CITRUS COUNTY
PLANNING AND DEVELOPMENT COMMISSION

Thursday July 15, 2021 at 9:00 AM
Lecanto Government Building
3600 W. Sovereign Path
Room 166
Lecanto, Florida 34461

Michael Facemyer, Chair	**James Roys**
David Bramblett, 1ST Vice Chair	**Kurt Stone**
Robert Bass, 2ND Vice Chair	**William Burda (Alternate)**
Richard Barmes	**Carole Scragg (Alternate)**
Stacey Worthington	**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. July 15, 2021, PDC agenda, minutes, and directions

July 15, 2021, PDC agenda, minutes, and directions

H. STAFF ANNOUNCEMENTS

I. EX PARTE COMMUNICATION - COUNTY ATTORNEY

J. APPLICATIONS

1. AA-21-02 Hope Smith

Conduct a public hearing on July 15, 2021 to review and consider AA-21-02 for Hope Smith.

2. V-21-07 Julia Finkbeiner

Conduct a public hearing on July 15, 2021, to review and consider V-21-07 for Julia Finkbeiner.

3. CU-21-08 – Daniel White

Conduct a public hearing on July 15, 2021 to review and consider CU-21-08, Daniel White

4. V-21-08 David Smith, Esq. for Real Sub, LLC

Conduct a public hearing on July 15, 2021, to review and consider V-21-08, David Smith, Esq. for Real Sub, LLC

5. PUD-21-04 – Brentwood Farms, LLC

Conduct a public hearing on July 15, 2021 to review and consider PUD-21-04 - Brentwood Farms, LLC

6. V-21-09 Russell Hoffman

Conduct a public hearing on July 15, 2021, to review and consider V-21-09 for Russell Hoffman.

7. CU-21-05 Brenda McKenzie for Perrone et al

Conduct a public hearing on July 15, 2021 to review and consider CU-21-05, Brenda McKenzie for Perrone, et al

8. OA-21-04 Land Development Division – Multiple Sections Amendments to Land Development Code

Conduct a public hearing on July 15, 2021 to review and consider OA-21-04 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:	July 15, 2021 PDC agenda, minutes, and directions
AGENDA DATE:	**July 15, 2021**

BRIEF OVERVIEW:

BUDGET IMPACT/FUNDING SOURCE:

RECOMMENDED ACTION:
July 15, 2021, PDC agenda, minutes, and directions

CITRUS COUNTY

PLANNING AND DEVELOPMENT COMMISSION

Thursday, July 15, 2021 at 9:00 AM

Lecanto Government Building

3600 West Sovereign Path, Room 166

Lecanto, Florida 34461

MICHAEL FACEMYER, CHAIR	KURT STONE
DAVID BRAMBLETT, 1st VICE CHAIR	STACEY WORTHINGTON
ROBERT BASS, 2nd 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. ATLAS AMENDMENT

a. AA-21-02 Hope Smith

REQUEST: This request is to amend the Land Development Code (LDC) Atlas Map and the Master Plan of Sugarmill Woods Cypress Village from PDR (Planned Development Residential – multi-family designation) to PDR (Planned Development Residential – single-family designation).

LOCATION: Section 18, Township 20 South, Range 18 East; more specifically, Lot 14, Block B-J, of the Sugarmill Woods Cypress Village

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subdivision, Plat Book 9, Page 86; also known as Alternate Key Number 1528658, which address is known as 26 Beech Ct., Homosassa, FL. 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. LAND USE APPLICATION

a. V-21-07 Julia Finkbeiner

REQUEST: This request is for a two-part Variance from the Citrus County Land Development Code (LDC) for the placement of a single-family dwelling (1) having less than the required 50-foot setback from the mean high water line (35-foot with a berm or swale), pursuant to Section 3510, Surface Water Protection Standards; and (2) having less than the required 50-foot minimum building setback from the centerline of a right-of-way, pursuant to Section 2300, Building Setback requirements and height requirements for all land use districts, as specified in the LDC.

LOCATION: Section 29, Township 19 South, Range 17 East; specifically, Lots 22 and 23 of Blue Spring Park Unrecorded Subdivision (AK 2526980), which address is 10151 Blue Springs Ct., Homosassa, FL. A complete legal description of the property is on file with the Land Development Division.

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

b. CU-21-08 Daniel White

REQUEST: This request is for a Conditional Use to allow for a small retail shop in the MDR District, pursuant to Section 2402, Medium Density Residential District (MDR), as specified in the LDC.

LOCATION: Section 02, Township 19 South, Range 19 East; more specifically, Inverness Highlands Unit 2, PB 2 PG 97 Lots 42 – 49, Blk 33, which address is 517 N. Croft Avenue. A complete legal description of the property is on file with the Land Development Division.

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

c. V-21-08 David M. Smith, Esq. for Real Sub, LLC

REQUEST: This request is for a variance from the Citrus County Land Development Code (LDC) to allow for a liquor store with sales and storage of alcoholic beverages having less than the required 500-foot radius to a

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House of Worship, pursuant to Section 3760, Alcoholic Beverages, as specified in the LDC.

LOCATION: Section 25, Township 18 South, Range 17 East; Tract A of LR-00-32, BK 1390, PG 2112-2114, (AK 3119345), which address is 6774 W. Gulf to Lake Hwy., Crystal River, Fl 34429. A complete legal description of the property is on file with the Land Development Division.

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

3. PLANNED UNIT DEVELOPMENT

a. PUD-21-04 Brentwood Farms, LLC

REQUEST: This request is to modify the Land Development Code Atlas and the Master Plan (Planned Unit Development–PUD) of Brentwood Farms for multiple conditions including allowance of a new entrance road, plat-wide stormwater calculations, and spec home construction prior to platting. This request is made pursuant to Section 4300, Planned Unit Developments (PUD) of the Citrus County Land Development Code.

LOCATION: Portions of Sections 22 and 23, Township 18 South, Range 18 East; more specifically Brentwood Farms development. A complete legal description of the property is on file with the Land Development Division.

STAFF CONTACT: Joanna Coutu, AICP, Director, Land Development Division

4. LAND USE APPLICATION

a. V-21-09 Russell Hoffman

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

LOCATION: Section 30, Township 19 South, Range 17 East; specifically, Lot 37 BLK 34 of Riverhaven Village (AK 1938996), which address is 11615 W. Riverhaven Dr. Homosassa, FL. A complete legal description of the property is on file with the Land Development Division.

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

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b. CU-21-05 Brenda McKenzie

REQUEST: This request is for a Conditional Use to allow for mini-warehouses in the GNC District, pursuant to Section 2412, General Commercial District, as specified in the LDC.

LOCATION: Section 5, Township 19 South, Range 18 East; more specifically, Lots 17, 18, 19, 20, 21, of James A. Gaynor unrecorded subdivision; also known as Alternate Key Number 2907487, which addresses are 4173, 4157, 4135, 4107 and 4165 W. Gulf to Lake Hwy., Inverness, Florida. A complete legal description of the property is on file with the Land Development Division.

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

5. ORDINANCE AMENDMENT

a. OA-21-04 Land Development Division – Multiple Sections – Amendments to Land Development Code

REQUEST: This request is to amend Ordinance No. 2012-06 of the Citrus County Land Development Code by amending Section 1500, Definitions (Setbacks); Section 1701, Planning and Development Commission; Section 2300, Building Setback Requirements and Height Requirements for All Land Use Districts; Section 3101, Residential Accessory Structures; Section 7320, Protection and Use of Rights-of-Way; Section 11005, Lot Reconfiguration; Section 11010, Minor Subdivision; Section 11015, Large Lot Rural Subdivision, and multiple Sections throughout the Land Development Code to correct references to the Growth Management Department.

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
May 20, 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: Joanna Coutu, Director, Land Development Division (LDD); Joe Hochadel, Principal Planner; Susan Wright, Senior Planning Coordinator, Kevin O'Brien, 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. 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 –

Approve minutes of March 4, 2021 and April 1, 2021.

1st Mr. Bass 2nd Ms. Worthington

Mr. Bass suggested a minor correction to the minutes for March 4, 2021.

The minutes of March 4, 2021 were approved, as amended.
VOTE: 7 - 0, Motion Carried.

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H. STAFF ANNOUNCEMENTS:

Ms. Coutu welcomed new staff member, Kevin O'Brien as the Planning Coordinator for the Land Development Division.

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 stated they had no ex parte communications. Messrs. Barmes and Facemyer advised of site visits on application CU-21-04.

J. APPLICATIONS

1. LAND USE APPLICATION

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.

STAFF CONTACT: Joe Hochadel, Principal 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: Brenda McKenzie represented the applicant. The applicant would like to place a modular classroom at the rear of the building.

QUESTIONS FROM STAFF: None.

COMMISSION QUESTIONS/COMMENTS: None.

STAFF: The applicant requested a conditional use to allow for an accessory structure to an existing House of Worship in the Medium Density Residential District (MDR). The parcel is approximately two acres in size. The existing House of Worship was constructed in 2003 and the surrounding area is

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residential and commercial. Mr. Hochadel's presentation included an aerial view of the subject property, photos of the subject property and surrounding area, a survey and a proposed site plan as submitted by the applicant. The applicant proposed the installation of a modular classroom on the rear of the building. There is well-established landscape buffering to all of the abutting properties. There appears to be adequate space available for the placement of the modular classroom and minimal increase to the ISR. It appears that the proposed modular is compatible with the surrounding area. All of the findings of fact have been found to be positive and there are two proposed conditions.

COMMISSION QUESTIONS/COMMENTS:

Mr. Facemyer inquired if there were any plans for additional parking or vehicular access to the new classroom. Mr. Hochadel stated that he understood that the addition was for existing parishioners and suggested the applicant approach the podium to explain. Walter Shipp explained that the church was growing and needed the modular structure for classrooms for the youth.

Mr. Bass asked if the existing well is sufficient for the increased use. Mr. Hochadel stated that he did not have sufficient information to answer that question. Mr. Bass also inquired if the applicant would be installing a grease trap for their septic system. Mr. Hochadel stated that if Environmental Health required the installation of a grease trap, it would be necessary at the time of permitting.

Ms. Worthington commented that the materials provided by the applicant stated that the kitchen area in the modular classroom would be used for heating foods, not preparing or cooking foods.

PROPONENT: None.

OPPONENT: None.

MOTION: The Planning and Development Commission finds application number ***CU-21-04 CONSISTENT*** with the Citrus County Comprehensive Plan and the Citrus County Land Development Code and that Board ***APPROVES WITH CONDITIONS*** the application based upon the evidence and testimony presented, and the staff report and conclusions regarding this petition. It has been determined that ***APPROVING*** the proposed Conditional Use will not adversely affect the public interest; that there is compliance with special rules governing individual conditional uses of the type involved; that the proposed development, with conditions and safeguards attached, would be generally compatible with adjacent properties and other property in the district; and that the PDC is empowered under the section of the LDC described in the application to grant this Conditional Use.

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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.

MOTION:

1st Mr. Barmes 2nd Mr. Facemyer

VOTE: 7 - 0, Motion Carried

2. ORDINANCE AMENDMENT

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

REQUEST: This request is to amend Section 1500. Definitions (setback) of the Land Development Code. The remaining amendments initially proposed are being reviewed and will be brought back to the PDC at a later date.

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

Mr. Sherman stated that the amendment would be to change the definition of setback. A setback would be measured from the property line to a wall. This amendment would state that the setback would not be measured from the overhangs. In many of the counties in the State of Florida, a setback is measured from the property line to the wall.

COMMISSION QUESTIONS:

Mr. Bramblett inquired if air conditioners/compressors, etc. are included within the setback. Mr. Sherman stated that the Code allows air conditioners, etc. to be included within the side setback. Mr. Bramblett also inquired about landings and stairs. Mr. Sherman advised that landings and stairwells must be located outside of the setback area. Ms. Coutu commented that the amendment would allow awnings and eaves to the rear and side setbacks up to three feet where they are currently allowed to encroach only into the front setback.

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Ms. Lyn asked for clarification on #3 of the permitted encroachments. Mr. Sherman explained the purpose. Discussion ensued regarding rewording the permitted encumbrances to make it easier to understand.

Mr. Bass stated that he was not in favor of this amendment to accommodate a single development.

Ms. Coutu commented that a frequent complaint received from developers outside of the county is that measuring to the eaves is unusual; it is not a common practice in the State of Florida.

Ms. Worthington stated that this is a building trend, and the Board would be revising the Code for an upcoming trend in Citrus County. There is a need for housing in Citrus County.
Mr. Barmes advised of his concern about the runoff due to the reduced setbacks. Ms. Coutu stated that the runoff will still need to be compensated for and designed so that the runoff stays on their property.

Mr. Bass commented that he could support that awnings may encroachment up to three feet into the front and rear yard setbacks but cannot support the encroachment into side yard.

Mr. Stone commented about the need for a more concise definition of measurement of the side setbacks whether it be from the eaves or a wall.

Discussion continued regarding revising the language for the permitted encroachments.

PROPONENT: Gaston Hall spoke on behalf of the Citrus County Building Alliance. He stated that he is a State Certified Class A Contractor and has built in 33 counties in the State of Florida. The setback encroachments are becoming more prevalent especially in workforce and low-income housing. This trend is becoming more common due to the smaller lot sizes and the land costs. Mr. Hall stated that the Building Alliance is in support of this amendment except they suggest removing the word "perimeter" in #3 of the permitted encroachments.

OPPONENT: None.

COUNTY ATTORNEY COMMENTS:

Ms. Lyn stated that she had suggested revisions to the Permitted Encroachments based on the discussions.

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COMMISSION COMMENTS:

Ms. Worthington stated that she agreed with the suggested revisions. Messrs. Bramblett, Facemyer and Barmes stated that they agreed also.

Mr. Facemyer requested clarification on the amendment to Section 1500. Definitions (setback).

Ms. Lyn read the proposed revisions for the record.

> 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.
>
> Permitted Encroachments. Encroachments into required setbacks are permitted as follows in residential districts up to three feet into required setbacks for the following items:
>
> 1. Awnings may encroach up to three feet into front and rear yard setbacks.
> 2. Architectural projections, such as cornices, eaves, and other similar elements, may encroach up to three feet into front and rear yard setbacks.
> 3. Eave encroachments are permitted up to three feet into side yard setbacks.
> 4. All of the preceding setback encroachments are also permitted into setbacks in multifamily projects.
>
> For the purpose of mining, setbacks shall refer to property boundaries.

MOTION: The Planning and Development Commission finds application number ***OA-21-02 – 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. Bass 2nd Mr. Barmes

VOTE: 7 - 0, Motion Carried

Attachment: Agenda, minutes, and directions (13045 : July 15, 2021 PDC agenda, minutes, and directions)

K. ADDITIONAL ITEMS:

Ms. Coutu stated that there is one application on the agenda for the PDC meeting scheduled for June 3 and three applications on the agenda for June 17.

L. PLANNING AND DEVELOPMENT COMMISSION MEMBER COMMENTS: None.

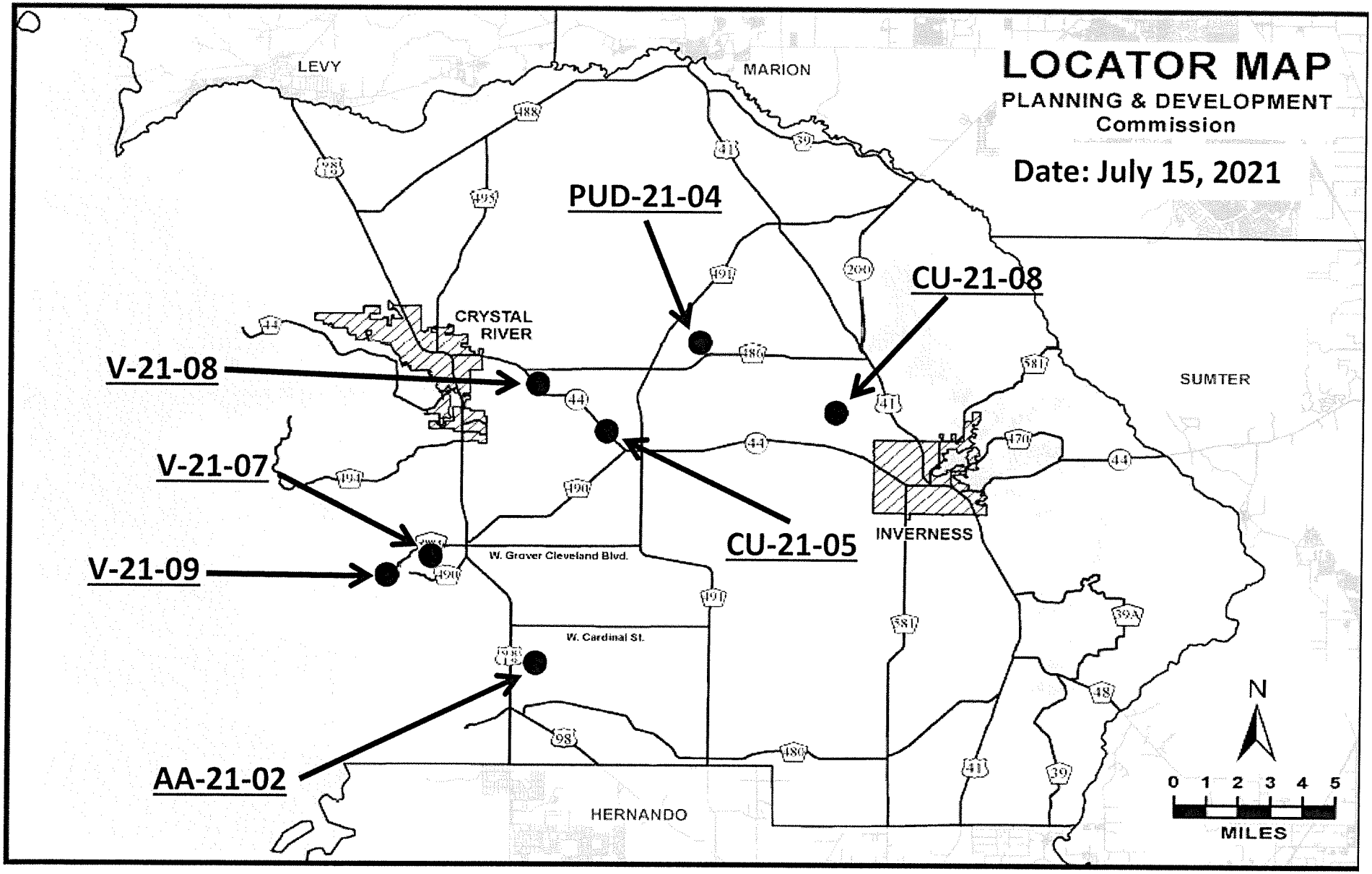
M. ADJOURN

The Planning and Development Commission adjourned at 10:00 a.m.

Respectfully submitted,

Cheryl Burton, Recording Secretary

Attachment: Agenda, minutes, and directions (13045 : July 15, 2021 PDC agenda, minutes, and directions)



Attachment: Agenda, minutes, and directions (13045 : July 15, 2021 PDC agenda, minutes, and directions)

Planning and Development Commission

Directions for meeting on July 15, 2021

AA-21-02 - From the intersection of Saunders Way and CR-491, turn left onto CR-491. Go **2.0 miles** and turn left onto W. Gulf to Lake Hwy. Go **.5 mile** and turn left onto W. Homosassa Trl. Go **5.92 miles** and keep left to stay on W. Homosassa Trl. for **.28 miles**. Turn left onto US 19 and go **4.85 miles**. Turn left onto Cypress Blvd. Go **1.21 miles** Cypress Blvd. becomes Cypress Cir. Continue straight on Cypress Cir. for **.15 miles** then left onto Douglas St. for **.40 miles**. Turn right onto Linder Dr. for **.46 miles**. Take the first right onto Beech St. and travel **.10 miles**. Take the first right onto Beech Ct. and travel **.15 miles** and the subject property is on the right at **26 Beech Ct. S, Homosassa, FL 34446**.

V21-07- From the intersection of Saunders Way and CR-491, turn right onto CR-491. Go **1.24 miles** and turn right onto W. Grover Cleveland Blvd. Go **5.39 miles** until Grover Cleveland becomes W. Halls River Rd. Stay on W. Halls River Rd. for **1.88 miles**. Turn left onto W. Blue Springs Ct. travel **.17 miles** and the subject property is on the left at **10151 W. Blue Springs Ct., Homosassa, FL 34448**.

CU-21-08- From the intersection of Saunders Way and CR-491, turn left onto CR-491. Go **2.0 miles** and turn right onto W. Gulf to Lake Hwy. Go **6.24 miles** and turn left onto S. Croft Ave. Go **1.18 miles** and the subject property is on the right at **517 N. Croft Ave., Inverness, FL 34453.**

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V-21-08- From the intersection of Saunders Way and CR-491, turn left onto CR-491. Go **2.0 miles** and turn left onto W. Gulf to Lake Hwy. Go **4.75 miles** and turn left into Crystal Springs Shopping Center at **6774 W. Gulf to Lake Hwy., Crystal River, FL 34429.**

PUD-21-04- From the intersection of Saunders Way and CR-491, turn left onto CR-491. Go **4.88 miles** and turn right onto CR-486. Go **1.27 miles** and turn slight left onto N. Brentwood Cir., which will take you into the subject property which is the **Brentwood Farms Subdivision**.

V-21-09- From the intersection of Saunders Way and CR-491, turn right onto CR-491. Go **1.24 miles** and turn right onto W. Grover Cleveland Blvd. Go **5.39 miles** until Grover Cleveland becomes W. Halls River Rd. Stay on W. Halls River Rd. for **3.14 miles**. Turn slight right W. Riverhaven Dr. Go **.41 miles** and the subject property is on the right at **11615 W. Riverhaven Dr., Homosassa, FL 34448.**

CU-21-05- From the intersection of Saunders Way and CR-491, turn left onto CR-491. Go **2.0 miles** and turn left onto W. Gulf to Lake Hwy. Go **1.13 miles** and the subject property is on the right at **4173 W. Gulf to Lake Hwy., Lecanto, FL 34461.**

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AGENDA MEMORANDUM

FROM:	Michael Sherman, AICP Growth Management Director
SUBJECT:	AA-21-02 Hope Smith
AGENDA DATE:	**July 15, 2021**

BRIEF OVERVIEW:

Request to amend the Land Development Code Atlas Map and the Master Plan of Sugarmill Woods Cypress Village; from Planned Development Residential (multi-family designation) to Planned Development Residential (single-family designation).

BUDGET IMPACT/FUNDING SOURCE:

RECOMMENDED ACTION:

Conduct a public hearing on July 15, 2021 to review and consider AA-21-02 for Hope Smith.

PM2-21-47

DEPARTMENT OF GROWTH MANAGEMENT
ATLAS AMENDMENT
STAFF FINDINGS REPORT
TO THE
PLANNING AND DEVELOPMENT COMMISSION

APPLICATION NUMBER AA-21-02 Hope Smith
DATE: June 16, 2021
PREPARED BY: Joe Hochadel, Principal Planner; Land Development Division

Request to amend the Land Development Code (LDC) Atlas Map and the Master Plan of Sugarmill Woods Cypress Village.

LAND USE ATLAS MAP REQUEST:	From: PDR, Planned Development Residential (multi-family designation) To: PDR, Planned Development Residential (single-family designation)
LOCATION:	Section 18, Township 20 South, Range 18 East; more specifically, Lot 14, Block B-J, of the Sugarmill Woods Cypress Village subdivision, Plat Book 9, Page 86; also known as Alternate Key Number 1528658, which address is known as 26 Beech Ct., Homosassa, FL. A complete legal description is on file with the Land Development Division.
ACREAGE:	Approximately 0.76 acres
SURROUNDING FUTURE LAND DESIGNATION:	North – RMU, Residential Mixed Use South – RMU, Residential Mixed Use East – RMU, Residential Mixed Use West – RMU, Residential Mixed Use
SURROUNDING LAND DEVELOPMENT CODE ATLAS DESIGNATION:	North – PDR, Planned Development Residential (open space) South – PDR, Planned Development Residential (single-family use) East – PDR, Planned Development Residential (single-family use) West – PDR, Planned Development Residential (open space)
SURROUNDING EXISTING LAND USES:	North – Common area/buffer area South – Vacant single-family use, Beech Ct. S. East – Single-family residence West – Common area/buffer area

CHARACTERISTICS OF THE SUBJECT PROPERTY

According to the *Soil Survey of Citrus County* (1988), the soil type in the area is Tavares Fine Sand, 0 to 5 percent slopes and Sparr fine sand, 0 to 5 percent slopes. The soil is described as moderately well drained, with only slight limitations to development. The subject properties are located in Flood Zone X, as found on the Flood Insurance Rate Map 12017C0431E.

Attachment: Staff report and locator map (13046 : AA-21-02 Hope Smith)

BACKGROUND AND ANALYSIS

The Sugarmill Woods Cypress Village subdivision, located east of U.S.-19 and north of U.S.-98, was platted in 1973. The request is to change the Master Plan designation from multi-family to single-family residential development for Lot 14, Block J. The subject lot is located in a portion of the Sugarmill Woods Cypress Village planned development that is designated as multi-family development near the golf course. The lot is currently vacant.

The applicant would like to develop the lot with a single-family residence. The lot is approximately 0.76 acres in size.

Within the past 20 years, a number of the multi-family residential lots near the golf course within the Sugarmill Woods Cypress Village subdivision, and within Blocks B, G, J, L, M, and N in particular, have been approved by the County Commission via the Atlas Amendment process for the conversion to single-family residential.

Consistency with the Land Development Code (LDC) - The applicant has proposed that the existing residential lot would be developed as a single-family home site, which would be similar in size to the size of single-family residential sites within the surrounding area along Beech Ct. near the golf course.

Consistency with the Comprehensive Plan - All development applications shall demonstrate complete compliance with the Comprehensive Plan. The application appears to be consistent with the following policies of the Comprehensive Plan:

Policy 17.3.4 Residential density allowances will be based on community design criteria and urban service availability. Medium and high-density residential developments shall meet County established standards for public facilities, access, and suitability/capability. Central water and sewer facilities will be required for all development of four units per acre or greater. Residential land use densities of more than two units per acre shall have a central water system if septic tanks are used.

Staff comment – The application proposes low density development which will be utilizing public facilities. As proposed, there will be a decrease in the potential overall number of units in the master development, which continues the trend in the Sugarmill Woods community to consolidate buildable lots and to underutilize residential densities.

Policy 17.5.5 All major modifications to existing Planned Developments shall be approved by the BCC through the Atlas Amendment process. This requirement shall also apply to Planned Developments approved by the Planning and Development Review Board (PDRB) or its predecessor in function.

Staff comment – This is being met by the application received.

Attachment: Staff report and locator map (13046 : AA-21-02 Hope Smith)

Concurrency –

a) Sanitary Sewer – The future development of the site will require connection to the available central sewer through Citrus County Utilities.
b) Potable Water – The future development of the site will require connection to the available central water through Citrus County Utilities.
c) Solid Waste – The property will utilize solid waste collection with disposal in the Citrus County landfill.
d) Drainage – There are no stormwater/drainage facilities currently onsite.

Summary of Agency Comments: At this time, no agency input has been received.

Summary of Public Comments: At this time, no public input has been received.

PROPOSED FINDINGS OF FACT

Staff reviewed this application under the standards of Section 4300, Planned Unit Developments (PUD), of the LDC. The PDC may recommend, and the BCC may adopt modified conditions of approval pursuant to LDC Section 4302, PUD Approval Procedures, when in the public interest and expressed in formal findings of fact. The reviewing body shall approve, approve with modifications and/or conditions, or disapprove the amendment to the Planned Unit Development. The reviewing body shall enter its reasons for such action in its record. As evidence, the following findings of facts are cited.

A. **Only uses which are consistent with the Comprehensive Plan may be approved as a PUD.** *The single-family residential use proposed is consistent with those located close to the site and as previously approved within the Sugarmill Woods Cypress Village Master Plan.*

B. **Any development approved through the PUD application process, which is not designated a use in the respective land use district for the subject PUD parcel, shall be compatible with established or planned uses both within the development footprint and surrounding neighborhoods and property.** *Single-family residential use is already provided within the Sugarmill Woods Cypress Village Master Plan.*

C. **Accessory uses shall be permitted as set forth within the approved general concept plan or as found by the Board of County Commissioners to be compatible with an approved plan.** *Accessory uses are not proposed with this application.*

D. **Subsequent to the approval of a PUD, uses not enumerated may be permitted through amendment of the PUD and approved by the Board of County Commissioners.** *The application does not propose any additional uses beyond those allowed in residential districts per the Master Plan.*

E. **The land area included within the PUD development shall be of such proportions as to properly accommodate all proposed uses in keeping with the general requirements of the county and the established objectives and policies of the adopted Comprehensive Plan.** *The land area proposed would accommodate the residential unit as proposed.*

Attachment: Staff report and locator map (13046 : AA-21-02 Hope Smith)

F. **Landscaping and design and maintenance shall follow the principles of *Florida Friendly Landscaping* ™ and the *Florida Yards and Neighborhoods (FYN) Homeowner Program* to reduce water use and fertilizer runoff.**

1. **Planted turf grass and landscaping on residential lots shall be limited to a maximum of 50% of the upland portion of the lot.**
2. **Turf grasses and landscape vegetation shall be common to the area and drought tolerant.**

This application is an amendment to an existing PUD which contains its own standards for landscaping and design.

G. **There shall be no specific lot requirements for individual uses; provided, however, that the area designated for any particular use shall be of sufficient size and proportion so as to properly accommodate said use and to provide for adequate open space and buffering between it and an adjacent use.** *The applicant will be required to meet all lot standards outlined within the Master Plan and the Citrus County Land Development Code.*

H. **The maximum height of structures, setbacks, and density within a PUD development shall be as specifically established by the Board of County Commissioners in its approval action.** *The applicant has not requested a deviation of height, setbacks, or density with this application.*

I. **Approval of the proposed PUD development shall include approval of all maps, diagrams, tables, and reports submitted by the applicant.** *The applicant has indicated that this lot will be utilized for a single-family residence. A proposed conceptual plan has been provided for reference purposes only.*

J. **A planned unit development will terminate within three years of the date of approval if either a site development plan or preliminary subdivision plat application is not filed with the county. If one of these applications is not filed within the specified time frame, the PUD shall be null and void.** *This application is bound by the existing terms of the Sugarmill Woods Cypress Village Master Plan.*

SUMMARY OF FINDINGS

The application proposes to redesignate approximately 0.76 acres from multi-family residential to single-family residential development for the subject lot. The amendment is consistent with the policies of the Comprehensive Plan as identified in this report. Granting this request will not adversely affect the public interest and would be generally compatible with adjacent properties and other properties in the district provided the conditions as proposed are adhered to.

Attachment: Staff report and locator map (13046 : AA-21-02 Hope Smith)

SUGGESTED CONDITIONS:

1. The Sugarmill Woods Planned Unit Development (PUD) is modified to allow single-family detached residential on Lot 14, Block B-J, of the Sugarmill Woods Cypress Village subdivision as outlined in this application date-stamped received April 16, 2021, by the Land Development Division.

2. Site development requires connection to central water and sewer.

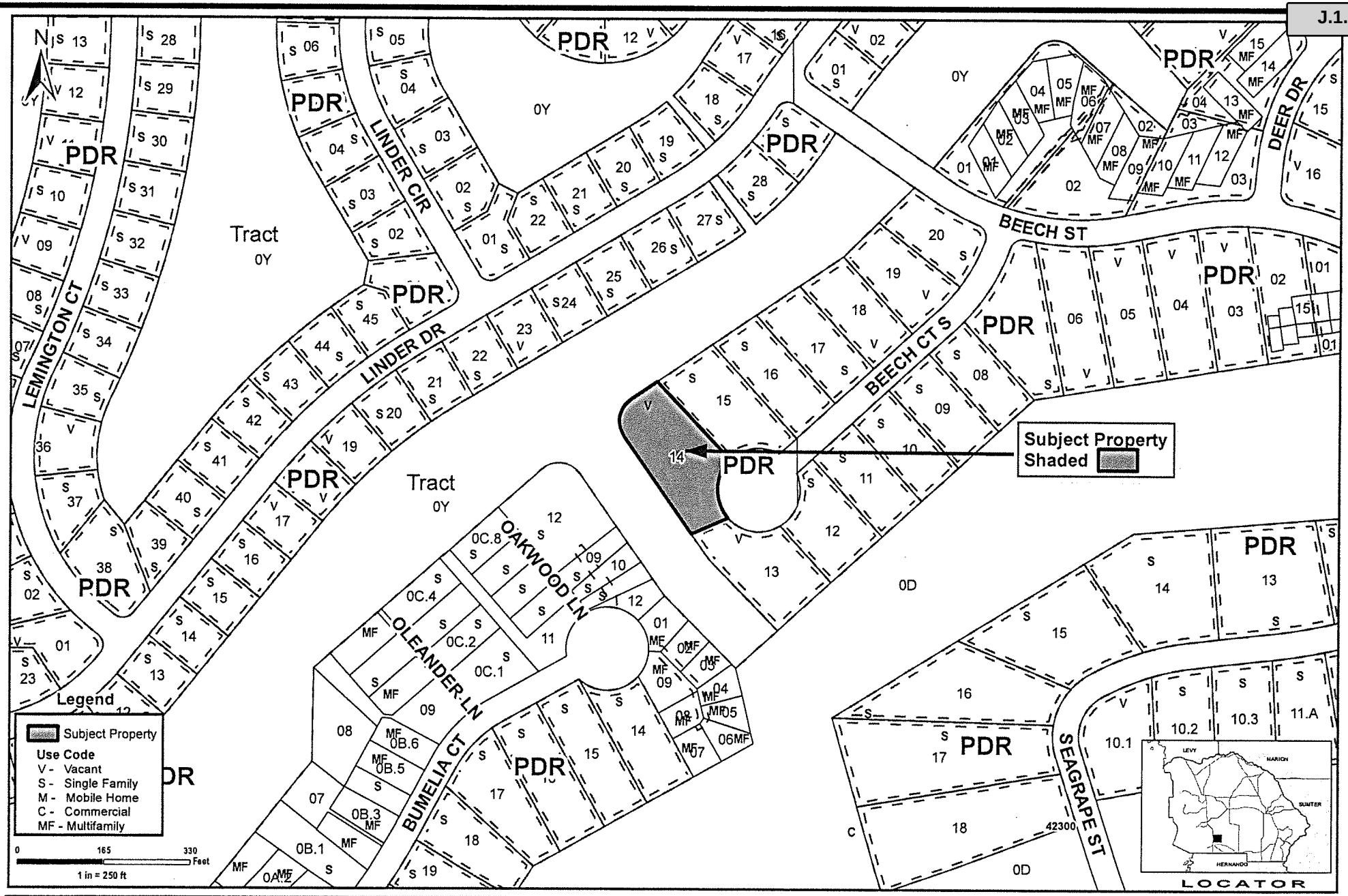
3. All other standards within the Sugarmill Woods Cypress Village Master Plan shall be met unless specifically outlined within these conditions.

4. Where standards are not specified herein, the Citrus County Land Development Code standards (or current code standards) will apply.

5. Minor modifications to this Master Plan of Development may be approved by the Director of the Land Development Division as outlined within Section 4304 of the LDC.

JH/SW/cb

Attachment: Staff report and locator map (13046 : AA-21-02 Hope Smith)



Application #: AA-21-02	**Applicant: Hope Smith**
Proposal: Amend master plan from multi-family to single-family residential	**Location: 26 Beech Ct S. Homosassa, FL 34446**
	S-T-R - 17-20-18
Land Use Atlas: Planned Development Residential (PDR)	**Planner Initials:** JH **Date:** 5/17/21

Geographic Information Systems

Cynthia P. Skelhorn
Director

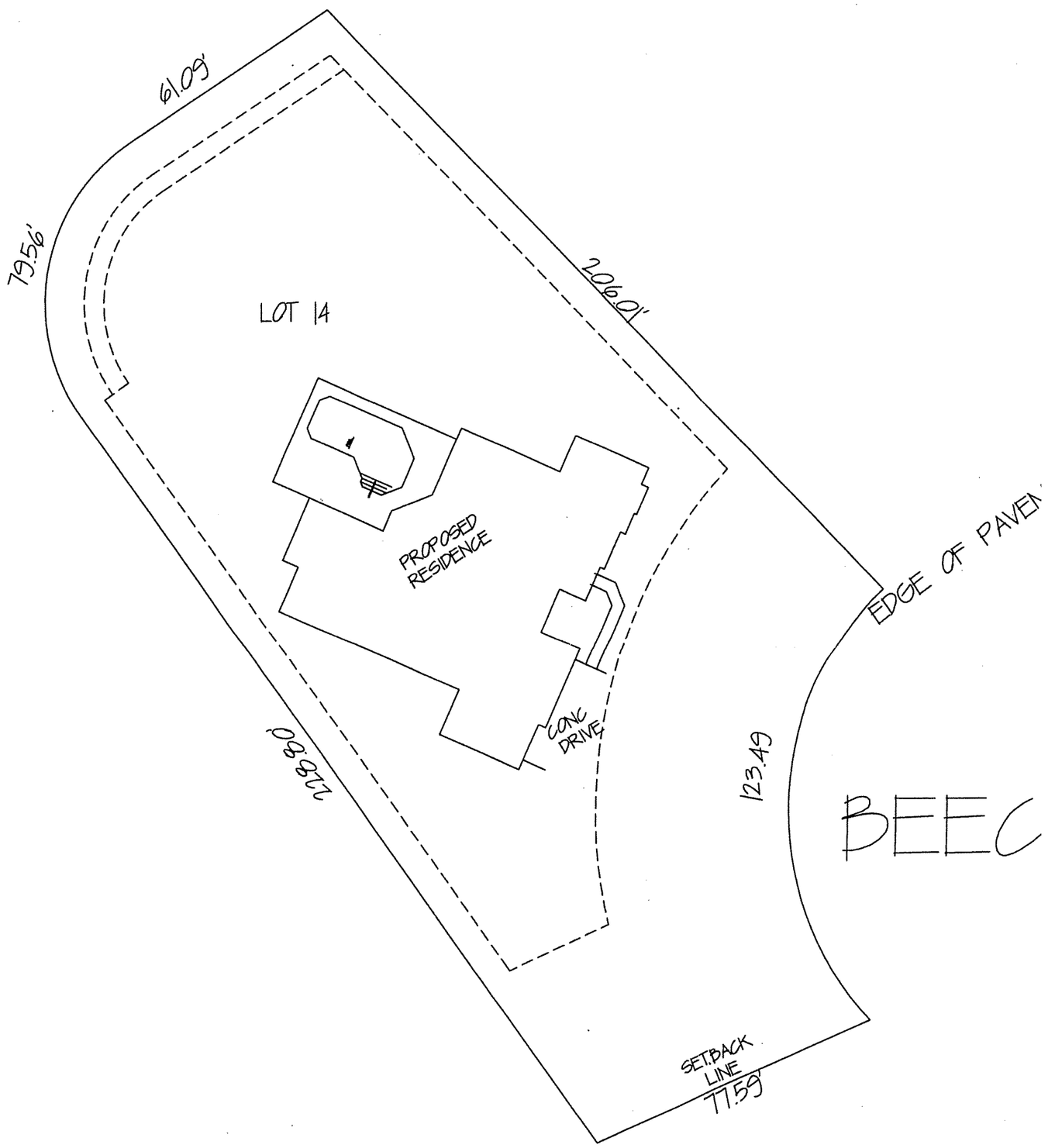
Prepared By : William Braunsch
Date: May 10, 2021
Source: Enterprise Geodatabase
Map Number: WB0000537

This information is to be used for general purposes only. The Citrus County Geographic Information Systems Division makes every effort to provide current and accurate information. As of this date it is believed. However, all information provided must be independently verified by the user.

Citrus County shall not be liable for any claims, demands, or losses of any kind in connection with the use of this information, including but not limited to, damages or losses caused by reliance upon the accuracy or timeliness of the information and the viewing, copying, or distributing of these materials.

Attachment: Staff report and locator map (13046 : AA-21-02 Hope Smith)

Attachment: Proposed site plan (13046 : AA-21-02 Hope Smith)



SITE PLAN

SCALE : 1"= 30'

RECEIVED

APR 30 2021

AA-21-02

Land Development Division

26 BEECH CT S

Rodney ; Hope Smith

Board of County Commission
DEPARTMENT OF GROWTH MANAGEMENT
LAND DEVELOPMENT DIVISION
3600 W. Sovereign Path, Suite 140
Lecanto, FL 34461
Telephone: (352) 527-5239
TTY Dial 711
Web Address: www.citrusbocc.com

CITRUS COUNTY LAND DEVELOPMENT CODE
ATLAS AMENDMENT APPLICATION

Application No.: AA-21-02 Date: 4/16/21

* Written Authorization is required if Applicant is different than Owner.

Applicant*
Name: Hope M Smith
Address: 1504 W. Le Compte Dr
City: Tampa, FL 33604
State: FL Zip: 33604
Home No.: 8139353510 Cell No.: 8132151777
Work No.: Fax No.:
Email: hopemarieh2323@gmail.com

Property Owner
Name:
Address:
City:
State: Zip:
Home No.: Cell No.:
Work No.: Fax No.:
Email:

Property Description: Section: 18 Township: 20 South Range: 18 East
Legal Description: Sugerwood Mills Cypress VLG PB 9 PG 86
Subdivision: Lot(s): 14 Block/Parcel: J
Alternate Key #: 1528658 Parcel ID:
Acreage: .76

✓ Amendment to the Land Development code Atlas From: Multi To: Single
✓ Amendment to a Previously Approved Planned Development Previous Application No.:

Is this hearing being requested as a result of a Code Violation Notice? Yes ____ No ____
If "Yes", explain on a separate sheet and attach a copy of the Notice of Violation.

Applicant Request(s): going from multi family to single family to build one home.
Directions to Property: US 19 to Cypress Blvd, left on Seagrape left at Beech then left on Beech Ct S

The Applicant is: ____ Owner of Tract ____ Agent for Property Owner
____ One-Owner Among Several ____ Other (specify)

I am aware that if the property cannot be located using information from the submitted application, this application may be rescheduled to a later hearing date. I also understand that a sign must be placed (and marking flags may be placed) on the property by the Land Development Division at least seven days prior to the scheduled meeting.
I understand that approval for the proposed use shown hereon does not in any way relieve me of the responsibility of observing and complying with any deed restrictions applicable to the subject property.
I hereby authorize Citrus County or its agents to enter upon the property, which is the subject of this application and the date of the hearing thereon, at any time between the hours of 8:00 AM and 5:00 PM for the purpose of gathering any information relevant to this application.
I DO HEREBY SWEAR THAT THE INFORMATION CONTAINED HEREIN AND THE ATTACHMENTS HERETO ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Signature: Hope M Smith

STATE OF FLORIDA
COUNTY OF CITRUS

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

WITNESS my hand and official seal this 16 day of April 2021

Printed Name:
Notary Public - State of Florida

Seal

DONNA L. HARRIS
Commission # GG 353230
Expires August 24, 2023
Bonded Thru Troy Fain Insurance 800-385-7019

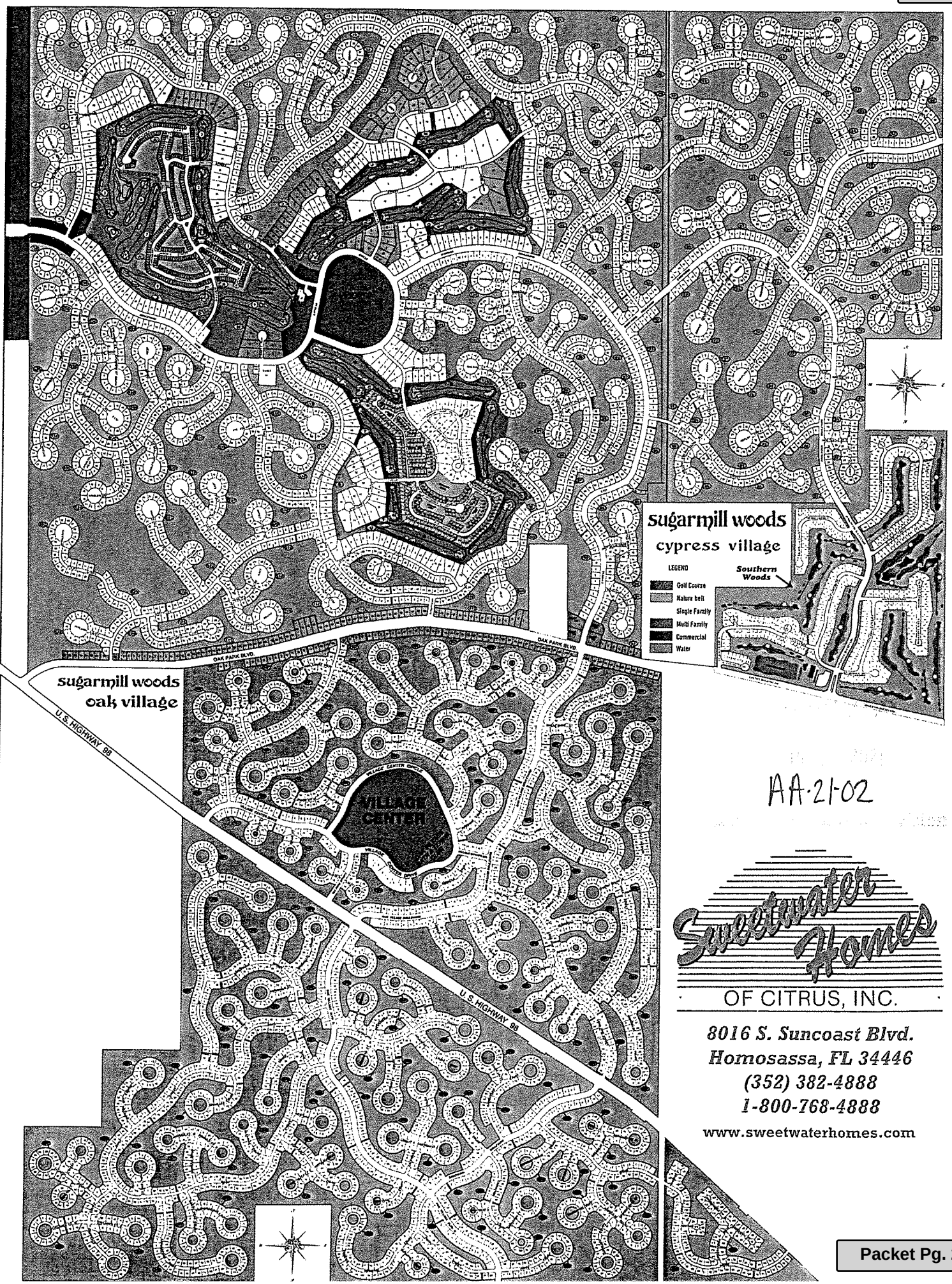
For Staff Use Only
Date: 4/16
Time:
Initials: Miranda A.

ATF:
QTR:
LUD:

GFLUM Des:
FZ:

AA-21-02

Attachment: Applicant's submittal (13046 : AA-21-02 Hope Smith)



AA-21-02

Sweetwater Homes
OF CITRUS, INC.

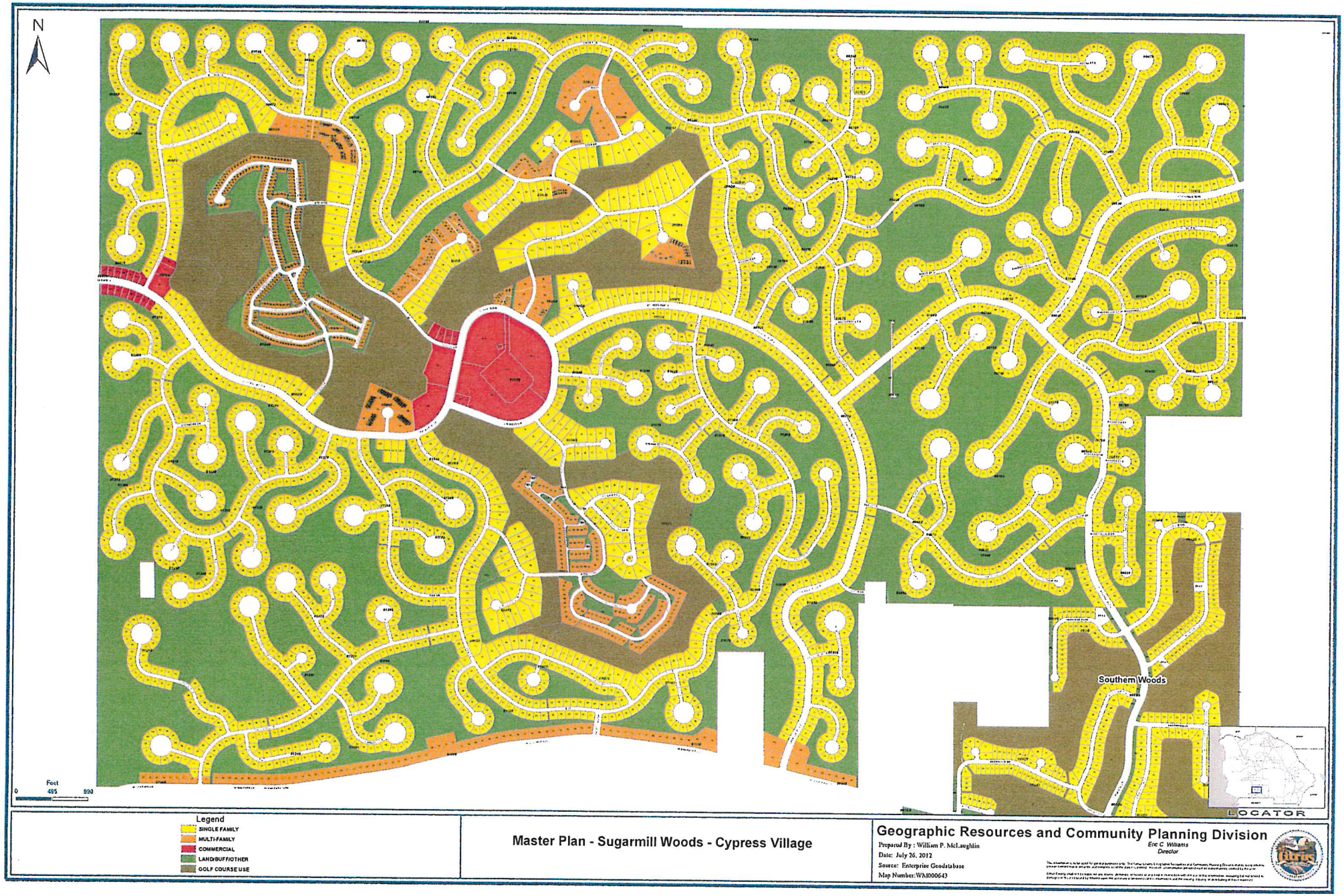
8016 S. Suncoast Blvd.
Homosassa, FL 34446
(352) 382-4888
1-800-768-4888
www.sweetwaterhomes.com

Attachment: Applicant's submittal (13046 : AA-21-02 Hope Smith)

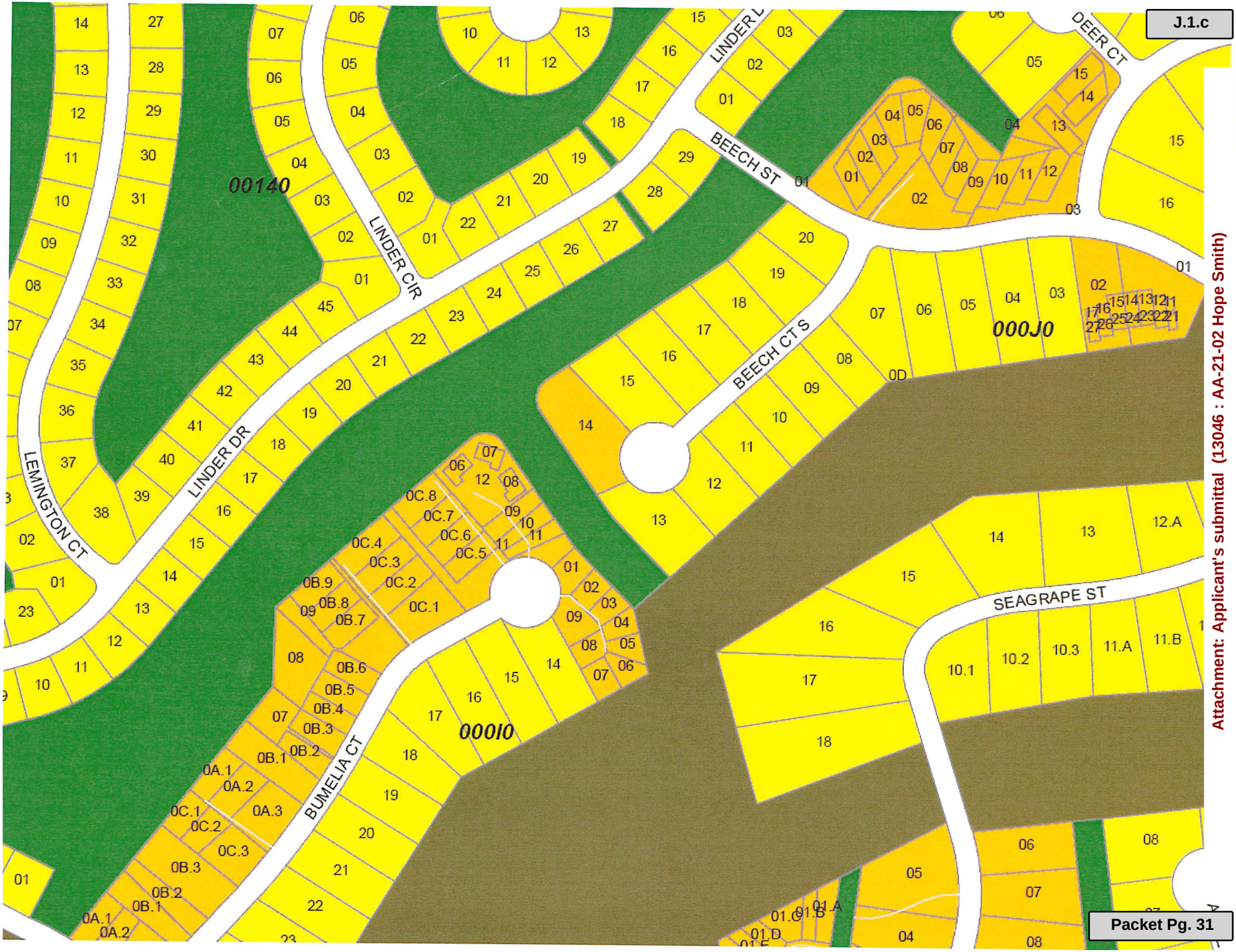
AA-21-02



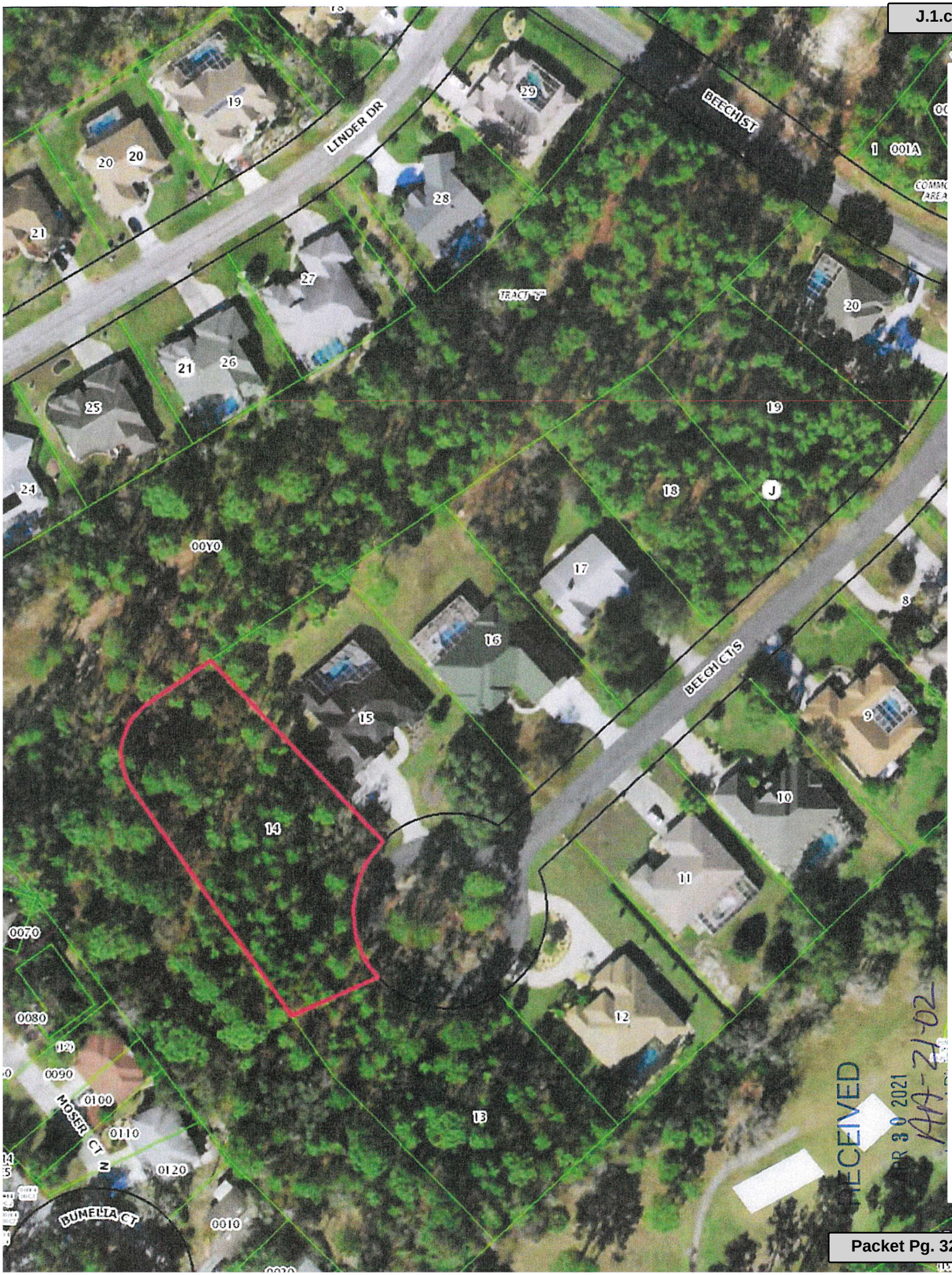
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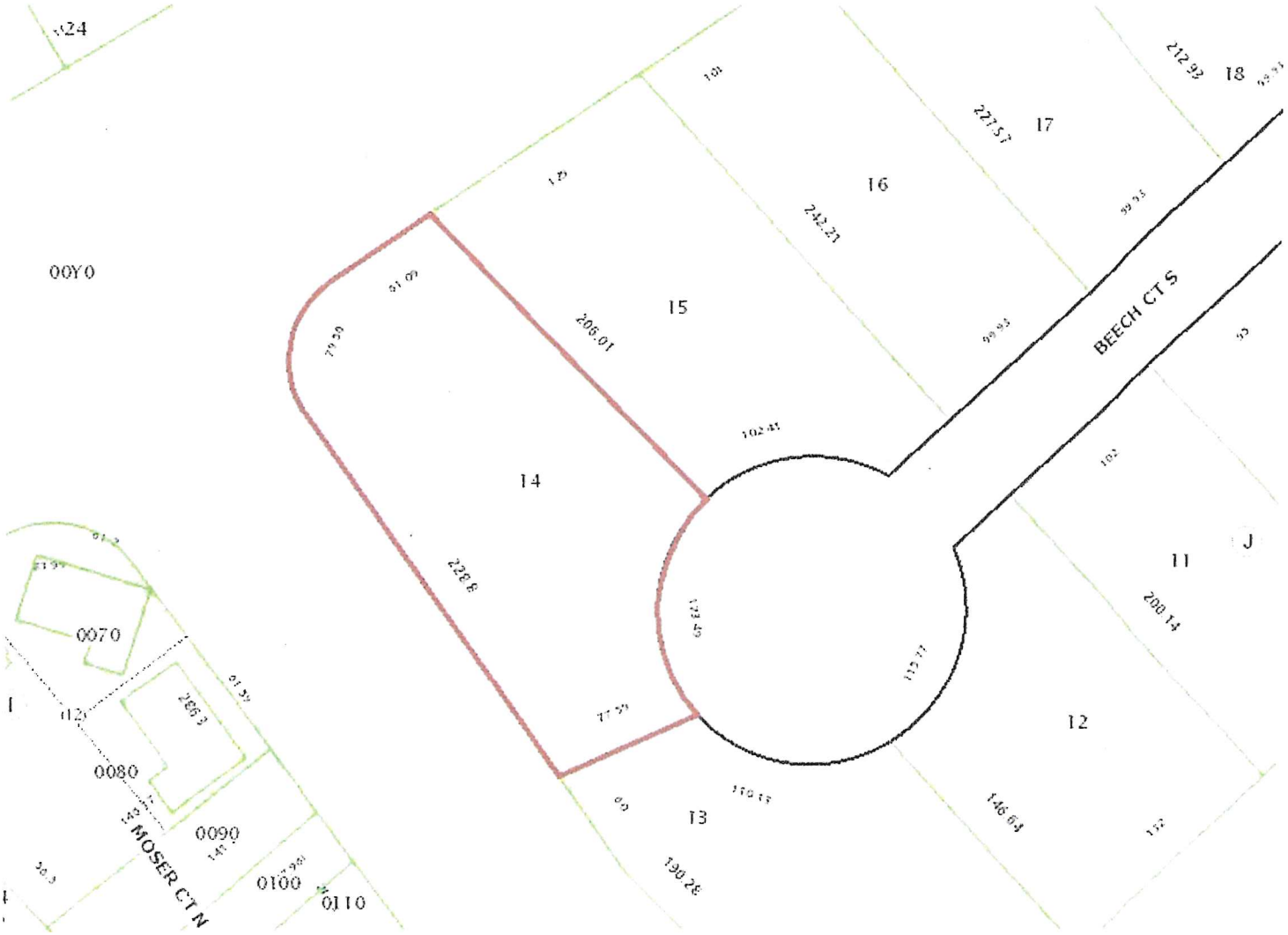
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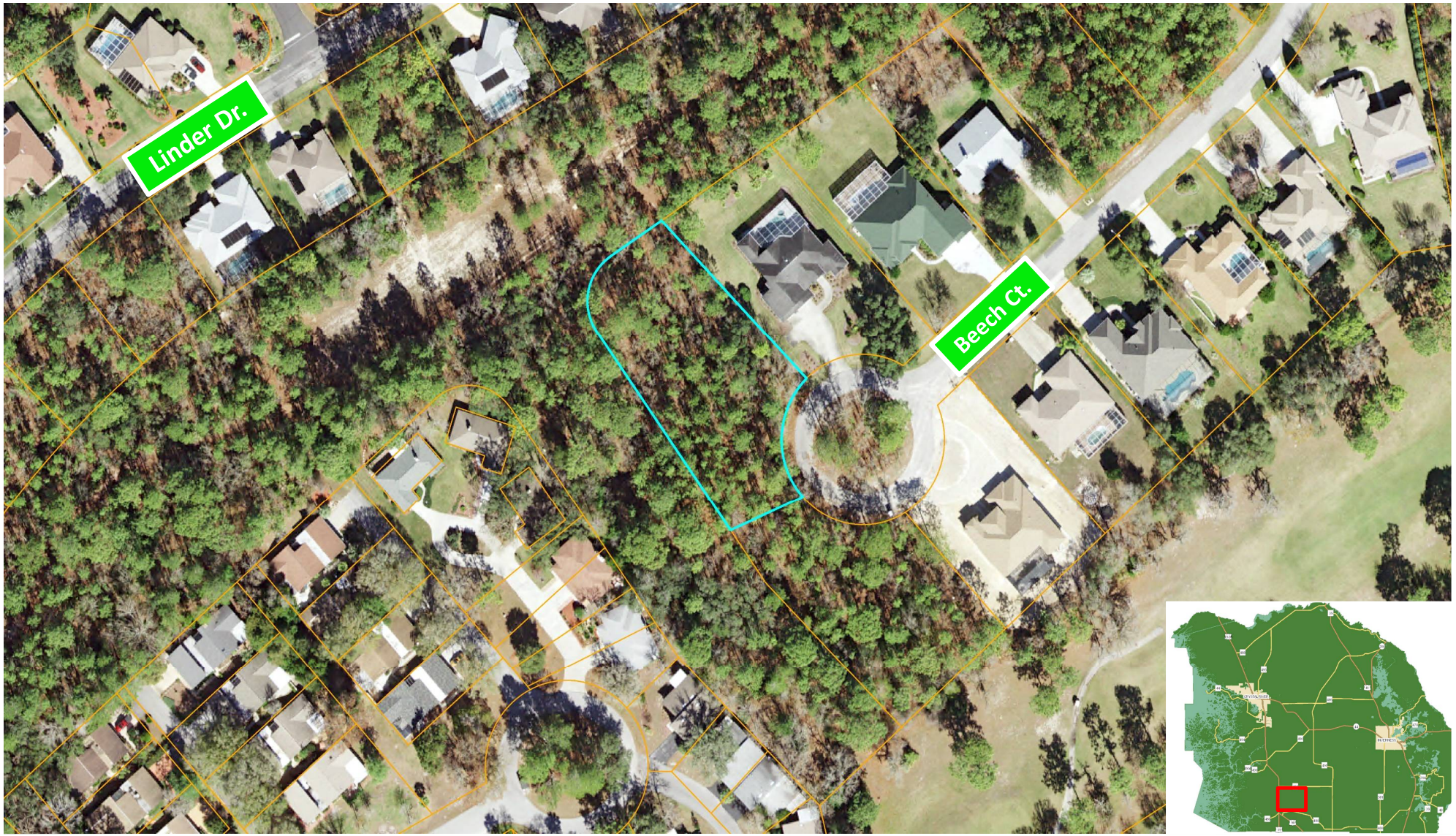
Attachment: Applicant's submittal (13046 : AA-21-02 Hope Smith)

RECEIVED
APR 16 2021
AA-21-02
Land Development Division

AA-21-02

Hope Smith

Attachment: Coordinator PowerPoint (13046 : AA-21-02 Hope Smith)



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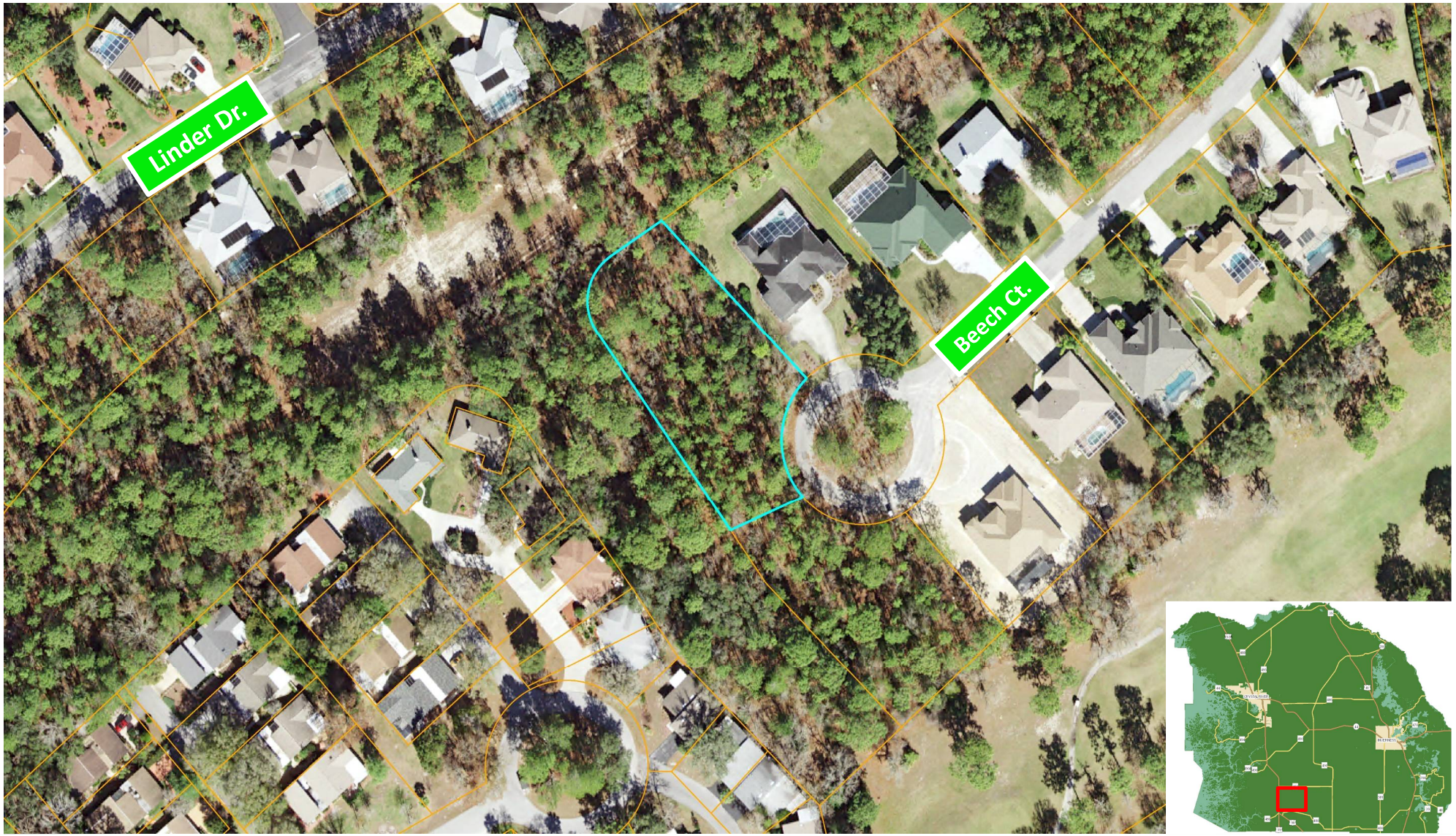


Attachment: Coordinator PowerPoint (13046 : AA-21-02 Hope Smith)

AA-21-02

Hope Smith

Attachment: Planner PowerPoint (13046 : AA-21-02 Hope Smith)



Attachment: Planner PowerPoint (13046 : AA-21-02 Hope Smith)



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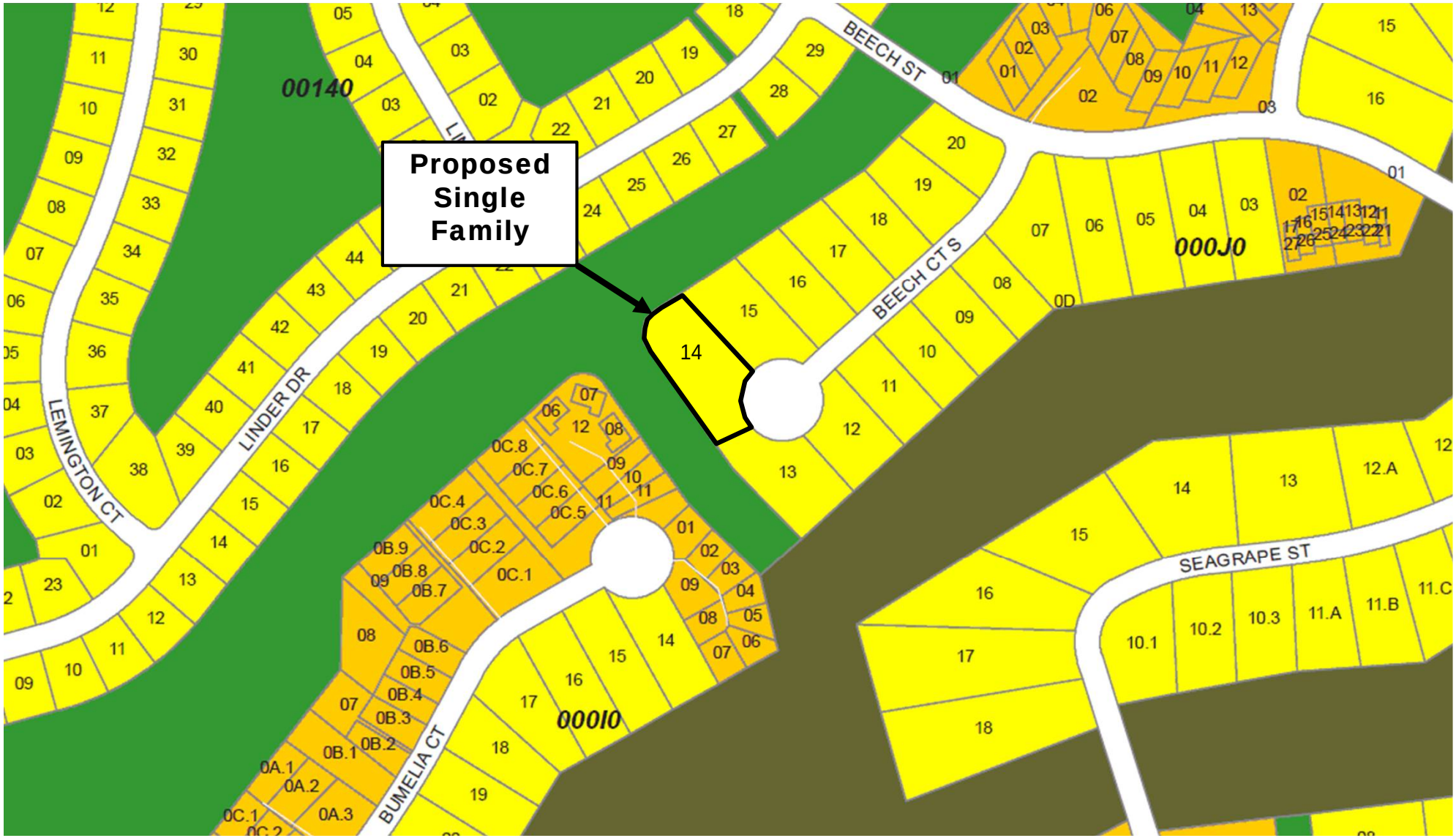
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AGENDA MEMORANDUM

FROM:	Michael Sherman, AICP Growth Management Director
SUBJECT:	V-21-07 Julia Finkbeiner
AGENDA DATE:	**July 15, 2021**

BRIEF OVERVIEW:

This request is for a two-part Variance from the Citrus County Land Development Code (LDC) for the placement of a single-family dwelling (1) having less than the required 50-foot setback from the mean high water line (35-foot with a berm or swale), pursuant to Section 3510, Surface Water Protection Standards; and (2) having less than the required 50-foot minimum building setback from the centerline of a right-of-way, pursuant to Section 2300, Building Setback requirements and height requirements for all land use districts, as specified in the LDC.

The applicant is requesting a 15-foot waterfront setback to the mean high-water line and a 43-foot setback to the centerline (18-foot to the edge of the right-of-way) of W. Blue Springs Ct.

BUDGET IMPACT/FUNDING SOURCE:

RECOMMENDED ACTION:

Conduct a public hearing on July 15, 2021, to review and consider V-21-07 for Julia Finkbeiner.

PM2-21-52

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

VARIANCE APPLICATION NO. V-21-07 Julia Finkbeiner
DATE: June 24, 2021
PREPARED BY: Joe Hochadel, Principal Planner; Land Development Division

VARIANCE REQUESTED	This request is for a two-part Variance from the Citrus County Land Development Code (LDC) for the placement of a single-family dwelling (1) having less than the required 50-foot setback from the mean high water line (35-foot with a berm or swale), pursuant to Section 3510, Surface Water Protection Standards; and (2) having less than the required 50-foot minimum building setback from the centerline of a right-of-way, pursuant to Section 2300, Building Setback requirements and height requirements for all land use districts, as specified in the LDC. The applicant is requesting a 15-foot waterfront setback to the mean high-water line and a 43-foot setback to the centerline (18-foot to the edge of the right-of-way) of W. Blue Springs Ct.
SUBJECT PROPERTY	Section 29, Township 19 South, Range 17 East; specifically, Lots 22 and 23 of Blue Spring Park Unrecorded Subdivision (AK 2526980), which address is 10151 W. Blue Springs Ct., Homosassa, FL. A complete legal description of the property is on file with the Land Development Division.
ACREAGE	Approximately 10,018 square feet (0.23 acres).
LAND USE	CLR, Coastal and Lakes Residential District, mobile homes allowed on the LDC Atlas; CL, Low Intensity Coastal and Lakes District on the Future Land Use Map.
FLOOD ZONE	According to the Flood Insurance Rate Map (FIRM), subject property is located in Zone AE with a base flood elevation of 11 feet, as found on Community-Panel Number 12017C0 311E.
SURROUNDING AREA	North – Canal, Single-family dwellings South – Single-family dwellings East – Single-family dwellings West – Canal, Single-family dwellings The site is located in the Blue Spring Park unrecorded subdivision, where there are single-family dwellings along internal canals and the Halls River.

Attachment: Staff report and locator map (13047 : V-21-07 Julia Finkbeiner)

BACKGROUND

The subject property consists of a developed waterfront lot and a vacant lot in the Blue Spring Park unrecorded subdivision. The lots are located on a cul-de-sac and are each approximately 5,000 square feet in size, which is similar in size to some of the other lots in the subdivision. Lot 22 is currently vacant. On Lot 23, there is a 500 square-foot mobile home that was installed on the site in 1958 as well as a 308 square-foot addition, a 165 square-foot porch, and a 140 square-foot deck that were all placed in 1982. The existing mobile home has a setback of approximately nine feet to the outer edge of the seawall. This site is located in the Coastal High Hazard Area (CHHA). It gains access from W. Blue Springs Ct., a 24-foot wide public, local street with a 50-foot-wide cul-de-sac. In 2004, there was a Permanent Reassignment of Development Rights Agreement executed on Lots 22 and 23. The Agreement removed the ability to place a new residential structure on Lot 22 so that a special assessment for utility improvements would not be assessed but did not affect the existing residence on Lot 23.

Many of the surrounding residences were built in the 1970's and 1980's and have non-conforming setbacks that predate current adopted Surface Water Quality Protection Standards. There have been no variances for single-family dwellings in this area since 2012.

ANALYSIS

The applicant is requesting to remove the existing mobile home and construct a new single-family dwelling with a waterfront setback of 15 feet to the mean high-water line and a setback of 43 feet to the centerline of W. Blue Springs Ct. (18 feet from the edge of the right-of-way). The existing mobile home has a waterfront setback of approximately 10 feet. The applicant is proposing to construct a 1,479 square-foot single-family dwelling with a 612 square-foot rear porch, a 75 square-foot front porch, a 40 square-foot rear stair, and an 84 square-foot front stair, for a 2,290 square-foot building footprint. There is also an existing riprap seawall along the shoreline with an existing wood dock that is proposed to remain. The existing deck is proposed to be removed.

The LDC requires a right-of-way setback of 50 feet from the centerline of a local street (25 feet from the front property line); however, Section 10620 of the LDC allows for infill development to compare the proposed right-of-way setback with the six closest developed lots of similar use to obtain a front average setback. The six closest developed lots to the subject property have an average front setback of 44.5 feet from the centerline of W. Blue Springs Ct. (19.5 feet from the edge of the right-of-way). The applicant's request to reduce the right-of-way setback to 43 feet from the centerline of W. Blue Springs Ct. is closer than the front average and does have to be included in this variance request.

The applicant has not requested an Impervious Surface Ratio (ISR) variance on the subject property. The applicant has indicated the proposed ISR is 33 percent, which is less than the maximum allowable ISR in CLR at 40 percent for lots over 10,000 square-feet.

The available building envelope without the need for a variance is approximately 1,956 square feet, outside of the 35-foot waterfront setback, 50-foot right-of-way setback and five-foot side yard setbacks. The applicant could also utilize the existing 973 square-foot footprint of the existing mobile home, addition, and porch without a variance. This variance does not appear to be a minimal request and the applicant could construct a single-family dwelling within the available building envelope.

Attachment: Staff report and locator map (13047 : V-21-07 Julia Finkbeiner)

Building envelope and setback analysis			
Available Building envelope (without the need for a variance)	1,956 sf		
Pre-existing building footprint.	973 sf.	**Proposed building footprint.**	2,290 sf.
Pre-existing waterfront setback	10 ft.	**Proposed waterfront setback.**	15 ft.
Pre-existing R-O-W setback (from edge of R-O-W)	49 ft. (24 ft.)	**Proposed R-O-W setback** (from edge of R-O-W)	43 ft. (18 ft.)
Average R-O-W setback from edge of R-O-W	23.5 ft.	**Average waterfront setback**	10 ft.
Average building footprint	1,715 sf		

The six closest developed lots criterion is based in LDC Section 10620, Development Standards, and it is intended to assure compatibility of construction between new units and existing development. This criterion was used to determine the size of the sample for average and comparison with surrounding properties; specifically, six closest developed lots to either side of the subject property along W. Blue Springs Ct., for a sample size of 12 developed lots. Although there are some lots in the area that have a similar square-footage, many of the lots along W. Blue Springs Ct. vary in width, depth, and shape, and the width of W. Blue Springs Ct. varies from 24 feet wide to 50 feet wide at the cul-de-sac. These conditions lead to differing building envelopes, so comparison is difficult. The average building footprint of the 12 closest developed properties is 1,715 square feet, the average waterfront setback is 10 feet, and the average right-of-way setback is 23.5 feet from the edge of the right-of-way. Based upon the observed average building footprint, average waterfront setback, and average right-of-way setback, this proposal is not compatible with the surrounding properties. Although the proposed waterfront setback is greater than the average waterfront setback, many existing residences were placed prior to the current waterfront setback standard, the proposed right-of-way setback is less than the average from the edge of the right-of-way, and the size of the proposed single-family dwelling is larger than the average. The applicant could develop within the available building envelope or within the existing footprint. The request is not a minimum request.

Attachment: Staff report and locator map (13047 : V-21-07 Julia Finkbeiner)

SUMMARY OF AGENCY COMMENTS:

The Engineering Division has reviewed the proposed waterfront setback and has provided the following recommended condition if approved:

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

Consistency with the Comprehensive Plan - All development applications shall demonstrate complete compliance with the Comprehensive Plan. The application is inconsistent with the Comprehensive Plan goals, policies, and standards including:

Policy 3.1.3 During construction in the vicinity of water bodies or wetland areas, the following criteria shall be met:

- A buffer of 15 feet or greater shall be established to reduce adverse impacts on natural vegetation
- A buffer of 25 feet or greater shall be established upland of springs, spring-fed water bodies, and open sinkholes
- Existing topography and vegetation shall be retained within the buffer area

Staff comment: *The site has an existing riprap seawall, a dock, and a deck. The site does have grass within the required 15-foot buffer adjacent to the water body. The pre-existing deck within the 15-foot buffer on Lot 23 is proposed to be removed.*

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

Staff comment: *Stormwater has not been addressed in this application. The applicant will have to meet ISR requirements.*

Consistency with the Land Development Code (LDC) - Staff reviewed this application per Section 2300, Building Setback Requirements and Height Requirements for All Land Use Districts, and Section 3501, Surface Water Protection Standards, as specified in the LDC. This application is not consistent with the following provisions of the LDC.

§3501. A.1 Structures shall be set back a minimum of 50 feet, or 35 feet from the mean high-water line, ordinary high-water line, and/or jurisdictional wetland line, if swales or berms are provided.

Staff comment: *Since the subject property has an existing footprint and an available building envelope to place a single-family dwelling without the need of a variance, the request is not a minimal request.*

§2300.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

Attachment: Staff report and locator map (13047 : V-21-07 Julia Finkbeiner)

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

Staff comment: *The proposed right-of-way setback for the single-family dwelling is less than the front average setback and the average for the general area. The proposed single-family dwelling could be reduced and/or relocated to utilize the existing footprint or the available building envelope without the need of a variance.*

PROPOSED FINDINGS OF FACT

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

1. ***Special conditions and circumstances do not exist which are peculiar to the land, structure, or building involved and which are not applicable to land, structures, or buildings in the same land use district.*** The lots in the Blue Spring Park subdivision vary in width, depth, and shape, and many of which pre-date current setback standards. The proposed single-family dwelling could be reduced and/or relocated to utilize the existing footprint or the available building envelope without the need of a variance.

2. ***The special conditions and circumstances do result from the actions of the applicants.*** The encroachment into the required setback is the result of the applicant/property owner. By requesting a single-family dwelling in the location proposed, the applicant is creating a hardship. The request for a building footprint with larger living area and porches is based on convenience and not necessity.

3. ***A granting of the variance requested will confer on the applicant any special privilege that is denied by this code to other lands, buildings, or structures in the same land use district.*** While many single-family dwellings in the area encroach within the required waterfront setback, most were constructed prior to current adopted Surface Water Quality Protection Standards. The proposal is for new construction and the applicant has other options available in order to lessen or eliminate the need for variances, including the reduction of the building footprint or utilizing the existing footprint.

4. ***Literal interpretation of the provisions of this code which would not deprive the applicant of rights commonly enjoyed by other similarly situated properties and would not work unnecessary and undue hardship on the applicant.*** The applicant is proposing

Attachment: Staff report and locator map (13047 : V-21-07 Julia Finkbeiner)

a single-family dwelling with a 2,290 square-foot building footprint, which is larger than the 1,715 square-foot average building footprint of the 12 closest single-family dwellings. The proposed right-of-way setback and building footprint are inconsistent with the area.

5. ***The variance granted is <u>not</u> the minimum variance that will make possible the reasonable development and/or use of the land, building, or structure.*** It is possible for the applicant to reasonably place a single-family dwelling on the lot which would eliminate or reduce the need for a variance. The approximate 1,956 square-foot available building envelope area, outside the waterfront setback and right-of-way setback areas, could accommodate a single-family dwelling. The applicant could also utilize the existing building footprint. Therefore, the proposed dwelling is not a minimal request, the hardship is based upon convenience, and the proposed residence is larger compared to other dwellings in the area.

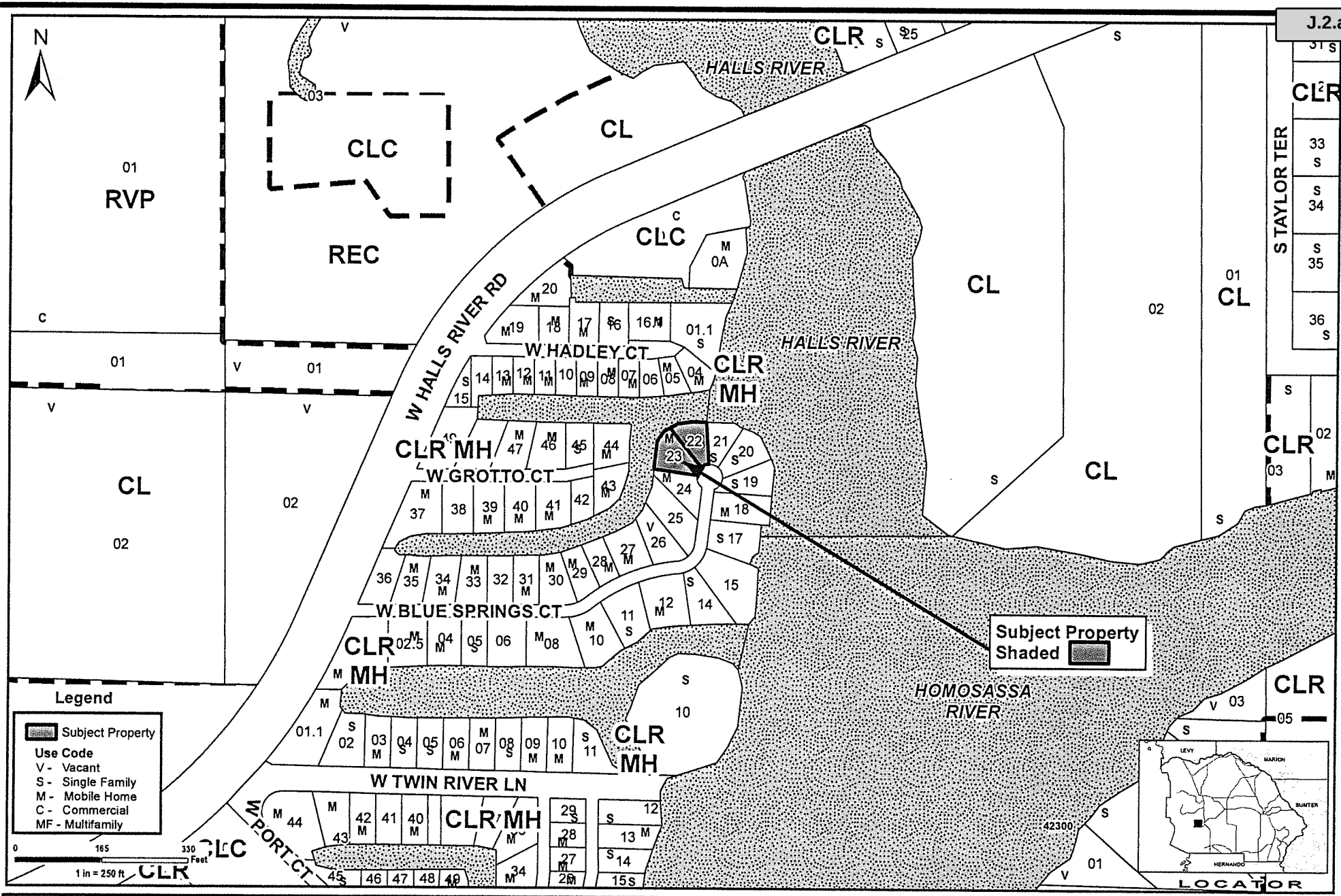
6. ***The granting of the variance <u>will not</u> be in harmony with the general intent and purpose of this code and <u>will be</u> injurious to the area involved or otherwise detrimental to the public welfare.*** The single-family dwelling does not meet standards for Surface Water Quality Protection and would be inconsistent with many of the existing single-family dwellings in the area which were placed prior to the existing requirements.

7. ***There will be full compliance with any additional conditions and safeguards which the PDC may prescribe, including but not limited to reasonable time limits within which the action for which the variance is required shall be begun or completed, or both.*** Where standards are not specified herein, the Citrus County Land Development Code standards (or current code standards) will apply. In addition, noncompliance with or any violation of the above referenced conditions, as may be determined by Citrus County Compliance may, in addition to any penalty imposed by Code Compliance and subsequent to the procedural requirements set forth in Section 1800 of the Citrus County Land Development Code being satisfied, render this Variance null, void, and of no force or effect.

8. **Granting of the variance <u>will</u> deviate from the clear intent of the adopted Comprehensive Plan.** The application is not consistent with the Comprehensive Plan, as discussed in this staff report.

JH/SW/cb

Attachment: Staff report and locator map (13047 : V-21-07 Julia Finkbeiner)



Application #: V-21-07	Applicant: Julia Finkbeiner
Proposal: waterfront and ROW setbacks	Location: 10151 W. Blue Springs Ct. Homosassa, FL 34448
Land Use Atlas: Coastal and Lakes Residential with mobile homes allowed (CLR MH)	S-T-R - 29-19-17 NE

Planner Initials: JH Date: 5/25/21

Geographic Information Systems

Cynthia P. Skelhorn
Director

Prepared By : William Braunsch
Date: May 10, 2021
Source: Enterprise Geodatabase
Map Number: WB0000554

This information is to be used for general purposes only. The Citrus County Geographic Information Systems Division makes every effort to provide content that is accurate and complete as of the date it is posted. However, all information provided must be independently verified by the user.

Citrus County shall not be liable for any claims, demands, actions 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 omissions of this information and the viewing, copying, or distributing of these materials.

Attachment: Staff report and locator map (13047 : V-21-07 Julia Finkbeiner)

Board of County Commissioners
DEPARTMENT OF GROWTH MANAGEMENT
LAND DEVELOPMENT DIVISION
3600 W. Sovereign Path, Suite 140
Lecanto, FL 34461
Telephone: (352) 527-5239 TTY Dial 711
Web Address: www.citrusbocc.com

CITRUS COUNTY LAND DEVELOPMENT CODE
VARIANCE APPLICATION

Application No.: V-21-07 Date: 4/14/21

* Written Authorization is required if Applicant is different than Owner.

Applicant*
Name: Julia Finkbeiner
Address: 4422 W. San Carlos St.
City: Tampa
State: Florida Zip: 33629
Home No.: Cell No.: 813-625-1996
Work No.: Fax No.:
Email: Mgidelet@gmail.com

Property Owner
Name: Julia Finkbeiner
Address: 4422 W. San Carlos St.
City: Tampa
State: Florida Zip: 33629
Home No.: Cell No.: 813-625-1996
Work No.: Fax No.:
Email: Mgidelet@gmail.com

Property Description: Section: 29 Township: 19 South Range: 17 East
Legal Description: Blue Springs Park Unrec Sub Lots 22+23 Lt 22 Com
Subdivision: 003074 - Homosassa Commnys Sub Lot(s): 22+23 Block/Parcel: N/A
Alternate Key #: 2526980 Parcel ID: 17E19S290010 00180 0220

Is this hearing being requested as a result of a Code Violation Notice? Yes ____ No ✓
If "Yes", explain on a separate sheet and attach a copy of the Notice of Violation.

Variance Request: Reduce water and road set back.

State hardship that justifies the granting of the variance: The unique lot shape limits the placement of a new home, neighbors to the Rt. are close to property line, located at the end of a cul-de-sac limits frontage access. With all being considered we feel this is the best placement of our proposed site plan.

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

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

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

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

Signature: [signature]

STATE OF FLORIDA
COUNTY OF ~~CITRUS~~ Hillsborough
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared Julia Finkbeiner, who is personally known to me or provided Florida Driver License as identification and who did not take an oath.

WITNESS my hand and official seal this 9th day of April, 2021.

Adham Makki
Printed Name
[signature]
Notary Public - State of Florida

Seal

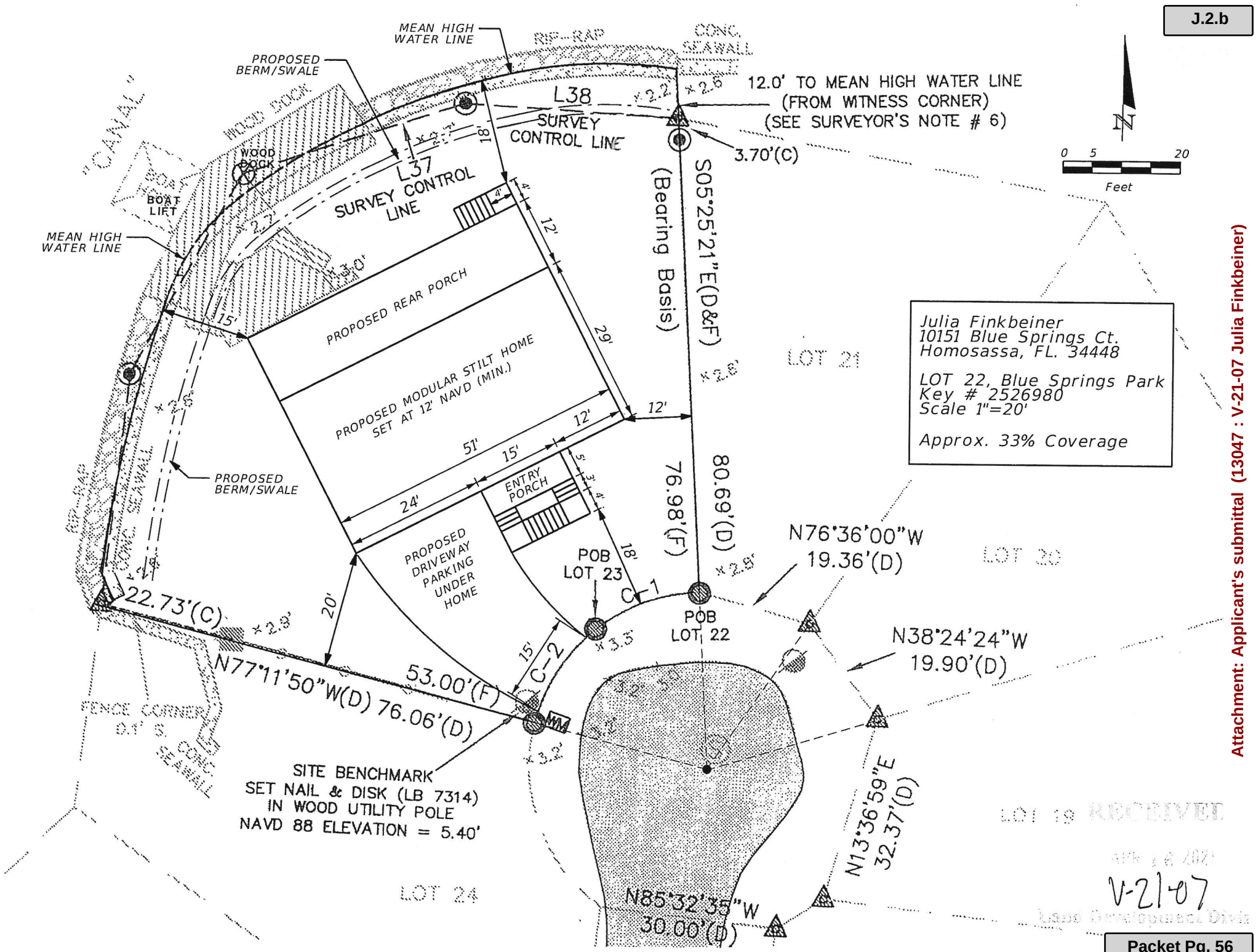
ADHAM MAKKI
Notary Public, State of Florida
Commission# GG 248264
My comm. expires Aug. 13, 2022

RECEIVED
APR 16 2021
V-21-07
Land Development Division

For Staff Use Only
Date: 4/16/2021
Time:
Initials: Joe H.
ATF:
QTR:
LUD:
FZ:

Revised July, 2017
Page 1 of 2

Attachment: Applicant's submittal (13047 : V-21-07 Julia Finkbeiner)



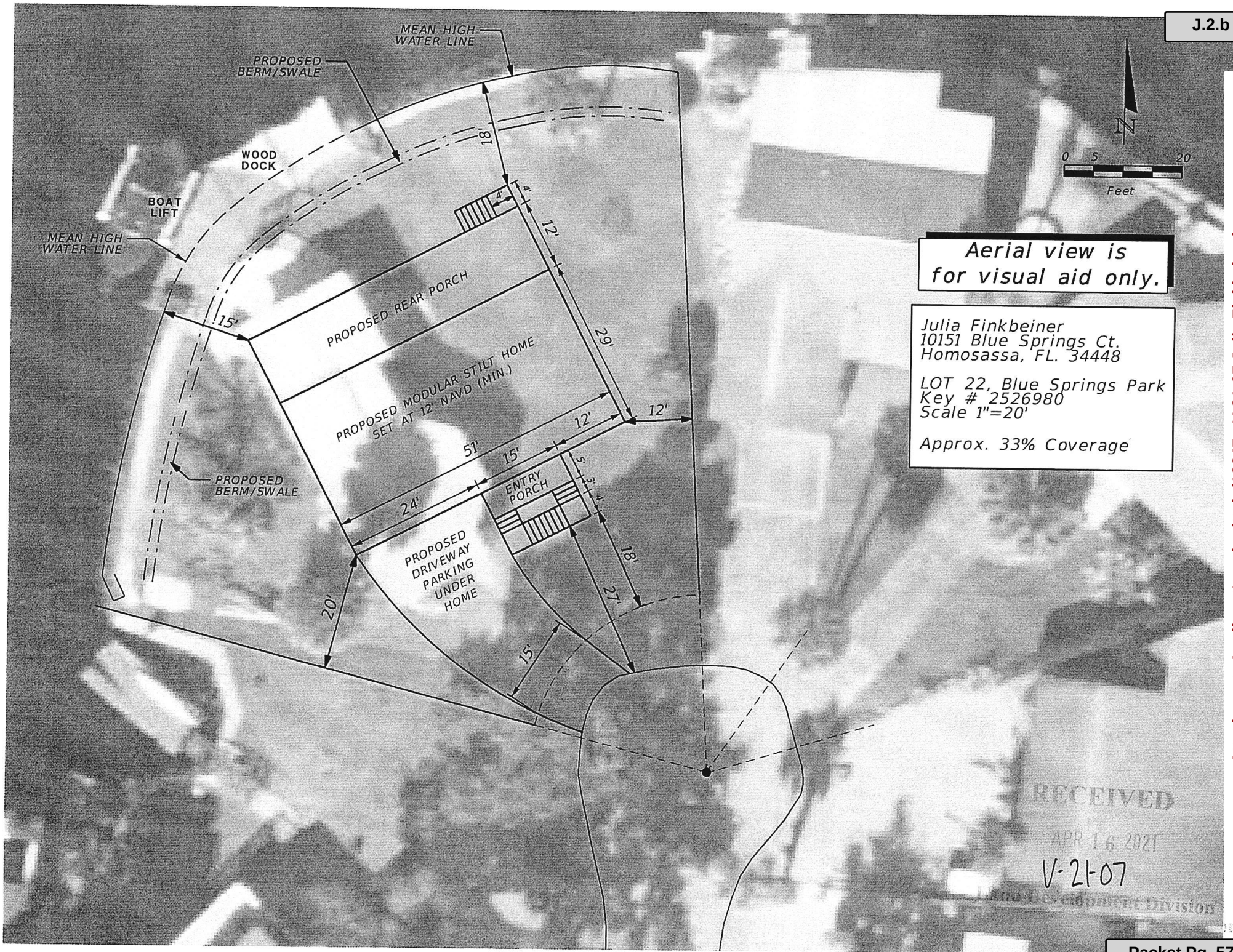
Julia Finkbeiner
10151 Blue Springs Ct.
Homosassa, FL. 34448

LOT 22, Blue Springs Park
Key # 2526980
Scale 1"=20'

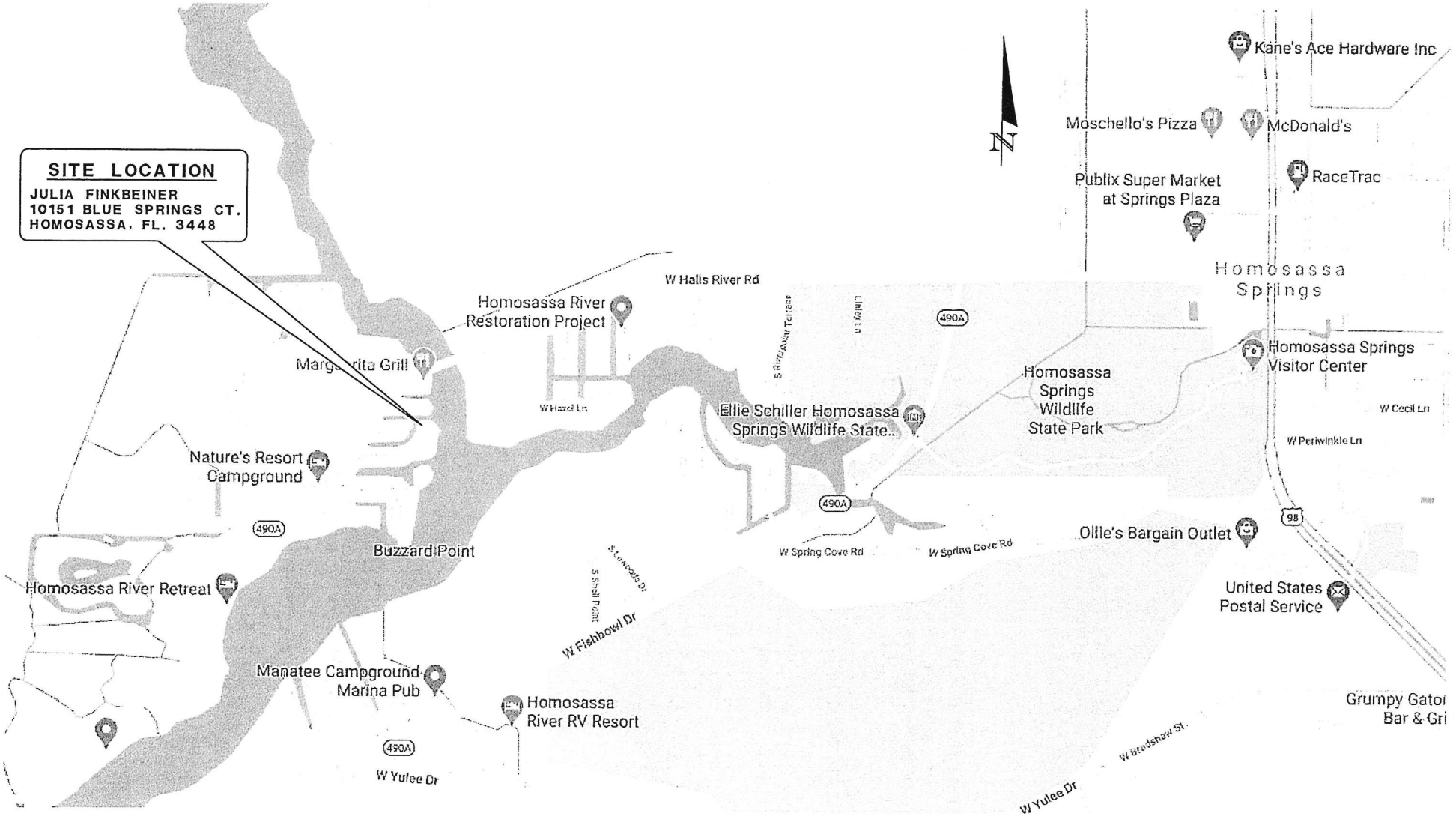
Approx. 33% Coverage

RECEIVED
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V-21-07
Legal Development Divis

Attachment: Applicant's submittal (13047 : V-21-07 Julia Finkbeiner)



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RECEIVED
SEP 13 2021
V-21-07

V-21-07

Julia Finkbeiner

Attachment: Coordinator PowerPoint (13047 : V-21-07 Julia Finkbeiner)



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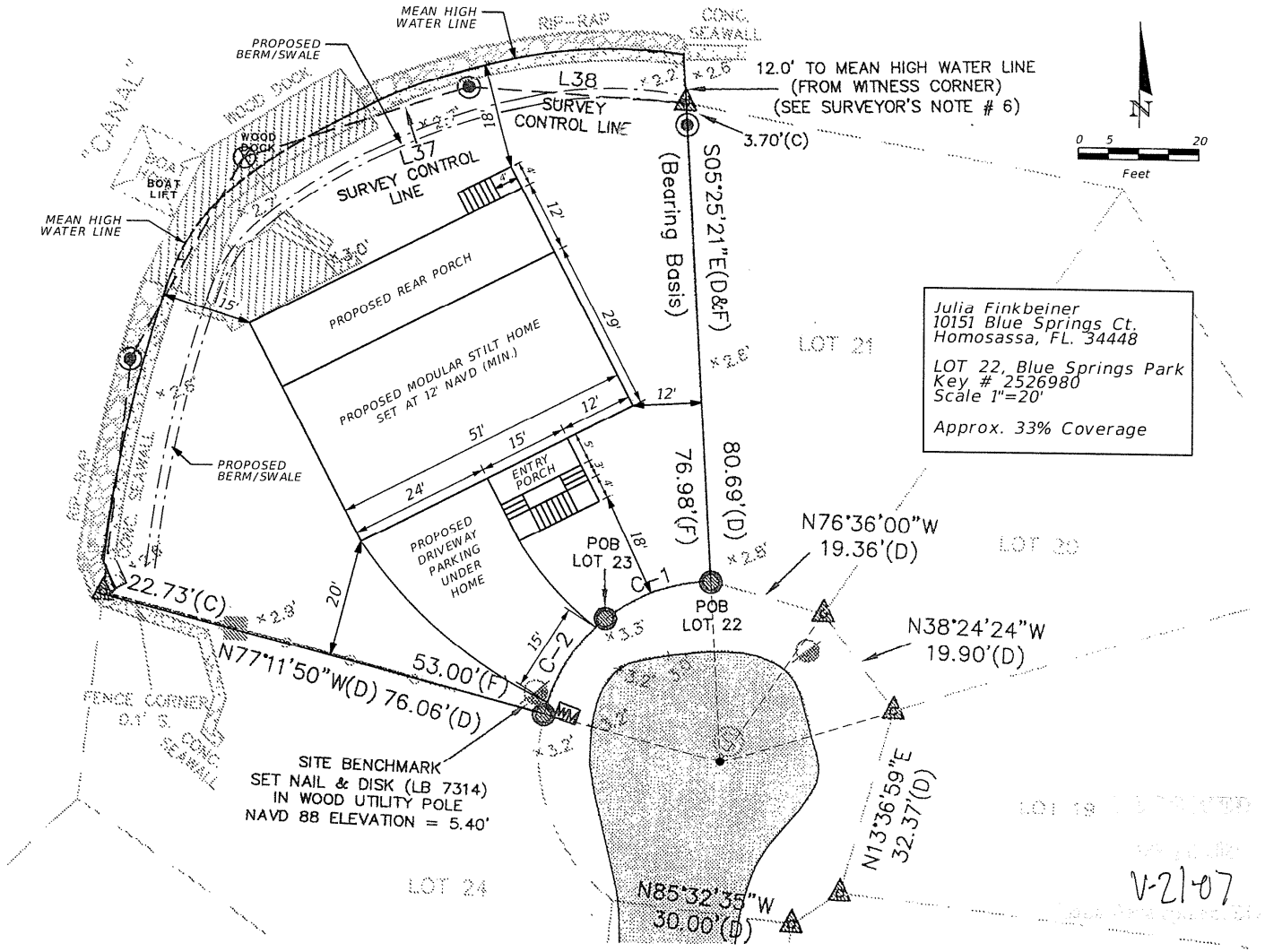
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V-21-07

Julia Finkbeiner

Attachment: Planner PowerPoint (13047 : V-21-07 Julia Finkbeiner)



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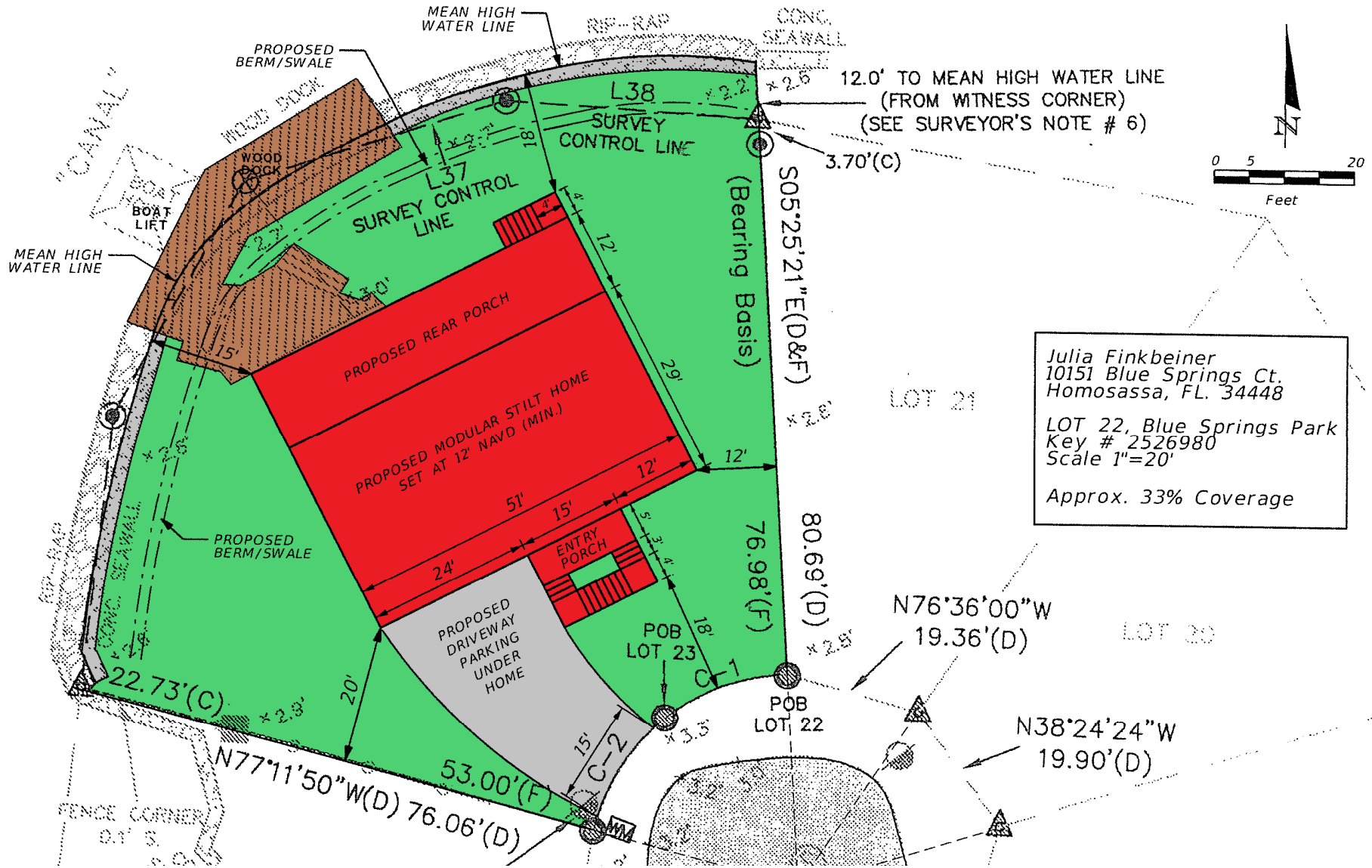
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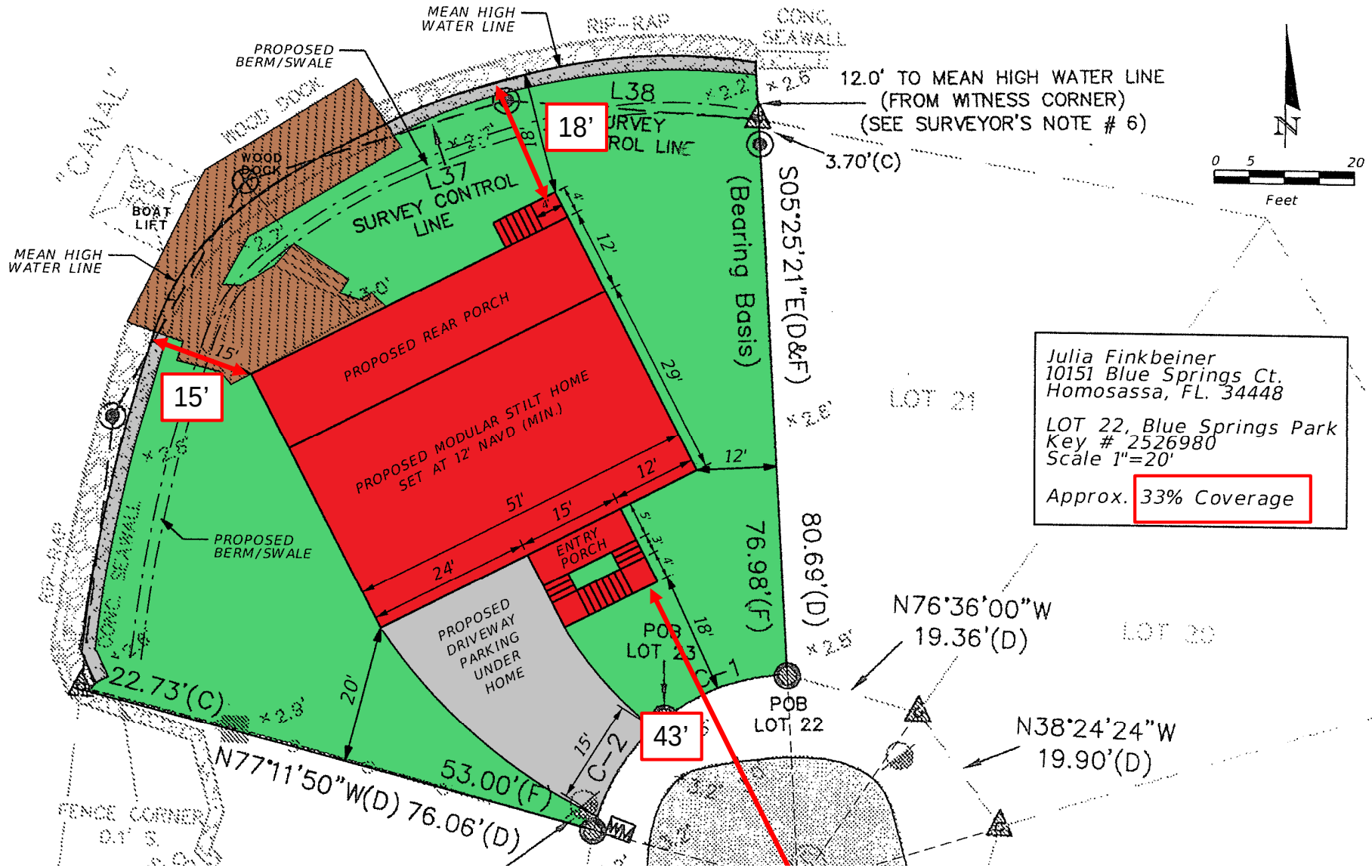
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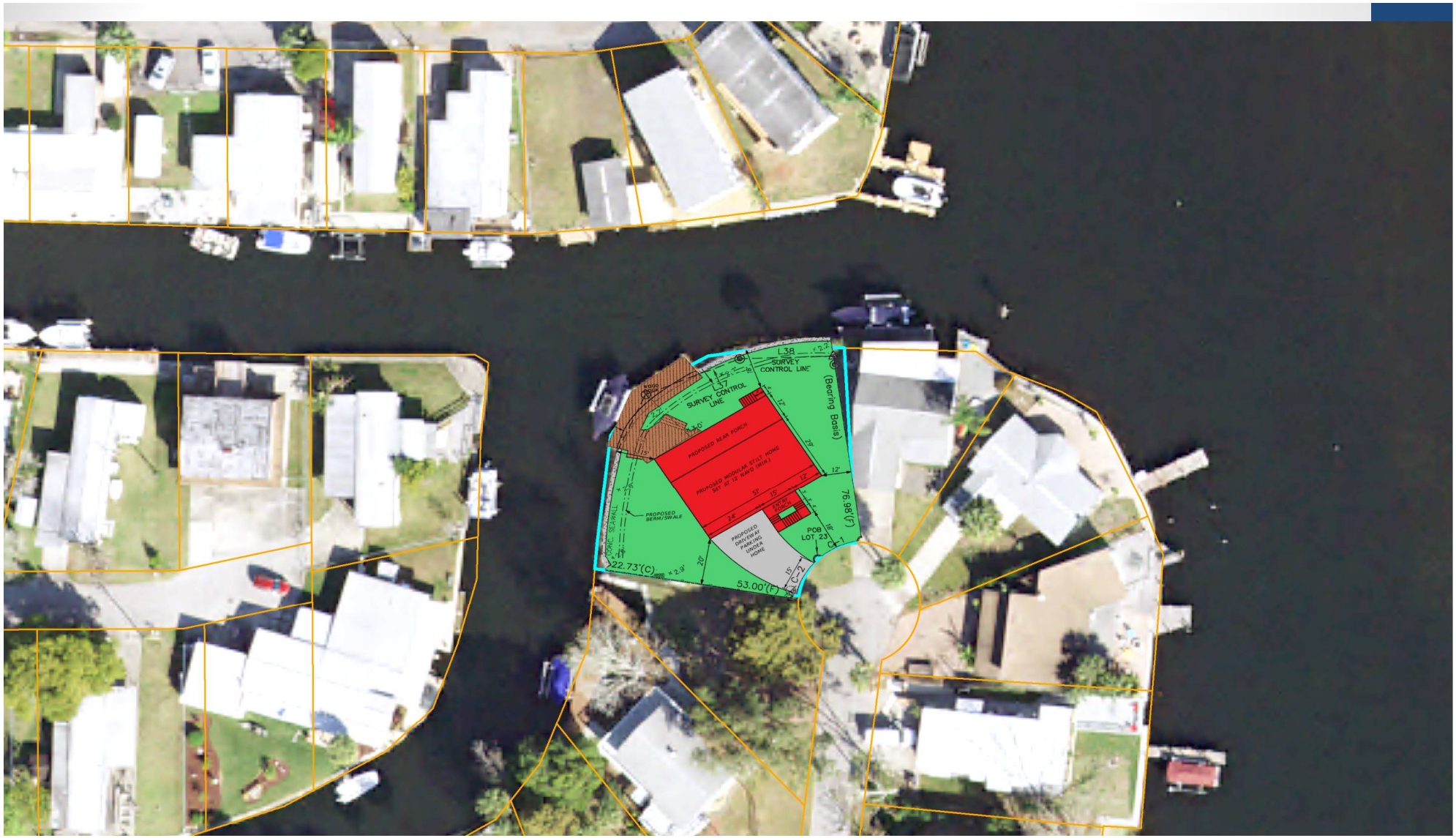
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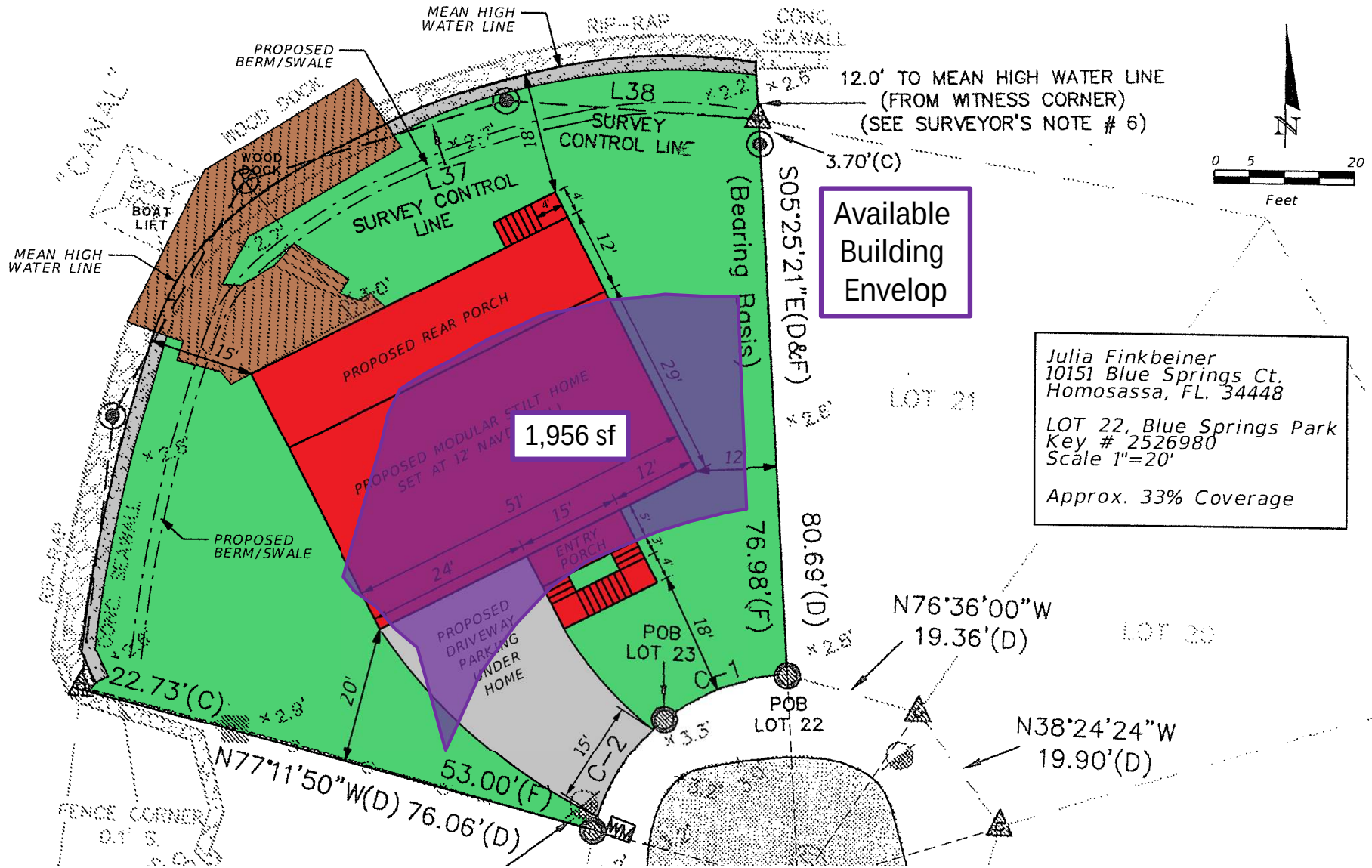
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AGENDA MEMORANDUM

FROM:	Michael Sherman, AICP Growth Management Director
SUBJECT:	CU-21-08 – Daniel White
AGENDA DATE:	**July 15, 2021**

BRIEF OVERVIEW:

This request is for a Conditional Use to allow for a small retail shop in the Medium Density Residential district, pursuant to Section 2402, Medium Density Residential (MDR), District, as specified in the LDC.

BUDGET IMPACT/FUNDING SOURCE:

RECOMMENDED ACTION:

Conduct a public hearing on July 15, 2021 to review and consider CU-21-08, Daniel White

PM2-21-46

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

CONDITIONAL USE APPLICATION NO. – CU-21-08 – Daniel White
DATE: June 15, 2021
PREPARED BY: Amy L. Bidwell, Senior Planner; Land Development Division AB

CONDITIONAL USE REQUESTED	This request is for a Conditional Use to allow for a small retail shop pursuant to Section 2402, Medium Density Residential (MDR), District, as specified in the LDC.
SUBJECT PROPERTY	Section 02, Township 19 South, Range 19 East; more specifically, Inverness Highlands Unit 2, PB 2 PG 97 Lots 42 – 49, Blk 33, which address is 517 N. Croft Avenue.
ACREAGE	Approximately 0.44 acres
LAND USE	MDR, Medium Density Residential District
FLOOD ZONE	According to the Flood Insurance Rate Map (FIRM), the subject property appears to be located in Flood Zone(s) "X" as found on Community-Panel Number 12017C0332D.
SURROUNDING LDC ATLAS DESIGNATIONS	North – MDR, Medium Density Residential District South – MDR, Medium Density Residential District East – MDR, Medium Density Residential District West – EXT. Extractive District
SURROUNDING GFLUM DESIGNATIONS	North – MDR, Medium Density Residential District South – MDR, Medium Density Residential District East – MDR, Medium Density Residential District West – EXT. Extractive District
SURROUNDING EXISTING LAND USE	North – Single Family dwellings, vacant South – Single Family dwellings, vacant East – Single Family dwellings, vacant West – Single Family dwellings, vacant
CHARACTERISTICS OF THE SURROUNDING AREA	The surrounding area is residential in nature.

Attachment: Staff report, application and locator map (13048 : CU-21-08 – Daniel White)

BACKGROUND AND ANALYSIS

The subject property is located in the Inverness Highlands Platted Subdivision, Unit 2, Lots 42-49, and is approximately 0.44 acres of Medium Density Residential (MDR) vacant property.

The applicant is proposing the development of the subject property with a 2,400 square foot steel building for the retail sales of kayaks and associated equipment. The development of a retail sales use in Medium Density Residential (MDR) requires the approval of a Conditional Use.

The surrounding area consists of Medium Density Residential (MDR) and Extractive Land Uses. Several of the MDR properties in the area are developed with single-family dwellings.

The proposed development meets ISR and setback requirements.

The **Engineering Division** has provided the following comments:

It appears that the applicant is requesting a deviation for full access driveway connections per Table 7-2, Corner Parcel Access Spacing. Corner parcel access spacing is 230-ft for a full access driveway and 100-ft for a right in only driveway. The separation is measured from the edge of pavement of the travelled way to the edge of pavement of the driveway connection.

- The proposed connection spacing on Croft Ave. appears to be ± 106 feet and on E. Ramsey St. appears to be ± 56 feet.
- N. Croft Ave. – The site contains approximately 160-feet of frontage and does not have sufficient frontage to install a full access driveway connection within the property frontage.
    - The Engineering Division would not support a deviation to install a permanent full access driveway connection within the property frontage.
    - The applicant may contact the adjacent property owner with a request to install a shared full access driveway connection meeting the 230-ft corner parcel separation. The shared full access driveway connection would provide access to the applicants site via a 20-ft wide paved cross access aisle.
    - There appears to be sufficient frontage to install a right in only driveway meeting the 100-ft corner parcel spacing.
    - The Engineering Division has no objection to a right in only driveway connection on N. Croft Ave.
- E. Ramsey St. - The proposed driveway connection on E. Ramsey St. does not meet spacing standards of 100-ft for a right in only driveway or 230-ft for a full access driveway.
    - The LDC allows for a possible 20% administrative reduction of the spacing from 100-ft to 80-ft for a right in only driveway and from 230-ft to 196-ft for a full driveway.
    - Engineering justification would need to be provided, reviewed, and approved by the Director of Public Works.

Attachment: Staff report, application and locator map (13048 : CU-21-08 – Daniel White)

- A request for reduced driveway spacing has not been received by the Engineering Division.
- The site contains approximately 120-feet of frontage on E. Ramsey St. The parcels do not have sufficient frontage to meet the spacing of 80-ft for a right in only driveway or 196-ft for a full driveway connection.
- The applicant's options for a full access driveway on Ramsey St. include an interim driveway access as provided for in Section 7110.E, of the LDC. When a project cannot obtain a driveway connection meeting access management standards, Section 7110.E of the LDC allows for the installation of an interim driveway access.
- The interim driveway access would be installed meeting all standards of the LDC with the understanding that when a connection meeting standards is installed, that the interim driveway access would be removed at the applicant's expense.
- The installation of an interim driveway access requires the applicant to first enter into a "Temporary Driveway Agreement and Restrictive Covenant" with the Citrus County Board of County Commissioners. The agreement can be processed at time of building permit.
- If the applicant choses to request an interim driveway access on Ramsey St., the driveway will need to be located as far to the east property line as possible, providing the greatest separation possible.

Consistency with the Comprehensive Plan

All development applications shall demonstrate complete compliance with the Comprehensive Plan. This Conditional Use application is not consistent with the Comprehensive Plan goals, objectives, policies, and standards including:

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 surrounding area consists of primarily single-family residential uses.*

Consistency with the Land Development Code (LDC)

Staff reviewed this application under the standards of Section 2406, Medium Density Residential District, as specified in the LDC.

Staff comment: *The LDC requires Conditional Use approval in the MDR district for the development of a small retail sales use. This proposal is consistent with the provisions of the LDC.*

Attachment: Staff report, application and locator map (13048 : CU-21-08 – Daniel White)

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 violate the land uses, densities, or other directives of the adopted Comprehensive Plan or the LDC.*** The application as proposed is not consistent with the Comprehensive Plan for functional and compatible land use as it increases the occurrence of incompatible land uses.

2. ***The proposed uses and structures would be incompatible with the uses, structures, and activities on adjacent and nearby lands.*** The request is not compatible with the surrounding area that consists of single-family residences uses.

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;*** N/A – Residential density is not proposed as part of this application. Floor Area Ratio standards must be met.
   b. ***The use or structure would impair pedestrian or vehicular movement in adjoining streets so as to violate adopted level of service standards;*** The site is located on the corner of a major collector, N. Croft Avenue, and a local public right-of-way E. Ramsey St. Meeting access standards for a commercial use in a residential area may be difficult.
   c. ***The use or structure would not create a fire hazard;*** The application as proposed would not create a fire hazard.
   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 a small retail sales shop is not anticipated to result in noise, odor, glare, vibration, or other similar characteristic detectable at the property line as long as the any conditions are adhered to, if approved.
   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 and provides cross-access to adjacent 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 site will be served by onsite water and sewer.

Attachment: Staff report, application and locator map (13048 : CU-21-08 – Daniel White)

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.

AB/SW/cb

Attachment: Staff report, application and locator map (13048 : CU-21-08 – Daniel White)

Board of County Commissioners
DEPARTMENT OF GROWTH MANAGEMENT
LAND DEVELOPMENT DIVISION
3600 W. Sovereign Path, Suite 140
Lecanto, FL 34461
Telephone: (352) 527-5239 TTY Dial 711
Web Address: www.citrusbocc.com

CITRUS COUNTY LAND DEVELOPMENT CODE
CONDITIONAL USE APPLICATION

Application No.: CU-21-08 Date: 4/20/21

* Written Authorization is required if Applicant is different than Owner.

Applicant*
Name: Daniel White
Address: 517 N CROFT Ave
City: Inverness
State: FL Zip: 34453
Home No.: 352 201 6943 Cell No.: 352 201 6943
Work No.: Fax No.:
Email: GuiTarJun20@yahoo.com

Property Owner (Mailing address)
Name: Daniel White
Address: 3912 E Sanders ST.
City: Inverness
State: FL Zip: 34453
Home No.: 352 201 6943 Cell No.:
Work No.: Fax No.:
Email: GuiTarJun20@yahoo.com

Property Description: Section: Township: South Range: East
Legal Description: Inverness HGLDS Unit 2 PB 2 PG 97 LOTS 42-49 BLK 33
Subdivision: 001035 Inverness Highlnds Lot(s): 42-49 Block/Parcel:
Alternate Key #: 1637643 Parcel ID: 19E19S20002000330 0420
Acreage: .44

Is this hearing being requested as a result of a Code Violation Notice? Yes ____ No ✓
If "Yes", explain on a separate sheet and attach a copy of the Notice of Violation.

Conditional Use Request: Build a 40X60 Steel building on 517 N CROFT ave. To serve The community as a Kwik Store Selling Kwiks and related Merchandise.

Describe how it will/will not affect surrounding development: CROFT rd is a very busy road. The neighbors want Trees removed for safty Pulling out on CROFT rd. They are also exited to see a Kwik Store go up.

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.

CU-21-08

Attachment: Staff report, application and locator map (13048 : CU-21-08 – Daniel White)

Altkey: 1637643
WHITE DANIEL

Parcel ID: 19E19S020020 00330 0420
517 N CROFT AVE , INVERNESS

Citrus County Property Appraiser, Cregg E. Dalton

PC Code	0000 - VACANT
Bldg Counts	Res 0 / MH 0 / Comm 0
Nbhd	8730 - INVERNESS HIGHLANDS NORTH
Tax District	000X - WITHLACOOCHEE RIVER BASIN
Subdivision	001035 - INVERNESS HIGHLANDS UNIT 2
Short Legal	INVERNESS HGLDS UNIT 2 PB 2 PG 97 LOTS 42, 43, 44, 45, 46,47, 48 & 49 BLK 33
Est. Parcel Sqft	19,308
Est. Parcel Acres	.44
Map SC-TW-RG	02-19S-19E

Mailing Address

Name	WHITE DANIEL
Mailing Address	3912 E SANDERS ST INVERNESS FL 34453

All Owners

Name	Owner Type
WHITE DANIEL	HW - Husband And Wife
WHITE ROTESSA	HW - Husband And Wife

Value History and Tax Amount

Year	Land Value	Impr Value	Just Value	Non-Sch. Assessed	Non-Sch. Exemptions	Non-Sch. Taxable	HX Savings	Tax Amount	Tax Link
2020	$5,840	$0	$5,840	$5,840	$0	$5,840	$0	$132.49	Link
2019	$6,080	$0	$6,080	$6,080	$0	$6,080	$0	$246.09	Link

Buyer Beware!

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

Special Assessment

Project #	Description	Amount
0131	FIRE SERVICES ASSESSMENT	$4.07
0147	WATER UTILITY AVAIL ASMT	$43.54

Sales

Sale Date	Sale Price	Book/Page	Instr Type	V/I
11/20/2020	$7,000	3113/1746	00-WARRANTY DEED	V
06/12/2018	$2,000	2915/0198	00-WARRANTY DEED	V
06/01/1995	$4,000	1086/1987	00-WARRANTY DEED	V
06/01/1995	$100	1083/0910	11-11	V

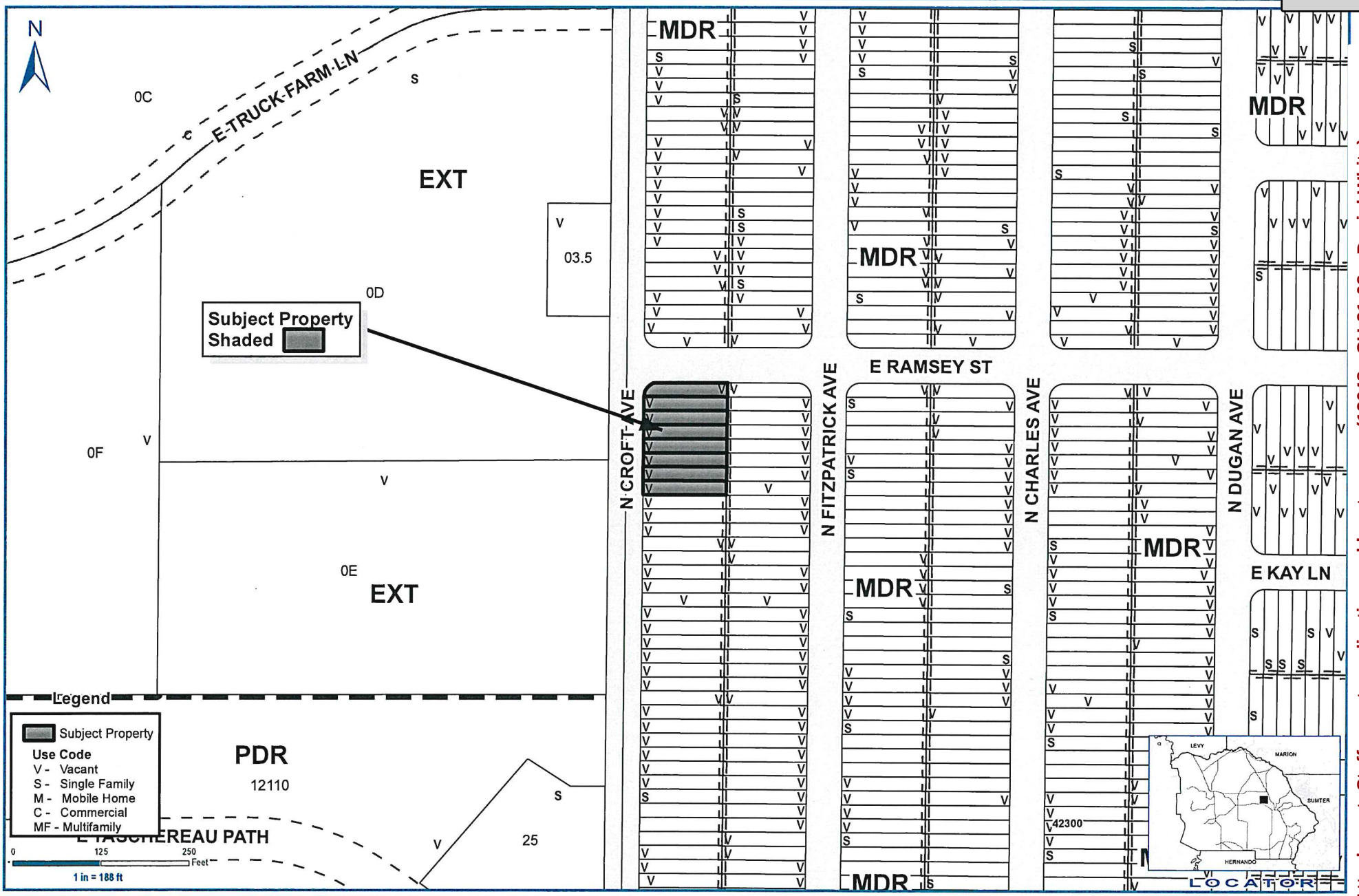
Sales do not generally appear in database until approximately 4 to 6 weeks after the closing date. If a recent sale does not show up in this list, please allow more time for the sale record to be processed.

Land & Agricultural

Line	Land Use	Type	Units	Frontage	Depth	Ag Flag	Classified Value	Just Value	Zoning
1	0008-SFR NON-WATERFRONT	F-FRONT FOOT	80.00	80.0	120				MDR
2	0008-SFR NON-WATERFRONT	F-FRONT FOOT	80.00	80.0	120				MDR

CU-21-08

Attachment: Staff report, application and locator map (13048 : CU-21-08 – Daniel White)



Application #: CU-21-08

Applicant: Daniel White

Proposal: Retail sales of kayaks and related merchandise in MDR

Location: 517 and 525 N Croft Ave. Inverness, FL 34453

S-T-R - 02-19-19 SE

Land Use Atlas: Medium Density Residential (MDR)

Planner Initials: CB **Date:** 5/18/21

Geographic Information Systems

Cynthia P. Skelhorn
Director

Prepared By : William Braunsch
Date: May 10, 2021
Source: Enterprise Geodatabase
Map Number: WB0000540

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Attachment: Staff report, application and locator map (13048 : CU-21-08 – Daniel White)

Susan K. Wright

To: Amy L. Bidwell
Subject: RE: CU-21-08

-----Original Message-----
From: Sam Cadden <sscadden2000@yahoo.com>
Sent: Saturday, June 19, 2021 6:55 PM
To: Amy L. Bidwell <Amy.Bidwell@citrusbocc.com>
Subject: [EXTERNAL]CU-21-08

WARNING: This email originated from an external Domain DO NOT CLICK unless you recognize the sender and know the content is safe.

Dear Amy,

I oppose application CU-21-08. Please respond that you have received my response.

Many thanks,
Sam Cadden

Sent from my iPhone S.Cadden

Attachment: Public input (13048 : CU-21-08 – Daniel White)

CU-21-08

CU-21-08

Daniel White

Attachment: Coordinator PowerPoint (13048 : CU-21-08 – Daniel White)



Attachment: Coordinator PowerPoint (13048 : CU-21-08 – Daniel White)


APPLICATION PENDING
FOR THE DEVELOPMENT OF THIS PROPERTY
PUBLIC INPUT ACCEPTED
CONTACT CITRUS COUNTY
DEPT. OF GROWTH MANAGEMENT
(352) 527-5239
APPL# CU-21-08
DO NOT REMOVE THIS SIGN UNDER PENALTY OF THE LAW



Attachment: Coordinator PowerPoint (13048 : CU-21-08 – Daniel White)

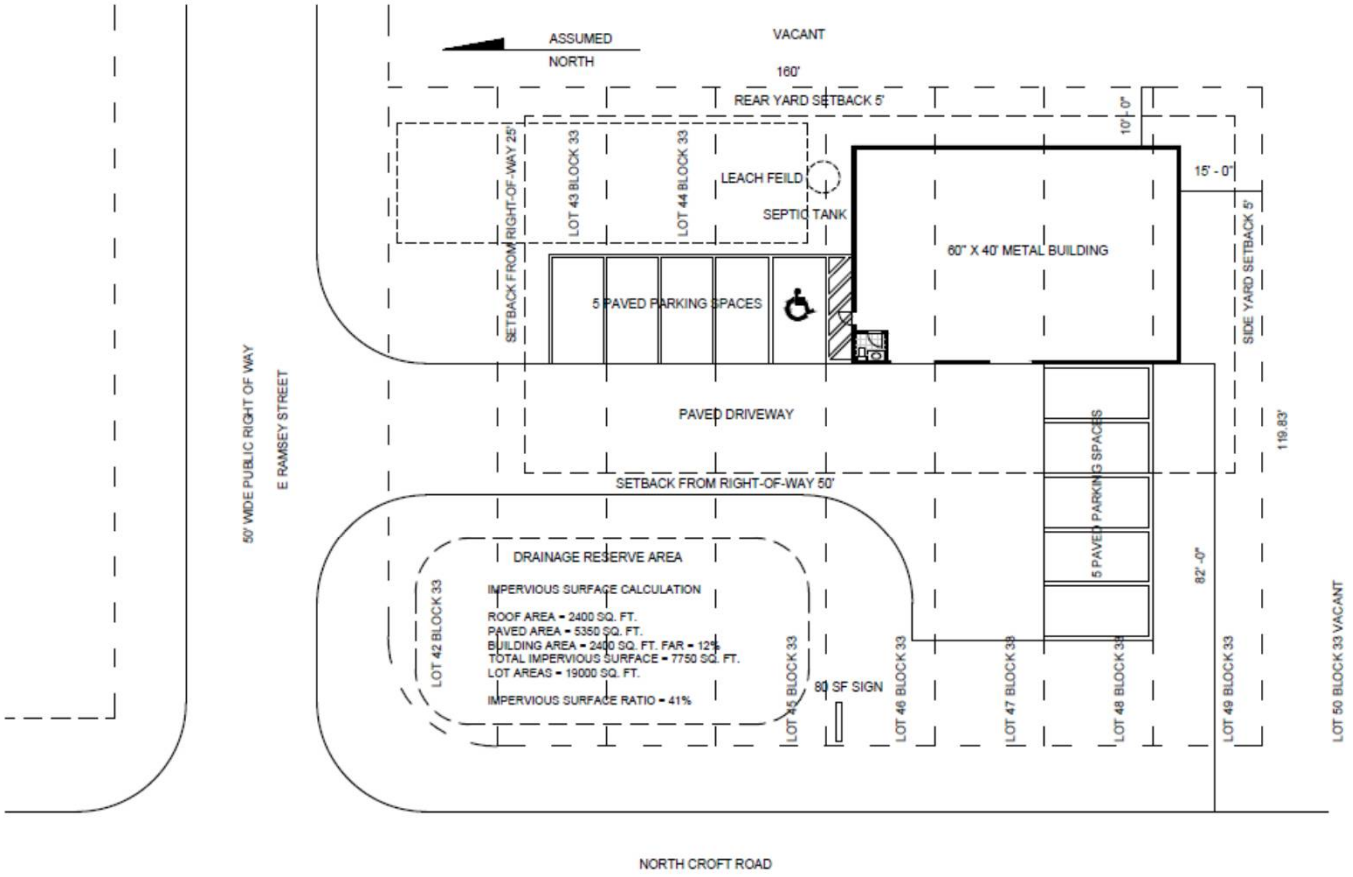


Attachment: Coordinator PowerPoint (13048 : CU-21-08 – Daniel White)



Attachment: Coordinator PowerPoint (13048 : CU-21-08 – Daniel White)

PRODUCED BY AN AUTODESK STUDENT VERSION



PRODUCED BY AN AUTODESK STUDENT VERSION

Attachment: Coordinator PowerPoint (13048 : CU-21-08 – Daniel White)

CU-21-08

Daniel White

Attachment: Planner PowerPoint (13048 : CU-21-08 – Daniel White)


S CROFT AVE
E RAMSEY ST
N FITZPATRICK AVE



Attachment: Planner PowerPoint (13048 : CU-21-08 – Daniel White)



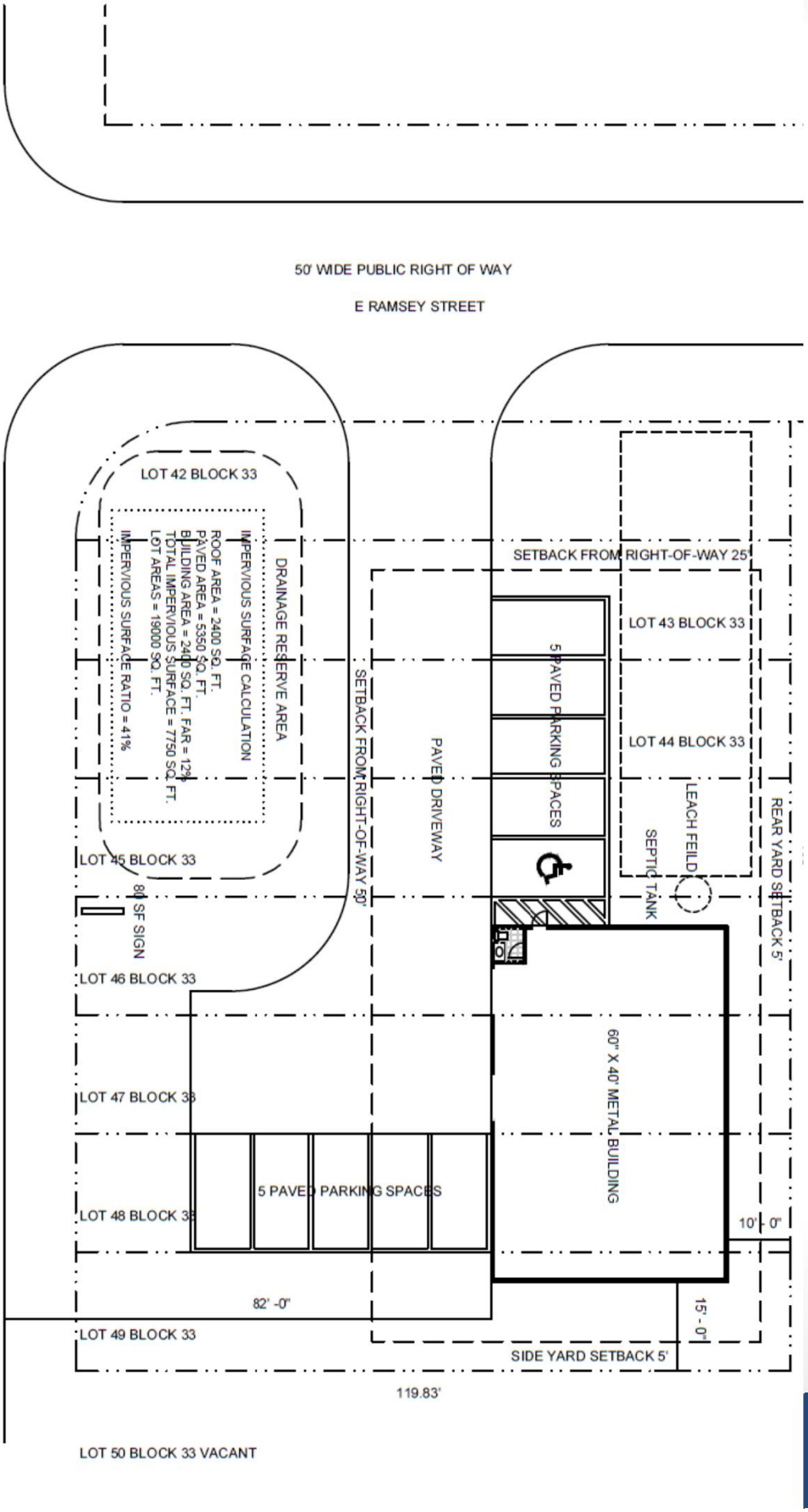
Attachment: Planner PowerPoint (13048 : CU-21-08 – Daniel White)

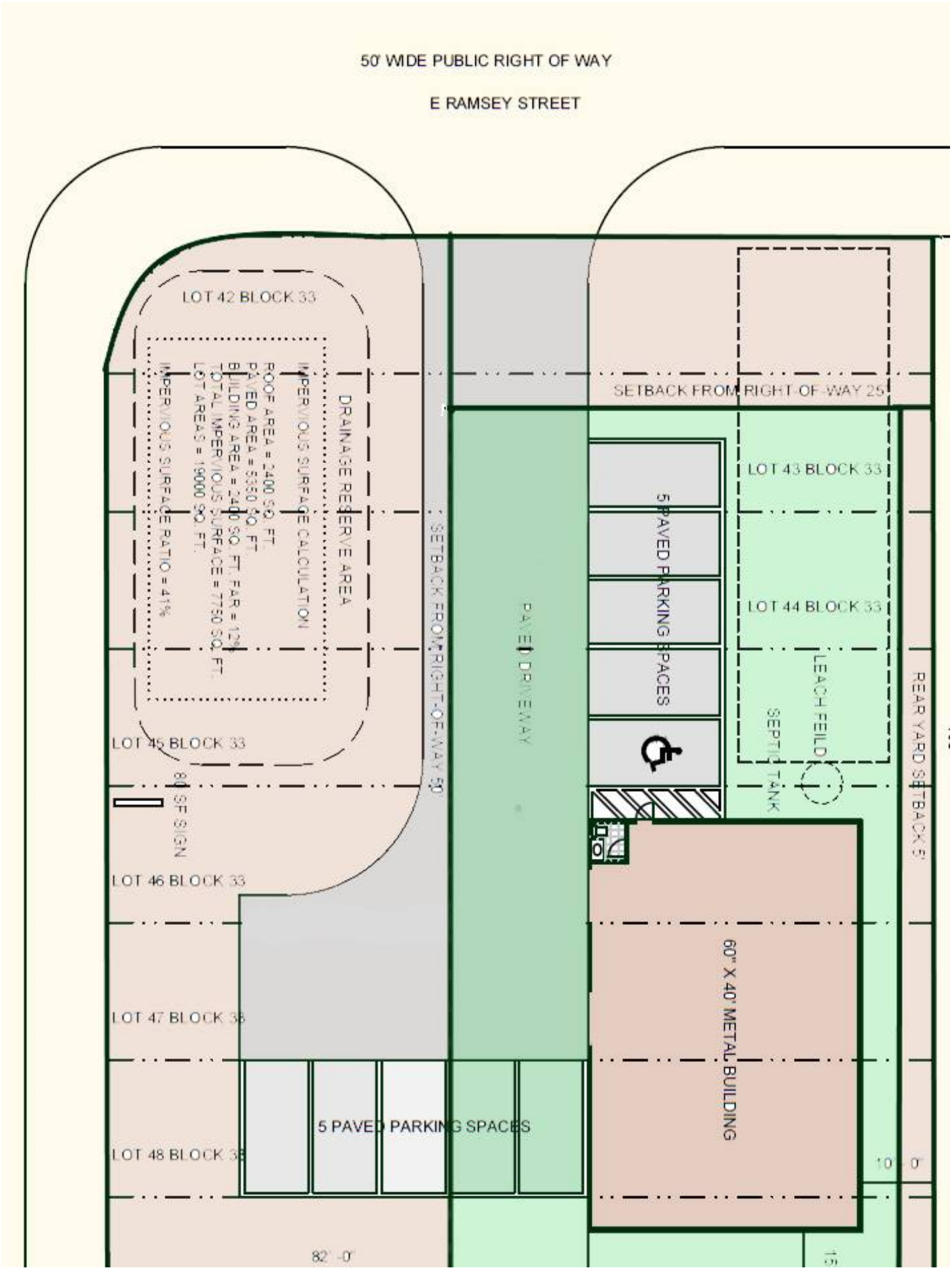


Attachment: Planner PowerPoint (13048 : CU-21-08 – Daniel White)



Attachment: Planner PowerPoint (13048 : CU-21-08 – Daniel White)


50' WIDE PUBLIC RIGHT OF WAY
E RAMSEY STREET
LOT 42 BLOCK 33
IMPERVIOUS SURFACE CALCULATION
ROOF AREA = 2400 SQ. FT.
PAVED AREA = 5350 SQ. FT.
BUILDING AREA = 2400 SQ. FT. FAR = 12%
TOTAL IMPERVIOUS SURFACE = 7750 SQ. FT.
LOT AREAS = 19000 SQ. FT.
IMPERVIOUS SURFACE RATIO = 41%
DRAINAGE RESERVE AREA
SETBACK FROM RIGHT-OF-WAY 25'
LOT 43 BLOCK 33
5 PAVED PARKING SPACES
LOT 44 BLOCK 33
PAVED DRIVEWAY
SETBACK FROM RIGHT-OF-WAY 50'
LEACH FEILD
SEPTIC TANK
REAR YARD SETBACK 5'
LOT 45 BLOCK 33
80 SF SIGN
LOT 46 BLOCK 33
60" X 40' METAL BUILDING
LOT 47 BLOCK 33
5 PAVED PARKING SPACES
LOT 48 BLOCK 33
10' - 0"
82' -0"
15' - 0"
LOT 49 BLOCK 33
SIDE YARD SETBACK 5'
119.83'
LOT 50 BLOCK 33 VACANT


50' WIDE PUBLIC RIGHT OF WAY
E RAMSEY STREET
LOT 42 BLOCK 33
IMPERVIOUS SURFACE CALCULATION
ROOF AREA = 2400 SQ. FT.
PAVED AREA = 5350 SQ. FT.
BUILDING AREA = 2400 SQ. FT. FAR = 12%
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SETBACK FROM RIGHT-OF-WAY 25
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PAVED DRIVEWAY
LOT 44 BLOCK 33
LEACH FEILD
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REAR YARD SETBACK 5'
LOT 45 BLOCK 33
80 SF SIGN
LOT 46 BLOCK 33
60" X 40' METAL BUILDING
LOT 47 BLOCK 33
5 PAVED PARKING SPACES
LOT 48 BLOCK 33
10
0
82' -0"
15

AGENDA MEMORANDUM

FROM:	Michael Sherman, AICP Growth Management Director
SUBJECT:	V-21-08 David Smith, Esq. for Real Sub, LLC
AGENDA DATE:	**July 15, 2021**

BRIEF OVERVIEW:

This request is for a Variance from the Citrus County Land Development Code (LDC) to allow for a liquor store with sales and storage of alcoholic beverages having less than the required 500-foot radius to a House of Worship, pursuant to Section 3760, Alcoholic Beverages, as specified in the LDC.

BUDGET IMPACT/FUNDING SOURCE:

RECOMMENDED ACTION:

Conduct a public hearing on July 15, 2021, to review and consider V-21-08, David Smith, Esq. for Real Sub, LLC

PM2-21-50

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

VARIANCE APPLICATION NO.: V-21-08 David Smith, Esq. for Real Sub, LLC
DATE: June 18, 2021
PREPARED BY: Miranda Anaya, Senior Planner, Land Development Division MA

VARIANCE REQUESTED	This request is for a Variance from the Citrus County Land Development Code (LDC) to allow for a liquor store with sales and storage of alcoholic beverages having less than the required 500-foot radius to a House of Worship, pursuant to Section 3760, Alcoholic Beverages, as specified in the LDC. Specifically, the applicant is requesting a liquor store that is within that distance from two Houses of Worship.
SUBJECT PROPERTY	Section 25, Township 18S, Range 17E; Tract A of LR-00-32, BK 1390, PG 2112-2114, (AK 3119345), which address is 6774 W. Gulf to Lake Hwy., Crystal River, Fl 34429. A complete legal description is on file with the Land Development Division.
ACREAGE	Approximately 11,710 square feet (15.37 acres)
LAND USE	GNC, General Commercial District on the Future Land Use Map; GNC, General Commercial District, on the LDC Atlas
SURROUNDING AREA/ LAND USE	North – Dollar General and vacant commercial South – Drainage; vacant residential East – Regions Bank; W. Gulf to Lake Highway West – N. Marion way; vacant residential The subject property is commercial and is surrounded by commercial and residential lots. The surrounding area is GNC and MDR on the Future Land Use Map and GNC and MDR on the LDC Atlas. See attached map for a complete graphic description of the characteristics of the surrounding area.
FLOOD ZONE	According to the Flood Insurance Rate Map (FIRM), the subject property appears to be located in Flood Zone AE and X as found on Community-Panel Number 12017C0193E.
SOIL INFORMATION	According to the *Soil Survey of Citrus County* (1988), the soil type in the area is primarily Tavares Fine Sand, 0 to 5 percent slopes and contains some Eaugallie Fine Sand, Depressional. Limitations to building development are slight in the Tavares portion and severe due to ponding in the Eaugallie portion.

Attachment: Staff report and locator map (13049 : V-21-08 David Smith, Esq. for Real Sub, LLC)

BACKGROUND AND ANALYSIS:

The subject property is comprised of approximately 15.37 acres in size in Crystal River, located on the west side of W. Gulf to Lake Hwy. (SR- 44), a 100-foot-wide Principal Arterial roadway. The subject property is also adjacent to a Dollar General and vacant commercial to the north, residential and commercial lots to the south, and N. Marion Way to the west. The site also has access from N. Marion Way, a paved 65-foot-wide local public street. The site currently contains a dental office building and the Crystal Springs Shopping Center. The east side of the site abuts an outparcel (Regions Bank). The site appears to be fully developed with a Drainage Retention Area along N. Marion Way. The tract is located within the Planned Service Area (PSA) and Commercial Infill Area.

The applicant is requesting a Variance from the Land Development Code from alcohol setback requirements to two Houses of Worship for a liquor store. The liquor store will be adjacent to the existing Publix Supermarket. The applicant is requesting a 100-foot alcohol setback instead of the required 500-foot setback. The subject property is within the 500-foot radius of two Houses of Worship as outlined below:

Distance from proposed liquor store to House of Worship		
	Parcel to Parcel Distance	Tenant Space to Parcel Distance (method not in LDC)
Daystar Life Center (building built in 1973)	100 ft	650 ft
The Real Life Christian Church (building built in 1988)	205 ft	925 ft

The LDC requires measurement between parcels but in this case the site is part of a larger shopping center so actual use distance is increased. There is a 100-foot-wide arterial roadway, buffers, and a plaza-size parking lot with landscaping between the two uses. The applicant has stated the proposed liquor store will not have onsite consumption and the adjacent Publix Supermarket is associated with the proposed liquor store. The applicant states that this parcel is in a commercial node, but the Comprehensive Plan does not indicate it is; although functionally it has the characteristics of a commercial node. There is beer and wine onsite consumption allowed from the restaurants that are currently in the shopping center, but they utilize an exemption in the LDC for restaurants that primarily serve food rather than alcoholic beverages.

Consistency with the Comprehensive Plan - All development applications shall demonstrate complete compliance with the Comprehensive Plan. The application is consistent with the Comprehensive Plan goals, policies, and standards including:

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.

Objective 17.15 The County shall encourage the reduction of uses incompatible and/or inconsistent with individual community's character and designated future land

Attachment: Staff report and locator map (13049 : V-21-08 David Smith, Esq. for Real Sub, LLC)

uses by requiring performance standards are met in the County LDC which will reduce negative impacts.

Staff comment: *The shopping center has a large setback abutting residential uses.*

Consistency with the Land Development Code (LDC) - Staff reviewed this application under the standards of Sections 3760, Alcoholic Beverages, as specified in the LDC.

3760. A. No parcel shall be utilized and no structure shall be used, erected or altered on that parcel for the purpose of sales or storage of alcoholic beverages if the nearest point of said parcel is situated within a 500-foot radius from any point on a parcel used or reserved for use for any of the following purposes:

1. Schools, child care centers, or day care centers.
2. Hospitals
3. Charitable institutions, whether publicly or privately funded.
4. Churches.
5. Public libraries.
6. Public parks or playgrounds.
7. Adult entertainment establishments.

Staff comment: *The applicant is requesting a 100-foot alcohol separation. The separation is not being met from Daystar Life Center of Citrus County and The Real Life Christian Church when measured parcel-to-parcel; however, within the shopping center the proposed use is a significant distance from these sites.*

PROPOSED FINDINGS OF FACT

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

1. ***Special conditions and circumstances do exist which are peculiar to the land, structure, or building involved and which are not applicable to land, structures, or buildings in the same land use district.*** Parcel to parcel distance is not being met; however, the site is part of a larger shopping center so actual functional setbacks are much larger.

2. ***The special conditions and circumstances do not result from the actions of the applicants.*** The shopping center layout is existing as a larger parcel.

3. ***A granting of the variance requested will not confer on the applicant any special privilege that is denied by this code to other lands, buildings, or structures in the same land use district.*** The layout of the shopping plaza provides a larger functional setback to the actual uses.

Attachment: Staff report and locator map (13049 : V-21-08 David Smith, Esq. for Real Sub, LLC)

4. ***Literal interpretation of the provisions of this code which would deprive the applicant of rights commonly enjoyed by other similarly situated properties and would work unnecessary and undue hardship on the applicant.*** The functional setback, instead of the parcel setback as required in the LDC, is significant.

5. ***The variance granted is the minimum variance that will make possible the reasonable development and/or use of the land, building, or structure.*** The placement and size of the tenant space cannot be reduced to meet the Land Development Code.

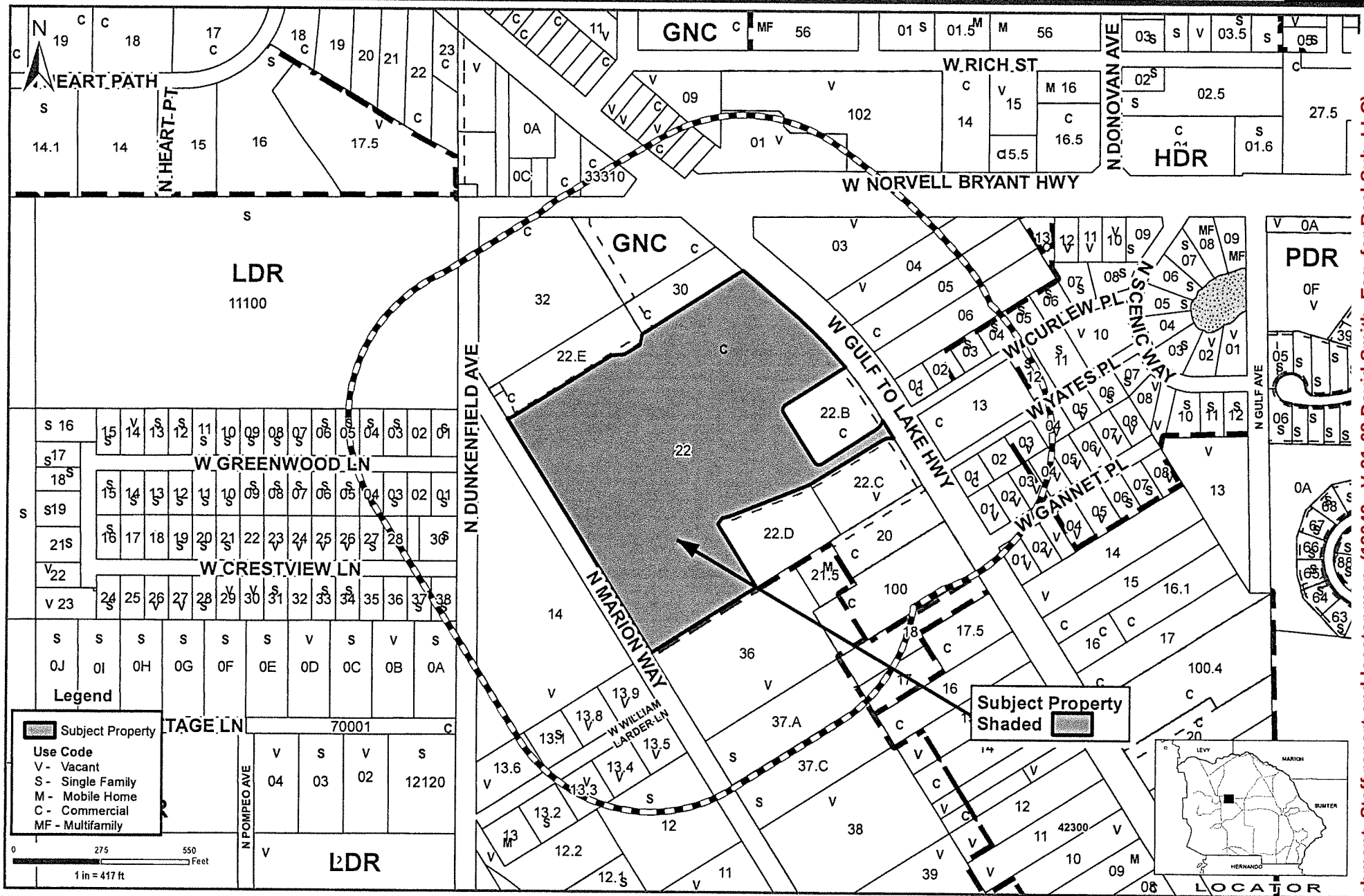
6. ***The granting of the variance will be in harmony with the general intent and purpose of this code and will not be injurious to the area involved or otherwise detrimental to the public welfare.*** The visual impact of the liquor store is consistent with the aesthetic character of the multi-use shopping center. The general intent is to provide spacing between alcohol establishments and other uses and with the current functional setbacks between the uses it accomplishes that purpose.

7. ***There will be full compliance with any additional conditions and safeguards which the PDC may prescribe, including but not limited to reasonable time limits within which the action for which the variance is required shall be begun or completed, or both.*** Where standards are not specified herein, the Citrus County Land Development Code standards (or current code standards) will apply. In addition, noncompliance with or any violation of the above referenced conditions, as may be determined by Citrus County Compliance may, in addition to any penalty imposed by Code Compliance and subsequent to the procedural requirements set forth in Section 1800 of the Citrus County Land Development Code being satisfied, render this Variance null, void, and of no force or effect.

8. **Granting of the variance will not deviate from the clear intent of the adopted Comprehensive Plan.** The proposal is consistent with the Comprehensive Plan.

MA/SW/cb

Attachment: Staff report and locator map (13049 : V-21-08 David Smith, Esq. for Real Sub, LLC)



Application #: V-21-08	**Applicant: David M. Smith of Stearns Weaver Miller for Real Sub, LLC**
Proposal: Alcohol sales within 500' of House of Worship	**Location: 6776 W. Gulf to Lake Hwy, Crystal River, FL 34429**
Land Use Atlas: General Commercial (GNC)	**S-T-R - 25-18-17 NW**
	Planner Initials: MA **Date:** 5/25/21

Geographic Information Systems

Prepared By : William Braunsch
Date: May 11, 2021
Source: Enterprise Geodatabase
Map Number: WB0000534

Cynthia P. Skelhorn
Director

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Attachment: Staff report and locator map (13049 : V-21-08 David Smith, Esq. for Real Sub, LLC)

SITE LEGEND

A — 4 LIGHTING FIXTURES AND STANDARD –
FIXTURE: WLS NO. VB-QUAD
(PROVIDE WITH 1000W E-25HPS BASE UP LAMP) MOUNTED ON A
ROUND TAPERED PRE-PAINTED STEEL POLE:
LITEPOLES NO. RTS39-9-OF-DDB (100 MPH RATED WITH A 1.3 GUST FACTOR)

B — 3 LIGHTING FIXTURES AND STANDARD –
FIXTURE: WLS NO. VB-T50
(PROVIDE WITH 1000W E-25HPS BASE UP LAMP) MOUNTED ON A
ROUND TAPERED PRE-PAINTED STEEL POLE:
LITEPOLES NO. RTS39-9-OB-DDB (100 MPH RATED WITH A 1.3 GUST FACTOR)

C — 2 LIGHTING FIXTURES AND STANDARD –
FIXTURE: WLS NO. VB-T120
(PROVIDE WITH 1000W E-25HPS BASE UP LAMP) MOUNTED ON A
ROUND TAPERED PRE-PAINTED STEEL POLE:
LITEPOLES NO. RTS39-9-OB-DDB (100 MPH RATED WITH A 1.3 GUST FACTOR)

C — LIGHTING FIXTURE AND STANDARD –
FIXTURE: WLS NO. VB-FT-LR
(PROVIDE WITH 1000W E-25HPS BASE UP LAMP) MOUNTED ON A
ROUND TAPERED PRE-PAINTED STEEL POLE:
LITEPOLES NO. RTS39-9-OB-DDB (100 MPH RATED WITH A 1.3 GUST FACTOR)

T — PAD-MOUNTED TRANSFORMER BY LOCAL ELECTRIC UTILITY CO. COORDINATE ALL CONTRACTOR RESPONSIBILITIES AND UTILITY CO. CHARGES WITH UTILITY CO. PRIOR TO BID.

NEW CONDUIT AND CONDUCTORS BY ELEC. CONTRACTOR; 2'-6" MINIMUM BELOW GRADE.

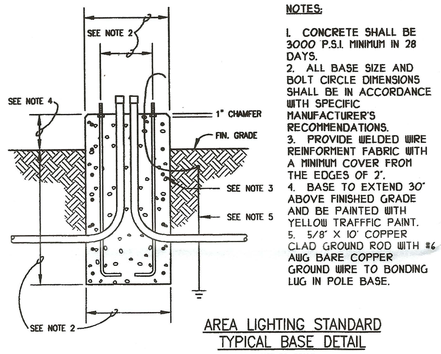
S — NEW SECONDARY SERVICE BY ELEC. CONTRACTOR; SEE RISER DIAGRAM FOR SIZES AND FURTHER INFORMATION.

P — NEW 5" UNDERGROUND PRIMARY DUCT BY ELEC. CONTRACTOR; 4'-6" MINIMUM BELOW GRADE.

T — NEW UNDERGROUND TELEPHONE DUCT BY ELEC. CONTRACTOR, 4" SCHEDULE 40 PVC OR SIZE AS SHOWN; 2'-6" MINIMUM BELOW GRADE.

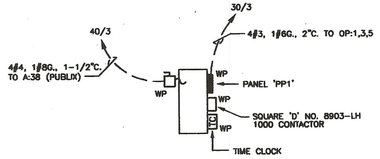
SITE ELECTRICAL NOTES

1. ALL CONDUITS SHALL BE SCHEDULE 40 PVC WITH COATED RIGID STEEL 90° ELBOWS (LONG SWEEP RADIUS FOR POWER AND TELEPHONE SERVICES) AND PULLWIRE.
2. STUB OUT TELEPHONE CONDUITS TO POINT OF TELEPHONE SERVICE AS DIRECTED BY LOCAL TELEPHONE COMPANY – COORDINATE EXACT LOCATION OF SERVICE PRIOR TO BID.
3. CONTRACTOR SHALL PROVIDE ALL MATERIALS REQUIRED BY THESE PLANS AND THE LOCAL UTILITIES TO PROVIDE SERVICE AS INDICATED.
4. COORDINATE TRANSFORMER SIZES, OPENINGS, LOCATIONS AND ACCESSIBILITY REQUIREMENTS WITH LOCAL POWER COMPANY.
5. CONTRACTOR SHALL OBTAIN MANUFACTURER SPECIFIC ANCHOR BOLT TEMPLATES AND FOOTING REQUIREMENTS FOR AREA LIGHTING STANDARDS PRIOR TO POURING BASES OR FOOTINGS.
6. LOCATE LIGHTING STANDARDS TO MAINTAIN 15'-0" MINIMUM HORIZONTAL CLEARANCE FROM ANY OVERHEAD POWER LINES.
7. ALL AREA LIGHTING STANDARDS SHALL BE FUSED AT THE BASE.
8. CONTRACTOR SHALL PROVIDE AND INSTALL ONE (1) 3-1/2" SCHEDULE 40 PVC CONDUIT 2'-6" BELOW GRADE – STUB OUT INSIDE OF CURBS AND CAP BOTH ENDS.



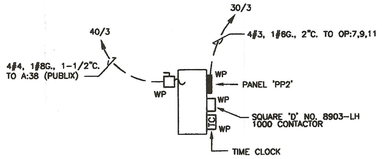
AREA LIGHTING STANDARD
TYPICAL BASE DETAIL
NOT TO SCALE

NOTES:
1. CONCRETE SHALL BE 3000 P.S.I. MINIMUM IN 28 DAYS.
2. ALL BASE SIZE AND BOLT CIRCLE DIMENSIONS SHALL BE IN ACCORDANCE WITH SPECIFIC MANUFACTURER'S RECOMMENDATIONS.
3. PROVIDE WELDED WIRE REINFORMENT FABRIC WITH A MINIMUM COVER FROM THE EDGES OF 2".
4. BASE TO EXTEND 30" ABOVE FINISHED GRADE AND BE PAINTED WITH YELLOW TRAFFFIC PAINT.
5. 5/8" X 10' COPPER CLAD GROUND ROD WITH #6 AWG BARE COPPER GROUND WIRE TO BONDING LUG IN POLE BASE.



PYLON SIGN NO. 1 DETAIL
NOT TO SCALE

NOTE: ELECTRICAL CONTRACTOR SHALL PROVIDE DISCONNECTS AT ALL PYLON SIGNS AND SHALL MAKE FINAL CONNECTIONS TO SIGNS.



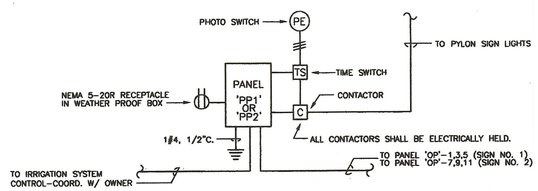
PYLON SIGN NO. 2 DETAIL
NOT TO SCALE

NOTE: ELECTRICAL CONTRACTOR SHALL PROVIDE DISCONNECTS AT ALL PYLON SIGNS AND SHALL MAKE FINAL CONNECTIONS TO SIGNS.

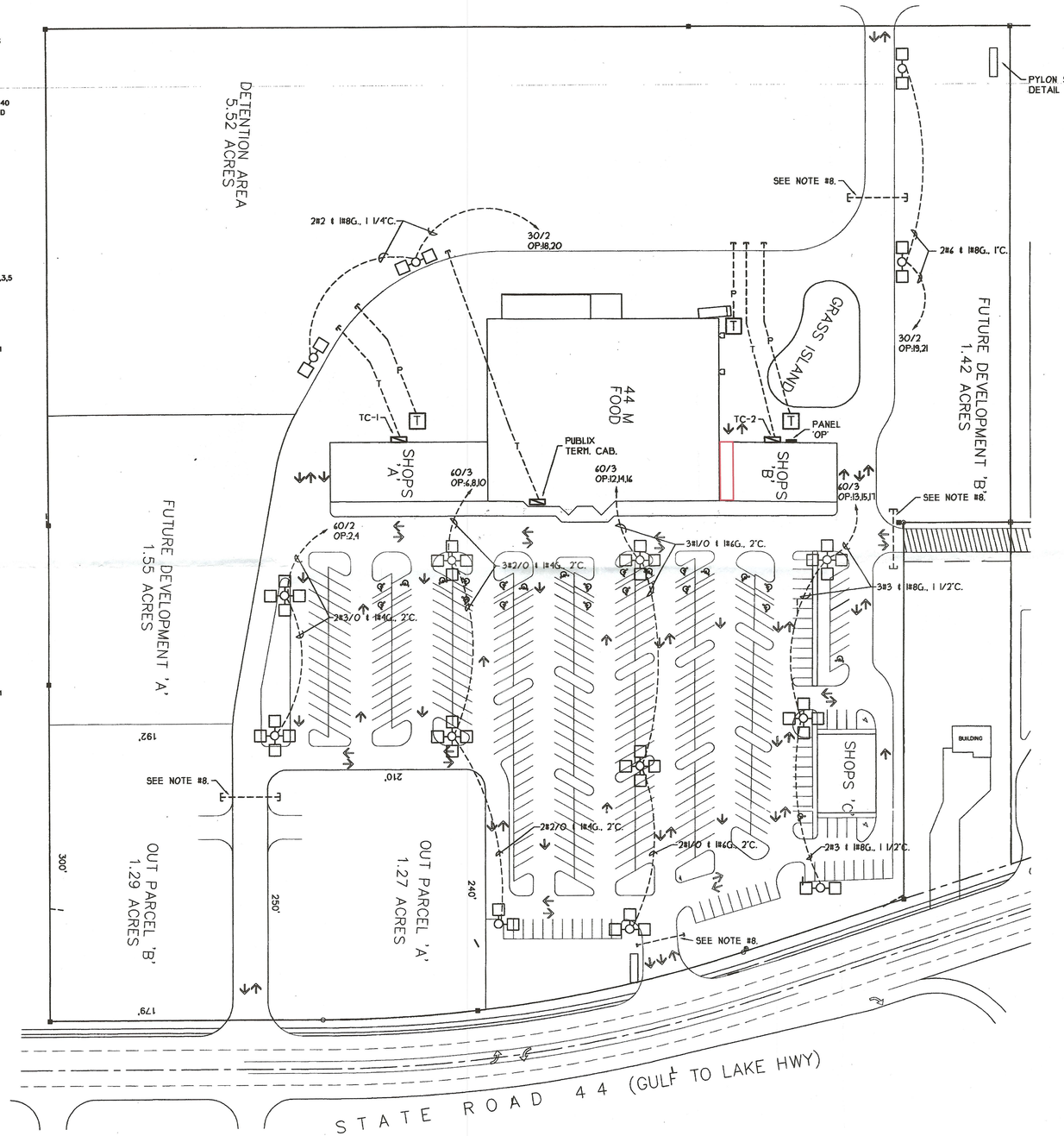
SPECIAL NOTE:

CONTRACTOR SHALL PROVIDE AND ARRANGE FOR SERVICES (POWER AND TELEPHONE) TO ALL BUILDINGS AND SHOPS. HE SHALL VERIFY ALL CONTRACTOR RESPONSIBILITIES AND COORDINATE SERVICE REQUIREMENTS WITH ALL UTILITY COMPANIES PRIOR TO THE BID DATE. COSTS OR CHARGES FOR ANY CHANGES OR DEVIATIONS FROM THE PLANS AND SPECIFICATIONS MADE NECESSARY BY UTILITY CO. REQUIREMENTS SHALL BE INCLUDED IN THE BID PRICE.

THE CONTRACTOR SHALL COORDINATE THE PLANS AND SPECIFICATIONS WITH THE LOCAL AUTHORITY HAVING JURISDICTION FOR CODE COMPLIANCE. WHERE ANY MODIFICATION TO THE PLANS OR SPECIFICATIONS IS REQUIRED, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT AND SHALL INCLUDE ANY ADDITIONAL COSTS OR CHARGES IN THE BID PRICE.



TENANT PYLON SIGN SINGLE LINE DIAGRAM
NOT TO SCALE



ELECTRICAL SITE PLAN
SCALE: 1" = 50'

RECEIVED
APR 20 2021
V-2408
Land Development Division

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MARK L. REDDICK CERTIFICATE No. 34539 STATE OF FLORIDA REGISTERED ENGINEER

Bid / Construction

PROJECT ADDRESS:
SR44 @ CR486
Citrus County, Florida

Crystal Springs

Crawford McWilliams Hatcher Architects, Inc.
1800 International Park Drive
Suite 300
Birmingham, Alabama 35243
Telephone: (205) 969-2696

Revisions

Sheet Title
ELECTRICAL SITE PLAN

Project	676.00
Date	04/10/00
Drawn	SB
Checked	MR
Sheet	E3
Sequence	of total

Attachment: Site plan (13049 : V-21-08 David Smith, Esq. for Real Sub, LLC)

Board of County Commissioners
DEPARTMENT OF GROWTH MANAGEMENT
LAND DEVELOPMENT DIVISION
3600 W. Sovereign Path, Suite 140
Lecanto, FL 34461
Telephone: (352) 527-5239 TTY Dial 711
Web Address: www.citrusbocc.com

CITRUS COUNTY LAND DEVELOPMENT CODE
VARIANCE APPLICATION

Application No.: V-21-08 Date: 4/20/21

* Written Authorization is required if Applicant is different than Owner.

Applicant*
Name: David M. Smith- Stearns Weaver Miller
Address: 401 E. Jackson Street, Suite 2100
City: Tampa
State: FL Zip: 33602
Home No.: Cell No.:
Work No.: (813) 223-4800 Fax No.:
Email: dsmith@stearnsweaver.com

Property Owner
Name:Real Sub, LLC
Address: PO Box 32018
City: Lakeland
State: FL Zip: 33802
Home No.: Cell No.:
Work No.: Fax No.:
Email:

Property Description: Section: 25 Township: 18 South Range: 17 East
Legal Description: See Exhibit "A" attached hereto
Subdivision: Mayfair Garden Acres Lot(s): 33 Block/Parcel: I
Alternate Key #: 3119345 Parcel ID: 17E18S360310 00010 0220

Is this hearing being requested as a result of a Code Violation Notice? Yes ____ No X
If "Yes", explain on a separate sheet and attach a copy of the Notice of Violation.

Variance Request: Please see attached Written Statement

State hardship that justifies the granting of the variance: Please see attached Written Statement

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

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

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

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

Signature: By: David M. Smith, as agent
David M. Smith, as Authorized Agent

STATE OF FLORIDA
COUNTY OF CITRUS
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared David M. Smith, who is personally known to me or provided ____ as identification and who did not take an oath.

WITNESS my hand and official seal this 26th day of March, 2021.

JILL WEISS
Printed Name
Jill Weiss
Notary Public - State of Florida

Seal

JILL WEISS
MY COMMISSION # GG 224841
EXPIRES: June 4, 2022
Bonded Thru Notary Public Underwriters

For Staff Use Only
Date:
Time:
Initials:
ATF:
QTR:
LUD:
FZ:

Revised July, 2017
Page 1 of 2

V-21-08

Attachment: Applicant's submittal (13049 : V-21-08 David Smith, Esq. for Real Sub, LLC)

PUBLIX SUPER MARKETS, INC.
CRYSTAL SPRINGS SHOPPING CENTER
6774 GULF TO LAKE HIGHWAY
CRYSTAL RIVER, FLORIDA

VARIANCE APPLICATION NUMBER: ____

WRITTEN STATEMENT

This Variance Application is being filed to request a variance to the distance separation requirements of Section 3760. Alcoholic Beverages of the Citrus County Land Development Code for the proposed Publix liquor store to be located at in the Crystal Springs Shopping Center at 6774 Gulf to Lake Highway, Crystal River, Florida, as follows:

No parcel shall be utilized and no structure shall be used, erected or altered on that parcel for the purpose of sales or storage of alcoholic beverages if the nearest point of said parcel is situated within a 500-foot radius from any point on a parcel used or reserved for use for any of the following purposes:

4. Churches.

There are two churches located within a 500-foot radius of the proposed liquor store parcel as follows:

1. The Daystar Life Center of Citrus County, Gregory L. Parkes, as Bishop of the Diocese of St. Petersburg, PO Box 40200, St. Petersburg, FL 33743 (Parcel Identification Number: 17E18S360310 000J0 0050) is located within 100 feet of the parcel of the proposed liquor store.

2. The Real Life Christian Church, Cooter LLC, PO Box 1975, Inverness, FL 34451 (Parcel Identification Number: 17E18S36031A 000B0 0010) is located within 218 feet of the parcel of the proposed liquor store.

The proposed liquor store is to be located adjacent to the Publix supermarket in the Crystal Springs Shopping Center. The Crystal Springs Shopping Center was designed to be a mixed-use shopping center with outparcels to include various types of retail and restaurant uses. The location of the proposed liquor store is oriented away from the Gulf to Lake Highway toward the rear of the shopping center parcel. In addition, there is a large parking lot and outparcel between the

V-21-08

Attachment: Applicant's submittal (13049 : V-21-08 David Smith, Esq. for Real Sub, LLC)

proposed location of the liquor store and Gulf to Lake Highway. The two church uses are located across Gulf to Lake Highway from the Crystal Springs Shopping Center. Based upon the distances a variance of 400 feet would be the minimum variance necessary under the Code to allow the proposed Liquor Store in the Crystal Springs Shopping Center.

It should be noted that the distance of the proposed tenant space for the Liquor Store is well over 600 feet from Daystar Life Center and 900 feet to Real Life Christian Church (which is a tenant in the commercial building). The need for the variance results from the fact that the parcel within which the Liquor Store is proposed is a large parcel with significant street frontage.

The proposed liquor store operated by Publix will not have any significant negative impact to the area since it is a cash and carry business, and will provide a liquor store associated with a community grocery store to serve the local residents and community.

Publix across the state has been adding Publix Liquor stores in shopping centers in which they have a grocery store. The co-location of the uses is important since the stores share deliveries, security, employees and other operational characteristics that if required to be located at different locations would present a hardship. The nature of the Liquor store is an extension of the products and services Publix provides to its customers. The nature of a Liquor Store is a retail sales business and does not have the operational characteristics of other businesses involving liquor sales since it does not involve consumption on premises only cash and carry sales.

The Planning and Development Commission may grant the requested variance based upon the following findings that:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to land, structures, or buildings in the same land use district.

   The parcel size associated with the shopping center places the measurement point significantly closer than the actual location of the tenant space proposed for the Liquor Store. But for the large parcel size the proposed location would be located beyond the 500 foot requirement. The nature of the proposed use and its relationship to the existing grocery store is different than other uses in the district. The shopping center is located in a commercial node which is intended to support retail uses and is the largest commercial parcel in the node.

V-21-08

Attachment: Applicant's submittal (13049 : V-21-08 David Smith, Esq. for Real Sub, LLC)

2. The special conditions and circumstances do not result from the actions of the applicants.

The location of the proposed use is a function of operational characteristics and the relationship of the grocery store and the proposed liquor store. The grocery store and shopping center are located on the largest commercial parcel in the commercial node and located to serve the existing and developing residential neighborhood in the area. These factors when considered together make this situation not a self-imposed hardship.

3. A granting of the variance requested will not confer on the applicant any special privilege that is denied by this code to other lands, buildings, or structures in the same land use district.

The proposed request does not grant the applicant any special privilege that is denied to others similarly situated lands, buildings and structures in the same land use district. The subject request and other similarly situated uses are subject to the same opportunities to locate and operate based upon their specific set of facts within the district.

4. Literal interpretation of the provisions of this code which (would) deprive the applicant of rights commonly enjoyed by other similarly situated properties and would work unnecessary and undue hardship on the applicant.

The literal interpretation of the code is an undue hardship on the applicant since it imposes operational hardships not experienced by others. The type of use is similar to other retail sales allowed within the 500 foot separation and as operated does not produce impacts any different than those other retail sales uses not subject to the separation requirement.

5. The variance granted is the minimum variance that will make possible the reasonable development and/or use of the land, building, or structure.

The requested variance of 400 feet is the minimum variance necessary to make reasonable use of the tenant space for the proposed use. The closest church/charitable use is across Gulf to Lake Highway resulting in a distance separation of 100 feet from property line to property line. The actual distance from the church/charitable business is over 600 feet since a large parking area separates the proposed location from the closest church/charitable use property. The other church use is 218 feet from the property line and over 900 feet from the tenant space (this distance is measured across Gulf to Lake Highway, a shopping center driveway, a separate bank parcel and a large parking lot).

Attachment: Applicant's submittal (13049 : V-21-08 David Smith, Esq. for Real Sub, LLC)

V-21-08

6. The granting of the variance will be in harmony with the general intent and purpose of this code and will not be injurious to the area involved or otherwise detrimental to the public welfare.

The granting of the variance will be in harmony with the general intent and purpose of the code and not injurious to the area involved or otherwise detrimental to the public welfare. The proposed use does not generate impacts any different than other uses permitted in the district or impacts detrimental to the public welfare. The location of and operational characteristics of the use does not adversely impact the public health, safety and general welfare and balancing the interest of the general public and that of individual property owners which are the applicable provisions in the intent and purpose section of the Code as listed in Sec. 1300 of the Land development Code.

7. There will be full compliance with any additional conditions and safeguards which the PDC may prescribe, including but not limited to reasonable time limits within which the action for which the variance is required shall be begun or completed, or both.

The applicant will fully comply with additional conditions and safeguards which the PDC may prescribe. The applicant has a vested interest in insuring that the proposed Liquor store is operated in a responsible and safe manner.

8. Granting the variance will not deviate from the clear intent of the adopted Comprehensive Plan.

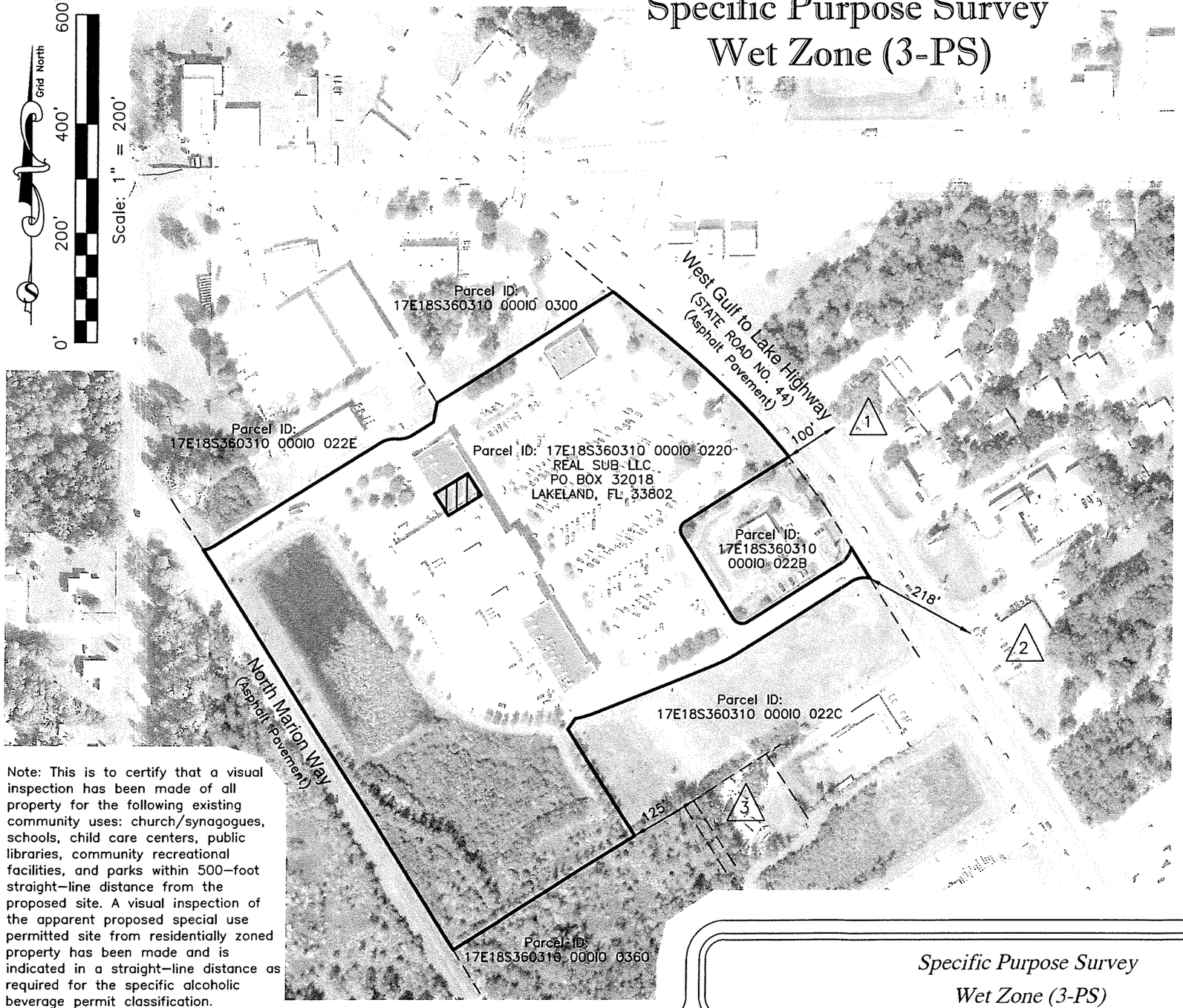
The variance does not deviate or conflict with the clear intent of the Comprehensive plan. The Plan has designated the subject site as appropriate for commercial use which permits liquor stores (retail sales) under the Comprehensive Plan designation.

The applicant respectfully request your approval of the requested variance based upon the factors above and testimony presented.

Attachment: Applicant's submittal (13049 : V-21-08 David Smith, Esq. for Real Sub, LLC)

V-21-08

Specific Purpose Survey
Wet Zone (3-PS)



Note: This is to certify that a visual inspection has been made of all property for the following existing community uses: church/synagogues, schools, child care centers, public libraries, community recreational facilities, and parks within 500–foot straight–line distance from the proposed site. A visual inspection of the apparent proposed special use permitted site from residentially zoned property has been made and is indicated in a straight–line distance as required for the specific alcoholic beverage permit classification.

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Parcel ID: 17E18S360310 000J0 0050
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OF THE DIOCESE OF ST PETERSBURG
PO BOX 40200
SAINT PETERSBURG, FL 33743
Zoned GNC (General Commercial)
(100 Feet)

2 (CHURCH)
REAL LIFE CHRISTIAN CHURCH
Parcel ID: 17E18S36031A 000B0 0010
COOTER LLC
PO BOX 1975
INVERNESS, FL 34451
Zoned GNC (General Commercial)
(218 Feet)

3 (RESIDENTIAL)
Parcel ID: 17E18S360310 00010 0215
JUDGE JACK
6676 W GULF TO LAKE HWY
CRYSTAL RIVER, FL 34429
Zoned MDR (Medium Density Residential)
(125 Feet)

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email: sbrown@survtechsolutions.com http://www.survtechsolutions.com

Specific Purpose Survey
Wet Zone (3-PS)

PROJECT NO.: 20210002
PHASE: 1
LAST FIELD DATE: 02/03/21

Drawing Name: 20210002_1WZ

SHEET: 2 OF 2

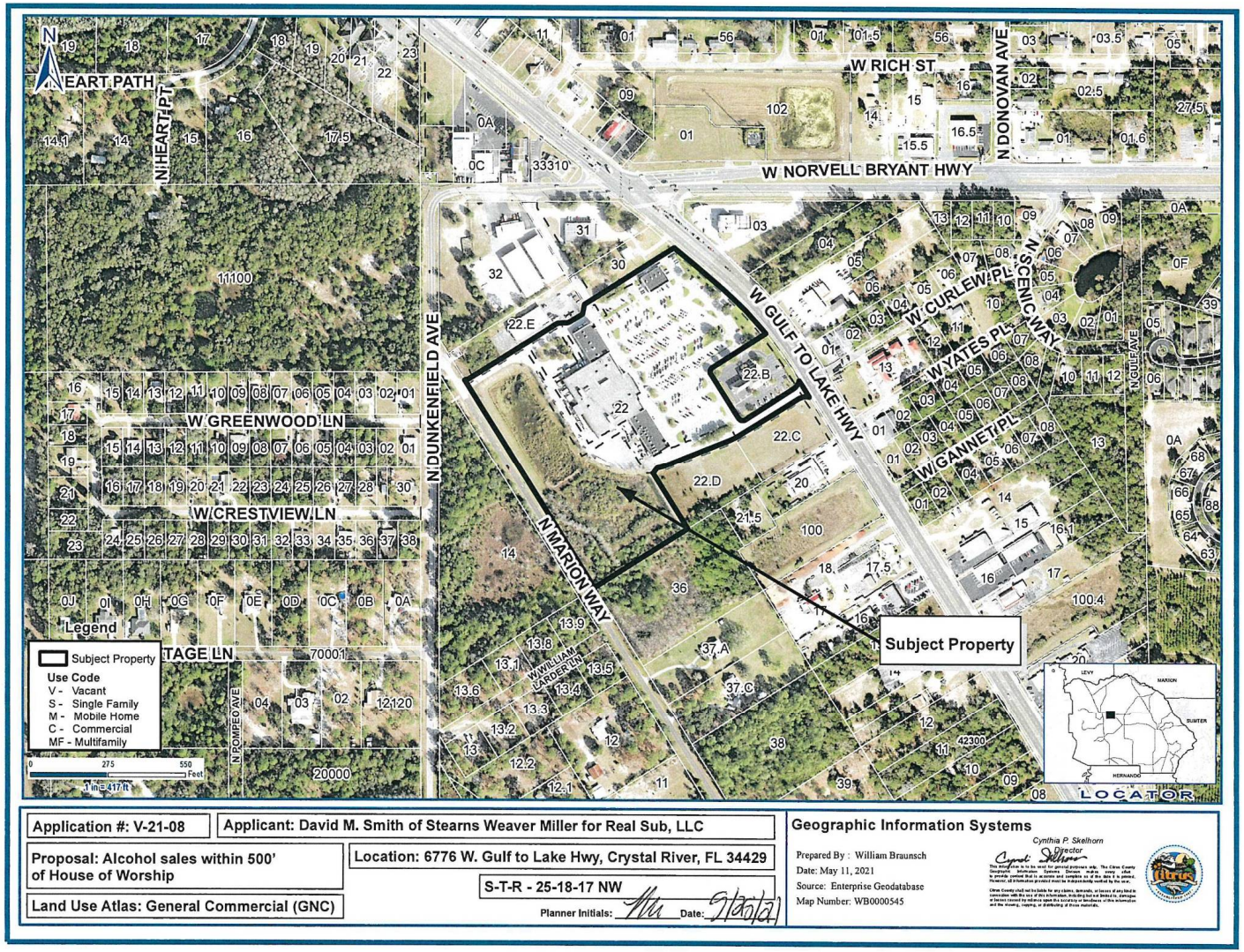
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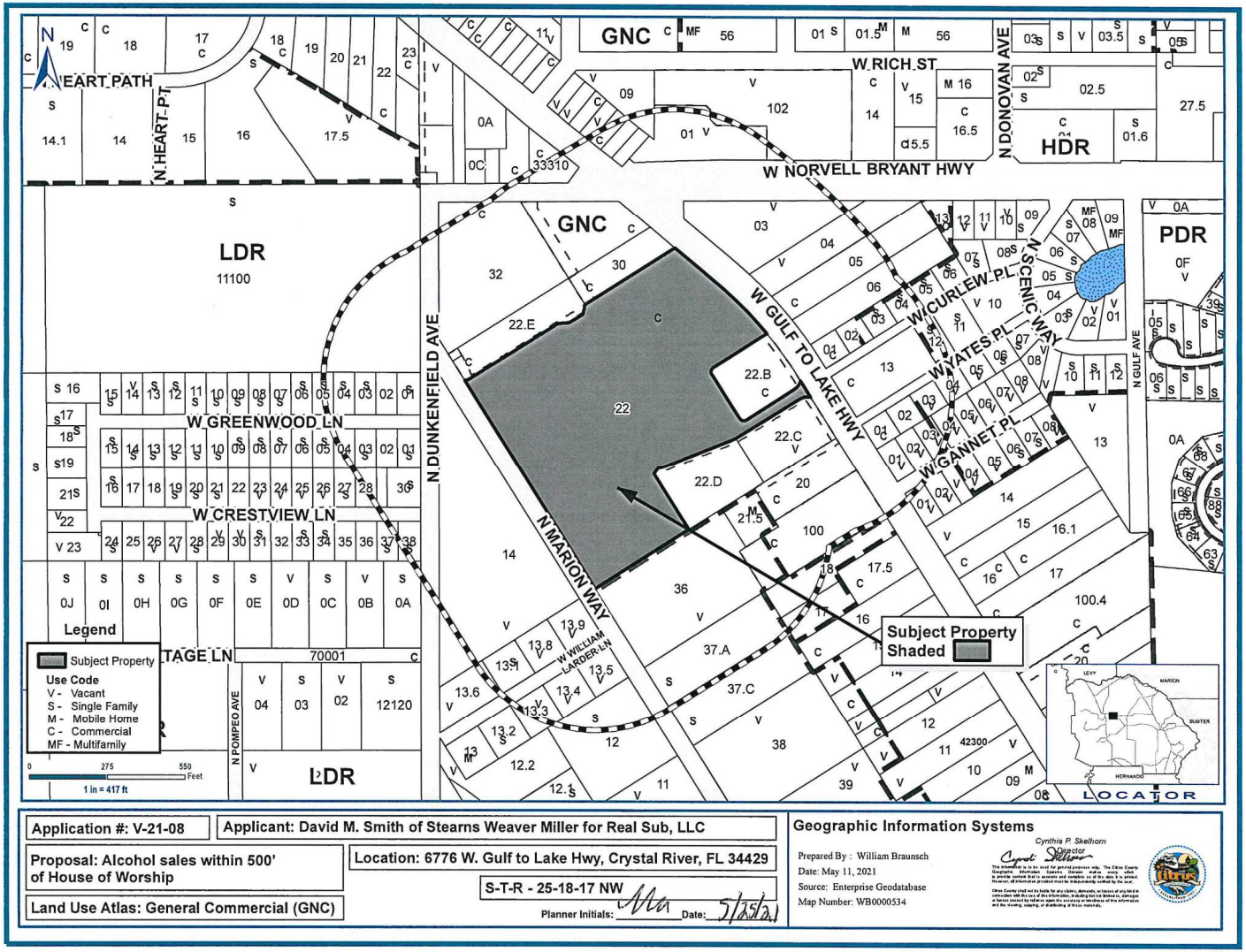
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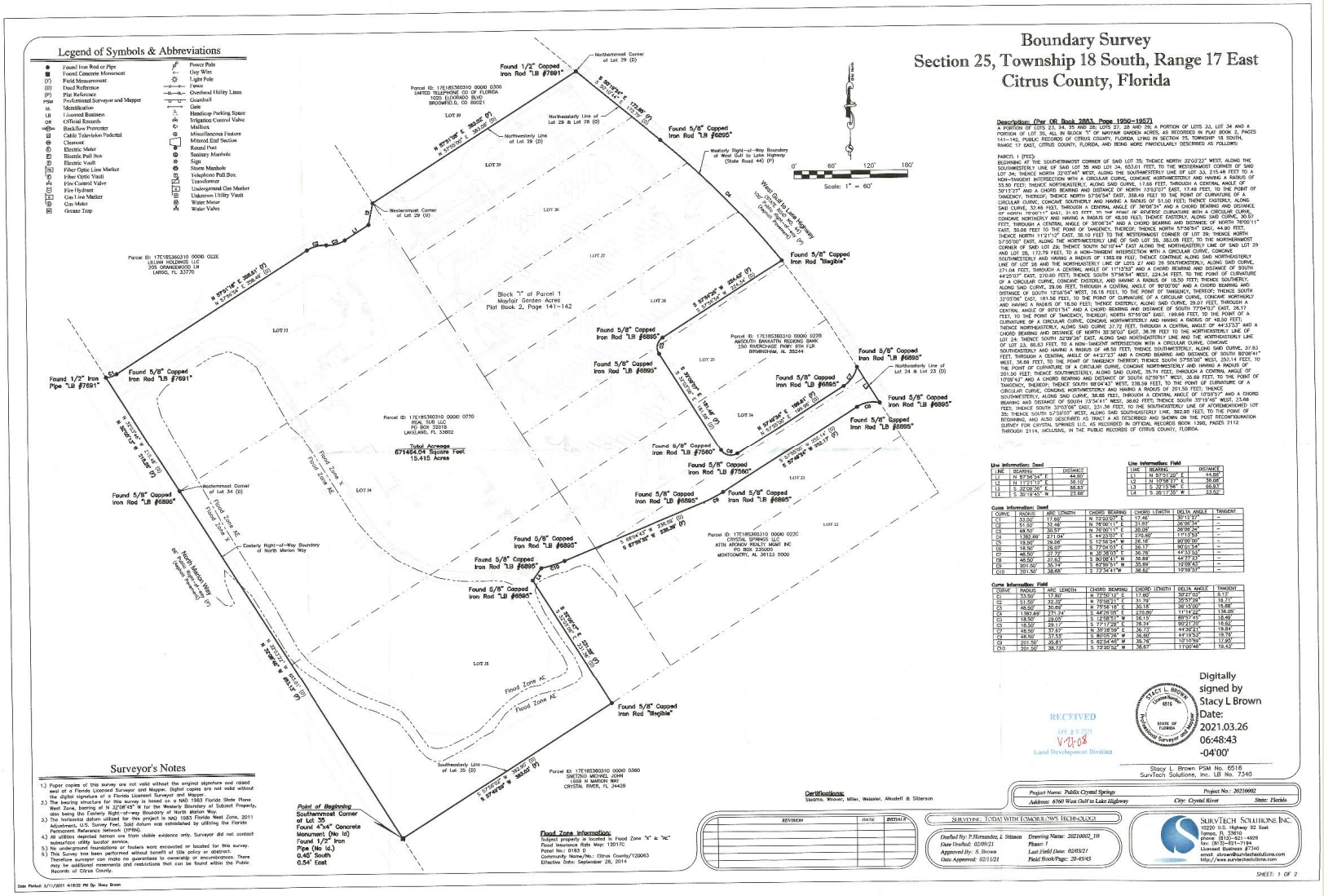


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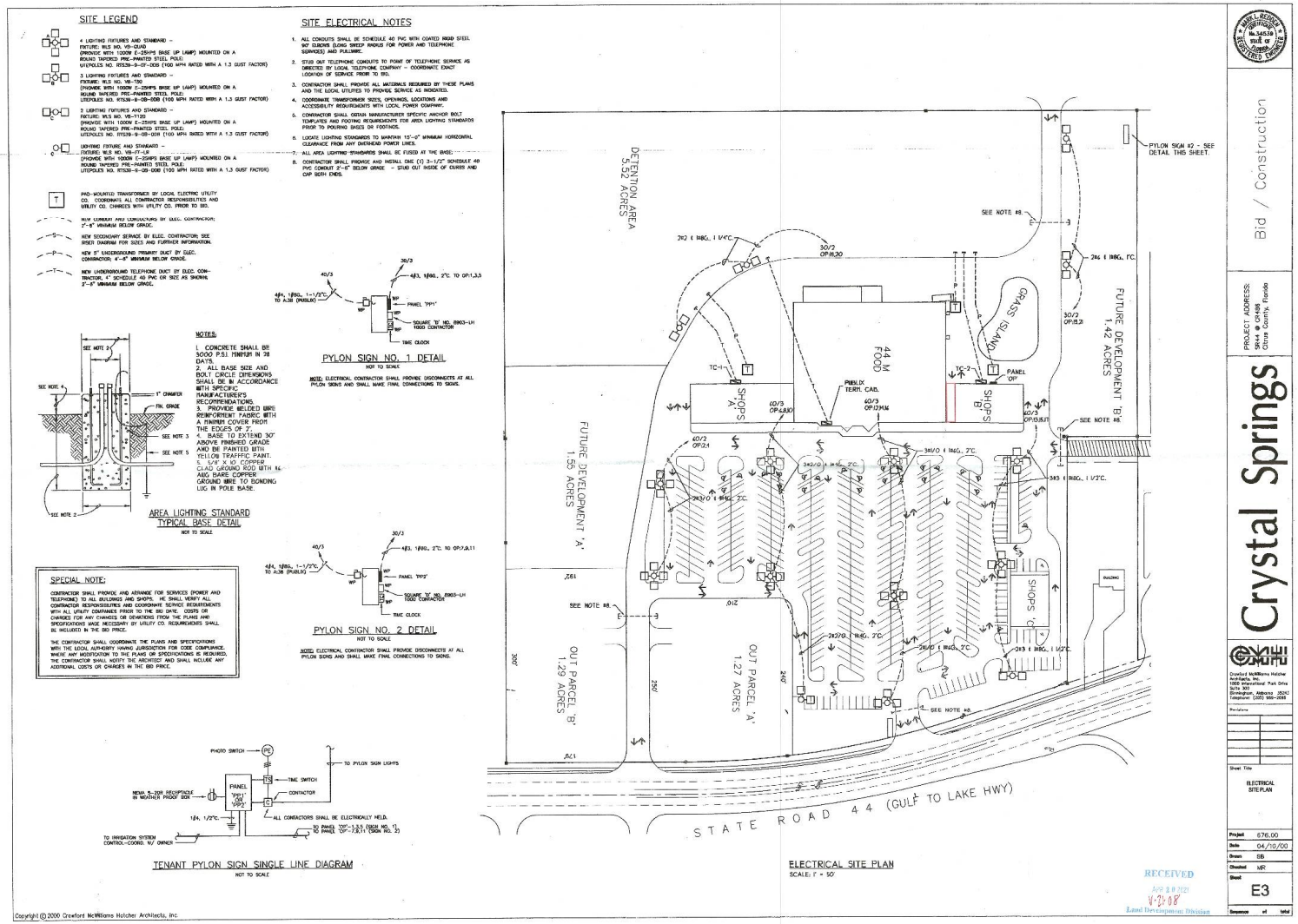


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Publix

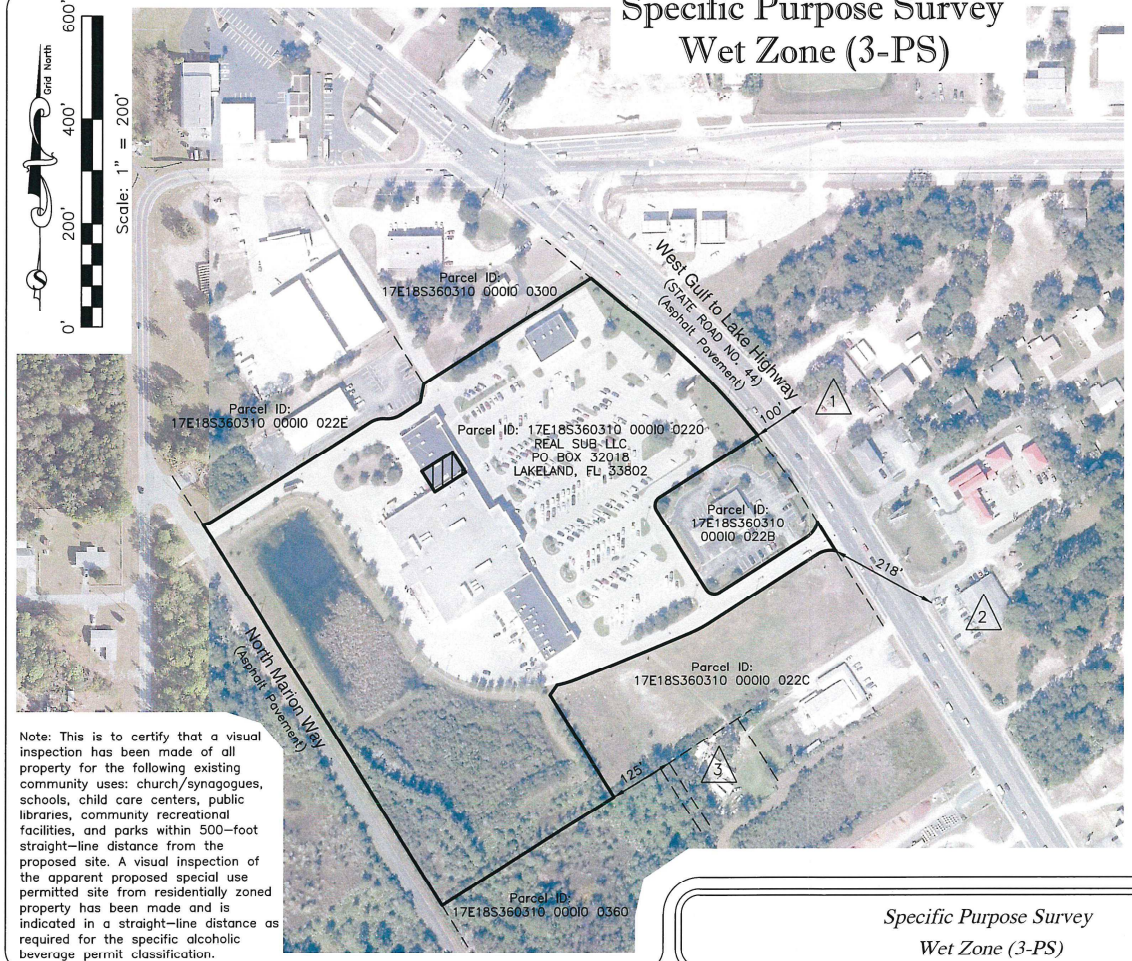


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Specific Purpose Survey
Wet Zone (3-PS)

PROJECT NO.: 20210002
PHASE: 1
LAST FIELD DATE: 02/03/21

Drawing Name: 20210002_1WZ

SHEET: 2 OF 2

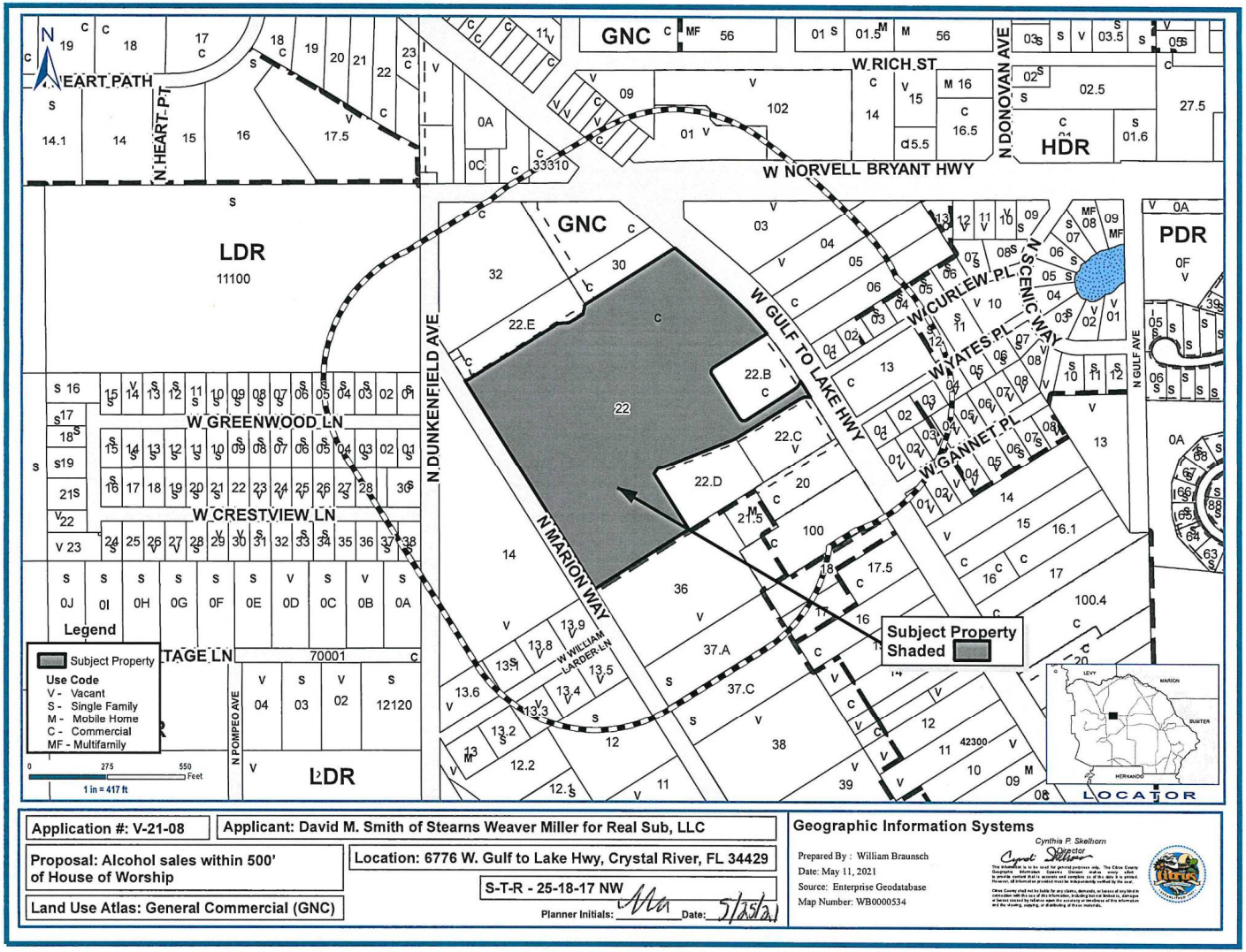
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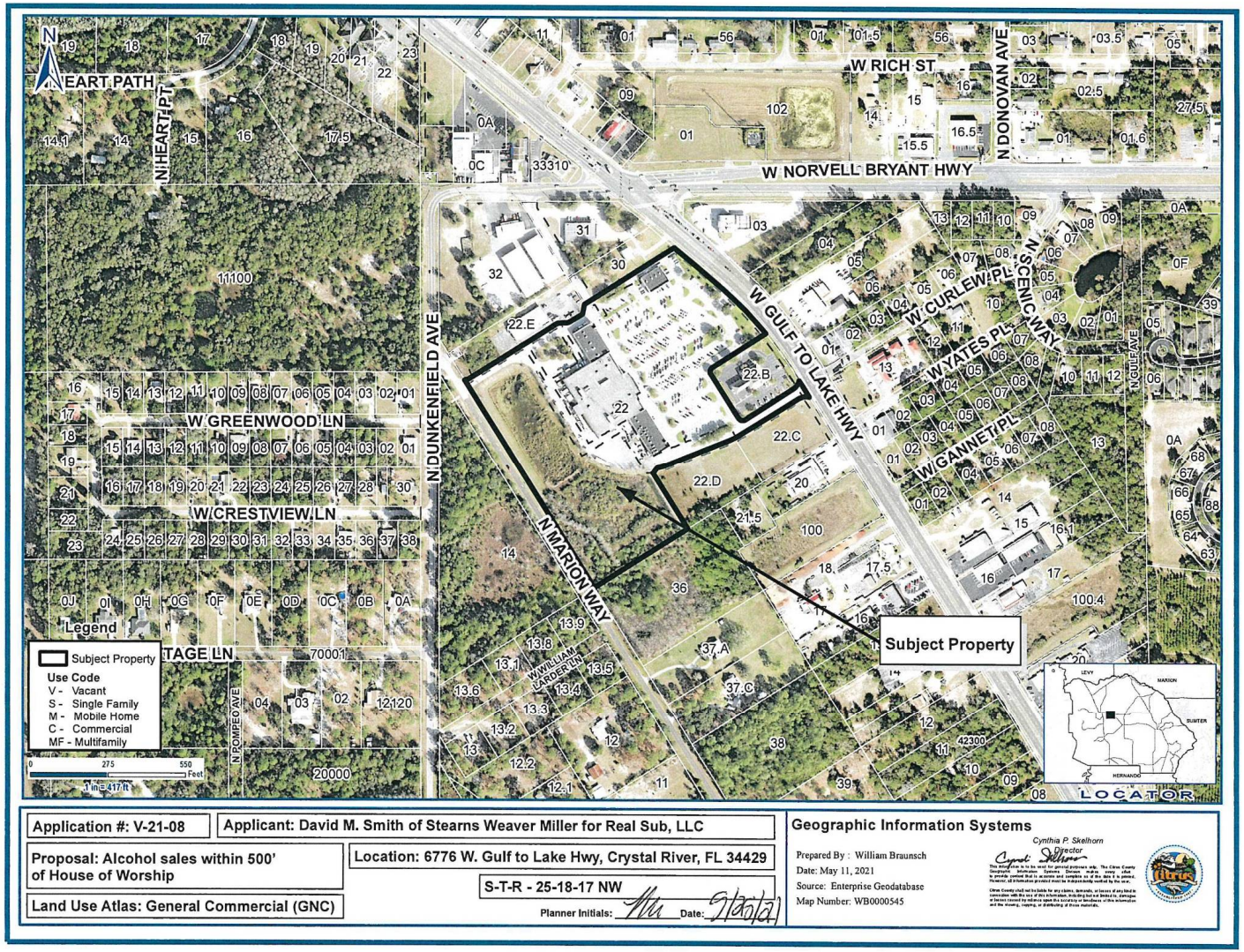
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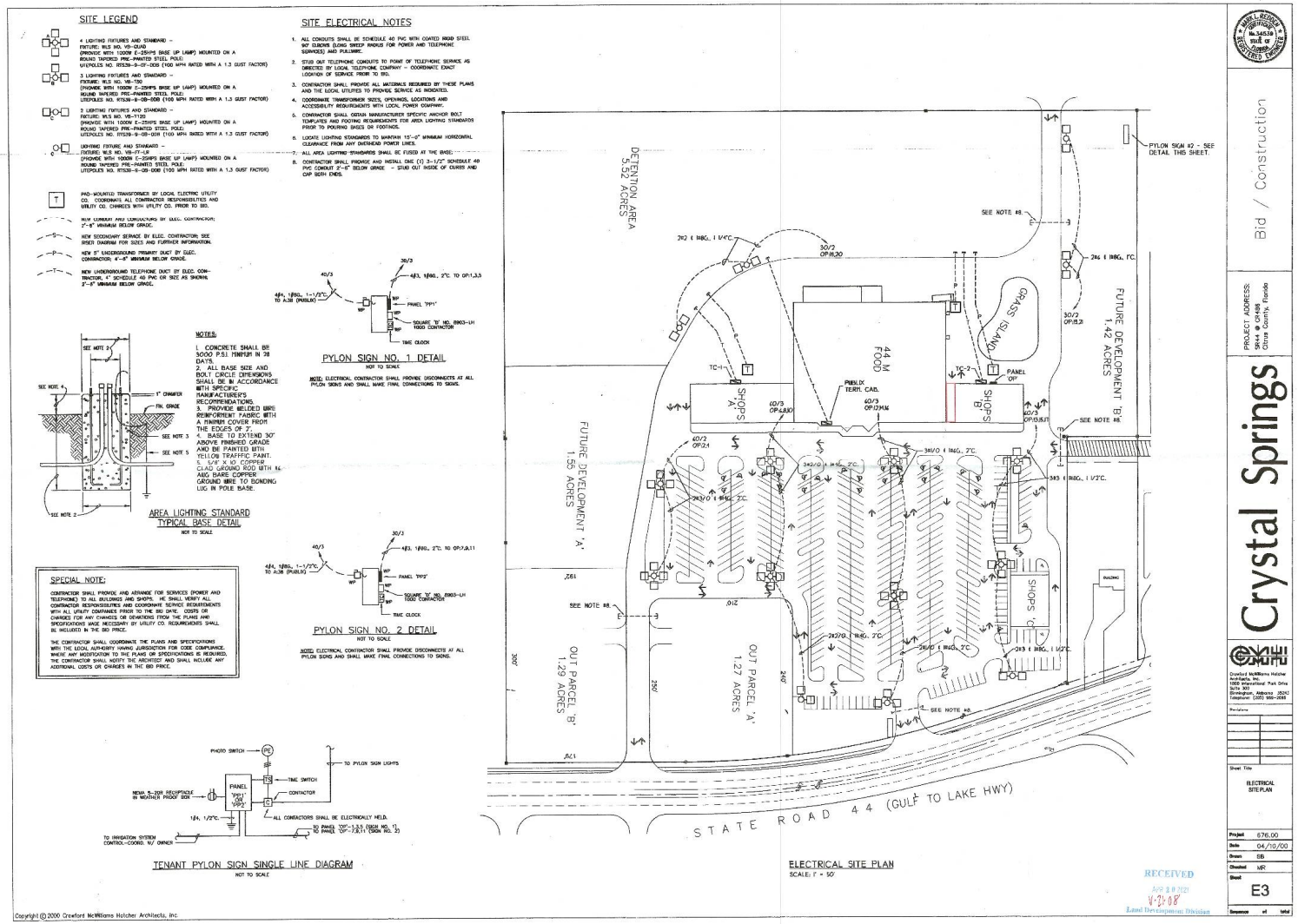
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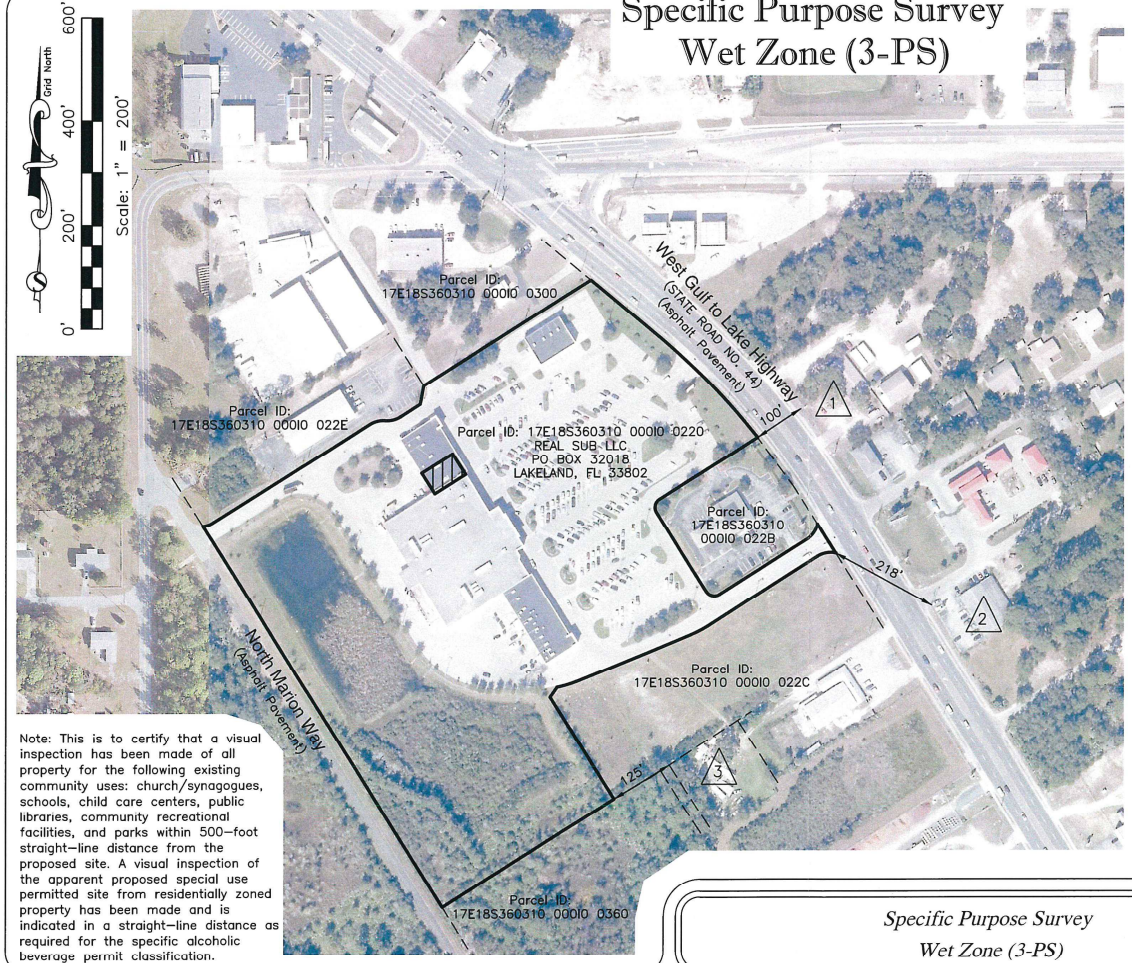


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Specific Purpose Survey
Wet Zone (3-PS)

PROJECT NO.: 20210002
PHASE: 1
LAST FIELD DATE: 02/03/21

Drawing Name: 20210002_1WZ

SHEET: 2 OF 2

Attachment: Planner PowerPoint (13049 : V-21-08 David Smith, Esq. for Real Sub, LLC)

AGENDA MEMORANDUM

FROM:	Michael Sherman, AICP Growth Management Director
SUBJECT:	PUD-21-04 – Brentwood Farms, LLC
AGENDA DATE:	**July 15, 2021**

BRIEF OVERVIEW:

A request to modify the Land Development Code Atlas and the Master Plan (Planned Unit Development-PUD) of Brentwood Farms for multiple conditions including allowance of a new entrance road, plat-wide stormwater calculations, and spec home construction prior to platting. This request is made pursuant to Section 4300, Planned Unit Developments (PUD) of the Citrus County Land Development Code.

BUDGET IMPACT/FUNDING SOURCE:

RECOMMENDED ACTION:

Conduct a public hearing on July 15, 2021 to review and consider PUD-21-04 - Brentwood Farms, LLC

PM2-21-44

DEPARTMENT OF GROWTH MANAGEMENT
LAND DEVELOPMENT DIVISION
STAFF FINDINGS REPORT
TO THE
BOARD OF COUNTY COMMISSIONERS

PLANNED UNIT DEVELOPMENT APPLICATION NO. – PUD-21-04 – Brentwood Farms, LLC
DATE: June 14, 2021
PREPARED BY: Joanna L. Coutu, AICP, Director; Land Development Division

REQUEST FOR AN AMENDMENT TO AN EXISTING PLANNED UNIT DEVELOPMENT:

REQUEST:	A request to modify the Land Development Code Atlas and the Master Plan (Planned Unit Development–PUD) of Brentwood Farms for multiple conditions including allowance of a new entrance road, plat-wide stormwater calculations, and spec home construction prior to platting. This request is made pursuant to Section 4300, Planned Unit Developments (PUD) of the Citrus County Land Development Code.
SUBJECT PROPERTY	Portions of Sections 22 and 23, Township 18 South, Range 18 East; more specifically Brentwood Farms. A complete legal is on file with the Land Development Division.
ACREAGE	Approximately 364 acres
FUTURE LAND USE DESIGNATION/LAND DEVELOPMENT CODE ATLAS DESIGNATION:	RMU, Residential Mixed Use District and MDR, Medium Density Residential District PDR, Planned Residential Development District, and MDR/PUD, Medium Density Residential District with a Planned Unit Development
SURROUNDING COMPREHENSIVE PLAN (GFLUM) DESIGNATIONS:	North – RMU, Residential Mixed Use District South – RMU, Residential Mixed Use District, MDR, Medium Density Residential District East – RMU, Residential Mixed Use District and TCU, Transportation/Communication/Utility District West – RMU, Residential Mixed Use District , MDR, Medium Density Residential District, LDR, Low Density Residential District, PSO, Professional Service/Office District
SURROUNDING LAND DEVELOPMENT CODE ATLAS DESIGNATIONS:	North – PDR, Planned Residential Development District South – PDR, Planned Residential Development District, CRR, Central Ridge Residential District, MDR, Medium Density Residential District East – PDR, Planned Residential Development District and TCU, Transportation/Communication/Utility District West – PDR, Planned Residential Development District, MDR-MH, Medium Density Residential District mobile homes allowed, MDR, Medium Density Residential District, LDR, Low Density Residential District, and PSO, Professional Service/Office District

Attachment: Staff report and locator map (13050 : PUD-21-04 – Brentwood Farms, LLC)

SURROUNDING AREA	North – Improved single-family residential South – CR-486 (W. Norvell Bryant Highway); vacant and improved single-family residential East – Vacant and improved single-family residential lands, wastewater treatment plant Wes – Vacant and improved single-family residential and vacant commercial lands

CHARACTERISTICS OF THE SUBJECT PROPERTY

According to the *Soil Survey of Citrus County* (1988), the soil types in the area are primarily Candler fine sand (0 to 5 percent slopes) and Arredondo fine sand (0 to 5 percent slopes). Limitations to building site development are only slight. The subject property appears to be primarily located in Flood Zone X, with some isolated areas of A and AE flood zone, as found on the Flood Insurance Rate Maps 12017C0212D, 12017C0213D and 12017C0214D.

BACKGROUND AND ANALYSIS

This application contains multiple requests for amendment to the Brentwood Planned Unit Development. In 2017, Ordinance 2017-A26 (application PUD-17-03) allowed interchangeability between the various residential land use types within the undeveloped residentially-designated areas, at the developer's discretion, so long as the overall quantities and gross densities of each land use type do not exceed that of the approved PD project numbers for the Brentwood development. The applicant also received conceptual approval for a new entrance road, with the condition that it meet access management standards of the LDC at the time of platting.

Request #1 – *Plat 400 +/- villa units across the 80 +/- acres of unplatted acreage west of the developed Brentwood subdivision (the acreage is currently identified on the Brentwood Master Plan as Phase VII Villas and Phase VIII Villas).*

The existing Master Plan designates the housing type for each residential area as villas, single-family detached, or multi-family, with each designation having its own minimum frontage, setbacks, etc. As noted, in 2017 the Master Plan was revised to allow interchangeability for these uses provided they do not exceed overall project numbers.

Here is a summary of the units remaining for the subdivision to date:

Use Designation	Number of Units	Number Remaining	Number Remaining after 400 villas as proposed
SF	89	2	2
Villa	679	307	0
MF	252	172	79

The applicant has the ability to transfer 93 +/- multi-family units to the villa category, or alternatively can transfer the two remaining single-family units and an according amount of multi-family units to achieve the desired number in this unplatted area.

Attachment: Staff report and locator map (13050 : PUD-21-04 – Brentwood Farms, LLC)

Request #2 – Plat and construct an entrance road directly north of N. Ottawa Ave. at its intersection with W. Norvell Bryant Hwy., to provide access between the newly designed area (to be platted) and the County's roadway system (specifically CR-486/W. Norvell Bryant Hwy). This request is consistent with the terms of PUD-17-03 and Ordinance No. 2017-A26.

As noted, the 2017 PUD revision also allowed consideration of a new roadway that would line up with the existing traffic light at N. Ottawa Avenue. This application would continue to codify that request by placing the actual roadway on the Master Plan. The proposed roadway would not be accessible to the existing platted areas of Brentwood, other than for emergency access as outlined on the proposed conceptual plan.

LDC Section 7120, Residential Subdivision Criteria, requires residential subdivisions of 75 units or more to have at least two access points. The existing Brentwood subdivision only has one access point, with two emergency access areas indicated. This proposal would allow up to 400 residential units with one main access and one emergency access to the developed Brentwood area.

The Engineering Division has reviewed this proposal and provided the following comments:

> Engineering Division has reviewed the request and notes that the DRI does require a traffic analysis for development of this new area. The applicant has submitted a methodology for the analysis, and Engineering Division has provided comments regarding the traffic methodology. The traffic study will need to provide supporting justification for the elimination of the connector roadway between developments and indicate that project traffic address undeveloped lots in the existing development, as provided in a June 11, 2021, email to the applicant.
>
> Engineering Division has concerns with the proposal to eliminate the interconnection of the existing platted areas of Brentwood with the new development and only provide an emergency access connection. The interconnection of these developments would allow the lots within the existing platted areas of Brentwood to gain direct access to the traffic signal at N. Ottawa Avenue via the new "Road A". The existing directional median opening at N. Brentwood Circle with N. Norvell Bryant Hwy. meets spacing standards of the LDC and could remain in place. The interconnection supports access management goals of the CR-486 Corridor Study.

Request #3 – Amend Master Plan Conditions of Approval to clarify that drainage will be approved on a plat-wide basis by the County Engineer to assure adequacy and compliance with the Master Drainage Plan.

Residential plats require stormwater calculations to provide for the infrastructure that is proposed, such as roads, etc. This request would allow the stormwater system to also accommodate for improvements such as individual residences (see Request #6) and would be reviewed at the time of platting by the County's Engineering staff.

Request #4 – All setbacks to be measured to the vertical walls of the structures. This is consistent with the current practices within Citrus Hills II DRI (a/k/a Terra Vista), Clearview Estates DRI (including all phases of Belmont Hills), and throughout Brentwood subdivision.

Growth Management has proposed an amendment to the LDC (OA-21-02) which will revise the current standard for setbacks to be to the vertical walls, with some proposed standards for eaves. This request will be consistent with that overall LDC revision, if approved by the BCC.

Attachment: Staff report and locator map (13050 : PUD-21-04 – Brentwood Farms, LLC)

Request #5 – Developer shall be allowed to commence construction on up to 40 spec homes within the 80 +/- acreage prior to platting. With this request, if necessary, the developer would consider a condition that no such home shall be conveyed until the property is finally platted.

During the platting process, applicants have been able to permit one single-family model home prior to final plat approval. This consideration, which was allowable only after improvement plans had been approved so that infrastructure could be commenced, had been revised to allow up to three model homes in the Brentwood PUD to demonstrate various model types. The allowance for an early pre-final plat model home was based on the premise that the site was a residential lot of record so platted individual lots would not need to be created for one home to be placed on the site.

Staff has significant concern with allowing up to 40 spec (not model) homes to be permitted prior to final plat approval. Specifically, the permits would then be placing a multi-family use (more than one residential structure on one lot of record) in an area that was being platted for single-family use. While staff understands that there is a high demand for residential unit construction, the platting process is not so burdensome that the final plat cannot be completed (which would create the lots of record) prior to permit issuance of these sites. The applicant can proceed at their own risk with permit application, as is currently allowable, but actual permit issuance should be held until the lots are formally created via platting. (This would also ensure that infrastructure is in place prior to occupancy of the homesites).

Request #6 – Amend Master Plan Conditions of Approval to clarify that ISR will be calculated on the entire PD, and not on any individual homesite. If required, we can have our engineers certify that any newly platted subdivision(s) will include the numbers to show the ISR allowances for lots within that newly platted subdivision as measured against the entire PD.

The Citrus Hills II DRI already uses this technique, which removes calculation of individual lot impervious surface ratios (ISR) and instead constructs stormwater standards to allow for development within the allowable setback area on each lot of record. The applicant can utilize a similar method for Brentwood, as proposed, which may require more additional stormwater compensation at the time of platting but would remove the individual standards for each lot of record.

Consistency with the Land Development Code (LDC) – The majority of the requests are consistent with the standards of the Land Development Code, with the exception of the request for additional spec homes prior to creation of the lots (Request #5). As noted, that request would allow a multi-family use in an area being platted for single-family use prior to creation of the single-family lots.

Consistency with the Comprehensive Plan - All development applications shall demonstrate complete compliance with the Comprehensive Plan. The application, with the exception of Request #5, appears to be consistent with the following objective and policies of the Comprehensive Plan:

Policy 17.5.5 *All major modifications to existing Planned Developments shall be approved by the BCC through the Atlas Amendment process. This requirement shall also apply to Planned Developments approved by the Planning and Development Review Board (PDRB) or its predecessor in function.*

[Staff note – the PUD amendment process is consistent with the Atlas Amendment process and allows overall review of the PUD amendment.]

Policy 10B.3.1 *Design of new transportation facilities shall be based on:*

a) the reduction of congestion, accidents or maintenance, and

Attachment: Staff report and locator map (13050 : PUD-21-04 – Brentwood Farms, LLC)

b) the improvement of roadway LOS to provide adequate facilities and meet the standards of the designated service volumes shown in the five (5) year short term and/or twenty (20) year long range traffic projections.

[Staff note – the 2020 Level of Service (LOS) for CR-486, as identified by the County's traffic consultant, is "C", while the 2030 LOS is proposed to also be at level "C". The buildout of Brentwood with these additional units was included in these calculations. However, see Engineering Division concerns outlined elsewhere in this report.]

Concurrency – Brentwood Farms is served by Citrus County water and sewer. Garbage pick-up is provided by a local licensed franchise hauler. As such, the application has met concurrency requirements for water, sewer, and solid waste. There is no impact on school concurrency as the overall number of units is not proposed for change.

Summary of Agency Comments: N/A – no comments have been received to date.

Summary of Public Comments: N/A – no comments have been received to date.

PROPOSED FINDINGS OF FACT

Staff reviewed this application under the standards of Section 4300, Planned Unit Developments (PUD), of the LDC. The PDC may recommend, and the BCC may adopt modified conditions of approval pursuant to LDC Section 4302, PUD Approval Procedures, when in the public interest and expressed in formal findings of fact. The reviewing body shall approve, approve with modifications and/or conditions, or disapprove the amendment to the Planned Unit Development. The reviewing body shall enter its reasons for such action in its record. As evidence, the following findings of facts are cited.

A. **Only uses which are consistent with the Comprehensive Plan may be approved as a PUD.** *The application does not propose changes to the uses already allowable within the PUD.*

B. **Any development approved through the PUD application process, which is not designated a use in the respective land use district for the subject PUD parcel, shall be compatible with established or planned uses both within the development footprint and surrounding neighborhoods and property.** *The PUD provides the benefit of a Master Plan of Development that serves to safeguard against potential conflicts with existing adjacent land uses. The request for spec homes prior to platting single-family residential lots raises concern as these would be designed as multi-family residences at the time of permit issuance. While multi-family uses are allowable in the PUD, their design and review are different while the permits would be requested to be reviewed for single-family use.*

C. **Accessory uses shall be permitted as set forth within the approved general concept plan or as found by the Board of County Commissioners to be compatible with an approved plan.** *N/A - accessory uses are not proposed to be modified with this request.*

D. **Subsequent to the approval of a PUD, uses not enumerated may be permitted through amendment of the PUD and approved by the Board of County Commissioners.** *N/A at this time. The application does not propose any additional uses in the approved PUD.*

E. **A PUD petition is subject to the following minimum acreage standards:**
   1. **A development consisting of a nonresidential development shall contain at least one acre;**
   2. **A residential development shall have a minimum of five acres; and**

Attachment: Staff report and locator map (13050 : PUD-21-04 – Brentwood Farms, LLC)

3. **A mixed-use development shall have a minimum of five acres.**

The site is an existing development which meets these minimum standards.

F. **The land area included within the PUD development shall be of such proportions as to properly accommodate all proposed uses in keeping with the general requirements of the county and the established objectives and policies of the adopted Comprehensive Plan.** *The land area within the Brentwood development would remain unchanged with this application request.*

G. **Landscaping and design and maintenance shall follow the principles of *Florida Friendly Landscaping* ™ and the *Florida Yards and Neighborhoods (FYN) Homeowner Program* to reduce water use and fertilizer runoff.**

1. **Planted turf grass and landscaping on residential lots shall be limited to a maximum of 50% of the upland portion of the lot.**
2. **Turf grasses and landscape vegetation shall be common to the area and drought tolerant.**

N/A – this application is an amendment to an existing master plan which contains its own standards for landscaping and design.

H. **There shall be no specific lot requirements for individual uses; provided, however, that the area designated for any particular use shall be of sufficient size and proportion so as to properly accommodate said use and to provide for adequate open space and buffering between it and an adjacent use.** *The applicant will be required to meet all lot and buffer standards outlined within the existing development approval and the Citrus County Land Development Code. The request would allow overall impervious surface ratio calculations rather than by individual lots, but setback standards would remain unchanged.*

I. **The maximum height of structures, setbacks, and density within a PUD development shall be as specifically established by the Board of County Commissioners in its approval action.** *The applicant has not requested a deviation of height or density with this application.*

J. **Approval of the proposed PUD development shall include approval of all maps, diagrams, tables, and reports submitted by the applicant.** *A revised Master Plan, that includes a new access roadway, has been provided by the applicant.*

K. **A planned unit development will terminate within three years of the date of approval if either a site development plan or preliminary subdivision plat application is not filed with the county. If one of these applications is not filed within the specified time frame, the PUD shall be null and void.** *N/A - this application is bound by the terms of the Brentwood master plan.*

SUMMARY OF FINDINGS

The application requests multiple changes to the conditions in the Brentwood Planned Unit Development , including designation of 400 +/- units as villa structures, delineating a new access road to CR-486, allowing stormwater and impervious surface ratio to be calculated on an overall plat-wide basis, and allowing setback standards to be to the vertical walls of the structure rather than the eaves. Each of those items is consistent with the policies of the Comprehensive Plan as identified in this report. Granting this request will not adversely affect the public interest and would be generally compatible

Attachment: Staff report and locator map (13050 : PUD-21-04 – Brentwood Farms, LLC)

with adjacent properties and other properties in the district provided the conditions as proposed by staff are adhered to.

One of the requests, however, that would allow up to 40 spec homes to be permitted and constructed prior to platting of the lots, would allow multiple units on one parcel of record. This would then be placing single-family units on one lot so that they are effectively multi-family units until the plat is completed. This particular request is not consistent with the Comprehensive Plan or Land Development Code as proposed.

Engineering Division has also expressed concern with the proposal to provide only an emergency access connection between the existing platted areas of Brentwood and the new development, which would prevent existing platted areas of Brentwood from gaining direct access to the traffic signal at N. Ottawa Avenue and W. Norvell Bryant Hwy. Traffic from the existing platted areas that want to go east now currently have to travel west and do a U-turn at the N. Ottawa Ave. traffic signal before going east. Providing the interconnection would allow the traffic to exit via "Road A" to the traffic signal at N. Ottawa Ave. and W., Norvell Bryant Hwy. This specific request is inconsistent with the Land Development Code, and Engineering Division staff will be present at the PDC hearing for any discussion requested concerning this item.

SUGGESTED CONDITIONS OF APPROVAL - New language is indicated by underlines while deleted language is indicated by strike-through (from PDO-07-04 and PUD-17-03)

1. The revised Master Plan of Development for the subdivision of Brentwood (Exhibit "B") shall be subject to platting as specified in the Land Development Code. No County permits shall be issued prior to approval of final plat; however, up to three buildings per housing type shall be allowed prior to final platting for models. Condominiums and other similar methods of sale shall not be subject to platting.

   ~~A revised Master Plan of Development shall be prepared as the binding Master Plan for the Brentwood Planned Development, superseding any and all prior Plans. Said Plan shall be submitted within thirty (30) days of approval by the Citrus County Board of County Commissioners and reflect all conditions of approval contained herein.~~

Alternative Condition #1 proposed by developer but not supported by staff:

1. *The revised Master Plan of Development for the subdivision of Brentwood (Exhibit "B") shall be subject to platting as specified in the Land Development Code.* ~~*No County permits shall be issued prior to approval of final plat; however,*~~ *uUp to* ~~*three buildings per housing type*~~ *forty spec homes shall be allowed prior to final platting* ~~*for models.*~~ *No homes shall be conveyed until the property has received final plat approval and recording. Condominiums and other similar methods of sale shall not be subject to platting.*

~~A revised Master Plan of Development shall be prepared as the binding Master Plan for the Brentwood Planned Development, superseding any and all prior Plans. Said Plan shall be submitted within thirty (30) days of approval by the Citrus County Board of County Commissioners and reflect all conditions of approval contained herein.~~

2. All developments shall take place in accordance with the approved Master Plan and submittal, as shown in Exhibit "B", and in accordance with the terms and conditions of approval as provided herein.

3. The total number of residential units shall not exceed 1,278.

Attachment: Staff report and locator map (13050 : PUD-21-04 – Brentwood Farms, LLC)

4. The residential units will consist of the following:

Single-family – Conventional	169
Single-family – Villa	679
Multifamily – Attached	262
Multifamily – Retirement Center	178

~~5. Condition No. 5 deleted at the Public hearing on 10/26/2004.~~

5. Within unplatted and/or undeveloped residentially-designated areas as of the date of approval of ~~this application~~ application PUD-17-03 on June 26, 2017, including those outlined on the attached Exhibit "B" map, the residential land use types may be interchangeable among all approved residential uses (villa, single-family, and multi-family), at developer's discretion, so long as the overall quantities and gross densities of the entire Brentwood PD project do not exceed the previously approved project totals.

6. The maximum Impervious Surface Ratio (ISR) for the development will be as follows:

Single family – Conventional	50 percent
Single family – Villa	65 percent
Multifamily – Attached	70 percent
Multifamily – Retirement Center	70 percent
Commercial	70 percent

ISR will be calculated on the entire PUD, and not on any individual homesite. This will be demonstrated at the time of platting (and/or permitting for commercial sites) to confirm that ISR limits are met.

7. Front setbacks from right-of-ways except for corners, where secondary street frontage setbacks are to be reduced to 10 feet for the development, will be as follows:

Single family - Conventional	20 feet
Single family – Villa	18 feet
Multifamily	18 feet
Commercial	100 feet from the centerline of CR-486 65 feet from the centerline of N Brentwood Circle (25 feet from property line
Side and rear setbacks:	
Single family – Conventional	5 feet
Single family – Villa	5 feet – reducible to zero lot line, so long as 10 foot building separation is maintained
Multifamily	0 feet (minimum building separation 10 feet)
Commercial	According to LDC (Ord. 90-14)

Driveways on corner lots of 50 feet or less shall maintain the maximum separation from intersection corners, but not less than 50 feet measured centerline to centerline of the adjacent street to the driveway.

Building setbacks are measured to the vertical walls of structures (rather than to eaves).

8. The total commercial land use area of the Brentwood subdivision will be 14 acres (121,000 square feet commercial and 19,000 square feet office).

Attachment: Staff report and locator map (13050 : PUD-21-04 – Brentwood Farms, LLC)

9. The total open space of the Brentwood subdivision will be 40 acres.

10. Drainage will be approved on a ~~tract specific~~ plat-wide basis by the County Engineer to assure the adequacy and compliance with the Master Drainage Plan approval.

11. As each of the individual tracts is developed, the development of the tract must comply with all development regulations in effect at the time of permitting.

12. There is no off-street parking reduction approval expressed or implied for the commercial areas.

13. ~~The developer shall escrow $35,000 prior to the issuance of the 550th future building permit for a dwelling unit by Citrus County, from the date of approval of application CU-96-02, that being January 26, 1996. The funds will be used for improvements at the entrance at the CR-486 intersection. Should the developer fail to escrow $35,000 for this purpose prior to the issuance of the 550th future building permit as described herein, this shall be considered a default in the application, and no further building permits will be issued until compliance has been obtained. The County shall use these funds for improvements at the intersection at the time that this section of CR-486 is widened, or sooner, but within ten years of the date of the escrow, if no other improvements are warranted for traffic safety. Failure to utilize the escrowed funds by the county within ten years of the date of the escrow will result in forfeiture to the developer of the escrow along with any accrued interest, and the developer shall be relieved of all obligations of this condition only.~~ The use of Tract 52 and 54 connecting to S.J.K. Boulevard and New Florida Avenue respectively in Beverly Hills in accordance with Plat Book 12, Page 70 for easement reservation, and the northwest corner of the proposed Phase VII Villas located at 22-18-18 connecting to Woodview Lane/Pine Cone Avenue as shown on the Master Plan of Development shall be maintained for the purpose of emergency access.

14. The use of Tract 51 (located at the end of West Trimble Lane) shall be maintained for open space and in accordance with Plat Book 12, Page 70 for easement reservation.

15. Fire hydrants are required for future development areas within 500 feet curbline distance in accordance with County Fire Prevention requirements. Water supply systems shall meet the requirements of the LDC and Citrus County Section 102, and fire department access roads shall meet the requirements of the 2004 Florida Fire Prevention Code NFPA 1 Chapter 18.

16. The Master Signage Plan shall indicate the location of each proposed sign, as shown in Exhibit "B" of Ordinance 2003-A23, and otherwise demonstrate compliance with LDC ~~Section 7340, Community Directional Signs in Master Planned Developments and~~ Section ~~7410~~ 9410, ~~Residential~~ Development Identification Signs. Sign area, not including post(s) of secondary neighborhood identification signage, shall be no larger than 40 square feet.

17. A traffic study(ies) to address Phases VII and VIII (villas) must be submitted by the applicant and reviewed by the County prior to approval of improvement plans. The traffic study must address requirements for the need for a second vehicular access point to Woodview Lane/Pine Cone Street, and if additional impacts will warrant signalization and/or improvements at the intersection of Brentwood Circle and Norvell Bryant Highway sooner than specified in Condition 13 above. Any access onto Woodview Lane/Pine Cone Street shall be limited to emergency access. Interconnectivity shall be provided between Phases VII and VIII and the existing platted subdivisions along W. Brentwood Circle to the east.

Attachment: Staff report and locator map (13050 : PUD-21-04 – Brentwood Farms, LLC)

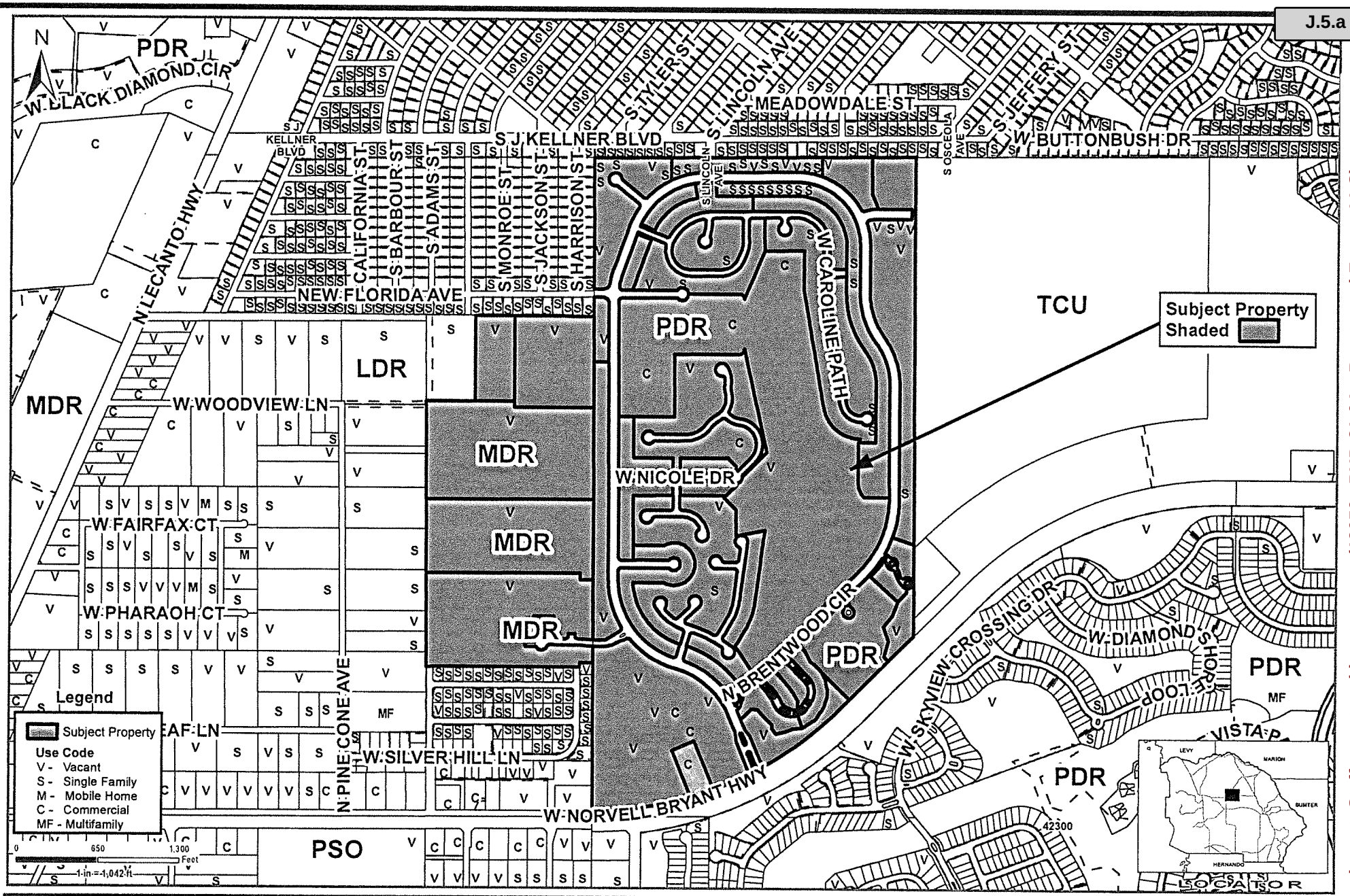
18. Landscaping, tree preservation, biological survey requirements, and required buffers shall be addressed at the time of platting for the property under application PDO-04-01 and PDO-07-04 and shall be in accordance with LDC in effect at such time.

19. Within unplatted and/or undeveloped residentially-designated areas as of the date of approval of ~~this application, including those outlined on the attached Exhibit B map~~ application PUD-17-03 (June 26, 2017), the residential land use types may be interchangeable among all approved residential uses (villa, single-family, and multi-family), at developer's discretion, so long as the overall quantities and gross densities of the entire Brentwood PD project do not exceed the previously approved project totals.

20. A buffer is required wherever multi-family lots adjoin adjacent lower density, residential land uses. The following buffer will be installed, either a six (6) foot privacy wall with landscaping planting along the fence/wall within a ten (10) foot strip, or a vegetative buffer twenty-five (25) feet wide will otherwise be employed. To the extent that natural vegetation exists of sufficient quality to provide an aesthetic visual screening, this may be employed consistent with either the wall/landscape buffer or vegetative planting whichever applies.

JLC/SW/cb

Attachment: Staff report and locator map (13050 : PUD-21-04 – Brentwood Farms, LLC)



Application #: PUD-21-04	Applicant: Brentwood Farms LLC
Proposal: Amend PUD	Location: 2100 & Various on W. Woodview Ln. and 2025 W. Abigail Path, Lecanto, FL 34461
Land Use Atlas: Medium Density Residential with a Planned Unit Development (MDR/PUD) and PDR	S-T-R - 22-18-18 NE
	Planner Initials: _____ Date: 5/2/21

Geographic Information Systems

Cynthia P. Skelhorn
Director

Prepared By : William Braunsch
Date: May 11, 2021
Source: Enterprise Geodatabase
Map Number: WB0000551

This information is to be used for general purposes only. The Citrus County Geographic Information Systems Division makes every effort to provide content that is accurate and complete as of the date it is posted. However, all information provided should be independently verified by the user.

Citrus County shall not be liable for any claims, demands, or losses of any kind in connection with the use of this information, including but not limited to, damages or losses caused by reliance upon the accuracy or timeliness of this information and the viewing, copying, or distributing of these materials.

Attachment: Staff report and locator map (13050 : PUD-21-04 – Brentwood Farms, LLC)

Board of County Commisioners

DEPARTMENT OF GROWTH MANAGEMENT LAND
DEVELOPMENT DIVISION
3600 W. Sovereign Path, Suite 140, Lecanto, FL 34461
Telephone: (352) 527-5239
TTY Dial 771
Web Address: www.citrusbocc.com

CITRUS COUNTY LAND DEVELOPMENT CODE
PLANNED UNIT DEVELOPMENT APPLICATION

Application No.: PUD-21-04 Date: 4/22/21

* Written Authorization is required if Applicant is different than Owner.

Applicant*
Name: Brentwood Farms, LLC
Address: 2476 N. Essex Ave.
City: Hernando
State: Florida Zip: 34442
Phone: 352-746-6060
Email: eabel@citruskills.com

Property Owner
Name: same as Applicant
Address:
City:
State: Zip:
Phone:
Email:

Property Description: Section: 22-23 Township: 18 South Range: 18 East
Legal Description: Parcels 12111, 12115, 20000, 21000, and Tracts 17, 44, 45, 18, 46, and Parcel 1 of LR 07-81
Subdivision: Brentwood Farms Lot(s): Block/Parcel:
Alternate Key #: multiple Parcel ID: multiple
Acreage: 112

_____ New Planned Unit Development
✓ Amendment to a Previously Approved Planned Development Previous Application No.: PDO-07-04 etal.

Is this hearing being requested as a result of a Code Violation Notice? Yes _____ No ✓
If "Yes", explain on a separate sheet and attach a copy of the Notice of Violation.

Applicant Request(s): PD Amendment to permit platting, pre-construction of spec homes, redesignate ISR, change setbacks.
Directions to Property: 41 North to CR486, then east on CR486 2-3 miles. Project is on the north side of CR486, north of Ottawa Ave.

The Applicant is: ✓ Owner of Tract _____ Agent for Property Owner
_____ One-Owner Among Several _____ Other (specify)

I am aware that if the property cannot be located using information from the submitted application, this application may be rescheduled to a later hearing date. I also understand that a sign must be placed (and marking flags may be placed) on the property by the Land Development Division at least seven days prior to the scheduled meeting.
I understand that approval for the proposed use shown hereon does not in any way relieve me of the responsibility of observing and complying with any deed restrictions applicable to the subject property.
I hereby authorize Citrus County or its agents to enter upon the property, which is the subject of this application and the date of the hearing thereon, at any time between the hours of 8:00 AM and 5:00 PM for the purpose of gathering any information relevant to this application.

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

Signature: _____, V.P.
Brentwood Farms, LLC

STATE OF FLORIDA
COUNTY OF CITRUS
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared Eric D. Abel, who is personally known to me or provided _____ as identification and who did not take an oath.
WITNESS my hand and official seal this 22nd day of March 2021.

Cathy Rider
Signature
CATHY RIDER
Printed Name

CATHY RIDER
MY COMMISSION # GG 969719
EXPIRES: April 29, 2024
Bonded Thru Notary Public Underwriters

PUD-21-04

For Staff Use Only
Date: 4-22-21 Time: _____ Initials: AAP

Attachment: Applicant's submittal (13050 : PUD-21-04 – Brentwood Farms, LLC)

VILLAGES OF Citrus Hills

Administration 352-746-6060
Accounting 352-746-3994 • Fax 352-746-6801
2476 North Essex Avenue, Citrus Hills, Florida 34442

March 30, 2021

Mr. Michael Sherman, AICP
Interim Director
Citrus County Land Development
3600 W. Sovereign Path, Suite 140
Lecanto, FL 34461

Via email: michael.sherman@citrusbocc.com

RE: BRENTWOOD FARMS PDO AMENDMENT

Please accept this letter as a formal request by Brentwood Farms, LLC, to amend the current Brentwood PUD. Specifically, we are seeking to modify the existing Planned Development Overlay for Brentwood subdivision as follows:

1. Plat 400+/- villa units across the 80+/- acres of unplatted acreage west of the developed Brentwood subdivision (the acreage is currently identified on the Brentwood Master Plan as Phase VII Villas and Phase VIII Villas);
2. Plat and construct an entrance road directly north of N. Ottawa Ave. at its intersection with W. Norvell Bryant Hwy., to provide access between the newly designed area (to be platted) and the County's roadway system (specifically, CR486/W. Norvell Bryant Hwy). This request is consistent with the terms of PUD-17-03 and Ordinance No. 2017-A26;
3. Amend Master Plan Conditions of Approval to clarify that drainage will be approved on a plat-wide basis by the County Engineer to assure adequacy and compliance with the Master Drainage Plan;
4. All setbacks to be measured to the vertical walls of the structures. This is consistent with the current practices within Citrus Hills II DRI (aka Terra Vista), Clearview Estates DRI (including all phases of Belmont Hills), and throughout Brentwood subdivision.
5. Developer shall be allowed to commence construction on up to 40 spec homes within the 80+/- acreage prior to platting. With this request, if necessary, the developer would consider a condition that no such home shall be conveyed until the property is finally platted.

Please let me know if there is anything else you require to begin the amendment process.

Thank you,

Eric D. Abel
Vice President, General Counsel
Brentwood Farms, LLC
2476 N. Essex Ave.
Hernando, Florida 34442
Email: eabel@citrushills.com

PUD-21-04

Attachment: Applicant's submittal (13050 : PUD-21-04 – Brentwood Farms, LLC)

Joanna L. Coutu

From: Eric Abel <eabel@citrushills.com>
Sent: Thursday, April 29, 2021 5:22 PM
To: Joanna L. Coutu
Cc: Stephen Hallet; Steve Tamposi
Subject: [EXTERNAL]BWD PUD-21-04 Application for Amendment

WARNING: This email originated from an external Domain DO NOT CLICK unless you recognize the sender and know the content is safe.

Hi Joanna:

I've had a chance to review and consider, with Stephen Tamposi, the other points raised in our conversation about the above-referenced application.

As a result, I'd like to modify the application to add:

"6. Amend Master Plan Conditions of Approval to clarify that ISR will be calculated on the entire PD, and not on any individual homesite. If required, we can have our engineers certify that any newly platted subdivision(s) will include the numbers to show the ISR allowances for lots within that newly platted subdivision as measured against the entire PD."

As for item #5 in the current application (regarding spec homes), we'd like to leave it as is. We'd like to have the Staff and Board at least consider it, to see if there are ways to allow it.

Thank you!

--Eric

Eric D. Abel
V.P., General Counsel
Citrus Hills Holdings, LLC
2476 N. Essex Ave.
Hernando, Florida 34442
ph: (352) 746-6060
fx: (352) 746-6801
email: eabel@citrushills.com

This electronic communication, including any authorized attachments, contains information from a legal office and is legally privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient, any use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately and delete it from all computers on which it may be stored.

Attachment: Applicant's submittal (13050 : PUD-21-04 – Brentwood Farms, LLC)

JANICE A. WARREN C.F.C.
CITRUS COUNTY TAX COLLECTOR

2020 Paid Real Estate
NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

ACCOUNT NUMBER	ESCROW CD	MILLAGE CODE	
2636301		000X	

BRENTWOOD FARMS LLC
2476 N ESSEX AVE
HERNANDO, FL 34442

2449 N BRANDYWINE TER

COM AT SE COR OF SD SEC 22-18-18 TH N 00DEG 01M 40S E
See Additional Legal on Tax Roll
Exemptions:

MAILING ADDRESS: 210 N. APOPKA AVE., SUITE 100 · INVERNESS, FL 34450-4298 · (352) 341-6500

AD VALOREM TAXES

TAXING AUTHORITY	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	MILLAGE RATE	TAXES LEVIED
General County	2,738	0	2,738	6.2176	17.02
Transportation Trust	2,738	0	2,738	0.5988	1.64
Health Department	2,738	0	2,738	0.0651	0.18
Library	2,738	0	2,738	0.3217	0.88
Fire District	2,738	0	2,738	0.0000	0.00
Stormwater	2,738	0	2,738	0.0974	0.27
Fire Rescue EMS	2,738	0	2,738	0.5881	1.61
Schools Local Req'd Effort	2,738	0	2,738	3.6820	10.08
Schools Capital Outlay	2,738	0	2,738	1.5000	4.11
Schools Discretionary	2,738	0	2,738	0.7480	2.05
SWFWMD General	2,738	0	2,738	0.2669	0.73
Mosquito Control	2,738	0	2,738	0.4478	1.23
			TOTAL	14.5334	$39.80

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	RATE	AMOUNT
	NON-AD VALOREM ASSESSMENTS	$0.00

COMBINED TAXES AND ASSESSMENTS	$39.80	See reverse side for important information.

If Paid By	Nov 30, 2020				
Please Pay	$0.00				

RETAIN THIS PORTION FOR YOUR RECORDS.
WALK-IN CUSTOMERS, PLEASE BRING FOR RECEIPT.

Attachment: Applicant's submittal (13050 : PUD-21-04 – Brentwood Farms, LLC)

JANICE A. WARREN, C.F.C.
CITRUS COUNTY TAX COLLECTOR

2020 Paid Real Estate
NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

ACCOUNT NUMBER	ESCROW CD	MILLAGE CODE	
2636301		000X	

RETURN WITH PAYMENT.

BRENTWOOD FARMS LLC
2476 N ESSEX AVE
HERNANDO, FL 34442

PUD-21-04

2449 N BRANDYWINE TER

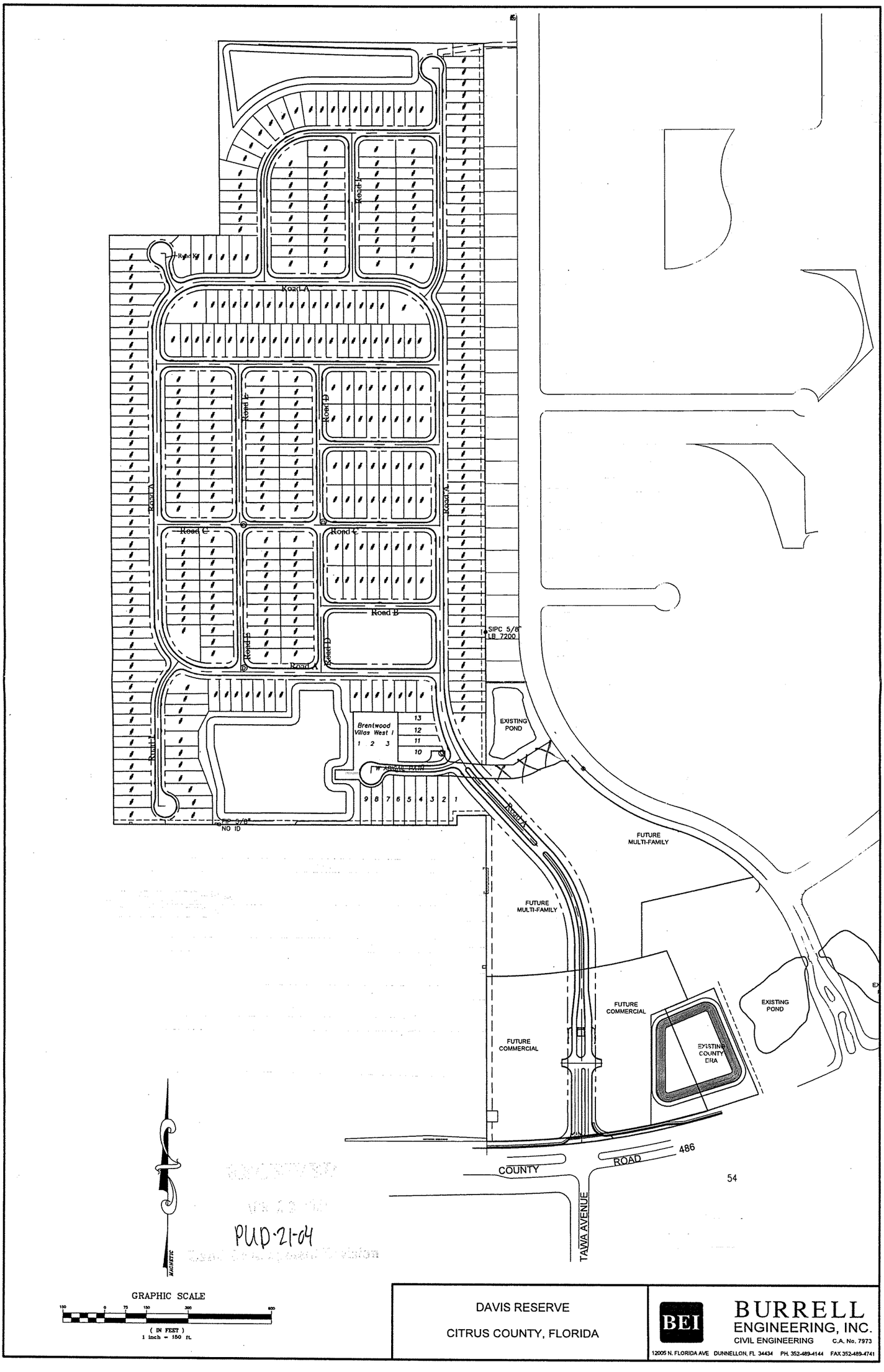
COM AT SE COR OF SD SEC
22-18-18 TH N 00DEG 01M 40S E
See Additional Legal on Tax Roll

MAILING ADDRESS: 210 N. APOPKA AVE., SUITE 100 • INVERNESS, FL 34450-4298 • (352) 341-6500

If Paid By	Nov 30, 2020				
Please Pay	$0.00				

DO NOT WRITE ON BOTTOM PORTION

Paid 11/30/2020 Receipt # 009-20-33536001 $38.21



Attachment: Applicant's submittal (13050 : PUD-21-04 – Brentwood Farms, LLC)

Joanna L. Coutu

RECEIVED
JUN 21 2021
PUD-21-04
Land Development Division

From: Eric Abel <eabel@citrushills.com>
Sent: Monday, June 21, 2021 11:28 AM
To: Joanna L. Coutu
Cc: Steve Tamposi; Stephen Hallet
Subject: [EXTERNAL]RE: Staff Report to Planning and Development Commission (PUD-21-04)

WARNING: This email originated from an external Domain DO NOT CLICK unless you recognize the sender and know the content is safe.

Joanna:

I appreciate you sharing this with me. After reading it, I would like to express that a portion of the report appears to be quite unfair in its presentation (Engineering's recommendations are presented in a vacuum, without the necessary contextual information).

In that vein, please be reminded:

- During PUD 17-03, Commissioner Kinnard expressly pointed out, immediately prior to the vote, that there was no onus on the developer to build "Road A" or to interconnect it with Brentwood Circle;
- The existing PUD would allow Phases VII and VIII to connect to Brentwood Circle and continue with only the one access point to CR-486, that is, without building "Road A." Yet, once the developer considers building "Road A" (which effectively reduces the approved traffic on Brentwood Circle), Engineering would dictate that both are necessary, and should serve original Brentwood as well as new Phases VII and VIII;
- There is no mention in the report that "Road A" is wholly private, manned and gated for the exclusive use of property owners of Davis Reserve (Phases VII and VIII). The
- Brentwood Farms POA (non-developer owners within existing Brentwood) was presented with the option to interconnect and pay their fair share of the expenses. They convincingly voted not to connect, as they did not want to pay their share of ongoing maintenance (including personnel, facilities, and repairs).
- To connect Brentwood Circle with "Road A" without use of a gate would open their subdivision to the public rather than their currently private gated community that it is.

I don't know whether the omission of these relevant facts was accidental, or whether Staff believes it is up to the developer to present such facts at the time of presentation, or whether there is some other reason for the omission. Regardless, I am respectfully request that Staff reconsider the report on this point.

Thank you,

--Eric

Eric D. Abel
V.P., General Counsel
Brentwood Farms, LLC
Citrus Hills Holdings, LLC

Attachment: Applicant's submittal (13050 : PUD-21-04 – Brentwood Farms, LLC)

2476 N. Essex Ave.
Hernando, Florida 34442
ph: (352) 746-6060
fx: (352) 746-6801
email: eabel@citrushills.com

This electronic communication, including any authorized attachments, contains information from a legal office and is legally privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient, any use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately and delete it from all computers on which it may be stored.

From: Cheryl B. Burton <Cheryl.Burton@citrusbocc.com>
Sent: Thursday, June 17, 2021 3:57 PM
To: Eric Abel <eabel@citrushills.com>
Cc: Joanna L. Coutu <JOANNA.COUTU@citrusbocc.com>; Susan K. Wright <Susan.Wright@citrusbocc.com>; Kevin K. OBrien <Kevin.OBrien@citrusbocc.com>
Subject: Staff Report to Planning and Development Commission (PUD-21-04)

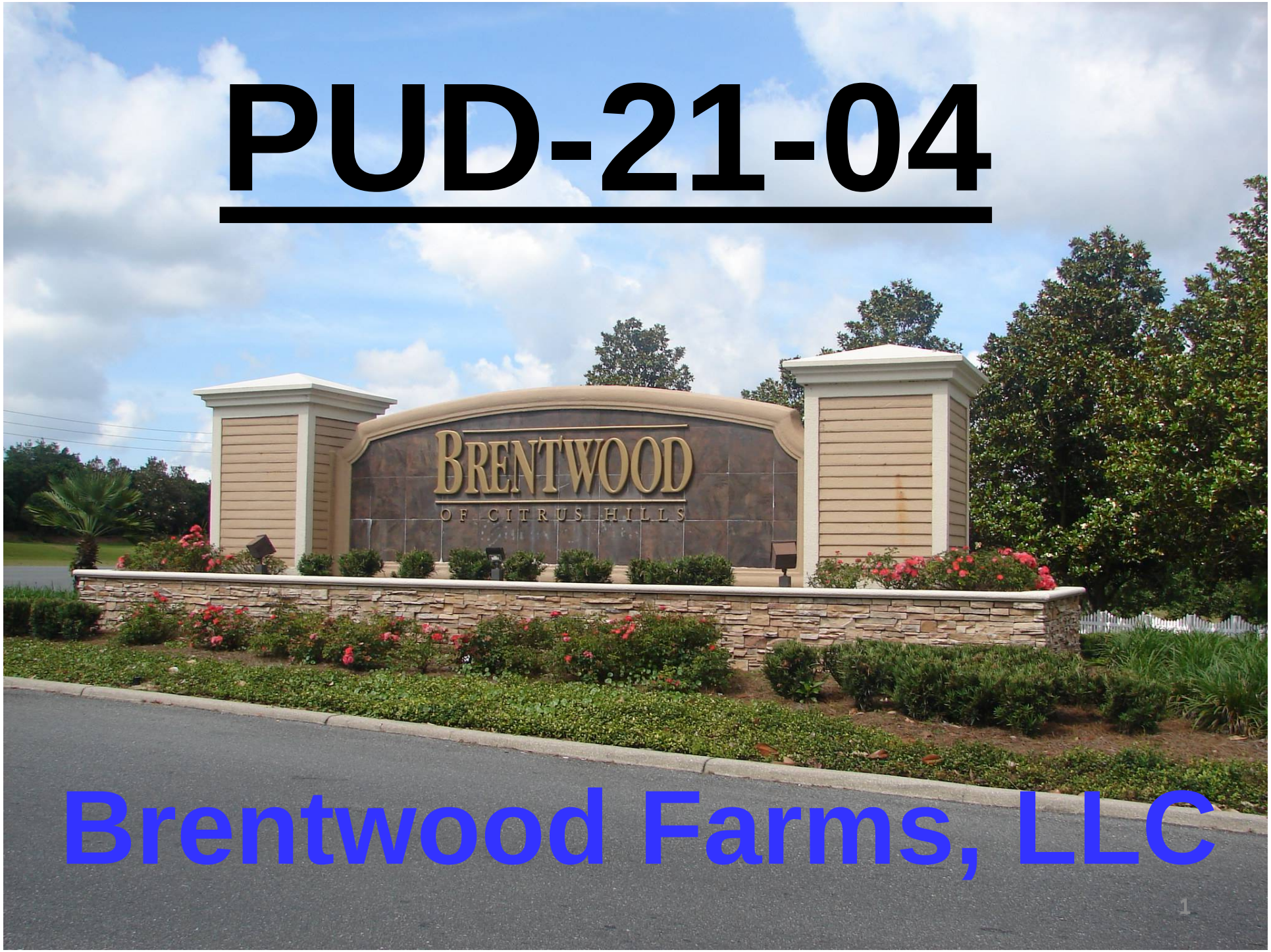
Good afternoon Mr. Abel,

Attached please find a copy of the Staff Findings Report to the Planning and Development Commission with regard to application PUD-21-04 for Brentwood Farms, LLC. The application will be heard by the Planning and Development Commission on Thursday, July 15, 2021.

Cheryl Burton, Senior Secretary
Land Development Division
Citrus County Board of County Commissioners
3600 West Sovereign Path, Suite 107
Lecanto, FL 34461
(352) 527-5239
Cheryl.burton@citrusbocc.com

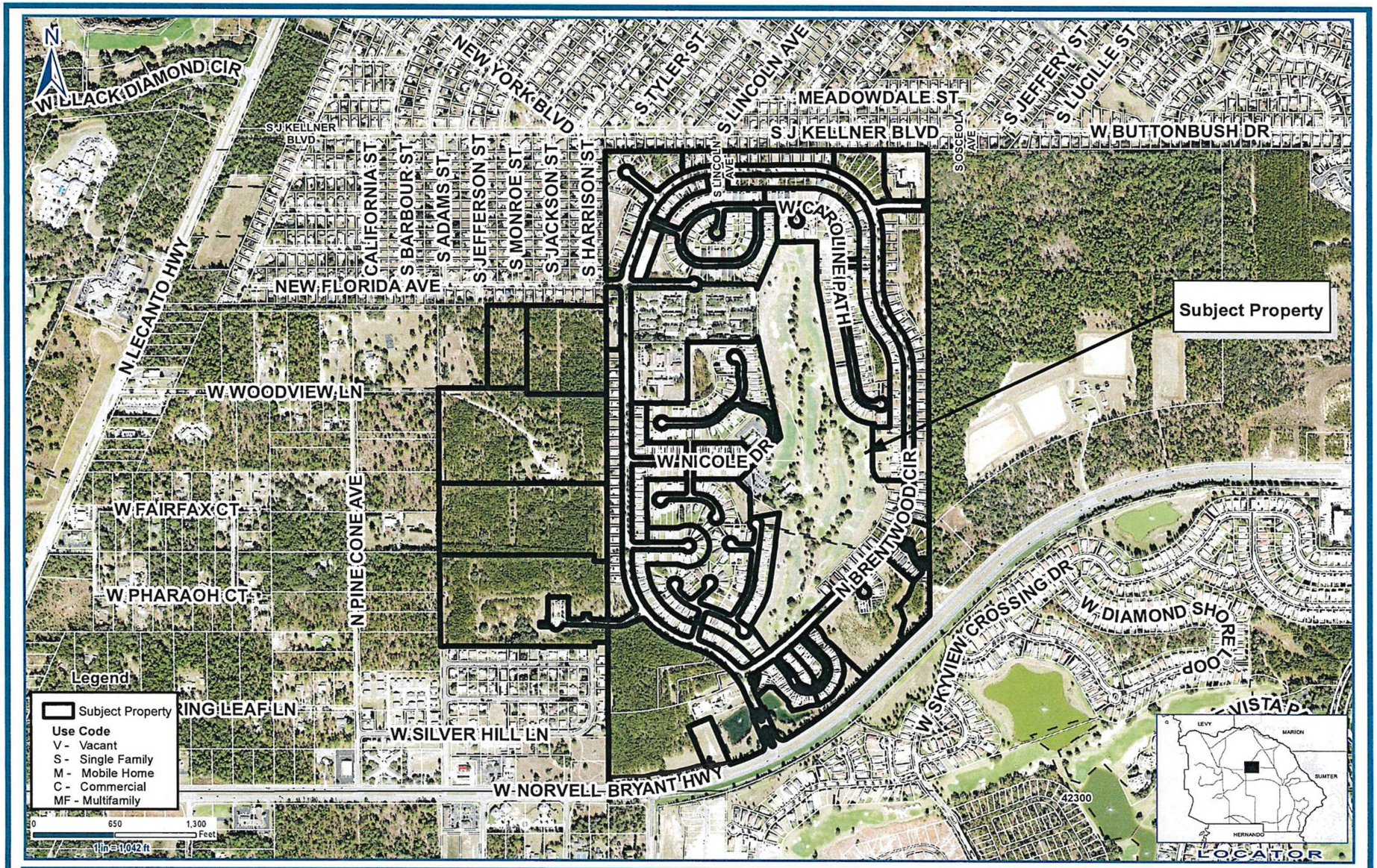
Attachment: Applicant's submittal (13050 : PUD-21-04 – Brentwood Farms, LLC)

PUD-21-04



Brentwood Farms, LLC

Attachment: Coordinator PowerPoint (13050 : PUD-21-04 – Brentwood Farms, LLC)



Application #: PUD-21-04	Applicant: Brentwood Farms LLC
Proposal: Amend PUD	Location: 2100 & Various on W. Woodview Ln. and 2025 W. Abigail Path, Lecanto, FL 34461
Land Use Atlas: Medium Density Residential with a Planned Unit Development (MDR/PUD) and PDR	S-T-R - 22-18-18 NE

Planner Initials: _____ Date: 5/12/21

Geographic Information Systems

Cynthia P. Skelhorn
Director

Prepared By : William Braunsch
Date: May 11, 2021
Source: Enterprise Geodatabase
Map Number: WB0000553

This information is to be used for general purposes only. The Citrus County Geographic Information Systems Division makes every effort to provide content that is accurate and complete as of the date it is posted. However, all information provided must be independently verified by the user.

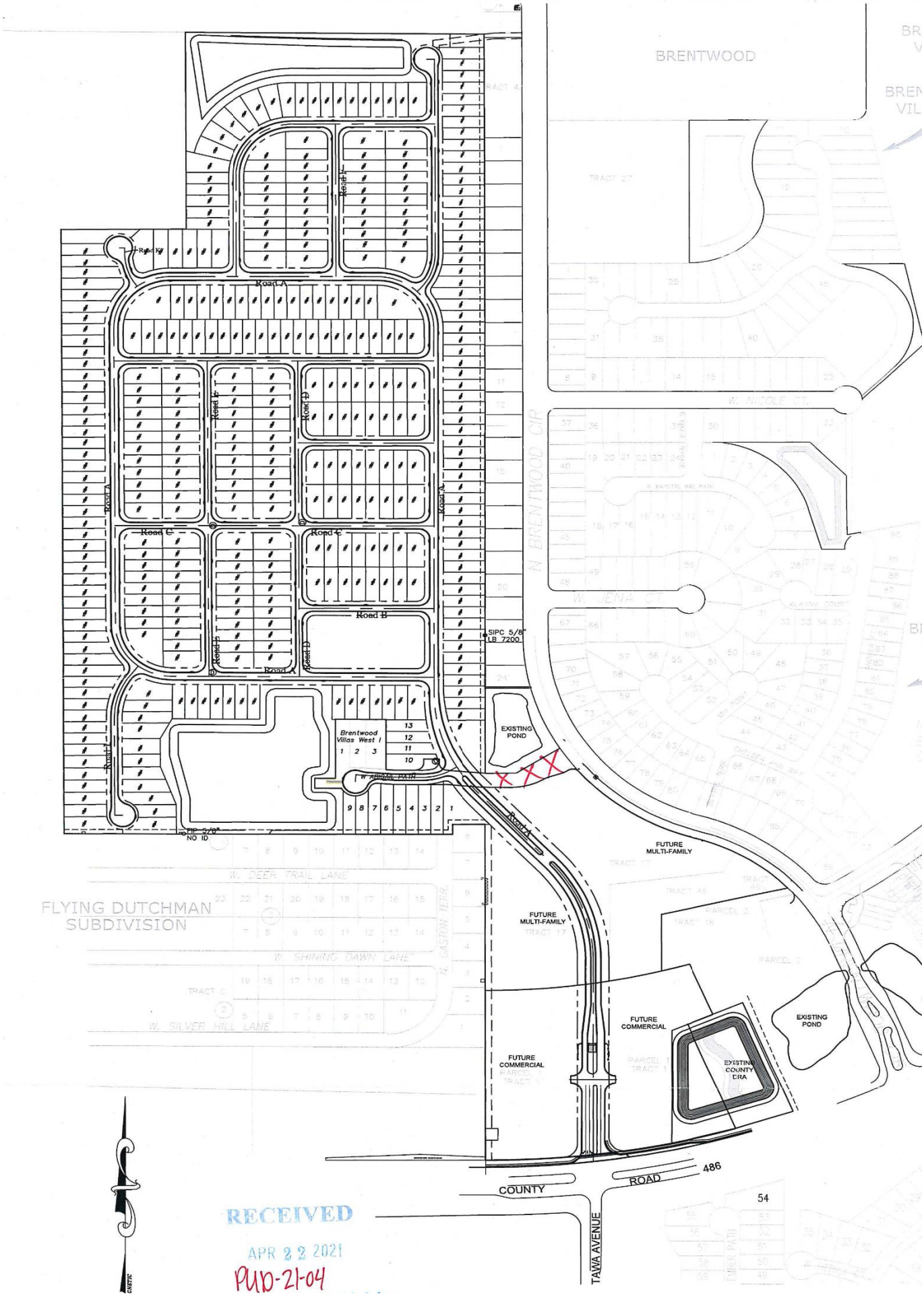
Citrus County shall not be liable for any claims, demands, or losses of any kind in connection with the use of this information, including but not limited to, damages or losses caused by reliance upon the accuracy or timeliness of this information and the viewing, copying, or distributing of these materials.

2

Attachment: Coordinator PowerPoint (13050 : PUD-21-04 – Brentwood Farms, LLC)

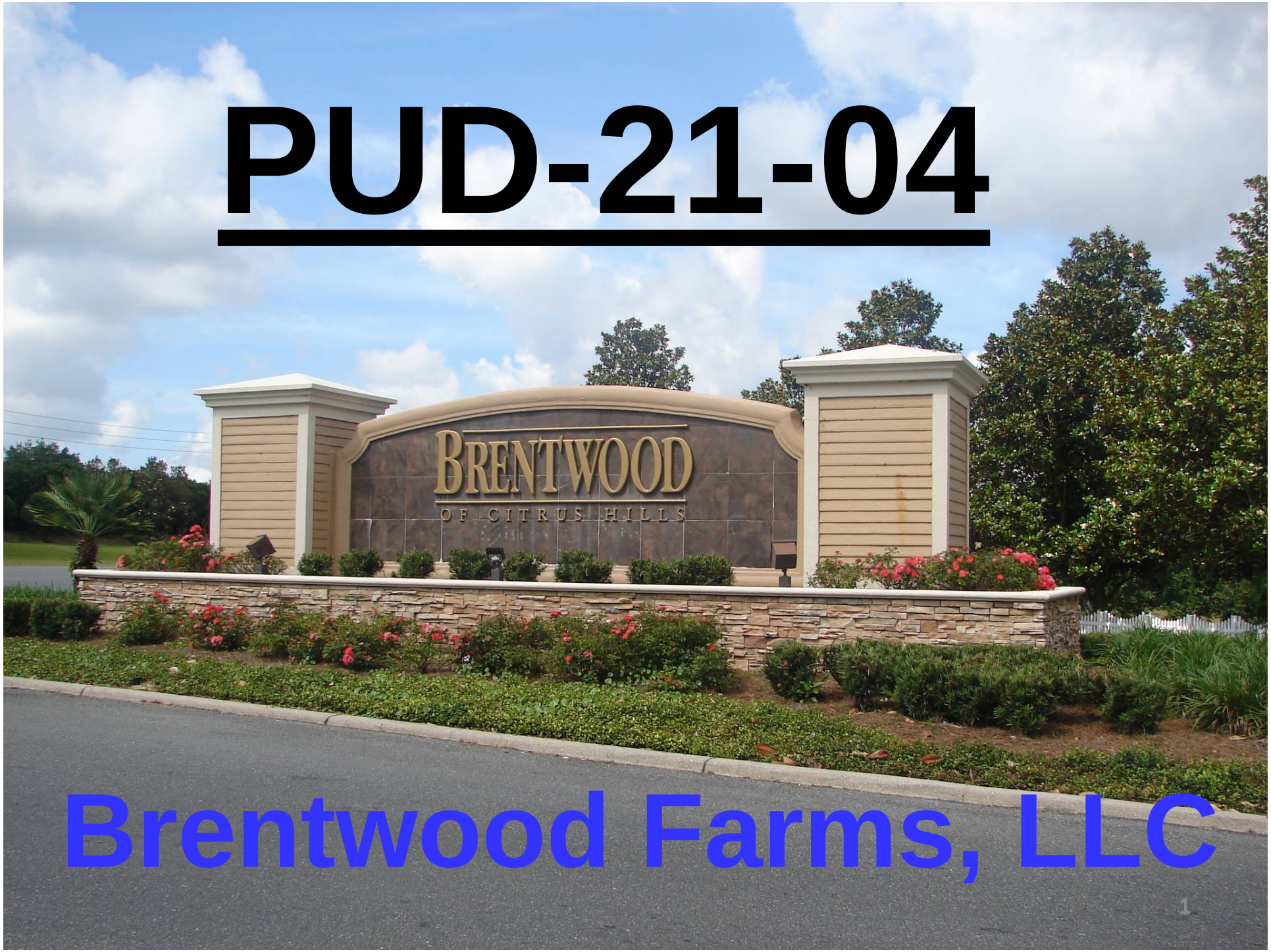

N. BRENTWOOD





RECEIVED
APR 22 2021
PUD-21-04

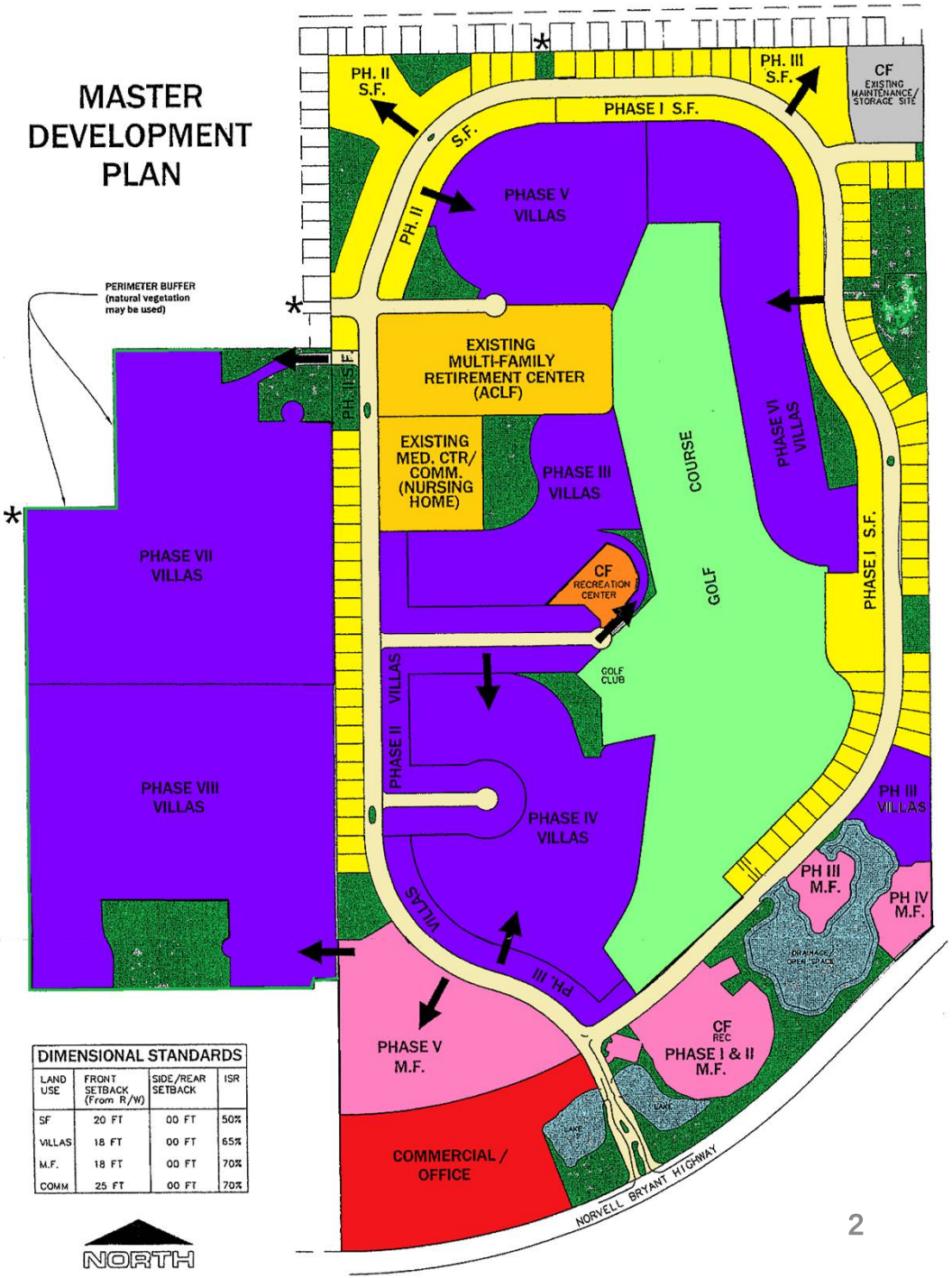
PUD-21-04



Brentwood Farms, LLC

Attachment: Planner PowerPoint (13050 : PUD-21-04 – Brentwood Farms, LLC)

Applicant proposes to develop this western area with 400 +/- villas



Attachment: Planner PowerPoint (13050 : PUD-21-04 – Brentwood Farms, LLC)

OTHER CHANGES PROPOSED:

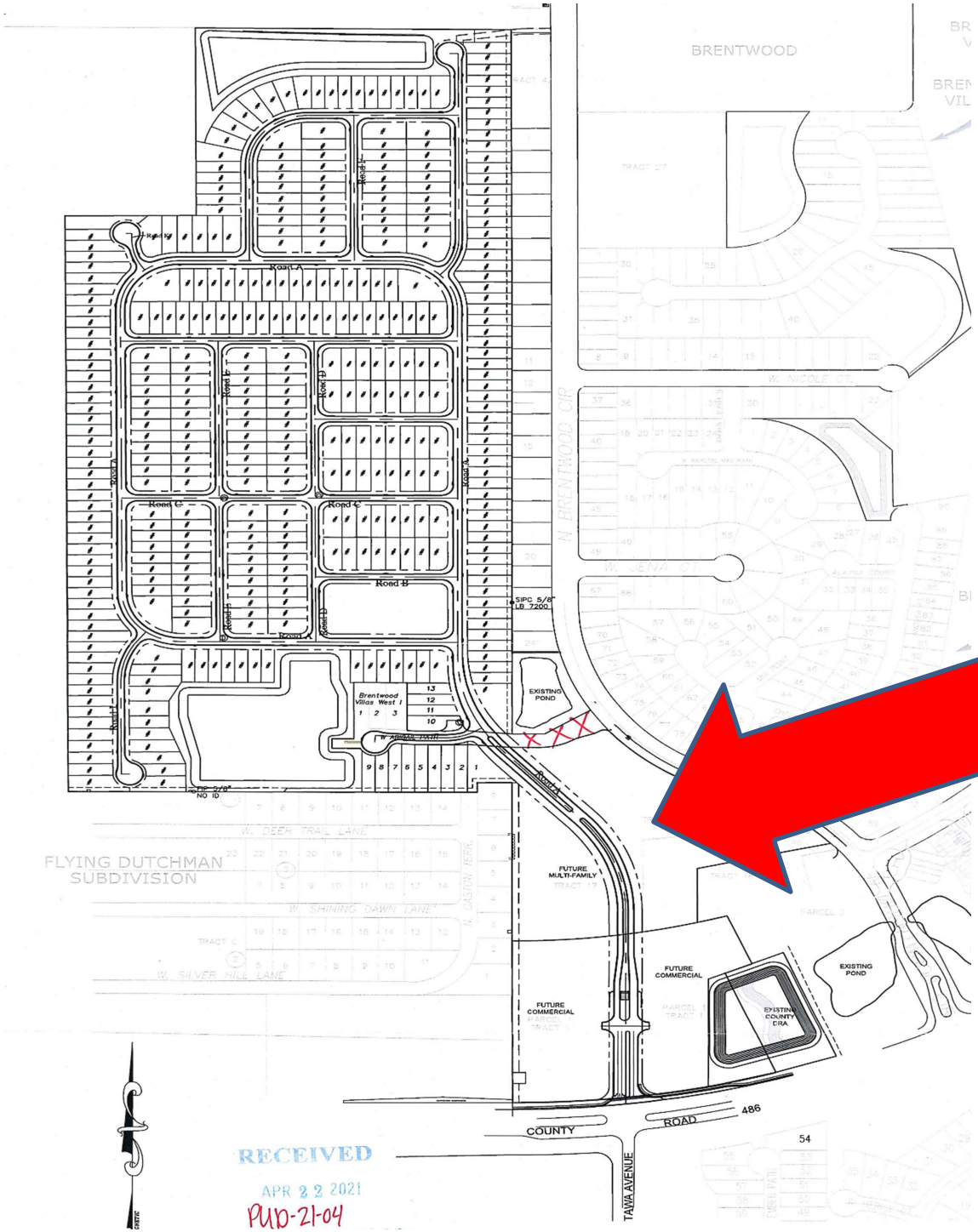
1. ***Allow drainage to be approved plat-wide instead of on individual lots (impervious surface would also be approved plat-wide)***

2. ***Allow setbacks to be measured to the vertical walls of structures instead of eaves.***

3. ***Plat and construct additional access road (to serve west side only) to CR-486 at Ottawa intersection.***

4. ***Allow up to 40 spec homes prior to final plat approval.***

Attachment: Planner PowerPoint (13050 : PUD-21-04 – Brentwood Farms, LLC)



New entrance road proposed – would line up with Ottawa intersection

Attachment: Planner PowerPoint (13050 : PUD-21-04 – Brentwood Farms, LLC)

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Attachment: Planner PowerPoint (13050 : PUD-21-04 – Brentwood Farms, LLC)

AGENDA MEMORANDUM

FROM:	Michael Sherman, AICP Growth Management Director
SUBJECT:	V-21-09 Russell Hoffman
AGENDA DATE:	**July 15, 2021**

BRIEF OVERVIEW:

This request is for a Variance from the Citrus County Land Development Code (LDC) for an addition to an existing single-family dwelling having less than the required 50-foot (35-foot with a berm or swale) minimum building waterfront setback, pursuant to Section 3501, Surface Water Protection Standards, as specified in the LDC.

BUDGET IMPACT/FUNDING SOURCE:

RECOMMENDED ACTION:

Conduct a public hearing on July 15, 2021, to review and consider V-21-09 for Russell Hoffman.

PM2-21-53

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

VARIANCE APPLICATION NO. V-21-09 Russell Hoffman
DATE: June 25, 2021
PREPARED BY: Amy Bidwell, Senior Planner; Land Development Division AB

VARIANCE REQUESTED	This request is for a Variance from the Citrus County Land Development Code (LDC) for an addition to an existing single-family dwelling having less than the required 50-foot (35-foot with a berm or swale) minimum building waterfront setback, pursuant to Section 3501, Surface Water Protection Standards, as specified in the LDC. The applicant is requesting a 28 foot waterfront setback.
SUBJECT PROPERTY	Section 30, Township 19 South, Range 17 East; specifically, Lot 37 BLK 34 of Riverhaven Village Plat Book 9, Page 31 (AK 1938996), which address is 11615 W. Riverhaven Dr., Homosassa, FL. A complete legal description of the property is on file with the Land Development Division.
ACREAGE	Approximately 5,041 square feet (0.12 acres).
LAND USE	CLR, Coastal and Lakes Residential District on the Current Land Use Atlas Map CL, Low Intensity Coastal and Lakes District on the Future Land Use Map
FLOOD ZONE	According to the Flood Insurance Rate Map (FIRM), subject property is located in Flood Zone AE with a base flood elevation of 11 feet, as found on Community-Panel Number 12017C0 295E.
SURROUNDING AREA	North – Single family dwellings South – Single family dwellings East – Canal and Single family dwellings West – Riverhaven Dr., Single family dwellings The site is located in Riverhaven Village, where there are single-family dwellings.
SOIL INFORMATION	According to the *Soil Survey of Citrus County* (1988), the soil type in the area is primarily Matlacha, limestone substratum-urban land complex. Limitations to development include moderate wetness.

Attachment: Staff report (13051 : V-21-09 Russell Hoffman)

BACKGROUND

The subject property is part of the Riverhaven Village, a platted subdivision. It abuts residences to the north, south and west, and a canal and single-family dwellings to the east. It takes access from West Riverhaven Dr., a 50-foot wide, paved, public right-of-way.

The property is approximately 0.12 acres in size and is developed with a single-family residence. The single-family residence was constructed in 1980 and is 1,269 square feet in size. There is also a 506 square-foot garage, a 143 square-foot rear screened porch, a 156 square foot concrete rear slab, and a 52 square foot front porch, all which were constructed in 1980.

The surrounding area contains single-family residences and a canal.

ANALYSIS

The applicant is requesting a reduction in waterfront setbacks from the required 50-foot setback (35 foot with a berm or swale), to a 28-foot setback, for the addition of a 520 square foot room addition. The applicant is proposing to remove a 143 square foot rear screen porch where the proposed room addition would be placed, if approved.

The six closest lots on either side of the subject property are similar in size and shape and a variance has been granted for two of the lots since adoption of the LDC. The variances were for the addition of screen rooms and were approved in 1999 and 2015.

Building envelope and setback analysis			
Required Waterfront Setback (with a berm or swale)	50 ft. (35 ft.)	**Proposed waterfront setback** **Average six closest waterfront setbacks**	28 ft. 32 ft.
Current residence size (living space)	1,269 sq. ft.	**Proposed residence size with addition (living space)**	1,789 sq. ft.
Current total area Under Roof	1,970 sq. ft	**Proposed total area under roof**	2,490 sq. ft.
Average residence size of six closest residences (living space)	1,338 sq. ft	**Average total area under roof of six closest residences**	1,920 sq. ft

Attachment: Staff report (13051 : V-21-09 Russell Hoffman)

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

Runoff and erosion shall be controlled to protect the adjacent wetland/waterbody. Install any measures necessary to prevent sediment transport. Protective measures shall be installed before starting land disturbance activities as per Citrus County Code Section 42-172 (c).

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

The subject property is located in Flood Zone AE and the Coastal High Hazard Area. Any improvements to the single-family residence, including the proposed addition, are considered a Substantial Improvement. 50 percent of the market value of the residence is to be assessed at the time of permitting to establish the limit of all improvements.

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

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

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

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

3501. Surface Water Protection Standards

A. All structures shall be a minimum of 50 feet from either the mean high water line or ordinary high water line, except as follows:

1. Structures shall be set back a minimum of 50 feet, or 35 feet from the mean high water line, ordinary high water line, and/or jurisdictional wetland line, if swales or berms are provided.

Staff comment: *The application does not meet the provisions of the LDC. The applicant is proposing a 28-foot setback from the proposed room addition to the mean high water line. The applicant has not indicated that a berm/swale would be installed.*

PROPOSED FINDINGS OF FACT

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

1. ***Special conditions and circumstances do not exist which are peculiar to the land, structure, or building involved and which are not applicable to land, structures, or***

Attachment: Staff report (13051 : V-21-09 Russell Hoffman)

buildings in the same land use district. The subject property is similar in size and shape in comparison with surrounding lots.

2. ***The special conditions and circumstances do result from the actions of the applicants.*** The encroachment into the required waterfront setback is the result of the applicant/property owner. By requesting to expand the existing footprint of the residence, the applicant is creating a hardship and need for variance.

3. ***A granting of the variance requested will confer on the applicant any special privilege that is denied by this code to other lands, buildings, or structures in the same land use district.*** The lot is similar in size, shape and features to others in the general area that have not required a variance. However, the subject property is also similar in size, shape and features with two close lots that have obtained a variance.

4. ***Literal interpretation of the provisions of this code which would not deprive the applicant of rights commonly enjoyed by other similarly situated properties and would not work unnecessary and undue hardship on the applicant.*** The applicant is proposing the addition of 520 square feet of living space to an existing 1,269 square foot single-family residence. The subject property has been developed reasonably with an existing single-family residence which meets the requirements of the LDC.

5. ***The variance granted is not the minimum variance that will make possible the reasonable development and/or use of the land, building, or structure.*** It is possible for the applicant to reduce or eliminate the request for variance to meet the requirements of the LDC and reasonably develop an addition to the existing single family residence, while the site is already being utilized for a single family residence.

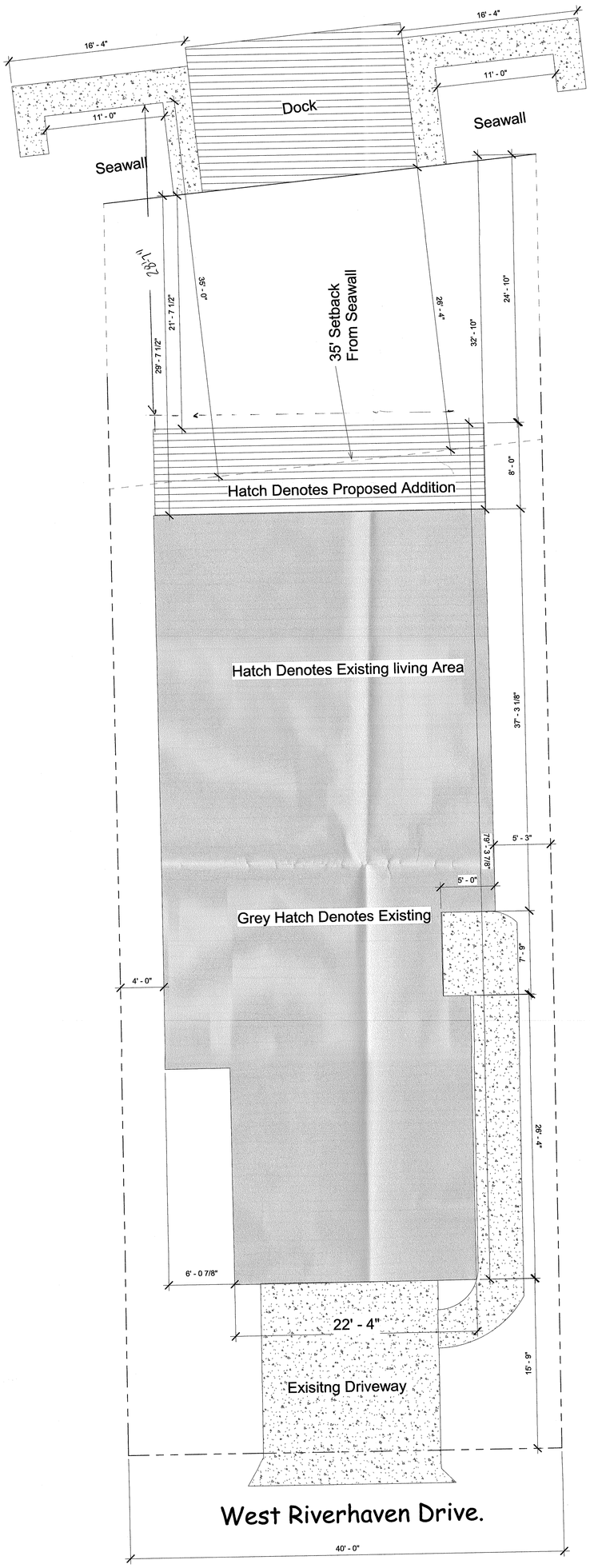
6. ***The granting of the variance will not be in harmony with the general intent and purpose of this code and will be injurious to the area involved or otherwise detrimental to the public welfare.*** The proposed structure does not meet standards for Building Setback Requirements and Height Requirements for All Land Use Districts. The proposed waterfront setback request is for 28 feet, the average waterfront setback is 32 feet with several having a setback of 25 feet.

7. ***There will be full compliance with any additional conditions and safeguards which the PDC may prescribe, including but not limited to reasonable time limits within which the action for which the variance is required shall be begun or completed, or both.*** Where standards are not specified herein, the Citrus County Land Development Code standards (or current code standards) will apply. In addition, noncompliance with or any violation of the above referenced conditions, as may be determined by Citrus County Compliance may, in addition to any penalty imposed by Code Compliance and subsequent to the procedural requirements set forth in Section 1800 of the Citrus County Land Development Code being satisfied, render this Variance null, void, and of no force or effect.

8. **Granting of the variance will deviate from the clear intent of the adopted Comprehensive Plan.** The application is not consistent with the Comprehensive Plan, as discussed in this staff report.

AB/SW/cb

Attachment: Staff report (13051 : V-21-09 Russell Hoffman)



1 Site
3/16" = 1'-0"

RECEIVED
JUN 2 6 2021
V-21-09
Land Development Division

Site Plan
6184-Hoffmann
DAF
DATE
12/10/20

SD-2

Hoffmann Construction

Russ Hoffmann

11615 W. Riverhaven Drive.

RoMac BUILDING SUPPLY
LIC. # CBC1252465
700 East Main Street PH: (352) 314-3197

CUSTOMER REVIEW SET
NOT FOR CONSTRUCTION

Attachment: Site plan (13051 : V-21-09 Russell Hoffman)

THIS SET OF PLANS AND ITS CONTENT IS COPYRIGHT OF ROMAC BUILDING SUPPLY. ALL RIGHTS RESERVED

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
VARIANCE APPLICATION

Application No.: V-21-09 Date: 4/26/21

* Written Authorization is required if Applicant is different than Owner.

Applicant*
Name: Russell S Hoffmann
Address: 11615 W Riverhaven Dr
City: Homosassa
State: FL Zip: 34448
Home No.: Cell No.: 352-267-7977
Work No.: Fax No.:
Email: russ@hcrfl.com

Property Owner
Name: Russell S & Wendy a Hoffman Revocable Trust
Address: 11615 W Riverhaven Dr
City: Homosassa
State: FL Zip: 34448
Home No.: Cell No.: 352-267-7977
Work No.: Fax No.:
Email:

Property Description: Section: 30 Township: 19 South Range: 17 East
Legal Description: RIVERHAVEN VLG PB 9 PG 31 LOT 37 BLK 34
Subdivision: Riverhaven Village Lot(s): 37 Block/Parcel: 34
Alternate Key #: 1938996 Parcel ID: 16E19S250010 00340 0370

Is this hearing being requested as a result of a Code Violation Notice? Yes _____ No x
If "Yes", explain on a separate sheet and attach a copy of the Notice of Violation.

Variance Request: To extend the back of home to a 25' setback in order to create a 3rd bedroom and extra living space
PROPOSED 15'2.

State hardship that justifies the granting of the variance: To make room to move in elderly father. We have home based offices and there is just not enough space to accommodate all.The property is very narrow therefore this is the only part of the home we can make larger.

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

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

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

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

Signature: Russell Hoffmann

STATE OF FLORIDA
COUNTY OF CITRUS
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared Russell Huffmann, who is personally known to me or provided FL DL as identification and who did not take an oath.

WITNESS my hand and official seal this 26 day of April, 2021.

Susan Wright
Printed Name Susan Wright
Notary Public - State of Florida

Seal

SUSAN WRIGHT
Commission # GG 322394
Expires April 10, 2023
Bonded Thru Troy Fain Insurance 800-385-7019

For Staff Use Only
Date: 4/26/2021
Time:
Initials: SW

ATF:
QTR:
LUD:
FZ:

V-21-09

Attachment: Applicant's submittal (13051 : V-21-09 Russell Hoffman)

Board of County Commissioners
DEPARTMENT OF GROWTH MANAGEMENT
LAND DEVELOPMENT DIVISION
3600 W. Sovereign Path, Suite 140
Lecanto, FL 34461
Telephone: (352) 527-5239
TTY Dial 711
Web Address: www.citrusbocc.com

AUTHORIZATION

APPLICATION REQUEST: (check one)

✓ Variance _____Conditional Use _____Minor Subdivision ____Lot Reconfiguration

_____Plat Vacation _____Street Vacation _____Comprehensive Plan Amendment

_____Atlas Amendment _____Other (specify): Set Back

LEGAL DESCRIPTION OF PROPERTY:

Section 16E Township 19S Range 25 Alternate Key # 1938996

Lot/Parcel 37 Block _____

Subdivision Riverhaven Village

I, Wendy A Hoffmann, owner of the above described property,
(Name of Owner)

authorize Russell Hoffmann of RS Hoffmann Const Inc
(Name of Representative) (Name of Business)

serve as agent on my behalf for the purpose of making application for the proposed request. No further authorization is expressed or implied, than that which is described herein.

