

ORDINANCE NO. 2018- **A11**

AN ORDINANCE OF CITRUS COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING THE LAND DEVELOPMENT CODE ATLAS BY REDESIGNATING THE ZONING OF APPROXIMATELY 19.3 ACRES FROM PROFESSIONAL SERVICES/OFFICE DISTRICT AND MEDIUM DENSITY RESIDENTIAL DISTRICT TO PROFESSIONAL SERVICES/OFFICE DISTRICT AND MEDIUM DENSITY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT AND ESTABLISHING A MASTER PLAN OF DEVELOPMENT FOR AFFORDABLE SENIOR MULTI-FAMILY HOUSING AND ASSOCIATED USES; PROVIDING FOR APPLICABILITY; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; PROVIDING FOR CODIFICATION, AND SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on June 12, 2012, the Board of County Commissioners adopted the Citrus County Land Development Code as Ordinance No. 2012-06; and

WHEREAS, certain Atlas Amendments and Planned Unit Developments are proposed for development that would maintain consistency with the Citrus County Comprehensive Plan;

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. . The following described lands are hereby redesignated on the LDC Atlas:

PUD-18-05 InVictus Development, LLC for Robert and Mary DeSimone

A request to modify the Land Development Code (LDC) Atlas designation from Professional Services/Office District (PSO) and Medium Density Residential District (MDR) to Professional Services/Office District (PSO) and Medium Density Residential District (MDR) with a Planned Unit Development (PUD) for affordable multi-family senior housing and other associated uses, made pursuant to Section 4300, Planned Unit Developments; Section 2409, Professional Services/Office District; and Section 2406, Medium Density Residential District, as specified in the Citrus County Land Development Code, located Section 12, Township 20 South, Range 17 East and Sections 6 and 7, Township 20 South, Range 18 East; as further fully described in

Exhibit "A" Legal Description, Exhibit "B" Site Plan, and Exhibit "C" conditions, attached hereto and incorporated herein by reference.

Section 2. The Atlas of the Land Development Code is hereby amended to reflect the changes described in Section 1 of this Ordinance.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. 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 pursuant to number 7.

Section 5. The provisions of this ordinance are severable and it is the intention to confer the whole or any part of the powers herein provided for. If any provision of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, that portion will be deemed a separate provision and will not affect any remaining provisions of the ordinance. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such unconstitutional provision was not included.

Section 6. It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made part of the Citrus County Comprehensive Plan; and that the sections of this ordinance may be renumbered or re-lettered and that the word "Ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention. Regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or re-lettered and typographical errors which do not affect the intent may be authorized by the County Administrator's designee, without need of a public hearing, by filing a corrected or re-codified copy of same with the Clerk of the Circuit Court.

Section 7. This ordinance shall become effective as provided by Florida law.

DONE AND ADOPTED in regular meeting of the Board of County Commissioners of Citrus County, Florida, a political subdivision of the State of Florida, this 21st day of August 2018.

ATTEST:

CITRUS COUNTY, FLORIDA, A
POLITICAL SUBDIVISION OF THE STATE
OF FLORIDA

for Angela Vick
ANGELA VICK
CLERK OF COURT



Ronald E. Kitchen Jr.
RONALD E. KITCHEN JR.,
CHAIRMAN

APPROVED AS TO FORM FOR THE
RELIANCE OF CITRUS COUNTY ONLY:

Denise A. Dymond Lyn
DENISE A. DYMOND LYN
COUNTY ATTORNEY



EXHIBIT "A"
LEGAL DESCRIPTION

Rear 80 feet of Lots 31 and 32, HOMOSASSA SPRINGS GARDENS, according to the map or plat thereof as recorded in Plat Book 1, page 58, LESS AND EXCEPT that portion of said lots sold to the State of Florida on August 11, 1969 as recorded in Official Records Book 250, page 619, Public Records of Citrus County, Florida.

AND

Lot 30 of HOMOSASSA SPRINGS GARDENS as per plat thereof recorded in Plat Book 1, page 58, of the Public Records of Citrus County, Florida, LESS that part lying with 155 feet of the Survey Line of State Road 55 (U.S. 19) Section 02030, said line being described as follows: Begin on the South line of Section 32, Township 20 South, Range 17 East, at a point 633.69 feet West of the Southeast corner of said Section 12; thence run N 00°25'00" W a distance of 5315.03 feet to the North line of said Section 12, at a point 633.84 feet West of the Northeast corner of said Section 12 for the end of this survey line description.

