COLLIER COUNTY
Collier County Hearing Examiner

AGENDA

Growth Management Department
Conference Rooms 609/610
2800 Horseshoe Drive North
Naples, FL 34104

June 23, 2022

9: 00 AM

Andrew W. J. Dickman, Esq., AICP
Hearing Examiner

Note: Individual speakers will be limited to 5 minutes unless otherwise waived by the Hearing Examiner. Persons Wishing to have written or graphic materials included in the hearing report packets must have that material submitted to County staff at Thomas.Clarke@CollierCountyFL.gov 10 days prior to the Hearing. All materials used during presentation at the hearing will become a permanent part of the record.

Any person who decides to appeal a decision of the Hearing Examiner will need a record of the proceedings pertaining thereto, and therefore may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Decisions of the Hearing Examiner are final unless appealed to the Board of County Commissioners.

Hearing Procedures will provide for presentation by the Applicant, presentation by staff, public comment and applicant rebuttal. The Hearing Examiner will render a decision within 30 days. Persons wishing to receive a copy of the decision by mail may supply County staff with their name, address, and a stamped, self-addressed envelope for that purpose. Persons wishing to receive an electronic copy of the decision may supply their email address.

1. Pledge of Allegiance

2. Review of Agenda

3. Advertised Public Hearing

A. Petition No. NUA PL20210002953 - Request for a non-conforming use alteration pursuant to Land Development Code (LDC) Section 9.03.03.B.4 to allow the replacement and expansion of a residential structure. The subject property is located at 1006 Ridge Street lots 57 & 59 of Rosemary Heights Addition in Section 22, Township 49 South, Range 25 East, Collier County, Florida. [Coordinator: Gabriela Castro, Principal Planner] Commission District 4

B. Petition No. BDE PL20210002628 - 96 Southport Cove Chaffe - Request for a 42-foot boat dock extension from the maximum permitted protrusion of 20 feet allowed by Section 5.03.06.E.1 of the Collier County Land Development Code for waterways greater than 100 feet in width, to allow a boat docking facility protruding a total of 62 feet into a waterway that is 184± feet wide. The subject property is located at 96 Southport Cove and is further described as Lot 2, Southport on the Bay, Unit One, in Section 06, Township 48 South, Range 25 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 2

C. Petition No. PCUD PL20220000887 - Esperanza Place RPUD Habitat for Humanity - Request for a decision of the Hearing Examiner that storage sheds for single family dwelling units are comparable in nature to the other listed allowable accessory uses in Tract B of the Esperanza Place Residential Planned Unit Development (RPUD), adopted by Ordinance Number 2008-28, as amended. The subject RPUD is located on the north side of Immokalee Drive just west of Dilsa Lane in Section 32, Township 46 South, Range 29 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 2

4. Other Business

5. Public Comments

6. Adjourn

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.A
Item Summary: Petition No. NUA PL20210002953 - Request for a non-conforming use alteration pursuant to Land Development Code (LDC) Section 9.03.03.B.4 to allow the replacement and expansion of a residential structure. The subject property is located at 1006 Ridge Street lots 57 & 59 of Rosemary Heights Addition in Section 22, Township 49 South, Range 25 East, Collier County, Florida. [Coordinator: Gabriela Castro, Principal Planner] Commission District 4

Meeting Date: 06/23/2022

Prepared by:
Title: Principal Planner – Zoning
Name: Gabriela Castro
05/31/2022 5:06 PM

Submitted by:
Title: Zoning Director – Zoning
Name: Mike Bosi
05/31/2022 5:06 PM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky	Review Item	Completed	
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	06/01/2022 11:40 AM
Zoning	Ray Bellows	Review Item	Completed	06/01/2022 6:03 PM
Zoning	Mike Bosi	Review Item	Completed	06/03/2022 4:27 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	06/23/2022 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION – ZONING SERVICES SECTION

DATE: June 23, 2022

SUBJECT: NUA-PL20210002953; 1006 RIDGE STREET

PROPERTY OWNER/APPLICANT

Owner/Applicant:
Martha C Gill
1006 Ridge Street
Naples, FL 34103

Agent:
Zachary W. Lombardo, Esq.
Woodward, Pires, Lombardo, P.A.
3200 Tamiami Trail N Suite 200
Naples, FL 34103

REQUESTED ACTION:

The petitioner requests the Collier County Hearing Examiner approve a non-conforming use alteration (NUA) pursuant to Land Development Code (LDC) Section 9.03.03.B.4 to allow the replacement and expansion of the second residential dwelling unit.

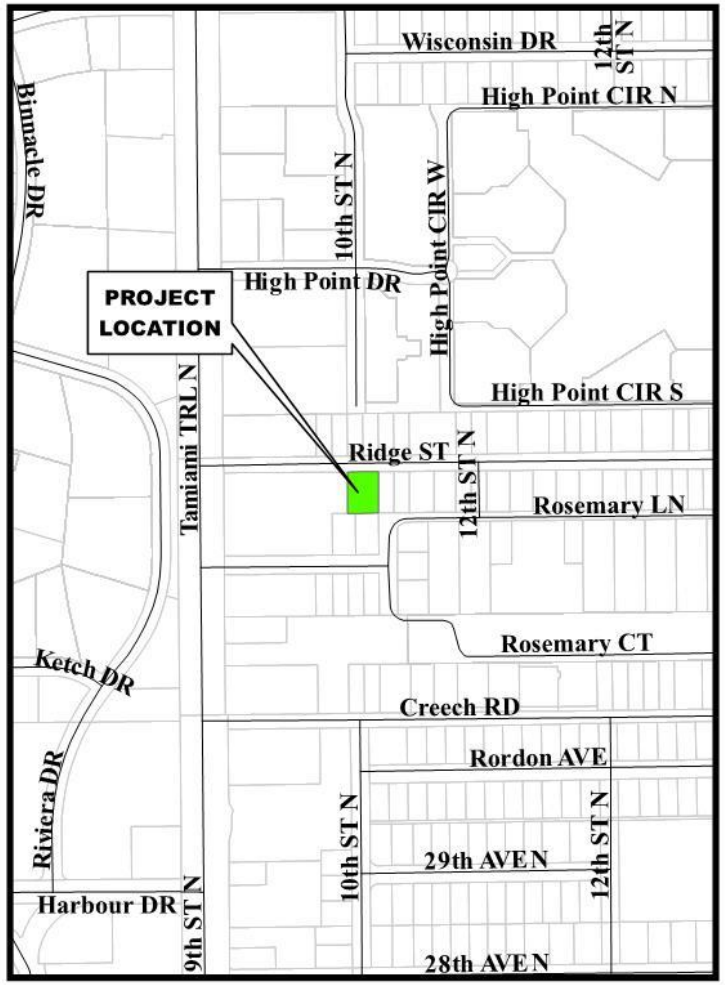
GEOGRAPHIC LOCATION:

The subject property is located at 1006 Ridge Street, approximately 400 feet east from the intersection of Tamiami Trail North (US 41) and Ridge Street, legally described as lots 57 and 59 of the Rosemary Height Addition, in Section 22, Township 49 South, Range 25 East, Collier County, Florida. (*See location map on page 2*).

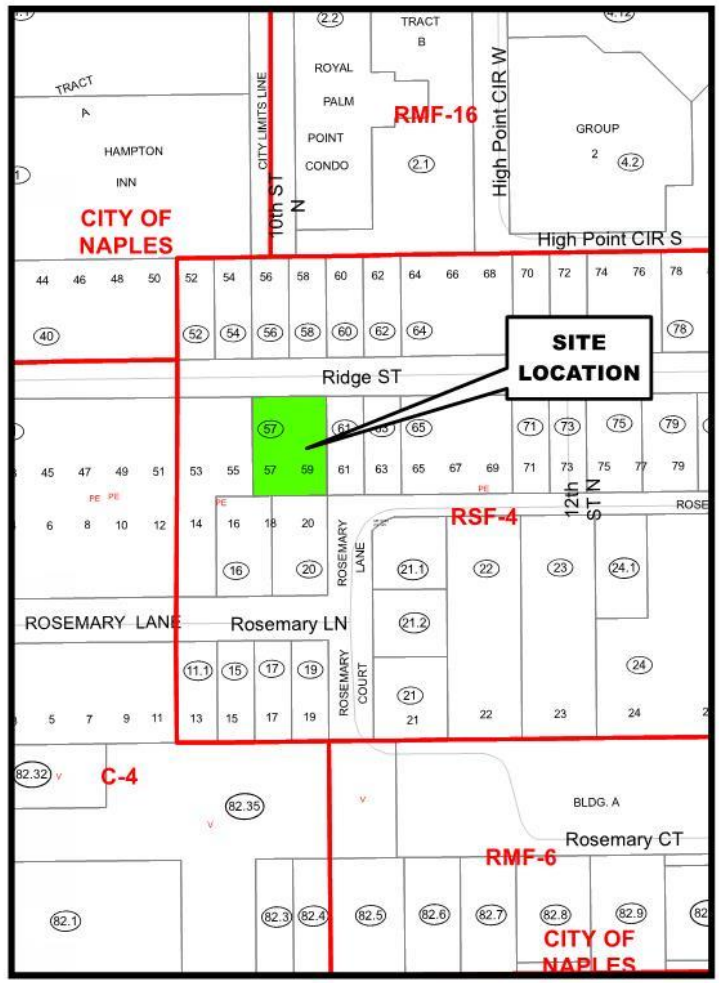
PURPOSE/DESCRIPTION OF PROJECT:

The petitioner requests an NUA pursuant to LDC Section 9.03.03.B to allow the replacement and expansion of the second residential dwelling unit. The subject property comprises 0.31 ± acres within the Residential Single Family (RSF-4) zoning district. The existing home was built in 1971 and the applicant wishes to tear down the current home and build a new home that meets building code criteria. The subject NUA is to replace the existing dwelling unit with a new one that will meet the current setback requirement and Florida Building Code Requirements.

Attachment: 1006 Ridge NUA Staff Report (22399 : PL20210002953 1006 Ridge Street NUA)



Location Map



Zoning Map

Petition Number: PL20210002953

Attachment: 1006 Ridge NUA Staff Report (22399 : PL20210002953 1006 Ridge Street NUA)

SURROUNDING LAND USE & ZONING:

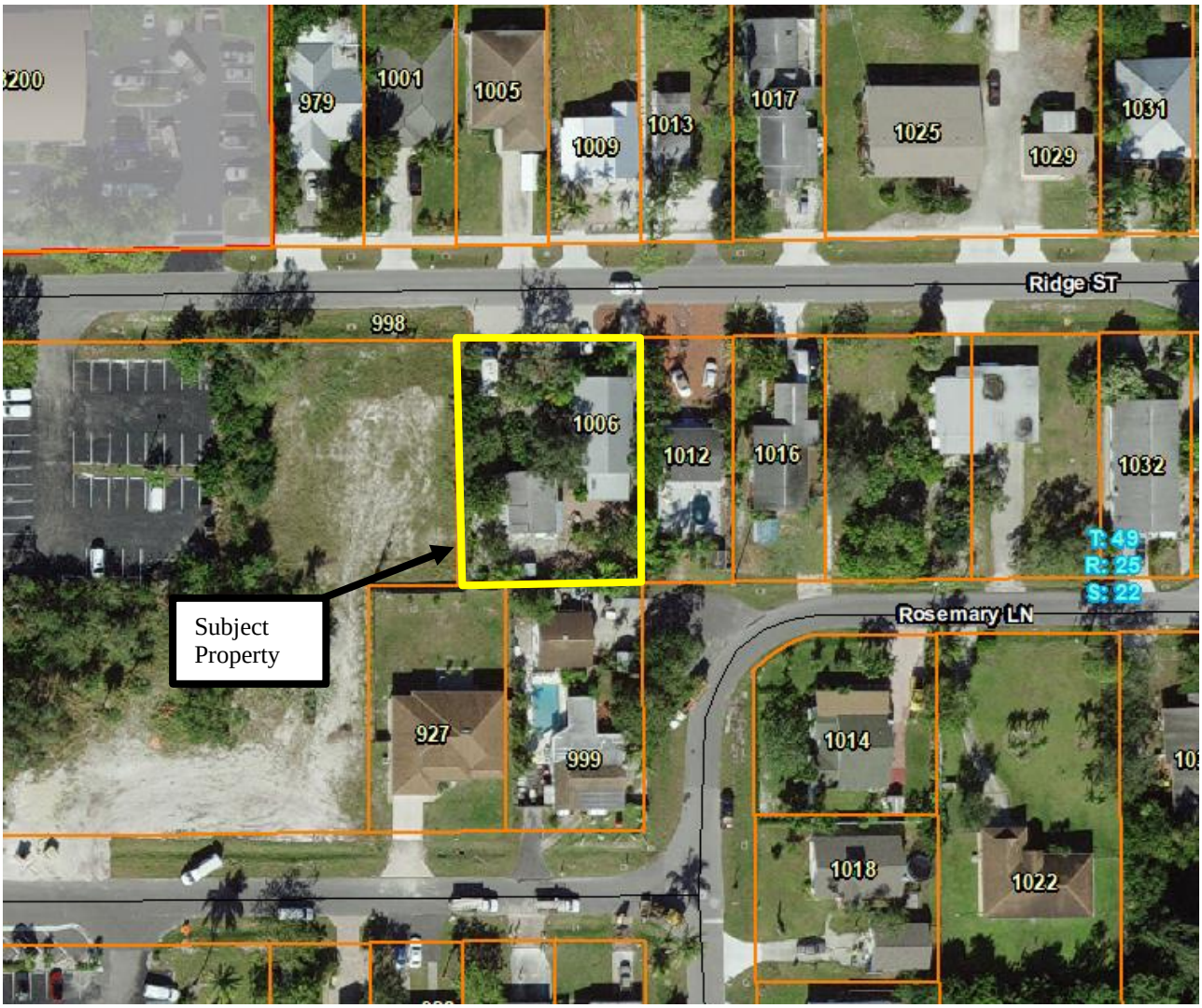
This section of the staff report identifies the land uses and zoning classifications for properties surrounding the subject property:

North: Two-lane Ridge Street then an existing single-family residential within the RSF-4 zoning district and airport overlay (APO)

East: Developed single-family residential within the RSF-4 zoning district and APO

South: Developed single-family residential within the RSF-4 zoning district and APO

West: Developed commercial buildings within two zoning districts, RSF-4 and General Commercial (C-4) and APO



Collier County GIS

Attachment: 1006 Ridge NUA Staff Report (22399 : PL20210002953 1006 Ridge Street NUA)

GROWTH MANAGEMENT PLAN (GMP) CONSISTENCY:

The subject property is within the Urban – Mixed Use District, Urban Residential Subdistrict, of the Future Land Use Map of the GMP. The GMP does not address individual NUA requests but deals with the larger issue of the actual use. As previously noted, the petitioner seeks an NUA pursuant to LDC Section 9.03.03.B to replace and expand the second dwelling unit. The subject use is consistent with the FLUM of the GMP. The requested NUA does not have any impact on this property's consistency with the County's GMP.

STAFF ANALYSIS:

The applicant seeks to obtain an NUA to allow for the replacement and expansion of the second residential dwelling unit in the RSF-4 zoning district. The existing home was built in 1971 and the applicant wishes to tear down the current home and build a new home that meets building code criteria.

Per the Collier County Property Appraiser, two residential structures are currently on this lot, one was built in 1951 and the other was built in 1971. Per a deed found from 1962, in 1971 when the second house was built, lots 57 and 59 were already combined under one ownership. The second dwelling unit was permitted under Permit 71-603 and a Certificate of Occupancy was issued on May 21, 1971.

In 1971, this property was zoned for MF-1 One and Two-Family Residential District. At the time the district's purpose was to allow medium density at 13.2 dwelling units per acre. The uses permitted were single-family residences and two-family residences, and no definition in the 1968 LDC on how to define a two-family residence. The second dwelling unit was built to meet compliance with the regulation placed in 1971. Since then, the zoning is now RSF-4 which only allows single-family dwelling units at a density of 4 dwelling units per acre. The original structure is now over 50 years old and the applicant wishes to demolish and replace the structure with a new structure that meets the required setbacks of the RSF-4 development standards and separation of structures.

The decision to grant an NUA is based on the criteria in LDC Section 9.03.03.B.5.a through f. (in bold font below). Staff has analyzed this petition relative to these provisions and offers the following responses:

a. The alteration, expansion, or replacement will not increase the density of the parcel or lot on which the nonconforming single-family dwelling, duplex, or mobile home is located.

The proposed replacement dwelling unit is for single-family use and will not increase the density of the lot.

b. The alteration, expansion, or replacement will not exceed the building height requirements of the district most closely associated with the subject nonconforming use.

Attachment: 1006 Ridge NUA Staff Report (22399 : PL20210002953 1006 Ridge Street NUA)

The building height in the RSF-4 District is 35 feet for principal structures; no departure from the height is being requested or recommended for approval, thus the building height requirements will not be exceeded.

c. The alteration, expansion, or replacement will not further encroach upon any nonconforming setback.

This petition, if approved is granted as recommended by staff, will not allow a yard encroachment and meets all the setbacks for the current RSF-4, as demonstrated by the Proposed plan in *Attachment A*. The requirement for the RSF-4 district are as follows and the proposed building meets the following criteria:

Required	Front- 25 feet	Proposed/Provided	Front-66
	Side- 7.5 feet		Side-8 feet (East)
	Rear-25 feet		Rear-26 feet

d. The alteration, expansion, or replacement will not decrease or further decrease the existing parking areas for the structure.

A reduction in parking requirements has neither been sought nor has any action regarding this issue been addressed as part of this petition.

e. The alteration, expansion, or replacement will not damage the character or quality of the neighborhood in which it is located or hinder the proper future development of the surrounding properties; and

The existing dwelling unit has existed in its present location since 1971. Although the replacement single family residence will be a larger footprint and two stories instead of one story it is unlikely that approval of this NUA will cause any greater damage to the character or quality of the neighborhood than may already exist. Many residences in this neighborhood have structures on their properties that would not meet minimum requirements today because these structures were approved and built with previous versions of the Land Development Code. Some examples of parcels with multiple residential structures include 1317 Ridge Street, 1221 Ridge Street, 1236 Rosemary Lane, 1224 Rosemary Lane. 1208 Rosemary Lane, and 928 Rosemary Lane. (see *Attachment F*, showing aerials of those properties).

f. Such alteration, expansion, or replacement will not present a threat to the health, safety, or welfare of the community or its residents.

The subject's nonconforming structure will not present a threat to the health, safety, or welfare of the community or residents. Further, the new building will meet all new Florida Building Codes that are required since the original building was built in 1971, creating a safer building that is less likely to cause damage in the place of a storm.

Attachment: 1006 Ridge NUA Staff Report (22399 : PL20210002953 1006 Ridge Street NUA)

PUBLIC NOTICE:

The applicant has received multiple letters of no objection from surrounding neighbors. Letters of no objection along with a map of the location of these neighbors are provided in *Attachment D.*

Public notice was provided about the June 23, 2022, Hearing Examiner Hearing by posting of a public hearing notice sign on the property, mailing of notices to owners within 500 feet of the subject site, and publication of a newspaper advertisement at least 15 days prior to the hearing

NEIGHBORHOOD INFORMATION MEETING (NIM):

A NIM is not required for a Nonconforming Use Alteration.

APPEAL OF PETITION TO BOARD OF ZONING APPEAL

As to any petition upon which the Hearing Examiner takes action, an aggrieved petitioner may appeal such final action. Such appeal shall be filed per Section 2-89 of the Collier County Code of Ordinances within 30 days of the Decision by the Hearing Examiner. In the event that the petition has been approved by the Hearing Examiner, the applicant shall be advised that he/she proceeds with construction at his/her own risk during this 30-day period. Any construction work completed ahead of the approval authorization shall be at their own risk.

RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner (HEX) approve Petition **NUA-PL20210002953** subject to the following conditions:

1. This scope of this NUA is limited to the footprint and configuration provided on the proposed site plan (*Attachment A)*

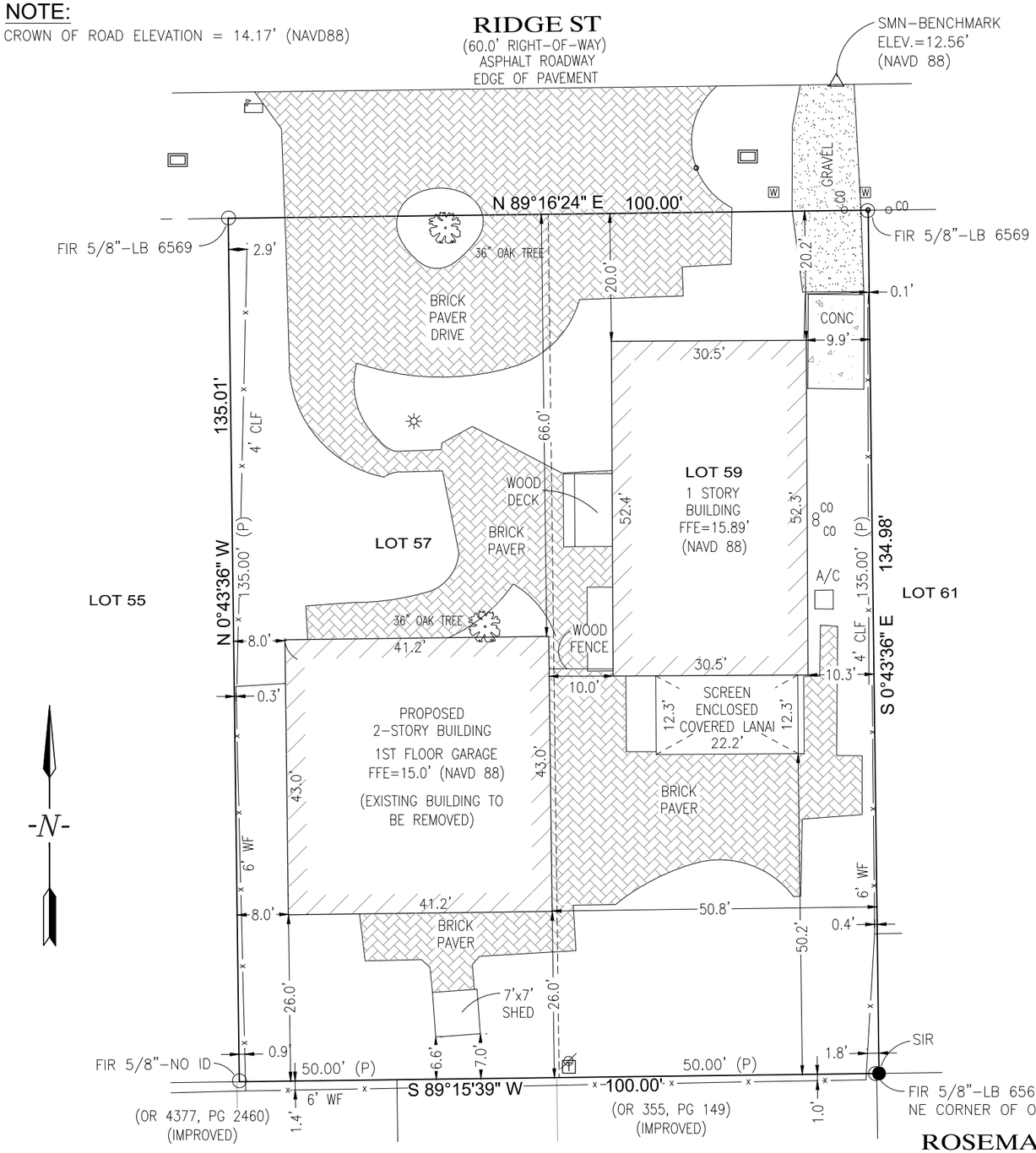
Attachments:

A. Proposed Site Plan
B. Existing Site Plan
C. Ordinance from October 1968
D. Letters of No Objection
E. Sign Posting
F. Applicant's Backup Material

Attachment: 1006 Ridge NUA Staff Report (22399 : PL20210002953 1006 Ridge Street NUA)

NOTE:

CROWN OF ROAD ELEVATION = 14.17' (NAVD88)



THIS PLAN MAY HAVE BEEN ENLARGED OR REDUCED FROM INTENDED DISPLAY SCALE FOR REPRODUCTION REASONS

PROPERTY DESCRIPTION

LOT 57 AND LOT 59, ROSEMARY HEIGHTS ADDITION, AS RECORDED IN PLAT BOOK 1, PAGE 78, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED BY THE NATIONAL GEODETIC SURVEY FOR FLORIDA EAST ZONE, 1983 DATUM WITH 2011 ADJUSTMENT OBTAINED UTILIZING RTK GPS OBSERVATIONS ON THE FDOT NETWORK AND REFER TO THE SOUTH RIGHT-OF-WAY OF RIDGE ST, AS BEING N 89°16'24" E.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD. ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
3. THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE X, HAVING NO BASE FLOOD ELEVATION, PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP # 12021C 0391 H, DATED 5/16/2012.
4. CERTAIN FEATURES REPRESENTED BY SYMBOLS MAY NOT BE SHOWN AT THEIR TRUE LOCATION AND/OR SCALE IN ORDER TO BE ABLE TO DEPICT THEM ON THIS MAP.
5. DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF. ELEVATIONS SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988. SOURCE BENCHMARK IS BM P 416.
6. THIS SURVEY DOES NOT ADDRESS ANY ENVIRONMENTAL CONCERNS, ENDANGERED WILDLIFE OR JURISDICTIONAL WETLANDS, IF ANY, EXCEPT AS SHOWN ON THIS SURVEY.
7. THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.
8. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR THE DIGITAL SIGNATURE AND DIGITAL SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER. NO ADDITIONS OR DELETIONS TO THIS SURVEY MAP ARE PERMITTED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE SIGNING PARTY.
9. UNLESS OTHERWISE NOTED, BELOW GROUND UTILITIES AND FOUNDATIONS WERE NOT LOCATED FOR THE PURPOSES OF THIS SURVEY.
10. BY SIGNING BELOW I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.051, F.A.C, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.
11. THE PURPOSE OF THE SURVEY IS TO SHOW THE PROPOSED BUILDING AS PROVIDED BY THE CLIENT IN RELATION TO THE EXISTING IMPROVEMENTS.
11. DATE OF LAST FIELD WORK: 1/22/2022.

LEGEND

FIR	FOUND IRON ROD	WF	WOOD FENCE
SIR	SET 5/8" IRON ROD w/ CAP LB 5151	CLF	CHAIN LINK FENCE
SMN	SET MAG NAIL		CATCH BASIN
FDH	FOUND DRILL HOLE	IRV	IRRIGATION VALVE
OR	OFFICIAL RECORDS BOOK		YARD DRAIN
PB	PLAT BOOK		WOOD UTILITY POLE
PG	PAGE		WATER METER
LB	LICENSED BUSINESS		TELEPHONE BOX/RISER
PSM	PROFESSIONAL SURVEYOR AND MAPPER	CO	CLEANOUT
A/C	AIR CONDITIONING UNIT		LIGHT POLE
CONC.	CONCRETE		MAILBOX
NAVD 88	NORTH AMERICAN VERTICAL DATUM OF 1988		OAK TREE

SETBACKS

PRINCIPLE BUILDING SETBACKS AS TAKEN FROM COLLIER COUNTY ZONING RSF-4.

FRONT YARD: 25'
SIDE YARD: 7.5'
REAR YARD: 25'

SQUARE FOOTAGE

BUILDING & LANAI	1,867
WOOD DECK	87
BRICK PAVERS	3,533
CONCRETE PADS	138
SHED	49
PROPOSED BUILDING	1,772
IMPROVEMENT TOTAL	7,446
LOT AREA	13,500

REVISION: 04/28/2022 CHANGED SIZE OF PROPOSED BUILDING
REVISION: 03/21/2022 ADDED PROPOSED BUILDING TO SURVEY

DRAWN BY:	TJD
CHECKED BY:	TJD
JOB CODE:	1006RS
SCALE:	1" = 20'
DATE:	24 JANUARY 2022
FILE:	22-23-SP
SHEET:	1 of 1

GradyMinor
Civil Engineers • Land Surveyors • Planners • Landscape Architects
Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266
Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380
Q. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134

BOUNDARY SURVEY w/ PROPOSED BUILDING

1006 RIDGE ST
NAPLES FL 34103

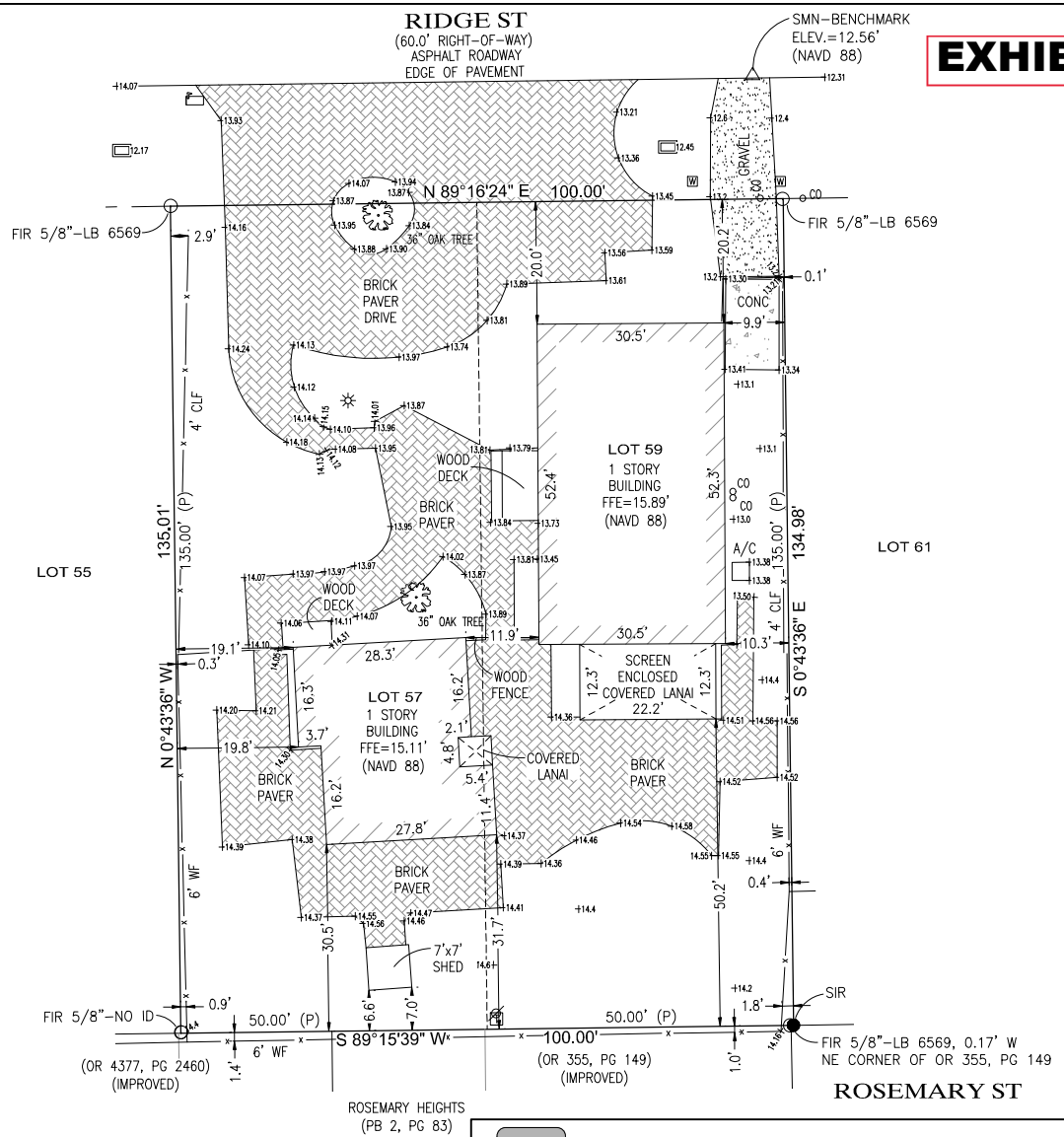
LYING IN
SECTION 22, TOWNSHIP 49 SOUTH, RANGE 25 EAST
COLLIER COUNTY, FLORIDA

DATE SIGNED
Digitally signed by Timothy J. DeVries, PSM
Date: 2022.04.28 07:41:28 -04'00'

TIMOTHY J. DEVRIES, P.S.M
FL LICENSE #6758
FOR THE SURVEY

Attachment: A Proposed plan (22399 : PL20210002953 1006 Ridge Street NUA)

EXHIBIT A



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OR	OFFICIAL RECORDS BOOK		YARD DRAIN
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A/C	AIR CONDITIONING UNIT		LIGHT POLE
CONC.	CONCRETE		MAILBOX
NAVD 88	NORTH AMERICAN VERTICAL DATUM OF 1988		OAK TREE

0 10' 20' 40'

SCALE: 1" = 20'

THIS PLAN MAY HAVE BEEN ENLARGED OR REDUCED FROM INTENDED DISPLAY SCALE FOR REPRODUCTION REASONS

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DRAWN BY:	
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JOB CODE:	100
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DATE:	24 JANUARY 2
FILE:	22-2
SHEET:	1 o

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Cert. of Auth. EB 0005151 • Cert. of Auth. LB 0005151 • Business LC 26000266

Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380

Q. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134

BOUNDARY AND TOPOGRAPHIC SURVEY w IMPROVEMENTS

1006 RIDGE ST
NAPLES FL 34103

LYING IN
SECTION 22, TOWNSHIP 49 SOUTH, RANGE 25 EAST
COLLIER COUNTY, FLORIDA

DATE SIGNED

Digitally signed by Timothy J. DeVries, Date: 2022.03.23 08:47:14 -04'00'

TIMOTHY J. DEVRIES, P.S.M
FL LICENSE #6758
FOR THE FIRM

Attachment: B Exisitng Plan (Received) (22399 : PL20210002953 1006 Ridge Street NUA)

7. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURE:

   A. One Story - 600 square feet.

   B. Two Story - 800 square feet, of which at least 600 square feet shall be on the ground floor.

8. MAXIMUM HEIGHT: 30 feet above grade. Accessory buildings limited to 20 feet.

9. MINIMUM OFF-STREET PARKING: One space per residence, located within the permitted building area.

Section 11.8 - MF-1 One and Two-Family Residential District.

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of medium density single and two-family residences not exceeding 13.2 dwelling units per net residential acre, or less, as specified.

2. USES PERMITTED: No building or structure, or part thereof, shall be erected, altered, or used, or land or water used, in whole or in part, for other than the following.

   A. PRINCIPAL USES:

      (1) Single Family Residences.

      (2) Two Family Residences.

   B. ACCESSORY USES:

      (1) Accessory uses and structures, including private garages.

      (2) Home occupations, as provided for in Article X.

   C. PROVISIONAL USES: The following uses may be permitted subject to the provisions of Article IX and the specific requirements of Section 9.3, if applicable, as follows:

Use
(1) Non-commercial boat launching facilities, and multiple docking areas.
(2) Recreational clubs, intended to serve the surrounding residential area.
(3) Churches and other places of worship.

Attachment: C Section 11.8 of 1968 LDC (22399 : PL20210002953 1006 Ridge Street NUA)

(4) Child care centers, nursing or rest homes.

(5) Schools and Colleges.

(6) Civic and Cultural facilities.

3. MAXIMUM LOT COVERAGE: 35%.

4. MINIMUM LOT AREA:

A. Corner Lots - 7,000 square feet.

B. Interior Lots - 6,600 square feet.

5. MINIMUM LOT WIDTH:

A. Corner Lots - 70 feet average between front and rear lot lines.

B. Interior Lots - 60 feet average between front and rear lot lines.

6. MINIMUM YARDS:

A. Front Yard - 25 feet.

B. Side Yard - One story, 7 - 1/2 feet; two story, 10 feet.

C. Rear Yard - 20 feet.

7. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURE:

A. Single - family dwelling - 800 square feet, one story; 1,000 square feet two stories, of which at least 600 square feet shall be on the ground floor.

B. Two - family dwelling - 500 square feet per unit.

8. MAXIMUM HEIGHT: 30 feet above grade.

9. MINIMUM OFF - STREET PARKING: One space per residence or unit, located within the permitted building area.

10. See also Article VIII - Off - Street Parking, Loading and Unloading Regulations.

Section 11.9 - MF - 2 One, Two and Multiple - Family Residential District.

1. DISTRICT PURPOSE: The provisions of this district are intended to apply to an area of medium to high density residences with a variety of housing types,

Attachment: C Section 11.8 of 1968 LDC (22399 : PL20210002953 1006 Ridge Street NUA)

Date: 4/26, 2022

Gabriela Castro
Principal Planner
Collier County Growth Management Department
Gabriela.castro@colliercountyfl.gov

Re: Non-Conforming Use Alteration Petition
PL20210002953
1006 Ridge Street

Dear Ms. Castro:

I, the undersigned owner of 1013 Ridge St, Naples, Florida, 34103, have reviewed the Non-Conforming Use Alteration Petition, reference number PL20210002953, that was applied for by the property owner for the property located at 1006 Ridge Street, Naples, FL 34103, and have no objections.

Sincerely,

Signature

Karen Lykins
Printed Name

Attachment: D Version 4 Combined Letters of No Objection for 1006 Ridge Street (22399 : PL20210002953 1006 Ridge Street NUA)

Date: April 26th, 2022

Gabriela Castro
Principal Planner
Collier County Growth Management Department
Gabriela.castro@colliercountyfl.gov

Re: Non-Conforming Use Alteration Petition
PL20210002953
1006 Ridge Street

Dear Ms. Castro:

I, the undersigned owner of 1209 Ridge St., Naples, Florida, 34103, have reviewed the Non-Conforming Use Alteration Petition, reference number PL20210002953, that was applied for by the property owner for the property located at 1006 Ridge Street, Naples, FL 34103, and have no objections.

Sincerely,

_____
Signature

Shane Duff

_____
Printed Name

Attachment: D Version 4 Combined Letters of No Objection for 1006 Ridge Street (22399 : PL20210002953 1006 Ridge Street NUA)

Gabriela Castro
Principal Planner
Collier County Growth Management Department
Gabriela.castro@colliercountyfl.gov

Re: Non-Conforming Use Alteration Petition
PL20210002953
1006 Ridge Street

Dear Ms. Castro:

I, the undersigned owner of 979 Ridge St., Naples, Florida, 34103, have reviewed the Non-Conforming Use Alteration Petition, reference number PL20210002953, that was applied for by the property owner for the property located at 1006 Ridge Street, Naples, FL 34103, and have no objections.

Sincerely,

Wayne DiGiacomo
Signature

Attachment: D Version 4 Combined Letters of No Objection for 1006 Ridge Street (22399 : PL20210002953

Date: April 27, 2022

Gabriela Castro
Principal Planner
Collier County Growth Management Department
Gabriela.castro@colliercountyfl.gov

Re: Non-Conforming Use Alteration Petition
PL20210002953
1006 Ridge Street

Dear Ms. Castro:

I, the undersigned owner of 1016 Ridge ST., Naples, Florida, 34103, have reviewed the Non-Conforming Use Alteration Petition, reference number PL20210002953, that was applied for by the property owner for the property located at 1006 Ridge Street, Naples, FL 34103, and have no objections.

Sincerely,

Melissa Cheaney Howard
Signature

Melissa Cheaney Howard
Printed Name

Attachment: D Version 4 Combined Letters of No Objection for 1006 Ridge Street (22399 : PL20210002953 1006 Ridge Street NUA)

Date: 4/27/2022, 2022

Gabriela Castro
Principal Planner
Collier County Growth Management Department
Gabriela.castro@colliercountyfl.gov

Re: Non-Conforming Use Alteration Petition
PL20210002953
1006 Ridge Street

Dear Ms. Castro:

I, the undersigned owner of 1201 Ridge St Naples, FL 34103, Naples, Florida, 34103, have reviewed the Non-Conforming Use Alteration Petition, reference number PL20210002953, that was applied for by the property owner for the property located at 1006 Ridge Street, Naples, FL 34103, and have no objections.

Sincerely,

Dawn Perniciaro Brown
Signature

DAWN PERNICIARO BROWN
Printed Name

Attachment: D Version 4 Combined Letters of No Objection for 1006 Ridge Street (22399 : PL20210002953 1006 Ridge Street NUA)

Date: 4/28, 2022

Gabriela Castro
Principal Planner
Collier County Growth Management Department
Gabriela.castro@colliercountyfl.gov

Re: Non-Conforming Use Alteration Petition
PL20210002953
1006 Ridge Street

Dear Ms. Castro:

I, the undersigned owner of 1009 Ridge ST, Naples, Florida, 34103, have reviewed the Non-Conforming Use Alteration Petition, reference number PL20210002953, that was applied for by the property owner for the property located at 1006 Ridge Street, Naples, FL 34103, and have no objections.

Sincerely,

Signature

Mike Murad
Printed Name

Attachment: D Version 4 Combined Letters of No Objection for 1006

Date: 4-29, 2022

Gabriela Castro
Principal Planner
Collier County Growth Management Department
Gabriela.castro@colliercountyfl.gov

Re: Non-Conforming Use Alteration Petition
PL20210002953
1006 Ridge Street

Dear Ms. Castro:

I, the undersigned owner of 999 Rosemary La, Naples, Florida, 34103, have reviewed the Non-Conforming Use Alteration Petition, reference number PL20210002953, that was applied for by the property owner for the property located at 1006 Ridge Street, Naples, FL 34103, and have no objections.

Sincerely,

Signature

James Bostas
Printed Name

Attachment: D Version 4 Combined Letters of No Objection for 1006 Ridge Street (22399 : PL20210002953 1006 Ridge Street NUA)

Date: 4/29, 2022

Gabriela Castro
Principal Planner
Collier County Growth Management Department
Gabriela.castro@colliercountyfl.gov

Re: Non-Conforming Use Alteration Petition
PL20210002953
1006 Ridge Street

Dear Ms. Castro:

I, the undersigned owner of 1031 Ridge St, Naples, Florida, 34103, have reviewed the Non-Conforming Use Alteration Petition, reference number PL20210002953, that was applied for by the property owner for the property located at 1006 Ridge Street, Naples, FL 34103, and have no objections.

Sincerely,

Kim Hill
Signature

Kim Hill
Printed Name

Attachment: D Version 4 Combined Letters of No Objection for 1006 Ridge Street (22399 : PL20210002953 1006 Ridge Street NUA)

Date: 4-29, 2022

Gabriela Castro
Principal Planner
Collier County Growth Management Department
Gabriela.castro@colliercountyfl.gov

Re: Non-Conforming Use Alteration Petition
PL20210002953
1006 Ridge Street

Dear Ms. Castro:

I, the undersigned owner of 1025 Ridge St, Naples, Florida, 34103, have reviewed the Non-Conforming Use Alteration Petition, reference number PL20210002953, that was applied for by the property owner for the property located at 1006 Ridge Street, Naples, FL 34103, and have no objections.

Sincerely,

Peggy Breland
Signature

Peggy Breland
Printed Name

Attachment: D Version 4 Combined Letters of No Objection for 1006 Ridge Street (22399 : PL20210002953 1006 Ridge Street NUA)

Date: April 29th, 2022

Gabriela Castro
Principal Planner
Collier County Growth Management Department
Gabriela.castro@colliercountyfl.gov

Re: Non-Conforming Use Alteration Petition
PL20210002953
1006 Ridge Street

Dear Ms. Castro:

I, the undersigned owner of 1033 Ridge St, Naples, Florida, 34103, have reviewed the Non-Conforming Use Alteration Petition, reference number PL20210002953, that was applied for by the property owner for the property located at 1006 Ridge Street, Naples, FL 34103, and have no objections.

Sincerely,

Signature

Shannon Bailey
Printed Name

Attachment: D Version 4 Combined Letters of No Objection for 1006 Ridge Street (22399 : PL20210002953 1006 Ridge Street NUA)

1006

Date: 4/30, 2022

Gabriela Castro
Principal Planner
Collier County Growth Management Department
Gabriela.castro@colliercountyfl.gov

Re: Non-Conforming Use Alteration Petition
PL20210002953
1006 Ridge Street

Dear Ms. Castro:

I, the undersigned owner of 1200 Ridge St., Naples, Florida, 34103, have reviewed the Non-Conforming Use Alteration Petition, reference number PL20210002953, that was applied for by the property owner for the property located at 1006 Ridge Street, Naples, FL 34103, and have no objections.

Sincerely,

Signature

CARLA KRUYTBOSCH
Printed Name

Attachment: D Version 4 Combined Letters of No Objection for 1006 Ridge Street (22399 : PL20210002953 1006 Ridge Street NUA)

Date: 5-17, 2022

Gabriela Castro
Principal Planner
Collier County Growth Management Department
Gabriela.castro@colliercountyfl.gov

Re: Non-Conforming Use Alteration Petition
PL20210002953
1006 Ridge Street

Dear Ms. Castro:

I, the undersigned owner of 1115 Ridge St., Naples, Florida, 34103, have reviewed the Non-Conforming Use Alteration Petition, reference number PL20210002953, that was applied for by the property owner for the property located at 1006 Ridge Street, Naples, FL 34103, and have no objections.

Sincerely,

Signature

Maryann Schanck
Printed Name

Attachment: D Version 4 Combined Letters of No Objection for 1006 Ridge Street (22399 : PL20210002953 1006 Ridge Street NUA)

Date: 5/14, 2022

Gabriela Castro
Principal Planner
Collier County Growth Management Department
Gabriela.castro@colliercountyfl.gov

Re: Non-Conforming Use Alteration Petition
PL20210002953
1006 Ridge Street

Dear Ms. Castro:

I, the undersigned owner of 1212 Ridge st, Naples, Florida, 34103, have reviewed the Non-Conforming Use Alteration Petition, reference number PL20210002953, that was applied for by the property owner for the property located at 1006 Ridge Street, Naples, FL 34103, and have no objections.

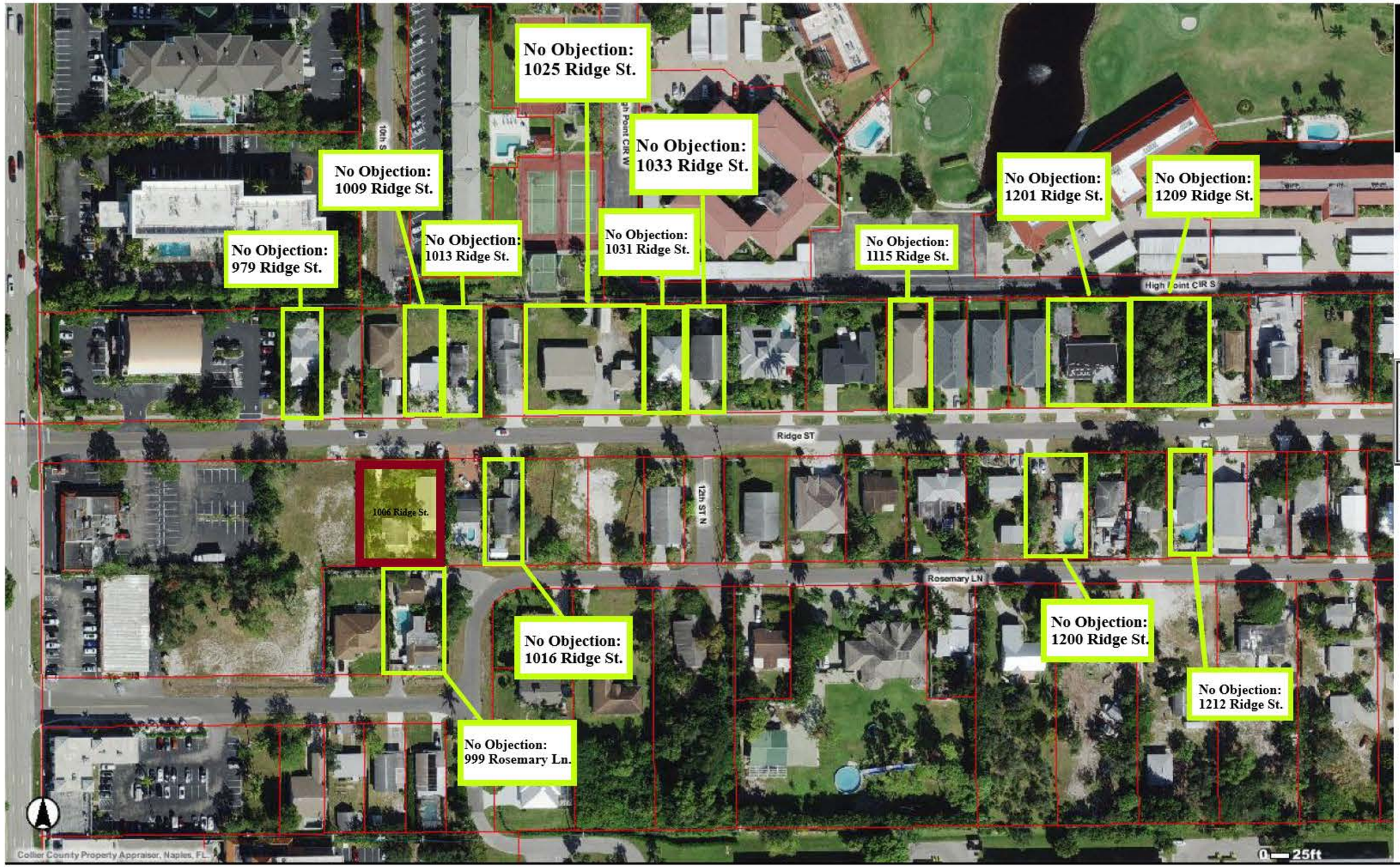
Sincerely,

Signature

Printed Name

Attachment: D Version 4 Combined Letters of No Objection for 1006 Ridge Street (22399 : PL20210002953 1006 Ridge Street NUA)

PL20210002953 Geospatial Representation of Letters of No Objection



MAP LEGEND

- Major Roads
- Street Names
- Parcels
- Aerials 2022 Urban [6IN]
- Aerials 2022 Rural [2FT]
- Collier County

Folio Number: 71020320003
Name: MARTHA C GILL REVOC TRUST
Street# & Name: 1006 RIDGE ST
Build# / Unit#: / 57
Legal Description: ROSEMARY HGTS ADD LOTS 57 + 59

2004. Collier County Property Appraiser. While the Collier County Property Appraiser is committed to providing the most accurate and up-to-date information, no warranties expressed or implied are provided for the data herein, its use, or its interpretation.

Attachment: D Version 4 Combined Letters of No Objection for 1006 Ridge Street (22399 : PL20210002953 1006 Ridge Street NUA)

From: Gabriela Castro <gcastro627@gmail.com>
Sent: Tuesday, May 31, 2022 4:49 PM
To: CastroGabriela
Subject: 1006 ridge sign
Attachments: IMG-4425.jpg; IMG-4424.jpg

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Attachment: E Sign Posting 1006 Ridge (22399 : PL20210002953 1006 Ridge Street NUA)

Attachment: E Sign Posting 1006 Ridge (22399 : PL20210002953 1006 Ridge Street NUA)

Attachment: E Sign Posting 1006 Ridge (22399 : PL20210002953 1006 Ridge Street NUA)

HEARING PACKAGE CHECKLIST Return this form with printed materials

A. Backup provided by the County Planner

The Planner is responsible for all required data included in the printed packets of information for the Hearing Examiner (Hex) or the Collier County Planning Commission (CCPC). DO NOT ACCEPT DUPLICATES OF ANY DOCUMENTS. MAKE SURE ONLY THE LATEST, ACCEPTED/APPROVED COPY OF THE BELOW DOCUMENTATION. PLEASE CONFIRM THE DOCUMENTS ARE IN THE ORDER DESCRIBED IN "BACKUP PROVIDED BY APPLICANT."

Planner responsible for providing the County Attorney-drafted Ordinance for PUDs and placing in backup materials. AGENTS DO NOT INCLUDE THE PUD DOCUMENT – STAFF PROVIDES THIS TO THE COUNTY ATTORNEY WHEN THE ORDINANCE IS DRAFTED FOR A PUD. THE FINAL PUD ORDINANCE/RESOLUTION IS THE FIRST ITEM AFTER THE STAFF REPORT. [FOR HEX, THE REQUESTED LANGUAGE/ PROPOSED PLAN IS THE FIRST ITEM AFTER THE STAFF REPORT]

B. Backup provided by Applicant:

PLEASE PROVIDE THE DOCUMENTS IN THE ORDER DESCRIBED BELOW. DO NOT PROVIDE DUPLICATES OF ANY DOCUMENTS. PROVIDE ONLY THE LATEST, ACCEPTED/APPROVED COPY OF THE BELOW DOCUMENTATION. IF THE BACKUP PROVIDED BY APPLICANT IS IN DISARRAY-MEANING IT IS NOT IN THE PROPER ORDER AND/OR THE APPLICANT PROVIDES MULTIPLE DUPLICATES-THE APPLICANT COULD LOSE ITS HEARING DATE.

- ✓ Application, to include but not limited to the following:
  - ✓ Narrative of request
  - ✓ Property Information
  - ✓ Property Ownership Disclosure Form
  - ____ Any other documents required by the specific petition type; such as a variance, a boat dock extension; PUD amendment, rezone request, etc.
- ✓ Disclosure of Property Ownership Interest (if there is additional documentation aside from disclosure form)
- ____ Affidavit of Unified Control
- ✓ Affidavit of Representation
- ✓ Drawings (may include Cross-Section (for BDEs generally), proposed Boat Dock(s) with Water depth, location maps etc.)
- ____ NIM Information (Sign in sheet, notes, minutes and transcript/or summary)
  - ✓ Include 3 thumbnail drives of video and/or audio
- ____ Traffic Impact Study (TIS)
- ____ Environmental Data
- ____ Historical/Archeological Survey or Waiver
- ____ Utility Letter
- ____ Deviation Justifications

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

✓ Boundary Survey

✓ Other documents, as needed, on a case-by-case basis such as relevant prior Ordinances, Conditional Uses, historical documents, any "private or legal" agreements affecting the PUD etc.

___ Submerged Resource Surveys may be included here if required.

____ **CD with *only one* pdf file for all documents in the same order as the packets are put together. They must be in the same order.**

I understand that by submitting the above materials, it is the agent's/applicant's responsibility to ensure all materials are in the same order for all copies of backup materials to provide to the Hex/CCPC and the CD must contain the documents in one pdf file (not multiple files) in the same order as the printed materials. It is the agent's responsibility to ensure no documentation is left out.

Signature of Agent Representative

3/26/22
Date

ZACHARY W. LOMBARDO, ESQ.
Printed Name of Signing Agent Representative

FBN 117530

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

Collier County
Growth Management Department

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

NON-CONFORMING USE ALTERATION (NUA) PETITION

LDC section 9.03.00

PROJECT NO (PL)
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): Martha C. Gill as trustee of the Martha C. Gill Revocable Trust

Name of Applicant if different than owner: c/o Agent

Address: 3200 Tamiami Trail N. Ste. 200 **City:** Naples **State:** FL **ZIP:** 34103

Telephone: (239) 649-6555 **Cell:** _____ **Fax:** (239) 649-7343

E-Mail Address: zlombardo@wpl-legal.com

Name of Agent: Zachary W. Lombardo, Esq.

Firm: Woodward, Pires & Lombardo, P.A.

Address: 3200 Tamiami Trail N. Ste. 200 **City:** Naples **State:** FL **ZIP:** 34103

Telephone: (239) 649-6555 **Cell:** _____ **Fax:** (239) 649-7342

E-Mail Address: zlombardo@wpl-legal.com

PROPERTY INFORMATION

Property I.D. Number: 71020320003 **Section/Township/Range:** 22 / 49 / 25

Subdivision: Rosemary Heights Addition **Unit:** _____ **Lot:** 57 & 59 **Block:** _____

Metes & Bounds Description: _____ **# of Acres:** 0.31

Address of Subject Property: 1006 Ridge Street, Naples, FL 34103

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

Collier County
Growth Management Department

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

ZONING INFORMATION

Current Zoning and Land use of Subject Parcel: RSF-4

Adjacent Information:

	Zoning	Land Use
N	RSF-4	Single-Family Residential
S	RSF-4	Single-Family Residential
E	RSF-4	Single-Family Residential
W	RSF-4	Vacant

EVALUATION CRITERIA

Pursuant to LDC section 9.03.03.B, staff's analysis and recommendation to the Office of the Hearing Examiner shall be based upon consideration of the applicable criteria noted below. On a separate sheet attached to the application, provide a narrative statement describing the Nonconforming Use Alteration with specific reference to the criteria noted below. Include any backup materials and documentation in support of the request.

1. The alteration, expansion, or replacement will no increase the density of the parcel or lot on which the nonconforming single-family dwelling, duplex, or mobile home is located;
   See Attachment 1
2. The alteration, expansion, or replacement will not exceed the building height requirements of the district most closely associated with the subject nonconforming use;
   See Attachment 1
3. The alteration, expansion, or replacement will not further encroach upon any nonconforming setback;
   See Attachment 1
4. The alteration, expansion, or replacement will not will not decrease or further decrease the existing parking areas for the structure;
   See Attachment 1
5. The alteration, expansion, or replacement will not damage the character or quality of the neighborhood in which it is located or hinder the proper future development of the surrounding properties; and
   See Attachment 1
6. The alteration, expansion, or replacement will not present a threat to the health, safety, or welfare of the community or its residents.
   See Attachment 1

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

Collier County
Growth Management Department

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

Pre-Application Meeting and Final Submittal Requirement Checklist for: Non-Conforming Use Alteration

The following Submittal Requirement Checklist is to be utilized during the Pre-Application Meeting and at time of application submittal. At time of submittal, the checklist is to be completed and submitted with the application packet. Please provide the submittal items in the exact order listed below, with cover sheets attached to each section. **Incomplete submittals will not be accepted.**

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application	1	☒	☐
Pre-Application meeting notes/minutes	1	☑	☐
Aerial Photograph	1	☑	☐
Completed Addressing Checklist	1	☒	☐
Affidavit of Authorization, signed and notarized	1	☒	☐
Site Plan drawn to scale existing and proposed	1	☑	☐
Narrative statement covering the nature of petition	1	☒	☐
Proof of ownership or interest in property, deed or contract to purchase	1	☑	☐
Electronic Copies of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	☐	☑	☐

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

- Following the completion of the review process by County review staff, the applicant shall submit all materials electronically to the designated project manager.
- Please contact the project manager to confirm the number of additional copies required.

FEE REQUIREMENTS:

☑ **Non-conforming Use Alteration Petition:** $1,500.00
☑ **Estimated Legal Advertising Fee for the Office of the Hearing Examiner:** $1,125.00

All checks payable to: Board of County Commissioners

The completed application, all required submittal materials, and the permit fee shall be submitted to:
Growth Management Department / Planning & Zoning
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

Applicant/Agent Signature — Date: 3/18/22

Zachary W. Lombardo, Esq.
Printed Name

4/9/2019

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

ATTACHMENT 1

Evaluation Criteria:

1. The alteration, expansion, or replacement will no increase the density of the parcel or lot on which the nonconforming single-family dwelling, duplex, or mobile home is located;

The replacement will not increase the density of the parcel or lot on which the non-conforming single-family dwelling is located because it is replacing a residential structure that currently exists and thus the net change in density proposed is 0.

2. The alteration, expansion, or replacement will not exceed the building height requirements of the district most closely associated with the subject nonconforming use;

No nonconforming building height currently exists and thus, in replacing what currently exists, no request for nonconforming building height is being requested. The replacement will not exceed the building height requirements (35 feet in RSF-4).

3. The alteration, expansion, or replacement will not further encroach upon any nonconforming setback;

The current structure does not encroach on any current setback requirements and the replacement will not encroach upon any current setback requirements. The non-conformity is not setback related. Please refer to the enclosed site plan, Exhibit A, for reference.

4. The alteration, expansion, or replacement will not will not decrease or further decrease the existing parking areas for the structure;

The replacement will not alter the existing parking areas for the structure and thus it will not decrease or further decrease the existing parking areas for the structure. Please refer to the enclosed site plan, Exhibit A, for reference.

5. The alteration, expansion, or replacement will not damage the character or quality of the neighborhood in which it is located or hinder the proper future development of the surrounding properties; and

The replacement will not damage the character or quality of the neighborhood in which it is located or hinder the proper future development of the surrounding properties. The

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

current structure has existed on the lot for 50 years. Further, this is not the only parcel on Ridge Street that has multiple residential structures.

6. The alteration, expansion, or replacement will not present a threat to the health, safety, or welfare of the community or its residents.

The replacement will not present a threat to the health, safety, or welfare of the community or its residents. First, the current structure has existed on the lot for 50 years. Further, replacing the structure will result in the structure being replaced with one that is up to modern code. This will greatly improve the safety of the structure, which in turn will improve the health, safety, and welfare of the community.

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

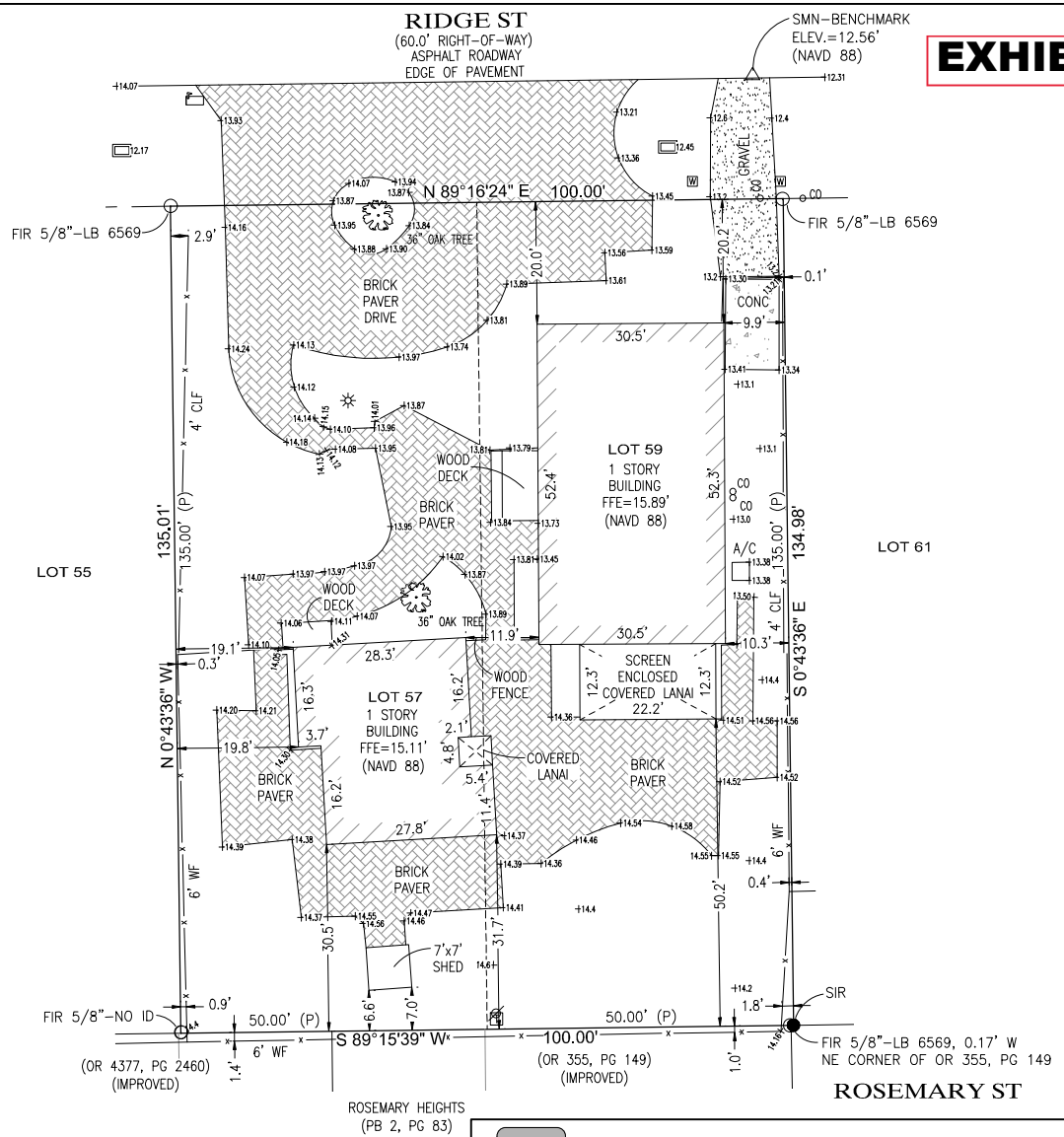


EXHIBIT A

PROPERTY DESCRIPTION

LOT 57 AND LOT 59, ROSEMARY HEIGHTS ADDITION, AS RECORDED IN PLAT BOOK 1, PAGE 78, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED BY THE NATIONAL GEODETIC SURVEY FOR FLORIDA EAST ZONE, 1983 DATUM WITH 2011 ADJUSTMENT OBTAINED UTILIZING RTK GPS OBSERVATIONS ON THE FDOT NETWORK AND REFER TO THE SOUTH RIGHT-OF-WAY OF RIDGE ST, AS BEING N 89°16'24" E.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD. ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
3. THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE X, HAVING NO BASE FLOOD ELEVATION, PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP # 12021C 0391 H, DATED 5/16/2012.
4. CERTAIN FEATURES REPRESENTED BY SYMBOLS MAY NOT BE SHOWN AT THEIR TRUE LOCATION AND/OR SCALE IN ORDER TO BE ABLE TO DEPICT THEM ON THIS MAP.
5. DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF. ELEVATIONS SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988. SOURCE BENCHMARK IS BM P 416.
6. THIS SURVEY DOES NOT ADDRESS ANY ENVIRONMENTAL CONCERNS, ENDANGERED WILDLIFE OR JURISDICTIONAL WETLANDS, IF ANY, EXCEPT AS SHOWN ON THIS SURVEY.
7. THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.
8. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR THE DIGITAL SIGNATURE AND DIGITAL SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER. NO ADDITIONS OR DELETIONS TO THIS SURVEY MAP ARE PERMITTED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE SIGNING PARTY.
9. UNLESS OTHERWISE NOTED, BELOW GROUND UTILITIES AND FOUNDATIONS WERE NOT LOCATED FOR THE PURPOSES OF THIS SURVEY.
10. BY SIGNING BELOW I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.051, F.A.C, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.
11. DATE OF LAST FIELD WORK: 1/22/2022.

LEGEND

FIR	FOUND IRON ROD	WF	WOOD FENCE
SIR	SET 5/8" IRON ROD w/ CAP LB 5151	CLF	CHAIN LINK FENCE
SMN	SET MAG NAIL		CATCH BASIN
FDH	FOUND DRILL HOLE	IRV	IRRIGATION VALVE
OR	OFFICIAL RECORDS BOOK		YARD DRAIN
PB	PLAT BOOK		WOOD UTILITY POLE
PG	PAGE		WATER METER
LB	LICENSED BUSINESS		TELEPHONE BOX/RISER
PSM	PROFESSIONAL SURVEYOR AND MAPPER	CO	CLEANOUT
A/C	AIR CONDITIONING UNIT		LIGHT POLE
CONC.	CONCRETE		MAILBOX
NAVD 88	NORTH AMERICAN VERTICAL DATUM OF 1988		OAK TREE

0 10' 20' 40'

SCALE: 1" = 20'

THIS PLAN MAY HAVE BEEN ENLARGED OR REDUCED FROM INTENDED DISPLAY SCALE FOR REPRODUCTION REASONS

-N-

DRAWN BY:	
CHECKED BY:	
JOB CODE:	100
SCALE:	1" =
DATE:	24 JANUARY 2
FILE:	22-2
SHEET:	1 o

GradyMinor

Civil Engineers • Land Surveyors • Planners • Landscape Architects

Cert. of Auth. EB 0005151 • Cert. of Auth. LB 0005151 • Business LC 26000266

Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380

Q. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134

BOUNDARY AND TOPOGRAPHIC SURVEY w IMPROVEMENTS

1006 RIDGE ST
NAPLES FL 34103

LYING IN
SECTION 22, TOWNSHIP 49 SOUTH, RANGE 25 EAST
COLLIER COUNTY, FLORIDA

DATE SIGNED

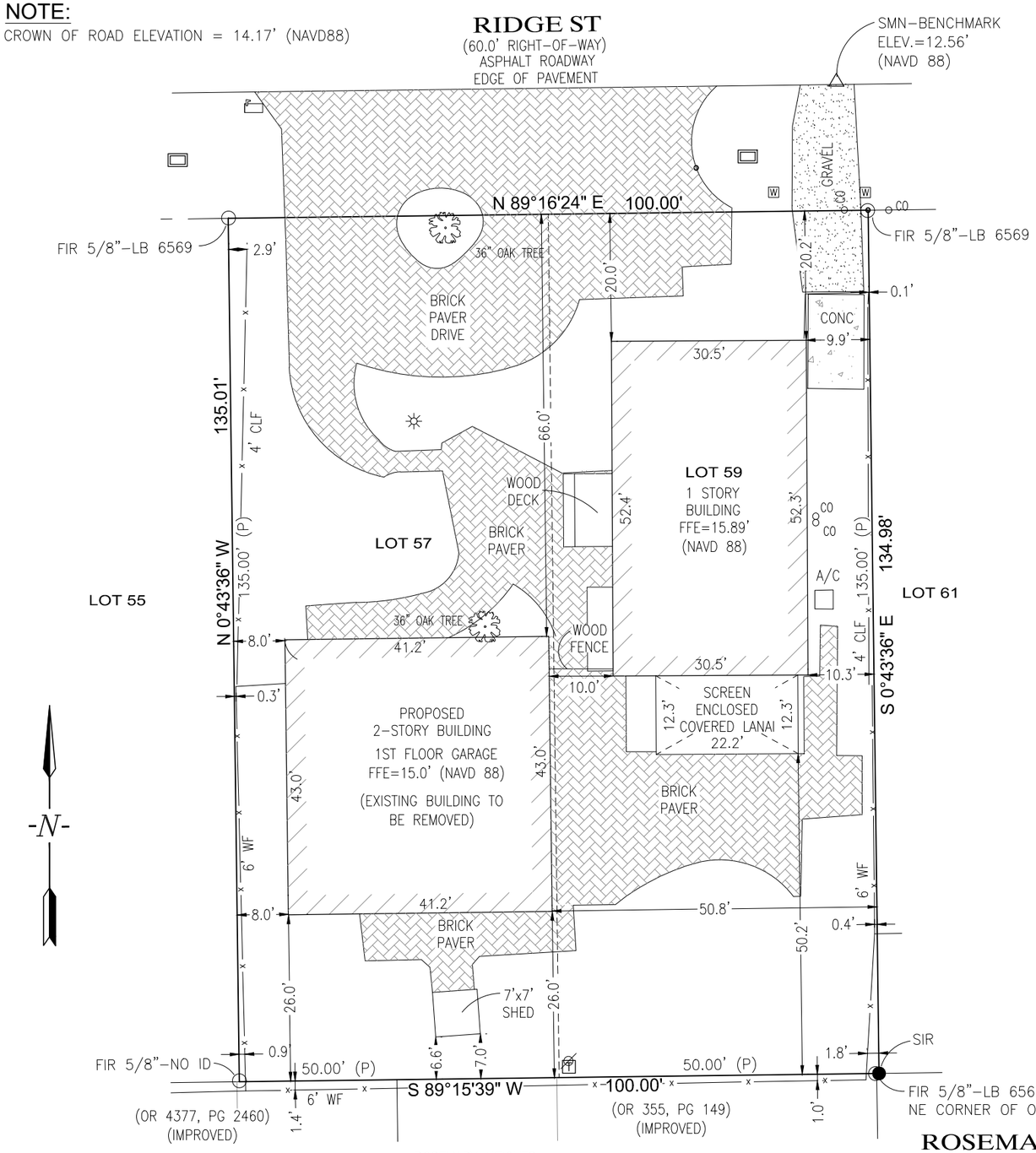
Digitally signed by Timothy J. DeVries, Date: 2022.03.23 08:47:14 -04'00'

TIMOTHY J. DEVRIES, P.S.M
FL LICENSE #6758
FOR THE FIRM

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

NOTE:

CROWN OF ROAD ELEVATION = 14.17' (NAVD88)



0 10' 20' 40'

SCALE: 1" = 20'

THIS PLAN MAY HAVE BEEN ENLARGED OR REDUCED FROM INTENDED DISPLAY SCALE FOR REPRODUCTION REASONS

PROPERTY DESCRIPTION

LOT 57 AND LOT 59, ROSEMARY HEIGHTS ADDITION, AS RECORDED IN PLAT BOOK 1, PAGE 78, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED BY THE NATIONAL GEODETIC SURVEY FOR FLORIDA EAST ZONE, 1983 DATUM WITH 2011 ADJUSTMENT OBTAINED UTILIZING RTK GPS OBSERVATIONS ON THE FDOT NETWORK AND REFER TO THE SOUTH RIGHT-OF-WAY OF RIDGE ST, AS BEING N 89°16'24" E.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD. ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
3. THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE X, HAVING NO BASE FLOOD ELEVATION, PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP # 12021C 0391 H, DATED 5/16/2012.
4. CERTAIN FEATURES REPRESENTED BY SYMBOLS MAY NOT BE SHOWN AT THEIR TRUE LOCATION AND/OR SCALE IN ORDER TO BE ABLE TO DEPICT THEM ON THIS MAP.
5. DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF. ELEVATIONS SHOWN HEREON ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM OF 1988. SOURCE BENCHMARK IS BM P 416.
6. THIS SURVEY DOES NOT ADDRESS ANY ENVIRONMENTAL CONCERNS, ENDANGERED WILDLIFE OR JURISDICTIONAL WETLANDS, IF ANY, EXCEPT AS SHOWN ON THIS SURVEY.
7. THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.
8. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR THE DIGITAL SIGNATURE AND DIGITAL SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER. NO ADDITIONS OR DELETIONS TO THIS SURVEY MAP ARE PERMITTED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE SIGNING PARTY.
9. UNLESS OTHERWISE NOTED, BELOW GROUND UTILITIES AND FOUNDATIONS WERE NOT LOCATED FOR THE PURPOSES OF THIS SURVEY.
10. BY SIGNING BELOW I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.051, F.A.C, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.
11. THE PURPOSE OF THE SURVEY IS TO SHOW THE PROPOSED BUILDING AS PROVIDED BY THE CLIENT IN RELATION TO THE EXISTING IMPROVEMENTS.
11. DATE OF LAST FIELD WORK: 1/22/2022.

LEGEND

FIR	FOUND IRON ROD	WF	WOOD FENCE
SIR	SET 5/8" IRON ROD w/ CAP LB 5151	CLF	CHAIN LINK FENCE
SMN	SET MAG NAIL		CATCH BASIN
FDH	FOUND DRILL HOLE	IRV	IRRIGATION VALVE
OR	OFFICIAL RECORDS BOOK		YARD DRAIN
PB	PLAT BOOK		WOOD UTILITY POLE
PG	PAGE		WATER METER
LB	LICENSED BUSINESS		TELEPHONE BOX/RISER
PSM	PROFESSIONAL SURVEYOR AND MAPPER	CO	CLEANOUT
A/C	AIR CONDITIONING UNIT		LIGHT POLE
CONC.	CONCRETE		MAILBOX
NAVD 88	NORTH AMERICAN VERTICAL DATUM OF 1988		OAK TREE

SETBACKS

PRINCIPLE BUILDING SETBACKS AS TAKEN FROM COLLIER COUNTY ZONING RSF-4.

FRONT YARD: 25'
SIDE YARD: 7.5'
REAR YARD: 25'

SQUARE FOOTAGE

BUILDING & LANAI	1,867
WOOD DECK	87
BRICK PAVERS	3,533
CONCRETE PADS	138
SHED	49
PROPOSED BUILDING	1,772
IMPROVEMENT TOTAL	7,446
LOT AREA	13,500

REVISION: 04/28/2022 CHANGED SIZE OF PROPOSED BUILDING
REVISION: 03/21/2022 ADDED PROPOSED BUILDING TO SURVEY

DRAWN BY:	TJD
CHECKED BY:	TJD
JOB CODE:	1006RS
SCALE:	1" = 20'
DATE:	24 JANUARY 2022
FILE:	22-23-SP
SHEET:	1 of 1

GradyMinor
Civil Engineers • Land Surveyors • Planners • Landscape Architects
Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266
Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380
Q. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134

BOUNDARY SURVEY w/ PROPOSED BUILDING

1006 RIDGE ST
NAPLES FL 34103

LYING IN
SECTION 22, TOWNSHIP 49 SOUTH, RANGE 25 EAST
COLLIER COUNTY, FLORIDA

DATE SIGNED

TIMOTHY J. DEVRIES, P.S.M
FL LICENSE #6758
FOR T

SUF

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

REVISED NARRATIVE STATEMENT

The nature of this petition is to replace a nonconforming residential structure with an expanded replacement residential structure pursuant to section 9.03.03.B.4. The nature of the nonconformity is that there are two residential structures on one parcel.

Currently, 1006 Ridge Street, which is zoned RSF-4 and is .31 acres in size, has two residential structures on it. Each structure meets the current setback requirements and the current height limitation. The most recently built structure of the two structures was built in 1971. The other structure was built in 1951. Both structures were properly permitted when built. The permits for the 1971 structure are enclosed for reference along with a property card for the parcel, for reference. Additionally, a deed from 1962 is enclosed to show that when the structure in 1971 was built, the two lots that make up the parcel were already combined. Further, in 1971, the subject parcel was zoned multi-family and section 5.1 of the Collier County zoning ordinance allowed multiple structures on a parcel, provided the "yard use and other requirements" of the zoning ordinance were followed. Thus, both structures were allowable uses when built. Therefore, now, the parcel has a nonconforming residential structure in that it has two residential structures.

The structure built in 1971 is in need of replacement and the property owner would like to replace it and expand it.

Section 9.03.03.B.4. of the Collier County Land Development Code states:

> Nonconforming residential structures, which for the purpose of this section shall mean detached single-family dwellings, duplexes or mobile homes in existence at the effective date of this zoning Code or its relevant amendment and in continuous residential use thereafter, may be altered, expanded, or replaced upon recommendation of the Collier County Planning Commission and approval of the Board of Zoning Appeals by resolution.

Because this property has had two principal structures on it for over 50 years, and because replacing the structure entirely will involve bringing the structure up to modern day building codes, allowing this replacement and expansion of a nonconforming residential structure will greatly improve the safety of the structures on the property. Further, because this is not the only parcel on Ridge Street with multiple residential structures,

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

and because this very structure has been in place for over 50 years, it will not have any impact on the surrounding property owners or in any way impact density. Additionally, all elements, as alleged in the Application, have been met. Finally, this replacement and expansion does not seek to perpetuate any nonconformities other than the multiple residential structure nonconformity.

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

INSPECTION RECORD CARD

5-26-71

PERMIT NO. 71-603 DATE: 3-26-71

NAME B.D. Hyder CONTRACTOR Owner

ADDRESS 1006 Ridge Street

LEGAL DESC. Lot 57 Rosemary Heights

JOB DESC. Build Frame Addition-Porch, Two Bedrooms & S
Tank $4,000.00

FOOTING:

FL. SLAB:

TIE BEAM:

SPECIAL:

FRAME: 4-13-71

PLUMBING:

Complete

Attac

2 Circu... Hopper

Advised About Ra...

Gun...

(No Range)

Attachment: F 1006

APPLICATION FOR BUILDING PERMIT
COLLIER COUNTY, FLORIDA

Permit Number 71-603 Date 3-26-71

Name of Owner B.D. Hyder Contractor Phone

Job Address 1006 Ridge Street

Architect Contractor Owner

Address Address

LEGAL DESC.

Lot 57 Block Unit Subdivision Rosemary Heights

If no record plat, metes & bounds:

BUILDING

Permit to (Build-Alter-Repair-Move) Frame Addition

Size 16 x 28 . Height 12 No. of Stories 1

A copy of the approved plans and specifications shall be kept at the building site during construction.

ZONING

Zoning MF-1 Building or Structure will face

Use Porch, Two Bedrooms & Septic Tank

8 feet from East line

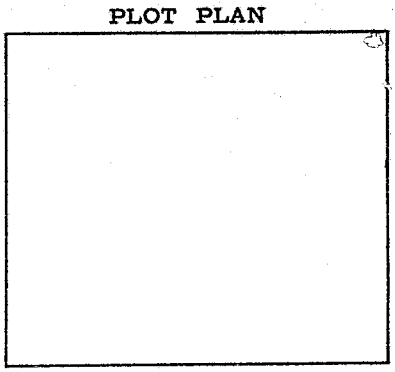
feet from South line

feet from West line

14 feet from North line

HEALTH

PLOT PLAN



Floor Space	448	Sq. Feet
Utility		Sq. Feet
Porch	96	Sq. Feet
Car Porte		Sq. Feet
Other		Sq. Feet
Total	544	Sq. Feet

Estimated Cost $ 4,000.00

Building Permit $ 12.00

Electrical Permit $ 4.50

Plumbing Permit $

Septic Tank $ 5.00

Total $ 21.50

Central Sewer Name NO Yes

Central Water Name Naples Yes

Well Permit No.

Septic Tank 750 Gallons

Drainfield 180 Sq. Ft.

Septic Tank No. N-220

Plumbing Stub MIN.24 Inches below Finish Floor Grade.

Sanitarian CBOO

The above application has been examined and is hereby subject to the payment of $ 21.50 by Cash as provided by the Collier County Building Code.

Payment Received: Carl A. Clemmer Building Official

This permit expires if work is not started within 6 months from date issued. Permit void if zoning classification is violated. This use must not change to any other use without a new permit from the Zoning Director. Fee will be doubled if work is started without a permit.

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

71020320000/3
5312660000/1

71020320003 1

SARAH F HYDEN ETAL

CARDS	MAP NO.	SEC.	TWP.	RNG.
1/2	9A/225 C	22	29	25

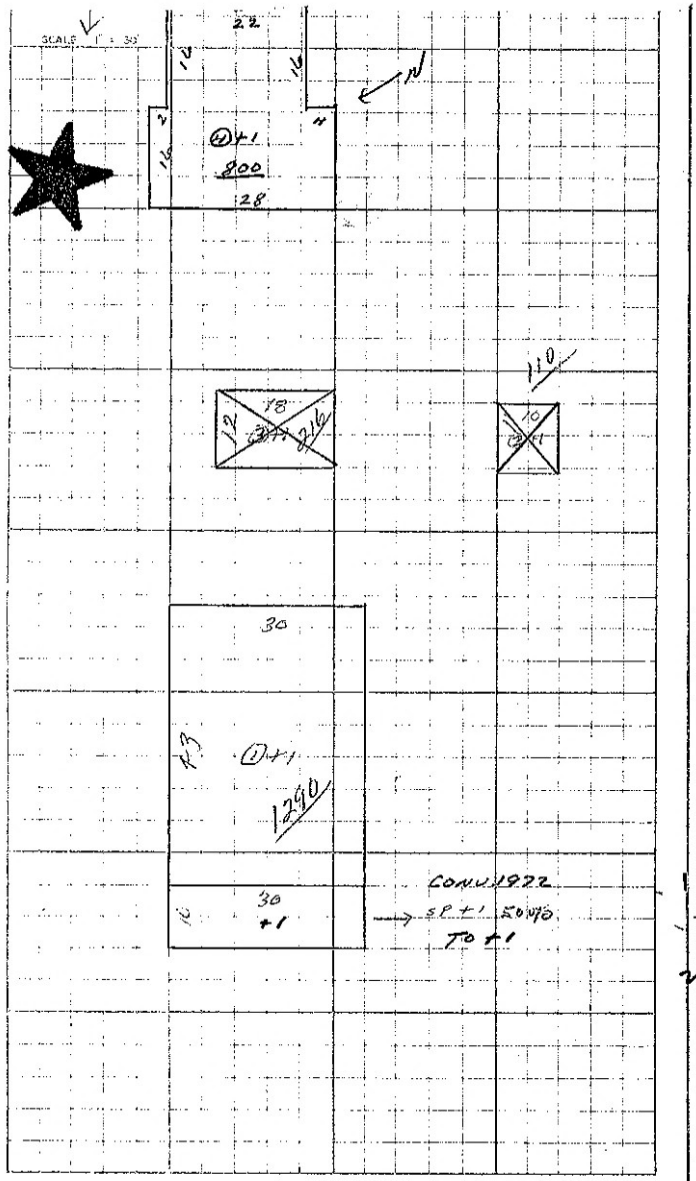
SUBDIVISION NAME: Rosemary Hts Add

BLOCK: 57

LOTS OR DESCRIPTION: 57 & 59

ENTERED

SCALE 1" = 30'



1006 Ridge St.
PROPERTY ADDRESS

PLOTTED	0	DRAWN BY A.P.	DATE 2/5/60
RANDOM		CLASSED BY Gilman	DATE 2/16/60

CONSTRUCTION DATA

BUILDING	1	2	3	4
1. RES.				
2. SHED				
3.				
4. Res.				
SUB-STRUCTURE				
Slab				
Piers				0
Continuous Wall				
Conc. Bsmt. Floor				
Semifinish. Bsmt.				
Bsmt. Living Qts.				
FRAME				
Wood	0	0	0	0
Block				
Tile				
Brick				
Stone				
Rf. Concrete				
SHEATHING				
Yes				
None	0	0	0	
EXTERIOR WALLS				
Unfinished				
Wood	0	0	0	0
Roll				
Sheet				
Shingles				
Composition				
Metal				
Asbestos				
Stucco				
Common Brick				
Face Brick				
Stone				
Notes				

BUILDING	1	2	3	4
ROOF				
Flat				0
Shed		0	0	
Gable	0			
Hip				
Gambrel				
Roll		0	0	0
Sheet				
Shingles	0			0
Composition	0	0	0	0
Metal				
Wood				
Asbestos				
Tile				
Slate				
Notes				
FLOORS				
Dirt			0	
Single	0	0		
Double				
Pine	0	0		
Hardwood				0
Concrete				
Asph. Tile				
Terrazzo				
Notes				
INTERIOR WALLS				
Unfinished		0	0	
Wall Board				
Ceiling				
Plaster				
Panel Board				0
Plywood				
Pine Panel				
Hardwood Panel				
Notes				
FURRING				
Yes				
None	0	0	0	

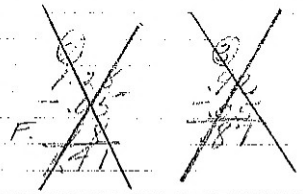
BUILDING	1	2	3	4
ROOMS				
Res. Rooms	5	0	0	4
Rental Units				
Efficiency Apts.				
___Rm. Apts.				
___Rm. Apts.				
Conv To.				
Note 93-94				
WHH PLUMBING				
None		0	0	
1 Fixture Toilet				
2 Fixture Toilet				
2 Fixture Bath				
3 Fixture Bath	/			1
4 Fixture Bath				
Tile Floor				
1/2 Tile Walls				
Full Tile Walls				
Notes				
HEATING				
None	0	0	0	0
Chimney				
Fireplace				
Steam				
Hot Water				
Forced Hot Air				
Hot Air				
Electric				
ELECTRICITY				
Yes	C			0
None		0	0	
EQUIPMENT				
Vent Fan				
Air Condition				
Insulation				
Notes				
INTERIOR				
Type	A	A	A	A
Condition	A	A	A	A
Notes				

NOTES

1971 PER. # 71-214 5-21-71

N. 1972 Pur Bldg ④ on At 90° to Bldg ① Part of it is the old Garage.
93 Per 93-12060 - 10/5/93 Reroof
Field Chk Reroof permit 2-16-94

① 199' A/C - 1290
④ 123' A/C - 800
2018 per 20160245988 (add) $2,000 to Galler Const. Inc.



NO.	PHY.	ADJUSTMENT	NO.
1			
2			
3			
4			

NO.	STYS.	SH.	CLASS	AREA	100 INDEX	RATE	ADJ.	REPL.	DATE BUILT	%GOOD	ADJ.	
1	1	R	R-3	1440	245	6.19	1.29	26535	1951	67	17775	
2	1		C.S.	110	141	2.38		372		0	200	
3	1		C.P.	216	87	2.09		451		75	350	
4	1		R-2	800	114.35	6.72	-800	5376	1971	90	9300	

ACRES	QUANTITY - TYPE DESCRIPTION	DIMENSIONS SQUARE FEET	UNIT PRICE	D.F.	C.F.	PRICE PER FRONT FOOT	VALUE
		100 X 135	50	96		48	4800
			50			96	9600
			100				

YEAR	VALUE 1960	VALUE 1964	VALUE 1966	VALUE 1969	VALUE 1972	VALUE 1
LAND	1300	1300	1300	1450	1450	3
IMPRS.	6350	5650	5600	7850	11650	14
TOTAL	7650	6950	6900	9300	13100	18

H.H.P.P.

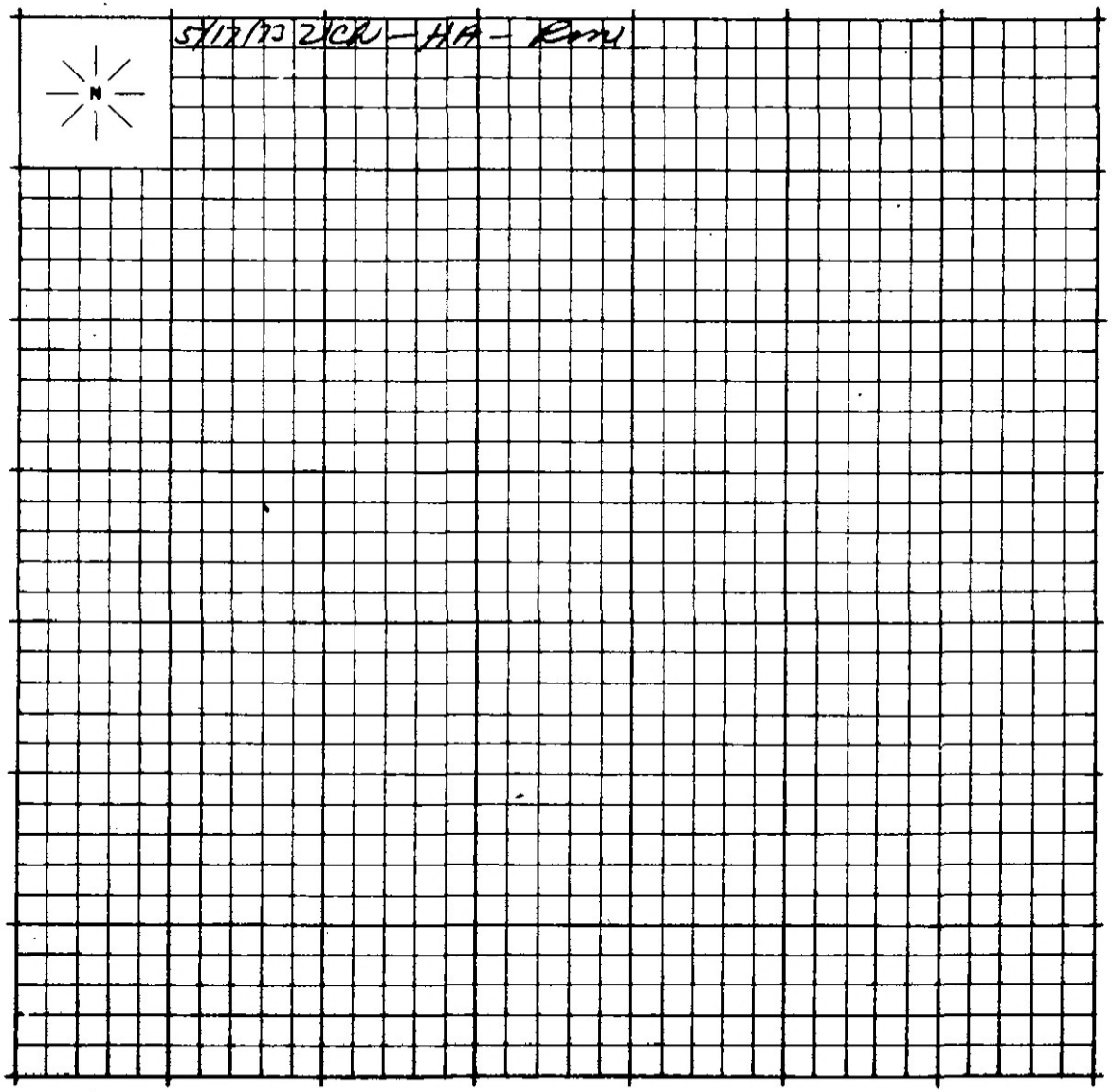
Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

Clarence Hyder

LOTS OR DESCRIPTION (CONTINUED)

71020320003 2

PLOT PLAN GRAPH RANDOM ☐ PLOTTED ☐ SCALE 1"= 30' ☐ 60' ☐



OWNERSHIP RECORD

DATE	OWNER AND ADDRESS	SALE PRICE	D.B.	PAGE
9/23/62	B.D. Hyder Naples Fla 33940 1006 Ridge Rd.	6000	107	92 95
D/C	Sarah Hyder Surviving Spouse Same Address			
4/9/85	SARAH F. HYDER, SHERRELL B. STAKER, GLYNN F STAKER and B. DEAN HYDER F/H/W/R/S. 1006 Ridge St NAPLES FL. 33940	Sarah F. Hyder mother of Sherrell B & Glynn F daughters & Husband of B. Dean Hyder son Q.C.D.	1129	1101

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

PROPERTY RECORD CARD COLLIER COUNTY, FLORIDA

CODE

71020320003

PROPERTY ADDRESS

PLOTTED		DRAWN BY	DATE / /
RANDOM		CLASSED BY	DATE / /

CONSTRUCTION DATA

BUILDING 1 2 3 4	BUILDING 1 2 3 4	BUILDING 1 2 3 4
	ROOF FRAME	ROOMS
1.	Wood	Store Units
	Steel	Office Units
2	Rf. Concrete	Rooms
		Efficiency Apts
3	Notes	___ Rm Apts
	ROOF TYPE	___ Rm Apts
4	Flat	___ Rm Apts
SUB-STRUCTURE	Shed	
Slab	Gable	Notes
Piers	Hip	PLUMBING
Continuous Wall	Gambrel	None
Conc Bsmt Floor	Monitor	1 Fixtures
Finished Bsmt	Sawtooth	2 Fixtures
	Deck	3 Fixtures
Notes	Notes	4 Fixtures
FRAME	ROOFING	5 Fixtures
Wood - Light	Roll	___ Fixtures
Wood - Heavy	Sheet	Rest Rooms
Block	Shingles	Tile Floor
Tile	Composition	1/2 Tile Walls
Brick	Metal	Full Tile Walls
Rf Concrete	Wood	
Steel	Asbestos	Notes
Rf Conc. & Steel	Tile	HEATING
Stone	Rf Concrete	None
	Built-Up T & G	Steam
Notes		Hot Water
EXTERIOR WALLS	Notes	Hot Air
Sheathing	FLOORS	Unit Heaters
Unfinished	Dirt	Electric
Roll	Single	H & AC
Sheet	Double	ELECTRICITY
Shingles	Pine	Yes
Composition	Hardwood	None
Metal	Concrete	EQUIPMENT
Stucco	Tile	Vent Fan
Wood	Terrazzo	Sprinklers
Tile		Elevators
Block	Notes	___ # Cap
Common Brick	INTERIOR WALLS	___ # Cap
Face Brick	Unfinished	Air Condition
None	Wall Board	___ Ton Cap
	Ceiling	
Plain Front	Plaster	Notes
Average Front	Plywood-Pine Pan	INTERIOR
Elaborate Front	Furring	Type
	Drywall	Condition
Notes	Notes	Notes

CARDS	MAP NO	SEC	TWP	RNG	PARCEL NO
2/2	4A/22 3 C	22	49	25	57

SUBDIVISION NAME

ROSEMARY HTS. ADD.

LOTS OR DESCRIPTION

LOTS 57 & 59

NOTES

NO.	PHY.	ADJUSTMENT	CO
1			
2			
3			
4			

NO.	STYS.	SH.	CLASS	AREA	SQ CU	100 INDEX	RATE	ADDITIONS	REPL. COST	% BUILT	COND. ADJ.	VALUE

ACRES	QUANTITY - TYPE DESCRIPTION	DIMENSIONS SQUARE FEET	UNIT PRICE	D F	C F	PRICE PER FRONT FOOT	VALUE

YEAR	VALUE 19 74	VALUE 19 77	VALUE 19 80	VALUE 19	VALUE 19	VALUE 19	VALUE 19	VALUE 19	VALUE 19	VALUE 19
LAND	4800	4800	9600							
IMPRS.	14750	17625	27075							
TOTAL	19550	22425	36625							
	MM	T	N							

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

71804

THIS QUIT CLAIM DEED, executed this 12th day of March, 1962, by CLARENCE E. HYDER as executor of the estate of Lillie Lanford Hyder, deceased; CLARENCE E. HYDER, joined by his wife, JEAN HYDER; B. D. HYDER, joined by his wife, SARAH HYDER; BEAUTELL WIXON, a widow; ROBERT J. HYDER, joined by his wife ESTHER HYDER; ELLEN FARRAR KOSKI, joined by her husband GEORGE KOSKI; SARAH FRANCES HYDER WALKER, joined by her husband WILSON WALKER, first parties,

To B. D. HYDER, SR. AND SARAH HYDER, husband and wife, whose post office address is Rosemary Heights, Naples, Florida, second party;

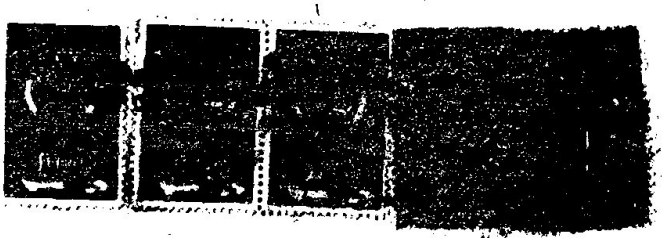
WITNESSETH, That the said first party, for and in consideration of the sum of $10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Collier, State of Florida, to-wit:

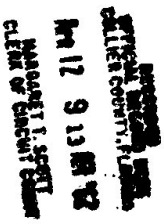
STAMP CAN
CLERK OF CIRC

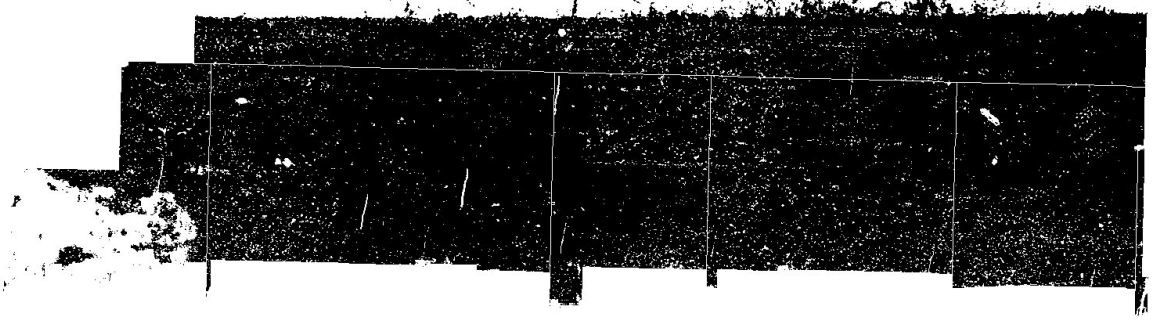
Lots 57 and 59 of Rosemary Heights Addition, as platted and recorded in Plat Book 1, Page 78, of the Public Records of Collier County, Florida.

STAMP CA
CLERK OF

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.







IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Clarence E Hyder L.S.
Clarence E. Hyder, as executor of the estate of Lillie Lanford Hyder

Nita Bryan
My Commission Expires 2-26-66

C. Clarence E Hyder L.S.
Clarence E. Hyder

Ina Nunn Pair
As to Clarence E. & Jean Hyder

Jean Hyder L.S.
Jean Hyder

B. D. Hyder L.S.
B. D. Hyder

Vera Gwaltney
Willie O. Hix
As to B. D. & Sarah Hyder

Sarah Hyder L.S.
Sarah Hyder

NELL O'CONNELL, Notary Public
In and for Dallas County, Texas
My Commission Expires June 1, 1968

Lucille Huckabee
As to Beautell Wixon

Thelma Beutell Wixon L.S.
Beautell Wixon

(Thelma Beutell Wixon)

Jean M. Taylor
As to RobertJ. & Esther Hyder

Robert J. Hyder L.S.
Robert J. Hyder

Esther Hyder L.S.
Esther Hyder

Vera Gwaltney
Willie O. Hix
As to Ellen Farrer & George Koski

Ellen Farrar Koski L.S.
Ellen Farrar Koski

George Koski L.S.
George Koski

Vera Gwaltney
Willie O. Hix
As to Sarah Frances Hyder Walker & Wilson Walker

Sarah Frances Hyder Walker L.S.
Sarah Frances Hyder Walker

Wilson Walker L.S.
Wilson Walker

[redacted]

Packet P

BOOK 107 PAGE 94

STATE OF Georgia
COUNTY OF Fulton

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared CLARENCE E. HYDER AND JEAN HYDER, to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 12 day of March, 1962.

(SEAL)

W. W. Bynum
NOTARY PUBLIC

My commission expires:
2-26-66

STATE OF FLORIDA
COUNTY OF COLLIER

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared B. D. HYDER AND SARAH HYDER to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 4th day of April, 1962.

(SEAL)

Vera Brooker
NOTARY PUBLIC

My commission expires:

Notary Public, State of Florida at Large
My Commission Expires Nov. 8, 1963
Bonded by American Surety Co. of N. Y.

STATE OF TEXAS
COUNTY OF DALLAS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Frank Ruth Wilson, to me known to be the person described in and who executed the foregoing instrument and she acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 19th day of March, 1962.

(SEAL)

NOTARY PUBLIC

My commission expires:

[redacted]

STATE OF New York
COUNTY OF Monroe

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared ROBERT J. HYDER AND ESTHER HYDER, to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 29th day of March, 1962.

(SEAL)

Genevieve C. Gillis
NOTARY PUBLIC
My commission expires: March 30, 1964

STATE OF New York
COUNTY OF Erie

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared ELLEN FARRAR KOSKI AND GEORGE KOSKI, to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 16 day of March, 1962.

(SEAL)

Charles Vante
NOTARY PUBLIC
My commission expires

CHARLES VANTE
NOTARY PUBLIC, State of New York
No. 41-[illegible] Erie County
Term Expires March 30, 1962

STATE OF Florida
COUNTY OF Collier

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared SARAH FRANCES HYDER WALKER AND WILSON WALKER, to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 4th day of April, 1962.

(SEAL)

Vera Gunden
NOTARY PUBLIC
My commission expires:

Notary Public, State of Florida at Large
My Commission Expires Nov. 8, 1963
Bonded by American Surety Co. of N. Y.

Recorded in Official Records Book of Collier County, Florida
MARGARET T. SCOTT
Clerk of Circuit Court

[redacted]

Packet P

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

PROPERTY OWNERSHIP DISCLOSURE FORM

This is a required form with all land use petitions, except for Appeals and Zoning Verification Letters.

Should any changes of ownership or changes in contracts for purchase occur subsequent to the date of application, but prior to the date of the final public hearing, it is the responsibility of the applicant, or agent on his behalf, to submit a supplemental disclosure of interest form.

Please complete the following, use additional sheets if necessary.

a. If the property is owned fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest:

Name and Address	% of Ownership

b. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each:

Name and Address	% of Ownership

c. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with the percentage of interest:

Name and Address	% of Ownership
Martha C. Gill as trustee of the Martha C. Gill Revocable Trust	100%
Dated October 2, 2018	
1006 Ridge Street	
Naples, FL 34103	

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

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d. If the property is in the name of a GENERAL or LIMITED PARTNERSHIP, list the name of the general and/or limited partners:

Name and Address	% of Ownership

e. If there is a CONTRACT FOR PURCHASE, with an individual or individuals, a Corporation, Trustee, or a Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners:

Name and Address	% of Ownership

Date of Contract: _____

f. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust:

Name and Address

g. Date subject property acquired _____

☐ **Leased: Term of lease _____ years /months**

If, Petitioner has option to buy, indicate the following:

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

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Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

Any petition required to have Property Ownership Disclosure, will not be accepted without this form. Requirements for petition types are located on the associated application form. Any change in ownership whether individually or with a Trustee, Company or other interest-holding party, must be disclosed to Collier County immediately if such change occurs prior to the petition's final public hearing.

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

The completed application, all required submittal materials, and fees shall be submitted to:

Growth Management Department
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

Agent/Owner Signature

3/23/22
Date

Zachary W. Lombardo, Esq.
Agent/Owner Name (please print)

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) NUA for 1006 Ridge Street, Petition Number Pending

I, Martha C. Gill (print name), as trustee (title, if applicable) of of the Martha C. Gill Revocable Trust dated October 2, 2018 (company, If applicable), swear or affirm under oath, that I am the (choose one) owner [✓] applicant [ ] contract purchaser [ ] and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize Zachary W. Lombardo, Esq., of Woodward, Pires & Lombardo, P.A. to act as our/my representative in any matters regarding this petition including 1 through 2 above.

Notes:

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trust, then they must include the trustee's name and the words "as trustee".*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, and then use the appropriate format for that ownership.*

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

Martha C. Gill Trustee
Signature

03.23.22
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [✓] physical presence or [ ] online notarization this 23 day of March, 2022 by (printed name of owner or qualifier) _____.

Such person(s) Notary Public must check applicable box:

[✓] Are personally known to me

[ ] Has produced a current drivers license _____

[ ] Has produced _____ as identification.

NOTARY PUBLIC STATE OF FLORIDA
NORA LYNNE SEARS
Commission # HH 199571
Expires July 22, 2025

Notary Signature: Nora L. Sears

CP\08-COA-00115\155
REV 3/4/2020

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

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(239) 252-2400

Pre-Application Meeting Notes

Petition Type: Non-Conforming Use Alteration (NUA)
Date and Time: Tuesday 11/30/21 at 3:00PM

Assigned Planner: Gabriela Castro

Engineering Manager (for PPL's and FP's): _____

Project Information

Project Name: 1006 Ridge Street (NUA)
PL #: 20210002953
Property ID #: 71020320003 **Current Zoning:** RSF-4
Project Address: 1006 Ridge St. **City:** Naples **State:** FL **Zip:** 34103
Applicant: Zachary W. Lombardo
Agent Name: same **Phone:** _____
Agent/Firm Address: 3200 Tamiami Trl N. STE 200 **City:** Naples **State:** FL **Zip:** 34103
Property Owner: Martha C Gill Revoc Trust

Please provide the following, if applicable:

i. **Total Acreage:** .31
ii. **Proposed # of Residential Units:** _____
iii. **Proposed Commercial Square Footage:** _____
iv. **For Amendments, indicate the original petition number:** _____
v. **If there is an Ordinance or Resolution associated with this project, please indicate the type and number:** _____
vi. **If the project is within a Plat, provide the name and AR#/PL#:** _____

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

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Meeting Notes

As of 10/16/2017 all Zoning applications have revised applications, and your associated Application is included in your notes; additionally a *new Property Ownership Disclosure Form is required for all applications. A copy of this new form is included in your pre-app

Note – link is https://www.colliercountyfl.gov/Home/ShowDocument?id=75093

- Please provide copy of any relevant building permits + CO's
- Please provide a current site plan and a separate proposed site plan, please show separation between house + guest house
- Please provide a response to 9.03.03.B.5.a-f
- Are able to expand or modify configuration
- will need to routed to fire for separation review

If Site is within the City of Naples Water Service Area please send to Naples Utilities and Planning Departments. Then, if the petition is submitted, we are to send it (by email) to the four persons below in their Utilities and Planning Depts. - along with a request that they send us a letter or email of "no objection" to the petition. Bob Middleton RMiddleton@naplesgov.com Allyson Holland AMHolland@naplesgov.com Robin Singer RSinger@naplesgov.com Erica Martin emartin@naplesgov.com

Disclaimer: Information provided by staff to applicant during the Pre-Application Meeting is based on the best available data at the time of the meeting and may not fully inform the applicant of issues that could arise during the process. The Administrative Code and LDC dictates the regulations which all applications must satisfy. Any checklists provided of required data for an application may not fully outline what is needed. It is the applicant's responsibility to provide all required data.

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

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Meeting Notes

Other required documentation for submittal (not listed on application):

Disclaimer: Information provided by staff to applicant during the Pre-Application Meeting is based on the best available data at the time of the meeting and may not fully inform the applicant of issues that could arise during the process. The Administrative Code and LDC dictates the regulations which all applications must satisfy. Any checklists provided of required data for an application may not fully outline what is needed. It is the applicant's responsibility to provide all required data.

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(239) 252-2400

Pre-Application Meeting Sign-In Sheet

PL#_____

Collier County Contact Information:

Name	Review Discipline	Phone	Email
☐ Maggie Acevedo	North Collier Fire	252-2309	macevedo@northcollierfire.com
☐ Steve Baluch	Transportation Planning	252-2361	stephen.baluch@colliercountyfl.gov
☐ Shar A.Beddow	MSM/Deputy Fire Marshal - Greater Naples Fire	241-1422	sbeddow@gnfire.org
☐ Ray Bellows	Zoning, Planning Manager	252-2463	raymond.bellows@colliercountyfl.gov
☐ Laurie Beard	PUD Monitoring	252-5782	laurie.beard@colliercountyfl.gov
☐ Craig Brown	Environmental Specialist	252-2548	craig.brown@colliercountyfl.gov
☑ Heidi Ashton Cicko	Managing Asst. County Attorney	252-8773	heidi.ashton@colliercountyfl.gov
☑ Thomas Clarke	Zoning Operations Analyst	252-2584	thomas.clarke@colliercountyfl.gov
☐ Jamie Cook	Development Review Director	252-6290	Jaime.cook@colliercountyfl.gov
☑ Gabriela Castro	Zoning Principal Planner	252-4211	gabriela.castro@colliercountyfl.gov
☐ Maggie DeMeo	North Collier Fire	252-2308	pdemeo@northcollierfire.com
☐ Eric Fey, P.E.	Utility Planning	252-1037	eric.fey@colliercountyfl.gov
☐ Tim Finn, AICP	Zoning Principal Planner	252-4312	timothy.finn@colliercountyfl.gov
☐ Sue Faulkner	GMP - Comprehensive Planning	252-5715	sue.faulkner@colliercountyfl.gov
☐ Michael Gibbons	Structural/Residential Plan Review	252-2426	michael.gibbons@colliercountyfl.gov
☐ Storm Gewirtz, P.E.	Engineering Stormwater	252-2434	storm.gewirtz@colliercountyfl.gov
☑ Cormac Giblin, AICP	Development Review-Planning Manager	252-5095	Cormac.giblin@colliercountyfl.gov
☐ Nancy Gundlach, AICP	Zoning Principal Planner	252-2484	nancy.gundlach@colliercountyfl.gov
☐ Rachel Hansen	GMP – Comprehensive Planning	252-1142	Rachel.hansen@colliercountyfl.gov
☐ Richard Henderlong	Zoning Principal Planner	252-2464	richard.henderlong@colliercountyfl.gov
☐ John Houldsworth	Engineering Subdivision	252-5757	john.houldsworth@colliercountyfl.gov
☐ Alicia Humphries	Right-Of-Way Permitting	252-2326	alicia.humphries@colliercountyfl.gov
☐ Anita Jenkins	Planning & Zoning Director	252-5095	Anita.jenkins@colliercountyfl.gov
☐ John Kelly	Zoning Senior Planner	252-5719	john.kelly@colliercountyfl.gov
☐ Parker Klopf	GMP – Comprehensive Planning	252-2471	Parker.klopf@colliercountyfl.gov
☐ Troy Komarowski	North Collier Fire	252-2521	tkomarowski@northcollierfire.com
☐ Sean Lintz	North Collier Fire	597-9227	slintz@northcollierfire.com
☐ Diane Lynch	Operations Analyst	252-8243	diane.lynch@colliercountyfl.gov
☐ Thomas Mastroberto	Greater Naples Fire	252-7348	thomas.mastroberto@colliercountyfl.gov
☐ Jack McKenna, P.E.	Engineering Services	252-2911	jack.mckenna@colliercountyfl.gov

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

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☐	Matt McLean, P.E.	Division Director - IF, CPP & PM	252-8279	matthew.mclean@colliercountyfl.gov
☐	Michele Mosca, AICP	Capital Project Planning	252-2466	michele.mosca@colliercountyfl.gov
☐	Richard Orth	Stormwater Planning	252-5092	richard.orth@colliercountyfl.gov
☑	Eric Ortman	Zoning Principal Planner	252-1032	Eric.Ortman@colliercountyfl.gov
☐	Derek Perry	Assistant County Attorney	252-8066	Derek.perry@colliercountyfl.gov
☐	Brandi Pollard	Utility Impact fees	252-6237	brandi.pollard@colliercountyfl.gov
☐	Todd Riggall	North Collier Fire	597-9227	triggall@northcollierfire.com
☐	Brett Rosenblum, P.E.	Development Review Principal Project Manager	252-2905	brett.rosenblum@colliercountyfl.gov
☐	James Sabo, AICP	GMP, Comp Planning Manager	252-2708	james.sabo@colliercountyfl.gov
☐	Michael Sawyer	Transportation Planning	252-2926	michael.sawyer@colliercountyfl.gov
☐	Corby Schmidt, AICP	Comprehensive Planning	252-2944	corby.schmidt@colliercountyfl.gov
☐	Linda Simmons	North Collier Fire	252-2311	Linda.Simmons@colliercountyfl.gov
☐	Peter Shawinsky	Architectural Review	252-8523	peter.shawinsky@colliercountyfl.gov
☐	Mark Templeton	Landscape Review	252-2475	mark.templeton@colliercountyfl.gov
☐	Connie Thomas	Client Services Supervisor	252-6369	Consuela.thomas@colliercountyfl.gov
☐	Jessica Velasco	Client Services	252-2584	jessica.velasco@colliercountyfl.gov
☐	Jon Walsh, P.E.	Building Review	252-2962	jonathan.walsh@colliercountyfl.gov
☐	Kirsten Wilkie	Environmental Review Manager	252-5518	kirsten.wilkie@colliercountyfl.gov
☐	Christine Willoughby	Development Review - Zoning	252-5748	christine.willoughby@colliercountyfl.gov
☑	Daniel Zunzunegui	North Collier Fire	252-2310	Daniel.Zunzunegui@colliercountyfl.gov

Additional Attendee Contact Information:

Name	Representing	Phone	Email
Jen Gonzalez	Collier Gmt & Econ Svc		
Zach Lombardo	Applicant wpl Legal		
Property owner	" Client		

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

Collier County
Growth Management Department
Zoning Division

Applicant/Agent may also send site plans or conceptual plans for review in advance if desired.

PL20210002953 – 1006 Ridge Street (NUA)) **Planner: Gabriela Castro**

Assigned Ops Staff: Thomas Clarke

STAFF FORM FOR SUPPLEMENTAL PRE-APPLICATION MEETING INFORMATION

- **Name and Number of who submitted pre-app request**

  Zachary W. Lombardo – 239-649-6555
  zlombardo@wpl-legal.com

- **Agent to list for PL#**

  Zachary W Lombardo

- **Owner of property (all owners for all parcels)**

  Martha C Gill Revoc Trust

- **Confirm Purpose of Pre-App: (Rezone, etc.)**

  The Applicant would like to remodel a currently non-conforming residential structure

- **Please list the density request of the project if applicable and number of homes/units/offices/docks (any that apply):**

  N/A

- **Details about Project:**

REQUIRED Supplemental Information provided by:
Name:
Title:
Email:
Phone:

Cancellation/Reschedule Requests: Contact Connie Thomas-Client Services Supervisor
Consuela.Thomas@colliercountyfl.gov **Phone: 239-252-2473**

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

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Date of Contract: _____

f. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust:

Name and Address

g. Date subject property acquired _____

☐ **Leased: Term of lease _____ years /months**

If, Petitioner has option to buy, indicate the following:

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Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

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The completed application, all required submittal materials, and fees shall be submitted to:

Growth Management Department
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

_____ _____
Agent/Owner Signature Date

_____
Agent/Owner Name (please print)

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

Collier County
Growth Management Department

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

Pre-Application Meeting and Final Submittal Requirement Checklist for: Non-Conforming Use Alteration

The following Submittal Requirement Checklist is to be utilized during the Pre-Application Meeting and at time of application submittal. At time of submittal, the checklist is to be completed and submitted with the application packet. Please provide the submittal items in the exact order listed below, with cover sheets attached to each section. **Incomplete submittals will not be accepted.**

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application	1	☒	☐
Pre-Application meeting notes/minutes	1	☑	☐
Aerial Photograph	1	☑	☐
Completed Addressing Checklist	1	☒	☐
Affidavit of Authorization, signed and notarized	1	☒	☐
Site Plan drawn to scale existing and proposed	1	☑	☐
Narrative statement covering the nature of petition	1	☒	☐
Proof of ownership or interest in property, deed or contract to purchase	1	☑	☐
Electronic Copies of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	☐	☑	☐

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

- Following the completion of the review process by County review staff, the applicant shall submit all materials electronically to the designated project manager.
- Please contact the project manager to confirm the number of additional copies required.

FEE REQUIREMENTS:

☑ **Non-conforming Use Alteration Petition:** $1,500.00
☑ **Estimated Legal Advertising Fee for the Office of the Hearing Examiner:** $1,125.00

All checks payable to: Board of County Commissioners

The completed application, all required submittal materials, and the permit fee shall be submitted to:
Growth Management Department / Planning & Zoning
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

Applicant/Agent Signature _____ Date _____

Printed Name _____

4/9/2019

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

Collier County Property Appraiser

MAP SIZE: SMALL | **MEDIUM** | LARGE |

- Introduction
- Search for Parcels by
- Search Results
- Layers
- Legend
- Print

Aerial Photography: January - 2021 Urban [6IN] - 2021 Rural [2FT] - 2021 Rural [10FT] - 2021 Rural [50FT]

Zoom In
Zoom Out
Identify
Pan
Measure
Full County View
Previous View
Zoom To Selected
Clear Map Graphics
Overview

Aerial Year: 2021

Sales Year: OFF

Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

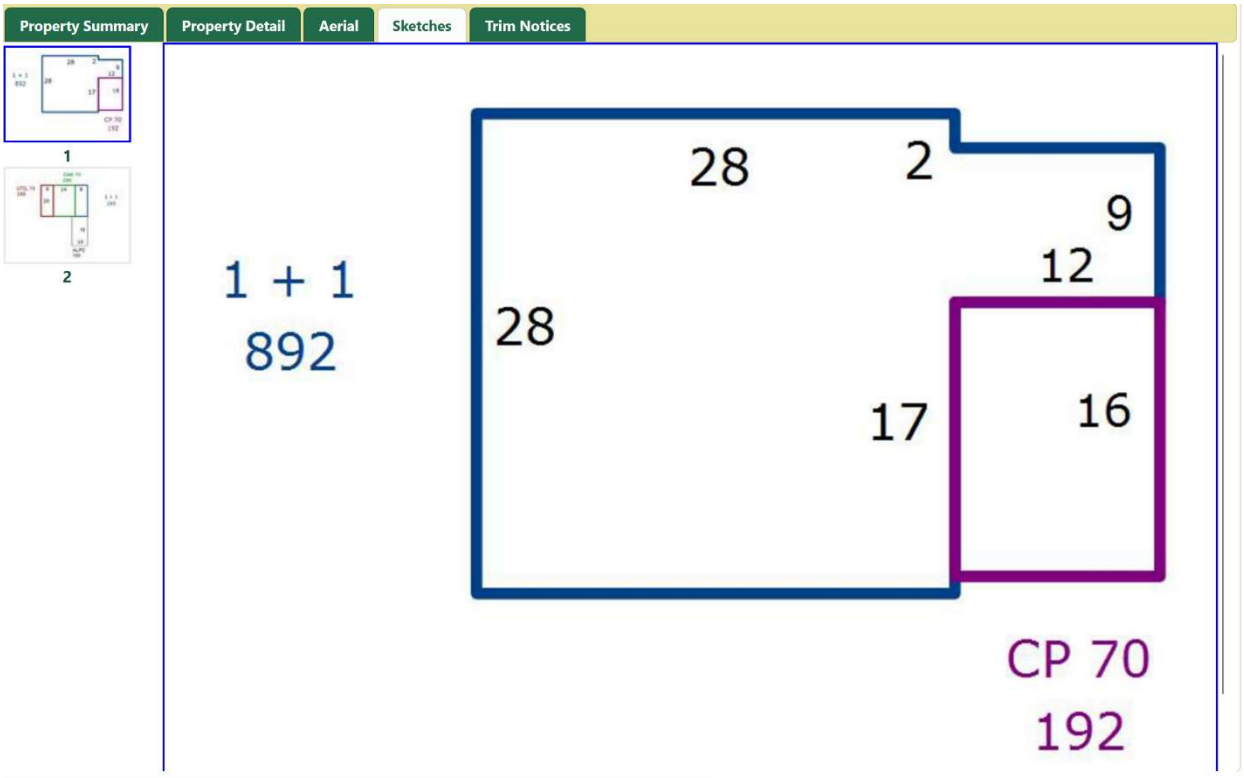
DEMONSTRATIVE EXHIBIT[1]

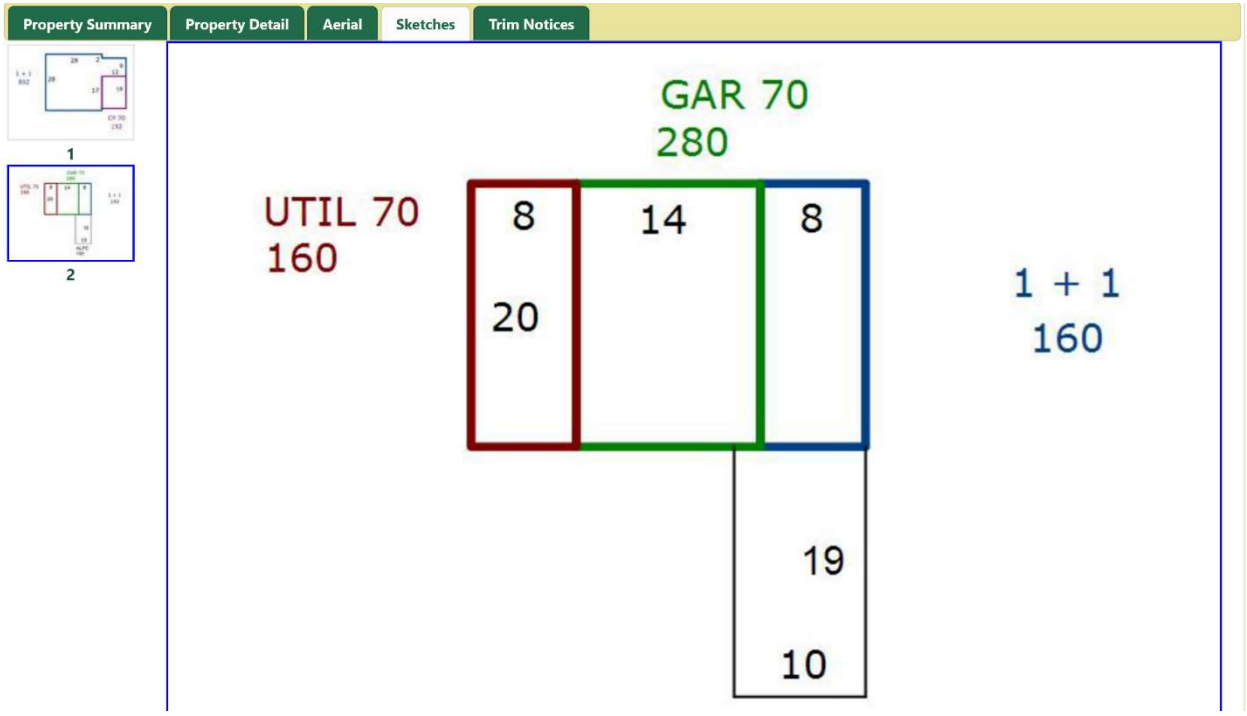
Example Properties on Ridge Street with Multiple Residential Structures

1317 Ridge Street

[1] This demonstrative exhibit is offered by way of example and is not an exhaustive study.

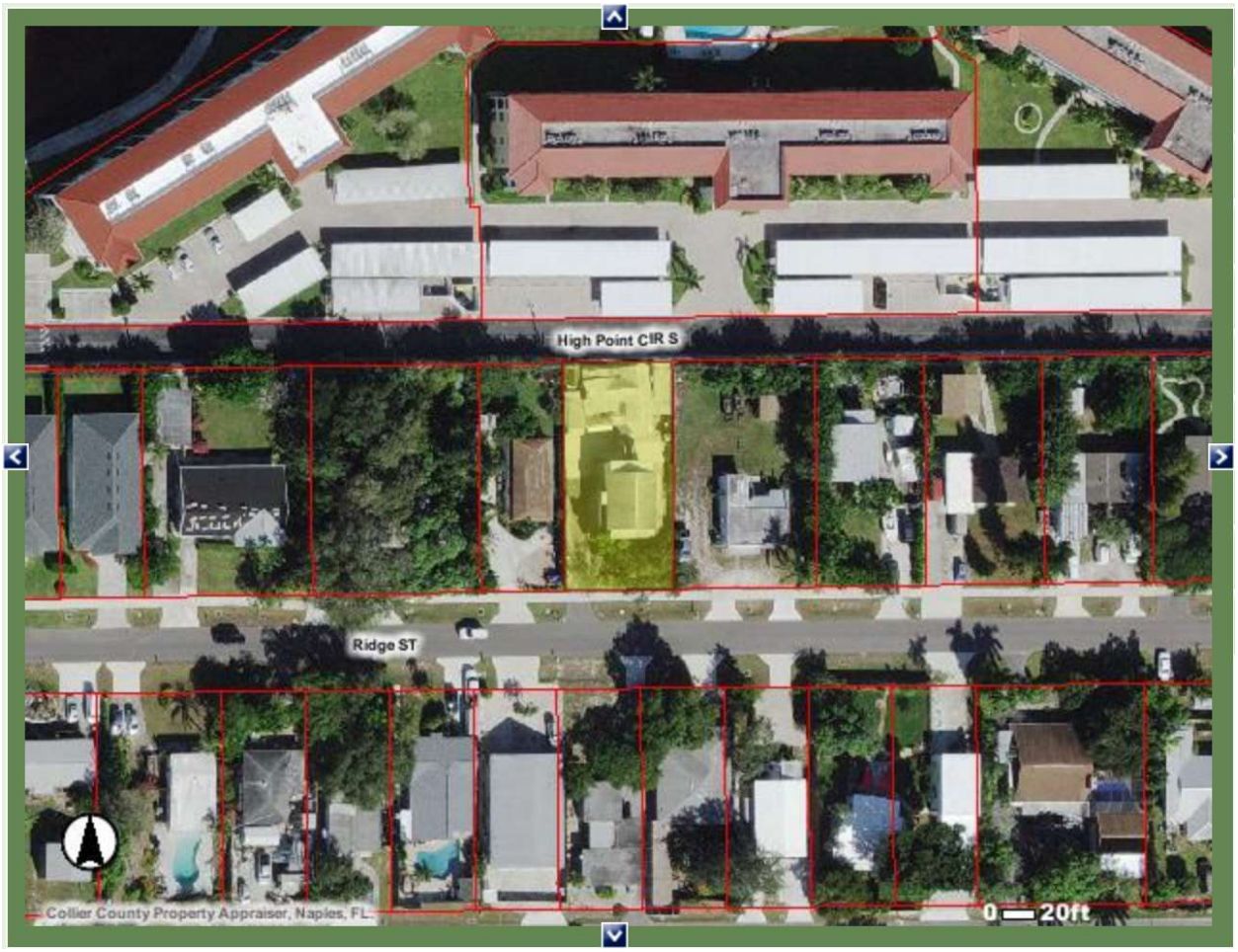
Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)



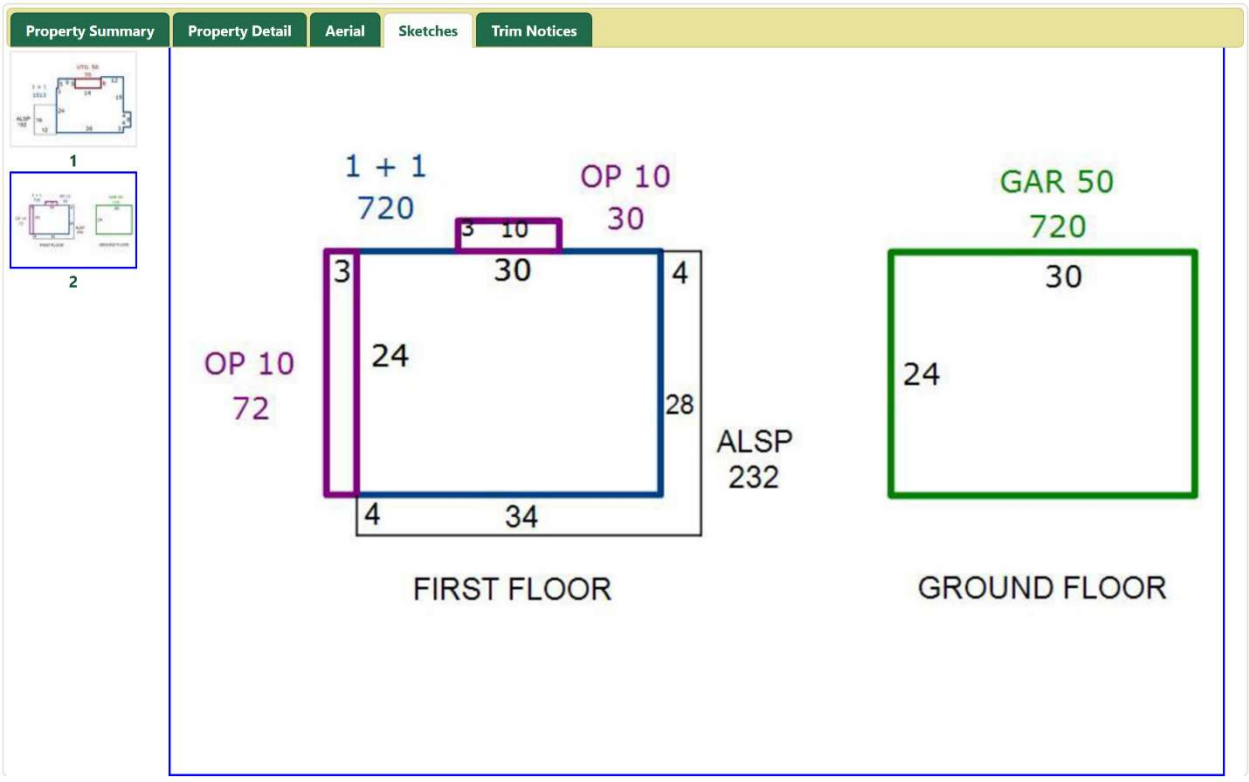


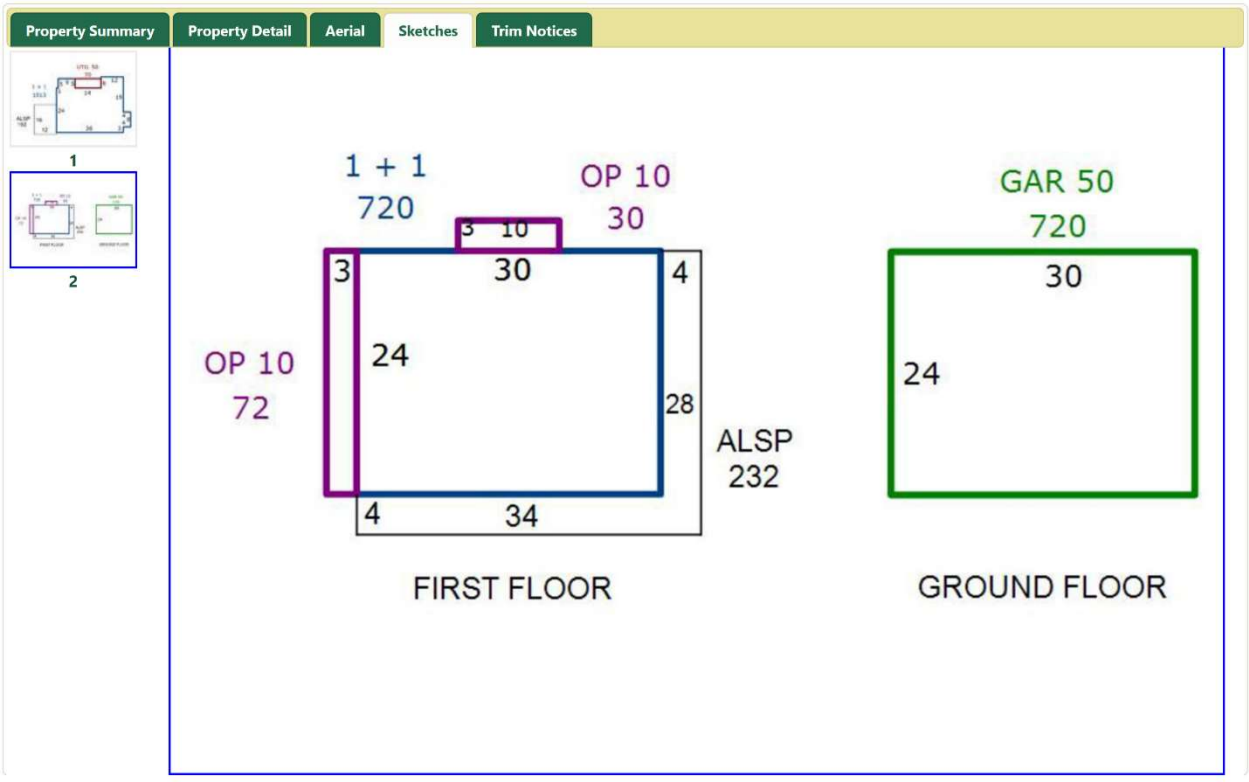
Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

1221 Ridge Street



Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

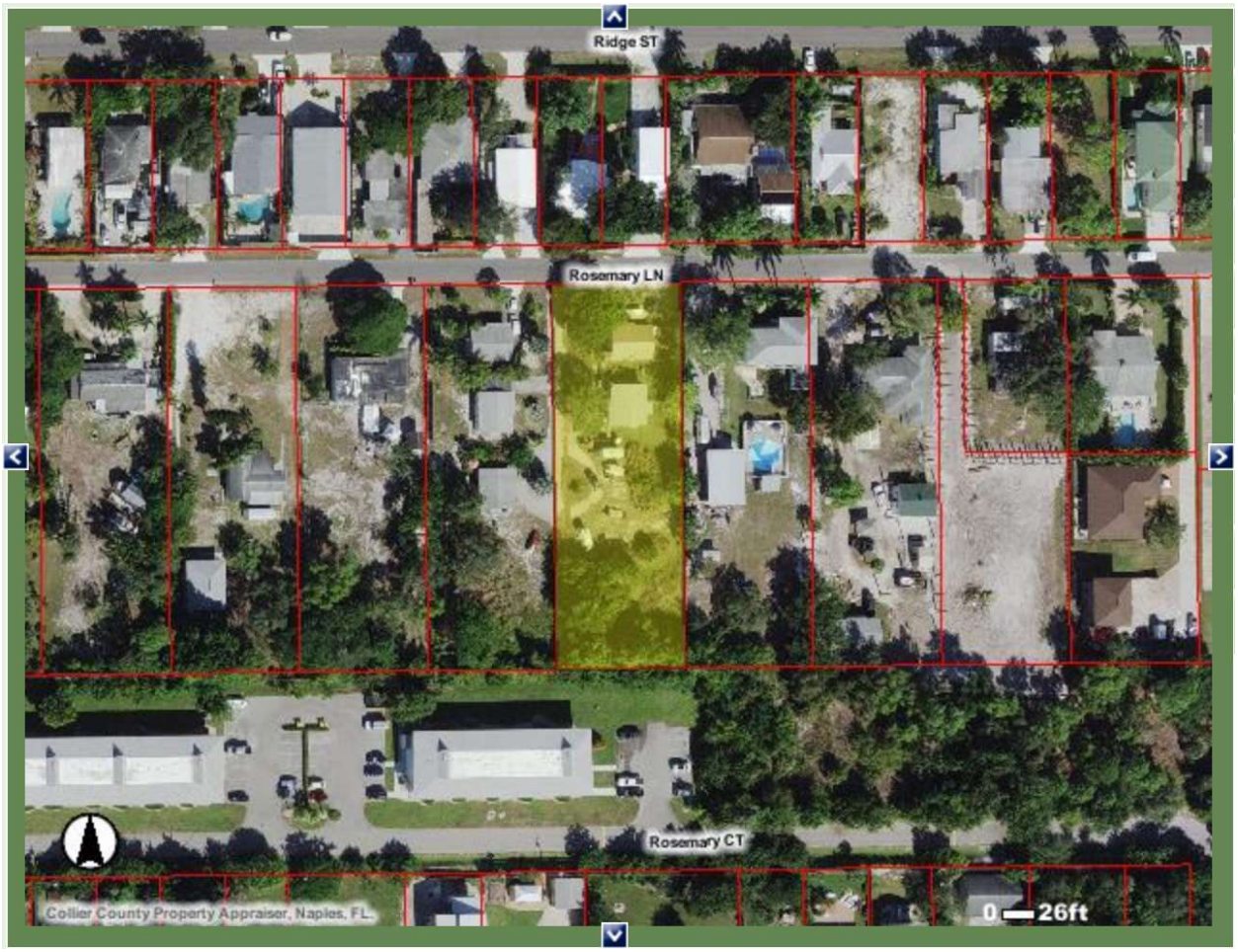




Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

Example Properties on Ridge Street with Multiple Residential Structures

1236 Rosemary Lane



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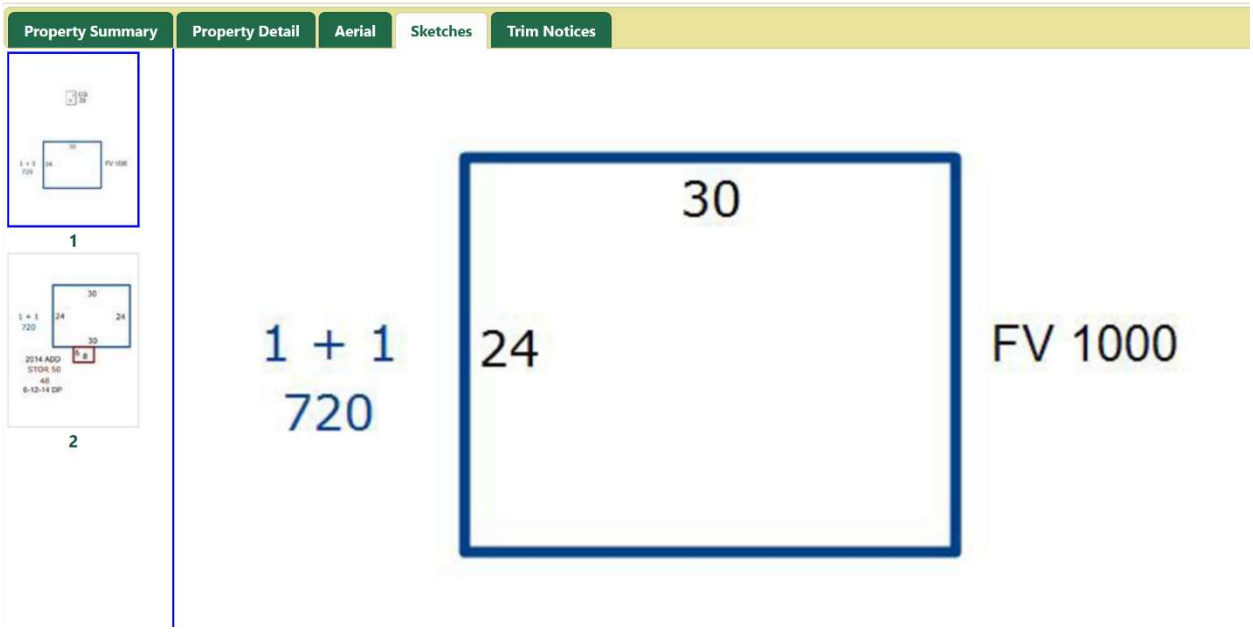
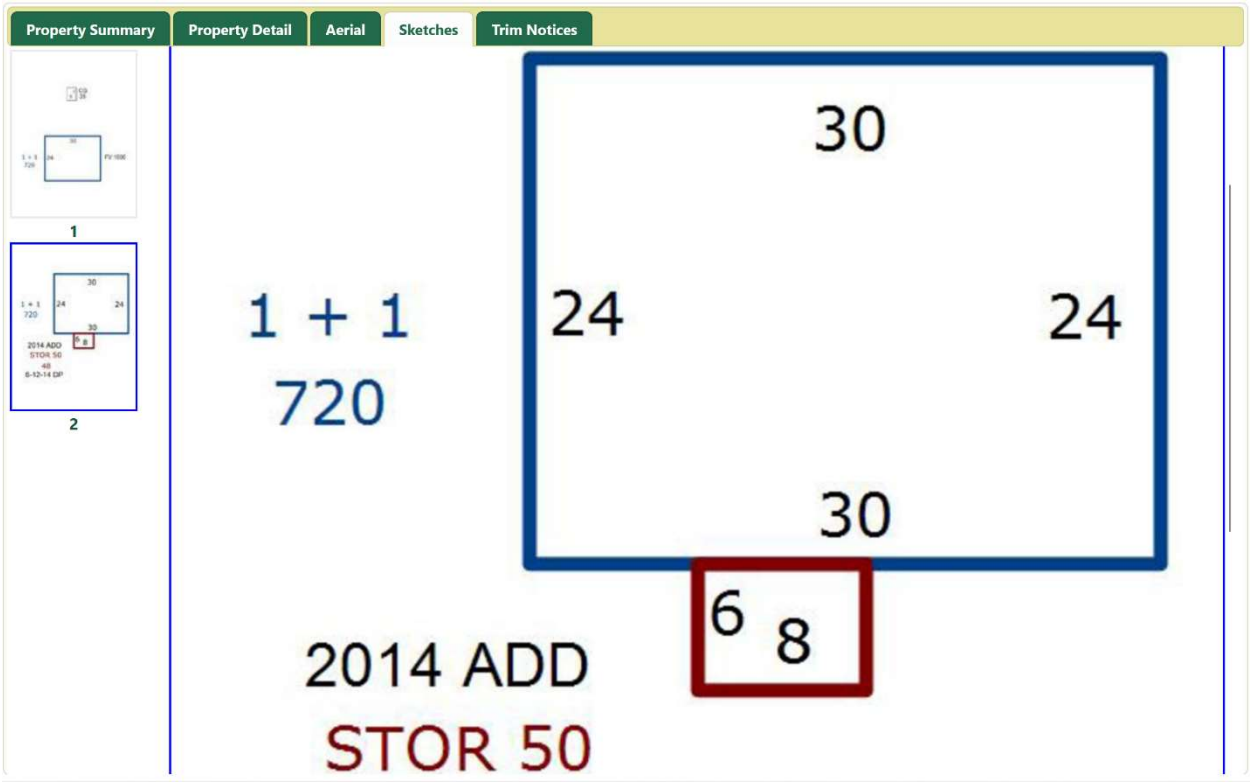
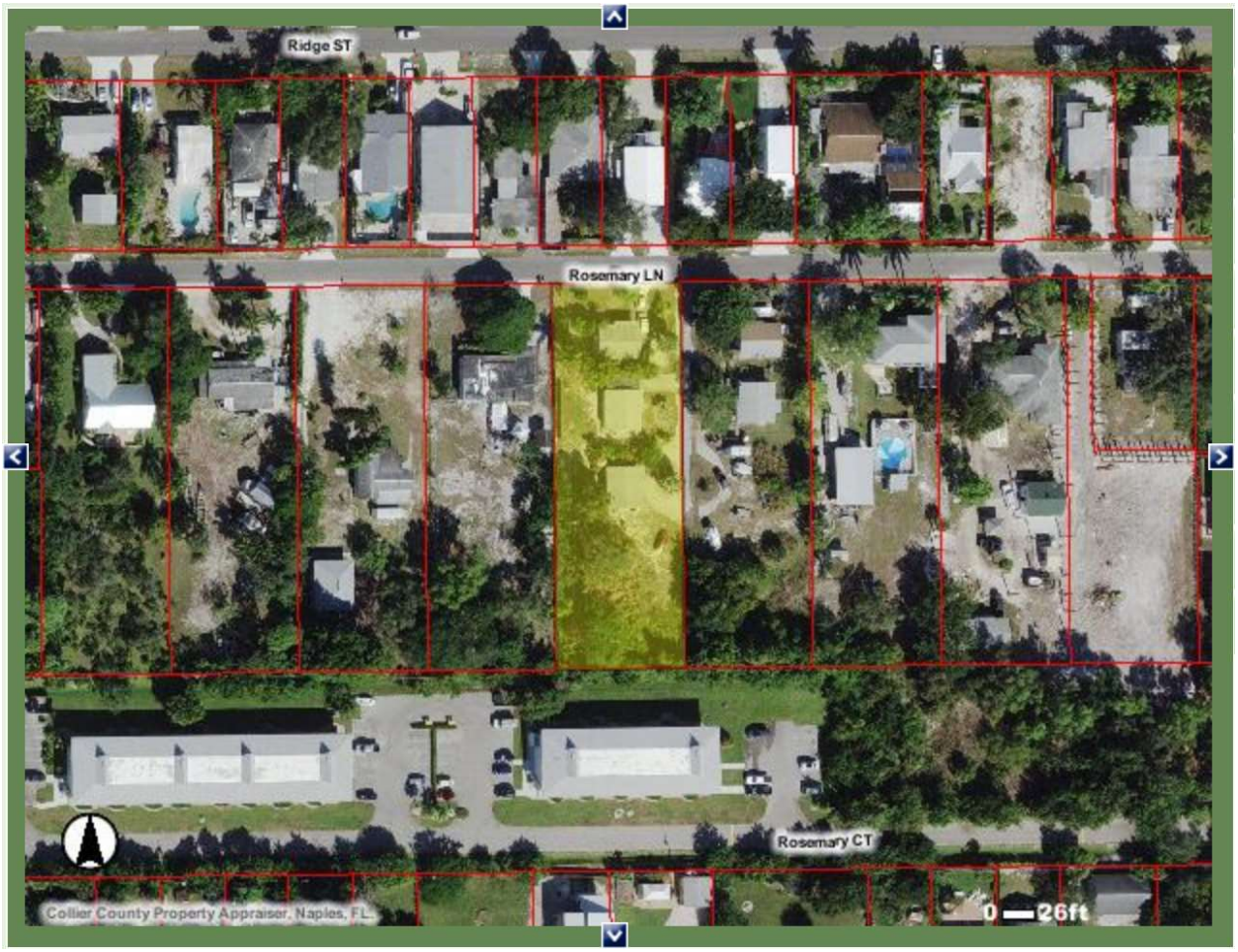




Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

1224 Rosemary Lane



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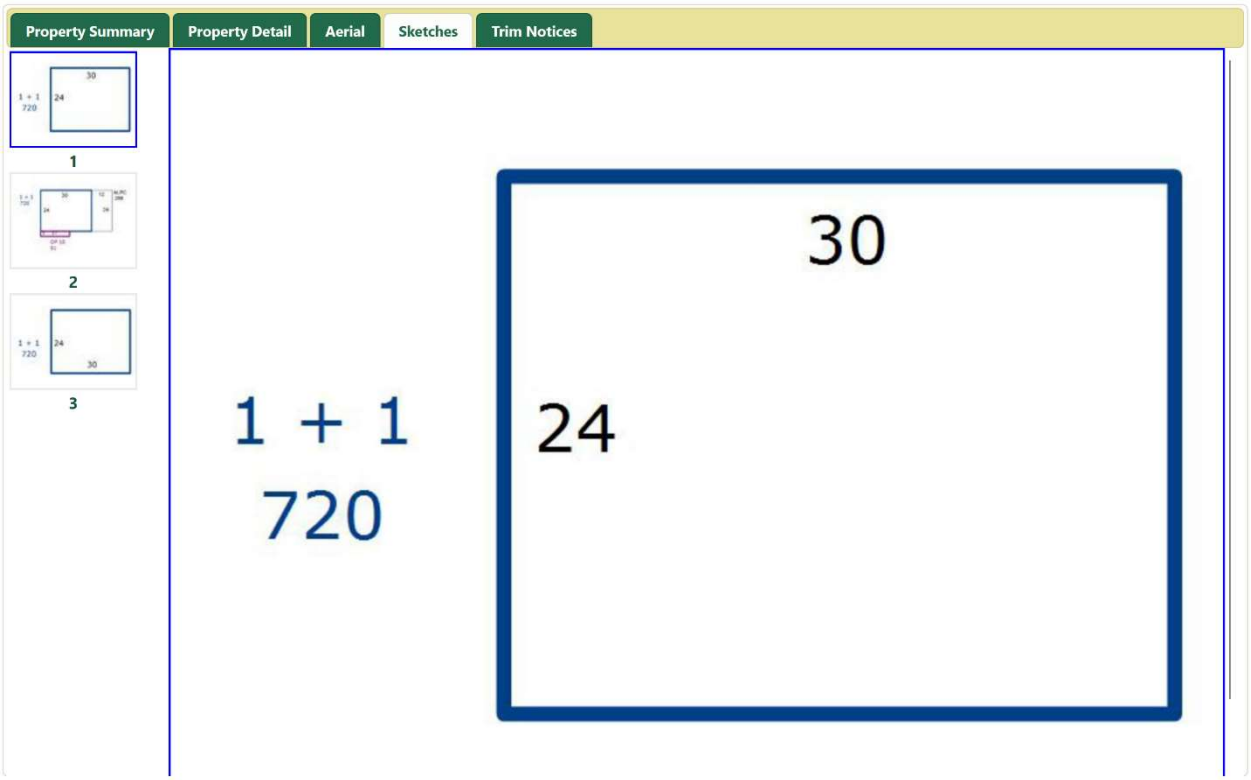

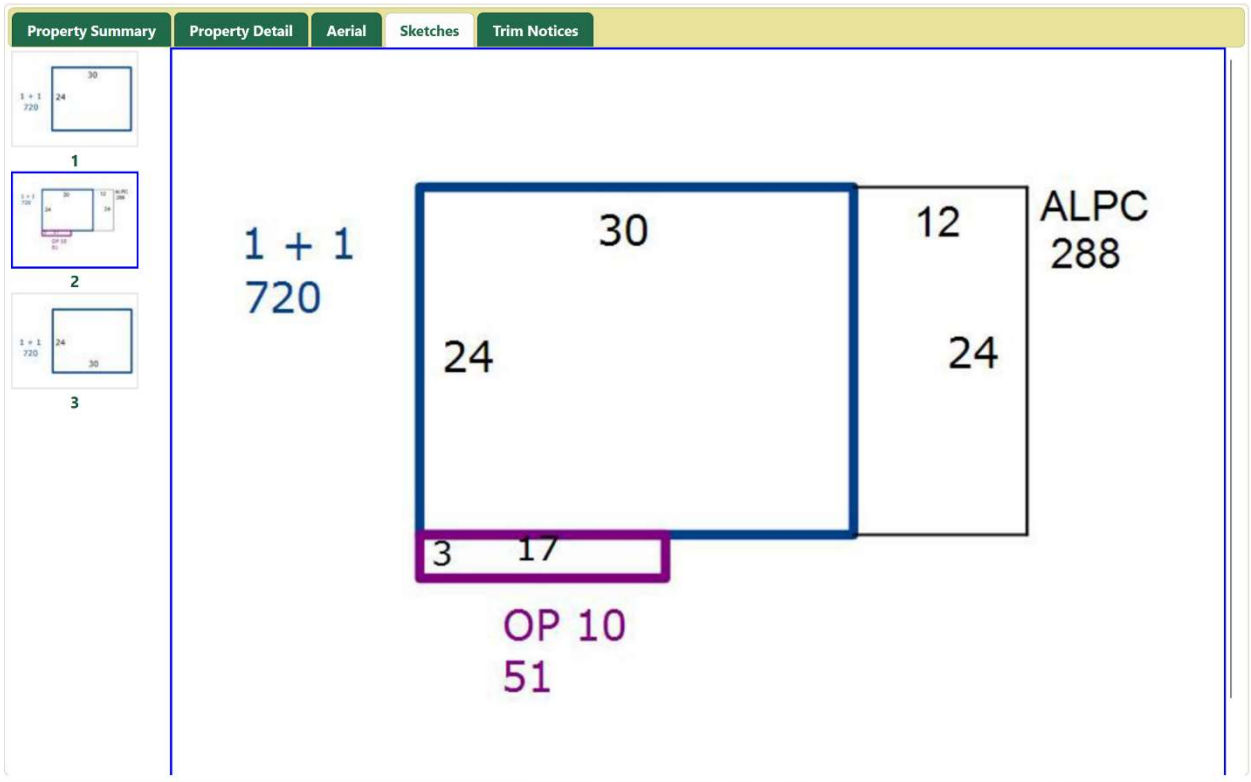

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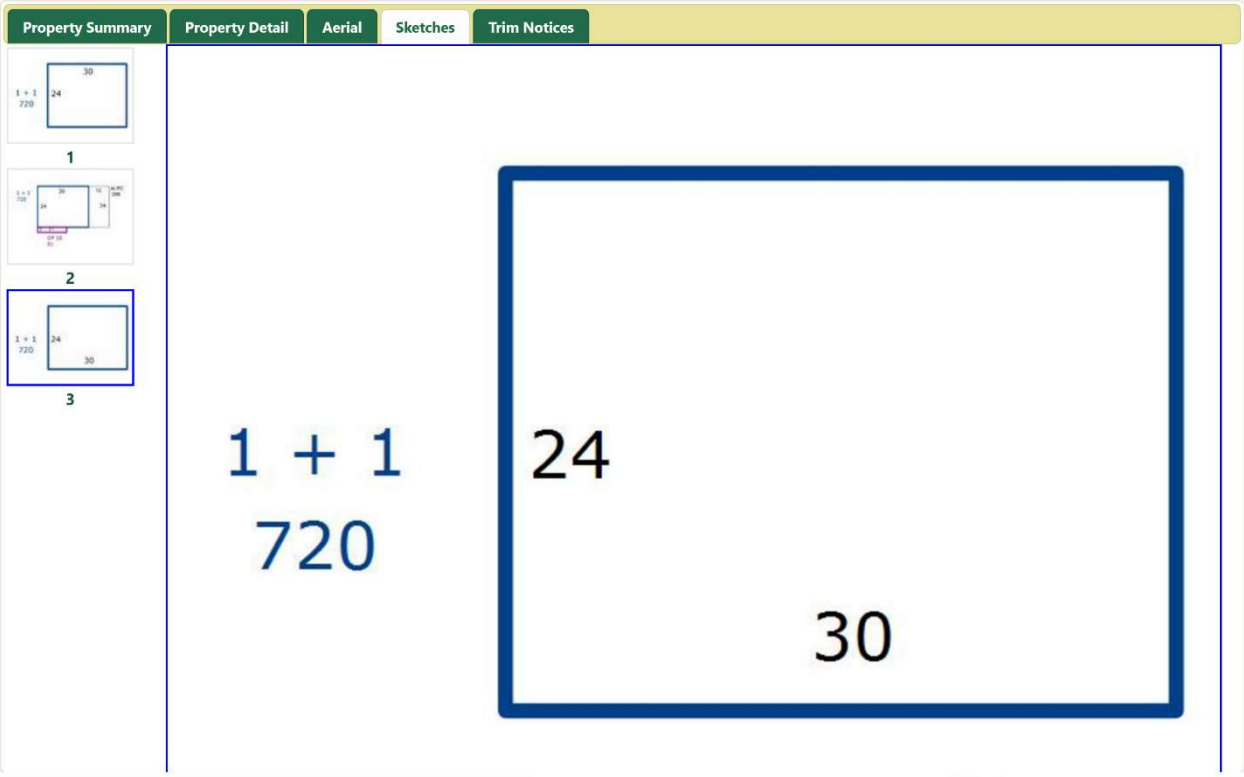
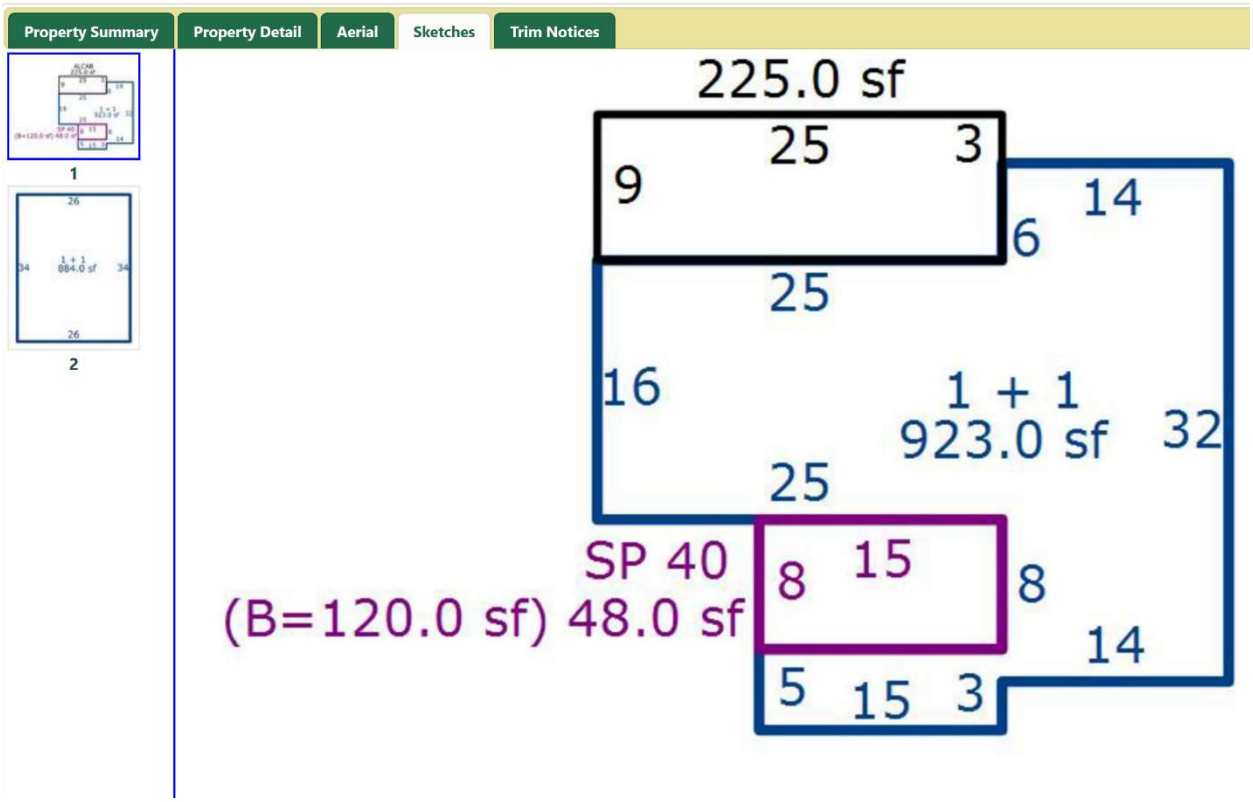
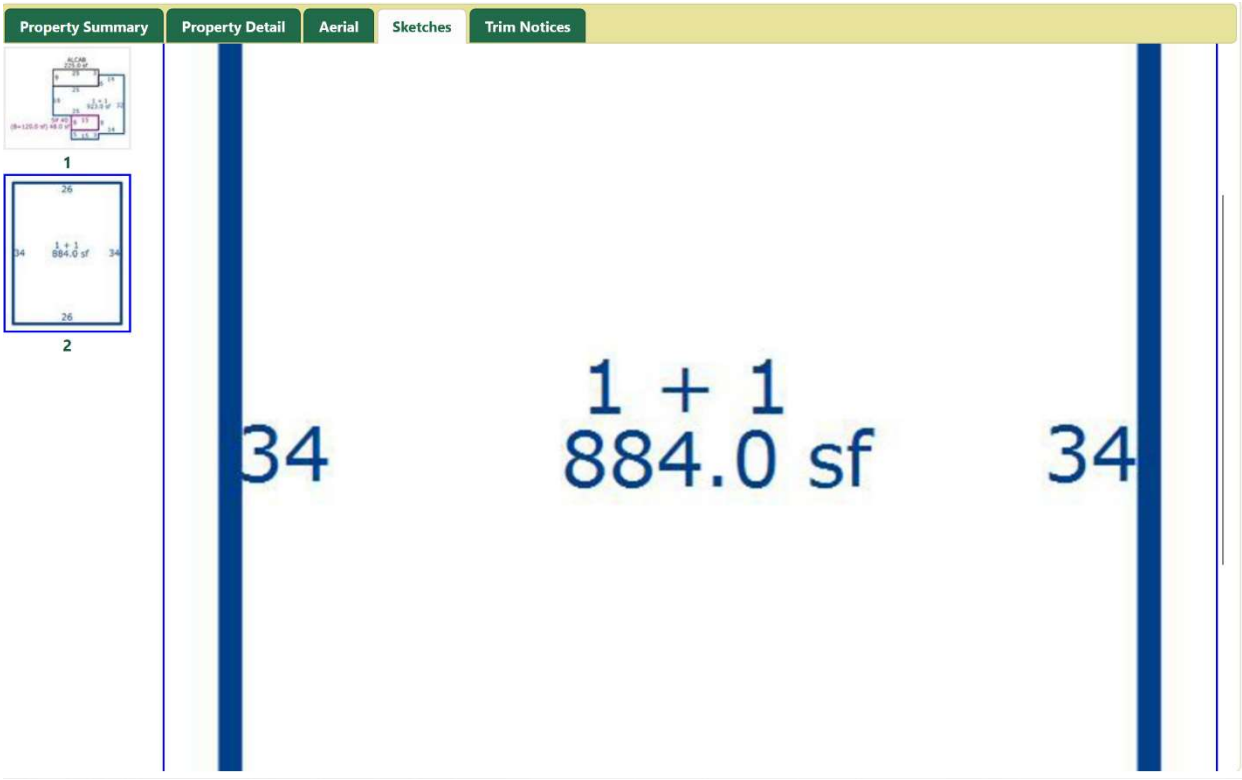


Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

1208 Rosemary Lane

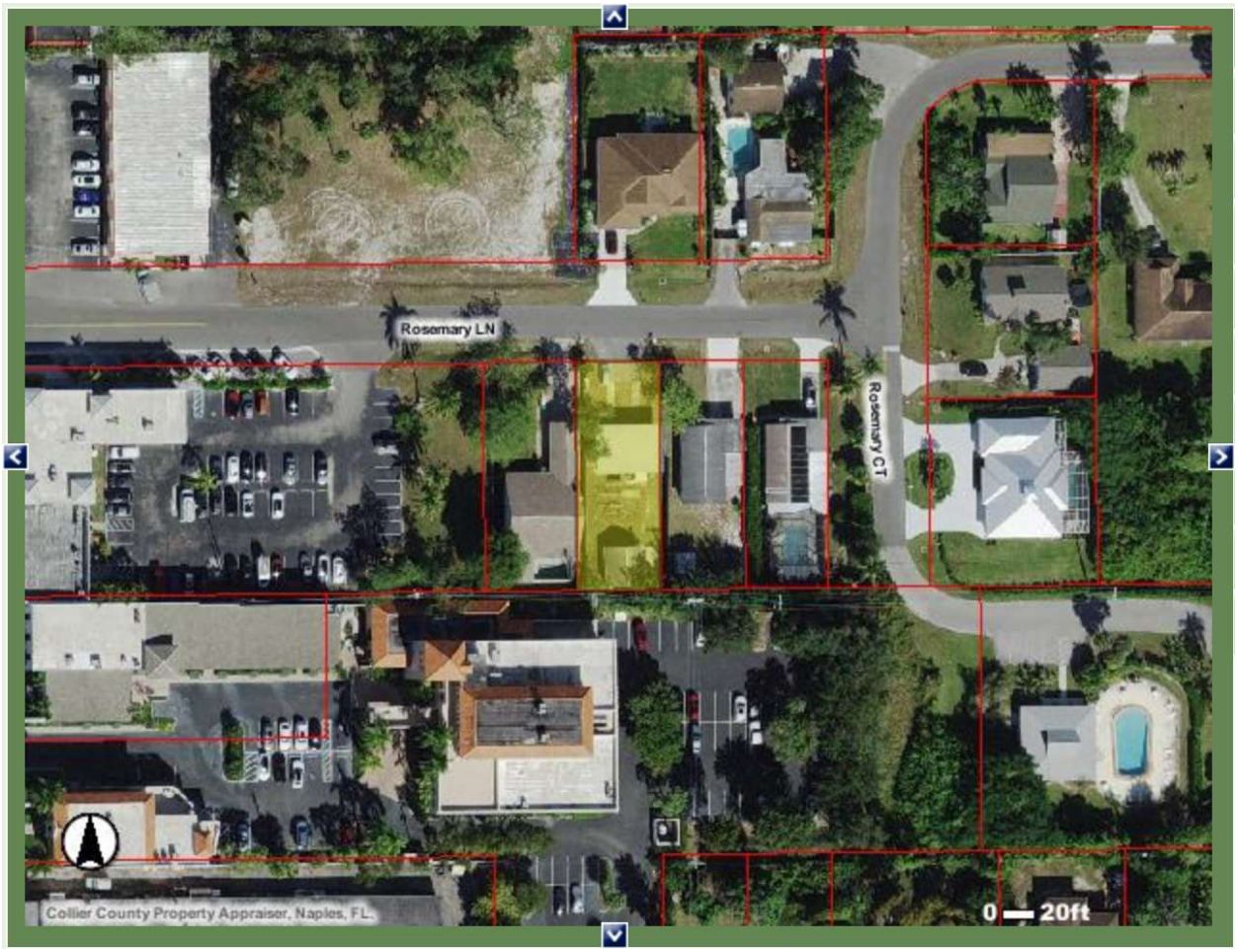
Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)





Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

928 Rosemary Lane



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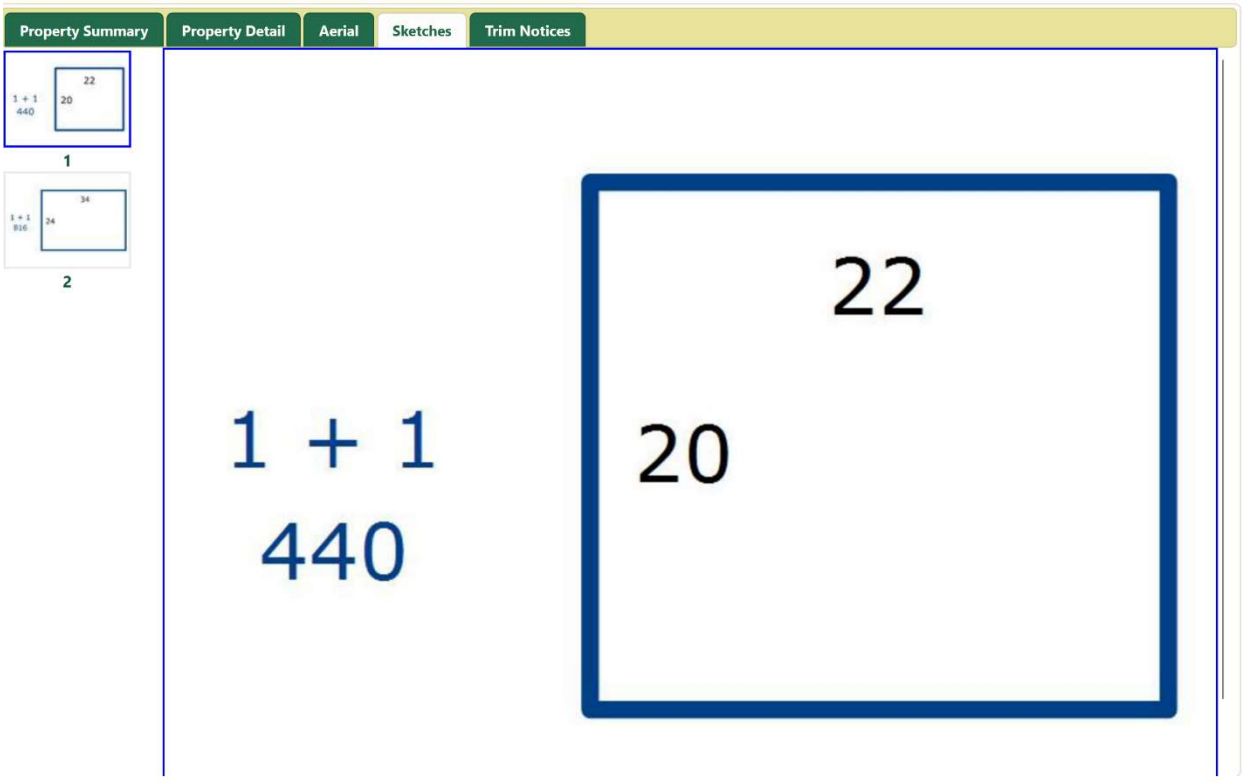
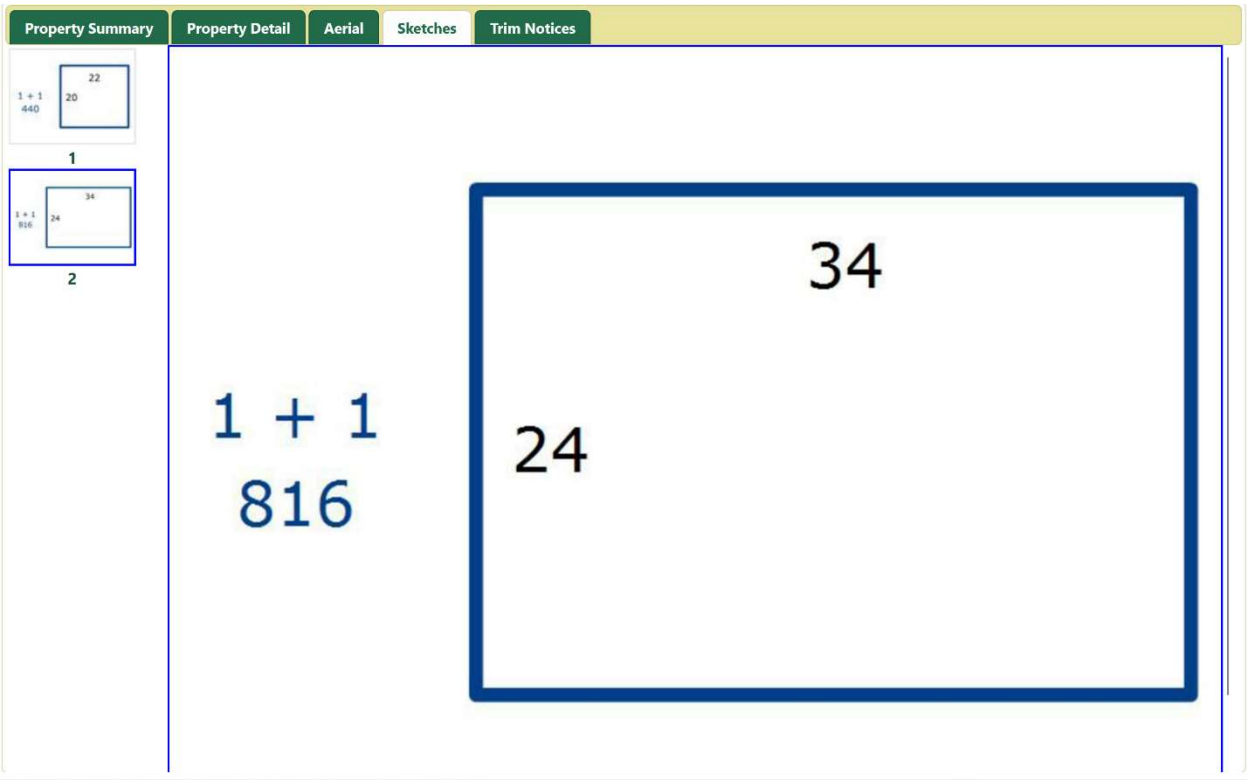




Attachment: F 1006 Ridge St - Hearing Materials v3 (22399 : PL20210002953 1006 Ridge Street NUA)

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.B
Item Summary: Petition No. BDE PL20210002628 - 96 Southport Cove Chaffe - Request for a 42-foot boat dock extension from the maximum permitted protrusion of 20 feet allowed by Section 5.03.06.E.1 of the Collier County Land Development Code for waterways greater than 100 feet in width, to allow a boat docking facility protruding a total of 62 feet into a waterway that is 184± feet wide. The subject property is located at 96 Southport Cove and is further described as Lot 2, Southport on the Bay, Unit One, in Section 06, Township 48 South, Range 25 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 2

Meeting Date: 06/23/2022

Prepared by:
Title: Planner – Zoning
Name: John Kelly
06/03/2022 11:48 AM

Submitted by:
Title: Zoning Director – Zoning
Name: Mike Bosi
06/03/2022 11:48 AM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky	Review Item	Completed	
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	06/06/2022 5:48 PM
Zoning	Ray Bellows	Review Item	Completed	06/07/2022 9:25 AM
Zoning	Mike Bosi	Zoning Director Review	Completed	06/07/2022 9:32 AM
Hearing Examiner	Andrew Dickman	Meeting Pending	06/23/2022 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION- ZONING SERVICES SECTION

HEARING DATE: JUNE 23, 2022

SUBJECT: BDE-PL20210002628, 96 SOUTHPORT COVE DOCK

PROPERTY OWNER/APPLICANT:

96 Southport Realty, LLC
Scott W. Chaffee, Manager
1029 West State Blvd, Suite A
Ft. Wayne, IN 46808

AGENT:

Bill Nelson
Greg Orick II Marine Construction, Inc
2815 Bayview Dr.
Naples, FL 34112

REQUESTED ACTION:

The petitioner requests a 42-foot boat dock extension over the maximum permitted protrusion of 20 feet allowed by Section 5.03.06.E.1 of the Collier County Land Development Code for waterways greater than 100 feet in width, to allow a new boat dock facility that will protrude a total of 62 feet into a waterway that is 184± feet wide, for the benefit of the subject property.

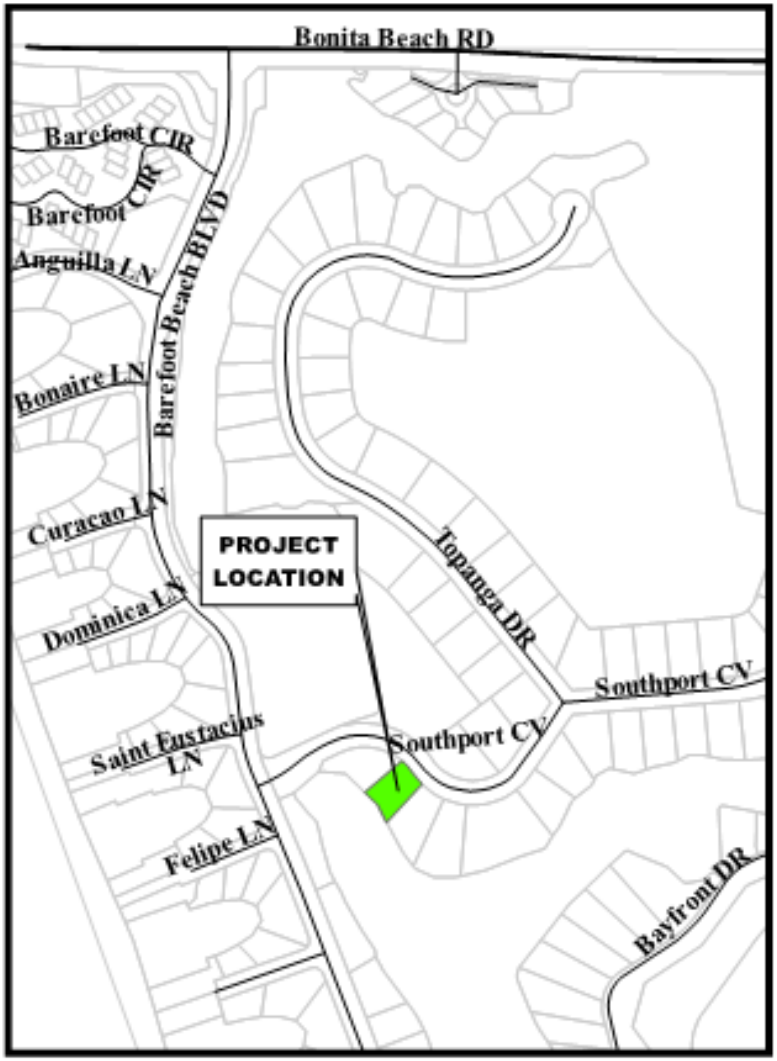
GEOGRAPHIC LOCATION:

The subject property is located at 96 Southport Cove and is formally identified as Lot 2, Southport on the Bay, Unit One, in Section 06, Township 48 South, Range 25 East. Collier County, Florida. *(See location map on the following page)*

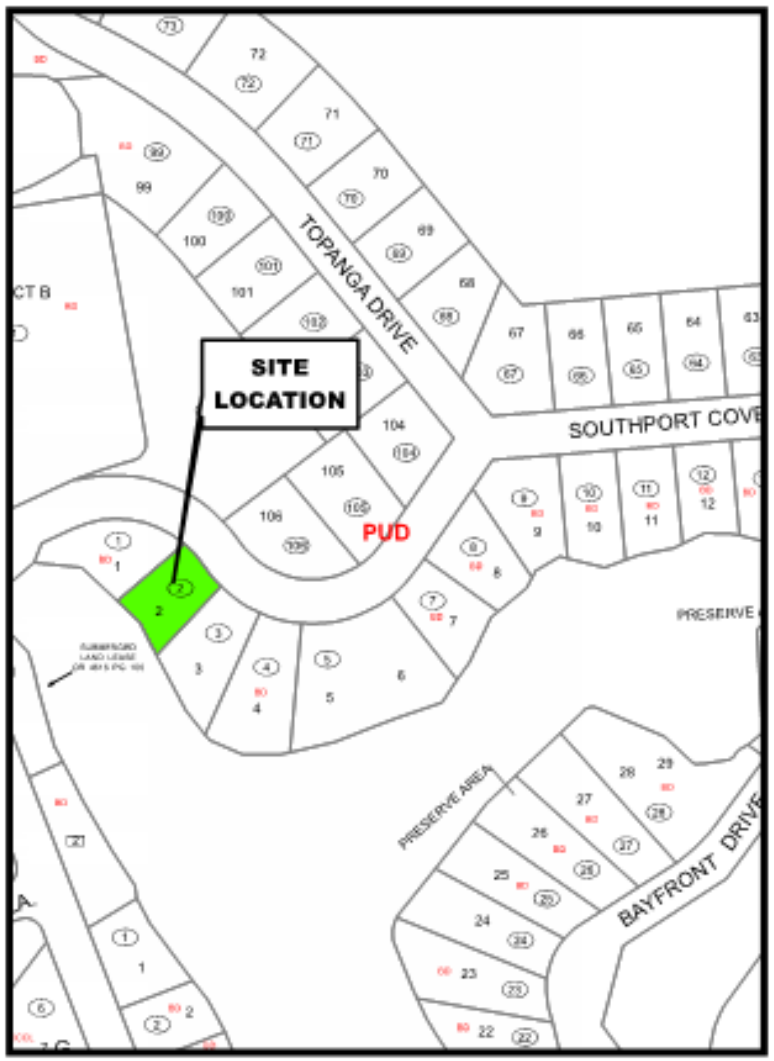
PURPOSE/DESCRIPTION OF PROJECT:

The subject property is located within Tract H, a residential component, of the Lely Barefoot Beach Planned Unit Development (PUD) and comprises 0.24± acres. The petitioner desires to construct a new boat dock facility with two boat slips, each with a boat lift, one for a 25.1-foot vessel and the other a 41.9-foot vessel. The proposed dock facility will protrude 42 feet from the Mean High Water Line (MHWL) which also serves as the platted property line. The subject dock facility will cross a 20-foot conservation easement for which the Conservancy of Southwest Florida has provided a letter indicating the proposed dock facility is consistent with the conservation easement; other concerns are being addressed by a Restoration Plan (see Attachment C).

Attachment: Staff Report 05312022 (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)



Location Map



Zoning Map

Petition Number: PL20210002628

Attachment: Staff Report 05312022 (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

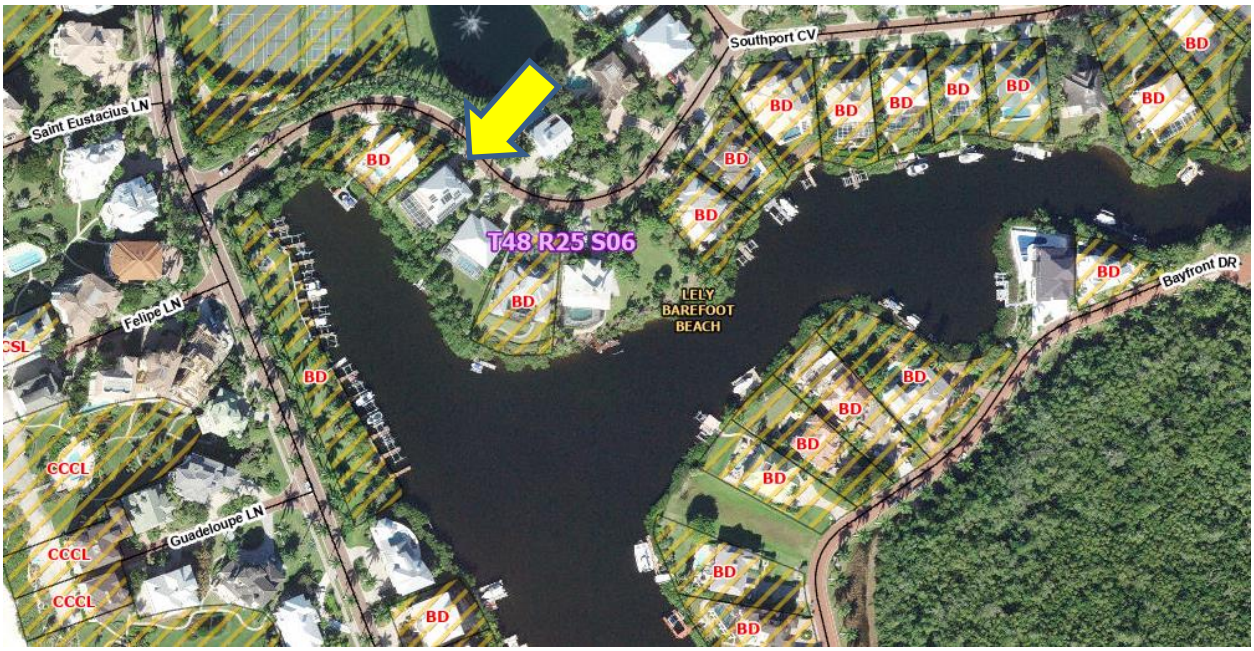
SURROUNDING LAND USE & ZONING:

North: A single-family residence located within the Lely Barefoot Beach PUD

South: A single-family residence located within the Lely Barefoot Beach PUD

East: Southport Cove (Right-of-Way_ then a single-family residence located within the Lely Barefoot Beach PUD

West: Little Hickory Bay then a community recreation area with dock facilities located within the Lely Barefoot Beach PUD



Collier County GIS

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Attachment: Staff Report 05312022 (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

Collier County GIS

ENVIRONMENTAL EVALUATION:

Environmental Planning Staff has reviewed this petition and has no objection to the granting of this request. The shoreline for this property contains mangroves. The proposed dock will be constructed waterward through the mangrove fringe. The access walkway will be 4 feet wide and constructed beyond the mangrove fringe parallel to the shoreline. Any additional impacts to mangroves will require written approval from Florida Department of Environmental Protection (DEP). A submerged resources survey provided by the applicant found no submerged resources in the area 200 feet beyond the proposed docking facility. The Submerged Resource Survey sheet page 5 of 8 indicates no seagrass have been observed within 200 feet of the proposed docking structure. The property contains a conservation easement just landward of mean high-water line (OR Book 1756 PG 1358). A site visit revealed a portion of the conservation easement has been impacted; therefore, the applicant has provided a restoration plan to restore the area with native plant species.

This project does not require an Environmental Advisory Council Board (EAC) review, because this project did not meet the EAC scope of land development project reviews as identified in Chapter 2, Article VIII, Division 23, Section 2-1193 of the Collier County Code of Laws and Ordinances.

Attachment: Staff Report 05312022 (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

STAFF ANALYSIS:

In accordance with LDC Section 5.03.06.H., the Collier County Hearing Examiner shall approve, approve with conditions, or deny a dock facility extension request based on certain criteria. In order for the Hearing Examiner to approve this request, at least four of the five primary criteria and four of the six secondary criteria must be met:

Primary Criteria:

1. **Whether the number of dock facilities and/or boat slips proposed is appropriate in relation to the waterfront length, location, upland land use and zoning of the subject property. Consideration should be made of property on unbridged barrier islands, where vessels are the primary means of transportation to and from the property. (The number should be appropriate; typical single-family use should be no more than two slips; typical multi-family use should be one slip per dwelling unit; in the case of unbridged barrier island docks, additional slips may be appropriate.)**

   Criterion met. The subject property is improved with a single-family residence within a residential component of a PUD. The petitioner desires to construct a dock facility with two boat slips, each with a boat lift, one for a 25.1-foot vessel and the other for a 41.9-foot vessel.

2. **Whether the water depth at the proposed site is so shallow that a vessel of the general length, type and draft as that described in the petitioner's application is unable to launch or moor at mean low tide (MLT). (The petitioner's application and survey should establish that the water depth is too shallow to allow launching and mooring of the vessel(s) described without an extension.)**

   Criterion met. The natural mangrove shoreline notwithstanding, the applicant argues that a vessel could not be moored or launched at the subject location as the water depth at Mean Low Tide within the 20-foot protrusion limit is only 1.2 feet. Given the bathymetric survey and cross-section contained within Attachments A and B; staff concurs.

3. **Whether the proposed dock facility may have an adverse impact on navigation within an adjacent marked or charted navigable channel. (The facility should not intrude into any marked or charted navigable channel thus impeding vessel traffic in the channel.)**

   Criterion met. The proposed dock facility does not intrude into any marked or charted navigable channel and is near the terminus end of the bay with little navigation other than for neighboring properties.

4. **Whether the proposed dock facility protrudes no more than 25 percent of the width of the waterway, and whether a minimum of 50 percent of the waterway width between dock facilities on either side is maintained for navigability. (The facility should maintain the required percentages.)**

Attachment: Staff Report 05312022 (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

Criterion not met. The applicable waterway is 184± feet wide as measured from MHWL to MHWL, the requested protrusion is 62 feet; therefore, the proposed dock facility will occupy 33.7 percent of the width of said waterway. The width between dock facilities on either shore is 78 feet; therefore, only 42.39 percent of the total waterway width is maintained for navigation. Staff does however note that the subject dock facility is to be located at the end of a waterway which limits the amount of boating activity.

5. **Whether the proposed location and design of the dock facility is such that the facility would not interfere with the use of neighboring docks. (The facility should not interfere with the use of legally permitted neighboring docks.)**

Criterion met. The proposed dock facility has been designed not to interfere with neighboring dock facilities. As depicted upon the Proposed Dock Plan, See Attachment A, the proposed dock facility satisfies setback requirements. The neighboring dock facility to the north uses a shore parallel design and the dock to the south is perpendicular to the shore.

Secondary Criteria:

1. **Whether there are special conditions not involving water depth, related to the subject property or waterway, which justify the proposed dimensions and location of the proposed dock facility. (There must be at least one special condition related to the property; these may include type of shoreline reinforcement, shoreline configuration, mangrove growth, or seagrass beds.)**

Criterion met. The subject property has a natural mangrove shoreline that cannot be impacted or removed due to it being recorded as a Conservation Easement which requires the dock to be on the waterward side of the mangrove fringe; the dock has been designed with a 4-foot-wide walkway to transverse the conservation easement.

2. **Whether the proposed dock facility would allow reasonable, safe access to the vessel for loading/unloading and routine maintenance, without the use of excessive deck area not directly related to these functions. (The facility should not use excessive deck area.**

Criterion met. The proposed boat dock facility has been designed to moor two marine vessels; said design does not include any deck area that is not necessary for reasonable, safe, access to the vessels for loading/unloading and routine maintenance of said vessels.

3. **For single-family dock facilities, whether the length of the vessel, or vessels in combination, described by the petitioner, exceeds 50 percent of the subject property's linear waterfront footage. (The applicable maximum percentage should be maintained.)**

Criterion not met. The subject property has 93.23± feet of water frontage and the two vessels combined (41.9 feet plus 25.1 feet) total 67 feet; therefore, they will account for 71.87 percent of the waterfront value.

Attachment: Staff Report 05312022 (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

4. **Whether the proposed facility would have a major impact on the waterfront view of neighboring property owners. (The facility should not have a major impact on the view of a neighboring property owner.)**

   Criterion met. The proposed dock has been designed within the designated riparian lines and is consistent with the existing docks along the subject shoreline. Additionally, the natural mangrove shoreline serves as a visual buffer of the waterway.

5. **Whether seagrass beds will be impacted by the proposed dock facility. (If seagrass beds are present, compliance with subsection 5.03.06.J of the LDC must be demonstrated.)**

   Criterion met. The submerged resources survey provided indicates that no seagrass beds exist within 200-feet of the proposed dock. No seagrass beds will be impacted by the proposed dock facility.

6. **Whether the proposed dock facility is subject to the manatee protection requirements of subsection 5.03.06(E)(11) of this Code. (If applicable, compliance with section 5.03.06(E)(11) must be demonstrated.**

   Criterion not applicable. The provisions of the Collier County Manatee Protection Plan do not apply to single-family dock facilities except for those within the seawalled basin of Port of the Islands; the subject property is not located within Port of the Islands.

Staff analysis finds this request complies with four of the five of the primary criteria and four of the six secondary criteria with the sixth criterion being not applicable.

CONCURRENT LAND USE APPLICATIONS:

None.

APPEAL OF BOAT DOCK EXTENSION:

As to any boat dock extension petition upon which the Hearing Examiner takes action, an aggrieved petitioner may appeal such final action. Such appeal shall be filed per Section 2-88 of the Collier County Code of Ordinances within 30 days of the Decision by the Hearing Examiner. An aggrieved non-party may appeal a decision of the Hearing Examiner to the Circuit Court of Collier County within 30 days of the decision. In the event that the petition has been approved by the Hearing Examiner, the applicant shall be advised that he/she proceeds with construction at his/her own risk during this 30-day period. Any construction work completed ahead of the approval authorization shall be at their own risk.

STAFF RECOMMENDATION:

Based on the above findings, staff recommends that the Hearing Examiner APPROVE Petition BDE-PL20210002628, to allow for the construction of the proposed dock facility as depicted within Attachments A and B, with the following condition:

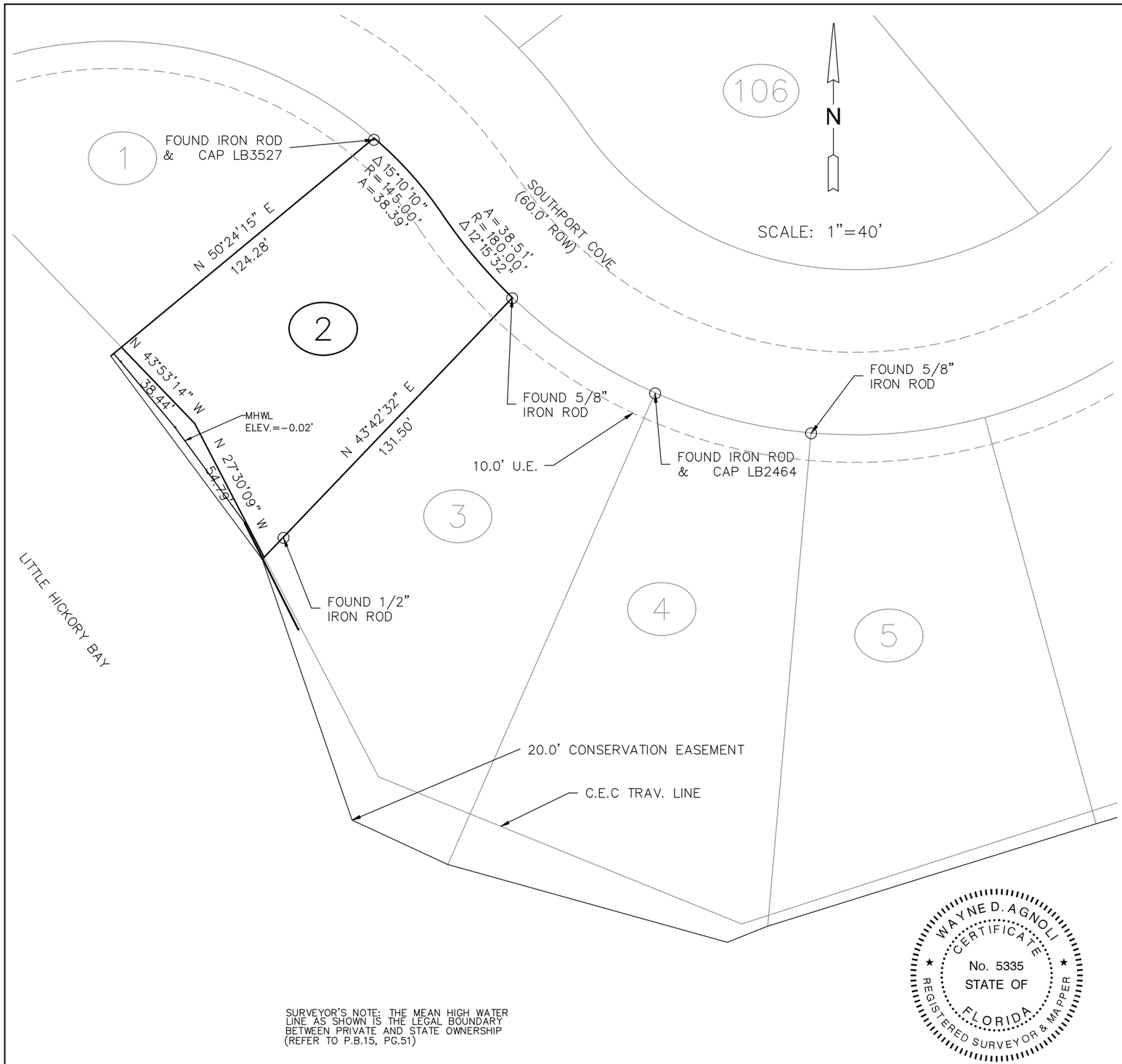
Attachment: Staff Report 05312022 (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

1. The restoration plantings described within the Restoration Plan, Attachment C, must be installed and inspected by Collier County staff prior to issuance of a Certificate of Completion for the boat dock.

Attachments:

A) Boundary Survey with Proposed Dock and Bathometric
B) Aerial Site Plan and Cross-Section
C) Restoration Plan
D) Public Hearing Sign Posting
E) Applicant's Backup, application and supporting documents
F) Public Correspondence

Attachment: Staff Report 05312022 (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)



SURVEYOR'S NOTE: THE MEAN HIGH WATER LINE AS SHOWN IS THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP (REFER TO P.B.15, PG.51)

WAYNE D. AGNOLI CERTIFICATE No. 5335 STATE OF FLORIDA REGISTERED SURVEYOR & MAPPER

PREPARED FOR: SCOTT CHAFFEE

DATE OF FIELD SURVEY: JANUARY 8, 2022

AGNOLI, BARBER & BRUNDAGE, INC.
PROFESSIONAL ENGINEERS, PLANNERS & SURVEYORS AND MAPPERS

BY Wayne D. Agnoli, R. S. M.

Digitally signed by Wayne D. Agnoli, R. S. M.
DN: E=agnoliw@abbinc.com, CN="Wayne D. Agnoli, R. S. M.", O="Agnoli, Barber & Brundage, Inc.", L=Naples, S=Florida, C=US
Date: 2022.02.14 06:51:09-05'00'

WAYNE D. AGNOLI, R.S.M., NO. 5335 DATE _____

THIS SITE PLAN SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

THIS SITE PLAN SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS
OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTIES
WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES IS PROHIBITED BY
CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE.

THIS SITE PLAN SURVEY IS CERTIFIED AS TO THE DATE OF FIELD SURVEY, NOT THE SIGNATURE DATE.

GENERAL NOTES:

1. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

2. BEARINGS ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM , EAST ZONE, NAD 83/90 DATUM AND REFERENCED TO THE SOUTH LINE OF LOT 2, SOUTHPORT ON THE BAY, UNIT 1, SECTION 6, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, AS BEING NORTH 43° 42' 32" EAST.

3. HORIZONTAL COORDINATES WERE DERIVED BY GPS OBSERVATIONS USING A TRIMBLE DUAL FREQUENCY RECEIVER (MODEL R10), RECEIVING CORRECTIONS FROM TRIMBLE VRS NOW RTN (REAL TIME NETWORK)

4. VERTICAL: ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).ELEVATIONS WERE ESTABLISHED USING LONG TERM OBSERVATIONS WITH A TRIMBLE (MODEL R10) DUAL FREQUENCY RECEIVER GPS (GLOBAL POSITIONING SYSTEM).

SURVEYOR'S NOTE: THE PURPOSE OF THE SURVEY IS TO LOCATE THE SEAWALL AND THE WATERWARD EXISTING CONDITIONS ONLY. NO UPLAND IMPROVEMENTS HAVE BEEN LOCATED UNDER THE SCOPE OF THIS SURVEY.

96 SOUTHPORT COVE

for:	SCOTT CHAFFEE
title:	MAP OF SITE PLAN SURVEY OF LOT 2 SOUTHPORT ON THE BAY, UNIT NO. 1 SECTION 6, TOWNSHIP 48 SOUTH & RANGE 25 EAST (PLAT BOOK 15 & PAGE 52) COLLIER COUNTY, FLORIDA

bk:	pg:	date:
1262	72	FEBRUARY 11, 2022
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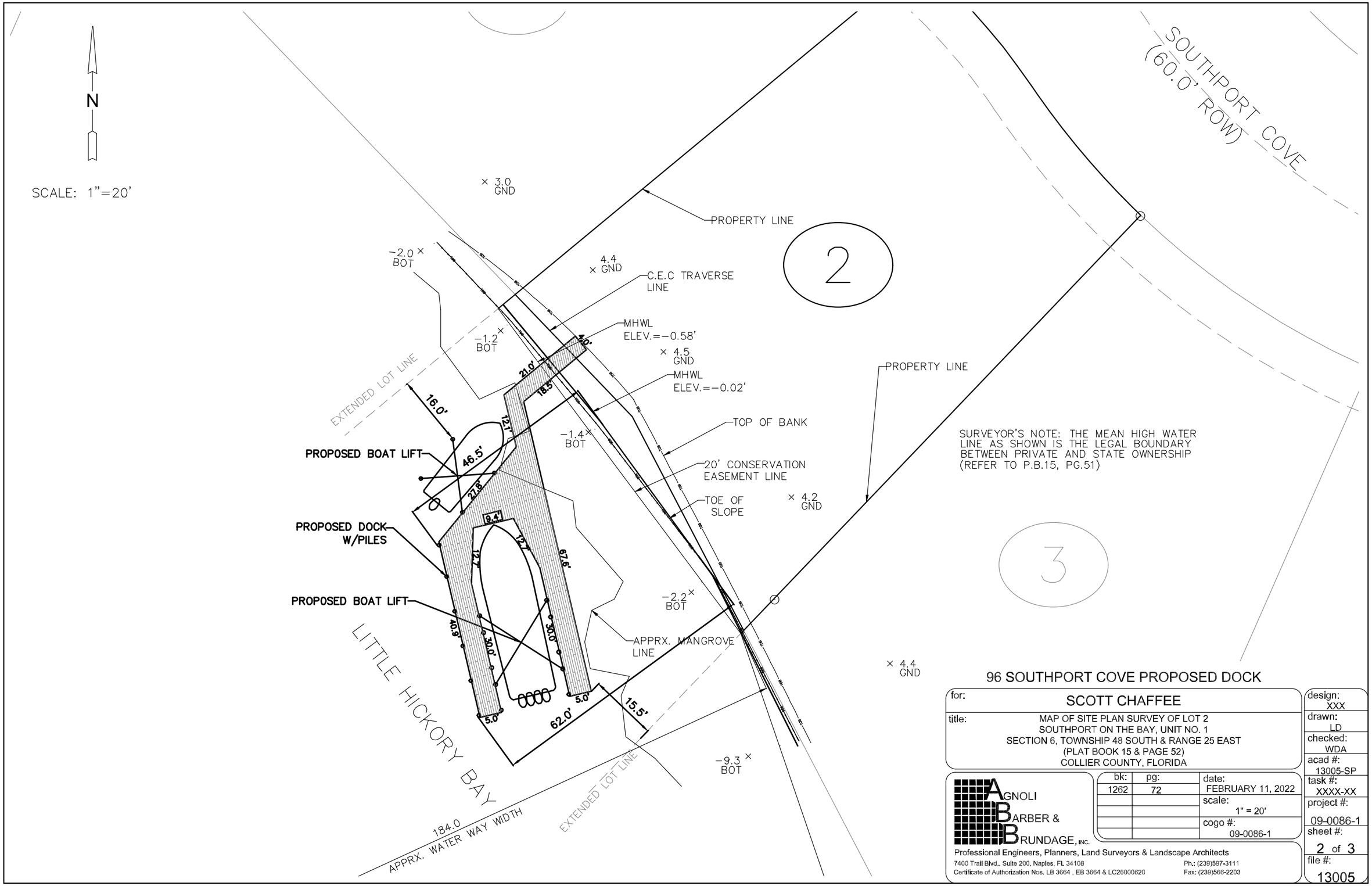
		cogo #: 09-0086-1

design:	XXX
drawn:	LD
checked:	WDA
acad #:	13005-SP
task #:	XXXX-XX
project #:	09-0086-1
sheet #:	1 of 3
file #:	13005

AGNOLI BARBER & BRUNDAGE, INC.
Professional Engineers, Planners, Land Surveyors & Landscape Architects
7400 Trail Blvd., Suite 200, Naples, FL 34108 Ph.: (239)597-3111
Certificate of Authorization Nos. LB 3664 , EB 3664 & LC26000620 Fax: (239)566-2203

Attachment: Attachment A - Boundary Survey with Prposed Dock (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)



96 SOUTHPORT COVE PROPOSED DOCK

for: SCOTT CHAFFEE

title: MAP OF SITE PLAN SURVEY OF LOT 2
SOUTHPORT ON THE BAY, UNIT NO. 1
SECTION 6, TOWNSHIP 48 SOUTH & RANGE 25 EAST
(PLAT BOOK 15 & PAGE 52)
COLLIER COUNTY, FLORIDA

AGNOLI BARBER & BRUNDAGE, INC.
Professional Engineers, Planners, Land Surveyors & Landscape Architects
7400 Trail Blvd., Suite 200, Naples, FL 34108 Ph.: (239)597-3111
Certificate of Authorization Nos. LB 3664 , EB 3664 & LC26000620 Fax: (239)566-2203

bk:	pg:	date:
1262	72	FEBRUARY 11, 2022
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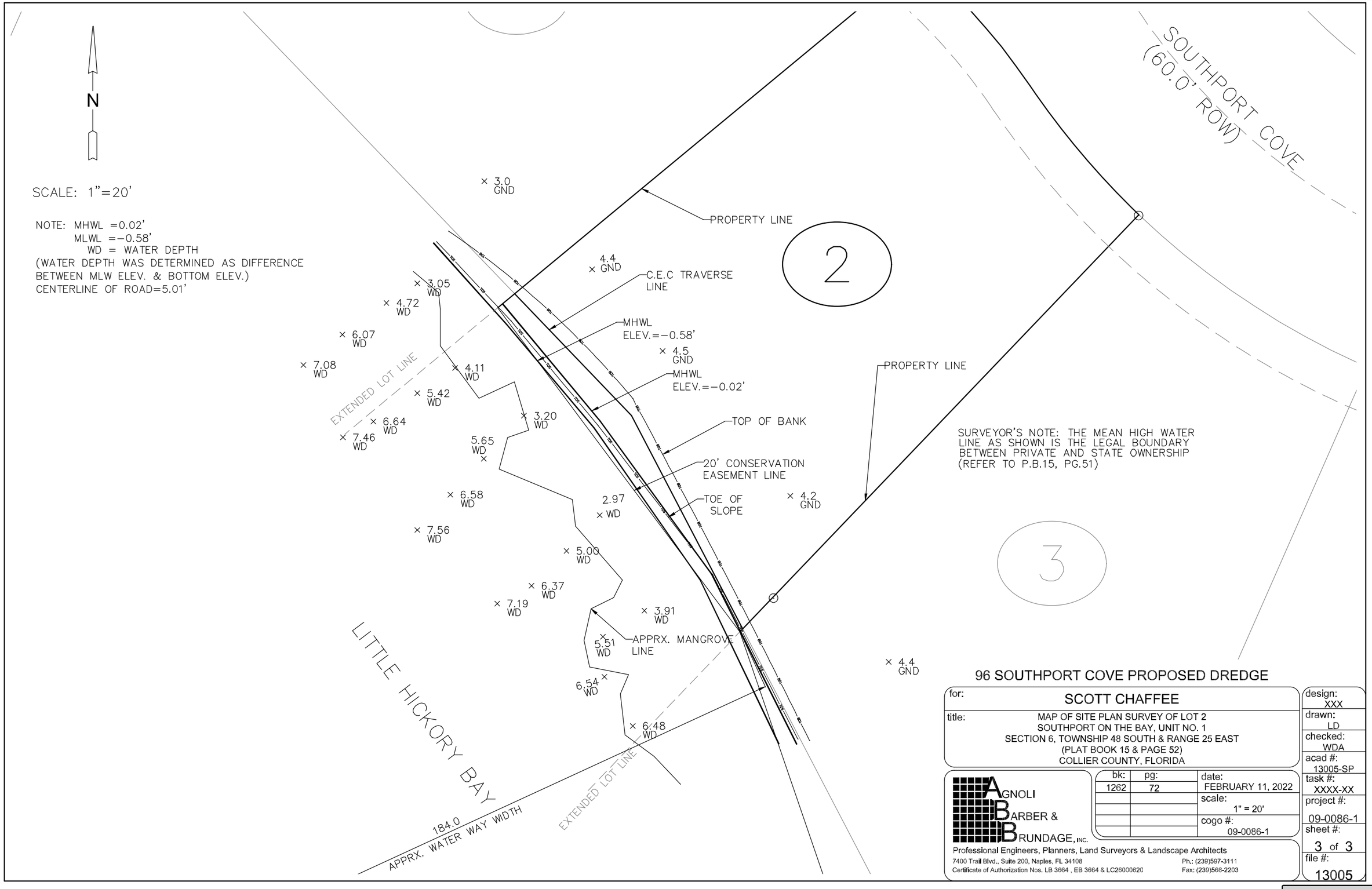
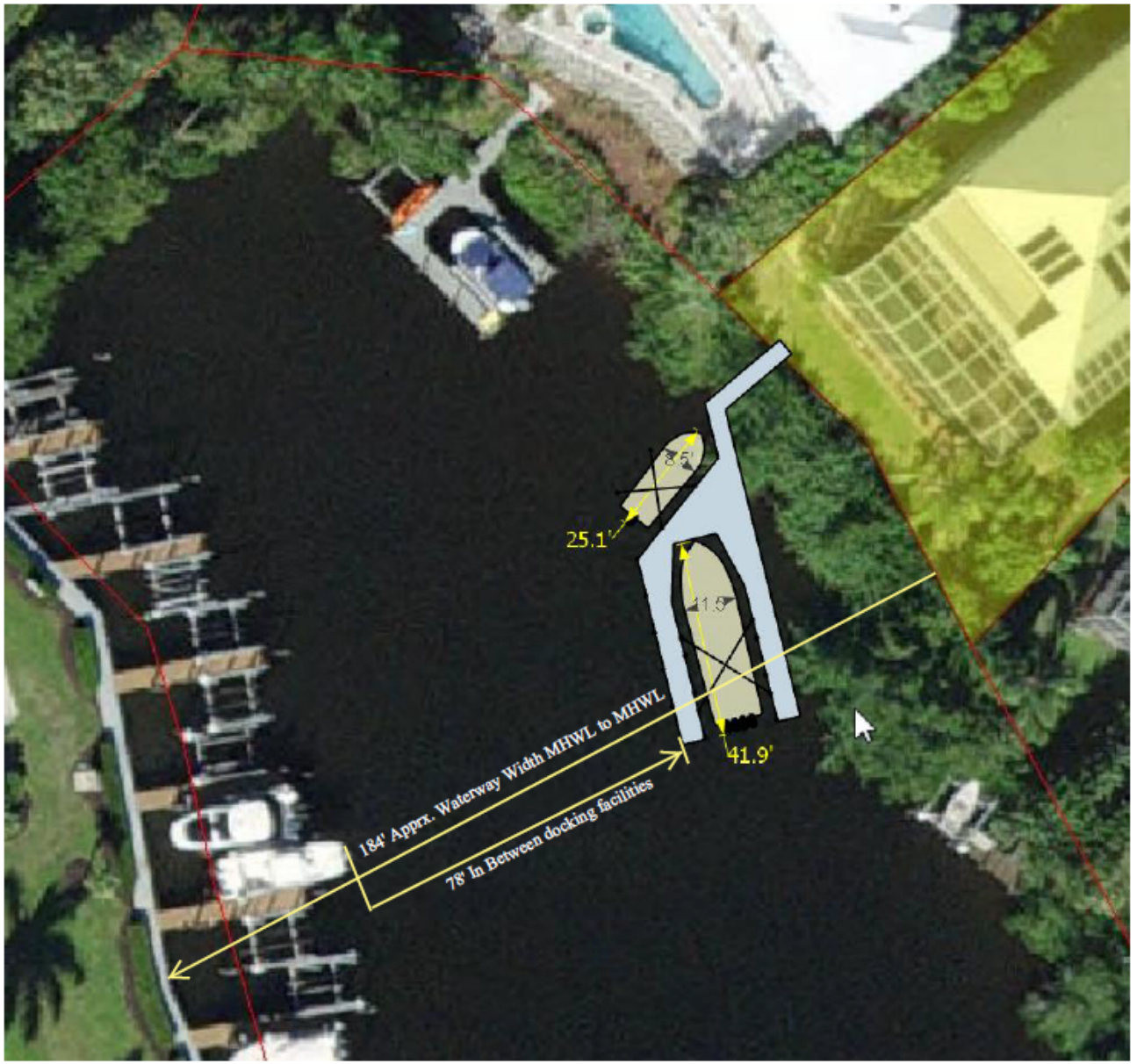
		cogo #: 09-0086-1

design:	XXX
drawn:	LD
checked:	WDA
acad #:	13005-SP
task #:	XXXX-XX
project #:	09-0086-1
sheet #:	2 of 3
file #:	13005

Attachment: Attachment A - Boundary Survey with Prposed Dock (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

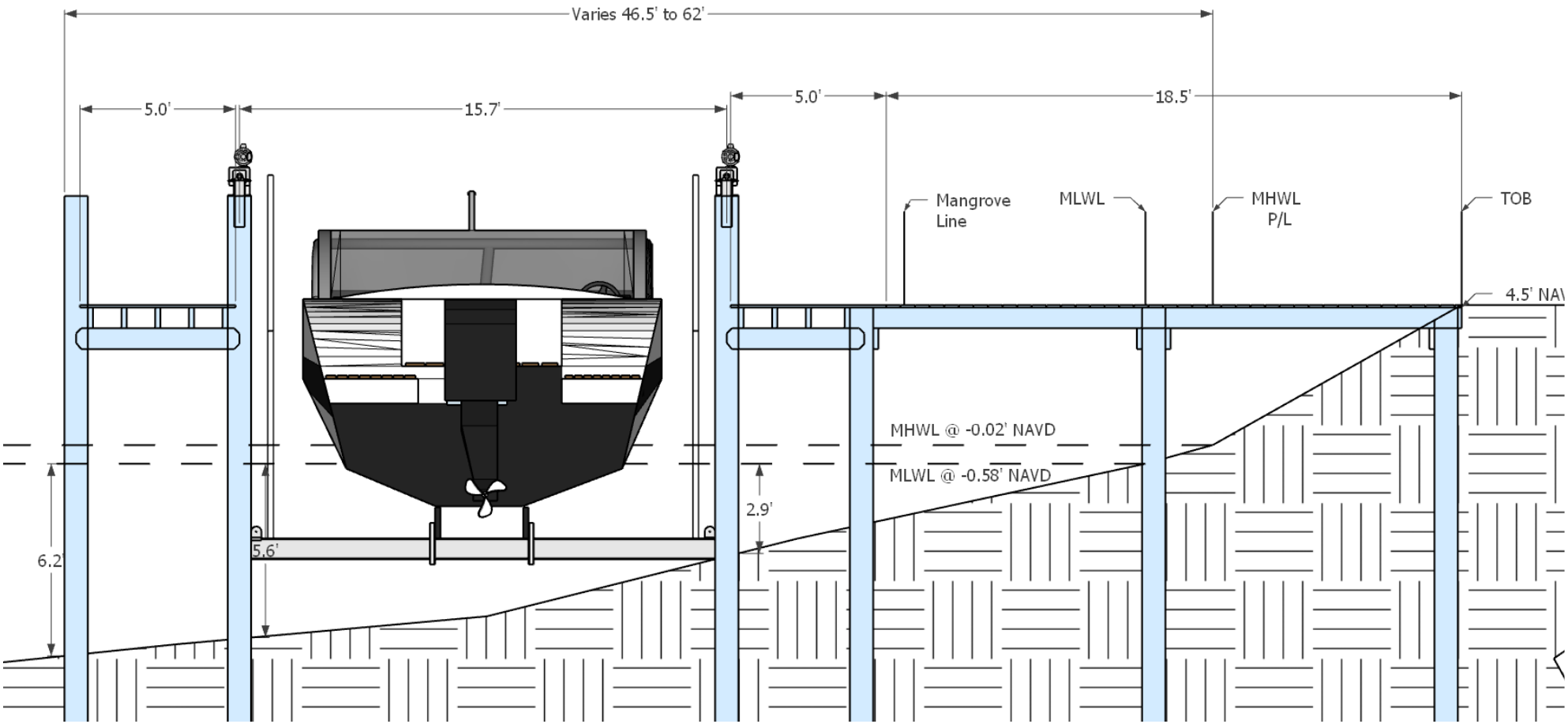


Attachment: Attachment A - Boundary Survey with Prposed Dock (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)



GREG ORICK MARINE CONSTRUCTION, INC. **(239) 949-5588**	Name: **Scott Chaffee** Address: **96 Southport Cove** **Bonita Springs, FL 34134** Date: **4/29/2022**	Approved Signature: _____ Approved Date: _____	N

Attachment: Attachment B - Aerial Site Plan and Cross-Section (22456 : PL20210002628 BDE 96



GREG ORICK MARINE CONSTRUCTION, INC. **(239) 949-5588**	Name: **Scott Chaffee** Address: **96 Southport Cove** **Bonita Springs, FL 34134** Date: **2/11/2022**	Approved Signature: _____ Approved Date: _____

Attachment: Attachment B - Aerial Site Plan and Cross-Section (22456 : PL20210002628 BDE 96

Restoration Plan

96 Southport Cove

Folio # 74435000504

Section 6 / Township 48 / Range 25, Collier County, FL

Attachment: Attachment C - Restoration Plan (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

Introduction

Collier County Environmental staff are currently reviewing an application for a single-family residential docking facility located at 96 Southport Cove. The County's review determined that the existing Conservation Easement (CE) area along the property shoreline will require some restoration plantings due to open areas that have historically been impacted with fill and/or cleared allowing sod to grow. This work within the easement area was not authorized therefore Collier County staff is requiring that the CE area be restored to its natural condition by removing any fill placed within and planting the area with native trees, shrubs, and groundcover.

This document outlines the restoration plan for the onsite Conservation Easement area.

EXISTING CONDITIONS: HABITAT & SOIL DESCRIPTIONS

The subject site consists of 0.24 acre dedicated to a single-family residential dwelling with a conservation easement area along the entire shoreline. The conservation easement area was historically impacted by minor clearing of vegetation and the placement of fill material outside the authorized area. The conservation easement area will have to be restored as required by Collier County Environmental Staff.

Existing soil is fill which was placed on the property at the beginning of the residential construction or during construction of pool and/or screen enclosure. Any additional fill will be removed from the easement area as part of this restoration plan.

PROPOSED PLANTINGS

The owner is being required to restore the conservation easement area by removing any fill that was placed there to create a consistent slope, from the remaining upland area to the existing natural shoreline elevation and planting native vegetation. This will allow for a very gradual slope and once the fill is removed the proposed plantings outlined below will be installed throughout the area.

The ground cover will consist of Several plants on 3' centers in the Conservation Easement including Sea Oxeye (*Asteraceae Compositae)*, Bay Cedar (*Suriana maritima*) and Giant Leather Fern (*Acrostichum danaeifolium)*. All species listed will be distributed in an even spreading throughout the easement. Sea Oxeye ground cover plantings will be a minimum 1 gallon pot containers whilst the Bay Cedar and Giant Leather Fern will be in minimum 3 gallon pot containers.

Irrigation is already set-up for the top half of the easement area. For the lower half of the easement no irrigation is needed due to the elevation of this portion of the conservation easement being closer to the tidal water table which should help keep the plantings hydrated naturally.

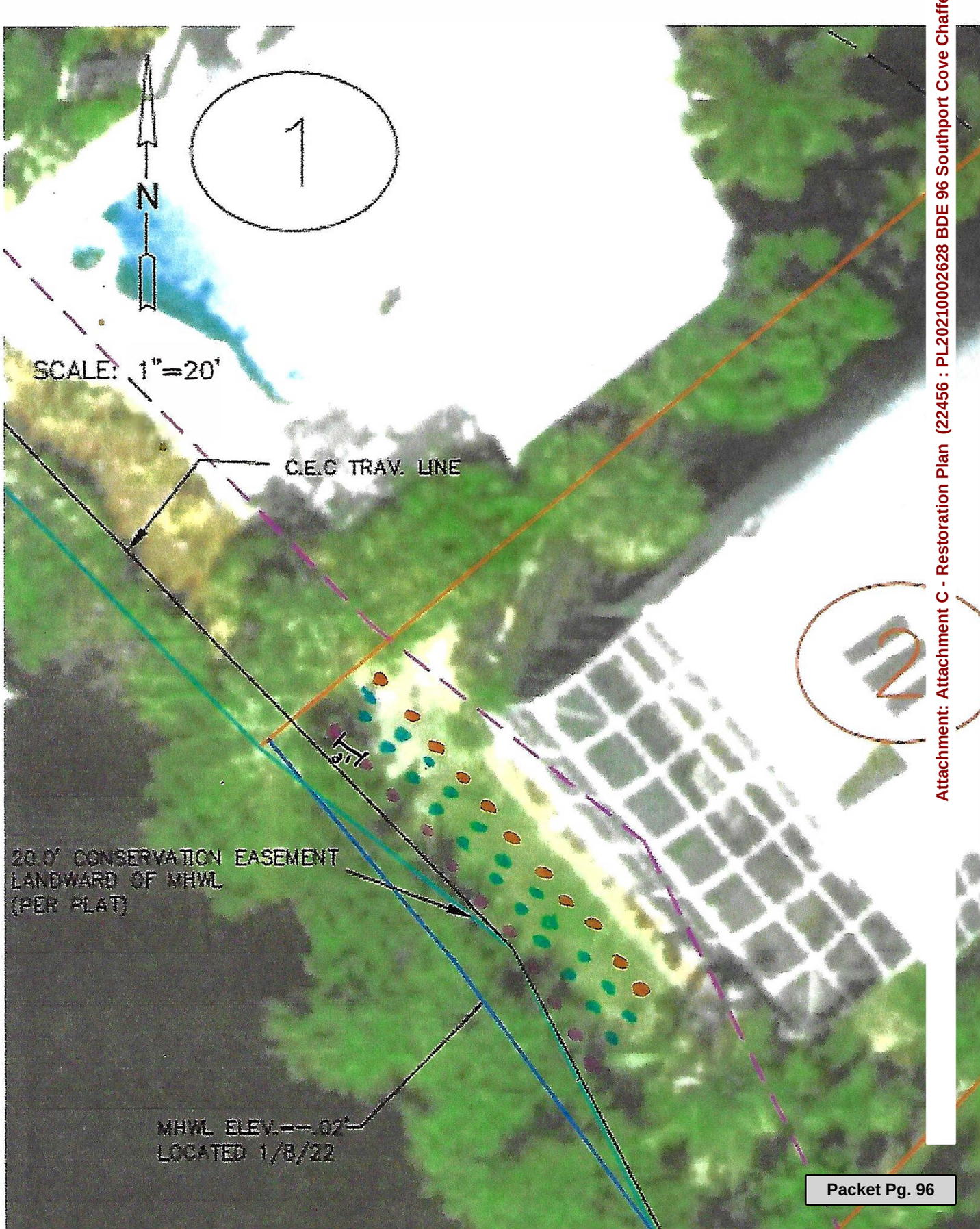
Attachment: Attachment C - Restoration Plan (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

96 Southport Cv - Conservation Restoration Plan

- Giant Leather Fern - *Pteridaceae*

- *Bay-cedar - urianaceae*

- *Sea-oxeye Daisy - Asteraceae (Compositae)*



Attachment: Attachment C - Restoration Plan (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

KellyJohn

From: KellyJohn
Sent: Friday, June 3, 2022 2:23 PM
To: KellyJohn
Subject: BDE-PL20210002628 - 96 Southport Cove - Sign Posting Public Hearing , HEX 6/23/2022
Attachments: B80CDE5E-EA44-4F9E-B9EF-E093178EA55C.jpeg; 68075A1A-7DCA-4942-A8FF-A2C3F1B9553C.jpeg; E4BC07FF-0058-4436-9FDB-A2C727F0F3CF.jpeg

At approximately 1:10p.m. this date, I personally posted the Public Hearing Sign required for the referenced project to be heard by the Hearing Examiner on June 23, 2022 to the front of the subject property immediately adjacent to the public Right-of-Way as depicted within the attached photos.

Respectfully,
John Kelly
Senior Planner

Zoning Division – Zoning Services Section
2800 North Horseshoe Drive, Naples Florida 34104
Phone: 239.252.5719 Fax: 239.252.6363
Email: John.Kelly@colliercountyfl.gov

Tell us how we are doing by taking our Zoning Division Survey at http://bit.ly/CollierZoning

Collier County
Growth Management Department

Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by telephone or in writing.

Attachment: Attachment D - Sign Posting 06032022 (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

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Attachment: Attachment D - Sign Posting 06032022 (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

DOCK FACILITY EXTENSION OR BOATHOUSE ESTABLISHMENT PETITION

LDC Section 5.03.06
Ch. 3 B. of the Administrative Code

THIS PETITION IS FOR (check one): ■ **DOCK EXTENSION** ☐ **BOATHOUSE**

PROJECT NUMBER
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT INFORMATION

Name of Property Owner(s): 96 SOUTHPORT REALTY LLC

Name of Applicant if different than owner: Scott Chaffe

Address: 1029 WEST STATE BLVD, STE A **City:** FT WAYNE **State:** IN **ZIP:** 46808

Telephone: 2399495588 **Cell:** _____ **Fax:** _____

E-Mail Address: Permits@orickmarine.com

Name of Agent(s): Bill Nelson, Mark Oreus

Firm: Greg Orick II Marine Construction, Inc

Address: 2815 Bayview Dr **City:** Naples **State:** Fl **ZIP:** 34112

Telephone: 2399495588 **Cell:** _____ **Fax:** _____

E-Mail Address: Permits@orickmarine.com

PROPERTY LOCATION

Section/Township/Range: 6 / 48 / 25 **Property I.D. Number:** 74435000504

Subdivision: SOUTHPORT ON THE BAY **Unit:** 1 **Lot:** _____ **Block:** _____

Address/ General Location of Subject Property:

96 Southport Cv, South of Bonita Beach Rd Sw, East of Barefoot Beach Blvd, on Southport Cv

Current Zoning and Land use of Subject Property:

1 - SINGLE FAMILY RESIDENTIAL

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

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BE AWARE THAT COLLIER COUNTY HAS LOBBYIST REGULATIONS. GUIDE YOURSELF ACCORDINGLY AND ENSURE THAT YOU ARE IN COMPLIANCE WITH THESE REGULATIONS.

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N	74435000407, SOUTHPORT ON THE BAY UNIT ONE LOT 1	1 - SINGLE FAMILY RESIDENTIAL
S	74435000601, SOUTHPORT ON THE BAY UNIT ONE LOT 3	1 - SINGLE FAMILY RESIDENTIAL
E	74435009408, 636400 - SOUTHPORT ON THE BAY UNIT 1	1 - SINGLE FAMILY RESIDENTIAL
W	N/A	Little Hickory Bay

DESCRIPTION OF PROJECT

Narrative description of project (indicate extent of work, new dock, replacement, addition to existing facility, any other pertinent information):

Build a New Dock facility with 806 Sq Ft decked area (774 Sq Ft over water) that will include 2 Boat lifts. The proposed dock will extend 42' past the allowable 20'. For a total protrusion of 62'

SITE INFORMATION

1. **Waterway Width:**
   184 ft. Measurement from ☐ plat ■ survey ☐ visual estimate
   ☐ other (specify) _____
2. **Total Property Water Frontage:**
   93.23' ft.
3. **Setbacks:**
   Provided: 15' North/15' South ft.
   Required: 16' North/15.5 South ft.
4. **Total Protrusion of Proposed Facility into Water:**
   62 ft.
5. **Number and Length of Vessels to use Facility:**
   1. 25.1 ft.
   2. 41.9 ft.
6. **List any additional dock facilities in close proximity to the subject property and indicate the total protrusion into the waterway of each:**
   74435001105 - 84 Southport Cv - 48.65' Protrusion
   74435000708 - 92 Southport Cv - 50' Protrusion
7. **Signs are required to be posted for all petitions. On properties that are 1 acre or larger in size, the applicant shall be responsible for erecting the required sign. What is the size of the petitioned property?** .24 Acres

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

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8. Official Interpretations or Zoning Verifications:

To your knowledge, has there been an official interpretation or zoning verification rendered on this property within the last year? ☐ Yes ■ No If yes, please provide copies.

PRIMARY CRITERIA

The following criteria, pursuant to LDC section 5.03.06, shall be used as a guide by staff in determining its recommendation to the Office of the Hearing Examiner. The Hearing Examiner will utilize the following criteria as a guide in the decision to approve or deny a particular Dock Extension request. In order for the Hearing Examiner to approve the request, it must be determined that at least 4 of the 5 primary criteria, and at least 4 of the 6 secondary criteria, must be met. On separate sheets, please provide a narrative response to the listed criteria and/or questions.

1. Whether or not the number of dock facilities and/or boat slips proposed is appropriate in relation to the waterfront length, location, upland land use, and zoning of the subject property; consideration should be made of property on unbridged barrier islands, where vessels are the primary means of transportation to and from the property. (The number should be appropriate; typical, single-family use should be no more than two slips; typical multi-family use should be one slip per dwelling unit; in the case of unbridged barrier island docks, additional slips may be appropriate.)

2. Whether or not the water depth at the proposed site is so shallow that a vessel of the general length, type, and draft as that described in the petitioner's application is unable to launch or moor at mean low tide (MLT). (The petitioner's application and survey should show that the water depth is too shallow to allow launch and mooring of the vessel (s) described without an extension.)

3. Whether or not the proposed dock facility may have an adverse impact on navigation within an adjacent marked or charted navigable channel. (The facility should not intrude into any marked or charted navigable channel thus impeding vessel traffic in the channel.)

4. Whether or not the proposed dock facility protrudes no more than 25 percent of the width of the waterway, and whether or not a minimum of 50 percent of the waterway width between dock facilities on either side of the waterway is maintained for navigability. (The facility should maintain the required percentages.)

5. Whether or not the proposed location and design of the dock facility is such that the facility would not interfere with the use of neighboring docks. (The facility should not interfere with the use of legally permitted neighboring docks.)

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

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SECONDARY CRITERIA

1. Whether or not there are special conditions, not involving water depth, related to the subject property or waterway, which justify the proposed dimensions and location of the proposed dock facility. (There must be at least one special condition related to the property; these may include type of shoreline reinforcement, shoreline configuration, mangrove growth, or seagrass beds.)

2. Whether the proposed dock facility would allow reasonable, safe, access to the vessel for loading/unloading and routine maintenance, without the use of excessive deck area not directly related to these functions. (The facility should not use excessive deck area.)

3. For single-family dock facilities, whether or not the length of the vessel, or vessels in combination, described by the petitioner exceeds 50 percent of the subject property's linear waterfront footage. (The applicable maximum percentage should be maintained.)

4. Whether or not the proposed facility would have a major impact on the waterfront view of neighboring waterfront property owners. (The facility should not have a major impact on the view of either property owner.)

5. Whether or not seagrass beds are located within 200 feet of the proposed dock facility. (If seagrass beds are present, compliance with LDC subsection 5.03.06 I must be demonstrated.)

6. Whether or not the proposed dock facility is subject to the manatee protection requirements of LDC subsection 5.03.06 E.11. (If applicable, compliance with subsection 5.03.06.E.11 must be demonstrated.)

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

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Pre-Application Meeting and Final Submittal Requirement Checklist for:

☐ Dock Extension
☐ Boathouse
Chapter 3 B. of the Administrative Code

The following Submittal Requirement Checklist is to be utilized during the Pre-Application Meeting, and at time of application submittal. At time of submittal, the checklist is to be completed and submitted with the application packet. Please provide the submittal items in the exact order listed below, with cover sheets attached to each section. **Incomplete submittals will not be accepted.**

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	1	☒	☐
Property Ownership Disclosure Form	1	☒	☐
Signed and Sealed Survey – Show Riparian Lines	1	☑	☐
Chart of Site Waterway	1	☐	☐
Site Plan Illustration with the following: • Lot dimensions; • Required setbacks for the dock facility; • Cross section showing relation to MHW/MLW and shoreline (bank, seawall, or rip-rap revetment); • Configuration, location, and dimensions of existing and proposed facility; • Water depth where proposed dock facility is to be located; • Distance of navigable channel; • Illustration of the contour of the property; and • Illustration of dock facility from both an aerial and side view.	1	☑	☐
Affidavit of Authorization, signed and notarized	1	☒	☐
Completed Addressing Checklist	1	☒	☐
Electronic copy of all required documents *Please be advised: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	1	☑	☐

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

- Following the completion of the review process by County review staff, the applicant shall submit all materials electronically to the designated project manager.
- Please contact the project manager to confirm the number of additional copies required.

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

Collier County

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PLANNERS – INDICATE IF THE PETITION NEEDS TO BE ROUTED TO THE FOLLOWING REVIEWERS:

☐	Bayshore/Gateway Triangle Redevelopment: Executive Director	☐	Historical Review
☐	Addressing: Annis Moxam	☐	Parks and Recreation: David Berra
☐	City of Naples: Robin Singer, Planning Director	☐	School District (Residential Components): Amy Lockheart
☑	Conservancy of SWFL: Nichole Johnson	☐	Other:
☐	Emergency Management: Dan Summers; and/or EMS: Artie Bay	☐	Other:

PAID - Pre App Meeting Fee $500.—

FEE REQUIREMENTS:

- ☑ **Boat Dock Extension Petition:** $1,500.00
- ☑ **Estimated Legal Advertising fee for the Office of the Hearing Examiner:** $1,125.00
- ☑ **An additional fee for property owner notifications will be billed to the applicant prior to the Hearing Examiner hearing date.**

Fire Code Plans Review Fees are collected at the time of application submission and those fees are set forth by the Authority having jurisdiction. The Land Development Code requires Neighborhood Notification mailers for Applications headed to hearing, and this fee is collected prior to hearing.

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

All checks payable to: Board of County Commissioners.

The completed application, all required submittal materials, and fees shall be submitted to:

Growth Management Department
Planning and Regulation
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

Signature of Petitioner or Agent

3/22/2022
Date

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

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PROPERTY OWNERSHIP DISCLOSURE FORM

This is a required form with all land use petitions, except for Appeals and Zoning Verification Letters.

Should any changes of ownership or changes in contracts for purchase occur subsequent to the date of application, but prior to the date of the final public hearing, it is the responsibility of the applicant, or agent on his behalf, to submit a supplemental disclosure of interest form.

Please complete the following, use additional sheets if necessary.

a. If the property is owned fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest:

Name and Address	% of Ownership
Scott Chaffee	100

b. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each:

Name and Address	% of Ownership

c. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with the percentage of interest:

Name and Address	% of Ownership

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

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Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

d. If the property is in the name of a GENERAL or LIMITED PARTNERSHIP, list the name of the general and/or limited partners:

Name and Address	% of Ownership

e. If there is a CONTRACT FOR PURCHASE, with an individual or individuals, a Corporation, Trustee, or a Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners:

Name and Address	% of Ownership

Date of Contract: _____

f. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust:

Name and Address

g. Date subject property acquired _____

☐ **Leased: Term of lease _____ years /months**

If, Petitioner has option to buy, indicate the following:

Collier County

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

Any petition required to have Property Ownership Disclosure, will not be accepted without this form. Requirements for petition types are located on the associated application form. Any change in ownership whether individually or with a Trustee, Company or other interest-holding party, must be disclosed to Collier County immediately if such change occurs prior to the petition's final public hearing.

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

The completed application, all required submittal materials, and fees shall be submitted to:

Growth Management Department
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

Agent/Owner Signature

3-18-22
Date

Mark Oreus
Agent/Owner Name (please print)

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20210002628

I, Scott Chaffee (print name), as Manager (title, if applicable) of 96 SOUTHPORT REALTY LLC (company, If applicable), swear or affirm under oath, that I am the (choose one) owner [✔] applicant [ ] contract purchaser [ ] and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize Greg Orick II Marine Construction, Inc. to act as our/my representative in any matters regarding this petition including 1 through 2 above.

Notes:

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trust, then they must include the trustee's name and the words "as trustee".*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, and then use the appropriate format for that ownership.*

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

Signature

3.21.22
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 3-21-22 (date) by Scott Chaffee (name of person providing oath or affirmation), as Owner who is personally known to me or who has produced _____ (type of identification) as identification.

Signature of Notary Public

STAMP/SEAL

NOTARY PUBLIC SEAL INDIANA
RITA SNELLING
Notary Public, State of Indiana
Allen County
Commission Number 681211
My Commission Expires
March 06, 2024

CP\08-COA-00115\155
REV 3/24/14

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

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NAPLES, FLORIDA 34104
(239) 252-2400 FAX (239) 252-5724

ADDRESSING CHECKLIST

Please complete the following and email to GMD_Addressing@colliergov.net or fax to the Operations Division at 239-252-5724 or submit in person to the Addressing Section at the above address. Form must be signed by Addressing personnel prior to pre-application meeting, **please allow 3 days for processing.**

Not all items will apply to every project. Items in **bold type** are required. **FOLIO NUMBERS MUST BE PROVIDED.** Forms older than 6 months will require additional review and approval by the Addressing Section.

PETITION TYPE *(Indicate type below, complete a separate Addressing Checklist for each Petition type)*

- ☐ BL (Blasting Permit)
- ☒ BD (Boat Dock Extension)
- ☐ Carnival/Circus Permit
- ☐ CU (Conditional Use)
- ☐ EXP (Excavation Permit)
- ☐ FP (Final Plat
- ☐ LLA (Lot Line Adjustment)
- ☐ PNC (Project Name Change)
- ☐ PPL (Plans & Plat Review)
- ☐ PSP (Preliminary Subdivision Plat)
- ☐ PUD Rezone
- ☐ RZ (Standard Rezone)
- ☐ SDP (Site Development Plan)
- ☐ SDPA (SDP Amendment)
- ☐ SDPI (Insubstantial Change to SDP)
- ☐ SIP (Site Improvement Plan)
- ☐ SIPI (Insubstantial Change to SIP)
- ☐ SNR (Street Name Change)
- ☐ SNC (Street Name Change – Unplatted)
- ☐ TDR (Transfer of Development Rights)
- ☐ VA (Variance)
- ☐ VRP (Vegetation Removal Permit)
- ☐ VRSFP (Vegetation Removal & Site Fill Permit)
- ☐ OTHER _____

LEGAL DESCRIPTION of subject property or properties *(copy of lengthy description may be attached)*

SOUTHPORT ON THE BAY UNIT ONE LOT 2 T48, R25, S06

FOLIO (Property ID) NUMBER(s) of above *(attach to, or associate with, legal description if more than one)*

74435000504

STREET ADDRESS or ADDRESSES *(as applicable, if already assigned)*

96 SOUTHPORT CV

- **LOCATION MAP** must be attached showing exact location of project/site in relation to nearest public road right-of-way
- SURVEY (copy - needed only for unplatted properties)

CURRENT PROJECT NAME *(if applicable)*

96 Southport CV name not yet approved

PROPOSED PROJECT NAME *(if applicable)*

PROPOSED STREET NAMES *(if applicable)*

SITE DEVELOPMENT PLAN NUMBER *(for existing projects/sites only)*

SDP___-____ or AR or PL # _____

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

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(239) 252-2400 FAX (239) 252-5724

Project or development names proposed for, or already appearing in, condominium documents (if application; indicate whether proposed or existing)

Please Return Approved Checklist By: ☑ Email ☐ Fax ☐ Personally picked up

Applicant Name: Mark Oreus

Phone: 239-949-5588 **Email/Fax:** Permits@orickmarine.com

Signature on Addressing Checklist does not constitute Project and/or Street Name approval and is subject to further review by the Operations Division.

FOR STAFF USE ONLY

Folio Number 74435000504

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

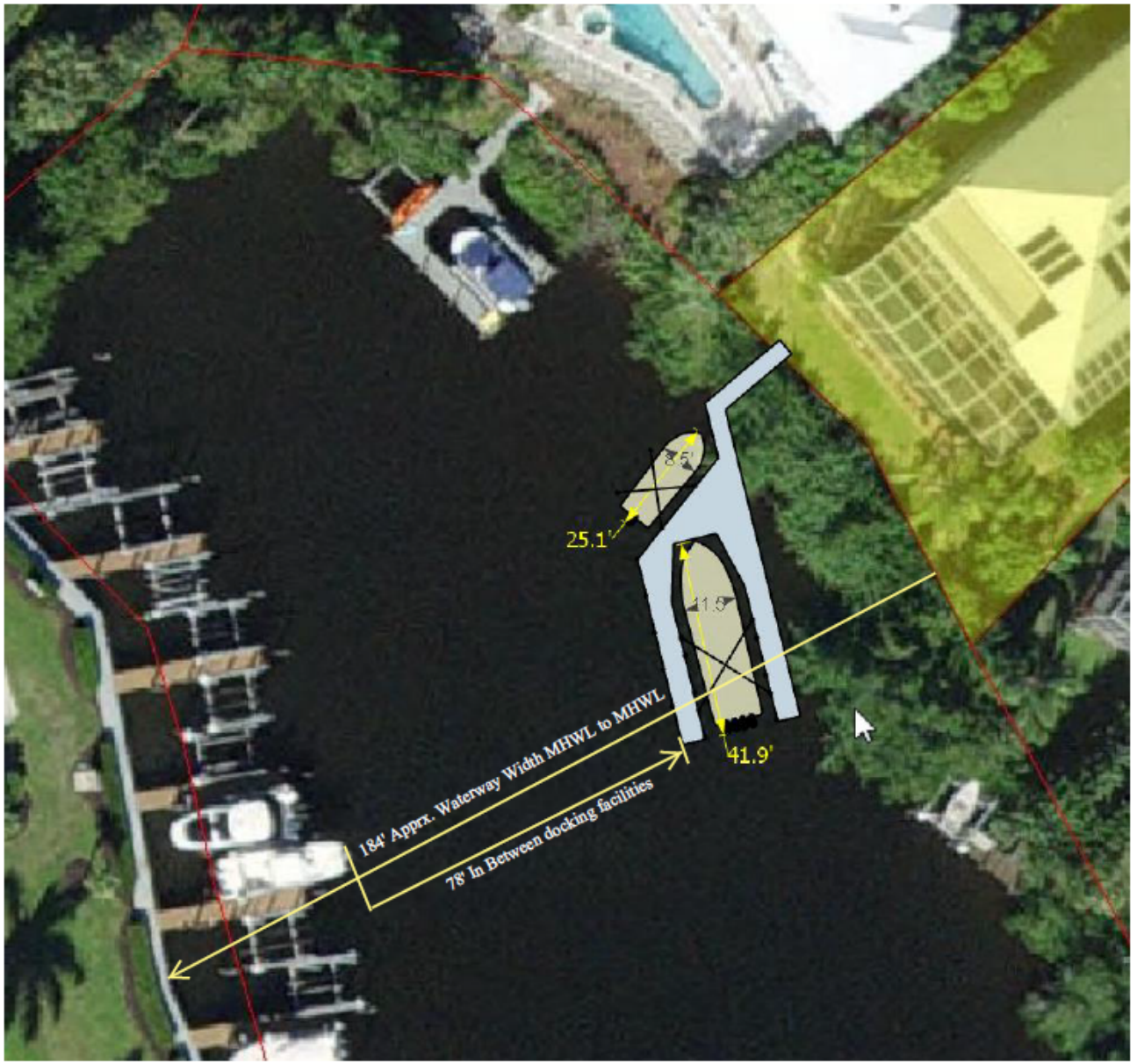
Folio Number _____

Approved by: L.L.H. **Date:** 10/12/2021

Updated by: _____ **Date:** _____

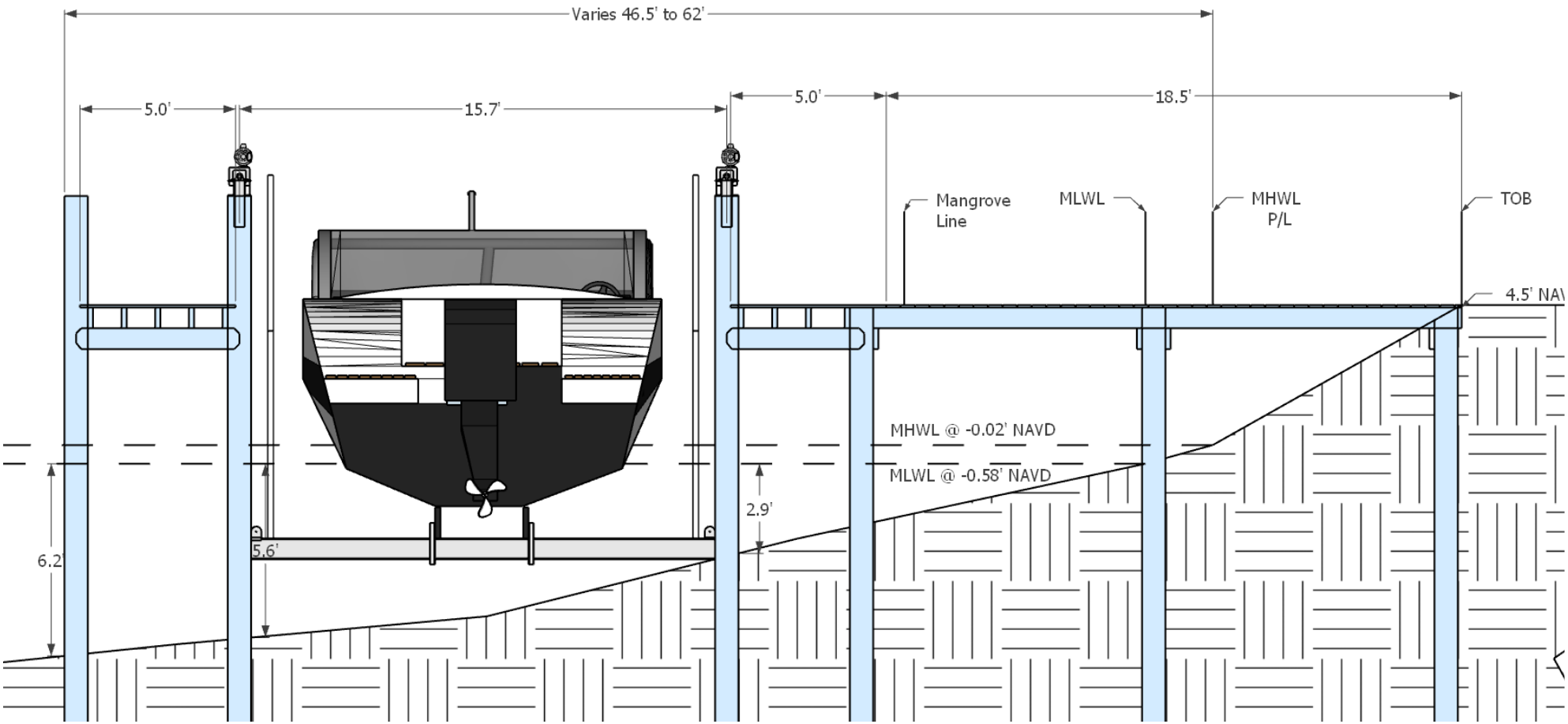
IF OLDER THAN 6 MONTHS, FORM MUST BE UPDATED OR NEW FORM SUBMITTED

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)



GREG ORICK MARINE CONSTRUCTION, INC. **(239) 949-5588**	Name: **Scott Chaffee** Address: **96 Southport Cove** **Bonita Springs, FL 34134** Date: **4/29/2022**	Approved Signature: _____ Approved Date: _____	

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96



GREG ORICK MARINE CONSTRUCTION, INC. **(239) 949-5588**	Name: **Scott Chaffee** Address: **96 Southport Cove** **Bonita Springs, FL 34134** Date: **2/11/2022**	Approved Signature: _____ Approved Date: _____

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove

Primary Criteria

1. **Whether or not the number of dock facilities and/or boat slips proposed is appropriate in relation to the waterfront length, location, upland land use, and zoning of the subject property; consideration should be made of property on unbridged barrier islands, where vessels are the primary means of transportation to and from the property. (The number should be appropriate; typical, single-family use should be no more than two slips; typical multi-family use should be one slip per dwelling unit; in the case of unbridged barrier island docks, additional slips may be appropriate.)**

Response: Criteria met- The location has 93.23 feet of water frontage. The property is zoned for a single-family residence which allows two slips per LDC. Proposed dock consists of two slips with lifts attached to the single dock, which is appropriate for a single-family dwelling. We are requesting a 42-foot extension beyond the allowed 20-foot protrusion

2. **Whether or not the water depth at the proposed site is so shallow that a vessel of the general length, type, and draft as that described in the petitioner's application is unable to launch or moor at mean low tide (MLT). (The petitioner's application and survey should show that the water depth is too shallow to allow launch and mooring of the vessel (s) described without an extension.)**

Response: Criteria Met - Without the boat dock extension, a vessel would not be able to be moored or launched while at MLWL due to the water depth being 1.2' within a 20' protrusion of the MHWL/ property line, as shown in the bathymetric survey and Cross section.

3. **Whether or not the proposed dock facility may have an adverse impact on navigation within an adjacent marked or charted navigable channel. (The facility should not intrude into any marked or charted navigable channel thus impeding vessel traffic in the channel.)**

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

Response: Criteria Met - Proposed dock facility does not intrude into any marked or charted navigable channel, thus there will be no adverse impact on navigation. The proposed dock and lifts have been designed not to impede navigation and its protrusion is consistent with the neighboring docks along the shoreline.

4. **Whether or not the proposed dock facility protrudes no more than 25 percent of the width of the waterway, and whether or not a minimum of 50 percent of the waterway width between dock facilities on either side of the waterway is maintained for navigability. (The facility should maintain the required percentages.)**

Response: Criteria Not Met – Proposed Dock protrudes 62' from MHWL, The overall Protrusion is 29.68% of the 184' waterway width. The proposed dock leaves 70.32% of the waterway open.

5. **Whether or not the proposed location and design of the dock facility is such that the facility would not interfere with the use of neighboring docks. (The facility should not interfere with the use of legally permitted neighboring docks.)**

Response: Criteria Met - Proposed dock extension does not interfere with neighboring docks as shown in the aerial drawing. The Neighboring dock to the North egress/ingress on their boatlift is parallel to their shoreline and the neighbor to the South dock boat lift egress/ingress is parallel to their riparian lines.

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

Secondary Criteria

1. **Whether or not there are special conditions, not involving water depth, related to the subject property or waterway, which justify the proposed dimensions and location of the proposed dock facility. (There must be at least one special condition related to the property; these may include type of shoreline reinforcement, shoreline configuration, mangrove growth, or seagrass beds.)**

Response: Criteria Met - The proposed dock facility is in an area of Little Hickory Bay that has well-developed mangroves that extend many feet beyond the county allowed dock protrusion of 20'. There is also a conservation easement that must be preserved for any dock facility being proposed.

2. **Whether the proposed dock facility would allow reasonable, safe, access to the vessel for loading/unloading and routine maintenance, without the use of excessive deck area not directly related to these functions. (The facility should not use excessive deck area.)**

Response: Criteria Met - Proposed dock facility allows reasonable and safe access to vessel without excessive deck area as shown in site plan survey. The design of the Proposed boat dock is for two dry slip recreational vessel lifts to be maintained safely without incidence.

3. **For single-family dock facilities, whether or not the length of the vessel, or vessels in combination, described by the petitioner exceeds 50 percent of the subject property's linear waterfront footage. (The applicable maximum percentage should be maintained.)**

Response: Criteria Not Met - Vessel LOA combined is 67 feet (1 ea. 41.9' long Boat & 1 ea. 25.1') which is more than 50 percent of the linear water frontage, being 92.23' long.

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

4. **Whether or not the proposed facility would have a major impact on the waterfront view of neighboring waterfront property owners. (The facility should not have a major impact on the view of either property owner.)**

Response: Criteria Met - Proposed dock facility will not have an impact on waterfront view of neighboring properties and will be consistent with existing dock facilities along shoreline as shown in the aerial drawing. The proposed dock facility is within the property's riparian lines and setbacks so this will not impact the view of the neighboring waterfront property owners.

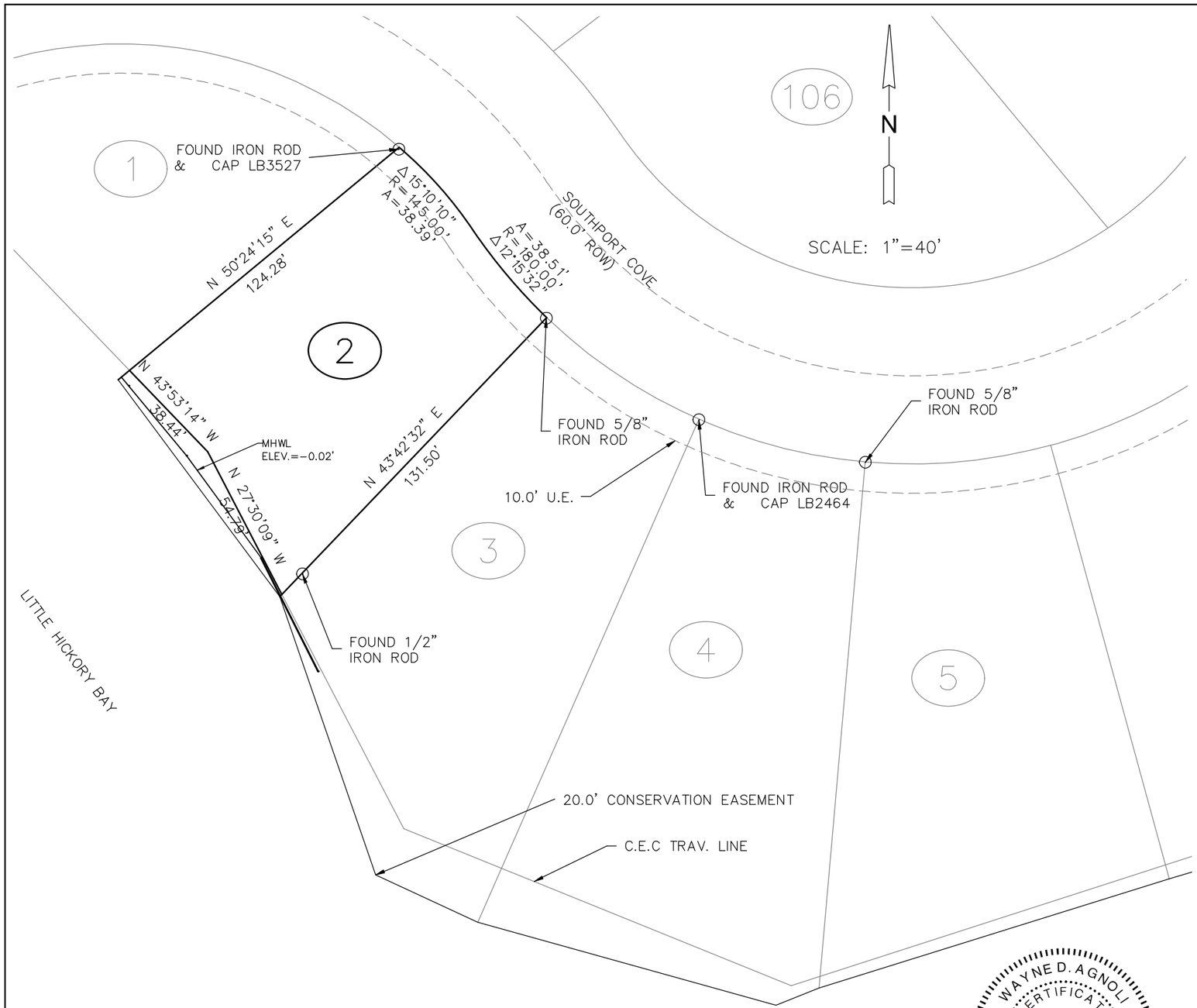
5. **Whether or not seagrass beds are located within 200 feet of the proposed dock facility. (If seagrass beds are present, compliance with LDC subsection 5.03.06 I must be demonstrated.)**

Response: Criteria Met - There are no seagrass beds located near proposed dock facility in Little Hickory Bay as shown in the results of submerged resource survey conducted by Turrell, Hall & Associates and provided for review.

6. **Whether or not the proposed dock facility is subject to the manatee protection requirements of LDC subsection 5.03.06 E.11. (If applicable, compliance with subsection 5.03.06.E.11 must be demonstrated.)**

Response: This is a single family proposed dock, with one vessel boat lift and one Kayak/PWC lift located within Little Hickory Bay, thus it is not subject to the requirements of the Manatee Protection Plan as stated in the above referenced code of 5.03.06 E.11.

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)



SURVEYOR'S NOTE: THE MEAN HIGH WATER LINE AS SHOWN IS THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP (REFER TO P.B.15, PG.51)

WAYNE D. AGNOLI CERTIFICATE No. 5335 STATE OF FLORIDA REGISTERED SURVEYOR & MAPPER

PREPARED FOR: SCOTT CHAFFEE

DATE OF FIELD SURVEY: JANUARY 8, 2022

AGNOLI, BARBER & BRUNDAGE, INC.
PROFESSIONAL ENGINEERS, PLANNERS & SURVEYORS AND MAPPERS

BY_____

WAYNE D. AGNOLI, R.S.M., NO. 5335 DATE _____

THIS SITE PLAN SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

THIS SITE PLAN SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS
OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTIES
WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES IS PROHIBITED BY
CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE.

THIS SITE PLAN SURVEY IS CERTIFIED AS TO THE DATE OF FIELD SURVEY, NOT THE SIGNATURE DATE.

GENERAL NOTES:

1. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

2. BEARINGS ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM , EAST ZONE, NAD 83/90 DATUM AND REFERENCED TO THE SOUTH LINE OF LOT 2, SOUTHPORT ON THE BY, UNIT 1, SECTION 6, TOWNSHIP 48 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, AS BEING NORTH 43° 42' 32" EAST.

3. HORIZONTAL COORDINATES WERE DERIVED BY GPS OBSERVATIONS USING A TRIMBLE DUAL FREQUENCY RECEIVER (MODEL R10), RECEIVING CORRECTIONS FROM TRIMBLE VRS NOW RTN (REAL TIME NETWORK)

4. VERTICAL: ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).ELEVATIONS WERE ESTABLISHED USING LONG TERM OBSERVATIONS WITH A TRIMBLE (MODEL R10) DUAL FREQUENCY RECEIVER GPS (GLOBAL POSITIONING SYSTEM).

SURVEYOR'S NOTE: THE PURPOSE OF THE SURVEY IS TO LOCATE THE SEAWALL AND THE WATERWARD EXISTING CONDITIONS ONLY. NO UPLAND IMPROVEMENTS HAVE BEEN LOCATED UNDER THE SCOPE OF THIS SURVEY.

96 SOUTHPORT COVE

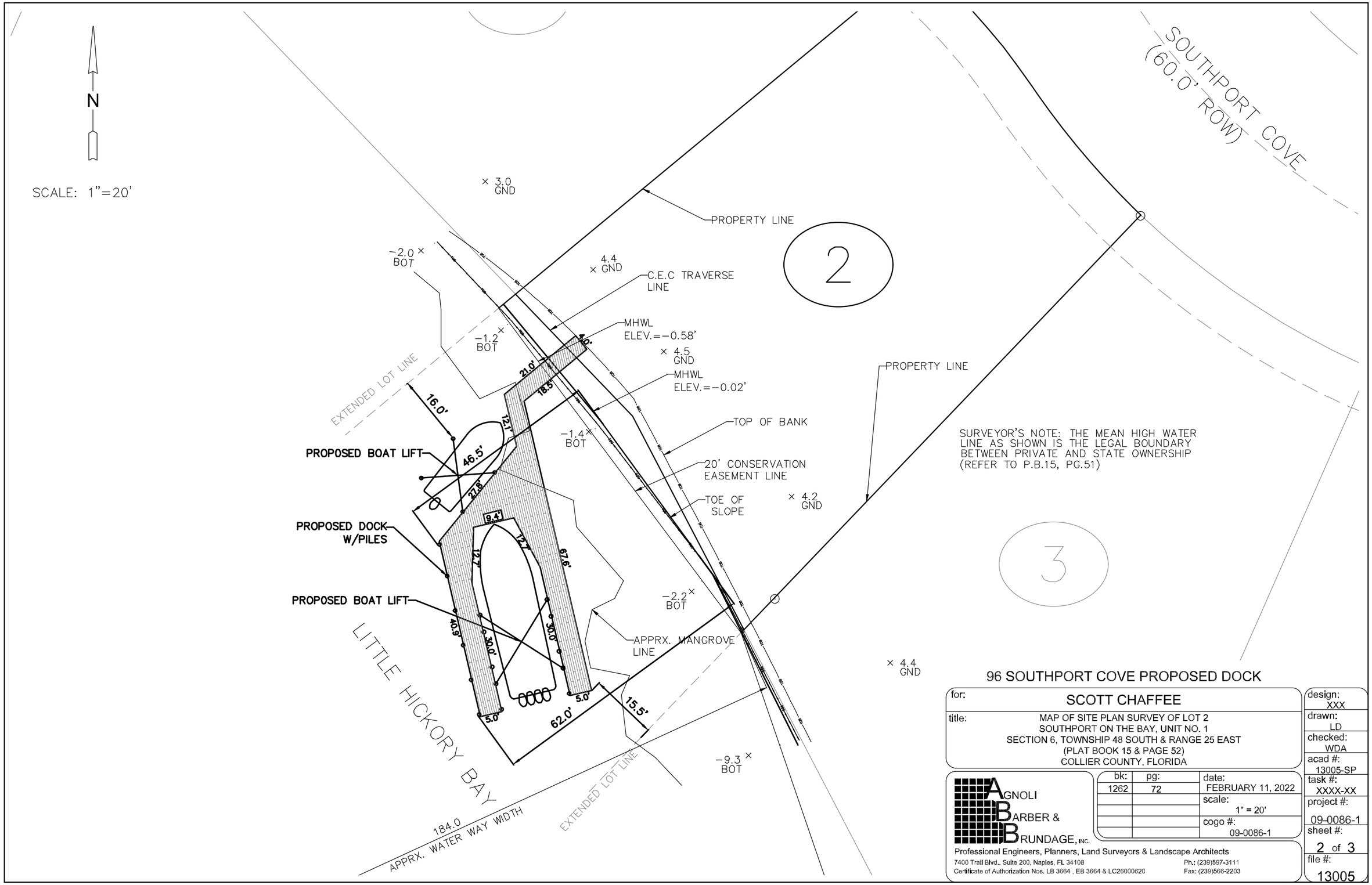
for:	SCOTT CHAFFEE
title:	MAP OF SITE PLAN SURVEY OF LOT 2 SOUTHPORT ON THE BAY, UNIT NO. 1 SECTION 6, TOWNSHIP 48 SOUTH & RANGE 25 EAST (PLAT BOOK 15 & PAGE 52) COLLIER COUNTY, FLORIDA

bk:	pg:	date:
1262	72	FEBRUARY 11, 2022
		scale: 1" = 40'
		cogo #: 09-0086-1

design:	XXX
drawn:	LD
checked:	WDA
acad #:	13005-SP
task #:	XXXX-XX
project #:	09-0086-1
sheet #:	1 of 3
file #:	13005

AGNOLI BARBER & BRUNDAGE, INC.
Professional Engineers, Planners, Land Surveyors & Landscape Architects
7400 Trail Blvd., Suite 200, Naples, FL 34108 Ph.: (239)597-3111
Certificate of Authorization Nos. LB 3664 , EB 3664 & LC26000620 Fax: (239)566-2203

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)



96 SOUTHPORT COVE PROPOSED DOCK

for:	SCOTT CHAFFEE
title:	MAP OF SITE PLAN SURVEY OF LOT 2 SOUTHPORT ON THE BAY, UNIT NO. 1 SECTION 6, TOWNSHIP 48 SOUTH & RANGE 25 EAST (PLAT BOOK 15 & PAGE 52) COLLIER COUNTY, FLORIDA

AGNOLI BARBER & BRUNDAGE, INC.
Professional Engineers, Planners, Land Surveyors & Landscape Architects
7400 Trail Blvd., Suite 200, Naples, FL 34108 Ph.: (239)597-3111
Certificate of Authorization Nos. LB 3664 , EB 3664 & LC26000620 Fax: (239)566-2203

bk:	pg:	
1262	72	date: FEBRUARY 11, 2022
		scale: 1" = 20'
		cogo #: 09-0086-1

design:	XXX
drawn:	LD
checked:	WDA
acad #:	13005-SP
task #:	XXXX-XX
project #:	09-0086-1
sheet #:	2 of 3
file #:	13005

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

N

SCALE: 1"=20'

NOTE: MHWL =0.02'
MLWL =-0.58'
WD = WATER DEPTH
(WATER DEPTH WAS DETERMINED AS DIFFERENCE BETWEEN MLW ELEV. & BOTTOM ELEV.)
CENTERLINE OF ROAD=5.01'

SOUTHPORT COVE
(60.0' ROW)

× 3.0 GND

PROPERTY LINE

2

× 4.4 GND

C.E.C TRAVERSE LINE

× 3.05 WD

× 4.72 WD

× 6.07 WD

× 7.08 WD

EXTENDED LOT LINE

× 4.11 WD

× 5.42 WD

× 3.20 WD

× 6.64 WD

× 7.46 WD

5.65 WD ×

MHWL ELEV.=-0.58'

× 4.5 GND

MHWL ELEV.=-0.02'

TOP OF BANK

20' CONSERVATION EASEMENT LINE

TOE OF SLOPE

× 4.2 GND

× 6.58 WD

2.97 × WD

× 7.56 WD

× 5.00 WD

× 6.37 WD

× 7.19 WD

× 3.91 WD

× 5.51 WD

APPRX. MANGROVE LINE

6.54 × WD

× 6.48 WD

LITTLE HICKORY BAY

184.0

APPRX. WATER WAY WIDTH

EXTENDED LOT LINE

PROPERTY LINE

SURVEYOR'S NOTE: THE MEAN HIGH WATER LINE AS SHOWN IS THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP (REFER TO P.B.15, PG.51)

3

× 4.4 GND

96 SOUTHPORT COVE PROPOSED DREDGE

for: SCOTT CHAFFEE

title: MAP OF SITE PLAN SURVEY OF LOT 2
SOUTHPORT ON THE BAY, UNIT NO. 1
SECTION 6, TOWNSHIP 48 SOUTH & RANGE 25 EAST
(PLAT BOOK 15 & PAGE 52)
COLLIER COUNTY, FLORIDA

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bk:	pg:	date:
1262	72	FEBRUARY 11, 2022
		scale: 1" = 20'
		cogo #: 09-0086-1

design: XXX
drawn: LD
checked: WDA
acad #: 13005-SP
task #: XXXX-XX
project #: 09-0086-1
sheet #: 3 of 3
file #: 13005

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

96 SOUTHPORT COVE
BONITA SPRINGS, FL 34134
FOLIO #74435000504

SUBMERGED RESOURCE SURVEY REPORT
OCTOBER 2021

PREPARED BY:

TURRELL, HALL & ASSOCIATES, INC.
Marine & Environmental Consulting

PHONE: 239-643-0166 WWW.THANAPLES.COM

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

Table of Contents

1 Introduction 1
2 Objective 2
3 Methodology 3
4 Results 4
5 Conclusion 5
6 Photos 6

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

1 INTRODUCTION

Turrell, Hall & Associates, Inc. (THA) has been contracted to provide environmental services in the form of a Submerged Resource Survey (SRS) at a property addressed as 96 Southport Cove in Bonita Springs, FL 34134 that can be identified by folio #74435000504. This resource survey will provide planning assistance to both the property owner and regulating agencies during the review process for the proposed project.

The subject property consists of a 0.24-acre parcel that can be found in Naples along Little Hickory Bay that connects to the Gulf of Mexico through Wiggins Pass. The parcel currently contains a single-family home and a natural shoreline. The property is neighbored to the north and south by single family residences, to the north by Southport Cove, and to the west by submerged bottomlands along Little Hickory Bay.

The SRS was conducted on October 20, 2021, between approximately 3:40 p.m. and 4:25 p.m. Site conditions consisted of partially cloudy skies with a slight breeze. Water clarity was poor and allowed approximately 4-6 inches of visibility. The ambient air temperature was approximately 85 degrees Fahrenheit and wind speeds averaged 12 mph from the east. The average ambient water temperature was approximately 81 degrees Fahrenheit. High tide occurred before the site visit at approximately 1:50 p.m. and reached approximately 2.30 ft. above the Mean Low Water Mark. Low tide was achieved after the site visit at approximately 8:04 p.m., reaching approximately 0.90 feet above the Mean Low Water Mark.

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

2 OBJECTIVE

The objective of the SRS was to identify and locate any existing submerged resources within 200 feet of project site. Ordinarily, if seagrasses are present within the vicinity of a project area, an analysis will be required regarding species, percent coverage, and impacts projected by the proposed project. The presence of seagrasses may be ample cause for re-configuration of the design for projects over surface waters in order to minimize impacts. The general scope of work performed during a typical submerged resource survey is summarized below:

- THA personnel will conduct a site visit and swim a series of transects within the project site in order to verify the location of any submerged resources.
- THA personnel will identify submerged resources within the vicinity of the site and produce an estimate of the percent coverage of any resources found.
- THA personnel will delineate the approximate limits of any submerged resources observed via a handheld GPS device.

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

3 METHODOLOGY

THA biologists intentionally designed the methodology of the SRS to cover not only the entire property shoreline, but also the area within 200 feet of the proposed site. The components utilized for this survey included:

- Reviewing aerial photography of the surveyed area.
- Establishing survey transect lines (spaced approximately 10 feet apart) overlaid onto aerials. (See attached Exhibits)
- Physically swimming the transects, GPS locating the limits of any submerged resources found, and determining the percent coverage within the area.
- Documenting and photographing all findings

The surveyed area was evaluated systematically by following the established transect lines throughout the project site as shown on the attached exhibit. Neighboring properties, docking facilities, and other landmarks provided reference markers which assisted in maintaining correct positioning over each transect.

During this SRS, one THA staff member swam the transect lines using snorkel equipment while a second remained on the shore taking notes and compiling findings on an aerial of the project site. Ordinarily, if any resources are found, they are photographed, GPS located, delineated, and analyzed for percent coverage within the area via a half meter square quadrat.

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

4 RESULTS

The substrate found within the surveyed area consists of mangrove leaf litter, sandy material, and shell debris. The shell debris observed was consistent throughout the site. Depths increased gradually with distance from the shoreline to the middle of the waterway.

Mangroves and several exotic vegetative species comprise the shoreline. During the submerged portion of the survey, no seagrasses, oysters, or other resources were observed in any capacity. Accordingly, no impacts to submerged resources are expected to occur as the result of the proposed project. A list of species observed during the SRS can be seen below in Table 1.

Table 1: Observed species of wildlife within the vicinity of the project site

Common Name	**Scientific Name**
Eastern mudminnow	*Umbra pygmaea*
Common barnacle	*Balanus spp.*
Eastern oyster	*Crassostrea virginica*

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

5 CONCLUSION

The submerged resource survey was conducted and completed throughout a 200-foot radius surrounding the project site and yielded few results. Mangroves are present along the shoreline, and no seagrasses or other resources were observed anywhere within the vicinity of the project site. Accordingly, negative impacts to submerged resources are not expected as a result of the proposed project.

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

6 PHOTOS

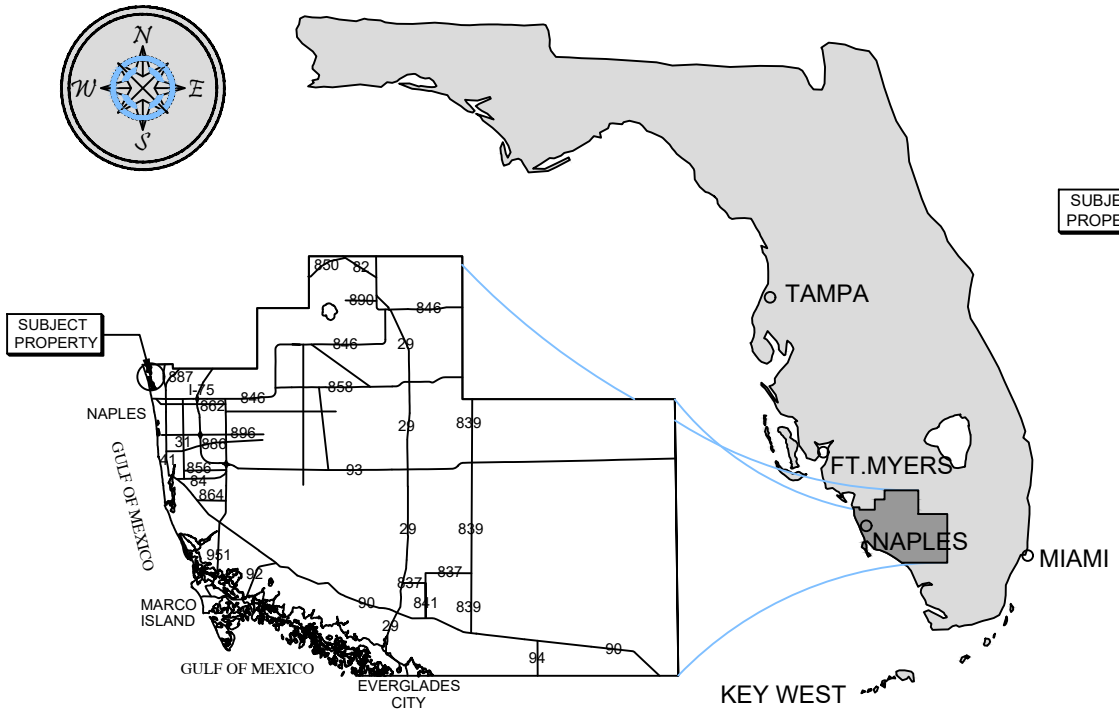
Photo 1: View of the mangroves and exotic species along the natural shoreline.

Photo 2: Sandy material and shell debris found throughout the surveyed area.

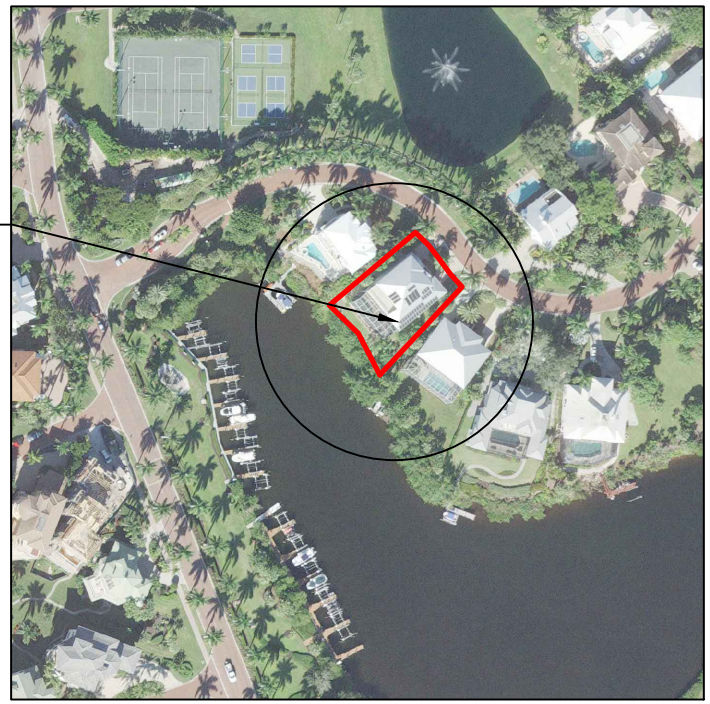
Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

P:\21190.00 Orick Misc Jobs\21190.01 96 Southport Cv\CAD\EIA\21190.01.dwg LOCATION 12/1/2021

STATE OF FLORIDA



COLLIER COUNTY



VICINITY MAP

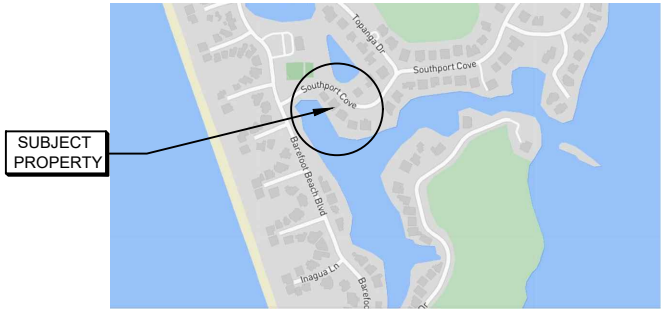
SITE ADDRESS:

<> 96 SOUTHPORT CV
BONITA SPRINGS, FL 34134

<> LATIUTUDE: N 26.19.518
<> LONGITUDE: W -81.50.470

NOTES:

<> THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.



COUNTY AERIAL

Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

96 SOUTHPORT CV.

21190.01 - LOCATION

RY NO. 5875

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	CH	1.	-	-	-	-
DRAWN BY:	ZS	2.	-	-	-	-
CREATED:	11/30/21	3.	-	-	-	-
JOB NO.:	21190.01	4.	-	-	-	-
SHEET NO.:	1 OF 4	5.	-	-	-	-

SECTION- 6 TOWNSHIP- 48 S

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove

P:\21190.00 Orick Misc Jobs\21190.01 96 Southport Cv\CAD\EIA\21190.01.dwg FLUCFCS 12/1/2021

FLUCFCS	DESCRIPTION	AREA (AC)
111	FIXED SINGLE FAMILY UNITS <LESS THAN TWO DWELLING UNITS PER ACRE>	0.22
	UPLAND (ACRES):	0.22
	WETLAND (ACRES):	0.0
	PROJECT (ACRES):	0.22

NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- SURVEY COURTESY OF: **"NO SURVEY DATA AVAILABLE"**
- SURVEY DATED: **MM-DD-YYYY**

Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

96 SOUTHPORT CV.

21190.01 - FLUCFCS

RY NO. 5875

THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	CH	1.	-	-	-	-
DRAWN BY:	ZS	2.	-	-	-	-
CREATED:	11/30/21	3.	-	-	-	-
JOB NO.:	21190.01	4.	-	-	-	-
SHEET NO.:	2 OF 4	5.	-	-	-	-

SECTION- 6 TOWNSHIP- 48S

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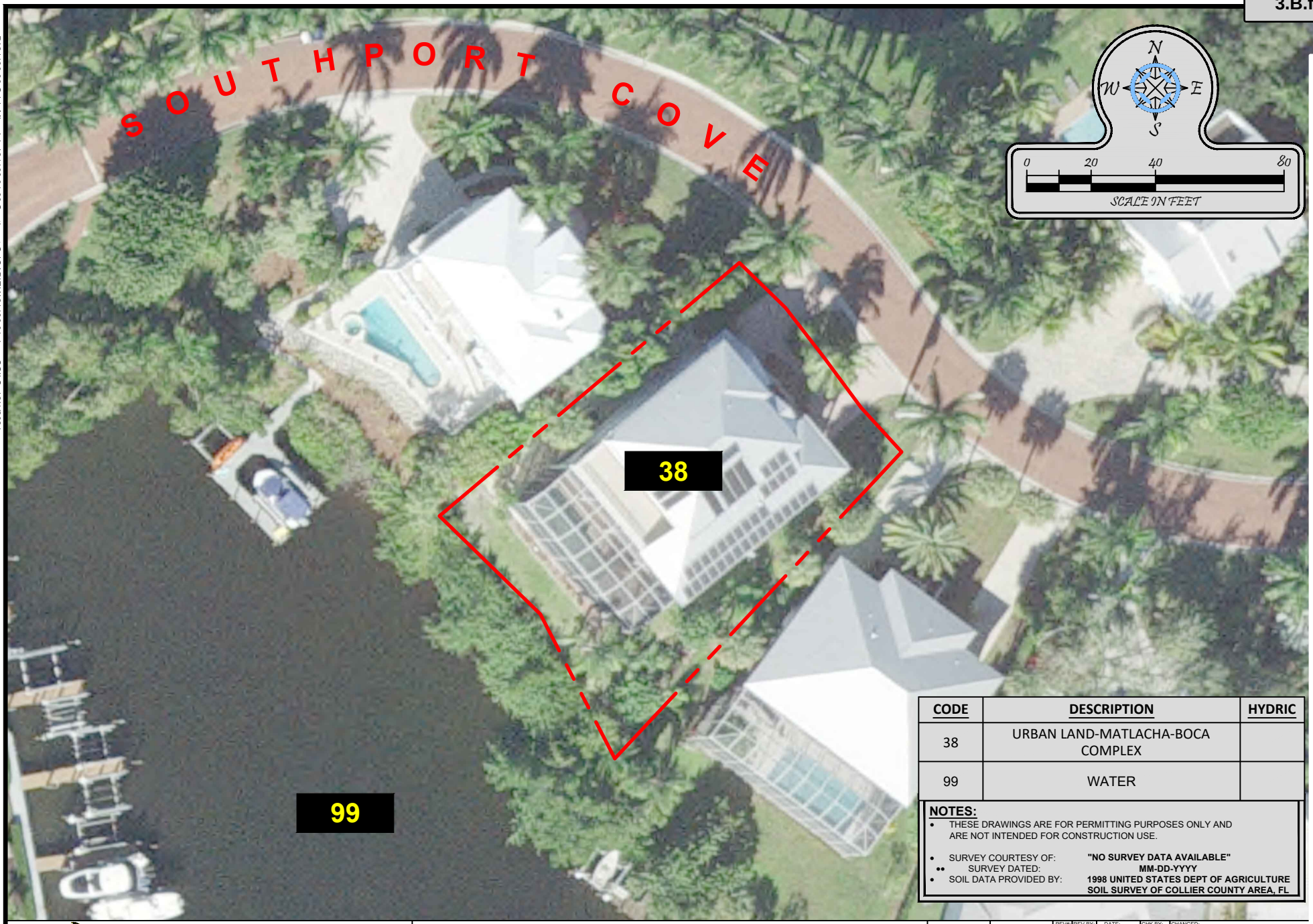
P:\21190.00 Orick Misc Jobs\21190.01 96 Southport Cv\CAD\EIA\21190.01.dwg SOILS 12/1/2021



CODE	DESCRIPTION	HYDRIC
38	URBAN LAND-MATLACHA-BOCA COMPLEX	
99	WATER	

NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- SURVEY COURTESY OF: **"NO SURVEY DATA AVAILABLE"**
- SURVEY DATED: **MM-DD-YYYY**
- SOIL DATA PROVIDED BY: **1998 UNITED STATES DEPT OF AGRICULTURE SOIL SURVEY OF COLLIER COUNTY AREA, FL**

Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

96 SOUTHPORT CV.

21190.01 - SOILS

RY NO. 5875

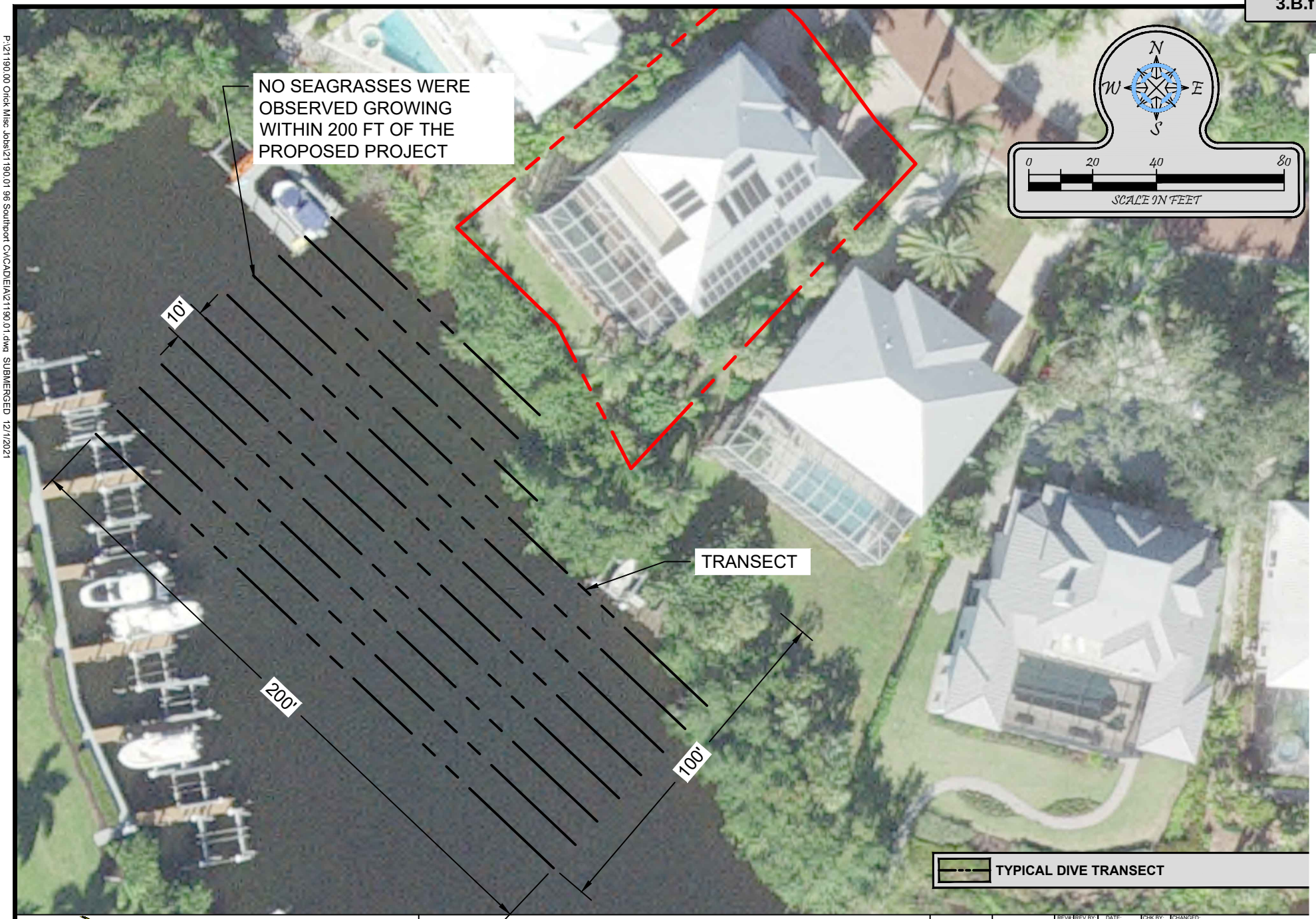
THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.

		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	CH	1.	-	-	-	-
DRAWN BY:	ZS	2.	-	-	-	-
CREATED:	11/30/21	3.	-	-	-	-
JOB NO.:	21190.01	4.	-	-	-	-
SHEET NO.:	3 OF 4	5.	-	-	-	-

SECTION- 6 TOWNSHIP- 48S

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove

P:\21190.00 Orick Misc Jobs\21190.01 96 Southport Cv\CADIE\A21190.01.dwg SUBMERGED 12/1/2021



Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

96 SOUTHPORT CV.

21190.01 - SUBMERGED

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SHEET NO.:	4 OF 4	5.	-	-	-	-

SECTION- 6 TOWNSHIP- 48S

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove

Restoration Plan

96 Southport Cove

Folio # 74435000504

Section 6 / Township 48 / Range 25, Collier County, FL

Introduction

Collier County Environmental staff are currently reviewing an application for a single-family residential docking facility located at 96 Southport Cove. The County's review determined that the existing Conservation Easement (CE) area along the property shoreline will require some restoration plantings due to open areas that have historically been impacted with fill and/or cleared allowing sod to grow. This work within the easement area was not authorized therefore Collier County staff is requiring that the CE area be restored to its natural condition by removing any fill placed within and planting the area with native trees, shrubs, and groundcover.

This document outlines the restoration plan for the onsite Conservation Easement area.

EXISTING CONDITIONS: HABITAT & SOIL DESCRIPTIONS

The subject site consists of 0.24 acre dedicated to a single-family residential dwelling with a conservation easement area along the entire shoreline. The conservation easement area was historically impacted by minor clearing of vegetation and the placement of fill material outside the authorized area. The conservation easement area will have to be restored as required by Collier County Environmental Staff.

Existing soil is fill which was placed on the property at the beginning of the residential construction or during construction of pool and/or screen enclosure. Any additional fill will be removed from the easement area as part of this restoration plan.

PROPOSED PLANTINGS

The owner is being required to restore the conservation easement area by removing any fill that was placed there to create a consistent slope, from the remaining upland area to the existing natural shoreline elevation and planting native vegetation. This will allow for a very gradual slope and once the fill is removed the proposed plantings outlined below will be installed throughout the area.

The ground cover will consist of Several plants on 3' centers in the Conservation Easement including Sea Oxeye (*Asteraceae Compositae)*, Bay Cedar (*Suriana maritima*) and Giant Leather Fern (*Acrostichum danaeifolium)*. All species listed will be distributed in an even spreading throughout the easement. Sea Oxeye ground cover plantings will be a minimum 1 gallon pot containers whilst the Bay Cedar and Giant Leather Fern will be in minimum 3 gallon pot containers.

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

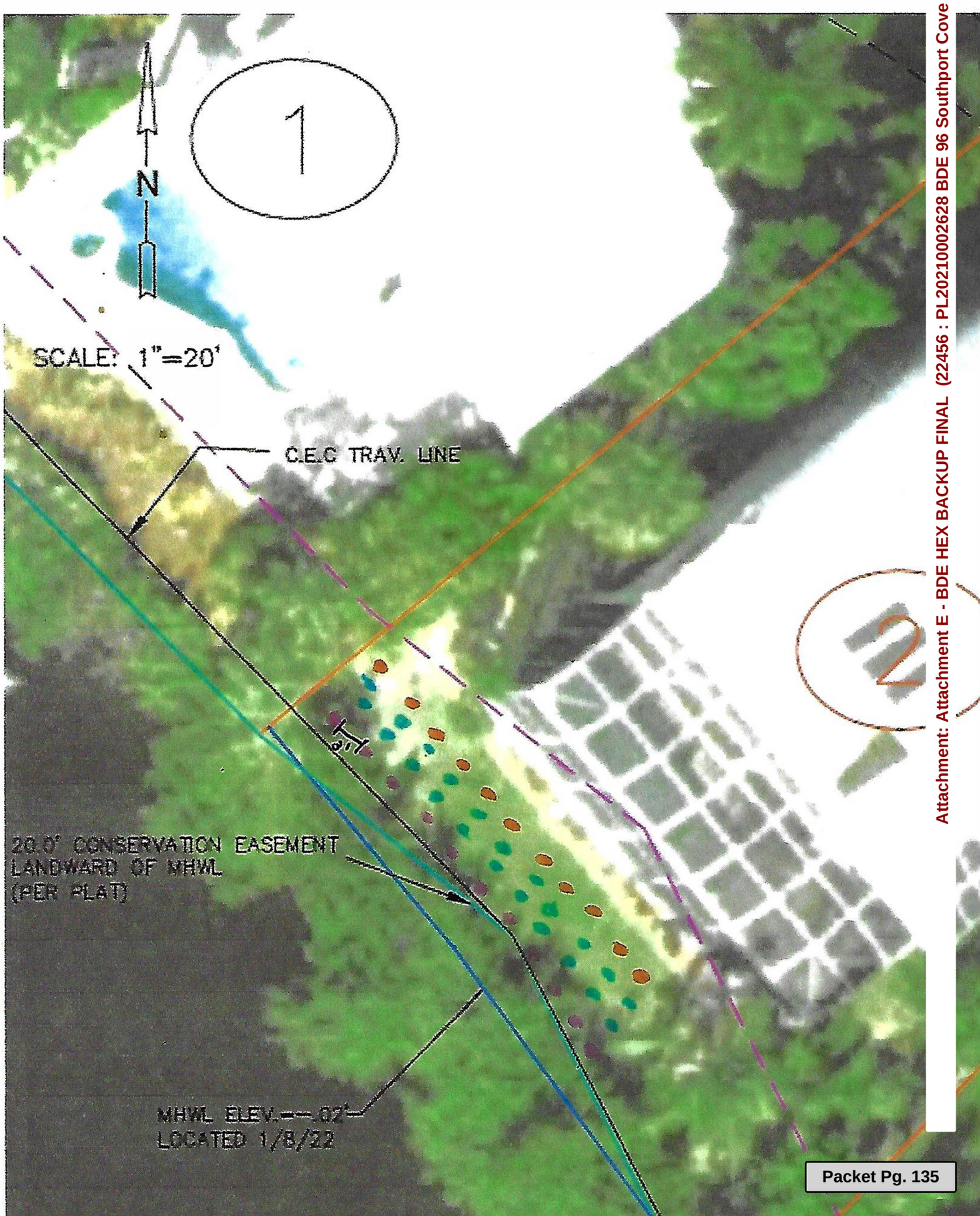
Irrigation is already set-up for the top half of the easement area. For the lower half of the easement no irrigation is needed due to the elevation of this portion of the conservation easement being closer to the tidal water table which should help keep the plantings hydrated naturally.

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

96 Southport Cv - Conservation Restoration Plan

- Giant Leather Fern - *Acrostichum danaeifolium* - Bay-cedar - *Suriana maritima*

- *Sea-oxeye Daisy - Asteraceae Compositae*



Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

CONSERVANCY of Southwest Florida
OUR WATER, LAND, WILDLIFE, FUTURE.

Protecting Southwest Florida's unique natural environment and quality of life ... now and forever.

March 1, 2022

Mr. Mark Oreus
Permit Technician
Greg Orick Marine Construction
2815 Bayview Drive
Naples, FL 34112

Sent via email

RE: Proposed Dock at 96 Southport Cove

Dear Mr. Oreus:

Thank you for sending the Conservancy of Southwest Florida the boat dock extension survey drawings and Florida Department of Environmental Protection (DEP) conservation easement boundary overlaid on an aerial for 96 Southport Cove. Pursuant to the Settlement Agreement between the Conservancy, Lely Estates, Inc., and Collier County pertaining to the Lely Barefoot Beach PUD, the Conservancy must be notified of any proposed construction activities within the conservation easement.

The Conservancy has struggled to rectify the survey drawings with the aerial imagery for this property because it appears that the DEP conservation easement (Attachment A) is primarily located in a sodded and landscaped backyard spilling over into the pool cage area of the home. The restrictions contained in the conservation easement include the following under Section 1.:

> c. No removal or destruction of native trees, shrubs, or other vegetation on the property;
>
> e. No surface use except for purposes that permit the land or water area to remain predominantly in its natural condition on the property.

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

★★★★ CHARITY NAVIGATOR Four Star Charity

Conservancy of Southwest Florida has been awarded Charity Navigator's prestigious 4-Star top rating for good governance, sound fiscal management and commitment to accountability and transparency. Charity Navigator is America's largest and most respected independent evaluator of charities.

It is unclear how the current activities and uses within the conservation easement boundary would be considered consistent with the easement requirements. We are therefore copying DEP on this communication in case they would like to investigate further.

However, for purposes of reviewing consistency with the proposed boat dock extension as depicted on the survey drawings from Agnoli, Barber & Brundage dated February 11, 2022 (Attachment B), the dock design appears to be consistent with the conservation easement, which allows an access ramp or walkway so long as this structure does not exceed 4 feet in width.

Please let me know if you have any questions.

Sincerely,

Nicole Johnson
Director of Environmental Policy

CC: Jon Iglehart, DEP, Director of the South Florida Office

Attachment: Attachment E - BDE HEX BACKUP FINAL (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

ATTACHMENT F
Public Correspondence

Correspondence Received:

- 92 Southport Cove – Gilchrist – Concerned, no objection
- 94 Southport Cove – Felsberg – Letter of Objection
- 98 Southport Cove – McNutt – Letter of Objection

Attachment: Attachment F - Public Correspondence (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

From: John Gilchrist <gilx1948@gmail.com>
Sent: Thursday, June 16, 2022 12:27 PM
To: KellyJohn
Subject: BDE-PL20210002628 - 96 Southport Cove

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We do not have any objection to the proposed plan. However, our view is influenced by the particular location of the dock which is at the north end of the bay and not in a place that will generally obstruct boat traffic or views of the bay.

Our only concern is to not allow approval to set a precedent for other future dock proposals in our bay. Granting a variance of 42' (20' permitted plus a 42' variance for a total of 62') would to my mind be totally inappropriate for other parts of the bay and its entry. Most of the docks on the bay and its entry are set horizontally to the owner's property which is less invasive than approving a dock that is vertical to the property. If future variances of 42' or more are approved in other parts of our bay, there is a risk that the scenic views will be impaired, and the bay may take on the characteristics of a marina.

Our bay is a beautiful environmental resource that should be protected. The staff report includes the following language:

"In accordance with LDC Section 5.03.06.H., the Collier County Hearing Examiner shall approve, approve with conditions, or deny a dock facility extension request based on certain criteria. In order for the Hearing Examiner to approve this request, at least four of the five primary criteria and four of the six secondary criteria must be met…"

While I agree with the staff recommendation for this request, I would be disappointed if the staff automatically approved any plan that passes four of the primary criteria and four of the six secondary criteria. For example, the proposed plan fails the following criteria: "**Whether the proposed dock facility protrudes no more than 25 percent of the width of the waterway, and whether a minimum of 50 percent of the waterway width between dock facilities on either side is maintained for navigability. (The facility should maintain the required percentages.)"**

Given the unique out-of-the-way location of the proposed dock plan, I agree that failure to meet the above criteria should not disqualify it for approval. However, there are other parts of the bay and its entry where a failure to meet this criterion should result in disqualification in and of itself. I implore the county to take the unique characteristics

Attachment: Attachment F - Public Correspondence (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

of each dock proposal into consideration before granting approval simply because four of the five primary criteria and four of the six secondary criteria are met.

Thank you.

John Gilchrist
92 Southport Cv
Barefoot Beach, FL 34134
Mobile Ph: 847-951-5073
Email: gilx1948@gmail.com

Attachment: Attachment F - Public Correspondence (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

Collier County Hearing Examiner: Mr. Andrew Dickman
96 Southport Cove, Bonita Springs
Boat Dock extension
Permit No. PL20210002628

June 13, 2022

Dear Mr. John Kelly,

(*In response to the referenced dock extension application, we are submitting the following letter, and will follow up with a technical review of the Collier County's Staff Report. Thanking you in advance for the opportunity to comment and for your consideration of this letter and supporting documentation to follow at a later date.)*

Our family has enjoyed living on the property, south of the where the dock is proposed, since 1990. We have made a concerted effort over those 30-plus years to be good stewards of our waterfront on Little Hickory Bay. We have purposely allowed mangrove and other native vegetation to thrive on our coastal bank, choosing to forego a water view in favor of protecting the fragile environment to the extent possible. Over the years, despite our best efforts we have observed worsening erosion of the bank in the vicinity of our dock, even though we do not have a boat with an engine to resuspend and erode the marine sediments in that area.

In consideration of the dock extension which would protrude three times further into the bay than allowable pursuant to Dock Facilities, 5.03.06 E.1, and based on our observations of changes to the existing coastal bank, we have significant concerns about the environmental damage that will be caused by the active use of a 41.9-foot, four engine, cabin cruiser/motor yacht which would be accommodated at the proposed 804-square foot U-dock.

The dock extension application does not consider the impacts that will be caused by the boat's wake and propeller wash. A forty-foot boat requiring four large engines will cause increasing scour of marine sediments, particularly during arrivals and departures from the dock, where studies have shown significantly higher velocities and much greater stresses than ambient conditions, and depending on other factors such as bathymetry, bank slope, and tidal levels.

Scour, and corresponding erosion and turbidity impacts are likely to be significant on our bank and around the pilings of our dock because of the alignment of the dock. As shown on the proposed dock plan, dated February 11, 2022, the cabin cruiser/motor yacht will travel in reverse across our property boundary and adjacent to our dock. We are particularly concerned that the wake and prop wash will cause sufficient scour of the bank and dock pilings to make our property and dock more vulnerable to storm damage. How will these erosion and sedimentation impacts increase as storms become more severe and more frequent due to climate change?

The referenced plan shows the U-dock extending to within 15.5-feet from our in-water property line, barely meeting the 15-foot set-back requirement, (pursuant to Dock Facilities, 5.03.06 E.5) by six inches. We note that the 15-foot setback is applicable in the regulations to a dock protruding 20-feet from the shoreline. This setback may be adequate for a boat using a 20-foot dock; it would appear to allow for safe use of the waterway for all neighbors and pose minimal risk of damage to neighboring properties from wake and propeller scour. However, a 15-foot setback is not adequate for a dock that extends three times further into the waterbody. Proportional increases in set-backs should be required. A

Attachment: Attachment F - Public Correspondence (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

reasonable setback would be at least three times as far as the minimum to provide an equivalent level of safety and protection from environmental damage to neighboring properties.

Furthermore, an allowance of dock this large could impede or preclude neighbors such as us from requesting comparable or even modest extensions to our docks. If an approval of the dock extension limits neighbors' abilities to obtain a comparable approval all things considered, this arguably could be construed as a taking of properties without consent. Accordingly, we respectfully request that the County staff reconsider their recommendation for this dock extension.

Lastly, we note that the applicant has just recently purchased the property, knowing at that time the dimensional limits for a dock. Prior to purchase, he had three alternatives: 1) acquire a property where this larger boat could be accommodated without an extension approval, 2) use a marina, or 3) build a conforming dock. While we wish our new neighbor well, he still has alternatives which would cause less damage to the environment and preserve current safety conditions for use and enjoyment of the bay by all of our neighbors. There are sound environmental reasons, as well as boat safety reasons for maintaining the existing dock dimensional requirements and the application provides no valid reason why an extension permit is needed or why it should be granted by Collier County which represents all of our interests. In over 30 years here, our neighbors have respected these limits and we hope our new neighbor also will consider our concerns and withdraw this plan without prejudice.

We appreciate your consideration of our comments. As mentioned previously, we will be submitting a more technical analysis of the Collier County Staff Report's evaluation of primary and secondary criteria, which have not been addressed directly in this comment. We only were able to obtain the county report within the past 48 hours and need additional time to review it thoroughly.

Sincerely,

Robert W. Felsberg
Nancy Felsberg Baker

cc. Southport Cove Homeowners' Association

Attachment: Attachment F - Public Correspondence (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

From: Terry McNutt <tmcnutt55@gmail.com>
Sent: Tuesday, June 14, 2022 9:02 PM
To: KellyJohn
Subject: 96 Southport Dock Installation

EXTERNAL EMAIL: This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Dear Mr John Kelly,

I am writing to you to voice my concern for the new dock proposal at 96 Southport Cove. As per our previous conversations, I am very concerned about my ability to have ingress and egress to my new boat lift. Greg Orick Marine Construction has assured my next door neighbor that navigating my boat to my lift will not be a problem. I have taken all the proposed marine drawings for said dock to the company that installed my new lift, Nelson Marine Construction, and they do not agree with Mr. Orick.
I am not a novice boater. I have quite a few power driven craft of various sizes and drive configurations. I have a 24' inboard Malibu ski boat, a 20' I/O, a 24'outboard pleasure boat, and a 30' twin inboard cabin cruiser. I have owned two of these crafts for over twenty years. Two of these boats are in slips in marinas in Michigan. My docking experience is extensive on the Great Lakes, Lake Michigan and Lake Erie.
In April, while still at Southport CV, I attempted multiple times to begin my docking maneuvers where my neighbors fishing boat would be docked. I was unsuccessful on my attempts with my new boat colliding with my lift plyons each time. I do not feel that this is a successful docking attempt.
As it stands now, I feel I will have wasted thousands of dollars on a new lift that will be difficult to access if not totally unusable. According to Nelson Marine Construction it will be more than my original cost to make my lift easily accessible.

Sincerely,
Terry and Marti McNutt
98 Southport Cove
Bonita Springs, FL

Attachment: Attachment F - Public Correspondence (22456 : PL20210002628 BDE 96 Southport Cove Chaffe)

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.C
Item Summary: Petition No. PCUD PL20220000887 - Esperanza Place RPUD Habitat for Humanity - Request for a decision of the Hearing Examiner that storage sheds for single family dwelling units are comparable in nature to the other listed allowable accessory uses in Tract B of the Esperanza Place Residential Planned Unit Development (RPUD), adopted by Ordinance Number 2008-28, as amended. The subject RPUD is located on the north side of Immokalee Drive just west of Dilsa Lane in Section 32, Township 46 South, Range 29 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 2

Meeting Date: 06/23/2022

Prepared by:
Title: Planner – Zoning
Name: John Kelly
06/03/2022 11:50 AM

Submitted by:
Title: Zoning Director – Zoning
Name: Mike Bosi
06/03/2022 11:50 AM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky	Review Item	Completed	
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	06/06/2022 5:52 PM
Zoning	Ray Bellows	Review Item	Completed	06/07/2022 9:58 AM
Zoning	Mike Bosi	Zoning Director Review	Completed	06/08/2022 8:57 AM
Hearing Examiner	Andrew Dickman	Meeting Pending	06/23/2022 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: ZONING DIVISION – ZONING SERVICES SECTION
GROWTH MANAGEMENT DEPARTMENT

HEARING DATE: JUNE 23, 2022

SUBJECT: ESPERANZA PLACE RPUD, TRACT B, COMPARABLE USE DETERMINATION - PCUD-PL20220000887

PROPERTY OWNER/AGENT:

Applicant/Owner:
Habitat for Humanity of Collier County, Inc
11145 Tamiami Trail E
Naples, FL. 34113

Agent:
D. Wayne Arnold, AICP
Q. Grady Minor & Associates, P.A.
3800 Via Del Rey
Bonita Springs, FL. 34134

REQUESTED ACTION:

Request for a decision of the Hearing Examiner that storage sheds for single family dwelling units are comparable in nature with the list of allowable accessory uses, for Tract B of the Esperanza Place Residential Planned Unit Development (RPUD), in Exhibit A, Section II.A.2, of Ordinance Number 2008-28, as amended, which is the governing zoning document. See Attachment A for complete property owner list with Parcel identification numbers and addresses.

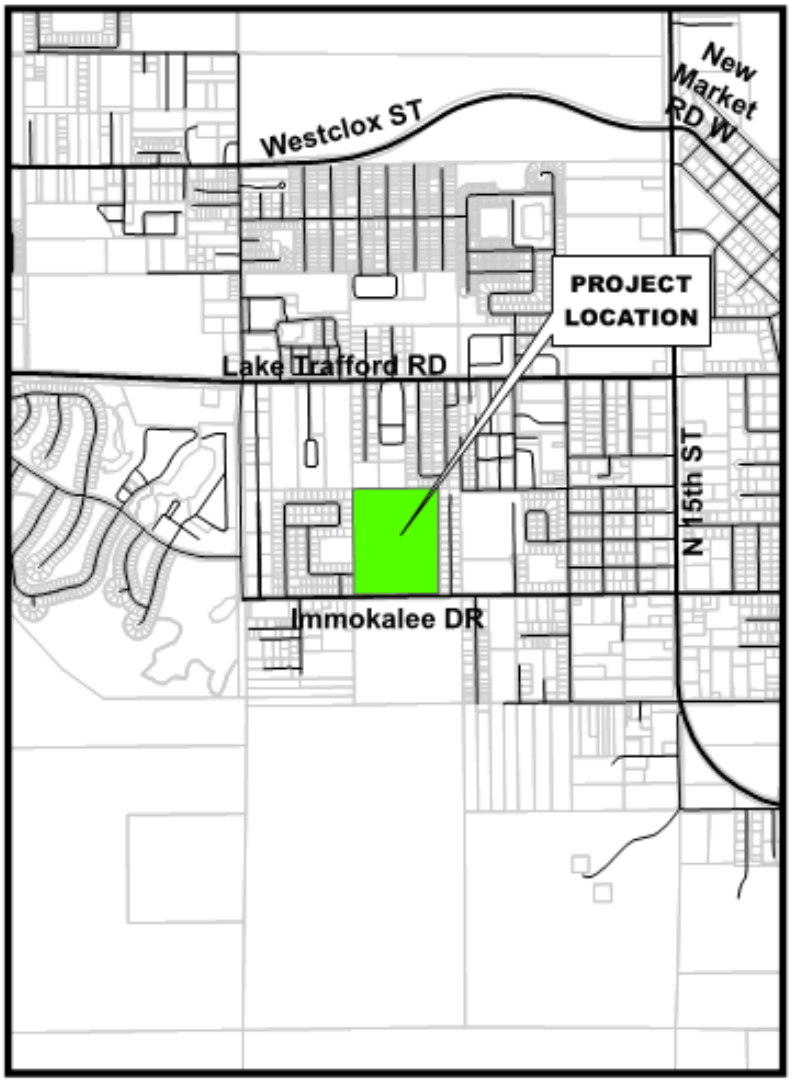
GEOGRAPHIC LOCATION:

The Esperanza Place RPUD is a partially developed RPUD encompassing 31.63± acres located on Immokalee Drive, just west of Dilsa Lane. Tract B comprises 13.80± acres, roughly the eastern half of the RPUD less Tract C which embraces 2.0± acres located at the southeast corner, in Section 32, Township 46 South, Range 29 East, Collier County, Florida. Tract (See location map page 2).

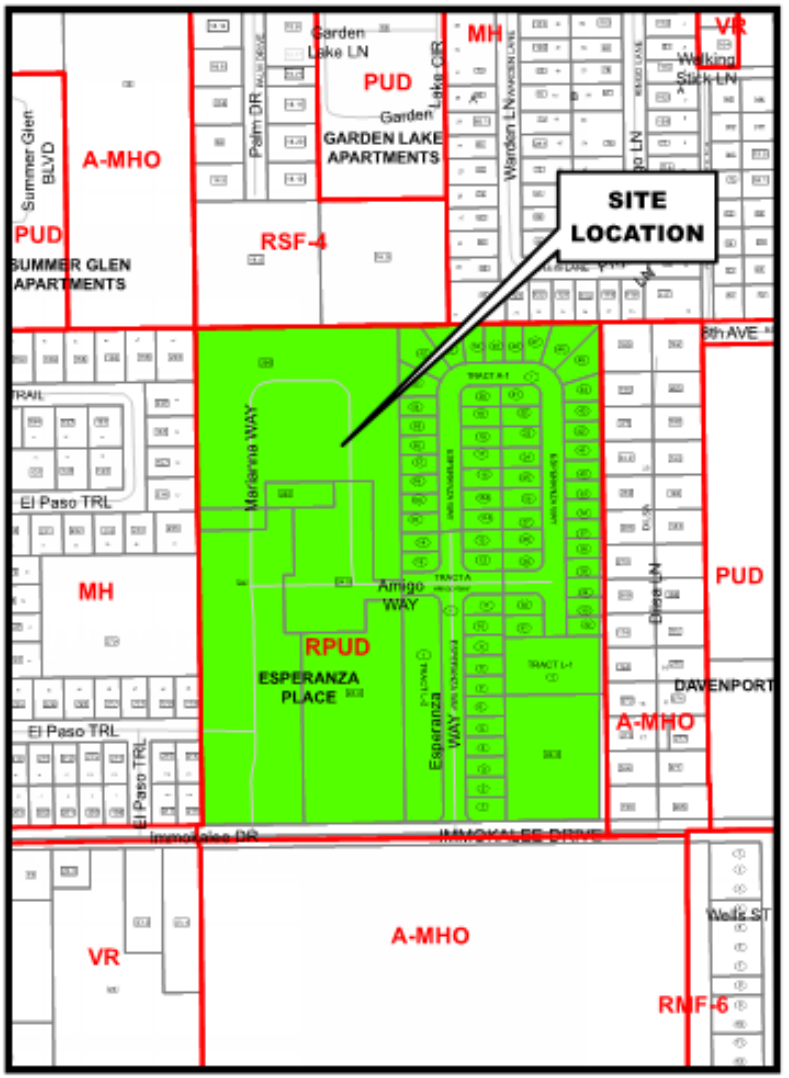
PURPOSE AND DESCRIPTION OF PROJECT:

The petitioner seeks a determination from the Hearing Examiner that storage sheds are an allowable accessory use to residential single-family dwelling units, both attached and detached, within Tract B of the Esperanza Place RPUD. The only listed permitted uses within Tract B of the subject RPUD are Single-family attached and detached dwelling units. Allowable accessory uses within Tract B are garages, carports, and any other use that is comparable in nature with the list of permitted uses as determined by the Board of Zoning Appeals (now Hearing Examiner). Said storage sheds would be subject to the established setbacks for accessory uses within the RPUD.

Attachment: Staff Report 06082022 (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for Humanity)



Location Map



Zoning Map

Petition Number: PL20220000887

Attachment: Staff Report 06082022 (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

SURROUNDING LAND USE AND ZONING:

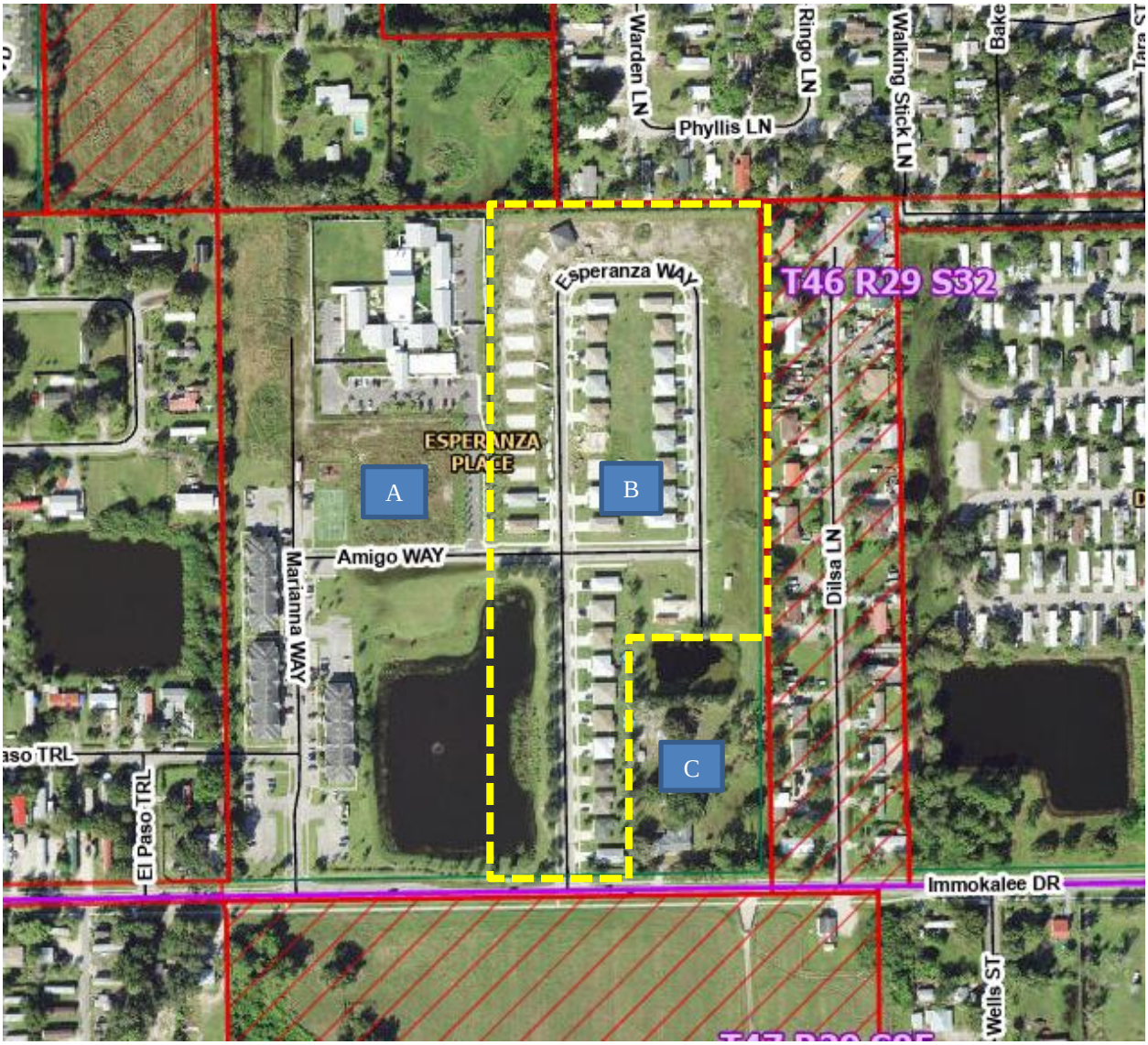
This section of the staff report identifies the land uses and zoning classifications for properties surrounding the subject property which is a Residential Planned Unit Development (RPUD).

North: ResidentialSingle-Family-4 (RSF-4) and Mobile Home (MH), Improved Residential;

South: Esperanza Place RPUD - Tract C, then Immokalee Drive (Right-of-Way) followed by Rural Agricultural with Mobile Home Overlay (A-MHO), Improved Residential;

East: Rural Agricultural with Mobile Home Overlay (A-MHO), Improved Residential; and

West: Esperanza Place RPUD – Tract A, Improved Residential



Collier County GIS

Attachment: Staff Report 06082022 (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for Humanity)

Esperanza Place RPUD – Master Plan

SITE DATA:

TRACT A: 15.83± ACRE (50.05% OF ACREAGE)
TRACT B: 13.80± ACRES (43.63% OF ACREAGE)
TRACT C: 2.00± ACRES (6.32% OF ACREAGE)

TOTAL SITE AREA = 31.63± ACRES

REQUIRED PRESERVE AREA:

EXISTING NATIVE VEGETATION X 0.25 = PRESERVE AMOUNT

UPLAND: 0.52 ACRES X 0.25 = 0.13 ACRES
WETLAND: 0.73 ACRES X 0.25 = 0.18 ACRES
TOTAL = 0.31 ACRES

ZONING: MH
USE: MOBILE HOME

DENSITY CALCULATIONS:

TRACT A: 96 DWELLING UNITS
TRACT B: 62 DWELLING UNITS
TRACT C: 1 UNIT

159 DWELLING UNITS / 31.63± ACRES = 5.03± UNITS PER ACRE
45 GROUP HOUSING UNITS

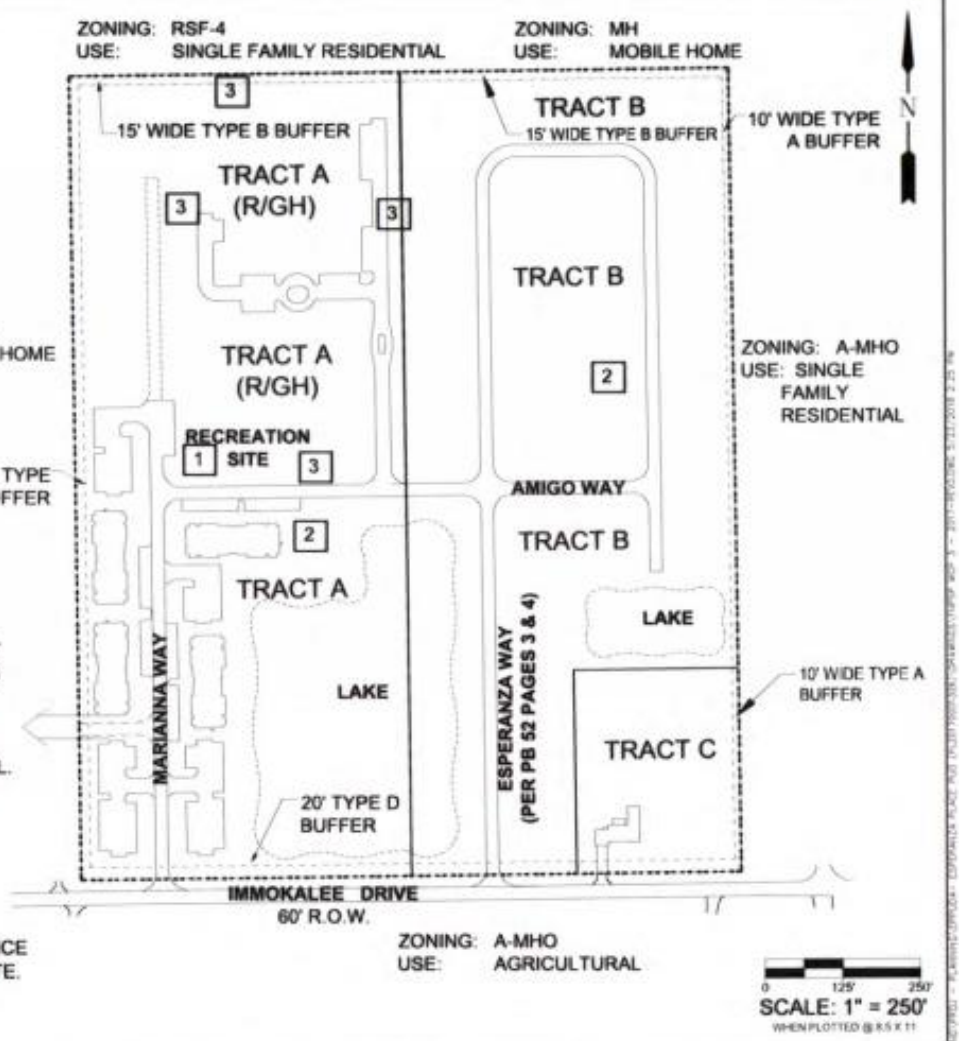
NOTES:

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MINOR MODIFICATION DUE TO AGENCY PERMITTING REQUIREMENTS.

2. ALL ACREAGES ARE APPROXIMATE AND SUBJECT TO MODIFICATION AT THE TIME OF SDP OR PLAT APPROVAL.

DEVIATIONS (SEE EXHIBIT E):

1. ARCHITECTURAL DESIGN STANDARDS. (PREVIOUSLY APPROVED BY ORDINANCE 2008-28, EXHIBIT E)
2. NATIVE VEGETATION. (PREVIOUSLY APPROVED BY ORDINANCE 2008-28, EXHIBIT E) THERE ARE NO PRESERVES AREAS ONSITE.
3. FENCES AND WALLS.



LEGEND

[#] DEVIATIONS

(R/GH) RESIDENTIAL/GROUP HOUSING

GradyMinor

Civil Engineers • Land Surveyors • Planners • Landscape Architects

Bonita Springs 239.947.1144 www.GradyMinor.com Fort Myers 239.690.4300

ESPERANZA PLACE RPUD

EXHIBIT C
MASTER PLAN
AMENDED 05/23/2018

Attachment: Staff Report 06082022 (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

STAFF ANALYSIS:

Per LDC section 10.02.06.K, a Comparable Use Determination (CUD) process is to be used to determine whether a specified use is comparable in nature with the list of permitted uses and the purpose and intent statement of the specified zoning district, overlay, or PUD. After staff evaluation of the criteria in LDC section 10.02.06.K.2 the results are presented at a public hearing for the purposes of approval, approval with conditions, or denial.

LDC section 10.02.06.K.2 Criteria listed in bold with staff analysis in regular font.

A. The proposed use possesses similar characteristics to other permitted uses in the zoning district, overlay, or PUD, including but not limited to the following:

i. Operating Hours;
ii. Traffic Volume Generated/Attracted;
iii. Type of vehicles associated with the use;
iv. Number and type of required parking spaces; and
v. Business practices and activities.

The petitioner is seeking a determination that storage sheds, as an accessory use to single-family dwelling units – attached and detached, possess similar characteristics to other accessory uses within Tract B of the Esperanza Place RPUD; those other accessory uses include, but are not limited to, the following: garages, carports, swimming pools, etc. By definition, an accessory use or structure is a use or structure located on the same lot or parcel and incidental or subordinate to the principal use or structure. Staff notes that storage sheds are listed as an allowable accessory use within Tract C for which the RPUD already contains setbacks applicable to accessory uses. A true accessory use should not alter or impact any of the listed characteristics any more so than the principal use which is not in question.

B. **The effect of the proposed use would have on neighboring properties in relation to the noise, glare, or odor effects shall be no greater than that of other permitted uses in the zoning district, overlay, or PUD**.

The placement of a storage shed on a single-family lot in accordance with applicable setbacks for accessory structures will yield no negative impacts on neighboring properties with regard to noise, odor and/or glare.

C. The proposed use is consistent with the GMP, meaning the applicable future land use designation does not specifically prohibit the proposed use; and, where the future land use designation contains a specific list of allowable uses, the proposed use is not omitted.

As per the Immokalee Area Master Plan Future Land Use Map, the subject property is designated Urban - Mixed Use District, Medium Residential (MR) Subdistrict. The Immokalee Area Master Plan, an element of the Collier County Growth Management Plan (GMP), reveals the purpose of the MR Subdistrict is to provide for a mixture of housing types and supporting uses. The Esperanza Place RPUD has previously been found to be

Attachment: Staff Report 06082022 (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for Humanity)

consistent with the GMP and storage sheds are not called out as a specifically prohibited use within either the GMP or the RPUD.

D. The proposed use shall be compatible and consistent with the other permitted uses in the zoning district, overlay, or PUD.

Again, this petition is dealing with an accessory use and not a permitted use. The petitioner seeks a determination that storage sheds are allowable as an accessory use to single-family dwelling units. Storage sheds are listed as an allowable accessory use within Tract C of the RPUD for which the only allowable principal use is single-family dwelling units; there is no distinction between attached or detached dwelling units. Tract B permitted uses allows for both single-family, attached and detached dwelling units; however, fails to list storage sheds as an allowable accessory use – amongst others, specifically allowable accessory uses are garages, carports, and "any other use that is comparable in nature with the foregoing list of permitted uses, as determined by the BZA (now Hearing Examiner) according to the process described in the LDC." As storage sheds have been deemed to be allowable as accessory uses in residential base zoning districts, staff is compelled to deem them both compatible and consistent; see E., below.

E. Any additional relevant information as may be required by the County Manager or designee.

Staff questions why this specific RPUD calls out storage sheds as an allowable accessory use within Tract C as such sheds have historically been found to be accessory and incidental to single-family dwelling units. The Collier County Land Development Code (LDC), Ordinance Number 04-41, as amended, provides the development and land use regulations for base zoning districts within unincorporated Collier County. Section 2.02.02.B of the LDC lists each of the Zoning Districts that are to be considered as residential, the land use regulations for which appear within Section 2.03.02 – Residential Zoning Districts. Section 2.02.02.A lists those zoning districts deemed to be agricultural in nature, the land use regulations for which include a single-family residence as a permitted use within Section 2.03.01 – Agricultural Zoning Districts. Staff researched the allowable accessory uses of each of the Residential and Agricultural zoning districts and finds that, with exception to Village Residential (VR), there is no specific mention of storage sheds; rather, the first allowable accessory use within each of the district's states: Uses and structures that are accessory and incidental to uses permitted as of right in the [insert zoning designation] district. The VR district specifically calls out storage as an allowable accessory use when used for fishing or farming equipment by the residents of the permitted use. Staff then turned to Section 4.02.03 of the LDC which sets forth the setbacks for listed accessory uses and structures and finds that there is no mention of storage sheds; however, "utility buildings" are listed as an accessory use. There are no limitations as to which zoning districts utility buildings would be allowed in. Section 4.02.12 sets forth regulations for "outdoor storage" when approved as a principal or conditional use, not as an accessory use. Given the sheer number of storage sheds that are in use on single-family residential and agricultural properties, staff must conclude that storage sheds (aka: utility buildings) are indeed accessory and incidental to single-family dwelling units and are thereby an allowable accessory use when properly permitted by means of a building permit.

Attachment: Staff Report 06082022 (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for Humanity)

CONCURRENT LAND USE APPLICATIONS:

None.

APPEAL OF HEARING EXAMINER DECISION:

As to any petition upon which the Hearing Examiner takes action, an aggrieved petitioner may appeal such final action. Such appeal shall be filed per Section 2-88 of the Collier County Code of Ordinances within 30 days of the Decision by the Hearing Examiner. An aggrieved non-party may appeal a decision of the Hearing Examiner to the Circuit Court of Collier County within 30 days of the decision. In the event that the petition has been approved by the Hearing Examiner, the applicant shall be advised that he/she proceeds with construction at his/her own risk during this 30-day period. Any construction work completed ahead of the approval authorization shall be at their own risk.

PUBLIC NOTICE:

A newspaper advertisement for the Hearing Examiner public meeting is the only notice required per Administrative Code (Chapter 3L) and LDC section 10.03.06.O in accordance with F.S. §125.66. The newspaper advertisement posted in the Naples Daily News on June 4, 2022.

Per LDC and Administrative Code a Neighborhood Information Meeting (NIM), posting of a sign on the subject property, and a mailing to surrounding property owners is not required.

STAFF RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner determine that storage sheds are comparable with other listed accessory uses within Tract B of the Esperanza Place RPUD, subject to the development standards contained within the RPUD and the LDC.

Attachments:

A. Application and Supporting Documents

Attachment: Staff Report 06082022 (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for Humanity)

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

Esperanza Place RPUD Comparable Use Determination (PL20220000887)

Application and Supporting Documents

June 23, 2022 HEX Meeting

GradyMinor
Civil Engineers • Land Surveyors • Planners • Landscape Architects
Q. Grady Minor & Associates, P.A.
3800 Via Del Rey, Bonita Springs, FL 34134 • 239-947-1144 • engineering@gradyminor.com • www.gradyminor.c

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

Comparable Use Determination

LDC sections 2.03.00 A, 10.02.06 J & Code of Laws section 2-83 – 2-90
Chapter 3 G.6 of the Administrative Code

PROJECT NUMBER
PROJECT NAME
DATE PROCESSED

To be completed by staff

☑ **PUD Zoning District**
☐ **Standard Zoning District**

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): Habitat for Humanity of Collier County, Inc.

Name of Applicant if different than owner: _____

Address: 11145 Tamiami Tr. E. **City:** Naples **State:** FL **ZIP:** 34113

Telephone: 239-775-0036 **Cell:** _____ **Fax:** _____

E-Mail Address: MFoley@habitatcollier.org

Name of Agent(s): D. Wayne Arnold, AICP

Firm: Q. Grady Minor & Associates, P.A.

Address: 3800 Via Del Rey **City:** Bonita Springs **State:** FL **ZIP:** 34134

Telephone: 239-947-1144 **Cell:** _____ **Fax:** _____

E-Mail Address: warnold@gradyminor.com

PROPERTY INFORMATION

Site Address: See Property Owner List **Folio Number:** See Property Owner List

Property Owners Name: Habitat for Humanity of Collier County, Inc.

DETERMINATION REQUEST

The determination request and justification for the use must be done by a certified land use planner or a land use attorney. Provide the completed request on a separate attached sheet. Please be very specific and include the SIC Code, if known. The request should adhere to the following format:

"I request a determination from the Planning Manager and approval from the Office of the Hearing Examiner, that the use of sheds as accessory *is comparable and compatible with the permitted uses in the* Esperanza Place *PUD or in the* _____*Straight Zoning District."*

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

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(239) 252-2400 FAX: (239) 252-6358

SUBMITTAL REQUIREMENTS CHECKLIST

See Chapter 3 G.6 of the Administrative Code for submittal requirements. The following items are to be submitted with the application packet. **Incomplete submittals will not be accepted.**

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	1	☒	
Affidavit of Authorization	1	☒	
Completed Addressing Checklist	1	☒	
Determination request and the justification for the use	1	☒	
PUD Ordinance and Development Commitment information		☑	☐
Property Ownership Disclosure Form	1	☒	
Electronic Copies of all documents *Please be advised: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.		☑	☐

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

- Following the completion of the review process by County review staff, the applicant shall submit all materials electronically to the designated project manager.
- Please contact the project manager to confirm the number of additional copies required.

FEE REQUIREMENTS:

- **Application:** $1,000.00; Additional Fees of $100 per hour will be charged as needed upon completion of review and research. Payment of Additional Fees will be required prior to the release of the verification.
- **Estimated Legal Advertising Fee for the Office of the Hearing Examiner:** $1,125.00

All checks payable to: Board of County Commissioners

The completed application, all required submittal materials, and the permit fee shall be submitted to:

Growth Management Department/Zoning Division
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

Applicant Signature

March 28, 2022
Date

D. Wayne Arnold, AICP
Printed Name

Please be advised that the zoning letter is based upon the available records furnished by Collier County and what was visible and accessible at the time of inspection. This report is based on the Land Development Code that is in effect on the date the report was prepared. Code regulations could be subject to change. While every attempt has been made to ensure the accuracy or completeness, and each subscriber to or user of this report understands that this department disclaims any liability for any damages in connection with its use. In addition, this department assumes no responsibility for the cost of correcting any unreported conditions.

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

Esperanza Place RPUD

Property Owner List

Parcel ID	Owner	Address		Block	Lot
31345980029	HABITAT FOR HUMANITY OF CC INC			A	1
31345980100	HABITAT FOR HUMANITY OF CC INC	2357	ESPERANZA WAY	L-2	1
31345983026	HABITAT FOR HUMANITY OF CC INC			A-1	1
31345983042	HABITAT FOR HUMANITY OF CC INC	2227	ESPERANZA WAY	L-1	1
31345983385	HABITAT FOR HUMANITY OF CC INC	2236	ESPERANZA WAY		30
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Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

GradyMinor
Civil Engineers • Land Surveyors • Planners • Landscape Architects
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3800 Via Del Rey, Bonita Springs, FL 34134 • 239-947-1144 • engineering@gradyminor.com • www.gradyminor.com

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) Comparable Use Determination for Esperanza Place RPUD

I, Nicholas Kouloheras (print name), as President (title, if applicable) Habitat for Humanity of Collier County, Inc. (company, If applicable), swear or affirm under oath, that I am the (choose one) owner [✔] applicant [ ] contract purchaser [ ] and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize Q. Grady Minor & Associates, P.A. to act as our/my representative in any matters regarding this petition including 1 through 2 above.

**Notes:*

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trust, then they must include the trustee's name and the words "as trustee".*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, and then use the appropriate format for that ownership.*

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

Signature 2/3/22 **Date**

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [☒] physical presence or [ ] online notarization this 3 day of Feb, 20 22, by (printed name of owner or qualifier) Nicholas Kouloheras as President.

Such person(s) Notary Public must check applicable box:

[☒] Are personally known to me
[ ] Has produced a current drivers license _____
[ ] Has produced _____ as identification.

Notary Signature: _____

LISA B. LEFKOW
MY COMMISSION # GG 973188
EXPIRES: March 24, 2024
Bonded Thru Notary Public Underwriters

CP\08-COA-00115\155
REV 3/4/2020

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX (239) 252-5724

ADDRESSING CHECKLIST

Please complete the following and email to GMD_Addressing@colliergov.net or fax to the Operations Division at 239-252-5724 or submit in person to the Addressing Section at the above address. Form must be signed by Addressing personnel prior to pre-application meeting, **please allow 3 days for processing.**

Not all items will apply to every project. Items in **bold type** are required. **FOLIO NUMBERS MUST BE PROVIDED.** Forms older than 6 months will require additional review and approval by the Addressing Section.

PETITION TYPE *(Indicate type below, complete a separate Addressing Checklist for each Petition type)*

- ☐ BL (Blasting Permit)
- ☐ BD (Boat Dock Extension)
- ☐ Carnival/Circus Permit
- ☐ CU (Conditional Use)
- ☐ EXP (Excavation Permit)
- ☐ FP (Final Plat
- ☐ LLA (Lot Line Adjustment)
- ☐ PNC (Project Name Change)
- ☐ PPL (Plans & Plat Review)
- ☐ PSP (Preliminary Subdivision Plat)
- ☐ PUD Rezone
- ☐ RZ (Standard Rezone)
- ☐ SDP (Site Development Plan)
- ☐ SDPA (SDP Amendment)
- ☐ SDPI (Insubstantial Change to SDP)
- ☐ SIP (Site Improvement Plan)
- ☐ SIPI (Insubstantial Change to SIP)
- ☐ SNR (Street Name Change)
- ☐ SNC (Street Name Change – Unplatted)
- ☐ TDR (Transfer of Development Rights)
- ☐ VA (Variance)
- ☐ VRP (Vegetation Removal Permit)
- ☐ VRSFP (Vegetation Removal & Site Fill Permit)
- ☑ OTHER Comparable Use Determination

LEGAL DESCRIPTION of subject property or properties *(copy of lengthy description may be attached)*

S32, T46, R29

FOLIO (Property ID) NUMBER(s) of above *(attach to, or associate with, legal description if more than one)*

See attached Property Owner List

STREET ADDRESS or ADDRESSES *(as applicable, if already assigned)*

See attached Property Owner List

- **LOCATION MAP** must be attached showing exact location of project/site in relation to nearest public road right-of-way
- SURVEY (copy - needed only for unplatted properties)

CURRENT PROJECT NAME *(if applicable)*

Esperanza Place RPUD

PROPOSED PROJECT NAME *(if applicable)*

PROPOSED STREET NAMES *(if applicable)*

SITE DEVELOPMENT PLAN NUMBER *(for existing projects/sites only)*

SDP___-____ or AR or PL # 2008-AR-13552 - SDP

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

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Project or development names proposed for, or already appearing in, condominium documents (if application; indicate whether proposed or existing)

Esperanza Place (Existing)

Please Return Approved Checklist By: ☑ Email ☐ Fax ☐ Personally picked up

Applicant Name: Sharon Umpenhour

Phone: 239-947-1144 **Email/Fax:** sumpenhour@gradyminor.com

Signature on Addressing Checklist does not constitute Project and/or Street Name approval and is subject to further review by the Operations Division.

FOR STAFF USE ONLY

Folio Number 31345980029

Folio Number see attached

Folio Number

Folio Number

Folio Number

Folio Number

Approved by: L.L.H **Date:** 1/21/2022

Updated by: **Date:**

IF OLDER THAN 6 MONTHS, FORM MUST BE UPDATED OR NEW FORM SUBMITTED

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

Esperanza Place RPUD

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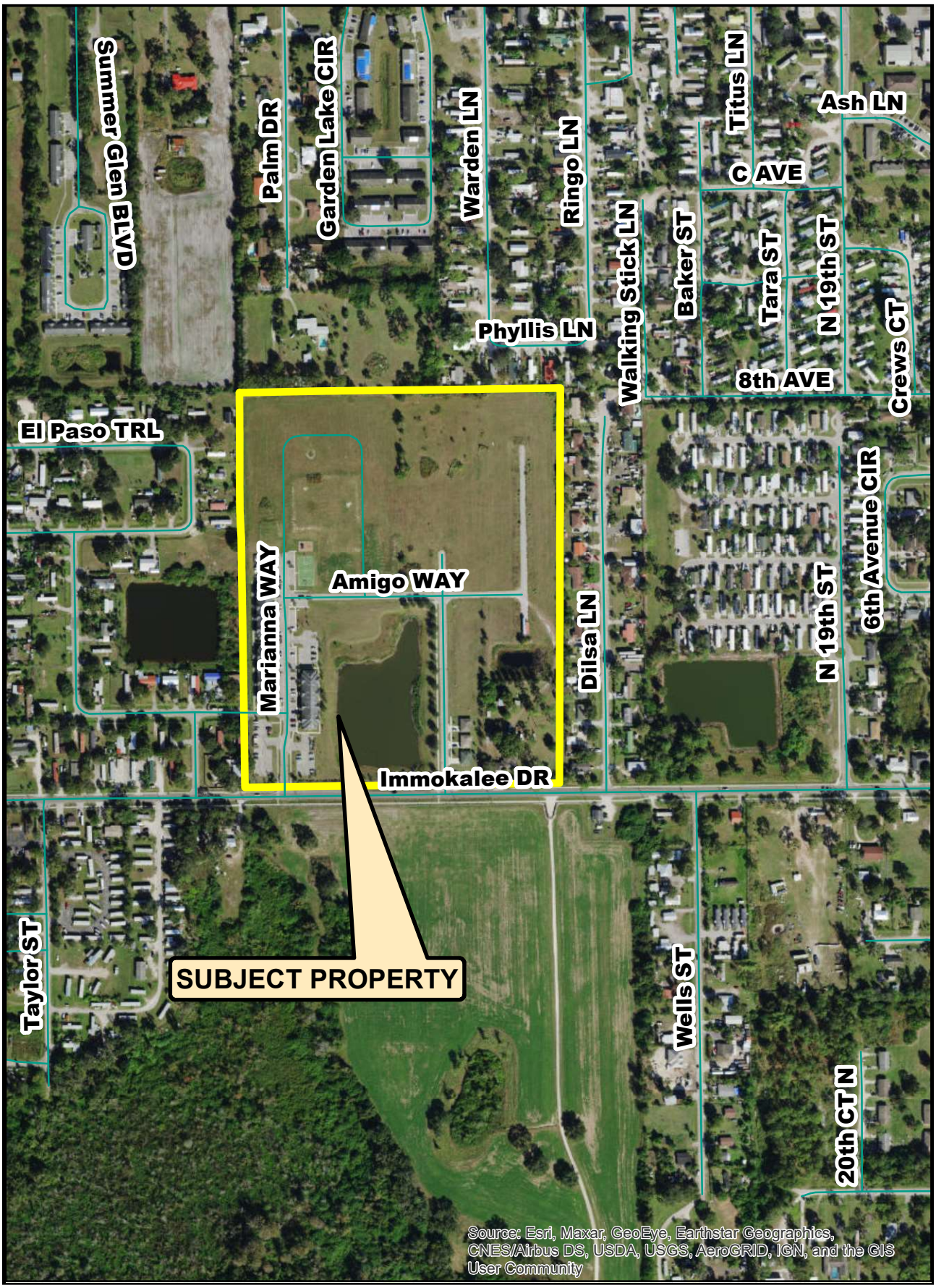
Esperanza Place RPUD
Aerial Location Map



GradyMinor
Civil Engineers • Land Surveyors • Planners • Landscape Architects

550 275 0 550 Feet

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

Esperanza Place RPUD

Determination request and justification

We request approval from the Hearing Examiner by decision, that the use of sheds as accessory to single family residential is comparable and compatible with the permitted accessory uses of Tract B in the Esperanza Place RPUD Zoning District.

The Esperanza Place PUD is a partially developed RPUD. Tract B of the RPUD permits 62 single family dwellings as principal uses. Tract B also permits typical accessory uses; however, storage sheds were not included as accessory structures. Storage sheds are permitted in conventional residential zoning districts.

The applicant is seeking the Hearing Examiner's determination that a storage shed is a comparable use to other permitted accessory uses within Tract B of the Esperanza Place RPUD.

LDC Section 10.02.06.K.2.

K. Comparable Use Determination.

2. To be effective, the Comparable Use Determination shall be approved by the Hearing Examiner by decision, or Board of Zoning Appeals by resolution, at an advertised public hearing based on the following standards, as applicable:

a. The proposed use possesses similar characteristics to other permitted uses in the zoning district, overlay, or PUD, including but not limited to the following:

i. Operating hours;
ii. Traffic volume generated/attracted;
iii. Type of vehicles associated with the use;
iv. Number and type of required parking spaces; and
v. Business practices and activities.

The proposed determination seeks the Hearing Examiner to acknowledge that a storage shed for a single-family residence is a comparable accessory use to the previously approved accessory uses for the PUD, which include carports, garages, swimming pools, etc. Tract B within the PUD only permits single family dwelling units and individual owners desire to utilize a storage shed for their person storage of household goods and lawn equipment. The PUD provides that the BZA (now Hearing Examiner) to authorize other acceptable undefined accessory uses. The sheds would be subject to the setbacks for accessory uses that are provided in the Esperanza Place PUD.

b. The effect of the proposed use would have on neighboring properties in relation to the noise, glare, or odor effects shall be no greater than that of other permitted uses in the zoning district, overlay, or PUD.

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Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

The placement of a storage shed on a single-family lot according to the setbacks in place for other accessory structures will not have any negative impact on neighboring properties with regard to noise, odor or glare.

c. The proposed use is consistent with the GMP, meaning the applicable future land use designation does not specifically prohibit the proposed use, and, where the future land use designation contains a specific list of allowable uses, the proposed use is not omitted.

The PUD has been determined to be consistent with the Growth Management Plan. The addition of an accessory use will have no impact on the consistency of the PUD with the Growth Management Plan.

d. The proposed use shall be compatible and consistent with the other permitted uses in the zoning district, overlay, or PUD.

Yes, the proposed storage sheds are compatible with other permitted uses within Tract B of the PUD. Tract B permits only single-family dwellings, and it is common to have storage sheds as an accessory use for a residential dwelling. Storage sheds are permitted by right in all conventional single family zoning districts; therefore, they have been deemed compatible uses.

e. Any additional relevant information as may be required by County Manager or Designee.

The comparable use determination process has been required because of the language in the PUD that grants authority to the BZA (now Hearing Examiner) to authorize other comparable accessory uses in the Esperanza Place PUD.

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

ORDINANCE NO. 18- 44

AN ORDINANCE AMENDING ORDINANCE NO. 2008-28, AS AMENDED, THE ESPERANZA PLACE RPUD, TO REDUCE THE MAXIMUM NUMBER OF RESIDENTIAL DWELLING UNITS, FROM 262 TO 159 UNITS, TO ALLOW A MAXIMUM OF 45 GROUP HOUSING UNITS, TO ADD SINGLE FAMILY DWELLING UNITS, CHILD DAY CARE SERVICES, AND GROUP HOUSING AS PERMITTED USES IN TRACT A, TO ADD NEW DEVELOPMENT STANDARDS FOR GROUP HOUSING, TO ADD A NEW DEVIATION RELATING TO FENCE AND WALL STANDARDS, TO AMEND A DEVELOPER COMMITMENT RELATING TO AFFORDABLE HOUSING, AND TO AMEND THE MASTER PLAN. THE SUBJECT PROPERTY IS LOCATED ON THE NORTH SIDE OF IMMOKALEE DRIVE, APPROXIMATELY ONE QUARTER MILE EAST OF CARSON ROAD IN IMMOKALEE, IN SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA, CONSISTING OF 31.6± ACRES; AND BY PROVIDING AN EFFECTIVE DATE. [PL20170001326].

WHEREAS, on June 10, 2008, the Board of County Commissioners approved Ordinance Number 08-28, the Esperanza Place RPUD ("PUD"); and

WHEREAS, D. Wayne Arnold of Q. Grady Minor & Associates, representing Brookwood Residential, LLC, petitioned the Board of County Commissioners to amend the PUD

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE: Amendment to the PUD Document of Ordinance No. 2008-28, as amended

The PUD Document attached to Ordinance No. 2008-28, as amended, is hereby amended to read as follows:

See Exhibit "A," attached hereto and incorporated herein by reference.

SECTION TWO:

This Ordinance shall become effective upon filing with the Department of State.

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

PASSED AND DULY ADOPTED by super-majority vote of the Board of County Commissioners of Collier County, Florida, this 25th day of September, 2018.

ATTEST:
CRYSTAL K. KINZEL, CLERK

By: _____
Deputy Clerk

Attest as to chairman's signature only.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: _____
Andy Solis, Chairman

Approved as to form and legality:

_____ 8/22/18
Scott A. Stone
Assistant County Attorney

Attachments: Exhibit A – PUD Document

This ordinance filed with the Secretary of State's Office the 26th day of September, 2018 and acknowledgement of that filing received this 2nd day of October, 2018.

By _____
Deputy Clerk

* state entered to wrong email address

[17-CPS-01729/1429675/1]

8/22/18

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

Exhibit A

Esperanza Place Residential Planned Unit Development

Exhibit A

The Esperanza Place RPUD is a total of 31.63 +/- acres that will be developed with up to ~~262~~ 159 residential dwelling units and up to 45 group housing units. This amounts to a gross density of ~~8.28~~5.03+/- units per acre. The base density is 4 units per acre and the affordable housing density bonus is used to make up the difference.

I. Tract A:

Tract A of the Esperanza Place RPUD is approximately 15.83± acres, which are to be developed with up to ~~176~~ 96 dwelling units and related accessory uses.

A. Permitted Uses

No building or structure, or part thereof, shall be erected, altered or used, in whole or in part, for other than the following:

1. Principal Uses
   a. Multi-family dwelling units;
   ~~a.~~b. Single family dwelling units;
   ~~b.~~c. Zero-lot line units, including townhomes;
   d. Community center;
   ~~c.~~e. Child day care services
   f. Group Housing, including care units and transitional and emergency shelters not to exceed a maximum of 45 units (located only within areas designated R/GH on the PUD Master Plan).
   ~~d.~~g. Any other use that is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals (BZA) according to the process described in the Land Development Code (LDC).

2. Accessory Uses
   a. Garages;
   b. Carports;
   c. Recreation facilities, including but not limited to, swimming pools, tennis courts, playground equipment or other amenity;
   d. Essential services, in accordance with Section 2.01.03 of the LDC;
   e. Any other use that is comparable in nature with the foregoing list of permitted uses, as determined by the BZA according to the process described in the LDC.

B. Development Standards

Table 1 and Table 1.1, contained in Exhibit B, set forth the development standards for land uses within Tract A of the Esperanza Place RPUD. Standards not specifically set forth

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herein shall be those specified in applicable sections of the LDC in effect as of the date of the date of approval of the site development plan (SDP) or subdivision plat.

II. Tract B:

Tract B of the Esperanza Place RPUD is approximately 13.8± acres, which are to be developed with up to ~~85~~ 62 dwelling units and related accessory uses.

A. Permitted Uses

No building or structure, or part thereof, shall be erected, altered or used, in whole or in part, for other than the following:

1. Principal Uses
   a. Single-family, detached dwelling units;
   b. Single-family, attached dwelling units;
   c. Any other use that is comparable in nature with the foregoing list of permitted principal uses, as determined by the BZA according to the process described in the LDC.

2. Accessory Uses
   a. Garages;
   b. Carports;
   c. Essential services, in accordance with Section 2.01.03 of the LDC;
   d. Community clubhouse;
   e. Recreation facilities, including but not limited to, swimming pools, tennis courts, playground equipment or other amenity;
   f. Any other use that is comparable in nature with the foregoing list of permitted uses, as determined by the BZA according to the process described in the LDC.

B. Development Standards

Table 1 and Table 1.1, contained in Exhibit B, set forth the development standards for land uses within Tract B of the Esperanza Place RPUD. Standards not specifically set forth herein shall be those specified in applicable sections of the LDC in effect as of the date of the date of approval of the SDP or subdivision plat.

III. Tract C

Tract C of the Esperanza Place RPUD is approximately 2.0± acres, which are to be developed with up to 1 single-family dwelling unit and related accessory uses.

A. Permitted Uses

No building or structure, or part thereof, shall be erected, altered or used, in whole or in part, for other than the following:

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

1. Principal Uses
   a. Single-family dwelling units

2. Accessory Uses
   a. Garages;
   b. Carports;
   c. Storage sheds;
   d. Recreation facilities, including but not limited to, swimming pools, tennis courts, playground equipment or other amenity;
   e. Essential services, in accordance with Section 2.01.03 of the LDC;
   f. Any other use that is comparable in nature with the foregoing list of permitted uses, as determined by the BZA according to the process described in the LDC.

B. Development Standards

Table 1 and Table 1.1, contained in Exhibit B, set forth the development standards for land uses within Tract C of the Esperanza Place RPUD. Standards not specifically set forth herein shall be those specified in applicable sections of the LDC in effect as of the date of the date of approval of the SDP or subdivision plat.

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

Exhibit B

Development of the Esperanza Place RPUD shall be in accordance with the contents of this Ordinance and applicable sections of the LDC and Growth Management Plan (GMP) in effect at the time of issuance of any development order, such as, but not limited to, final subdivision plat, final site development plan, excavation permit and preliminary work authorization, to which such regulations relate. Where these regulations fail to provide developmental standards, then the provisions of the most similar district in the LDC shall apply.

Table 1 – Principal Structures

Tracts A, B & C Development Standards

DEVELOPMENT STANDARDS	SINGLE-FAMILY, DETACHED	SINGLE-FAMILY, ATTACHED AND DUPLEX	MULTI-FAMILY	ZERO-LOT LINE, TOWNHOMES (TRACT A ONLY)	GROUP HOUSING	CHILD DAY CARE/ COMMUNITY CENTER/ RECREATION BUILDINGS
PRINCIPAL STRUCTURES						
Minimum Lot Area	5,000 s.f. per unit	3,500 s.f. per unit	n/a	1,200 s.f. per unit	One Acre	n/a
Minimum Lot Width	50 feet	35 feet	n/a	15 feet	n/a	n/a
Minimum Floor Area	1,000 s.f.	750 s.f.	750 s.f.	750 s.f.	n/a	n/a
Minimum Setbacks:						
Front (see Note 2)	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
Side	7.5 feet	0 feet and 6 feet	10 feet	0 feet or 6 feet	5 feet	10 feet
Rear	15 feet	15 feet	15 feet	15 feet	10 feet	15 feet
Minimum Distance Between Structures	15 feet	12 feet	Greater than 20 feet	12 feet	0 feet	10 feet
Maximum "Zoned" Height	35 feet	35 feet	45 feet	45 feet	35 feet	45 feet
Maximum "Actual" Height	40 feet	40 feet	50 feet	50 feet	40 feet	50 feet

1) Principal structures located on corner lots may reduce one of the two front setbacks by 50 percent. The remaining setback must meet the full front setback standard.
2) Driveways shall be a minimum of 23 feet in length from the sidewalk to the garage door or façade of the structure to allow vehicles room to park without obstructing the sidewalk.

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Table 1.1 – Accessory Structures

Tracts A, B & C Development Standards

DEVELOPMENT STANDARDS	SINGLE-FAMILY, DETACHED	SINGLE-FAMILY, ATTACHED AND DUPLEX	MULTI-FAMILY	ZERO-LOT LINE, TOWNHOMES (TRACT A ONLY)	GROUP HOUSING	CHILD DAY CARE/ COMMUNITY CENTER/ RECREATION BUILDINGS
ACCESSORY STRUCTURES						
Minimum Setbacks:						
Front (see Note 1)	20 feet	20 feet	20 feet	20 feet	15 feet	10 feet
Side	5 feet	5 feet	5 feet	5 feet	5 feet	5 feet
Rear	5 feet	5 feet	5 feet	5 feet	5 feet	5 feet
Maximum "Zoned" Height	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet
Maximum "Actual" Height	40 feet	40 feet	40 feet	40 feet	40 feet	40 feet

1) Driveways shall be a minimum of 23 feet in length from the sidewalk to the garage door or façade of the structure to allow vehicles room to park without obstructing the sidewalk.

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

SITE DATA:

TRACT A: 15.83± ACRE (50.05% OF ACREAGE)
TRACT B: 13.80± ACRES (43.63% OF ACREAGE)
TRACT C: 2.00± ACRES (6.32% OF ACREAGE)

TOTAL SITE AREA = 31.63± ACRES

REQUIRED PRESERVE AREA:

EXISTING NATIVE VEGETATION X 0.25 = PRESERVE AMOUNT

UPLAND: 0.52 ACRES X 0.25 = 0.13 ACRES
WETLAND: 0.73 ACRES X 0.25 = 0.18 ACRES
TOTAL = 0.31 ACRES

DENSITY CALCULATIONS:

TRACT A: 96 DWELLING UNITS
TRACT B: 62 DWELLING UNITS
TRACT C: 1 UNIT

159 DWELLING UNITS / 31.63± ACRES = 5.03± UNITS PER ACRE
45 GROUP HOUSING UNITS

NOTES:

1. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MINOR MODIFICATION DUE TO AGENCY PERMITTING REQUIREMENTS.

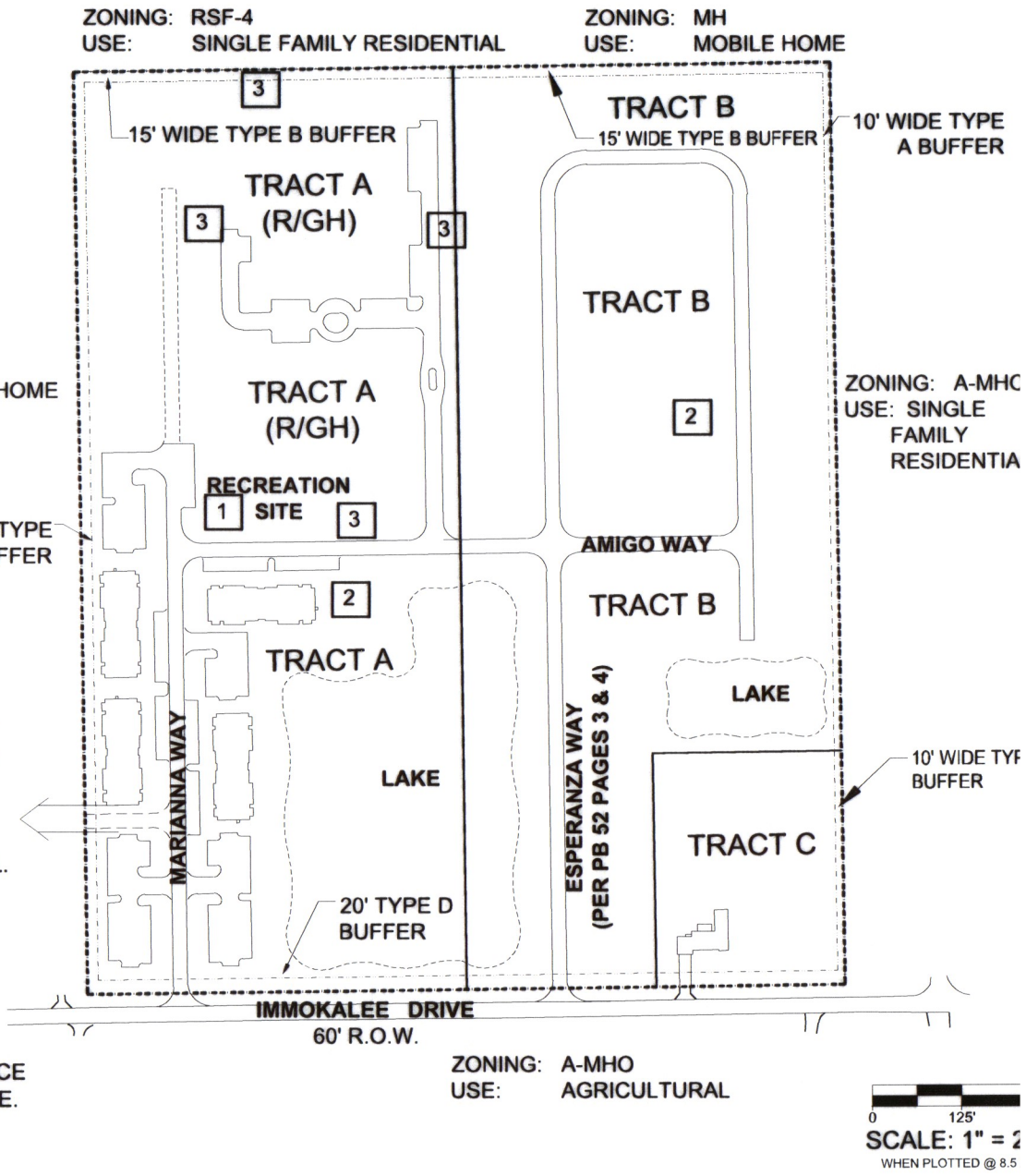
2. ALL ACREAGES ARE APPROXIMATE AND SUBJECT TO MODIFICATION AT THE TIME OF SDP OR PLAT APPROVAL.

DEVIATIONS (SEE EXHIBIT E):

1. ARCHITECTURAL DESIGN STANDARDS. (PREVIOUSLY APPROVED BY ORDINANCE 2008-28, EXHIBIT E)

2. NATIVE VEGETATION. (PREVIOUSLY APPROVED BY ORDINANCE 2008-28, EXHIBIT E) THERE ARE NO PRESERVES AREAS ONSITE.

3. FENCES AND WALLS.



LEGEND

[#] DEVIATIONS

(R/GH) RESIDENTIAL/GROUP HOUSING

GradyMinor
Civil Engineers • Land Surveyors • Planners • Landscape Architects
Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266
Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380
Q. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134

ESPERANZA PLACE RPUD

EXHIBIT C
MASTER PLAN
AMENDED 05/23/2018

SCALE: 1" = 250'
JOB CODE: EPPUDA
DATE: AUGUST 2017
FILE NAME: NPSP MCP 3 - 2017-REV3

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD

C:\GM LOCAL FILES\PLANNING\PROJ - PLANNING\EPPUDA- ESPERANZA PLACE PUD (PL20170001326)\DRAWINGS\NPSP MCP 3 - 2017-REV3.DWG 5/23/2018 2:25 PM

Exhibit D

Legal Description

PARCEL 1
OR 4242 PG 2471
A PARCEL OF LAND LOCATED IN SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 264.70 FEET OF THE EAST 1058.10 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA, LESS THE SOUTH 30.00 FEET THEREOF FOR ROAD RIGHT-OF-WAY. CONTAINING 7.90 ACRES, PLUS OR MINUS.

TOGETHER WITH

PARCEL 2
OR 4242 PG 2470
A PARCEL OF LAND LOCATED IN SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, ALL LYING AND BEING IN COLLIER COUNTY, FLORIDA, LESS AND EXCEPT THE EAST 1,058.80 FEET ~~THEROF~~THEREOF AND THE SOUTH 30.00 FEET FOR ROAD RIGHT OF WAY, CONTAINING 7.92 ACRES, MORE OR LESS.

TOGETHER WITH
PARCEL 3
OR 1596 PG 43
A PARCEL OF LAND LOCATED IN SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 264.70 FEET OF THE EAST 794.10 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA, LESS THE SOUTH 30.00 FEET THEREOF FOR ROAD RIGHT-OF-WAY. CONTAINING 7.90 ACRES, PLUS OR MINUS.

TOGETHER WITH
PARCEL 4
OR 1007 PG 1558
THE WEST 264.70' OF THE EAST 529.40' OF THE SE 1/4 OF THE SW 1/4 OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST ALL LYING AND BEING IN COLLIER COUNTY, FLORIDA, LESS THE SOUTH 30.OO' FOR ROAD R/W, CONTAINING 7.90 ACRES, MORE OR LESS.

BEING MORE PARTICULARLY DESCRIBED AS:

A PARCEL OF LAND LOCATED IN SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST THENCE RUN NORTH 89°15'36" EAST ALONG THE SOUTH LINE OF SAID SECTION 32, ALSO BEING THE CENTERLINE OF IMMOKALEE ROAD (60' RIGHT-OF-WAY), FOR A DISTANCE OF 1323.92 FEET; THENCE RUN NORTH 00°44'24" WEST FOR A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, THE SAME BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF IMMOKALEE DRIVE; THENCE RUN NORTH 00°51'21" WEST ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 32, FOR A DISTANCE OF 1,299.83 FEET; THENCE RUN NORTH 89°16'27" EAST, FOR A DISTANCE OF 1,060.74 FEET; THENCE RUN SOUTH 00°47'35" EAST, FOR A DISTANCE OF 1299.57 FEET TO A POINT ON THE SAID NORTHERLY RIGHT-OF-WAY LINE OF IMMOKALEE DRIVE; THENCE RUN SOUTH 89°15'35" WEST ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 1059.31 FEET TO THE POINT OF BEGINNING, CONTAINING 31.63 ACRES, MORE OR LESS.

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Exhibit E

Deviations from the Land Development Code

1. A deviation from Section 5.05.08 of the LDC which requires non-residential components of any PUD to meet architectural design standards to allow the non-residential component of Tract A to be exempt from these standards.

2. A deviation from Section 3.05.07 of the LDC which requires on-site preservation of 25 percent of the native vegetation on the site to allow off-site preservation or payment toward the Conservation Collier Trust Fund, in accordance with Commitment III.B, described in Exhibit F of this RPUD.

~~2.~~3. A deviation from Section 5.03.02.C.1.a, Fences and Walls, which requires residential zoning districts and designated residential components of PUDs shall be subject to a maximum fence or wall height of 6 feet for lots greater than 1 acre, to allow a perimeter wall height to be a maximum of 8 feet for the group housing use on Tract A.

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

Exhibit F

List of Developer Commitments

I. Affordable Housing:

A. As documented in the Affordable Housing Density Bonus Agreement, the developers have agreed to construct ~~60~~ 10 ~~owner-occupied dwelling units for residents in or below the workforce income category (61-80 percent of County median income) and 176~~ rental units for residents in or below the very low income category (~~51-60~~ 50 percent or less of County median income) and 36 rental units for residents in the low income category (51 – 60 percent of County median income).

II. Transportation:

A. If any entrance is to be gated, the face of said gate shall be located to maintain no less than a 100-foot throat length to the northerly edge of the pavement at its intersection with Immokalee Drive.

B. The developers shall pay a proportionate fair share contribution toward the cost of construction of improvements to the intersection of S.R. 29 and Lake Trafford Road. This contribution shall be made prior to the approval of the first site development plan (SDP) or plans and plat (PPL), whichever occurs first.

C. Because the developers anticipate using public funding to construct internal roads, they shall have the option of turning roads built in accordance with County construction standards for local roads over to the County for maintenance.

D. The project shall be limited to a maximum of 168 unadjusted PM peak hour two-way trips, based on the use codes in the ITE Manual on trip generation rates in effect at the time of application for SDP/SDPA or subdivision plat approval.

III. Environmental:

A. A Florida Black Bear Management Plan shall be provided to the County Manager, or designee, during SDP or plat review process.

B. At the time of original PUD approval, ~~T~~the site ~~currently contains~~ contained 1.26~~5~~± acres of native vegetation (0.52+/- acres of upland and 0.73± acres of wetland native vegetation onsite); a minimum of 25 percent, 0.3~~2~~1 acres, must be preserved. For the 0.13 acre portion of the upland vegetation, the applicant will donate an equivalent off-site preserve to be accepted by a public agency or contribute a monetary payment to Conservation Collier equivalent to the average per-acre value found in an appraisal of the entire site, multiplied by the number of acres to be preserved off-site, plus 15 percent of that amount as an endowment for management

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

of off-site land. The appraisal shall be based on the fair market value of the land as if the desired zoning were in place. Twenty-five percent of the 0.73 acre (0.18 acres) wetland native vegetation will be preserved and appropriately managed off-site at an approved mitigation bank. All preservation must be accomplished prior to SDP/PPL approval. This off-site preservation may be utilized as part of the required off-site mitigation requirement of the Environment Resource Permit.

C. The subject property was used for agricultural purposes and incurred clearing for which no permit can be located. In order for the clearing activities to be considered legal and re-creation of the removed vegetation not be required, an after-the-fact permit will be issued for the clearing of approximately 23.6 acres prior to approval for the SDP or PPL for relevant acreage. No after-the-fact clearing fee will be assessed against the developers. The regular clearing fee shall apply.

IV. PUD Monitoring:

A. One entity (hereinafter the Managing Entity) shall be responsible for PUD monitoring until close-out of the PUD, and this entity shall also be responsible for satisfying all PUD commitments until close-out of the PUD. At the time of this PUD approval, the Managing Entity is Brookwood Residential, LLC. Should the Managing Entity desire to transfer the monitoring and commitments to a successor entity, then it must provide a copy of a legally binding document that needs to be approved for legal sufficiency by the County Attorney. After such approval, the Managing Entity will be released of its obligations upon written approval of the transfer by County staff, and the successor entity shall become the Managing Entity. As Owner and Developer sell off tracts, the Managing Entity shall provide written notice to County that includes an acknowledgement of the commitments required by the PUD by the new owner and the new owner's agreement to comply with the Commitments through the Managing Entity, but the Managing Entity shall not be relieved of its responsibility under this Section. When the PUD is closed-out, then the Managing Entity is no longer responsible for the monitoring and fulfillment of PUD commitments.

V. Miscellaneous

A. Issuance of a development permit by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. (Section 125.022, FS)

B. All other applicable state or federal permits must be obtained before commencement of the development.

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

Ann P. Jennejohn

From: Ann P. Jennejohn
Sent: Wednesday, September 26, 2018 10:39 AM
To: 'countyordinances@dos.myflorida.com'
Subject: CLL20180926_Ordinance2018_44
Attachments: CLL20180926_Ordinance2018_44.pdf

COUNTY: CLL (COLLIER)

ORDINANCE NUMBER: 2018-44

SENT BY: Collier County Clerk of the Circuit Court
Board Minutes & Records Department

SENDER'S PHONE: 239-252-8406

Thank you.

Ann Jennejohn, Deputy Clerk
Board Minutes & Records Department
Collier County Value Adjustment Board
239-252-8406

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

September 26, 2018

Ms. Crystal K. Kinzel, Interim Clerk
Collier County
Post Office Box 413044
Naples, Florida 34101-3044

Attention: Ann Jennejohn

Dear Ms. Kinzel:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 18-44, which was filed in this office on September 26, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6270
www.dos.state.fl.us

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

PROPERTY OWNERSHIP DISCLOSURE FORM

This is a required form with all land use petitions, except for Appeals and Zoning Verification Letters.

Should any changes of ownership or changes in contracts for purchase occur subsequent to the date of application, but prior to the date of the final public hearing, it is the responsibility of the applicant, or agent on his behalf, to submit a supplemental disclosure of interest form.

Please complete the following, use additional sheets if necessary.

a. If the property is owned fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest:

Name and Address	% of Ownership
N.A.	

b. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each:

Name and Address	% of Ownership
Habitat for Humanity of Collier County, Inc. (a not for profit corporation)	100
11145 Tamiami Tr. E., Naple, FL 34113	

c. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with the percentage of interest:

Name and Address	% of Ownership
N.A.	

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COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

d. If the property is in the name of a GENERAL or LIMITED PARTNERSHIP, list the name of the general and/or limited partners:

Name and Address	% of Ownership
N.A.	

e. If there is a CONTRACT FOR PURCHASE, with an individual or individuals, a Corporation, Trustee, or a Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners:

Name and Address	% of Ownership
N.A.	

Date of Contract: _____

f. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust:

Name and Address
N.A.

g. Date subject property acquired 11/1990

☐ **Leased: Term of lease _____ years /months**

If, Petitioner has option to buy, indicate the following:

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

Any petition required to have Property Ownership Disclosure, will not be accepted without this form. Requirements for petition types are located on the associated application form. Any change in ownership whether individually or with a Trustee, Company or other interest-holding party, must be disclosed to Collier County immediately if such change occurs prior to the petition's final public hearing.

As the authorized agent/applicant for this petition, I attest that all of the information indicated on this checklist is included in this submittal package. I understand that failure to include all necessary submittal information may result in the delay of processing this petition.

The completed application, all required submittal materials, and fees shall be submitted to:

Growth Management Department
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

D. Wayne Arnold Digitally signed by D. Wayne Arnold Date: 2022.02.03 15:33:29 -05'00'
Agent/Owner Signature

February 3, 2022
Date

D. Wayne Arnold, AICP
Agent/Owner Name (please print)

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for

INSTR 5509553 OR 5476 PG 2751 RECORDED 2/13/2018 9:32 AM PAGES 6
DWIGHT E. BROCK, CLERK OF THE CIRCUIT COURT, COLLIER COUNTY FLORIDA
DOC@.70 $2,954.00 REC $52.50
CONS $422,000.00

b/

Prepared by and after recording return to:

Robert Cheng, Esquire
Shutts & Bowen LLP
200 South Biscayne Boulevard
Suite 4100
Miami, Florida 33131

Parcel Identification Nos.: 31345980029, 31345980100, 31345980045, 31345980126, 31345980207, 31345980223, 31345980249, 31345980265, 31345980281, 31345980304, 31345980320, 31345980346, 31345980362, 31345980388, 31345980401

NOT RECORDED COPY

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this 9th day of February, 2018, by BROOKWOOD RESIDENTIAL, LLC, a Florida limited liability company ("**Grantor**"), having a mailing address at P.O. Box 343529, Florida City, Florida 33034, to HABITAT FOR HUMANITY OF COLLIER COUNTY, INC., a Florida not for profit corporation ("**Grantee**"), having a mailing address at 11145 Tamiami Trail East, Naples, Florida 34113.

WITNESSETH:

That Grantor, in consideration of Ten Dollars ($10.00) and other good and valuable consideration, to it paid by Grantee, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, remise, release, convey and confirm to Grantee all of Grantor's right, title, and interest in and to that certain land, situated in Collier County, Florida and more particularly described on the attached Exhibit A attached hereto and by this reference expressly made a part hereof ("**Property**").

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

This conveyance is subject to: (a) taxes and assessments for the year of closing and subsequent years which are not yet due and payable; (b) all applicable laws, including zoning, subdivision and building ordinances and land use laws and regulations and other requirements imposed by any governmental authority, (c) restrictions or matters appearing on any plat of the Property (if any) or otherwise common to the subdivision of the Property, if any; and (d) all covenants, conditions, restrictions, rights of way, limitations, easements and similar matters of record, if any, but this reference shall not operate to reimpose same.

To have and to hold the same unto Grantee in fee simple forever.

Grantor hereby covenants with Grantee that it is lawfully seized of the Property in fee simple, that it has good right and lawful authority to sell and convey the Property, that it hereby warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but no others.

Notwithstanding the foregoing, Grantor hereby reserves a perpetual ingress, egress and utility easement in, on, over and across the portion of the Property more particularly described on the attached Exhibit B attached hereto and by this reference expressly made a part hereof (the "**Reserved Easement**") that allows for pedestrian and vehicular ingress, egress and future connections to the adjacent property

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for Humanity)

owned by Grantor and more particularly described on the attached Exhibit C attached hereto and by this reference expressly made a part hereof (the "**Benefitted Property**").

IN WITNESS WHEREOF, Grantor has executed this Deed on the date first above written.

Executed in the presence of:

Name: Fabiola Vidales

Name: Lisa Tomes

Grantor:

Brookwood Residential, LLC, a Florida limited liability company

By: Everglades Housing Trust, Incorporated, a Florida not-for-profit corporation, its Sole Member

By: _____
Steven Kirk, President

STATE OF FLORIDA
COUNTY OF Miami Dade

On this 30th day of January, 2018, before me, the undersigned notary public, personally appeared Steven Kirk, as President of Everglades Housing Trust, Incorporated, a Florida not-for-profit corporation, the Sole Member of **Brookwood Residential, LLC**, a Florida limited liability company, on behalf of such entity, personally known to me to be the person who subscribed to the foregoing instrument or who has produced _____, as identification, and acknowledged that he executed the same on behalf of said company and that he was duly authorized so to do.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(notary seal)

FABIOLA VIDALES
Notary Public – State of Florida
Commission # GG 126429
My Comm. Expires Jul 26, 2021
Bonded through National Notary Assn.

NOTARY PUBLIC, STATE OF FLORIDA

NOT A CERTIFIED COPY

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for Humanity)

EXHIBIT A

Legal Description of Property

Tracts A, L-2, FD-1, Lot 1 and Lots 5-15 of Esperanza Place, according to the plat thereof, recorded in Plat Book 52, Pages 3 and 4 of the Public Records of Collier County, Florida.

NOT A CERTIFIED COPY

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for Humanity)

EXHIBIT B

Legal Description of the Reserved Easement

Tract A of Esperanza Place, according to the plat thereof, recorded in Plat Book 52, Pages 3 and 4 of the public records of Collier County, Florida.

NOT A CERTIFIED COPY

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for Humanity)

EXHIBIT C

Legal Description of the Benefitted Property

PARCEL 1:

LEGAL DESCRIPTION FOR ESPERANZA PLACE (B-3627-3)
PHASE 2

A PARCEL OF LAND LOCATED LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA; THENCE RUN ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEWEST QUARTER OF SAID SECTION 32, NORTH 89°16'27" EAST, FOR A DISTANCE OF 531.34 FEET TO A POINT ON THE WEST LINE OF THOSE LANDS RECORDED IN OFFICIAL RECORDS BOOK 1596 AT PAGE 43 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE RUN ALONG SAID WEST LINE SOUTH 00°47'35" EAST, FOR A DISTANCE OF 145.19 FEET; THENCE RUN SOUTH 89°21'34" WEST, FOR A DISTANCE OF 87.46 FEET; THENCE RUN SOUTH 51°24'27" WEST, FOR A DISTANCE OF 91.84 FEET; THENCE RUN NORTH 27°40'23" WEST, FOR A DISTANCE OF 26.44 FEET; THENCE RUN SOUTH 90°00'00" WEST, FOR A DISTANCE OF 167.73 FEET; THENCE RUN SOUTH 50°34'53" WEST, FOR A DISTANCE OF 30.49 FEET; THENCE RUN SOUTH 00°48'08" EAST, FOR A DISTANCE OF 40.64 FEET; THENCE RUN NORTH 89°11'52" EAST, FOR A DISTANCE OF 10.51 FEET; THENCE RUN SOUTH 00°48'08" EAST, FOR A DISTANCE OF 120.42 FEET; THENCE RUN NORTH 89°12'25" EAST, FOR A DISTANCE OF 179.37 FEET; THENCE RUN SOUTH 00°48'48" EAST, FOR A DISTANCE OF 116.28 FEET; THENCE RUN SOUTH 89°12'25" WEST, FOR A DISTANCE OF 179.37 FEET; THENCE RUN SOUTH 00°48'48" EAST, FOR A DISTANCE OF 57.11 FEET; THENCE RUN SOUTH 89°12'25" WEST, FOR A DISTANCE OF 177.80 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE RUN ALONG SAID WEST LINE NORTH 00°51'21" WEST, FOR A DISTANCE OF 529.46 FEET TO THE POINT OF BEGINNING, CONTAINING 4.00 ACRES, MORE OR LESS.

AND

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for Humanity)

PARCEL 2:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA; THENCE RUN ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, NORTH 89°16'27" EAST, FOR A DISTANCE OF 531.34 FEET TO A POINT ON THE WEST LINE OF THOSE LANDS RECORDED IN OFFICIAL RECORDS BOOK 1596 AT PAGE 43 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE RUN ALONG SAID WEST LINE SOUTH 00°47'35" EAST, FOR A DISTANCE OF 145.19 FEET, TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE ALONG SAID WEST LINE SOUTH 00°47'35" EAST FOR A DISTANCE OF 571.24 FEET; THENCE RUN SOUTH 89°09'14" WEST, FOR A DISTANCE OF 95.98 FEET; THENCE RUN SOUTH 00°48'08" EAST, FOR A DISTANCE OF 83.43 FEET; THENCE RUN SOUTH 89°09'42" WEST, FOR A DISTANCE OF 212.53 FEET; THENCE RUN NORTH 00°48'42" WEST, FOR A DISTANCE OF 151.17 FEET; THENCE RUN NORTH 89°12'25" EAST, FOR A DISTANCE OF 27.69 FEET; THENCE RUN NORTH 00°48'08" WEST, FOR A DISTANCE OF 177.22 FEET; THENCE RUN NORTH 89°12'25" EAST, FOR A DISTANCE OF 107.29 FEET; THENCE RUN NORTH 00°48'08" WEST, FOR A DISTANCE OF 116.28 FEET; THENCE RUN SOUTH 89°12'25" WEST, FOR A DISTANCE OF 179.37 FEET; THENCE RUN NORTH 00°48'08" WEST, FOR A DISTANCE OF 120.42 FEET; THENCE RUN SOUTH 89°11'52" WEST, FOR A DISTANCE OF 10.51 FEET; THENCE RUN NORTH 00°48'08" WEST, FOR A DISTANCE OF 40.64 FEET; THENCE RUN NORTH 50°34'53" EAST, FOR A DISTANCE OF 30.49 FEET; THENCE RUN NORTH 90°00'00" EAST, FOR A DISTANCE OF 167.73 FEET; THENCE RUN SOUTH 27°40'23" EAST, FOR A DISTANCE OF 26.44 FEET; THENCE RUN NORTH 51°24'27" EAST, FOR A DISTANCE OF 91.84 FEET; THENCE RUN NORTH 89°21'34" EAST, FOR A DISTANCE OF 87.46 FEET TO THE POINT OF BEGINNING, CONTAINING 4.02 ACRES, MORE OR LESS.

Attachment: Attachment A - Application and Supporting Documents (22457 : PL20220000887 PCUD Esperanza Place RPUD Habitat for Humanity)