

COLLIER COUNTY
Collier County Hearing Examiner



AGENDA

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

April 27, 2023

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 Andrew.Youngblood@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. DR-PL20220000558 – Viage Bayshore Marina – A request for approval of a site plan with deviations pursuant to LDC Section 10.02.03.F and seeks four deviations: (1) from LDC Section 4.02.16.C.7.c to instead allow an enhanced Type ‘D’ landscape buffer and a solid 8 foot vinyl fence along Riverview Drive to screen the boats and boat racks; (2) from LDC Section 4.02.16.C.10.d to increase the maximum height of 17 feet for stored or displayed boats to 29 feet; (3) from LDC Section 4.02.16.C.10.e to reduce the required 50 foot setbacks to a 15 foot setback from Riverview Drive and a 10 foot setback from Lakeview Drive; and (4) from LDC Section 4.02.16.C.10.g to instead allow an enhanced 10 foot Type ‘D’ buffer with an 8 foot solid vinyl fence along Lakeview Drive, Riverview Drive, and Bayshore Drive, with each street buffer consisting of specific planting and vegetation requirements, for the redevelopment of Viage Bayshore Marina, consisting of ±1.48-acres and located at 3470 Bayshore Drive, Naples, FL 34112, also known as Lots 25, 26, 27, and 28, Block 4, and Lots 1, 2, 3, and 4, Block 5, Gulf Shores subdivision, in Section 14, Township 50 South, Range 25 East, Collier County, Florida.[Sean Sammon, Planner III] Commissioner District 4**
4. **Other Business**
5. **Public Comments**
6. **Adjourn**

04/27/2023

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.A**Doc ID:** 25127

Item Summary: PETITION NO. DR-PL20220000558 – Viage Bayshore Marina – A request for approval of a site plan with deviations pursuant to LDC Section 10.02.03.F and seeks four deviations: (1) from LDC Section 4.02.16.C.7.c to instead allow an enhanced Type ‘D’ landscape buffer and a solid 8 foot vinyl fence along Riverview Drive to screen the boats and boat racks; (2) from LDC Section 4.02.16.C.10.d to increase the maximum height of 17 feet for stored or displayed boats to 29 feet; (3) from LDC Section 4.02.16.C.10.e to reduce the required 50 foot setbacks to a 15 foot setback from Riverview Drive and a 10 foot setback from Lakeview Drive; and (4) from LDC Section 4.02.16.C.10.g to instead allow an enhanced 10 foot Type ‘D’ buffer with an 8 foot solid vinyl fence along Lakeview Drive, Riverview Drive, and Bayshore Drive, with each street buffer consisting of specific planting and vegetation requirements, for the redevelopment of Viage Bayshore Marina, consisting of ±1.48-acres and located at 3470 Bayshore Drive, Naples, FL 34112, also known as Lots 25, 26, 27, and 28, Block 4, and Lots 1, 2, 3, and 4, Block 5, Gulf Shores subdivision, in Section 14, Township 50 South, Range 25 East, Collier County, Florida.[Sean Sammon, Planner III] Commissioner District 4

Meeting Date: 04/27/2023**Prepared by:**

Title: Principal Planner – Zoning

Name: Sean Sammon

04/04/2023 9:34 AM

Submitted by:

Title: Zoning Director – Zoning

Name: Mike Bosi

04/04/2023 9:34 AM

Approved By:**Review:**

Growth Management Operations & Regulatory Management Michael Stark			Review Item	Completed
			04/04/2023 2:14 PM	
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	04/11/2023 1:10 PM
Zoning	Sean Sammon	Review Item	Skipped	04/04/2023 9:16 AM
Zoning	Ray Bellows	Review Item	Completed	04/11/2023 1:24 PM
Zoning	Mike Bosi	Division Director	Completed	04/11/2023 2:25 PM
Zoning	Sean Sammon	Review Item	Skipped	04/04/2023 9:16 AM
Hearing Examiner	Andrew Dickman	Meeting Pending	04/27/2023 9:00 AM	



STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: ZONING DIVISION – ZONING SERVICES SECTION
GROWTH MANAGEMENT COMMUNITY DEVELOPMENT DEPARTMENT

HEARING DATE: APRIL 27, 2023

SUBJECT: VIAGE BAYSHORE MARINA, SITE PLAN WITH DEVIATIONS,
DR-PL20220000558

PROPERTY OWNER/AGENT:

Applicant/Owner:

Viage Marinas, LLC
17913 Spencer Rd
Odessa, FL 33556

Agent:

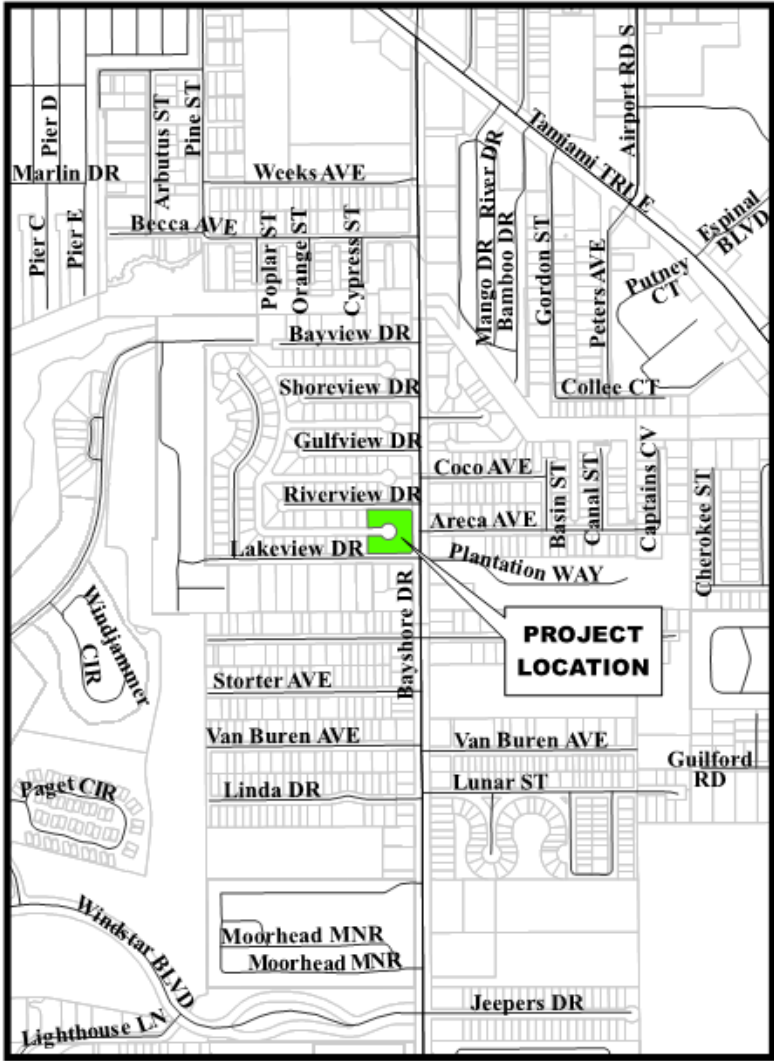
Jessica Harrelson, AICP
Peninsula Engineering
2600 Golden Gate Pkwy
Naples, FL 34105

REQUESTED ACTION:

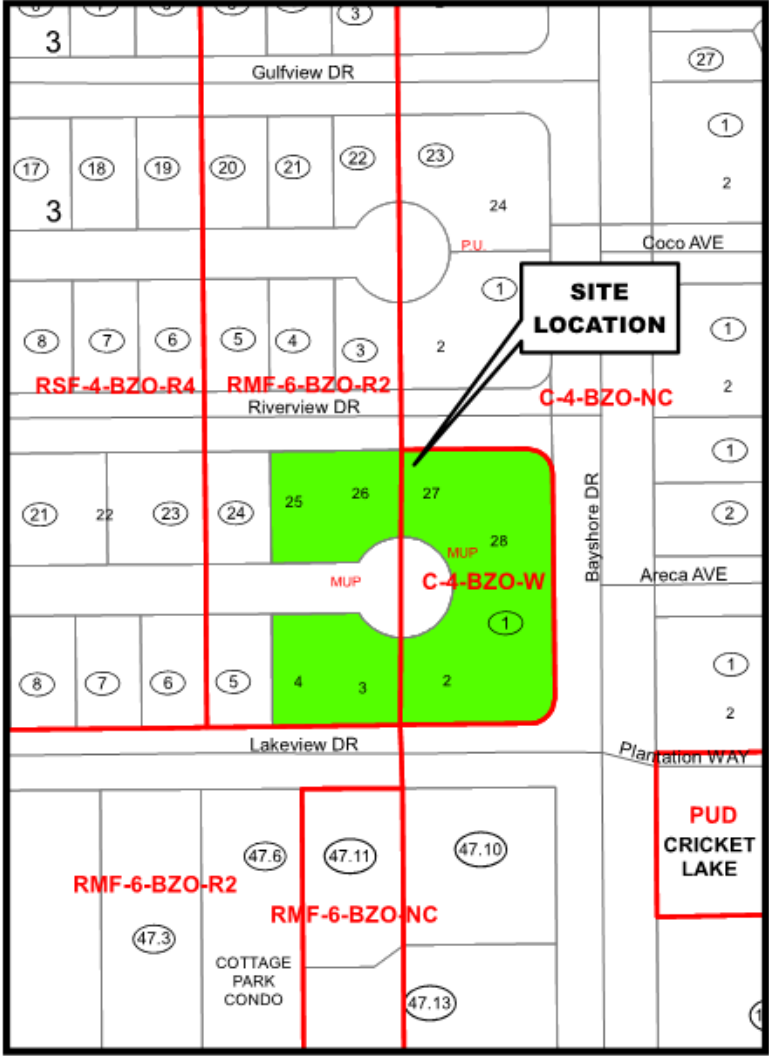
The applicant requests approval of a site plan with deviations pursuant to LDC Section 10.02.03.F and seeks four deviations: (1) from LDC Section 4.02.16.C.7.c to instead allow an enhanced Type 'D' landscape buffer and a solid 8-foot vinyl fence along Riverview Drive to screen the boats and boat racks; (2) from LDC Section 4.02.16.C.10.d to increase the maximum height of 17 feet for stored or displayed boats to 29 feet; (3) from LDC Section 4.02.16.C.10.e to reduce the required 50-foot setbacks to a 15-foot setback from Riverview Drive and a 10-foot setback from Lakeview Drive; and (4) from LDC Section 4.02.16.C.10.g to instead allow an enhanced 10 foot Type 'D' buffer with an 8-foot solid vinyl fence along Lakeview Drive, Riverview Drive, and Bayshore Drive, with each street buffer consisting of specific planting and vegetation requirements, for the redevelopment of Viage Bayshore Marina.

GEOGRAPHIC LOCATION:

The subject property (Parcel #48173280007) is ±1.48-acres and is located at 3470 Bayshore Drive Naples, FL 34112, also known as Lots 25, 26, 27, and 28, Block 4, and Lots 1, 2, 3, and 4, Block 5, Gulf Shores subdivision, along the west side of Bayshore Drive between the intersections of Bayshore Drive and Riverview Drive and Lakeview Drive, approximately one-half of a mile south of Tamiami Trail East in Section 14, Township 50 South, Range 25 East, of Collier County, Florida (See location map page 2).



Location Map



Zoning Map

Petition Number: PL20220000558

PURPOSE AND DESCRIPTION OF PROJECT:

The site of Viage Bayshore Marina was originally developed in the Marina Lots as a marina with accessory boat sales and repairs in 1973 prior to the Bayshore Zoning Overlay (BZO). The adjacent parking lot was added on the four westernmost residentially zoned lots in the Accessory Parking Zoning Overlay. The property owner is requesting a Site Plan with Deviations for Redevelopment (DR) in order to permit the re-installation of boat racks on the C-4 zoned Marina lots in order to continue business operations since the property's inception.

Prior to the establishment of the Bayshore Zoning Overlay, the Marina Lots, Lots 1, 2, 27, and 28, were developed as a marina with accessory boat sales and repairs. The parking lot located on the four westernmost residentially zoned Accessory Parking Zoning Overlay (APZ) lots, Lots 3, 4, 25, and 26, were constructed per the approved Site Development Plan, SDP-2001-AR-1873, subject to the APZ. According to LDC Section 4.02.16 C.1, the APZ *"permits lots adjacent to the BZO-W Subdistrict to be used for off street parking as an accessory use to an adjacent non-residential principal use under the same ownership or legal control"*. The site comprised of multiple dry storage boat racks between ±20 feet to ±40 feet in height. Because of the unsafe and poor condition of the racks, they were demolished in 2018 through 2021 while boat and trailer parking, storage, and other marina operations continued to occur throughout the subject property, including the APZ lots.

In December 2020, Viage Marinas, LLC, purchased and acquired the subject property with the goal to provide a safe and functional development. Viage Marinas had the previous boat racks removed completely and then installed new, two-level high racks, 20 feet in height, to continue the business operations in March 2021. The new racks allowed for all boat storage, sales, and displays to occur solely on the Marina Lots which relocated the marina operations away from the adjacent residential properties. A Site Development Plan Insubstantial Change (SDPI), petition number PL20220004489, was submitted to permit the installation of the new racks. During the SDPI review, staff confirmed that the improvements required compliance with current code requirements. The BZO was amended in April 2022 by Ordinance 2022-12, updating design standards that the Viage Marina subject property is unable to currently meet due to site constraints. The current code requirements would render the subject property inoperable for its current use and site design. Therefore, a total of four (4) primary and two (2) secondary deviations are being requested as alternate options to specific code requirements and will provide an aesthetic enhancement for the overall site. These deviations are detailed in the Deviations and Justifications section; a summary list is provided here:

Primary:

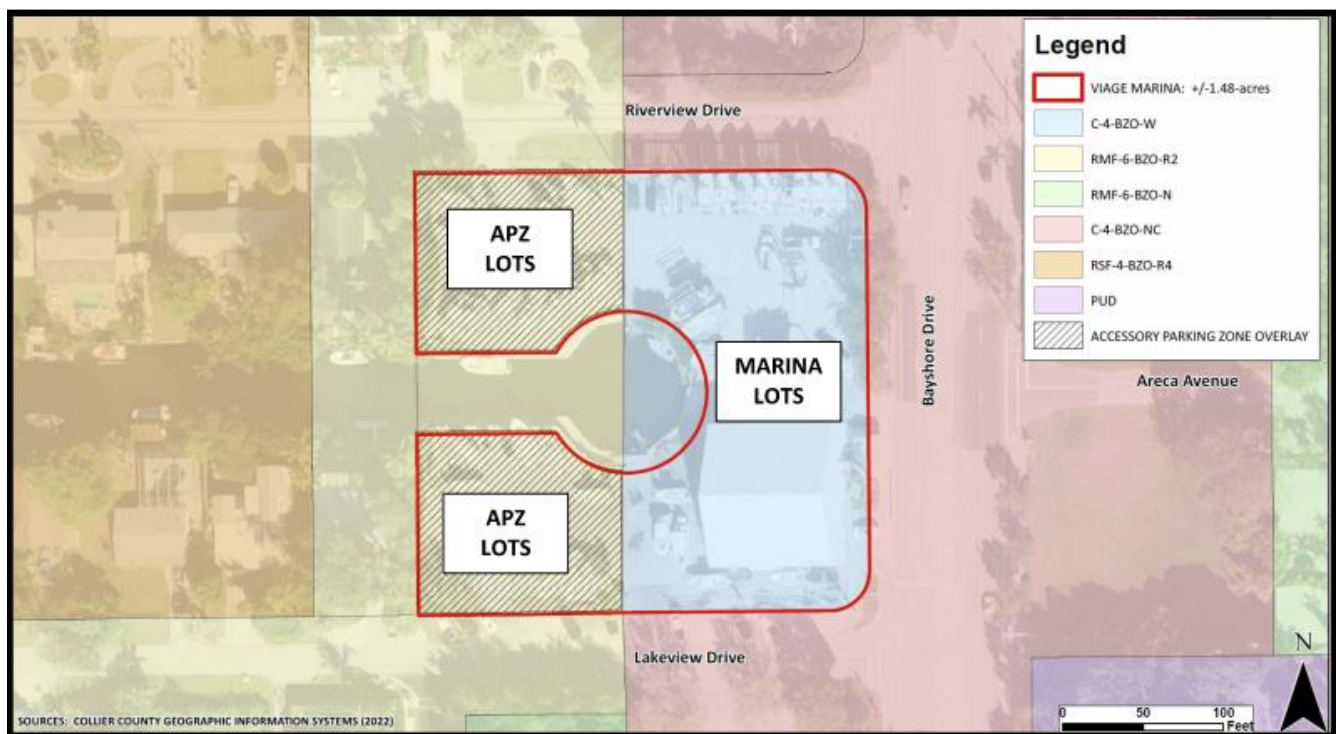
1. To allow an enhanced Type 'D' landscape buffer and a solid 8' vinyl fence along Riverview Drive to screen the boats and boat racks.
2. To allow a maximum height of 29' (20' boat racks and an additional 9' to accommodate the height of boats).
3. To allow a 15' setback from Riverview Drive and a 10' setback from Lakeview Drive.
4. To allow an Enhanced 10' Type 'D' buffer along Lakeview Drive consisting of a solid 8' vinyl fence and with specific vegetation and planting requirements.

Secondary:

5. To allow an enhanced 10' Type 'D' buffer along Riverview Drive consisting of a solid 8' vinyl fence and with specific vegetation and planting requirements.
6. To allow a 10' landscape buffer along Bayshore Drive consisting of a solid 8' vinyl fence and with specific vegetation and planting requirements.

A Mixed-Use Project (MUP), known as The Odyssey (Res 07-73/MUP-2006-AR-10052) was approved for the subject property prior to it becoming a marina. The MUP expired and the existing site compared to the previously approved MUP is significantly less intense.

When Viage Marinas, LLC originally constructed the new 20-foot boat racks within the APZ lots, it resulted in a code enforcement violation since the APZ is restricted to accessory vehicular parking only. Since then, Viage Marinas relocated the racks to the Marina Lots. Viage Marinas has been working to remove all marina operations, boat, trailer, parking, and storage, from the APZ lots due to the Code Case #CELU20220004146 which was closed on November 29, 2022. Since then, other Code Cases have been and remain open. The first is #CELU20220001056, which was opened on February 6, 2023. The description for the Code Case is *“Illegal Outside Storage”*. The second Code Case that was opened and entered on April 23, 2021, is #CELU20210004109, with a description of *“Bayshore CRA has received complaints regarding new boat racks being installed, noise and debris at the Marina located at the corner of Bayshore and Riverview.”*



Subject Property Marina Lots vs. APZ Lots – Source: Collier County GIS/Peninsula Engineering

[illegible][illegible]

15600 Golden Gate Parkway
Naples, Florida 34105
Phone: 239.413.6700 Fax: 239.261.1787
Email: info@peri-eng.com Website: www.peri-eng.com
Florida Engineering Certificate of Authorization #26275
Florida Landscape Certificate of Authorization RLC260006

TITLE:

SITE PLAN -
DEVIATIONS

VIAGE MARINAS, LLC

REVISIONS		
No.	Revision	Date
1	BOR - FIRST SUBMITTAL	03/20/20
2	REMOVED PER CC RA	03/20/20
3	PER CC RA DATED AUGUST 15, 2021	08/17/21
4	DR COMMENT REVIEW AND UPDATES	11/14/23
5	REMOVE OFF SITE PARKING AND SIGNAGE PER RA AND DR REQUEST	03/09/24

NOTES

PROFESSIONAL SEALS:

PROFESSIONAL ENGINEER: JENNA WOODWARD, P.E.

CLERICAL: LEXIEE SUMNER

DATA NOTE

SEC 14	TWP 50	ROE
City NAPLES	County COLLIER	
Designed by JENNA WOODWARD, P.		
Drawn by JENNA WOODWARD, P.		
Date 6/20		
Horizontal Scale 1" =		
Vertical Scale N.T.		
Project Number P-VIAG-001-0		
File Number P-VIAG-001-001-004		
C-120		
Sheet Number 05	of 5	

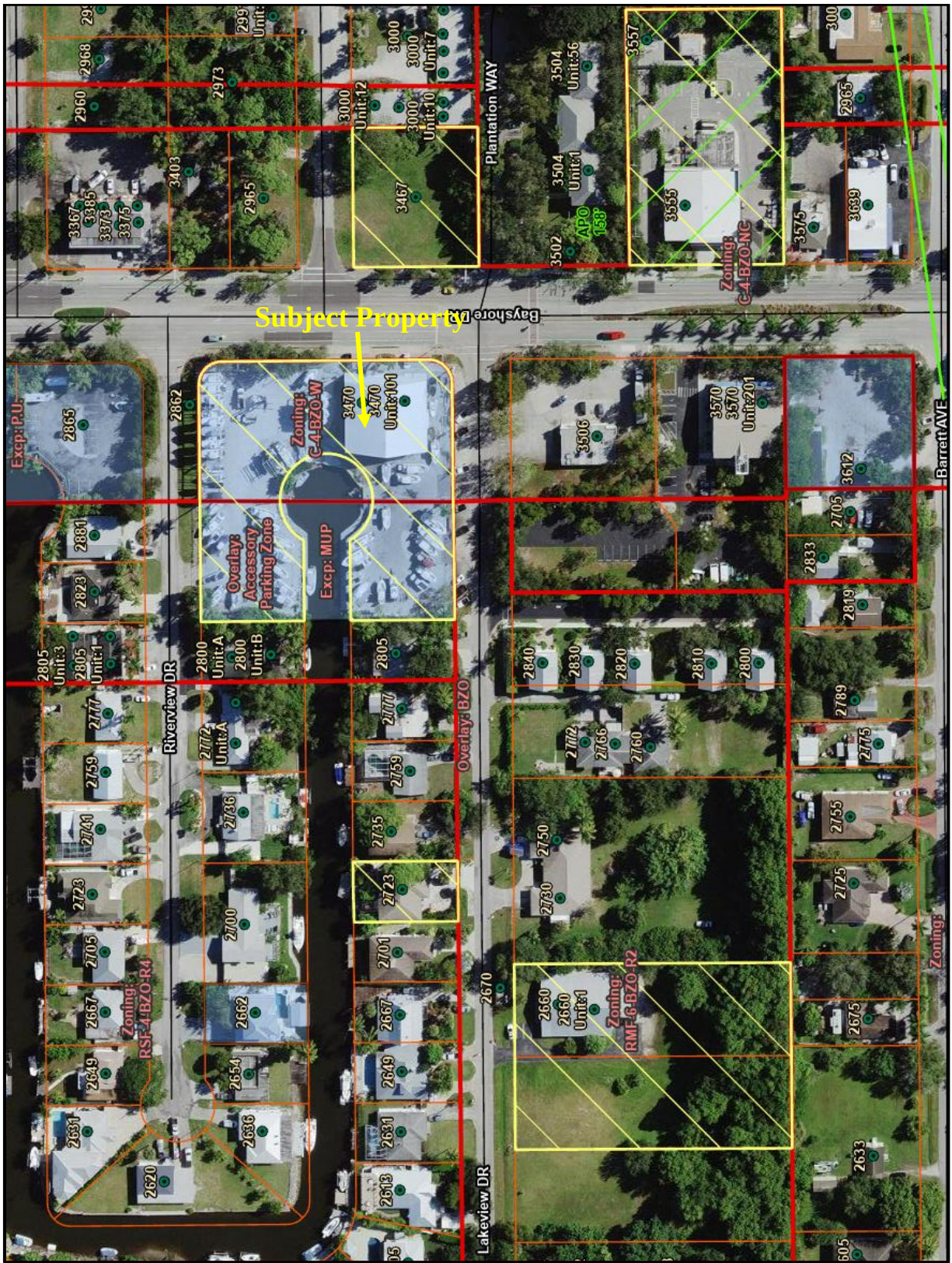
SURROUNDING LAND USE AND ZONING:

This section of the staff report identifies the land uses and zoning classifications for properties surrounding the boundaries of the subject property. The subject property is zoned General Commercial (C-4) in the Bayshore Zoning Overlay (BZO) Waterfront Subdistrict (W) on the four eastern lots numbered 1, 2, 27, and 28; and the four western lots numbered 3, 4, 25, and 26 are in the Accessory Parking Zoning (APZ) Overlay. The surrounding zoning and land use are as follows:

- North:** Developed neighborhood commercial and residential and Riverview Drive, land zoned General Commercial (C-4) in the Bayshore Zoning Overlay (BZO) Neighborhood Commercial Subdistrict (NC) and Residential Multi-Family-6 (RMF-6) Bayshore Zoning Overlay (BZO) Residential Subdistrict 2 (R-2).
- East:** Developed neighborhood commercial and residential and Bayshore Drive, land zoned General Commercial (C-4) in the Bayshore Zoning Overlay (BZO) Neighborhood Commercial Subdistrict (NC)
- South:** Developed neighborhood commercial and residential and Lakeview Drive, land zoned General Commercial (C-4) in the Bayshore Zoning Overlay (BZO) Neighborhood Commercial Subdistrict (NC) and Residential Multi-Family-6 (RMF-6) Bayshore Zoning Overlay (BZO) Neighborhood Commercial Subdistrict (NC).
- West:** Developed neighborhood commercial and residential and a canal, land zoned Residential Multi-Family-6 (RMF-6) Bayshore Zoning Overlay (BZO) Residential Subdistrict 2 (R-2).



Subject Property Aerial – Source: Collier County GIS



APPLICANT'S JUSTIFICATIONS FOR REQUESTED DEVIATIONS:

The petitioner is seeking four (4) primary and two (2) secondary deviations from the requirements of the Land Development Code (LDC). The deviations are listed below with staff analysis and recommendations.

Primary Deviations

Proposed Deviation #1 seeks relief from LDC Section 4.02.16. C.7.c “Marinas and Boatyards,” which requires all boat racks to be enclosed with a wall or fence, with boats not exceeding the height of the enclosure, to instead allow an enhanced Type ‘D’ landscape buffer and a solid 8’ vinyl fence along Riverview Drive to screen the boats and boat racks. The enhanced 10’ Type ‘D’ buffer shall consist of a row of Cabbage Palms 16’-24’ in height (clear trunk) at the time of planting, a row of Dahoon Hollies a minimum of 6’ in height at the time of planting, a row of Green Buttonwoods a minimum 10’ in height at time of planting and spaced a maximum 30’ on center, and a hedge that is a minimum 36” in height at time of planting and spaced 36” on center.

Petitioner’s Justification: *The subject property has been utilized as a marina since the early 1970’s, prior to the establishment of the Bayshore Zoning Overlay. Due to the size of the property, current code requirements contained within Bayshore Zoning Overlay, create significant constraints and challenges with proposed site improvements. Previous boat racks, ranging in height from ±20’ to ±40’, were removed due to unsafe, poor conditions from 2018-2021. This deviation will allow the re-installation of boat racks on the subject property for storage, display, and sales which are imperative to the operations of the existing marina. The new racks will also allow the site to function safely. All storage and marina operations will be removed from the lots located within the Accessory Parking Zone. The newly installed racks are 20 in height (±29 including a boat); therefore, less intense than the original on-site racks. The total land area available for the marina operations on the C-4 zoned lots is very limited, making it impossible to meet new design standards. The existing 6’ chain link fence will be replaced with a solid 8’ vinyl fence and enhanced landscaping will be also installed, which will be beneficial to the surrounding community by making the site more aesthetically pleasing.*

Staff Analysis and Recommendation: Staff sees no detrimental impact to the surrounding area should the deviation be approved. Landscaping staff has reviewed and evaluated the proposed deviation from the site plan and found no issue with consistency. This deviation is site-specific as represented on the Site Plan. Therefore, Zoning Staff recommends **APPROVAL** of this deviation.

Proposed Deviation #2 seeks relief from LDC Section 4.02.16. C.10.d “Outdoor Display, Sales or Storage,” which permits a maximum height of 17’ above existing grade for boats that are stored or on display, to instead allow a maximum height of 29’ (20’ boat racks and an additional 9’ to accommodate the height of boats).

Petitioner’s Justification: *Previous on-site boat racks ranged from 20’ – 40’ in height (up to 4-levels high). The requested boat racks are less intense than what previously existed on site. The additional 12’ being requested will accommodate the various types of boats being stored on the property.*

Staff Analysis and Recommendation: Staff sees no detrimental impact to the surrounding area should the deviation be approved. Landscaping staff has reviewed and evaluated the proposed deviation from the site plan and found no issue with consistency. Therefore, Zoning Staff recommends **APPROVAL** of this deviation.

Proposed Deviation #3 seeks relief from LDC Section 4.02.16. C.10.e “Outdoor Display, Sales or

Storage,” which requires outdoor display, sales, and storage of boats that exceed a height of 6’ to be setback at least 50 feet from a property line that is in view of property zoned or used for residential purposes, to instead allow a 15’ setback from Riverview Drive and a 10’ setback from Lakeview Drive.

Petitioner’s Justification: Due to the size of the existing property and location of existing structures, the proposed site improvements cannot meet a 50’ setback. Views from surrounding residential properties are limited and will be improved with the solid 8’ vinyl fence and enhanced landscaping that are proposed. A parking lot is located immediately north of the Marina site and a Convenience Store is located immediately south, both fronting Bayshore Drive.

Staff Analysis and Recommendation: Staff sees no detrimental impact to the surrounding area should the deviation be approved. Landscaping staff has reviewed and evaluated the proposed deviation from the site plan and found no issue with consistency. Therefore, Zoning Staff recommends **APPROVAL** of this deviation.

Proposed Deviation #4 seeks relief from LDC Section 4.02.16. C.10.g “Buffering Standards - Outdoor Storage, Display or Sales Areas,” which requires a 10’ Type ‘B’ buffer for outdoor storage areas to instead allow an Enhanced 10’ Type ‘D’ buffer along Lakeview Drive consisting of a solid 8’ vinyl fence, a hedge that is a minimum of 36” in height at time of planting and spaced 36” on center, a row of Cabbage Palms 16’-24’ in height (clear trunk) at time of planting, and Silver Buttonwoods 14’ in height at time of planting and planted 10’ on center.

Petitioner’s Justification: Existing asphalt, site improvements and the existing location of power lines make meeting this code requirement unfeasible. The existing 6’ chain link fence will be replaced with a solid 8’ vinyl fence and new landscaping will be installed to screen the marina from nearby property owners.

Staff Analysis and Recommendation: Staff sees no detrimental impact to the surrounding area should the deviation be approved. Landscaping staff has reviewed and evaluated the proposed deviation from the site plan and found no issue with consistency. This deviation is site-specific as represented on the Site Plan. Therefore, Zoning Staff recommends **APPROVAL** of this deviation.

Secondary Deviations

Proposed Deviation #5 seeks relief from LDC Section 4.02.16. C.10.g “Buffering Standards- Outdoor Storage, Display or Sales Areas,” which requires a 10’ buffer consisting of trees a minimum of 14’ in height spaced 30’ on center and a double hedge row 3’ in height and spaced 3’ on center for outdoor display or sales areas, to instead allow an enhanced 10’ Type ‘D’ buffer along Riverview Drive consisting of a solid 8’ vinyl fence, a row of clustered Cabbage Palms 16’-24’ in height (clear trunk) at time of planting, a row of Dahoon Hollies a minimum of 6’ in height at time of planting, a row of Green Buttonwoods a minimum 10’ in height at the time of planting and spaced a maximum 30’ on center, and a hedge that is a minimum 36” in height at the time of planting and spaced 36” on center.

Petitioner’s Justification: The property has been utilized as a marina since the early 1970’s. Existing site improvements create challenges with meeting new code requirements. Enhanced landscaping, in conjunction with the solid 8’ vinyl fence, is sufficient to screen the property from adjacent properties.

Staff Analysis and Recommendation: Staff sees no detrimental impact to the surrounding area should the deviation be approved. Landscaping staff has reviewed and evaluated the proposed deviation from the site plan and found no issue with consistency. This deviation is site-specific as represented on the Site Plan. Therefore, Zoning Staff recommends **APPROVAL** of this deviation.

Proposed Deviation #6 seeks relief from LDC Section 4.02.16. C.10.g “Buffering Standards - Outdoor Storage, Display or Sales Areas,” which requires a 10’ buffer consisting of trees a minimum of 14’ in height spaced 30’ on center and a double hedge row 3’ in height and spaced 3’ on center for outdoor display or sales areas, to instead allow a 10’ landscape buffer along Bayshore Drive consisting of a solid 8’ vinyl fence and a hedge that is a minimum of 36” in height at the time of planting and spaced 36” on center, and a row of Cabbage Palms 16’-24’ in height (clear trunk) at the time of planting and a row of Silver Buttonwoods 14’ in height at the time of planting to satisfy vegetation requirements.

Petitioner’s Justification: Existing site improvements create challenges with meeting this newly adopted code requirement. The existing 6’ chain link fence, currently located on the property line along Bayshore Drive will be removed. A new, solid 8’ vinyl fence will be installed 3’ off the property line which will provide ample space to accommodate improvements proposed by the Bayshore Beautification MSTU widening project (sidewalks, new landscaping, and lighting). The relocation of the fence was a request by the Bayshore CRA to allow for the proposed roadway improvement project. Additionally, there is existing vegetation within the Bayshore right-of-way that will remain, providing additional vegetation and screening of the site. The boat racks will be screened by adding vegetation on the internal side of the fence. The existing 6’ chain link fence is legally non-conforming; therefore, not required to be removed. The property owner is proposing the installation of a solid fence to address compatibility with adjacent properties.

Staff Analysis and Recommendation: Staff sees no detrimental impact to the surrounding area should the deviation be approved. Landscaping staff has reviewed and evaluated the proposed deviation from the site plan and found no issue with consistency. This deviation is site-specific as represented on the Site Plan. Therefore, Zoning Staff recommends **APPROVAL** of this deviation.

STAFF ANALYSIS:

Staff has reviewed the requested deviations against the established criteria for Site Plans with Deviations in LDC Section 10.02.03.F.7 and provides the following analysis.

a. Land uses and densities within the development shall be consistent with the permitted and approved conditional uses in the zoning district.

The site is developed as a marina, which is a permitted land use within the C-4 Zoning District and the Bayshore Zoning Overlay -Waterfront District. The Bayshore Zoning Overlay contains additional design standards for Marinas and for Outdoor Storage & Display.

b. The proposed development is consistent with the Growth Management Plan.

Per the Future Land Use Map, the site is located within the Bayshore Gateway Triangle Community Redevelopment Area and the development/redevelopment is consistent with the Growth Management Plan.

c. The development shall have a beneficial effect both upon the area in which it is proposed to be established and upon the unincorporated area as a whole.

The redevelopment of the site will be beneficial to the community by creating a more aesthetically

appealing development, while also allowing the site to function more safely.

- d. The total land area within the development and the area devoted to each functional portion of the development shall be adequate to serve its intended purpose.**

The property has been developed as a marina since 1973, prior to the adoption of the Bayshore Zoning Overlay. The deviations being requested will permit the development to provide adequate land area to serve its intended purpose and continued marina land use.

- e. Streets, utilities, drainage facilities, recreation areas, sizes, yards, architectural features, vehicular parking and loading facilities, sight distances, landscaping, and buffers shall be appropriate for the particular use involved.**

Public infrastructure is in place to accommodate the existing development. Appropriate setbacks, enhanced buffers, and locations for loading are proposed and/or existing.

- f. Visual character of the project shall be equal to or better in quality than that required by the development standards for the zoning district. The visual character of the project shall be better in quality than the existing project before redevelopment and after it was first permitted.**

The visual character of the property will be enhanced with the proposed redevelopment.

- g. Areas proposed for common ownership shall be subject to a reliable and continuing maintenance guarantee.**

The property is under common ownership and will be regularly maintained.

- h. Deviations shall be clearly delineated in the petition and shall be the minimum required to achieve the goals of the project and comply with these standards.**

Deviations are clearly delineated and are the minimum required to achieve the goals of the project. The deviations being requested will allow the continued use of the marina while maintaining safe, functional operations.

- i. The petitioner has provided enhancements to the development.**

Enhancements have been proposed to the development in lieu of current code requirements.

- j. Approval of the deviation will not have an adverse effect on adjacent properties.**

Approval of the deviations will not have an adverse effect on adjacent properties but rather will be beneficial. The existing site will be enhanced with mature landscaping, the existing chain link fence will be removed and replaced with a solid 8' vinyl fence, and the 20' boat racks will allow the continued marina land use on the property.

Landscape Review: The enhanced planting and 8' fence is proposed adjacent to the boat racks along Bayshore Drive and Lakeview Drive in addition to Riverview Drive, each street frontage with site-specific planting and vegetation requirements.

Environmental Review: Environmental Planning staff has reviewed this petition. The request is to re-install boat racks on the property (C-4). The property was originally developed in 1974. A preservation area is not required since the property was cleared and does not contain native vegetation or listed species. This project does not require Environmental Advisory Council (EAC) review, as this project did not meet the EAC scope of land development project reviews as identified in Section 2-1193 of the Collier County Codes of Laws and Ordinances.

Conservation and Coastal Management Element (CCME): Environmental review staff has found this project to be consistent with the Conservation & Coastal Management Element (CCME). The project site is not required to set aside a preserve area.

STAFF RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner **APPROVE** Viage Bayshore Marina, Site Plan with Deviations, DR-PL20220000558, with a condition that deviations be limited to what is depicted on:

1. Site Plan with Deviations – Viage Bayshore Marina, Insubstantial Change to SDP 2001-AR-1873, Permit Plans, Project Number P-VIAG-001, originally dated June 23, 2022, and last revised on March 9, 2023.

Attachments: A. Backup Package

B. Site Plan with Deviations for Redevelopment (DR) – SDPI 2001-AR-1873, PL20220004489

C. Enhanced Landscape Plan – Site Development Plan

D. Code Enforcement Case Descriptions Summary - CESD20210004109; CELU20220001056

E. Conditions of Approval

F. Legal Ad & HEX Sign Posting

HEARING PACKAGE CHECKLIST ~~Return this form with printed materials~~**DIGITAL MATERIALS PROVIDED****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

x 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

3/30/2023

Date

Jessica Harrelson, AICP

Printed Name of Signing Agent Representative

Attachment: ATTACHMENT A - BACKUP PACKAGE (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
www.colliergov.net

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

SITE PLAN WITH DEVIATIONS FOR REDEVELOPMENT

LDC Section 10.02.03 F

Ch. 6 I of the Administrative Code

PROJECT NUMBER
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT INFORMATION

Name of Property Owner(s): Viage Marinas, LLC

Name of Applicant if different than owner: _____

Address: 17913 Spencer Rd City: Odesso State: FL ZIP: 33556

Telephone: 239.300.9660 Cell: _____ Fax: _____

E-Mail Address: barry@viagegroup.com

Name of Agent(s): Jessica Harrelson, AICP

Firm: Peninsula Engineering

Address: 2600 Golden Gate Pkwy City: Naples State: FL ZIP: 34105

Telephone: 239.403.6751 Cell: _____ Fax: _____

E-Mail Address: jharrelson@pen-eng.com

CORRESPONDING SDP, SDPA, SIP INFORMATION

This application shall be submitted in conjunction with one of the following: site development plan, site development plan amendment, or site improvement plan.

PROJECT NAME/PL # IF KNOWN: Viage Bayshore Marina (SDPI)

PLANNER/PROJECT MANAGER, IF KNOWN: _____

DATE OF SUBMITTAL OF SDP/SDPA/SIP: Resubmittal of SDPI-PL20220004489 Forthcoming

Attachment: ATTACHMENT A - BACKUP PACKAGE (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
www.colliergov.net

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

INFORMATION REGARDING DEVIATION REQUESTS

A site plan with deviations for redevelopment provides a means for a redevelopment project to seek dimensional deviations (excluding height), architectural deviations, and deviations from site features, such as but not limited to, landscaping, parking, and buffers, from the standards established in the LDC when the passing of time has rendered certain existing buildings, structures, or site features nonconforming.

A site plan with deviations may be requested for the redevelopment of a site which meets the criteria for a site development plan, site development plan amendment or a site improvement plan as established in LDC section 10.02.03. Except for the requested deviations, the site plan shall comply with LDC section 10.02.03.

In accordance with LDC section 10.02.03 F, "redevelopment" shall mean the renovation, restoration, or remodeling of a building or structure, or required infrastructure, in whole or in part, where the existing buildings, structures or infrastructure were legally built and installed.

DEVIATION REQUESTS

The application must address the follow requirements. Please attach the required narratives and explanations.

- A narrative of the redevelopment project and how it is consistent with the standards for approval, LDC section 10.02.03 F.7.**
- Description of each requested deviation and justification for each request. Requested deviations shall be clearly delineated in the petition. The LDC section for which the deviation seeks relief from shall be identified.
- Must provide a copy of the building permits and certificates of occupancy for all buildings subject to the DR application to verify the applicable Code at the time of construction.**
- Project enhancements to offset or minimize the deviations shall be clearly identified on the site plan and explanation provided.
- Deviation Request types:

Zoning Deviation Requests - Check all that may be impacted by the request.



Dimensional Standards (excluding building height):

Setbacks



Parking



Architectural



Landscape / Buffers



Other site features:

Engineering Deviation Requests - Check all that may be impacted by the request.



Stormwater



Pathways



Transportation Planning



Other site features:



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
www.colliergov.net

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

SUBMITTAL REQUIREMENTS CHECKLIST

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Site Development Plan with Deviations for Redevelopment Application	1	☒	☐
Completed SDP/SDPA/SIP application and all associated materials, including all site plan documents.	1	☒	☐
Copy for the Pre-Application Notes, if not submitted with SDP/SDPA/SIP	1	☒	☐
Affidavit of Authorization , signed and notarized	1	☒	☐
Electronic Copy of all documents and plans on CD If application is being submitted as a paper submittal. Not required for electronic submittals.	1	☐	☐

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

FEE REQUIREMENTS

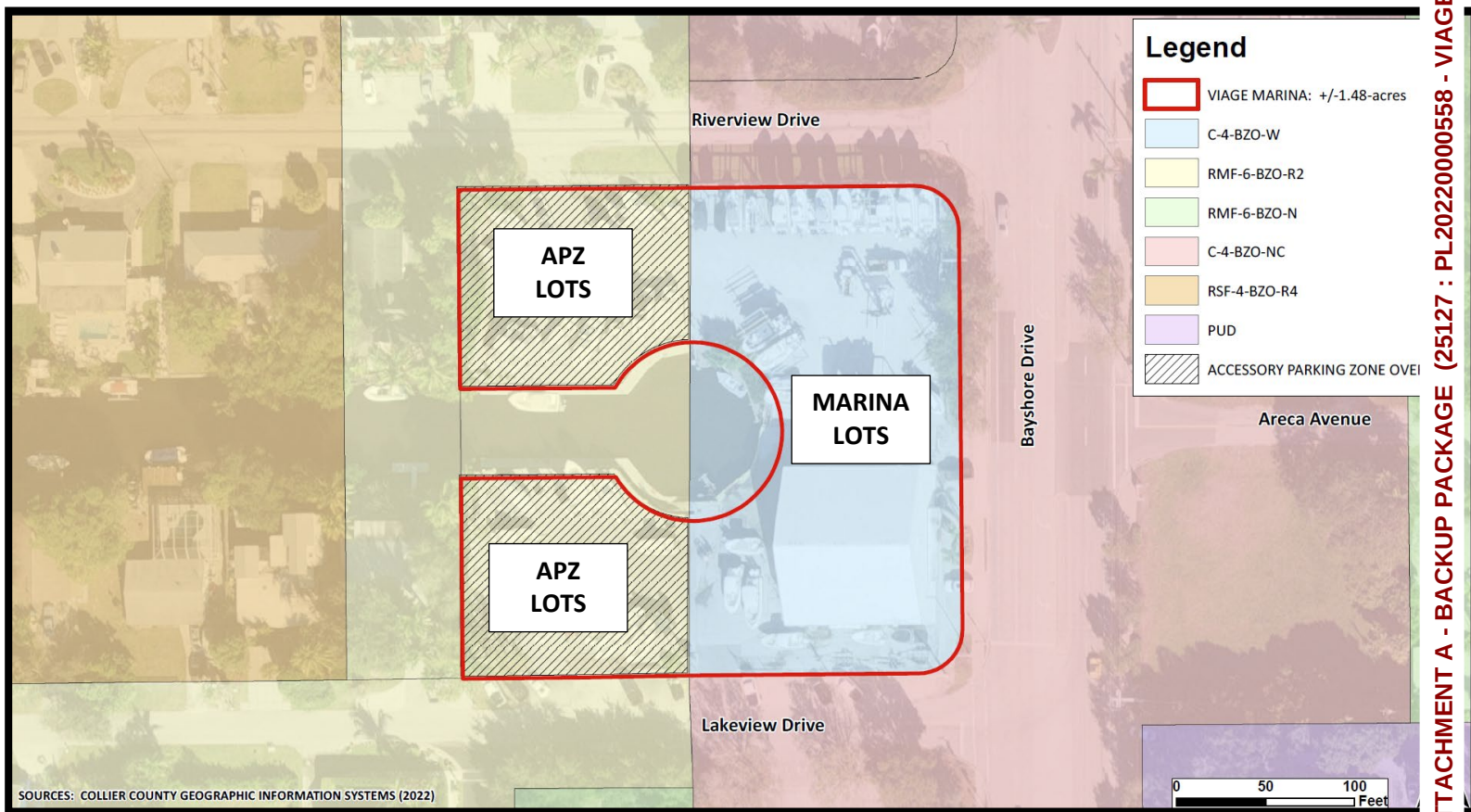
- ☐ **Site Plan for Redevelopment:** \$1,000.00
- ☐ **Estimated Legal Advertising Fee for the Office of the Hearing Examiner:** \$1,125.00

All checks payable to: Board of County Commissioners

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

Viage Bayshore Marina Project Narrative- Consistency Review

The subject property is located at 3470 Bayshore Drive, containing ± 1.48 -acres. The property consists of four (4) platted lots, fronting Bayshore Drive, zoned C-4-BZO-Waterfront Subdistrict ("Marina Lots"). The site is also comprised of an additional four (4) lots within the RMF-6-BZO-R2 zoning district and designated within the Accessory Parking Zone Overlay ("APZ Lots"). See exhibit below for location of APZ Lots and Marina Lots.



Attachment: ATTACHMENT A - BACKUP PACKAGE (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

Viage Bayshore Marina
DR-PL2022000558
December 2, 2022

Project Details

The property owner is seeking a Site Plan with Deviations for Redevelopment (DR) to permit the re-installation of boat racks on the C-4 zoned lots ("Marina Lots"), which are needed to continue viable business operations that have historically occurred on the property circa 1973. *In accordance with LDC Section 10.02.03 F, "Redevelopment" shall mean the renovation, restoration, or remodeling of a building or structure, or required infrastructure, in whole or in part, where the existing buildings, structures or infrastructure were legally built and installed.*

The "Marina Lots" were developed as a marina with accessory boat sales and repairs, circa 1973, prior to the establishment of the Bayshore Zoning Overlay. The addition of the parking lot, located on the four westernmost residentially zoned lots ("APZ Lots"), was later approved and constructed per SDP-2001-AR-1873, subject to the Accessory Parking Zoning Overlay. *Per the Collier County Land Development Code, Section 4.02.16 C.1, the Accessory Parking Zone permits lots adjacent to the BZO-W Subdistrict to be used for off street parking as an accessory use to an adjacent non-residential principal use under the same ownership or legal control.*

The site was historically comprised of multiple dry storage boat racks, ranging from $\pm 20'$ to $\pm 40'$ in height (2-level high to 4-level high); *see historical aerials for reference.* Due to the unsafe, poor condition of the racks, most were demolished beginning circa 2018 and continued through 2021. Boat and trailer parking/storage and other marina operations were occurring over the entirety of the property, including on the "APZ Lots".

The property was sold to Viage Marinas, LLC in December 2020, and to provide a safe, functional development, all previously existing boat racks were completely removed. Viage Marinas subsequently installed new, 2-level high racks (20' in height) to continue business operations in March 2021. These racks allow for all boat storage, sales and display to occur solely on the "Marina Lots", moving marina operations away from surrounding residential properties.

A Site Development Plan Insubstantial Change (SDPI-PL20220004489) was submitted to permit the installation of the new racks, and through the SDPI review, it was confirmed by Staff that the proposed site improvements would require compliance with current code requirements. The Bayshore Zoning Overlay, recently amended in April 2022 (Ordinance 2022-12), contains design standards that cannot be met because of site constraints. Meeting current code requirements would be detrimental to the project; therefore, deviations are being requested.

The deviations seek to allow alternatives in lieu of certain code requirements, which will enhance the visual character of the site. The proposed site improvements include the addition of enhanced landscaping and the replacement of the existing 6' chain link fence with a solid 8' fence. Off-site parking spaces are proposed, which will be available for public use to visitors of Bayshore Drive. The addition of sidewalks will also be constructed enhance public safety; *see the Site Plan- prepared by Peninsula Engineering for reference.*

Viage Bayshore Marina
DR-PL2022000558
December 2, 2022

Prior MUP Approval

A Mixed-Use Project (MUP), known as The Odyssey (Resolution 07-73/ MUP-2006-AR-10052) was approved for the subject property to permit the construction of 2 residential units, 990 SF of retail space, 135 dry boat storage slips, and ±2,300 SF for a private club facility. The MUP has since expired. When comparing the existing site to what was previously approved and permitted, the existing site is significantly less intense. Refer to the approved site and landscape plans, included for reference.

Code Enforcement Case (Land Use)

Viage Marinas, LLC originally constructed the new 20' boat racks within the APZ lots, resulting in a code enforcement violation since the APZ lots are limited to accessory vehicular parking only. Viage Marinas relocated the racks within a week of construction to the Marina Lots. In addition, the property owner has been working to remove all marina operations from the APZ Lots, including boat/trailer parking and storage, per direction of the Code Enforcement Hearing Officer (Code Case #CELU20220004146).

LDC Section 10.02.03. F.7 Consistency Review

Standards for approval. The petition shall be reviewed for consistency with the following standards:

- a. Land uses and densities within the development shall be consistent with the permitted and approved conditional uses in the zoning district.

Response: The site is developed as a marina, which is a permitted land use within the C-4 Zoning District and the Bayshore Zoning Overlay -Waterfront District. The Bayshore Zoning Overlay contains additional design standards for Marinas and for Outdoor Storage & Display.

- b. The proposed development is consistent with the Growth Management Plan.

Response: Per the Future Land Use Map, the site is located within the Bayshore Gateway Triangle Community Redevelopment Area and the development/redevelopment is consistent with the Growth Management Plan.

- c. The development shall have a beneficial effect both upon the area in which it is proposed to be established and upon the unincorporated area as a whole.

Response: The redevelopment of the site will be beneficial to the community by creating a more aesthetically appealing development, while also allowing the site to function more safely.

Viage Bayshore Marina
DR-PL2022000558
December 2, 2022

- d. The total land area within the development and the area devoted to each functional portion of the development shall be adequate to serve its intended purpose.

Response: The property has been developed as a marina since 1973, prior to the adoption of the Bayshore Zoning Overlay. The deviations being requested will permit the development to provide adequate land area to serve its intended purpose and continued marina land use.

- e. Streets, utilities, drainage facilities, recreation areas, sizes and yards, architectural features, vehicular parking and loading facilities, sight distances, landscaping and buffers shall be appropriate for the particular use involved.

Response: Public infrastructure is in place to accommodate the existing development. Appropriate setbacks, enhanced buffers, and locations for loading are proposed and/or existing.

- f. Visual character of the project shall be equal or better in quality than that required by the development standards for the zoning district. The visual character of the project shall be better in quality than the existing project before redevelopment and after it was first permitted.

Response: The visual character of the property will be enhanced with the proposed redevelopment.

- g. Areas proposed for common ownership shall be subject to a reliable and continuing maintenance guarantee.

Response: The property is under common ownership and will be regularly maintained.

- h. Deviations shall be clearly delineated in the petition and shall be the minimum required to achieve the goals of the project and comply with these standards.

Response: Deviations are clearly delineated and are the minimum required to achieve the goals of the project. The deviations being requested will allow the continued use of the marina, while maintaining safe, functional operations.

- i. The petitioner has provided enhancements to the development.

Response: Enhancements have been proposed to the development in lieu of current code requirements.

- j. Approval of the deviation will not have an adverse effect on adjacent properties.

Viage Bayshore Marina
DR-PL2022000558
December 2, 2022

Response: Approval of the deviations will not have an adverse effect on adjacent properties, but rather will be beneficial. The existing site will be enhanced with mature landscaping, the existing chain link fence will be removed and replaced with a solid 8' vinyl fence, and the 20' boat racks will allow the continued marina land use on the property.

Viage Bayshore Marina
DR-PL2022000558
December 2, 2022

Viage Bayshore Marina
Conditions of Approval

1. There shall be no marina operations or boat/trailer parking permitted within Accessory Parking Zone.
2. Site lighting shall be shielded to protect adjacent residential properties from light pollution.
3. Hours of operation shall be limited to 7:30am – 6:00pm daily.
4. The site shall not store, or display, more than a total of 90 boats on-site.
5. Boat repairs shall be limited to incidental boat repairs only and shall not occur within the Accessory Parking Zone. Major boat repairs are prohibited.
6. Docked boats shall not extend any distance greater than the length of the docks to prohibit docked boats from extending past the property line.



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
Viage Marinas, LLC	100%

- 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



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

- 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 1/22/2022

☐ Leased: Term of lease _____ years /months

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



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: _____

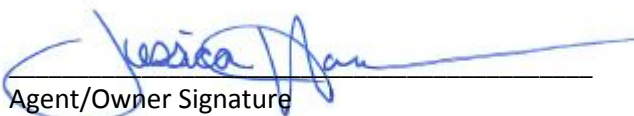
AFFIRM PROPERTY OWNERSHIP INFORMATION

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

9/02/2022
Date

Jessica Harrelson, AICP
Agent/Owner Name (please print)

Attachment: ATTACHMENT A - BACKUP PACKAGE (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

Prepared by:
Jocelyn Salgado, an employee of
Law Office of Eric L. Solomon
23160 Fashion Drive, Suite 228
Estero, FL 33928
File No: 20-11203
Parcel ID No.: 48173280007
Consideration: \$2,900,000.00

WARRANTY DEED

THIS DEED, made effective as of December 22, 2020 , between

DBM Marina, LLC, a Florida limited liability company, whose address is 6892 Leeward Way, Naples, FL 34109, first party (Grantor), and

Viage Marinas, LLC, a Florida limited liability company, whose address is 17913 Spencer Rd, Odessa, FL 33556, second party (Grantee);

WITNESSETH, that Grantor, for and in consideration of the sum of \$10.00, and other valuable consideration to Grantor in hand paid by Grantee, the receipt of which is acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms, unto Grantee and Grantee's heirs, executors, administrators, and assigns forever the following described land situate in COLLIER County, State of Florida:

Lots 25, 26, 27 and 28, Block 4 and Lots 1, 2, 3 and 4, Block 5, Gulf Shores, according to the plat thereof recorded in Plat Book 4, Page 50, Public Records of Collier County, Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except covenants, reservations, restrictions and easements of record and taxes accruing for the current year and all subsequent years.

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

Signed, sealed and delivered in our presence:

Witness No. 1 Signature

Print Name: Allison Kepingler

DBM Marina, LLC, a Florida limited liability company

BY: [Signature]

Michael D. Shrigley, Manager

Witness No. 2 Signature

Print Name: Jocelyn Salgado

STATE OF FLORIDA

COUNTY OF LEE

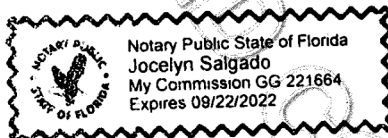
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 18th of December, 2020 by Michael D. Shrigley, Manager for and on behalf of DBM Marina, LLC, a Florida limited liability company, who () is/are personally known to me, or (X) has/have produced DL as identification.

Signature of Notary Public

Print, Type/Stamp Name of Notary

My Commission Expires:

Jocelyn Salgado



Attachment: ATTACHMENT A - BACKUP PACKAGE (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

APPLICATION FOR INSUBSTANTIAL CHANGE TO:

☒ **Site Development Plan (SDPI)**

☐ **Site Improvement Plan (SIPI)**

**LDC section 10.02.03 and other provisions of
Chapter 4 of the Administrative Code**

In order to determine if the requested change is insubstantial and does not require an amendment to the SDP or the SIP, the applicant should contact the Development Review Division. If the name of the original project planner is known, the applicant should contact that planner. (For all other projects, the applicant should contact the Development Review Division at 239-252-2400).

If the change is determined to be insubstantial, the name of the planner contacted should be shown on the application and referenced in the cover letter. Failure to obtain pre-submittal authorization from Development Review will delay processing of the application until such authorization has been received.

APPLICANT CONTACT INFORMATION

Name of Owner: Viage Marianas, LLC
Name of Applicant if different than owner: _____
Address: 17913 Spencer Road **City:** Odessa **State:** FL **ZIP:** 33556
Telephone: 239300.9660 **Cell:** _____ **Fax:** _____
E-Mail Address: barry@viagegroup.com

Name of Agent: Jenna Woodward, PE, AICP
Firm: Peninsula Engineering
Address: 2600 Golden Gate Parkway **City:** Naples **State:** FL **ZIP:** 34105
Telephone: 239.403.6741 **Cell:** _____ **Fax:** _____
E-Mail Address: jwoodward@pen-eng.com

PROPERTY INFORMATION

Project Name: Viage Bayshore Marina FKA Gulf Shores Marina
Original SDP/SIP #: SDP 2001-AR-1873 **Section/Township/Range:** 14 / 50 / 25

DETAIL OF REQUESTED CHANGE(S)

Provide a cover letter describing in detail the proposed changes, including any discussions with the assigned planner that may be pertinent to the review of the application and the sheet numbers of the plans affected by the change.

Please note that changes to one set of plans may require changes to other plans: for example, relocation of a fire or utility line shown on the site plan may require changes to the landscape plan; the addition of a carport or awning to a commercial site would require the submittal of Architectural plans.

Attachment: ATTACHMENT A - BACKUP PACKAGE (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

**Electronic Submittal Requirement Checklist for:
Insubstantial Change to either
Site Development Plan (SDPI) or Site Improvement (SIPI)
Chapter 4 of the Administrative Code**

At time of submittal, the checklist is to be completed and submitted with the application packet. See chapter 4 of the Administrative Code for submittal requirements. **Incomplete submittals will not be accepted.**

REQUIREMENTS FOR REVIEW:	ELECTRONIC DOCUMENTS	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	1	☒	☐
Completed Addressing Checklist	1	☒	☐
Determination (i.e. e-mail correspondence) from the County Manager or designee that confirms the proposed revisions to application are consistent with the insubstantial change criteria.	1	☒	☐
Cover letter describing in detail the proposed changes	1	☒	☐
Site Plan, 24 in. x 36 in., addressing all required information, including showing the changes "clouded" clearly delineating the area and scope of work to be done.	1	☒	☐
Estimated costs of construction of roadways, paving, and drainage (Signed and sealed)	1	☒	☐
Estimated costs of utility construction of water and sewer (Signed and sealed)	1	☒	☐
Electronic copies of all documents and plans in PDF Format and of plans in CAD Format email to: cad-submittals@colliercountyfl.gov	1	☒	☐

FEES

- **Insubstantial Change to Site Development Plan or Site Improvement Plan:** First sheet \$400.00 (not including the cover sheet), \$100.00 for each additional sheet submitted
- **Fire Code Review:** \$ 100.00

Engineering Site Plan Review Fees: Complete Review and inspection fees are due at time of application submittal, when required.

- **Construction Document Review:** 0.75% of probable Paving, Grading, Drainage, Lighting, Code Minimum Landscaping, and any other appurtenant cost of construction.
Cost Estimate \$ ^{106,216.30} _____ Due at Application Submittal. \$ _____
- **Construction Inspection:** 2.25% of probable Paving, Grading, Drainage, Lighting, Code Minimum Landscaping, and any other appurtenant cost of construction.
Cost Estimate \$ ^{106,216.30} _____ Due at Application Submittal. \$ _____

FEES CON'T

Utility Plan Review and Inspections:

- Construction Document Review: 0.75% of probable water and/or sewer construction costs

Cost Estimate \$ _____

Due at Application Submittal. \$ _____

- Construction Inspection: 2.25% of probable water and/or sewer construction costs.

Cost Estimate \$ _____

Due at Application Submittal. \$ _____

LINKS

Online Payment Guide can be located: [Here](#)

Completed application may be submitted online [GMD Public Portal](#)

If unfamiliar to applying on portal or have questions, please look over our [E-Permitting Guide](#)

Section 11



Site-Plan

Includes:

- a. Survey and Legal Description on the next following page
- b. Site Plans
- c. Additional Plans _____

NO: Aerial photographs

Project No: 2001070009

Application No: SDP-2001-AR-1873

OLD SDP NO: SDP -

Approval Date: 9/6/02

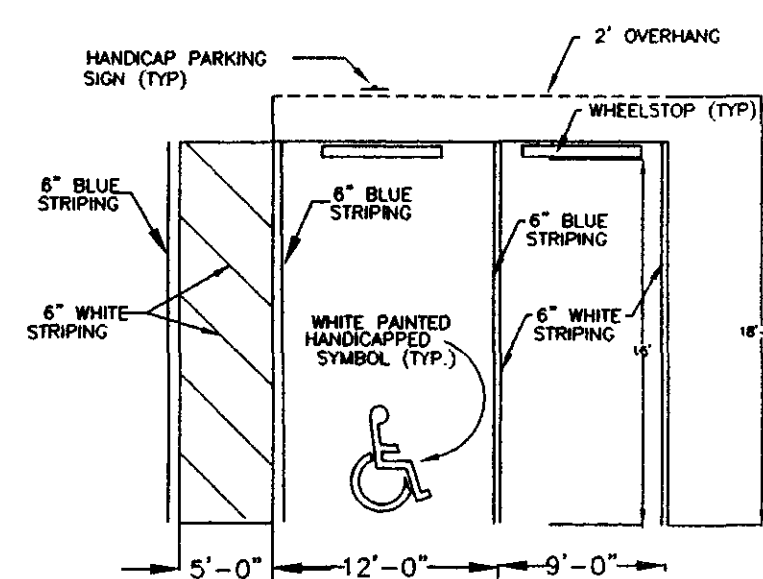
Township: 50 S

Range: 25 E

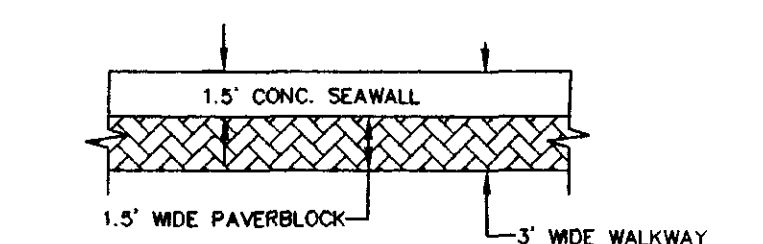
Section: 11

Project Name: Gulf Shore Marina

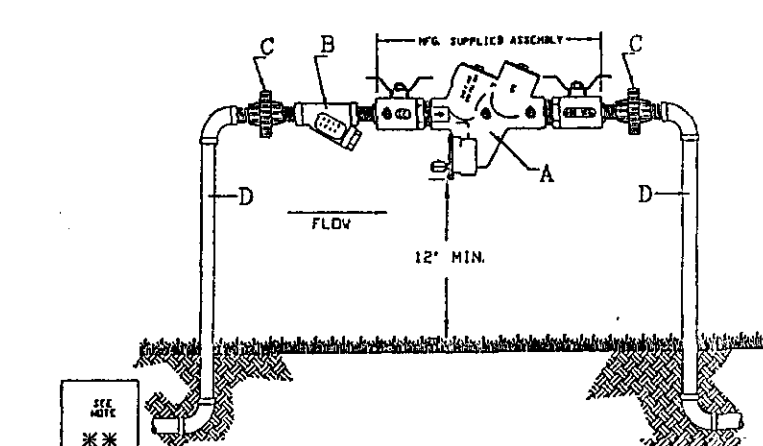
Attachment: ATTACHMENT A - BACKUP PACKAGE (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))



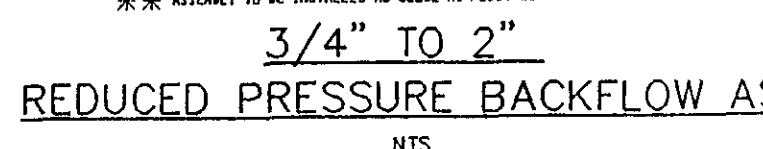
TYPICAL STANDARD AND
HANDICAPPED PARKING DETAIL
PER F.O.D.T. INDEX #17346



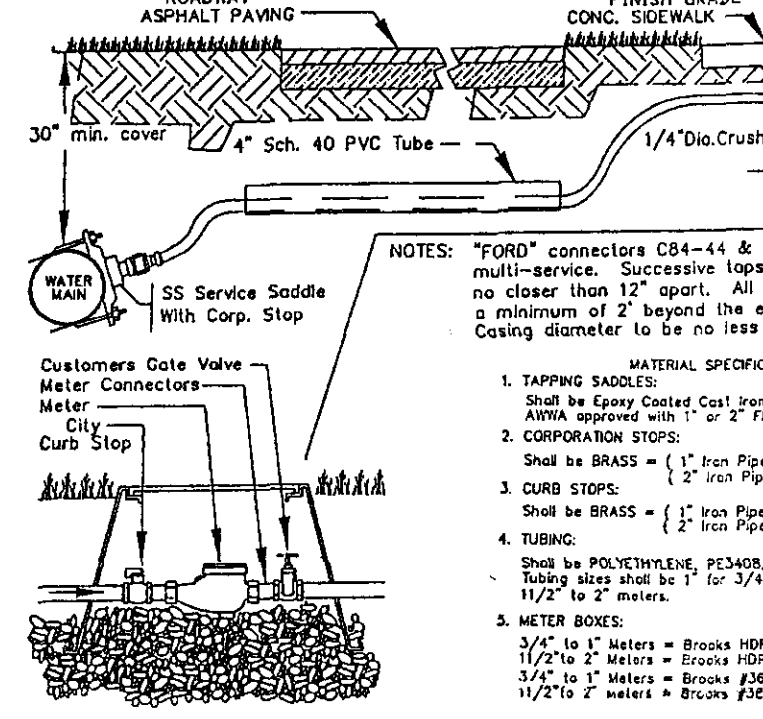
WALKWAY DETAIL
N.T.S.



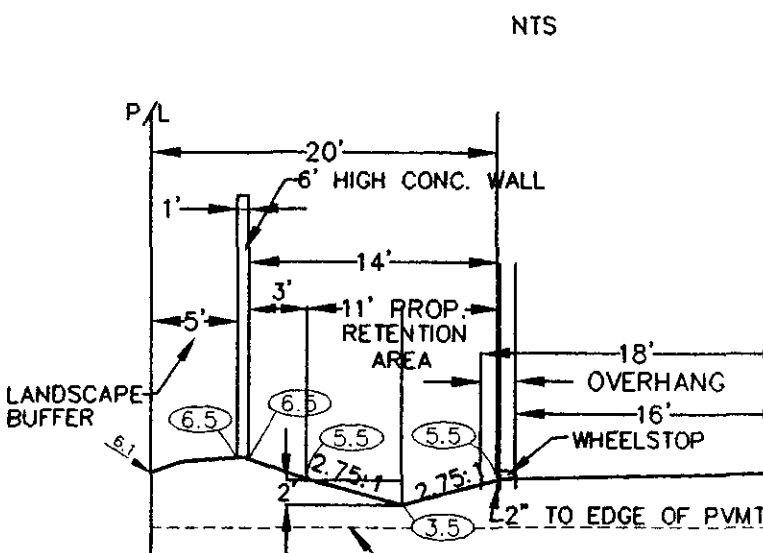
REDUCED PRESSURE BACKFLOW ASSEMBLY
N.T.S.



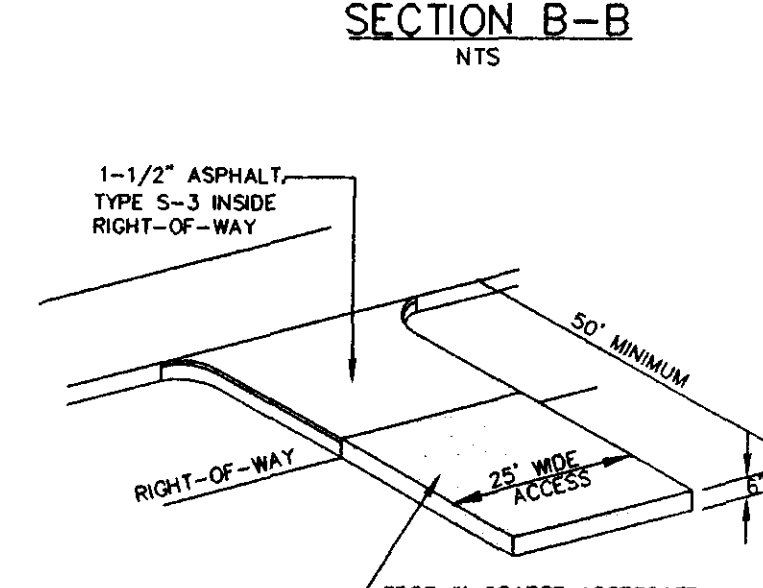
TYPICAL METER SETTING DETAIL
N.T.S.



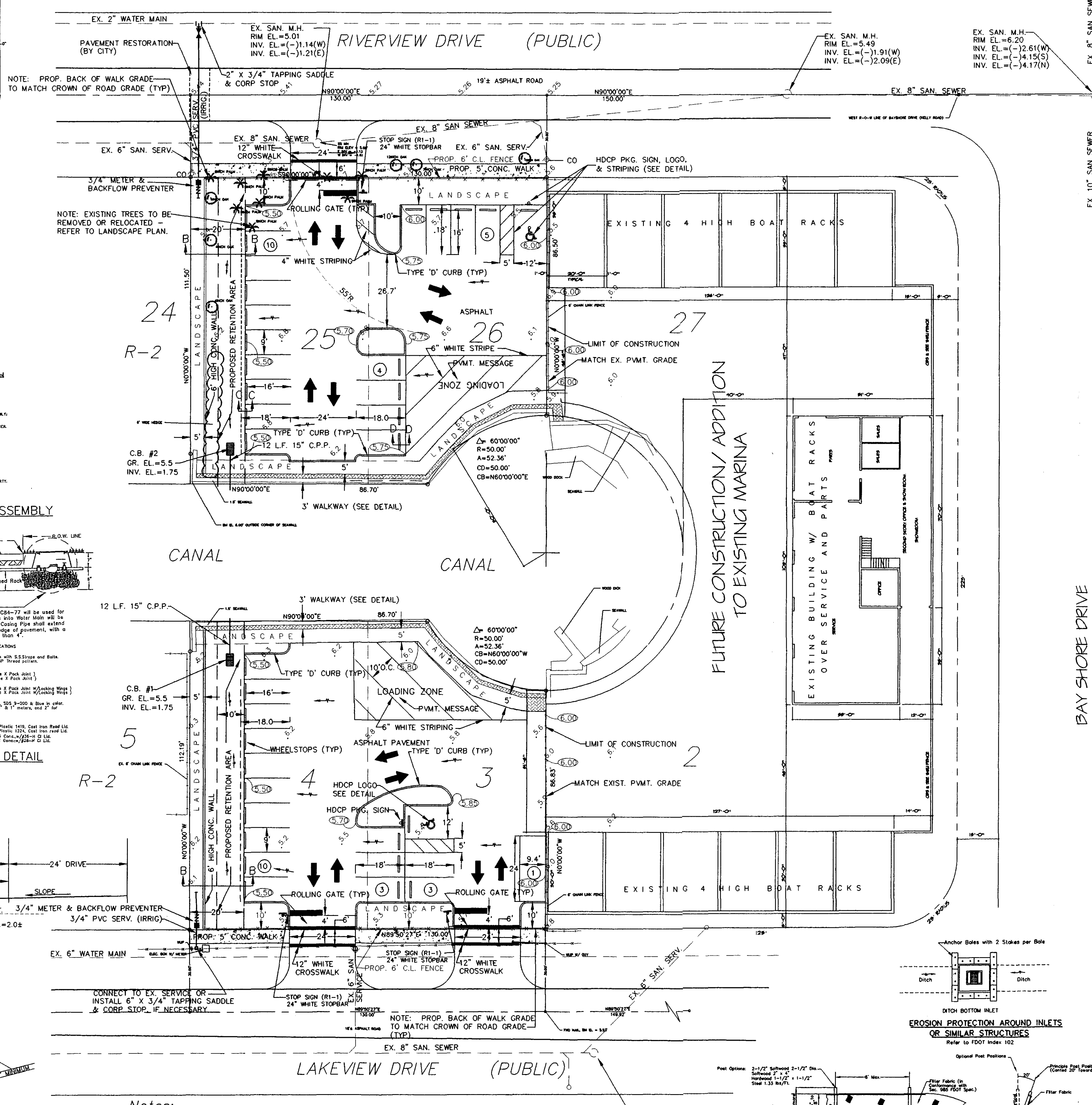
TYPICAL METER SETTING DETAIL
N.T.S.



SECTION B-B
N.T.S.

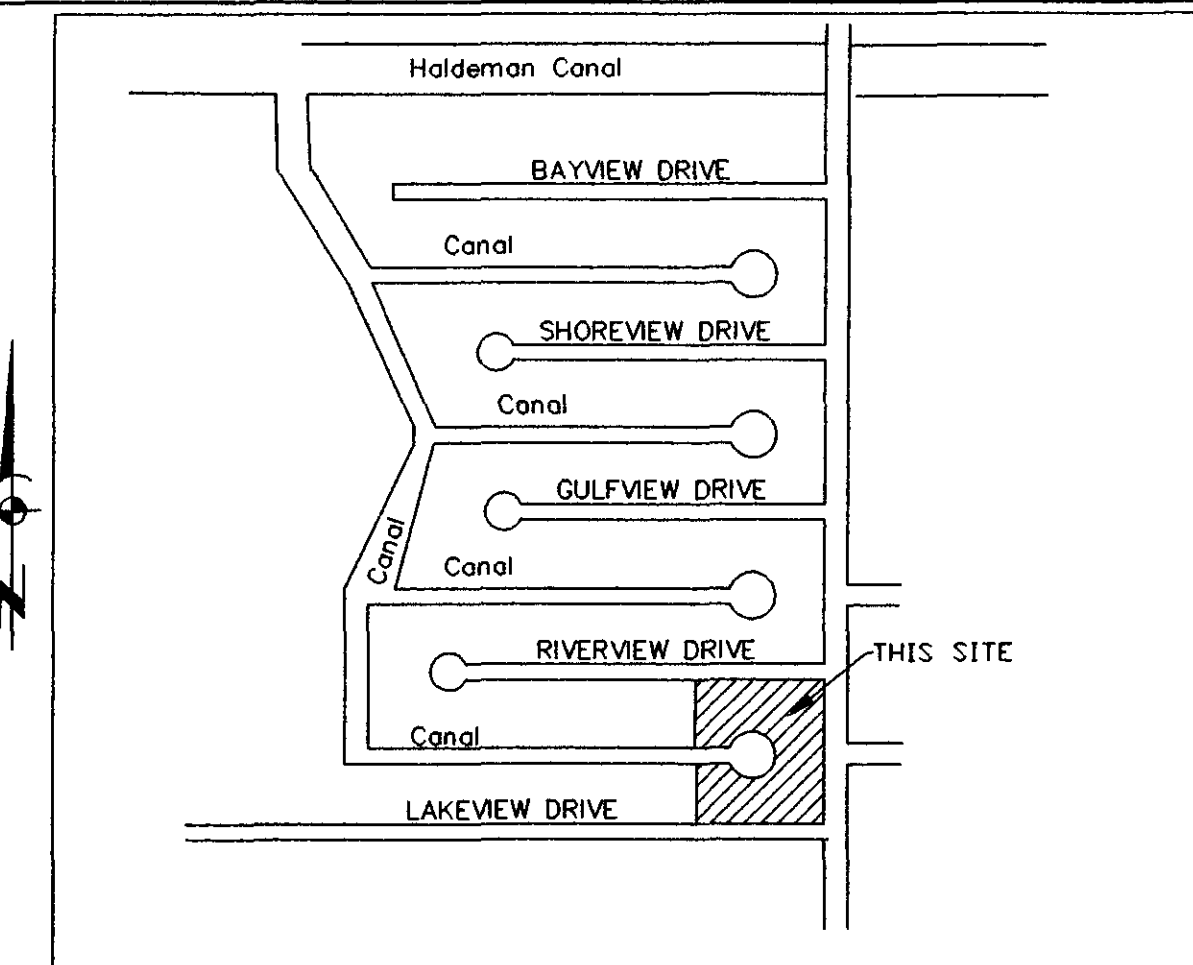


GRAVEL OR PAVED CONSTRUCTION ENTRANCE DETAIL
(RUBBLE STRIP)
N.T.S.



Notes:

- Elevations shown hereon are based on the National Geodetic Vertical Datum of 1929.
- Benchmark Description: NGVD elev. 6.00' at the intersection of the East property line extended of Lot 3, Block 5 at centerline of Lakeview Drive, found nail.



LOCATION SKETCH
N.T.S.

LEGAL DESCRIPTION
LOTS 25 & 26, BLOCK 4, AND LOTS 3 & 4, BLOCK 5
GULF SHORES SUBDIVISION, COLLIER COUNTY, FLORIDA
SECTION 14, TOWNSHIP 50S, RANGE 25E
BAYSHORE DRIVE MIXED USE OVERLAY DISTRICT
EXISTING ZONING ADJACENT SITES & PROJECT LOTS
LOT 24, BLOCK 4 (WEST) RMF-6-BMUD-R2
LOT 25, BLOCK 4 RMF-6-BMUD-R2
LOT 26, BLOCK 4 RMF-6-BMUD-R2
LOT 27 & 28, BLOCK 4 (EAST) C-4-BMUD-W
LOT 1 & 2, BLOCK 5 (EAST) C-4-BMUD-W
LOT 3, BLOCK 5 RMF-6-BMUD-R2
LOT 4, BLOCK 5 RMF-6-BMUD-R2
LOT 5, BLOCK 5 (WEST) RMF-6-BMUD-R2

PROPOSED USE: PARKING LOT FOR EXISTING MARINA
SITE DATA:

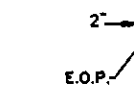
TOTAL SITE AREA = 27,520.5 S.F. = 0.63 AC.
PROPOSED PAVED AREA = 18,939 S.F.
PROPOSED PAVER AREA = 511 S.F.
TOTAL IMPERVIOUS AREA = 20,130 S.F. = 73.1%
TOTAL PERVIOUS AREA = 7,391 S.F. = 26.9%
100%

PARKING DATA:
TOTAL PARKING SPACES PROVIDED = 36 SPACES (INCL. 2 HDOP SPACES)

PROPERTY OWNER:
MR. KEN MAIN
A & D ENTERPRISES OF NAPLES, INC.
3470 BAYSHORE DRIVE
NAPLES, FL 34112
(941) 774-0222

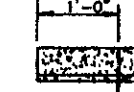
SECTION C-C

N.T.S.



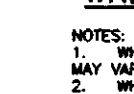
SECTION D-D

N.T.S.



WHEEL STOP DETAIL

N.T.S.



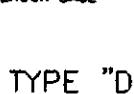
CATCH BASIN DETAIL

N.T.S.



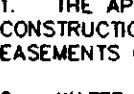
TYPE \"D\" CURB DETAIL

N.T.S.



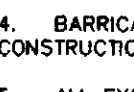
EROSION PROTECTION AROUND INLETS OR SIMILAR STRUCTURES

Refer to FDOT Index 102



TYPE III SILT FENCE

N.T.S.



GENERAL NOTES:

- THE APPROVAL OF THESE CONSTRUCTION PLANS DOES NOT AUTHORIZE CONSTRUCTION OF REQUIRED IMPROVEMENTS OR EASEMENTS WITHOUT THE EASEMENTS OF RECORDS.
- WATER SERVICE PROVIDER IS CHARGE OF ANY IRRIGATION PLAN.
- SETBACKS FOR EXISTING STRUCTURES OUTSIDE THE RIGHT-OF-WAY AND PARKING CALCULATIONS RELATIVE TO USE WILL BE ADDED TO PLAN WHEN AMENDMENT IS SUBMITTED FOR SUBSEQUENT WORK ON LOTS 2 AND 27.
- BARRICADE EXISTING VEGETATION THAT WILL REMAIN UNTIL COMPLETION OF CONSTRUCTION.
- ALL EXOTIC VEGETATION AS DEFINED BY COUNTY CODE, SHALL BE REMOVED FROM SITE, AND THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR SUBSEQUENT ANNUAL EXOTIC VEGETATION REMOVAL.
- PROVIDE EROSION CONTROL AS REQUIRED PER COLLIER COUNTY.
- GULF SHORES MARINA WILL BE RESPONSIBLE FOR MAINTENANCE OF THE WATER MANAGEMENT FACILITIES.

GULF SHORES MARINA PARKING LOT EXPANSION SITE DEVELOPMENT PLAN

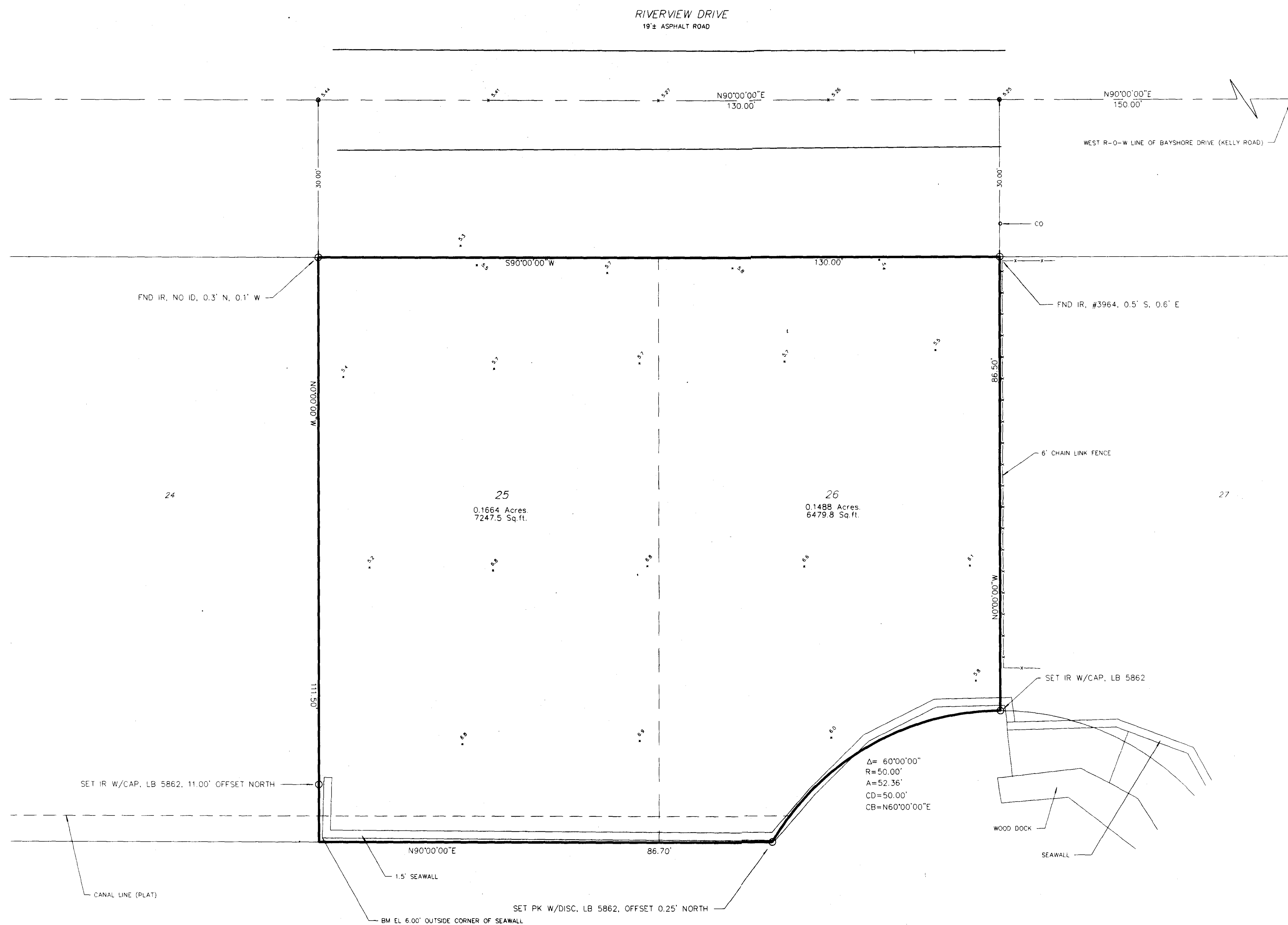
REVISIONS	DATE	CHK.
REVISED	9-19-01	M.K.
REVISED	10-24-01	M.K.
REVISED	11-20-01	M.K.
REVISED	11-26-01	M.K.
REVISED	3-21-02	M.K.
REVISED	4-16-02	M.K.
REVISED	5-8-02	M.K.
REVISED	5-21-02	M.K.

8-7-02 M.K.
5-30-02 M.K.
REVISED PER CITY OF NAPLES
REVISED PER CITY OF NAPLES

Attachment: ATTACHMENT A - BACKUP PACKAGE (25127 - PL2022000058 - VIAGE BAYSHORE MARINA (DR))

AVIROM-TOLTON & ASSOCIATES, INC.
ENGINEERING
LAND SURVEYING
2887 TAMiami TRAIL EAST, SUITE 5
NAPLES, FLORIDA 34112
(941) 793-6633 FAX (941) 793-3905
EMAIL: atainaples@aol.com

SCALE: 1" = 20'	DATE: 6-19-01
DWN. BY: M.K.	CHK. BY: H.D.
DWG. NO. 0706-INFL	P.G.
JOB NO. 0706.1/977	



Notes:

1. Unless it bears the signature and the original raised seal of a Florida Licensed Surveyor and Mapper, this map/report is for informational purposes only and is not valid.
 2. No title opinion or abstract to the subject property has been provided. It is possible that there are Deeds, Easements or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the surveyor.
 3. The land description hereon is based on the instrument of record.
 4. No underground foundations or utilities were located.
 5. Bearings shown hereon are relative to the recorded plat of Gulf Shores on the centerline of Riverview Drive, being N 90°00'00" E.
 6. Elevations shown hereon are based on the National Geodetic Vertical Datum of 1929.
 7. Benchmark Description: NGVD elev. 6.00 at the intersection of the East Property Line extended of Lot 3, Block 5 at centerline of Lakeview Drive, found north.
 8. Flood Zone: AE IEL 9
 9. Final Number: 120057 0582 F, February 16, 1995
 9. Property Address:
10. Abbreviated Legend: AC=Air Conditioner; AE=Easement; APPROX=Approximate; ASH=Asphalt; BLDG=Bldg.; BR=Bearing; C=Culvert; CC=Concrete; CATV=Cable Television; CB=Catch Basin; CC=Concrete Curb; CE=Centerline; CS=Concrete Monument; CPA=Cast Iron Pipe; CPMP=Corrugated Metal Pipe; CO=Clean Out; CONC=Concrete; COV=Covered; DB=Dug Deep; DC=Drainage Easement; DE=Drange Maintenance Easement; D=Delta Angle; DA=Diameter; DP=Ductile Iron Pipe; ELE=Elevation; ELE-ELECT=Electric; EF=Edge of Pavement; EE=Edge of Water; F=Field; FND=Fund; FF=Finished Floor; PF=Fire Hydrant; FL=Florida Power & Light; GAR=GARAGE; GAR/GU=Anchor; GS/GU=Gate; GV=Gate Valve; Mon=Monument Repairs; RW=Roadway; R/P=Road Right-of-Way; L=Arc Length; LE=Limited Access Easement; LINE=Line Maintenance Easement; LP=Lt Right-of-Way; Mf=Manufacture; Mf/House=N/D=Not With Desk; NT/TNT=with Ten Tab; NO=Number; NH=Nation Road; NS=Not To Scale; OC=Overhead Electric; OR=Other Monument Repairs; P=Pipe; PB=Post; PC=Point of Curvature; PCCP=Point of Compound Curvature; PCP=Permanent Center Point; Pl=Point of Intersection; PL=Professional Land Surveyor; POB=Point of Beginning; POPC=Point of Commencement; PP=Power Pole; PRCP=Point of Reverse Curvature; PRS=Private Monument Repairs; RPP=Proposed; T=Point of Tangency; PUD=Planned Unit Development; PCP=Polycrystalline Chloride Resistor; RAD=Radial Line; RCR=Reinforced Concrete Pipe; RR=Roads Point; REV=Reverse and Reversed; RES=Range; ROW=Right of Way; SS=Sanitary Sewer; SD=Storm Drain; TB=Top of Bank; TEL=Elevation; WPA=Waterways; TP=Typical; U=Utility Easement; UP=Utility Pole; W/W=with; W/C=with owner's Cap; W/W=Water Meter; W=Water Valve;

Description:

Lots 25 & 26, Block 4, Gulf Shores
As Recorded in Plat Book 4, Page 50,
in Collier County, Florida

Certify To:

A & D Enterprises of Naples Inc.

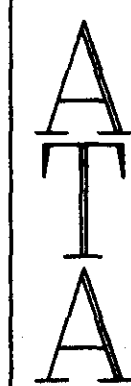
Certification:

I hereby certify that the attached Boundary Survey of the hereon described property is true and correct to the best of my knowledge and belief as surveyed in the field under my direction on June 1, 2001. I further certify that this Boundary survey meets the minimum technical standards set forth in chapter 61017-6.002, Florida Administrative Code, pursuant to section 472.027, Florida Statutes. There are no above ground encroachments other than those shown hereon, subject to the qualifications noted hereon.

Charles E. Tolton Date: 12-06-01
Charles E. Tolton, P.S.M.
Florida Registration No. 4582
Avirom - Tolton & Associates, Inc.
L.B. No. 5862

SHEET: 1 OF 1

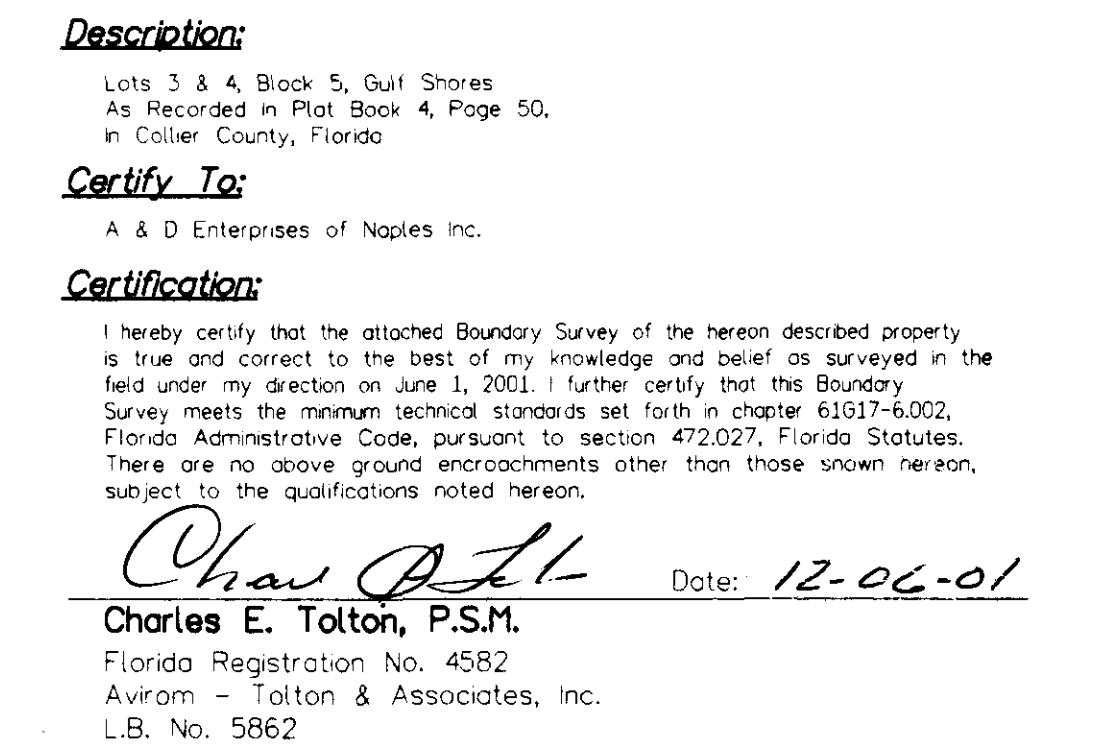
SCALE:	1" = 10'
DATE:	06/12/01
DWN. BY:	E.J.
CHK. BY:	C.E.T.
DWG. No.	N0706-1NFX
F.B.	PG.
JOB NO.:	N0706.1

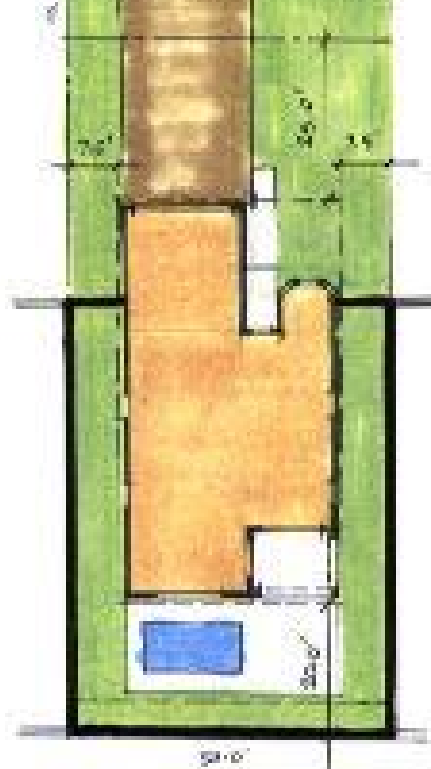


AVIROM-TOLTON & ASSOCIATES, INC.
ENGINEERING LAND SURVEYING
2887 TAMiami TRAIL EAST, SUITE 5
NAPLES, FLORIDA 34112
(941)793-6833 FAX (941)793-3905
EMAIL: atainaples@aol.com

[illegible]

BOUNDARY SURVEY
 LOTS 25 & 26, BLOCK 4
 GULF SHORES



BUILDING/SITE 1

BUILDING/SITE II



BUILDING/SITE II

ADJACENT
BUILDING
ENVELOPE



SITE
GULF



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

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

Pre-Application Meeting Notes

Petition Type: Site Plan with Deviations (DR)

Date and Time: Monday 2/7/22 10:30 AM

Assigned Planner: Gabriela Castro

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

Project Information

Project Name: Viage Bayshore Marina (DR)

PL #: 20220000558

Property ID #: 48173280007

Current Zoning: C-4-BMUD-W

Project Address: 3470 Bayshore Drive, Naples FL 34112

Applicant: Jessica Harrelson, AICP - Peninsula Engineering

Agent Name: Jessica Harrelson **Phone:** 239-403-6751

Agent/Firm Address: 2600 Golden Gate Parkway, Naples FL 34105

Property Owner: Viage Marinas LLC

Please provide the following, if applicable:

- i. **Total Acreage:** 1.48
- 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#:** _____



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

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

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>

ZONING NOTES - GABRIELA CASTRO

- Coordinate with Bayshore in regards to presentation/approval
- Concurrent SDPI
- On site plan please identify boat sales areas + boat trailer parking + required parking (on + off street)
 - * if parking is not sufficient separate APB is required
- Please identify if boat racks will be for boat storage or boat sales
- Please identify if marina primarily sales or stores boats
- Please provide site plan with deviation + explain deviation (for example please contact Planner)

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.



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

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

Meeting Notes

2021-10-10
CONT.
Marina will need to meet criteria of 4.02.16.C.7.
if not meeting all policies additional deviations
may be needed

provide copy of evidence of when Marina
appeared

Comp.
Planning
- PARKER KLOPF - NO COMMENTS REQUIRED FOR THIS
PETITION

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.



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
www.colliergov.net

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

Meeting Notes

Architectural - Zone C4-BMUD-W, Overlay - BMUD - *Peter Shawinsky*

Viage Bayshore Marina - DR

-LDC 5.05.08 Architectural and Site Design Standards & LDC 4.02.16 apply.

-Building has (3) three Primary facades (*Bayshore*, Riverview Dr., Lakeview Dr.).

-LDC 5.03.02 Chain link and wood fencing including barbed wire are prohibited forward of a Primary facade or within 100 feet of a ROW. Current fencing is non-conforming, any new fence will be required to meet code.

-Provide commitment letter from the Bayshore CRA for the proposed public realm including time schedule for completion.

-Verify, coordinate and define those areas from previous approved SDP's including any and all proposed changes and deviation requests.

VIAGE BAYSHORE
ROAD SURFACE



3.A.b

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
www.colliergov.net

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

Meeting Notes

MANUE TEMPLETON - NOTES



Landscape: Staff will follow up regarding the buffer requirement along Bayshore Dr.

Bayshore Overlay allows for the option of a 10' Type D buffer or "expanded public realm" along right of ways where boat storage is not located.

Expanded public realm consists of a hardscape area extending from the property line to the front facade. If the expanded public realm cannot be an option along the North half of the East facade where there is no building or boat storage triggers the need for a specific buffer along Bayshore Dr., a deviation will be required.

ENVIRONMENTAL - CRAIG BRAUN - SEE EMAIL NOTES PAGE 2.D.

Attachment: ATTACHMENT A - BACKUP PACKAGE (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

Page

Packet Pg. 45

ThomasClarkeVEN

From: BrownCraig
Sent: Tuesday, February 08, 2022 10:34 AM
To: ThomasClarkeVEN
Subject: RE: Pre-App Research for Viage Bayshore Marina (DR) - PL202200005588

Follow Up Flag: Follow up
Flag Status: Flagged

Thomas,
 Here are my notes for this one.

Please provide the historical information to support that the slip count has been in existence and no increase to the slip count is proposed that would trigger a Manatee Protection Plan Review. (MPP)

Please confirm if the activities on the property included handling, storing or the production of hazardous products onsite. This will require soil/ groundwater assessment in accordance with LDC 3.08.00.4.d.ii. (SDP)

Craig Brown
 Senior Environmental Specialist
 Development Review Division
 (239) 252-2548.

How are we doing? Please [CLICK HERE](#) to fill out a Customer Survey.
We appreciate your Feedback!

From: ThomasClarkeVEN <Thomas.Clarke@colliercountyfl.gov>
Sent: Monday, February 7, 2022 9:46 AM
To: BrownCraig <Craig.Brown@colliercountyfl.gov>
Subject: FW: Pre-App Research for Viage Bayshore Marina (DR) - PL202200005588

Here you go Craig, this in the 10:30 Pre- app for this morning.
 Tc

From: ThomasClarkeVEN
Sent: Thursday, February 03, 2022 4:43 PM
To: Ashton,Heidi <heidi.ashton@colliercountyfl.gov>; BeardLaurie <Laurie.Beard@colliercountyfl.gov>; BrownCraig <Craig.Brown@colliercountyfl.gov>; CookJaime <Jaime.Cook@colliercountyfl.gov>; CrotteauKathynell <Kathynell.Crotteau@colliercountyfl.gov>; Derek Perry <Derek.Perry@colliercountyfl.gov>; Eric Ortman <eric.ortman@colliercountyfl.gov>; FaulknerSue <Sue.Faulkner@colliercountyfl.gov>; FeyEric <Eric.Fey@colliercountyfl.gov>; ImpactFees <ImpactFees@colliercountyfl.gov>; Michele Mosca <Michele.Mosca@colliercountyfl.gov>; OrthRichard <Richard.Orth@colliercountyfl.gov>; Parker <Parker.Klopf@colliercountyfl.gov>; 'rachel.hansen@colliercountyfl.gov' <rachel.hansen@colliercountyfl.gov>; Sally Ashkar <sally.ashkar@colliercountyfl.gov>; SawyerMichael <Michael.Sawyer@colliercountyfl.gov>; TempletonMark <Mark.Templeton@colliercountyfl.gov>; WilkieKirsten <Kirsten.Wilkie@colliercountyfl.gov>
Cc: Gabby <gabriela.castro@colliercountyfl.gov>
Subject: Pre-App Research for Viage Bayshore Marina (DR) - PL202200005588

Attachment: ATTACHMENT A - BACKUP PACKAGE (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

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

Meeting Notes

TRANSPORTATION - Mike Sawyer - Comment - CLEAN UP Access Points
AND CONTACT BY EMAIL WITH QUESTIONS BEFORE SUBMITTAL
See Page 5 For Phone/Email.

STORMWATER - Rick Orth - See CONTACT INFO Page 5,
CONTACT BEFORE SUBMITTAL TO DISCUSS

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.



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

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

Pre-Application Meeting Sign-In Sheet
PL# 20220000558

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 Klopff	GMP – Comprehensive Planning	252-2471	Parker.klopff@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



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

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

☐	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

☒ Gino Santambrogio

Additional Attendee Contact Information:

Name	Representing	Phone	Email
Jessica Harrison	Peninsula Eng	403-6751	
Josh Fruth	" "	" "	
David Roe	Environmental		
Tami Scott	Bayshore CRA		
Andrea Galitao	Client svc		



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

PL20220000558 – Viage Bayshore Marina (DR)

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**
Jessica Harrelson, AICP
239.403.6751
- **Agent to list for PL#**
Jessica Harrelson, AICP
Peninsula Engineering
- **Owner of property (all owners for all parcels)**
Viage Marinas LLC
- **Confirm Purpose of Pre-App: (Rezone, etc.)**
Site Plan with Deviations for Redevelopment
- **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:**
The owner of the property would like to permit new, dry storage boat racks for the site (previous boat racks were not permitted). The property has been utilized as a marina, with accessory boat sales, since the early 1970's. Draft deviation requests include the following:
 - Deviation #1 to LDC Section 4.02.16.C.7.C "Marinas and Boatyards", which requires boat racks to be enclosed with a wall or fence to instead allow additional screening, inclusive of canopy trees, in lieu of a wall or fence. *(Pending feedback from Mark Templeton)*
 - Deviation #2 to LDC Section 5.03.02.G.1 "Fences on site with structures subject to Architectural & Site Design Standards", which prohibits chainlink fences forward a primary façade within 100' from a public ROW, to instead allow the existing chainlink along Bayshore Dr to remain with additional landscaping/screening. *(Additional landscaping/screening to be determined pending feedback from Mark Templeton.)*
 - Potential 3rd Deviation to the landscape buffer width along Bayshore DR to allow for future ROW/Landscape improvements planned by the CRA. *(Pending survey/site planning)*



REQUIRED Supplemental Information provided by:**Name:** Jessica Harrelson, AICP**Title:** Planning Manager**Email:** jharrelson@pen-eng.com**Phone:** 239-403.6751**Cancellation/Reschedule Requests: Contact Connie Thomas-Client Services Supervisor****Consuela.Thomas@colliercountyfl.gov Phone: 239-252-2473**

Created April 5, 2017

Location: G:\CDES Planning Services\Current\Zoning Staff Information

Attachment: ATTACHMENT A - BACKUP PACKAGE (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))





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



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

- 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 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

Date

Agent/Owner Name (please print)

Attachment: ATTACHMENT A - BACKUP PACKAGE (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
www.colliergov.net

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

SITE PLAN WITH DEVIATIONS FOR REDEVELOPMENT

LDC Section 10.02.03 F
Ch. 6 I of the Administrative Code

PROJECT NUMBER
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT INFORMATION

Name of Property Owner(s): _____

Name of Applicant if different than owner: _____

Address: _____ City: _____ State: _____ ZIP: _____

Telephone: _____ Cell: _____ Fax: _____

E-Mail Address: _____

Name of Agent(s): _____

Firm: _____

Address: _____ City: _____ State: _____ ZIP: _____

Telephone: _____ Cell: _____ Fax: _____

E-Mail Address: _____

CORRESPONDING SDP, SDPA, SIP INFORMATION

This application shall be submitted in conjunction with one of the following: site development plan, site development plan amendment, or site improvement plan.

PROJECT NAME/PL # IF KNOWN: _____

PLANNER/PROJECT MANAGER, IF KNOWN: _____

DATE OF SUBMITTAL OF SDP/SDPA/SIP: _____

SDPI



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
www.colliergov.net

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

INFORMATION REGARDING DEVIATION REQUESTS

A site plan with deviations for redevelopment provides a means for a redevelopment project to seek dimensional deviations (excluding height), architectural deviations, and deviations from site features, such as but not limited to, landscaping, parking, and buffers, from the standards established in the LDC when the passing of time has rendered certain existing buildings, structures, or site features nonconforming.

A site plan with deviations may be requested for the redevelopment of a site which meets the criteria for a site development plan, site development plan amendment or a site improvement plan as established in LDC section 10.02.03. Except for the requested deviations, the site plan shall comply with LDC section 10.02.03.

In accordance with LDC section 10.02.03 F, "redevelopment" shall mean the renovation, restoration, or remodeling of a building or structure, or required infrastructure, in whole or in part, where the existing buildings, structures or infrastructure were legally built and installed.

DEVIATION REQUESTS

The application must address the follow requirements. Please attach the required narratives and explanations.

- A narrative of the redevelopment project and how it is consistent with the standards for approval, LDC section 10.02.03 F.7.**
- Description of each requested deviation and justification for each request. Requested deviations shall be clearly delineated in the petition. The LDC section for which the deviation seeks relief from shall be identified.
- Must provide a copy of the building permits and certificates of occupancy for all buildings subject to the DR application to verify the applicable Code at the time of construction.**
- Project enhancements to offset or minimize the deviations shall be clearly identified on the site plan and explanation provided.
- Deviation Request types:

Zoning Deviation Requests - Check all that may be impacted by the request.

☐ Dimensional standards (excluding height): _____

☒ Parking

☒ Architectural

☒ Landscape / Buffers

☐ Other site features: _____

Engineering Deviation Requests - Check all that may be impacted by the request.

☒ Stormwater

☐ Pathways

☒ Transportation Planning

☐ Other site features: _____

Bayshore CPA



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DIVISION
www.colliergov.net

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

SUBMITTAL REQUIREMENTS CHECKLIST

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Site Development Plan with Deviations for Redevelopment Application	1	☒	☐
Completed SDP/SDPA/SIP application and all associated materials, including all site plan documents.	1	☒	☐
Copy for the Pre-Application Notes, if not submitted with SDP/SDPA/SIP	1	☒	☐
Affidavit of Authorization , signed and notarized	1	☒	☐
Electronic Copy of all documents and plans on CD If application is being submitted as a paper submittal. Not required for electronic submittals.	1	☒	☐

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

FEE REQUIREMENTS

- ☒ **Site Plan for Redevelopment:** \$1,000.00
- ☒ **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 fees shall be submitted to:
Growth Management Department/Zoning Division
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20220000558

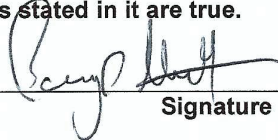
I, Barry Marshall (print name), as Manager (title, if applicable) of Viage Marinas, LLC (company, If applicable), swear or affirm under oath, that I am the (choose one) owner ☒ applicant ☐ contract purchaser ☐ and that:

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 Jessica Harrelson, AICP and Richard Yovanovich, Esq. 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

9/1/22
Date

STATE OF FLORIDA
COUNTY OF COLLIER

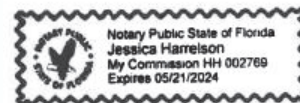
The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☒ online notarization this 1st day of September, 2022, by (printed name of owner or qualifier) Barry Marshall.

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: 

Notary Seal



PART OF SECTION 14, TOWNSHIP 50 SOUTH, RANGE 25 EAST,
COLLIER COUNTY, FLORIDA



OWNER/DEVELOPER
VIAGE MARINAS, LLC
17913 SPENCER ROAD
ODESSO, FL 33556

Sunshine811.com

2600 Golden Gate Parkway
Naples, Florida 34105
Phone: 239.403.6700 Fax: 239.261.1797
Email: info@pen-eng.com Website: www.pen-eng.com
Florida Engineering Certificate of Authorization #28275
Florida Landscape Certificate of Authorization #LC26000632

VIAGE BAYSHORE MARINA

PERMIT PLANS

COVER SHEET

SHEET INDEX

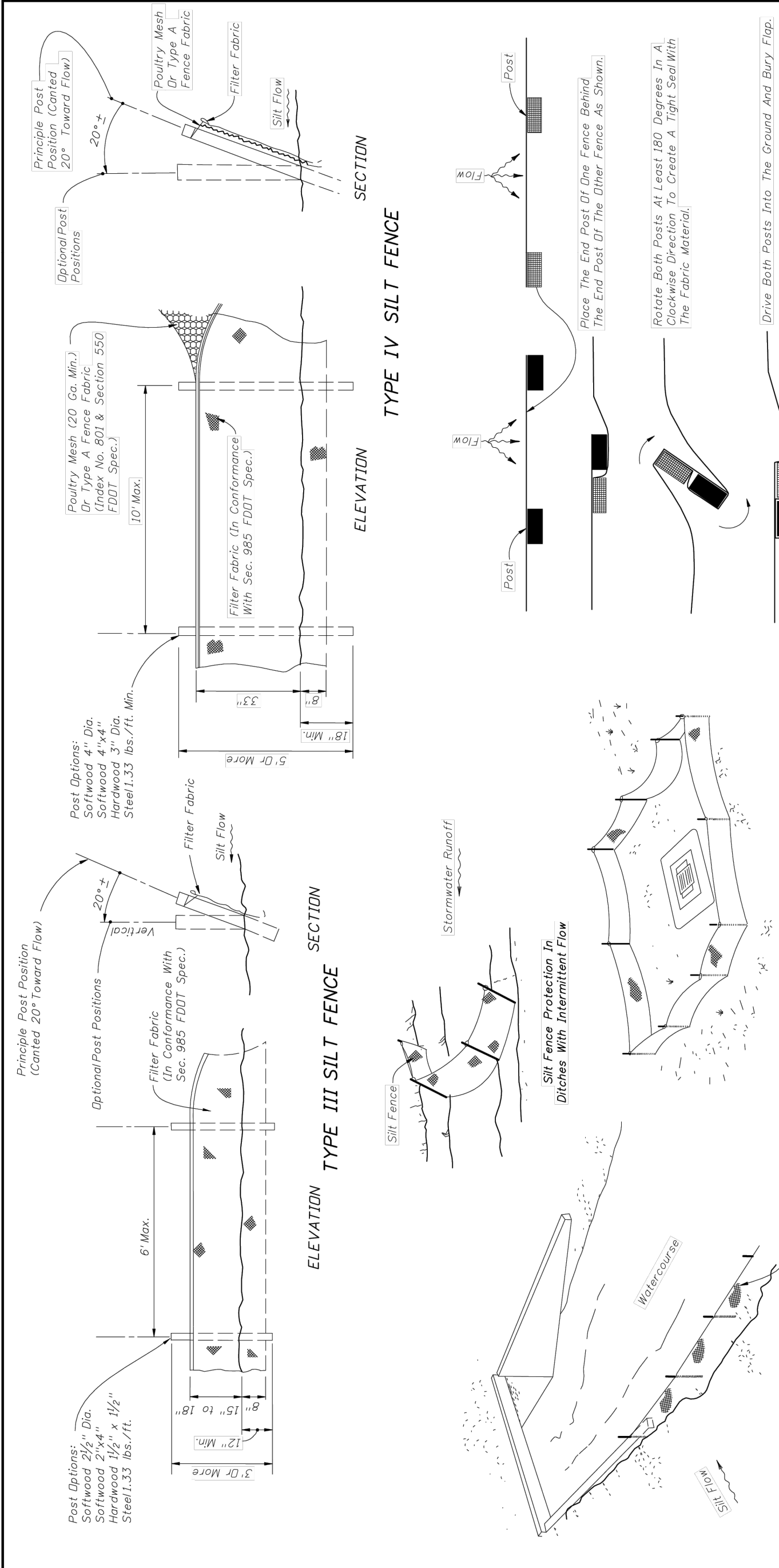
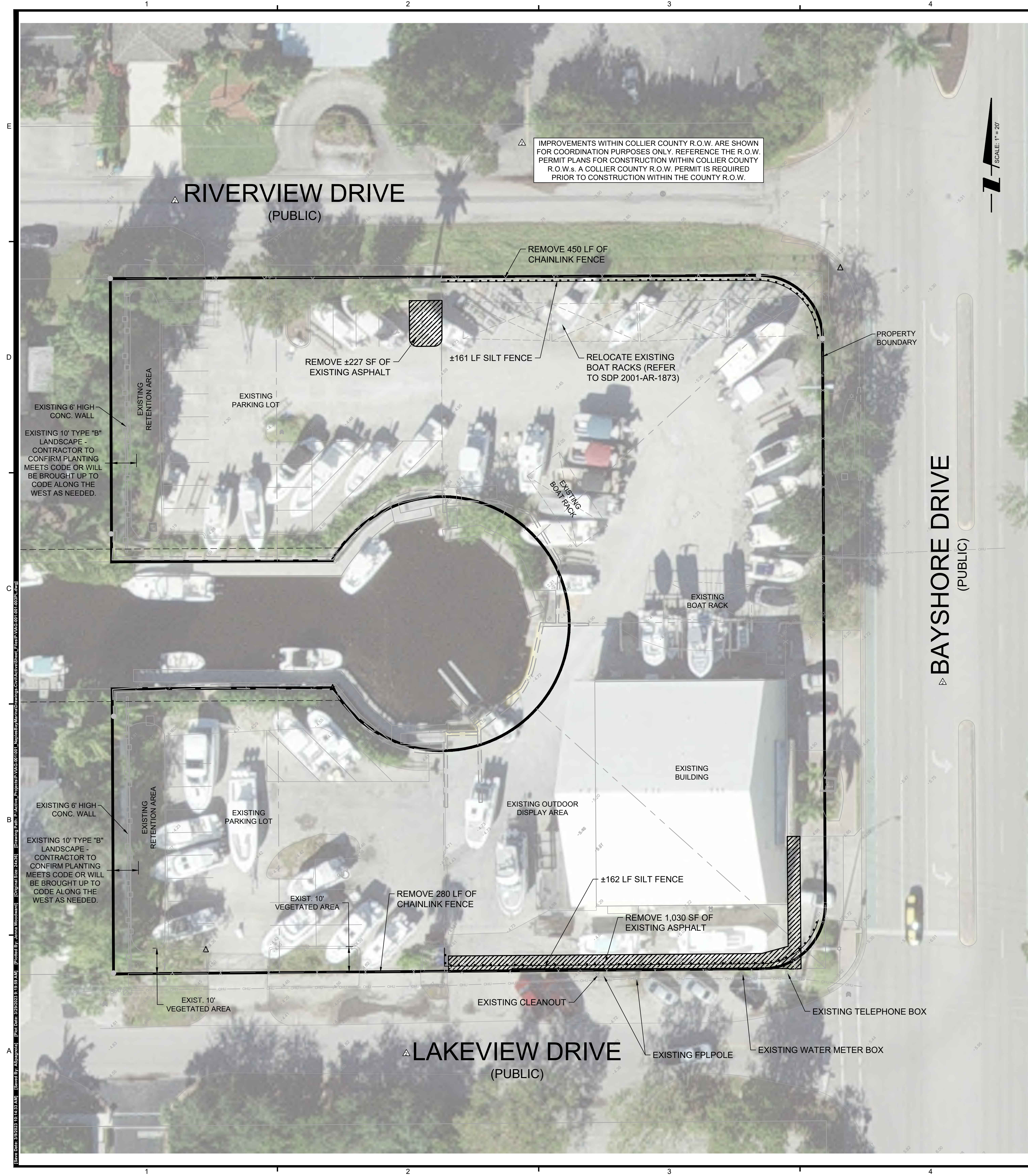
[illegible]

0001	C-0001
------	--------

SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD

1000 2 10 0.0 0.0

SHEET ID:



NOTES FOR SILT FENCES

- Type III Silt Fence to be used at most locations. Where used in ditches, the spacing for Type III Silt Fence shall be in accordance with Chart 1, Sheet 1.
- Type IV Silt Fence to be used where large sediment loads are anticipated. Suggested use is where the slope is 1:2 or steeper and length of slope exceeds 25 feet. Avoid use where the sediment may flow into the ditch or fill the ditch (1:1).
- Do not construct silt fence across permanent flowing watercourse. Silt fences are to be at ground level and located in a location where they can be removed without damage to the watercourse.

CLEARING NOTES

- REFERENCE COLLIER COUNTY LAND DEVELOPMENT CODE FOR NATIVE VEGETATION REQUIREMENTS.
- PRIOR TO COMMENCEMENT OF CONSTRUCTION, THE APPLICANT SHALL INSTALL TEMPORARY CONSTRUCTION FENCING (ENVIROFENCE) BEYOND THE DRIP LINES OF RETAINED VEGETATION ALONG THE LIMITS OF CLEARING. THIS FENCE SHALL REMAIN ERECTED AND MAINTAINED THROUGHOUT THE DURATION OF CONSTRUCTION.
- CONTRACTOR SHALL EMPLOY METHODS IN ACCORDANCE WITH "BEST MANAGEMENT PRACTICES" AND REFERENCE NOTES DISCHARGE CONTROL PLAN AND DETAILS TO PREVENT EROSION.
- ALL PROHIBITED EXOTIC VEGETATION (CATEGORY I AND II EXOTICS AS DEFINED BY THE FLORIDA EXOTIC PEST PLANT COUNCIL (FEPPC)) SHALL BE REMOVED FROM THE SITE AND ALL NATIVE PRESERVATION AREAS SHALL BE MAINTAINED FREE OF PROHIBITED EXOTICS IN PROPERTITY. (DCC 165.06)
- WHERE HEAVY CONSTRUCTION ACTIVITIES ARE ADJACENT TO EXISTING NATIVE VEGETATION TO BE RETAINED, THE LIMITS OF CLEARING WILL BE CLEARLY MARKED AND BARRICADED PRIOR TO COMMENCEMENT OF CONSTRUCTION AND SHALL REMAIN IN PLACE UNTIL COMPLETION OF CONSTRUCTION.

LEGEND

- SILT FENCE
- DEMO ASPHALT

PENINSULA ENGINEERING
CIVIL ENGINEERING · LANDSCAPE ARCHITECTURE · ENVIRONMENTAL CONSULTING · LAND PLANNING · SITE PLANNING · CONSTRUCTION MANAGEMENT · OWNER REPRESENTATIVE

2600 Golden Gate Parkway
Naples, Florida 34105
Phone: 239.403.6700 Fax: 239.261.1797
Email: info@pen-eng.com Website: www.pen-eng.com
Florida Engineering Certificate of Authorization #20275
Florida Landscape Certificate of Authorization #LC26000632

PROJECT:

VIAGE BAYSHORE MARINA

TITLE:

AERIAL AND CLEARING LIMITS AND FLUCCS MAP

OWNER/CLIENT/CONSULTANT:

VIAGE MARINAS, LLC

REVISIONS:

No.	Revision:	Date:
2	REVISED PER CC RA	9/3/2022

NOTES:

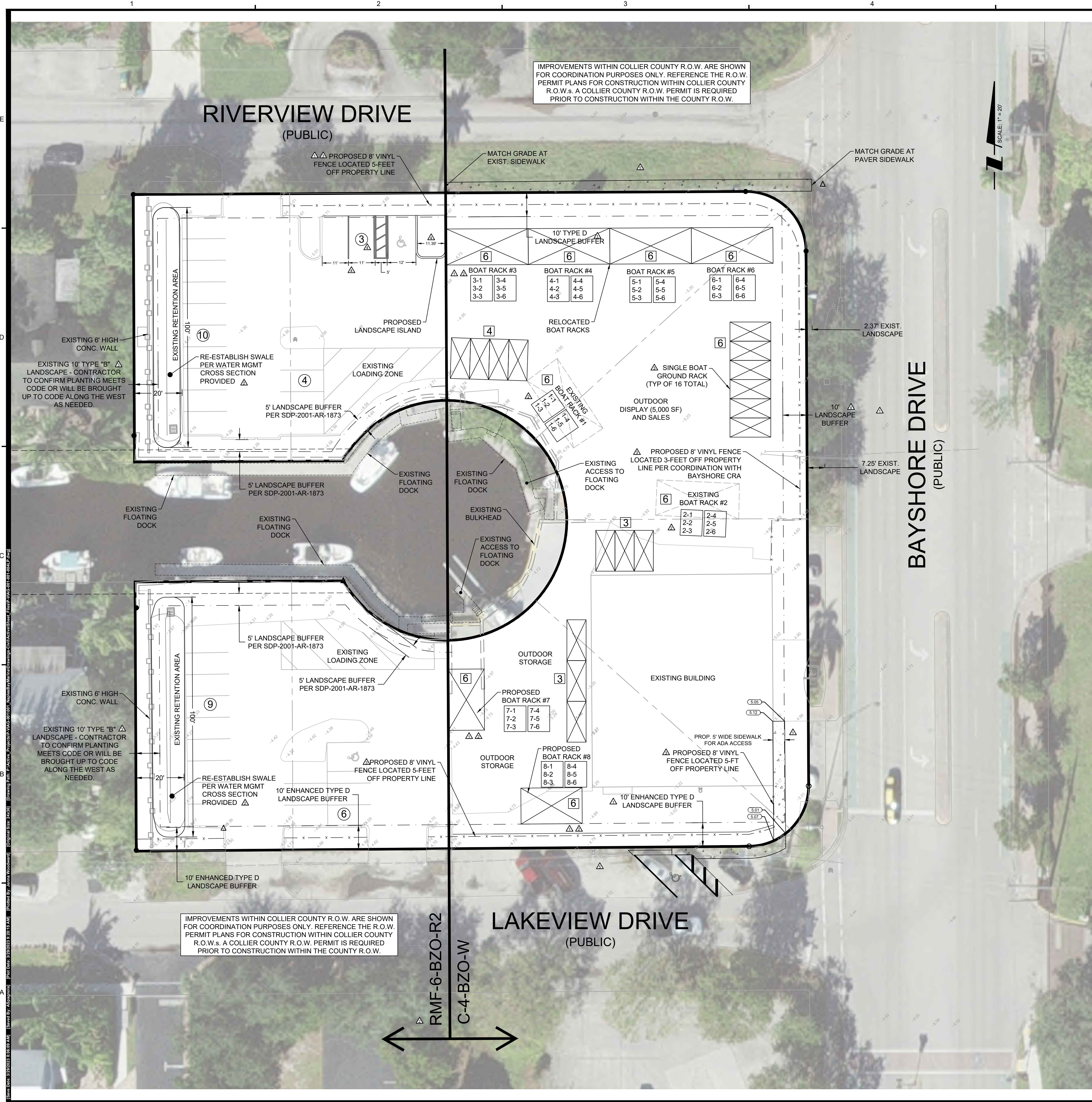
PROFESSIONAL SEALS:

PROFESSIONAL ENGINEER: JENNA WOODWARD, P.E.
FLORIDA LICENSE NUMBER: 84212

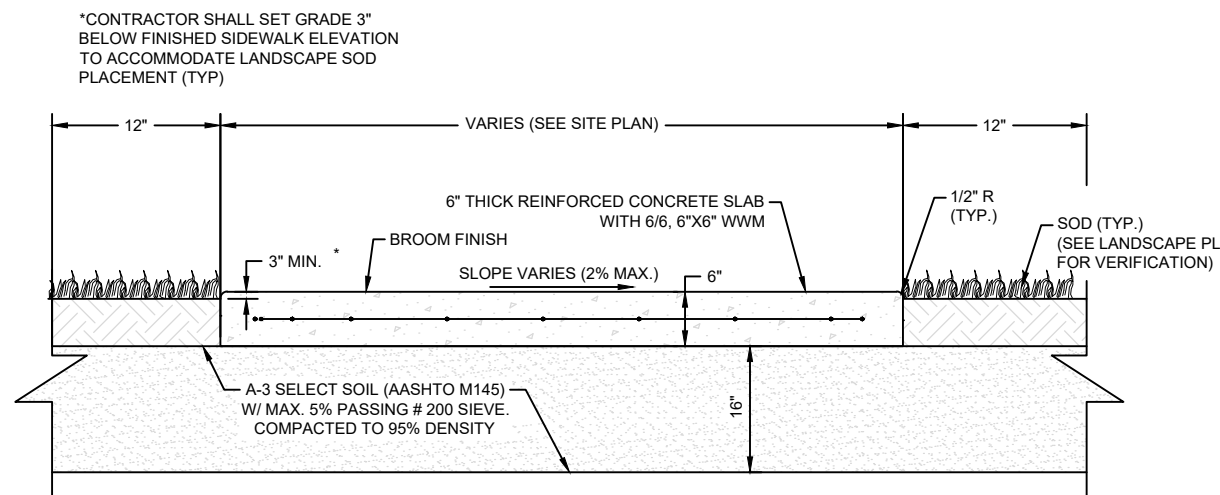
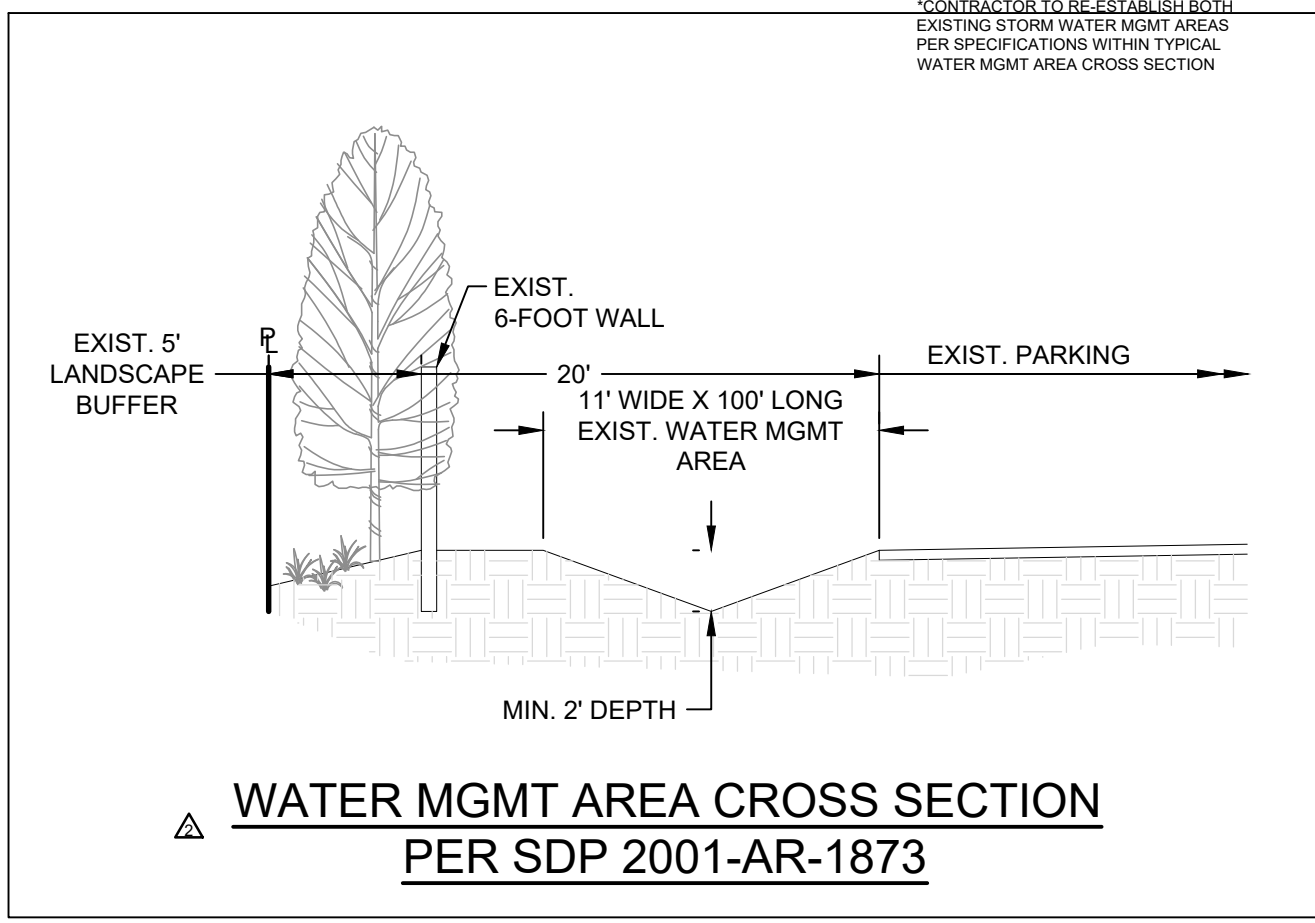
DATUM NOTE:
ALL ELEVATIONS ARE BASED ON NAVD 88 (NORTH AMERICAN VERTICAL DATUM OF 1988).

Bar Scale: 1" = 20'

SEC: 14 TWP: 50 RGE: 25
City: NAPLES County: COLLIER
Designed by: JENNA WOODWARD, P.E.
Drawn by: JENNA WOODWARD, P.E.
Date: 6/2022
Horizontal Scale: 1" = 20'
Vertical Scale: N.T.S.
Project Number: P-VIAG-001-001
File Number: P-VIAG-001-001-003PL
C-003
Sheet Number: 03 of 5



GENERAL NOTES:



- NOTES:
- OWNER HAS THE DISCRETION OF USING PAVEMENT BRICKS IN PLACE OF CONCRETE SIDEWALK. CONTRACTOR SHALL REFERENCE LANDSCAPE ARCHITECT'S PLANS FOR PAVEMENT BRICK FINAL LOCATIONS, THICKNESS, SIZE, COLOR, PATTERN, AND SPECIFICATIONS. PAVEMENT BRICK SEALANT OR REPELLENT MAY BE USED AT OWNER'S DISCRETION. IF THERE ARE ANY DISCREPANCIES BETWEEN LANDSCAPE ARCHITECT'S PLANS AND SPECIFICATION AND ENGINEER'S PLANS, CONTRACTOR IS REQUIRED TO OBTAIN FROM THE ENGINEER WRITTEN APPROVAL FOR ANY DEVIATIONS.
 - THE PROPOSED FILL SHALL BE COMPACTED IN 12" LIFTS TO 95% MAXIMUM DENSITY IN ACCORDANCE WITH AASHTO T-180 AND THE ENGINEER'S TECHNICAL SPECIFICATIONS.
 - SUBGRADE SHALL BE SAND, COMPACTED TO A FIRM, EVEN SURFACE, TRUE TO GRADE, AND CROSS-SECTION, AND BE MOIST WHEN CONCRETE IS PLACED.
 - CONCRETE SHALL HAVE A COMPRESSIVE STRENGTH OF 3,000 P.S.I. IN 28 DAYS.
 - SIDEWALK SHALL HAVE CONTRACTION JOINTS AT 9' INTERVALS AND AN EXPANSION JOINT EVERY 100'.
 - MAXIMUM LONGITUDINAL SLOPE FOR DISABLED ACCESSIBLE SIDEWALK SHALL BE 1:20.
 - TOP OF SOD TO BE FLUSH WITH SIDEWALK, PROVIDE POSITIVE SLOPE TO PREVENT PONDING.
 - FIBER REINFORCEMENT MAY BE SUBSTITUTED FOR WIRE MESH REINFORCEMENT AT THE DISCRETION OF THE DEVELOPER.
 - CONCRETE SIDEWALK WITHIN PUBLIC ROADWAY ROW TO BE 6" THICK (LDC SECTION 6.06.02 F.1-a) AND BE PLACED OVER A COMPACTED SUBGRADE (LDC SECTION 6.06.02 F.1-a).

TABLES

ONSITE BOAT STORAGE			
	TYPE OF STORAGE	NUMBER OF RACKS	NO. OF SPACES
BOAT STORAGE	6 SLIP STORAGE RACK	8	48 SPACES
BOAT STORAGE	SINGLE SLIP GROUND LEVEL (MOVABLE)	16	16 SPACES
BOAT STORAGE	BUILDING STORAGE	26	26 SPACES
TOTAL PROVIDED =			90 SPACES

EXISTING ONSITE PARKING TABLE			
BUILDING USE	BUILDING UNITS	REQUIRED PARKING RATIO (PER LEE COUNTY LDC)	REQUIRED NO. OF SPACES (PER LEE COUNTY LDC)
BOAT STORAGE	90 STORAGE BAYS	1 SPACE / 5 BAYS	18 SPACES
OUTDOOR DISPLAY	5,000 SF	1 SPACE / 1,000 SF	5 SPACES
TOTAL REQUIRED =			23 SPACES
TOTAL PROVIDED =			32 SPACES

ACCESSIBLE PARKING REQUIREMENTS

TOTAL PARKING PROVIDED	REQUIRED ACCESSIBLE	PROVIDED ACCESSIBLE
32	2	2

NOTE: ADA SPACE (1) ON NORTH SIDE OF PROJECT IS FOR BOAT LAUNCH ACCESS. ADA SPACE (1) ON SOUTH SIDE OF PROJECT ALONG LAKE VIEW DRIVE IS FOR OFFICE ACCESS.

SITE AREA SUMMARY				
LOCATION	CATEGORY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE OF TOTAL
IMPERVIOUS	ROOF	6,679	0.15	10.4%
	SIDEWALK / PATHS	1,191	0.03	1.9%
	PAVEMENT / CURB	43,494	1.00	67.6%
	IMPERVIOUS (SUB-TOTAL)	51,364	1.18	79.9%
PERVIOUS	OPEN SPACE	13,001	0.30	20.2%
	PERVIOUS (SUB-TOTAL)	13,001	0.30	20.2%
TOTAL		64,365	1.48	100.0%

PENINSULA ENGINEERING

CIVIL ENGINEERING · LANDSCAPE ARCHITECTURE · ENVIRONMENTAL CONSULTING · LAND PLANNING · SITE PLANNING · CONSTRUCTION MANAGEMENT · OWNER REPRESENTATIVE

2600 Golden Gate Parkway
Naples, Florida 34105
Phone: 239.403.6700 Fax: 239.261.1797
Email: info@pen-eng.com Website: www.pen-eng.com
Florida Engineering Certificate of Authorization #20275
Florida Landscape Certificate of Authorization #LC26000632

PROJECT:

VIAGE BAYSHORE MARINA

TITLE:

ZONING DATA SHEET AND TABLES

OWNER/CLIENT/CONSULTANT:

VIAGE MARINAS, LLC

REVISIONS:

No.	Revision	Date
1	SOP - FIRST SUBMITTAL	6/23/2022
2	REVISED PER CC RA	8/3/2022
3	PER CC RA DATED AUGUST 12, 2022	08/17/2022
4	DR COMMENT REVIEW AND UPDATES	11/14/2022
5	REMOVE OFFSITE PARKING AND SIDEWALKS PER CRA AND PUBLIC REQUEST	03/09/2023

NOTES:

PROFESSIONAL SEALS:

PROFESSIONAL ENGINEER: JENNA WOODWARD, P.E.
FLORIDA LICENSE NUMBER: 84212

DATUM NOTE:
ALL ELEVATIONS ARE BASED ON NAVD 88 (NORTH AMERICAN VERTICAL DATUM OF 1988).

Bar Scale: 1" = 20'

SEC: 14 TWP: 50 RGE: 25
City: NAPLES County: COLLIER
Designed by: JENNA WOODWARD, P.E.
Drawn by: JENNA WOODWARD, P.E.
Date: 6/2022
Horizontal Scale: 1" = 20'
Vertical Scale: N.T.S.
Project Number: P-VIAG-001-001
File Number: P-VIAG-001-001-004LP
C-004
Sheet Number: 04 of 5

1. DEVIATION #1 SEEKS RELIEF FROM LDC SECTION 4.02.16. C.7.C "MARINAS AND BOATYARDS," WHICH REQUIRES ALL BOAT RACKS TO BE ENCLOSED WITH A WALL OR FENCE, WITH BOATS NOT EXCEEDING THE HEIGHT OF THE ENCLOSURE, TO INSTEAD ALLOW AN ENHANCED TYPE 'D' LANDSCAPE BUFFER AND A SOLID 8' VINYL FENCE ALONG RIVERVIEW DRIVE TO SCREEN THE BOATS AND BOAT RACKS. THE ENHANCED 10' TYPE 'D' BUFFER SHALL CONSIST OF A ROW OF CABBAGE PALMS 16'-24' IN HEIGHT (CLEAR TRUNK) AT TIME OF PLANTING, A ROW OF DAHOON HOLLIES A MINIMUM OF 6' IN HEIGHT AT TIME OF PLANTING, A ROW OF GREEN BUTTWOODS A MINIMUM 10' IN HEIGHT AT TIME OF PLANTING AND SPACED A MAXIMUM 30' ON CENTER, AND A HEDGE THAT IS A MINIMUM 36' IN HEIGHT AT TIME OF PLANTING AND SPACED 36' ON CENTER.
2. DEVIATION #2 SEEKS RELIEF FROM LDC SECTION 4.02.16. C.10.D "OUTDOOR DISPLAY, SALES OR STORAGE," WHICH PERMITS A MAXIMUM HEIGHT OF 17' ABOVE EXISTING GRADE FOR BOATS THAT ARE STORED OR ON DISPLAY, TO INSTEAD ALLOW A MAXIMUM HEIGHT OF 29' (20' BOAT RACKS AND AN ADDITIONAL 9' TO ACCOMMODATE THE HEIGHT OF BOATS).
3. DEVIATION #3 SEEKS RELIEF FROM LDC SECTION 4.02.16. C.10.E "OUTDOOR DISPLAY, SALES OR STORAGE," WHICH REQUIRES OUTDOOR DISPLAY, SALES AND STORAGE OF BOATS THAT EXCEED A HEIGHT OF 6' TO BE SETBACK AT LEAST 50 FEET FROM A PROPERTY LINE THAT IS IN VIEW OF PROPERTY ZONED OR USED FOR RESIDENTIAL PURPOSES, TO INSTEAD ALLOW A 15' SETBACK FROM RIVERVIEW DRIVE AND A 10' SETBACK FROM LAKEVIEW DRIVE.
4. DEVIATION #4 SEEKS RELIEF FROM LDC SECTION 4.02.16. C.10.G "BUFFERING STANDARDS - OUTDOOR STORAGE, DISPLAY OR SALES AREAS," WHICH REQUIRES A 10' TYPE 'B' BUFFER FOR OUTDOOR STORAGE AREAS TO INSTEAD ALLOW AN ENHANCED 10' TYPE 'D' BUFFER ALONG LAKEVIEW DRIVE CONSISTING OF A SOLID 8' VINYL FENCE, A HEDGE THAT IS A MINIMUM 36' IN HEIGHT AT TIME OF PLANTING AND SPACED 36' ON CENTER, A ROW OF CABBAGE PALMS 16' - 24' IN HEIGHT (CLEAR TRUNK) AT TIME OF PLANTING, AND SILVER BUTTWOODS 14' IN HEIGHT AT TIME OF PLANTING AND PLANTED 10' ON CENTER.
5. DEVIATION #5 SEEKS RELIEF FROM LDC SECTION 4.02.16. C.10.G "BUFFERING STANDARDS- OUTDOOR STORAGE, DISPLAY OR SALES AREAS," WHICH REQUIRES A 10' BUFFER CONSISTING OF TREES A MINIMUM OF 14' IN HEIGHT SPACED 30' ON CENTER AND A DOUBLE HEDGE ROW 3' IN HEIGHT AND SPACED 3' ON CENTER FOR OUTDOOR DISPLAY OR SALES AREAS, TO INSTEAD ALLOW AN ENHANCED 10' TYPE 'D' BUFFER ALONG RIVERVIEW DRIVE CONSISTING OF A SOLID 8' VINYL FENCE, A ROW OF CLUSTERED CABBAGE PALMS 16'-24' IN HEIGHT (CLEAR TRUNK) AT TIME OF PLANTING, A ROW OF DAHOON HOLLIES A MINIMUM OF 6' IN HEIGHT AT TIME OF PLANTING, A ROW OF GREEN BUTTWOODS A MINIMUM 10' IN HEIGHT AT TIME OF PLANTING AND SPACED A MAXIMUM 30' ON CENTER, AND A HEDGE THAT IS A MINIMUM 36' IN HEIGHT AT TIME OF PLANTING AND SPACED 36' ON CENTER.
6. DEVIATION #6 SEEKS RELIEF FROM LDC SECTION 4.02.16. C.10.G "BUFFERING STANDARDS - OUTDOOR STORAGE, DISPLAY OR SALES AREAS," WHICH REQUIRES A 10' BUFFER CONSISTING OF TREES A MINIMUM OF 14' IN HEIGHT SPACED 30' ON CENTER AND A DOUBLE HEDGE ROW 3' IN HEIGHT AND SPACED 3' ON CENTER FOR OUTDOOR DISPLAY OR SALES AREAS, TO INSTEAD ALLOW A 10' LANDSCAPE BUFFER ALONG BAYSHORE DRIVE CONSISTING OF A SOLID 8' VINYL FENCE AND A HEDGE THAT IS A MINIMUM 36' IN HEIGHT AT TIME OF PLANTING AND SPACED 36' ON CENTER, AND A ROW OF CABBAGE PALMS 16'-24' IN HEIGHT (CLEAR TRUNK) AT TIME OF PLANTING AND A ROW OF SILVER BUTTWOODS A MINIMUM 14' IN HEIGHT AT TIME OF PLANTING TO SATISFY VEGETATION REQUIREMENTS.

CIVIL ENGINEERING · LANDSCAPE ARCHITECTURE ·
ENVIRONMENTAL CONSULTING · LAND PLANNING ·
SITE PLANNING · CONSTRUCTION MANAGEMENT ·
OWNER REPRESENTATIVE

2600 Golden Gate Parkway
Naples, Florida 34105
Phone: 239.403.6700 Fax: 239.261.1797
Email: info@pen-eng.com Website: www.pen-eng.com
Florida Engineering Certificate of Authorization #28275
Florida Landscape Certificate of Authorization #LC26000632

PROJECT:

VIAGE
BAYSHORE
MARINA

TITLE:

SITE PLAN - DEVIATIONS

OWNER/CLIENT/CONSULTANT:

VIAGE MARINAS, LLC

REVISIONS

[illegible]

NOTES

PROFESSIONAL SEALS

PROFESSIONAL ENGINEER: JENNA WOODWARD, P.E.
FLORIDA LICENSE NUMBER: 84212

DATUM NOTE:
ALL ELEVATIONS ARE BASED ON NAVD 88
(NORTH AMERICAN VERTICAL DATUM OF 1988).

Bar Scale: 1" = 20'

SEC: 14 TWP: 50 RGE: 25

City: **NAPLES** County: **COLLIER**

Designed by: JENNA WOODWARD, P.E.

Drawn by: JENNA WOODWARD, P.E.

Date: 6/2022

Horizontal Scale: $1'' = 20'$

Vertical Scale: N T S

Project Number: P-VIAG-001-001

File Number: P-VIAG-001-001-004| P2

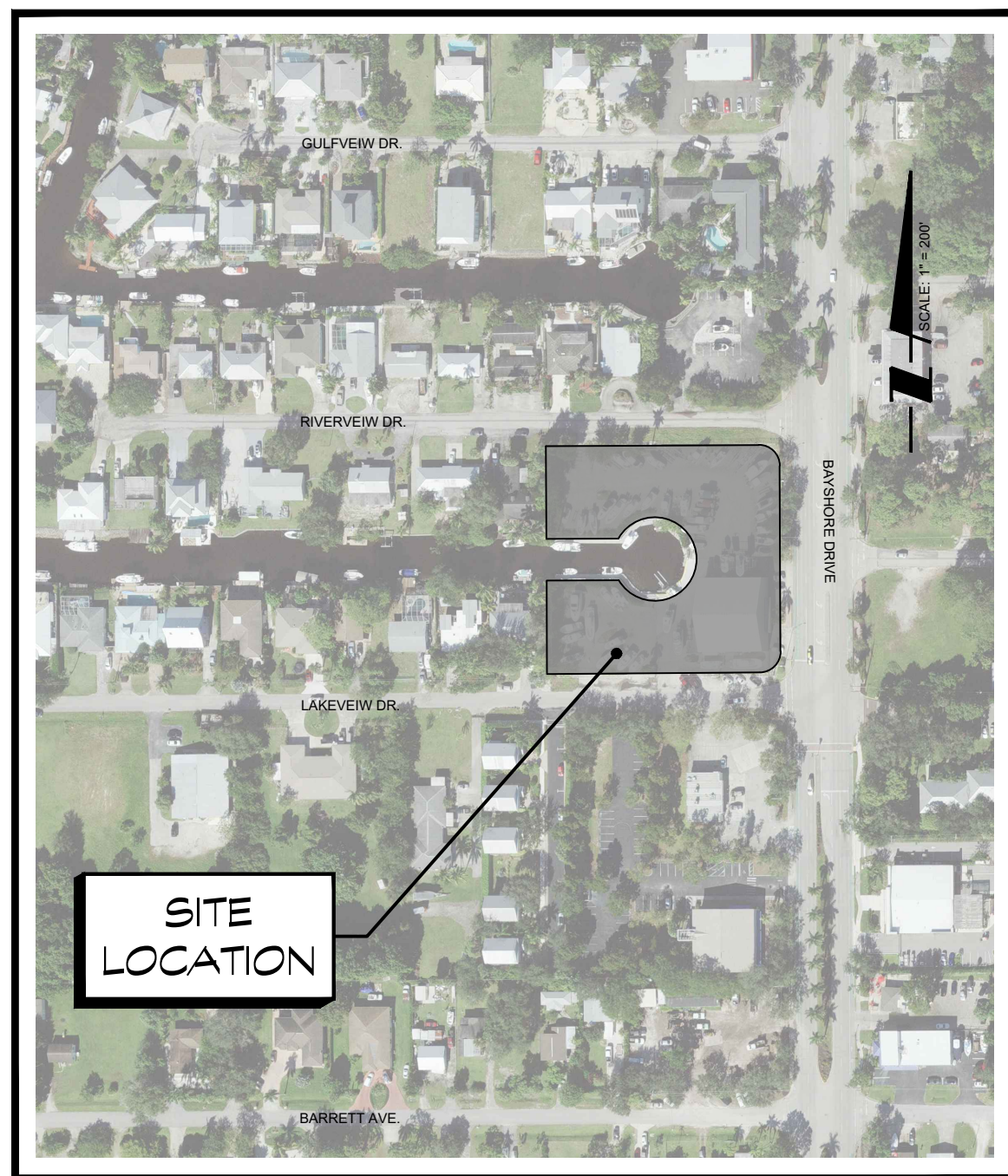
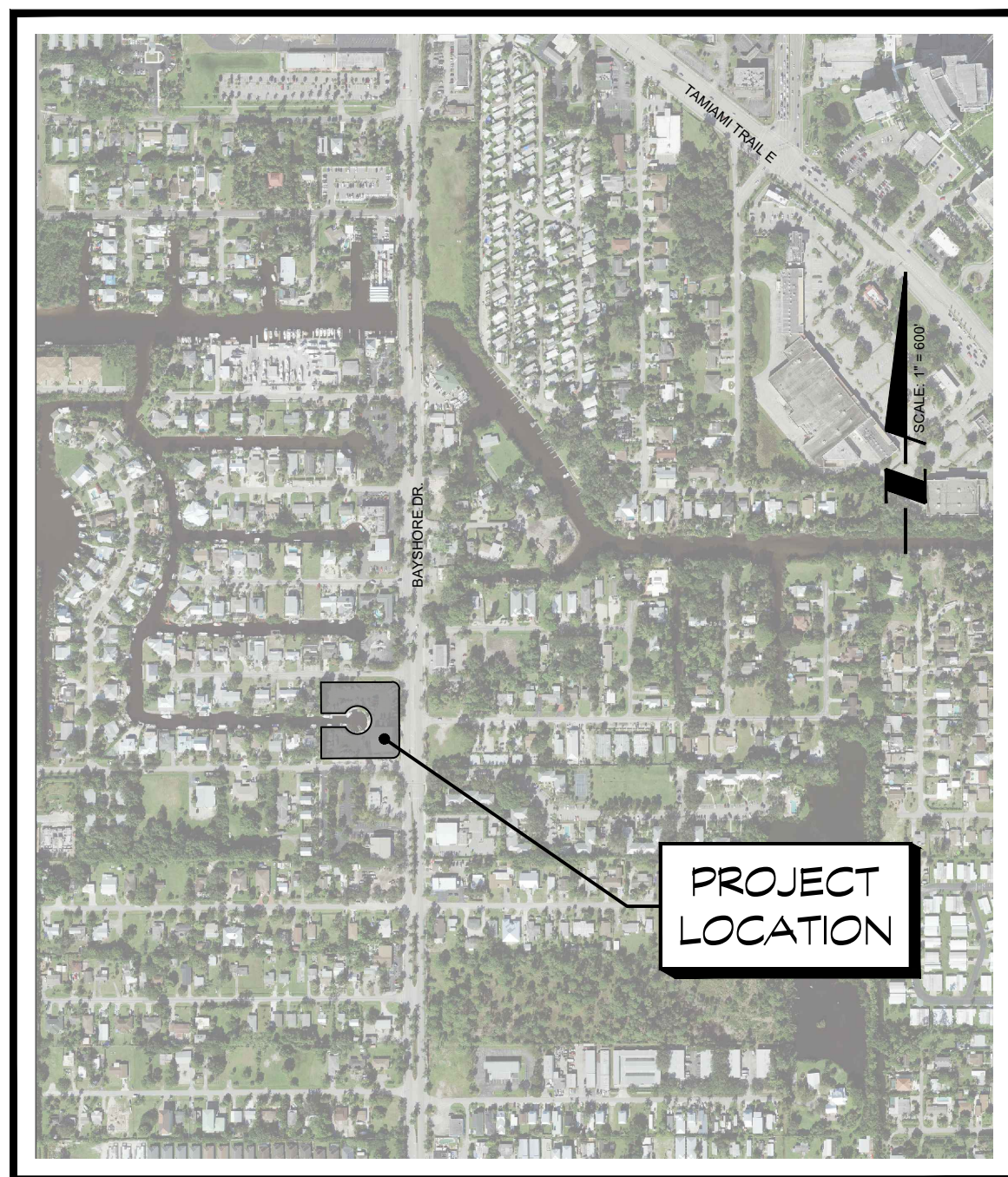
C 120

C-120

Sheet Number: 05 of 5

VIAGE BAYSHORE MARINA

PART OF SECTION 14, TOWNSHIP 50 SOUTH, RANGE 25 EAST,
COLLIER COUNTY, FLORIDA



OWNER/DEVELOPER
VIAGE MARINAS, LLC
17913 SPENCER RD
ODESSO, FL 33556

Always call 811 two full business days before you dig to have underground utilities located and marked.



THIS ITEM HAS BEEN ELECTRONICALLY SIGNED
AND SEALED BY STEVE SAMMONS USING A SHA-
AUTHENTICATION CODE.

PRINTED COPIES OF THIS DOCUMENT ARE NOT
CONSIDERED SIGNED AND SEALED AND THE SHA
AUTHENTICATION CODE MUST BE VERIFIED ON
ANY ELECTRONIC COPIES.

[illegible]



E

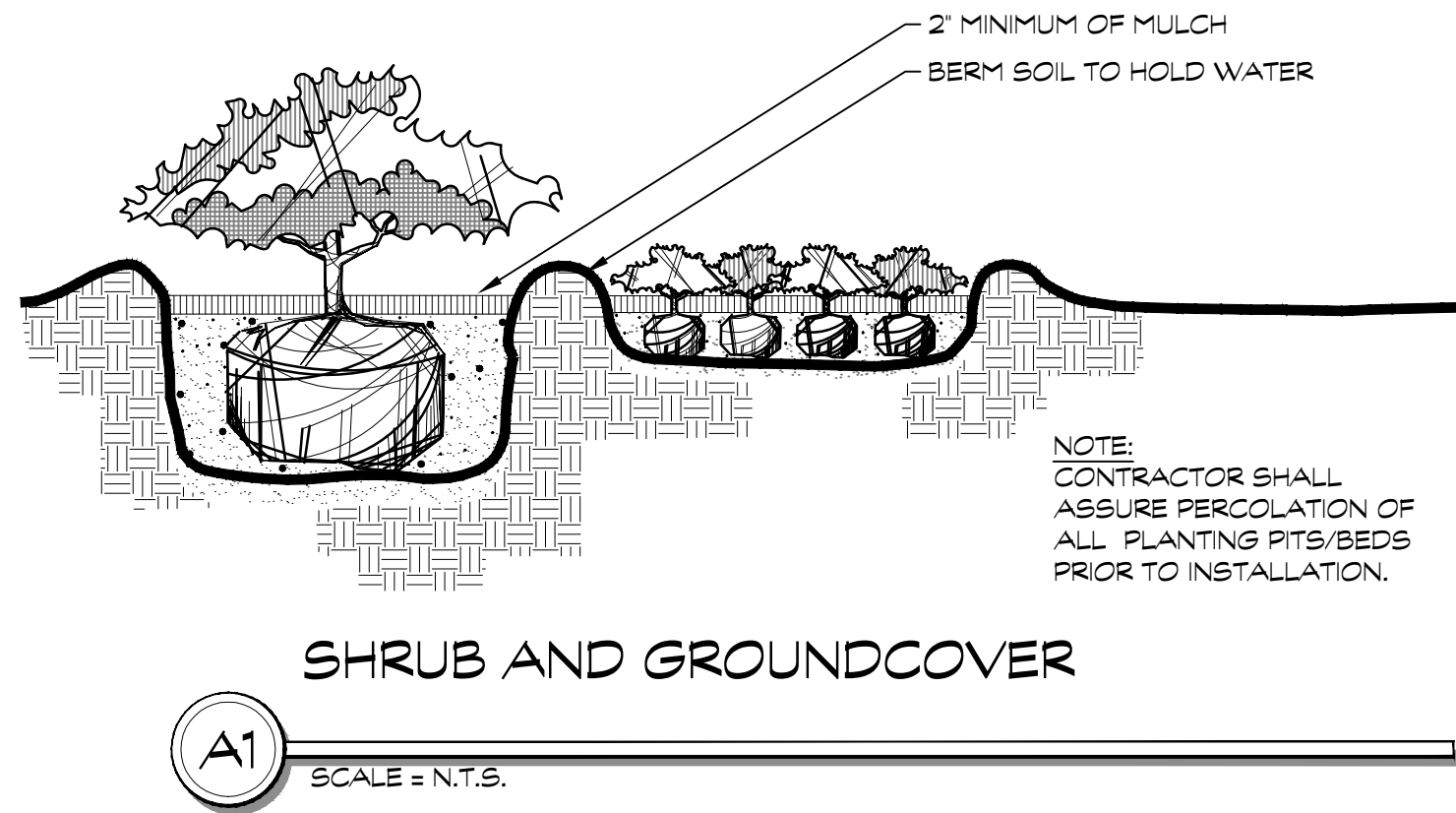
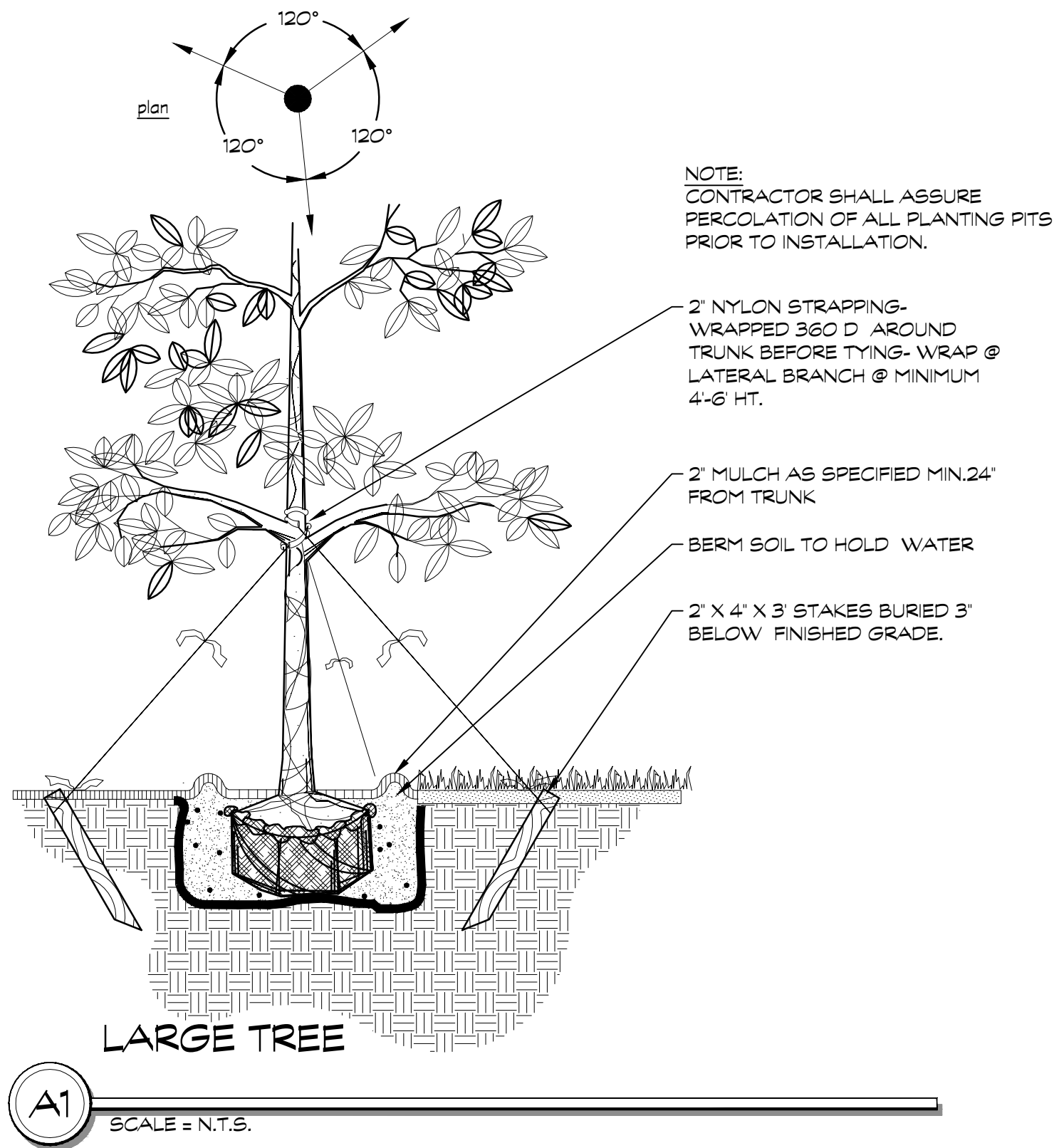
D

C

B

A

Leave Date: 1/25/2022 4:19:03 PM | Saved By: Ssammons | Plot Date: 1/25/2022 4:19:37 PM | Printed By: Steve Sammons | C:\Users\AUGUST\OneDrive\Working\AutoCAD\Projects\VIAG-001\001 - Naples Bay Marina\22\VIAG-001-L3.dwg | Drawing Path: C:\Users\AUGUST\OneDrive\Working\AutoCAD\Projects\VIAG-001\001 - Naples Bay Marina\22\VIAG-001-L3.dwg



Code Minimum Plant List

Trees and Palms

QUANTITY	SYMBOL	BOTANICAL NAME	COMMON NAME	SPECIFICATIONS	NATIVE
6	CE	Conocarpus erectus	Green Buttonwood	10' ht / 1-3/4" cal (12" above grade) / 4' spr minimum	Y
25	CES	Conocarpus erectus sericeus	Silver Buttonwood	14' ht	Y
12	IC	Ilex Cassine	Dahoon Holly	6' ht	Y
5	E-QV	Quercus virginiana	Live Oak	Existing - see plans	Y
2	E-REX	Roystonea elata	Royal Palm	Existing - see plans	Y
42	SP	Sabal palmetto	Cabbage Palm	14 @ 16', 14 @ 20', 14 @ 24' CT as shown	Y

Shrubs

QUANTITY	SYMBOL	BOTANICAL NAME	COMMON NAME	SPECIFICATIONS	NATIVE
64	CHR	Chrysobalanus icaco	Cocoplum	36" ht. min. / 36" OC	Y
197	POD	Podocarpus macrophyllus 'Maki'	Podocarpus	36" ht. min. / 36" OC	N

Note: Mulch to match existing on site.

Note: All new plantings shall be irrigated with an automatic system and rain sensor.

2600 Golden Gate Parkway
Naples, Florida 34105
Phone: 239.403.6700 Fax: 239.261.1797
Email: info@pen-eng.com
Website: www.pen-eng.com
Florida Engineering Certificate of Authorization #28275
Florida Landscape Certificate of Authorization #LC26000632

PROJECT:

VIAGE
BAYSHORE
MARINA

SHEET TITLE:

NOTES AND DETAILS

PREPARED FOR:

VIAGE MARINAS, LLC

REVISIONS:

No.	Revision:	Date:
1	ADDITIONAL ENHANCED LANDSCAPE	8/5/2022
2	PER CC BA DATED 8/12/22 AND UPDATE SOUTH PLANTINGS	8/24/2022
3	PER COUNTY COMMENTS DATED 10/10/22	11/21/2022
4	PER COUNTY COMMENTS DATED 1/28/2023	1/30/2023

GRAPHIC SCALE:

VERIFY ALL DIMENSIONS SHOWN ON THESE DRAWINGS TO CONFIRM PROPER SCALE PRIOR TO CONSTRUCTION. REPORT ANY ERRORS OR OMISSIONS TO PENINSULA ENGINEERING.

PROFESSIONAL SEALS:

LANDSCAPE ARCHITECT: STEVE SAMMONS
FLORIDA LICENSE NUMBER: LA0001394

Designed by: STEVE SAMMONS
Drawn by: STEVE SAMMONS
Date: JUNE 2022
Horizontal Scale:
Project Number: P-VIAG-001-001
File Number: P-VIAG-001-001-L3
Sheet Number: 03 of 3

Viage Bayshore Marina Deviation Justifications

1. Deviation #1 seeks relief from LDC Section 4.02.16. C.7.c "Marinas and Boatyards," which requires all boat racks to be enclosed with a wall or fence, with boats not exceeding the height of the enclosure, to instead allow an enhanced Type 'D' landscape buffer and a solid 8' vinyl fence along Riverview Drive to screen the boats and boat racks. The enhanced 10' Type 'D' buffer shall consist of a row of Cabbage Palms 16'-24' in height (clear trunk) at time of planting, a row of Dahoon Hollies a minimum of 6' in height at time of planting, a row of Green Buttonwoods a minimum 10' in height at time of planting and spaced a maximum 30' on center, and a hedge that is a minimum 36" in height at time of planting and spaced 36" on center.

Justification: The subject property has been utilized as a marina since the early 1970's, prior to the establishment of the Bayshore Zoning Overlay. Due to the size of the property, current code requirements contained within Bayshore Zoning Overlay, create significant constraints and challenges with proposed site improvements. Previous boat racks, ranging from ±20' to ±40' in height, were removed due to unsafe, poor conditions from 2018-2021. This deviation will allow the re-installation of boat racks on the subject property for storage, display and sales which are imperative to the operations of the existing marina. The new racks will also allow the site to function safely. All storage and marina operations will be removed from the lots located within the Accessory Parking Zone.

The newly installed racks are 20 in height (±29 including a boat); therefore, less intense than the original on-site racks. The total land area available for the marina operations on the C-4 zoned lots is very limited, making it impossible to meet new design standards.

The existing 6' chain link fence will be replaced with a solid 8' vinyl fence and enhanced landscaping will be also installed, which will be beneficial to the surrounding community by making the site more aesthetically pleasing.

2. Deviation #2 seeks relief from LDC Section 4.02.16. C.10.d "Outdoor Display, Sales or Storage," which permits a maximum height of 17' above existing grade for boats that are stored or on display, to instead allow a maximum height of 29' (20' boat racks and an additional 9' to accommodate the height of boats).

Justification: Previous on-site boat racks ranged from 20' – 40' in height (up to 4-levels high). The requested boat racks are less intense than what previously existed on site. The additional 12' being requested will accommodate the various types of boats being stored on the property.

Viage Bayshore Marina
DR-PL2022000558
February 1, 2023

2600 Golden Gate Parkway, Naples, Florida, 34105 Office 239.403.6700 Fax 239.261.1797

Fla Engineer CA 28275

Fla Landscape CA LC26000632

Fla Surveyor/Mapper LB8479

3. Deviation #3 seeks relief from LDC Section 4.02.16. C.10.e “Outdoor Display, Sales or Storage,” which requires outdoor display, sales and storage of boats that exceed a height of 6’ to be setback at least 50 feet from a property line that is in view of property zoned or used for residential purposes, to instead allow a 15’ setback from Riverview Drive and a 10’ setback from Lakeview Drive.

Justification: Due to the size of the existing property and location of existing structures, the proposed site improvements cannot meet a 50’ setback. Views from surrounding residential properties are limited and will be improved with the solid 8’ vinyl fence and enhanced landscaping that are proposed. A parking lot is located immediately north of the Marina site and a Convenience Store is located immediately south, both fronting Bayshore Drive.

4. Deviation #4 seeks relief from LDC Section 4.02.16. C.10.g “Buffering Standards - Outdoor Storage, Display or Sales Areas,” which requires a 10’ Type ‘B’ buffer for outdoor storage areas to instead allow an Enhanced 10’ Type ‘D’ buffer along Lakeview Drive consisting of a solid 8’ vinyl fence, a hedge that is a minimum of 36” in height at time of planting and spaced 36” on center, a row of Cabbage Palms 16’-24’ in height (clear trunk) at time of planting, and Silver Buttonwoods 14’ in height at time of planting and planted 10’ on center.

Justification: Existing asphalt, site improvements and the existing location of power lines make meeting this code requirement unfeasible. The existing 6’ chain link fence will be replaced with a solid 8’ vinyl fence and new landscaping will be installed to screen the marina from nearby property owners.

5. Deviation #5 seeks relief from LDC Section 4.02.16. C.10.g “Buffering Standards- Outdoor Storage, Display or Sales Areas,” which requires a 10’ buffer consisting of trees a minimum of 14’ in height spaced 30’ on center and a double hedge row 3’ in height and spaced 3’ on center for outdoor display or sales areas, to instead allow an enhanced 10’ Type ‘D’ buffer along Riverview Drive consisting of a solid 8’ vinyl fence, a row of clustered Cabbage Palms 16’-24’ in height (clear trunk) at time of planting, a row of Dahoon Hollies a minimum of 6’ in height at time of planting, a row of Green Buttonwoods a minimum 10’ in height at time of planting and spaced a maximum 30’ on center, and a hedge that is a minimum 36” in height at time of planting and spaced 36” on center.

Response: Existing site improvements create challenges with meeting new code requirements. Enhanced landscaping, in conjunction with the solid 8’ vinyl fence, are sufficient to screen the property from adjacent properties. The property has been utilized as a marina since the early 1970’s.

Viage Bayshore Marina
DR-PL2022000558
February 1, 2023

2600 Golden Gate Parkway, Naples, Florida, 34105 Office 239.403.6700 Fax 239.261.1797

Fla Engineer CA 28275

Fla Landscape CA LC26000632

Fla Surveyor/Mapper LB8479

6. Deviation #6 seeks relief from LDC Section 4.02.16. C.10.g "Buffering Standards - Outdoor Storage, Display or Sales Areas," which requires a 10' buffer consisting of trees a minimum of 14' in height spaced 30' on center and a double hedge row 3' in height and spaced 3' on center for outdoor display or sales areas, to instead allow a 10' landscape buffer along Bayshore Drive consisting of a solid 8' vinyl fence and a hedge that is a minimum of 36" in height at time of planting and spaced 36" on center, and a row of Cabbage Palms 16'-24' in height (clear trunk) at time of planting and a row of Silver Buttonwoods 14' in height at time of planting to satisfy vegetation requirements.

Justification: Existing site improvements create challenges with meeting this newly adopted code requirement. The existing 6' chain link fence, currently located on the property line along Bayshore Drive, will be removed. A new, solid 8' vinyl fence will be installed 3' off the property line which will provide ample space to accommodate improvements proposed with the Bayshore Beautification MSTU widening project (sidewalks, new landscaping and lighting). The relocation of the fence was a request by the Bayshore CRA to allow for the proposed roadway improvement project. Additionally, there is existing vegetation within the Bayshore right-of-way that will remain, providing additional vegetation and screening of the site. The boat racks will be screen by adding vegetation on the internal side of the fence.

The existing 6' chain link fence is legal non-conforming; therefore, not required to be removed. The property owner is proposing the installation of a solid fence to address compatibility with adjacent properties.

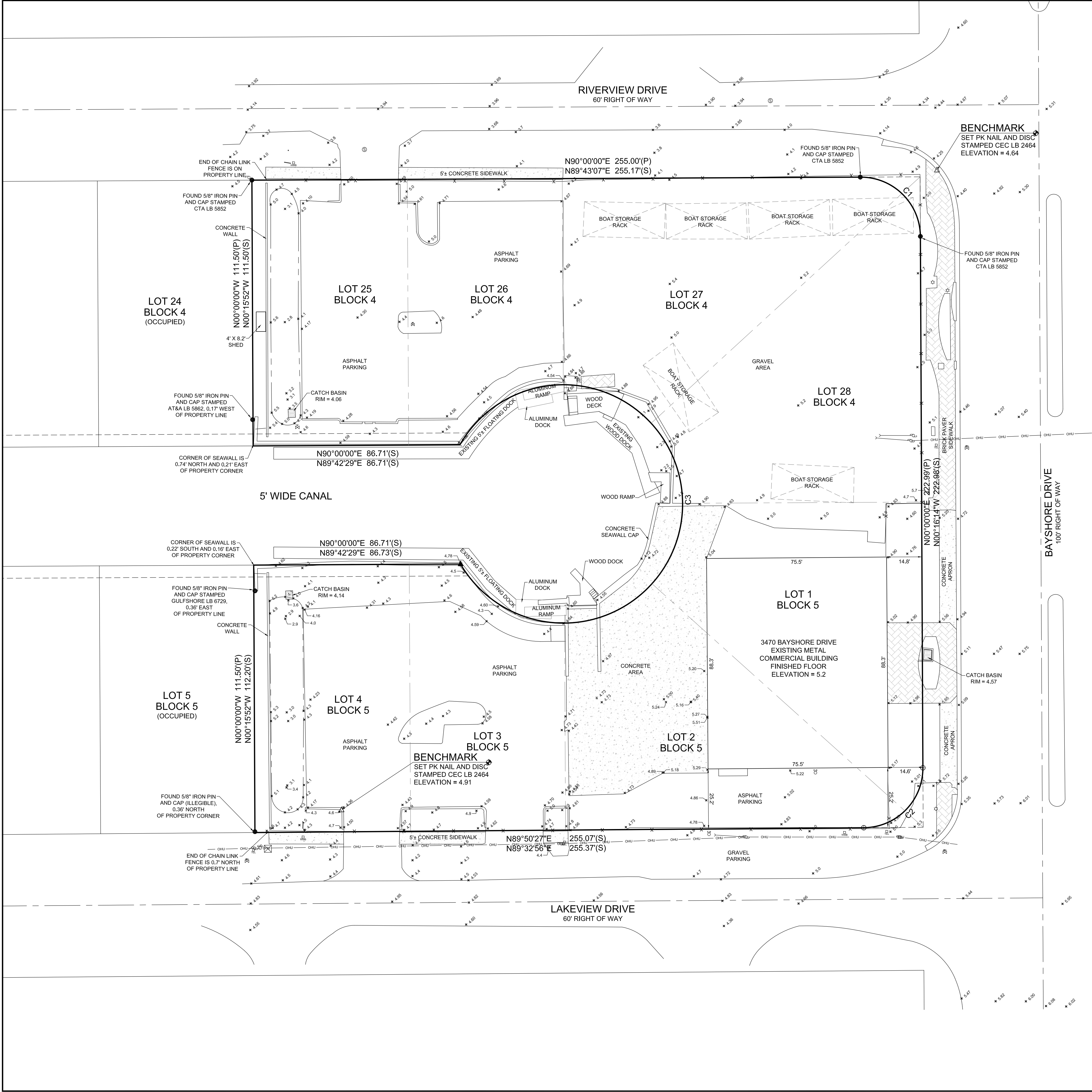
Viage Bayshore Marina
DR-PL2022000558
February 1, 2023

2600 Golden Gate Parkway, Naples, Florida, 34105 Office 239.403.6700 Fax 239.261.1797

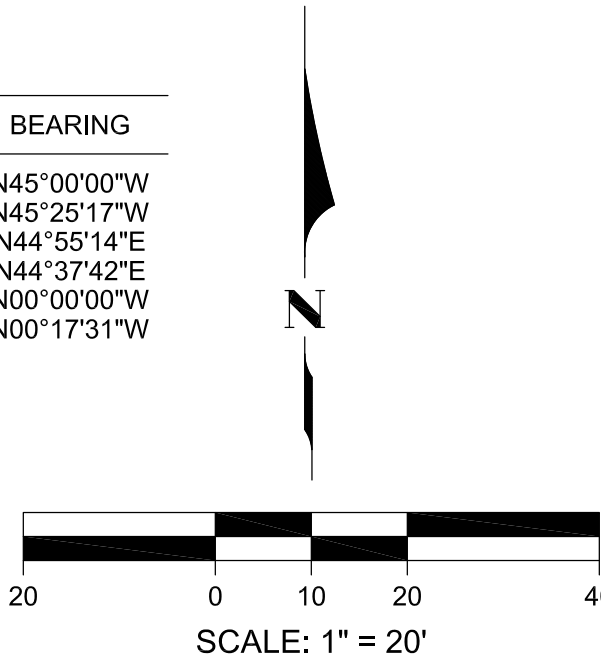
Fla Engineer CA 28275

Fla Landscape CA LC26000632

Fla Surveyor/Mapper LB8479



CXX - CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C1(C)	25.00'	90°00'00"	39.27'	35.36'	N45°00'00"W
C1(S)	25.00'	90°07'20"	39.32'	35.39'	N45°25'17"W
C2(C)	25.00'	89°50'27"	39.20'	35.31'	N44°55'14"E
C2(S)	25.00'	89°50'27"	39.20'	35.31'	N44°37'42"E
C3(P)	50.00'	300°00'00"	261.80'	50.00'	N00°00'00"W
C3(S)	50.00'	300°00'00"	261.80'	50.00'	N00°17'31"W



- LEGEND**
- (P) = PLAT DATA
 - (S) = SURVEY DATA
 - (TYP.) = TYPICAL
 - OHU = OVERHEAD UTILITY LINE
 - ⊙ = SANITARY SEWER MANHOLE
 - ⊕ = WOOD POWER POLE
 - ⊖ = CONCRETE POWER POLE
 - ⊗ = WATER VALVE
 - ⊘ = IRRIGATION VALVE
 - ⊙ = CLEANOUT
 - ⊕ = LIGHT POLE
 - ⊖ = ELECTRIC SERVICE
 - ⊗ = WATER METER
 - ⊘ = TELEPHONE RISER
 - ⊙ = SECURITY CAMERA

- GENERAL NOTES**
- = SET 5/8" IRON PIN AND CAP STAMPED CEC LB 2464.
 - = FOUND 5/8" IRON PINAS NOTED.
 - ▲ = FOUND PK NAIL AND DISC STAMPED AT&A LB 5892.
 - BEARINGS BASED ON A GRID BEARING OF N89°43'07"E ON THE NORTH LINE OF THE DESCRIBED PROPERTY.
 - DESCRIBED PROPERTY LIES IN FLOOD ZONE AE, ELEVATION 7.0 PER F.I.R.M. COMMUNITY PANEL NO. 120067 MAP NO. 12021C 0582H DATED MAY 16, 2012.
 - ELEVATIONS SHOWN HEREON ARE RELATIVE TO NORTH AMERICAN VERTICAL DATUM 1988 (N.A.V.D. 88).
 - ELEVATIONS AND DISTANCES SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
 - THIS SURVEY IS CERTIFIED TO THE DATE OF THE FIELD SURVEY, NOT THE DATE OF SIGNATURE.

LEGAL DESCRIPTION
LOTS 25, 26, 27 AND 28, BLOCK 4 AND LOTS 1,2,3 AND 4, BLOCK 5, GULF SHORES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 50, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

THE ABOVE DESCRIBES AN AREA OF APPROXIMATELY 64,565 SQUARE FEET OR 1.48 ACRES OF LAND.

SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

DATE: 02/04/22		SCALE: 1" = 20'	DATE: 02/03/22	CLIENT: COASTAL AND MARINE ENGINEERING ENVIRONMENTAL AND GEOLOGICAL SERVICES LAND AND MARINE SURVEY AND MAPPING	
DRAWN: MMW	F.B.	C675	CHECKED: RJE	TITLE: PENINSULA ENGINEERING	
			PG. 15	BOUNDARY SURVEY OF LOTS 25, 26, 27 AND 28, BLOCK 4 AND LOTS 1,2,3 AND 4, BLOCK 5, GULF SHORES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 50, PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.	
			SEC. 28E		
			ACAD NO. 22,007		
			REF. NO. 22,007		
			BY	DATE	REVISION DESCRIPTION

COASTAL ENGINEERING CONSULTANTS INC.

PHONE: (239)643-2324
FAX: (239)643-1143
www.coastalengineering.com
E-Mail: info@cecfi.com

SHEET 1 OF 1

FILE NO.: 22.007

Richard J. Ewing, VP
Professional Surveyor and Mapper
Florida Certificate No. 5295
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
DATE OF FIELD SURVEY: 02/03/22
DATE OF SIGNATURE:

COASTAL ENGINEERING CONSULTANTS, INC.
FLORIDA BUSINESS AUTHORIZATION NO. LB 2464

28421 BONITA CROSSINGS BOULEVARD
BONITA SPRINGS, FLORIDA 34135

Serving Florida Since 1977

Legend



VIAGE MARINA: +/-1.48-acres



SOURCES: COLLIER COUNTY GEOGRAPHIC INFORMATION SYSTEMS (2022)

0 50 100 Feet

N

Attachment: ATTACHMENT A - BACKUP PACKAGE (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))



2600 GOLDEN GATE PARKWAY
NAPLES, FL 34105

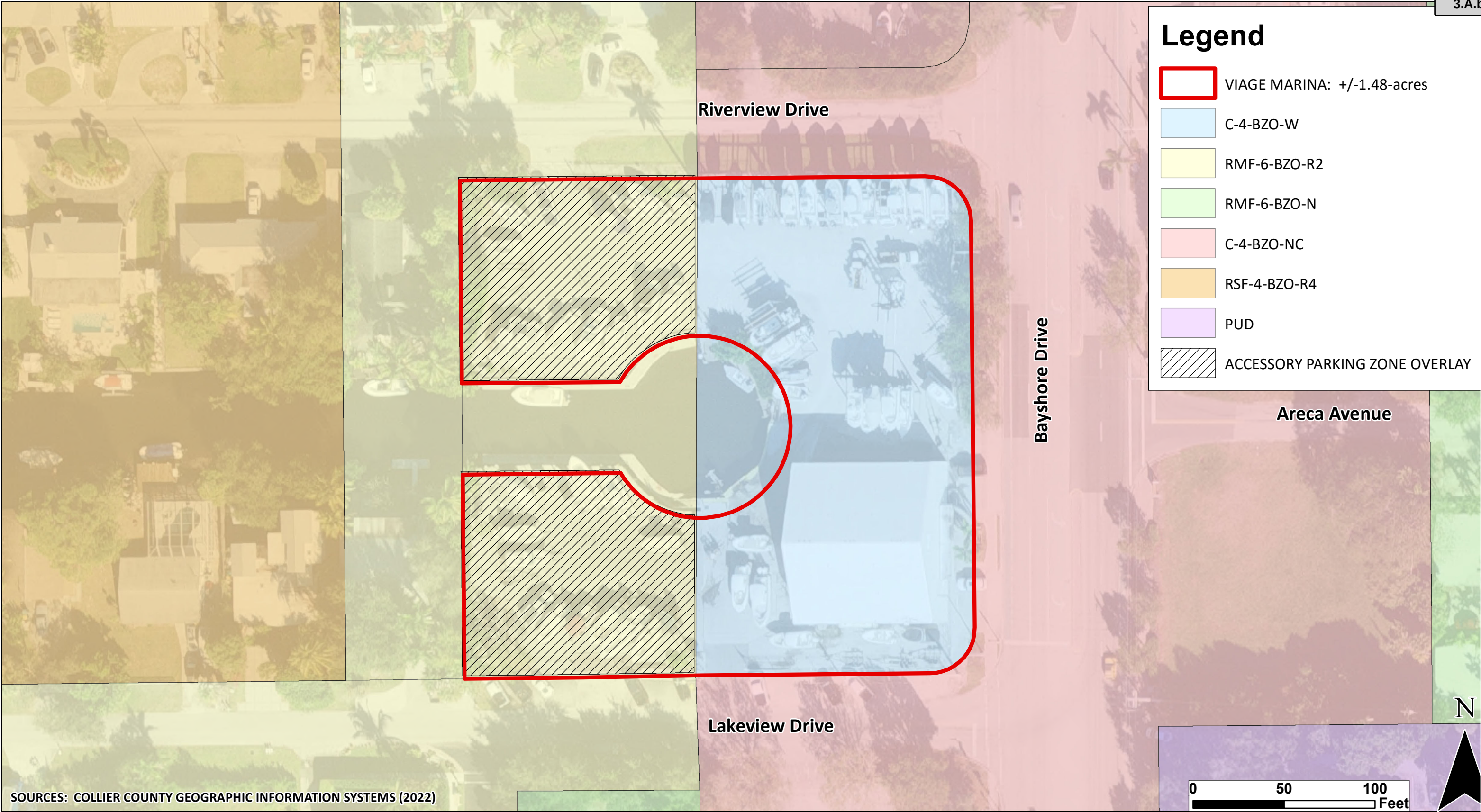
PROJECT:
VIAGE MARINA

LOCATION:
3470 BAYSHORE DRIVE
NAPLES, FL 34112

CLIENT:
VIAGE MARINAS, LLC

EXHIBIT DESC:
LOCATION MAP

NOTES:



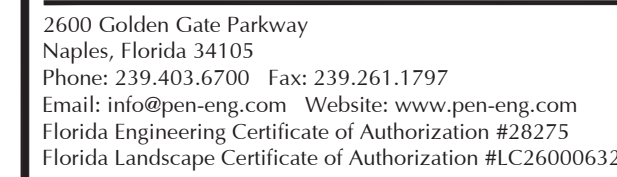
Attachment: ATTACHMENT A - BACKUP PACKAGE (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

PART OF SECTION 14, TOWNSHIP 50 SOUTH, RANGE 25 EAST,
COLLIER COUNTY, FLORIDA



OWNER/DEVELOPER
VIAGE MARINAS, LLC
17913 SPENCER ROAD
ODESSO, FL 33556

Sunshine811.com



VIAGE BAYSHORE MARINA

PERMIT PLANS

COVER SHEET

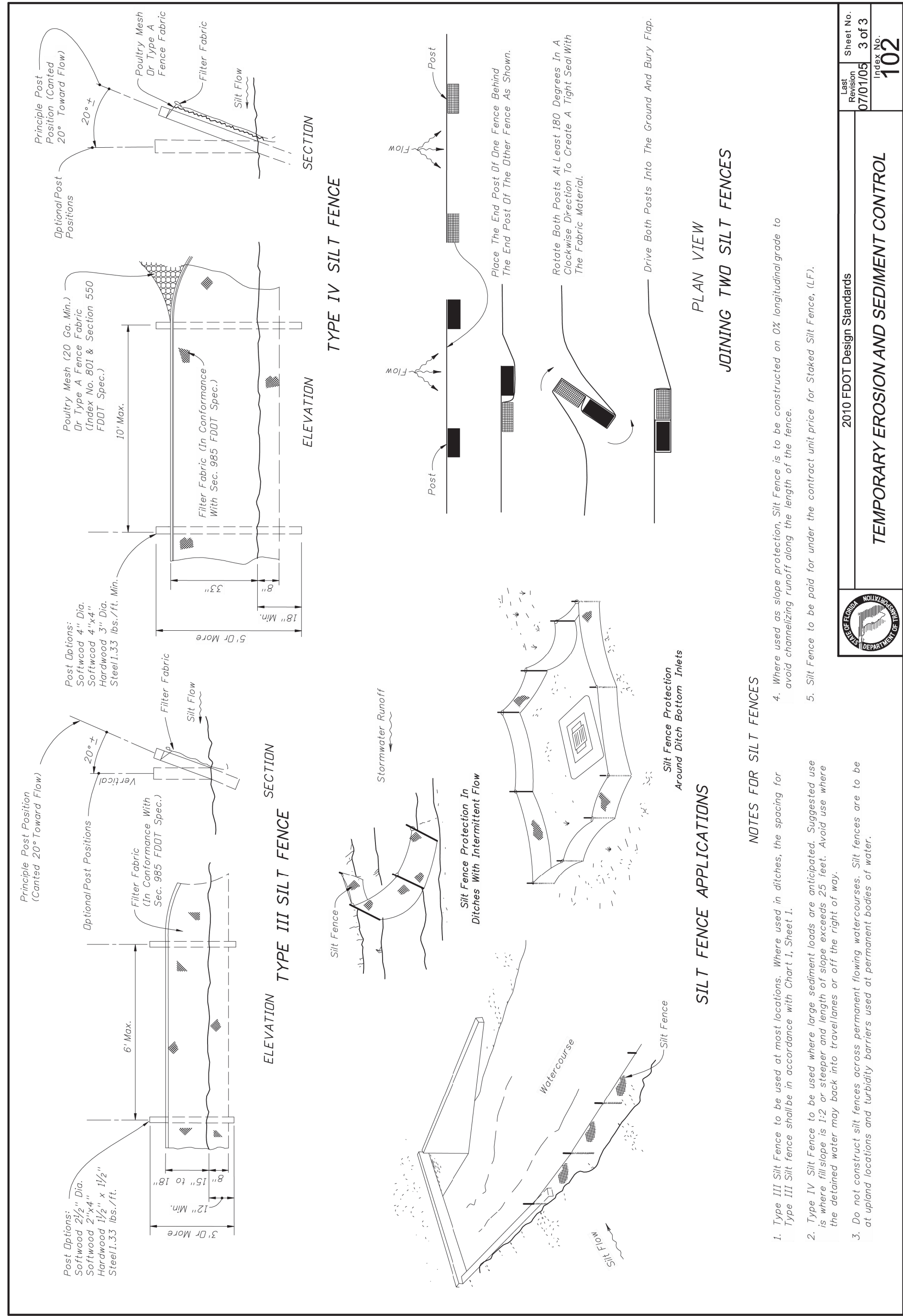
SHEET INDEX

[illegible]

P-VIAG-001	001	C-001
------------	-----	-------

--	--	--	--

[illegible]



PENINSULA ENGINEERING
CIVIL ENGINEERING · LANDSCAPE ARCHITECTURE · ENVIRONMENTAL CONSULTING · LAND PLANNING · SITE PLANNING · CONSTRUCTION MANAGEMENT · OWNER REPRESENTATIVE

2600 Golden Gate Parkway
Naples, Florida 34105
Phone: 239.403.6700 Fax: 239.261.1797
Email: info@pen-eng.com Website: www.pen-eng.com
Florida Engineering Certificate of Authorization #20275
Florida Landscape Certificate of Authorization #LC26000632

PROJECT:

VIAGE BAYSHORE MARINA

TITLE:

AERIAL AND CLEARING LIMITS AND FLUCCS MAP

OWNER/CLIENT/CONSULTANT:

VIAGE MARINAS, LLC

REVISIONS:

No.	Revision:	Date:
2	REVISED PER CC RAI	9/3/2022

NOTES:

PROFESSIONAL SEALS:

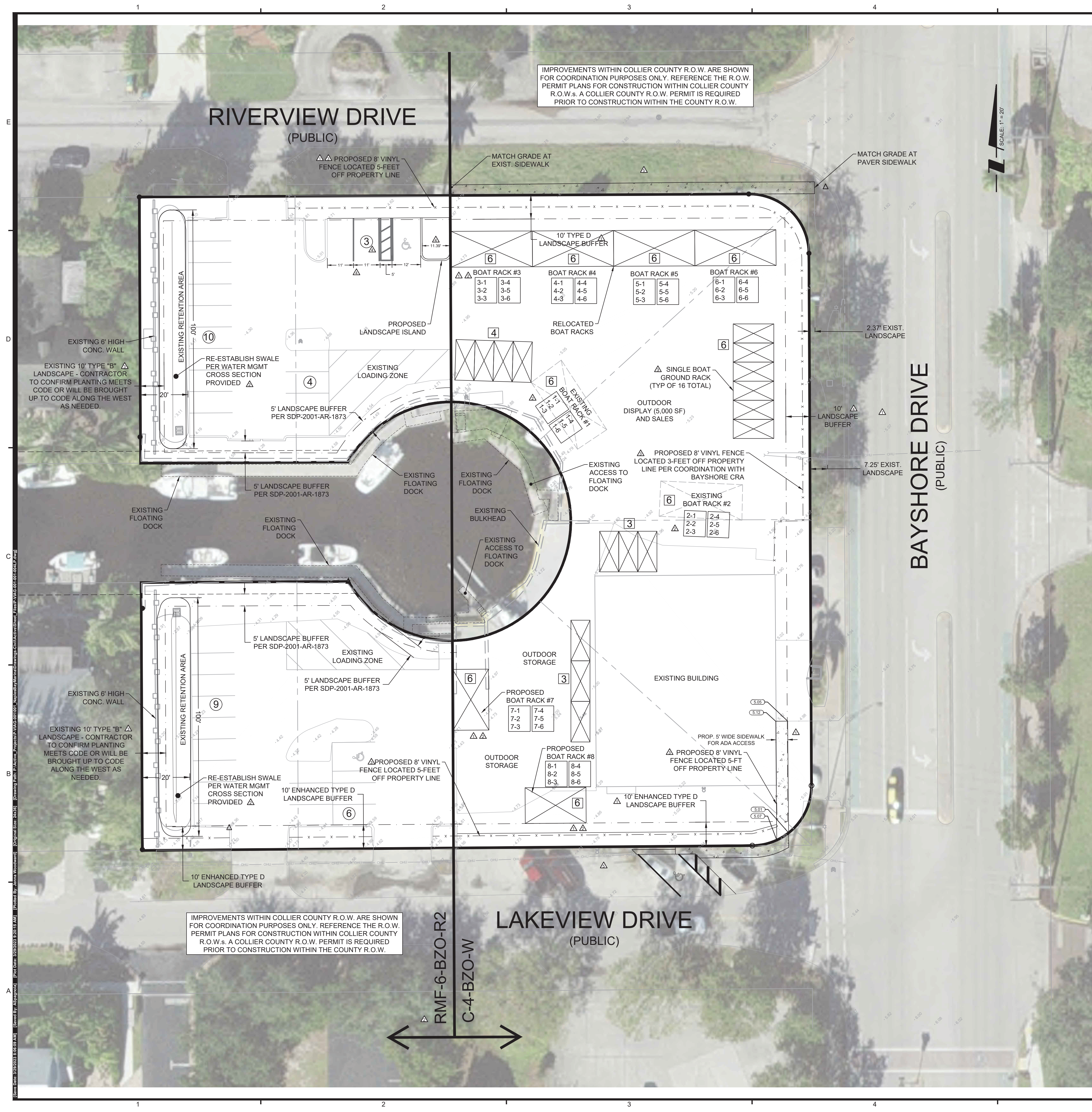
PROFESSIONAL ENGINEER: JENNA WOODWARD, P.E.
FLORIDA LICENSE NUMBER: 84212

DATUM NOTE:
ALL ELEVATIONS ARE BASED ON NAVD 88 (NORTH AMERICAN VERTICAL DATUM OF 1988).

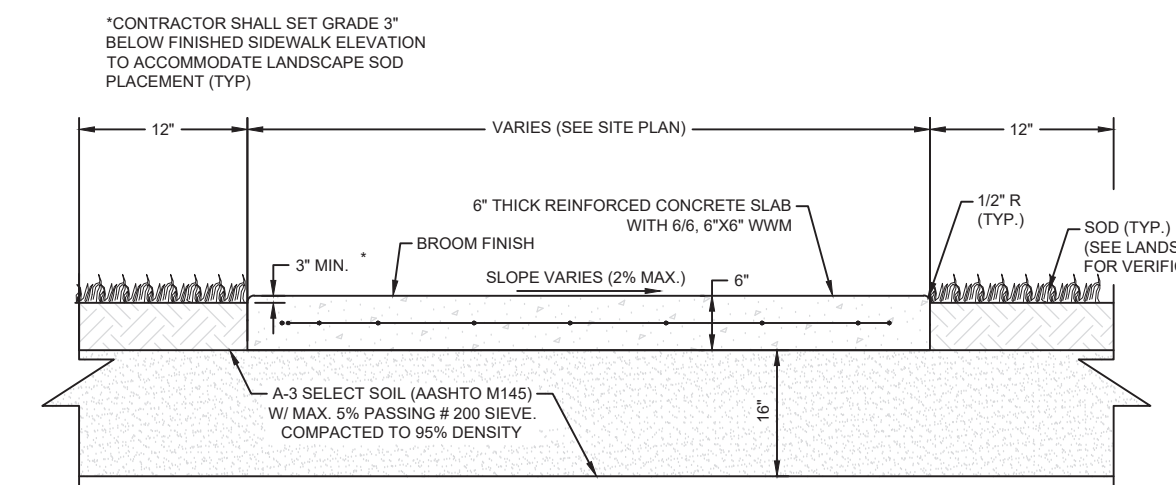
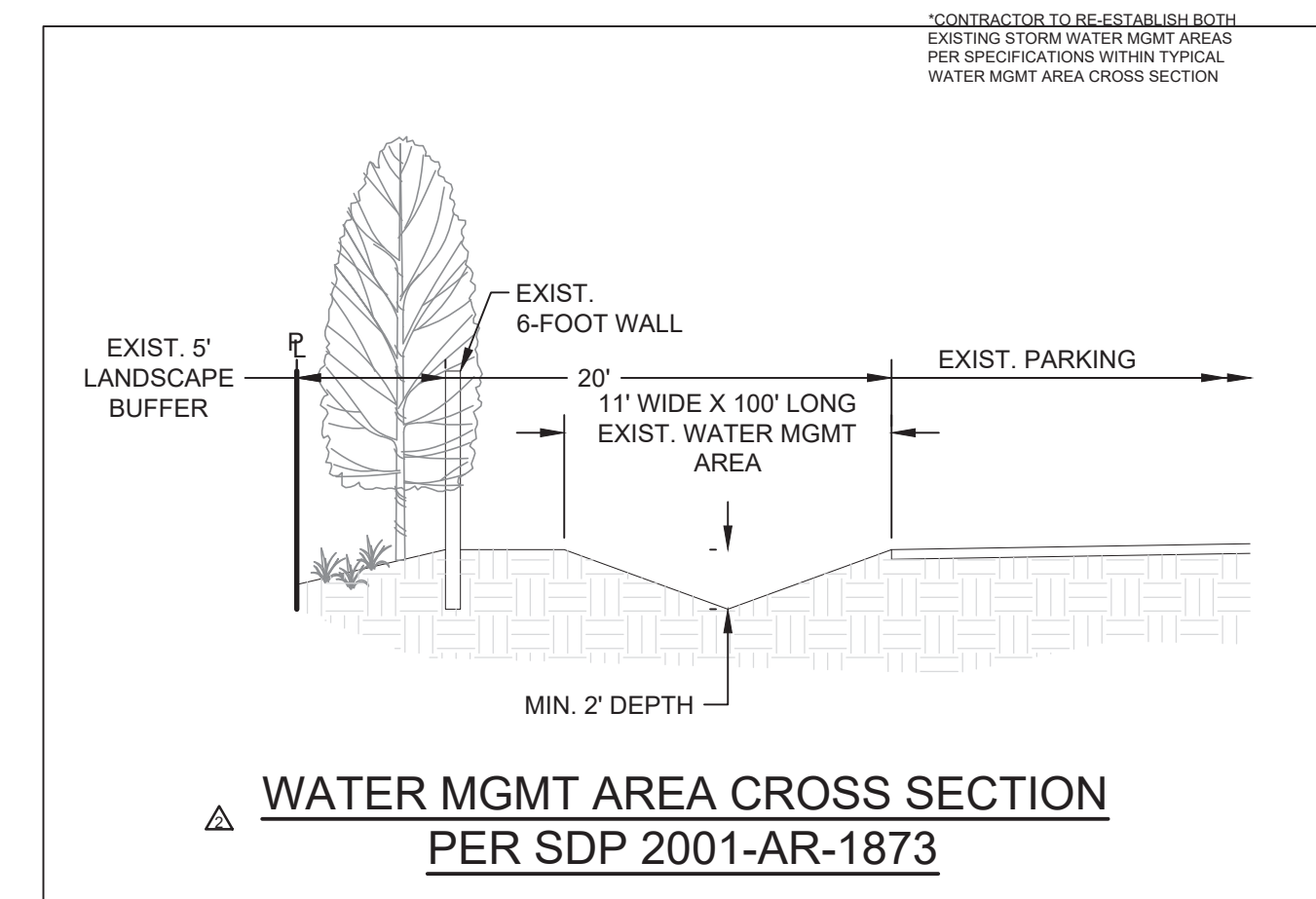
Bar Scale: 1" = 20'

SEC: 14 TWP: 50 RGE: 25
City: NAPLES County: COLLIER
Designed by: JENNA WOODWARD, P.E.
Drawn by: JENNA WOODWARD, P.E.
Date: 6/2022
Horizontal Scale: 1" = 20'
Vertical Scale: N.T.S.
Project Number: P-VIAG-001-001
File Number: P-VIAG-001-001-003PL

C-003
Sheet Number: 03 of 5



GENERAL NOTES:



- NOTES:**
- OWNER HAS THE DISCRETION OF USING PAVEMENT BRICKS IN PLACE OF CONCRETE SIDEWALK. CONTRACTOR SHALL REFERENCE LANDSCAPE ARCHITECT'S PLANS FOR PAVEMENT BRICK FINAL LOCATION, THICKNESS, SIZE, COLOR, PATTERN, AND SPECIFICATIONS. PAVEMENT BRICK SEALANT OR REPELLENT MAY BE USED AT OWNER'S DISCRETION. IF THERE ARE ANY DISCREPANCIES BETWEEN LANDSCAPE ARCHITECT'S PLANS AND SPECIFICATION AND ENGINEER'S PLANS, CONTRACTOR IS REQUIRED TO OBTAIN FROM THE ENGINEER WRITTEN APPROVAL FOR ANY DEVIATIONS.
 - THE PROPOSED FILL SHALL BE COMPACTED IN 12" LIFTS TO 95% MAXIMUM DENSITY IN ACCORDANCE WITH AASHTO T-180 AND THE ENGINEER'S TECHNICAL SPECIFICATIONS.
 - SUBGRADE SHALL BE SAND, COMPACTED TO A FIRM, EVEN SURFACE, TRUE TO GRADE, AND CROSS-SECTION, AND BE MOIST WHEN CONCRETE IS PLACED.
 - CONCRETE SHALL HAVE A COMPRESSIVE STRENGTH OF 3,000 P.S.I. IN 28 DAYS.
 - SIDEWALK SHALL HAVE CONTRACTION JOINTS AT 9' INTERVALS AND AN EXPANSION JOINT EVERY 100'.
 - MAXIMUM LONGITUDINAL SLOPE FOR DISABLED ACCESSIBLE SIDEWALK SHALL BE 1:20.
 - TOP OF SOD TO BE FLUSH WITH SIDEWALK, PROVIDE POSITIVE SLOPE TO PREVENT PONDING.
 - FIBER REINFORCEMENT MAY BE SUBSTITUTED FOR WIRE MESH REINFORCEMENT AT THE DISCRETION OF THE DEVELOPER.
 - CONCRETE SIDEWALK WITHIN PUBLIC ROADWAY ROW TO BE 6" THICK (LDC SECTION 6.06.02.F.1.a) AND BE PLACED OVER A COMPACTED SUBGRADE (LDC SECTION 6.06.02.F.1.a).

TABLES

ONSITE BOAT STORAGE			
	TYPE OF STORAGE	NUMBER OF RACKS	NO. OF SPACES
BOAT STORAGE	6 SLIP STORAGE RACK	8	48 SPACES
BOAT STORAGE	SINGLE SLIP GROUND LEVEL (MOVABLE)	16	16 SPACES
BOAT STORAGE	BUILDING STORAGE	26	26 SPACES
TOTAL PROVIDED =			90 SPACES

EXISTING ONSITE PARKING TABLE			
BUILDING USE	BUILDING UNITS	REQUIRED PARKING RATIO (PER LEE COUNTY LDC)	REQUIRED NO. OF SPACES (PER LEE COUNTY LDC)
BOAT STORAGE	90 STORAGE BAYS	1 SPACE / 5 BAYS	18 SPACES
OUTDOOR DISPLAY	5,000 SF	1 SPACE / 1,000 SF	5 SPACES
TOTAL REQUIRED =			23 SPACES
TOTAL PROVIDED =			32 SPACES

ACCESSIBLE PARKING REQUIREMENTS		
TOTAL PARKING PROVIDED	REQUIRED ACCESSIBLE	PROVIDED ACCESSIBLE
32	2	2

NOTE: ADA SPACE (1) ON NORTH SIDE OF PROJECT IS FOR BOAT LAUNCH ACCESS. ADA SPACE (1) ON SOUTH SIDE OF PROJECT ALONG LAKE VIEW DRIVE IS FOR OFFICE ACCESS.

SITE AREA SUMMARY				
LOCATION	CATEGORY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE OF TOTAL
IMPERVIOUS	ROOF	6,679	0.15	10.4%
	SIDEWALK / PATHS	1,191	0.03	1.9%
	PAVEMENT / CURB	43,494	1.00	67.6%
	IMPERVIOUS (SUB-TOTAL)	51,364	1.18	79.9%
PERVIOUS	OPEN SPACE	13,001	0.30	20.2%
	PERVIOUS (SUB-TOTAL)	13,001	0.30	20.2%
TOTAL		64,365	1.48	100.0%

PENINSULA ENGINEERING

CIVIL ENGINEERING · LANDSCAPE ARCHITECTURE · ENVIRONMENTAL CONSULTING · LAND PLANNING · SITE PLANNING · CONSTRUCTION MANAGEMENT · OWNER REPRESENTATIVE

2600 Golden Gate Parkway
Naples, Florida 34105
Phone: 239.403.6700 Fax: 239.261.1797
Email: info@pen-eng.com Website: www.pen-eng.com
Florida Engineering Certificate of Authorization #20275
Florida Landscape Certificate of Authorization #LC26000632

PROJECT:

VIAGE BAYSHORE MARINA

TITLE:

ZONING DATA SHEET AND TABLES

OWNER/CLIENT/CONSULTANT:

VIAGE MARINAS, LLC

REVISIONS:

No.	Revision	Date
1	SOP - FIRST SUBMITTAL	6/23/2022
2	REVISED PER CC RAI	8/3/2022
3	PER CC RAI DATED AUGUST 12, 2022	08/17/2022
4	DR COMMENT REVIEW AND UPDATES	11/14/2022
5	REMOVE OFFSITE PARKING AND SIDEWALKS PER CRA AND PUBLIC REQUEST	03/09/2023

NOTES:

PROFESSIONAL SEALS:

PROFESSIONAL ENGINEER: JENNA WOODWARD, P.E.
FLORIDA LICENSE NUMBER: 84212

DATUM NOTE:
ALL ELEVATIONS ARE BASED ON NAVD 88 (NORTH AMERICAN VERTICAL DATUM OF 1988).

Bar Scale: 1" = 20'

SEC: 14 TWP: 50 RGE: 25
City: NAPLES County: COLLIER

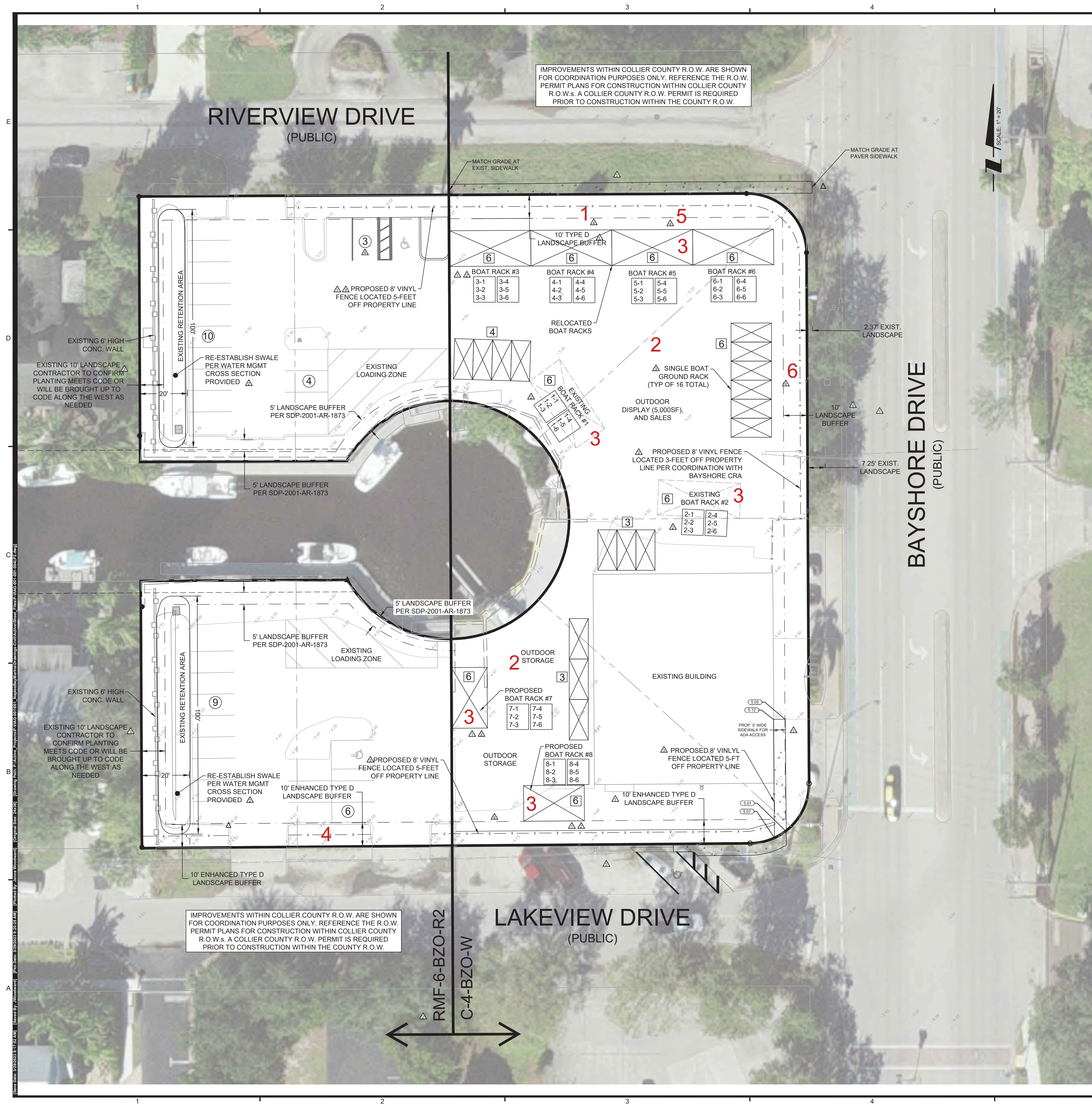
Designed by: JENNA WOODWARD, P.E.
Drawn by: JENNA WOODWARD, P.E.
Date: 6/2022

Horizontal Scale: 1" = 20'
Vertical Scale: N.T.S.

Project Number: P-VIAG-001-001
File Number: P-VIAG-001-001-004LP

C-004

Sheet Number: 04 of 5



DEVIATIONS:

1. DEVIATION #1 SEEKS RELIEF FROM LDC SECTION 4.02.16. C.7.C "MARINAS AND BOATYARDS," WHICH REQUIRES ALL BOAT RACKS TO BE ENCLOSED WITH A WALL OR FENCE, WITH BOATS NOT EXCEEDING THE HEIGHT OF THE ENCLOSURE, TO INSTEAD ALLOW AN ENHANCED TYPE 'D' LANDSCAPE BUFFER AND A SOLID 8' VINYL FENCE ALONG RIVERVIEW DRIVE TO SCREEN THE BOATS AND BOAT RACKS. THE ENHANCED 10' TYPE 'D' BUFFER SHALL CONSIST OF A ROW OF CABBAGE PALMS 16'-24' IN HEIGHT (CLEAR TRUNK) AT TIME OF PLANTING, A ROW OF DAHOON HOLLIES A MINIMUM OF 6' IN HEIGHT AT TIME OF PLANTING, A ROW OF GREEN BUTTWOODS A MINIMUM 10' IN HEIGHT AT TIME OF PLANTING AND SPACED A MAXIMUM 30' ON CENTER, AND A HEDGE THAT IS A MINIMUM 36" IN HEIGHT AT TIME OF PLANTING AND SPACED 36" ON CENTER.

2. DEVIATION #2 SEEKS RELIEF FROM LDC SECTION 4.02.16. C.10.D "OUTDOOR DISPLAY, SALES OR STORAGE," WHICH PERMITS A MAXIMUM HEIGHT OF 17' ABOVE EXISTING GRADE FOR BOATS THAT ARE STORED OR ON DISPLAY, TO INSTEAD ALLOW A MAXIMUM HEIGHT OF 29' (20' BOAT RACKS AND AN ADDITIONAL 9' TO ACCOMMODATE THE HEIGHT OF BOATS).

3. DEVIATION #3 SEEKS RELIEF FROM LDC SECTION 4.02.16. C.10.E "OUTDOOR DISPLAY, SALES OR STORAGE," WHICH REQUIRES OUTDOOR DISPLAY, SALES AND STORAGE OF BOATS THAT EXCEED A HEIGHT OF 6' TO BE SETBACK AT LEAST 50 FEET FROM A PROPERTY LINE THAT IS IN VIEW OF PROPERTY ZONED OR USED FOR RESIDENTIAL PURPOSES, TO INSTEAD ALLOW A 15' SETBACK FROM RIVERVIEW DRIVE AND A 10' SETBACK FROM LAKEVIEW DRIVE.

4. DEVIATION #4 SEEKS RELIEF FROM LDC SECTION 4.02.16. C.10.G "BUFFERING STANDARDS - OUTDOOR STORAGE, DISPLAY OR SALES AREAS," WHICH REQUIRES A 10' TYPE 'B' BUFFER FOR OUTDOOR STORAGE AREAS TO INSTEAD ALLOW AN ENHANCED 10' TYPE 'D' BUFFER ALONG LAKEVIEW DRIVE CONSISTING OF A SOLID 8' VINYL FENCE, A HEDGE THAT IS A MINIMUM 36" IN HEIGHT AT TIME OF PLANTING AND SPACED 36" ON CENTER, A ROW OF CABBAGE PALMS 16' - 24' IN HEIGHT (CLEAR TRUNK) AT TIME OF PLANTING, AND SILVER BUTTWOODS 14' IN HEIGHT AT TIME OF PLANTING AND PLANTED 10' ON CENTER.

5. DEVIATION #5 SEEKS RELIEF FROM LDC SECTION 4.02.16. C.10.G "BUFFERING STANDARDS - OUTDOOR STORAGE, DISPLAY OR SALES AREAS," WHICH REQUIRES A 10' BUFFER CONSISTING OF TREES A MINIMUM OF 14' IN HEIGHT SPACED 30' ON CENTER AND A DOUBLE HEDGE ROW 3' IN HEIGHT AND SPACED 3' ON CENTER FOR OUTDOOR DISPLAY OR SALES AREAS, TO INSTEAD ALLOW AN ENHANCED 10' TYPE 'D' BUFFER ALONG RIVERVIEW DRIVE CONSISTING OF A SOLID 8' VINYL FENCE, A ROW OF CLUSTERED CABBAGE PALMS 16'-24' IN HEIGHT (CLEAR TRUNK) AT TIME OF PLANTING, A ROW OF DAHOON HOLLIES A MINIMUM OF 6' IN HEIGHT AT TIME OF PLANTING, A ROW OF GREEN BUTTWOODS A MINIMUM 10' IN HEIGHT AT TIME OF PLANTING AND SPACED A MAXIMUM 30' ON CENTER, AND A HEDGE THAT IS A MINIMUM 36" IN HEIGHT AT TIME OF PLANTING AND SPACED 36" ON CENTER.

6. DEVIATION #6 SEEKS RELIEF FROM LDC SECTION 4.02.16. C.10.G "BUFFERING STANDARDS - OUTDOOR STORAGE, DISPLAY OR SALES AREAS," WHICH REQUIRES A 10' BUFFER CONSISTING OF TREES A MINIMUM OF 14' IN HEIGHT SPACED 30' ON CENTER AND A DOUBLE HEDGE ROW 3' IN HEIGHT AND SPACED 3' ON CENTER FOR OUTDOOR DISPLAY OR SALES AREAS, TO INSTEAD ALLOW A 10' LANDSCAPE BUFFER ALONG BAYSHORE DRIVE CONSISTING OF A SOLID 8' VINYL FENCE AND A HEDGE THAT IS A MINIMUM 36" IN HEIGHT AT TIME OF PLANTING AND SPACED 36" ON CENTER, AND A ROW OF CABBAGE PALMS 16'-24' IN HEIGHT (CLEAR TRUNK) AT TIME OF PLANTING AND A ROW OF SILVER BUTTWOODS A MINIMUM 14' IN HEIGHT AT TIME OF PLANTING TO SATISFY VEGETATION REQUIREMENTS.

PENINSULA
ENGINEERING

CIVIL ENGINEERING · LANDSCAPE ARCHITECTURE · ENVIRONMENTAL CONSULTING · LAND PLANNING · SITE PLANNING · CONSTRUCTION MANAGEMENT · OWNER REPRESENTATIVE

2600 Golden Gate Parkway
Naples, Florida 34105
Phone: 239.403.6700 Fax: 239.261.1797
Email: info@pen-eng.com Website: www.pen-eng.com
Florida Engineering Certificate of Authorization #20275
Florida Landscape Certificate of Authorization #LC26000632

TITLE:

SITE PLAN -
DEVIATIONS

OWNER/CLIENT/CONSULTANT:

VIAGE MARINAS, LLC

REVISIONS:

No.	Revision:	Date:
1	SDPI - FIRST SUBMITTAL	6/23/2022
2	REVISED PER CC RAI	8/3/2022
3	PER CC RAI DATED AUGUST 12, 2022	08/17/2022
4	DR COMMENT REVIEW AND UPDATES	11/14/2022
5	REMOVE OFFSITE PARKING AND SIDEWALKS PER CRA AND PUBLIC REQUEST	03/09/2023

NOTES:

PROFESSIONAL SEALS:

PROFESSIONAL ENGINEER: JENNA WOODWARD, P.E.
FLORIDA LICENSE NUMBER: 84212

DATUM NOTE:

ALL ELEVATIONS ARE BASED ON NAVD 88
(NORTH AMERICAN VERTICAL DATUM OF 1988).

Bar Scale: 1" = 20'
0 10 20 40 60

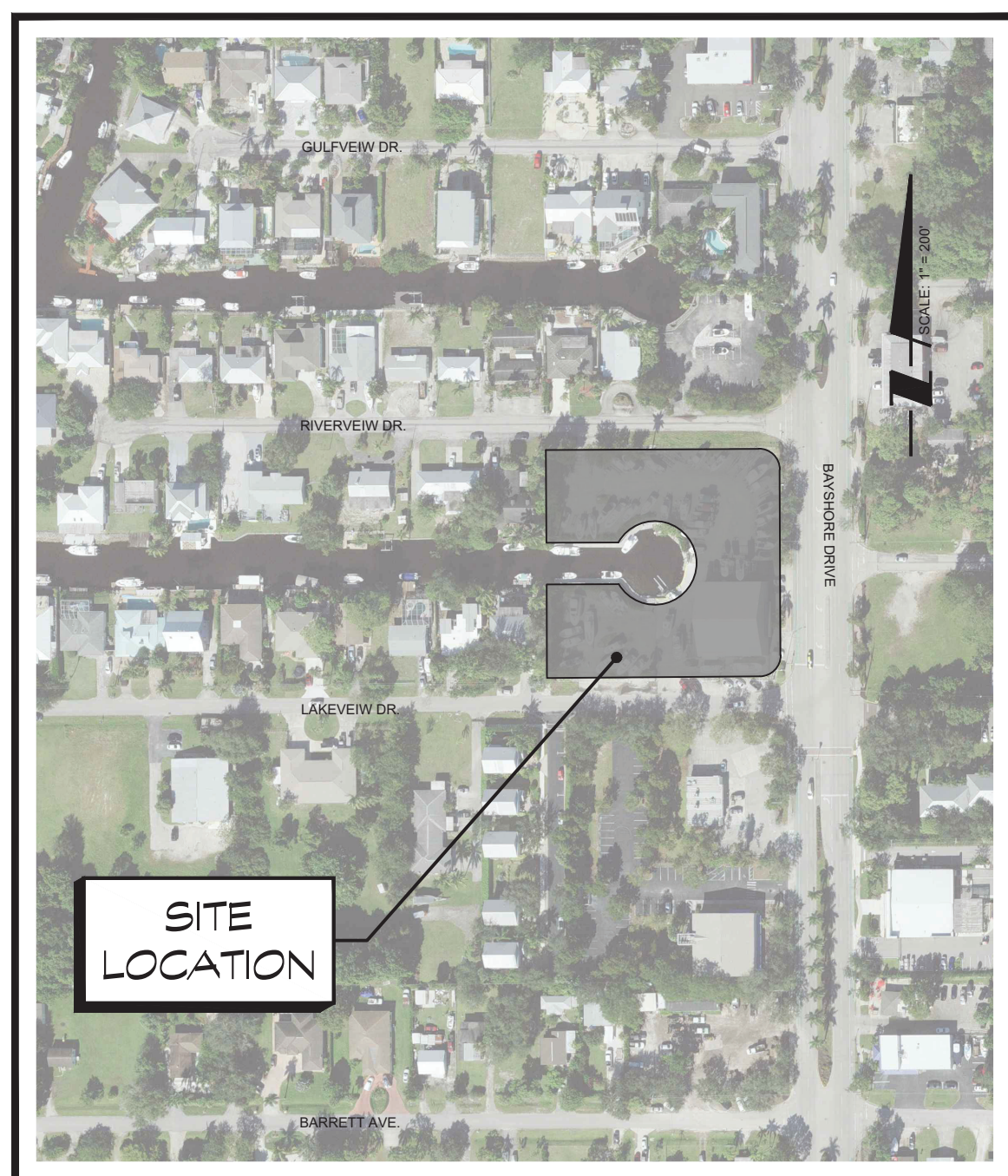
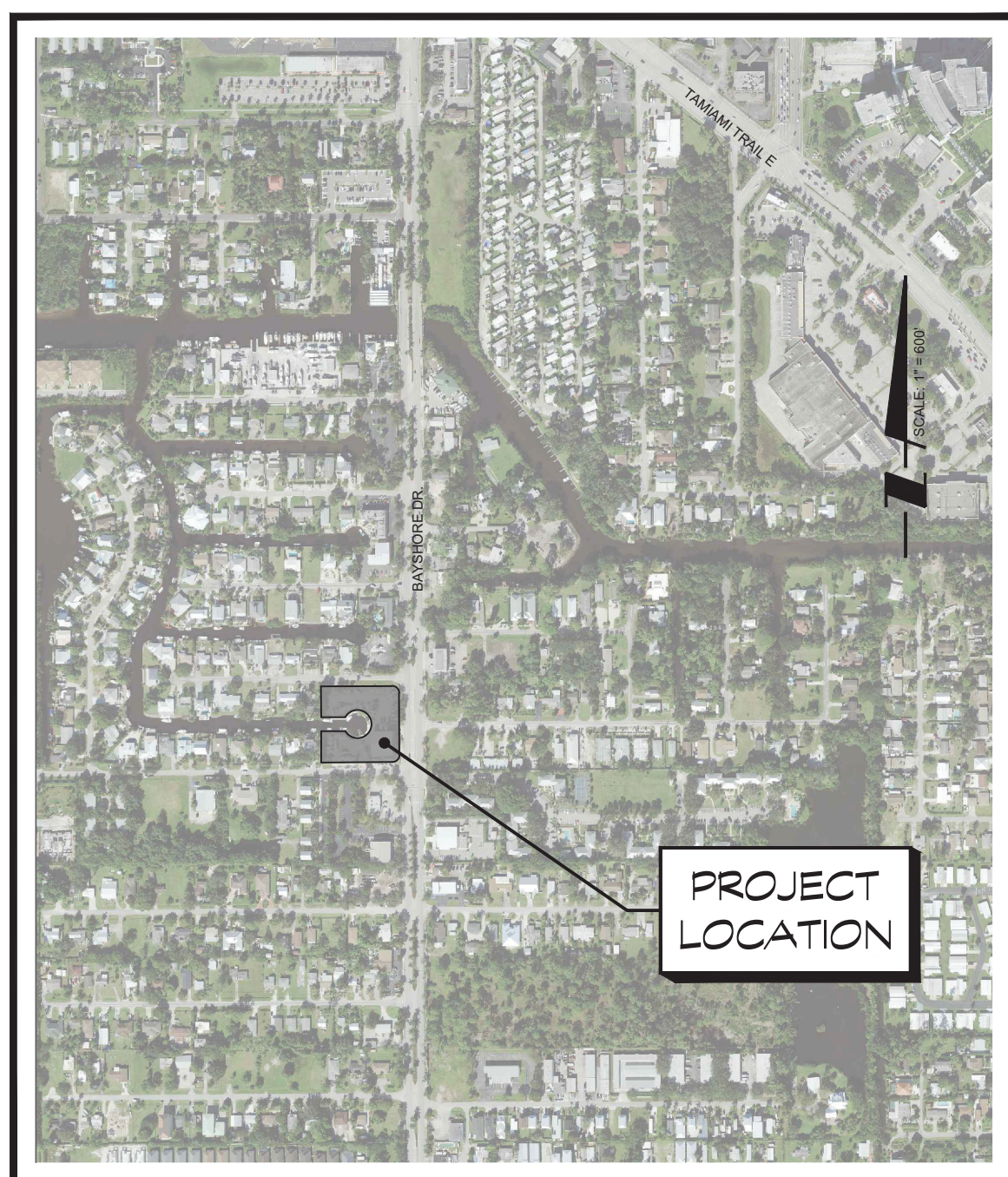
SEC: 14 TWP: 50 RGE: 25
City: NAPLES County: COLLIER
Designed by: JENNA WOODWARD, P.E.
Drawn by: JENNA WOODWARD, P.E.
Date: 6/2022
Horizontal Scale: 1" = 20'
Vertical Scale: N.T.S.
Project Number: P-VIAG-001-001
File Number: P-VIAG-001-001-004LP2
C-120
Sheet Number: 05 of 5

Attachment: ATTACHMENT B - SITE PLAN WITH DEVIATIONS FOR REDEVELOPMENT (DR) (25127 - PL2020000559 - VIAGE BAYSHORE MARINA (DR))

Packet Pg. 77

VIAGE BAYSHORE MARINA

PART OF SECTION 14, TOWNSHIP 50 SOUTH, RANGE 25 EAST,
COLLIER COUNTY, FLORIDA



OWNER/DEVELOPER
VIAGE MARINAS, LLC
17913 SPENCER RD
ODESSO, FL 33556

Always call 811 two full business days before you dig to have underground utilities located and marked.

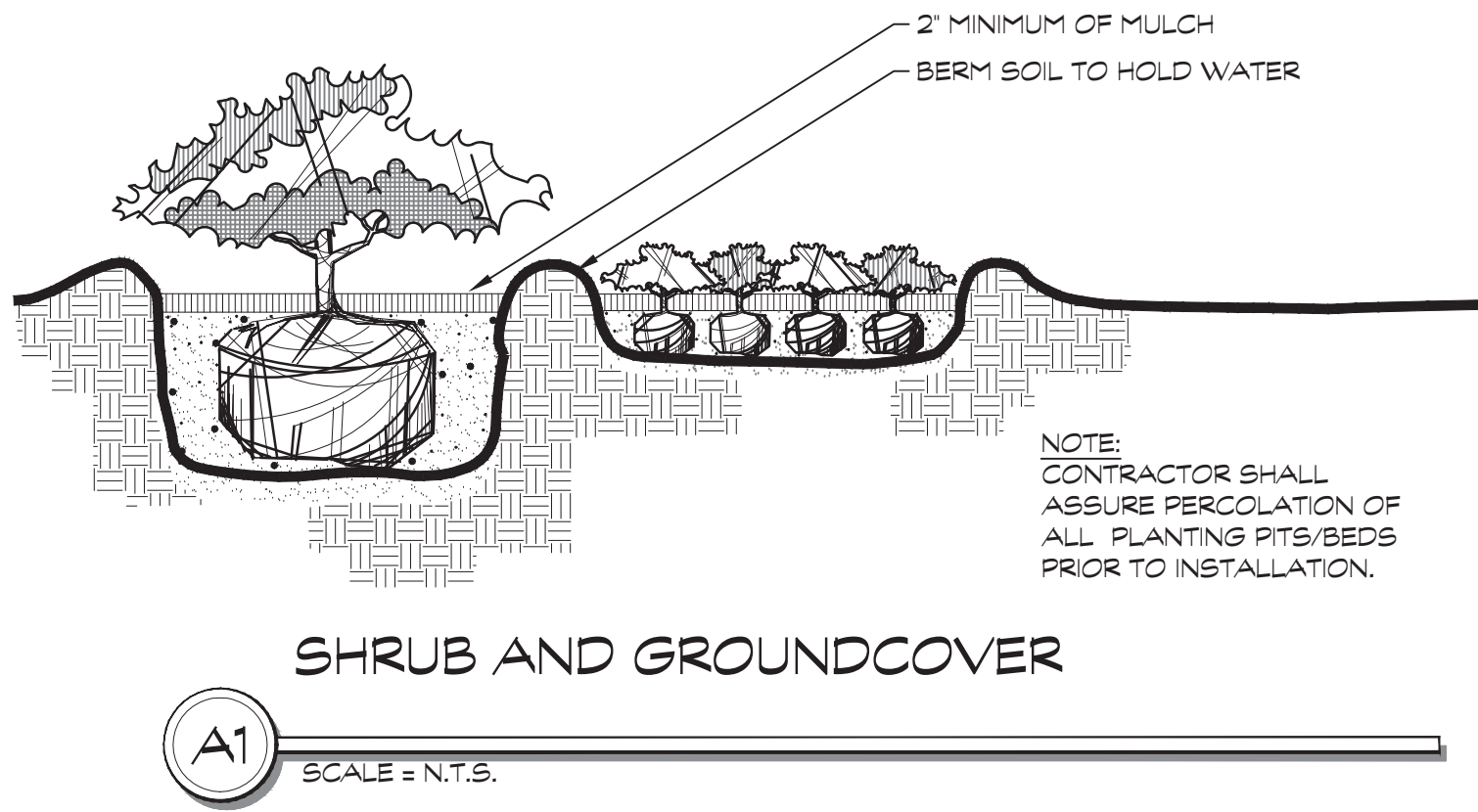


THIS ITEM HAS BEEN ELECTRONICALLY SIGNED
AND SEALED BY STEVE SAMMONS USING A SHA-
AUTHENTICATION CODE.

PRINTED COPIES OF THIS DOCUMENT ARE NOT
CONSIDERED SIGNED AND SEALED AND THE SHA
AUTHENTICATION CODE MUST BE VERIFIED ON
ANY ELECTRONIC COPIES.

[illegible]





Note: All new plantings shall be irrigated with an automatic system and rain sensor

Date: 3/31/2023 10:49:04 AM

Case Number: CELU20230001056

Case Information

Case Number:	CELU20230001056	Status:	Open
Case Type:	Land Use	Date & Time Entered:	2/6/2023 11:26:14 AM
Priority:	Normal	Entered By:	JohnJohnson
Inspector:	JohnJohnson	Case Disposition:	Case Pending
Jurisdiction:	Collier County Code Enforcement		
Origin:	Field Observation		
Detail Description:	Illegal outside storage		
Location Comments:	2995 Francis Ave - 61481080002		

Address Location

Address	3470 Bayshore DR, (BLDG) , Naples
Property	48173280007

Contacts

Property Owner	VIAGE MARINAS LLC
Property Owner	VONWINDEGUTH, KIPP E

Attachment: ATTACHMENT D - CODE ENFORCEMENT CASES (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

Investigations

Desc	Assigned	Required	Completed	Outcome	Comments
Verify Complainant	JohnJohnson	2/6/2023	2/6/2023	Not Required	JohnsonJohn 02/06/2023 - Field Observatio referral from case # CEPM20230000858.//JJ13
CE Case Research	JohnJohnson	2/6/2023	2/6/2023	Complete	JohnsonJohn 02/06/2023 - Cityview researc shows that there were no previous LU case for this parcel.//JJ13
Initial Inspection	JohnJohnson	2/6/2023	2/6/2023	Violation(s) Found	JohnsonJohn 02/06/2023 - Site visit on 3/31 I did witness illegal outside storage includin but not limited to construction materials, wood, block, screens, pvc pipe, an applianc glass aquarium, and 5 gallon buckets. Pho taken and uploaded.//JJ13
Attach Picture(s)	JohnJohnson	2/6/2023	2/6/2023	Complete	
Record Violations	JohnJohnson	2/8/2023	2/9/2023	Complete	...02/06/2023 - Site visit on 3/31. I did witne illegal outside storage including but not limit to construction materials, wood, block, screens, pvc pipe, an appliance, glass aquarium, and 5 gallon buckets....
Generate Notice of Violation	JohnJohnson	2/9/2023	2/9/2023	Complete	
Personal Service Attempt	JohnJohnson	2/10/2023	2/13/2023	Incomplete	
CE Mailing	Donna.Gentsc h	2/13/2023	2/13/2023	Complete	Notarize & Scan AOP for NOV, Mail & Cert Mail NOV... Mailed NOV reg & cert 7022 0410 0003 396 3647 dg CELU20230001056 NOV JJ VONWINDEGUTH, KIPP E 2995 FRANCIS AVE NAPLES, FL 34112
Post Courthouse	JohnJohnson	2/13/2023	2/13/2023	Complete	
Post Property	JohnJohnson	2/13/2023	2/13/2023	Complete	
Affidavit of Service/Posting	JohnJohnson	2/13/2023	2/13/2023	Complete	NOV...
Attach Picture(s)	JohnJohnson	2/13/2023	2/13/2023	Complete	AOP for NOV posting pics...
CE Staff Review	Donna.Gentsc h	2/13/2023	2/13/2023	Complete	Attached CELU20230001056 AOP dg
CE Staff Review	Donna.Gentsc h	2/13/2023	2/13/2023	Complete	Attached CELU20230001056 AOM dg
CE Phone Call	JohnJohnson	3/1/2023	3/1/2023	Complete	Called complainant Felipe for case update. The eviction of the respondents brother from the illegal shed has been adjudicated. CCS will be evicting any day. Owner Kipp will be returning to Naples in April.
CE Staff Review	Donna.Gentsc h	3/2/2023	3/2/2023	Complete	Green card NOV received 2/28/23 7022 04: 0003 3961 3647 dg

Attachment: ATTACHMENT D - CODE ENFORCEMENT CASES (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

Desc	Assigned	Required	Completed	Outcome	Comments
CE Phone Call	JohnJohnson	3/7/2023	3/13/2023	Complete	JohnsonJohn 03/13/2023 - I received a call from owner Kipp. The eviction notice is still not signed off by the judge to evict the family member from the shed. Kipp returns to Naples on 4/3. He will then clear the property of the illegal shed and illegal outside storage. He asked to have until 4/15 to complete this work.//JJ13
CE Staff Review	JohnJohnson	3/29/2023	3/29/2023	Complete	JohnsonJohn 03/29/2023 - Received call from owner Ashley 3-27-23. The eviction notice has been signed by the judge. Owner now working with CCSO to have the violator evicted however he is violent. The owner Kip will be on-site April 3rd and will attempt to complete the eviction process with occupant (Brother). //JJ13
Re-Inspection	JohnJohnson	4/5/2023		Pending	... 03/29/2023 - Received call from owner Ashley 3-27-23. The eviction notice has been signed by the judge. Owner now working with CCSO to have the violator evicted however he is violent. The owner Kip will be on-site April 3rd and will attempt to complete the eviction process with occupant. (Brother). //JJ13

Violations

Violation Description	Status	Entered	Corrected	Amount	Comments
Prohibited Use	NOV Issued	2/9/2023		\$0	I did witness illegal outside storage including but not limited to construction materials, wood, block, screens, pvc pipe, an appliance, glass aquarium, and 5 gallon buckets.
Litter Public Nuisance	NOV Issued	2/9/2023		\$0	

Hearings

Title	Reason	Result	Compliance	Fine/Day	Condition
-------	--------	--------	------------	----------	-----------

Date: 3/31/2023 10:52:18 AM

Case Number: CESD20210004109

Case Information

Case Number:	CESD20210004109	Status:	Open
Case Type:	Site Development	Date & Time Entered:	4/23/2021 11:50:04 AM
Priority:	Normal	Entered By:	JosephMucha
Inspector:	JohnJohnson	Case Disposition:	Case Pending
Jurisdiction:	Collier County Code Enforcement		
Origin:	Complaint		
Detail Description:	Bayshore CRA has received complaints regarding new boat racks being installed, noise and debris at the Marina located at the corner of Bayshore and Riverview.		
Location Comments:	3470 Bayshore Dr		

Address Location

Address	3470 Bayshore DR, (BLDG) , Naples
Property	48173280007

Contacts

Property Owner	VIAGE MARINAS LLC
----------------	-------------------

Attachment: ATTACHMENT D - CODE ENFORCEMENT CASES (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

Investigations

Desc	Assigned	Required	Completed	Outcome	Comments
Verify Complainant	JosephMucha	4/23/2021	4/23/2021	Verified	Complaint made via email from Bayshore CRA. Email attached to the case.
CE Case Research	VirginieGiguer e	4/23/2021	4/23/2021	Complete	Jon, can you look into this today? no permits on file for boat racks VG12
Initial Inspection	VirginieGiguer e	4/23/2021	4/23/2021	Incomplete	4/23 I made a site visit and observed at least 3 men installing a large boat rack. Photos taken. I called Supervisor Mucha and informed him of my findings and the ongoing contractor licensing case for a fence issue. Reached out to James Reynolds who is working that case and let him know of this issue. James said he would go out right away. I will put a follow up for area investigator John Johnson to check on this on Monday. VG12
Attach Picture(s)	VirginieGiguer e	4/23/2021	4/25/2021	Complete	
CE Staff Review	day_n	4/23/2021	4/23/2021	Complete	A different complaint came in w/ additional information. Please see CELU20210004133. Will be closed as a duplicate /nd
Initial Inspection Follow-up	JohnJohnson	4/26/2021	4/26/2021	Incomplete	JohnsonJohn 04/26/2021 - From CL Case: CECV20210004146 & Investigator James Reynolds: "...On April 23, 2021 I received a referral from Code Enforcement reference case CELU20210004133. Contact was made with Barry Marshall, Property Manager for the Viage Marina, 239.707.1128. He stated that new boat racks were being erected on-site and that he was unsure if there was a permit requirement. Barry stated that the racks were movable and not affixed to the ground. He stated that his employees were assembling the racks and then would move them to the needed areas. Once on scene, I made contact with employees on site that reciprocated Barry's statement. Pictures were taken and brought to Plans Reviewer, Lisa Blackledge. She determined that a permit was required and that a site development plan may need to be remade. Barry Marshall was informed of the need for permitting. He stated he understood and had no questions..."//JJ13
CE Phone Call	JohnJohnson	4/27/2021	4/27/2021	Complete	JohnsonJohn 04/27/2021 - On 4/26, I received a call from Barry Marshall (owner). We discussed the open cases. I explained that the racks will still need to be vetted. He understood.//JJ13
Initial Inspection Follow-up	JohnJohnson	4/27/2021	4/27/2021	Incomplete	JohnsonJohn 04/27/2021 - Site visit. I met with owner Barry Marshall. He showed me the movable boat racks. These racks are as used in Tin City. He sent me a video demonstrating the portability. Video & Photos attached to case. I explained to him that I would need to get a Building Determination to see if these racks require permits.//JJ13

Attachment: ATTACHMENT D - CODE ENFORCEMENT CASES (25127 - PL20220000558 - VIAGE BAYSHORE MARINA (DR))

Desc	Assigned	Required	Completed	Outcome	Comments
Attach Picture(s)	JohnJohnson	4/27/2021	4/27/2021	Complete	
CE Staff Review	JohnJohnson	5/3/2021	5/3/2021	Complete	JohnsonJohn 05/03/2021 - Prepare Building Determination for J. Walsh for boat racks.//JJ13
CE Staff Review	AprilNugentV EN	5/4/2021	5/4/2021	Complete	JJ wanted docs printed in color/AN
CE Staff Review	KimberlyBran des	5/7/2021	5/7/2021	Complete	Code Case Violation Determination Check List Scan & Attach./KB CESD202100041097-2021 CCViolDetermChkList.pdf
Initial Inspection Follow-up	JohnJohnson	5/10/2021	5/10/2021	Violation(s) Found	JohnsonJohn 05/10/2021 - Per Determination from Building Official J. Walsh (attached to the case), the Boat racks require permits. They may also require a modification to the SDP.//JJ13
Attach Picture(s)	JohnJohnson	5/10/2021	5/10/2021	Complete	
Record Violations	JohnJohnson	5/10/2021	5/10/2021	Complete	
Personal Service Attempt	JohnJohnson	5/11/2021	5/12/2021	Complete	JohnsonJohn 05/12/2021 - Good Personal Service achieved with owner Barry Marshall.//JJ13
Generate Notice of Violation	JohnJohnson	5/11/2021	5/11/2021	Complete	Boat storage racks...
CE Staff Review	AprilNugentV EN	5/12/2021	5/12/2021	Complete	Scan Respondent Signed NOV into case... CESD2021000410912MAY2021NOV
CE Staff Review	JohnJohnson	5/21/2021	5/21/2021	Complete	JohnsonJohn 05/21/2021 - I received a permit/SDP from Records Room Planning Technician Gilbert Baptiste (copy attached to case). I sent this with an email request to J Walsh & R. Bellows to see if this allow the Boat Racks without the owner doing an SDP. I will monitor for a response.//JJ13
Attach Picture(s)	JohnJohnson	5/21/2021	5/21/2021	Complete	EM to J. Walsh & R. Bellows re: SDP...
CE Staff Review	JohnJohnson	6/15/2021	6/15/2021	Complete	JohnsonJohn 06/15/2021 - Per conversation with G.C. Bill Buckner (239-280-8544) on 6/15/2021, compliance efforts are being made including meeting with R. Paul to clarify anchoring questions for the boat racks. As such, the compliance date has been extended to 7/15/2021. Owner notified via email. Copy attached.//JJ13
Attach Picture(s)	JohnJohnson	6/15/2021	6/15/2021	Complete	Compliance date extension email...
CE Staff Review	JohnJohnson	6/30/2021	6/30/2021	Complete	JohnsonJohn 06/30/2021 - No permitting activities for boat racks. I will contact G.C. Bill Buckner (239-280-8544) for an update. Compliance date extended to 7/16.//JJ13
CE Phone Call	JohnJohnson	6/30/2021	6/30/2021	Complete	JohnsonJohn 06/30/2021 - I called G.C. Bill Buckner (239-280-8544) for an update on the boat racks permitting. He said that there was progress progressing albeit slowly. I will continue to monitor through extended compliance date 7/16.//JJ13

Attachment: ATTACHMENT D - CODE ENFORCEMENT CASES (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

Desc	Assigned	Required	Completed	Outcome	Comments
CE Staff Review	JohnJohnson	7/16/2021	7/16/2021	Complete	JohnsonJohn 07/16/2021 - City View resea shows that PRBD20210733604 - Install (5) Boat Racks on Land-Code Enforcement Case#CESD20210004109 is PENDING. Permit will expire on 1/11/2022.//JJ13
CE Staff Review	JohnJohnson	7/21/2021	7/21/2021	Complete	JohnsonJohn 07/21/2021 - City View resea shows that PRBD20210733604 - Install (5) Boat Racks on Land-Code Enforcement Case#CESD20210004109 has an INCOMPLETE APPLICATION. Permit will expire on 1/11/2022.//JJ13
CE Staff Review	JohnJohnson	8/5/2021	8/5/2021	Complete	JohnsonJohn 08/05/2021 - Per conversation with owner Barry Marshall & his engineer B Bodnar, they will need separate permits for each boat rack as they are considered to be separate structures. They are in the proces of finalizing the drawings and locating each rack on their survey.//JJ13
CE Staff Review	JohnJohnson	8/24/2021	8/24/2021	Complete	JohnsonJohn 08/24/2021 - City View resea shows that there are now 5 permit applications on file for the 5 different boat racks: Reference Status Type Date Enter PRBD20210733604 Under Review Building 07/15/2021 PRBD20210837750 Under Review Building 08/09/2021 PRBD20210837751 Under Review Building 08/09/2021 PRBD20210837753 Under Review Building 08/09/2021 I also received a phone call from owner Bar Marshall confirming this and also confirming that the racks are now located in the exact positions required by the county.//JJ13 PRBD20210837754 Under Review Building 08/09/2021
CE Phone Call	JohnJohnson	9/4/2021	9/4/2021	Complete	JohnsonJohn 09/04/2021 - I received a call from the GC (Bill Bodnar) regarding the boe racks. The county has rejected the permits part due to requiring that the racks be raise 3 feet for FEMA elevation. I told Bill I would check with the Building Department and tha he and his engineer would probably need to meet with the County Building Officials to hash this out.//JJ13
CE Staff Review	JohnJohnson	9/5/2021	9/5/2021	Complete	JohnsonJohn 09/05/2021 - Per City View, a 5 boat rack permits (identical structures) ha been rejected. Outstanding Corrections lett attached. I sent an email to owner Barry Marshall suggesting that he schedule a meeting with the County and his GC & Engineer to get further clarification. Copy attached.//JJ13
Attach Picture(s)	JohnJohnson	9/5/2021	9/5/2021	Complete	

Attachment: ATTACHMENT D - CODE ENFORCEMENT CASES (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

Desc	Assigned	Required	Completed	Outcome	Comments
CE Staff Review	JohnJohnson	9/29/2021	9/29/2021	Complete	JohnsonJohn 09/29/2021 - I met with R. Pa to get further clarification on this case ahead of the meeting on 9/30.//JJ13
CE Staff Review	JohnJohnson	9/30/2021	9/30/2021	Complete	JohnsonJohn 09/30/2021 - Attended meetir with the owners of the marina and GMD departments related to the permitting of the racks. At the very least, a deviation from th Bayshore Overlay screening requirements \ be required Mr. Marshall will meet the Bayshore CRA regarding this requirement.//JJ13
CE Staff Review	JohnJohnson	10/29/2021	10/29/2021	Complete	JohnsonJohn 10/29/2021 - Marina owner Barry Marshall has contracted with Claudine Auclair to help navigate through the SDPI a permitting processes including the architectural deviation from the Bayshore Overlay which will be required. C Auclair reported their update in an email received o 10/25 attached to this case.//JJ13
Attach Picture(s)	JohnJohnson	10/29/2021	10/29/2021	Complete	Viage Group progress update (email)...
CE Staff Review	JohnJohnson	11/30/2021	11/30/2021	Complete	JohnsonJohn 11/30/2021 - I sent an email request to the principals involved requesting an update on the SDPI submission. Copy attached to case.//JJ13
Attach Picture(s)	JohnJohnson	11/30/2021	11/30/2021	Complete	EM for SDPI update...
CE Staff Review	JohnJohnson	12/1/2021	12/1/2021	Complete	JohnsonJohn 12/01/2021 - I received a response to my email request for a status update on the progress toward submitting th required SDPI - copy attached to case. "...We received a second proposal and I will be reaching out to discuss and review. Hop to have a decision by end of the week and move the project. I will ask for permit appro once the application is submitted and reque a CO hold until the Site Plan with deviations approved..." //JJ13
Attach Picture(s)	JohnJohnson	12/1/2021	12/1/2021	Complete	Email update re: SDPI submission...
CE Staff Review	JohnJohnson	12/28/2021	12/28/2021	Complete	JohnsonJohn 12/28/2021 - Per email with Claudine (AUC Consultant) received on 12/19, "...The owners of the marina have selected an engineering firm to assist with t Site Plan with Deviations. Our first meeting will be the first week of January...". I will continue to monitor.//JJ13
Attach Picture(s)	JohnJohnson	1/28/2022	1/28/2022	Complete	
CE Staff Review	JohnJohnson	1/28/2022	1/28/2022	Complete	JohnsonJohn 01/28/2022 - I sent an email request to Viage requesting an update and informing them that this case may go to the Feb 24 CEB Hearing.//JJ13
Assign Hearing Type	JohnJohnson	2/2/2022	2/2/2022	Code Enforcement Board Hearing	

Attachment: ATTACHMENT D - CODE ENFORCEMENT CASES (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

Desc	Assigned	Required	Completed	Outcome	Comments
Re-Inspection	JohnJohnson	2/3/2022	2/2/2022	Requires Hearing	JohnsonJohn 02/02/2022 - A pre-application meeting was held on 1/24 for Site Plan PL20220000558 with Deviations for Redevelopment (DR)- request to permit site improvements for compliance with the LDC. Request includes deviations to required screening of the on-site boat racks (for dry boat storage), to permit the existing chain link fence along the ROWs with additional landscaping and/or slats, to permit a reduction in the landscape buffer width along Bayshore Drive, and to permit boat parking/storage within the Accessory Parkir Zone area of the site.//JJ13
CE Staff Review	JohnJohnson	2/6/2022	2/7/2022	Complete	JohnsonJohn 02/07/2022 - I completed the CEB Documents and sent them for review t Supervisor C. Perez.//JJ13
CE Supervisor Review (CE)	perezcristina	2/7/2022	2/8/2022	Complete	
CE Legal Review	letourneau_j	2/8/2022	2/8/2022	Schedule for SM/CEB	I reviewed the packet and gave it t the HearingTeam. JL#34
Schedule Case for Hearing	helenbuchillon	2/8/2022	2/9/2022	Complete	Case scheduled for the February 24, 2022 CEB Hearing – HB
Generate Hearing Notice (CE)	HelenBuchillo n	2/9/2022	2/9/2022	Complete	
Hearing Notice Service/Posting	JohnJohnson	2/9/2022	2/10/2022	Complete	JohnsonJohn 02/10/2022 - Posted Courthouse and served NOH on 2/9.//JJ13
CE Mailing	Miriam.Lorenz o	2/9/2022	2/9/2022	Complete	NOH for the February 24, 2022 CEB Hearin mailed regular and evidence packet mailed certified 7021 0950 0000 6365 3203./ML
CE Staff Review	Miriam.Lorenz o	2/9/2022	2/10/2022	Complete	AOM scan and attach./ML CESD20210004109 AOM NOH
Affidavit of Service/Posting	JohnJohnson	2/10/2022	2/10/2022	Complete	
CE Staff Review	Miriam.Lorenz o	2/10/2022	2/10/2022	Complete	AOP NOH scan and attach./ML CESD20210004109 AOP NOH
CE Staff Review	JohnJohnson	2/17/2022	2/17/2022	Complete	JohnsonJohn 02/17/2022 - CEB Case Hearing Presentation completed. Evidence uploaded to I Drive. Site visit. Photos taken and uploaded.//JJ13
Attach Picture(s)	JohnJohnson	2/17/2022	2/17/2022	Complete	
Pre Hearing Inspection	JohnJohnson	2/23/2022	2/23/2022	Complete	JohnsonJohn 02/23/2022 - Violation remain per City View. I spoke with Vicki of AUC Consultant. The owner will attend the Hearing and sign a 120 day Stipulation.//JJ:

Attachment: ATTACHMENT D - CODE ENFORCEMENT CASES (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

Desc	Assigned	Required	Completed	Outcome	Comments
Record Hearing Results	HelenBuchillon	3/1/2022	2/28/2022	Complete	2/24/22 Respondents were not present. Code Enforcement Board found the respondents in violation and ordered to abate all violations by: Obtaining all required Collier County Building Permit(s), or Demolition Permit, Inspections, and Certificate of Completion/Occupancy for the unpermitted boat storage racks on or before June 24, 2022 or a fine of \$200.00 per day will be imposed for each day the violation remains thereafter and pay operational costs for the prosecution of this case in the amount of \$59.21 on or before March 26, 2021. – HB
CE Mailing	HelenBuchillon	3/14/2022	3/14/2022	Complete	Mailed copy of FF Order (not recorded) to respondent from the February 24, 2022 CE Hearing – HB
Generate Hearing Results Notice (CE)	HelenBuchillon	4/25/2022	4/25/2022	Complete	4/25/22 Findings of Fact Stipulation Order attached, OR 6102 PG 1043 – HB 3/14/22 Scanned & attached FF Stipulation Order (not recorded) from the February 24, 2022 CEB Hearing and sent Order to be recorded - HB
Post Hearing Re-Inspection	JohnJohnson	6/25/2022	6/27/2022	Non-Compliant	JohnsonJohn 06/27/2022 - Violation remain City View research shows that SDPI (PL20220004489) was submitted on 6/23 and is currently under review. The SDPI includes the following: The project scope includes replacing boat racks on the subject property from 4-racks high to 2-racks high, and to update fencing and buffering to screen the racks from adjacent properties. The site is located within two (2) different zoning districts (C-4-BZO-W and RMF-6-BZO-R2/Accessory Parking Zone). The C-4 zoned portion of the property, fronting Bayshore Drive, has been developed as a marina since the early 1970s. In 2001 a Site Development Plan (SDP-200 AR-1873) was approved to permit parking for the marina on the adjacent residentially zoned properties, also located within the Accessory Parking Zone. The approved site plan illustrates existing conditions on the marina site, including the location of multiple boat racks (4-racks high). Note, there is not an increase in the number of boats being stored on the marina property. All marina operations will be contained within the C-4-BMUD-W zoned properties. Vehicular parking only will occur within the residentially zoned lots.//JJ
Update Picture(s)	JohnJohnson	6/27/2022	6/28/2022	Complete	Pics of Boat racks...
Not Applicable	HelenBuchillon	6/27/2022	6/27/2022	Not Required	
CE Staff Review	JohnJohnson	8/22/2022	8/22/2022	Complete	JohnsonJohn 08/22/2022 - I sent an email to Planning Technician Valerie Kullick for an update on the progress of PL20220004489 Viage Marine SDPI. In my conversations with Barry Marshall, he thought they were close to approval.//JJ13

Attachment: ATTACHMENT D - CODE ENFORCEMENT CASES (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

Desc	Assigned	Required	Completed	Outcome	Comments
CE Staff Review	JohnJohnson	9/16/2022	9/16/2022	Complete	JohnsonJohn 09/16/2022 - I sent a follow-up email to Planning Technician Valerie Kullick for an update on the progress of PL20220004489 - Viage Marine SDPI.//JJ13
CE Staff Review	JohnJohnson	10/5/2022	10/5/2022	Complete	JohnsonJohn 10/05/2022 - Recent submittal for SDPI PL20220004489 have been received and responded to by the county (copies attached). The SDPI does address the rack and it appears the only outstanding issue with the racks is "screening" and location as there is no structural issues. I will continue to monitor.//JJ13
Attach Picture(s)	JohnJohnson	10/5/2022	10/5/2022	Complete	
CE Staff Review	JohnJohnson	10/19/2022	10/19/2022	Complete	JohnsonJohn 10/19/2022 - As SDPI PL20220004489 gets closer to approval, the county has reactivated all 5 boat rack permits. These permits will expire on 11/27. I will continue to monitor.//JJ13
Re-Inspection	JohnJohnson	11/23/2022	11/23/2022	Non-Compliant	11/23/22 - City View research shows that SDPI (PL20220004489) was submitted on 6/23 and is in "Resubmit - Open for uploads" status. The SDPI includes the following: The project scope includes replacing boat racks on the subject property, from 4-racks high to 2-racks high, and to update fencing and buffering to screen the racks from adjacent properties. There is currently five permit applications for the boat racks in rejected status with an expiration date of 11/27/22.
Re-Inspection	JohnJohnson	1/9/2023	1/9/2023	Non-Compliant	JohnsonJohn 01/09/2023 - I spoke to owner Barry Marshall. He stated that they have agreed to all conditions that were requested by the county and now await final approval of SDPI (PL20220004489). The SDPI include the following: The project scope includes replacing boat racks on the subject property from 4-racks high to 2-racks high, and to update fencing and buffering to screen the racks from adjacent properties. There is currently five permit applications for the boat racks in rejected status with an expiration date of 11/27/22.//JJ13

Desc	Assigned	Required	Completed	Outcome	Comments
Re-Inspection	JohnJohnson	2/10/2023	2/13/2023	Non-Compliant	JohnsonJohn 02/13/2023 - Planning: PL20220000558 – Entered on 1/24/22. Site Plan with Deviations for Redevelopment (DR) request to permit site improvements for compliance with the LDC. Request include: deviations to required screening of the on-s boat racks (for dry boat storage), to permit t existing chain link fence along the ROWs w additional landscaping and/or slats, to perm a reduction in the landscape buffer width along Bayshore Drive, and to permit boat parking/storage within the Accessory Parkir Zone area of the site. PL20220004489 – st under review, last submittal 02/2022. The overlay has two sections that apply to the storing of boats – LDC Section 4.02.16.C.7/10. The SDPI will not be approved until the DR is approved. What w be approved on the DR depends on once it goes to the HEX. Boat racks are permitted but the height is the issue. Screening also depends on the overlay and the HEX decision. The swale is supposed to be reestablished per the SDPI.//JJ13
CE Staff Review	JohnJohnson	3/6/2023	3/6/2023	Complete	JohnsonJohn 03/06/2023 - City View resea shows that PL20220004489 is still being processed for approvals. The project scope includes replacing boat racks on the subject property, from 4-racks high to 2-racks high, and to update fencing and buffering to scree the racks from adjacent properties. The site is located within two (2) different zoning districts (C-4-BZO-W and RMF-6-BZO-R2/Accessory Parking Zone). The C-4 zone portion of the property, fronting Bayshore Drive, has been developed as a marina since the early 1970s. In 2001 a Site Developme Plan (SDP-2001-AR-1873) was approved to permit parking for the marina on the adjacent residentially zoned properties, also located within the Accessory Parking Zone. The approved site plan illustrates existing conditions on the marina site, including the location of multiple boat racks (4-racks high Note, there is not an increase in the number of boats being stored on the marina property. All marina operations will be contained within the C-4-BMUD-W zoned properties. Vehicular parking only will occur within the residentially zoned lots.//JJ13
CE Legal Review	helenbuchillon	3/31/2023		Pending	6/27/22 On list to check if need to schedule for next CEB IOF. – HB Check if abated by the date ordered, if not p on list to check if need to schedule for next CEB IOF. – HB

Attachment: ATTACHMENT D - CODE ENFORCEMENT CASES (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

Desc	Assigned	Required	Completed	Outcome	Comments
Re-Inspection	JohnJohnson	4/6/2023		Pending	...03/06/2023 - City View research shows th PL20220004489 is still being processed for approvals. The project scope includes replacing boat racks on the subject property from 4-racks high to 2-racks high, and to update fencing and buffering to screen the racks from adjacent properties. The site is located within two (2) different zoning distric (C-4-BZO-W and RMF-6-BZO-R2/Accessor Parking Zone). The C-4 zoned portion of th property, fronting Bayshore Drive, has been developed as a marina since the early 1970 In 2001 a Site Development Plan (SDP-200 AR-1873) was approved to permit parking fi the marina on the adjacent residentially zon properties, also located within the Accessor Parking Zone. The approved site plan illustrates existing conditions on the marina site, including the location of multiple boat racks (4-racks high). Note, there is not an increase in the number of boats being store on the marina property. All marina operatio will be contained within the C-4-BMUD-W zoned properties. Vehicular parking only w occur within the residentially zoned lots....

Violations

Violation Description	Status	Entered	Corrected	Amount	Comments
Building Permit LDC	NOV Issued	5/10/2021		\$0	Boat storage racks have been constructed without the required permitting.

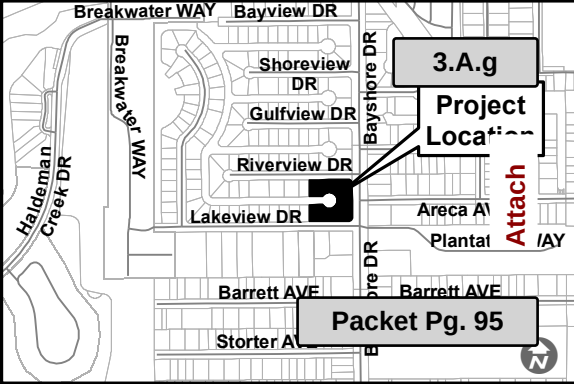
Hearings

Title	Reason	Result	Compliance	Fine/Day	Condition
Code Enforcement Board Hearing on 02/24/2022	Code Review	Guilty		\$0	CEB Ops Costs - HB

Attachment: ATTACHMENT D - CODE ENFORCEMENT CASES (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

Viage Bayshore Marina Conditions of Approval

1. There shall be no marina operations or boat/trailer parking permitted within Accessory Parking Zone.
2. Site lighting shall be shielded to protect adjacent residential properties from light pollution.
3. Hours of operation shall be limited to 7:30am – 6:00pm daily.
4. The site shall not store, or display, more than a total of 90 boats on-site.
5. Boat repairs shall be limited to incidental boat repairs only and shall not occur within the Accessory Parking Zone. Major boat repairs are prohibited.
6. Docked boats shall not extend any distance greater than the length of the docks to prohibit docked boats from extending past the property line.



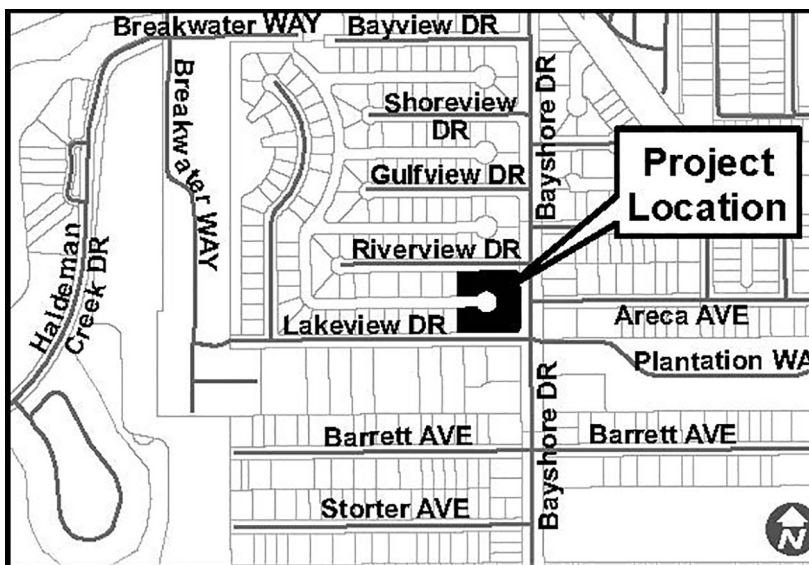
NOTICE OF PUBLIC HEARING

3.A.g

Notice is hereby given that a public hearing will be held by the Collier County Hearing Examiner (HEX) at 9:00 A.M., April 27, 2023, in the Hearing Examiner's Meeting Room, at 2800 Horseshoe Drive North, Room 609/610, Naples, FL 34104 to consider:

PETITION NO. DR-PL20220000558 - VIAGE BAYSHORE MARINA - A REQUEST FOR APPROVAL OF A SITE PLAN WITH DEVIATIONS PURSUANT TO LDC SECTION 10. AND SEEKS FOUR DEVIATIONS: (1) FROM LDC SECTION 4.02.16.C.7.C TO IN ALLOW AN ENHANCED TYPE 'D' LANDSCAPE BUFFER AND A SOLID 8 FOOT FENCE ALONG RIVERVIEW DRIVE TO SCREEN THE BOATS AND BOAT RACKS; (2) LDC SECTION 4.02.16.C.10.D TO INCREASE THE MAXIMUM HEIGHT OF 17 FEET STORED OR DISPLAYED BOATS TO 29 FEET; (3) FROM LDC SECTION 4.02.16.C.1 REDUCE THE REQUIRED 50 FOOT SETBACKS TO A 15 FOOT SETBACK FROM RIVERVIEW DRIVE AND A 10 FOOT SETBACK FROM LAKEVIEW DRIVE; AND (4) FROM LDC SECTION 4.02.16.C.10.G TO INSTEAD ALLOW AN ENHANCED 10 FOOT TYPE 'D' BUFFER AND AN 8 FOOT SOLID VINYL FENCE ALONG LAKEVIEW DRIVE, RIVERVIEW DRIVE, BAYSHORE DRIVE, WITH EACH STREET BUFFER CONSISTING OF SPECIFIC PLANTING AND VEGETATION REQUIREMENTS, FOR THE REDEVELOPMENT OF VIAGE BAYSHORE MARINA, CONSISTING OF ±1.48-ACRES AND LOCATED AT 3470 BAYSHORE DRIVE, NAPLES, FL 34112, ALSO KNOWN AS LOTS 25, 26, 27, AND 28, BLOCK 4, AND LOTS 3, 4, AND 5, GULF SHORES SUBDIVISION, IN SECTION 14, TOWNSHIP 50 S, RANGE 25 EAST, COLLIER COUNTY, FLORIDA.

DR
3.F
AD
YL
DM
DR
TO
EW
ON
TH
ND
VG
RE
/E,
2,
H,



Attachment: ATTACHMENT F - LEGAL AD & HEX SIGN PHOTOS (25127 : PL20220000558 - VIAGE BAYSHORE MARINA (DR))

All interested parties are invited to appear and be heard. All materials used in presentation at the Hearing Examiner will become a permanent part of the record.

Copies of staff report are available one (1) week prior to the hearing. The file can be reviewed at the Collier County Growth Management Community Development Department, Zoning Division, 2800 North Horseshoe Drive, Naples, FL 34104.

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 Laws and Ordinances within 30 days of the decision by the Hearing Examiner. An aggrieved non-party may appeal a decision by 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 authority shall be at their own risk.

As part of an ongoing initiative to encourage public involvement, the public will have the opportunity to provide public comments remotely, as well as in person, during this proceeding. Individuals who would like to participate remotely should register through the link provided within the specific event/meeting entry on the Calendar of Events on the County website at www.colliercountyfl.gov/our-county/visitors/calendar-of-events after the agenda is posted on the County website. Registration should be done in advance of the public meeting, or any action specified within the public meeting notice. Individuals who register will receive an email in advance of the public hearing detailing how they can participate remotely in this meeting. Participation is provided as a courtesy and is at the user's risk. The County is not responsible for technical issues. For additional information about the meeting, please call Geoffrey Willig at (239) 252-8369 or email to Geoffrey.Willig@colliercountyfl.gov.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Collier County Zoning Division located at 2800 N. Horseshoe Drive, Naples, Florida 34104, (239) 252-2400, at least two (2) days prior to the meeting.

Andrew W. J. Dickman, Esq., AICP
Chief Hearing Examiner
Collier County, Florida

Packet Pg. 96

SIGN POSTING INSTRUCTIONS**(CHAPTER 8, COLLIER COUNTY ADMINISTRATIVE CODE FOR LAND DEVELOPMENT)**

A zoning sign(s) must be posted by the petitioner or the petitioner's agent on the parcel for a minimum of fifteen (15) calendar days in advance of the first public hearing and said sign(s) must be maintained by the petitioner or the petitioner's agent through the Board of County Commissioners Hearing. Below are general guidelines for signs, however these guidelines should not be construed to supersede any requirement of the LDC. For specific sign requirements, please refer to the Administrative Code, Chapter 8 E.

1. The sign(s) must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
2. The sign(s) must be securely affixed by nails, staples, or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
3. The petitioner or the petitioner's agent must maintain the sign(s) in place, and readable condition until the requested action has been heard and a final decision rendered. If the sign(s) is destroyed, lost, or rendered unreadable, the petitioner or the petitioner's agent must replace the sign(s)

NOTE: AFTER THE SIGN HAS BEEN POSTED, THIS AFFIDAVIT OF POSTING NOTICE SHOULD BE RETURNED NO LATER THAN TEN (10) WORKING DAYS BEFORE THE FIRST HEARING DATE TO THE ASSIGNED PLANNER.

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF COLLIER

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED Jessica Harrelson
WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 10.03.00 OF THE
COLLIER COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN PETITION NUMBER
DR-PL20220000558

Jessica Harrelson
SIGNATURE OF APPLICANT OR AGENT

2600 Golden Gate Parkway
STREET OR P.O. BOX

Jessica Harrelson, AICP
NAME (TYPED OR PRINTED)

Naples, FL 34105
CITY, STATE ZIP

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was sworn to and subscribed before me this 4th day of April, 2023, by as
Jessica Harrelson, personally known to me or who produced _____ identification
and who did/did not take an oath.



My Commission Expires:
(Stamp with serial number)

Pearl M. Bianchi
Signature of Notary Public

Pearl M. Bianchi
Printed Name of Notary Public



Attachment: ATTACHMENT F - LEGAL AD & HEX SIGN PHOTOS (25127 : PL20220000558 - VIAGE



Attachment: ATTACHMENT F - LEGAL AD & HEX SIGN PHOTOS (25127 : PL20220000558 - VIAGE



Attachment: ATTACHMENT F - LEGAL AD & HEX SIGN PHOTOS (25127 : PL20220000558 - VIAGE