AND

Lots 2, 4, 5, 6 and 7, of HOMOSASSA GARDENS as per plat thereof in Plat Book 4, pages 137, 138 and 139, of the Public Records of Citrus County, Florida. LESS AND EXCEPT: Beginning at the Northwest corner of Lot 7, HOMOSASSA SPRINGS GARDENS as recorded in Plat Book 4, pages 137 through 139, of the Public Records of Citrus County, Florida; thence S 86°01'32" E along the North line of said Lot 7 a distance of 640.03 feet to the Northeast corner of said Lot 7, said point also being on a curve, concaved Southeasterly having a central angle of 4°06'05" and a radius of 1737.11 feet; thence Southwesterly along the arc of said curve, said line also being the East line of said Lot 7, a distance of 124.35 feet to the P.C. of said curve (chord bearing and distance between said points being S 1°55'25" W 124.31 feet); thence continue along said East line and along the East line of Lot 6 of said HOMOSASSA GARDENS S 0°07'37" E 176.99 feet; thence N 89°45'22" W 834.12 feet to a point on the West line of said Lot 6; thence N 0°04'05" W along said West line and along the West line of said Lot 7 a distance of 172.96 feet; thence N 0°07'04" W along the West line of said Lot 7 a distance of 169.88 feet to the POINT OF BEGINNING.

LESS AND EXCEPT

Commencing at the Northwest corner of HOMOSASSA GARDENS as recorded in Plat Book 4, pages 137 through 139, of the Public Records of Citrus County, Florida; thence S 0°07'04" E along the West line of Lot 7 a distance of 169.88 feet; thence continue along said West line and along the West line of Lot 6, of said HOMOSASSA GARDENS S 0°04'50" E 172.96 feet to the POINT OF BEGINNING; thence continue S 0°04'50" E along the West line of said Lot 6 and along the West line of Lot 5 of said HOMOSASSA GARDENS a distance of 344.40 feet; thence S 89°45'22" E 634.40 feet to a point on the East line of said Lot 5; thence N 0°07'37" W along said East line and along the East line

EXHIBIT "A" CONTINUED
LEGAL DESCRIPTION

of said Lot 6 a distance of 344.40 feet; thence N 89°45'22" W 634.12 feet to the POINT OF BEGINNING.

AND

Beginning at the NW corner of Lot 7, HOMOSASSA GARDENS, as recorded in Plat Book 4, pages 137-139, Public Records of Citrus County, Florida; thence S 86°01'32" E along the North line of Lot 7 a distance of 640.03 feet to the NE corner of said Lot 7, said point also being on a curve, concaved Southeasterly having a central angle of 4°06'05" and a radius of 1737.11 feet' thence Southwesterly along the arc of curve, said line also being the East line of said Lot 7, a distance of 124.35 feet to the P.C. of said curve (Chord bearing and distance between said points being S 1°55'25" W 124.31 feet); thence continue along the East line and along the East line of Lot 6 of said HOMOSASSA GARDENS S 0°07'37" E 176.99 feet; thence N 89°45'22" W 634.12 feet to a point on the West line of said Lot 6; thence N 0°04'05" W, along said West line and along the West line of said Lot 7, a distance of 172.96 feet; thence N 0°07'04" W, along the West line of said Lot 7, a distance of 169.88 feet to the POINT OF BEGINNING.

AND

A PORTION OF Lot 5 and 6, of HOMOSASSA GARDENS, being more particularly described as follows: Commencing at the NW corner of Lot 7, HOMOSASSA GARDENS, according to the map or plat thereof recorded in Plat Book 4, pages 137-139, inclusive, Public Records of Citrus County, Florida; thence S 0°07'04" E, along the West line of said Lot 7, a distance of 169.88 feet; thence continue along said West line and along the West line of Lot 6 of HOMOSASSA GARDENS, S 0°04'50" E 172.96 feet to the POINT OF BEGINNING; thence continue S 0°04'50" E along the West line of said Lot 6, and along the West line of Lot 5 of said HOMOSASSA GARDENS a distance of 344.40 feet; thence S 89°45'22" E 634.40 feet to a point on the East line of said Lot 5; thence N 0°07'37" W along said East line and along the East line of said Lot 6, a distance of 344.40 feet; thence N 89°45'22" W 634.12 feet to the POINT OF BEGINNING.

AND

The North 210 feet of Tract 3, HOMOSASSA GARDENS, according to the map or plat thereof as recorded in Plat Book 4, pages 137 thru 139, inclusive, Public Records of Citrus County, Florida.

