



CITRUS COUNTY
PLANNING AND DEVELOPMENT COMMISSION

Thursday May 20, 2021 at 9:00 AM
Lecanto Government Building
3600 W. Sovereign Path
Room 166
Lecanto, Florida 34461

Michael Facemyer, Chair
David Bramblett, 1ST Vice Chair
Robert Bass, 2ND Vice Chair
Richard Barmes
Stacey Worthington

James Roys
Kurt Stone
William Burda (Alternate)
Carole Scragg (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. April 15, 2021 PDC agenda, minutes, and directions
- H. STAFF ANNOUNCEMENTS
- I. EX PARTE COMMUNICATION - COUNTY ATTORNEY
- J. APPLICATIONS
 - 1. CU-21-04 Brenda McKenzie for Grace Bible Fellowship of Citrus County, Inc

Conduct a public hearing on May 20, 2021 to consider CU-21-04 Brenda McKenzie for Grace Bible Fellowship of Citrus County, Inc.
 - 2. OA-21-02 Land Development Division – Multiple Sections – Amendments to Land Development Code

Conduct a public hearing on May 20, 2021 to consider OA-21-02 Land Development Division - Multiple Sections - Amendments to Land Development Code.
- 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, AICP Growth Management Director
SUBJECT:	May 20, 2021 PDC agenda, minutes, and directions
AGENDA DATE:	May 20, 2021
<u>BRIEF OVERVIEW:</u>	
<u>BUDGET IMPACT/FUNDING SOURCE:</u>	
<u>RECOMMENDED ACTION:</u>	

**CITRUS COUNTY
PLANNING AND DEVELOPMENT COMMISSION**



Thursday, May 20, 2021 at 9:00 AM
Lecanto Government Building
3600 West Sovereign Path, Room 166
Lecanto, Florida 34461

MICHAEL FACEMYER, CHAIR	KURT STONE
DAVID BRAMBLETT, 1 st VICE CHAIR	STACEY WORTHINGTON
ROBERT BASS, 2 nd VICE CHAIR	WILLIAM BURDA (Alternate)
RICHARD BARMES	CAROLE SCRAGG (Alternate)
JAMES ROYS	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 – Approval of available minutes
- H. STAFF ANNOUNCEMENTS
- I. EX PARTE COMMUNICATION: County Attorney
- J. APPLICATIONS

1. COMPREHENSIVE PLAN AMENDMENT

- a. CU-21-04 McKenzie Permitting for Grace Bible Fellowship of Citrus County, Inc.

REQUEST: This request is for a Conditional Use to allow for an expansion to an existing House of Worship, pursuant to Section 2406, Medium Density Residential District, as specified in the LDC.

LOCATION: Section 31, Township 19 South, Range 20 East; more specifically, Lot 49, Block 359, of the Inverness Highlands West First

Addition Subdivision, Plat Book 5, Page 44; also known as Alternate Key Number 1834929, which address is 4979 E. Arbor St., Inverness, Florida. A complete legal description of the property is on file with the Land Development Division.

STAFF CONTACT: Joe Hochadel, Principal Planner, Land Development Division

2. ORDINANCE AMENDMENT

a. OA-21-02 Land Development Division – Amendments to Multiple Sections of Land Development Code

REQUEST: This request is to amend multiple sections of the Land Development Code for clarification purposes.

STAFF CONTACT: Michael Sherman, AICP, Director, Department of Growth Management

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 ensure that a verbatim record of the proceedings is made, which record includes testimony and evidence upon which the appeal is to be based.

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DRAFT

**PLANNING AND DEVELOPMENT COMMISSION (PDC)
SUMMARY MINUTES
March 4, 2021**

Members Present: Michael Facemyer, Chair; David Bramblett, 1st Vice Chair; Robert Bass, 2nd Vice Chair; Richard Barmes, Kurt Stone, Stacey Worthington and Carole Scragg, alternate

Staff Present: Joe Hochadel, Principal Planner; Amy Bidwell, Senior Planner; Miranda Anaya, Senior Planner; Susan Wright, Planning Coordinator, and Cheryl Burton, Senior Secretary

Also Present: Denise Lyn, County Attorney, and Michael Sherman, Growth Management Director

Absent: James Roys and School Board Representative, Chuck Dixon

A. CALL TO ORDER

Mr. Facemyer called the meeting to order at 9:00 a.m.

B. INVOCATION

The Invocation was given by Mr. Bramblett.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Facemyer.

D. ROLL CALL

Recording Secretary proceeded with roll call.

E. CHAIRMAN TO READ THE APPEAL PROCESS AND MEETING PROCEDURES

F. OPEN TO THE PUBLIC: None.

G. APPROVE MINUTES –

MOTION: Approve minutes of January 21, 2021.

1st Ms. Worthington

2nd Mr. Bramblett

VOTE: 7 - 0, Motion Carried.

Attachment: March 4, 2021, PDC minutes (12867 : May 20, 2021 PDC agenda, minutes, and directions)

DRAFT

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H. STAFF ANNOUNCEMENTS:

Mr. Sherman stated that the Department has received comments from all of the State agencies with regard to the Cardinal Street Comprehensive Plan amendment. The Evaluation and Appraisal Report (EAR) based amendments are being completed by the Planners and he will be reviewing those and placing that on the agenda soon. The proposed Impact Fee Ordinance will be heard by the Board of County Commissioners on March 23.

I. EX PARTE COMMUNICATIONS:

Denise Lyn polled the PDC members on whether they had any ex parte communications concerning the applications to be heard. All PDC members said they had no ex parte communications. Mr. Barmes advised that he had site visits on all of the applications. Mr. Facemyer advised that he had site visits on applications CU-21-01 and V-20-10.

J. APPLICATIONS**1. PLAT VACATION****a. PV-20-04 Guy Newman**

REQUEST: This request is to vacate a portion of the platted drainage and utility easements between Lots 14 and 15, Block 1340, Unit 20 of Citrus Springs.

LOCATION: Section 1, Township 17 South, Range 18 East; more specifically, Lots 14 and 15, Block 1340, Citrus Springs Unit 20, as recorded in Plat Book 7, Pages 52 through 66, public records of Citrus County, Florida, which addresses are 11564 and 11560 N. Kenlake Cir., Citrus Springs, Florida.

STAFF CONTACT: Joe Hochadel, Principal Planner, Land Development Division

INTRODUCTION: Ms. Wright's overview included an aerial view of the subject properties, photos of the subject properties and surrounding area and a map showing the location of the vacation request.

APPLICANT: Mr. Newman stated that he owns the four lots (Lots 6, 7, 13 and 14) and will be building three structures on three of the lots. He plans to build a cottage on lot 15. The purpose of the application is to ensure that the utility company cannot place a telephone wire across or between lots 14 and 15.

QUESTIONS FROM STAFF: None.

Attachment: March 4, 2021, PDC minutes (12867 : May 20, 2021 PDC agenda, minutes, and directions)

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COMMISSION QUESTIONS/COMMENTS:

Mr. Bass inquired if the applicant was increasing the width of the easement. Mr. Newman stated that his intention was not to increase the width of the easement. Mr. Bass asked if the applicant would be willing to increase the width of the easement to 12 feet between lots 15 and 16 if the Board required such condition. Mr. Newman stated that he would be willing to do that if the Board required it.

STAFF: The applicant requested to vacate a drainage and utility easement located between lots 14 and 15 in Citrus Springs, Unit 20. Mr. Hochadel stated that Mr. Newman has an existing permit for the development on lot 14. He reiterated that the purpose of the application is to ensure that utilities do not run between his properties. By vacating this easement, the easement does not move anywhere. According to the plat, each lot has an easement that runs between them and this request would delete the easement between lots 14 and 15. The utility companies indicated that they do not have any concerns with the vacation of the easement.

Based on the review and supporting documentation, the request is consistent with the Comprehensive Plan and the Land Development Code.

COMMISSION QUESTIONS: None.

PROPONENT: None.

OPPONENT: None.

COMMISSION COMMENTS: None.

MOTION: The Planning and Development Commission finds application number **PV-20-04 CONSISTENT** with the Citrus County Comprehensive Plan and Citrus County Land Development Code and that this Board recommends **APPROVAL** of the application to the Board of County Commissioners based upon the evidence and testimony presented, and the staff report and conclusions regarding this petition.

MOTION:

1st Mr. Bramblett 2nd Ms. Worthington

VOTE: 7 - 0, Motion Carried

Attachment: March 4, 2021, PDC minutes (12867 : May 20, 2021 PDC agenda, minutes, and directions)

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2. LAND USE APPLICATION

a. CU-21-01 Jim Penna for James Housh

REQUEST: This request is for a Conditional Use to allow for a halfway house, pursuant to Section 2402, Rural Residential District (RUR), as specified in the LDC.

LOCATION: Section 11, Township 18 South, Range 17 East; more specifically, Parcel 44100, unrecorded tract, Alternate Key 1054087, described in OR BK 221 PG 542 & OR BK 2063 PG 27, which address is 4881 N. Arid Pt, Crystal River, FL.

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

INTRODUCTION: Ms. Wright's overview included an aerial view of the subject property, an aerial view showing the access to the subject property, an aerial view of the northwest corner of the subject property showing a gated, unpaved, privately maintained right-of-way and a proposed site plan as submitted by the applicant.

APPLICANT: Jim Penna represented the applicant. He came to this area from a facility known as U-Turn for Christ Colorado which was located in a residential area. The men will be supervised at all times by himself and other leaders at the facility. The supervisory staff will provide the men transportation if they have jobs away from the facility site. The men are rehabilitating from alcohol and/or drug abuse. They are sent to the facility by their family members or their church. Mr. Penna discussed the vision and mission of the facility.

QUESTIONS FROM STAFF: None.

COMMISSION QUESTIONS/COMMENTS:

Mr. Stone inquired about the funding for the proposed project. Mr. Penna stated that the organization is a non-profit organization and relies on donations from churches and individuals. There is a \$1,000 fee to enter the eight-month program. Mr. Stone also asked about why the organization chose Citrus County. Mr. Penna explained that his pastor, Stephen Cummins, grew up in Citrus County and knew the need was here.

Mr. Bramblett requested clarification from the applicant about how the proposed use of the subject property would be compatible with the adjacent properties which are designated as RUR-MH (Rural Residential). Mr. Penna stated that the organization would provide housing for the men and he understood that the number of residents allowed is limited due to the

Attachment: March 4, 2021, PDC minutes (12867 : May 20, 2021 PDC agenda, minutes, and directions)

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requirements of the Land Development Code. This would be more like a home environment for the residents where they would be taught how to take care of the land, grow crops, tend to animals and help the neighbors.

Mr. Facemyer inquired about the length of time that a resident would stay at the facility. Mr. Penna advised that it is an eight-month program with two phases. He explained the details of the two phases.

Mr. Stone asked Mr. Penna if there are plans to expand the facility. Mr. Penna stated that it depends on the success of the facility. Mr. Stone inquired about the size of the facilities in Colorado and South Carolina. Mr. Penna stated that the facility in Colorado was approximately 30 acres and the facility in South Carolina was approximately five acres. Mr. Stone inquired about the number of residents at those two facilities. Mr. Penna advised that the facility in Colorado has eight to 10 residents and the facility in South Carolina has 12 to 15 residents.

Mr. Bramblett commented that there had been letters received from property owners in the surrounding area in opposition and inquired if there had been any issues such as theft/burglaries with the other established facilities. Mr. Penna advised that he had not received any reports of thefts/burglaries from the other facilities.

STAFF: Ms. Bidwell stated that the applicant requested a Conditional Use to allow for a halfway house in a Rural Residential land use district where mobile homes are allowed. Ms. Bidwell's presentation included an aerial view of the subject property, an aerial view showing the access to the subject property at North Arid Point, a photo of the view from the gate at Inspiration Court, photos of the subject property and a proposed site plan as submitted by the applicant. The subject property is approximately 19.68 acres and takes access from N. Arid Point which is unpaved and privately maintained. The property is vacant and heavily wooded. The thickness and amount of vegetation along the north, south, east and west property lines create substantial buffering from the abutting properties and land uses.

Halfway houses are allowed in Rural Residential (RUR) districts with a Conditional Use. The proposed site plan indicates two 30'x12' mobile homes that would be used for the residences of the program's participants. Each unit will house up to four residents for a total of eight residents. There is also a proposed 30'x30' meeting room and a 40'x40' bunkhouse. As proposed, the project exceeds the definition for a Community Residential Home, Small which is defined as six or less residents. The applicant would be required to meet the design standards of Community Residential Home, Large in Section 3170 of the Land Development Code. The application as proposed is not consistent with the Comprehensive Plan and Land Development Code for the proposed density in the RUR district. The proposed project is designed in a residential

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nature; however, the proposed use and activities are institutional. The institutional use is not compatible with the residential use and activities of the surrounding areas.

COMMISSION QUESTIONS:

Mr. Bramblett asked Ms. Bidwell for clarification as to why the use is not compatible with the area. Ms. Bidwell stated that the proposed project would be an institutional use and it would be incompatible with the surrounding area and abutting properties which are residential.

PROPONENT:

The following people spoke favorably of the proposed project/program: Jerry Beckholt, Brett Robinson, Kerry Nicklas, Cory Saul, Randy Saul, Dana Robbins, Stephen Cummins and George Prescott.

OPPONENT:

The following people were in opposition of the proposed project/program: Clarence McMackin, Bill Wogh, Anthony Fraccaluieri, Ken Harrell, Diane Hawkins, Carla Boone, Angel Castro and Diane Saunders.

COMMISSION QUESTIONS:

Mr. Facemyer inquired from staff if the subject property is landlocked. Ms. Bidwell stated that the only access point to the property is from N. Arid Point, which is a private road.

Mr. Stone asked if Ms. Bidwell was able to access the property and determine if people were living in the woods on the property. She stated that she did access the property, but did not venture too far as the property is heavily wooded. Mr. Stone also asked Mr. Penna if the number of people residing on the property included the supervisory staff. Mr. Penna stated yes. Mr. Stone inquired about the proposed bunkhouse. Mr. Penna advised that the proposed bunkhouse would eventually take the place of the two mobiles being used as living quarters.

Ms. Worthington inquired from Mr. Penna about how many residents would the program plan to provide housing for in the proposed bunkhouse. He stated that the number of residents would depend on what the conditional use would allow. She also asked for clarification about transportation for the residents. Mr. Penna advised that the supervisory staff would have vehicles and would accommodate transportation for the residents. As the residents progress to different phases of the program, some of them could have their own transportation for work purposes.

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COMMISSION COMMENTS:

Mr. Bramblett provided his comments stating the need for a facility of this nature in Citrus County. He voiced his concerns with regard to the use being incompatible with the Land Development Code and Comprehensive Plan.

Mr. Stone stated that there is a need for a facility of this nature, but not in a residential area and that he would not support this application as proposed.

Mr. Barmes commented that he understood the need for this type of facility in Citrus County; however, he had concerns about placing the facility in a residential area and would not be in support of the application.

Mr. Bass advised that he would not be in support of the application as proposed.

Ms. Scragg stated that she was not able to support the application as it was proposed.

Ms. Worthington advised that she agreed that Citrus County needed these services, but that she could not support the application as submitted due to the proposed placement in a residential area.

Mr. Facemyer commented that he felt the application needed to be fine tuned as there were issues regarding accessibility, compatibility and the lack of nearby public transportation.

Mr. Bramblett suggested the applicant search for another location that is more compatible.

MOTION: The Planning and Development Commission finds application number **CU-21-01 INCONSISTENT** with the Citrus County Comprehensive Plan and the Citrus County Land Development Code for the following reasons:

1. The proposed Conditional Use will adversely affect the public interest.
2. The proposed development, even with conditions and safeguards attached, would be generally incompatible with adjacent properties and other property in the district.

and that, based upon the foregoing, the PDC is not empowered to grant the Conditional use and, therefore, that this Board ***DENIES*** the application based upon the evidence and testimony presented, and the staff report and conclusions regarding this petition.

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MOTION:

1st Mr. Stone 2nd Mr. Bass

VOTE: 6 - 1, Motion Carried

YAYS: Bramblett, Bass, Barmes, Stone, Worthington and Scragg

NAYS: Facemyer

RECESS: 11:00 – 11:05

b. **V-20-10 Maurice and Christina Ryman**

REQUEST: This request is for a Variance from the Citrus County Land Development Code (LDC) to allow for the construction of a pool and pool deck having less than the required 50-foot minimum building setback from the Mean High Water Line and the Jurisdictional Wetland Line (35-foot with a berm or swale), pursuant to Section 3501, Surface Water Protection Standards, as specified in the LDC.

LOCATION: Section 25, Township 19 South, Range 16 East; Lot 12 of Riverhaven Village, PB 9, Pg 31, (AK 1012261), which address is 12070 W Broad Jump Ct., Homosassa, FL.

STAFF CONTACT: Miranda Anaya, Senior Planner, Land Development Division

INTRODUCTION: Ms. Wright's overview included an aerial view of the subject property, photos of the subject property and surrounding area and a proposed site plan as submitted by the applicant.

APPLICANT: Clark Stillwell represented the applicants. The application is for a request for a variance to provide for an accessory use on the applicants' property. The applicants' original request was for a 35-foot setback from the Mean High Water Line. They have reduced the size of the pool and deck and have amended the request to a 25-foot setback from the Mean High Water Line. The property is located in Flood Zone AE. The residence is situated on an irregular shaped lot which is approximately ½ acre in size. The subject property previously received one variance for an expansion to 25 feet post-construction. The ISR on the property without the pool and pool deck is 22 percent. With the proposed pool and pool deck, the ISR would be below the maximum for the CLR Land Use District. The size of the pool and pool deck is approximately 1,100 square feet and triangular shaped.

Mr. Stillwell's presentation included a matrix that showed the variances that have been approved within the neighborhood for pools, decks and home construction. The applicants proposed an engineered stormwater system to

Attachment: March 4, 2021, PDC minutes (12867 : May 20, 2021 PDC agenda, minutes, and directions)

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treat the stormwater. They also proposed to use impervious concrete for the decking. The average setback within the neighborhood is 21 feet.

COMMISSION QUESTIONS/COMMENTS:

Mr. Bramblett inquired of Mr. Stillwell if there was currently a berm and swale on the property. Mr. Stillwell advised that there is not a berm and swale. Mr. Bramblett asked for clarification regarding the previously granted variance. Mr. Stillwell advised that the variance was for an addition to the home, not an accessory use.

Mr. Stone asked when the applicants purchased the property. Mr. Stillwell stated the applicants purchased the property in 2017.

APPLICANTS' EXPERT TESTIMONY:

Paul Furman, Furman and Hilpert Engineering, stated that he prepared the preliminary site plan and the preliminary concept grading plan. The proposed stormwater system was designed to retrofit a majority of the property, not just the pool. Mr. Furman stated the existing seawall is in need of repair and suggested to the applicants to raise the seawall and create new storage and volume behind the wall. He suggested the proposed engineered stormwater system would be better than a berm and/or swale due to the amount of rock in the Riverhaven subdivision and other natural elements. Secondly, over time, the berm erodes. In Mr. Furman's opinion, a berm and/or swale on the subject property would be difficult to maintain.

COMMISSION QUESTIONS:

Mr. Bass inquired about the grading that has been done. Mr. Furman stated that the County's standards for residential stormwater management plans are not based on pre versus post runoff, but on volume based on the area. The volume is based on $\frac{3}{4}$ of an inch of runoff from the proposed development area.

APPLICANT: Christina Ryman stated that she and her husband are the owners of the property and they acquired the property in 2017. She explained that they have tried to limit the size and impact of the proposed pool addition. She stated that they have proposed a complete engineered stormwater system for the residence plus the pool addition. She explained that their application is not requesting a special or unique use, but a traditional accessory use typical for the State of Florida and the Riverhaven subdivision.

STAFF: Ms. Anaya stated the applicants' variance request is for a 25-foot setback from the Mean High Water Line and the Jurisdictional Wetland Line. The property is peninsula shaped and is approximately $\frac{1}{2}$ acre. The new flood maps were adopted January 15, 2021. The property was located in Flood Zone

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AE, but now is located in Coastal A. Coastal A and Velocity zones must have a 50-foot setback instead of the option of a 35-foot setback with a berm or swale; however, because the application was submitted prior to the adoption of the new flood maps, it will be assessed under the LDC standards of 50-foot or 35-foot with berm or swale. Ms. Anaya stated that she performed an analysis on the three developed lots on both sides of the subject property and found that four of the properties were granted variances (two were for pools that were granted prior to the current LDC). The subject property was granted a variance in 2001 for an addition to the house. The average setback for the six closest residences was 21'11". Ms. Anaya's presentation included an aerial view of the subject property, photos of the subject property and surrounding area and a proposed site plan as submitted by the applicant.

The current ISR on the subject property is 22 percent and with the proposed pool and deck the ISR would be 31 percent which complies with the requirement of 40 percent in the CLR district. With the proposed shape of the pool and the revision to the site plan, it does appear that the applicants did make efforts with this application; however, the applicant can continue to use the property without undue hardship.

APPLICANTS' QUESTIONS TO STAFF:

Mr. Stillwell inquired of staff the purpose of a setback. Ms. Anaya stated the purpose of a waterfront setback is to protect water quality. Mr. Stillwell asked if there had been any letters received in support of the variance. Ms. Anaya stated yes, and it was included in the packet. Mr. Stillwell asked if there had been any letters received in opposition to the variance. Ms. Anaya stated no. Mr. Stillwell inquired if the Engineering Division provided any comments to Mr. Furman's work product. Ms. Anaya advised that the Engineering Division advised that if a stormwater plan was proposed that it must meet LDC requirements.

COMMISSION QUESTIONS:

Mr. Bramblett requested staff to clarify building additions as it relates to the variance granted for the residence in 2001. Ms. Anaya stated that her interpretation is that the building additions related only to the residence, not to the site.

Mr. Facemyer asked about clarification with regarding to the newly adopted flood maps. Ms. Anaya stated that FEMA updated the flood maps effective January 15, 2021. The subject property was located in Flood Zone AE, but is now in the Coastal A flood zone. Due to the application being submitted before the newly adopted flood maps, the setbacks will be assessed under the LDC standards of 50-foot or 35-foot with berm or swale. Ms. Anaya explained the

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differences between the Flood Zones AE and A as related to the subject property.

Mr. Bass stated that the proposed site plan indicated that the pool decking surrounding the pool was to be concrete; however, on another document it stated the decking would be pervious. Ms. Anaya stated that there was an inconsistency and that the Engineering Division determines what is pervious and impervious. She further explained that even if the decking was impervious, the property would be within the ISR standard limits.

Mr. Stone asked if there were any limitations to the minimum waterfront setback. Ms. Anaya stated that the Comprehensive Plan limits the request for a setback to 15 feet.

Mr. Facemyer inquired if the County Attorney identifies the pool and pool deck as a building addition or an accessory use. Ms. Lyn stated that the application is for an accessory use and the primary determination of the Board is if a swimming pool is necessary to make reasonable residential use of the property. Mr. Facemyer stated that the applicants have made considerable efforts with this variance application by having proposed an engineered stormwater system. Ms. Lyn stated that the applicants will have to meet stormwater requirements at the time of permitting. The applicants are offering to fix the water quality by installing a stormwater management system as there is not one currently.

PROPONENT: Michael Czerwinski offered his professional opinion in favor of this application as the applicants' proposed stormwater management system would be collecting additional stormwater and protecting the water. This opportunity would improve water quality conditions over what currently exists.

OPPONENT: None.

COMMISSION COMMENTS:

Mr. Facemyer inquired about the flood insurance rating and how granted variances impact that rating. Ms. Lyn explained in detail the Community Rating System.

Ms. Worthington noted that the subject property is peculiar in shape and that the applicants have shown that they intend to provide stormwater management and protect the water qualities and that she would support the application.

Ms. Scragg stated that she supported this application due to same reasons as stated by Ms. Worthington.

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Mr. Bass stated that he would not support this application as he did not feel comfortable with the explanation that was provided for the stormwater system.

Mr. Stone advised that he could not support this application and believed that the pool could be placed within the required setbacks.

Mr. Bramblett provided his comments about the particular location of the pool. He stated that he could support the application if the pool was located in an existing footprint where the current deck is located. He also stated that he would be in favor of a continuance to allow the applicants an opportunity to review the options to relocate the pool.

Mr. Barmes advised that he cannot support this application with the site plan as proposed.

Mr. Facemyer noted that the applicants have made considerable efforts and compromises to what they want and what the County's regulations state. He would be in favor of a continuance.

MOTION: The Planning and Development Commission finds to **CONTINUE** application number **V-20-10.**

MOTION:

1st Mr. Bramblett 2nd Ms. Worthington

VOTE: 7 - 0, Motion Carried

K. ADDITIONAL ITEMS:

There will not be a meeting on March 18, 2021.

L. PLANNING AND DEVELOPMENT COMMISSION MEMBER COMMENTS:

Mr. Facemyer inquired as to the progress of scheduling a training session for the Board members. Ms. Lyn stated that a training session would be scheduled soon.

M. ADJOURN

The Planning and Development Commission adjourned at 12:18 p.m.

Respectfully submitted,

Cheryl Burton, Recording Secretary

Attachment: March 4, 2021, PDC minutes (12867 : May 20, 2021 PDC agenda, minutes, and directions)

DRAFT

**PLANNING AND DEVELOPMENT COMMISSION (PDC)
SUMMARY MINUTES
April 1, 2021**

Members Present: Michael Facemyer, Chair; David Bramblett, 1st Vice Chair; Robert Bass, 2nd Vice Chair; Richard Barmes, James Roys, Kurt Stone and Stacey Worthington

Staff Present: Joe Hochadel, Principal Planner; Miranda Anaya, Senior Planner; Susan Wright, Planning Coordinator, and Cheryl Burton, Senior Secretary

Also Present: Denise Lyn, County Attorney, and Michael Sherman, Growth Management Director

Absent: School Board Representative, Chuck Dixon

A. CALL TO ORDER

Mr. Facemyer called the meeting to order at 9:00 a.m.

B. INVOCATION

The Invocation was given by Mr. Bass.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Facemyer.

D. ROLL CALL

Recording Secretary proceeded with roll call.

E. CHAIRMAN TO READ THE APPEAL PROCESS AND MEETING PROCEDURES

F. OPEN TO THE PUBLIC: None.

G. APPROVE MINUTES –

MOTION: Approve minutes of February 4, 2021 and February 18, 2021.

1st Mr. Bass

2nd Mr. Bramblett

Mr. Bass suggested minor corrections be made to the minutes for February 18, 2021.

VOTE: 7 - 0, Motion Carried.

Attachment: April 1, 2021 PDC minutes (12867 : May 20, 2021 PDC agenda, minutes, and directions)

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April 1, 2021

H. STAFF ANNOUNCEMENTS:

Mr. Sherman advised that comments had been received from the state agencies regarding the Cardinal Future Land Use Map Category. There were no issues or objections. There was a recommendation from DOT regarding access management requirements according to the State and County rules. This will be heard again at the BOCC meeting on April 13, 2021.

I. EX PARTE COMMUNICATIONS:

Denise Lyn polled the PDC members on whether they had any ex parte communications concerning the applications to be heard. All PDC members said they had no ex parte communications. Mr. Barmes advised that he had site visits on applications PV-21-02 and PUD-21-01.

J. APPLICATIONS

1. PLAT VACATION

a. PV-21-02 Robert O'Hara

REQUEST: This request is to vacate a portion of the platted drainage and utility easements, lying in Lots 6 and 7, Block 60, Crystal Manor Unit 2.

LOCATION: Section 24, Township 17 South, Range 16 East; more specifically, lying in Lots 6 and 7, Block 60, Crystal Manor Unit 2, as recorded in Plat Book 8, Page 112, public records of Citrus County, Florida (Section 24, Township 17 South, Range 16 East), which address is 12572 W. Snowdrop Pl., Crystal River, Florida.

STAFF CONTACT: Joe Hochadel, Principal Planner, Land Development Division

INTRODUCTION: Ms. Wright's overview included an aerial view of the subject properties, photos of the subject properties and surrounding area and a map showing the location of the vacation request.

APPLICANT: Mr. O'Hara attended the meeting via video conference. Mr. O'Hara stated that he purchased the two lots and there is a utility easement in the center of the properties. He contacted the utility companies regarding his request to vacate the utility easement and there were no objections.

QUESTIONS FROM STAFF: None.

COMMISSION QUESTIONS/COMMENTS: None.

Attachment: April 1, 2021 PDC minutes (12867 : May 20, 2021 PDC agenda, minutes, and directions)

Planning and Development Commission

April 1, 2021

STAFF: The applicant requested to vacate a drainage and utility easement lying between lots 6 and 7 in Crystal Manor, Unit 2. Mr. Hochadel's presentation included a map showing the approximate location of the easement. The applicant owns both lots and plans to utilize them both as one homesite. There is a pending permit in the Building Department for a dwelling unit on lot 7 as well as an accessory unit proposed on lot 6. The utility companies responded to this request and had no objections or concerns. Based on the review and supporting documentation, the request is consistent with the Comprehensive Plan and Land Development Code.

PROPONENT: None.

OPPONENT: None.

COMMISSION COMMENTS: None.

MOTION: The Planning and Development Commission finds application number **PV-21-02 CONSISTENT** with the Citrus County Comprehensive Plan and Citrus County Land Development Code and that this Board recommends **APPROVAL** of the application to the Board of County Commissioners based upon the evidence and testimony presented, and the staff report and conclusions regarding this petition.

MOTION:

1st Mr. Bramblett 2nd Ms. Worthington

VOTE: 7 - 0, Motion Carried

2. **PLANNED UNIT DEVELOPMENT**

a. **PUD-21-01 Eileen Prive**

REQUEST: This request is to subdivide a 10-acre parcel into two, five-acre parcels in the Rural Residential District.

LOCATION: Section 4, Township 20 South, Range 18 East; Lot 40 of Gulf Highway Land Unit 8, PB 4, PG 113, (AK 1159164), which address is 6089 S. Pine Meadow Ave., Homosassa, Florida.

STAFF CONTACT: Miranda Anaya, Senior Planner, Land Development Division

INTRODUCTION: Ms. Wright's overview included an aerial view of the subject property and surrounding area, photos of the subject property and surrounding

Attachment: April 1, 2021 PDC minutes (12867 : May 20, 2021 PDC agenda, minutes, and directions)

Planning and Development Commission

April 1, 2021

area, a boundary survey and a resubmitted survey showing the improvements and the proposed lot line as submitted by the applicant.

APPLICANT: Michael and Eileen Prive stated that they own a 10-acre parcel with one home situated on the property. Their request is to split the property into two five-acre parcels (one parcel for each of their sons). The property gains access from two county-maintained roads (S. Pine Meadow Terrace and S. Power Terrace). The parcels in the surrounding area are approximately four to six acres in size. The applicants do not want to place multiple homes on the five-acre parcels.

QUESTIONS FROM STAFF: None.

COMMISSION QUESTIONS/COMMENTS: None.

STAFF: Ms. Anaya stated that the applicants are requesting to amend the Land Use Atlas Map to establish a Planned Unit Development for two five-acre parcels. Ms. Anaya's presentation included an aerial view of the subject property and surrounding area, photos of the subject property and surrounding area, a boundary survey that was submitted with PLT-21-04 and a resubmitted boundary survey showing the proposed lot line. The property can be accessed from two roadways, S. Pine Meadow Avenue and S. Power Terrace.

Most of the parcel sizes in the surrounding area are approximately four to six acres; there are a few parcels that are two acres. Most of the area are single-family homes. Duke Energy power lines are located to the east of the property.

The Land Development Code and the Comprehensive Plan state that Rural Residential District must have a density of one unit per 10 acres, but with a PUD, it can be one unit per five acres with a 50 percent open space. Ms. Anaya proposed suggested conditions. She stated there was an amendment to the date of the Master Plan to be March 3, 2021.

COMMISSION QUESTIONS: None.

PROPONENT: None.

OPPONENT: None.

COMMISSION COMMENTS:

Mr. Bramblett stated that he was in favor of this application as all the findings of fact were positive and were consistent with the Land Development Code and Comprehensive Plan.

Mr. Facemyer stated that he was in favor of this application.

Attachment: April 1, 2021 PDC minutes (12867 : May 20, 2021 PDC agenda, minutes, and directions)

Planning and Development Commission

April 1, 2021

Ms. Worthington agreed.

MOTION: The Planning and Development Commission finds application number **PUD-21-01 CONSISTENT** with the Citrus County Comprehensive Plan and Citrus County Land Development Code and that this Board recommends **APPROVAL WITH AMENDED CONDITIONS** of the application to the Board of County Commissioners based upon the evidence and testimony presented, and the staff report and conclusions regarding this petition.

MOTION:

1st Mr. Bramblett 2nd Ms. Worthington

Chairman Facemyer requested staff read the amended condition into the record. Ms. Anaya read the suggested condition:

1. The Planned Unit Development (PUD) shall allow for a density of one unit per five acres in the Rural Residential District as outlined on the Master Plan date-stamped received March 3, 2021, by the Land Development Division. Construction shall take place in accordance with the criteria and requirements of the Citrus County Land Development Code, unless as otherwise outlines within these conditions.

VOTE: 7 - 0, Motion Carried

K. ADDITIONAL ITEMS:

Training for the PDC members was presented by the County Attorney.

L. PLANNING AND DEVELOPMENT COMMISSION MEMBER COMMENTS: None.

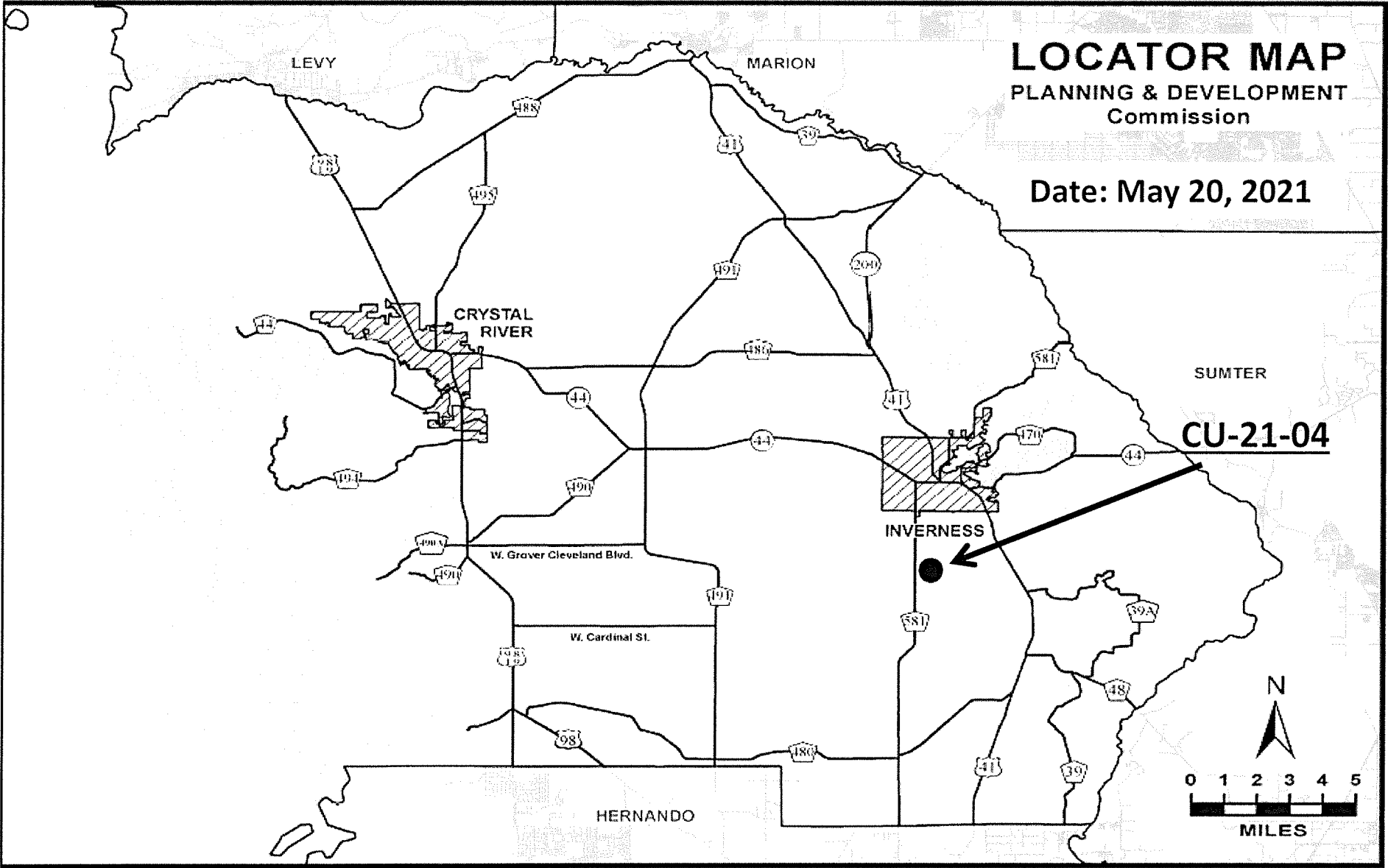
M. ADJOURN

The Planning and Development Commission adjourned at 11:00 a.m.

Respectfully submitted,

Cheryl Burton, Recording Secretary

Attachment: April 1, 2021 PDC minutes (12867 : May 20, 2021 PDC agenda, minutes, and directions)



INVERNESS, FL

Attachment: map and directions (12867 : May 20, 2021 PDC agenda, minutes, and directions)

Planning and Development Commission

Directions for meeting on May 20, 2021

CU-21-02 - From the intersection of Saunders Way and CR-491, turn left onto CR-491. Go **1.99 miles** and turn right onto W. Gulf to Lake Hwy. Go **8.6 miles** turn right on Pleasant Grove Rd (CR-581) Go **2.72 miles** and turn left on E. Arbor St. go **0.08 miles** site is on the left at **4979 E. Arbor Street** Inverness.



AGENDA MEMORANDUM

FROM:	Michael Sherman, AICP Growth Management Director
SUBJECT:	CU-21-04 Brenda McKenzie for Grace Bible Fellowship of Citrus County, Inc.
AGENDA DATE:	May 20, 2021
<u>BRIEF OVERVIEW:</u> This request is for a Conditional Use to allow for an expansion to an existing House of Worship, pursuant to Section 2406, <u>Medium Density Residential District</u> , as specified in the LDC.	
<u>BUDGET IMPACT/FUNDING SOURCE:</u>	
<u>RECOMMENDED ACTION:</u> Conduct a public hearing on May 20, 2021 to consider CU-21-04 Brenda McKenzie for Grace Bible Fellowship of Citrus County, Inc.	



PM2-21-26

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

CONDITIONAL USE APPLICATION NO. - CU-21-04 Brenda McKenzie for Grace Bible Fellowship of Citrus County, Inc.

DATE: April 20, 2021

PREPARED BY: Joe Hochadel, Principal Planner; Land Development Division *JH*

CONDITIONAL USE REQUESTED	This request is for a Conditional Use to allow for an expansion to an existing House of Worship, pursuant to Section 2406, <u>Medium Density Residential District</u> , as specified in the LDC.
SUBJECT PROPERTY	Specifically, the applicant is requesting a modular building for a classroom. <u>Sections 31, Township 19 South, Range 20 East</u> , more specifically, Lot 49, Block 359, of the Inverness Highlands West First Addition Subdivision, Plat Book 5, Page 44; also known as Alternate Key Number 1834929, which address is 4979 E. Arbor St., Inverness, Florida. A complete legal description of the property is on file with the Land Development Division.
ACREAGE	Approximately 2 acres
LDC ATLAS DESIGNATION	MDR, Medium Density Residential District
FLOOD ZONE	According to the Flood Insurance Rate Map (FIRM), the subject property is located in Zone X and AE with a Base Flood Elevation of 60.6 feet, as found on Community-Panel Number 120170361D.
SURROUNDING LDC ATLAS DESIGNATIONS	North – MDR, Medium Density Residential District South – MDR, Medium Density Residential District East – MDR, Medium Density Residential District West – GNC, General Commercial District
SURROUNDING FLUM DESIGNATIONS	North – MDR, Medium Density Residential District South – MDR, Medium Density Residential District East – MDR, Medium Density Residential District West – GNC, General Commercial District
SURROUNDING EXISTING LAND USE	North – Single-family residence and vacant residential property South – E. Arbor St., Single-family residences East – Vacant residential property West – Single-family residence
CHARACTERISTICS OF THE SURROUNDING AREA	The subject area is residential and commercial in nature.

Attachment: PDC staff report and locator map (12869 : CU-21-04 Brenda McKenzie for Grace Bible Fellowship of Citrus County, Inc.)

BACKGROUND AND ANALYSIS

The subject property is approximately 2 acres in size located on E. Arbor St., a 50-foot-wide public right-of-way. The applicant is requesting a conditional use for a modular building for classroom purposes for the existing House of Worship. The site contains a church, grass parking, and a shed. The House of Worship was built in 2004 and is approximately 2,592 square feet. The shed was also permitted in 2004 and is approximately 120 square feet in size. The property is partially wooded and seems to have landscape buffers around the perimeter of the lot.

The site plan indicates the modular building will be 1,056 square feet (24 feet by 44 feet). Although the applicant has not provided the proposed Impervious Surface Ratio (ISR), there appears to be adequate space available. The existing ISR for the site, based on the previous permits, is approximately 15 percent. With the proposed modular, the ISR will be approximately 16 percent. The maximum allowable ISR in the MDR District is 50 percent. The applicant has provided a narrative describing the proposed modular will be used as a classroom for the Sunday school children. The site is located within the PSA area; however, it does not appear to have access to central water and sewer services and is operating with a well and septic system.

Staff analyzed compatibility issues in the neighborhood. The site is adjacent to an existing residence to the north and west, and vacant residential to the east. There are existing residences located across E. Arbor St. as well. There are also existing commercial uses located in close proximity to the west such as an existing strip center and a convenience store with gas pumps. The existing church has been in operation since 2004 and the proposed classroom addition will largely serve the existing members; therefore, the proposed modular appears to be compatible with the surrounding area.

Consistency with the Comprehensive Plan – All development applications shall demonstrate complete compliance with the Citrus County Comprehensive Plan. This Conditional Use application is consistent with the Comprehensive Plan with conditions.

Policy 17.2.8 The County shall utilize land use techniques and development standards to achieve a functional and compatible land use framework which reduces incompatible land uses.

Staff Comment: The proposed use is compatible with the surrounding residential and commercial committed land uses. Churches are allowed as a conditional use within the MDR District as an institutional use. Given the surrounding land uses an institutional use could be considered an intermediate use between the residential and higher intensive commercial uses. The site is also 2 acres and the location of the proposed modular providing distance and the existing trees provides buffering to residential land uses.

Consistency with the Land Development Code (LDC) – Staff reviewed this application under the standards of Section 3160, Churches, and Section 2406, Medium Density Residential District.

3160. Churches

B. General Requirements: All Structures used for Worship, assembly, classrooms, dormitories, and recreation (but not including a parsonage or any utility buildings), and

any outside play areas, must meet the setbacks as prescribed in the land use district in which the church is located.

Staff comment: The applicant has indicated this proposal meets all distances requirements. The site plan shows the modular building will be 69 feet to the closest property line.

2406. Medium Density Residential District (MDR)

Staff comment: According to LDC, Section 2406, a House of Worship and associated uses can be allowable as a Conditional Use in this district. The MDR Land Use District allows for a maximum ISR of 50 percent and appears to be able to meet this requirement.

PUBLIC COMMENT

No public comment has been received as of the writing of this staff report.

PROPOSED FINDINGS OF FACT

Pursuant to Section 4500, Conditional Uses, of the Citrus County Land Development Code (LDC), a Conditional Use application which meets the objective criteria of the LDC for that use shall be presumed entitled to approval. Such presumption may be rebutted by competent, substantial evidence that the applicable LDC criteria have not been met. Following completion of the public hearing, the PDC shall approve, disapprove, amend and approve the proposal, or approve the proposal with conditions. Any action taken shall be accompanied by the findings of the PDC upon which the action was based. Approval of a Conditional Use application shall be granted by the PDC only if all the following are positive:

1. ***The proposed uses and structures would not violate the land uses, densities, or other directives of the adopted Comprehensive Plan or the LDC.*** Uses associated with a House of Worship are allowed with a conditional use and density has not been violated by this request.
2. ***The proposed uses and structures would not be incompatible with the uses, structures, and activities on adjacent and nearby lands.*** The expansion of the existing House of Worship will be compatible with the surrounding land uses. Any further expansion will require an amendment to this conditional use if approved.
3. ***The proposed uses and structures would not violate health, safety, welfare, and/or convenience of those residing, working, or owning land in the vicinity of the proposed use or structure, specifically with respect to:***
 - a. ***The use or structure would not exceed the applicable density or bulk regulations except as specifically authorized, nor shall the use or structure result in overcrowding of land or buildings;*** The proposed use will not exceed allowable density, bulk regulation, Floor Area Ratio, and Impervious Surface Ratio and must demonstrate compliance with these requirements at time of permitting.
 - b. ***The use or structure would not impair pedestrian or vehicular movement in adjoining streets so as to violate adopted level of service standards;*** The use will not impair pedestrian or vehicular movement.

- c. ***The use or structure would not create a fire hazard;*** The application as proposed would not create a fire hazard as long as Fire Code requirements are met at the time of permitting.
 - d. ***The use or structure would not result in noise, odor, glare, vibration or other similar characteristic, which is detectable at the property line and which exceeds the level which will result from permitted uses;*** The use as proposed will not result in odor, glare, or vibration. The property is 2 acres in size and does not appear that noise will be an issue but must maintain noise level standards.
 - e. ***The use or structure would not prevent an adjoining landowner from the legal use of his property pursuant to the LDC;*** The use as proposed will not prevent use of adjoining lands.
 - f. ***The use or structure would not violate a requirement or limitation of any applicable state or federal law or regulation;*** The use as proposed will not violate applicable state law or federal regulation.
 - g. ***The use or structure would not result in the inadequacy or inability of any public facility or service to meet adopted standards.*** The proposal does not impact public facilities.
4. ***Termination and/or expiration of Conditional Uses - The PDC may specify a term for the duration of a Conditional Use. A Conditional Use will terminate if no development activity under the Conditional Use is commenced within three years of the date of approval, or if the approved use ceases for a period of three years. The property owner may seek an extension by applying to the PDC.*** The applicant has not requested an extension of the three-year term.

PROPOSED CONDITIONS

1. This Conditional Use is to allow for a modular classroom as an expansion to a House of Worship in the MDR District as proposed on the site plan submitted with this application date-stamped received by the Land Development Division on February 18, 2021. Construction shall take place in accordance with the criteria and requirements of the Citrus County Land Development Code, unless as specifically outlined within these conditions.
2. Where standards are not specified herein, the Citrus County Land Development Code standards (or current code standards) will apply.

JH/SW/cb

29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44
000A0															

E TRAIL 10



Subject Property

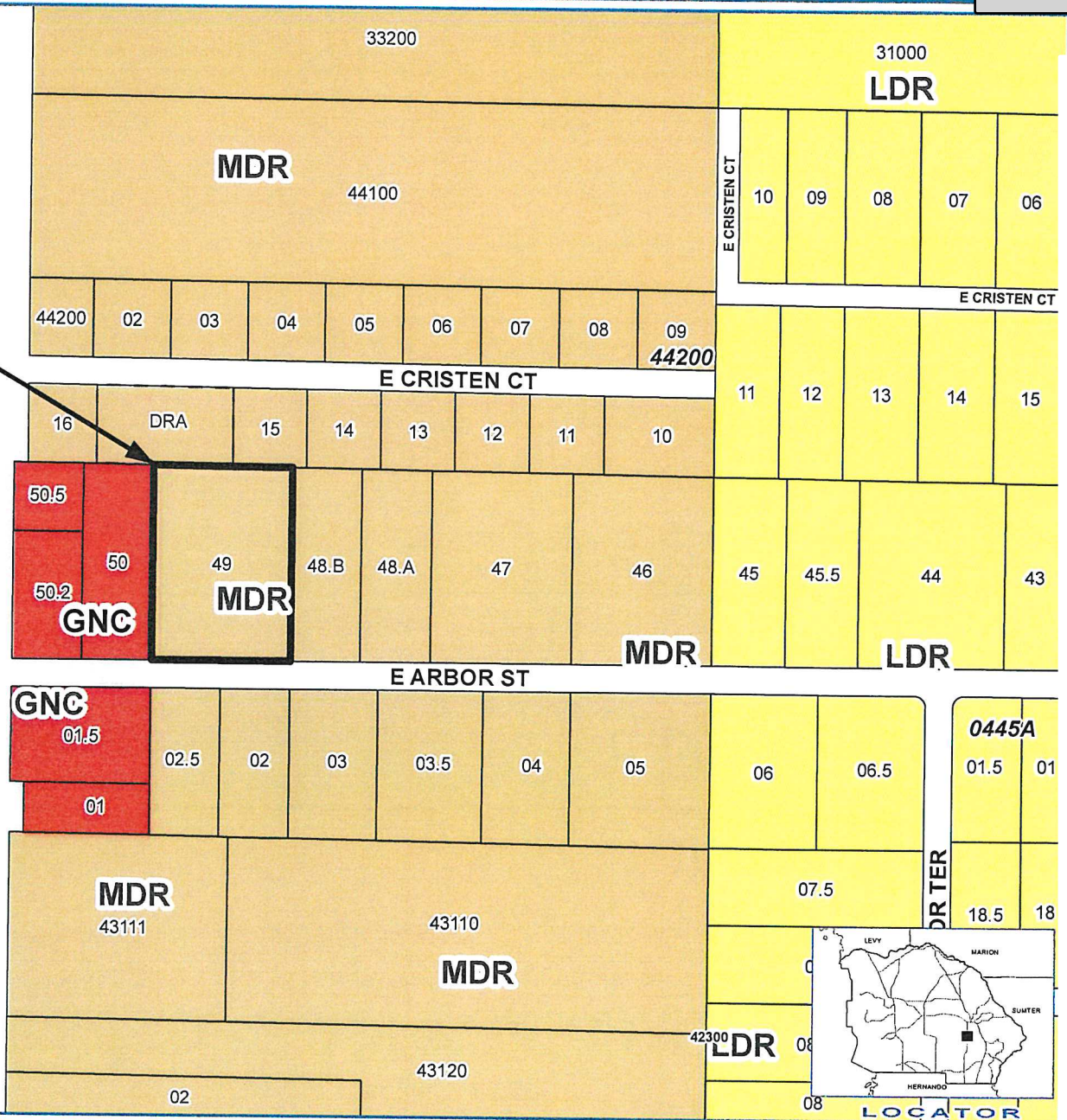
90000
CON

Legend

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

0 150 300
Feet
1 in = 300 ft.

S PLEASANT GROVE RD



Application #: CU-21-04

Applicant: McKenzie Permitting for Grace Bible Fellowship of Citrus County Inc

Proposal: Accessory building to an existing church in MDR

Location: 4979 E Arbor St., Inverness FL 34452

LDC Atlas: Medium Density Residential (MDR)

S-T-R - 31-19-20 NW

Planner Initials: gh Date: 4/7/21

Geographic Information Systems

Prepared By : Susan O'Connell

Date: March 17, 2021

Source: Enterprise Geodatabase

Map Number: S0001130

Cynthia P. Skelhorn
Director
Citrus County
The information is to be used for general purposes only. The Citrus County Geographic Information Systems Division makes every effort to provide current data to its users and complies with all data to be printed. However, all information provided must be independently verified by the user.

Citrus 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 completeness of this information and the timing, reporting, or displaying of these matters.





Board of County Commissioners

DEPARTMENT OF GROWTH MANAGEMENT
LAND DEVELOPMENT DIVISION
3600 W. Sovereign Path, Suite 140
Lecanto, FL 34461

Telephone: (352) 527-5239 Fax (352) 527-5428
Toll Free (352) 489-2120 TTY (352) 527-5312
Web Address: www.citrusbocc.com

CITRUS COUNTY LAND DEVELOPMENT CODE CONDITIONAL USE APPLICATION

Application No.: CU-21-04 Date: 1-30-2021 2/18/21
* Written Authorization is required if Applicant is different than Owner.
Applicant* **Property Owner** GRACE BIBLE FELLOWSHIP
Name: MCKENZIE PERMITTING Name: OF CITRUS COUNTY INC.
Address: 7232 E. GOSPEL ISLAND RD Address: P.O. BOX 1323
City: INVERNESS City: HERNANDO
State: FLORIDA Zip: 34450 State: FLORIDA Zip: 34442
Home No.: 726-0889 Cell No.: 601 0942 Home No.: _____ Cell No.: _____
Work No.: 726-0889 Fax No.: _____ Work No.: _____ Fax No.: _____
Email: mckenziepermitting@gmail.com Email: _____

Property Description: Section: 31 Township: 19 South Range: 20 East
Legal Description: INVERNESS HIGHLANDS WEST 1ST ADDITION LOT 49 BLK 9
Subdivision: INVERNESS HIGHLANDS W. Lot(s): 49 Block/Parcel: 359
Alternate Key #: 1834929 Parcel ID: 20E19S300010 03590 0490
Acreage: 2.04

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.

Conditional Use Request: TO ALLOW FOR A CHURCH CLASSROOM
TO BE PLACED ON SITE

Describe how it will/will not affect surrounding development: IT IS PART OF
EXISTING CHURCH ACTIVITY

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.

RECEIVED
FEB 18 2021
CU-21-04
Land Development Division

PLAT OF A BOUNDARY SURVEY

DESCRIPTION

LOT 49, BLOCK 358, INVERNESS HIGHLANDS WEST 1ST ADDITION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 44; OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA.

OAKWOOD MANOR ESTATES
(UNRECORDED SUBDIVISION)

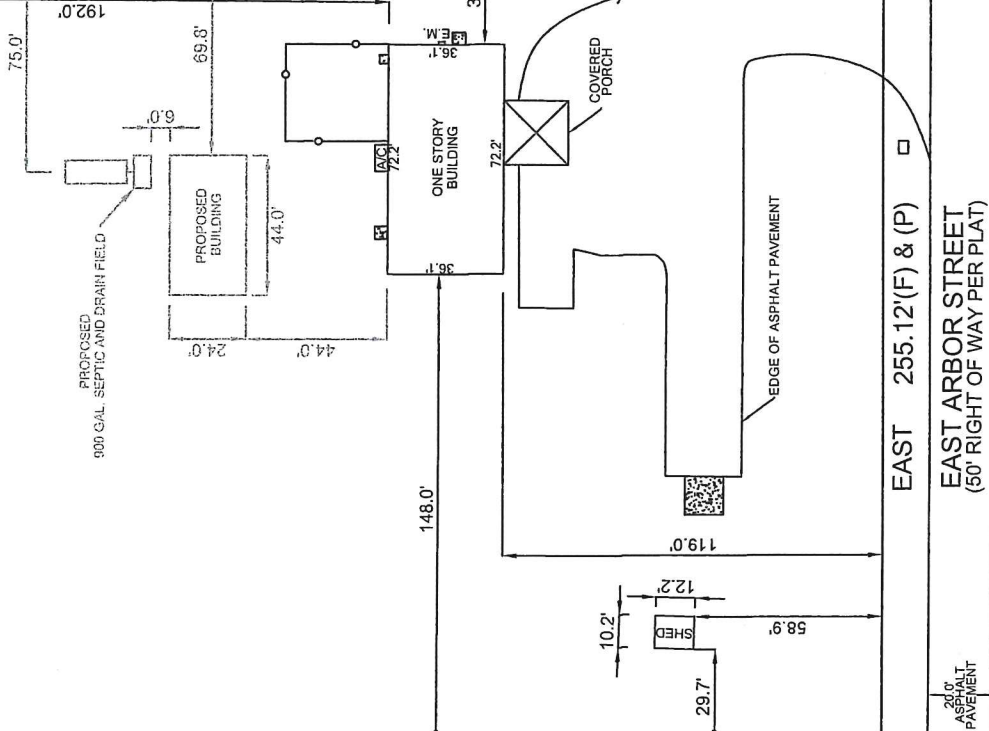
S.89°19'39"E. 255.11'(F) & (P)

LEGEND & ABBREVIATIONS

- (P) = PLAT MEASURE
- (F) = FIELD MEASURE
- CIRF = CAPPED IRON ROD FOUND (AS SHOWN)
- § = UTILITY POLE
- OHU- = OVERHEAD UTILITIES
- ☒ = COVERED AREA
- ▣ = CONCRETE
- PRM = PERMANENT REFERENCE MONUMENT
- A/C = AIR CONDITIONER
- E.M. = ELECTRIC METER
- = FENCE

LOT 50
BLOCK 359
N.00°12'28"E. 349.35'(F) & (P)

LOT 48
BLOCK 359
N.00°12'17"E. 346.36'(F) & (P)

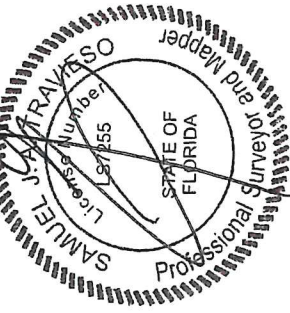


SCALE: 1" = 60'

SURVEY NOTES:

1. BEARINGS ARE BASED ON THE EAST LINE OF THE SUBJECT PARCEL, ESTABLISHING AN ASSUMED BEARING OF N.00°12'17"E. AS SHOWN ON THE DEED OF RECORD.
2. DESCRIPTION AS SHOWN HEREON WAS PROVIDED.
3. BASIS OF THIS SURVEY IS DESCRIPTION, RECORDED PLAT, AND MONUMENTATION FOUND IN PLACE.
4. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED.
5. THIS SURVEY OF VISIBLE FEATURES ONLY. UNDERGROUND ENCROACHMENTS, IF ANY, WERE NOT LOCATED.
6. ADDITIONS, DELETIONS, REPRODUCTION OF SURVEY DRAWINGS BY OTHER THAN THE SIGNED PARTY OR PARTIES IS PROHIBITED BY LAW WITHOUT CONSENT OF THE SIGNED PARTY OR PARTIES.
7. THIS SURVEY MAP IS VALID ONLY TO THOSE PERSONS OR ENTITIES NAMED HEREON.
8. ELEVATIONS AS SHOWN HEREON IF ANY, ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988.
9. PROPERTY LIES IN SECTION 31, TOWNSHIP 19 SOUTH, RANGE 20 EAST, CITRUS COUNTY, FLORIDA.
10. THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A COMPLETE TITLE REPORT OR TITLE ABSTRACT.
11. THE PROPERTIES SHOWN HEREON HAS A STREET ADDRESS OF 4979 EAST ARBOR STREET, INVERNESS, FLORIDA, AND 7153 NORTH HEATHER DRIVE, CITRUS SPRINGS, FLORIDA (AS FURNISHED)
12. THE EXPECTED USE OF THE PROPERTY AS DESCRIBED HEREON, AS CLASSIFIED IN THE STANDARDS OF PRACTICE (51-17 OF THE FLORIDA ADMINISTRATIVE CODE), IS "SUBURBAN". THE MINIMUM RELATIVE DISTANCE ACCURACY FOR THIS TYPE OF BOUNDARY SURVEY IS 1 FOOT IN 7,500 FEET. THE ACCURACY OBTAINED BY MEASUREMENTS AND CALCULATION OF A CLOSED GEOMETRIC FIGURE WAS FOUND TO MEET OR EXCEED THIS REQUIREMENT.
13. THE PROPERTY DESCRIBED HEREON APPEARS TO BE IN FLOOD ZONE X (AREA DETERMINED TO FALL OUTSIDE OF THE 0.2% CHANCE ANNUAL FLOODPLAIN) AS SCALED FROM THE FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 120063, MAP NUMBER 12017C, PANEL NUMBER 0361D, EFFECTIVE DATE 09/26/2014.

SURVEYORS CERTIFICATE
THIS SURVEY MEETS ALL APPLICABLE REQUIREMENTS OF THE FLORIDA STANDARDS OF PRACTICE AS CONTAINED IN CHAPTER 51-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.



11-20-2020
SAMUEL J. A. TRAVIESO
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. LS7255
DATE SIGNED
THIS SURVEY MAP IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

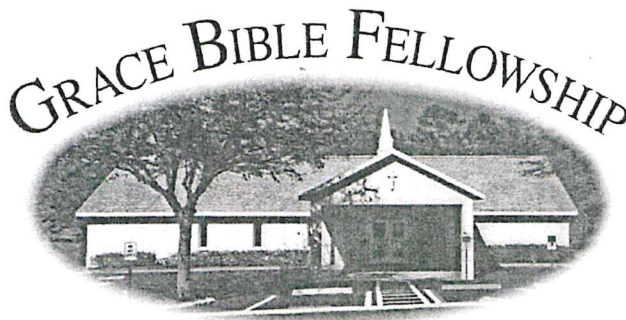
RECEIVED

FEB 18 2021

CU-21-04

Land Development Division

PROJECT NO.	DATE	SURVEYOR	DRAW BY:	FIELD DATE:
190540	11/20/2020	SJAT	STM	11/13/2020
CERTIFY TO: GRACE BIBLE FELLOWSHIP CHURCH				
NO.	DATE	REVISIONS		



March 24, 2021

"Growing together in God's grace"

To Whom It May Concern:

This letter is to confirm that Walter L Shipp, as member of the Board of Elders, is authorized to act on behalf of Grace Bible Fellowship Church in the placement of a portable classroom on existing church property.

