



CITRUS COUNTY
PLANNING AND DEVELOPMENT COMMISSION

Thursday February 4, 2021 at 9:00 AM
Lecanto Government Building
3600 W. Sovereign Path
Room 166
Lecanto, Florida 34461

Joel Brender, Chair
Michael Facemyer, 1ST Vice Chair
David Bramblett, 2ND Vice Chair
Robert Bass
James Brooks

James Roys
Kurt Stone
Scott Borgeson (Alternate)
Donny Harrelson (Alternate)
Chuck Dixon (School Board)

- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE
- D. ROLL CALL
- E. CHAIRMAN TO READ THE APPEAL PROCESS AND MEETING PROCEDURES
- F. OPEN TO THE PUBLIC – Receive comments from the public
- G. APPROVE MINUTES -
 - 1. February 4, 2021 PDC Agenda and Directions
- H. STAFF ANNOUNCEMENTS
- I. EX PARTE COMMUNICATION - COUNTY ATTORNEY
- J. APPLICATIONS
 - 1. V-20-17 Jo Hickey for Ruth Kinsman

Conduct a public hearing on February 4, 2021 to review and consider V-20-17 Joe Hickey for Ruth Kinsman.
- K. ADDITIONAL ITEMS -
- L. PLANNING AND DEVELOPMENT COMMISSION MEMBER COMMENTS
- M. ADJOURN

If any person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings and, for such purpose, he or she may need to insure that a verbatim record of the proceedings is made, which record includes testimony and evidence upon which the appeal is to be based.

Any person requiring reasonable accommodation at this meeting because of a disability or physical impairment should contact the County Administrator's Office, 3600 W. Sovereign Path, Suite 267, Lecanto, FL 34461, (352) 527-5210, at least two days before the meeting. If you are

hearing or speech impaired, dial 7-1-1, 1-800-955-8771 (TTY) or 1-800-955-8770 (v), via Florida Relay Service.

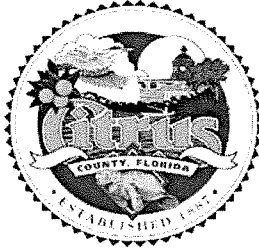
Si necesita un traductor de español por favor haga arreglos con el Condado dentro de dos días de la notificación de la publicación (352-527-5370).



AGENDA MEMORANDUM

FROM:	Michael Sherman,
SUBJECT:	February 4, 2021 PDC Agenda and Directions
AGENDA DATE:	February 04, 2021
<u>BRIEF OVERVIEW:</u>	
<u>BUDGET IMPACT/FUNDING SOURCE:</u>	
<u>RECOMMENDED ACTION:</u>	

**CITRUS COUNTY
PLANNING AND DEVELOPMENT COMMISSION**



Thursday, February 4, 2021 at 9:00 AM

Lecanto Government Building

3600 West Sovereign Path, Room 166

Lecanto, Florida 34461

RICHARD BARMES	KURT STONE
ROBERT BASS	STACEY WORTHINGTON
DAVID BRAMBLETT	WILLIAM BURDA (Alternate)
MICHAEL FACEMYER	CAROLE SCRAGG (Alternate)
JAMES ROYS	CHUCK DIXON (School Board)

- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE
- D. SWEAR IN NEW MEMBERS
- E. ELECTION OF OFFICERS: CHAIR, 1ST VICE CHAIR, 2ND VICE CHAIR
- F. ROLL CALL
- G. CHAIRMAN TO READ THE APPEAL PROCESS AND MEETING PROCEDURES
- H. OPEN TO THE PUBLIC – Receive comments from the public
- I. APPROVE MINUTES – Approval of available minutes
- J. STAFF ANNOUNCEMENTS
- K. EX PARTE COMMUNICATION: County Attorney
- L. APPLICATIONS
 - 1. LAND USE APPLICATION
 - a. V-20-17 Jo Hickey for Ruth Kinsman

REQUEST: This request is for a Variance from the Citrus County Land Development Code (LDC) for the replacement of a single-family dwelling having less than the required 50-foot minimum building setback from the mean high water line (35-foot with a berm or swale), pursuant to Section 3501, Surface Water Protection Standards, as specified in the LDC.

LOCATION: Section 20, Township 26 South, Range 17 East; specifically, Lot 8, Block G, of Chassahowitzka Village Unit 3 unrecorded subdivision (AK 1183146), which address is 8492 W. Peacock Ct., Homosassa, FL. A complete legal description of the property is on file with the Land Development Division.

STAFF CONTACT: Amy Bidwell, Senior Planner, Land Development Division

M. ADDITIONAL ITEMS

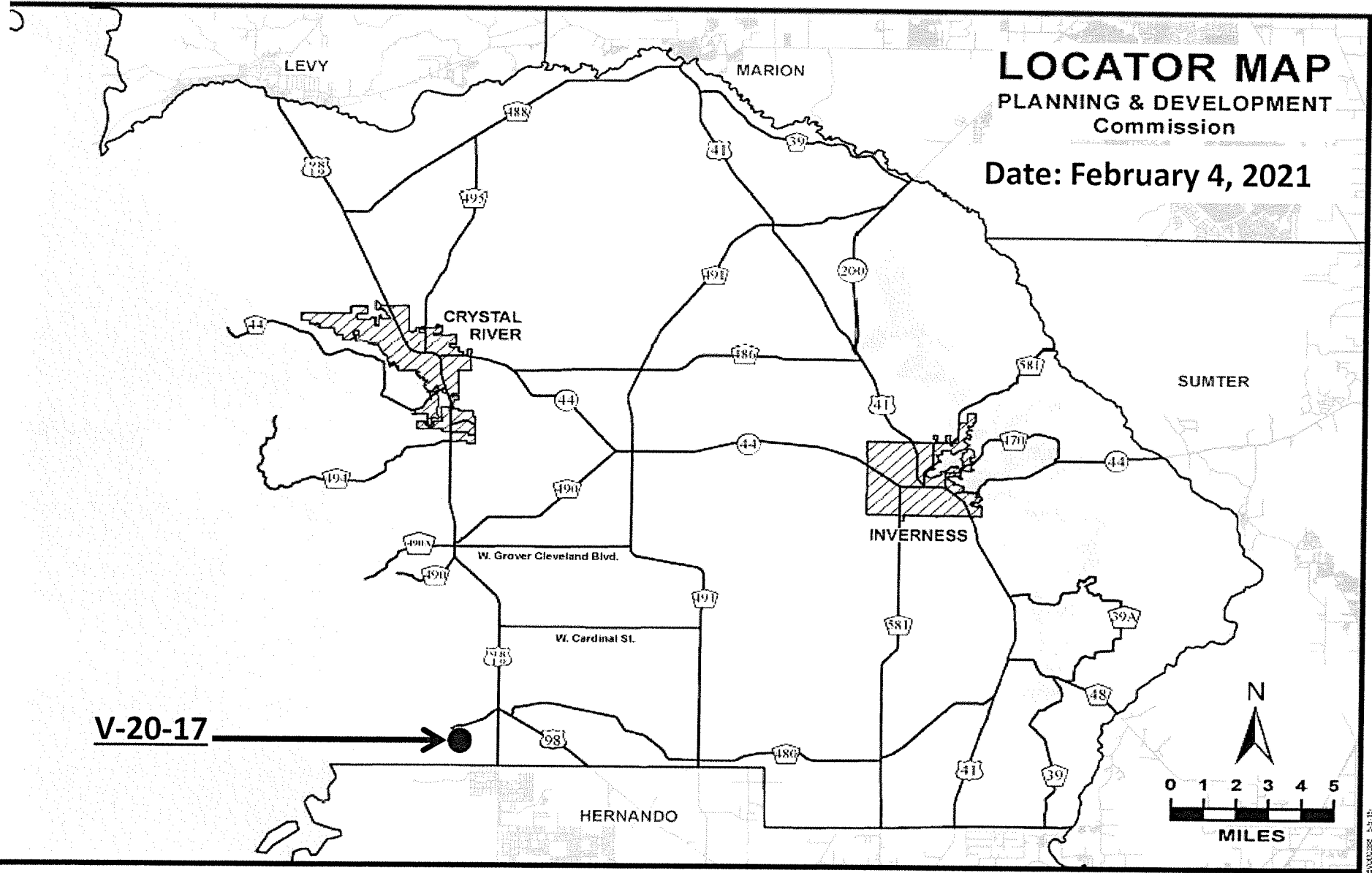
N. PLANNING AND DEVELOPMENT COMMISSION MEMBER COMMENTS

O. ADJOURN

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Si necesita un traductor de español por favor haga arreglos con el Condado dentro de dos días de la notificación de la publicación (352-527-5370).



Attachment: Agenda, map, and directions (12442 : February 4, 2021 PDC Agenda and Directions)

Planning and Development Commission

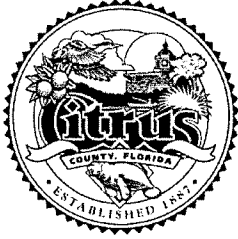
Directions for meeting on February 4, 2021

V-20-17 - From the intersection of Saunders Way and CR-491, turn right onto CR-491. Go **5.75 miles** and turn right onto W. Cardinal St. Go **6.16 miles** and turn left onto S. Suncoast Blvd. Go **2.81 miles** and turn right onto W. Miss Maggie Dr. Go **1.58 miles** and continue straight onto S. McClung Lp. Go **0.05 miles** and turn right onto W. Sumril Ct. Go **0.04 miles** and take the first left onto S. McClung Lp. Go **0.10 miles** and take the second left onto W. Peacock Ct. Go **0.10 miles** and the site is on the right at **8492 W. Peacock Ct.** Homosassa.



AGENDA MEMORANDUM

FROM:	Michael Sherman,
SUBJECT:	V-20-17 Jo Hickey for Ruth Kinsman
AGENDA DATE:	February 04, 2021
<u>BRIEF OVERVIEW:</u> This request is for a Variance from the Citrus County Land Development Code (LDC) for the replacement of a single-family dwelling having less than the required 50-foot minimum building setback from the mean high water line (35-foot with a berm or swale), pursuant to Section 3501, <u>Surface Water Protection Standards</u> , as specified in the LDC.	
<u>BUDGET IMPACT/FUNDING SOURCE:</u>	
<u>RECOMMENDED ACTION:</u> Conduct a public hearing on February 4, 2021 to review and consider V-20-17 Joe Hickey for Ruth Kinsman.	



PM2-21-1

**DEPARTMENT OF GROWTH MANAGEMENT
LAND DEVELOPMENT DIVISION
STAFF FINDINGS REPORT
TO THE
PLANNING AND DEVELOPMENT COMMISSION**

VARIANCE APPLICATION NO. V-20-17 Jo Hickey for Ruth Kinsman

DATE: January 7, 2021

PREPARED BY: Amy Bidwell, Senior Planner; Land Development Division

VARIANCE REQUESTED	This request is for a Variance from the Citrus County Land Development Code (LDC) for the replacement of a single-family dwelling having less than the required 50-foot minimum building setback from the mean high water line (35-foot with a berm or swale), pursuant to Section 3501, <u>Surface Water Protection Standards</u>, as specified in the LDC. The applicant is requesting a less than 50-foot waterfront setback to replace an existing single-family dwelling with a larger single-family dwelling.
SUBJECT PROPERTY	<u>Section 20, Township 26 South, Range 17 East</u>; specifically, Lot 8 of Chassahowitzka Village Unit 3 Block G (AK 1183146), which address is 8492 W. Peacock Ct., Homosassa, FL. A complete legal description of the property is on file with the Land Development Division.
ACREAGE	Approximately 8.085 square feet (0.19 acres).
LAND USE	CLR MH, Coastal and Lakes Residential District – Mobile Homes allowed on the LDC Atlas. CL, Low Intensity Coastal and Lakes Residential District on the Future Land Use Map.
FLOOD ZONE	According to the Flood Insurance Rate Map (FIRM), subject property is located in <u>Flood Zone X and A</u> as found on Community-Panel Number 12017C0 429D.
SURROUNDING AREA	North – W. Peacock Ct; Single-family dwellings South – Canal, Single-family dwellings East – Canal; Single family dwellings West – Single-Family Dwellings The site is located in the Chassahowitzka Village, where there are single-family dwelling mobile homes.
Soil Information	According to the <i>Soil Survey of Citrus County</i> (1988), the soil type in the area is primarily Candler-urban land complex. Limitations to building development are severe droughty.

Attachment: PDC staff report and locator map (12431 : V-20-17 Jo Hickey for Ruth Kinsman)

BACKGROUND

The subject property is part of the Chassahowitzka Village Unit 3, an unrecorded subdivision. It abuts residences to the north, south and west, and takes access from West Peacock Ct., a 50-foot wide, paved, public right-of-way.

The property is approximately 0.19 acres in size and is developed with a mobile home. The mobile home was placed in 1971 and is 552 square feet in size. There is also a 136 square-foot screened porch and wood deck placed in 1999, and a 160 square-foot shed that was placed in 2019. There does not appear to be a permit for the placement of the existing shed. In addition, there is a 336 square foot boat cover that was built in 1994.

The surrounding area contains single-family residences and a series of canals. A variance has been granted for two of the six closest lots to the subject property since the LDC adoption.

ANALYSIS

The applicant is requesting a reduction in waterfront setbacks for the subject property. The applicant is proposing to replace a 552 square foot mobile home with a 1,320 square foot mobile home. The proposed mobile home will be 22-feet from the Mean High Water Line.

According to the submitted site plan, there is an existing accessory structure within the waterfront setback of 50-feet from the Mean High Water Line. This existing accessory structure is 160 square feet.

The six closest lots on either side of the subject property are similar in size and shape and two of the properties have variances recorded.

<u>Building envelope and setback analysis</u>			
Required Waterfront Setback (with a berm or swale)	50 ft. (35 ft.)	Proposed waterfront setback	22 ft.
Required Front Setback (Centerline ROW) (Property Line)	50 ft.	Proposed Front Setback (Centerline ROW)	50 ft.
	25 ft.	(Property Line)	33 ft.
Existing Mobile Home Size	552 sq. ft.	<u>Proposed Mobile Home Size</u>	<u>1,320 sq. ft.</u>

The **Engineering Division** has provided the following comments and recommends the following conditions if the application is approved:

Erosion control measures shall be installed to protect waterbodies, wetlands and/or adjacent properties before starting land disturbance activities, as per Citrus County Code Section 42-172 (c).

Consistency with the Comprehensive Plan - All development applications shall demonstrate complete compliance with the Comprehensive Plan. The application is not consistent with the Comprehensive Plan goals, policies, and standards including:

Policy 17.9.1 Runoff from structures, streets, yards, and parking areas shall be carefully controlled to prevent flooding in adjacent areas or pollution of water bodies.

Staff comment: Stormwater has not been addressed in this application.

Consistency with the Land Development Code (LDC) - Staff reviewed this application per Section 2300, Building Setback Requirements and Height Requirements for All Land Use Districts, as specified in the LDC. This application is not consistent with the following provisions of the LDC.

3501. Surface Water Protection Standards

- A. All structures shall be a minimum of 50 feet from either the mean high water line or ordinary high water line, except as follows:
 - 1. Structures shall be set back a minimum of 50 feet, or 35 feet from the mean high water line, ordinary high water line, and/or jurisdictional wetland line, if swales or berms are provided.

Staff comment: The application does not meet the provisions of the LDC. The applicant is proposing a 22-foot setback from the mobile home to the mean high water line. The applicant has not indicated that a berm/swale would be installed.

PROPOSED FINDINGS OF FACT

Pursuant to Section 4400, Variances, of the Citrus County Land Development Code (LDC), approval of a petition for variance from the provisions and requirements of this code shall be granted by the PDC only if all of the following are positive:

1. ***Special conditions and circumstances do not exist which are peculiar to the land, structure, or building involved and which are not applicable to land, structures, or buildings in the same land use district.*** The typical lot size in the Chassahowitzka Village unrecorded subdivision is .17 acres. The subject property is similarly sized at .19 acres in comparison with other lots. The lots are similar in shape also having a cutout boat slip feature on the properties, two of which have been developed with the need for variances and others that have developed without the need for a variance.
2. ***The special conditions and circumstances do result from the actions of the applicants.*** The encroachment into the required waterfront setback is the result of the applicant/property

owner. By requesting to replace the existing structure with a structure that exceeds the existing footprint, the applicant is creating a hardship. The request for a building footprint with larger area is based on convenience and not necessity.

3. ***A granting of the variance requested will confer on the applicant any special privilege that is denied by this code to other lands, buildings, or structures in the same land use district.*** The lot is similar in size, shape and features to others in the general area that have not required a variance. However, the subject property is also similar in size, shape and features with two close lots that have required variance for similar replacement structure size.
4. ***Literal interpretation of the provisions of this code which would not deprive the applicant of rights commonly enjoyed by other similarly situated properties and would not work unnecessary and undue hardship on the applicant.*** The applicant is proposing the replacement of an existing 552 square foot single-family residence mobile home with a 1,320 square foot single-family residence mobile home. Such an increase in building footprint is not necessary to utilize the property for a single-family residence.
5. ***The variance granted is not the minimum variance that will make possible the reasonable development and/or use of the land, building, or structure.*** It is possible for the applicant to reasonably replace the single-family residence on the lot with a building footprint which would eliminate or reduce the need for a variance. Therefore, the proposed is not a minimal request.
6. ***The granting of the variance will not be in harmony with the general intent and purpose of this code and will be injurious to the area involved or otherwise detrimental to the public welfare.*** The proposed structure does not meet standards for Building Setback Requirements and Height Requirements for All Land Use Districts.
7. ***There will be full compliance with any additional conditions and safeguards which the PDC may prescribe, including but not limited to reasonable time limits within which the action for which the variance is required shall be begun or completed, or both.*** Where standards are not specified herein, the Citrus County Land Development Code standards (or current code standards) will apply. In addition, noncompliance with or any violation of the above referenced conditions, as may be determined by Citrus County Compliance may, in addition to any penalty imposed by Code Compliance and subsequent to the procedural requirements set forth in Section 1800 of the Citrus County Land Development Code being satisfied, render this Variance null, void, and of no force or effect.
8. ***Granting of the variance will deviate from the clear intent of the adopted Comprehensive Plan.*** The application is not consistent with Policy 17.9.1 of the Comprehensive Plan, as discussed in this staff report.

Attachment: PDC staff report and locator map (12431 : V-20-17 Jo Hickey for Ruth Kinsman)

AB/SW/cb

AB

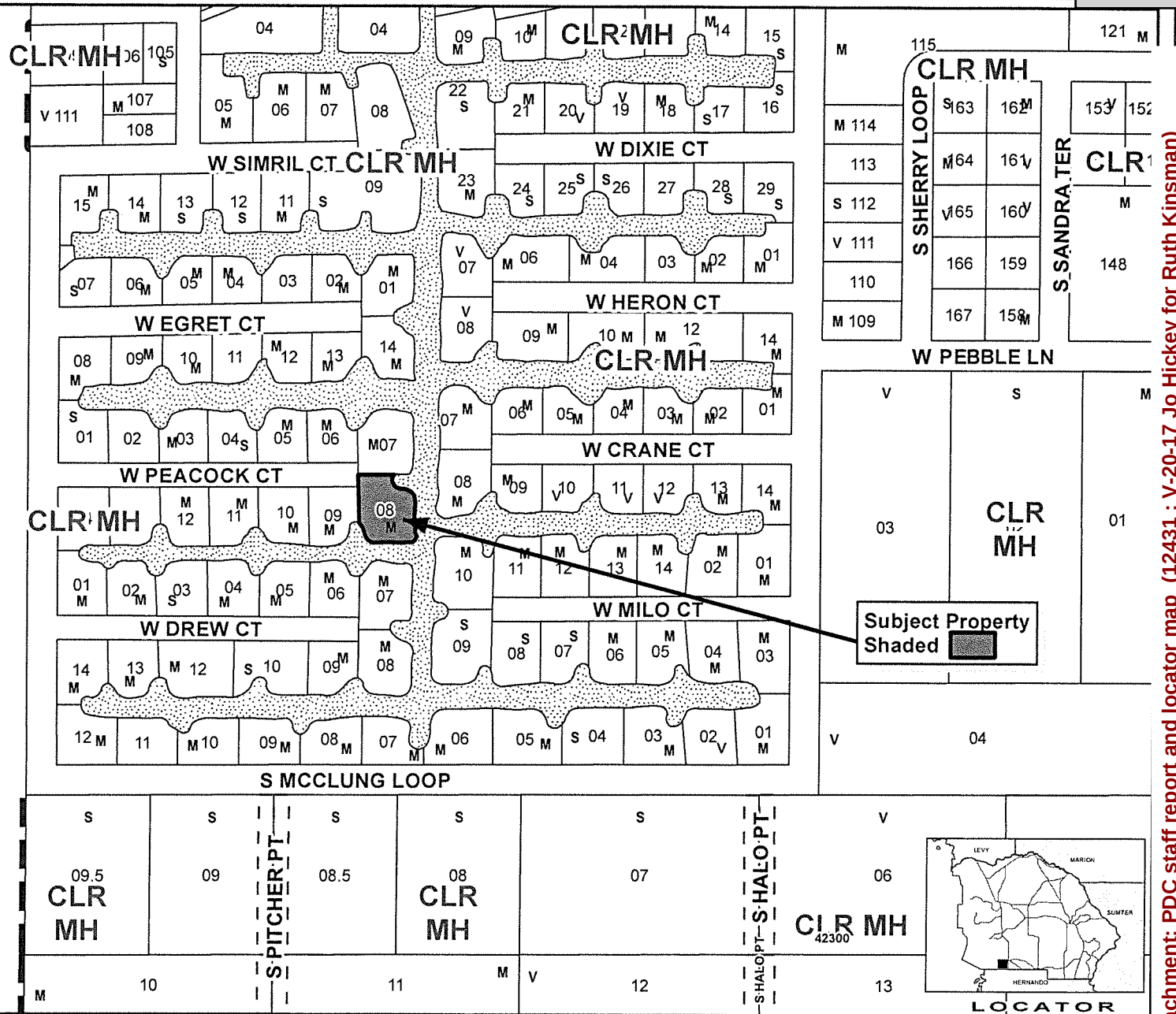


CON
10000

Legend

-  Subject Property
- Use Code**
- V - Vacant
 - S - Single Family
 - M - Mobile Home
 - C - Commercial
 - MF - Multifamily

0 165 330
1 in = 250 ft



Application #: V-20-17

Applicant: Jo Hickey for Ruth Kinsman

Proposal: Waterfront Setback

Location: 8492 W. Peacock Ct, Homosassa FL 34448

Land Use Atlas: Low Intensity Coastal & Lakes (CL)

S-T-R - 26-20-17 SE

Planner Initials: *AB* Date: 12/9/20

Geographic Information Systems

Prepared By: William Braunsch

Date: October 06, 2020

Source: Enterprise Geodatabase

Map Number: WB0000435

Cynthia P. Skelhorn

Cynthia P. Skelhorn
Director

This information is to be used for general purposes only. The County Geographic Information Systems Division makes every effort to provide current data in accurate and complete as of the date of the print. However, all information provided must be independently verified by the user. Color County shall not be liable for any claims, damages, or losses of any kind in connection with the use of this information, including but not limited to, damages or losses caused by reliance upon the accuracy or timeliness of this information and the copying, republishing, or distribution of these materials.





CITRUS COUNTY LAND DEVELOPMENT CODE
VARIANCE APPLICATION

Application No.: V-20-17 Date: 9/25/20
* Written Authorization is required if Applicant is different than Owner.

Applicant* Name: Jo Hickey **Property Owner** Name: Ruth Kinsman
Address: 3901 E. Garnet Loop Address: 7400 Sun Island Dr Apt 111
City: Hernando City: S. Pasadena
State: FL Zip: 34442 State: FL Zip: 33707
Home No.: 352 726 9559 Cell No.: 302 1094 Home No.: 727 452 2601 Cell No.:
Work No.: Fax No.: Work No.: Fax No.:
Email: jespermitting@gmail.com Email:

Property Description: Section: 20 Township: 26 South Range: 17E East

Legal Description:

Subdivision: Chassahowitzka Village Lot(s): 8 Block/Parcel:

Alternate Key #: 1183146 Unrec. Parcel ID: 17E20526 2 B060 0080

Is this hearing being requested as a result of a Code Violation Notice? Yes No X

If "Yes", explain on a separate sheet and attach a copy of the Notice of Violation.

Variance Request: Water Set back

State hardship that justifies the granting of the variance: Handicap need m. it to be wheelchair friendly size of lot

I am aware that if the property cannot be located using information from the submitted application, this application may be rescheduled to a later hearing date. I also understand that a sign must be placed (and marking flags may be placed) on the property by the Land Development Division at least seven days prior to the scheduled meeting.

I understand that approval for the proposed use shown hereon does not in any way relieve me of the responsibility of observing and complying with any deed restrictions applicable to the subject property.

I hereby authorize Citrus County or its agents to enter upon the property, which is the subject of this application and the date of the hearing thereon, at any time between the hours of 8:00 AM and 5:00 PM for the purpose of gathering any information relevant to this application.

I DO HEREBY SWEAR THAT THE INFORMATION CONTAINED HEREIN AND THE ATTACHMENTS HERETO ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Signature: Jo Hickey

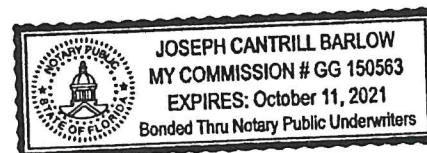
STATE OF FLORIDA
COUNTY OF CITRUS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared Jo Hickey who is personally known to me or provided known to me as identification and who did not take an oath.

WITNESS my hand and official seal this 3 day of Sept, 2020

Printed Name: Joseph Cantrill Barlow
Notary Public - State of Florida

Seal



For Staff Use Only
Date: 9/25
Time: 1:25
Initials: ABP

ATF: QTR: LUD:

FZ: RECEIVED

LEGAL DESCRIPTION:

Lot 8, Block G, CHASSAHOWITZKA VILLAGE, UNIT 3, an unrecorded subdivision further described as follows:

Commence at the Southeast corner of Southwest 1/4 of the Southeast 1/4 of Section 26, Township 20 South, Range 17 East, thence South 89° 53' 10" West along the South line of said Section 26, a distance of 50 feet, thence North 00° 01' 40" East, parallel to the East line of said Southwest 1/4 of the Southeast 1/4, a distance of 50 feet, thence South 89° 53' 10" West, parallel to the South line of said Section 26, a distance of 1213.84 feet to a point that bears North 89° 53' 10" East 50 feet and North 50 feet from the Southwest corner of the Southeast 1/4 of Section 26, thence North parallel to the West line of said Southeast 1/4 a distance of 459.60 feet, thence North 89° 53' 20" East 497.24 feet to the POINT OF BEGINNING, thence North 01° 22' 30" West 20 feet, thence North 89° 53' 20" East 82.84 feet, more or less to the waters of a canal, thence along said waters South 01° 40' 05" East 100.98 feet, thence South 89° 07' 10" West 83.34 feet to a point that bears South 01° 22' 30" East from the POINT OF BEGINNING, thence North 01° 22' 30" West 82.08 feet, more or less, to the POINT OF BEGINNING. Lying and being situate in CITRUS County, Florida.

SURVEYORS NOTES:

1. The bearings shown hereon are based on Deed calls and field monumentation with the North boundary line of Lot 8 Block G held to bear N89°53'20"E, as described by the Record Deed.
2. This survey is not intended to locate any underground foundations, underground encroachments or underground improvements including utilities, except as shown. Additional sub-surface utilities or structures may exist.
3. No instrument of record reflecting easements, rights of way and/or ownership were furnished to the surveyor except as shown hereon. No title opinion is expressed or implied.
4. The land bound by this survey may be subject to other recorded or unrecorded easements, right of ways, conveyances, restrictions and reservations other than shown hereon.
5. The elevations shown hereon are based on NAVD 88 and referenced to NGS benchmark 872 7246 C Elevation 7.67'.
6. The boundary between sovereign (state) lands and private ownership for the property shown hereon is the mean high water line which is elevation 0.75' NAVD per Florida Department of Environmental Protection and falls along the natural shoreline.

FLOOD STATEMENT:

The land bound by this survey is located in Flood Zone X (Area of Minimal Flood Hazard) and Flood Zone A (No Base Flood Elevation Established), per Flood Insurance Rate Map number 12017C0429D, EFFECTIVE DATE: September 26, 2014.

W. PEACOCK CT.(F)
ASPHALT PAVEMENT (WIDTH VARIES)
(50' RIGHT-OF-WAY)

Survey Closure Line Table		
Line #	Length	Direction
L21	104.55'	S08°06'11"E
L22	48.20'	N89°26'41"W
L23	28.75'	N03°51'38"W
L24	22.50'	N89°37'15"W

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

LEGEND:

- FOUND 4"x4" CONCRETE MONUMENT (NO IDENTIFICATION) Except as noted.
- FOUND 5/8" IRON ROD & CAP (NO IDENTIFICATION) Except as noted.
- SET IRON ROD & CAP (LB 7314)
- SET NAIL AND DISK (LB 7314)
- DESCRIPTIVE POINT (NOT FOUND, NOT SET)
- UTILITY POLE
- LIGHT POLE
- TELEPHONE WIRE BOX
- CABLE BOX
- WATER METER
- (D) DEED
- (F) FIELD MEASURED
- (LB) LICENSED BUSINESS
- (MHWL) MEAN HIGH WATER LINE
- X = SPOT ELEVATION

RECEIVED
SEP 25 2020
V-20-17
Land Development Division

S. LINE SEC. 21

S89°53'10"W(D) 50.00'(D)

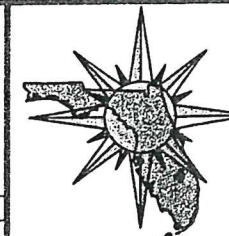
POINT OF COMMENCEMENT
SE CORNER OF SW 1/4 OF
SE 1/4 OF SEC. 26-20-17

BOUNDARY AND TOPOGRAPHIC SURVEY FOR

Ruth Kinsman

Citrus County, Florida

Project No.: 20355 Field Book: 117/68-69 Drawn By: JWS
Scale: 1" = 20' Field Date: 08/19/2020 Sheet 1 Of 1



GulfWest Surveying, Inc.

Professional Surveyors and Mappers

9469 W. Green Bay Lane
Crystal River, Florida 34428
Ph: 352.563.1252 Fax: 352.563.1253

V-20-17

Jo Hickey for Ruth Kinsman





Looking West along W. Peacock Ct.



Looking North from W. Peacock Ct.



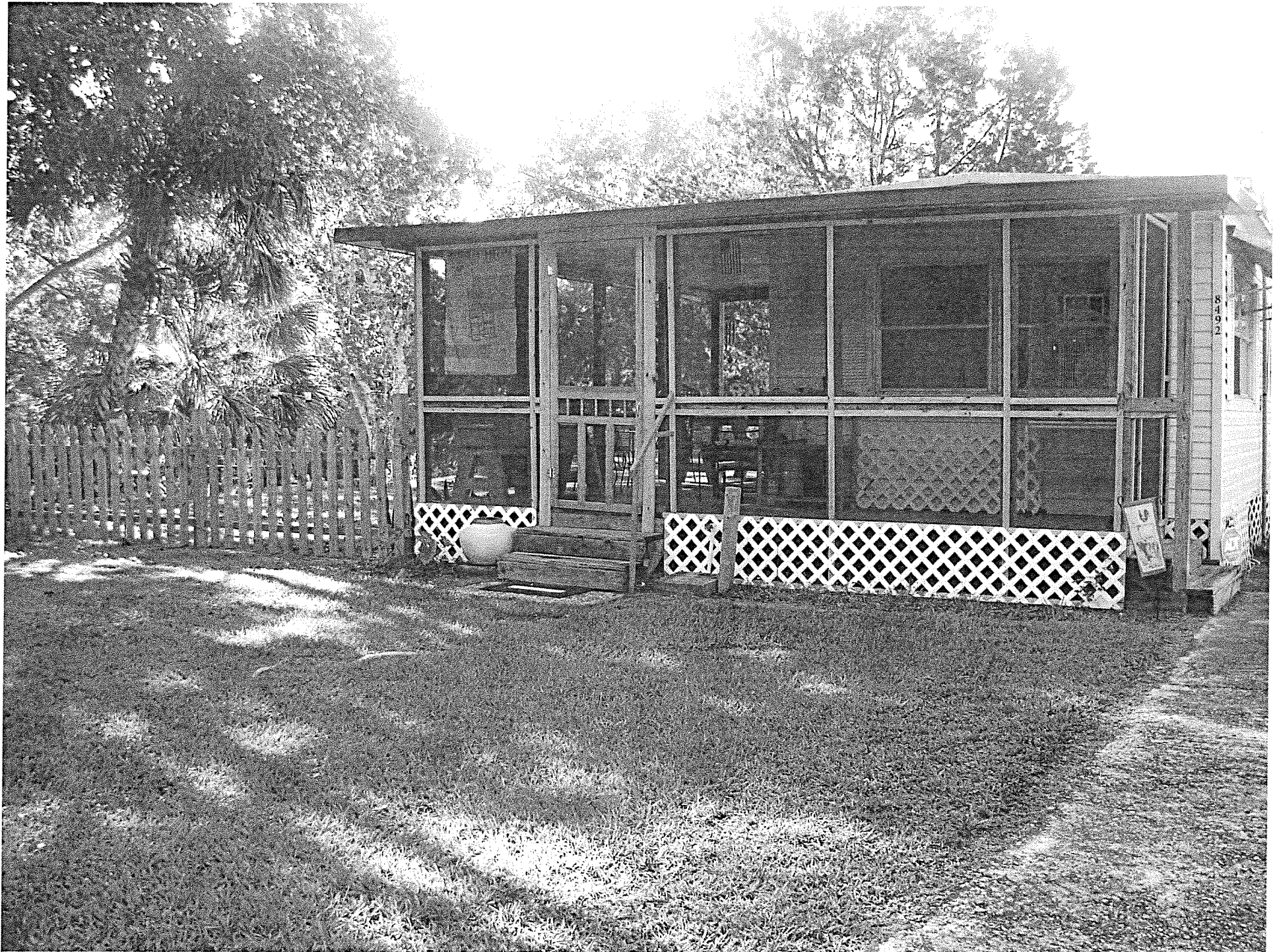
V-20-17

Jo Hickey for Ruth Kinsman





Attachment: Planner PowerPoint (12431 : V-20-17 Jo Hickey for Ruth Kinsman)







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