EXHIBIT B SITE PLAN

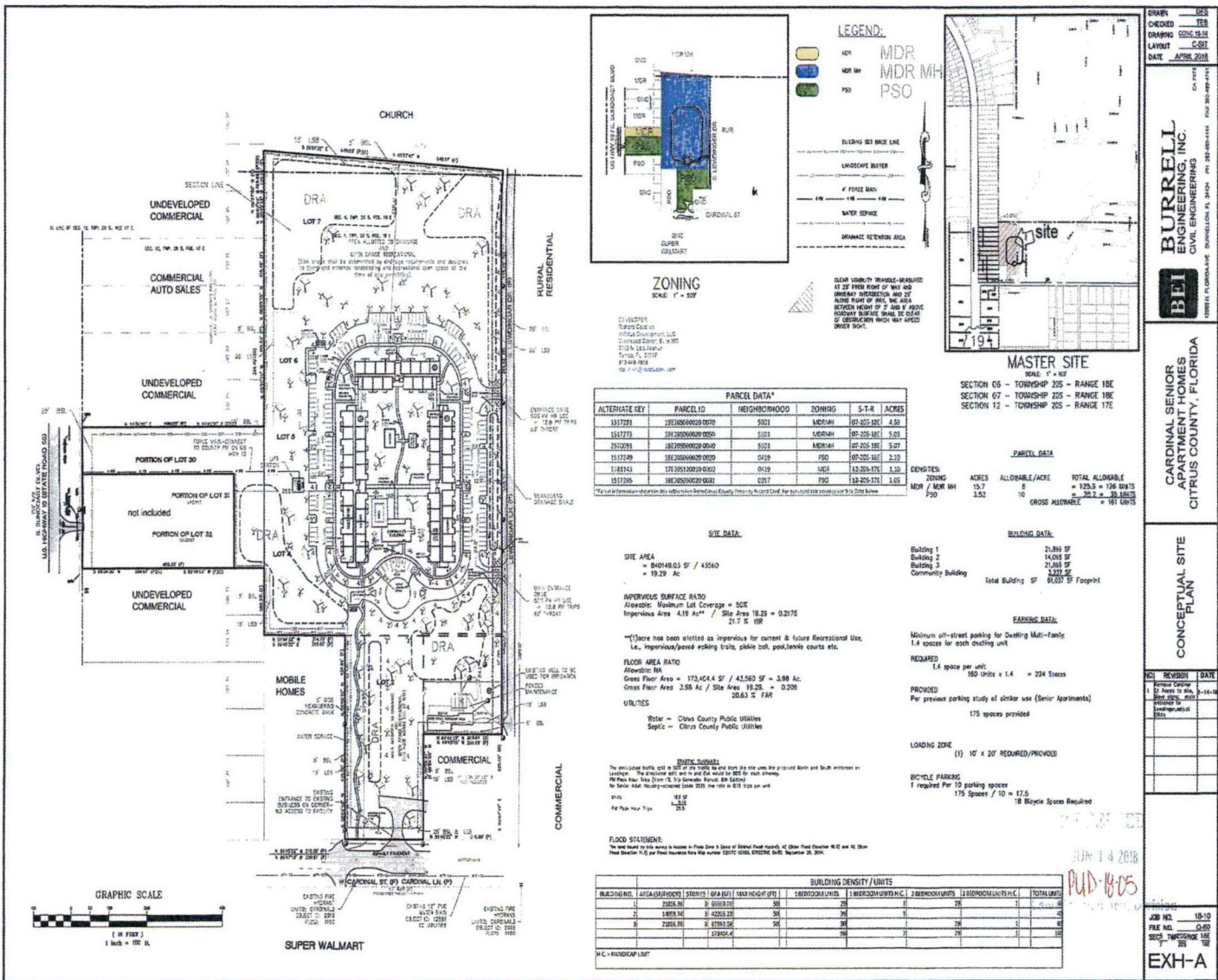


EXHIBIT "C"
CONDITIONS OF APPROVAL

1. The Planned Unit Development (PUD) shall allow for up to 160 units of affordable multi-family senior housing and other associated uses as outlined on the Master Plan date-stamped received June 14, 2018 by the Land Development Division. Construction shall take place in accordance with the criteria and requirements of the Citrus County Land Development Code, unless as specifically outlined within these conditions.
2. The project must be served by central water and central sewer.
3. Stormwater Management Design must meet the requirements of the Citrus County Land Development Code in effect at the time of permitting.
4. The affordable senior multi-family development must provide at least 175 parking spaces as shown on the Master Plan date-stamped received June 14, 2018 by the Land Development Division.
5. At the time of permitting, the applicant must demonstrate compliance with applicable development standards per LDC Section 3740, Additional Design Standards for Large Non-Residential Projects, for façade, landscaping, pedestrian circulation, parking, and lighting.
6. A Tree Preservation Plan must be submitted and approved at the time of permitting.
7. A biological study must be submitted and approved at the time of permitting.
8. All exterior lighting shall be positioned, shielded and hooded so as not to illuminate adjacent properties.
9. 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.
10. A traffic analysis, signed and sealed by a professional engineer, addressing auxiliary lanes will need to be provided at the time of permitting.

EXHIBIT “C” CONDITIONS (CONTINUED)

11. Where standards are not specified herein, the Citrus County Land Development Code standards (or current code standards) will apply.
12. 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.



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

August 23, 2018

Honorable Angela Vick
Clerk of the Circuit Court
Citrus County
110 North Apopka Avenue
Inverness, Florida 34450-4299

Attention: Amy Charley

Dear Ms. Vick:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of the Citrus County Ordinance No. 2018A-11, which was filed in this office on August 23, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb