

**PLANNING REVIEW CONSIDERING
THE APPROPRIATE LAND USE CONTROLS
TO BE APPLIED TO**

PIRATE'S COVE



**CITRUS COUNTY, FLORIDA
FIRST REVISED
EXECUTIVE SUMMARY**

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PREFACE

This document is a detailed Planning Review prepared regarding the appropriate land use and planning controls to be applied to the Pirate's Cove property in the Ozello area of unincorporated Citrus County, Florida.

In late 2012, the following applications will be submitted to Citrus County:

- An application to amend the Generalized Future Land Use Map designation applicable to Pirate's Cove;
- An application for approval of an amendment to the Citrus County Zoning Atlas;
- An application to vacate an area of public right-of-way within the Pirate's Cove area; and
- An application for approval of a Development Agreement between Citrus County and Pirate's Cove,

with the Development Agreement setting forth a detailed design plan (such as that found in a Planned Development Overlay rezoning), for the rebirth of the Pirate's Cove property.

A. INTRODUCTION

1. PURPOSE

The purpose of this Planning Review is to review the land use planning factors, planning controls, and other factors which merit consideration by Citrus County in determining the future use of the Pirate's Cove property.

2. METHODOLOGY

This Planning Review has been prepared in accordance with the standards set forth in the relevant professional and evidentiary protocols for land use planning research and analysis.

3. LOCATION

Pirate's Cove is located in the Ozello area of unincorporated Citrus County, in the central-Western coastal area of the County. The site is located at the end of the Ozello Trail (C.R. 494)

1 on a small island in Crystal Bay. Maps 1 and 2 at the end of this Initial Executive Summary
2 show the location of Pirate's Cove.
3
4

5 4. THE PROPERTY
6

7 The subject property comprises 3.60 acres based on the survey of the property. Table 1, Property
8 Details, (following page) sets out the details of the several parcels that comprise the Pirate's
9 Cove property. Map 3 at the end of this Initial Executive Summary is a Survey of the property
10 and Map 3a shows the claimed Citrus County land ownership in the vicinity of Pirate's Cove.
11

12 As shown on Map 3, there is a "bump" where the Pirate's Cove property extends Westward into
13 what should be the North Pirate Point right-of-way. One provision of the draft Development
14 Agreement calls for Pirate's Cove to quitclaim this "bump" to Citrus County to regularize the
15 right-of-way and in exchange for the vacation of the County property shown on Map 3a.
16
17

18 5. EXISTING USE
19

20 The subject property is currently vacant except for a recreation building that provided amenities
21 (restrooms, showers, laundry, etc.), to occupants of a Recreational Vehicle (RV) park previously
22 located on the property, and for a pole-barn like structure once associated with crab fishing.
23 Prior to 2010, the site was occupied by a restaurant building, a motel structure and several small
24 cabins.
25

26 The original restaurant use of the property began in the 1920s and was known as Rum Runners.
27 The second floor of Rum Runners operated as a brothel. Until 1963, access to Pirate's Cove was
28 by boat or plane, Sanddollar Lane serving as a runway for private aircraft.
29

30 In 1963 a causeway to the island was built and Ozello Trail provided land access to the island.
31 The Pirate's Cove property was sold in 1987 and then in 1989 and the restaurant reopened and
32 appeared to thrive until the No Name storm of 1993. After a closure of several months, the
33 restaurant reopened and operated until late 1995.
34

35 For the next 15 years, there was considerable interaction between the owners of Pirate's Cove
36 and Citrus County with the uses generally considered to be vested or grandfathered in the
37 contexts of both the County's land development regulations and of the FEMA requirements.
38 However, in 2010 the restaurant and motel buildings were demolished after considerable
39 controversy and with the consent of the owner's legal counsel but without the consent of the

DECKER PROPERTY DETAILS

1107 Prop Details
06/15/11
Rev 06/17/11, 2/2/12

ALT KEY	PCL NO. (1)	STREET NO.	STREET	USE	LOT SIZE	BLDG SIZE	IMP VALUE	TOTAL VALUE	PURCH DATE	LAST PERMIT	ZONING
1004055	0113	379	Mullet Point	SFD	1,979	480	\$18,700	\$22,300	06/04	10/01/96	CLR
1004047	0112	381	Mullet Point	SFD	1,495	480	\$18,700	\$22,300	06/04	10/01/96	CLR
1004039	0111	383	Pirate Point	SFD	4,795	720	\$24,188	\$33,188	10/04	--	CLR
1004021	0101	398	Pirate Point	SFD	3,363	480	\$23,675	\$28,175	06/04	10/01/96	CLR
1004063	0120	371	Pirate Point	Vacant	17,968	0	\$0	\$15,750	08/04	8/12/03 (2)	(4)
1004012	0050	360	Mullet Point	Camp Bldg	136,758	1100	\$39,400	\$271,660	05/23	5/4/10 (3)	(4)
1004071	0121	13965 (5)	W Sanddollar	Vacant	2,239	0	\$0	\$9,000	12/03	--	CLR

TOTAL LAND AREA
(Acres)

168,597
3.870455 "(6)

(1) All parcel numbers: R34 18S16E 2B0A0.

(2) Permit pulled and work progressed to the point where footer and pier columns were approved as of 9/22/04 – no further work.

(3) Permits pulled for demolition of two non-residential buildings; no record of inspections but work apparently done.

(4) Property Appraiser lists as CLR but Development Services GIS Map shows CLC. Staff confirmed CLC in April, 2009 –
No evidence of subsequent rezoning.

(5) May also be known as 404 N Pirate Point.

(6) Size as per survey is 3.68 acres.

owner. In 2011 the remaining cabins were demolished.

Pirate's Cove is adjacent to the Ozello Community Park, a community park providing a boat ramp, parking and picnic tables. The Ozello Community Park is described as being in "poor condition," and the proposed rebirth of Pirate's Cove includes concrete steps towards improving the condition of the park and creating synergy between the Park and Pirate's Cove particularly with the dedication of the park impact fees to be paid by Pirate's Cove to improvements at the Ozello Community Park.

Within the immediate area of Pirate's Cove are several small undeveloped single family lots. These units are vested for development at one unit per lot and could eventually be so developed. Other land uses in the area are single family dwellings, largely, although not entirely, on the Southwest side of Sanddollar Lane. Most of the single family homes are relatively new, in a variety of occupancies from permanent owner occupancy to seasonal owner occupancy and rental units. Map 3b at the end of this Initial Executive Summary shows the existing land uses in the vicinity of Pirate's Cove.

Also in the vicinity of Pirate's Cove is Peck's Old Port Cove, 139 North Ozello Trail, approximately 1,500 feet South of Pirate's Cove. Pecks is a waterfront restaurant such as Pirate's Cove used to be, and offers American and seafood cuisine in a traditional Florida setting.

B. PLANNING CONTROLS

6. EXISTING CONTROLS

Pursuant to the text of the *Citrus County Comprehensive Plan*, the sites of the restaurant and motel are deemed to be designated Commercial (now Coastal Lakes Commercial). The balance of the Pirate's Cove property and all of the surrounding area except for Pecks is designated Low Intensity Coastal and Lakes, (Map 4). Pecks is designated on the Future Land Use Map as Coastal Lakes Commercial, the Designation sought for Pirate's Cove.

As shown on Map 5, two of the seven parcel in Pirate's Cove are zoned Coastal Lakes Commercial and the balance of the properties in the Pirate's Cove enclave (and in the area), are zoned Coastal Lakes Residential.

7. FUTURE CONTROLS

The applications for the rebirth of Pirate's Cove to be filed with Citrus County will include an amendment to the Future Land Use Map redesignating the property to Coastal Lakes Commercial and making the map consistent with the text of the *Comprehensive Plan*. This propose amendment is consistent with and supported by all relevant Elements of the *Citrus County Comprehensive Plan*, including:

- Recreation and Open Space Element;
- Conservation Element;
- Coastal, Lakes, River Management Element;
- Future Land Use Element; and
- Economic Development Element.

In particular, the reborn Pirate's Cove is considered to be a water-related land use. Under the Citrus County planning controls, water-related uses have priority over all other land uses except water-dependent and conservation uses.

The applications to be filed with Citrus County will include rezoning the balance of the property to Coastal Lakes Commercial. This Zoning District permits the proposed resort condominium and its component parts, the restaurant and resort support uses.

The reborn Pirate's Cove is anticipated to fully comply with the requirements of the Coastal Lakes Commercial Zoning District except that a minor variance to the floor area ratio is likely to be needed. This variance and any other site-specific land use controls will be incorporated into and implemented by a Development Agreement between the Developer and Citrus County which Agreement will function as a more detailed overlay zoning technique setting forth detailed parameters for the development of Pirate's Cove.

The proposed rebirth of Pirate's Cove will also be consistent with sound waterfront land use planning principles, including those principles developed by the State of Florida.

C. THE PROPOSAL

The proposed uses for the reborn Pirate's Cove are a restaurant of approximately 6,774 square feet including 2,612 square feet of indoor seating and 1,055 square feet of outdoor seating; and a resort condominium containing 33 units anticipated to average approximately 1,206 square feet each along with approximately 5,359 square feet of ancillary resort space. A swimming pool and

1 possibly an outdoor area for the service of food and beverages are also proposed. An **illustrative**
2 site plan, floors plan and elevations are provided with this First Revised Executive Summary (in
3 electronic form as separate documents), but are subject to change as the project goes through the
4 approval process, including interaction with the project's neighbors.
5

6 The restaurant is expected to have a water- and pirate-theme; to be appropriate for its market and
7 to offer alcoholic beverages in the context of a restaurant license. The resort will include a
8 ground floor lobby/check-in area, a fourth floor guest services area and gift shop, a fitness center
9 and a meeting room.
10

11 The resort condominium is a new but increasing popular and present form of land use. In a resort
12 condominium the rooms available to the public are owned in fee simple by individual owners.
13 Those owners are free to use their condominium units at their leisure for a period, presently
14 expected to be approximately six months, or, alternatively, to place their unit into a resort
15 management program for the entire year. When the units are not owner occupied, they will be
16 available for rent to the general public and the resort will be operated as a hotel with all services
17 and functions of a hotel.
18

19 The resort management staff will do all maintenance on the property, and will provide all
20 traditional hotel functions including reservations, registration, check-in, check-out, bell services,
21 etc. While not likely to be a major source of guests, walk-in guests will be welcome depending
22 on availability.
23

24 All units will be fully furnished and equipped with linens, cooking and dining items. Room
25 service, maid service and related services will be provided.
26

27 The preliminary full time employment at the reborn Pirate's Cove is expected to be
28 approximately 50 staff. The construction cost is estimated at slightly over \$10 million. Property
29 taxes for general County government are estimated at approximately \$66,500 - \$73,000 per year.
30

31 D. PHYSICAL FEATURES 32 33

34 A Subsurface Soil Exploration Study was done on the Pirate's Cove property. This Study
35 revealed that the soils were generally fine sands at depths from 0.5 feet to 12.5 feet, underlain by
36 either limestone or organic soils. The seasonal high water table is estimated to be 2.0 feet below
37 the existing ground surface. Onsite soils are suitable for the proposed uses of the property,
38 including a performance based aerobic septic system. The topography is shown on Map 3, the
39 Survey, and is largely flat.

1 The site is in the V-14 Velocity Zone according to FEMA's Flood Insurance Rate Maps. All
2 construction will be elevated and otherwise comply with FEMA's requirements for new
3 construction in a Velocity Zone. The design of the building has include the input of a structural
4 engineer to ensure that any potential structural concerns are addressed beforehand.
5
6

7 E. SERVICES AND UTILITIES
8

9 A three inch water main from the Ozello Water Association serves the site and connects to a six
10 inch main at the intersection of Sanddollar Lane and the Ozello Trail. The present development
11 proposal calls for extending the six inch main from the intersection of Sanddollar and the Ozello
12 Trail, along the North Pirate Point right-of-way, and then to a 30,000 gallon onsite storage tank.
13 The system would then loop back to Sanddollar Lane.
14

15 Looping the system and providing the storage tank will provide an approximately 25% increase
16 in the static water pressure on the island and will provide adequate flows and pressures for
17 firefighting at Pirate's Cove. The water in the tank will otherwise be available for firefighting
18 elsewhere on the Island.
19

20 An onsite performance based aerobic septic system is proposed with a green area reserved for a
21 drain field for the system. Currently the system and drain field are sized to serve the Pirate's
22 Cove Resort and restrooms on the adjacent Ozello Community Park if Citrus County should
23 decide to install restrooms.
24

25 Stormwater retention will be accomplished on site in accordance with County and State rules.
26

27 Electric power and telephone service are available to the site. Television service will be
28 accomplished with a commercial satellite service serving the entire property.
29

30 The Citrus County Sheriff's Office routinely patrols the area and would have an emergency
31 response time of approximately eight to nine minutes. Fire suppression and emergency medical
32 services are provided from stations in Crystal River and Homosassa and are available and
33 adequate for the proposed reborn Pirate's Cove.
34

35 Ozello Trail (C.R. 494) is classified as a Minor Collector road (type C, Connector), from the
36 Crystal River urban boundary to Sanddollar Lane adjacent to Pirate's Cove. The road's design
37 Level of Service is C with an Average Daily Traffic capacity of 8,100 and a PM Peak Hour
38 capacity of 870. Without considering internal capture of trips – resort guests eating at the
39 restaurant, restaurant guests staying at the hotel, resort guests walking to Peck's and nearby

1 residents walking to the restaurant – the reborn Pirate's Cove will generate 11.53% of Ozello
2 Trail's Average Daily Traffic Level of Service C capacity and 15.09% of the PM Peak capacity.
3 Ozello Trail actually presently functions at Level of Service B and will continue to function at
4 that Level after Pirate's Cove is open and operating.

5
6 The rebirth of Pirate's Cove will not adversely affect the Level of Service of the Ozello Trail nor
7 will it adversely affect the Evacuation Level of Service/hurricane clearance time on the Ozello
8 Trail. Although Concurrency is no longer a factor in the development review process, the rebirth
9 of Pirate's Cove will not adversely affect the concurrently available government services
10 including transportation, utilities and services.

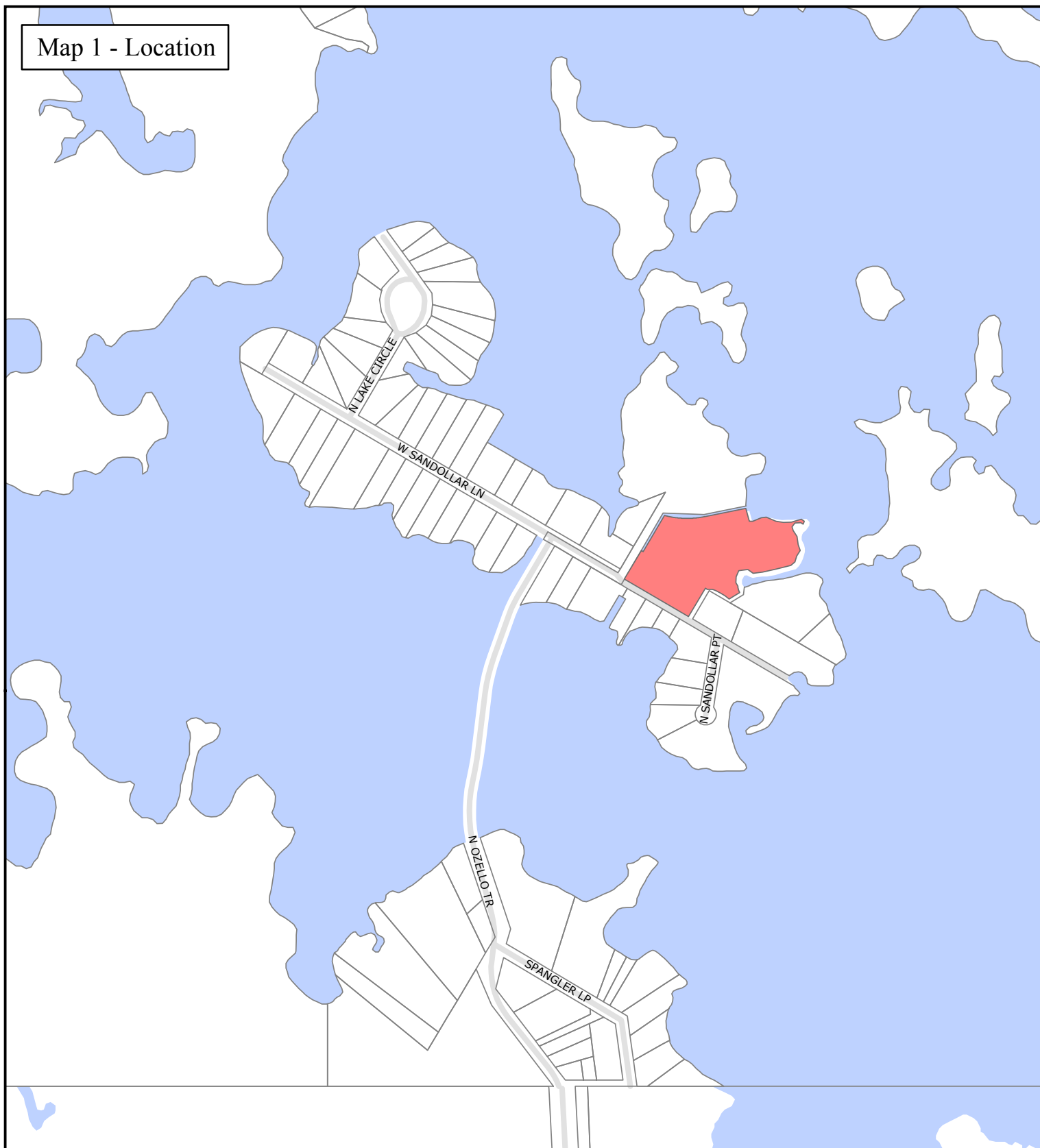
11 12 13 SUMMARY AND CONCLUSIONS

14
15 The rebirth of Pirate's Cove as proposed as a resort condominium and restaurant is consistent
16 with, and supported by, the *Citrus County Comprehensive Plan*, is consistent with sound
17 waterfront planning principles and is consistent with the Coastal Lakes Commercial Zoning
18 District as recently amended, and subject to variances to be incorporated into a Development
19 Agreement. The reborn Pirate's Cove will be compatible with the existing neighborhood and
20 will provide an opportunity for Citrus County to make improvements to the adjacent Ozello
21 Community Park, also allowing for a synergistic interaction between the resort and the Park.


22
23 The site is physically suited for the proposed rebirth of Pirate's Cove and services and utilities
24 are available and adequate to serve the site. The traffic impact of the resort will be *de minimis*,
25 with the Ozello Trail remaining at its present Level of Service B both daily and in the PM Peak
26 hour. The rebirth of Pirate's Cove will not adversely affect the evacuation level of service of
27 Ozello Trail nor the adequate and concurrent provision of utilities and services.

28
29 The rebirth of Pirate's Cove will be an asset to its neighborhood and to Citrus County.

Map 1 - Location

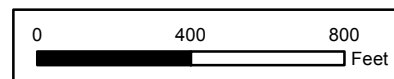


Map Legend

 360 Mullet Point, Crystal River, FL

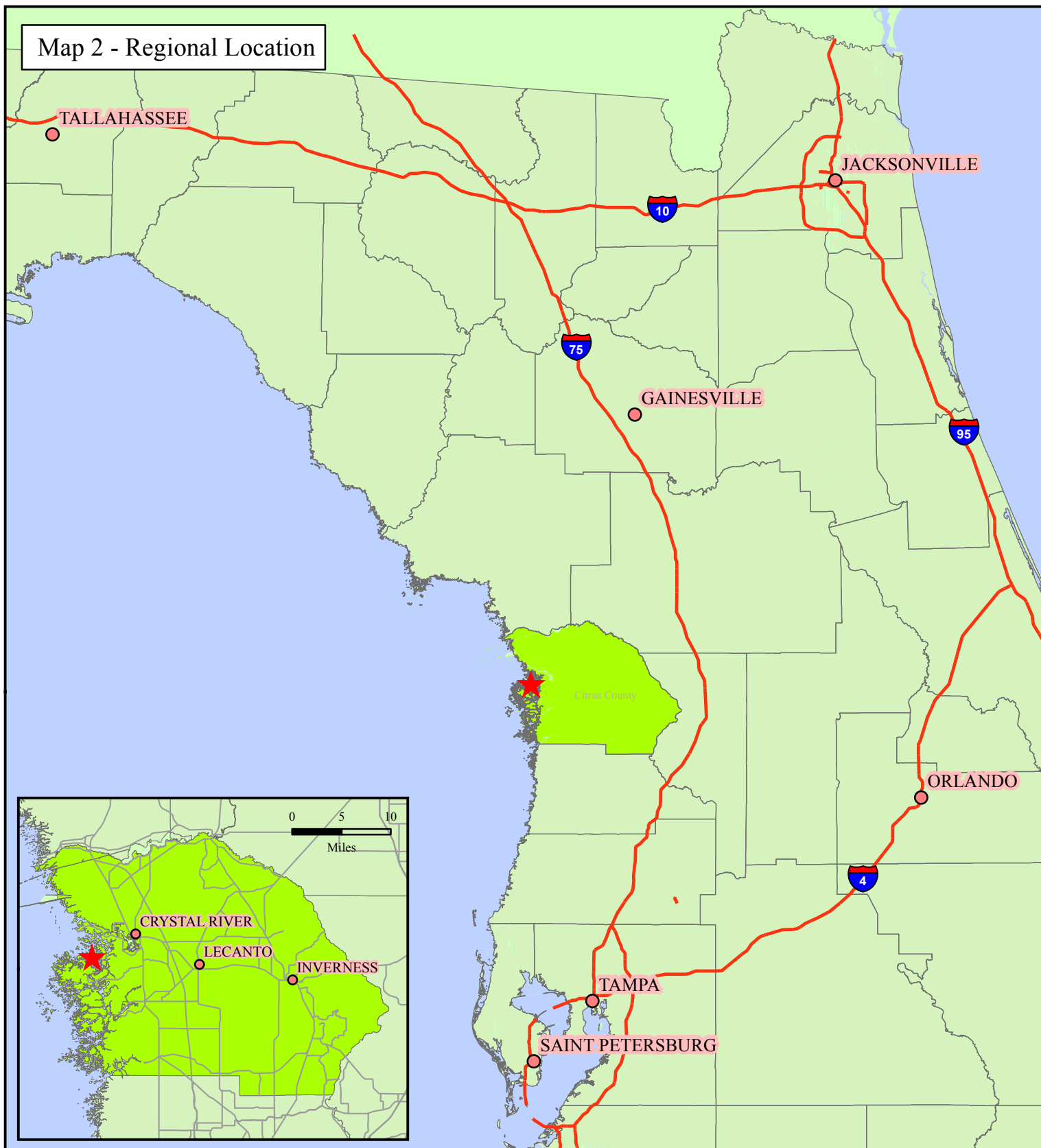
 Citrus County Parcels

Date: February 4, 2012
Source: Citrus County Property Appraiser,
Florida Geographic Data Library, Citrus Engineering and Surveying, Inc.
Map Projection: NAD 1983 State Plane FL West FIPS 0902 Feet



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Map 2 - Regional Location

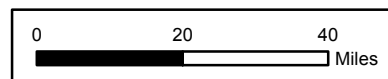


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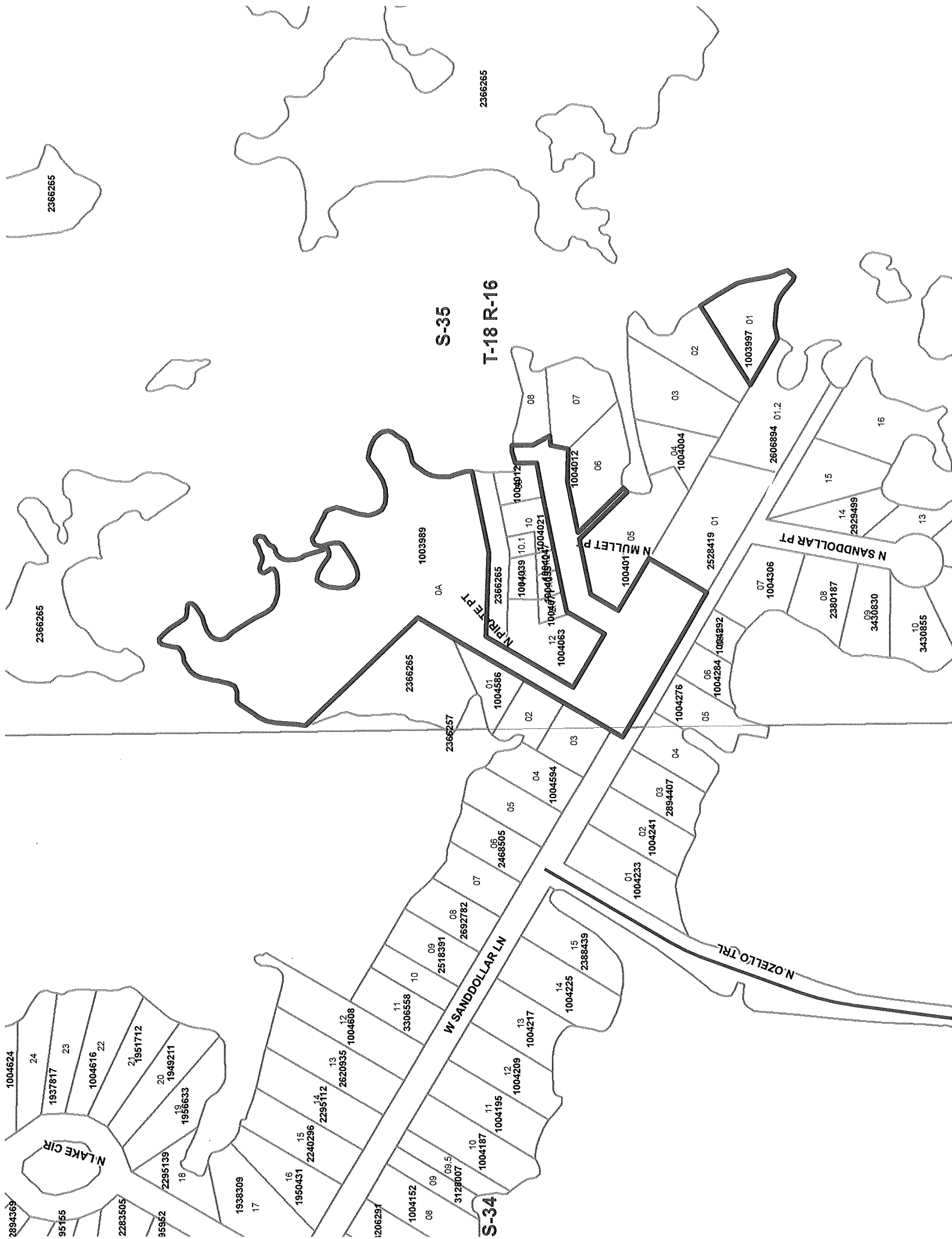
★ 360 Mullet Point, Crystal River, FL

□ County Boundaries

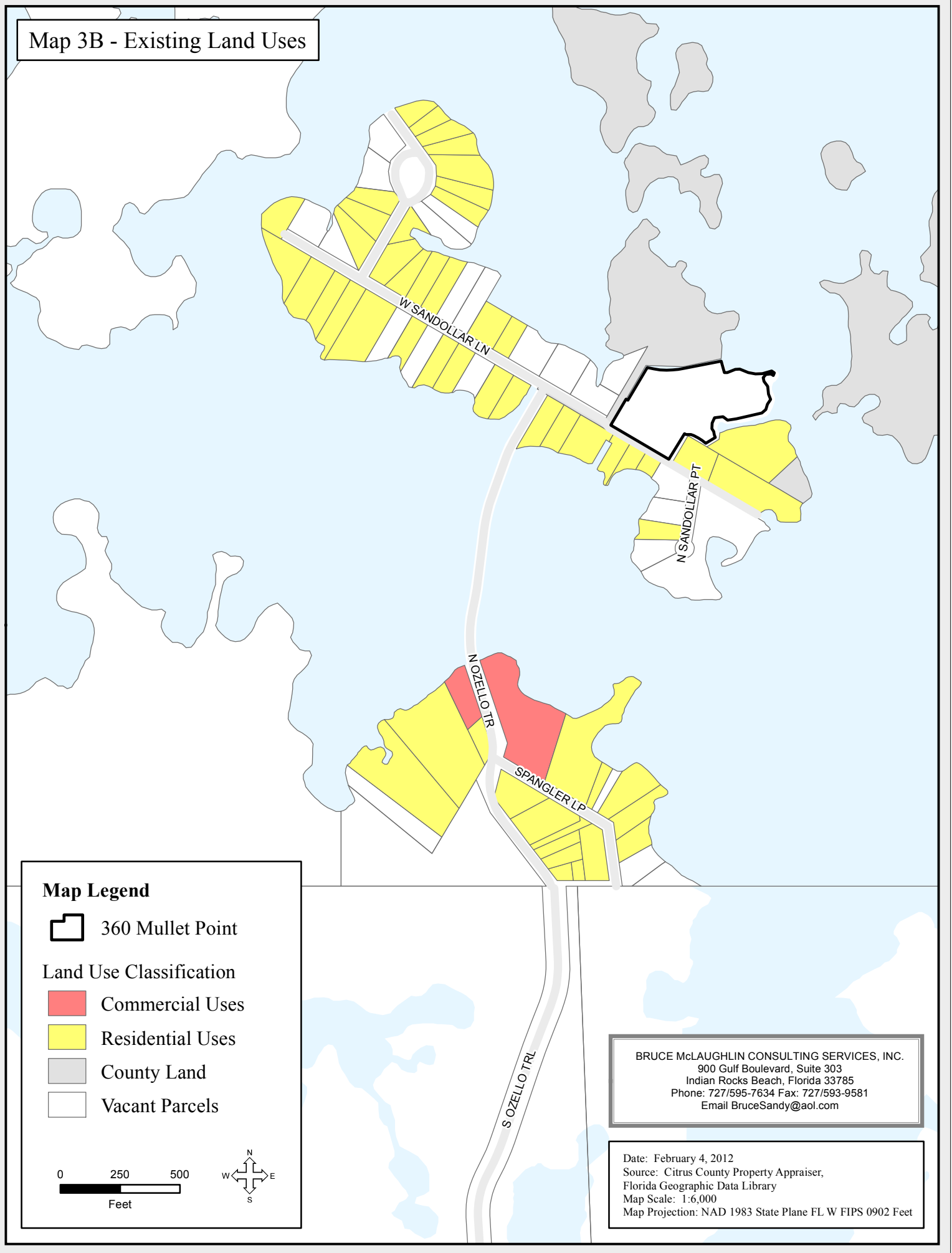
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 Florida Geographic Data Library
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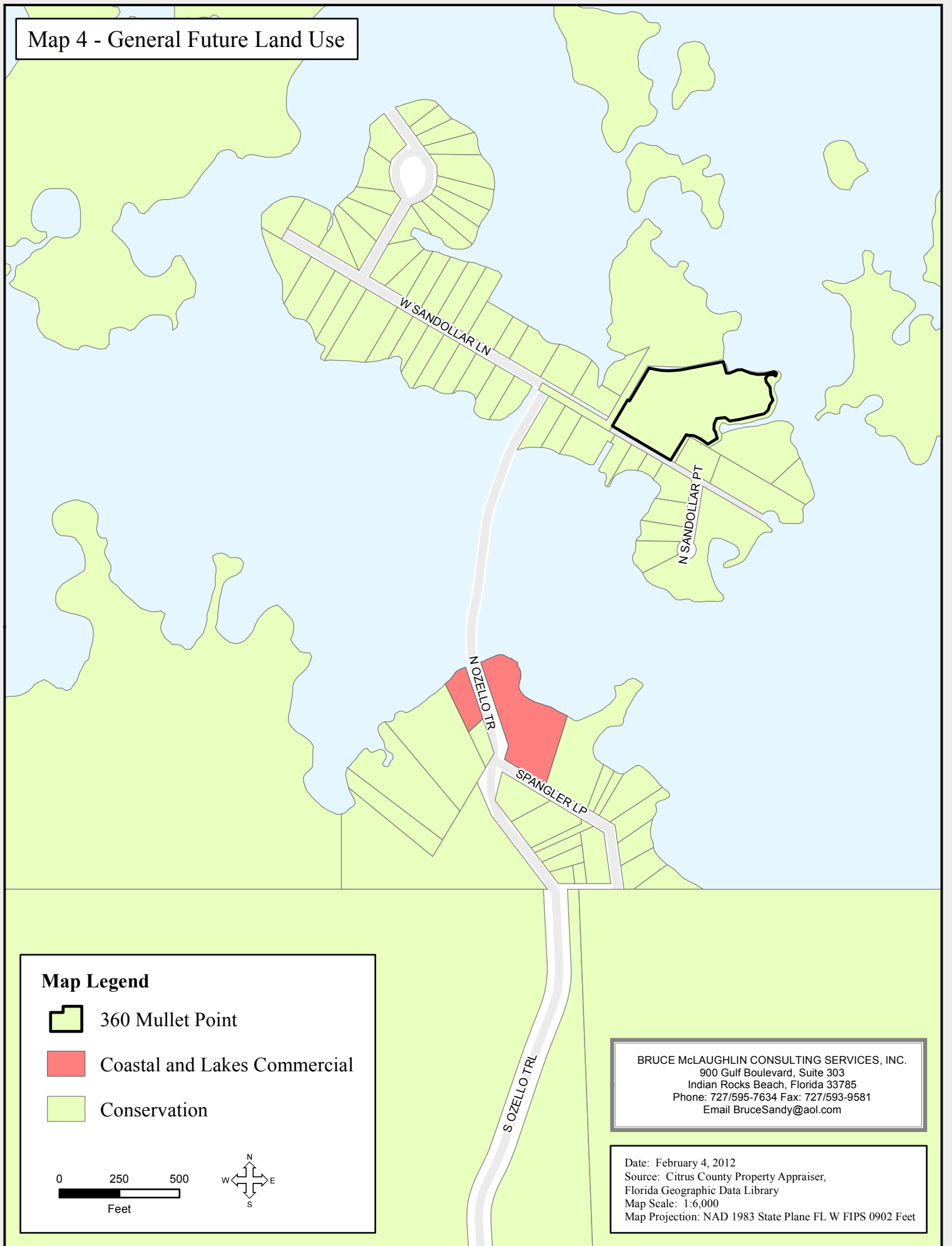
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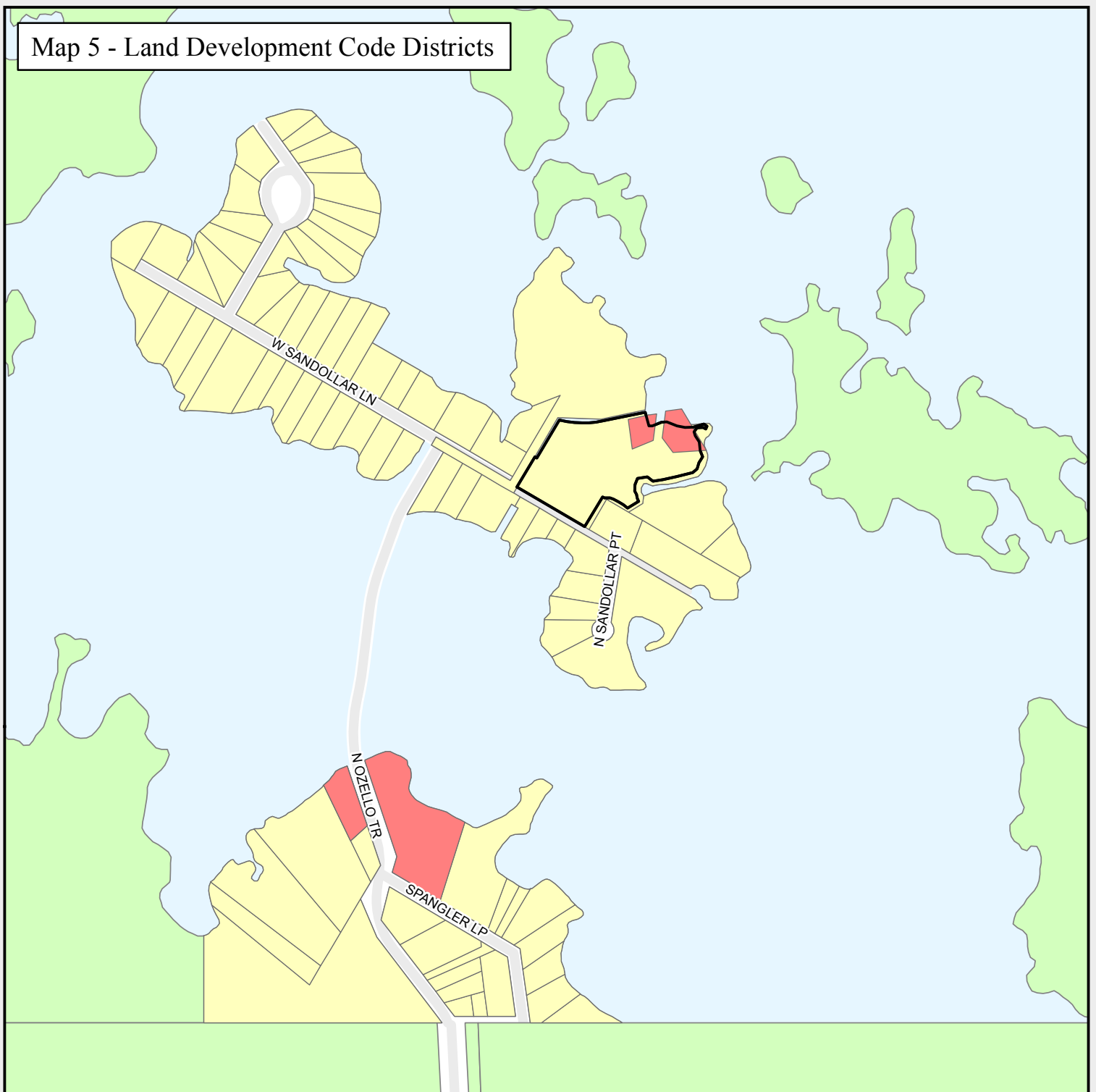
Map 3B - Existing Land Uses



Map 4 - General Future Land Use



Map 5 - Land Development Code Districts



Map Legend



360 Mullet Point



CLC - Coastal and Lakes Commercial District



CLR - Coastal and Lakes Residential District



CON - Conservation District

0 250 500
Feet



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