SIGNATURE: Wendy Hoffmann
(Signature of Owner)

STATE OF FLORIDA
COUNTY OF CITRUS

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

WITNESS my hand and official seal this 28 day of April, 2021

Janine Moore
Printed Name

Janine Moore
Notary Public - State of Florida

JANINE MOORE
MY COMMISSION # GG 198785
EXPIRES: May 2, 2022
Bonded Thru Notary Public Underwriters

V-21-09

Attachment: Applicant's submittal (13051 : V-21-09 Russell Hoffman)

Altkey: 1938996
HOFFMAN RUSSELL S

Parcel ID: 16E19S250010 00340 0370
11615 W RIVERHAVEN DR , HOMOSASSA

Citrus County Property Appraiser, Cregg E. Dalton

PC Code	0100 - SINGLE FAMILY
Bldg Counts	Res 1 / MH 0 / Comm 0
Nbhd	2172 - GASPARELA CAY & VILLA LOTS
Tax District	00WD - HOMOSASSA SPECIAL WATER
Subdivision	001584 - RIVERHAVEN VILLAGE
Short Legal	RIVERHAVEN VLG PB 9 PG 31 LOT 37 BLK 34
Est. Parcel Sqft	5,041
Est. Parcel Acres	.12
Map SC-TW-RG	30-19S-17E

Mailing Address

Name	HOFFMAN RUSSELL S
Mailing Address	11615 W RIVERHAVEN DR HOMOSASSA FL 34448

All Owners

Name		Owner Type
HOFFMAN RUSSELL S		TR - Trustee
HOFFMANN WENDY A		TR - Trustee
RUSSELL S HOFFMANN AND WENDY A HOFFMANN	REVOCABLE TRUST UTD 10 13 15	RT - Revocable Trust

Value History and Tax Amount

Year	Land Value	Impr Value	Just Value	Non-Sch. Assessed	Non-Sch. Exemptions	Non-Sch. Taxable	HX Savings	Tax Amount	Tax Link
2020	$56,000	$157,390	$213,390	$206,603	$50,000	$156,603	$6,787	$2,769.70	Link
2019	$56,000	$138,224	$194,224	$194,224	$0	$194,224	$0	$3,258.72	Link

Buyer Beware!

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

V-21-09

Special Assessment

Project #	Description	Amount
0003	RIVERHAVEN VILLAGE	$33.10

Attachment: Applicant's submittal (13051 : V-21-09 Russell Hoffman)

HVAC	109 - HEAT PUMP
Stories	1
Floor System	01 - CONC. SLAB
Roof Frame	01 - GABLE
Roof Cover	09 - CUSTOM FIBERGLASS
Fuel	1 - ELECTRIC
Bedrooms/Full Baths/Half Baths	2/2/
Addl Fixtures	
FPL: Stacks/Openings	1 / 1

RCN

RCNLD

Additions to Base Area

Building	Description	Year Built	Area
1	MAIN BULDING	1980	1,269
1	GARAGE FINISHED	1980	506
1	OPEN PORCH FIN	1980	52
1	SCR PORCH FIN	1980	143

Miscellaneous Improvements

Building #	Line	Description	Year Built	L	W	Units	Area	Value
1	1	BOAT DOCK AVERAGE WOOD-[1-SF]	1980	12	16	1	192	
1	2	CONCRETE PATIO NO FOOTER-[1-SF]	1980	6	26	1	156	
1	3	SEA WALL RIP-RAP/ROCK/SANDBAG-[2-LINEAL]	2011			1	40	
1	4	BLT STRADDLE HOIST-[3-UNIT]	2019			1	1	

Total Misc Value

Attachment: Applicant's submittal (13051 : V-21-09 Russell Hoffman)

V-21-09

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 11615 W Riverhaven Dr			Policy Number:
City Homosassa	State Florida	ZIP Code 34448	Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: _____ Vertical Datum: NAVD'88

Indicate elevation datum used for the elevations in items a) through h) below.

☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.

		Check the measurement used.	
a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	6.8	☒ feet	☐ meters
b) Top of the next higher floor		☒ feet	☐ meters
c) Bottom of the lowest horizontal structural member (V Zones only)		☒ feet	☐ meters
d) Attached garage (top of slab)	6.8	☒ feet	☐ meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	7.3	☒ feet	☐ meters
f) Lowest adjacent (finished) grade next to building (LAG)	6.0	☒ feet	☐ meters
g) Highest adjacent (finished) grade next to building (HAG)	6.6	☒ feet	☐ meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support		☒ feet	☐ meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. *I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.*

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☐ Check here if attachments.

Certifier's Name WALLACE L. HIGGINS	License Number 5832		Place Seal Here
Title PRESIDENT/PSM			
Company Name GULFWEST SURVEYING, INC.			
Address 9649 W GREEN BAY LANE			
City CRYSTAL RIVER	State Florida	ZIP Code 34428	
Signature William L Higgins	Date 03-22-2021	Telephone (352) 563-1252	Ext.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

C2e) A/C on concrete

Attachment: Applicant's submittal (13051 : V-21-09 Russell Hoffman)

Re: V-21-09 Russell Hoffman
11615 W. Riverhaven Drive
Homosassa, FL 34448
6/14/21

Regarding the above mentioned application for setback variance:

I bought my home 25 years ago for its water access to the Gulf of Mexico, and for the beautiful canal water view. I'm assuming that new Riverhaven homebuyers must sign documents at closing, affirming that they will abide by the HOA restrictions. This was the case when I closed on my home.

The HOA's established setbacks are to ensure that everyone can enjoy their property without neighbors' additions impeding their view.

For this reason, I cannot advocate changing the setback requirements. Once a variance is granted for one property, others could follow suit, thereby ruining the lovely neighborhood and the water views, which would in turn cause devaluation of property values.

I reject endorsement of the variance.

Carmie C. Pierce
11553 W. Riverhaven Drive
Homosassa, FL 34448

RECEIVED
JUN 17 2021
V-21-09
Land Development Division

Attachment: Public input (13051 : V-21-09 Russell Hoffman)

V-21-09

Russell Hoffmann

Attachment: Coordinator PowerPoint (13051 : V-21-09 Russell Hoffman)



Attachment: Coordinator PowerPoint (13051 : V-21-09 Russell Hoffman)



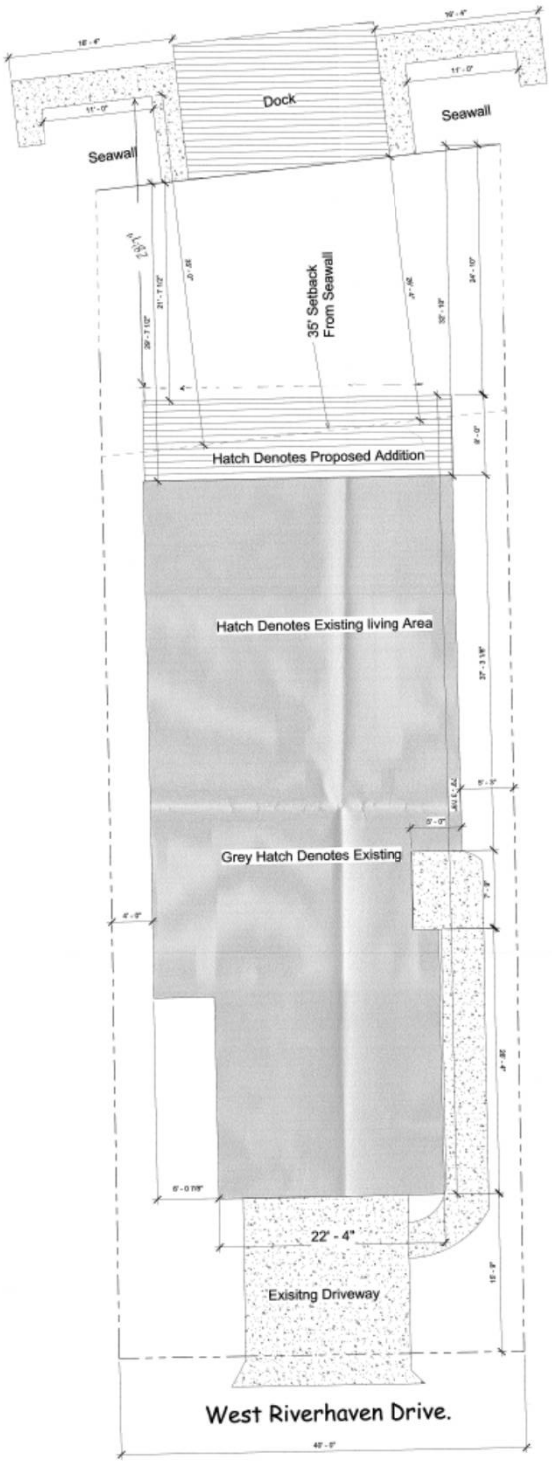
Attachment: Coordinator PowerPoint (13051 : V-21-09 Russell Hoffman)



Attachment: Coordinator PowerPoint (13051 : V-21-09 Russell Hoffman)



Attachment: Coordinator PowerPoint (13051 : V-21-09 Russell Hoffman)



1 Site
3/16" = 1'-0"

RECEIVED
V-21-09

SD-2

Site Plan
6134--Hoffmann
DdF
12/10/20

Hoffmann Construction
Russ Hoffmann
11615 W. Riverhaven Drive.
homosassa, FL 34448

RoMac BUILDING SUPPLY
LIC. # CBC1252465
700 East Main Street PH: (352) 314-3197
Leesburg, FL 34748 Romaclumber.com

CUSTOMER REVIEW SET
NOT FOR CONSTRUCTION

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V-21-09

Russell Hoffmann

Attachment: Planner PowerPoint (13051 : V-21-09 Russell Hoffman)



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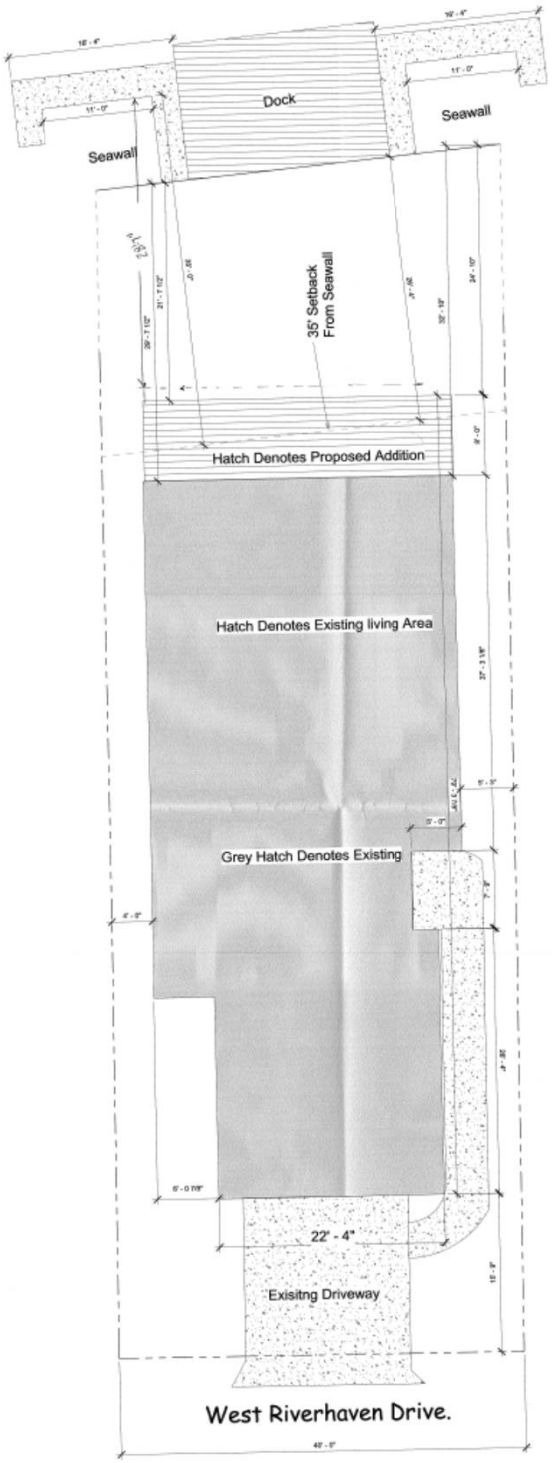
iges 37, 51, 52 and 53, as adopted by Resolution #
–61, adopted by the Citrus County Board of County
mmissioners on October 29, 1974 and recorded in
ficial Records Book 384, Page 306, of the Public
cords of Citrus County, Florida.

PLAT

LEGEND:

- FOUND 4"X4" CONCRETE MON (NO IDENTIFICATION) Except
- FOUND 5/8" IRON ROD & C (NO IDENTIFICATION) Except
- SET IRON ROD & CAP (LB 7
- DESCRIPTIVE POINT (NOT FOUND, NOT SET)
- ELECTRIC BOX
- TELEPHONE WIRE BOX
- CABLE BOX
- WATER METER
- BRICK PAVERS
- CONCRETE
- WOODEN DECKING
- COVERED (ROOF)
- (C) CALCULATED
- (P) PLAT
- (F) FIELD MEASURED
- (LB) LICENSED BUSINESS
- (T.B.M.) TEMPORARY BENCHMARK
- (EL.) ELEVATION
- (MHWL) MEAN HIGH WATER LINE O
- (R/W) RIGHT OF WAY

Attachment: Planner PowerPoint (13051 : V-21-09 Russell Hoffman)



Site
3/16" = 1'-0"

RECEIVED
V-21-09

SD-2

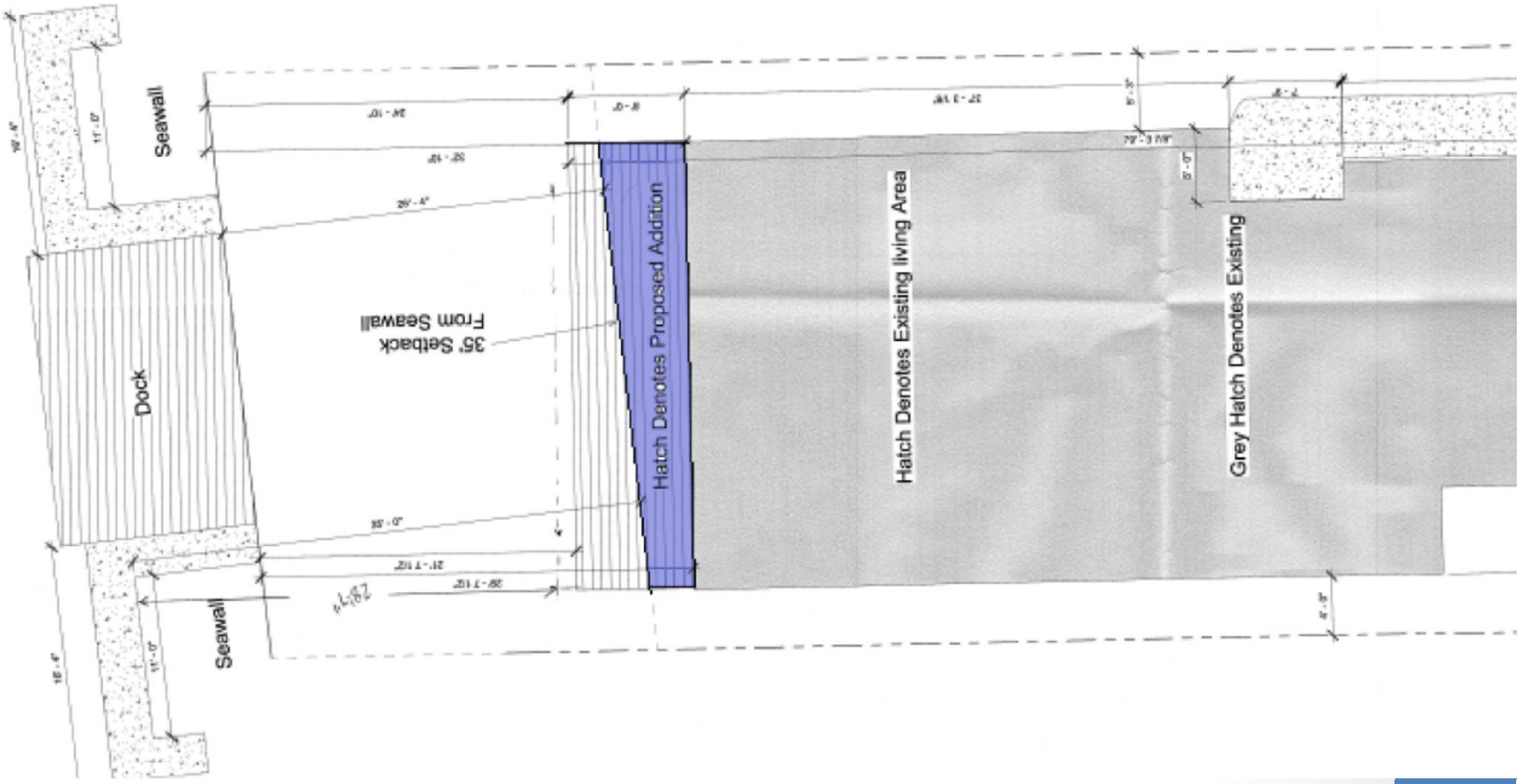
Site Plan
6134--Hoffmann
DdF
12/10/20

Hoffmann Construction
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Attachment: Planner PowerPoint (13051 : V-21-09 Russell Hoffman)

AGENDA MEMORANDUM

FROM:	Michael Sherman, AICP Growth Management Director
SUBJECT:	CU-21-05 Brenda McKenzie for Perrone et al
AGENDA DATE:	**July 15, 2021**

BRIEF OVERVIEW:

This request is for a Conditional Use to allow for mini-warehouses in the General Commercial District, pursuant to Section 2412, General Commercial District, as specified in the LDC.

BUDGET IMPACT/FUNDING SOURCE:

RECOMMENDED ACTION:

Conduct a public hearing on July 15, 2021 to review and consider CU-21-05, Brenda McKenzie for Perrone, et al

PM2-21-49

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

CONDITIONAL USE APPLICATION NO. - CU-21-05 Brenda McKenzie
DATE: June 18, 2021
PREPARED BY: Miranda Anaya, Senior Planner; Land Development Division MA

CONDITIONAL USE REQUESTED	This request is for a Conditional Use to allow for mini-warehouses in the General Commercial District, pursuant to Section 2412, General Commercial District, as specified in the LDC. Specifically, the applicant is requesting mini-warehouses/self-storage buildings.
SUBJECT PROPERTY	Sections 5, Township 19 South, Range 18 East, more specifically, Lots 17, 18, 19, 20, 21, of James A. Gaynor unrecorded subdivision; also known as Alternate Key Number 2907487, which addresses are 4173, 4157, 4135, 4107 and 4165 W. Gulf to Lake Hwy., Lecanto, Florida.
ACREAGE	Approximately 3.74 acres
LDC ATLAS DESIGNATION	GNC, General Commercial District and PSO, Professional Services/Office District
FLOOD ZONE	According to the Flood Insurance Rate Map (FIRM), the subject property appears to be located in Flood Zone X.
SURROUNDING LDC ATLAS DESIGNATIONS	North – PSI, Public/ Semi-Public, Institutional District South – GNC, General Commercial District; PSO, Professional Services/Office District East – TCU, Transportation/Communication/Utilities District West – PSI, Public/ Semi-Public, Institutional District
SURROUNDING FLUM DESIGNATIONS	North – PSI, Public/ Semi-Public, Institutional District South – GNC, General Commercial District; PSO, Professional Services/Office District East – TCU, Transportation/Communication/Utilities District West – PSI, Public/ Semi-Public, Institutional District
SURROUNDING EXISTING LAND USE	North – Seven Rivers Church Southwest – Stormwater Pond; vacant lots; collision center East – Duke Energy Transmission lines West – Seven Rivers Church
CHARACTERISTICS OF THE SURROUNDING AREA	The subject property is commercial, and the surrounding areas are operating as non-residential. There are no existing mini-warehouses in the area.

Attachment: Staff report and locator map (13052 : CU-21-05 Brenda McKenzie for Perrone et al)

BACKGROUND AND ANAYLSIS:

The subject property is part of James A. Gaynor unrecorded subdivision in Lecanto, located on the east side of W. Gulf to Lake Hwy. (SR-44), a 100-foot-wide Principal Arterial roadway. The subject property is triangular shaped and is adjacent to Seven Rivers Christian School to the northwest and the Duke Energy powerlines to the east. The site currently contains a paved driveway and some cleared areas, but some of the land remains wooded. The property is in the Interchange Management Area (IMA) and in the Planned Service Area (PSA). This property also received a Special Exception approval to use fill from Lot 19 for Lot 20 (SE-86-15).

The applicant is requesting three mini-warehouse buildings as displayed on the Master Plan. Building A at 20,350 square feet, Building B at 16,500 square feet, and Building C at 12,150 square feet.

The applicant is also requesting maximum allowable square footages:

Proposed Items	Master Plan with plan delineated	Requested text max allowables without plan delineation
Building Areas	49,000 sf	50,000 sf
Asphalt Areas	39,166 sf	45,000 sf
"57 Rock"	----------	6,000 sf
Total Impervious Area	88,166 sf	101,000 sf
Impervious Surface Ratio	54.12%	62.00%

Mini-warehouses are allowed in the General Commercial District (GNC) with a Conditional Use. A Conditional Use expresses an ability for a use to be compatible with the land and the surrounding areas with conditions. This property is predominately GNC with some Professional Service/Office (PSO) in the rear. Mini-warehouses are not allowed in the PSO district so the applicant is proposing drainage in that area. No outside sales/storage are proposed.

With the proposed conditions in this staff report, this use will meet the intent of the Comprehensive Plan and Land Development Code while providing safeguards to the surrounding area and development standards. Staff can support the proposed buildings and use as shown on the Master Plan. Staff cannot the support the text maximum allowables on the Master Plan. The Master Plan shows approximately 88,166 sf but the maximum allowables will grant the project 101,000 sf, that is a difference of 12,834 square feet of impervious not on the Master Plan. Analyzing the GNC portion with the required buffers, loading zones, possible cross access, and all the other aspects the applicant will have to meet at the time of permitting not shown on the plan, it appears the site is near its maximum development without the maximum allowables.

The applicant has agreed to meet LDC Section 3740 and provide a Type C buffer along SR-44. The IMA also has criteria the site will need to meet at permitting including access management, landscaping, buffering, exterior lighting, pedestrian circulation, and signage. The applicant has stated that drainage and solid waste will be addressed at permitting. A dumpster location has not been specified. The applicant has indicated they will connect to central water and will obtain a septic system permit from Environmental Health. This property is located in the PSA, so when central sewer is available, the owner will have 365 days to connect. The applicant submitted a revised Master Plan removing a cross-access connection to the northwest property which is discussed further in this report.

Attachment: Staff report and locator map (13052 : CU-21-05 Brenda McKenzie for Perrone et al)

Consistency with the Comprehensive Plan - All development applications shall demonstrate complete compliance with the Comprehensive Plan. The application is consistent with the Comprehensive Plan goals, policies, and objectives including:

Policy 17.2.7 The County shall guide future development to the most appropriate areas, as depicted on the GFLUM, specifically those with minimal environmental limitations and the availability of necessary services.

Staff Comment: *The subject property has the GNC designation. Mini-warehouses may be allowed in the GNC land use district with a Conditional Use. The proposed development will be surrounded by other non-residential uses.*

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.

Objective 17.15 The County shall encourage the reduction of uses incompatible and/or inconsistent with individual community's character and designated future land uses by requiring performance standards are met in the County LDC which will reduce negative impacts.

Staff comment: *Staff can support the mini-warehouses delineated on the Master Plan, however, not the maximum impervious areas proposed in order to ensure that performance standards will be met.*

Consistency with the Land Development Code (LDC) - Staff reviewed this application under the standards of Section 2412, General Commercial District, as specified in the LDC, Section 3745, Design Standards for Small Non-Residential Development Projects, as specified in the LDC, as well as Section 7400, Interchange Management Areas, as specified in the LDC. The applicant has not requested any deviations from LDC requirements. At the time of permitting, if approved, the site plan will be required to meet all LDC standards.

Access Management/Transportation: The submitted site plan indicates the existing driveway that takes access from W. Gulf to Lake Hwy., will be extended. Staff cannot locate any permits associated with the driveway. The submitted site plan also indicates a requested deviation of no cross-access to the adjacent property to the northwest (the superseded Master Plan had cross-access). Cross access is required in Section 7100 and also in the Interchange Management Area, LDC Section 7400.

The Engineering Division has provided the following comments:

- In accordance with Sections 7100.D, Access Management, and 7400.D.1.c, Interchange Management Areas-Access Management, this project would require the construction of a minimum 20-foot wide paved access (cross access) aisle from the project driveway to the west property line. The access must meet the throat distance requirements of Section 7140.C, of the LDC.
- In accordance with Section 7400.D.1.b, Interchange Management Areas-Access Management, the driveway spacing is 660 feet. The site plan does not provide the proposed driveway spacing.

Attachment: Staff report and locator map (13052 : CU-21-05 Brenda McKenzie for Perrone et al)

If the 660-ft separation cannot be met, then access can be granted as an interim access through standards referenced in Section 7400.D.1.e .

- Regional stormwater as referenced in Section 7400.C.1 is not available in this area.
- Engineering Division recommends approval with the condition that cross access is provided per the LDC.

Impervious Surface Ratio/Floor Area Ratio: Per Section 2412 of the LDC, the maximum Impervious Surface Ratio (ISR) for GNC and PSO is 70%. The submitted site plan indicates a proposal of 54.12% which meets LDC requirements. The applicant is also proposing a 62.00% maximum ISR. The applicant states the request is because of possible changes based on soil borings, topography, and other elements. Staff can support an ISR of 55.0% giving the applicant almost 1,500 square feet of impervious surface more than what is currently shown on the Master Plan.

Note: The superseded and proposed master plan has an asphalt area of 39,166 sf. The superseded master plan had a 20' foot wide cross access. Of the 54.12% ISR, it appears the 39,166 sf of asphalt is with cross access included.

The maximum Floor Area Ratio (FAR) per LDC Section 2412 is 1.0. The submitted site plan indicates FAR proposed at 0.3.

Landscaping/Buffers: The Master Plan indicates a proposed 10-foot-wide buffer all around the property and no buffer between internal site and retention area; however, the applicant has stated they will meet required buffers. The applicant will meet Land Development Code for buffers and will have a 10-foot-wide Type A abutting Seven Rivers Church.

LDC buffer requirements:

Location on site	LDC Standard
North abutting Seven Rivers Church (PSI)	5' sodded Strip
East abutting Duke Energy power lines (TCU)	10' Type B
West abutting W. Gulf to Lake Hwy. (SR-44)	25' Type C

This proposal must also comply with the design standards for non-residential development according to LDC Section Section 7400 and Large Non-Residential design projects according to LDC Section 3740 (Projects over 25,000 square feet of Gross Floor Area), including foundation landscaping, DRA buffer, and parking areas.

- Parking areas - If proposing an office, it will need parking, which requires parking area landscaping. Additional buffering to meet the required landscape buffers per the LDC standards may be required at the time of permitting.
- Foundation landscaping - for at least 50% of each façade length located along an improved right-of-way, parking area, or includes a customer entrance. The foundation landscaping must be installed per LDC standards at the time of permitting.
- Type C buffer shall be adjacent to improved rights-of-ways, parking spaces, and/or access drives with an approved DRA.

Attachment: Staff report and locator map (13052 : CU-21-05 Brenda McKenzie for Perrone et al)

Parking Spaces Required: The Master Plan is not proposing any office space and the mini-warehouses do not require parking spaces. If the applicant pursues an office, the site will need to provide parking at one space per 300 square feet.

Loading zones: The off-street loading requirements are intended to provide minimum standards necessary for loading and unloading of goods for commercial and industrial uses permitted to protect the capacity of the County's street system, to avoid undue congestion resulting from loading and unloading activities, and to lessen unnecessary conflicts between trucks and other vehicles. Depending on the load capacity, the project will need either a 10' by 20' or 12' by 60' area. The three buildings total 49,000 square feet. The LDC requires commercial uses to have loading area ratio of one space for the first 10,000 square feet of gross floor area and one for each additional 20,000 square feet. Loading areas are not shown on the Master Plan but will need to be provided at the time of permitting.

Façade Standards: According to LDC Section 3745 d.1, any elevation of the building that fronts on an improved right-of-way shall meet façade requirements. No deviations are requested, so façade standards will need to be met at the time of permitting including material, entryways, and roof standards.

Lighting/Signage: The applicant has not provided any information regarding lighting or signage. These standards would be subject to the criteria outlined within the LDC.

***Tree Preservation*:** As part of the site development plan process, the applicant will need to submit a Tree Preservation Plan that meets the requirements of the Land Development Code at time of permitting.

***Setbacks*:** The minimum building setbacks for structures is 125 feet from the centerline of a principal arterial roadway (32.5 feet from the property line). W. Gulf to Lake Highway is a 185-foot wide Principal Arterial road. The mini-warehouse buildings meet setback requirements.

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.*** The proposed mini-warehouse use in the GNC District does meet the requirements of the Comprehensive Plan and the Land Development Code. The property is zoned GNC and PSO, however, the mini-warehouses will only be located in the GNC portion. LDC standards for Interchange Management Area development and Large Non-residential Development will need to be met at time of permitting.

2. ***The proposed uses and structures would not be incompatible with the uses, structures, and activities on adjacent and nearby lands.*** The surrounding area is predominantly non-residential in nature.

Attachment: Staff report and locator map (13052 : CU-21-05 Brenda McKenzie for Perrone et al)

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.*** As proposed, the Impervious Surface Ratio (ISR) will not exceed the ISR of 55 percent in the GNC District. Staff cannot support an ISR above this as submitted in the supplemental text.

   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 site is located along W. Gulf to Lake Hwy. (SR-44), a Principal Arterial classified roadway. The applicant wishes to deviate from the cross-access requirement, but the Engineering Division does not support this and will require a cross-access connection to the adjacent commercial property to the northwest.

   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 mini-warehouse use is not anticipated to result in noise, odor, glare, vibration, or other similar characteristic detectable at the property line as long as the development standards of the LDC are adhered to.

   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 limit the use or access to 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 site is proposed to be served by central water and if available, the project must connect to central sewer.

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 (if this application is approved):

1. This conditional use shall allow for the construction of three mini-warehouse buildings up to 49,000 square feet as outlined on the Master Plan date-stamped received April 9, 2021, by the Land

Attachment: Staff report and locator map (13052 : CU-21-05 Brenda McKenzie for Perrone et al)

Development Division. Construction shall take place in accordance with the criteria and requirements of the Citrus County Land Development Code, unless as otherwise outlined within these conditions.

2. At the time of permitting, the applicant must demonstrate compliance with development standards in accordance with Chapter 7 including cross access. Cross-access connection shall be accommodated by and not precluded or prohibited by the site design.

3. The site cannot exceed an Impervious Surface Ratio of 55.0% with cross access.

4. At the time of permitting, the applicant must demonstrate compliance with development standards per LDC Section 3740, Design Standards for Large Non-Residential Development Projects; including but not limited to, landscaping, buffering, façade, pedestrian circulation, tree preservation, parking areas, and lighting.

5. At the time of permitting, the applicant must demonstrate compliance with development standards per LDC Section 7400, Interchange Management Areas.

6. A site plan must be submitted to the Land Development Division at the time of permitting indicating compliance with these conditions.

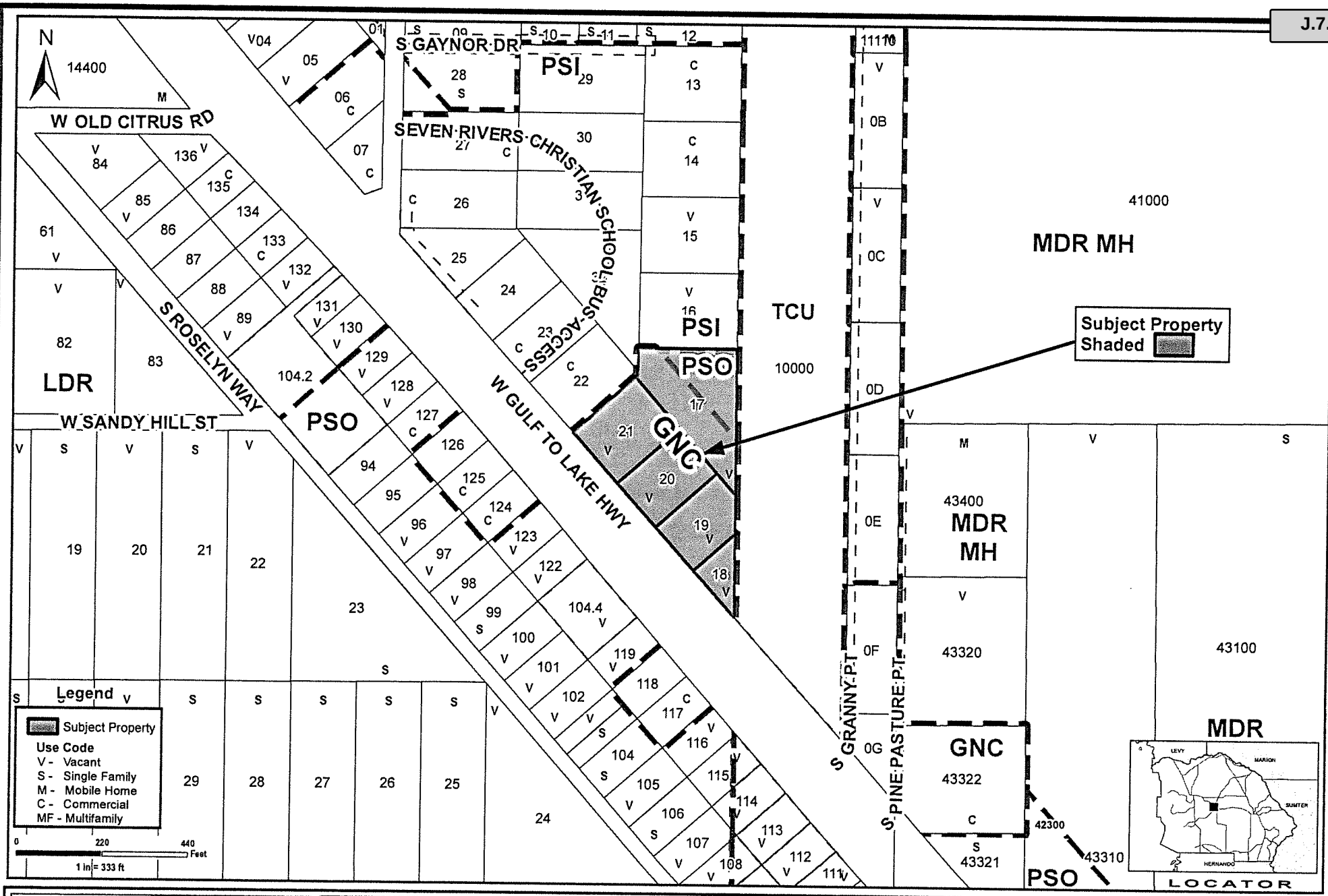
7. Landscaping and design and maintenance shall follow the principles of *Florida Friendly Landscaping*™ and the *Florida Yards and Neighborhoods (FYN) Homeowner Program* to reduce water use and fertilizer runoff. Turf grasses and landscape vegetation shall be common to the area and drought tolerant.

8. Minor modifications to this Planned Unit Development may be approved by the Director of the Land Development Division as outlined within Section 4304, Modification of a Previously Approved Planned Unit Development, as specified in the LDC.

9. Where standards are not specified herein, the Citrus County Land Development Code standards (or current code standards) will apply.

MA/SW/cb

Attachment: Staff report and locator map (13052 : CU-21-05 Brenda McKenzie for Perrone et al)



Application #: CU-21-05	Applicant: Brenda McKenzie
Proposal: Mini-warehouses in GNC district	Location: 4107 W. Gulf to Lake Hwy. Lecanto, 34461
Land Use Atlas: General Commercial (GNC)/Professional Services/Office (PSO)	STR : 05-19-18 NE

Planner Initials: _____ Date: 4/21/21

Geographic Information Systems

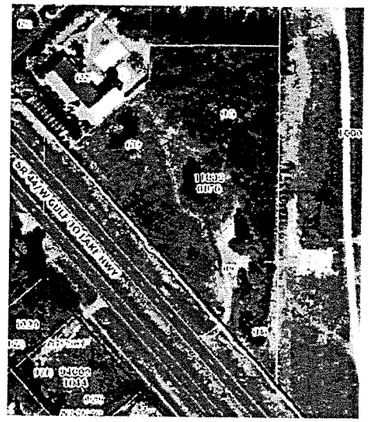
Cynthia P. Skelhorn
Director

Prepared By : William Braunsch
Date: April 21, 2021
Source: Enterprise Geodatabase
Map Number: WB0000564

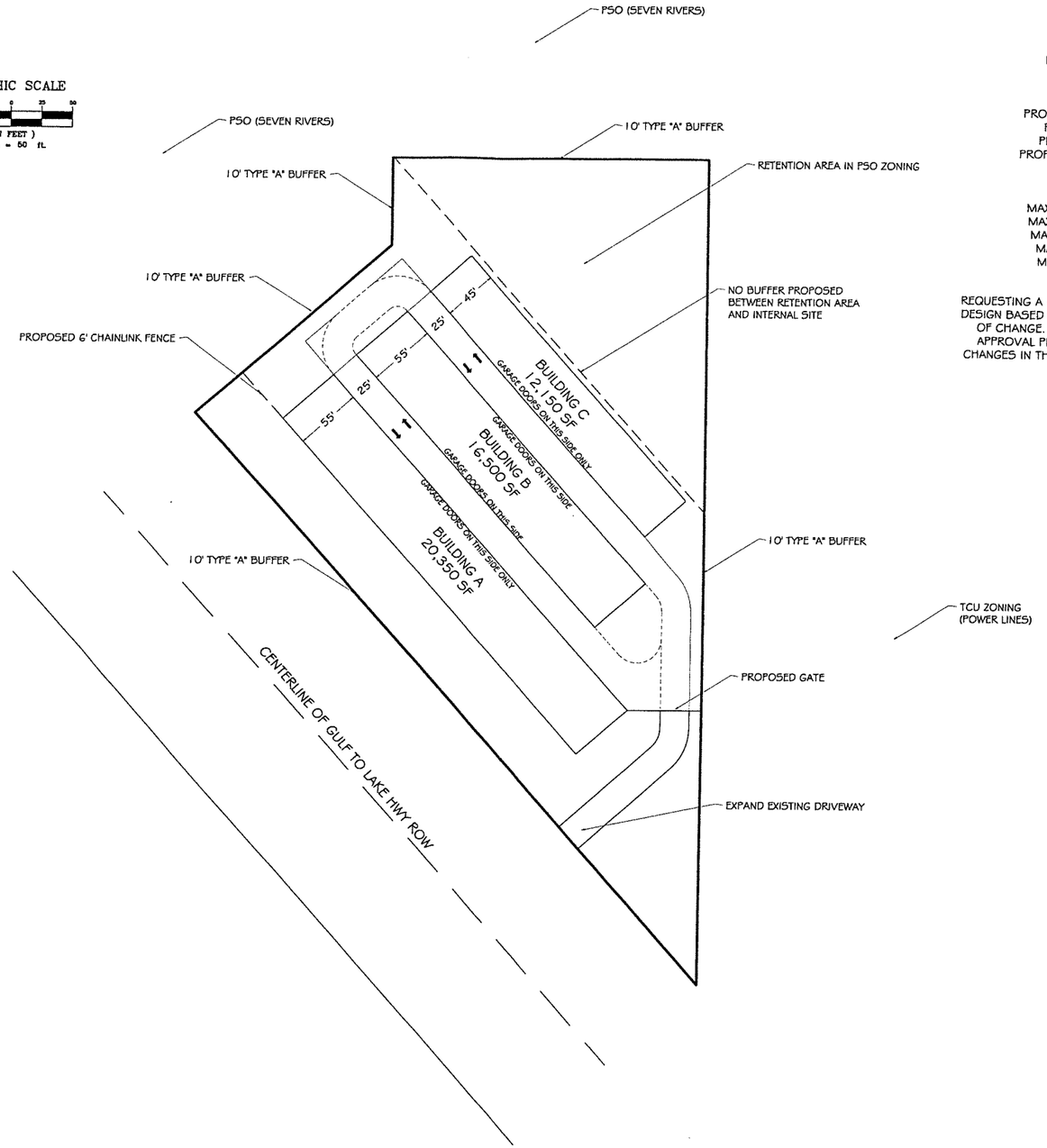
This information is to be used for general purposes only. The Citrus County Geographic Information Systems Division makes every effort to provide accurate data, but is accurate and complete as of the date it is printed. However, all information provided must be independently verified by the user.

Citrus County shall not be liable for any claims, demands, or losses of any kind in connection with the use of the information, including but not limited to, damages or losses caused by reliance upon the accuracy or timeliness of this information and the viewing, copying, or distributing of these materials.

Attachment: Staff report and locator map (13052 : CU-21-05 Brenda McKenzie for Perrone et al)



GRAPHIC SCALE
50 0 25 50
(IN FEET)
1 inch = 50 ft.



SITE DATA

PARCEL AREA = 162,912 SF / 3.74 ACRES

IMPERVIOUS SURFACE AREAS

PROPOSED BUILDING AREAS (A,B,C) = 49,000 SF
PROPOSED ASPHALT AREAS = 39,166 SF
PROPOSED TOTAL IMPERVIOUS = 88,166 SF
PROPOSED IMPERVIOUS SURFACE RATIO = 54.12%

REQUESTED MAX IMPERVIOUS AREAS

MAX BUILDING AREAS (ALLOWABLE) = 50,000 SF
MAX ASPHALT AREAS (ALLOWABLE) = 45,000 SF
MAX 57 ROCK AREAS (ALLOWABLE) = 6,000 SF
MAX TOTAL IMPERVIOUS AREA = 101,000 SF
MAX IMPERVIOUS SURFACE RATIO = 62.00%

REQUESTING A MAXIMUM ALLOWABLE DUE TO POSSIBLE ALTERATIONS IN DESIGN BASED ON SOIL BORINGS, TOPOGRAPHY, AND OTHER ELEMENTS OF CHANGE. PROVIDING A MAX WILL PROVIDE RELIEF TO ANOTHER APPROVAL PROCESS SHOULD CIRCUMSTANCES ON SITE PROVOKE CHANGES IN THIS DESIGN. CONDITIONAL USE IS FOR ALLOWED USE OF SELF-STORAGE.

RECEIVED
CU-2105
APR 09 2021
Land Development Division

DESIGN
MICHAEL D. WILBURN, P.E.
LICENSE NO. 70591

DRAFTING

PREPARED BY:
ENGINEER OF RECORD:
LOCAL ENGINEERING, INC.
MICHAEL D. WILBURN, PH.D., P.E.
PO BOX 938
FLORAL CITY, FL 34436
PHONE (352)-697-5334

ENGINEERING

JOB: 848
DATE: 4/9/21
PAGE 1 of 1
SCALE: 1" = 50'

CONDITIONAL USE SITE PLAN

LOCAL ENGINEERING, INC.

CERTIFICATE OF AUTH.
32355

Attachment: Site plan (13052 : CU-21-05 Brenda McKenzie for Perrone et al)

Board of County Commissioners
DEPARTMENT OF GROWTH MANAGEMENT
LAND DEVELOPMENT DIVISION
3600 W. Sovereign Path, Suite 140
Lecanto, FL 34461
Telephone: (352) 527-5239 TTY Dial 711
Web Address: www.citrusbocc.com

CITRUS COUNTY LAND DEVELOPMENT CODE
CONDITIONAL USE APPLICATION

Application No.: CU-21-05 Date: 3-31-2021

* Written Authorization is required if Applicant is different than Owner. JOSEPHINE PERRONE

Applicant* Name: BRENDA MCKENZIE
Address: 7232 E. GOSPEL ISLAND RD
City: INVERNESS
State: FLORIDA Zip:
Home No.: 726-0809 Cell No.: 352-601-0942
Work No.: 352-601-0942 Fax No.:
Email: mckenziepermitting@gmail.com

Property Owner Name: JULIO SANDOVALL, ET OTHERS / ANNA SANDOVALL
Address: 2734 W. SUNRISE STREET
City: LECANTO
State: FLORIDA Zip: 34461
Home No.: Cell No.: 352-302-5656
Work No.: 352-302-5656 Fax No.:
Email: aministorages@aol.com

Property Description: Section: 05 Township: 19 South Range: 18 East
Legal Description: ACREAGE - METES & BOUNDS
Subdivision: ACREAGE Lot(s): 17 Block/Parcel:
Alternate Key #: 2907487 Parcel ID: 18E19S05110000170
Acreage: 3.74

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 SELF STORAGE/ MINI STORAGES

Describe how it will/will not affect surrounding development: IT IS NEEDED AND ALL REQUIRED BUFFERING WILL BE PLACED AND BE GOOD NEIGHBOR

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
MAR 31 2021
CU-21-05
Land Development Division

Revised July, 2017

Attachment: Applicant's submittal (13052 : CU-21-05 Brenda McKenzie for Perrone et al)

Susan K. Wright

From: Miranda P. Anaya
Sent: Monday, May 24, 2021 4:09 PM
To: Susan K. Wright
Subject: FW: [EXTERNAL]RE: Sufficiency Letter (CU-21-05) / NARRATIVE

Thank You,
Miranda Anaya
Senior Planner
Citrus County Land Development Division
(352)527-5259
Miranda.Anaya@citrusbocc.com

From: Brenda McKenzie
Sent: Monday, May 24, 2021 4:07 PM
To: Miranda P. Anaya
Cc: aministorages@aol.com; aministoages@aol.com
Subject: [EXTERNAL]RE: Sufficiency Letter (CU-21-05) / NARRATIVE

WARNING: This email originated from an external Domain DO NOT CLICK unless you recognize the sender and know the content is safe.

Good Afternoon,

I am responding to your attached SUFFICIENCY LETTER.

Please be advised of the following:

1. This project intends to meet LDC Section 3740 at time of permitting submittal.

2. The buffering along Gulf to Lake Hwy. shall be a Type C Buffer.

3. This project appears to need a septic system, of which they will obtain a permit for the septic system through Citrus County Environmental Health at permitting stage.

Attachment: Applicant's submittal (13052 : CU-21-05 Brenda McKenzie for Perrone et al)

4. This site appears to have central water and owners intend to connect to this supply.

5. Drainage and solid waster will have Civil Engineering plans to address these requirements at permitting.

6. Authorizations forms (new ones) for me to act as Agent will be submitted this week for the new BFB Storage, Inc. owners.

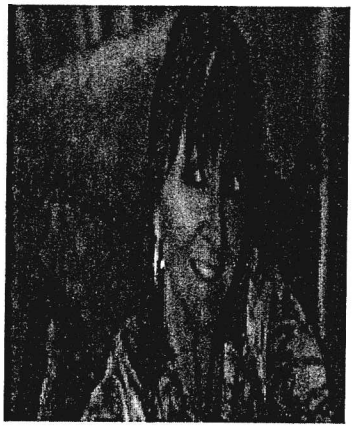
As always, I appreciate you and us working together to obtain this approval.

Thank you very much,

Brenda McKenzie
"Permitting & Real Estate"
7232 E. Gospel Island Road
Inverness, FL 34450
(352) 601-0942

"Happiness is A Choice"

SELLSTATE
NEXT GENERATION REALTY



Attachment: Applicant's submittal (13052 : CU-21-05 Brenda McKenzie for Perrone et al)

From: Cheryl B. Burton
Sent: Thursday, May 13, 2021 1:56 PM
To: mckenziepermitting@gmail.com
Cc: Miranda P. Anaya; Susan K. Wright
Subject: Sufficiency Letter (CU-21-05)

ASSIGNMENT OF REAL ESTATE CONTRACT

KNOW ALL MEN BY THESE PRESENTS, That **MICHAEL FEESER** and **ROBERT BURLEW**, ASSIGNORS, in consideration of the sum of TEN DOLLARS and 00/100 DOLLARS ($10.00), and other valuable considerations to them paid by **BFB STORAGE, LLC**, ASSIGNEE, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, assigned, transferred and set over, and by these presents does grant, bargain, sell, assign, transfer and set over unto the said ASSIGNEE, their heirs and assigns, forever, that certain Real Estate Contract on or about 3/26/21, made by **MICHAEL FEESER** and **ROBERT BURLEW**, as Buyers, and **PAT R. PERRONE** and **JOSEPHINE PERRONE INTERVIVOS TRUST, a Florida Trust**, and **JOSEPHINE PERRONE, Trustee, and JULIO R. SANDOVAL**, as Seller, in the amount of **TWO HUNDRED NINETY THOUSAND and 00/100 DOLLARS ($290,000.00)**, regarding the sale of the following described property located at 4165 W. Gulf to Lake Hwy., Lecanto, FL 34461:

SEE EXHIBIT "A" ATTACHED HERETO.

TO HAVE AND TO HOLD the same unto the said ASSIGNEE, its heirs, legal representatives, successors and assigns forever.

IN WITNESS WHEREOF, ASSIGNOR has hereunto set his hand and seal, this 20 day of May, 2021.

Signed, sealed and delivered
in the presence of:

Assignors:

Michael Feeser 5/20/21
MICHAEL FEESER

5/20/21
ROBERT BURLEW

LISA STRICKLAND
Notary Public, State of Florida
My Comm. Expires December 9, 2023
Commission #GG 934771

LISA STRICKLAND

Assignee:

BFB STORAGE, LLC

Scott Borgeson 5/20/21
SCOTT BORGESON, Mgrm

RECEIVED
MAY 24 2021

CU-21-05

Attachment: Applicant's submittal (13052 : CU-21-05 Brenda McKenzie for Perrone et al)

EXHIBIT A

Lot 17
Commence at the NE Corner of Section 5, TOWNSHIP 19 SOUTH, RANGE 18 EAST, thence S. 89° 34' 42" W. along the North line of said Section 5, 1290.78 feet, thence S. 0° 19' 38" W. 325.00 feet, thence N. 89° 34' 42" E. 625.00 feet, thence S. 0° 19' 38" W. 780.00 feet to the POINT OF BEGINNING, thence N. 89° 34' 42" E. 257.36 feet to the West line of a 295.00 foot wide Florida Power Corporation right-of-way, thence S. 0° 08' 47" E. along said right-of-way 376.81 feet, thence N. 41° 28' 08" W. along a line parallel to the Northerly right-of-way line of State Road No. 44 a distance of 399.86 feet, thence N. 48° 31' 52" E. 7.93 feet, thence N. 0° 19' 38" E. 70.00 feet to the Point of Beginning.
SUBJECT TO an easement across the West 25 feet thereof.
AND
Lot 18
Commence at the NE Corner of Section 5, TOWNSHIP 19 SOUTH, RANGE 18 EAST, thence S. 89° 34' 42" W. along the North line of said Section 5, 1290.78 feet, thence S. 0° 19' 38" W. 929.79 feet to the Northerly right-of-way line of State Road No. 44, thence S. 41° 28' 08" E. along the said Northerly right-of-way a distance of 1068.24 feet to the POINT OF BEGINNING, thence continue S. 41° 28' 08" E. along said Northerly right-of-way 265.86 feet, thence N. 0° 08' 47" W. along the West line of a 295.00 foot wide Florida Power Corporation right-of-way 354.01 feet, thence S. 48° 31' 52" W. 233.75 feet to the Point of Beginning.
AND
Lot 19
Commence at the NE Corner of Section 5, TOWNSHIP 19 SOUTH, RANGE 18 EAST, thence S. 89° 34' 42" W. along the North line of said Section 5, 1290.78 feet, thence S. 0° 19' 38" W. 929.79 feet to the Northerly right-of-way line of State Road No. 44, thence S. 41° 28' 08" E. along the said Northerly right-of-way a distance of 918.24 feet to the POINT OF BEGINNING, thence S. 41° 28' 08" E. along said Northerly right-of-way 150.00 feet, thence N. 48° 31' 52" E. 233.75 feet to the West line of a 295.00 foot wide Florida Power Corporation right-of-way, thence N. 0° 08' 47" W. along said right-of-way 100.32 feet, thence N. 41° 28' 08" W. along a line parallel to said Northerly right-of-way of State Road No. 44, 74.65 feet, thence S. 48° 31' 52" W. 300.00 feet to the Point of Beginning.
AND
Lot 20
Commence at the NE Corner of Section 5, TOWNSHIP 19 SOUTH, RANGE 18 EAST, thence S. 89° 34' 42" W. along the North line of said Section 5, 1290.78 feet, thence S. 0° 19' 38" W. 929.79 feet to the Northerly right-of-way line of State Road No. 44, thence S. 41° 28' 08" E. along the said Northerly right-of-way a distance of 768.24 feet to the POINT OF BEGINNING, thence continue S. 41° 28' 08" E. 150.00 feet, thence N. 48° 31' 52" E. 300.00 feet, thence N. 41° 28' 08" W. along a line parallel to said Northerly right-of-way 150.00 feet, thence S. 48° 31' 52" W. 300.00 feet to the Point of Beginning.
AND
Lot 21
Commence at the NE Corner of Section 5, TOWNSHIP 19 SOUTH, RANGE 18 EAST, thence S. 89° 34' 42" W. along the North line of said Section 5, 1290.78 feet, thence S. 0° 19' 38" W. 929.79 feet to the Northerly right-of-way line of State Road No. 44, thence S. 41° 28' 08" E. along the said Northerly right-of-way a distance of 593.24 feet to the POINT OF BEGINNING, thence continue S. 41° 28' 08" E. 175.00 feet, thence N. 48° 31' 52" E. 300.00 feet, thence N. 41° 28' 08" W. parallel to said Northerly right-of-way 175.00 feet, thence S. 48° 31' 52" W. 300.00 feet to the Point of Beginning.
SUBJECT TO an easement across the Northwesterly 25 feet thereof.

CU-21-05

Attachment: Applicant's submittal (13052 : CU-21-05 Brenda McKenzie for Perrone et al)

LESS AND EXCEPT:

State Road No. 44 – Parcel No. 285

Commence at the NE Corner of Section 5, TOWNSHIP 19 SOUTH, RANGE 18 EAST, Citrus County, Florida, thence S. 89° 33' 56" W. along the North line of said Section 5, a distance of 1280.66 feet to a point on the East right-of-way line of Maylen Avenue, thence S. 0° 19' 59" W. along the East right-of-way line of Maylen Avenue, a distance of 928.61 feet to a point on the Northeasterly right-of-way line of State Road No. 44, thence S. 41° 30' 37" E. along said right-of-way line, a distance of 893.24 feet to the POINT OF BEGINNING, said point being the most Southerly Corner of lands described in deed recorded in Official Record, Book 697, page 1526, public records of Citrus County, Florida, thence continue S. 41° 30' 37" E. along said right-of-way line, a distance of 740.19 feet to a point on a Southerly projection of the West line of lands described in deed recorded in Official Record, Book 173, page 293, public records of Citrus County, Florida, thence N. 0° 09' 19" W. along said Southerly projection and along the West line of said lands, a distance of 149.84 feet, thence N. 41° 30' 37" W. 504.01 feet to the P.C. of a curve, concave Southwesterly, having a central angle of 1° 04' 18" and radius of 17,319.76 feet, thence Northwesterly along the arc of said curve, a distance of 323.76 feet, to a point on the southeasterly line of lands described in deed recorded in said Official Record, Book 697, page 1526, (chord bearing and distance between said points being N. 42° 02' 45" W. 323.76 feet), thence S. 48° 28' 23" W. along said line, a distance of 95.98 feet to the Point of Beginning.

CU-21-05

Attachment: Applicant's submittal (13052 : CU-21-05 Brenda McKenzie for Perrone et al)

Susan K. Wright

From: Miranda P. Anaya
Sent: Monday, June 28, 2021 8:22 AM
To: Susan K. Wright
Subject: RE: [EXTERNAL]CU - 21- - 05 PERRONE AKA BFBSTORAGE

Susan, please add to packet.

From: Brenda McKenzie
Sent: Friday, June 25, 2021 10:15 PM
To: Miranda P. Anaya
Subject: [EXTERNAL]CU - 21- - 05 PERRONE AKA BFBSTORAGE

WARNING: This email originated from an external Domain DO NOT CLICK unless you recognize the sender and know the content is safe.

Good Evening Miranda,

I just wanted to confirm our earlier phone conversation today about this application.
We are asking for one DEVIATION. The owners want to deviate f rom the requirement of having the cross access go to the west abutting the church property.
The justification for this is that the church does not have cross access and this storage facility will be completely fenced off for security.

Please add this deviation to our file.

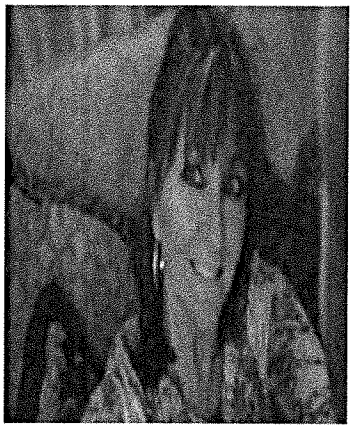
Thank you very much,

Brenda McKenzie
"Permitting & Real Estate"
7232 E. Gospel Island Road
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(352) 601-0942

"Happiness is A Choice"

Attachment: Applicant's submittal (13052 : CU-21-05 Brenda McKenzie for Perrone et al)

SELLSTATE
NEXT GENERATION REALTY



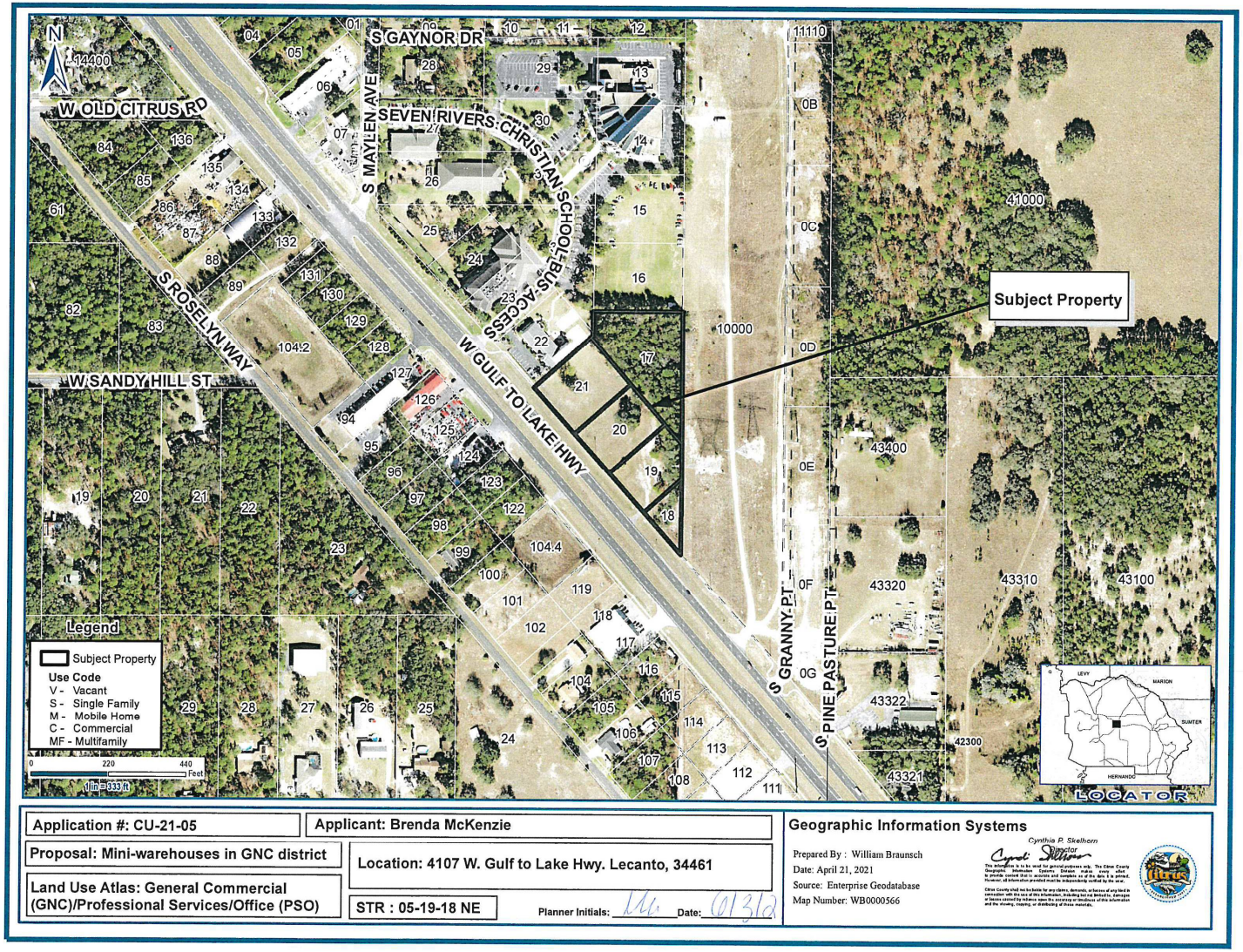
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CU-21-05 Brenda McKenzie

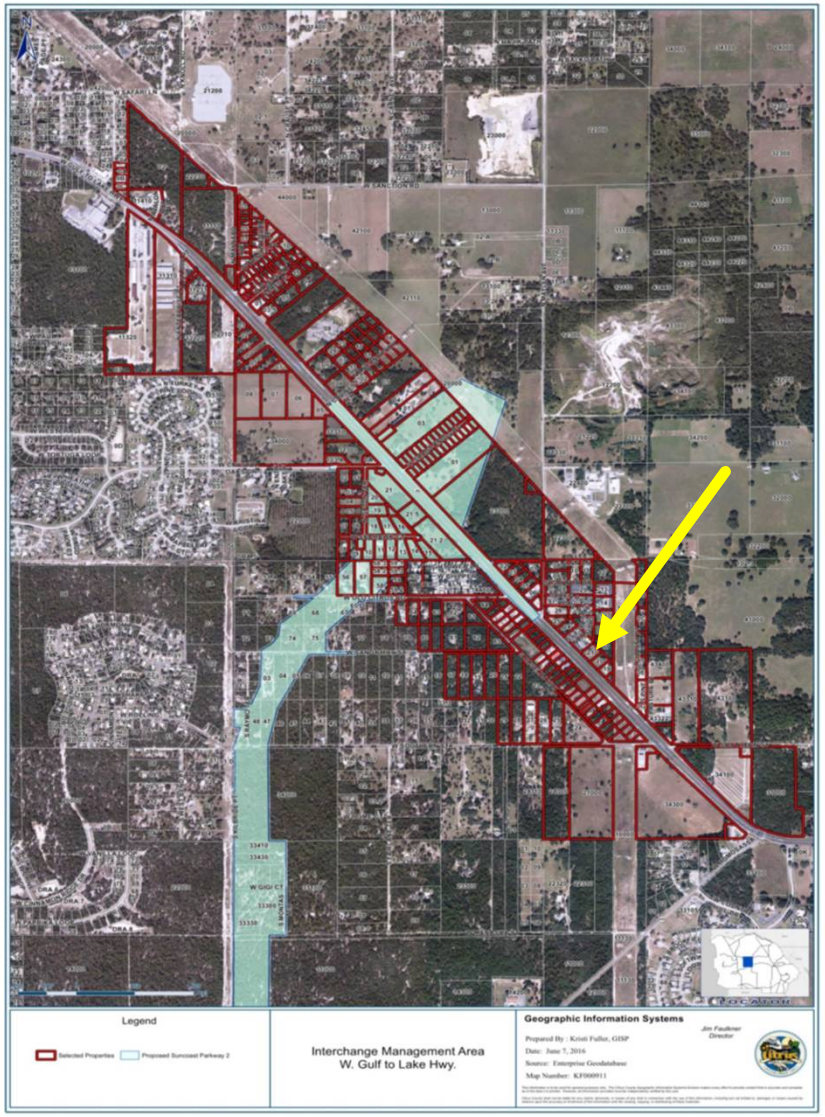
6774 W. Gulf to Lake., Crystal River, Fl



Attachment: Coordinator PowerPoint (13052 : CU-21-05 Brenda McKenzie for Perrone et al)



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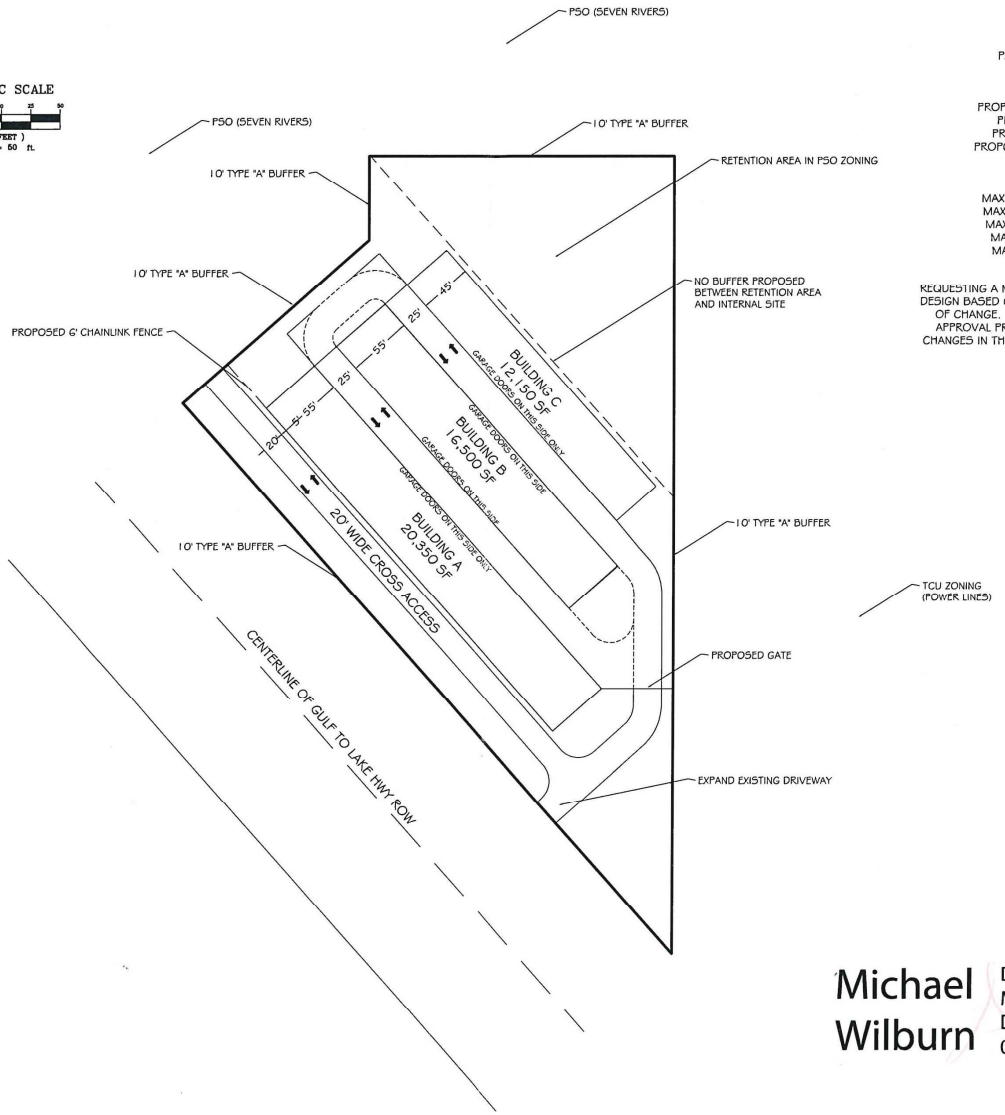


Attachment: Coordinator PowerPoint (13052 : CU-21-05 Brenda McKenzie for Perrone et al)



GRAPHIC SCALE

(IN FEET)
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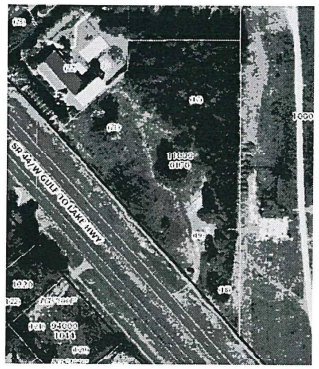
Superceded
4/9/21

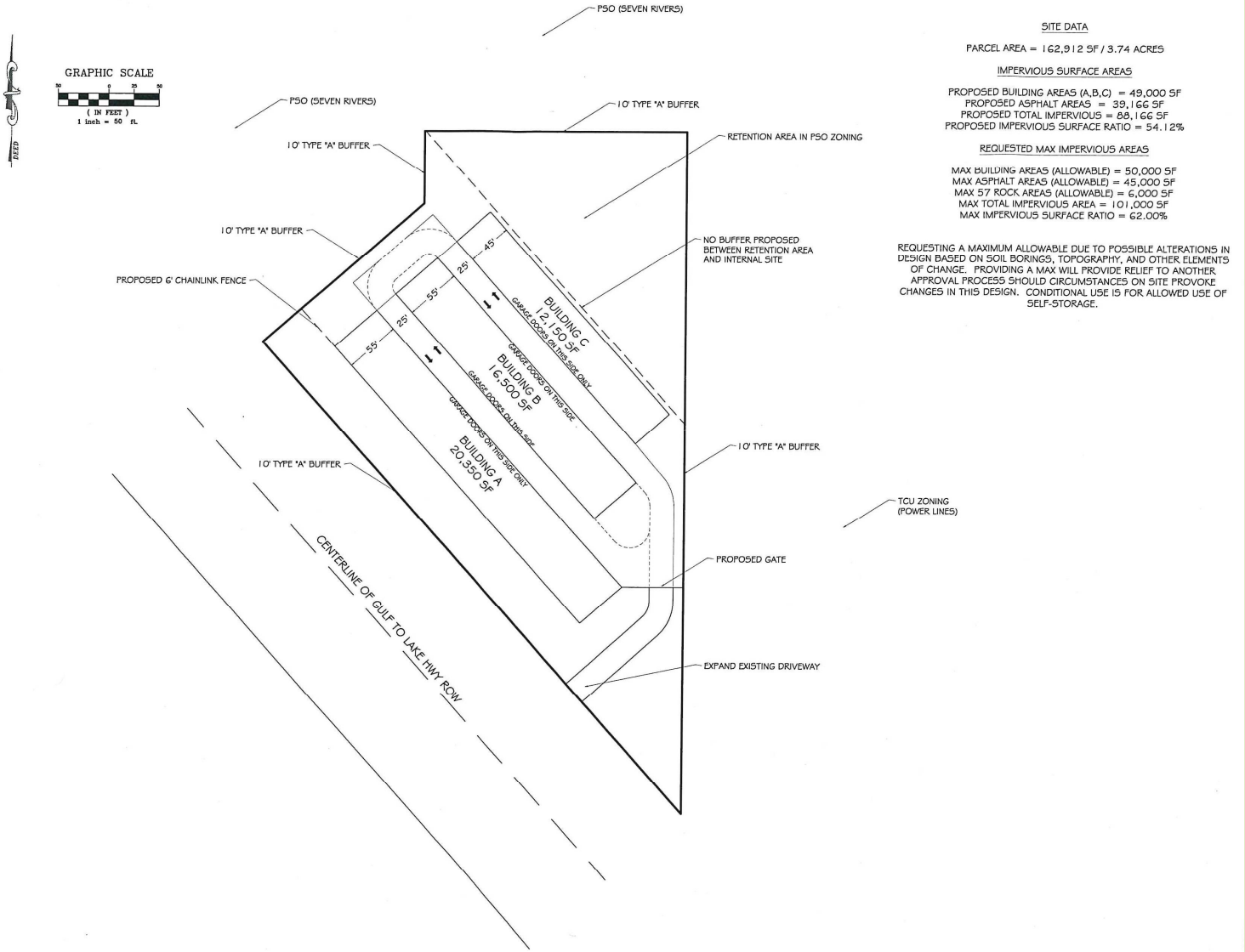
Michael Wilburn
Digitally signed by Michael Wilburn
Date: 2021.03.31 07:23:46 -04'00'

MICHAEL DON WILBURN LICENSE No. 76061 STATE OF FLORIDA PROFESSIONAL ENGINEER

RECEIVED

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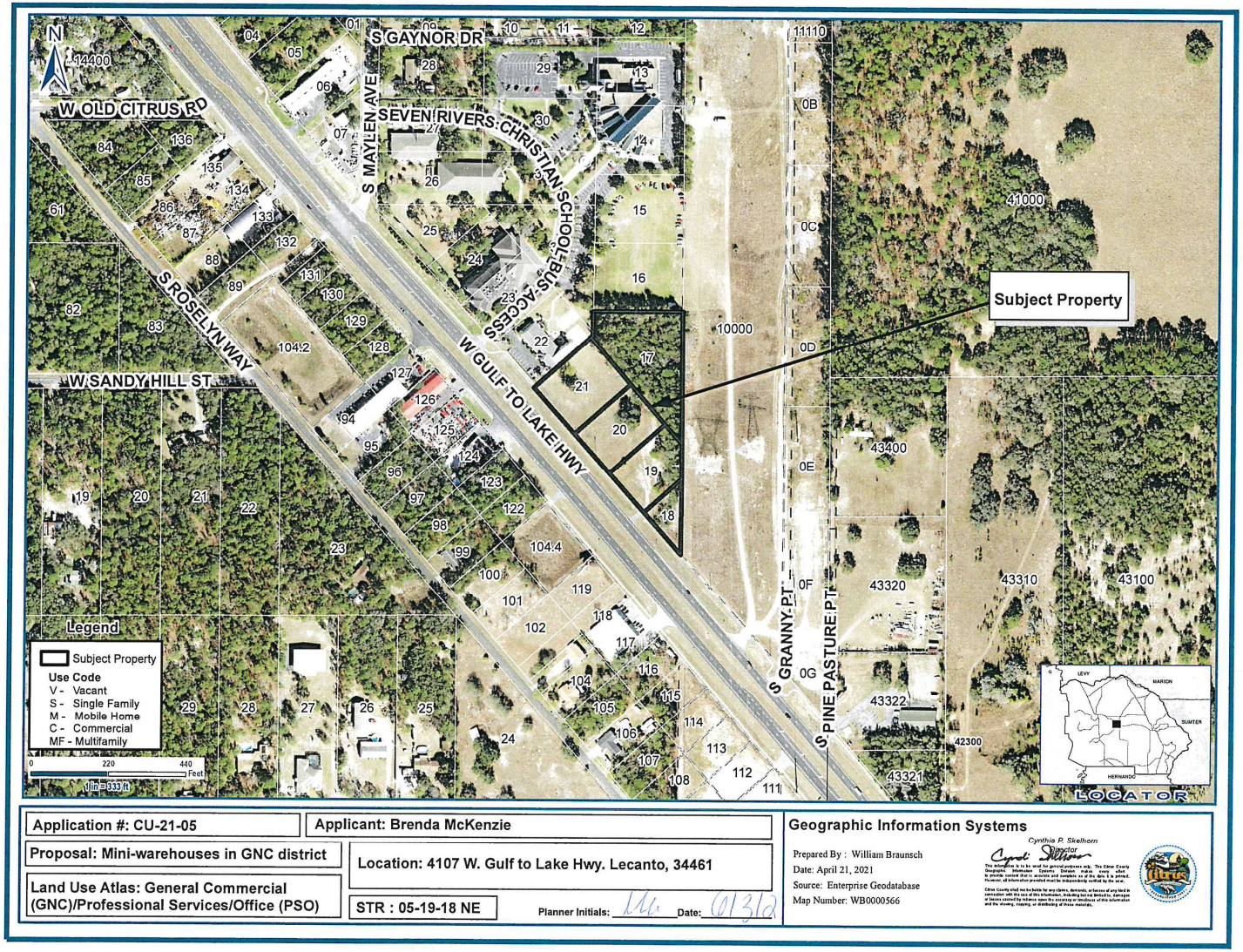
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CU-21-05 Brenda McKenzie

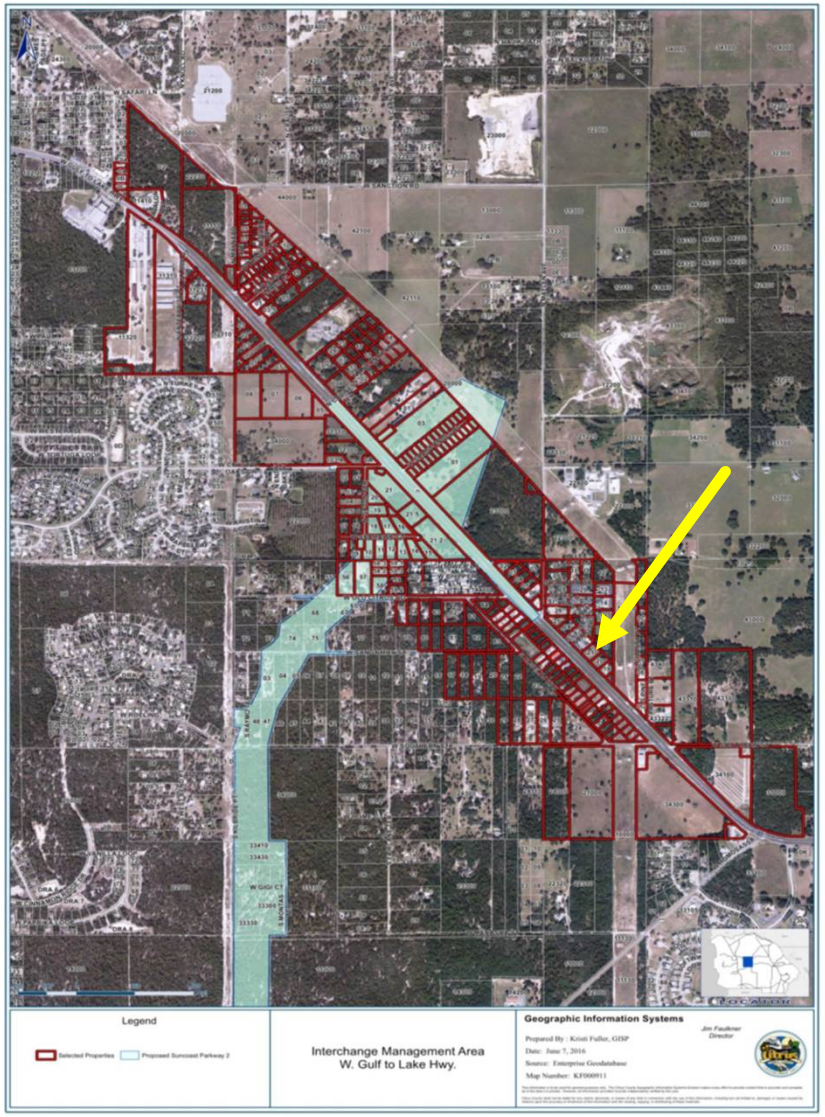
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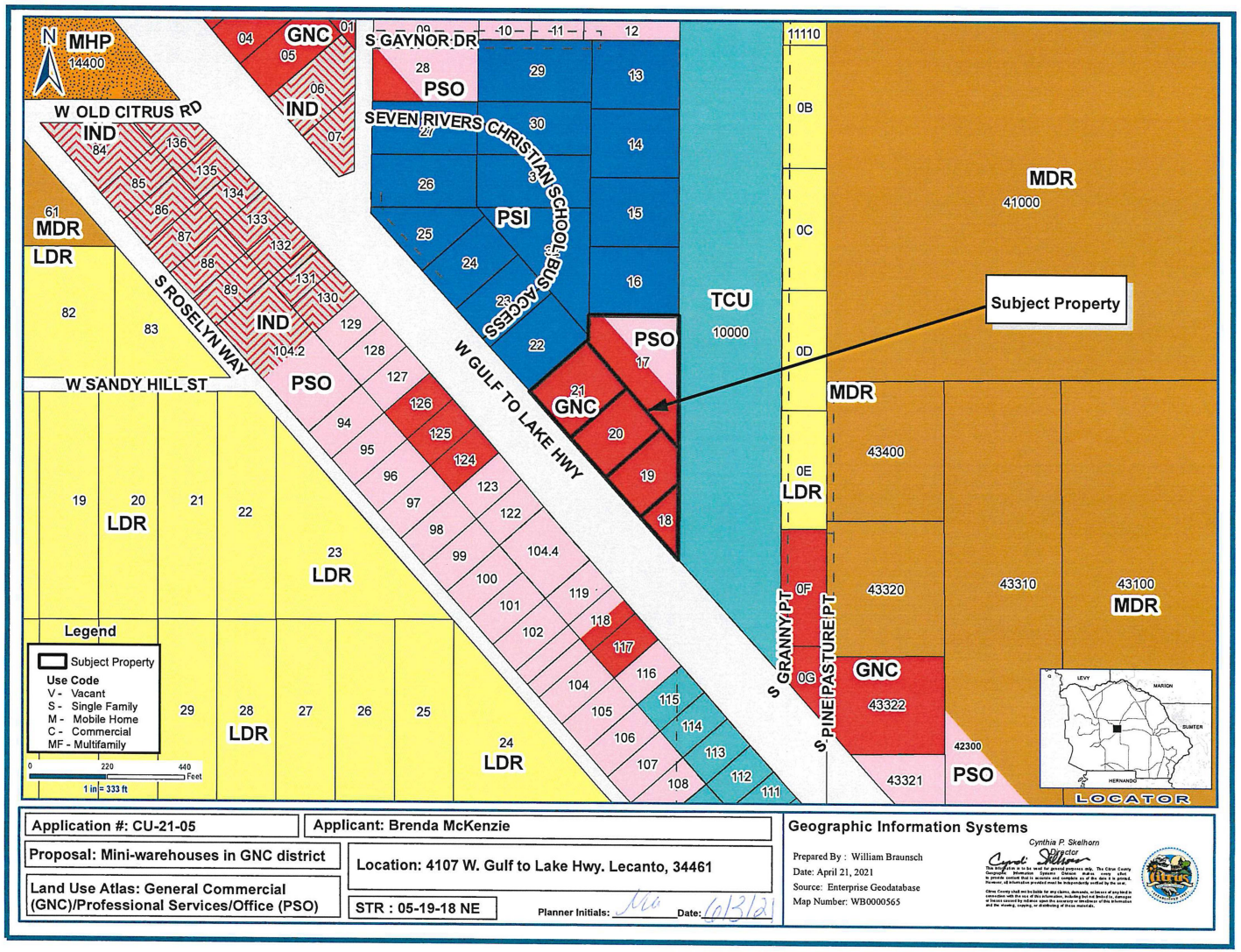


Attachment: Planner PowerPoint (13052 : CU-21-05 Brenda McKenzie for Perrone et al)



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Legend
Interchange Management Area
W. Gulf to Lake Hwy.
Geographic Information Systems



Attachment: Planner PowerPoint (13052 : CU-21-05 Brenda McKenzie for Perrone et al)



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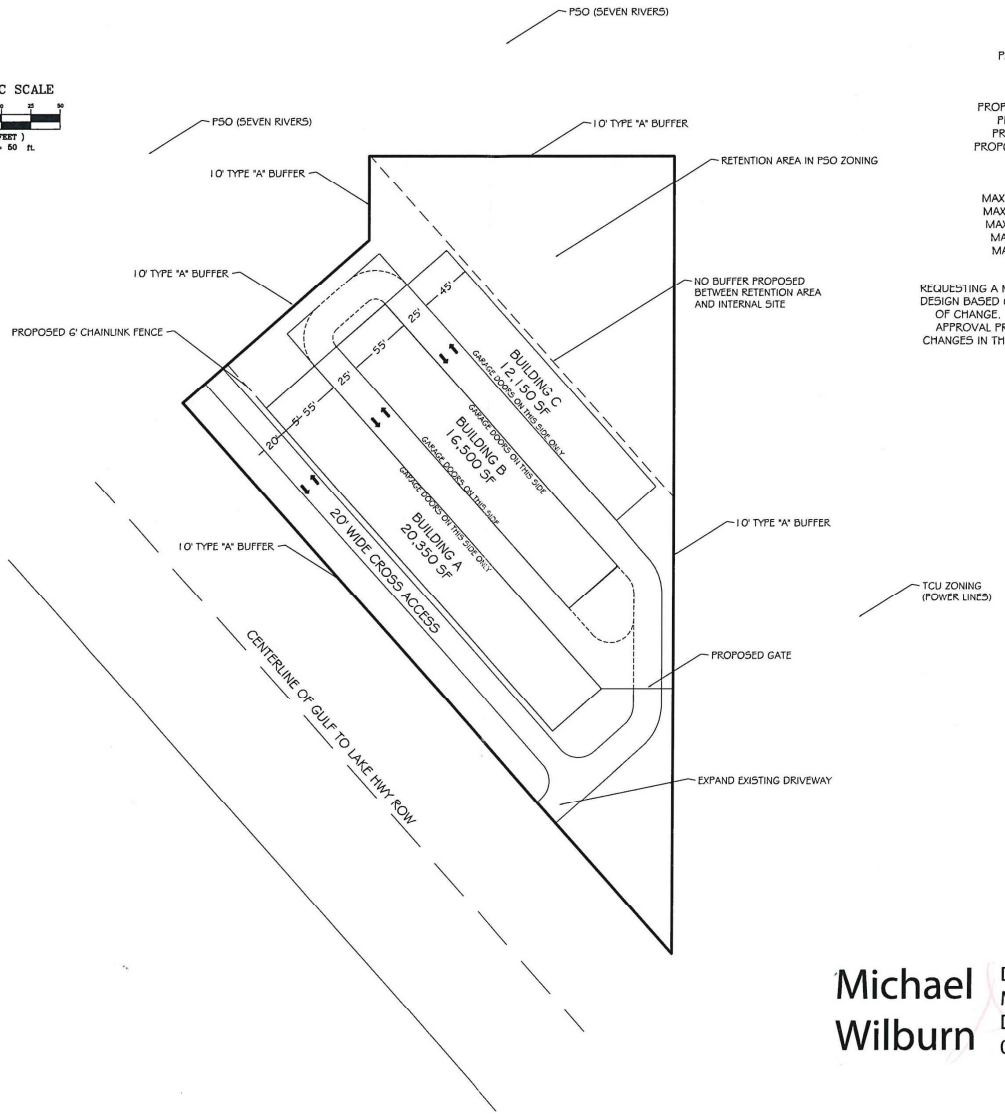
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IMPERVIOUS SURFACE AREAS

PROPOSED BUILDING AREAS (A,B,C) = 49,000 SF
PROPOSED ASPHALT AREAS = 39,166 SF
PROPOSED TOTAL IMPERVIOUS = 88,166 SF
PROPOSED IMPERVIOUS SURFACE RATIO = 54.12%

REQUESTED MAX IMPERVIOUS AREAS

MAX BUILDING AREAS (ALLOWABLE) = 50,000 SF
MAX ASPHALT AREAS (ALLOWABLE) = 45,000 SF
MAX 57 ROCK AREAS (ALLOWABLE) = 6,000 SF
MAX TOTAL IMPERVIOUS AREA = 101,000 SF
MAX IMPERVIOUS SURFACE RATIO = 62.00%

REQUESTING A MAXIMUM ALLOWABLE DUE TO POSSIBLE ALTERATIONS IN DESIGN BASED ON SOIL BORINGS, TOPOGRAPHY, AND OTHER ELEMENTS OF CHANGE. PROVIDING A MAX WILL PROVIDE RELIEF TO ANOTHER APPROVAL PROCESS SHOULD CIRCUMSTANCES ON SITE PROVOKE CHANGES IN THIS DESIGN. CONDITIONAL USE IS FOR ALLOWED USE OF SELF-STORAGE.

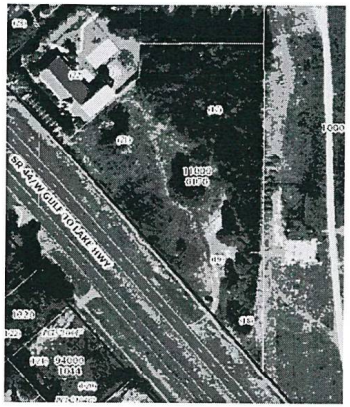
Superceded
4/9/21

Michael Wilburn
Digitally signed by Michael Wilburn
Date: 2021.03.31 07:23:46 -04'00'

MICHAEL DON WILBURN LICENSE No. 76061 STATE OF FLORIDA PROFESSIONAL ENGINEER

RECEIVED

Attachment: Planner PowerPoint (13052 : CU-21-05 Brenda McKenzie for Perrone et al)



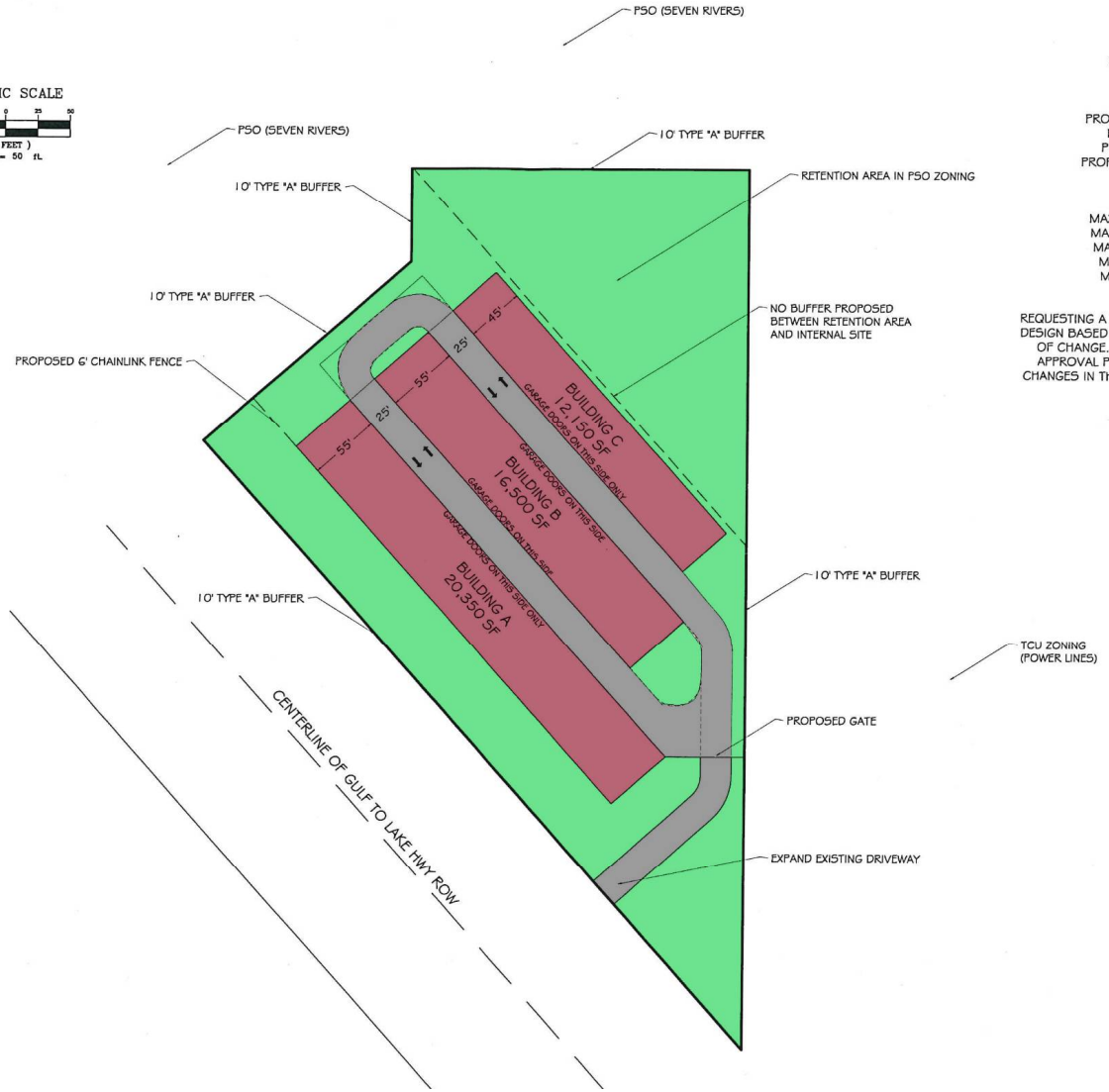


GRAPHIC SCALE

50 0 25 50

(IN FEET)

1 inch = 50 ft.



SITE DATA

PARCEL AREA = 162,912 SF / 3.74 ACRES

IMPERVIOUS SURFACE AREAS

PROPOSED BUILDING AREAS (A,B,C) = 49,000 SF
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AGENDA MEMORANDUM

FROM:	Michael Sherman, AICP Growth Management Director
SUBJECT:	OA-21-04 Land Development Division – Multiple Sections
AGENDA DATE:	**July 15, 2021**

BRIEF OVERVIEW:
This request is to amend multiple sections of the Land Development Code.

BUDGET IMPACT/FUNDING SOURCE:

RECOMMENDED ACTION:
Conduct a public hearing on July 15, 2021 to review and consider OA-21-04 Land Development Division - Multiple Sections Amendments to Land Development Code.

PM2-21-45

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

ORDINANCE AMENDMENT APPLICATION NO. – OA-21-04 MB
Land Development Division – Multiple Sections
Amendments to Land Development Code
DATE: June 14, 2021
PREPARED BY: Michael Sherman, AICP, Director; Department of Growth Management

Request –Revise the following Sections of the Land Development Code:

1. Section 1500, Definitions, to relocate setback standards to Section 2300, Building Setback Requirements and Height Requirements for all Land Use Districts

2. Section 1701, Establishment and Purpose (Planning and Development Commission – PDC), to remove term limits for PDC members and change reference for submittal of PDC member applications to Land Development Director instead of Planning and Development Director

3. Section 3101.G, Residential Accessory Structures (Guest Cottages and Garage Apartments) to amend the allowable square footage and remove the requirement for use by family members and caretakers

4. Section 5550, Required Buffer Type, to clarify that "residential" is not limited to platted subdivisions

5. Section 7320.B and C, Protection and Use of Rights-of-Way, to clarify that right-of-way utilization permits are obtained from Engineering instead of Land Development

6. Section 11005, Lot Reconfiguration, to revise standards to clarify requirements including noting that this process can only be utilized for unplatted lands

7. Section 11010, Minor Subdivision, to revise standards to clarify requirements including noting that this process can only be utilized for unplatted lands

8. Section 11015, Large Lot Rural Subdivision, to revise standards to clarify requirements including noting that this process can only be utilized for unplatted lands

Attachment: Staff report (13053 : OA-21-04 Land Development Division – Multiple Sections)

9. To change reference from Planning and Development/Planning and Development Department/Planning and Development Director to Growth Management/Growth Management Department/Growth Management Director in the following sections:

- Section 1401.D, Interpretation
- Section 1403, Appeals
- Section 1500, Definitions ("Department" and "Final Development Order"
- Section 1601, Planning and Development Director
- Section 1606, Director of the Department of Water Resources
- Section 1800.D.7, Penalties, Remedies and Enforcement Standards (Revoke Permits and Approvals)
- Section 3560, Endangered and Threatened Species Habitat Protection
- Section 3573, Development Requirements (Historical and/or Archeological Area Protection)
- Section 3603, Review Process and Compliance (Floral City Community Plan – Supplemental Standards)
- Section 3730, Animals
- Section 3750.J., Commercial Wireless Telecommunications Towers, Structures, and Antennas (Abandonment)
- Section 3755.A.6, Small Wireless Structures (Abandonment)
- Section 3770, Construction and Demolition Debris Disposal
- Section 3775, Hazardous Waste Facilities, Biohazardous Waste Facility(ies), and Residuals Disposal Sites
- Section 3780, Incinerators
- Section 3785, Vegetative Debris Disposal in Former Sand (Borrow Pits)
- Section 4101, Applicability (Site Improvement Plans)
- Section 4800.G, Mining Development – Application and Standards
- Section 4900, Groundwater and Wellhead Protection
- Section 5800, Canopy Protection of Red-Cockaded Woodpecker Colonies
- Section 7130, Nonresidential Driveway Criteria
- Section 7150.B, Access Management for State Highways (US-19 Access Management Plan Standards)
- Section 7320, Protection and Use of Rights-of-Way
- Section 7400, Interchange Management Areas
- Section 10170, Discontinuance, Termination, or Abandonment (Nonconforming Development)
- Section 10180, Replacement of Damaged Buildings
- Section 10190, Procedures for Administrative Determination of Valid Nonconforming Uses

Attachment: Staff report (13053 : OA-21-04 Land Development Division – Multiple Sections)

ORDINANCE NO. 2021-_____

AN ORDINANCE OF CITRUS COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING ORDINANCE NO. 2012-06, THE CITRUS COUNTY LAND DEVELOPMENT CODE, AS AMENDED, BY AMENDING SECTION 1500, DEFINITIONS (SETBACKS); SECTION 1701, PLANNING AND DEVELOPMENT COMMISSION; SECTION 2300, BUILDING SETBACK REQUIREMENTS AND HEIGHT REQUIREMENTS FOR ALL LAND USE DISTRICTS; SECTION 3101, RESIDENTIAL ACCESSORY STRUCTURES; SECTION 7320, PROTECTION AND USE OF RIGHTS-OF-WAY; SECTION 11005, LOT RECONFIGURATION; SECTION 11010, MINOR SUBDIVISION; SECTION 11015, LARGE LOT RURAL SUBDIVISION, AND MULTIPLE SECTIONS THROUGHOUT THE LAND DEVELOPMENT TO CORRECT REFERENCES TO THE GROWTH MANAGEMENT DEPARTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR CODIFICATION; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARINGS; PROVIDING FOR SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Chapter 163, Florida Statutes, the Board of County Commissioners, adopted the Citrus County Comprehensive Plan, Ordinance No. 89-04, on April 18, 1989, and subsequent amendments;

WHEREAS, on June 12, 2012, the Board of County Commissioners adopted the Citrus County Land Development Code (LDC) as Ordinance No. 2012-06;

WHEREAS, the Citrus County Board of County Commissioners recognize the need to plan for orderly growth and development while protecting Citrus County's abundant natural resources;

WHEREAS, certain changes are necessary to comply with Florida Statutes as enacted by the State of Florida Legislature;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Citrus County, a political subdivision of the State of Florida, as follows:

SECTION 1. THAT SECTION 1500, DEFINITIONS (SETBACKS), OF THE LAND DEVELOPMENT CODE OF CITRUS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, IS HEREBY AMENDED WITH A PORTION RELOCATED TO SECTION 2300.D, BUILDING SETBACK REQUIREMENTS AND HEIGHT REQUIREMENTS FOR ALL LAND USE DISTRICTS, AS FOLLOWS:

1500. Definitions (Setbacks)

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 portion of a building.

Attachment: Strikethrough Draft Ordinance (13053 : OA-21-04 Land Development Division – Multiple Sections)

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

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

(The following portion relocated to Section 2300.D, Building Setback Requirements and Height Requirements for all Land Use Districts):

2300.D. ~~Architectural features, eaves, balconies, and the like may project into required front yards not more than three feet.~~

2300. D. 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.
2. Architectural projections, such as cornices, eaves, and similar elements, may encroach up to three feet into any front and rear yard setback.
3. Eave encroachments are permitted up to three feet into side yard setbacks.
4. All of the preceding setback encroachments are also permitted into setbacks in multifamily projects.

SECTION 2. THAT SECTION 1701, ESTABLISHMENT AND PURPOSE PLANNING AND DEVELOPENT COMMISSION – PDC), OF THE LAND DEVELOPMENT CODE OF CITRUS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, IS HEREBY AMENDED AS FOLLOWS:

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.

Attachment: Strikethrough Draft Ordinance (13053 : OA-21-04 Land Development Division – Multiple Sections)

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

Attachment: Strikethrough Draft Ordinance (13053 : OA-21-04 Land Development Division – Multiple Sections)

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.~~

SECTION 3. THAT SECTION 3101G. RESIDENTIAL ACCESSORY STRUCTURES (GUEST COTTAGES AND GARAGE APARTMENTS), OF THE LAND DEVELOPMENT CODE OF CITRUS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, IS HEREBY AMENDED AS FOLLOWS:

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:

G. Guest cottages and garage apartments with living units (accessory dwelling units) having ~~750~~ 850 square feet of living area 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.~~

SECTION 4. THAT SECTION 5550, REQUIRED BUFFER TYPE (BUFFER REQUIREMENTS TABLE), OF THE LAND DEVELOPMENT CODE OF CITRUS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, IS HEREBY AMENDED AS FOLLOWS:

	Permitted or Existing Uses			
Proposed Use	**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***

SECTION 5. THAT SECTION 7320, PROTECTION AND USE OF RIGHTS-OF-WAY, OF THE LAND DEVELOPMENT CODE OF CITRUS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, IS HEREBY AMENDED AS FOLLOWS:

Attachment: Strikethrough Draft Ordinance (13053 : OA-21-04 Land Development Division – Multiple Sections)

7320. PROTECTION AND USE OF RIGHTS-OF-WAY

B. Use of the right-of-way for public or private utilities including, but not limited to; sanitary sewer, potable water, telephone wired, cable television wires, gas lines, electricity transmission, sidewalks, and bicycle ways shall be allowed subject to the placement specifications contained herein. Small wireless facilities may be permitted pursuant to the standards in this section and Section 3755, Small Wireless Facilities. A right-of-way utilization permit is required from the ~~Land Development~~ Engineering Division.

C. All other work within the right-of-way including, but not limited to; roadway improvements, drainage improvements, structures, pole installations, sidewalks, bicycle paths, or sign placements shall be allowed subject to the technical specifications contained herein. A right-of-way utilization permit shall be required from the ~~Land Development~~ Engineering Division.

SECTION 6. THAT SECTION 11005, LOT RECONFIGURATION, OF THE LAND DEVELOPMENT CODE OF CITRUS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, IS HEREBY AMENDED AS FOLLOWS:

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, the addition may be completed through a 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

Attachment: Strikethrough Draft Ordinance (13053 : OA-21-04 Land Development Division – Multiple Sections)

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 "F~~f~~or 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.

~~6~~ 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.

Attachment: Strikethrough Draft Ordinance (13053 : OA-21-04 Land Development Division – Multiple Sections)

SECTION 7. THAT SECTION 11010, MINOR SUBDIVISION, OF THE LAND DEVELOPMENT CODE OF CITRUS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, IS HEREBY AMENDED AS FOLLOWS:

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.

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Attachment: Strikethrough Draft Ordinance (13053 : OA-21-04 Land Development Division – Multiple Sections)

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.

~~6.~~ 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.

SECTION 8. THAT SECTION 11015, LARGE LOT RURAL SUBDIVISION, OF THE LAND DEVELOPMENT CODE OF CITRUS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, IS HEREBY AMENDED AS FOLLOWS:

11015. 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 the County road and remain

Attachment: Strikethrough Draft Ordinance (13053 : OA-21-04 Land Development Division – Multiple Sections)

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 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 and labeled “Boundary Survey”) showing the original parcel (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:

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Attachment: Strikethrough Draft Ordinance (13053 : OA-21-04 Land Development Division – Multiple Sections)

a. A separate boundary survey and legal description(s), along with the appropriate bearings/dimensions 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 excusive 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 shall 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 road frontage.

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.

~~F~~. 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

Attachment: Strikethrough Draft Ordinance (13053 : OA-21-04 Land Development Division – Multiple Sections)

days after application approval.

~~G~~. 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.

SECTION 9. THAT REFERENCES TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND/OR PLANNING AND DEVELOPMENT DIRECTOR IN THE FOLLOWING SECTIONS WILL BE MODIFIED TO REFERENCE THE GROWTH MANAGEMENT DEPARTMENT AND/OR GROWTH MANAGEMENT DIRECTOR, OF THE LAND DEVELOPMENT CODE OF CITRUS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AS FOLLOWS:

- Section 1401.D, Interpretation
- Section 1403, Appeals
- Section 1500, Definitions ("Department" and "Final Development Order"
- Section 1601, Planning and Development Director
- Section 1606, Director of the Department of Water Resources
- Section 1800.D.7, Penalties, Remedies and Enforcement Standards (Revoke Permits and Approvals)
- Section 3560, Endangered and Threatened Species Habitat Protection
- Section 3573, Development Requirements (Historical and/or Archeological Area Protection)
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- Section 3770, Construction and Demolition Debris Disposal,
- Section 3775, Hazardous Waste Facilities, Biohazardous Waste Facility(ies), and Residuals Disposal Sites
- Section 3780, Incinerators
- Section 3785, Vegetative Debris Disposal in Former Sand (Borrow Pits)
- Section 4101, Applicability (Site Improvement Plans)
- Section 4800.G, Mining Development – Application and Standards
- Section 4900, Groundwater and Wellhead Protection
- Section 5800, Canopy Protection of Red-Cockaded Woodpecker Colonies
- Section 7130, Nonresidential Driveway Criteria
- Section 7150.B, Access Management for State Highways (US-19 Access Management Plan Standards)
- Section 7320, Protection and Use of Rights-of-Way
- Section 7400, Interchange Management Areas
- Section 10170, Discontinuance, Termination, or Abandonment

Attachment: Strikethrough Draft Ordinance (13053 : OA-21-04 Land Development Division – Multiple Sections)

(Nonconforming Development)

- Section 10180, Replacement of Damaged Buildings
- Section 10190, Procedures for Administrative Determination of Valid Nonconforming Uses

SECTION 10. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 11. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held illegal, invalid or unconstitutional by the decision of any court or regulatory body of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof. The Board of County Commissioners hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared illegal, invalid or unconstitutional and all ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 12. It is the intent of the Board of County Commissioners that the provisions of this ordinance may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated into the final version of the ordinance adopted by the Board and filed by the Clerk to the Board.

SECTION 13. This ordinance shall become effective as per Florida law.

DONE AND ADOPTED at a duly called session of the Board of County Commissioners of Citrus County, Florida, this ___ day of _____, 2021.

ATTEST:

CITRUS COUNTY, FLORIDA , A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA

_____
ANGELA VICK, CLERK OF COURT

BY: _____
SCOTT CARNAHAN, CHAIRMAN

APPROVED AS TO FORM FOR THE RELIANCE OF CITRUS COUNTY ONLY

_____
DENISE A. DYMOND LYN, COUNTY ATTORNEY

DRAFT

Attachment: Strikethrough Draft Ordinance (13053 : OA-21-04 Land Development Division – Multiple Sections)

LAND DEVELOPMENT CODE AMENDMENTS

OA-21-04

Attachment: Planner PowerPoint (13053 : OA-21-04 Land Development Division – Multiple Sections)

Attachment: Planner PowerPoint (13053 : OA-21-04 Land Development Division – Multiple Sections)

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:

G. Guest cottages and garage apartments with living units (accessory dwelling units) having ~~750~~ 850 square feet of living area 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.~~