43'51"W. along the Southeasterly boundary line of said Lands a distance of 41.61 feet; THENCE the following courses and distances lying within the waters of Kings Bay: S.12°11'55"E., 10.09 feet; THENCE S.78°09'55"W., 52.71 feet; THENCE N.11°51.28"W., 20.18 feet; THENCE S.78°26'13"W., 73.47 feet; THENCE S.12°35'02"E., 143.44 feet; THENCE N.76°05'07"E., 54.66 feet; THENCE N.14°11'00"W., 61.44 feet; THENCE N.77°57'04"E., 106.65 feet to the POINT OF BEGINNING.

SUBMERGED LANDS LEASE "C"

COMMENCE at the Southeast corner of the Southwest 1/4 of Section 21, Township 18 South, Range 17 East, Citrus County, Florida; THENCE S.88°50'00"W. along the South line of the Southwest 1/4 of said Section 21 a distance of 1,366.86 feet to the witness corner of the meander corner of the Government survey of January, 1928; THENCE N.00°00'00"E. a distance of 862.62 feet to the Point "B" as shown on the Government Survey for Government Island Number 5 in said Section 21, dated: February, 1929, said point also being the Southwest corner of Lands described in Official Records Book 738, Pages 2111 and 2112 of the Public Records of Citrus County, Florida; THENCE N.00°19'20"W. along the West line of said Lands a distance of 370.23 feet; THENCE N.12°28'20"W. a distance of 72.44; THENCE continue N.12°28'20"W. along the boundary of said Lands a distance of 44.74 feet to a point being on the Easterly boundary line of Lands described in Official Records Book 83, Page 328 of the Public Records of Citrus County, Florida; THENCE S.74°45'54"W. along said Easterly boundary line a distance of 0.39 feet; THENCE N.65°43'51"W. along the Southeasterly boundary line of said Lands a distance of 41.61 feet; THENCE continue N.65°43'51"W. a distance of 61.09 feet; THENCE N.21°59'48"W. along the Southerly boundary line of said Lands a distance of 25.44 feet to the POINT OF BEGINNING; THENCE continue N.21°59'48"W. a distance of 23.06 feet to a point being on the boundary of aforesaid Lands described in Official Records Book 738, Pages 2111 and 2112; THENCE the following courses and distances along the boundary of said Lands: S.78°41'37"W. - 40.61 feet; THENCE N.13°58'10"W. - 94.00 feet; THENCE N.22°30'40"E. - 26.95 feet; THENCE N.66°45'30"E. - 59.80 feet; THENCE N.72°00'50"E. - 61.57 feet;

THENCE S.87°39'40"E. - 53.42 feet; THENCE S.76°42'40"E. - 39.28 feet; THENCE leaving the boundary of said Lands the following courses and distances lying within the waters of Kings Bay: N.12°03'04"W. - 33.56 feet; THENCE S.78°09'23"W. - 240.28 feet; THENCE S.10°57'13"E. - 161.07 feet; THENCE N.78°29'49"E. - 68.66 feet to the POINT OF BEGINNING.

**SUBMERGED LANDS LEASE "D"**

COMMENCE at the Southeast corner of the Southwest 1/4 of Section 21, Township 18 South, Range 17 East, Citrus County, Florida; THENCE S.88°50'00"W. along the South line of the Southwest 1/4 of said Section 21 a distance of 1,366.86 feet to the witness corner of the meander corner of the Government survey of January, 1928; THENCE N.00°00'00"E. a distance of 862.62 feet to the Point "B" as shown on the Government Survey for Government Island Number 5 in said Section 21, dated: February, 1929, said point also being the Southwest corner of Lands described in Official Records Book 738, Pages 2111 and 2112 of the Public Records of Citrus County, Florida; THENCE the following courses and distances along the boundary of said Lands: N.00°19'20"W., 370.23 feet; THENCE N.12°28'20"W., 224.58 feet; THENCE S.78°41'37"W., 131.34 feet; THENCE N.13°58'10"W., 94.00 feet; THENCE N.22°30'40"E., 26.95 feet; THENCE N.66°45'30"E., 59.80 feet; THENCE N.72°00'50"E., 61.57 feet; THENCE S.87°39'40"E., 53.42 feet; THENCE S.76°42'40"E., 39.28 feet; THENCE S.61°44'10"E. a distance of 30.94 feet to the POINT OF BEGINNING; THENCE continue S.61°44'10"E., 11.64 feet; THENCE S.28°50'40"E., 289.03 feet; THENCE S.08°56'40"E., 75.31 feet; THENCE S.06°06'50"E., 82.61 feet; THENCE S.06°58'10"E., 179.04 feet; THENCE leaving the boundary of said Lands the following courses and distances lying within the waters of Kings Bay: N.83°01'50"E., 40.19 feet; THENCE N.09°15'58"W., 315.13 feet; THENCE N.61°05'12"E., 31.82 feet; THENCE N.29°17'49"W., 328.81 feet; THENCE S.62°24'39"W., 54.19 feet to the POINT OF BEGINNING.

**SUBMERGED LANDS LEASE "E"**

Commence at the SE corner of the SW 1/4 of Section 21, Township 18 South, Range 17 East, thence S 88°50' W along the South line of said Section 21 a distance of 1366.86 feet to the witness corner to the meander corner of the Government Survey of January, 1928, thence North 862.62 feet to the Point "B" as shown on the Government Survey for Government Island No. 5 in said Section 21, Township 18 South, Range 17 East, dated February, 1929, said point also being the SW corner of lands described in Deed Recorded in Official Record Book 738, Page 2111 and 2112, Public Records of Citrus County, Florida, thence N 0°19'20" W along the West line of said lands 3.56 feet to the Point of Beginning, thence N 78°01'07" E 44.48 feet, thence S 11°58'53" E 6.5 feet, thence S 78°01'07" W 254.95 feet, thence N 11°58'53" W 71.45 feet, thence N 78°01'07" E 5.02 feet, thence N 11°58'53" W 264.70 feet, thence N 78°01'07" E 105.50 feet, thence S. 11°58'53" E 10 feet, thence N 78°01'07" E 133.90 feet, thence S 11°58'53" E 70.00 feet to North edge of a wooden walkway, thence N 78°01'07" E along said walkway 17.57 feet to the West line of said lands, thence S 0°19'20" E along said West line a distance of 6.64 feet to a point on the South edge of said walkway, thence S 78°01'07" W along said walkway a distance of 16.23 feet, thence S 11°58'53"E 78.63 feet to A point on the West line of said lands, thence S 0°19'20" E along said West line a distance of 167.99 feet to the Point of Beginning.



This Warranty Deed Made the 19 day of March A. D. 1981 by  
RONALD T. COUNTS and SANDRA B. COUNTS, his wife

hereinafter called the grantor, to PETE'S PIER, INC., a Florida corporation

whose postoffice address is P.O. Box 633, Crystal River, Florida 32629  
hereinafter called the grantees:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**Witnesseth:** That the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliena, releases, conveys and confirms unto the grantees, all that certain land situate in Citrus County, Florida, viz:

Lots 1 and 1A of AQUA VISTA, according to the plat thereof, recorded in Plat Book 11, page 144, public records of Citrus County, Florida.

SUBJECT to restrictions of record.

SUBJECT to mortgage executed by Ronald T. Counts and Sandra B. Counts, his wife, in favor of A.R.L. & W., Inc., dated February 21, 1980 and recorded in Official Record Book 553, page 868, public records of Citrus County, Florida, which GRANTEE, by acceptance of this deed herein agrees to assume and pay.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in wise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantees that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claim of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent in December 31, 1980.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

*Barbara Colley*

*Kate B. Reddick*

*Ronald T. Counts*

*Sandra B. Counts*

STATE OF FLORIDA  
COUNTY OF CITRUS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared

RONALD T. COUNTS and SANDRA B. COUNTS, his wife

to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same:

WITNESS my hand and official seal in the County and State last aforesaid this 19 day of March, A. D. 1981

*Kate B. Reddick*

Notary Public Holywell, State of Florida

My Commission Expires April 22, 1982

\*Return To Crystal River Title Co. Inc.  
File # 71-8013

CITRUS COUNTY  
1111335  
STATE OF FLORIDA  
DOCUMENTARY STAMP TAX  
20.00

FILE NO. 287691  
FILED & RECORDED  
CITRUS COUNTY, FLORIDA  
WALT GONIONS, CLERK  
81 MAR 20 PM 1 33  
VERIFIED BY:

BOOK 573 PAGE 1332

Altkey: 1996970  
FRYE ONE PETES PIER LLC

Parcel ID: 17E18S210190 001A  
1 SW 1st PL , CRYSTAL RIVER

Citrus County Property Appraiser, Cregg E. Dalton

PC Code 0000 - VACANT  
Bldg Counts Res 0 / MH 0 / Comm 0  
Nbhd 2160 - CRYSTAL RIVER WATERFRONT  
Tax District 000R - CITY OF CRYSTAL RIVER  
Subdivision 000042 - AQUA VISTA (CRYSTAL RIVER)  
Short Legal AQUA VISTA LOT 1A PB 11 PG 144  
Est. Parcel Sqft 7,036  
Est. Parcel Acres .16  
Map SC-TW-RG 21-18S-17E

*Handwritten:*  
V. P. 10  
Zoning

Mailing Address

Name FRYE ONE PETES PIER LLC  
Mailing Address 1 SW 1ST PLACE  
CRYSTAL RIVER FL 34429

All Owners

Name	Owner Type
FRYE ONE PETES PIER LLC	BU - Business

Value History and Tax Amount

Year	Land Value	Impr Value	Just Value	Non-Sch. Assessed	Non-Sch. Exemptions	Non-Sch. Taxable	HX Cap Savings	Tax Estimate	Tax Link
2023	\$2,550	\$0	\$2,550	\$2,550	\$0	\$2,550	\$0	\$53.51	<a href="#">Link</a>
2022	\$2,550	\$0	\$2,550	\$2,550	\$0	\$2,550	\$0	\$52.12	<a href="#">Link</a>

Tax Estimate upon sale of the property (no assessment capping or exemptions)

Year	Tax Dist	District Name	Market Value	Millage Rate	Tax Estimate
2023	000R	CITY OF CRYSTAL RIVER	\$2,550	20.9863	\$53.52

Buyer Beware!

Property taxes may be affected with change in ownership. When buying real estate property, you should not assume that property taxes will remain the same. Whenever there is a change in ownership, the assessed value of the property may reset to full market value, which could result in higher property taxes. Please use our tax estimator to approximate your new property taxes. Homestead exemptions and agricultural classifications are not transferable to the new owner. You must apply for your own exemptions and agricultural classifications.

Sales

Sale Date	Sale Price	Book/Page	Instr Type	V/I
05/31/2018	\$3,200,000	2905/0374	14-SALE / MORE THAN 1 PARCEL	V
03/01/1981	\$30,000	0573/1332	14-SALE / MORE THAN 1 PARCEL	V



**DISCLAIMER**

Sales do not generally appear in database until approximately 8 to 10 weeks after the recording date. If a recent sale does not show up in this list, please allow more time for the sale record to be processed.

**Land & Agricultural**

Line	Land Use	Type	Units	Frontage	Depth	Ag Flag	Classified Value	Just Value	Zoning
1	0002-OPEN WATER/BAY FRONT	U-UNIT	1.00	170.0	60				RW

<b>Total Misc Value</b>
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Home Parcel Search

Atkey: 1996970  
FRYE ONE PETES PIER LLC

- Summary
- Legal
- Land & Agriculture
- Residential
- Commercial
- Misc Improvements
- Values
- Sketch
- Photos
- Permits
- Quick Links
- Map
- Pictometry