This building will be used to teach Sunday School to the youth, mainly on Sunday Morning for one to two hours. We now have approximately twelve student that will be attending.

The building we are trying to obtain will have sliding partitions to make three class rooms and each room will have its own entry door. We are planning on installing a restroom (permit for new septic already approved) and a small kitchen area. The kitchen will only be used for warming existing food and may just be a microwave oven, refrigerator, and sink.

Walter L. Shipp Jr.
Board of Elders Chairman
Grace Bible Fellowship Church

RECEIVED

MAR 24 2021

CU-21-04

Land Development Division

Pastor Ken Lawson • 352.423.1051 • kandblawson@sbcglobal.net

4979 East Arbor St. • Inverness, FL 34453 • 352.726.9972 • Mailing Address: P.O. Box 1323 • Hernando, FL 34442

Attachment: Applicant's submittal (12869 : CU-21-04 Brenda McKenzie for Grace Bible Fellowship of Citrus County, Inc.)

CU-21-04

Brenda McKenzie for Grace Bible Fellowship of Citrus County, Inc.

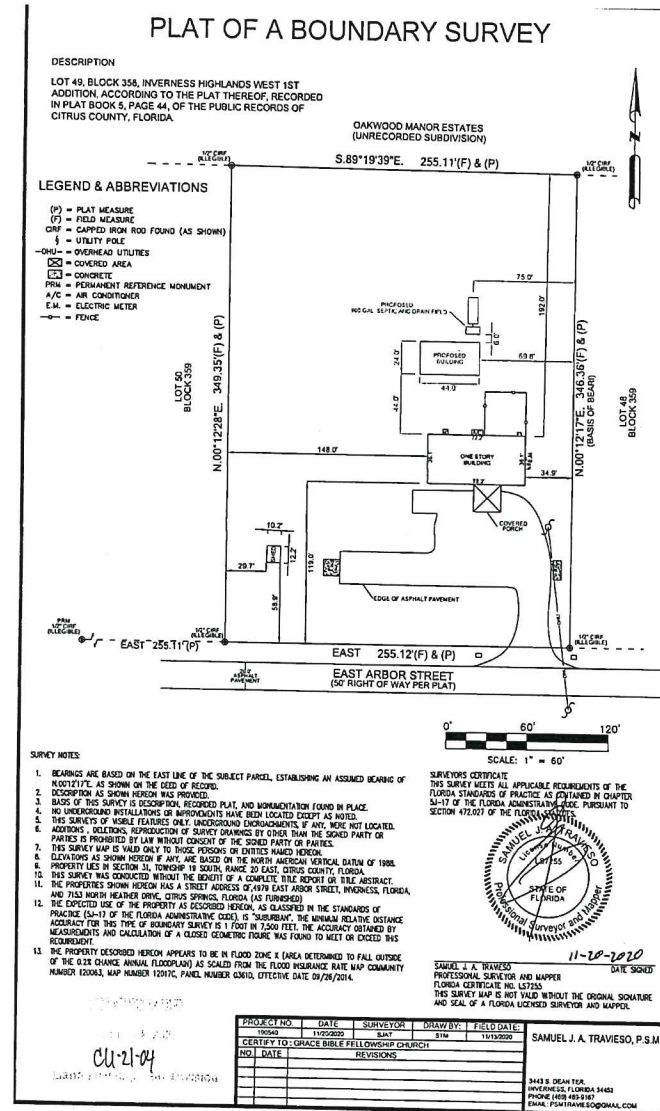






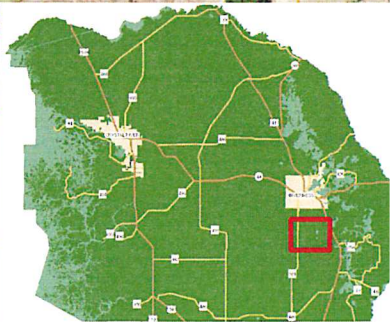






CU-21-04

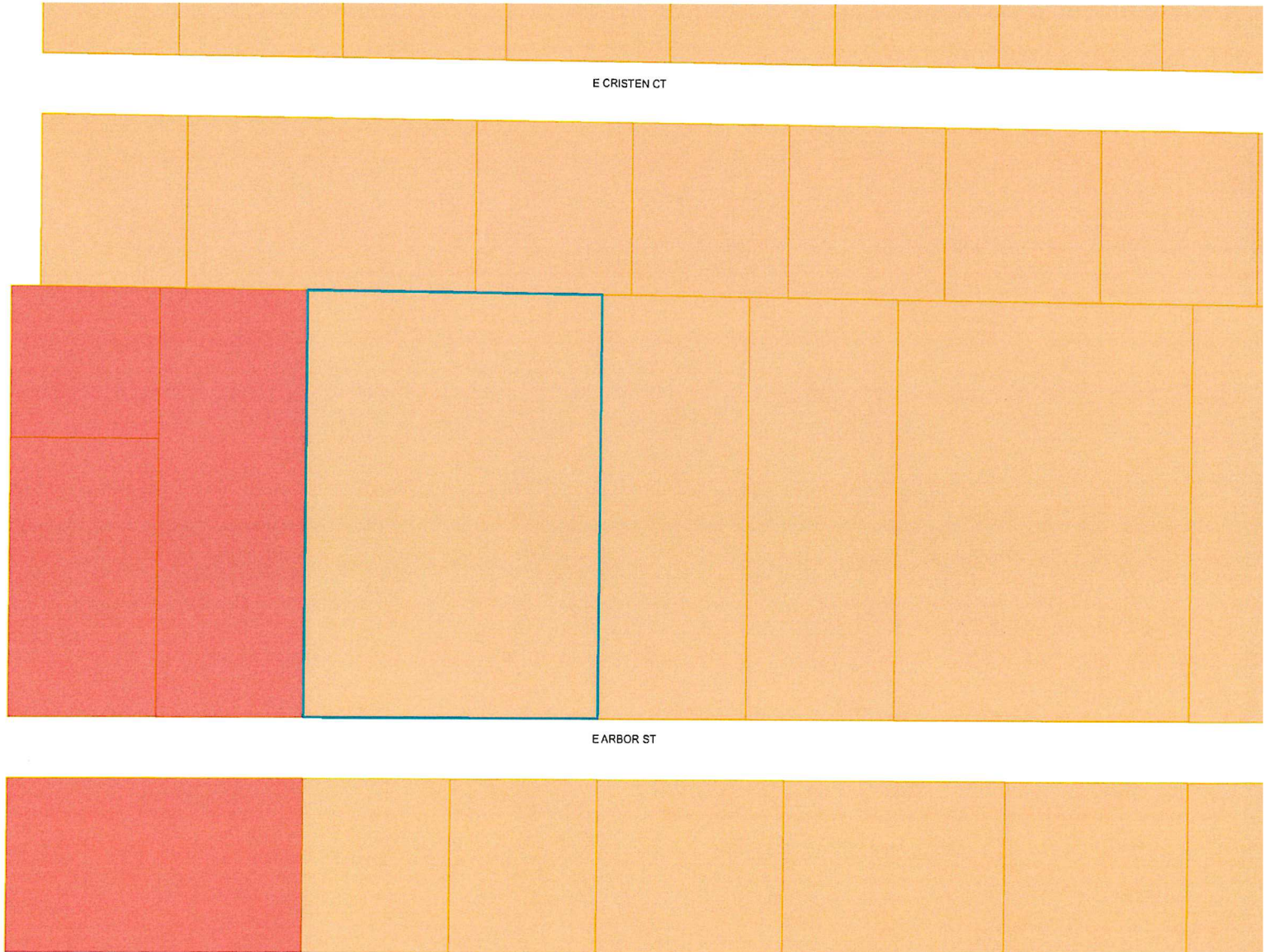
**Brenda McKenzie for
Grace Bible
Fellowship of Citrus
County, Inc.**





S PLEASANT GROVE RD

581



E CRISTEN CT

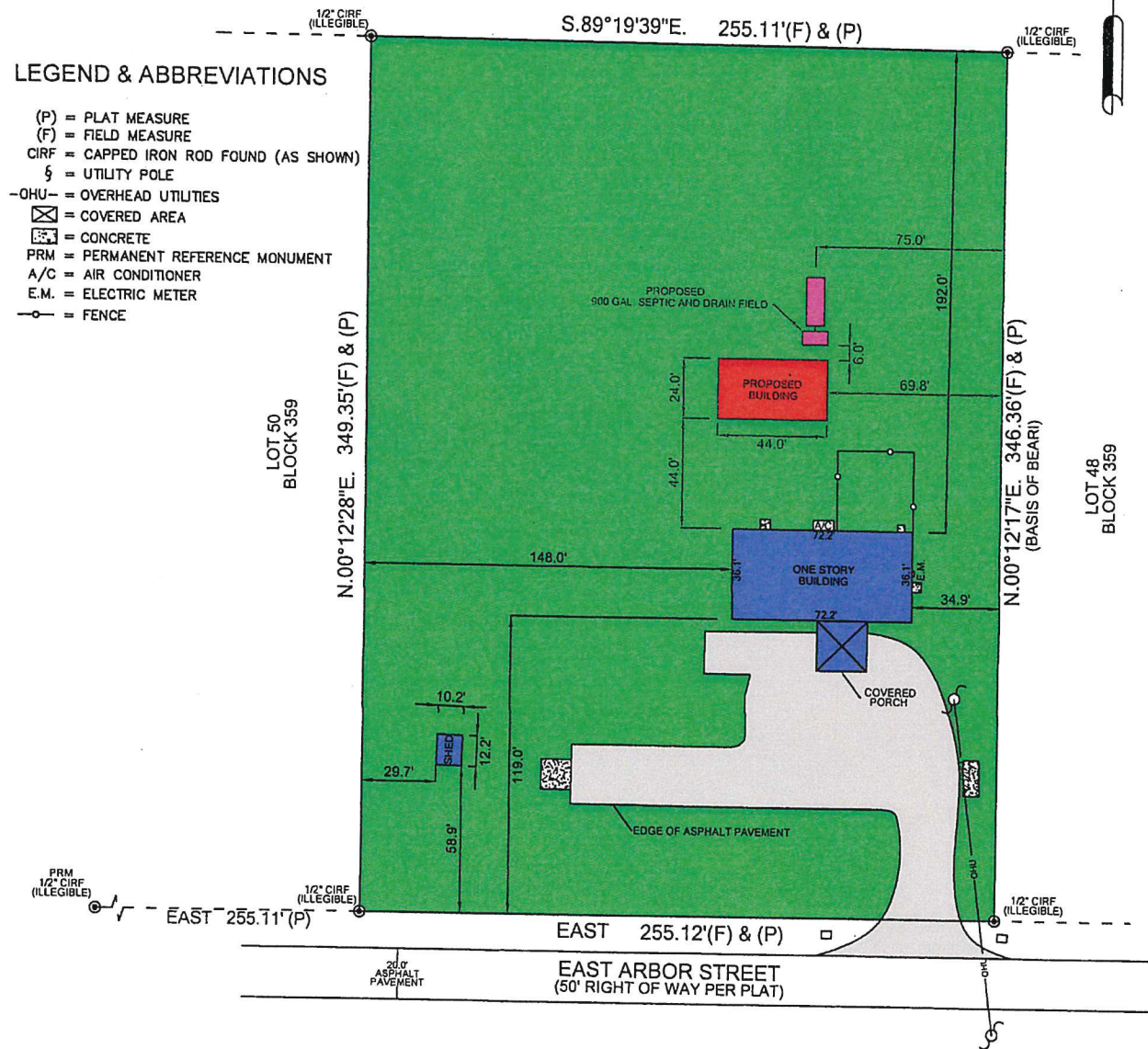
E ARBOR ST













AGENDA MEMORANDUM

FROM:	Michael Sherman, AICP Growth Management Director
SUBJECT:	OA-21-02 Land Development Division – Multiple Sections – Amendments to Land Development Code
AGENDA DATE:	May 20, 2021
<u>BRIEF OVERVIEW:</u> This request is for multiple amendments to the Land Development Code.	
<u>BUDGET IMPACT/FUNDING SOURCE:</u>	
<u>RECOMMENDED ACTION:</u> Conduct a public hearing on May 20, 2021 to consider OA-21-02 Land Development Division - Multiple Sections - Amendments to Land Development Code.	

LAW OFFICE OF
CLARK A. STILLWELL, LLC
ATTORNEY AT LAW

BANK OF INVERNESS BUILDING
320 U.S. HIGHWAY 41 SOUTH
INVERNESS, FLORIDA 34450

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caslaw@tampabay.rr.com

MAILING ADDRESS:
POST OFFICE BOX 250
INVERNESS, FLORIDA 34451

MEMORANDUM

TO: Michael Sherman

FROM: Clark A. Stillwell, Esquire
Law Office of Clark A. Stillwell, LLC

RE: OA-21-02 - LDC Amendments

DATE: April 27, 2021

Mike:

A couple of comments – (1) LDC Section 2300(A), please consider reducing residential centerline and ROW setback for cul-de-sac streets. Limited traffic – 50 ft./25 ft. has proven problematic on smaller, established lots of record (pre 1990) on cul-de-sac's. I would suggest 35 ft. for centerline and 15 ft. ROW. This would apply to pre 1990 residential lots located on a cul-de-sac. Any cul-de-sac post 90' should be able to meet current code. Variances are, as you know, difficult given the LDC's eight (8) standards, and (2) Section 2406/2407 – why limit text to just Houses of Worship?

CAS/cv
cc: Denise Lyn, Esquire
BOCC

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APR 27 2021
OA-21-02
2021 APR 27 10:00 AM

LAW OFFICE OF
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MAILING ADDRESS:
POST OFFICE BOX 250
INVERNESS, FLORIDA 34451

MEMORANDUM

TO: Michael Sherman

FROM: Clark A. Stillwell, Esquire
Law Office of Clark A. Stillwell, LLC

RE: LDC Text Amendment – Stormwater

DATE: April 30, 2021

Mike:

I'm working on an LDC text amendment to LDC Sections 3500 and 3600 relative to stormwater and setbacks. I've got two (2) approaches in mind – my own work product and alternatively – FEMA model ordinance for variance standards. Their standards are specific to stormwater. As you know, the LDC variance standards are historical dating back to Citrus County's first ordinance and were never intended for issues which arise out of waterfront setbacks. For your benefit I enclose the complete model ordinance. The variance standards are at pages 14-15. They do require "minimum" but don't add criteria like "reasonable use" found in LDC. Can you give me a time for a pre-app conference in May, 2021 to review work product? Thanks

CAS/cv
Enclosure
cc: Denise Lyn, Esquire
Randy Oliver
BOCC
Client(s)

RECEIVED

APR 30 2021

OA-21-02

Land Development Division

manufactured home, certification of the elevation of the lowest floor shall be submitted to the Floodplain Administrator prior to the final inspection.

SECTION 107 VARIANCES

107.1 General. The {body to hear variances} shall hear and decide requests for variances. The {body to hear variances} shall base its determination on technical justifications submitted by applicants, the considerations for issuance in Section 107.5, the conditions of issuance set forth in Section 107.6, and the comments and recommendations of the Floodplain Administrator and, as applicable, the Building Officials. The {body to hear variances} has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of these regulations, Section R322 of the Residential Code, and Section 1612 of the Building Code.

107.2 Historic structures. A variance is authorized to be issued for the repair or rehabilitation of a historic structure upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure, the historic structure is eligible for the exception in the section in Chapter 12 of the Existing Building Code applicable to historic structures in flood hazard areas, and the variance is the minimum necessary to preserve the historic character and design of the structure.

107.3 Functionally dependent uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use provided the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to use of methods and materials that minimize flood damage during the base flood and create no additional threats to public safety.

107.4 Restrictions in floodways. A variance shall not be issued for any proposed development in a floodway when any increase in flood levels would result during the base flood discharge, as evidenced by the applicable analysis and certification required in Section 105.3(1) of these regulations.

107.5 Considerations. In reviewing requests for variances, all technical evaluations, all relevant factors, all other portions of these regulations, and the following shall be considered:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage.
- (2) The danger to life and property due to flooding or erosion damage.
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.
- (4) The importance of the services provided by the proposed development to the community.
- (5) The availability of alternate locations for the proposed development that are not subject to flooding or erosion and the necessity of a waterfront location, where applicable.
- (6) The compatibility of the proposed development with existing and anticipated development.
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.

- (8) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwater and the effects of wave action, where applicable, expected at the site.
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

107.6 Conditions for issuance. Variances shall only be issued upon:

- (1) Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site limit compliance with any provision of these regulations or renders the elevation standards of the building code inappropriate.
- (2) A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable.
- (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
- (4) A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) Notification to the applicant in writing over the signature of the Floodplain Administrator that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and that such construction below the base flood level increases risks to life and property.

SECTION 108 VIOLATIONS

108.1 Violations. Any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by the building code is presumed to be a violation until such time as that documentation is provided.

108.2 Authority. The Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner's agent, or to the person or persons doing the work for development that is not within the scope of the building codes, but is regulated by these regulations and that is determined to be a violation.

108.3 Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law. {Or insert specific reference to State or local law or appropriate section of the building codes.}

SECTION 201 DEFINITIONS

Version Three: Without Chapter I; Without Appendix G (Final Draft August)

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APR 30 2021

OA-21-02

Land Development D

Packet Pg. 54

PM2-21-25



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

ORDINANCE AMENDMENT APPLICATION NO. – OA-21-02

Land Development Division – Multiple Sections
Amendments to Land Development Code

DATE: May 20, 2021

PREPARED BY: Michael Sherman, AICP, Interim-Director; Land Development Division

Request – Summary of the 13 amendments to the following Sections of the Land Development Code:

1. Proposal to amend Section 1701.B.4 to eliminate Planning and Development Commissioner term limit – This revision would delete Section 1701.B.4 that limits PDC Commissioners to eight (8) years.
 - Section 1701.B.4 Planning and Development Commission
2. Proposal to amend Section 4600. Administrative Waivers - This revision would reduce the distance related to abutter notification from 500' to the adjacent property owner.
 - Section 4600. Administrative Waivers
3. Proposal to amend Section 11005. Lot Reconfiguration – This revision will clarify the requirements needed for Lot Reconfigurations.
 - Section 11005. Lot Reconfiguration
4. Proposal to amend Section 11010. Minor Subdivision - This revision will clarify the requirements needed for Minor Subdivisions.
 - Section 11010. Minor Subdivision
5. Proposal to amend Sections 1403.B., 1601, 1800.D.7., 3750.D.7.1, 10170, and 10190 – These revisions will change the Planning Director and Development Director to Growth Management Director consistent with the job classification title.
 - Section 1403.B. Appeals
 - Section 1601. Planning and Development Director
 - Section 1800.D.7. Revoke Permits and Approvals
 - Section 10170. Discontinuance, Termination, or Abandonment
 - Section 10190. Procedures for Administrative Determination of Valid Nonconforming Uses
6. Proposal to amend section 1500. Definitions (setback) – This revision will define how the setback is measured.

- Section 1500. Definitions
- 7. Proposal to amend Section 2500. Types of Uses - This revision will provide clarity and to reduce conflicts with other sections of the LDC.
 - Section 2500. Types of Uses
- 8. Proposal to amend Section 5550. Required Buffer Types - This revision will provide clarity and to reduce conflicts with other sections of the LDC.
 - Section 5550. Required Buffer Types
- 9. Proposal to amend Section 2300. Building Setback Requirements and Height Requirements for all Land Use Districts. - This revision would establish minimum setbacks for accessory uses on non-residential development.
 - Section 2300. Required Buffer Types
- 10. Proposal to amend Section 1500. Definitions. This amendment would revise the existing definition for an attached/detached accessory structure.
 - Section 1500, Definitions
- 11. Proposal to amend Section 2406 and 2407, Land Use Districts - This revision would amend Chapter 2, Land Use Districts to allow for small accessory structures/buildings (storage sheds, sidewalks, etc.) to be permitted-by-right in houses of worship without requiring a conditional use permit provided all other land development code regulations are met.
 - Section 2406. Medium Density Residential District
 - Section 2407. High Density Residential District
- 12. Proposal to amend Section 3101, Residential Accessory Uses - This revision would amend Chapter 3, Land Uses to modify the existing regulations for accessory dwelling units.

Amendment 1 - Amend LDC to eliminate PDC Commissioner term limits. This amendment would delete Section 1701.B.4. that limits PDC members to 8 years.

1701. ESTABLISHMENT AND PURPOSE

- A. The PDC of Citrus County is hereby established for the purpose of advising the Citrus County Board of County Commissioners on issues related to planning and development and reviewing specific applications for development orders. The PDC shall serve as both the Local Planning Agency and the Land Development Regulation Commission as described in Chapter 163, Part II, Florida Statutes. This commission is charged with the responsibility of reviewing the existing Comprehensive Plan and making recommendations regarding the Comprehensive Plan to the BCC, recommending appropriate planning and development policies to the BCC, and reviewing specific development proposals for conformance to this LDC. The Commission is charged with final approval authority for specific types of proposals.
- B. The PDC shall consist of eight members including seven regular members, two alternate members, and one School Board Representative. The School Board Representative is a non-voting member. All regular and alternate members of the PDC shall be appointed by the Board of County Commissioners. Regular members and alternate members shall be voting members, except that an alternate member shall not participate in the hearing of any matter before the PDC unless one of the regular members is absent from such hearing. Regular members and alternate members shall serve for a term of four years, with only three regular members' terms and only one alternate member's term expiring in any one-year period. If any member fails to attend three successive PDC meetings without good cause, the PDC shall declare the member's seat vacant and notify the Chairperson of the Board of County Commissioners and the member of such vacancy. The Board of County Commissioners shall have the power to remove any regular or alternate member of the PDC for nonfeasance, misfeasance, or malfeasance. Each member of the PDC shall not be seated until having taken and signed an oath to perform the duties of such office. The signed oath shall be filed with the Clerk of the Board of County Commissioners. The regular and alternate members of the PDC shall serve without compensation, except for actual expenses incurred in the performance of PDC duties as may be allowed by Florida law and authorized by the Board of County Commissioners. The qualifications of the regular and alternate members of the PDC shall be as follows:
 1. *Application.* All prospective members shall timely submit to the Director of Planning and Development Land Development Division a completed application, the form of which shall be in the discretion of the Director, but which form shall include at a minimum the appointment or application for appointment to any other public office, and any other circumstance which may present the possibility of a conflict of interest.
 2. *Residency.* All members shall be permanent residents of Citrus County.
 3. *Education, training, and experience.* Three members shall be employed or retired from one of the following professions: architect; urban, rural, or regional planner; landscape architect; environmental scientist; civil engineer; real estate broker or agent; surveyor; or construction contractor. Two members shall be employed in or retired from any other profession. Two members shall be the representative of a homeowners/property owners association or a civic association. The BCC may appoint any resident of Citrus County

deemed to be otherwise qualified to serve on the basis of suitable education, training, experience, or any combination thereof.

~~4. No member of the PDC may serve more than eight consecutive calendar years.~~

Amendment 2 - Amend Section 4600, Administrative Waivers. This amendment would reduce the distance related to abutter notifications from 500' to adjacent property owners.

4600. ADMINISTRATIVE WAIVERS

A. *Intent.* It is recognized that certain conditions exist or are created which are not recognized as self-imposed hardships, but which may be caused by a parcel of land or a structure having an irregular shape, or other peculiar physical characteristic, or which are not addressed in the Land Development Code due to their unusual or unforeseen nature. It is the intent of the Board of County Commissioners to provide a remedy for these situations and to prevent undue expenses and time delays by permitting the Land Development Director to grant waivers under the following specific guidelines:

1. The Director's granting of a waiver contemplates an exception to existing Land Use rules and regulations in a specific instance to alleviate undue burden or unnecessary hardship upon the property owner which the land use rules and regulations otherwise impose;
2. The waiver is a modification which is ordinarily not permissible in a given land use district but may be granted upon a finding that a literal enforcement of rules and regulations would inflict an unnecessary hardship on an individual landowner either in a time or monetary concept; and
3. It is determined that the owner of the land has not purchased the property to increase its value by virtue of the waiver, that granting the waiver would not cause harm to the surrounding properties, and that the adjoining property owners have no objection to the granting of the waiver.

B. *Waivers permitted.* Waivers may be considered for the following:

1. Setbacks, area coverage and height.
 - a. The Land Development Director may approve waivers to the required setbacks, area coverage, and height/size of buildings by no more than ten (10) percent in all single-family and business districts.
 - b. The Land Development Director may approve waivers to the required setbacks, area coverage, and height/size of buildings by no more than 15 percent in rural residential and agriculture districts.
2. *Special uses.* When a use is not covered in any land use district but is similar in nature in all its components to permitted or permissible uses, the use may be considered either permitted or permissible by the Director.

3. *Off-street parking.* The Land Development Director may approve waivers of no more than ten (10) percent for the required parking spaces (areas) in business and industrial zoned districts.

C. Procedures

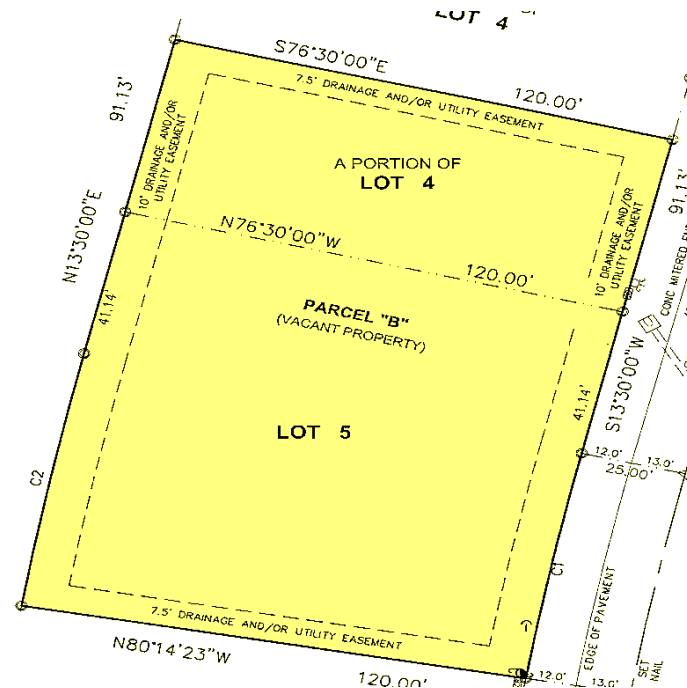
1. The Land Development Director shall notify the Building Official, County Engineer, County Administrator, County Attorney, and the County Commissioner in whose district the subject property is situated that a request has been made.
2. The Land Development Director shall notify persons owning land ~~within 500 feet of adjacent to or directly across the street of~~ the subject property for which a waiver is being requested. Notification shall be by first class mail.
3. Landowners have 30 days from the date of the postmark of the letter they receive from the County in which to file an objection.
4. If there are no written objections from landowners receiving notice, the Building Official, County Engineer, County Administrator, County Attorney, or the County Commissioner receiving the notice, the waiver shall be granted.
5. If a written objection is received, the landowner may file an application to be presented to the PDC for final decision at a public hearing. No less than ten (10) days prior to the hearing, the Land Development Division Director shall notify, by first class mail, all persons who previously received written notice of the hearing date and time.
6. The applicant shall pay a fee as set by the Board of County Commissioners, for each separate request, to defray the cost of processing.

Amendment 3 - Amend Section 11005. Lot Reconfiguration. This amendment would clarify requirements needed for Lot Reconfiguration.

11005. LOT RECONFIGURATION

- A. This section is provided to allow for the relocation of a common lot line(s) without the requirement to plat. ~~for land that has not been previously platted, as defined in Chapter 177, F.S. However, if the land is part of a previously platted subdivision, then a replat is required.~~ If additional parcels need to be created, this would be done through a process on the following pages via Minor Subdivision/Large Lot Rural Subdivision or record plat.
- B. In order to qualify for ~~exemption through~~ the lot reconfiguration provision, the following information shall be provided:
 1. An application for approval of the lot reconfiguration shall be required.
 2. One (1) survey map labeled "Boundary Survey" which includes the following information:

- a. Existing boundary **survey** configuration and legal description (per Standards of Practice Chapter 5J-17.050 through .053 F.A.C.), which shows the existing parcel(s) and/or lot line(s) of the area to be reconfigured and all existing easements and road rights-of-way of record (both internal and abutting).
 - b. The survey map must be annotated with bearings and distances as applicable.
 - c. The survey map must be signed and sealed by a Florida licensed Professional Surveyor & Mapper.
 - ~~d. The survey map of the original parcel must indicate that it is "For the purpose of preparing a Lot Reconfiguration submittal".~~
3. A separate survey map of the reconfigured parcel labeled **"For the purpose of a Lot Reconfiguration"** which includes the following information:
 - a. Proposed parcel(s) or lot line(s) being reconfigured, along with the **new** proposed legal description(s).
 - b. The reconfigured area(s) shall not prevent direct access to an improved public right-of-way.
 - c. Both the lot/parcel lines and the lines of any proposed easements, when applicable, shall indicate the new dimensions with bearings & distances (per the Standards of Practice Chapter 5J-17.050 through .053 F.A.C.)
 - d. The survey map must be signed and sealed by a Florida licensed Professional Surveyor & Mapper.
 - e. The Lot Reconfiguration and boundary survey shall be drawn at a legible scale and shall be bold enough to remain clearly legible after reduction. Additional detail may be required at the discretion of Land Development Division Director.
 - f. A computer-generated mathematical closure report, indicating acreage area, square feet, and precision of closure, shall be provided for both the existing boundary survey and the Lot Reconfiguration Boundary Survey.
4. Lot reconfiguration shall not result in an increase in density beyond that allowed by the Comprehensive Plan or this LDC.



5. New lots and/or parcel(s) shall not create a noncompliance with any setback requirements of this LDC.
 6. All parts of the parent tract(s) must be accounted for in the reconfiguration.
 7. After approval by the Director of the Land Development Division, or designee, the boundary survey identifying the new lot(s) and/or parcel(s) shall be recorded with the Clerk of the Circuit Court and the recording information shall be provided to the Land Development Division within 30 days after application approval.
- C. Separate deed(s) of any lands being conveyed as a result of this process must be created and recorded in public records.

Amendment 4 - Amend Section 11010. Minor Subdivision. This amendment would clarify requirements needed for Minor Subdivisions.

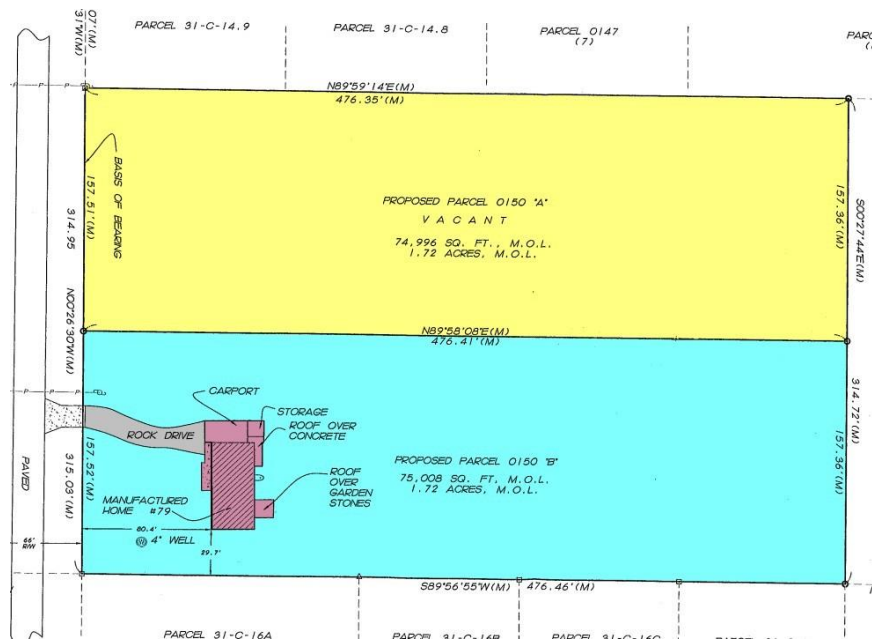
11010. MINOR SUBDIVISION

- A. This section is provided for the purpose of defining and describing an exemption to the requirement to plat for land that is proposed for subdivision into less than three parcels. All parcels resulting from said subdivision must have frontage for access along an existing public paved road, without passing over lands owned or controlled by others outside of the subdivision. Lots created pursuant to this exemption may not be further subdivided unless they are in accordance with the platting requirements of this LDC.
- B. In order to qualify for the exemption through this provision, the following conditions shall apply:

1. An application for approval of the minor subdivision shall be required.
2. A boundary survey (signed and sealed) showing the original parcel of land and subsequent subdivision of land shall be prepared by a Florida licensed Professional Surveyor & Mapper and shall include the following information:
 - a. Existing boundary survey and legal description of the original parcel labeled Boundary Survey (per Standards of Practice Chapter 5J-17.050 through .053 F.A.C.). All existing easements and road rights-of-way of record (both internal and abutting) must be indicated on the survey.
 - ~~b. The existing boundary survey shall indicate "For the purpose of preparing a Minor Subdivision submittal".~~
 - b. New Lot(s) and/or parcel(s) shall have an assigned number or letter through which it may be identified. to the parent parcel.
3. A separate map for the Minor Subdivision Boundary Survey (per Standards of Practice Chapter 5J-17.050 through .053 F.A.C.), the proposed legal descriptions, lot/parcel lines and dimension shall be shown. The lot/parcel lines shall indicate the new dimensions with bearings and distances per the aforementioned Standards of Practice without any topographic features. Topographic features, if required, shall be depicted on a separate sheet.
 - a. The Minor Subdivision Boundary Survey shall indicate "For the purpose of a Minor Subdivision".
 - b. The Minor Subdivision map shall be drawn at a legible scale and shall be bold enough to remain clearly legible after reduction. Additional detail may be required at the discretion of the Director of the Land Development Division.
 - c. A computer-generated mathematical closure report, indicating acreage area, square feet, and precision of closure, shall be provided for both the existing boundary survey and the Minor Subdivision Boundary Survey.
4. All lots and/or parcels so created shall meet the minimum lot frontage, area, and dimensional requirements for the land use district in which they are located; however, in no case shall residential lots have a minimum lot width of less than 100 feet or in no case shall a nonresidential lot have a minimum lot width of less than 150 feet for the entire depth of the lot and as measured along the existing paved public road.
5. A Minor Subdivision application shall comply with all other provisions of this LDC.
6. All parts of the parent tract must be accounted for in the new configuration.

7. After approval by the Director of the Land Development Division, or designee, the boundary survey identifying the new lot(s) and/or parcel(s) shall be recorded with the Clerk of the Circuit Court and the recording information shall be provided to the Land Development Division within 30 days after application approval.

- C. Separate deed(s) of any lands being conveyed as a result of this process must be created and recorded in public records.



Amendment 5 -Amend Section 11015. Large Lot Rural Subdivision. This amendment would clarify requirements needed for Large Lot Rural Subdivision.

- A. This section is provided for the purpose of defining and describing an exception to the requirement to plat for land that has not been previously platted as defined in Chapter 177, F.S. The intent of this section is to provide for large unplatted residential lots/parcels outside the Planned Service Area with access from a County road or via a 20-foot wide exclusive access easement which shall ~~abut~~ connect to a the County public road and remain part of the parent parcel. However, if the land is part of a previously platted subdivision, then a replat is required.
- B. All of the following requirements shall apply:
1. Land must be outside the limits of the Planned Service Area, as delineated by the Comprehensive Plan.
 2. Land can be subdivided in such a manner that all parcels resulting from said subdivision have access from an existing public road, directly or via an approved exclusive access easement which ~~abuts~~ connects to an existing

public road.

3. The proposed subdivision will not eliminate or diminish access to any adjacent parcel.
4. The applicant shall demonstrate via topographic maps or grading improvement plans that all proposed access easements are able to accommodate normal vehicular traffic. Any topographic features submitted shall be shown on an additional sheet(s) depicting the Large Lot Rural Subdivision Boundary Survey.

If all of the requirements can be met, the proposed subdivision can be exempt from the platting requirements and considered through the Large Lot Rural Subdivision process.

- C. In order to qualify for the exemption through this Large Lot Rural Subdivision provision, the following conditions shall be met:
 1. An application for approval of the Large Lot Rural Subdivision and exemptions to the platting requirements shall be required.
 2. A boundary survey (signed and sealed) showing the original parcel **and legal description** (per Standards of Practice 5J-17.050 through.053 F.A.C.) inclusive of all existing easements and rights-of-way (both internal and abutting). Where easements are not coincident with property lines, they must be labeled with bearings and distances and tied to the principal lot, tract, or right-of-way. The boundary survey shall be prepared by a Florida licensed Professional Surveyor & Mapper.
 3. A boundary survey for a Large Lot Rural Subdivision of land showing the dimensions of the proposed lot(s) and/or parcel(s) to be subdivided. This shall include:
 - a. A separate boundary survey and legal description(s), along with the appropriate bearings/distances of the created parcels (lots). New lot(s) and/or parcel(s) shall have an assigned number or letter through which it may be identified. **to the parent parcel.**
 - b. Any newly created exclusive ingress/egress easement (20-foot wide minimum) associated with any proposed new lot/parcel shall also be indicated.
 - c. If an exclusive access easement is proposed for ingress/egress, the following language must be placed on the boundary survey:
 "No governmental agency, including the Citrus County Board of County Commissioners, shall be responsible for the maintenance, upkeep, or improvements of any private drives, roads, streets, easements, or rights-of-way providing ingress and egress to the

property herein conveyed.”

- d. The boundary survey of the new parcel(s) shall clearly indicate that its purpose is for a Large Lot Rural Subdivision.
 - e. The boundary surveys shall be drawn at a legible scale and shall be bold enough to remain clearly legible after reduction. Additional detail may be required at the discretion of the Director of the Land Development Division.
 - f. The boundary surveys shall be prepared by a Florida licensed Professional Surveyor & Mapper.
- D. All lots and/or parcels so created shall meet the minimum area requirements for the land use district in which they are located; however, in no case shall lots have a minimum lot width of less than 100 feet which shall be measured at the proposed building site. Access drives shall be no less than 20 feet in width and shall connect directly to a County roadway via an approved driveway apron. No more than two access drives may occur within any 100 feet of public roadfrontage.
- E. A Large Lot Rural Subdivision shall not result in an increase in density beyond that allowed by the Comprehensive Plan or this LDC.
- F. All parts of the parent tract must be accounted for in the new configuration.
- G. After approval by the Director of the Land Development Division, or designee, the boundary survey identifying the new lot(s) and/or parcel(s) shall be recorded with the Clerk of the Circuit Court and the recording information shall be provided to the Land Development division within 30 days after application approval.
- H. A driveway apron shall be provided for stabilization of the County road at the point of ingress/egress from the County road in accordance with the driveway apron construction standards of Citrus County.
- I. Separate deed(s) of any lands being conveyed as a result of this process must be created and recorded in public records.

Amendment 6 - Amend Section 11025. Replats – Substantially Similar Plats. This amendment would remove the Replat Substantially Similar Plat requirements from the LDC.

11020. REPLATS – SUBSTANTIALLY SIMILAR PLATS

(NOTE: THIS ENTIRE SECTION IS TO BE REMOVED INCLUDING GRAPHIC)

A previously platted area proposed for replat will be considered to be substantially similar if the following conditions apply:

All roads and easements remain as per the recorded plat; and

A. The proposed replat is similar in design, layout and concept to the original plat, as determined by the Director of the Land Development Division, or designee.

If determined to be a substantially similar plat, then only a Final Plat complying with the regulations of this section needs to be filed.

Amendment 7 - Amend Sections 1403.B., Appeals, 1601, Planning and Development Director; 1800.D.7.2. Revoke Permits and Approvals. This amendment would revise the LDC to change the name of Planning and Development Director to Growth Management Director consistent with the job classification title.

1403.B. APPEALS

Official Interpretations Made by the Land Development Director

Appeals shall be made by an application filed by the aggrieved party to the Planning and Development Director Growth Management Director within 30 days of the issuance of the decision appealed. The application shall be on a form accompanied by a fee both of which prescribed by the Board of County Commissioners. The Planning and Development Growth Management Director shall consider the application and consult with the County Attorney or his/her designee within 30 days of receipt of the application. If the Planning and Development Growth Management Director and the County Attorney find the application is supported by adequate data and analysis to overturn the decision, the applicant shall be notified in writing and the fee shall be returned minus 25% for administrative processing costs. If the Planning and Development Growth Management Director and the County Attorney believe the interpretation should be upheld, the application, including all documentation submitted by the applicant, shall be forwarded to the County Administrator's Office for placement on a Board of County Commissioners' agenda for consideration, unless the appellant chooses to retain a Special Master, which election must be in writing at the time of filing. If such option is chosen, the County Administrator's Office shall have the sole authority to select the Special Master, and the appellant shall be responsible for all costs associated with the hiring of such individual.

1601. PLANNING AND DEVELOPMENT GROWTH MANAGEMENT DIRECTOR

The Planning and Development Director Growth Management Director shall be designated by the County Administrator with the concurrence of the Citrus County Board of County Commissioners

and shall have the following duties and responsibilities:

- 1.Administer development related codes, ordinances, resolutions, etc. including any amendments or updates thereto;
- 2.Administer and enforce the provisions of the County land development regulations except as may be specifically assigned to another official;
- 3.Serve as the lead official and department head for all planning, zoning, building, contractor licensing, and code compliance functions;
- 4.To oversee appropriate application of the provisions of this LDC and State and County laws as they pertain to planning and development in Citrus County;
- 5.To ensure appropriate interdepartmental coordination regarding development review and approval of preliminary plans, plats, final development orders, and development permits;
- 6.To assist the BCC and the PDC through staff reports and recommendations concerning applications and their compliance with standards and provisions of this LDC;
- 7.Perform other duties as assigned by the County Administrator, the Citrus County Board of County Commissioners, and those functions as required by provisions in the LDC;
- 8.To verify consistency of applications for preliminary or final approval with the Comprehensive Plan; and
- 9.To assist the Citrus County Board of County Commissioners and Planning and Development Commission through staff reports and recommendations regarding applications and their compliance with the Comprehensive Plan.

1800.D.7. REVOKE PERMITS AND APPROVALS

Development approval, including but not limited to rezoning, plats, site plans, development plans, certificates of level of service compliance for concurrency requirements, vested rights determinations, and construction and building permits, may be revoked, modified, or suspended by the Board of County Commissioners, at a public hearing upon due public notice, when it has been demonstrated and found that the development approval was granted on the basis of a clear and material misrepresentation of fact by the applicant or on the basis of a clear and material error of law, or there has been clear and material noncompliance with the conditions for approval. A proposed action to revoke, modify, or suspend a development approval may only be initiated by county staff. Upon discovery of such an erroneous development approval or noncompliance or deficiency of development activity with respect to the development approval, the county shall notify the owner, developer, and other responsible parties, such as the engineer of record, the contractor or any known holders of any mortgages, by certified mail within five working days of discovery of the error or deficiency. The responsible parties shall bear all risks and responsibility for any work undertaken after notification of the error or deficiency. Upon determining that the error or deficiency poses an immediate threat to public health or safety, the ~~Planning and Development~~ **Growth Management** Director granting the development approval shall have the power to authorize or issue stop work orders. The responsible parties shall respond to the error of deficiency notice by certified mail within 15 working days with a proposal for corrective action

to remedy the error or deficiency. The County shall evaluate and respond to the responsible parties within 10 working days with either an acceptance of the responsible parties' proposal or with an alternative recommendation for corrective action. If the responsible parties' recommendation is not accepted within ten working days, the responsible parties shall have an additional 15 working days to negotiate an acceptable resolution with the County. If resolution cannot be reached, the County may proceed with revocation, modification, or suspension procedures as outlined in this section. At least 15 days prior to the public hearing before the Board of County Commissioners, notice shall be provided by certified mail to the applicant for the development approval, all owners of record of property within the portions of the development approval to be revoked, and to other property owners to the same extent as was required for the subject development approval setting forth specific allegations to support the proposed action.

3750.J.1. ABANDONMENT

In the event the use of any telecommunications tower, alternative tower structure, and antenna has been discontinued for a period of 180 consecutive days, the tower shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the Growth Management Director of the Department of Planning and Development who shall have the right to request documentation and/or affidavits from the telecommunications tower owner/operator regarding the issue of tower usage. The telecommunications tower owner/operator shall provide all requested information within 30 working days of a request being made, and failure to so provide shall be deemed to constitute 180 days of non-use of the tower. Upon such abandonment, the owner/operator of the tower shall have an additional 90 days within which to remove the tower. If there are two or more users of a telecommunications tower, then abandonment shall not become effective until all users cease using the tower.

10170. DISCONTINUANCE, TERMINATION, OR ABANDONMENT

If a nonconforming structure or land ceases (if the building becomes vacant or the business closes), or if that use has been discontinued for a period of 365 days (one year), use of the structure or the structure and land shall thereafter conform to the standards of this LDC. The time period provided in this provision, is a rebuttable presumption of intent to abandon, which a showing of sufficient evidence to the contrary may overcome.

The Growth Management Director of the Department of Planning and Development and or his/her designee may grant an extension not to exceed 365 days. Any request for an extension must be made in writing, submitted prior to the expiration date. If the request is submitted after the expiration date, in addition to the written request, there must also be a showing of sufficient evidence to overcome the presumption of abandonment.

Amendment 6 – Amend Section 1500. Definitions (setback) – This revision will define how the setback is measured.

The setback distance between a natural or man-made feature (such as a road, lot line, a body of water, or a jurisdictional boundary) and the closest wall or portion of a building including any projection or overhang of the building except as may be exempt by this LDC.

Permitted Encroachments. Encroachments into required setbacks are permitted as follows in residential districts are permitted up to 3 feet into required setbacks for the following items:

1. Awnings may encroach up to three feet into front and rear yard setbacks and up to three feet into side yard setbacks.
2. Architectural projections, such as cornices, eaves, and similar elements, may encroach up to three feet into any yard setback.
3. All of the preceding setback encroachments are also permitted into perimeter setbacks in multifamily projects.

For the purpose of mining, setbacks shall refer to property boundaries.

Amendment 7 - Amend Section 2500. Types of Uses. This amendment clarifies what constitutes multi-family development and provides clarity and to reduce conflicts with other sections of the LDC.

2500. TYPES OF USES

This section contains a list of allowable uses within each land use district described in the Comprehensive Plan and this LDC. Specific uses are either a) permitted subject to the minimum requirements for development within the district, b) allowable subject to PUD standards for developments of greater intensity than the designated predominant use or conditional uses, or c) prohibited as incompatible with the intent and character of the district.

A. Residential. This is a broad group of uses, including single family dwellings, accessory apartments, multifamily dwellings, and accessory structures and uses, modular and manufactured housing, but specifically excluding recreational vehicles. While an area may be designated for residential use, it does not follow that any housing type (single family, apartment, townhouse, etc.) is allowed. Certain areas are limited to one or more housing types in order to preserve the established character of the area. In addition, each district that allows residential use has a maximum density under minimum development standards. Some districts allow additional density when a proposed project meets PUD standards.

NOTE: It is understood that, for marketing purposes, a residential development may use such terms as single family attached dwelling to describe a single-family-type character and design of a project. However, for the purposes of determining allowable use and appropriate development standards, any attached dwelling with three (3) or more units shall be considered multifamily.

Amendment 8 - Amend Section 5550. Required Buffer Type by removing the word “subdivision” in the Buffer Table. This amendment clarifies buffer requirements for residential land uses.

5550. REQUIRED BUFFER TYPE

The table below describes the required buffer type when abutting a different use with the following exceptions:

The Land Development Director may reduce any buffer required in this section upon receipt of evidence that the abutting property owner will be unaffected if a lesser buffer type is installed; however, the Land Development Director may reduce the required buffer by no more than two types, e.g., from D to B, or C to A, and the Director may not entirely eliminate a required buffer.

BUFFER REQUIREMENTS

Proposed Use	Permitted or Existing Uses			
	Ag	Res	Com	Ind
Agriculture	None	A	None	None
Residential Subdivision	A	None	B	B
Commercial	C	C	None*	B
Industrial	C	D	D	None*

Amendment 9 - Amend Section 2300. Building Setback Requirements and Height Requirements for all Land Use Districts

2300. BUILDING SETBACK REQUIREMENTS AND HEIGHT REQUIREMENTS FOR ALL LAND USE DISTRICTS

- A. A minimum setback from an abutting right-of-way shall be required for all buildings. The required minimum setback shall be measured from the centerline of the right-of-way. The distance is determined by the functional classification of the roadway, as specified on the Functional Classification Map in this LDC. Minimum distance is shown in the following table:

BUILDING SETBACK REQUIREMENTS	
Local Street (public or private)	50 feet
Minor Collector	65 feet
Major Collector	75 feet
Minor Arterial	100 feet
Principal Arterial	125 feet

- Principal uses should be located 25 feet from any existing right-of-way line, except as provided elsewhere within this LDC. In cases where private and local streets are 60 feet in width where residential uses may be permitted, the setback may be administratively approved no less than 20 feet from an existing right-of-way line.
- For residential uses, Metal or wood carports, awnings, or other open accessory structures may be permitted administratively with up to 20 percent reduction of the required building setback from the centerline of the right-of-way.
- Non-residential accessory uses (dumpsters, sheds) may be permitted administratively, provided the location is shown on the site improvement plan, on-site traffic circulation is not impaired, and cannot be in the required buffer.

Amendment 10 - Amend Section 1500. Definitions. This amendment would revise the existing definition for an attached/detached accessory structure and what constitutes a multi-family unit.

1500. DEFINITIONS

Accessory Use or Structure: Any use or structure on the same lot with and of a nature customarily incidental and subordinate to the principal use or structure.

1. Attached Accessory Use or Structure: An accessory ~~attached by~~ structure ~~sharing~~ a common wall ~~and being contiguous with foundation under the same roofline~~ the principal structure; ~~or connected by a breezeway or similar structure with the following limitations:~~
 - A. ~~The breezeway shall have a minimum clear walking width of at least thirty-six (36) inches.~~
 - B. ~~The breezeway length shall not exceed two times its width with a maximum length of twenty (20) feet.~~
 - C. ~~The roof over the breezeway will have the same roofing material and pitch as either of the buildings which it connects.~~
 - D. ~~The breezeway must provide door to door access to both buildings which it connects.~~



2. Detached Accessory Structure: An accessory structure not attached and not made a part of the principal structure.



Dwelling, Single Family detached: A structure containing one dwelling unit and not attached to any other dwelling unit by any means. A single-family unit may contain an accessory apartment pursuant to this LDC.

Dwelling, Multi-Family: Any residential structure containing two three or more separate dwelling units.

Multiple-Family Dwelling Unit: Any apartment, condominium, townhouse, duplex or other multiple-dwelling units containing two three or more living units within a single building.

Amendment 11 – Amend 2406 and 2407. Land Use Districts. This amendment would revise Chapter 2, Land Use Districts to allow for small accessory structures/buildings (storage sheds, sidewalks, etc.) to be permitted–by-right for *Houses of Worship* without requiring a conditional use permit provided all other land development code regulations are met.

2406. MEDIUM DENSITY RESIDENTIAL DISTRICT (MDR)

This category is representative of an urbanizing area. The category allows for single family residential development at a maximum density of 4.0 units per acre. Higher density developments, 4.1 to 8.0 units per acre, may be permitted, provided additional standards are met including a PUD as outlined in Chapter Four of this LDC.

<u>MDR District</u>		<u>Key – Level of Review</u>	
		P = Permitted	
		C = Conditional Use	
		PUD = Planned Unit Development	
Uses			
Residential			
Single Family	P	Group Home ¹	(
Attached Housing	P	Home Occupation	)
Multifamily	PUD	Model Homes (no sales office)	
Boarding House	C		
Institutional			
Educational Facilities (excluding public schools)	C	Nursing Homes ¹	(

Day Care Centers	C	Halfway Houses ¹	(
Houses of Worship ³	C	Cemeteries (without funeral home/crematory)	(
Assisted Living Facilities ¹	C		
Recreational			
Passive Recreation	P	Playgrounds	(
Golf Course	C		
Public Service/Utility			
Emergency Service Facilities	P	Wellfields (Greater than 100,000 gpd) ²	(
Communications/Transmission Towers	C	Wellfields (Less than or equal to 100,000 gpd) ²	(
Utility Facilities ²	P		
Office			
Professional Business Office	C	Government Facility	(
Medical/Dental Office	C	Personal Service Businesses	(
Clinic	C	Photography Studios	(
Financial Institution (without drive- up facilities)	C	Barbershop/Beauty Parlor	(
Model Home Center	C	Dispatch/Communication Office (excludes warehousing/ distribution of goods)	(
Model Home (with sales office)	C		
Neighborhood Commercial			
Health Club/Spa	C	Light Mechanical Repair Shop	(
Community Center	C	Restaurants (No drive-up facilities)	(
Fraternal Organization/Lodge	C	Open Air Café	(
Dance/Martial Arts/Instructional Studio	C	Bed & Breakfast	(
Small Retail Shops	C	Art Gallery/Museum	(
Strip Center – multi-use	C	Library	(
Funeral Home/Mortuaries (no crematorium)	C	Tackle/Bait Shop	(
Specialty Food Store	C	Veterinary Off/Animal Hosp./Pet Groom (No outside kennels)	(
Services Businesses	C	Convenience Store	(
Laundries/Dry Cleaners	C	Medical Marijuana Treatment Center (less than 7,000 square feet)	(
Pharmacy/Drug Store (less than 7,000 square feet)	C		

¹ Use limited within Coastal High Hazard Area to sites with direct access to a principal arterial roadway. See LDC Atlas for CHHA delineation.

² Regional facilities not allowed within the Coastal High Hazard Area. See LDC Atlas for CHHA delineation.

³ Accessory structures and uses (sheds, sidewalks) shall be permitted by right, provided no additional off-site impacts are associated with the accessory structure, are not placed in the required buffer and all other land development code requirements are

met.

*Wellfields greater than 100,000 gpd are subject to approval by the BCC.

Area Requirements:

Maximum Lot Coverage – 50%

Floor Area Ratio (non-residential uses only) – 0.40

2407. HIGH DENSITY RESIDENTIAL DISTRICT (MDR)

This is the highest density residential district and is representative of a compact urban growth area. This category primarily allows for multifamily units. Residential development is allowed at a density of 6.0 units per acre. Higher density developments, 6.1 to 20.0 units per acre, may be permitted if additional standards are met including a PUD as outlined in Chapter Four of this LDC. Multi-family apartments built as additional stories over nonresidential structures may be allowed in accordance with the density allowances as described within this Section.

<u>HDR District</u>		<u>Key – Level of Review</u>	
		P = Permitted	
		C = Conditional Use	
		PUD = Planned Unit Development	
Uses			
Residential			
Single Family	P	Group Home ¹	
Attached Housing	P	Home Occupation	
Multifamily	PUD	Model Homes (no sales office)	
Boarding House	C		
Institutional			
Educational Facilities (excluding public schools)	C	Nursing Homes ¹	
Day Care Centers	C	Halfway Houses ¹	
Houses of Worship ³	C	Cemeteries (without funeral home/crematory)	
Assisted Living Facilities ¹	C		
Recreational			
Passive Recreation	P	Playgrounds	
Golf Course	C		
Public Service/Utility			
Emergency Service Facilities	P	Wellfields (Greater than 100,000 gpd) ²	
Communications/Transmission Towers	C	Wellfields (Less than or equal to 100,000 gpd) ²	
Utility Facilities(Water & Wastewater) ²	P		
Office			
Professional Business Office	C	Government Facility	
Medical/Dental Office	C	Personal Service Businesses	
Clinic	C	Photography Studios	

Financial Institution (without drive-up facilities)	C	Barbershop/Beauty Parlor	(
Model Home Center	C	Dispatch/Communication Office (excludes warehousing/ distribution of goods)	(
Model Home (with sales office)	C		(
Neighborhood Commercial			
Health Club/Spa	C	Light Mechanical Repair Shop	(
Community Center	C	Restaurants (No drive-up facilities)	(
Fraternal Organization/Lodge	C	Open Air Café	(
Dance/Martial Arts/Instructional Studio	C	Bed & Breakfast	(
Small Retail Shops	C	Art Gallery/Museum	(
Strip Center – multi-use	C	Library	(
Funeral Home/Mortuaries (no crematorium)	C	Tackle/Bait Shop	(
Specialty Food Store	C	Veterinary Off/Animal Hosp./Pet Groom (No outside kennels)	(
Services Businesses	C	Convenience Store	(
Laundries/Dry Cleaners	C	Medical Marijuana Treatment Center (less than 7,000 square feet)	(
Pharmacy/Drug Store (less than 7,000 square feet)	C		(

- ¹ Use limited within Coastal High Hazard Area to sites with direct access to a principal arterial roadway. See LDC Atlas for CHHA delineation.
- ² Regional facilities not allowed within the Coastal High Hazard Area. See LDC Atlas for CHHA delineation.

Accessory structures and uses (sheds, sidewalks) shall be permitted by right, provided no additional off-site impacts are associated with the accessory structure, are not placed in the required buffer and all other land development code requirements are met.

*Wellfields greater than 100,000 gpd are subject to approval by the BCC.

Area Requirements:

Maximum Lot Coverage – 50%

Floor Area Ratio (non-residential uses only) – 0.40

Amendment 13 - Proposal to amend Section 3101, Residential Accessory Uses - This revision would amend Chapter 3, Land Uses to modify the existing regulations for accessory dwelling units.

3101. RESIDENTIAL ACCESSORY USES

Accessory uses and structures may be permitted. For lots less than two acres, all accessory structures shall be compatible with the exterior color and materials of the principal residential structure, excepting detached accessory structures 1,200 square feet or less in size or when the proposed accessory structure is a swimming pool, screen enclosure, dock, or boatlift.

Accessory uses may include, but are not limited to the following:

- A. Antenna structures for residential television and radio, including amateur radio communication. The array of antennas may be subject to approval through a Conditional Use.
- B. Hurricane shelters.
- C. Private garages and carports.
- D. Gazebos and similar structures.
- E. Private swimming pools and bathhouses.
- F. Tennis, basketball, or volleyball courts and other similar private recreation facilities.
- G. Guest cottages and garage apartments (accessory dwelling units) with living unit having up to 50% of the living area of the principal unit or 750 square feet of living area whichever is greater or less for noncommercial occupancy only. Only one such unit is allowed per residential site. The use shall be limited to family members and caretakers.



(1) Parking and access.

(a) Off-street parking for the accessory dwelling, if provided, shall be located on the lot on which the principal building is located.

(b) An accessory dwelling unit and any off-street parking spaces shall be served by the same driveway as the principal building.

(2) Standards. Each accessory dwelling unit shall comply with all standards applicable within the zoning district, including required setbacks and building height limits.

- H. Boat docks and docked or moored boats. A boat cover may be permitted but shall not be enclosed on any side and shall not include railings around the roof area or ladders or other devices for access to the roof area.
- I. All residential pools shall have pool safety barriers maintained in accordance with the requirements of F.S. 515.29 and Section R4501 of the Florida Building Code – Residential, to include but not limited to the following:
 - 1. The barrier must be at least 4 feet high on the outside.

- a. The barrier may not have any gaps, openings, indentations, protrusions, or structural components that could allow a young child to crawl under, squeeze through, or climb over the barrier.
 - b. The barrier must be placed around the perimeter of the pool and must be separate from any fence, wall, or other enclosure surrounding the yard unless the fence, wall or other enclosure or portion thereof is situated on the perimeter of the pool, is being used as part of the barrier, and meets the barrier requirements of this section.
 - c. The barrier must be placed sufficiently away from the water's edge to prevent a young child or medically frail elderly person who may have managed to penetrate the barrier from immediately falling into the water.
2. The structure of an above-ground swimming pool may be used as its barrier or the barrier for such pool may be mounted on top of its structure; however, such structure or separately mounted barrier must meet all barrier requirements of this section. In addition, any ladder or steps that are the means of access to an above-ground pool must be capable of being secured, locked, or removed to prevent access or must be surrounded by a barrier that meets the requirements of this section.
3. Gates that provide access to swimming pools must open outward away from the pool and be self-closing and equipped with a self-latching device, the release mechanism of which must be located on the pool side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap.
4. A wall of a dwelling may serve as part of the barrier if it does not contain any door or window that opens to provide access to the swimming pool.
5. A barrier may not be located in a way that allows any permanent structure, equipment, or similar object to be used for climbing the barrier. These standards shall not apply while a pool is under active construction with a valid building permit.

MS/SW/cb