COLLIER COUNTY
Collier County Hearing Examiner

AGENDA

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

April 14, 2022

9: 00 AM

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

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

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

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

1. Pledge of Allegiance

2. Review of Agenda

3. Advertised Public Hearing

A. Petition No. VA-PL20210002556 – Request to allow a swimming pool that was built closer to the property line than code allows in Naples Park; also described as an after-the-fact variance from LDC section 4.02.01.A, Table 2.1, to reduce the required front yard setback from 25 feet to 18.6 feet on the west side along 7th Avenue North to allow an accessory swimming pool to meet the front setback requirement of LDC section 4.02.03.D, for a ±0.22 acre property located at 702 107th Avenue North, also known as Lot 26, Block 12, Naples Park Unit No. 1, in Township 48 South, Range 25 East, Section 28 of unincorporated Collier County, Florida. [Coordinator Eric Ortman, Principal Planner] Commissioner District 2

B. Petition No. BDE-PL20210001685 - Request for a 17-foot boat dock extension from the maximum permitted protrusion of 20 feet for waterways greater than 100 feet in width to allow a boat docking facility that will protrude a total of 37 feet into a waterway that is 1,311± feet wide, pursuant to Section 5.03.06 of the Land Development Code, for the benefit of property located at 109 Pago Pago Drive West, also described as Lot 217, Isles of Capri No. 2, in Section 32, Township 51 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 1

C. Petition No. VA-PL20200001985 - Request for 8.5-foot variance from the required side yard setback of 15 feet as provided for in Land Development Code Section 5.03.06.E.5 for dock facilities on lots with water frontage of 60 feet or greater. The request is to allow a dock facility at 6.5 feet from the west side property/riparian line located at 199 Eveningstar Cay, further described as Lots 3 and 4, Eveningstar Cay at Port of the Islands, in Section 9, Township 52 South, Range 28 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 1

D. Petition No. DR-PL20210002480 - A request for approval of a site plan with deviations from LDC 4.02.16.B Table 7 to reduce the eastern minimum side yard from ten feet to zero feet and from LDC 4.02.16.E.2.a.ii to reduce the required shared landscape buffer from ten feet to five feet and reduce the property's minimum landscape buffer contribution from five feet to zero feet, for the redevelopment of Naples Classic Car, located at Lots 49-53, Block A, Rock Creek Park, also known as 3066 Terrace Ave in Section 2, Township 50 South, Range 25 East, Collier County, Florida [Coordinator: Gabriela Castro, Principal Planner] Commission District 4

E. Petition No. PCUD-PL20210003067 - Request for a comparable use determination that golf cart sales is comparable, compatible, and consistent with the list of permitted uses in section 5.03 of the Pine Air Lakes Commercial Planned Unit Development, Ord. No. 07-32, as amended, located at Tract 2, Naples Center Village, also known as 5947 Naples Blvd in Section 11, Township 49 South, Range 25 East, Collier County, Florida. [Coordinator: Gabriela Castro, Principal Planner] Commission District 2

F. Petition No. PDI-PL20210002729 - Request for an insubstantial change to modify Section 12.4, Active Community Recreation Area, Lely Barefoot Beach Planned Unit Development (PUD), Ord. No. 85-83, as amended, to change the maximum building height from two habitable floors to 39.25-feet-zoned and 57.08-feet-actual. The subject PUD Tract is ± 6.25 acres located at 105 Shell Dr in Section 7, Township 48 South, Range 25 East, Collier County, Florida. [Coordinator: Gabriela Castro, Principal Planner] Commission District 2

4. Other Business

5. Public Comments

6. Adjourn

COLLIER COUNTY
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Item Number: 3.A
Item Summary: Petition No. VA-PL20210002556 – Request to allow a swimming pool that was built closer to the property line than code allows in Naples Park; also described as an after-the-fact variance from LDC section 4.02.01.A, Table 2.1, to reduce the required front yard setback from 25 feet to 18.6 feet on the west side along 7th Avenue North to allow an accessory swimming pool to meet the front setback requirement of LDC section 4.02.03.D, for a ±0.22 acre property located at 702 107th Avenue North, also known as Lot 26, Block 12, Naples Park Unit No. 1, in Township 48 South, Range 25 East, Section 28 of unincorporated Collier County, Florida. [Coordinator Eric Ortman, Principal Planner] Commissioner District 2

Meeting Date: 04/14/2022

Prepared by:
Title: Principal Planner – Zoning
Name: Eric Ortman
03/21/2022 8:59 AM

Submitted by:
Title: – Zoning
Name: Mike Bosi
03/21/2022 8:59 AM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky	Review Item	Completed	
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	03/22/2022 1:26 PM
Zoning	Ray Bellows	Review Item	Completed	03/22/2022 1:54 PM
Zoning	Eric Ortman	Review Item	Skipped	03/21/2022 9:02 AM
Zoning	Mike Bosi	Zoning Director Review	Completed	03/22/2022 2:00 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	04/14/2022 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION – ZONING SECTION

HEARING DATE: APRIL 14, 2022

SUBJECT: VA-PL-20210002556, 702 107th AVENUE NORTH, POOL

PROPERTY OWNER/AGENT:

Owner/ Applicant:

Naples Florida Vacation Rentals INC.
Molly and David Rolwes
279 Heron Ave
Naples, FL 3410

Agent:

John Harold
FLA Surveys, Inc.
3627 Progress Ave
Naples, FL 34104

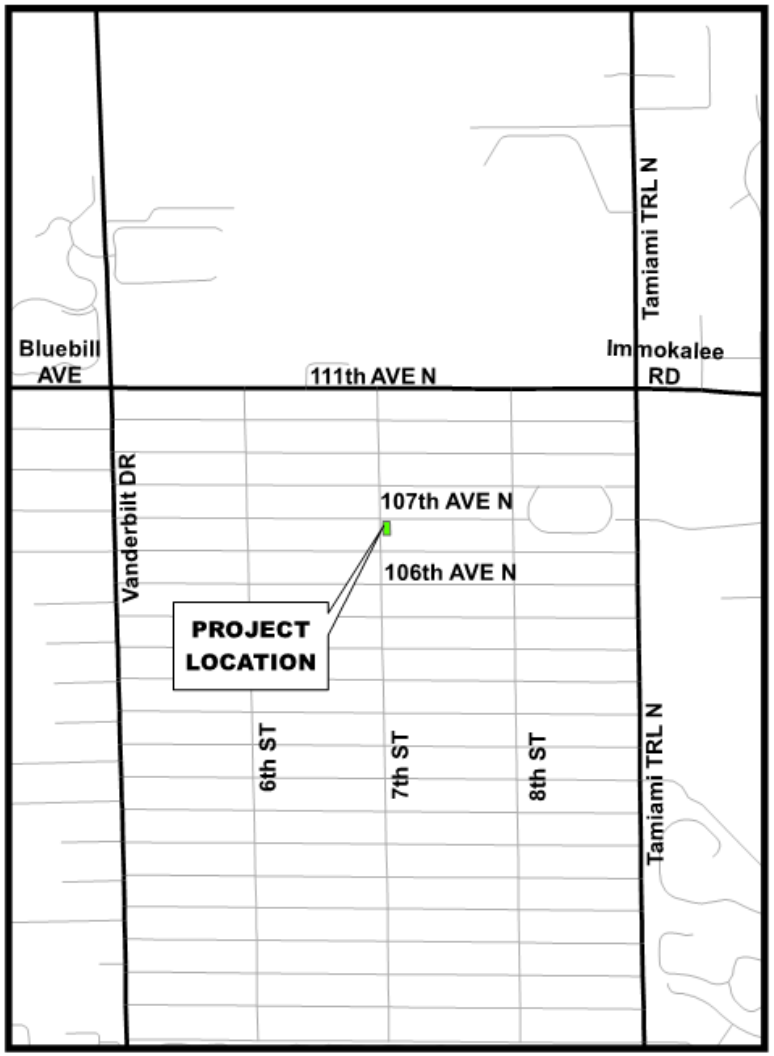
REQUESTED ACTION:

The agent requests a variance from Section 4.02.01.A, Table 2.1 of the Collier County Land Development Code (LDC) to reduce the minimum front yard setback from 25 feet to 18.6 feet in the front yard facing 7th Street for a pool in a RMF-6 zoning district. This variance petition will correct an error on the part of County in listing the incorrect setbacks on the building permit. The subject property is ±0.22 acres located in the southeast quadrant of the intersection of 107th Ave and 7th Street North in Naples Park.

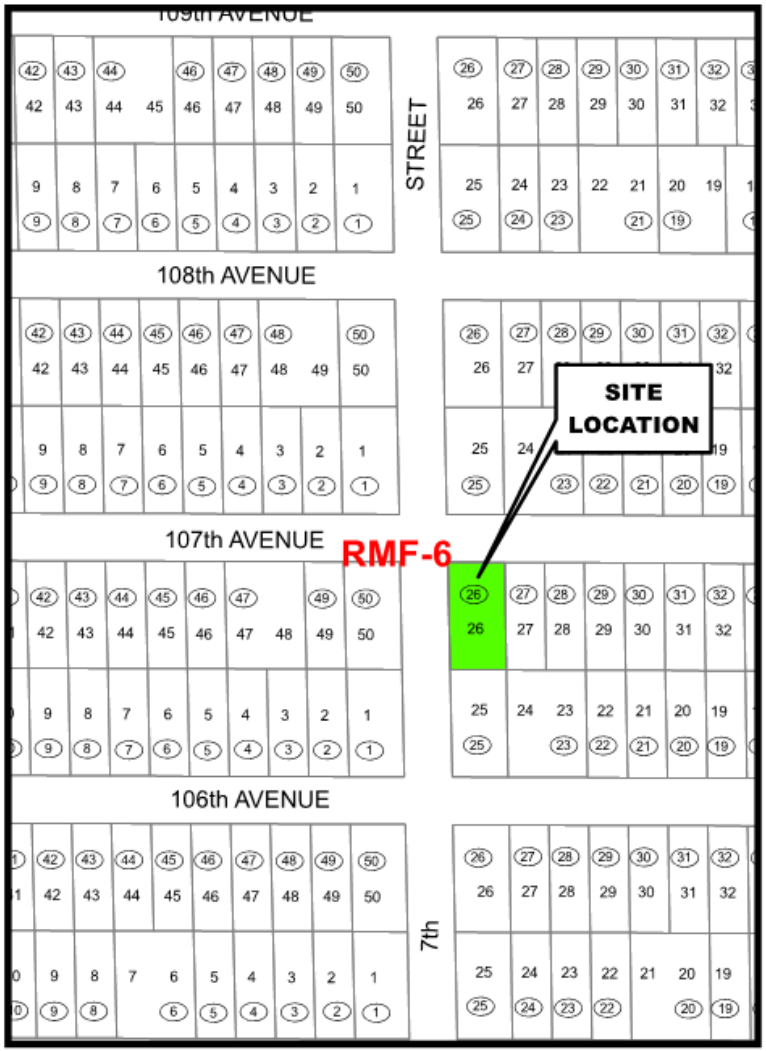
GEOGRAPHIC LOCATION:

The subject property is at 702 107th Avenue North in Naples Park on the southeast corner of the 107th Ave North and 7th Street North intersection. The subject property (folio #62422200002) is identified as Naples Park Unit 1 Block 12 Lot 26 in Section 28, Township 48 South, Range 25 East consisting of ±0.22 acres in unincorporated Collier County, Florida (See location map on page 2).

Attachment: Staff Report Variance 702 107th Ave N PL20210002556 (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)



Location Map



Zoning Map

Petition Number: PL20210002556

Attachment: Staff Report Variance 702 107th Ave N PL20210002556 (21741 : PL20210002556 Pool

PURPOSE/DESCRIPTION OF PROJECT:

A building permit (PRBD20210628472) (Attachment 1) to construct a new pool on the subject property was reviewed and approved by Collier County on July 22, 2021. The permit lists the setbacks for accessory structures as: 25 feet front yard, 7.5 feet side yard, and 10 feet rear yard. These setbacks are for interior lots, the subject lot is, however, a corner lot and therefore has front yards along each street frontage with the other yards being considered side yards. The correct setbacks on the permit should have been 25 feet for both front yards and 7.5 for both side yards (LDC 4.02.03.D and 4.02.01.A, Table 2.).

Review of an August 10, 2021, spot survey (Attachment 2), done when the pool shell and spa shell were completed, revealed the encroachment. Further review revealed that the contractor had adhered to the setbacks as listed on the permit. A note entered into CityView by Jonathan Walsh, Chief Building Official notes that, "*After further review of zoning concerns it was determined that the original permit approval was issued in error as the front setbacks were not noted/confirmed. Spot survey provided indicated error. A staff supported variance is underway and the contractor and owner have provided a letter of acceptance at their own risk to move forward with construction while variance is processed*".

The spot survey revealed that the pool shell and spa were 18.6 feet from the west property line facing 7th Street (front yard) which is an encroachment of 6.4 feet or 21.3 percent (21.3%) as shown below. A hold was put on the spot survey when the encroachment was discovered.

Required front setback is 25-ft or 300-inches [25*12=300].
Encroachment is 6.4 feet [25–18.6=6.4]
6.4 feet is 76.8 inches [72+(12*0.4) = 76.8]
Percent % of Encroachment is 0.213 or 21.30% [76.8/300=0.213]

The spot survey hold was resolved on September 7, 2021, when Kenny Slusser of Slusser Services, LLC, the contractor, signed a letter to allow him to continue construction at his own risk (Attachment 3). The pool has since been finished; final inspection is pending consideration of this variance

SURROUNDING LAND USE & ZONING:

North: Single-/multi-family residences in Naples Park, RMF-6 zoning district.
East: Single-/multi-family residences in Naples Park, RMF-6 zoning district.
South: Single-/multi-family residences in Naples Park, RMF-6 zoning district.
West: Single-/multi-family residences in Naples Park, RMF-6 zoning district.

(See map on next page.)

Attachment: Staff Report Variance 702 107th Ave N PL20210002556 (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)



GROWTH MANAGEMENT PLAN (GMP) CONSISTENCY:

The subject property is in the Urban Residential Subdistrict land use classification on the County's Future Land Use Map (FLUM) of the Future Land Use Element (FLUE) of the Growth Management Plan (GMP). This land use category is designed to accommodate residential uses including single family, multi-family, duplexes, and mobile homes. The applicant seeks a setback variance for a pool which is a permitted accessory use in the RMF-6 District.

The Growth Management Plan (GMP) focuses on the actual uses of land and does not address individual variance requests related to land use, therefore, staff concludes that the proposed use is consistent with the Future Land Use Element.

STAFF ANALYSIS:

The decision to grant a variance is based on the criteria in LDC Section 9.04.03. Staff has analyzed this petition relative to these criteria and offers the following responses:

a. Are there special conditions and circumstances existing which are peculiar to the location, size, and characteristics of the land, structure or building involved?

Yes, Building Permit No. PRBD20210628472 was issued by Collier County on July 22, 2021. The permit was issued with setbacks based on an interior lot with a front, back and two side yards. However, the subject property is a corner lot with two front yards and two side

Attachment: Staff Report Variance 702 107th Ave N PL20210002556 (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

yards. The pool is being constructed based on the 7.5-foot side yard setback listed in the permit when the correct yard requirement should have been 25 feet for a front yard.

b. Are there special conditions and circumstances, which do not result from the action of the applicant such as pre-existing conditions relative to the property, which are the subject of the variance request?

Yes, the sole issue is that the pool is being constructed into the setback by 6.4 feet. The reason for construction occurring in the setback is that the contractor followed the setbacks as listed in the approved building permit. The encroachment was not discovered until review of a spot survey after the pool shell and spa were built.

Subsequently, the contractor signed off on accepting responsibility for continuing work simultaneously with the staff supported variance petition process. Construction of the pool has been completed. The final inspection is pending the outcome of the variance petition.

c. Will a literal interpretation of the provisions of the LDC work unnecessary and undue hardship on the applicant or create practical difficulties for the applicant?

Yes, construction commenced upon issuance of Building Permit PRBD20210628472 on July 23, 2021. Significant time and resources were invested into the construction of the pool shell and spa. A literal interpretation of the LDC would require the applicant to demolish the pool shell and spa and restart construction from the beginning.

d. Will the variance, if granted, be the minimum variance that will make possible the reasonable use of the land, building or structure and which promote standards of health, safety, and welfare?

Yes, the variance, if granted, is the minimum required to accommodate the pool and meet all setback requirements. The pool was approved and constructed 18.6 feet from the western property line. Granting of the requested variance will have no adverse impact to public health, safety, and welfare.

e. Will granting the variance confer on the applicant any special privilege that is denied by these zoning regulations to other lands, buildings, or structures in the same zoning district?

LDC § 9.04.02 allows relief through the variance process for any dimensional development standard. By definition, a variance bestows dimensional relief from the land development code regulations specific to a site. Other properties facing a similar hardship would be entitled to make a similar request and would be conferred equal consideration on a case-by-case basis. However, there should be no assumption that a variance of similar magnitude would be granted if another building permit contains the correct setbacks.

f. Will granting the Variance be in harmony with the general intent and purpose of the Land Development Code, and not be injurious to the neighborhood, or otherwise detrimental to the public welfare?

Attachment: Staff Report Variance 702 107th Ave N PL20210002556 (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Yes, granting of the variance will be in harmony with the general intent and purpose of the Land Development Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

g. Are there natural conditions or physically induced conditions that ameliorate the goals and objectives of the regulation such as natural preserves, lakes, golf courses, etc.?

No natural or physically induced conditions have been observed that will serve to ameliorate the goals and objectives of the LDC.

h. Will granting the variance be consistent with the GMP?

The Growth Management Plan (GMP) does not address individual variance requests related to dimensions. Approval of this variance will not affect or change the requirements of the GMP with respect to density, intensity, compatibility, access/connectivity, or other applicable land use provisions with the exception of permitting an encroachment of an accessory structure into the front yard facing 7th Street.

ENVIRONMENTAL ADVISORY COUNCIL (EAC) RECOMMENDATION:

The EAC does not normally hear variance petitions. Since the subject variance doesn't impact any preserve area, the EAC did not hear this petition.

RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner approve variance petition VA-PL-20210002556, to reduce the minimum front yard setback on the west side of the home facing 7th Street from 25 feet to 18.6 feet for the construction of a pool at 702 107th Avenue North.

Attachments:

1. Building Permit
2. Spot Survey
3. Resolution of Spot Survey
4. Applicant's Application and Backup Materials

Attachment: Staff Report Variance 702 107th Ave N PL20210002556 (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

COLLIER COUNTY
BOARD OF COUNTY COMMISSIONERS

PERMIT

PERMIT #: PRBD2021062847201 PERMIT TYPE: PL
ISSUED: 07-23-21 BY: APPLIED DATE: 06-14-21 APPROVAL DATE: 07-22-21
MASTER #: COA:

JOB ADDRESS: 702 107th AVE N, Single Family, Naples
JOB DESCRIPTION: Construct Pool Approx 330 Sq Ft - Pump is Pentair Whisperflow 1.5. hp - LED "No Wet Niche" - Deck is to be Poured Concrete with Sand Set Travertine Pavers - Door Alarms and Fence by Other JOB PHONE:

702 107th AVE N, Building, Naples

SUBDIVISION #: BLOCK: LOT:
FLOOD MAP: ZONE: ELEVATION:
FOLIO #: 62422200002 SECTION-TOWNSHIP-RANGE: 28-48-25

OWNER INFORMATION:
ROLWES, MOLLY & DAVID
279 HERON AVE
NAPLES, FL 34108

CONTRACTOR INFORMATION:
SLUSSER SERVICES LLC
3627 PROGRESS AVE
NAPLES, FL 34104

CERTIFICATE #: C34937 PHONE:

FCC CODE:
CONSTRUCTION CODE: 0221
JOB VALUE: $83,600.00 TOTAL RES SQFT: 0 TOTAL COMM SQFT: 0

SETBACKS FRONT: 25' REAR: 10' ACC LEFT: 7.5' RIGHT: 7.5'
SEWER: WATER:
CONTACT NAME:
CONTACT PHONE:

Per Collier County Ordinance No. 2002-01, as it may be amended, all work must comply with all applicable laws, codes, ordinances, and any additiona stipulations or conditions of this permit. This permit expires if work authorized by the permit is not commenced within six (6) months from the date of issuance of the permit. Additional fees for failing to obtain permits prior to the commencement of construction may be imposed. Permittee(s) further understands that any contractor that may be employed must be a licensed contractor and that the structure must not be used or occupied until a Certificate of Occupancy is issued.

NOTICE: PRIOR TO THE REMOVAL OF ASBESTOS PRODUCTS OR THE DEMOLITION OF A STRUCTURE, FEDERAI AND STATE LAWS REQUIRE THE PERMITTEE (EITHER THE OWNER OR CONTRACTOR) TO SUBMIT A NOTICE OI THE INTENDED WORK TO THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP). FOR MORE INFORMATION, CONTACT DEP AT (239) 344-5600.

In addition to the conditions of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTENI TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

Attachment: Attachment 1 - Building Permt (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

THE LINES ON THIS SKETCH DO NOT CONSTITUTE OWNERSHIP

COPYRIGHT 2020: F.L.A. SURVEYS CORP.

SURVEY SKETCH OF: ASBUILT SURVEY

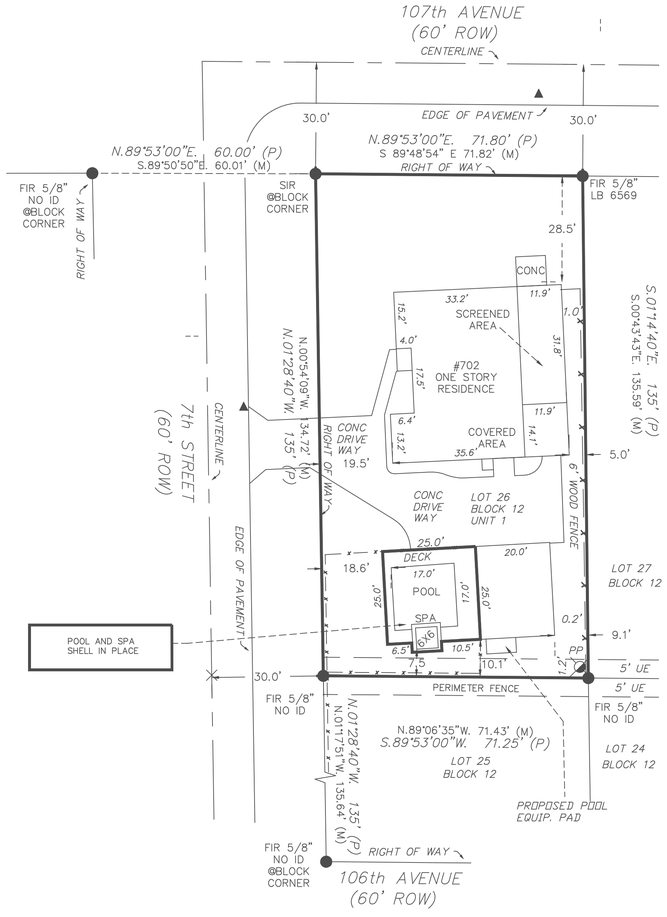
SPOT ON POOL AND SPA SHELL

NOT FOR FENCE CONSTRUCTION
NOT FOR CONSTRUCTION
NOT FOR DESIGN

STREET ADDRESS:
702 107TH AVE N
NAPLES, FLORIDA

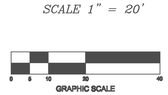
CERTIFIED TO :
MOLLY ROLWES AND DAVID ROLWES

LEGAL DESCRIPTION :
LOT 26, BLOCK 12, NAPLES PARK UNIT NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 106, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA





SCALE 1" = 20'





BOUNDARY, IMPROVEMENTS AND OTHER SURVEY INFORMATION SHOWN HEREON WERE TAKEN FROM A SURVEY BY F.L.A. SURVEYS CORP. DATED 5/06/2021

ABBREVIATIONS AND NOTES:

N = NORTH
S = SOUTH
E = EAST
W = WEST, OR ANY COMBINATION THEREOF
1. ° = DEGREES
2. ' = MINUTES WHEN USED IN A BEARING
3. " = SECONDS WHEN USED IN A BEARING
4. ' = FEET WHEN USED IN A DISTANCE
5. " = INCHES WHEN USED IN A DISTANCE
6. ± = "MORE OR LESS" OR "PLUS OR MINUS"
7. A = ARC DISTANCE
8. AC = ACRES
9. A/C = AIR CONDITIONING PAD
10. AE = ACCESS EASEMENT
11. B.E. = BUFFER EASEMENT
12. BM = BENCHMARK
13. BOB = BASIS OF BEARING
14. BRG = BEARING
15. C# = CURVE NUMBER
16. C = CALCULATED
17. CB = CATCH BASIN
18. CHB = CHORD BEARING
19. CHD = CHORD
20. CLF = CHAINLINK FENCE
21. CM = CONCRETE MONUMENT
22. CO = CLEAN OUT
23. CONC = CONCRETE
24. CP = CONCRETE PAD
25. CSW = CONCRETE SIDEWALK
26. CTV= CABLE TV RISER
27. CUE= COLLIER COUNTY UTILITY EASEMENT
28. D = DEED
29. DE= DRAINAGE EASEMENT
30. DH = DRILL HOLE
31. DI = DROP INLET
32. ELEC= ELECTRIC
33. EOP = EDGE OF PAVEMENT
34. EOR = EDGE OF ROAD
35. EOW = EDGE OF WATER
36. F= AS LABELED OR FOUND IN THE FIELD
37. F.A.C. = FLORIDA ADMINISTRATIVE CODE
38. FCC = FOUND CROSS CUT
39. FCM = FOUND CONCRETE MONUMENT
40. FEMA = FEDERAL EMERGENCY MANAGEMENT AGENCY
41. FDH = FOUND DRILL HOLE
42. FFE = FINISH FLOOR ELEVATION
43. FH = FIRE HYDRANT
44. FIP = FOUND IRON PIPE
45. FIR = FOUND IRON ROD
46. FN = FOUND NAIL
47. FND = FOUND
48. FPK = FOUND PK NAIL
49. FPK&D = FOUND PK NAIL AND DISC
50. GTE = TELEPHONE RISER
51. ILLEG. = ILLEGIBLE LB OR PSM NUMBER
52. LB = LICENSED BUSINESS
53. LBE = LANDSCAPE BUFFER EASEMENT
54. LME = LAKE MAINTENANCE EASEMENT
55. LP = LIGHT POLE
56. M = MEASURED
57. ME = MAINTENANCE EASEMENT
58. MH = MANHOLE
59. NAVD 1988 = NORTH AMERICAN VERTICAL DATUM OF 1988
60. NGVD 1929 = NATIONAL GEODETIC VERTICAL DATUM OF 1929
61. NO ID = NO IDENTIFYING MARKINGS
62. (NR) = NON-RADIAL
63. NTS= NOT TO SCALE
64. OHP= OVERHEAD POWER
65. OHU = OVERHEAD UTILITY LINE
66. O.R. = OFFICIAL RECORD BOOK
67. P = PLAT
68. PC = POINT OF CURVATURE
69. PCC = POINT OF COMPOUND CURVATURE
70. PCP = PERMANENT CONTROL POINT
71. PG = PAGE
72. PI = POINT OF INTERSECTION
73. PK = PARKER KALON NAIL
74. PLS = PROFESSIONAL LAND SURVEYOR
75. POB = POINT OF BEGINNING
76. POC = POINT OF COMMENCEMENT
77. PP = POWER POLE
78. PRC = POINT OF REVERSE CURVE
79. PRM = PERMANENT REFERENCE MONUMENT
80. PSM= PROFESSIONAL SURVEYOR AND MAPPER
81. PU & DE = PUBLIC UTILITY & DRAINAGE EASEMENT
82. PUE = PUBLIC UTILITY EASEMENT
83. (R) = RADIAL
84. R = RADIUS
85. RING = ITEM DETECTED BY METAL DETECTOR BUT NOT RECOVERED
86. RNG= RANGE
87. ROW = RIGHT-OF-WAY
88. RR SPK = RAILROAD SPIKE
89. SAT= SATELLITE DISH
90. SDE = STREET DRAINAGE EASEMENT
91. SEC = SECTION
92. SIR = SET 5/8" IRON ROD WITH LB NUMBER
93. TBM = TEMPORARY BENCH MARK
94. TECO= TAMPA ELECTRIC COMPANY
95. TEL = TELEPHONE FACILITIES
96. TOB = TOP OF BANK
97. TP = TRANSMITTER PAD
98. TUE = TECHNOLOGY UTILITY EASEMENT
99. TVR = TELEVISION RISER
100. TWP= TOWNSHIP
101. UE = UTILITY EASEMENT
102. VF = VINYL FENCE
103. W = WATER SERVICE
104. WB = WATER BOX
105. WF= WOOD FENCE
106. WPP= WOOD POWER POLE
107. WREC= WITHLACOOCHEE RIVER ELECTRIC COMPANY
108. Δ = DELTA OR CENTRAL ANGLE OF CURVE
109. DIMENSIONS ARE IN FEET AND IN DECIMALS THEREOF
110. ELEVATIONS SHOWN HEREON ARE NAVD 1988 UNLESS OTHERWISE STATED
111. ALL PHYSICAL IMPROVEMENTS SHOWN WITHOUT DIMENSIONS ARE FOR INFORMATIONAL PURPOSES ONLY, THAT THEY DO EXIST, BUT WERE NOT NECESSARILY MEASURED IN THE FIELD.
112. NOTE: LEGAL DESCRIPTION PROVIDED BY CLIENT UNLESS OTHERWISE NOTED.
113. EASEMENTS AND RIGHT OF WAYS SHOWN ARE PER RECORDED PLAT OR AS FURNISHED BY THE CLIENT
114. FOUNDATION LINE BELOW THE SURFACE OF THE GROUND IS NOT REFLECTED
115. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES UNDER ANY CONDITION UNLESS OTHERWISE STATED
116. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED
117. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAYS, AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN
118. THERE ARE NO VISIBLE ENCROACHMENTS EXCEPT THOSE AS DELINEATED ON THIS PLAT OF SURVEY
119. TIES ARE TO FIELD LINES UNLESS OTHERWISE NOTED
120. THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR EASEMENTS THAT ARE NOT RECORDED ON SAID PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY
121. FENCES MEANDER ON AND OFF LINE, APPROXIMATE LOCATION ONLY UNLESS STATED OTHERWISE.
122. THE LINES ON THIS SKETCH DO NOT CONSTITUTE OWNERSHIP
123. THE INTENT OF THIS SURVEY IS FOR TITLE TRANSFER ONLY
124. FLORIDA STATUTE : TWO SITE BENCHMARKS ARE REQUIRED FOR CONSTRUCTION.
125. THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP
126. F.E.M.A. FLOOD HAZARD MAPPING: THIS DATE PRODUCT WAS NOT DESIGNED TO MAKE PRECISE IN/OUT FLOOD RISK DETERMINATIONS. THIS PRODUCT IS NOT SUITABLE FOR ENGINEERING APPLICATIONS AND CANNOT BE USED TO DETERMINE ABSOLUTE DELINEATIONS OF FLOOD BOUNDARIES. CALL 1-877-FEMAMAP OR EMAIL A MAP SPECIALIST AT: HTTP://WWW.FEMA.GOV/PLAN/PREVENT/FHM/TSD_EMAP.SHT PROPERTY OWNER SHOULD OBTAIN WRITTEN FLOOD ZONE DETERMINATION FROM LOCAL PERMITTING, PLANNING AND BUILDING DEPARTMENT PRIOR TO ANY CONSTRUCTION PLANNING AND/OR CONSTRUCTION
127. IN COMPLIANCE WITH F.A.C. 5J-17.052(2)(D)(4) – IF LOCATION OF EASEMENTS OR RIGHT-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLAT, IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER.
128. IF APPLICABLE, FENCES SHOWN MEANDER ON OR OFF LINES (APPROXIMATE LOCATION ONLY)
129. ARCHITECTURAL FEATURES, SUCH AS FURRING STRIPS, SIDING, CORNICES, STUCCO, ETC., OUTSIDE THE LINE OF THE STRUCTURE HAVE BEEN TAKEN INTO ACCOUNT WHEN GIVING TIES FROM THE STRUCTURE TO THE LOT LINES.
130. ATTENTION IS DIRECTED TO THE FACT THAT THIS SURVEY MAY HAVE BEEN REDUCED OR ENLARGED IN SIZE DUE TO REPRODUCTION. THIS SHOULD BE TAKEN INTO CONSIDERATION WHEN OBTAINING SCALED DATA

MEASURED BEARINGS SHOWN ARE BASED ON STATE PLANE COORDINATES (FLORIDA EAST ZONE) AS ACQUIRED BY USING GPS TECHNOLOGY AND IS THE "BASIS OF BEARINGS". MEASUREMENTS LABELED AS (G) ARE THE CALCULATED GPS PLAT BEARINGS.

QUALITY CONTROL

BY : MEF DATE : 08/09/2021

CERTIFICATION :
I HEREBY CERTIFY THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS CHAPTER 5J17.05-052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

BY : Leland F DySard SURVEY DATE : 08/05/2021

CLINTON W. FINSTAD, PE, CFM, PLS #2453 LELAND F. DySARD, PLS #3859
MARY E. FINSTAD, CFM, PSM #5901 RONALD W. WALLING, PSM #6473

NOT VALID WITHOUT SURVEYOR'S SIGNATURE AND EMBOSSED SEAL
NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.

DATE	BY	REVISION

F.L.A. SURVEYS CORP.
PROFESSIONAL LAND SURVEYORS AND MAPPERS LB-6569
9220 BONITA BEACH ROAD, SUITE 200
BONITA SPRINGS, FLORIDA 34135
239-404-7129 239-272-2328
239-250-2792 239-825-8504
3884 PROGRESS AVE., SUITE 104
NAPLES, FLORIDA 34104
239-403-1600 FAX 239-403-8600

CERTIFIED TO
MOLLY ROLWES AND DAVID ROLWES

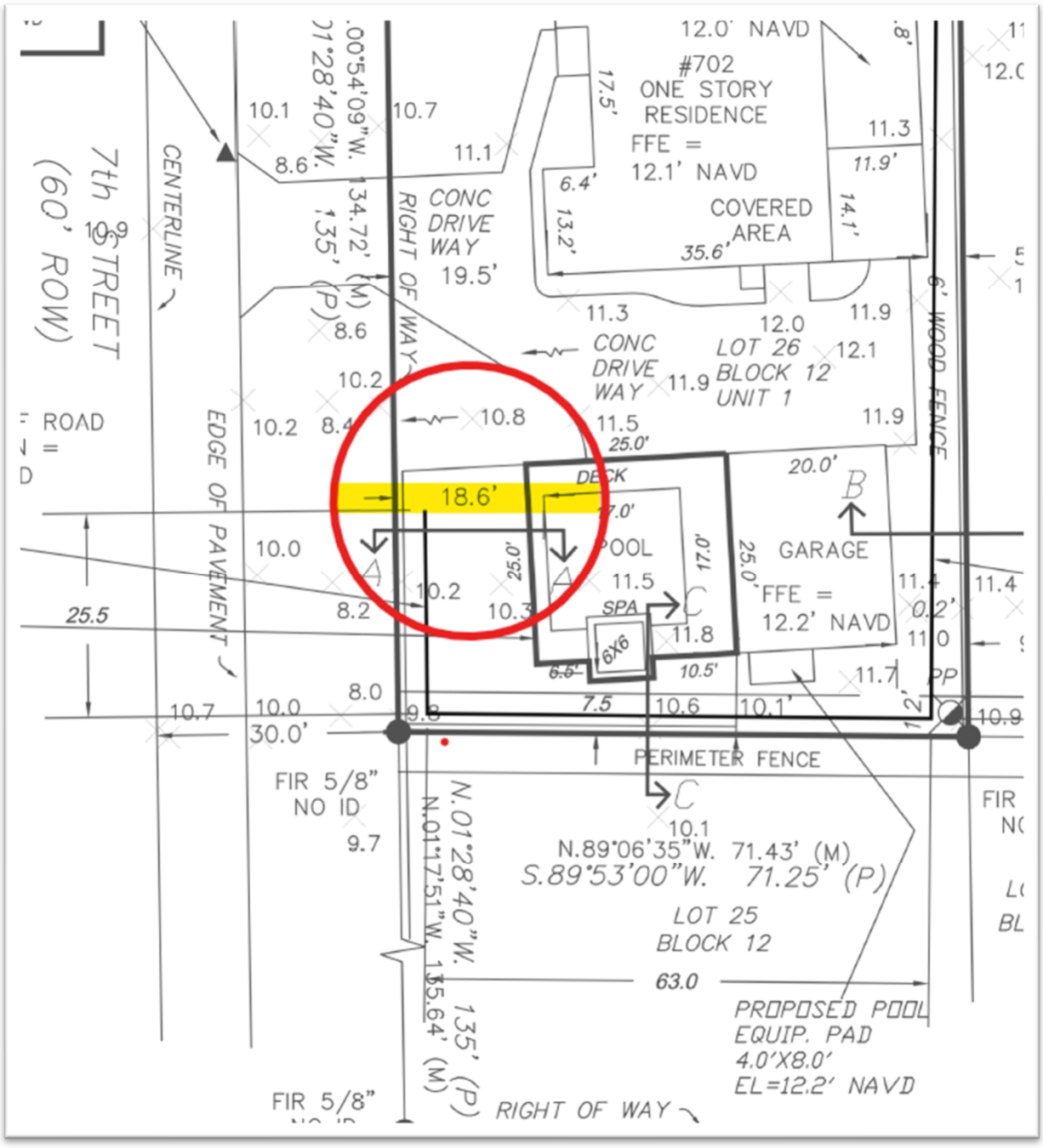
PROJECT
702 107TH AVE N
NAPLES, FLORIDA

TITLE
ASBUILT SURVEY

SHEET 1 OF 1
W.O. NO. 21-88287
DRN. BY SVJ
PAR. CHF. SOSA

Attachment: Attachment 2 - Spot Survey (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

PL20210002556 - 702 107TH AVE N (VA) – Detailed Exhibit



Attachment: Attachment 2 - Spot Survey (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

COLLIER COUNTY GOVERNMENT

GROWTH MANAGEMENT DIVISION / BUILDING REVIEW & INSPECTION DIVISION
2800 N. Horseshoe Drive, Naples FL 34104 * Phone (239) 252-2428

Outstanding Corrections

Date: June 29, 2021
Contact Name: Kenneth D Slusser
Address: 3627 Progress Ave., A
City, State Zip: Naples, FL 34104

PERMIT NO: PRBD2021062847201
APPLICATION NO: PRBD20210628472
JOB SITE ADDRESS: 702 107th AVE N, Single Family, Naples
Email:slussernaples@gmail.com

Dear Applicant:

Plans submitted with the referenced permit have been reviewed. We are unable to approve your permit application for th reason(s) indicated below.

Corrections will need to be submitted through the GMD Portal at http://cvportal.colliergov.net/CityViewWeb.
You will need to click on the "Submittals" button near the bottom of the page to upload to each submittal requirement. **Onc the documents are completely uploaded you must click the 'OK' button each time.**

For Applications Submitted through the GMD E-Permitting Portal:

- Resubmittals must be submitted in the same session and the changes must be clouded.
- Corrected documents must be submitted as complete files (with the corrected sheets *replacing* the rejected sheets). Submittals containing just the corrected sheets will be returned as Insufficient.
- A written letter of response summarizing the changes made to address each correction comment must be included in your resubmittal. Failure to include a written letter of response could result in a rejection.
- After your resubmittal is processed the documents will be reviewed again; additional deficiencies may be identified through this process.

JOB DESCRIPTION: Construct Pool Approx 330 Sq Ft - Pump is Pentair Whisperflow 1.5. hp - LED "No Wet Niche" - Deck i to be Poured Concrete with Sand Set Travertine Pavers - Door Alarms and Fence by Other

702 107th AVE N, Building, Naples

Rejected Review: Zoning Review
Reviewed By: Emily Bishop
Phone:239-252-2907 Email:Emily.Bishop@colliercountyfl.gov

Setback Encroachment Identified

Correction Comment 1: Proposed improvements do not meet required setbacks. Please revise to meet required setback requirement for this district.

Rejected Review: Engineering Review
Reviewed By: Christian Mumme
Phone:239-252-1301 Email:Christian.Mumme@colliercountyfl.gov

Correction Comment 1: - Pending outcome of Zoning Review MummeChristian 06/28/2021 2:36 PM

Correction Comment 2: - According to the information provided the total impervious area is 48.4%, please show if property ha its own stormwater management system by providing SFWMD permit number. If it does not have its own stormwater management system then since you are above the threshold of 40% impervious area, a Type II stormwater plan signed and sealed by a registered professional engineer is required for the excess impervious area.
Please note that per LDC Section 6.05.03, pools are considered impervious area.

Attachment: Attachment 2 - Spot Survey (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Please see link below for a guide for stormwater requirements.
http://www.colliercountyfl.gov/home/showdocument?id=72831
MummeChristian 06/28/2021 2:43 PM

ATTENTION:
Collier County Plan Review and Inspections routinely reviews all outstanding permit applications in order to determine their status. The review process includes appropriate responses from the permit applicant when the permit cannot be approved. When the applicant is advised of deficiencies and does not respond within **180 days** with corrected plans or an appeal to the Code Enforcement Board, the permit application will become Void as per ***Collier County Ordinance 2002-01, Section, 104.5.1.1 to 104.5.1.4 (as amended).***

Attachment: Attachment 2 - Spot Survey (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

SLUSSER
Services, LLC

3627 Progress Ave. Naples Florida 34104
Phone 239-263-0720
Slussernaples@gmail.com
www.slusserservices.com

Jonathon Walsh
Collier County GMD
2800 North Horseshoe Drive
Naples, FL 34104

RE: PRBD20210628472

Mr. Walsh,

As requested, I am confirming we would like the Spot Survey Hold "Resolved" in order for Slusser Services, LLC to continue the work on the Pool Permit # PRBD20210628472. It is our understanding this is at our own risk.

Respectfully,

Kenny Slusser _____ Kenny Slusser
Slusser Services, LLC

Molly Rolwes / Property Owner _____ Molly Rolwes

Notary Public Michele Bettencourt _____ signed before me this 7th day of September 7, 2021 by Kenny Slusser and Molly Rolwes both personally known to me.

Michele A. Bettencourt
Notary Public – GG912417
My Commission expires 9/12/2023

Attachment: Attachment 3 - Resolution of Spot Survey Hold (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Collier County

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

VARIANCE PETITION APPLICATION

Variance from Setbacks Required for a Particular Zoning District

LDC section 9.04.00 & Code of Laws section 2-83 – 2-90
Chapter 3 J. of the Administrative Code

PROJECT NUMBER
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): DAVID & MOLLY ROWLES

Name of Applicant if different than owner: NAPLES FLORIDA VACATION RENTALS INC.

Address: 702 107TH AVE N **City:** NAPLES **State:** FL **ZIP:** 34108

Telephone: _____ **Cell:** 239-250-5222 **Fax:** _____

E-Mail Address: MR3624@SBCGLOBAL.NET

Name of Agent: JOHN HAROLD

Firm: FLA SURVEYS INC.

Address: 3884 PROGRESS AVE #104 **City:** NAPLES **State:** FL **ZIP:** 34104

Telephone: 239-285-3740 **Cell:** _____ **Fax:** _____

E-Mail Address: FLACREW1@GMAIL.COM

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

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

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(239) 252-2400 FAX: (239) 252-6358

PROPERTY INFORMATION

Provide a detailed legal description of the property covered by the application: (If space is inadequate, attach on separate page)

Property I.D. Number: 62422200002 **Section/Township/Range:** 28 / 48 / 25

Subdivision: NAPLES PARK **Unit:** 1 **Lot:** 26 **Block:** 12

Metes & Bounds Description: RESIDENTIAL PROP. **Total Acreage:** 0.22

Address/ General Location of Subject Property: 702 107TH AVE N, NAPLES FL

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N	RMF-6	RESIDENTIAL
S	RMF-6	RESIDENTIAL
E	RMF-6	RESIDENTIAL
W	RMF-6	RESIDENTIAL

Minimum Yard Requirements for Subject Property:

Front: 25'
Side: 7.5'
Rear: _____

Corner Lot: Yes ☒ No ☐

Waterfront Lot: Yes ☐ No ☒

Chapter 8 of the Administrative Code requires that the applicant must remove their public hearing advertising sign(s) after final action is taken by the Board of County Commissioners. Based on the Board's final action on this item, please remove all public hearing advertising sign(s) immediately.

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

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NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

ASSOCIATIONS

Complete the following for all registered Association(s) that could be affected by this petition. Provide additional sheets if necessary. Information can be found on the Board of County Commissioner's website at http://www.colliergov.net/Index.aspx?page=774.

Name of Homeowner Association: N/A
Mailing Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

Name of Homeowner Association: _____
Mailing Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

Name of Homeowner Association: _____
Mailing Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

Name of Homeowner Association: _____
Mailing Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

Name of Homeowner Association: _____
Mailing Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

NATURE OF PETITION

On a separate sheet, attached to the application, please provide the following:

1. A detailed explanation of the request including what structures are existing and what is proposed; the amount of encroachment proposed using numbers, i.e. reduce front setback from 25 ft. to 18 ft.; when property owner purchased property; when existing principal structure was built (include building permit number(s) if possible); why encroachment is necessary; how existing encroachment came to be; etc.

2. For projects authorized under LDC Section 9.04.02, provide a detailed description of site alterations, including any dredging and filling.

3. Pursuant to LDC section 9.04.00, staff shall be guided in their recommendation to the Hearing Examiner, and the Hearing Examiner shall be guided in the determination to approve or deny a variance petition by the criteria (a-h) listed below. Please address the following criteria:

   a) Are there special conditions and circumstances existing which are peculiar to the location, size and characteristics of the land, structure, or building involved.

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

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b) Are there special conditions and circumstances which do not result from the action of the applicant such as pre-existing conditions relative to the property which is the subject of the variance request.

c) Will a literal interpretation of the provisions of this zoning code work unnecessary and undue hardship on the applicant or create practical difficulties on the applicant.

d) Will the variance, if granted, be the minimum variance that will make possible the reasonable use of the land, building or structure and which promote standards of health, safety or welfare.

e) Will granting the variance requested confer on the petitioner any special privilege that is denied by these zoning regulations to other lands, buildings, or structures in the same zoning district.

f) Will granting the variance be in harmony with the intent and purpose of this zoning code, and not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

g) Are there natural conditions or physically induced conditions that ameliorate the goals and objectives of the regulation such as natural preserves, lakes, golf course, etc.

h) Will granting the variance be consistent with the Growth Management Plan?

4. Official Interpretations or Zoning Verifications: To your knowledge, has there been an official interpretation or zoning verification rendered on this property within the last year?

☐ Yes ■ No If yes, please provide copies.

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

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GROWTH MANAGEMENT DEPARTMENT
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NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

Pre-Application Meeting and Final Submittal Requirement Checklist for: Variance Chapter 3 J. of the Administrative Code

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

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	☐	☐	☐
Pre-Application Meeting Notes	1	☐	☐
Project Narrative	☐	☐	☐
Completed Addressing Checklist	1	☐	☐
Property Ownership Disclosure Form	1	☒	
Conceptual Site Plan 24" x 36" and one 8 ½ " x 11" copy	☐	☐	☐
Survey of property showing the encroachment (measured in feet)	2	☐	☐
Affidavit of Authorization, signed and notarized	2	☐	☐
Deeds/Legal's	3	☐	☐
Location map	1	☐	☐
Current aerial photographs (available from Property Appraiser) with project boundary and, if vegetated, FLUCFCS Codes with legend included on aerial	5	☐	☐
Historical Survey or waiver request	1	☐	☐
Environmental Data Requirements or exemption justification	3	☐	☐
Once the first set of review comments are posted, provide the assigned planner the Property Owner Advisory Letter and Certification	1	☐	☐
Electronic copy of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	1	☐	☐

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

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NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

Planners: Indicate if the petition needs to be routed to the following reviewers:

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

FEE REQUIREMENTS

- ☐ **Pre-Application Meeting:** $500.00
- ☐ **Variance Petition:**
  - **Residential-** $2,000.00
  - **Non-Residential-** $5,000.00
  - **5th and Subsequent Review-** 20% of original fee
- ☐ **Estimated Legal Advertising Fee for the Office of the Hearing Examiner:** $1,125.00
- ☐ **After The Fact Zoning/Land Use Petitions:** 2x the normal petition fee
- ☐ **Listed Species Survey (if EIS is not required):** $1,000.00

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

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

All checks payable to: Board of County Commissioners.

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

John Harold
Applicant Signature

02/11/2022
Date

JOHN HAROLD
Printed Name

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Collier County Property Appraiser
Property Aerial

Parcel No	62422200002	Site Address *Disclaimer	702 107TH AVE N	Site City	NAPLES	Site Zone *Note	341(



Open GIS in a New Window with More Features.

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

PROJECT NARRATIVE
SUBMITTED BY: JOHN HAROLD(ENGINEER)-FLA SURVEYS
REVISION DATE: 02-11-2022

REQUESTING A VARIANCE FROM LDC SECTION 4.02.03.D TO REDUCE THE FRONT YARD SETBACK FROM 25 FEET TO 18.6 FEET
FOR AN ACCESSORY SWIMMING POOL.

SLUSSER SERVICES ORIGINALLY SUBMITTED THE SITE PLAN FOR THE POOL, SPA & DECK TO COLLIER COUNTY
AND THE PERMIT WAS ACCEPTED (PRBD20210628472).
SLUSSER SERVICES BEGAN CONSTRUCTION AND COMPLETED THE POOL AND SPA SHELL.
ONCE THE SPOT SURVEY WAS SUBMITTED
TO COLLIER COUNTY, THE ZONING OFFICIAL NOTICED THAT THE LOT WAS A CORNER LOT AND IT HAD INCORRECT SETBACKS,
THEREFORE THE ZONING OFFICIAL REQUIRED A VARIANCE FOR THE POOL/SPA.
THE SETBACKS ON THE PERMIT WERE FOR AN INTERIOR LOT(25 FRONT, 7.5 SIDE, 10 REAR) BUT THE SUBJECT PARCEL IS A CORNER LOT
(25 FRONT, 7.5 SIDE). WESTERN SETBACK IS 25' FEET, THEREFORE THE POOL IS A TOTAL OF 6.4' INTO THE SETBACK.
4.02.03.D IS WHAT VARIANCE IS SEEKING RELIEF FROM.

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

COLLIER COUNTY
BOARD OF COUNTY COMMISSIONERS

PERMIT

PERMIT #: PRBD2021062847201 PERMIT TYPE: PL
ISSUED: 07-23-21 BY: APPLIED DATE: 06-14-21 APPROVAL DATE: 07-22-21
MASTER #: COA:

JOB ADDRESS: 702 107th AVE N, Single Family, Naples
JOB DESCRIPTION: Construct Pool Approx 330 Sq Ft - Pump is Pentair Whisperflow 1.5. hp - LED "No Wet Niche" - Deck is to be Poured Concrete with Sand Set Travertine Pavers - Door Alarms and Fence by Other JOB PHONE:

702 107th AVE N, Building, Naples

SUBDIVISION #: BLOCK: LOT:
FLOOD MAP: ZONE: ELEVATION:
FOLIO #: 62422200002 SECTION-TOWNSHIP-RANGE: 28-48-25

OWNER INFORMATION:
ROLWES, MOLLY & DAVID
279 HERON AVE
NAPLES, FL 34108

CONTRACTOR INFORMATION:
SLUSSER SERVICES LLC
3627 PROGRESS AVE
NAPLES, FL 34104

CERTIFICATE #: C34937 PHONE:

FCC CODE:
CONSTRUCTION CODE: 0221
JOB VALUE: $83,600.00 TOTAL RES SQFT: 0 TOTAL COMM SQFT: 0

SETBACKS FRONT: 25' REAR: 10' ACC LEFT: 7.5' RIGHT: 7.5'
SEWER: WATER:
CONTACT NAME:
CONTACT PHONE:

Per Collier County Ordinance No. 2002-01, as it may be amended, all work must comply with all applicable laws, codes, ordinances, and any additiona stipulations or conditions of this permit. This permit expires if work authorized by the permit is not commenced within six (6) months from the date of issuance of the permit. Additional fees for failing to obtain permits prior to the commencement of construction may be imposed. Permittee(s) further understands that any contractor that may be employed must be a licensed contractor and that the structure must not be used or occupied until a Certificate of Occupancy is issued.

NOTICE: PRIOR TO THE REMOVAL OF ASBESTOS PRODUCTS OR THE DEMOLITION OF A STRUCTURE, FEDERAI AND STATE LAWS REQUIRE THE PERMITTEE (EITHER THE OWNER OR CONTRACTOR) TO SUBMIT A NOTICE OI THE INTENDED WORK TO THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP). FOR MORE INFORMATION, CONTACT DEP AT (239) 344-5600.

In addition to the conditions of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTENI TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

THE LINES ON THIS SKETCH DO NOT CONSTITUTE OWNERSHIP

COPYRIGHT 2020: F.L.A. SURVEYS CORP.

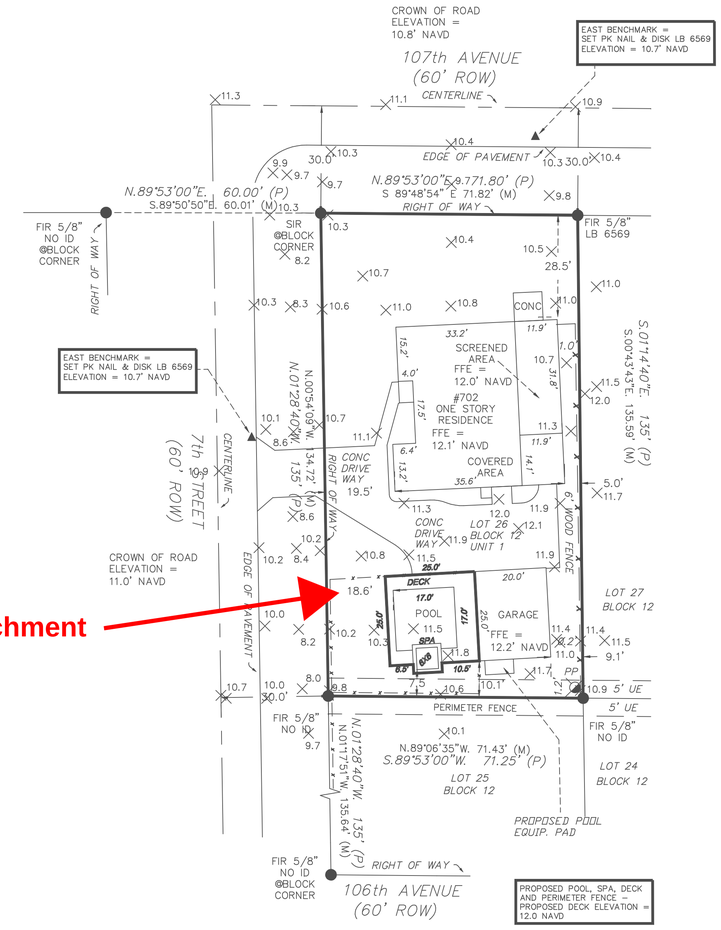
SURVEY SKETCH OF: BOUNDARY & TOPOGRAPHIC SURVEY
SKETCH OF PROPOSED IMPROVEMENTS

NOT FOR FENCE CONSTRUCTION
NOT FOR CONSTRUCTION
NOT FOR DESIGN

STREET ADDRESS:
702 107TH AVE N
NAPLES, FLORIDA

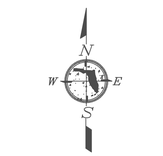
CERTIFIED TO :
MOLLY ROLWES AND DAVID ROLWES

LEGAL DESCRIPTION :
LOT 26, BLOCK 12, NAPLES PARK UNIT NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 106, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

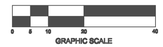


Encroachment





SCALE 1" = 20'



×11.0 = SPOT ELEVATION BASED ON NAVD DATUM

LAND USE TABLE

PERVIOUS/IMPERVIOUS AREAS: LOT AREA = 9,654 SQ. FT	
EXISTING IMPERVIOUS AREA	
HOUSE & ATTACHMENTS	2,130 SQ. FT
CONCRETE DRIVEWAY	1,800 SQ. FT
GARAGE	500 SQ. FT
	= 4,430 SQ. FT OR 45.9 %

PROPOSED IMPERVIOUS AREA	
EXISTING IMPERVIOUS (ABOVE)	4,430 SQ. FT
PROPOSED POOL, SPA & DECK	845 SQ. FT
PROPOSED EQUIPMENT PAD	32 SQ. FT
DRIVEWAY REMOVED	-438 SQ. FT
	= 4,869 SQ FT OR 48.4 %

ABBREVIATIONS AND NOTES:

N = NORTH
S = SOUTH
E = EAST
W = WEST, OR ANY COMBINATION THEREOF
1. ° = DEGREES
2. ' = MINUTES WHEN USED IN A BEARING
3. " = SECONDS WHEN USED IN A BEARING
4. ' = FEET WHEN USED IN A DISTANCE
5. " = INCHES WHEN USED IN A DISTANCE
6. ± = "MORE OR LESS" OR "PLUS OR MINUS"
7. A = ARC DISTANCE
8. AC = ACRES
9. A/C = AIR CONDITIONING PAD
10. AE = ACCESS EASEMENT
11. B.E. = BUFFER EASEMENT
12. BM = BENCHMARK
13. BOB = BASIS OF BEARING
14. BRG = BEARING
15. C# = CURVE NUMBER
16. C = CALCULATED
17. CB = CATCH BASIN
18. CHB = CHORD BEARING
19. CHD = CHORD
20. CLF = CHAINLINK FENCE
21. CM = CONCRETE MONUMENT
22. CO = CLEAN OUT
23. CONC = CONCRETE
24. CP = CONCRETE PAD
25. CSW = CONCRETE SIDEWALK
26. CTV= CABLE TV RISER
27. CUE= COLLIER COUNTY UTILITY EASEMENT
28. D = DEED
29. DE= DRAINAGE EASEMENT
30. DH = DRILL HOLE
31. DI = DROP INLET
32. ELEC= ELECTRIC
33. EOP = EDGE OF PAVEMENT
34. EOR = EDGE OF ROAD
35. EOW = EDGE OF WATER
36. F= AS LABELED OR FOUND IN THE FIELD
37. F.A.C. = FLORIDA ADMINISTRATIVE CODE
38. FCC = FOUND CROSS CUT
39. FCM = FOUND CONCRETE MONUMENT
40. FEMA = FEDERAL EMERGENCY MANAGEMENT AGENCY
41. FDH = FOUND DRILL HOLE
42. FFE = FINISH FLOOR ELEVATION
43. FH = FIRE HYDRANT
44. FIP = FOUND IRON PIPE
45. FIR = FOUND IRON ROD
46. FN = FOUND NAIL
47. FND = FOUND
48. FPK = FOUND PK NAIL
49. FPK&D = FOUND PK NAIL AND DISC
50. GTE = TELEPHONE RISER
51. ILLEG. = ILLEGIBLE LB OR PSM NUMBER
52. LB = LICENSED BUSINESS
53. LBE = LANDSCAPE BUFFER EASEMENT
54. LME = LAKE MAINTENANCE EASEMENT
55. LP = LIGHT POLE
56. M = MEASURED
57. ME = MAINTENANCE EASEMENT
58. MH = MANHOLE
59. NAVD 1988 = NORTH AMERICAN VERTICAL DATUM OF 1988
60. NGVD 1929 = NATIONAL GEODETIC VERTICAL DATUM OF 1929
61. NO ID = NO IDENTIFYING MARKINGS
62. (NR) = NON-RADIAL
63. NTS= NOT TO SCALE
64. OHP= OVERHEAD POWER
65. OHU = OVERHEAD UTILITY LINE
66. O.R. = OFFICIAL RECORD BOOK
67. P = PLAT
68. PC = POINT OF CURVATURE
69. PCC = POINT OF COMPOUND CURVATURE
70. PCP = PERMANENT CONTROL POINT
71. PG = PAGE
72. PI = POINT OF INTERSECTION
73. PK = PARKER KALON NAIL
74. PLS = PROFESSIONAL LAND SURVEYOR
75. POB = POINT OF BEGINNING
76. POC = POINT OF COMMENCEMENT
77. PP = POWER POLE
78. PRC = POINT OF REVERSE CURVE
79. PRM = PERMANENT REFERENCE MONUMENT
80. PSM= PROFESSIONAL SURVEYOR AND MAPPER
81. PU & DE = PUBLIC UTILITY & DRAINAGE EASEMENT
82. PUE = PUBLIC UTILITY EASEMENT
83. (R) = RADIAL
84. R = RADIUS
85. RING = ITEM DETECTED BY METAL DETECTOR BUT NOT RECOVERED
86. RNG= RANGE
87. ROW = RIGHT-OF-WAY
88. RR SPK = RAILROAD SPIKE
89. SAT= SATELLITE DISH
90. SDE = STREET DRAINAGE EASEMENT
91. SEC = SECTION
92. SIR = SET 5/8" IRON ROD WITH LB NUMBER
93. TBM = TEMPORARY BENCH MARK
94. TECO= TAMPA ELECTRIC COMPANY
95. TEL = TELEPHONE FACILITIES
96. TOB = TOP OF BANK
97. TP = TRANSMITTER PAD
98. TUE = TECHNOLOGY UTILITY EASEMENT
99. TVR = TELEVISION RISER
100. TWP= TOWNSHIP
101. UE = UTILITY EASEMENT
102. VF = VINYL FENCE
103. W = WATER SERVICE
104. WB = WATER BOX
105. WF= WOOD FENCE
106. WPP= WOOD POWER POLE
107. WREC= WITHLACOOCHEE RIVER ELECTRIC COMPANY
108. Δ = DELTA OR CENTRAL ANGLE OF CURVE
109. DIMENSIONS ARE IN FEET AND IN DECIMALS THEREOF
110. ELEVATIONS SHOWN HEREON ARE NAVD 1988 UNLESS OTHERWISE STATED
111. ALL PHYSICAL IMPROVEMENTS SHOWN WITHOUT DIMENSIONS ARE FOR INFORMATIONAL PURPOSES ONLY. THAT THEY DO EXIST, BUT WERE NOT NECESSARILY MEASURED IN THE FIELD.
112. NOTE: LEGAL DESCRIPTION PROVIDED BY CLIENT UNLESS OTHERWISE NOTED.
113. EASEMENTS AND RIGHT OF WAYS SHOWN ARE PER RECORDED PLAT OR AS FURNISHED BY THE CLIENT
114. FOUNDATION LINE BELOW THE SURFACE OF THE GROUND IS NOT REFLECTED
115. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES UNDER ANY CONDITION UNLESS OTHERWISE STATED
116. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED
117. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAYS, AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN
118. THERE ARE NO VISIBLE ENCROACHMENTS EXCEPT THOSE AS DELINEATED ON THIS PLAT OF SURVEY
119. TIES ARE TO FIELD LINES UNLESS OTHERWISE NOTED
120. THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR EASEMENTS THAT ARE NOT RECORDED ON SAID PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY
121. FENCES MEANDER ON AND OFF LINE, APPROXIMATE LOCATION ONLY UNLESS STATED OTHERWISE.
122. THE LINES ON THIS SKETCH DO NOT CONSTITUTE OWNERSHIP
123. THE INTENT OF THIS SURVEY IS FOR TITLE TRANSFER ONLY
124. FLORIDA STATUTE : TWO SITE BENCHMARKS ARE REQUIRED FOR CONSTRUCTION.
125. THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP
126. F.E.M.A. FLOOD HAZARD MAPPING: THIS DATE PRODUCT WAS NOT DESIGNED TO MAKE PRECISE IN/OUT FLOOD RISK DETERMINATIONS. THIS PRODUCT IS NOT SUITABLE FOR ENGINEERING APPLICATIONS AND CANNOT BE USED TO DETERMINE ABSOLUTE DELINEATIONS OF FLOOD BOUNDARIES. CALL 1-877-FEMAMAP OR EMAIL A MAP SPECIALIST AT: HTTP://WWW.FEMA.GOV/PLAN/PREVENT/FHM/TSD_EMAP.SHT FROPERTY OWNER SHOULD OBTAIN WRITTEN FLOOD ZONE DETERMINATION FROM LOCAL PERMITTING, PLANNING AND BUILDING DEPARTMENT PRIOR TO ANY CONSTRUCTION PLANNING AND/OR CONSTRUCTION
127. IN COMPLIANCE WITH F.A.C. 5J-17.052(2)(D)(4) – IF LOCATION OF EASEMENTS OR RIGHT-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLAT, IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER.
128. IF APPLICABLE, FENCES SHOWN MEANDER ON OR OFF LINES (APPROXIMATE LOCATION ONLY)
129. ARCHITECTURAL FEATURES, SUCH AS FURRING STRIPS, SIDING, CORNICES, STUCCO, ETC., OUTSIDE THE LINE OF THE STRUCTURE HAVE BEEN TAKEN INTO ACCOUNT WHEN GIVING TIES FROM THE STRUCTURE TO THE LOT LINES.
130. ATTENTION IS DIRECTED TO THE FACT THAT THIS SURVEY MAY HAVE BEEN REDUCED OR ENLARGED IN SIZE DUE TO REPRODUCTION. THIS SHOULD BE TAKEN INTO CONSIDERATION WHEN OBTAINING SCALED DATA

QUALITY CONTROL

BY : MEF DATE : 05/07/2021

CERTIFICATION :
I HEREBY CERTIFY THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS CHAPTER 5J17.05–052, FLORIDA ADMINSTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

BY : Leland F DySard SURVEY DATE : 05/06/2021

CLINTON W. FINSTAD, PE, CFM, PLS #2453 LELAND F. DySARD, PLS #3859
MARY E. FINSTAD, CFM, PSM #5901 RONALD W. WALLING, PSM #6473

Leland F. DySard, P.L.S. #3859

Digitally signed by Leland F. DySard, P.L.S. #3859
Date: 2021.07.13 09:40:30 -04'00'

NOT VALID WITHOUT SURVEYOR'S SIGNATURE AND EMBOSSED SEAL
NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.

DATE	BY	REVISION
07/08/2021	LFD	SPA AND LUT

F.L.A. SURVEYS CORP.
PROFESSIONAL LAND SURVEYORS AND MAPPERS LB-6569
9220 BONITA BEACH ROAD, SUITE 200, BONITA SPRINGS, FLORIDA 34135
239-404-7129 239-272-2328 239-250-2792 239-825-8504
3884 PROGRESS AVE., SUITE 104, NAPLES, FLORIDA 34104
239-403-1600 FAX 239-403-8600

CERTIFIED TO: MOLLY ROLWES AND DAVID ROLWES

PROJECT: 702 107TH AVE N NAPLES, FLORIDA

TITLE: BOUNDARY & TOPOGRAPHIC SURVEY

SHEET 1 OF 1
W.O. NO. 21-85815
DRN. BY SVJ
PAR. CHF. AD/THOMAS

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

INSTR 6074172 OR 5961 PG 1795 E-RECORDED 6/8/2021 9:23 PM PAGES 2
CLERK OF THE CIRCUIT COURT AND COMPTROLLER, COLLIER COUNTY FLORIDA
DOC@.70 $0.70 REC $18.50
CONS $10.00

This instrument prepared by:
RICHARD M. RICCIARDI, JR., ESQUIRE
Powell, Jackman, Stevens & Ricciardi, PA
12381 S. Cleveland Ave., Suite 200
Fort Myers, Florida 33907
Tel: (239) 689-1096
Fax: (239) 791-8132
rricciardi@your-advocates.org

Consideration:
Doc Stamps:
Record:
Total:

NOT A CERTIFIED COPY

_____(Space Above This Line for Recording Data)_____

WARRANTY DEED

This Indenture made this 7th day of June, 2021, between: **MOLLY ROLWES and DAVID ROLWES, husband and wife,** as grantor, whose post office address is 279 Heron Ave., Naples, Florida 34108 and **NAPLES FLORIDA VACATION RENTALS, INC.,** a Florida Corporation, as grantee, whose post office address is 279 Heron Ave., Naples, Florida 34108.

W I T N E S S E T H,
That said Grantor, for and in consideration of the sum of Ten Dollars ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situated in Collier County, Florida, viz:

LOT 26, BLOCK 12, NAPLES PARK UNIT NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 106, OF THE 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.

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.

Parcel No: 62422200002
More Commonly Known As: 702 107th Ave N., Naples, Florida 34108.

The terms "Grantor" and "Grantee" are used for singular and plural, as the context requires.

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

IN WITNESS WHEREOF, Grantors has hereto set grantor's hand and seal this day and year first written above.

Molly Rolwes

By: **MOLLY ROLWES**

By: **DAVID ROLWES**

Witness #1 Signature

Witness #1 Printed Name

Witness #2 Signature

LaDonda O'Donnell

Witness #2 Printed Name

STATE OF FL
COUNTY OF Lee

THE FOREGOING instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization on this 7 day of June, 2021, **MOLLY ROLWES and DAVID ROLWES,** who are personally known to me or provided FL DL as identification.

NOTARY PUBLIC
State of FL

LADONDA O'DONNELL
Notary Public - State of Florida
Commission # GG 235451
My Comm. Expires Oct 29, 2022
Bonded through National Notary Assn.

CERTIFIED COPY

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Collier County

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX (239) 252-5724

ADDRESSING CHECKLIST

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

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

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

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

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

LOT 26, BLOCK 12, NAPLES PARK UNIT 1 RECORDED IN PLAT BOOK 1 PAGE 106 OF PUBLIC RECORDS (CC)

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

~~6242200002~~ 62422000002

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

702 107TH AVE N, NAPLES FL 34108

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

CURRENT PROJECT NAME *(if applicable)*

702 107TH AVE N NAPLES POOL CONSTRUCTION VARIANCE (VA)

PROPOSED PROJECT NAME *(if applicable)*

PROPOSED STREET NAMES *(if applicable)*

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

SDP ___ - ___ or AR or PL # 20210002556

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Collier County

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

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

EXISTING PERMIT #PRBD20210628472

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

Applicant Name: JOHN HAROLD

Phone: 239-285-3740 **Email/Fax:** flacrew1@gmail.com

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

FOR STAFF USE ONLY

Folio Number 62422200002

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Approved by: Trample **Date:** 11/10/2021

Updated by: _____ **Date:** _____

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

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

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
MOLLY ROLWES	50%
DAVID ROLWES	50%

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

Name and Address	% of Ownership

Attachment: Attachment 4 - Backup Documentation (2741 : PL20210002556 Pool Variance 702 107th Ave. N.)

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:

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

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

Molly Rolwes
Agent/Owner Signature

11-1-21
Date

Molly Rolwes
Agent/Owner Name (please print)

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL#20210002556

I, MOLLY ROLWES (print name), as OWNER (title, if applicable) of NAPLES FLORIDA VACATION RENTALS INC. (company, If applicable), swear or affirm under oath, that I am the (choose one) owner [✔] applicant [ ] contract purchaser [ ] and that:

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

**Notes:*

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

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

Molly Rolwes
Signature

2-18-2022
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of ■ physical presence or ☐ online notarization this 18 day of FEBruary, 2022, by (printed name of owner or qualifier) MOlly Rolwes.

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

☐ Are personally known to me

■ Has produced a current drivers license FLorida DL

☐ Has produced _____ as identification.

Notary Signature: Debra Johnson 2/18/2022

NOTARY PUBLIC
DEBRA JOHNSON
Notary Public, State of Florida
Commission# GG 322117
My comm. expires Apr. 10, 2023

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

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

NATURE OF PETITION RESPONSES
SUBMITTED BY: JOHN HAROLD(ENGINEER)-FLA SURVEYS
REVISION DATE: 02-11-2022

1. A detailed explanation of the request including what structures are existing and what is proposed; the amount of encroachment proposed using numbers, i.e. reduce front setback from 25 ft. to 18 ft.; when property owner purchased property; when existing principal structure was built (include building permit number(s) if possible); why encroachment is necessary; how existing encroachment came to be; etc.

RESPONSE: REQUESTING A VARIANCE FROM LDC SECTION 4.02.03.D TO REDUCE THE FRONT YARD SETBACK FROM 25 FEET TO 18.6 FEET FOR AN ACCESSORY SWIMMING POOL. SLUSSER SERVICES ORIGINALLY SUBMITTED THE SITE PLAN FOR THE POOL, SPA & DECK TO COLLIER COUNTY AND THE PERMIT WAS ACCEPTED (PRBD20210628472). SLUSSER SERVICES BEGAN CONSTRUCTION AND COMPLETED THE POOL AND SPA SHELL. ONCE THE SPOT SURVEY WAS SUBMITTED TO COLLIER COUNTY, THE ZONING OFFICIAL NOTICED THAT THE LOT WAS A CORNER LOT AND IT HAD INCORRECT SETBACKS, THEREFORE THE ZONING OFFICIAL REQUIRED A VARIANCE FOR THE POOL/SPA. THE SETBACKS ON THE PERMIT WERE FOR AN INTERIOR LOT(25 FRONT, 7.5 SIDE, 10 REAR) BUT THE SUBJECT PARCEL IS A CORNER LOT (25 FRONT, 7.5 SIDE). WESTERN SETBACK IS 25' FEET, THEREFORE THE POOL IS A TOTAL OF 6.4' INTO THE SETBACK. 4.02.03.D IS WHAT VARIANCE IS SEEKING RELIEF FROM.

2. For projects authorized under LDC Section 9.04.02, provide a detailed description of site alterations, including any dredging and filling.

RESPONSE: 645 SQUARE FOOT POOL, SPA, AND DECK TO BE ADDED JUST WEST OF EXISTING DETACHED GARAGE. NO DREDGING OR FILLING. THE POOL IS BUILT 6.4' INTO THE SETBACK ON THE WEST PROPERTY LINE, THEREFORE REQUIRING A VARIANCE. THE SPA IS IN COMPLIANCE WITH THE 7.5' SETBACK TO THE SOUTH PROPERTY LINE.

3. Pursuant to LDC section 9.04.00, staff shall be guided in their recommendation to the Hearing Examiner, and the Hearing Examiner shall be guided in the determination to approve or deny a variance petition by the criteria (a-h) listed below. Please address the following criteria:

a) Are there special conditions and circumstances existing which are peculiar to the location, size and characteristics of the land, structure, or building involved.

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

RESPONSE: NO, THE POOL, SPA, AND DECK ARE LOCATED DIRECTLY WEST FROM THE EXISTING DETACHED GARAGE. THE LOT SIZE
IS 135' X 71.8' LOCATED IN THE NAPLES PARK AREA OF NAPLES, FL. THE ISSUE WITH THE SETBACK WAS NOT CAUGHT IN
TIME TO CORRECT BEFORE CONSTRUCTION BEGAN.

b) Are there special conditions and circumstances which do not result from the action of the
applicant such as pre-existing conditions relative to the property which is the subject of the
variance request.

RESPONSE: THE PERMIT WAS ISSUED WITH INCORRECT SETBACKS WHICH RESULTED IN BUILDING INTO THE SETBACKS. IF
COLLIER COUNTY HAD REJECTED THE INITIAL PERMIT APPLICATION, SLUSSER SERVICES WOULD HAVE HAD TO CORRECT THE SITEPLAN
TO A 25' SETBACK FROM THE WEST PROPERTY LINE AND ALL WOULD BE IN COMPLIANCE.

c) Will a literal interpretation of the provisions of this zoning code work unnecessary and undue
hardship on the applicant or create practical difficulties on the applicant.

RESPONSE: YES, DECONSTRUCTING THE POOL AND SPA SHELL WOULD COST THE BUILDER AND HOMEOWNER MANY THOUSANDS OF
DOLLARS. ALL PAPERWORK AND PERMITTING PROCESSES WERE SUBMITTED CORRECTLY ON THE BUILDERS END, THEREFORE
IT WOULD CAUSE MANY DIFFICULTIES FOR THE HOMEOWNER.

d) Will the variance, if granted, be the minimum variance that will make possible the reasonable use
of the land, building or structure and which promote standards of health, safety or welfare.

RESPONSE: YES, IF THE VARIANCE IS GRANTED IT WILL NOT NEGATIVELY EFFECT THE HEALTH, SAFETY, OR WELFARE OF THE
LAND, BUILDING, OR STRUCTURE. ALL HEALTH AND SAFETY REGULATIONS WILL BE UPHELD WITH THE POOL BEING BUILT 6.4' INTO
THE SETBACK.

e) Will granting the variance requested confer on the petitioner any special privilege that is denied
by these zoning regulations to other lands, buildings, or structures in the same zoning district.

RESPONSE: NO, THE PETITIONER HAS DONE NOTHING TO BE GRANTED ANY SPECIAL PRIVILAGE. THE ISSUE LIES IN A SIMPLE
OVERSIGHT BY COLLIER COUNTY THAT IF ENFORCED TO THE LITERAL INTERPRETATION OF THE ZONING CODE WOULD CAUSE
UNDUE HARDSHIP ON THE HOMEOWNER.

f) Will granting the variance be in harmony with the intent and purpose of this zoning code, and not

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

be injurious to the neighborhood, or otherwise detrimental to the public welfare.

RESPONSE: YES, THE VARIANCE IS IN HARMONY WITH THE INTENT OF THE ZONING CODE AND WILL IN NO WAY NEGATIVELY EFFECT
THE NEIGHBORHOOD OR PUBLIC IN ANY WAY.

g) Are there natural conditions or physically induced conditions that ameliorate the goals and
objectives of the regulation such as natural preserves, lakes, golf course, etc.

RESPONSE: NO, THERE ARE NO NEARBY NATURAL PRESERVES, LAKES, OR GOLF COURSES THAT COULD BE NEGATIVELY
EFFECTED IF THE VARIANCE WERE TO BE GRANTED.

h) Will granting the variance be consistent with the Growth Management Plan?

RESPONSE: YES, GRANTING THE VARIANCE WILL BE CONSISTANT IN ESTABLISHING THE VISION, FRAMEWORK, AND POLICIES
FOR FUTURE GROWTH IN COLLIER COUNTY.

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Collier County
Growth Management Department

December 17, 2021

Mr. John Harold
FLA Surveys Inc.
3884 Progress Ave. #104
Naples, FL. 34104

RE: VA-PL20210002556; 702 107Th Ave. N.

Dear Mr. Harold,

The following comments are provided to you regarding the above referenced project that was submitted on December 17, 2021. Please be aware that this is not a comprehensive list and is only being provided as a courtesy. All reviews must be completed prior to resubmittal. If you have questions, please contact the appropriate staff member who conducted the review. The project will retain a "HOLD" status until all comments are satisfied.

The following comments need to be addressed as noted:
Rejected Review: Engineering Stormwater Review
Reviewed By: Richard Orth
Email: Richard.Orth@colliercountyfl.gov Phone #: (239) 252-5092

Correction Comment 1:
Miscellaneous Corrections: The proposed site drainage plan identifies a Note stating "pool overflow will drain into roadside swale"; this would be an illicit discharge into a County swale and is not allowed. Please modify pool drainage calculations and plans to account for this discharge onsite. Richard Orth has approved.

Rejected Review: Zoning Review
Reviewed By: Eric Ortman
Email: Eric.Ortman@colliercountyfl.gov Phone #: (239) 252-1032

Correction Comment 1:
Miscellaneous Corrections
Additional detail on the seven items listed below is needed to assist the Hearing Examiner in his deliberation. Some comments may be repeated.
1. App. Page 2 please correct folio number OKAY
2. App. Page 2 please correct setbacks to reflect accessory use on a corner lot in RMF-6 zone OKAY
3. App. Page 3 Nature of Petition Q1 - please provide additional detail as to how the encroachment came to be, why/how the need for a variance arose, etc. OKAY
4. App. Page 3 Nature of Petition Q2 - please include dimensions of the deviation being sought. OKAY
5. App. Page 3 Nature of Petition Q3- please expand on responses beyond one-word answers to the criteria listed in application (LDC 9.04.03) OKAY
6. Narrative - please provide additional detail as to why the variance is needed. OKAY
7. Affidavit of Authorization Page 1 Line 5 - change consent from "John Harold/FLA Surveys

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Inc. & Kenny Slusser/Slusser Services: to "John Harold TITLE of FLA Surveys Inc. OKAY

Rejected Review: County Attorney Review
Reviewed By: Derek Perry
Email: Derek.Perry@colliercountyfl.gov Phone #: (239) 252-8066

Correction Comment 1:
Miscellaneous Corrections: Please address staff's comments. Please specify the variance request (e.g., a variance from LDC section 4.02.03.D reduce the front yard setback from 25 feet to 18.6 feet for an accessory swimming pool). Please note substantive County Attorney's Office review to commence at the next submittal. Please feel free to give me a call if you have any questions or need additional information: Derek D. Perry, (239) 252-8066.

GENERAL COMMENTS: [Eric Ortman]

1. Please be advised that pursuant to the LDC, a petition can be considered closed if there has been no activity on the petition for a period of six (6) months. In addition, a GMP Amendment application that is a companion item can likewise be considered closed. That six months period will be calculated from the date of this letter.

2. Additional comments or stipulations may be forthcoming once a sufficient petition has been submitted for review. This correspondence should not be construed as a position of support or non-support for any issues within the petition. Staff will analyze the petition and the recommendation will be contained in the staff report prepared for the Collier County Planning Commission (CCPC) or Hearing Examiner (HEX).

3. Please ensure that all members of your team that may testify before the HEX or CCPC and the Board of County Commissioners (BCC) are registered as lobbyists with the County pursuant to the regulations regarding that issue.

4. When addressing review comments, please provide a cover letter outlining your response to each comment. Include a response to all comments.

5. Please put revised dates on all exhibits and in the title block of all Plans. The PUD document should include a footer that reflects the project name, petition number, date and page X of Y for the entire document. *Documents without this information will be rejected.*

6. A partial resubmittal cannot be accepted; please do not resubmit until you can respond to ALL review comments.

7. Pursuant to F.S. 125.022, exhibits and application materials are subject to review upon each resubmittal until deemed sufficient and complete. Should the project receive a third request for additional information, staff requests that the applicant provide written acknowledgement with the resubmittal to waive the regulation that restricts the County from requesting additional information. Projects that do not include such written acknowledgement and that fail to address any outstanding review items with the 4th submittal will be denied/recommended for denial.

8. Note the adopted fee schedule requires payment of additional fees for petition review upon the 5th and subsequent submittals; please contact the appropriate staff and resolve issues to avoid this fee.

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

9. If you would like to discuss the review comments, require clarification and/or wish to identify agree-to-disagree issues, a post-review meeting can be arranged including all rejecting reviewers. To schedule a post-review meeting, please contact me, and Zoning Operations staff will proceed with scheduling.

If you have any questions, please contact me at (239) 252-1032 or Eric.Ortman@colliercountyfl.gov.

Sincerely,

Eric Ortman
Principal Planner
Growth Management Department

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

CORRECTIONS PER COLLIER COUNTY
SUBMITTED BY: JOHN HAROLD(ENGINEER)-FLA SURVEYS
REVISION DATE:02-11-2022

Rejected Review: Engineering Stormwater Review
Reviewed By: Richard Orth
Email: Richard.Orth@colliercountyfl.gov Phone #: (239) 252-5092
Correction Comment 1:
Miscellaneous Corrections: The proposed site drainage plan identifies a Note stating "pool
overflow will drain into roadside swale"; this would be an illicit discharge into a County swale
and is not allowed. Please modify pool drainage calculations and plans to account for this
discharge onsite.

RESPONSE: NOTE STATING "POOL OVERFLOW WILL DRAIN INTO ROADSIDE SWALE" HAS BEEN ADJUSTED TO READ
"POOL OVERFLOW WILL DRAIN INTO SOUTH BERM RETENTION AREA"

Rejected Review: Zoning Review
Reviewed By: Eric Ortman
Email: Eric.Ortman@colliercountyfl.gov Phone #: (239) 252-1032
Correction Comment 1:
Miscellaneous Corrections
Additional detail on the seven items listed below is needed to assist the Hearing Examiner in his
deliberation. Some comments may be repeated.
1. App. Page 2 please correct folio number
RESPONSE: FOLIO NUMBER HAS BEEN CORRECTED TO READ 62422200002

2. App. Page 2 please correct setbacks to reflect accessory use on a corner lot in RMF-6 zone
RESPONSE: SETBACKS HAVE BEEN ADJUSTED TO REMOVE REAR SETBACK SINCE THIS IS A CORNER LOT WITH 2
FRONTS(25') AND 2 SIDES(7.5')

3. App. Page 3 Nature of Petition Q1 - please provide additional detail as to how the
encroachment came to be, why/how the need for a variance arose, etc.
RESPONSE: ADDITIONAL DETAIL HAS BEEN ADDED AS TO THE EXPLANATION OF HOW TO VARIANCE AROSE AND DIMENSION
OF DEVIATION BEING SOUGHT

4. App. Page 3 Nature of Petition Q2 - please include dimensions of the deviation being sought.
RESPONSE: DIMENSION OF DEVIATION BEING SOUGHT WAS ADDED AS 6.4' INTO THE SETBACK.

5. App. Page 3 Nature of Petition Q3- please expand on responses beyond one-word answers to
the criteria listed in application (LDC 9.04.03)
RESPONSE: ALL RESPONSES UNDER THE NATURE OF PETITION QUESTIONS WERE EXPANDED UPON TO SATISFY

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

THE CRITERIA LISTED IN THE APPLICATION (LDC 9.04.03)

6. Narrative - please provide additional detail as to why the variance is needed.

RESPONSE: ADDITIONAL DETAIL HAS BEEN ADDED AS TO WHY THE VARIANCE IS NEEDED.

7. Affidavit of Authorization Page 1 Line 5 - change consent from "John Harold/FLA Surveys

Inc. & Kenny Slusser/Slusser Services: to "John Harold TITLE of FLA Surveys Inc.

RESPONSE: AFFIDAVIT OF AUTHORIZATION PAGE 1 LINE 5 HAS BEEN CHANGED TO REFLECT:

JOHN HAROLD ENGINEER OF FLA SURVEYS INC.

Rejected Review: County Attorney Review
Reviewed By: Derek Perry
Email: Derek.Perry@colliercountyfl.gov Phone #: (239) 252-8066
Correction Comment 1:
Miscellaneous Corrections: Please address staffâ€™s comments. Please specify the variance request
(e.g., a variance from LDC section 4.02.03.D reduce the front yard setback from 25 feet to 18.6
feet for an accessory swimming pool). Please note substantive County Attorneyâ€™s Office review
to commence at the next submittal. Please feel free to give me a call if you have any questions or
need additional information: Derek D. Perry, (239) 252-8066.

RESPONSE: VARIANCE REQUEST UNDER BOTH THE NARRATIVE AND NATURE OF PETITION RESPONSES REFLECTS THE
SPECIFICS OF THE VARIANCE REQUEST. STAFF'S COMMENTS HAVE BEEN ADDRESSED.

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

From: ThomasClarkeVEN
Sent: Wednesday, October 20, 2021 2:37 PM
To: CookJaime; GMD Client Services
Cc: OrtmanEric; GiblinCormac; BellowsRay
Subject: FW: 702 107th Ave N. Naples Pool Construction (VA)_PL20210002556

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Angela

Hi Jaime,

We just held this Pre-App meeting for the above Variance petition. This is the one we issued a permit with incorrect setbacks for this pool, and agreed to waive the Pre-App Fee for the Variance.
Could you reply to all on this email with your approval so we can complete the City View activity for Fees and move forward with the Pre-App Notes.

Thank you,
Tom

Thomas Clarke
Operations Analyst - Zoning Division
2800 North Horseshoe Drive, Naples, FL 34104
Phone: 239-252-2526

From: ThomasClarkeVEN
Sent: Wednesday, October 13, 2021 11:53 AM
To: 'flacrew1@gmail.com' <flacrew1@gmail.com>
Cc: FeyEric <Eric.Fey@colliercountyfl.gov>; GiblinCormac <Cormac.Giblin@colliercountyfl.gov>
Subject: 702 107th Ave N. Naples Pool Construction (VA)_PL20210002556

Hello John,

Per my Phone call, we have waived the Pre-App Meeting fee for the Variance for the above project.

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Here is the link to the virtual meeting for the Variance on Wednesday 10/20/21 at 1:30 PM. If you do not have SKYPE for Business, just sign on as a "Guest" and it should work.

Join Skype Meeting

Trouble Joining? Try Skype Web App

Help

Here is the Bridge Conference phone # if you have problems with SKYPE:
BRIDGE NUMBER TO CALL FOR MEETING 239-252-7167
ACCESS CODE - 111111
HOST CODE – 1546

Thomas Clarke
Operations Analyst - Zoning Division
2800 North Horseshoe Drive, Naples, FL 34104
Phone: 239-252-2526
Tell us how we are doing by taking our Zoning Division Survey at http://bit.ly/CollierZoning

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Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

From: KovenskyKenneth
Sent: Wednesday, October 27, 2021 3:57 PM
To: ThomasConsuela
Cc: BurkeRose
Subject: RE: 702 107th Ave N. Naples Pool Construction (VA)_PL20210002556

Follow Up Flag: Follow up
Flag Status: Flagged

Language is fine. I would add a comma in the first sentence (see below).

Respectfully,

Ken Kovensky
Director

Collier County
Operations & Regulatory Management Division

Kenneth.Kovensky@colliercountyfl.gov
2800 N. Horseshoe Drive, Naples, Florida 34104
Phone: 239.252.2388 Fax: 239.252.6563

How are we doing?
The Operations & Regulatory Management Division wants to hear from you!
Please take our online **SURVEY**.
We appreciate your feedback!

From: ThomasConsuela <Consuela.Thomas@colliercountyfl.gov>
Sent: Wednesday, October 27, 2021 12:06 PM
To: KovenskyKenneth <Kenneth.Kovensky@colliercountyfl.gov>
Cc: BurkeRose <Rose.Burke@colliercountyfl.gov>
Subject: RE: 702 107th Ave N. Naples Pool Construction (VA)_PL20210002556

Good afternoon Ken,

Can you please approve the language below for the above referenced project regarding the fees?

Due to staff error, the zoning review for PRBD20210628472 was approved. However, upon further review, the spot survey determined that the zoning review should not have been approved as the front yard setbacks do not meet the requirements of the Land Development Code (4.02.03). As a result, a variance is required to approve the non-conforming setbacks. As this was a staff error, Collier County will be sponsoring the variance fees for this project. The contractor and property owner have provided a letter of acceptance and will proceed at their own risk.

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Respectfully,
Connie Thomas
Client Services Supervisor

Operations & Regulatory Management Division

consuela.thomas@colliercountyfl.gov
2800 North Horseshoe Drive, Naples Florida 34104
Client Services: 239.252.1036 Phone: 239.252.2473

How are we doing?
The Operations & Regulatory Management Division wants to hear from you!
Please take our online **SURVEY**.
We appreciate your feedback!

From: KovenskyKenneth <Kenneth.Kovensky@colliercountyfl.gov>
Sent: Thursday, October 21, 2021 3:17 PM
To: ThomasConsuela <Consuela.Thomas@colliercountyfl.gov>
Cc: BurkeRose <Rose.Burke@colliercountyfl.gov>
Subject: RE: 702 107th Ave N. Naples Pool Construction (VA)_PL20210002556

Please pull all history for this petition and set up a meeting with me tomorrow to review.

Respectfully,

Ken Kovensky
Director

Operations & Regulatory Management Division

Kenneth.Kovensky@colliercountyfl.gov
2800 N. Horseshoe Drive, Naples, Florida 34104
Phone: 239.252.2388 Fax: 239.252.6563

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Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

From: ThomasConsuela <Consuela.Thomas@colliercountyfl.gov>
Sent: Thursday, October 21, 2021 11:02 AM
To: KovenskyKenneth <Kenneth.Kovensky@colliercountyfl.gov>
Cc: BurkeRose <Rose.Burke@colliercountyfl.gov>
Subject: FW: 702 107th Ave N. Naples Pool Construction (VA)_PL20210002556

Good morning Ken,

Please see email below from Jaime Cook regarding a fee waiver for the above reference project. How would you like for me to handle these fees?

Respectfully,
Connie Thomas
Client Services Supervisor

Collier County
Operations & Regulatory Management Division

consuela.thomas@colliercountyfl.gov
2800 North Horseshoe Drive, Naples Florida 34104
Client Services: 239.252.1036 Phone: 239.252.2473

How are we doing?
The Operations & Regulatory Management Division wants to hear from you!
Please take our online **SURVEY**.
We appreciate your feedback!

From: GMD Client Services <GMDClientServices@colliercountyfl.gov>
Sent: Wednesday, October 20, 2021 3:10 PM
To: ThomasConsuela <Consuela.Thomas@colliercountyfl.gov>
Subject: FW: 702 107th Ave N. Naples Pool Construction (VA)_PL20210002556

Read below.

DID YOU KNOW?

Beginning March 22, 2021,
GMD is transitioning to a fully electronic submittal process for building, zoning and development review applications.
For more information and to learn how this may impact you, please:
scan the QR code below for details and contact information and

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

visit the Collier County E-Permitting webpage for updates and training opportunities:

https://www.colliercountyfl.gov/your-government/divisions-a-e/building-review/e-permitting



Respectfully,

Renald Paul
CE Project Coordinator

Collier County

Operations and Regulatory Management Division
"We're committed to your success!"

2800 N. Horseshoe Drive
Naples, FL 34104
Telephone (239) 252-2443

Visit our website at: www.colliercountyfl.gov

NOTE: Email Address Has Changed

2800 North Horseshoe Drive, Naples Florida 34104
Client Services: 239.252.1036 Phone: 239.252.2443

How are we doing?
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Please take our online **SURVEY**.
We appreciate your feedback!

From: CookJaime <Jaime.Cook@colliercountyfl.gov>
Sent: Wednesday, October 20, 2021 3:02 PM
To: ThomasClarkeVEN <Thomas.Clarke@colliercountyfl.gov>; GMD Client Services <GMDClientServices@colliercountyfl.gov>

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Cc: OrtmanEric <Eric.Ortman@colliercountyfl.gov>; GiblinCormac <Cormac.Giblin@colliercountyfl.gov>; BellowsRay <Ray.Bellows@colliercountyfl.gov>
Subject: RE: 702 107th Ave N. Naples Pool Construction (VA)_PL20210002556

Hi Thomas,

Per conversations with Jamie French, since this was a staff error during review, all fees for this petition will be waived for the applicant. The County will cover the cost of all advertising as well.

Thank you!

Respectfully,

Jaime Cook, M.S.
Division Director

Collier County

Development Review Division
Exceeding Expectations, Every Day!

NOTE: Email Address Has Changed

2800 North Horseshoe Drive, Naples Florida 34104
Phone: 239.252.6290 Cell: 239.571.3800

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

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

From: ThomasClarkeVEN <Thomas.Clarke@colliercountyfl.gov>
Sent: Wednesday, October 20, 2021 2:37 PM
To: CookJaime <Jaime.Cook@colliercountyfl.gov>; GMD Client Services <GMDClientServices@colliercountyfl.gov>

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Cc: OrtmanEric <Eric.Ortman@colliercountyfl.gov>; GiblinCormac <Cormac.Giblin@colliercountyfl.gov>; BellowsRay <Ray.Bellows@colliercountyfl.gov>
Subject: FW: 702 107th Ave N. Naples Pool Construction (VA)_PL20210002556

Hi Jaime,

We just held this Pre-App meeting for the above Variance petition. This is the one we issued a permit with incorrect setbacks for this pool, and agreed to waive the Pre-App Fee for the Variance.
Could you reply to all on this email with your approval so we can complete the City View activity for Fees and move forward with the Pre-App Notes.

Thank you,
Tom

Thomas Clarke
Operations Analyst - Zoning Division
2800 North Horseshoe Drive, Naples, FL 34104
Phone: 239-252-2526

From: ThomasClarkeVEN
Sent: Wednesday, October 13, 2021 11:53 AM
To: 'flacrew1@gmail.com' <flacrew1@gmail.com>
Cc: FeyEric <Eric.Fey@colliercountyfl.gov>; GiblinCormac <Cormac.Giblin@colliercountyfl.gov>
Subject: 702 107th Ave N. Naples Pool Construction (VA)_PL20210002556

Hello John,

Per my Phone call, we have waived the Pre-App Meeting fee for the Variance for the above project.

Here is the link to the virtual meeting for the Variance on Wednesday 10/20/21 at 1:30 PM. If you do not have SKYPE for Business, just sign on as a “Guest” and it should work.

Join Skype Meeting

Trouble Joining? Try Skype Web App

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ACCESS CODE - 111111
HOST CODE – 1546

Thomas Clarke
Operations Analyst - Zoning Division
2800 North Horseshoe Drive, Naples, FL 34104
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Tell us how we are doing by taking our Zoning Division Survey at http://bit.ly/CollierZoning

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Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

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: Variance (VA)
Date and Time: Wednesday 10/20/21 at 1:30 PM

Assigned Planner: Eric Ortman

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

Project Information

Project Name: 702 107th Ave N Naples Pool Construction Variance(VA)

PL #: 20210002556

Property ID #: 6242200002 **Current Zoning:** RMF-6

Project Address: 702 107th Ave N **City:** Naples **State:** FL **Zip:** 34108

Applicant: John Harold

Agent Name: John Harold-FLA Services **Phone:** 239-285-3740

Agent/Firm Address: 3884 Progress Ave Unit 104, Naples FL 34104 **City:** _____ **State:** _____ **Zip:** _____

Property Owner: Naples Florida Vacation Rentals Inc.

Please provide the following, if applicable:

i. **Total Acreage:** .22

ii. **Proposed # of Residential Units:** _____

iii. **Proposed Commercial Square Footage:** _____

iv. **For Amendments, indicate the original petition number:** _____

v. **If there is an Ordinance or Resolution associated with this project, please indicate the type and number:** _____

vi. **If the project is within a Plat, provide the name and AR#/PL#:** _____

_____

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Collier County

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 - ERIC ORTMAN - See ATTACHED EMAIL NOTES PAGE 2.A

ZONING OPS - See ATTACHED EMAIL FROM JAIME COOK REGARDING FEE WAIVERS PAGE 2.B.

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

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

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Pre-App Notes October 20, 2021 Eric Ortman - PL20210002556 VA - 702 107th Ave N - New Pool Construction

Present: John Harold (Slusser Services), Cormac Giblin, Derek Perry, Tom Clark, Eric Ortman

Issued Permit PRBD20210628472 had incorrect setbacks. Setbacks were for interior lot (25 front, 7.5 side, 10 rear) but subject parcel is corner lot (25 front, 7.5 side). Western setback is 18.6 feet not 25

New signed and sealed survey needed to show correct southern setback. If south setback distance is not 7.5 feet, the variance will need to be expanded to include the southern setback.

Variance application needs to cite 4.02.03.D as what variance is seeking relief from.

Easement Use Agreement (EUA) needed for southern border. It should be kept separate from the Variance Petition. EUA can be done along with fence permit; both can be done in conjunction with, yet separate, processes.

Affidavit of Authorization and Property Ownership Disclosure needed with application.

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

ThomasClarkeVEN

From: CookJaime
Sent: Wednesday, October 20, 2021 3:02 PM
To: ThomasClarkeVEN; GMD Client Services
Cc: OrtmanEric; GiblinCormac; BellowsRay
Subject: RE: 702 107th Ave N. Naples Pool Construction (VA)_PL20210002556

Hi Thomas,

Per conversations with Jamie French, since this was a staff error during review, all fees for this petition will be waived for the applicant. The County will cover the cost of all advertising as well.

Thank you!

Respectfully,

Jaime Cook, M.S.
Division Director

Collier County
Development Review Division
Exceeding Expectations, Every Day!

NOTE: Email Address Has Changed

2800 North Horseshoe Drive, Naples Florida 34104
Phone: 239.252.6290 Cell: 239.571.3800

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

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

From: ThomasClarkeVEN <Thomas.Clarke@colliercountyfl.gov>
Sent: Wednesday, October 20, 2021 2:37 PM
To: CookJaime <Jaime.Cook@colliercountyfl.gov>; GMD Client Services <GMDClientServices@colliercountyfl.gov>
Cc: OrtmanEric <Eric.Ortman@colliercountyfl.gov>; GiblinCormac <Cormac.Giblin@colliercountyfl.gov>; BellowsRay

PAGE 2.13

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

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

Meeting Notes

ENVIRONMENTAL - CRAIG BROWN - SEE EMAIL ATTACHED PAGE 3.A
PLEASE CONTACT WITH QUESTIONS

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.

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

ThomasClarkeVEN

From: BrownCraig
Sent: Wednesday, October 20, 2021 4:38 PM
To: ThomasClarkeVEN
Subject: RE: Pre-App RESEARCH for 702 107th Ave N. Naples Pool Construction(VA) - PL20210002556- Wednesday 10/20/21 at 1:30 PM - SKYPE

Follow Up Flag: Follow up
Flag Status: Completed

Thomas,

There are no environmental data requirements for this one.

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, October 18, 2021 4:12 PM
To: AshtonHeidi <Heidi.Ashton@colliercountyfl.gov>; BeardLaurie <Laurie.Beard@colliercountyfl.gov>; BrownCraig <Craig.Brown@colliercountyfl.gov>; CookJaime <Jaime.Cook@colliercountyfl.gov>; CrotteauKathynell <Kathynell.Crotteau@colliercountyfl.gov>; PerryDerek <Derek.Perry@colliercountyfl.gov>; FaulknerSue <Sue.Faulkner@colliercountyfl.gov>; FeyEric <Eric.Fey@colliercountyfl.gov>; CastroGabriela <Gabriela.Castro@colliercountyfl.gov>; MedinaJosephine <Josephine.Medina@colliercountyfl.gov>; MoscaMichele <Michele.Mosca@colliercountyfl.gov>; OrthRichard <Richard.Orth@colliercountyfl.gov>; KlopfParker <Parker.Klopf@colliercountyfl.gov>; PollardBrandi <Brandi.Pollard@colliercountyfl.gov>; AshkarSally <Sally.Ashkar@colliercountyfl.gov>; SawyerMichael <Michael.Sawyer@colliercountyfl.gov>; ColeTabatha <Tabatha.Cole@colliercountyfl.gov>; TempletonMark <Mark.Templeton@colliercountyfl.gov>; WilkieKirsten <Kirsten.Wilkie@colliercountyfl.gov>
Cc: OrtmanEric <Eric.Ortman@colliercountyfl.gov>; YoungbloodAndrew <Andrew.Youngblood@colliercountyfl.gov>; BellowsRay <Ray.Bellows@colliercountyfl.gov>
Subject: Pre-App RESEARCH for 702 107th Ave N. Naples Pool Construction(VA) - PL20210002556- Wednesday 10/20/21 at 1:30 PM - SKYPE

Good Afternoon All,

Please review the attached Zoning Pre-App Research for **702 107th Ave N. Naples Pool Construction(VA) - PL20210002556.**

The virtual meeting is scheduled for; **Wednesday 10/20/21 at 1:30 PM – SKYPE**

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

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# 20210002556

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
☐	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
☐	Alexandra Casanova	Operations Coordinator	252-2658	Alexandra.casanova@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	Prin. Environmental Specialist	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	Comprehensive Planning	252-5715	sue.faulkner@colliercountyfl.gov
☐	Jeremy Frantz	LDC Manager	252-2305	Jeremy.Frantz@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
☐	Richard Henderlong	Zoning Principal Planner	252-2464	richard.henderlong@colliercountyfl.gov
☐	John Houldsworth	Engineering Subdivision	252-5757	john.houldsworth@colliercountyfl.gov
☐	Alicia Humphries	Right-Of-Way Permitting	252-2326	alicia.humphries@colliercountyfl.gov
☐	Anita Jenkins	Planning & Zoning Director	252-5095	Anita.jenkins@colliercountyfl.gov
☐	John Kelly	Zoning Senior Planner	252-5719	john.kelly@colliercountyfl.gov
☐	Parker Klopf	Zoning Senior Planner	252-2471	Parker.klopf@colliercountyfl.gov
☐	Troy Komarowski	North Collier Fire	252-2521	tkomarowski@northcollierfire.com
☐	Sean Lintz	North Collier Fire	597-9227	slintz@northcollierfire.com
☐	Diane Lynch	Operations Analyst	252-8243	diane.lynch@colliercountyfl.gov
☐	Thomas Mastroberto	Greater Naples Fire	252-7348	thomas.mastroberto@colliercountyfl.gov

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
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2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400

☐	Jack McKenna, P.E.	Engineering Services	252-2911	jack.mckenna@colliercountyfl.gov
☐	Matt McLean, P.E.	Development Review Director	252-8279	matthew.mclean@colliercountyfl.gov
☐	Michele Mosca, AICP	Capital Project Planning	252-2466	michele.mosca@colliercountyfl.gov
☐	Josie Medina	Comp Plan-Principal Planner	252-2306	Josephine.Medina@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	Comp Planning Manager	252-2708	james.sabo@colliercountyfl.gov
☐	Michael Sawyer	Transportation Planning	252-2926	michael.sawyer@colliercountyfl.gov
☐	Corby Schmidt, AICP	Comprehensive Planning	252-2944	corby.schmidt@colliercountyfl.gov
☐	Linda Simmons	North Collier Fire	252-2311	Linda.Simmons@colliercountyfl.gov
☐	Peter Shawinsky	Architectural Review	252-8523	peter.shawinsky@colliercountyfl.gov
☐	Mark Templeton	Landscape Review	252-2475	mark.templeton@colliercountyfl.gov
☐	Connie Thomas	Client Services Supervisor	252-6369	Consuela.thomas@colliercountyfl.gov
☐	Jessica Velasco	Client Services	252-2584	jessica.velasco@colliercountyfl.gov
☐	Jon Walsh, P.E.	Building Review	252-2962	jonathan.walsh@colliercountyfl.gov
☐	Kirsten Wilkie	Environmental Review Manager	252-5518	kirsten.wilkie@colliercountyfl.gov
☐	Christine Willoughby	Development Review - Zoning	252-5748	christine.willoughby@colliercountyfl.gov
☐	Daniel Zunzunegui	North Collier Fire	252-2310	Daniel.Zunzunegui@colliercountyfl.gov

Additional Attendee Contact Information:

Name	Representing	Phone	Email
John Harold	Property Owner	285-3740	FLAcrow1@gmail.com

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Collier County
Growth Management Department
Zoning Division

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

PL20210002556 – 702 107th Ave N. Naples Pool Construction(VA) - Panner: Eric Ortman

Assigned Ops Staff: Thomas Clarke

STAFF FORM FOR SUPPLEMENTAL PRE-APPLICATION MEETING INFORMATION

- **Name and Number of who submitted pre-app request**
  John Harold
  239-285-3740
  Flacrew1@gmail.com

- **Agent to list for PL#**

  John Harold - Slusser Services LLC

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

  Naples Florida Vacation Rentals Inc.

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

SETBACK FOR THE FRONT/SIDE ON A CORNER LOT WAS BELIEVED TO BE 15' BUT INSTEAD WAS 25' AND NEED A VARIANCE FOR POOL CONSTRUCTION

- **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:**
  See attached Corrected Survey with Setback 7.5ft.
  Property has a Stormwater Plan

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

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

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

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

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
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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:

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

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 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

PL 2555

Collier County

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Pre-Application Meeting and Final Submittal Requirement Checklist for: Variance Chapter 3 J. of the Administrative Code

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

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	☐ 1	☑	☐
Pre-Application Meeting Notes	1	☑	☐
Project Narrative	☐ 1	☑	☐
Completed Addressing Checklist	1	☑	☐
Property Ownership Disclosure Form	1	☒	
Conceptual Site Plan 24" x 36" and one 8 ½ " x 11" copy	☐	☐	☒
Survey of property showing the encroachment (measured in feet)	2 1	☑	☐
Affidavit of Authorization, signed and notarized	2 1	☑	☐
Deeds/Legal's	3 1	☑	☐
Location map	1 1	☑	☐
Current aerial photographs (available from Property Appraiser) with project boundary and, if vegetated, FLUCFCS Codes with legend included on aerial	5 1	☐	☒
Historical Survey or waiver request	1	☐	☒
Environmental Data Requirements or exemption justification	3 1	☐	☒
Once the first set of review comments are posted, provide the assigned planner the Property Owner Advisory Letter and Certification	1	☐	☐
Electronic copy of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	1	☑	☐

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

Letter for Notification of Variance
to Property Owners and Associations within 150 feet
John Harold, FLA Surveys Inc
3884 Progress Ave., #104
Naples, FL. 34104
239-285-3740

March 14, 2022

Name
Address
City, State Zip

Dear Property Owner:

Please be advised that a formal application to Collier County has been made for a variance from the requirements of the zoning regulations as they apply to the 702 107th Ave. N. which is in the southeast quadrant of the intersection of 107th Ave. N. and 7th St. N.:

Petition No. VA-PL20210002556 – Request to allow a swimming pool that was built closer to the property line than code allows in Naples Park; also described as an after-the-fact variance from LDC section 4.02.01.A, Table 2.1, to reduce the required front yard setback from 25 feet to 18.6 feet on the west side along 7th Avenue North to allow an accessory swimming pool to meet the front setback requirement of LDC section 4.02.03.D, for a ±0.22 acre property located at 702 107th Avenue North, also known as Lot 26, Block 12, Naples Park Unit No. 1, in Township 48 South, Range 25 East, Section 28 of unincorporated Collier County, Florida.

It is our intent to ask the County to grant a variance to reduce the required setback facing 7th Street N. for a pool that was inadvertently built into the setback. You are encouraged to contact me in the event you would like additional explanation or further information. In any event, please be advised that we are interested in assuring you that our request should not adversely affect your property interest.

Sincerely,

John Harold

John Harold
FLA Surveys, Inc. 239-285-3740
FLAcrew1@gmail.com

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

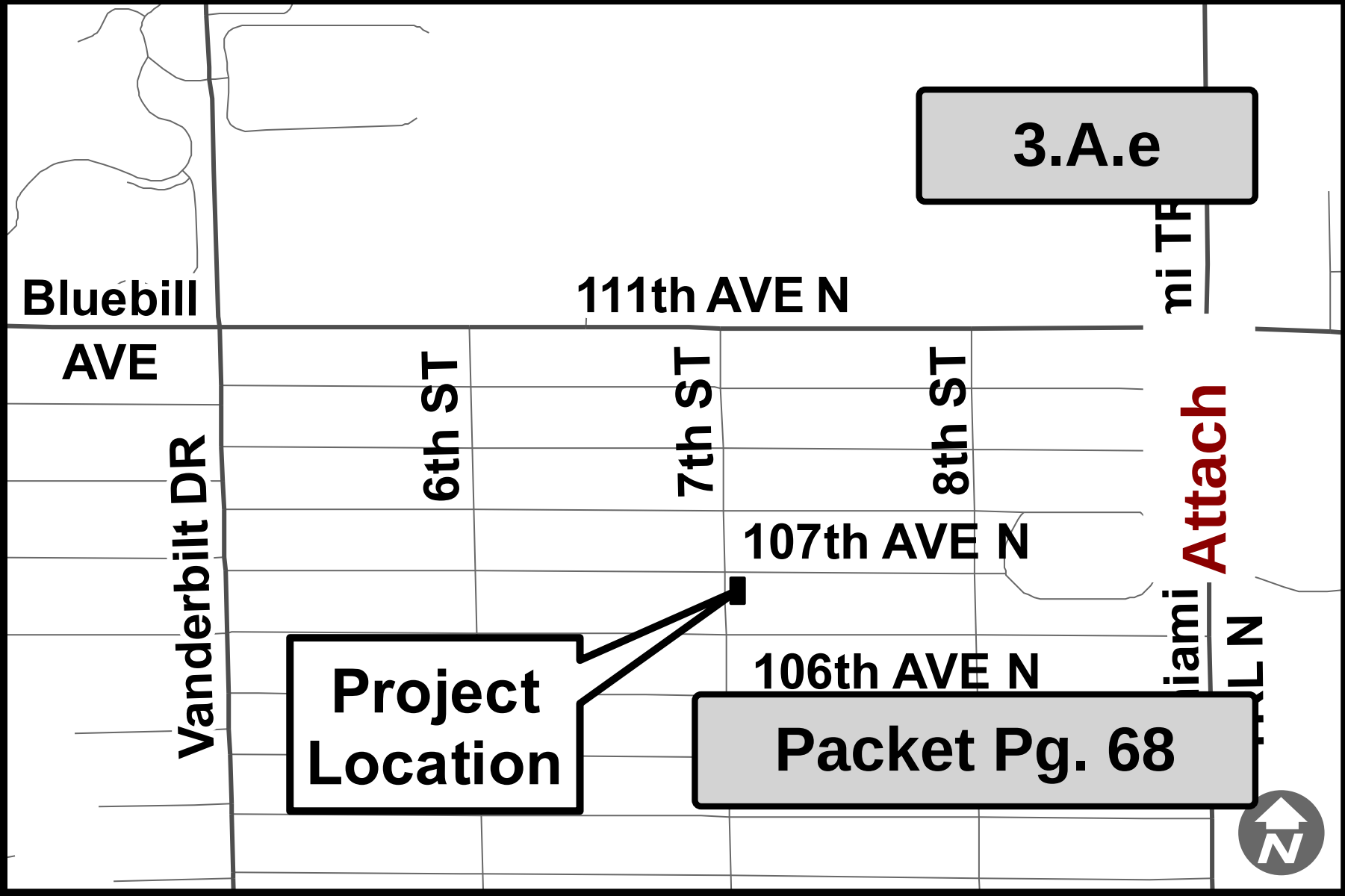
Notice: This data belongs to the Collier County Property Appraiser's Office (CCPA). Therefore, the recipient agrees not to represent this data to anyone as other than CCPA provided data. The recipient may not transfer this data to others without consent from the CCPA.

OBJECTID	GIS_FLN_NUM	FOLIO	ADDRESSTYPE	NAME1	NAME2	MM	M	LEGAL1
1	62422080002	62422080002	U	PINO, NIBALDO M & GLORIA	715 106TH AVE N			NAPLES PARK UNIT 1 BLK 12 LOT
2	62422120001	62422120001	U	BURRIS, NEWTON L	SHAUN MICHAEL & MOLLY HOOD	13	7	NAPLES PARK UNIT 1 BLK 12
3	62422160003	62422160003	U	THURBER, JOHN T	9 TOMOHAWK TRAIL			NAPLES PARK UNIT 1 BLK 12 LOT
4	62422200002	62422200002	U	NAPLES FLORIDA VACATION	RENTALS INC	27	9	NAPLES PARK UNIT 1 BLK 12
5	62422240004	62422240004	F	BIENNEK, HEINZ	BIENNEK, BRIGITTE	H	A	NAPLES PARK UNIT 1 BLK 12 LOT
6	62422280006	62422280006	F	YU FLORIDA LAND TRUST	5 PARK HOME AVE #170			NAPLES PARK UNIT 1 BLK 12 LOT
7	62422320005	62422320005	U	BUONOPANE, DINO & MARIE	28 MAPLEWOOD ST			NAPLES PARK UNIT 1 BLK 12 LOT
8	62423720002	62423720002	U	CEFALO REALTY TRUST	713 107TH AVE N			NAPLES PARK UNIT 1 BLK 13 LOT
9	62423760004	62423760004	F	IFVARSSON, STAFFAN & ASA	ALMLOFSGATAN 3			NAPLES PARK UNIT 1 BLK 13
10	62423800003	62423800003	U	KASTAN LLC	116 CONNERS AVE			NAPLES PARK UNIT 1 BLK 13 LOT
11	62574720003	62574720003	U	DEVI, KAKARALA L	KAKARALA J RAO	69	7	NAPLES PARK UNIT 2 BLK 20 LOT
12	62574760005	62574760005	U	MAY, CHADWICK R	CATALINA BOHORQUEZ	65	9	NAPLES PARK UNIT 2 BLK 20
13	62576360005	62576360005	U	PALUMBO TR, CHARLES J	ROSE P PALUMBO TR	F	U	6 NAPLES PARK UNIT 2 BLK 21 LOT
14	62576400004	62576400004	U	DONOHUE, FLORENCE C	695 106TH AVE N			NAPLES PARK UNIT 2 BLK 21 LOT
15	62577920004	62577920004	U	GAGNON, ROBERT D & HEIDI L	694 107TH AVE N			NAPLES PARK UNIT 2 BLK 21
16	62577920101	62577920101	U	TRUONG, TAM	HUNG T TA	10	1	NAPLES PARK UNIT 2 BLK 21 LOT

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave.

LEGAL2	LEGAL3	LEGAL4	SECTION	TOWNSHIP	RANGE	BLOCKBLDG	LOTUNIT	NAME6
22 OR 600 PG 208			28	48	25	12	22	NAPLES, FL 34108---1849
LOTS 23-24			28	48	25	12	23	PICKERINGTON, OH 43147---0
25			28	48	25	12	25	MEDFORD, NJ 08055---0
LOT 26			28	48	25	12	26	NAPLES, FL 34108---0
27			28	48	25	12	27	GELSENKIRCHEN D 45891 GERMANY
28			28	48	25	12	28	TORONTO M2M6L4 CANADA
29			28	48	25	12	29	WEST ROXBURY, MA 02132---4105
22			28	48	25	13	22	NAPLES, FL 34108---1858
LOTS 23-24			28	48	25	13	23	STOCKHOLM SE-11451 SWEDEN
25			28	48	25	13	25	NAPLES, FL 34108---0
1			28	48	25	20	1	NAPLES, FL 34108---0
LOT 2			28	48	25	20	2	NAPLES, FL 34108---0
1			28	48	25	21	1	NAPLES, FL 34108---1847
2			28	48	25	21	2	NAPLES, FL 34108---1847
LOT 49			28	48	25	21	49	NAPLES, FL 34108---0
50 OR 1731 PG 1610			28	48	25	21	50	HUNTINGTON BEACH, CA 92646---0

Attachment: Attachment 4 - Backup Documentation (21741 : PL20210002556 Pool Variance 702 107th Ave.


3.A.e
Bluebill
AVE
111th AVE N
6th ST
7th ST
8th ST
Vanderbilt DR
107th AVE N
106th AVE N
Project
Location
Attach
Packet Pg. 68



Attachment: Attachment 5 - Public Notice Signs (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)



Attachment: Attachment 5 - Public Notice Signs (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

PUBLIC HEARING NOTICE

Pool Variance (VA) 702 107th Ave

Petition No. PL-20210002556 to

Permit No. PRBD20210628472

HEX: April 14, 2022 – 9 A.M.

Growth Management Building

2800 Horseshoe Dr. N., Naples, FL. 34104

Planner: Eric Ortman

239-252-1032

Attachment: Attachment 5 - Public Notice Signs (21741 : PL20210002556 Pool Variance 702 107th Ave. N.)

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.B
Item Summary: Petition No. BDE-PL20210001685 - Request for a 17-foot boat dock extension from the maximum permitted protrusion of 20 feet for waterways greater than 100 feet in width to allow a boat docking facility that will protrude a total of 37 feet into a waterway that is 1,311± feet wide, pursuant to Section 5.03.06 of the Land Development Code, for the benefit of property located at 109 Pago Pago Drive West, also described as Lot 217, Isles of Capri No. 2, in Section 32, Township 51 South, Range 26 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 1

Meeting Date: 04/14/2022

Prepared by:
Title: Planner – Zoning
Name: John Kelly
03/22/2022 5:20 PM

Submitted by:
Title: – Zoning
Name: Mike Bosi
03/22/2022 5:20 PM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky	Review Item	Completed	
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	03/25/2022 4:17 PM
Zoning	Ray Bellows	Review Item	Completed	03/25/2022 4:24 PM
Zoning	Mike Bosi	Zoning Director Review	Completed	03/25/2022 4:59 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	04/14/2022 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION - ZONING SERVICES SECTION

HEARING DATE: APRIL 14, 2022

SUBJECT: BDE-PL20210001685, 109 PAGO PAGO DRIVE WEST

PROPERTY OWNER/APPLICANT:

George J. Merkling, III
109 Pago Pago Dr. W.
Naples, FL 34116

AGENT:

Nick Pearson
Turrell, Hall & Associates, Inc.
3584 Exchange Ave.
Naples, FL 34104

REQUESTED ACTION:

The petitioner requests a 17-foot boat dock extension over the maximum permitted protrusion of 20 feet for waterways greater than 100 feet in width to allow a boat docking facility that will protrude a total of 37 feet into a waterway that is 1,311± feet wide pursuant to Section 5.03.06 of the Collier County Land Development Code (LDC) for the benefit of the subject property.

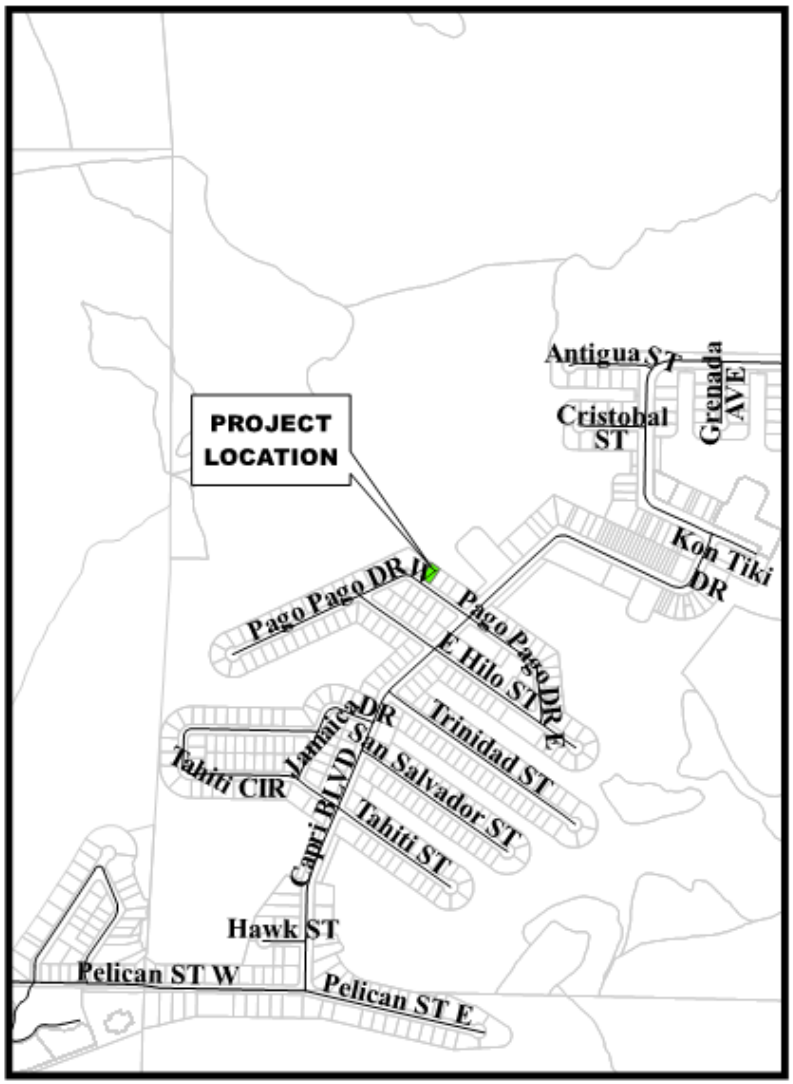
GEOGRAPHIC LOCATION:

The subject property is located at 109 Pago Pago Drive West, further described as Lot 217, Isles of Capri No. 2, in Section 32, Township 51 South, Range 26 East. Collier County, Florida. *(See location map on the following page)*

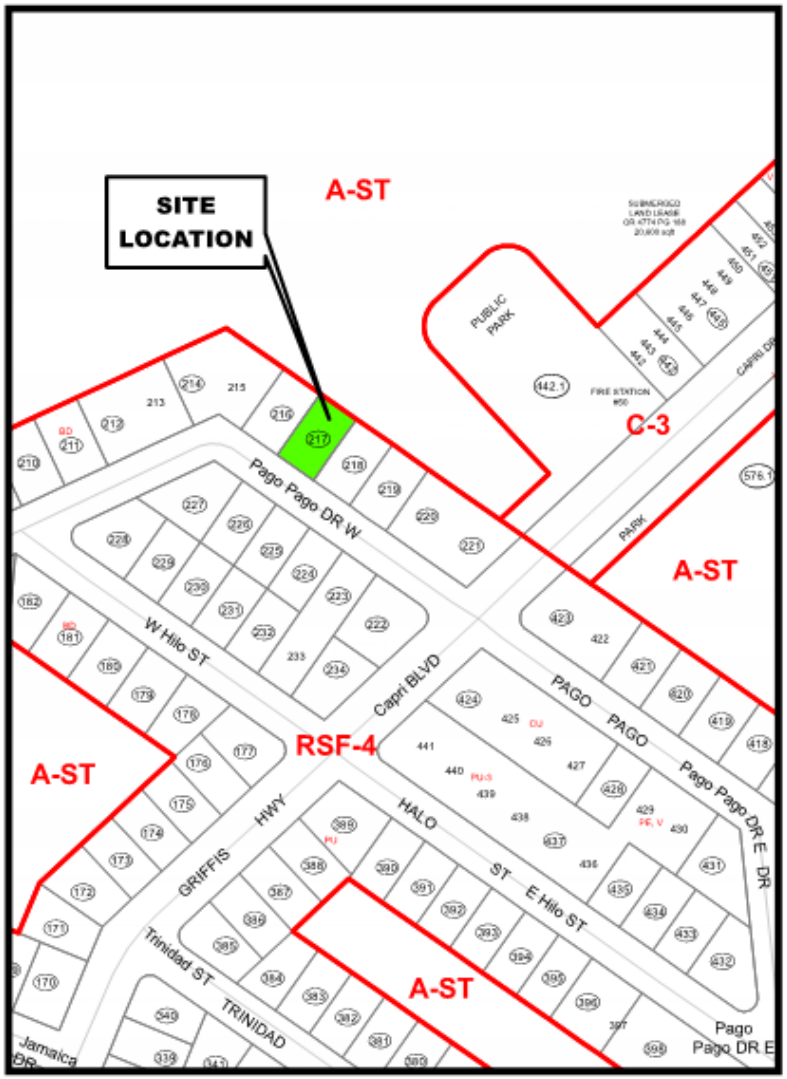
PURPOSE/DESCRIPTION OF PROJECT:

The subject property is located within a Residential-Single Family–4 (RSF-4) zoning district and supports a single-family dwelling on Johnson Bay which abuts the Rookery Bay Aquatic Preserve. The petitioner proposes to remove and replace an existing shore parallel dock facility with a shore perpendicular dock facility comprising a single boat lift for a 35-foot vessel. Being within the preserve limits the dock's access walkway to 4 feet in width, the terminal platform (where loading/unloading onto a boat can occur) cannot exceed 160 square feet, and the dock overall cannot be constructed beyond the depth contour of 4 feet at the average low tide (MLW).

Attachment: Staff Report 03212022 (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)



Location Map



Zoning Map

Petition Number: PL20210001685

Attachment: Staff Report 03212022 (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

SURROUNDING LAND USE & ZONING:

North: Johnson Bay, located within a Rural-Agricultural zoning district and also a Special Treatment Overlay (A-ST)

East: Unimproved, Residential Single-Family-4 (RSF-4) zoning district

South: Pago Pago Dr W (Right-of-Way), then a single-family residence, Residential Single-Family-4 (RSF-4) zoning district

West: Single-family dwelling, Residential Single-Family-4 (RSF-4) zoning district



***Aeria*l – Collier County GIS**

ENVIRONMENTAL EVALUATION:

Environmental Planning Staff has reviewed this petition and has no objection to the granting of this request. The property is located adjacent to an ST overlay zone (Johnson Bay), which will require an ST-permit for the proposed docking facilities prior to issuance of the building permits. The proposed docking facilities will be constructed waterward of the existing seawalled shoreline. The shoreline does not contain native vegetation. A submerged resources survey provided by the applicant found no submerged resources in the area 200 feet beyond the proposed docking facility. Exhibit sheet 5 of 7 provides an aerial with a note stating that no seagrasses were observed within 200 feet.

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

Attachment: Staff Report 03212022 (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

STAFF ANALYSIS:

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

Primary Criteria:

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

   Criterion met. The subject property is located within an RSF-4 zoning district and is improved with a single-family dwelling for which the LDC allows two boat slips. The proposed project consists of a single dock that will be used to moor a single 35-foot vessel.

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

   Criterion met. The applicant's agent states that the water depths at the subject property do not permit the existing lift to be utilized at low tide. The existing lift is utilized to moor an approximately 31-foot vessel (with motors included) in a shore parallel configuration. Mooring a larger vessel at this location in the same configuration would therefore stand to have equal or bigger issues at low tide. Additionally, the designation of this area of Isles of Capri as part of the Rookery Bay aquatic preserve prevents dredging from ever occurring. Staff concurs, provided the reported information is accurate.

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

   Criterion met. The proposed dock facility does not protrude into any marked or charted navigable channel and will not impede any vessel traffic as it is in a portion of the Bay that naturally restricts through-traffic.

4. **Whether the proposed dock facility protrudes no more than 25 percent of the width of the waterway, and whether a minimum of 50 percent of the waterway width**

Attachment: Staff Report 03212022 (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

between dock facilities on either side is maintained for navigability. (The facility should maintain the required percentages.)

Criterion met. The applicant's agent states that the waterway width from the subject property to the nearest landmass is 1,311 feet. The proposed dock protrusion will inhibit less than five percent of this distance. However, we also acknowledge that there is a fire department pier that parallels the subject property that is much closer than the opposite landmass. There will still be approximately 189 feet of navigable space between the end of the proposed dock and the fire department's pier. The proposed dock would therefore protrude less than 20 percent of the distance between the subject property and the fire department's pier. Furthermore, following construction of the proposed dock, 50 percent of the width of waterway will remain for navigation. Staff concurs.

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

Criterion met. The new dock facility will satisfy side setback requirements and will not interfere with public navigability or with ingress/egress to any of the neighboring docks.

Secondary Criteria:

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

Criterion met. The applicant's agent states that the main obstacle surrounding this property are the required setbacks, the neighboring properties, and the aquatic preserve. Configuring a dock that can permanently moor a 35-foot vessel inside of the standard 20-foot protrusion limit and 15-foot setbacks, and that also allows for ingress/egress without conflict from structures on neighboring properties is difficult or not possible to do in many cases. This is especially true considering that the aquatic preserve prevents dredging from occurring at this location. The simple solution is to provide mooring in a shore-perpendicular configuration. This avoids conflict with neighboring docks and allows for hassle-free mooring with easy access to the deepest water depths at the subject property. Staff concurs.

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

Criterion met. The applicant's agent states the typical buildable zone within the subject property's riparian area (that does not require a BDE or side setback variance) is an approximately 35-foot by 20-foot box (or 700 square feet). The proposed docking facility

Attachment: Staff Report 03212022 (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

will cover only about 221 square feet. Furthermore, the proposed dock is small enough to be considered exempt from needing a permit at the state level and is a reduction from the size of the existing facility. Staff does not disagree and further finds that the 4-foot walkway is the minimum width for safe access and that the 12-foot by 14-foot terminal platform is not determined to be excessive for the placement and staging of materials used for routine maintenance and/or the staging of embarking and disembarking passengers and gear.

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

   Criterion not met. The subject property has approximately 65 feet of shoreline and the applicant's vessel is 35 feet, length overall; thus, the length of the vessel will exceed 50 percent of the property's linear water frontage by 3.85 percent.

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

   Criterion met. The applicant's agent states that the existing dock facility consists of a canopy and dock which collectively cover approximately 604 square feet of area. The new dock will not have a canopy and will cover about 221 square feet of area. The new structure should therefore provide a net improvement to the views of the neighbors. Staff Concurs.

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

   Criterion met. There are no seagrass beds present on the property nor the neighboring properties within 200-feet of the existing dock structure.

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

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

Staff analysis finds this request complies with five of the five primary criteria. With respect to the six secondary criteria, one of the criteria is found to be not applicable, the request meets four of the remaining five secondary criteria.

CONCURRENT LAND USE APPLICATIONS:

Attachment: Staff Report 03212022 (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

None.

APPEAL OF BOAT DOCK EXTENSION TO BOARD OF ZONING APPEALS:

As to any boat dock extension petition upon which the Hearing Examiner takes action, an aggrieved petitioner may appeal such final action to the Board of County Commissioners. Such appeal shall be filed with the Growth Management Department Administrator within 30 days of the Decision by the Hearing Examiner. In the event that the petition has been approved by the Hearing Examiner, the applicant shall be advised that he/she proceeds with construction at his/her own risk during this 30-day period. Any construction work completed ahead of the approval authorization shall be at their own risk.

STAFF RECOMMENDATION:

Based on the above findings, staff recommends that the Hearing Examiner APPROVE Petition BDE-PL20210001685, to allow for the construction of the proposed dock facility as depicted within the plans contained in Attachment A.

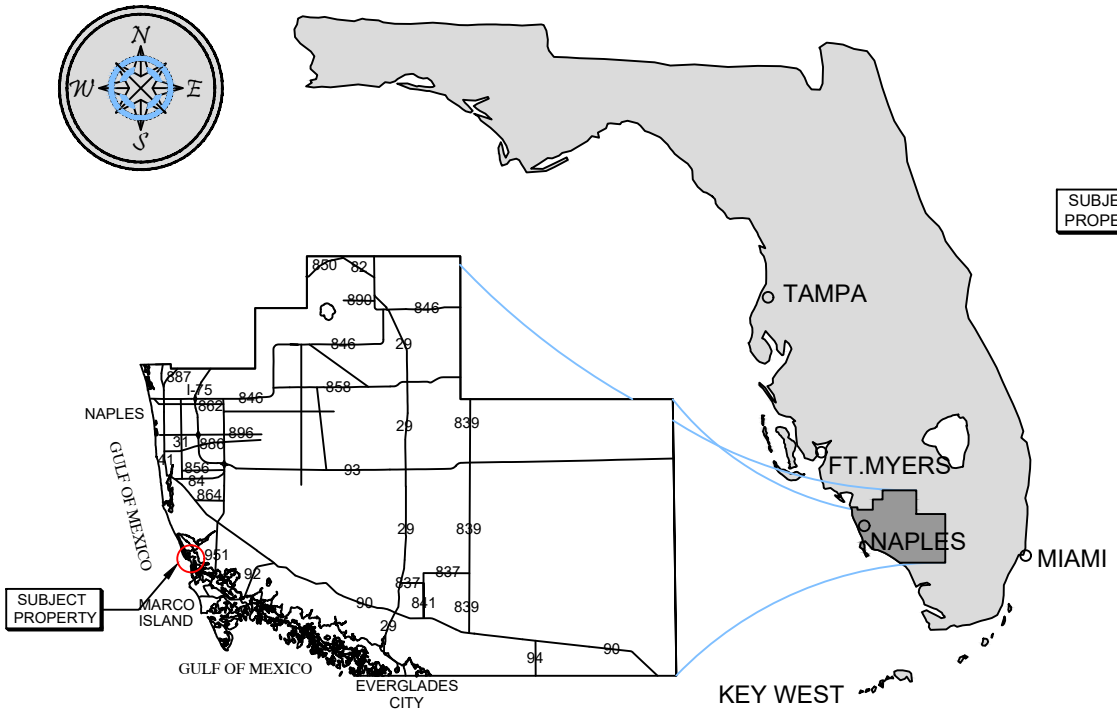
Attachments:

A) Proposed Site and Dock Plans
B) Public Hearing Sign Posting
C) Applicant's Backup
D) HEX Hybrid Meeting Waiver

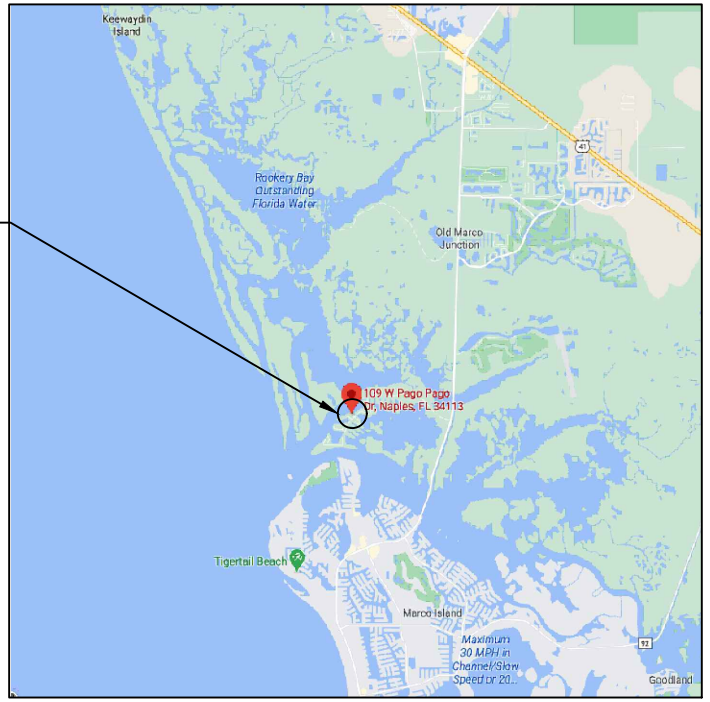
Attachment: Staff Report 03212022 (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg LOCATION MAP 1/31/2022

STATE OF FLORIDA



COLLIER COUNTY



VICINITY MAP



COUNTY AERIAL

SITE ADDRESS:
<> 109 W. PAGO PAGO
NAPLES, FL 34113

<> LATITUDE: N 25.9703694
<> LONGITUDE: W -81.6978927

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

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

MERKLING DOCK

LOCATION MAP

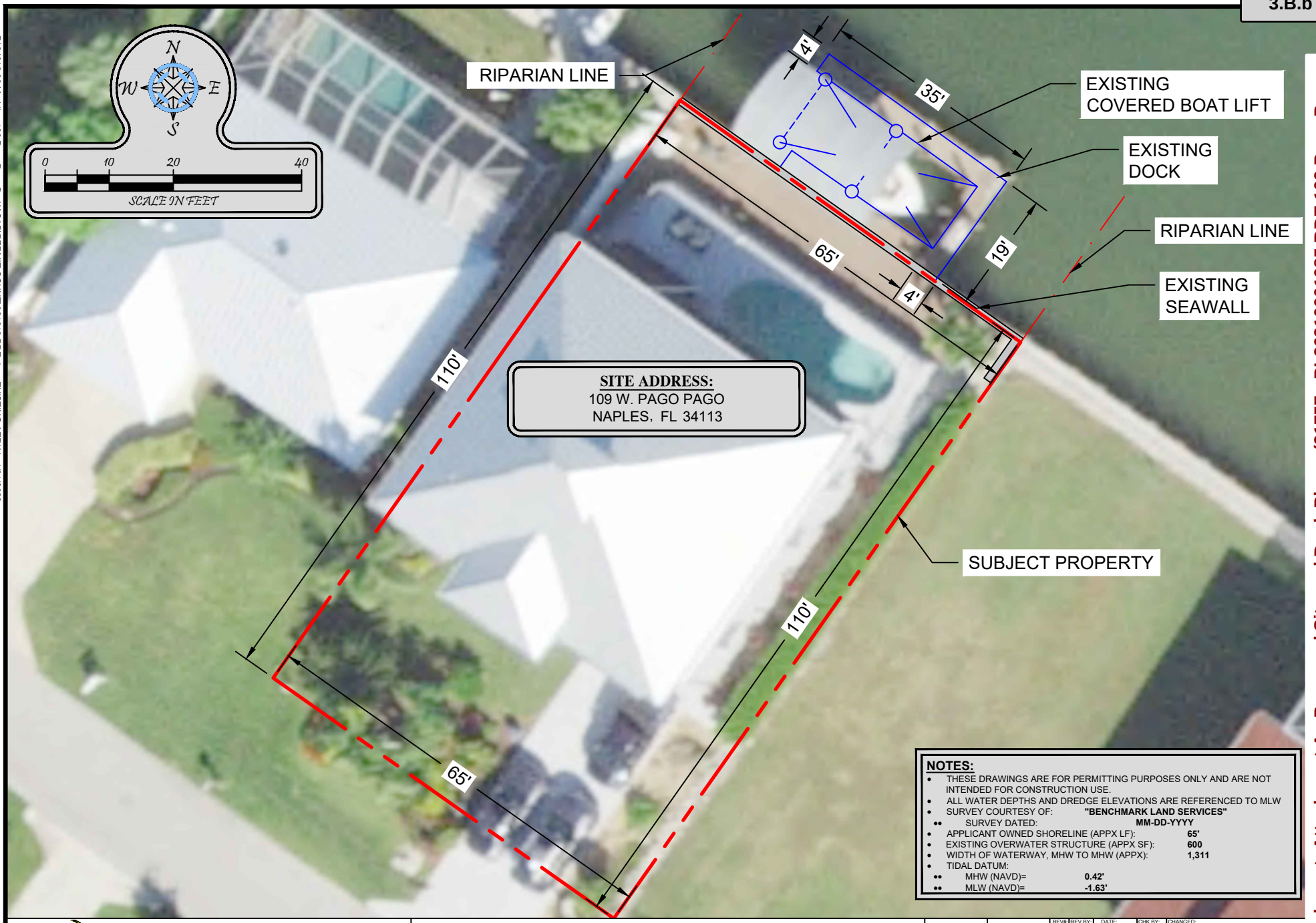
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DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	01-31-22	3.	-	-	-	-
JOB NO.:	21016	4.	-	-	-	-
SHEET NO.:	01 OF 07	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment A - Proposed Site and Dock Plans (21757 : PL20210001685 BDE 109 Pago Pago

P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg EXISTING AERIAL 1/31/2022



NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: **"BENCHMARK LAND SERVICES"**
  - SURVEY DATED: **MM-DD-YYYY**
- APPLICANT OWNED SHORELINE (APPX LF): **65'**
- EXISTING OVERWATER STRUCTURE (APPX SF): **600**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1,311**
- TIDAL DATUM:
  - MHW (NAVD)= **0.42'**
  - MLW (NAVD)= **-1.63'**

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

MERKLING DOCK

EXISTING AERIAL

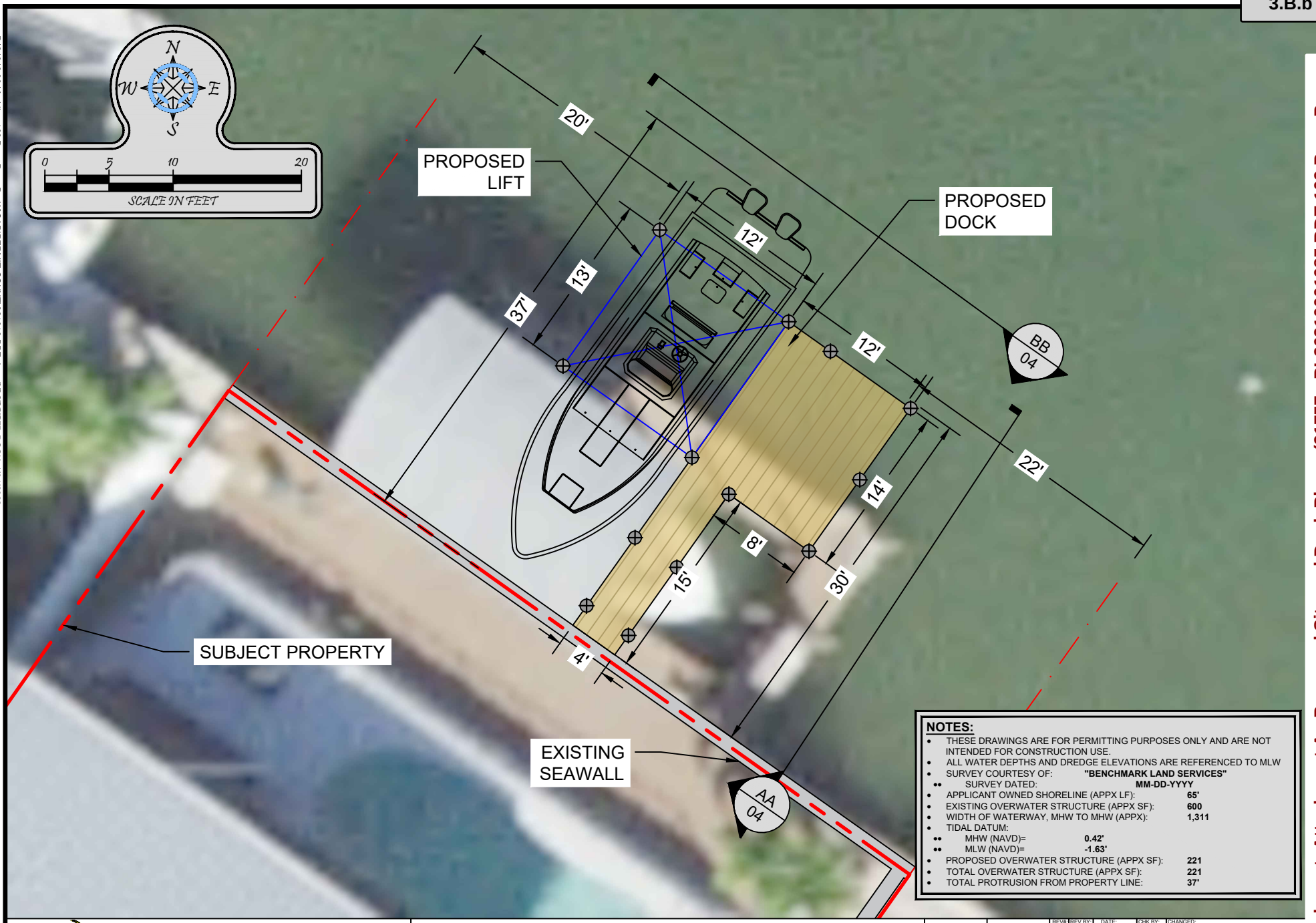
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SHEET NO.:	02 OF 07	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment A - Proposed Site and Dock Plans (21757 : PL20210001685 BDE 109 Pago Pago

P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg #3 PROPOSED DOCK 1/31/2022



NOTES:

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- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: **"BENCHMARK LAND SERVICES"**
  - SURVEY DATED: **MM-DD-YYYY**
- APPLICANT OWNED SHORELINE (APPX LF): **65'**
- EXISTING OVERWATER STRUCTURE (APPX SF): **600**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1,311**
- TIDAL DATUM:
  - MHW (NAVD)= **0.42'**
  - MLW (NAVD)= **-1.63'**
- PROPOSED OVERWATER STRUCTURE (APPX SF): **221**
- TOTAL OVERWATER STRUCTURE (APPX SF): **221**
- TOTAL PROTRUSION FROM PROPERTY LINE: **37'**

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MERKLING DOCK

PROPOSED DOCK

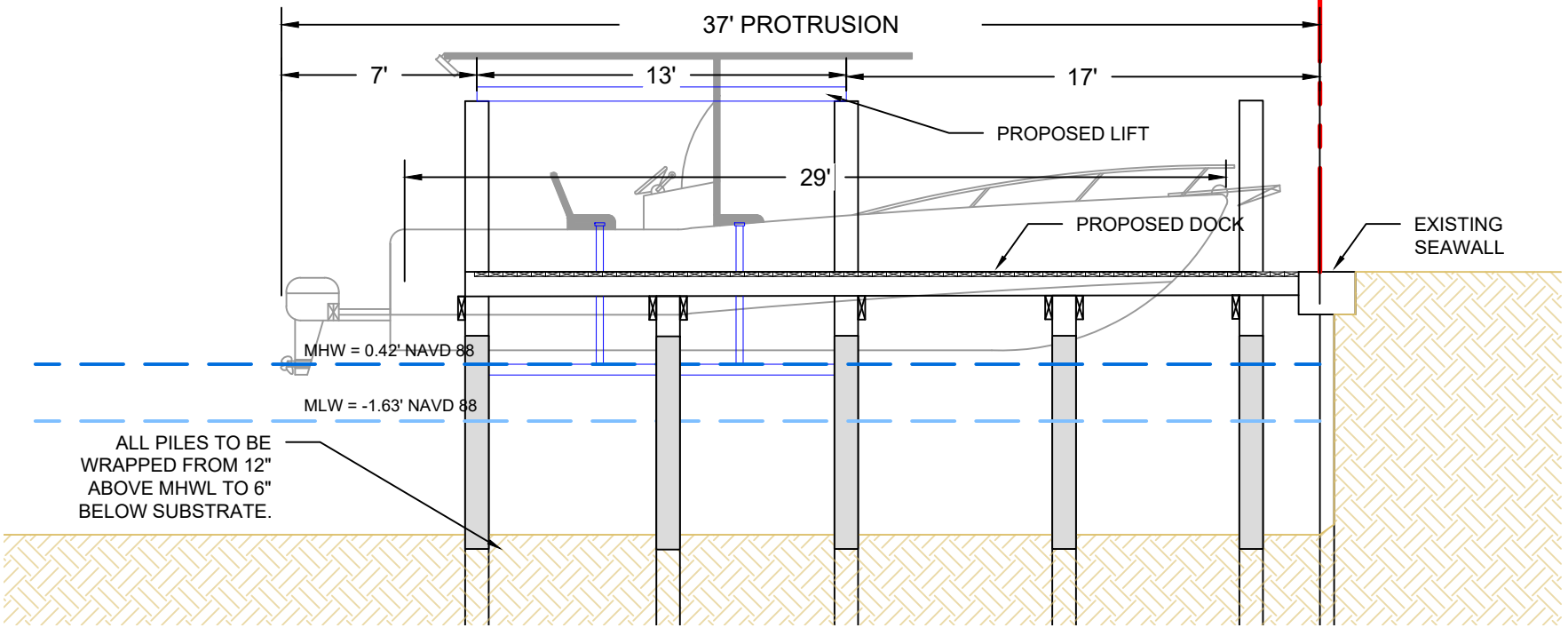
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SECTION- 32 TOWNSHIP- 51 S

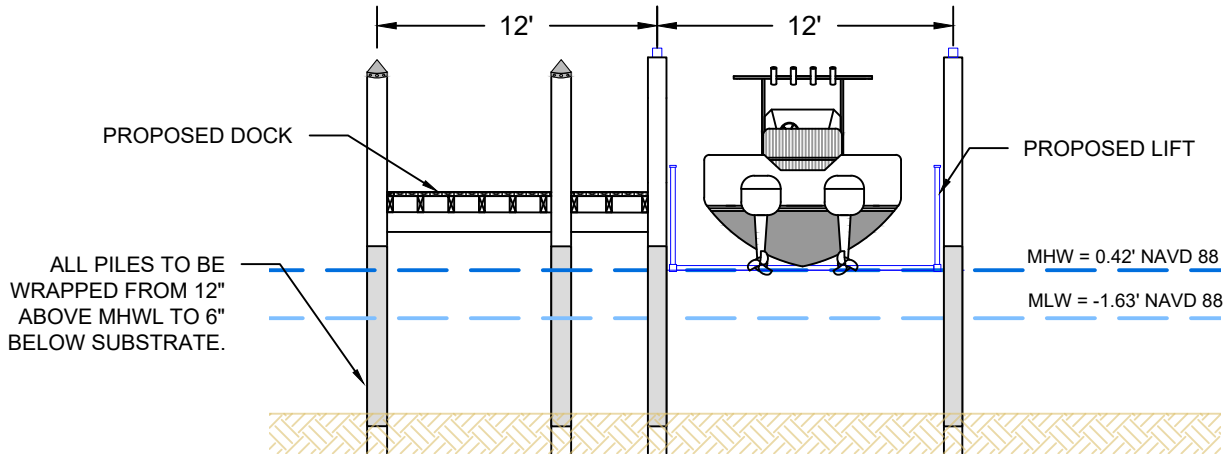
Attachment: Attachment A - Proposed Site and Dock Plans (21757 : PL20210001685 BDE 109 Pago Pago

P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg CROSS SECTIONS 1/31/2022



SECTION AA

SCALE: 1" = 6'



SECTION BB

SCALE: 1" = 8'

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MERKLING DOCK

CROSS SECTIONS

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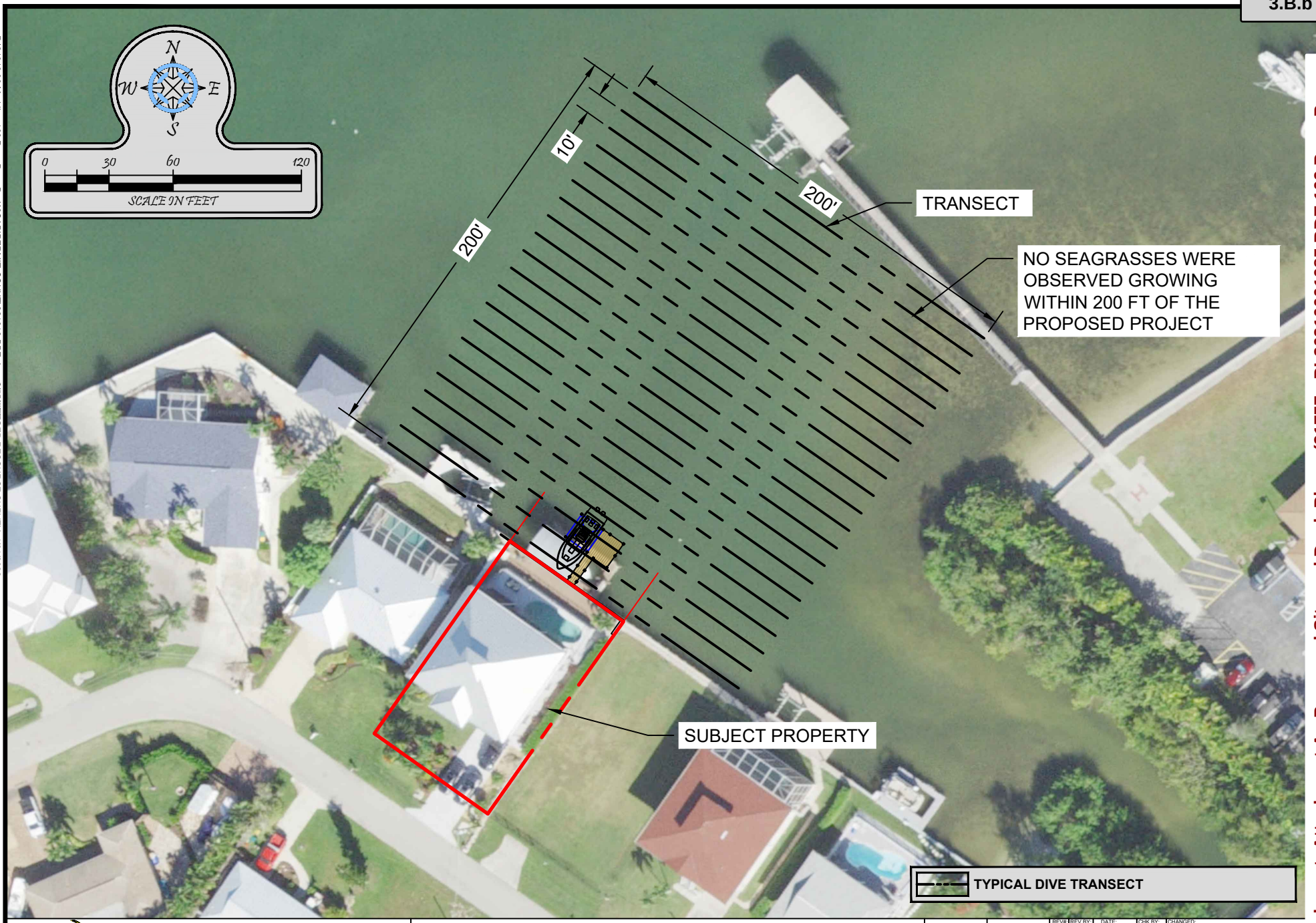
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SECTION-32 TOWNSHIP- 51 S

Attachment: Attachment A - Proposed Site and Dock Plans (21757 : PL20210001685 BDE 109 Pago Pago

Attachment: Attachment A - Proposed Site and Dock Plans (21757 : PL20210001685 BDE 109 Pago Pago

P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg 8.5x11 SUBMERGED RESOURCE SURVEY 1/31/2022



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MERKLING DOCK

SUBMERGED RESOURCE SURVEY

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DRAWN BY:	RMJ	2.	-	-	-	-
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JOB NO.:	21016	4.	-	-	-	-
SHEET NO.:	05 OF 07	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment A - Proposed Site and Dock Plans (21757 : PL20210001685 BDE 109 Pago Pago

P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg, ADJACENT DOCKS AND WIDTH OF WATERWAY, 1/31/2022

NOTE:
THE DIMENSIONS SHOWN ARE APPROXIMATE AND ARE TAKEN FROM THE AERIAL IMAGE.



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MERKLING DOCK

ADJACENT DOCKS AND WIDTH OF WATERWAY

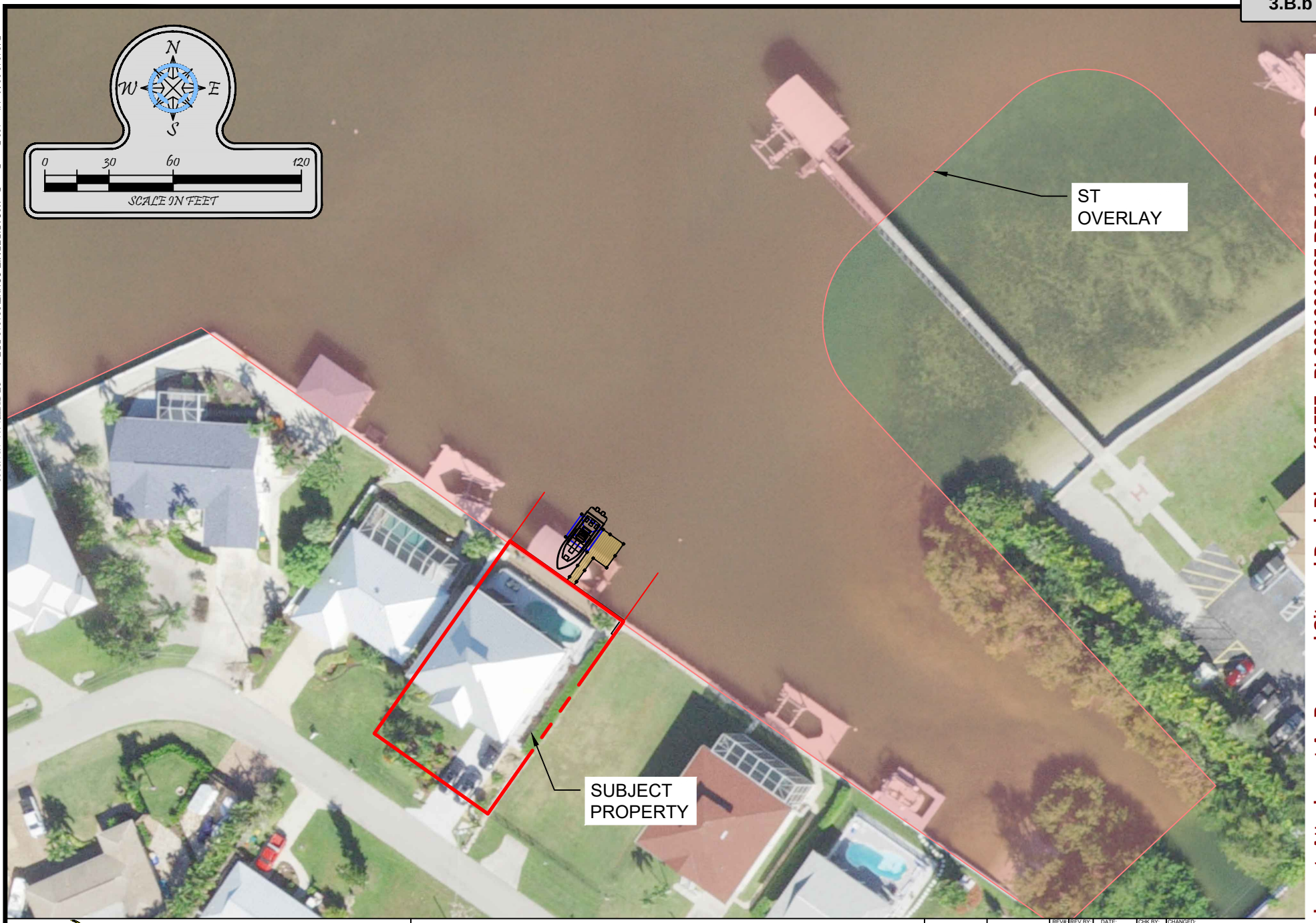
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SHEET NO.:	06 OF 07	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment A - Proposed Site and Dock Plans (21757 : PL20210001685 BDE 109 Pago Pago

P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg $/8 OVERLAY 1/31/2022



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MERKLING DOCK

ST OVERLAY

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		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	NP	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	01-31-22	3.	-	-	-	-
JOB NO.:	21016	4.	-	-	-	-
SHEET NO.:	07 OF 07	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

KellyJohn

From: KellyJohn
Sent: Tuesday, March 29, 2022 4:21 PM
To: KellyJohn
Subject: BDE-PL20210001685 - 109 Pago Pago Dr W - Public Hearing Sign Posting, HEX 4-14-2022
Attachments: E12EF399-C7AA-4151-8C87-1290C39D56D7.jpeg; 1838A151-5C32-450D-964C-09C698E3C4EF.jpeg; 7CDD7EF6-897B-41D3-8964-B23D3CE4E49E.jpeg; 3CD060C9-0355-4784-ADDA-A59B97B0900A.jpeg

I, John Kelly, hereby affirm that at approximately 1:05 P.M. this date, March 29, 2022, I personally posted a notice of Public Hearing Sign to the front of the above described location for the April 14, 2022, meeting of the Hearing Examiner as is further evidenced by the attached photographs.

Respectfully,
John Kelly
Senior Planner

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

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

Collier County
Growth Management Department

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

Attachment: Attachment B - Public Hearing Sign Posting 032922 (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)





Attachment: Attachment B - Public Hearing Sign Posting 032922 (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)





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MERKLING DOCK
109 PAGO PAGO DR. W
NAPLES, FL 34113

BDE APPLICATION
PL20210001685
FEBRUARY 2022

PREPARED BY:

TURRELL, HALL & ASSOCIATES, INC.
Marine & Environmental Consulting
PHONE: 239-643-0166 WWW.THANAPLES.COM

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

BDE: PL202/0001685
109 PAGO PAGO DR

HEARING PACKAGE CHECKLIST

A. Backup provided by the County Planner

The agent is responsible for all required data included in the digital file 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~~ AUTHORIZATION
- ✓ 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, ~~STAFF~~ APPLICABLE
- ____ Historical/Archeological Survey or Waiver
- ____ Utility Letter
- ✓ Deviation Justifications PRIMARY & SECONDARY CRITERIA

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

✓ Boundary Survey, IF AVAILABLE

✓ 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.

✓ **flash drive with *only one* pdf file for all documents**

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 flash drive must contain the documents in one pdf file. It is the agent's responsibility to ensure no documentation is left out.

Signature of Agent Representative

3/21/2022
Date

Nick Pearson
Printed Name of Signing Agent Representative

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
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DOCK FACILITY EXTENSION OR BOATHOUSE ESTABLISHMENT PETITION

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

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

PROJECT NUMBER
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT INFORMATION

Name of Property Owner(s): George J Merkling III

Name of Applicant if different than owner: _____

Address: 109 Pago Pago Dr W **City:** Naples **State:** FL **ZIP:** 34116

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

E-Mail Address: _____

Name of Agent(s): Nick Pearson

Firm: Turrell, Hall & Associates, Inc.

Address: 3584 Exchange Ave. **City:** Naples **State:** FL **ZIP:** 34104

Telephone: (239) 643-0166 **Cell:** _____ **Fax:** _____

E-Mail Address: Nick@THAnaples.com

PROPERTY LOCATION

Section/Township/Range: 32 / 51 S / 26 E **Property I.D. Number:** 52393200002

Subdivision: Isles of Capri unit 2 **Unit:** 2 **Lot:** 217 **Block:** _____

Address/ General Location of Subject Property:
109 Pago Pago Dr W

Current Zoning and Land use of Subject Property:
RSF-4; current use is private residential

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

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

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N	A-ST	N/A - public waterway
S	RSF-4	Private Residential
E	RSF-4	Private Residential
W	RSF-4	Private Residential

DESCRIPTION OF PROJECT

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

See attached sheet

SITE INFORMATION

1. **Waterway Width:**
   1311 ft. Measurement from ☐ plat ☐ survey ☒ visual estimate
   ☒ other (specify) GIS
2. **Total Property Water Frontage:**
   65 ft.
3. **Setbacks:**
   Provided: 20 ft.
   Required: 15 ft.
4. **Total Protrusion of Proposed Facility into Water:**
   37 ft.
5. **Number and Length of Vessels to use Facility:**
   1. 35 ft.
   2. _____ ft.
6. **List any additional dock facilities in close proximity to the subject property and indicate the total protrusion into the waterway of each:**
   141 Pago Pago Dr. W - 30'; 137 Pago Pago Dr. W - 37'; 175 Capri Blvd. - 228'; 168 Pago Pago Dr. W - 42'; 164 Pago Pago Dr. W - 50';
   160 Pago Pago Dr. W - 30'; 156 Pago Pago Dr. W - 30'; 156 Pago Pago Dr. W - 27'; 140 Pago Pago Dr. W - 27';
7. **Signs are required to be posted for all petitions. On properties that are 1 acre or larger in size, the applicant shall be responsible for erecting the required sign. What is the size of the petitioned property?** 0.16 Acres

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

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8. Official Interpretations or Zoning Verifications:

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

PRIMARY CRITERIA

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

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

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

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

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

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

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

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SECONDARY CRITERIA

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

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

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

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

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

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

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

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5. All boathouses and covered structures shall be completely open on all 4 sides.

6. Roofing material and roof color shall be the same as materials and colors used on principal structure or may be a palm frond "chickee" style. A single-family dwelling unit must ve constructed on the subject lot prior to, or simultaneously with, the construction of any boathouse or covered dock structure.

7. The boathouse or covered structure must be so located as to minimize the impact on the view of the adjacent neighbors to the greatest extent practical.

Pre-Application Meeting and Final Submittal Requirement Checklist for:
☑ Dock Extension
☐ Boathouse Establishment
Chapter 3 B. of the Administrative Code

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

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

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

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

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

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

FEE REQUIREMENTS:

- ☑ **Boat Dock Extension Petition:** $1,500.00
- ☑ **Pre-Application Meeting, if required:** $500.00 (Applications submitted 9 months or more after the date of the last pre-application meeting shall not be credited towards application fees; a new pre-application meeting may be required.)
- ☑ **Estimated Legal Advertising fee for the Office of the Hearing Examiner:** $1,125.00
- ☑ **An additional fee for property owner notifications will be billed to the applicant prior to the Hearing Examiner hearing date.**

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

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

All checks payable to: Board of County Commissioners.

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

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



8/26/2021

Signature of Petitioner or Agent **Date**

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

DESCRIPTION OF PROJECT

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

The property at 109 W Pago Pago Dr. is a single-family zoned rectangular parcel that is approximately 65’ x 110’. Currently, the parcel contains a single-family residence with a docking facility and boat canopy that protrudes approximately 19’ into the waterway from the property line (which is the most restrictive point) and which covers approximately 600 square feet of over-water structure.

We propose to remove the existing docking facility and replace it with a re-configured dock structure with a single boat lift. The new dock will cover approximately 221 square feet of over water area and will protrude a maximum of 37’ from the face of the seawall/MHWL. The structure with lift will provide setbacks of 20’ on boat sides and will allow roughly 186’ of the existing waterway to remain for public navigability.

The subject property abuts the Rookery Bay aquatic preserve and as such is subject to substantial restrictions regarding overwater structure. Specifically, the dock’s access walkway cannot exceed 4’ in width. The terminal platform (where loading/unloading onto a boat can occur) cannot exceed 160 square feet. And the dock overall cannot be constructed beyond the depth contour of 4’ at the average low tide (MLW).

In order to best ingress and egress from the subject property’s dock with an approximately 35’ vessel, a shore perpendicular dock design would be the optimal configuration. Considering that no seagrasses could be found within 200’ of the property, that the dock will be built entirely within the owner’s riparian area, and numerous docks of similar or greater dimensions can be found in the surrounding area, we believe that this BDE would therefore allow the property owner to make reasonable use of the waterway and docking facility for mooring and other water-based recreational activities.

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Property Information

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Collier County Property Appraiser
Property Summary

Parcel No	52393200002	Site Address *Disclaimer	109 PAGO PAGO DR W	Site City	NAPLES	Site Zone *Note	341

Name / Address	MERKLING III, GEORGE J				
	109 PAGO PAGO DR W				
City	NAPLES	State	FL	Zip	34116

Map No.	Strap No.	Section	Township	Range	Acres *Estimated
6B32	426700 2176B32	32	51	26	0.16

Legal	ISLES OF CAPRI NO 2 LOT 217

Millage Area	91	Millage Rates	*Calculations	
Sub./Condo	426700 - ISLES OF CAPRI UNIT 2	School	Other	Total
Use Code	1 - SINGLE FAMILY RESIDENTIAL	5.016	6.2924	11.3084

Latest Sales History

(Not all Sales are listed due to Confidentiality)

Date	Book-Page	Amount
09/22/14	5081-3430	$ 995,000
06/03/97	2319-203	$ 228,000
08/15/94	1976-483	$ 215,500
11/01/87	1311-310	$ 0
02/01/70	343-513	$ 0

2020 Certified Tax Roll

(Subject to Change)

	Land Value	$ 717,8
(+)	Improved Value	$ 380,0
(=)	Market Value	$ 1,097,9
(-)	Save our Home	$ 244,0
(=)	Assessed Value	$ 853,8
(-)	Homestead	$ 25,0
(=)	School Taxable Value	$ 828,8
(-)	Additional Homestead	$ 25,0
(=)	Taxable Value	$ 803,8

If all Values shown above equal 0 this parcel was created after the Final Tax Roll

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Collier County Property Appraiser
Property Detail

Parcel No	52393200002	Site Address *Disclaimer	109 PAGO PAGO DR W	Site City	NAPLES	Site Zone *Note	341

Name / Address	MERKLING III, GEORGE J				
	109 PAGO PAGO DR W				
City	NAPLES	State	FL	Zip	34116

Permits (Provided for reference purposes only. *Full Disclaimer.)

Tax Yr	Issuer	Permit #	CO Date	Tmp CO	Final Bldg	Type
0	COUNTY	PRBD20180424408	06/20/18			ROOF
1998	COUNTY	9711-230	10/14/98			RESIDENCE
1998	COUNTY	9804-1941				DOCK
1998	COUNTY	9804-499				POOL
2015	COUNTY	PRBD20141132298	04/12/16			
2016	COUNTY	PRBD20150101003				DOCK
2019	COUNTY	PRBD20180210131				

Land

#	Calc Code	Units
10	RESIDENTIAL FF	65

Building/Extra Features

#	Year Built	Description	Area	Adj Area
10	1998	RESIDENTIAL	2089	3527
20	1998	KEYSTONE DECK	208	208
30	1998	SWIMMING POOL	392	392
40	1998	ALUM SCREEN ENC	2938	2938
50	1998	W DECK	550	550
60	1998	WOOD DOCK	204	204
70	1964	SEAWALL	65	65

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Collier County Property Appraiser
Property Aerial

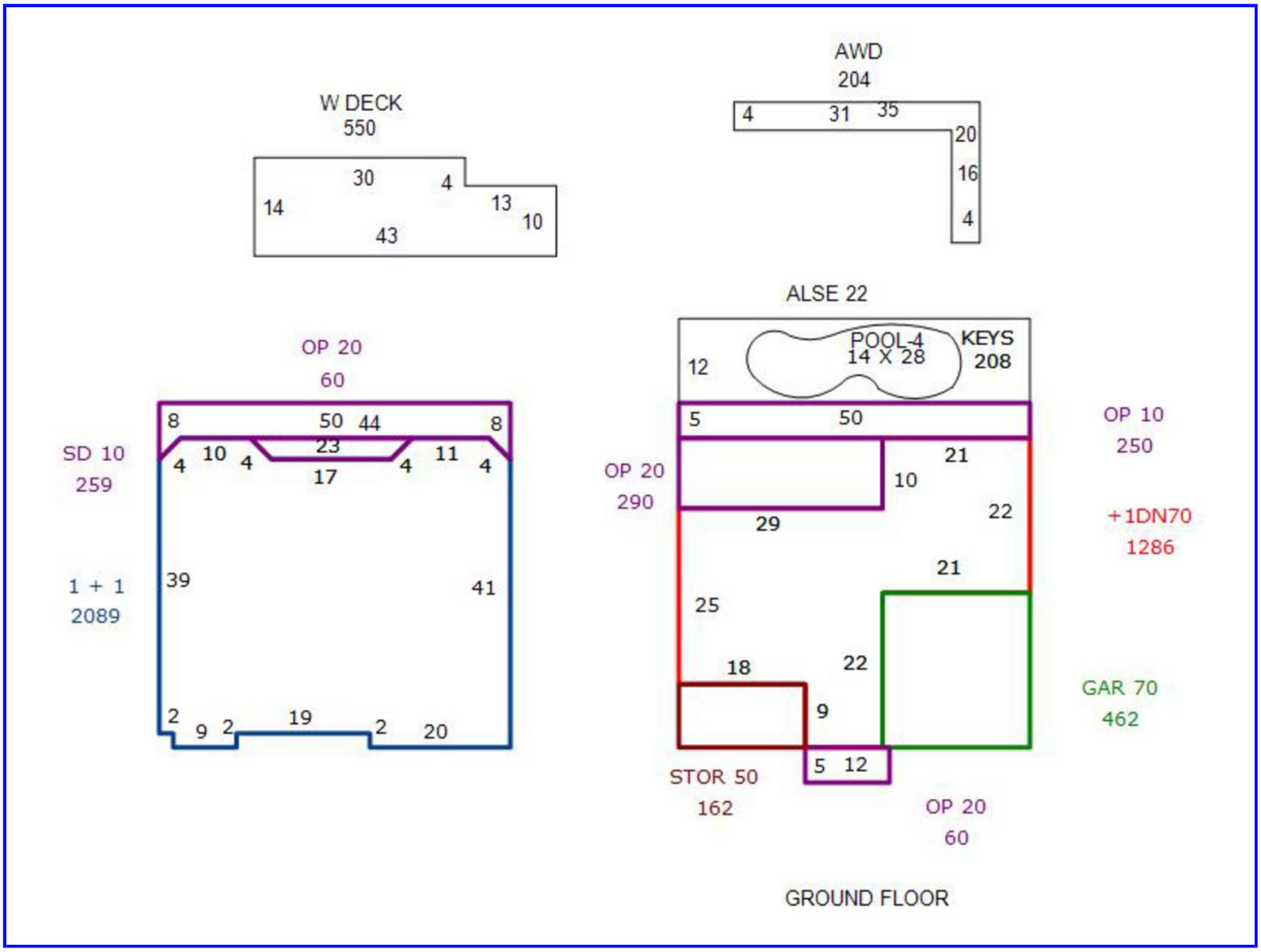
Parcel No	52393200002	Site Address *Disclaimer	109 PAGO PAGO DR W	Site City	NAPLES	Site Zone *Note	341



Open GIS in a New Window with More Features.

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Collier County Property Appraiser



Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Property Ownership Disclosure Form

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

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PROPERTY OWNERSHIP DISCLOSURE FORM

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

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

Please complete the following, use additional sheets if necessary.

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

Name and Address	% of Ownership
George J Merkling III 109 Pago Pago Dr W, Naples FL 34113	100

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Date of Contract: _____

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

Name and Address

g. Date subject property acquired 09/22/2014

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

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

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

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Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

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

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

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



Agent/Owner Signature

2/2/2022
Date

Nick Pearson
Agent/Owner Name (please print)

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Property Deed

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

INSTR 5036404 OR 5081 PG 3430 RECORDED 10/2/2014 2:51 PM PAGES 2
DWIGHT E. BROCK, CLERK OF THE CIRCUIT COURT, COLLIER COUNTY FLORIDA
DOC@.70 $6,965.00 REC $18.50
CONS $995,000.00

WARRANTY DEED

CONSIDERATION: $995,000.00

This Indenture made this 22nd *day of September, 2014, by,* ***Kent G. Hedrick, a married man,*** *whose post office address is:* ***350 S. Collier Blvd., #103, Marco Island, FL, 34145****, GRANTOR, and*

George J. Merkling, III, *whose post office address is:* ***109 Pago Pago Drive W, Naples, FL 34113,*** *GRANTEE:*

WITNESSETH, that the Grantor, for and in consideration of the sum of TEN DOLLARS, and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in the County of Collier, State of Florida, to wit:

Lot 217, Isles of Capri No. 2, a subdivision according to the plat thereof recorded at Plat Book 3, Page 46, in the Public Records of Collier County, Florida.

Tax Folio Number: 52393200002

Subject to restrictions, reservations and easements of record and taxes for the year 2014 and subsequent years, which are not yet due and payable.

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

Together with all tenements, hereditament, and appurtenances thereto belonging or in anywise appertaining.

The property described herein is not now, nor has it ever been, the homestead of the grantor, the grantor's spouse or grantor's minor children, if any, nor is the property contiguous to their homestead.

AND the Grantor does hereby fully warrant the title to the land and will defend the same against the lawful claims of all persons whomsoever.

NOT A CERTIFIED COPY

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Warranty Deed
Page 2 of 2

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Jill Hamilton
Signature of Witness No. 1

Jill Hamilton
Printed Name of Witness No. 1

Terry West
Signature of Witness No. 2

Terry West
Printed Name of Witness No. 2

Kent G. Hedrick (seal)
Kent G. Hedrick

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 22nd day of September, 2014, by **Kent G. Hedrick**, who are personally known to me or presented _____ as identification and did take an oath.

Jill Hamilton
Notary Public Print Jill Hamilton

(Notary Seal)

My commission expires: _____

JILL HAMILTON
MY COMMISSION # FF 042143
EXPIRES: November 28, 2017
Bonded Thru Notary Public Underwriters

This instrument prepared without opinion by:
Craig R. Woodward, Esquire
Woodward, Pires & Lombardo, P.A.
606 Bald Eagle Drive, Suite 500
Marco Island, Florida 34145
(239) 394-5161

NOT A CERTIFIED COPY

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Pre-Application Meeting Notes

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

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(239) 252-2400

Pre-Application Meeting Notes

Petition Type: BDE
Date and Time: Wednesday 7/21/21 10:30 AM

Assigned Planner: John Kelly

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

Project Information

Project Name: 109 Pago Pago Dr. West - Merkling

PL #: 20210001685

Property ID #: 52393200002 **Current Zoning:** RSF-4

Project Address: 109 PagoPago Dr **City:** West. Naples **State:** FL **Zip:** 34113

Applicant: Nick Pearson - Turrell Hall & Associates Inc.

Agent Name: Nick Pearson **Phone:** 239-643-0166

Agent/Firm Address: 3584 Exchange Ave. **City:** Naples **State:** FL **Zip:** 34104

Property Owner: George J.Merkling III

Please provide the following, if applicable:

i. **Total Acreage:** .16

ii. **Proposed # of Residential Units:** _____

iii. **Proposed Commercial Square Footage:** _____

iv. **For Amendments, indicate the original petition number:** _____

v. **If there is an Ordinance or Resolution associated with this project, please indicate the type and number:** _____

vi. **If the project is within a Plat, provide the name and AR#/PL#:** _____

_____

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

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(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 —

- SEE ATTACHED "BDE MEETING NOTES"
- EXPLAIN NUMBER OF SLIPS & USE OF TERMINAL PLATFORMS (MINIMIZE DECKING IF ABLE)

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

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

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Pre-Application Meeting Notes
GMD - Zoning Services

Planner: John Kelly
(239)252-5719
John.kelly@colliercountyfl.gov

Boat Dock Extension

- Complete the required application; respond to each question and sign
- Refer to the Final Submittal Requirement Checklist and provide/submit required documents
  - All submitted plans must be legible when duplicated on 8.5" X 11" standard paper
  - The final recording of documents is in black & white; minimize the use of color
- Provide a Boundary Survey to demonstrate water frontage and lot dimensions as well as the principal use of the subject property
- Either as part of the application, or on a separate sheet, provide a detailed Narrative Statement fully describing the project and what is being requested
- On a sheet separate from the application, please provide persuasive and convincing responses to each of the Primary and Secondary Criteria contained within LDC Section 5.03.06.H
  - state if each criterion has been satisfied or not satisfied
  - provide sufficient evidence to support any claims such as insufficient water depth, unique characteristics of the property or waterfront, width of waterway and/or canal
- Site Plans
  - Site Plans should be measured in feet
  - Note that the dock facility includes any docked vessel(s); show vessel(s) on plan
  - Demonstrate width of property and/or the total property water frontage
  - Demonstrate side and/or riparian setbacks for the dock facility
  - Demonstrate amount of dock protrusion using such points of measure as are contained within LDC Section 5.03.06.C.1, Measurement of Dock Protrusion.
- Note that dock facilities should be minimized to allow reasonable, safe access to the vessel(s) for loading, unloading, and routine maintenance without the use of excessive deck area

Boathouse

- See above for general information
- On a sheet separate from the application, please provide persuasive and convincing responses to each of the Boathouse Criteria contained within LDC Section 5.03.06.F
  - state if each criterion has been satisfied or not satisfied
  - provide sufficient evidence to support any claims such as insufficient water depth, unique characteristics of the property or waterfront, width of waterway and/or canal
- Site Plans
  - Demonstrate setback requirements from property and riparian lines, demonstrate the separation from other structures on the site, Demonstrate height of boathouse and type of roof; note that the roof alone may overhang up to 3 feet into the waterway beyond the maximum protrusion and/or setback (plans must show the amount of roof overhang)

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Collier County

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

Meeting Notes

ENVIRONMENTAL – CRAIG BROWN SEE ATTACHED EMAIL NOTES AND ATTACHMENTS ON PAGE 3.A.

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.

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

ThomasClarkeVEN

From: BrownCraig
Sent: Friday, August 13, 2021 1:27 PM
To: ThomasClarkeVEN
Subject: RE: Notes for PL20210001685 BDE
Attachments: Boat Dock Extension Checklist 2017 for reviewer.doc

Thomas,

Here are the notes for this one.
Thanks.

Here are my notes for the Pre-app:

Please provide a benthic survey with an exhibit to indicate the location of seagrasses or oyster beds within 200 feet of the proposed docking facility. ***LDC Section 5.03.06.J***
Please provide a description of the shoreline and any native vegetation present. Indicate any proposed impacts to the native shoreline vegetation (approximate area in square feet to be impacted).
Please provide complete answers to Secondary Criteria #5 and #6 See ***LDC section 5.03.06. H.2***
If lighting is proposed, please provide a description of the type and locations on the docking facility.
Please provide any written authorization from any state and federal agencies ***if any approvals*** *have been obtained.*

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: Friday, August 13, 2021 11:42 AM
To: BrownCraig <Craig.Brown@colliercountyfl.gov>
Subject: Notes for PL20210001685 BDE

Hi Craig,

Do you have any Pre-App Notes for 109 W Pago Pago-Merkling (BDE). Pre app was 7/21?

Thomas Clarke
Operations Analyst - Zoning Division
2800 North Horseshoe Drive, Naples, FL 34104
Phone: 239-252-2526
Tell us how we are doing by taking our Zoning Division Survey at http://bit.ly/CollierZoning

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Residential Boat Dock Extension Checklist FOR REVIEWERS
Submerged Resources Survey Checklist

1. Is there an overlay? ST overlay needs an ST permit (much of Isle of Capri & Keewaydin has an ST Overlay over the water)

2. Include an aerial with a note indicating whether seagrass beds exist within 200 feet of the proposed dock facility. (LDC 5.03.06 J)
   Provide a submerged resources survey from an Environmental Consultant done between April and October.
   Policy on Requirement for requiring Submerged Resources Survey (October 2017):
   - Require for all Boat Dock petitions
   - Always require an aerial with a note indicating whether seagrass beds exist within 200 feet of the proposed dock facility.

3. All proposed dock facilities shall be located and aligned to stay at least ten feet from any existing seagrass beds, or meet restrictions for continuous beds. (LDC 5.03.06 J.) P530

4. Provide complete answers to Secondary Criteria #5 & #6. (Use Misc in CV)

5. Demonstrate how negative impacts to seagrass beds and other native shoreline vegetation and hard bottom communities have been minimized. (LDC 5.03.06 J .4) P530

6. Provide a clearing plan for removal of any vegetation related to the boat dock. This is simply an information exhibit being requested.

7. Are there any draft restrictions? Look at the MPP.
   Draft restrictions exist for Wiggins Pass.

Keewaydin: BDE not required for Keewaydin
- Most always need an ST permit related to a Building Permit– water and land have ST Overlay

Seagrass: Light penetration is needed to survive, usually in more shallow areas

Submerged Resources Survey:
- Read thoroughly
- Check location description for street & waterway (if given)
- Check to see if it was uploaded to CV
- Indicate in CV "Comments box" if one was done & if it was uploaded to CV

*****SEE SUGGESTED FORMAT OF SUBMERGED RESOURCES SURVEY ON NEXT PAGE*****

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

MULTI SLIP DOCKING FACILITY

- Look at supplemental criteria in 5.05.02
  - Port of the Islands uses different Rating system – see MPP
- **See 5.03.06 E 11 and 5.05.02 for Manatee awareness requirements for multi-slip docking facilities** Whether the proposed **dock** facility is subject to the manatee protection requirements of subsection 5.03.06(E)(11) of this LDC. (If applicable, compliance with section 5.03.06(E)(11) must be demonstrated).

SUGGESTED FORMAT AND INFORMATION TO INCLUDE IN SUBMERGED RESOURCES SURVEY

- Location of survey – property address and folio#
  - The survey shall indicate any seagrass or seagrass beds located within 200 feet on any proposed dock facility (5.03.06.J). In order for this to be accomplished, any within 200 feet of the proposed dock (within the riparian lines of the property and adjacent to the property) shall be surveyed.
- Who did the survey – which firm and their contact information including name, address, phone #, email
- What date was the survey conducted? Guidance from FWC is to do between April and October
  - Weather conditions, water temperature, low tide & high tide times
- Objective of Survey & Work done on the site
  - Was the site snorkeled?
  - What methodologies were used?
  - Was a GPS used?
  - Was an aerial photograph reviewed and used to establish survey transect lines?
- Results
  - What was found? Substrate and what kind? Seagrass, shell, oysters?
  - What was along the shoreline? Mangroves, seawall, etc?
  - Why does the consultant think no submerged resources were found?
  - Other observations
- When seagrass is found, include all requirements of LDC section 5.03.06. J.
- Conclusions
  - Were any submerged resources found? If yes, what?
  - Are any impacts to submerged resources expected or proposed?
- Pictures (suggested angles)
  - Looking toward and away from the shoreline
  - The proposed location of the boat access
  - Observations in the water - Any oyster debris, shell, seagrass
- Aerial photograph
  - Where new **docking** facilities or boat **dock** extensions are proposed, the location and presence of seagrass or seagrass beds within 200 feet of any proposed **dock** facility shall be identified on an aerial photograph having a scale of 1 inch to 200 feet when available from the County, or a scale of 1 inch to 400 feet when such photographs are not available from the County. (LDC 5.03.06.J)
  - An aerial is required even when seagrasses are not found. The aerial shall indicate whether seagrasses were found within 200 feet of the proposed dock facility.

5.03.06. J. (LDC section up to date as of 2016)

Protection of seagrass beds. Seagrass or seagrass beds within 200 feet of any proposed **docks**, **dock facilities,** or **boathouses** shall be protected through the following standards:

1. Where new **docking** facilities or boat **dock** extensions are proposed, the location and presence of seagrass or seagrass beds within 200 feet of any proposed **dock** facility shall be identified on an aerial photograph having a scale of 1 inch to 200 feet when available from the County, or a scale of 1 inch to 400 feet when such

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

photographs are not available from the County. The location of seagrass beds shall be verified by the County Manager or designee prior to issuance of any project approval or permit.

2. All proposed **dock** facilities shall be located and aligned to stay at least 10 feet from any existing seagrass beds, except where a continuous bed of seagrasses exists off the **shore** of the property and **adjacent** to the property, and to minimize negative impacts to seagrasses and other native **shoreline**, emergent and submerged vegetation, and hard bottom communities.

3. Where a continuous bed of seagrasses exists off the **shore** of the property and **adjacent** to the property, the **applicant** shall be allowed to build a **dock** across the seagrass beds, or a **docking** facility within 10 feet of seagrass beds. Such **docking** facilities shall comply with the following conditions:

   a. The **dock** shall be at a height of at least 3.5 feet NGVD.
   b. The terminal platform area of the **dock** shall not exceed 160 square feet.
   c. The **access dock** shall not exceed a width of 4 feet.
   d. The **access dock** and terminal platform shall be sited to impact the smallest area of seagrass beds possible.

4. The petitioner shall be required to demonstrate how negative impacts to seagrass beds and other native **shoreline** vegetation and hard bottom communities have been minimized prior to any project approval or permit issuance.

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Dr W Merkling)

Collier County

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

Pre-Application Meeting Sign-In Sheet

PL# 20210001685

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
☑ 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
☐ Alexandra Casanova	Operations Coordinator	252-2658	Alexandra.casanova@colliercountyfl.gov
☐ Heidi Ashton Cicko	Managing Asst. County Attorney	252-8773	heidi.ashton@colliercountyfl.gov
☑ Thomas Clarke	Zoning Operations Coordinator	252-2584	thomas.clarke@colliercountyfl.gov
☐ Jamie Cook	Prin. Environmental Specialist	252-6290	Jaime.cook@colliercountyfl.gov
☐ Jackie De la Osa	North Collier Fire	252-2312	jdelaosa@northcollierfire.com
☐ 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	Comprehensive Planning	252-5715	sue.faulkner@colliercountyfl.gov
☐ Jeremy Frantz	LDC Manager	252-2305	Jeremy.Frantz@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
☐ Richard Henderlong	Zoning Principal Planner	252-2464	richard.henderlong@colliercountyfl.gov
☐ John Houldsworth	Engineering Subdivision	252-5757	john.houldsworth@colliercountyfl.gov
☐ Alicia Humphries	Right-Of-Way Permitting	252-2326	alicia.humphries@colliercountyfl.gov
☐ Anita Jenkins	Planning & Zoning Director	252-5095	Anita.jenkins@colliercountyfl.gov
☑ John Kelly	Zoning Senior Planner	252-5719	john.kelly@colliercountyfl.gov
☐ Parker Klopf	Zoning Senior Planner	252-2471	Parker.klopf@colliercountyfl.gov
☐ Troy Komarowski	North Collier Fire	252-2521	tkomarowski@northcollierfire.com
☐ Sean Lintz	North Collier Fire	597-9227	slintz@northcollierfire.com
☐ Diane Lynch	Operations Analyst	252-8243	diane.lynch@colliercountyfl.gov
☐ Thomas Mastroberto	Greater Naples Fire	252-7348	thomas.mastroberto@colliercountyfl.gov

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

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(239) 252-2400

☐	Jack McKenna, P.E.	Engineering Services	252-2911	jack.mckenna@colliercountyfl.gov
☐	Matt McLean, P.E.	Development Review Director	252-8279	matthew.mclean@colliercountyfl.gov
☐	Michele Mosca, AICP	Capital Project Planning	252-2466	michele.mosca@colliercountyfl.gov
☐	Annis Moxam	Addressing	252-5519	annis.moxam@colliercountyfl.gov
☐	Richard Orth	Stormwater Planning	252-5092	richard.orth@colliercountyfl.gov
☐	Brandy Otero	Transit	252-5859	brandy.otero@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	Zoning Principal Planner	252-2708	james.sabo@colliergo.net
☐	Michael Sawyer	Transportation Planning	252-2926	michael.sawyer@colliercountyfl.gov
☐	Corby Schmidt, AICP	Comprehensive Planning	252-2944	corby.schmidt@colliercountyfl.gov
☐	Linda Simmons	North Collier Fire	252-2311	Linda.Simmons@colliercountyfl.gov
☐	Peter Shawinsky	Architectural Review	252-8523	peter.shawinsky@colliercountyfl.gov
☐	Mark Templeton	Landscape Review	252-2475	mark.templeton@colliercountyfl.gov
☐	Connie Thomas	Client Services Supervisor	252-6369	Consuela.thomas@colliercountyfl.gov
☐	Jessica Velasco	Client Services	252-2584	jessica.velasco@colliercountyfl.gov
☐	Jon Walsh, P.E.	Building Review	252-2962	jonathan.walsh@colliercountyfl.gov
→ ☐	Kirsten Wilkie	Environmental Review Manager	252-5518	kirsten.wilkie@colliercountyfl.gov
☐	Christine Willoughby	Development Review - Zoning	252-5748	christine.willoughby@colliercountyfl.gov
☐	Daniel Zunzunegui	North Collier Fire	252-2310	Daniel.Zunzunegui@colliercountyfl.gov

Additional Attendee Contact Information:

Name	Representing	Phone	Email
NICK PEARSON	Turnell Hall		

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Collier County
Growth Management Department
Zoning Division

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

PL20210001685– 109 W.Pago Pago Dr W.- Merkling (BDE) **John Kelly PRE-APP INFO**

Assigned Ops Staff: Thomas Clarke

STAFF FORM FOR SUPPLEMENTAL PRE-APPLICATION MEETING INFORMATION

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

  Nick Pearson, Turrell Hall & Associates Inc.
  nicholas@thanaples.com
  239-643-0166

- **Agent to list for PL#**

  Nick Pearson, Turrell, Hall & Associates,Inc

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

  George J. Merkling III

- **Confirm Purpose of Pre-App:**

  BDE for Replacement of existing 604 sq. ft. dock with new reconfigured dock that will protrude approximately 27' 8" into the water way and cover approximately 215 square feet.

- **Details about Project:**

  BDE – See attached exhibits

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

Cancellation/Reschedule Requests: Contact Danny Condomina-Client Services Supervisor
danny.condomina@colliercountyfl Phone: 239-252-6866

Created April 5, 2017

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

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

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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

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Date of Contract: _____

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

Name and Address

g. Date subject property acquired _____

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

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

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Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

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

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

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

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

_____ _____
Agent/Owner Signature Date

_____
Agent/Owner Name (please print)

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5. All boathouses and covered structures shall be completely open on all 4 sides.

6. Roofing material and roof color shall be the same as materials and colors used on principal structure or may be a palm frond "chickee" style. A single-family dwelling unit must ve constructed on the subject lot prior to, or simultaneously with, the construction of any boathouse or covered dock structure.

7. The boathouse or covered structure must be so located as to minimize the impact on the view of the adjacent neighbors to the greatest extent practical.

Pre-Application Meeting and Final Submittal Requirement Checklist for:
☑ Dock Extension
☐ Boathouse Establishment
Chapter 3 B. of the Administrative Code

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

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

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

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(239) 252-2400 FAX: (239) 252-6358

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

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

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

FEE REQUIREMENTS:

- ☑ **Boat Dock Extension Petition:** $1,500.00
- ☑ **Pre-Application Meeting, if required:** $500.00 (Applications submitted 9 months or more after the date of the last pre-application meeting shall not be credited towards application fees; a new pre-application meeting may be required.)
- ☑ **Estimated Legal Advertising fee for the Office of the Hearing Examiner:** $1,125.00
- ☑ **An additional fee for property owner notifications will be billed to the applicant prior to the Hearing Examiner hearing date.**

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

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

All checks payable to: Board of County Commissioners.

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

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

Signature of Petitioner or Agent **Date**

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Addressing Checklist

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX (239) 252-5724

ADDRESSING CHECKLIST

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

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

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

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

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

ISLES OF CAPRI NO 2 LOT 217 T51, R26, S32

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

52393200002

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

109 Pago Pago Dr. W Naples, FL 34113

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

CURRENT PROJECT NAME *(if applicable)*

PROPOSED PROJECT NAME *(if applicable)*

109 Pago Pago Dr. W - BDE petition name not yet approved

PROPOSED STREET NAMES *(if applicable)*

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

SDP___-____ or AR or PL # _____

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

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

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

Applicant Name: Nick Pearson (Turrell, Hall & Associates, Inc.)

Phone: (239) 643-0166 **Email/Fax:** Nick@THAnaples.com

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

FOR STAFF USE ONLY

Folio Number 52393200002

Folio Number

Folio Number

Folio Number

Folio Number

Folio Number

Approved by: L.L.H. **Date:** 06/25/2021

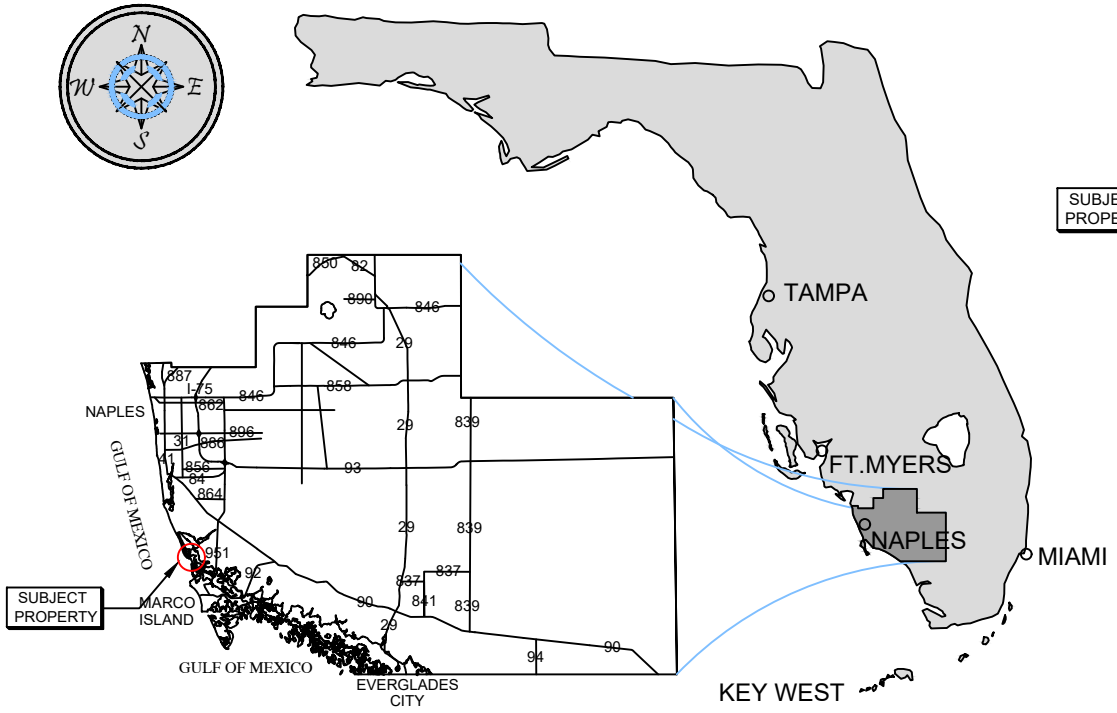
Updated by: **Date:**

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

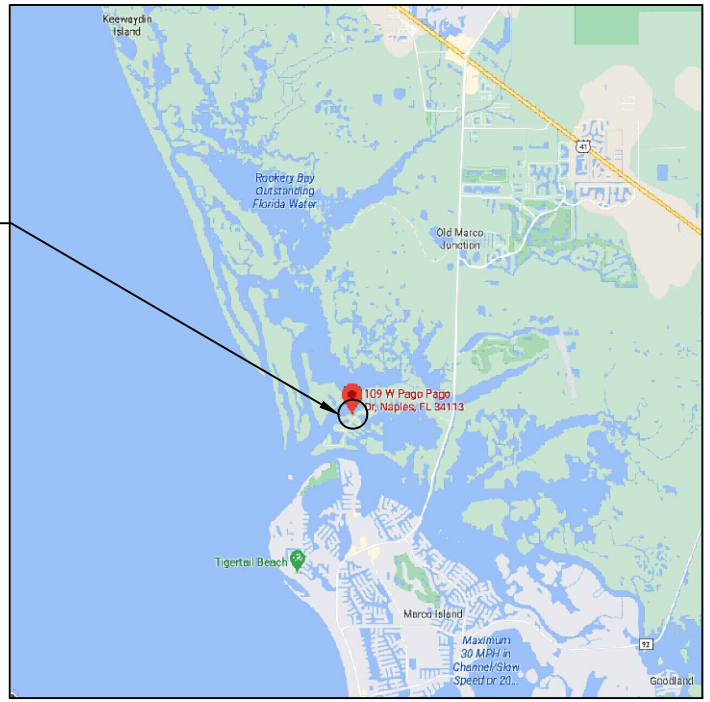
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P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-STATE\21016-STATE.dwg LOCATION 3/2/2021

STATE OF FLORIDA



COLLIER COUNTY



VICINITY MAP



COUNTY AERIAL

SITE ADDRESS:
<> 109 W. PAGO PAGO
NAPLES, FL 34113

<> LATITUDE: N 25.9703694
<> LONGITUDE: W -81.6978927

NOTES:
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Turrell, Hall & Associates, Inc.
Marine & Environmental Consulting
3584 Exchange Ave. Naples, FL 34104-3732
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MERKLING DOCK

LOCATION MAP

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DESIGNED:	NP	1.	-	-	-	-
DRAWN BY:	BD	2.	-	-	-	-
CREATED:	02-26-21	3.	-	-	-	-
JOB NO.:	21016	4.	-	-	-	-
SHEET NO.:	01 OF 04	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W

Affidavit of Representation

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20210001685

I, George Merkling (print name), as _____ (title, if applicable) of _____ (company, If applicable), swear or affirm under oath, that I am the (choose one) owner [X] 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 Nick Pearson 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.

GMerkling III
Signature

03/03/2021
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [X] physical presence or [ ] online notarization this 3 day of March, 2021, by (printed name of owner or qualifier) George Merkling.

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

[X] Are personally known to me

[ ] Has produced a current drivers license _____

[ ] Has produced _____ as identification.

Notary Signature: Jordan Lee Rice

JORDAN LEE RICE
Notary Public-State of Florida
Commission # GG 947550
My Commission Expires
January 15, 2024

CP\08-COA-00115\15S
REV 3/4/2020

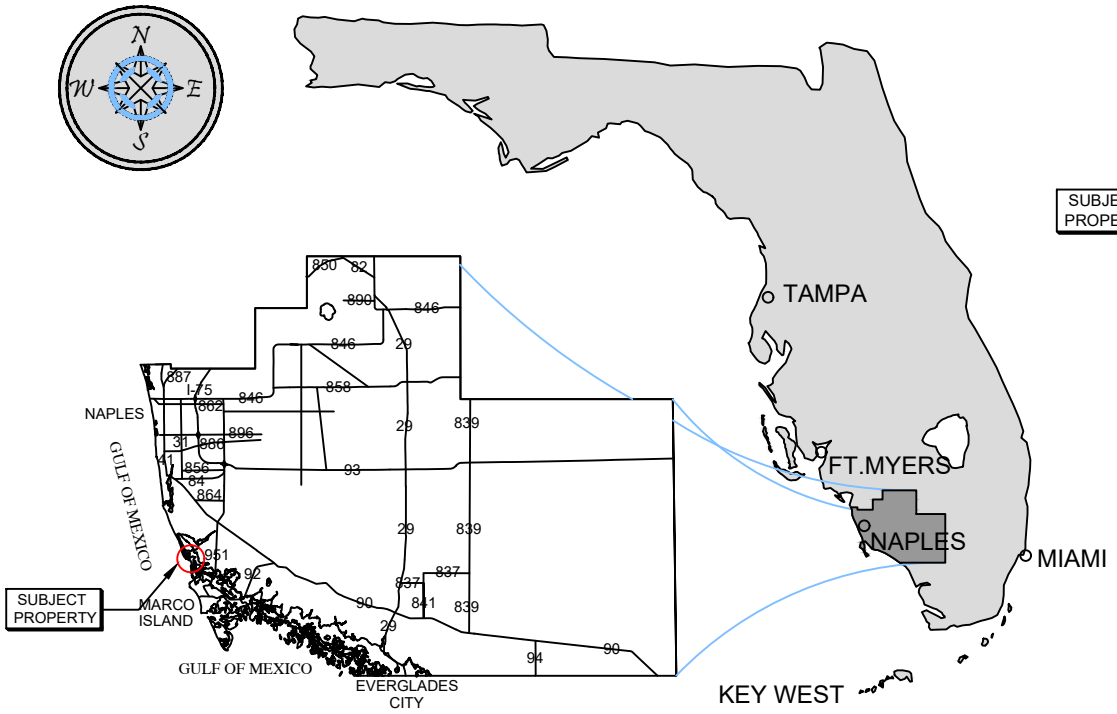
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BDE Drawings / Exhibits

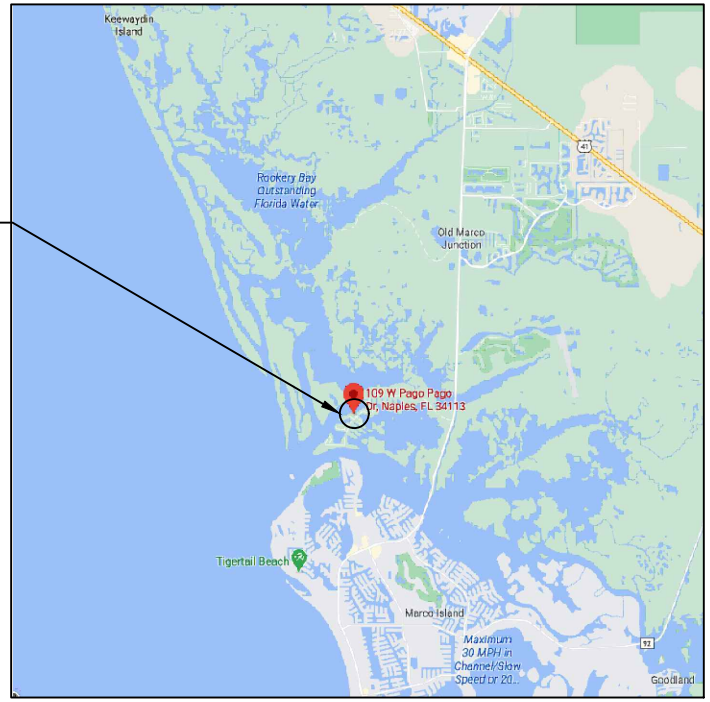
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P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg LOCATION MAP 1/31/2022

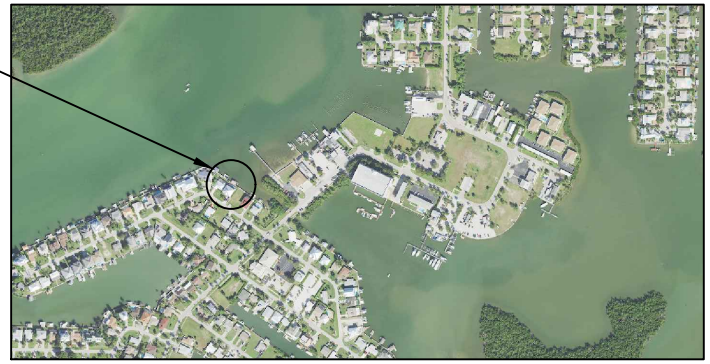
STATE OF FLORIDA



COLLIER COUNTY



VICINITY MAP



COUNTY AERIAL

SITE ADDRESS:
<> 109 W. PAGO PAGO
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MERKLING DOCK

LOCATION MAP

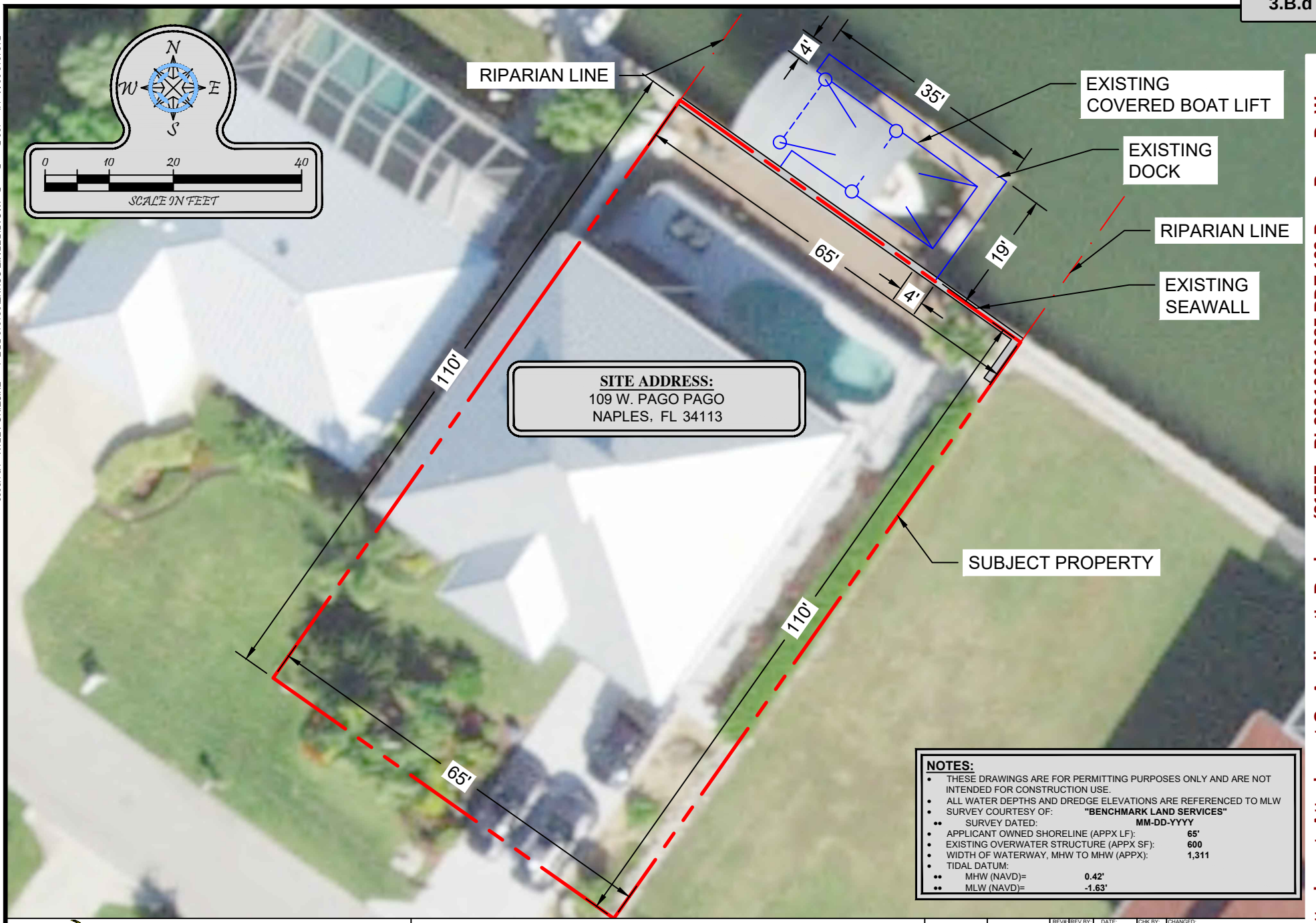
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DESIGNED:	NP	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	01-31-22	3.	-	-	-	-
JOB NO.:	21016	4.	-	-	-	-
SHEET NO.:	01 OF 07	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W

P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg EXISTING AERIAL 1/31/2022



NOTES:

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- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: **"BENCHMARK LAND SERVICES"**
  - SURVEY DATED: **MM-DD-YYYY**
- APPLICANT OWNED SHORELINE (APPX LF): **65'**
- EXISTING OVERWATER STRUCTURE (APPX SF): **600**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1,311**
- TIDAL DATUM:
  - MHW (NAVD)= **0.42'**
  - MLW (NAVD)= **-1.63'**

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MERKLING DOCK

EXISTING AERIAL

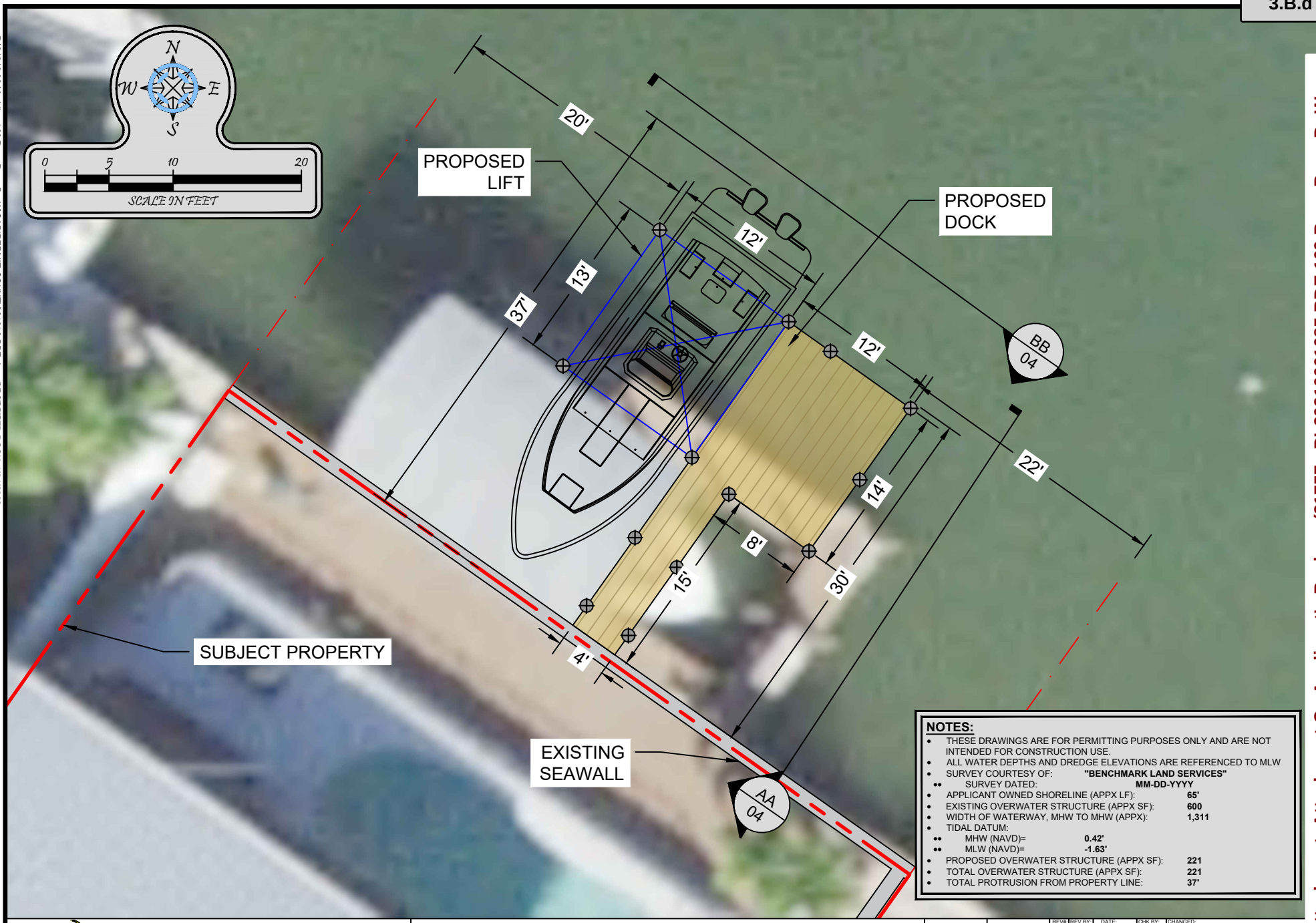
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JOB NO.:	21016	4.	-	-	-	-
SHEET NO.:	02 OF 07	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W

P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg #3 PROPOSED DOCK 1/31/2022



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- SURVEY COURTESY OF: **"BENCHMARK LAND SERVICES"**
  - SURVEY DATED: **MM-DD-YYYY**
- APPLICANT OWNED SHORELINE (APPX LF): **65'**
- EXISTING OVERWATER STRUCTURE (APPX SF): **600**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1,311**
- TIDAL DATUM:
  - MHW (NAVD)= **0.42'**
  - MLW (NAVD)= **-1.63'**
- PROPOSED OVERWATER STRUCTURE (APPX SF): **221**
- TOTAL OVERWATER STRUCTURE (APPX SF): **221**
- TOTAL PROTRUSION FROM PROPERTY LINE: **37'**

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MERKLING DOCK

PROPOSED DOCK

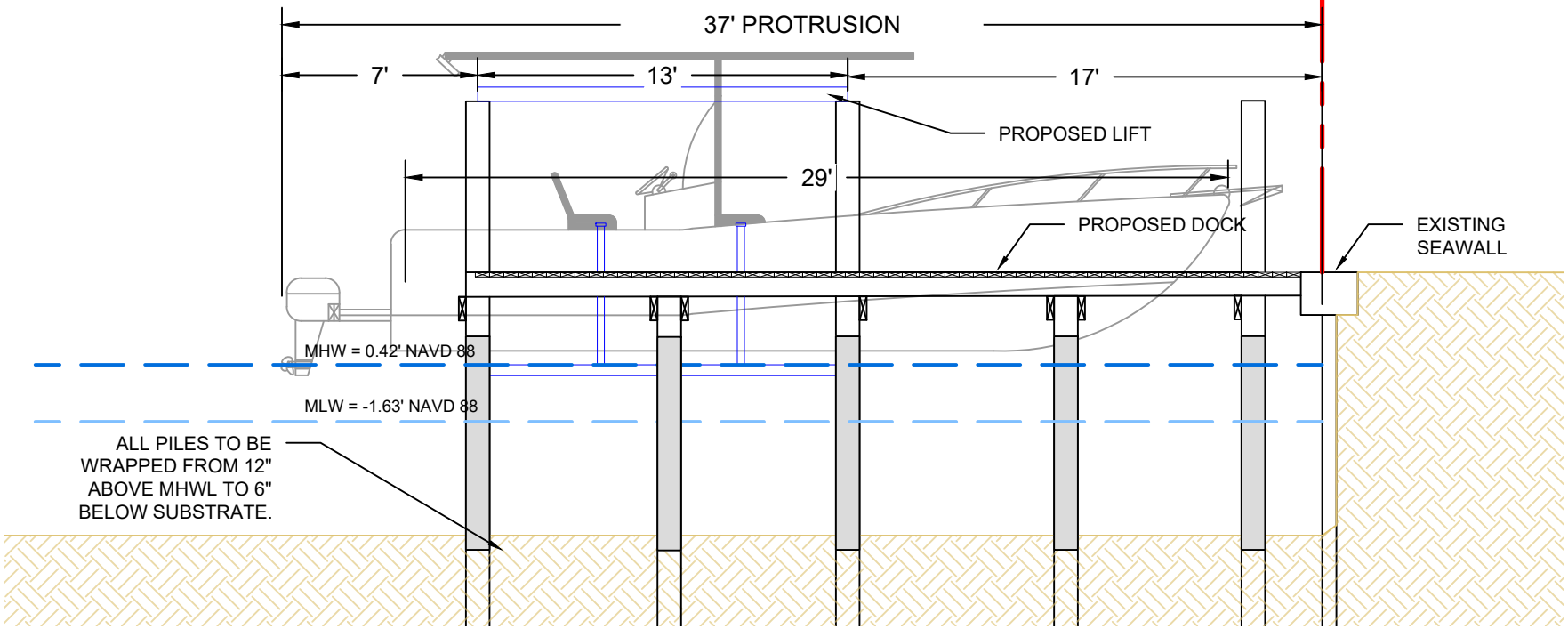
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SECTION- 32 TOWNSHIP- 51 S

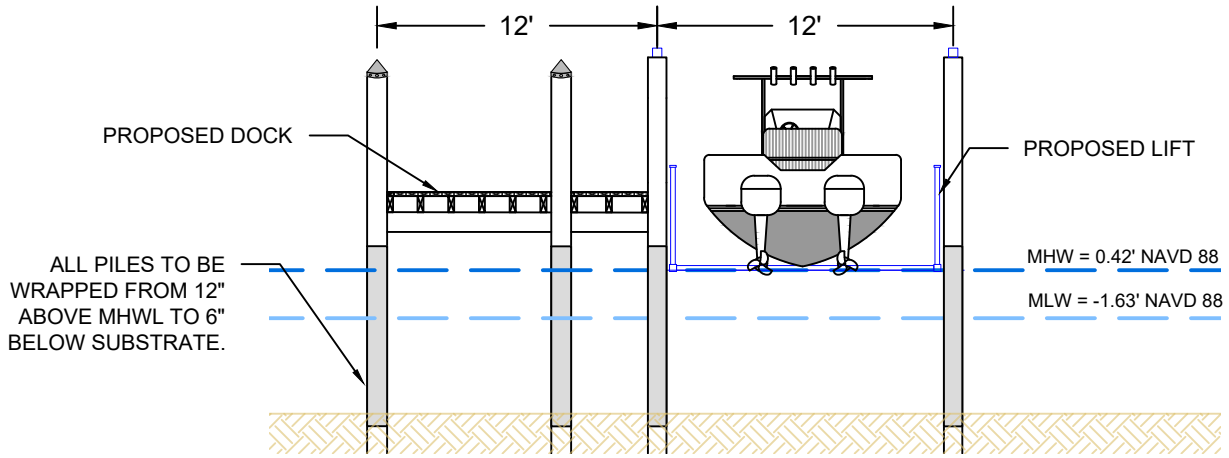
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P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg CROSS SECTIONS 1/31/2022



SECTION AA

SCALE: 1" = 6'



SECTION BB

SCALE: 1" = 8'

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MERKLING DOCK

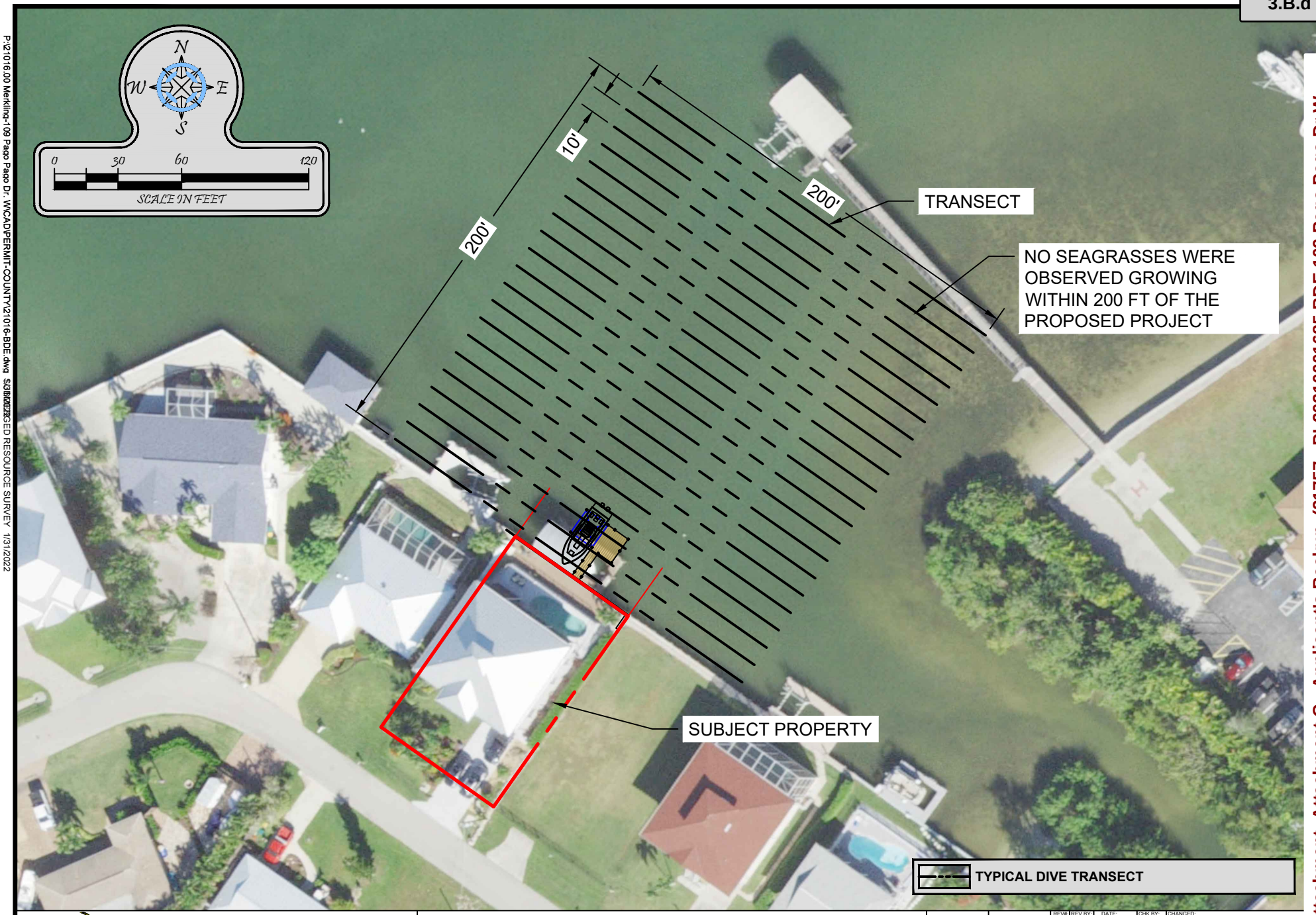
CROSS SECTIONS

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SECTION-32 TOWNSHIP- 51 S

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MERKLING DOCK

SUBMERGED RESOURCE SURVEY

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DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	01-31-22	3.	-	-	-	-
JOB NO.:	21016	4.	-	-	-	-
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SECTION- 32 TOWNSHIP- 51 S

P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg 3/3/2022 SUBMERGED RESOURCE SURVEY 1/31/2022

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P:\21016.00 Merkling-109 Pago Pago Dr\CAD\PERMIT-COUNTY\21016-BDE.dwg ADJACENT DOCKS AND WIDTH OF WATERWAY 1/31/2022

NOTE:
THE DIMENSIONS SHOWN ARE APPROXIMATE AND ARE TAKEN FROM THE AERIAL IMAGE.



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MERKLING DOCK

ADJACENT DOCKS AND WIDTH OF WATERWAY

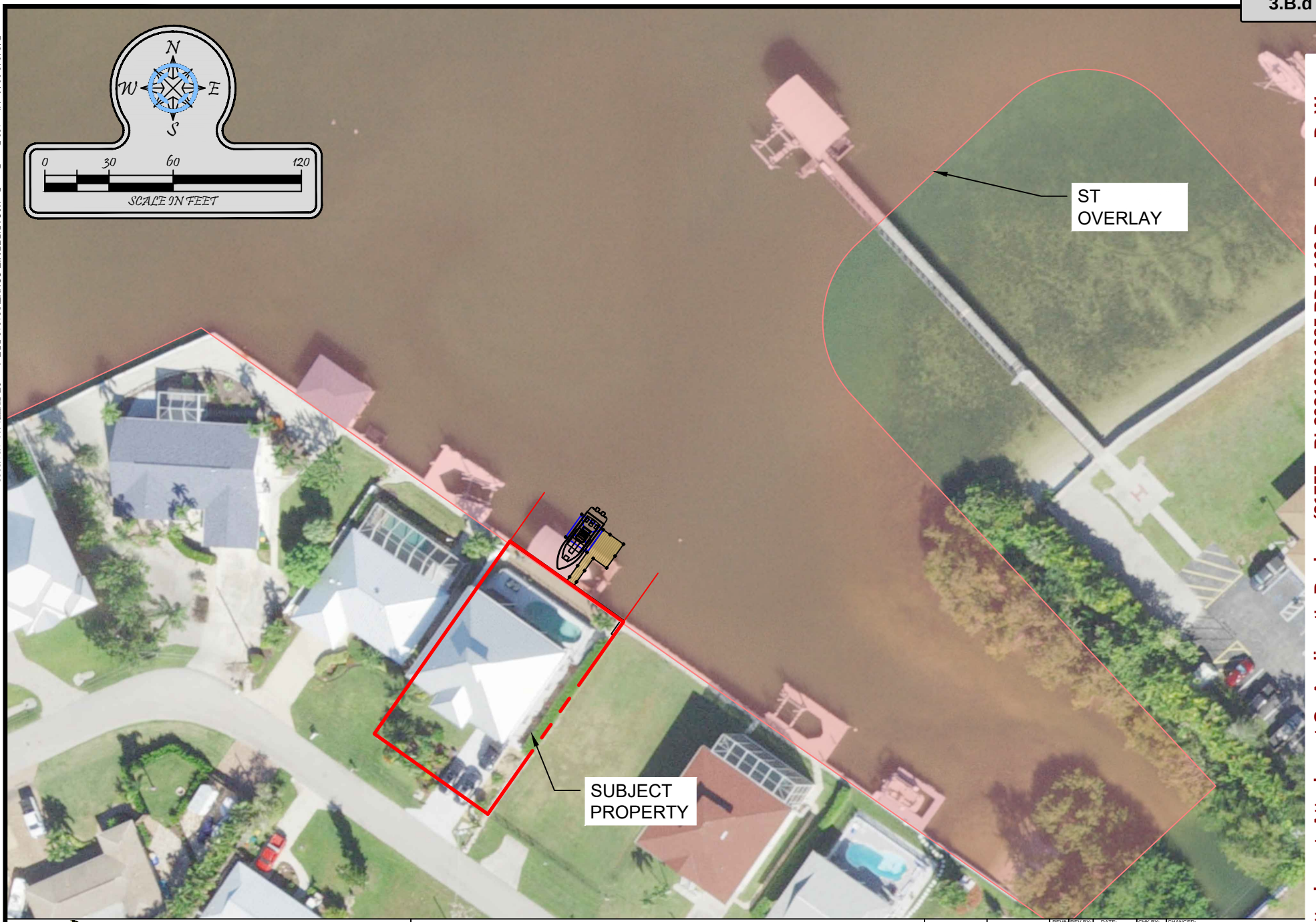
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P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg $/8 OVERLAY 1/31/2022



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MERKLING DOCK

ST OVERLAY

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JOB NO.:	21016	4.	-	-	-	-
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SECTION- 32 TOWNSHIP- 51 S

Environmental Data

(See Submerged Resource Survey)

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Primary Criteria

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PRIMARY CRITERIA

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

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

   The subject property is zoned for a single-family residential unit which warrants no more than 2 slips per the CC-LDC. The proposed project consists of a single dock that will be used to moor just a single vessel. The number of slips is therefore appropriate, and this criteria is satisfied.

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

   The water depths at the subject property do not permit the existing lift to be utilized at low tide. The existing lift is utilized to moor an approximately '31 vessel (with motors included) in a shore parallel configuration. Mooring of a larger vessel at this location in the same configuration would therefore stand to have equal or bigger issues at low tide. Additionally, the designation of this area of isle of capri as part of the Rookery Bay aquatic preserve prevents dredging from ever occurring. This criteria is therefore satisfied.

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

   The proposed dock project is not located within or adjacent to a marked or charted navigable channel. Accordingly, no impacts to navigation within a channel will occur as part of this project and this criteria is therefore satisfied.

4. Whether or not the proposed dock facility protrudes no more than 25 percent of the width of the waterway, and whether a minimum of 50 percent of the waterway width between

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dock facilities on either side of the waterway is maintained for navigability. (The facility should maintain the required percentages.)

The approximate waterway width from the subject property to the nearest landmass is 1311'. The proposed dock protrusion will inhibit less than 5% of this distance. However, we also acknowledge that there is a fire department pier that parallels the subject property and which is much closer than the nearest opposite landmass. There will still be approximately 189' of navigable space between the end of the proposed dock project and the fire department pier. The proposed dock would therefore be protruding less than 20% of the distance between the subject property and the fire department pier. Furthermore, following construction of the proposed dock, 50% of the width of waterway will remain for navigation. This criteria is therefore satisfied.

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

The proposed docking facility meets the required side yard setback of 15-feet and will not interfere with navigation due to protrusion. Furthermore, the dock will not interfere with public navigability or with ingress/egress to any of the neighboring docks. This criteria is therefore satisfied.

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Secondary Criteria

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

SECONDARY CRITERIA

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

   The main obstacle surrounding this property are the setbacks, the neighboring properties, and the aquatic preserve. Configuring a dock that can permanently moor a 35' vessel inside of the standard 20' protrusion limit and 15' setbacks, and that also allows for ingress/egress without conflict from structures on neighboring properties is difficult or not possible to do in many cases. This is especially true considering that the aquatic preserve prevents dredging from occurring at this location. The simple solution is to provide mooring in a shore-perpendicular configuration. This avoids conflict with neighboring docks and allows for hassle-free mooring with easy access to the deepest water depths at the subject property. This criteria is satisfied.

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

   The typical buildable zone within the subject property's riparian area (that does not require a BDE or side setback variance) is an approximately 35' x 20' box (or 700 square feet). The proposed docking facility will cover only about 221 square feet. Furthermore, the proposed dock is small enough to be considered exempt from needing a permit at the state level and is actually a reduction from the size of the existing facility. Almost all of the surrounding docks have more decking associated with them than which is being proposed in this petition. This criteria is therefore satisfied.

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

   The subject property has approximately 65' of shoreline. The applicant's vessel is 35' in length, and therefore exceeds 50% of the length of shoreline. This criteria is therefore not satisfied.

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

   The existing facility on the subject property consists of a canopy and dock which collectively cover approximately 604 square feet of area. The new dock will not have

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

a canopy and will cover only about 221 square feet of area. The new structure should therefore provide a net improvement to the views of the neighbors. This criteria is therefore satisfied.

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

   There are no seagrass beds present on the property nor the neighboring properties within 200' of the existing dock structure. The shoreline is comprised of vertaical seawall, and so no mangroves are present within the vicinity of the project either. This criteria is therefore satisfied.

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

   The proposed project consists of a dock facility for a single-family residence and is therefore not subject to the requirements of the manatee protection plan per Collier County LDC subsection 5.03.06 E.11. However, the facility meets all requirements listed within the manatee protection plan for Collier County that apply towards single-family residences. This criteria is therefore satisfied.

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Professional Survey

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

BENCHMARK
LAND SERVICES, INC.

1807 J. & C. Boulevard
Naples,Florida 34109
L.B. # 7502

Tel. 239-591-0778
Fax. 239-591-1195
www.benchmarklandservices.com

SKETCH OF BOUNDARY SURVEY

SURVEY #22859

Property Address:
109 West Pago Pago Drive
Naples, Florida 34113

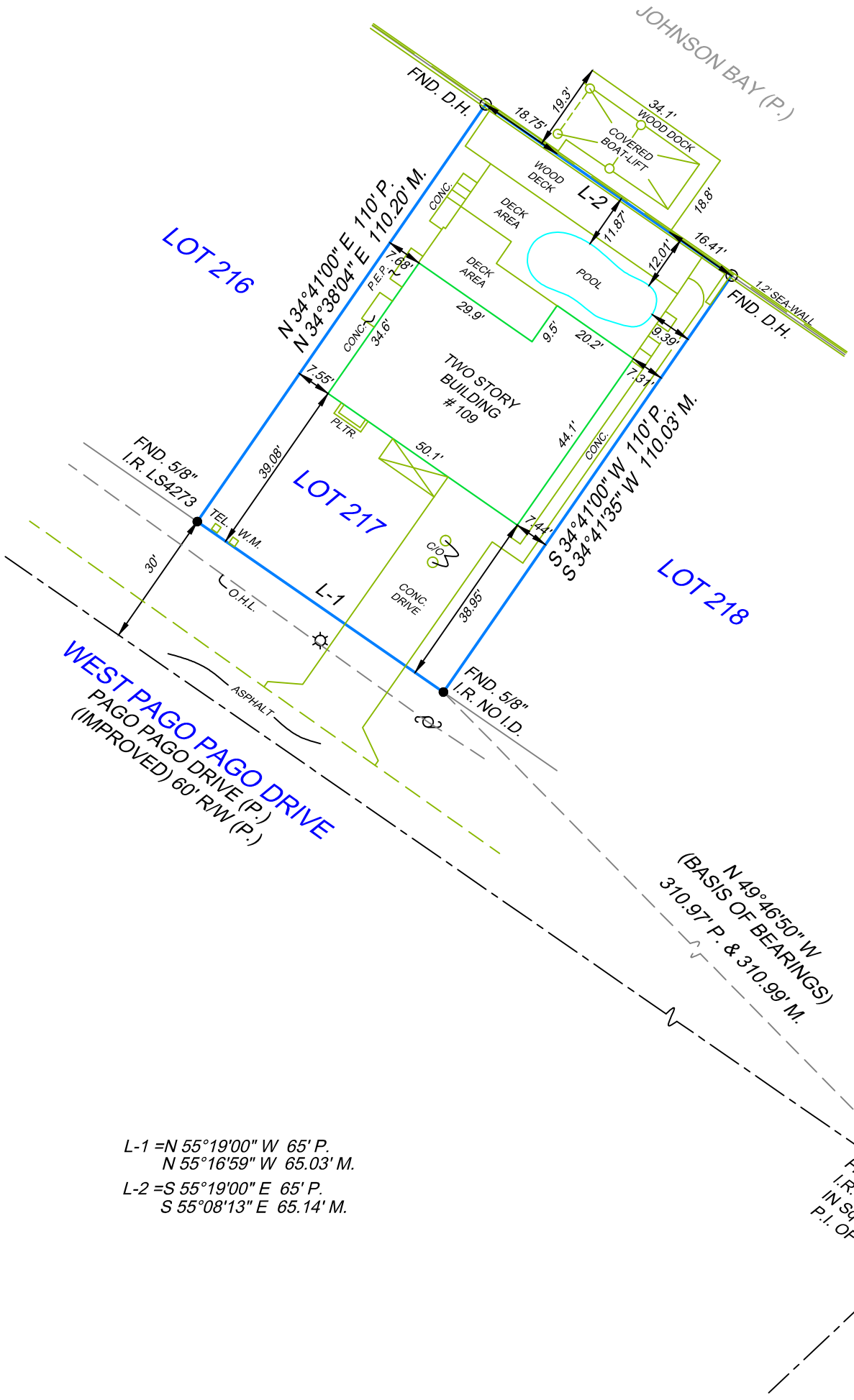
Certified To:
George J. Merkling III

NO OTHER PERSON OR ENTITY MAY RELY ON THIS SURVEY.

Flood Zone Information:
Community Number: 120067
Panel: 0826 Suffix: H
Effective Date: 05/16/2012
Flood Zone: AE BFE: 8' N.A.V.D. 1988

Legal Description As Furnished:
Lot 217, ISLES OF CAPRI NO. 2, according to the plat thereof as recorded in Plat Book 3, Page (s) 46, of the Public Records of Collier County, Florida.

DATE OF SURVEY	DRAWN BY
10/29/2021	N.G.
COMPLETION DATE:	CHECKED BY
11/04/2021	K.S.



L-1 =N 55°19'00" W 65' P.
N 55°16'59" W 65.03' M.

L-2 =S 55°19'00" E 65' P.
S 55°08'13" E 65.14' M.

1. LEGAL DESCRIPTION PROVIDED BY OTHERS. NO EXAMINATION OF TITLE MADE BY SURVEYOR. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
2. THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM FROM ENCUMBRANCES OWNERSHIP, OR RIGHTS-OF-WAY.
3. UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED. WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
4. NOT VALID WITHOUT THE SIGNATURE & ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ONLY VISIBLE ENCROACHMENTS LOCATED.
5. THIS SURVEY IS INTENDED FOR USE BY THOSE TO WHOM IT IS CERTIFIED.
6. ONLY IMPROVEMENTS SHOWN WERE LOCATED. FENCE OWNERSHIP NOT DETERMINED.
7. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF. NO EFFORT WAS MADE TO PROVE PLAT BOUNDARIES.
8. PARCEL SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHT-OF-WAYS OF RECORD.
9. WHEN LOCATION OF EASEMENTS OR RIGHTS-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLATS, IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER. PER FLORIDA STATUTE 5J-17.052 (2)4(d)4 OF THE FLORIDA ADMINISTRATIVE CODE.
10. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
11. IT IS THE RESPONSIBILITY OF THE OWNER AND/OR CONTRACTOR TO VERIFY FLOOD ZONE INFORMATION AND BUILDING RESTRICTIONS PRIOR TO ANY CONSTRUCTION OR PLANNING.
12. ELEVATIONS SHOWN HEREON ARE BASED UPON N.A.V.D. 1988.

POINTS OF INTEREST:
1. REAR TIES ARE TO REAR BOUNDARY.

I hereby certify that A Survey of the hereon described property was made under my direction per Standards of Practice as per Chapter 5J-17.053, F.A.C. & pursuant to section 472.027, Florida Statutes.

KENNETH SARRIO
Professional Surveyor & Mapper
PSM No. 6348 State of Florida

KENNETH SARRIO License No. 6348 STATE OF FLORIDA Professional Surveyor and Mapper

A.E.	ACCESS EASEMENT	D.E.	DRAINAGE EASEMENT	I.E.	INGRESS / EGRESS EASEMENT	P.C.P.	PERMANENT CONTROL POINT	PLT.	PLANTER		
B.D.	BRASS DISC	D.H.	DRILL HOLE	I.R.	IRON ROD	PK	PARKER-KALON NAIL	R.	RADIAL		
BLDG.	BUILDING	F.F.	FINISHED FLOOR	L.M.E.	LAKE MAINTENANCE EASEMENT	P.I.	POINT OF INTERSECTION	R/W	RIGHT OF WAY		
B.R.	BEARING REFERENCE	FND.	FOUND	M.	FIELD MEASURED	P.L.S	PROFESIONAL LAND SURVEYOR	S.D.	STORM DRAIN		
C.	CALCULATED	GEN.	GENERATOR	M.E.	MAINTENANCE EASEMENT	P.T.	POINT OF TANGENCY	SCRN.	SCREENED		
CATV	CABLE TV. RISER	ELEC.	ELECTRIC BOX	M.E.S.	MITERED END SECTION	P.O.B.	POINT OF BEGINNING	T.B.M.	TEMPORARY BENCH MARK		
C.B.	CATCH BASIN	ENCL.	ENCLOSURE	N.& D.	NAIL & DISK	P.E.P.	PROPOSED POOL EQUIPMENT	TEL.	TELEPHONE FACILITIES		
C/O	CLEAN OUT	E.O.W.	EDGE OF WATER	N.R.	NON-RADIAL	P.R.C.	POINT OF REVERSE CURVATURE	T.O.B.	TOP OF BANK		
C.M.	CONCRETE MONUMENT	EQ.	EQUIPMENT	O.H.L.	OVERHEAD LINE	P.R.M.	PERMANENT REFERENCE MONUMENT	U.E.	UTILITY EASEMENT		
C.U.E.	COUNTY UTILITY ESMT.	ELEV.	ELEVATION	P.	PLAT	P.U.E.	PUBLIC UTILITY EASEMENT	W.M.	WATER METER		
C.V.G.	CONC VALLEY GUTTER	I.D.	IDENTIFICATION	P.C.	POINT OF CURVATURE	P.C.C.	POINT OF COMPOUND CURVATURE				
D.	DEEDED	I.P.	IRON PIPE	P.C.C.	POINT OF COMPOUND CURVATURE	PROP.	PROPOSED				

EXISTING ELEVATION
PROPOSED ELEVATION
IRON ROD
CONCRETE MONUMENT
CATCH BASIN
FENCE
NAIL
CONC. CONCRETE
N/A NOT APPLICABLE

WV WATER VALVE
POWER POLE
WELL
EXISTING FIRE HYDRANT
BENCH MARK
LAMP POST
CENTER LINE

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Submerged Resource Survey

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

109 PAGO PAGO DR. W
NAPLES, FL 34113
FOLIO #52393200002

SUBMERGED RESOURCE SURVEY REPORT
APRIL 2021

PREPARED BY:

TURRELL, HALL & ASSOCIATES, INC.
Marine & Environmental Consulting
PHONE: 239-643-0166 WWW.THANAPLES.COM

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

Table of Contents

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

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

1 Introduction

Turrell, Hall & Associates, Inc. (THA) has been contracted to provide environmental services in the form of a Submerged Resource Survey (SRS) at a property addressed as 109 Pago Pago Dr. W in Naples, FL 34113 and that can be identified by folio #52393200002. This survey will provide planning assistance to both the property owner and regulating agencies during any review processes for the proposed project, which consists of expanding on an existing private, recreational single-family docking facility with 2 boatlifts.

The subject property consists of a 0.16-acre parcel that can be found on the north side of Pago Pago Dr. W, backing up to a Johnson Bay. The parcel currently contains a single-family residence with a seawall shoreline and an existing dock and boat-canopy. The property is neighbored to the south, east, and west by single-family residences, and to the north by an offshoot of Big Marco Pass. Nearly all surrounding lots contain additional docking facilities (with boatlifts) similar in size or larger to that which is proposed.

The SRS was conducted on April 21st, 2021, between 9:00 and 11:00 a.m. Site conditions consisted of overcast skies and 5 mph winds out of the northeast. Water clarity was poor, allowing for submerged visibility of roughly only 12 to 18 inches on average. The ambient air temperature was approximately 75 degrees Fahrenheit and ambient water temperature was also approximately 75 degrees Fahrenheit. Low tide occurred prior to the site visit at 3:22 a.m. and reached approximately 0.0 ft. above the mean low water mark. High tide occurred during the site visit at 10:53 p.m. and reached 2.2 ft. above the mean low water mark. Low tide occurred again following the site visit at 3:46 pm and reached 1.4 ft. above the mean low water mark.

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

2 Objective

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

- THA personnel will conduct a site visit and swim a series of transects within the project site in order to verify the location of any submerged resources.
- THA personnel will identify submerged resources within the vicinity of the site and produce an estimate of the percent coverage of any resources found.
- THA personnel will delineate the approximate limits of any submerged resources observed via a handheld GPS device.
- All findings of the SRS are then documented into a formal report with exhibits.

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

3 Methodology

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

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

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

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

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

4 Results

The substrate found within the surveyed area consists of a silty muck material with occasional shell debris. The substrate appeared consistent throughout the project site to the limits of the survey area. Additionally, depths increased gradually with distance from the shoreline to the center of the waterway. The shoreline at the project site consists of vertical seawall. No mangroves or other natural shoreline are found within the vicinity of the project site. There was also an existing docking facility and boat canopy present at the project site at the time of the site visit.

Besides oysters found on the existing dock piles and seawall panels, no other vegetation, seagrasses, or other submerged resources were observed at the project site. As a result, no impacts to submerged resources are expected to occur as the result of the proposed project. A list of species observed during the SRS can be seen below in Table 1.

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

Common Name	Scientific Name
Common Bottlenose dolphin	*Tursiops truncatus*
Atlantic sheepshead	*Archosargus probatocephalus*
Eastern oyster	*Crassostrea virginica*
Common barnacle	*Balanus spp.*
Mangrove snapper	*Lutjanus griseus*

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

5 Conclusion

The submerged resource survey was conducted and completed throughout a 200-foot radius surrounding the project site and yielded no results besides the oysters present on the dock piles and seawall panels. Accordingly, negative impacts to submerged resources are not expected as a result of the proposed project.

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

6 Photos



Photo 1: Existing docking facility on site.



Photo 2: Seawall on site.

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

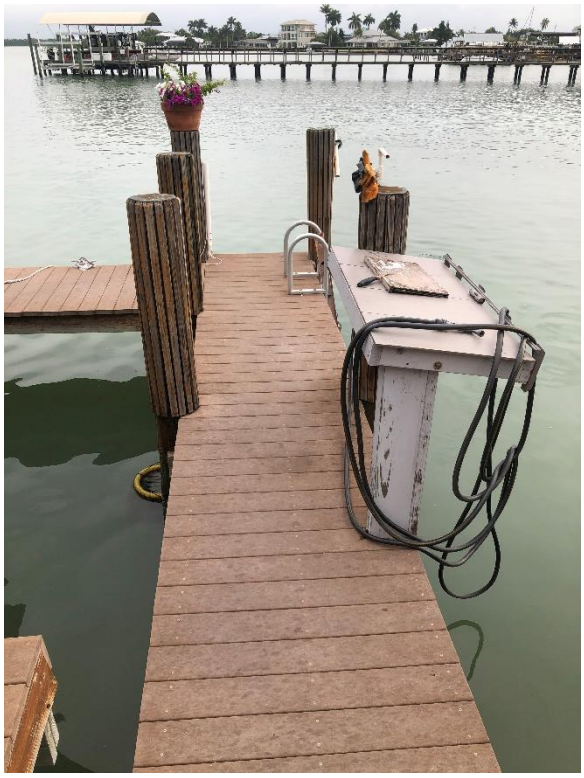


Photo 3: View of waterway adjacent to subject property.

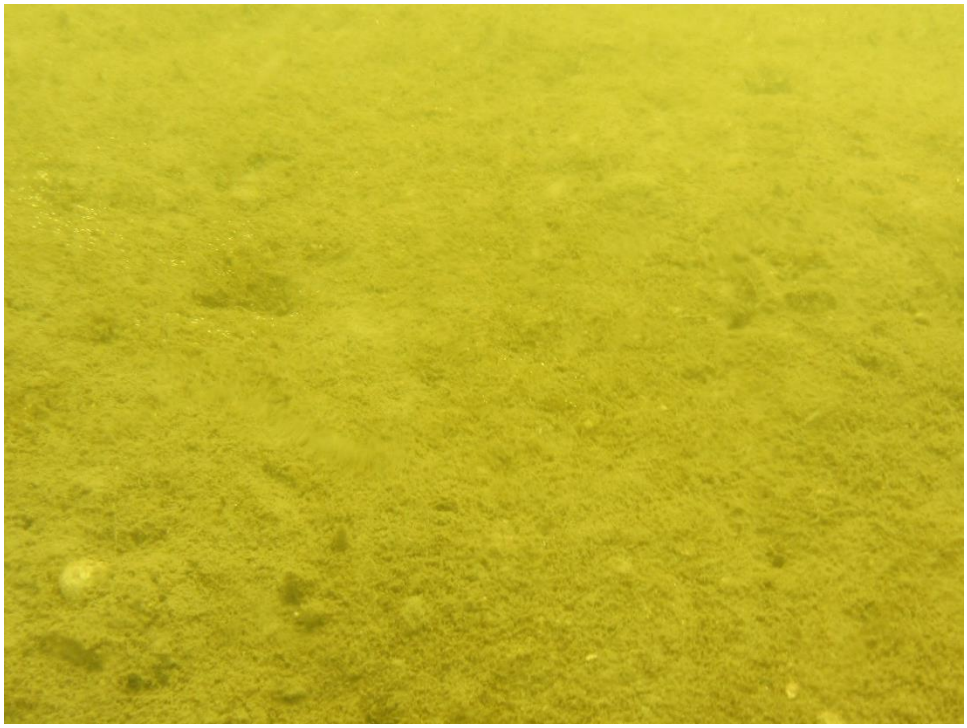
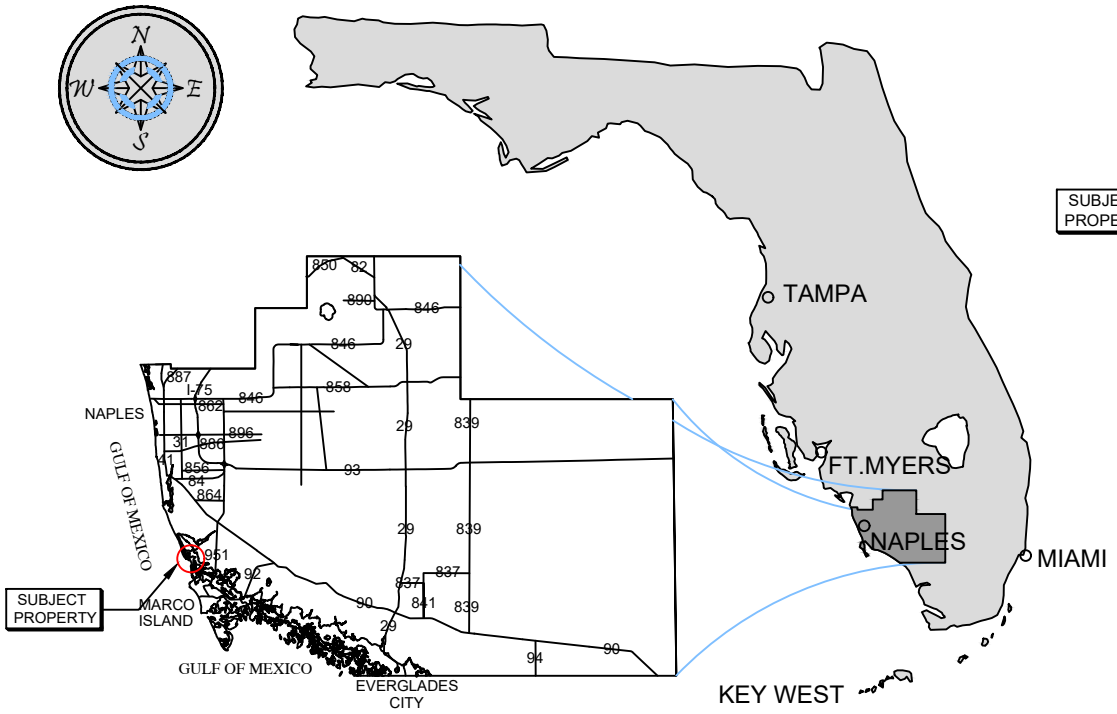


Photo 5: Typical view of bottomlands found on site.

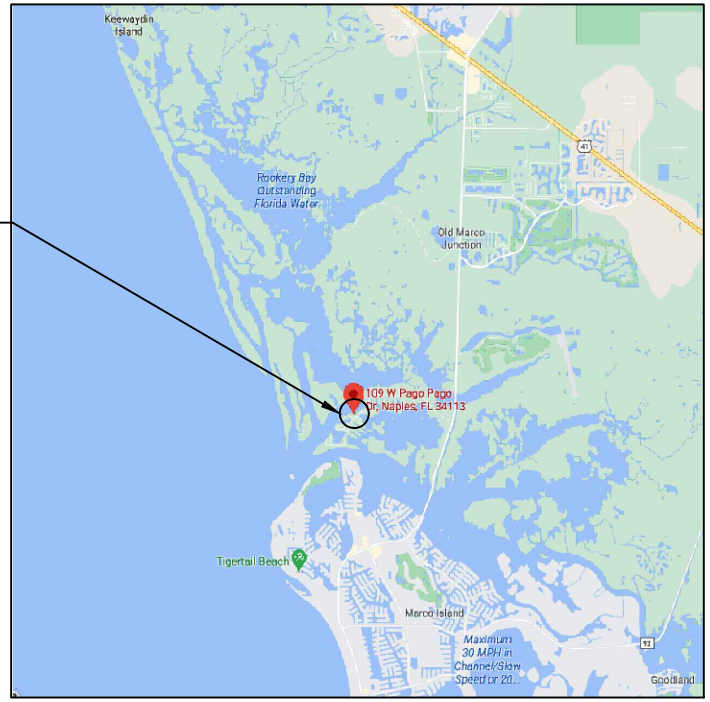
Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg LOCATION MAP 1/31/2022

STATE OF FLORIDA



COLLIER COUNTY



VICINITY MAP



COUNTY AERIAL

SITE ADDRESS:
<> 109 W. PAGO PAGO
NAPLES, FL 34113

<> LATITUDE: N 25.9703694
<> LONGITUDE: W -81.6978927

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

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

MERKLING DOCK

LOCATION MAP

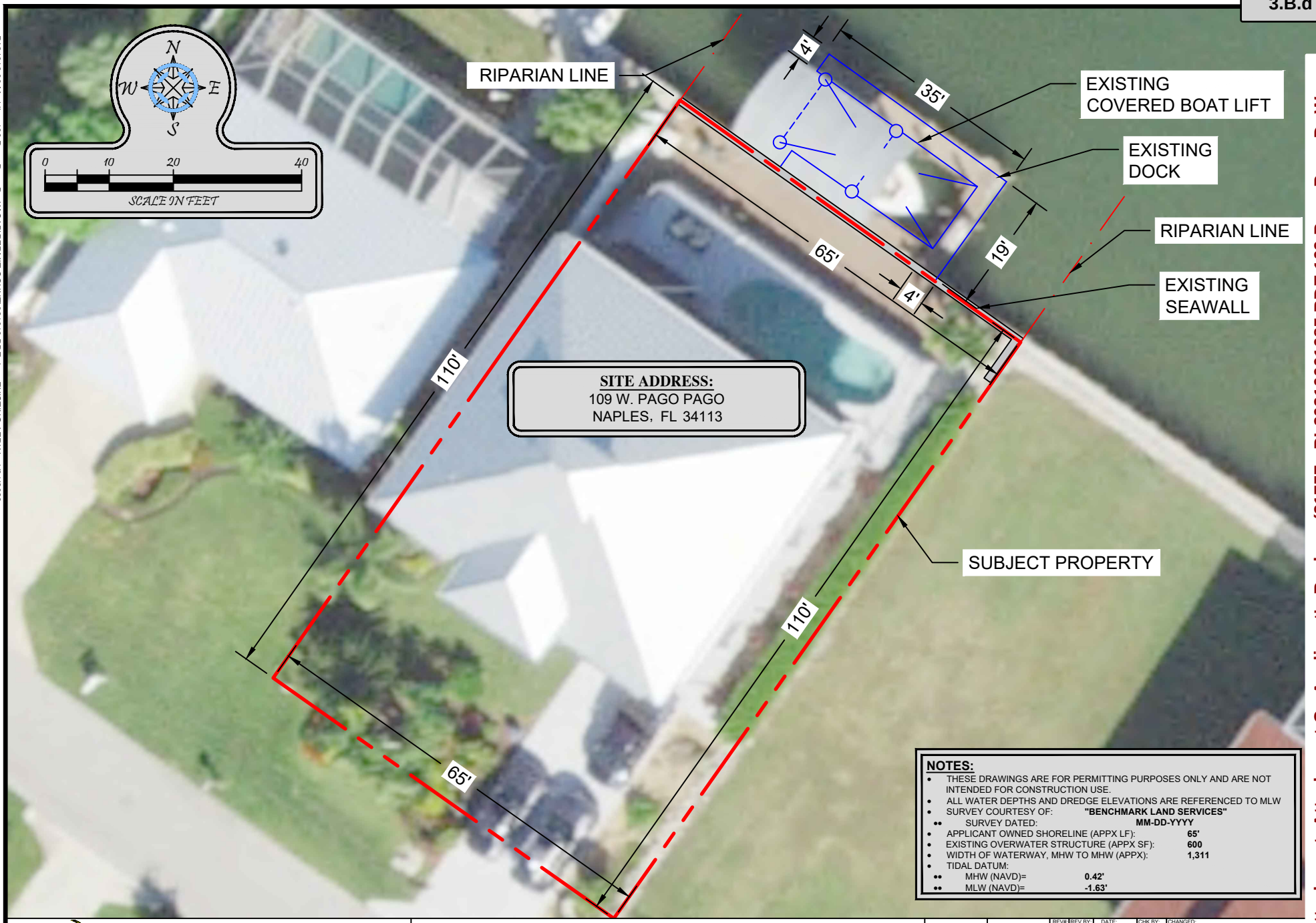
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DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	01-31-22	3.	-	-	-	-
JOB NO.:	21016	4.	-	-	-	-
SHEET NO.:	01 OF 07	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W

P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg EXISTING AERIAL 1/31/2022



NOTES:

- THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY AND ARE NOT INTENDED FOR CONSTRUCTION USE.
- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: **"BENCHMARK LAND SERVICES"**
  - SURVEY DATED: **MM-DD-YYYY**
- APPLICANT OWNED SHORELINE (APPX LF): **65'**
- EXISTING OVERWATER STRUCTURE (APPX SF): **600**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1,311**
- TIDAL DATUM:
  - MHW (NAVD)= **0.42'**
  - MLW (NAVD)= **-1.63'**

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

MERKLING DOCK

EXISTING AERIAL

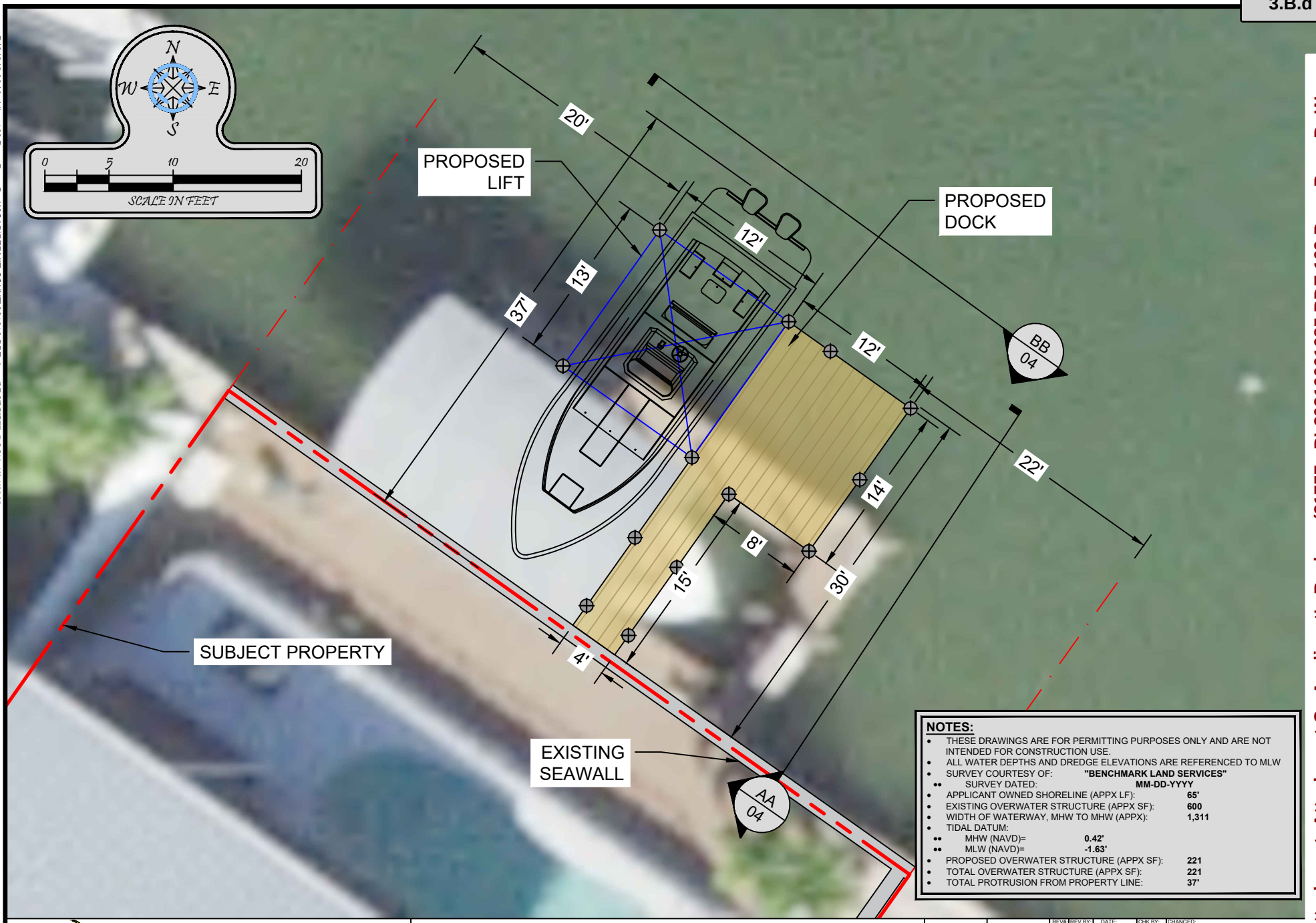
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DESIGNED:	NP	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	01-31-22	3.	-	-	-	-
JOB NO.:	21016	4.	-	-	-	-
SHEET NO.:	02 OF 07	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W

P:\21016.00 Merkling-109 Pago Pago Dr. W\CAD\PERMIT-COUNTY\21016-BDE.dwg #3 PROPOSED DOCK 1/31/2022



NOTES:

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- ALL WATER DEPTHS AND DREDGE ELEVATIONS ARE REFERENCED TO MLW
- SURVEY COURTESY OF: **"BENCHMARK LAND SERVICES"**
  - SURVEY DATED: **MM-DD-YYYY**
- APPLICANT OWNED SHORELINE (APPX LF): **65'**
- EXISTING OVERWATER STRUCTURE (APPX SF): **600**
- WIDTH OF WATERWAY, MHW TO MHW (APPX): **1,311**
- TIDAL DATUM:
  - MHW (NAVD)= **0.42'**
  - MLW (NAVD)= **-1.63'**
- PROPOSED OVERWATER STRUCTURE (APPX SF): **221**
- TOTAL OVERWATER STRUCTURE (APPX SF): **221**
- TOTAL PROTRUSION FROM PROPERTY LINE: **37'**

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

MERKLING DOCK

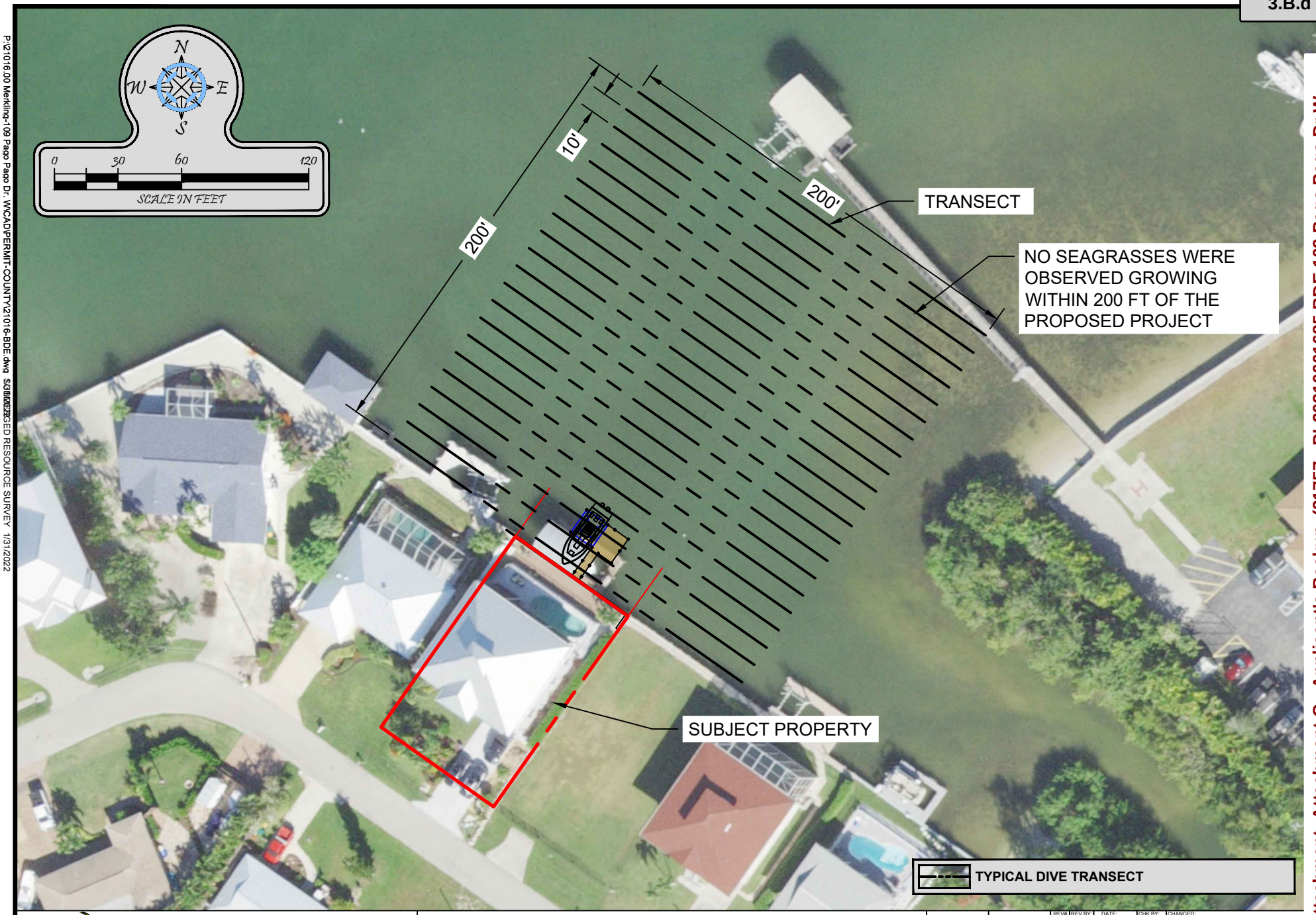
PROPOSED DOCK

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		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	NP	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	01-31-22	3.	-	-	-	-
JOB NO.:	21016	4.	-	-	-	-
SHEET NO.:	03 OF 07	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W



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3584 Exchange Ave. Naples, FL 34104-3732
Email: tuna@thanaples.com Phone: (239) 643-0166 Fax: (239) 643-6632

MERKLING DOCK

SUBMERGED RESOURCE SURVEY

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

		REV#	REV BY:	DATE:	CHK BY:	CHANGED:
DESIGNED:	NP	1.	-	-	-	-
DRAWN BY:	RMJ	2.	-	-	-	-
CREATED:	01-31-22	3.	-	-	-	-
JOB NO.:	21016	4.	-	-	-	-
SHEET NO.:	05 OF 07	5.	-	-	-	-

SECTION- 32 TOWNSHIP- 51 S

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Attachment: Attachment C - Applicant's Backup (21757 : PL20210001685 BDE 109 Pago Pago Dr W

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliercountyfl.gov

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

Hybrid Virtual Quasi-Judicial Public Hearing Waiver

Emergency/Executive Order 2020-04
Hearing of the Collier County Hearing Examiner

For Petition **Number(s):** PL20210001685

Regarding the above subject petition **number(s),** George Merkling (Name of Applicant) elects to proceed during the declared emergency with hybrid virtual public hearing of the Collier County Hearing Examiner, and waives the right to contest any procedural irregularity due to the hybrid virtual nature of the public hearing.

Name: George Merkling Date: 3/21/22

Signature: George Merkling III

☒ Applicant*

☐ Legal Counsel to Applicant

* This form must be signed by either the Applicant (if the applicant is a corporate entity, this must be an officer of the corporate entity) or the legal counsel to the Applicant.

Attachment: Attachment D - Hybrid Meeting Waiver - PL20210001685 (21757 : PL20210001685 BDE 109 Pago Pago Dr W Merkling)

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.C
Item Summary: Petition No. VA-PL20200001985 - Request for 8.5-foot variance from the required side yard setback of 15 feet as provided for in Land Development Code Section 5.03.06.E.5 for dock facilities on lots with water frontage of 60 feet or greater. The request is to allow a dock facility at 6.5 feet from the west side property/riparian line located at 199 Eveningstar Cay, further described as Lots 3 and 4, Eveningstar Cay at Port of the Islands, in Section 9, Township 52 South, Range 28 East, Collier County, Florida. [Coordinator: John Kelly, Senior Planner] Commission District 1

Meeting Date: 04/14/2022

Prepared by:
Title: Planner – Zoning
Name: John Kelly
03/22/2022 5:17 PM

Submitted by:
Title: – Zoning
Name: Mike Bosi
03/22/2022 5:17 PM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky	Review Item	Completed	
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	03/25/2022 4:15 PM
Zoning	Ray Bellows	Review Item	Completed	03/25/2022 4:28 PM
Zoning	Mike Bosi	Zoning Director Review	Completed	03/25/2022 5:02 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	04/14/2022 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: GROWTH MANAGEMENT DEPARTMENT
ZONING DIVISION- ZONING SERVICES SECTION

HEARING DATE: APRIL 14, 2022

SUBJECT: VA-PL20200001985, 199 EVENINGSTAR CAY, RAMPE DOCK

PROPERTY OWNER/APPLICANT:

Casey J. Rampe, as Trustee
Jerold M. Rampe and Cheryl J. Rampe Trust
679 Victor Egypt Rd
Victor, NY 14564

AGENT:

Randy McNeil
Naples Marine Construction
3427 Enterprise Ave
Naples, FL 34104

REQUESTED ACTION:

Request for an after-the-fact 8.5-foot variance from the required side setback of 15 feet as provided for in Section 5.03.06.E.5 of the Collier County Land Development Code (LDC) for dock facilities on lots with water frontage of 60 feet or greater. The request is to allow a dock facility at 6.5 feet from the west side property/riparian line for a lot with 80± feet of water frontage.

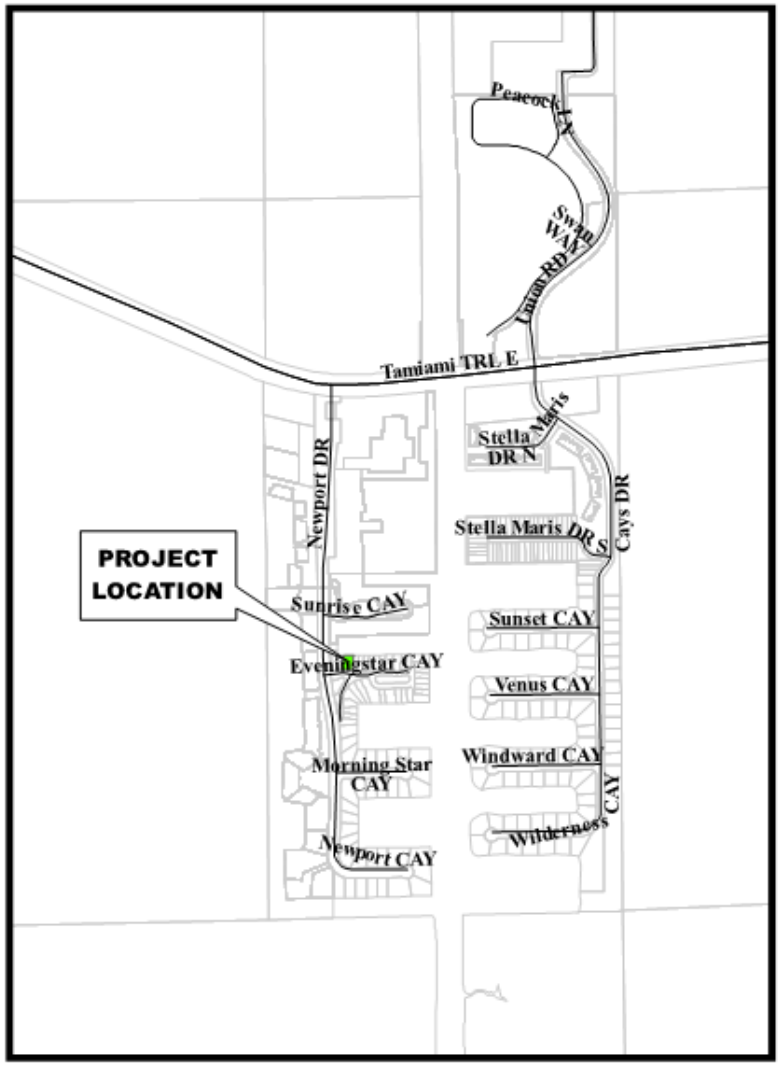
GEOGRAPHIC LOCATION:

The subject property is located at 199 Eveningstar Cay and is further identified as Lots 3 and 4, Eveningstar Cay at Port of the Islands, in Section 9, Township 52 South, Range 28 East. Collier County, Florida. *(See location map on the following page)*

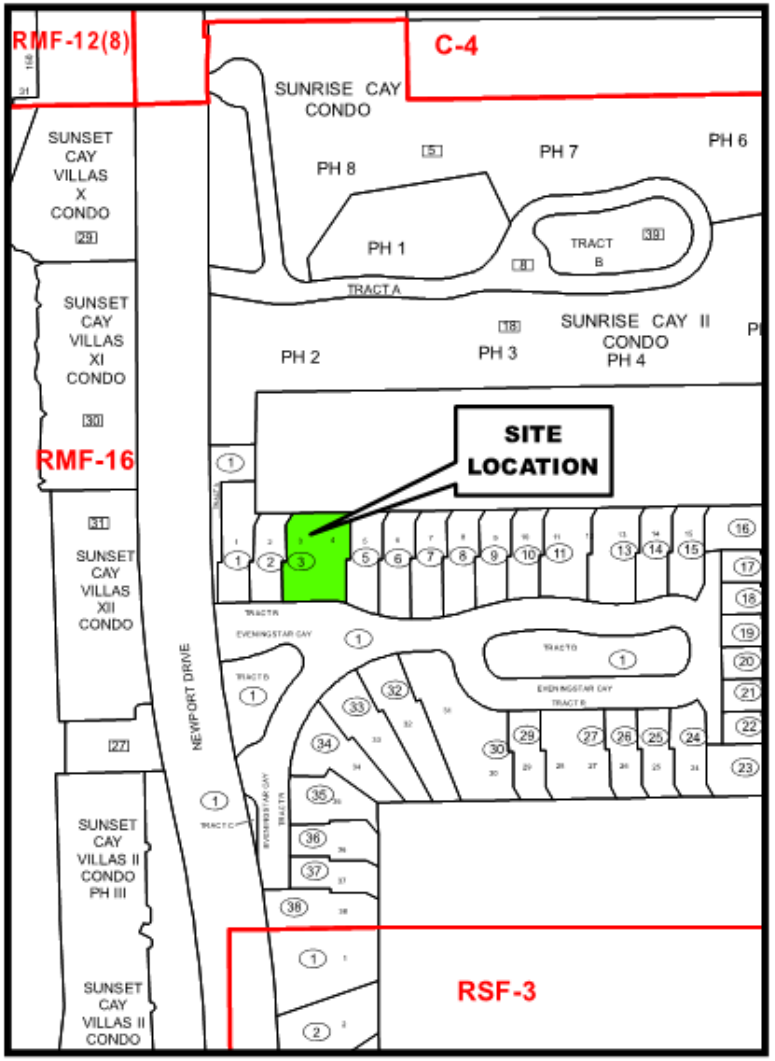
PURPOSE/DESCRIPTION OF PROJECT:

The subject property comprises two 40-foot-wide lots, located within a Residential Multi-Family-16 (RMF-16) Zoning District, for a combined total of 0.2± acres. The existing dock facility replaced a permitted dock facility (Permit No. 910000281) constructed in 1991 on a single lot. Research reveals that a deed was recorded in 2018 that demonstrates Lot 3 was combined with Lot 4 to create a double lot and that the owner had submitted a building permit application for the replacement dock (App. No. PRBD20180529249); however, it was not approved and was never issued because of the setback issue. It is likely that the property owner at that time did not realize
(Continued on Page 3)

Attachment: Staff Report 03302022 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)



Location Map



Zoning Map

Petition Number: PL20200001985

Attachment: Staff Report 03302022 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

Purpose/Description of Project (Continued from Page 1)

that by combining the two lots they were increasing their water frontage which caused the side setback to increase from 7.5 feet (for lots with less than 60 feet of water frontage) to 15 feet (for lots with 60 feet or more of water frontage). Ownership of the subject property, now 2 combined lots, then transferred to the current owner who applied for yet another Building Permit to satisfy the permitting requirements for the replacement dock that had been constructed without a permit (App. No. PRBD20200517583); however, it too stalled because of the side setback issue. As per a Map of As-Built Survey dated 02/15/2021, see Attachment A, the existing dock facility is located 6.5 feet east of the depicted west side property/riparian line and therefore encroaches 8.5 feet into the required west side setback. Staff notes that the upland development of the subject property used an allowable zero side yard setback option; as such, the location of the existing dock facility appears to be somewhat offset.

SURROUNDING LAND USE & ZONING:

North:	Canal then a multi-unit residential unit located within a Residential Multi-Family-16 (RMF-16) zoning district
South:	Eveningstar Cay right-of-way then community pool/recreation facility
East:	An unimproved lot located within a Residential Multi-Family-16 (RMF-16) zoning district
West:	An unimproved lot located within a Residential Multi-Family-16 (RMF-16) zoning district



Collier County GIS

Attachment: Staff Report 03302022 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)



Collier County GIS

GROWTH MANAGEMENT PLAN (GMP) CONSISTENCY:

The subject property is in the Urban Designation, Urban Residential Subdistrict, land use classification on the County's Future Land Use Map (FLUM). This land use category is designed to accommodate a variety of residential uses including single-family, multi-family, duplex, mobile home, and mixed-use projects. As previously noted, the subject petition seeks a variance for a proposed single-family boat dock facility which is an authorized use within this land use designation, therefore, the use is consistent with the FLUM. The GMP does not address individual variance requests; the Plan deals with the larger issue of the actual land use.

ZONING ANALYSIS:

The decision to grant a variance is based on the criteria in LDC Section 9.04.03.A–H (in bold font below). Staff has analyzed this petition relative to these provisions and offers the following responses:

a. Are there special conditions and circumstances existing, which are peculiar to the location, size and characteristics of the land, structure or building involved?

Yes. The existing property comprises two lots that have been combined for development which caused the required side setback to increase from 7.5 feet to 15 feet. It must be noted that the subject dock replaced another that had a similar encroachment issue, but which never raised a concern.

b. Are there special conditions and circumstances, which do not result from the action of the applicant such as pre-existing conditions relative to the property, which are the subject of the Variance request?

Yes. Again, the subject property comprises two lots that were combined for development

Attachment: Staff Report 03302022 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

prior to the current owner taking possession of the property. Additionally, the unpermitted replacement dock was built prior to transfer of ownership to the present owner. The current owner is attempting to bring the subject dock into compliance with the Land Development Code as best as they are able. The applicant has obtained a letter from the President of the Homeowner's Association indicating the new dock does not appear to inhibit the neighboring property anymore than the prior dock would have; see Attachment D.

c. Will a literal interpretation of the provisions of this zoning code work unnecessary and undue hardship on the applicant or create practical difficulties for the applicant?

The applicant's agent states: "Yes, there is no reason this dock doesn't work for everyone. The variance is at the seawall and the dock is already constructed. The old dock was slightly further into the requested setback of 6.5'." Staff agrees that a literal interpretation of the Code would compel modifications that could impact the integrity of the built design; however, staff is unable to verify the extent of any prior encroachment issue.

d. Will the Variance, if granted, be the minimum Variance that will make possible the reasonable use of the land, building or structure and which promote standards of health, safety, and welfare?

The applicant's agent states: "Yes, request is based on existing dock which would be the minimum variance." Staff agrees that the proposed dock has been designed to align with the upland principal structure and yields a minimal amount of excess decking given the amount of water frontage.

e. Will granting the Variance confer on the applicant any special privilege that is denied by these zoning regulations to other lands, buildings, or structures in the same zoning district?

Yes. By definition, a Variance bestows some dimensional relief from the zoning regulations specific to a site. LDC Section 9.04.02 allows relief through the Variance process for any dimensional development standard. However, other properties facing a similar situation are entitled to make a similar request and would be conferred equal consideration on a case-by-case basis.

f. Will granting the Variance be in harmony with the general intent and purpose of this Land Development Code, and not be injurious to the neighborhood, or otherwise detrimental to the public welfare?

Yes. The granting of the subject variance request will be in harmony with the general intent and purpose of the LDC and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. Furthermore, approval of the requested variance will allow for issuance of the building permit which will allow for mandatory inspections to occur thereby ensuring public safety.

g. Are there natural conditions or physically induced conditions that ameliorate the goals

Attachment: Staff Report 03302022 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

and objectives of the regulation such as natural preserves, lakes, golf courses, etc.?

Yes. The subject property is located near the end of a canal that serves to reduce any boat traffic in the vicinity.

h. Will granting the Variance be consistent with the Growth Management Plan?

Yes, approval of this Variance will not affect or change the requirements of the GMP with respect to density, intensity, compatibility, access/connectivity, or any other applicable provisions.

ENVIRONMENTAL ADVISORY COUNCIL (EAC) RECOMMENDATION:

The EAC does not normally hear variance petitions. Since the subject variance doesn't impact any preserve area, the EAC did not hear this petition.

CONCURRENT LAND USE APPLICATIONS:

None.

PUBLIC NOTICE:

Notice Requirements for Variance petitions are contained within LDC Section 10.03.06.F.2. The required Agent Letter was sent to all property owners located within 150 feet of the subject property and the Evening Star Cay Neighborhood Association on January 19, 2022, as evidenced by an executed Affidavit of Compliance contained within Attachment D.

Notice of the Hearing Examiner hearing was provided by newspaper advertisement, mailed notice to owners within 500 feet of the site, and posting of a public notice sign on the site at least 15 days prior to the hearing.

RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner approve variance petition VA-PL20200001985 to reduce the minimum east side/riparian setback from 15 feet to 6.5 feet, thereby allowing for the issuance of a building permit for the dock facility depicted within Attachment A, for the benefit of the subject property. As a condition of approval, the applicant must obtain a Certificate of Occupancy/Completion for the subject dock facility.

Attachments:

A. Map of As-Built Survey, 02/15/2021
B. Public Hearing Sign Posting
C. SDP 90-107
D. Applicant's Backup: Application, Narrative, Agent Letter Info
E. HEX Hybrid Meeting Waiver
F. Public Correspondence

Attachment: Staff Report 03302022 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

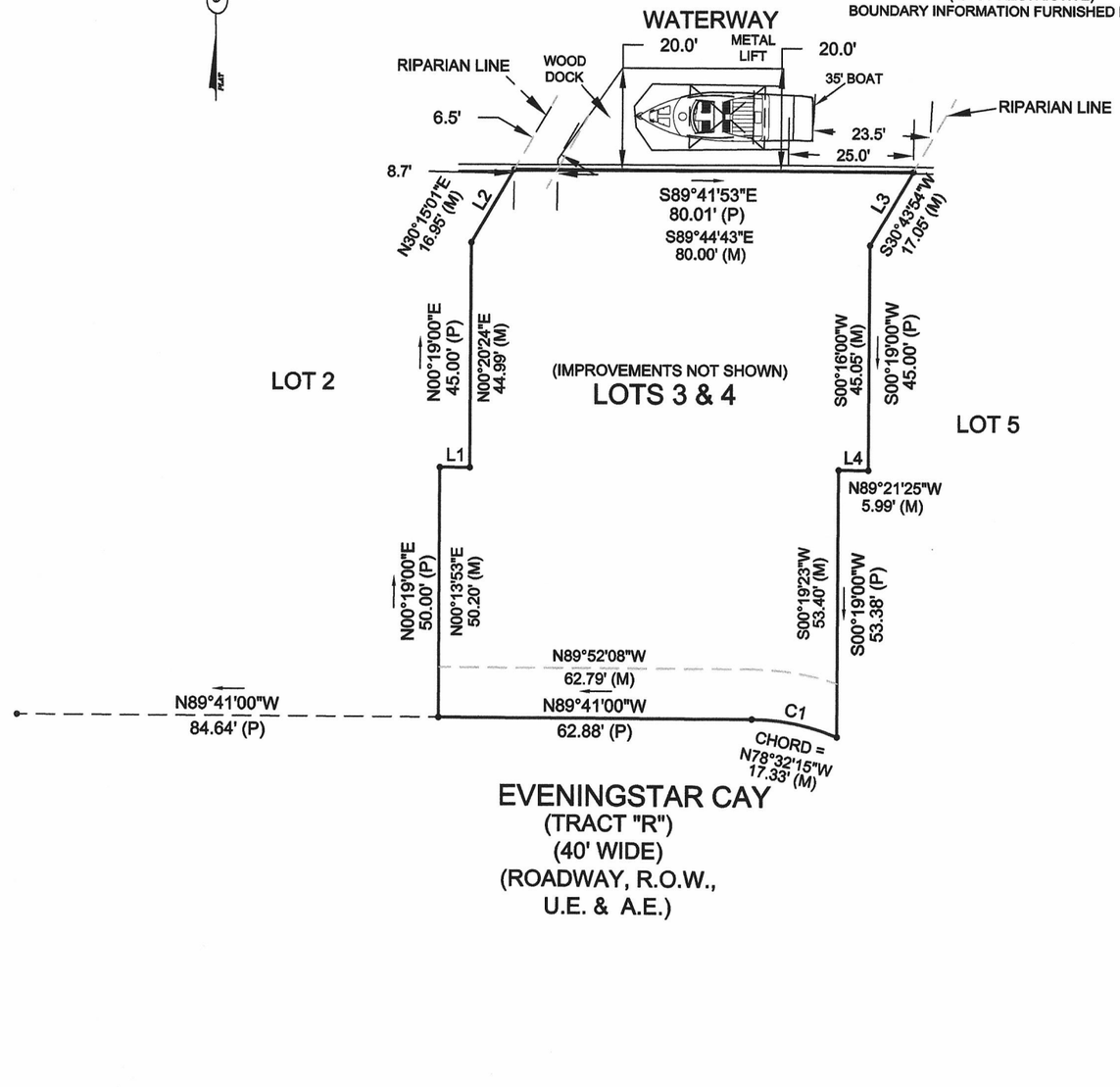
CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIR	CHORD
C1	17.55	45.00	22°20'57"	N78°29'10"W	17.44

LINE TABLE		
LINE	LENGTH	BEARING
L1	6.00	S89°41'00"E
L2	16.95	N30°19'00"E
L3	16.98	S30°19'00"W
L4	6.00	N89°41'00"W

LOTS 3 & 4 CONTAIN A CALCULATED AREA
OF 0.20 ACRES OF LAND MORE OR LESS

NOTE: DIMENSIONS TO THE DOCK ARE
MEASURED FROM THE PROPERTY LINE.
(MOST RESTRICTIVE)
BOUNDARY INFORMATION FURNISHED BY CLIENT.

SCALE 1" = 30'



NOTES:

1.THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH PROPERTY LINE OF THE SUBJECT PROPERTY AS SHOWN IN PLAT BOOK 17 PAGE 41 OF COLLIER COUNTY, BEING SOUTH 89° 41' 26" EAST.

2.IMPROVEMENTS OTHER THAN THOSE SHOWN ARE NOT A PART OF THIS SURVEY.

3.SAID DESCRIBED LAND IS SUBJECT TO ALL SUBDIVISION REGULATIONS, RESERVATIONS, RESTRICTIONS, ZONING AND RIGHTS-OF- WAY OF RECORD.

4.DATE OF FIELD SURVEY MAY 2, 2020.

5.THIS SURVEY MAP IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

6.SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS, UTILITIES OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

7.ELEVATIONS SHOWN ARE BASED ON N.A.V.D. DATUM OF 1988. DESCRIPTION OF BENCHMARK IS AS FOLLOWS: SET BM
N/A
N/A

8.THE PURPOSE OF THIS SURVEY IS TO SHOW THE COMPLETED DOCK IMPROVEMENTS IN RELATION TO THE PLATTED SUBJECT PROPERTY'S BOUNDARY LINES.

9.SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE N/A INDICATED ON FEMA FLOOD ZONE MAP PANEL N/A DATED:11/17/2005 BASE ELEV DETERMINED AT N/A
ALL FEMA INFORMATION SHOWN NEEDS TO BE VERIFIED BY THE USER(S) OF THIS SURVEY, BEFORE ANY DESIGN AND/OR CONSTRUCTION.

10.NO TITLE OPINION OR ABSTRACT TO THE SUBJECT PROPERTY HAS BEEN PROVIDED. ALL INFORMATION HAS BEEN SUPPLIED BY THE CLIENT. 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.

REVISIONS

ADDED 8.7' DIMENSION
DATE OF REVISION 02-15-2021

LEGEND

= FOUND (") IRON ROD (SURVEYOR ID #) (FIR)
= SET 1/2" IRON ROD (PSM #6004)(SIRC)
= SET 4" X 4" CONCRETE MONUMENT (PSM #6004)(SCM)
= FOUND CONCRETE MONUMENT (SURVEYOR ID #)(FCM)
= BENCHMARK (FOUND OR SET) R/W = RIGHT OF WAY(R.O.W.)
= FOUND NAIL OR PK NAIL AND DISC (SURVEYOR ID #) (FPKN)
= SET PK NAIL AND DISC (PSM #6004) (SPKN&D) FD. = FOUND
FN&TT = FOUND NAIL AND TIN TAB BM = BENCHMARK
(M) = FIELD MEASUREMENT (C) = CALCULATED MEASUREMENT
P.C.P. = PERMANENT CONTROL POINT (#) C.L.= CENTERLINE
P.R.M. = PERMANENT REFERENCE MONUMENT (#) (PG) = PAGE
(P) OR (D) = PLAT OR RECORDED(DEED) MEASUREMENT
(PB) = PLAT BOOK PL EXT = PROPERTY LINE EXTENDED
CMP = CORRUGATED METAL PIPE CATV=CABLE TV
FF = FINISHED FLOOR U.T.S.= UNITED TELEPHONE RISER
= WELL CONC = CONCRETE CB = CATCH BASIN OR INLET
= WATER/GATE VALVE R.C.P. = REINFORCED CONCRETE PIPE
= SANITARY SEWER PROP = PROPERTY X = SPOT ELEVATION
TOB = TOP OF BANK TOS = TOP OF SLOPE EOW = EDGE OF WATER
BOS = BOTTOM OF BANK BOS = BOTTOM OF SLOPE EO = EDGE OF
CBS=CONCRETE BLOCK & STUCCO VG = VALLEY GUTTER
ELEC. = ELECTRIC TRANS = TRANSFORMER JAC = JACUZZI
DE = DRAINAGE EASEMENT SWE = SIDEWALK EASEMENT
LBE = LANDSCAPE BUFFER EASEMENT IE = IRRIG. EASEMENT
PUE = PUBLIC UTILITY EASEMENT UE = UTILITY EASEMENT
LMA(E)= LAKE MAINTENANCE ACCESS EASEMENT
LME = LAKE MAINTENANCE EASEMENT A.E.= ACCESS EASEMENT
MHW/MLW = APPROXIMATE MEAN HIGH/LOW WATER

MAP OF ASBUILT SURVEY

(DOCK IMPROVEMENTS ONLY)

LOTS 3 & 4

OF

EVENINGSTAR CAY

AT PORT OF THE ISLANDS

AS RECORDED IN
PLAT BOOK 17 PAGE(S) 40-41
OF THE PUBLIC RECORDS OF
COLLIER COUNTY, FLORIDA

199 EVENINGSTAR CAY

CERTIFY TO:
NAPLES MARINE CONSTRUCTION

CERTIFICATION:
I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.

Court H. Gregory

Digitally signed by Court H. Gregory
DN: cn=Court H. Gregory, o=Court Gregory Surveying Inc, ou, email=cgs6004@comcast.net, c=US
Date: 2021.02.15 13:39:54 -05'00'

SIGNED_____
COURT H. GREGORY PSM #6004
DATE 02/15/2021
DATE OF FIELD SURVEY 05-02-2020

PSM # 6004
LB # 7112

C.G.S.

Court Gregory Surveying, Inc.
761 Teton Court
Naples, Florida 34104

(239)643-7845 office
cgs6004@comcast.net
(239)272-3707 cell

Date 02/15/2021
Job # PI0092Arev1
Fb PI-3 Pg 61

Attachment: Attachment A - Map of AsBuilt Survey (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

KellyJohn

From: KellyJohn
Sent: Tuesday, March 29, 2022 4:23 PM
To: KellyJohn
Subject: VA-PL20200001985 - 199 Eveningstar Cay - Public Hearing Sign Posting, HEX 4-14-2022
Attachments: 66C48B64-0364-49A0-98A2-BE1E260C1782.jpeg; 920E6056-4AD4-467D-92AA-28BC4849F0E0.jpeg; 2956FBC5-FFA3-484A-B1E9-6D98B5AAC19E.jpeg

I, John Kelly, hereby affirm that at approximately 1:50 P.M. this date, March 29, 2022, I personally posted a notice of Public Hearing Sign to the front of the above described location for the April 14, 2022, meeting of the Hearing Examiner as is further evidenced by the attached photographs.

Respectfully,
John Kelly
Senior Planner

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

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

Collier County
Growth Management Department

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

Attachment: Attachment B - Public Hearing Sign Posting 032922 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)



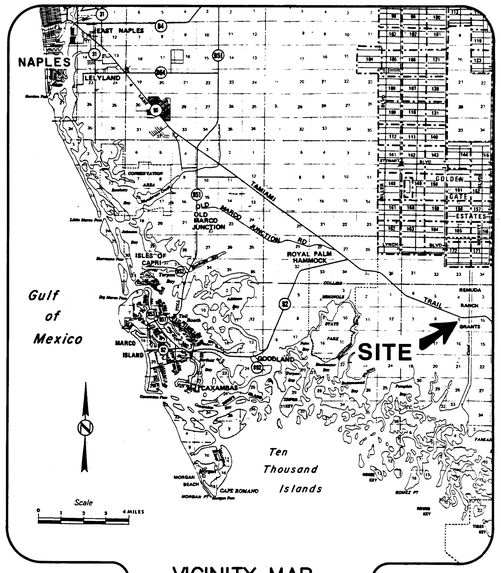


Attachment: Attachment B - Public Hearing Sign Posting 032922 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

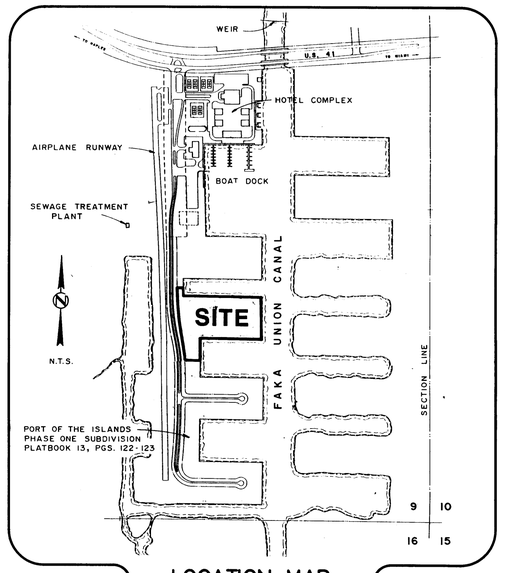


Attachment: Attachment B - Public Hearing Sign Posting 032922 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

EVENINGSTAR CAY
AT PORT OF THE ISLANDS
LOCATED IN SECTION 9, T52S, R28E
COLLIER COUNTY, FLORIDA



VICINITY MAP



LOCATION MAP

* RECORD DRAWING *

FEB. 27,1991

HOLE, MONTES & ASSOCIATES, INC.

CONSULTING ENGINEERS – LAND SURVEYORS

NAPLES BONITA SPRINGS FORT MYERS

SITE DEVELOPER

Port of the Islands, Inc.
25000 E. Tamiami Trail
Naples, Florida 33961
(813) 394-3101

ENGINEERS & SURVEYORS

Hole, Montes & Assoc., Inc.
715 10th Street South
Naples, Florida 33940
(813) 262-4617

PLANNING SERVICES DEPARTMENT
ENGINEERING

THIS PROJECT HAS BEEN REVIEWED AND APPROVED FOR SUFFICIENCY WITH THE COUNTY'S LAND DEVELOPMENT CODE. THE ENTITY/ENGINEER OF RECORDS SIGNING AND SEALING THESE PLANS WILL BE ACCOUNTABLE FOR ADEQUACY OF DESIGN OF ALL INFRASTRUCTURE FACILITIES AS EXHIBITED BY THESE DRAWINGS.

SDP NO. 90-107

	APPROVED	NA
ENGINEERING PROJECT REVIEW		
RIGHT-OF-WAY PERMIT NO.____		
WATER MANAGEMENT PLAN		
LANDSCAPING / IRRIGATION PLAN		
SITE CLEARING (INFRASTRUCTURE)		
ENGINEERING PLAN REVIEW	INSUBSTANTIAL CHANGE	5/4/95 DATE

DECEMBER 1989

2592–CSR

PROJECT No. 183.01A

Attachment: Attachment C - SDP 90-107 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

20' DRAINAGE EASEMENT
O.R.B. 1144, PG. 1199

CANAL

0 30 60 90
SCALE IN FEET
1" = 30'

△ B.M. BENCH MARK
DRILLED HOLE IN SEAWALL
ELEV. = 4.08 N.G.V.D.

EXISTING CONCRETE SEAWALL
(TYPICAL)

CB
LIGHT POLE
UTS PED.

EXISTING
FIRE HYDRANT

MATCH TO
EXIST. PAVEMENT

LEE CO. TRANSFORMER
LIGHT POLE

NEWPORT DRIVE
90' R.O.W.

POOL
AREA

DECORATIVE
PAVING BLOCKS

RETENTION AREA

BIKE PATH

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38

10' MIN.
15' MIN.
20' MIN.
4' TYP.
40'R
35'R
25'R
15'R
85'R

EXISTING FIRE HYDRANT

20' x 30'
RESERVED UTILITY
EASEMENT

CONTROL BOX
POWER BOX
LIFT STATION
LEE CO. TRANSFORMER
LIGHT POLE
LEE CO. BOX

EXISTING CONCRETE SEAWALL
(TYPICAL)

NORTHEAST CORNER OF LOT 1 OF
PORT-OF-THE-ISLANDS, PHASE ONE
PLATBOOK 13, PAGES 122 AND 123
COLLIER COUNTY, FLORIDA.
LOCATED IN SECTION 9, T 52 S, R 28 E

LOT 1

FAKA UNION CANAL

RECEIVED
MAR 26 1990
SDP 90-107

PRINTED
MAR 26 1990

PRELIMINARY STATUS
SUBJECT TO REVIEW & REVISION

LETTER	REVISIONS	DATE
1		
2		
3		
4		

EVENINGSTAR CAY
at Port-of-the-Islands

DESIGNED BY	J.A.N.	DATE	3/90
DRAWN BY	D.L.T./CAD	DATE	3/90
CHECKED BY	G.H.H.	DATE	3/90
VERTICAL SCALE	–	HORIZONTAL SCALE	1" = 30'

HOLE, MONTES & ASSOCIATES
ENGINEERS - PLANNERS - SURVEYORS
NAPLES - FORT MYERS - BONITA SPRINGS

SITE DEVELOPMENT PLAN

THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED BELOW:

DATE _____

REFERENCE NO.	DRAWING NO.
18301ASP	2694-1
PROJECT NO.	SHEET NO.
183.01A	1 OF 1

Attachment: Attachment C - SDP 90-107 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

GENERAL NOTES

1. ALL ELEVATIONS REFER TO NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D.)
2. IT IS THE CONTRACTORS RESPONSIBILITY TO REPLACE ANY EXISTING LANDSCAPING (I.E. SOD, BUSHES, TREES, ETC.) AND/OR SPRINKLER PIPE, SPRINKLER HEADS, ALSO FENCING THAT MAY HAVE TO BE REMOVED DURING CONSTRUCTION.
3. IT IS THE CONTRACTORS RESPONSIBILITY TO FIELD LOCATE AND VERIFY ANY EXISTING UTILITIES.
4. EXTREME CAUTION TO BE USED WHEN EXCAVATING, AS NUMBER AND LOCATION OF EXISTING UTILITIES HAVE BEEN NOTED BASED ON THE BEST INFORMATION AVAILABLE.
5. DAMAGE TO EXISTING UTILITIES AND PROPERTY DURING CONSTRUCTION SHALL BE REPAIRED AND/OR REPLACED AT CONTRACTORS EXPENSE.
6. ALL PIPE ELEVATIONS SHOWN ARE FOR PURPOSES OF CONTROL ONLY AND ARE NOT TO BE CONSIDERED AS STRICT REQUIREMENTS.
7. 10' HORIZONTAL SEPARATION AND 18" VERTICAL SEPARATION TO BE MAINTAINED BETWEEN WATER MAIN AND SEWAGE FORCE MAIN. CONCRETE ENCASEMENT WILL BE ACCEPTED AS AN ALTERNATE WHEN SPECIFIC SEPARATIONS ARE NOT MAINTAINED.
8. PRIOR TO LANDSCAPING ANY AREAS WITHIN THE ROAD RIGHT-OF-WAY, A LANDSCAPING PLAN AND RIGHT-OF-WAY PERMIT SHALL BE SUBMITTED FOR REVIEW AND APPROVAL BY THE COUNTY ENGINEER. (NOTE: LANDSCAPE WORK TO BE DONE BY OTHERS.)
9. IRRIGATION LINE SIZES, LOCATION, & CASING LOCATIONS TO BE PROVIDED BY LANDSCAPE ARCHITECT.
10. ALL WATER MAINS ON THIS PROJECT TO BE C-900 CLASS 150 PVC PIPE. ALL WATER MAINS UNDER PAVEMENT SHALL BE C-900 CLASS 200 PVC PIPE.
11. PIPE JOINT DEFLECTIONS SHALL NOT EXCEED MANUFACTURER'S SPECIFICATIONS. FITTINGS SHALL BE USED WHERE DEFLECTION EXCEEDS ALLOWABLE PIPE JOINT DEFLECTION.
12. ALL CONDUITS NECESSARY FOR ELECTRICAL, CABLE TELEVISION, IRRIGATION, TELEPHONE, STREET LIGHTING, ETC., SHALL BE INSTALLED PRIOR TO STREET/PAVEMENT CONSTRUCTION.

ABBREVIATIONS

A.R.V	AIR RELEASE VALVE	JB	JUNCTION BOX
B.S.V.	BACTERIAL SAMPLE VALVE	L.F.	LINEAL FEET
B/L	BASELINE	MH	MANHOLE
B.O.	BLOW-OFF	MAX.	MAXIMUM
CB	CATCH BASIN	MIN.	MINIMUM
C.O.	CLEAN-OUT	MJ	MECHANICAL JOINT
ESMT.	EASEMENT	ME	MITERED END SECTION
EXIST.	EXISTING	PVC	POLYVINYL CHLORIDE PIPE
F.H.	FIRE HYDRANT	PROP.	PROPOSED
F.M.	FORCE MAIN	PS	PUMP STATION
G.V.	GATE VALVE	R.C.P.	REINFORCED CONCRETE PIPE
HW	HEADWALL	SAN.	SANITARY
I.E.	INVERT ELEVATION	W.M.	WATER MAIN

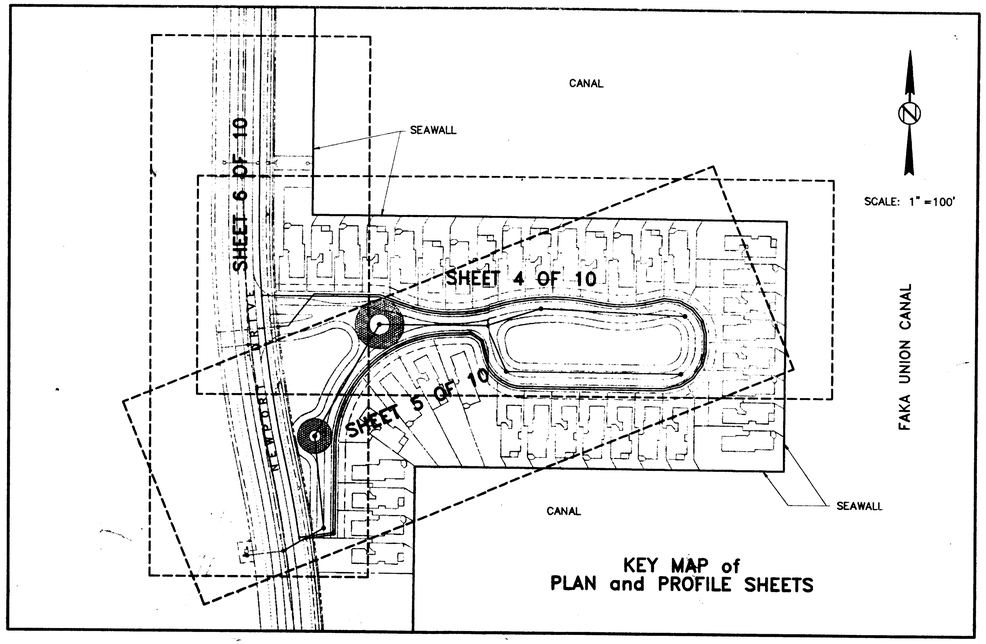
LEGEND

- FIRE HYDRANT WITH G/VALVE, V/BOX, PAD & I.D.
- VALVE WITH V/BOX, PAD & I.D.
- BACTERIAL SAMPLE VALVE
- METER BOX or BANK OF METER BOXES
- AIR RELEASE / TEMP. BACTERIAL SAMPLE VALVE
- REDUCER
- PLUG
- BLOW-OFF
- TEE
- 45° BEND
- 22-1/2° BEND
- CROSSING
- HEADWALL w/ R.C.P.
- MITERED END SECTION
- CATCHBASIN
- JUNCTION BOX
- CONCRETE FLUME
- DIRECTION OF FLOW
- (00.00) PROPOSED ELEVATION
- 00.00 EXIST. ELEVATION
- SANITARY SEWER MANHOLE
- PUMP STATION
- SANITARY SEWER CLEAN-OUT
- STOP SIGN w/ STOP BAR
- STREET SIGN
- 30 SPEED LIMIT SIGN
- ONE-WAY SIGN
- DO NOT ENTER SIGN
- 9-BUTTON REFLECTOR SIGN

*** RECORD DRAWINGS ***
THESE RECORD DRAWINGS SHOW THE WORK COMPLETED DURING CONSTRUCTION. THEY ARE BASED ON DATA FURNISHED BY THE CONTRACTOR TO THE ENGINEER.

SHEET INDEX

CS	COVER SHEET	
1	INDEX, LEGEND & GENERAL NOTES	
2	PAVING, GRADING & DRAINAGE PLAN	
3	SITE & UTILITY PLAN	
4	PLAN & PROFILE	Sta. 9+00 thru 16+50, B/L 'A'
5	PLAN & PROFILE	Sta. 16+50 thru 20+35, B/L 'A' Sta. 10+00 thru 15+00, B/L 'B'
6	PLAN & PROFILE	Sta. 27+00 thru 35+00, B/L 'C'
7	SANITARY SEWER DETAILS	
8	PAVING, GRADING & DRAINAGE DETAILS	
9	WATER DETAILS	
10	SURVEY CONTROL	



LETTER	REVISIONS	DATE
*	RECORD DRAWING	2-13-91
1		
2		
3		
4		

EVENINGSTAR CAY
Port-of-the-Islands

DESIGNED BY	J.A.N.	DATE	12/89
DRAWN BY	D.L.T./T.K.M. *	DATE	12/89
CHECKED BY	G.H.H.	DATE	12/89
VERTICAL SCALE	N/A	HORIZONTAL SCALE	N/A

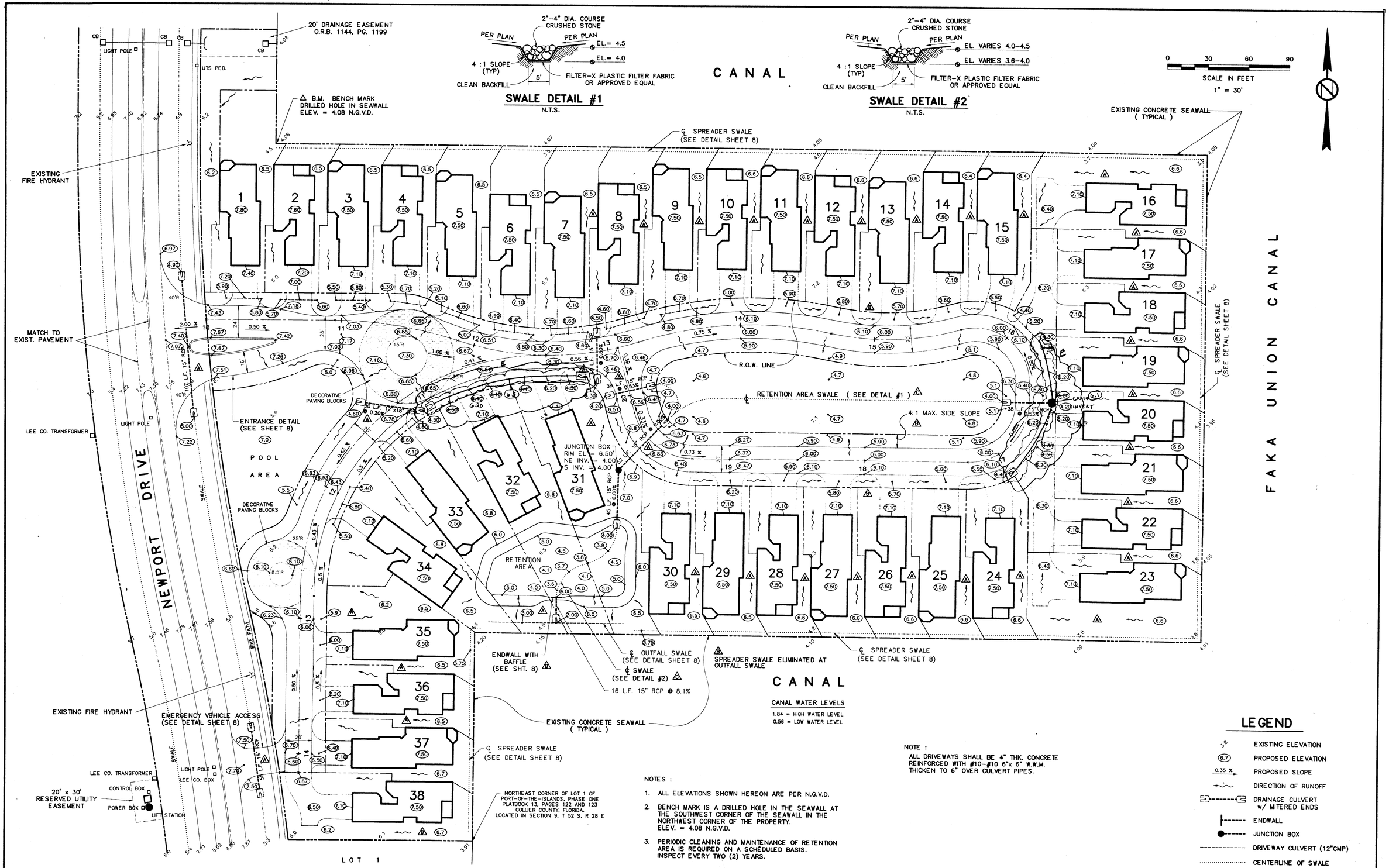
HOLE, MONTES & ASSOCIATES
ENGINEERS - PLANNERS - SURVEYORS
NAPLES - FORT MYERS - BONITA SPRINGS

INDEX, LEGEND & GENERAL NOTES

THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED BELOW:
DATE 5/4/95

REFERENCE NO. 18301A_1	DRAWING NO. 2592-1R
PROJECT NO. 183.01A	SHEET NO. 1 OF 10

3.C.d
Attachment: Attachment C - SDP 90-107 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)
Packet Pg. 180



NOTE :
ALL DRIVEWAYS SHALL BE 4" THK. CONCRETE REINFORCED WITH #10-#10 6"x 6" W.W.M. THICKEN TO 6" OVER CULVERT PIPES.

NOTES :

1. ALL ELEVATIONS SHOWN HEREON ARE PER N.G.V.D.
2. BENCH MARK IS A DRILLED HOLE IN THE SEAWALL AT THE SOUTHWEST CORNER OF THE SEAWALL IN THE NORTHWEST CORNER OF THE PROPERTY. ELEV. = 4.08 N.G.V.D.
3. PERIODIC CLEANING AND MAINTENANCE OF RETENTION AREA IS REQUIRED ON A SCHEDULED BASIS. INSPECT EVERY TWO (2) YEARS.

LEGEND

- 3.8 — EXISTING ELEVATION
- (6.7) — PROPOSED ELEVATION
- 0.35 % — PROPOSED SLOPE
- DIRECTION OF RUNOFF
- DRAINAGE CULVERT w/ MITERED ENDS
- ENDWALL
- JUNCTION BOX
- DRIVEWAY CULVERT (12"CMP)
- CENTERLINE OF SWALE

LETTER	REVISIONS	DATE
E	REVISED DRAINAGE	
D		
C	ADDED SWALE THRU RETENTION AREAS & ELEVS.	3/20/91
B	REVISIONS PER COUNTY REVIEW	3-21-90
A	REVISIONS PER COUNTY REVIEW	2-15-90

EVENINGSTAR CAY
at Port-of-the-Islands

DESIGNED BY J.A.N.	DATE 12/89
DRAWN BY D.L.T./CAD	DATE 12/89
CHECKED BY G.H.H.	DATE 12/89
VERTICAL SCALE –	HORIZONTAL SCALE 1" = 30'

HOLE, MONTES & ASSOCIATES
ENGINEERS – PLANNERS – SURVEYORS
NAPLES – FORT MYERS – BONITA SPRINGS

PAVING, GRADING AND DRAINAGE PLAN

THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED BELOW:
DATE 5/4/95

REFERENCE NO.	DRAWING NO.
18301ADP	2592-2
PROJECT NO.	SHEET NO.
183.01A	2 OF 10

Attachment: Attachment C - SDP 90-107 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

CANAL

20' DRAINAGE EASEMENT O.R.B. 1144, PG. 1199

EXISTING SANITARY MANHOLE

EXISTING FIRE HYDRANT

FUTURE 8" PVC IRRIG. W.M. BY OTHERS SEE SHEET 6

EXISTING SANITARY MANHOLE

FP&L TRANSFORMER

LIGHT POLE

UTS PED.

DRIVE

NEWPORT

SWALE

POOL AREA

DECORATIVE PAVING BLOCKS

REMOVE EXIST. PLUG AND INSTALL 6"x8" REDUCER WITH TEMP. B.S.V.

EXIST. 8" G.V.

6" PLUG

8" PLUG

B.S.V.

SMH-1

SMH-2

SMH-3

SMH-4

SMH-5

SMH-6

SMH-7

SMH-8

6" -45° BEND

6" -22° BEND

5' TYP.

3' TYP.

(3)8" -11 1/4" BENDS

(2)6" -11 1/4" BENDS

(2)8" -11 1/4" BENDS

6"x6"x6" TEE

6" G.V.

8"x8"x6" TEE

F.H.

A.R.V.

PERM. B.O./B.S.V.

10' ELECTRICAL ESMT.

2.5' TYP.

5' TYP.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38

58 L.F. OF 8" PVC SAN SEWER AT 0.40 %

84 L.F. OF 8" PVC SAN SEWER AT 0.49 %

72 L.F. OF 8" PVC SAN SEWER AT 0.36 %

208 L.F. OF 8" PVC SAN. SEWER AT 0.40 % * 0.39 %

253 L.F. OF 8" PVC SAN. SEWER AT 0.40 % * 0.43 %

155 L.F. OF 8" PVC SAN SEWER AT 0.40 % * 0.42 %

67 L.F. 8" PVCAT 0.40 %

NOTE: JACK & BORE DETAIL SEE SHEET 7.

8" PVC IRRIGATION WATER MAIN

6" PVC POTABLE WATER MAIN

(5)6" -22° BENDS

(5)8" -22° BENDS

(4)8" -22° BENDS

(4)6" -22° BENDS

(3)8" -22°

(3)6" -22° BENDS

(2)8" -45° BENDS

(2)6" -45° BENDS

(1)8" -22° BEND

EXISTING 4" F.M.

EXISTING 8" PVC W.M.

EXISTING FIRE HYDRANT

FUTURE 8" PVC IRRIG. W.M. BY OTHERS SEE SHEET 6

FP&L TRANSFORMER

LIGHT POLE

FP&L BOX

CONTROL BOX

POWER BOX

LIFT STATION

20' x 30' RESERVED UTILITY EASEMENT

EXISTING SANITARY MANHOLE

CONNECT 6" PVC W.M. TO EXIST. 8" PVC W.M. WITH 8"x8"x6" TAPPING SLEEVE AND 6" G.V. USING HOT-TAP CONNECTION AND B.S.V. (DETAIL SHEET 9)

EXISTING CONCRETE SEAWALL (TYPICAL)

NORTHEAST CORNER OF LOT 1 OF PORT-OF-THE-ISLANDS, PHASE ONE PLATBOOK 13, PAGES 122 AND 123 COLLIER COUNTY, FLORIDA. LOCATED IN SECTION 9, T 52 S, R 28 E

LOT 1

6" SEWER SERVICE LATERAL (TYP)

6" WATER SERVICE

6" -45° BEND

6" PVC POTABLE WATER MAIN

6"x6"x6" TEE

DETAIL OF SERVICE CONNECTIONS

6" SEWER SERVICE LATERAL TYP.

6" -65° BEND

6" WATER SERVICE

NOTES :

1. FIELD VERIFY LOCATION, ORIENTATION, SLOPE AND DEPTH OF EXISTING SANITARY SEWER, WATER MAINS, AND OTHER UTILITIES PRIOR TO CONSTRUCTION.
2. SANITARY SEWER LATERAL CLEANOUTS ARE REQUIRED EVERY 75' MIN. AND/OR EVERY OTHER CHANGE OF DIRECTION.
3. PRIMARY SEWER SERVICE LATERALS ARE TO BE 6" PVC SECONDARY SEWER SERVICE LATERALS ARE TO BE 4" PVC

PW = POTABLE WATER MAIN

IRRIG = IRRIGATION WATER MAIN

* RECORD DRAWINGS *
THESE RECORD DRAWINGS SHOW THE WORK COMPLETED DURING CONSTRUCTION. THEY ARE BASED ON DATA FURNISHED BY THE CONTRACTOR TO THE ENGINEER.

0 30 60 90
SCALE IN FEET
1" = 30'

*	RECORD DRAWING	2-13-91
4		
3	ADDED 11 1/4" BENDS TO P.W. AND IRRIG. LINES	6/8/90
2	REVISIONS PER COUNTY REVIEW	3-21-90
1	REVISIONS PER COUNTY REVIEW	2-15-90
LETTER	REVISIONS	DATE

EVENINGSTAR CAY
at Port-of-the-Islands

DESIGNED BY	J.A.N.	DATE	12/89
DRAWN BY	D.L.T./T.K.M.*	DATE	12/89
CHECKED BY	G.H.H.	DATE	12/89
VERTICAL SCALE	-	HORIZONTAL SCALE	1" = 30'

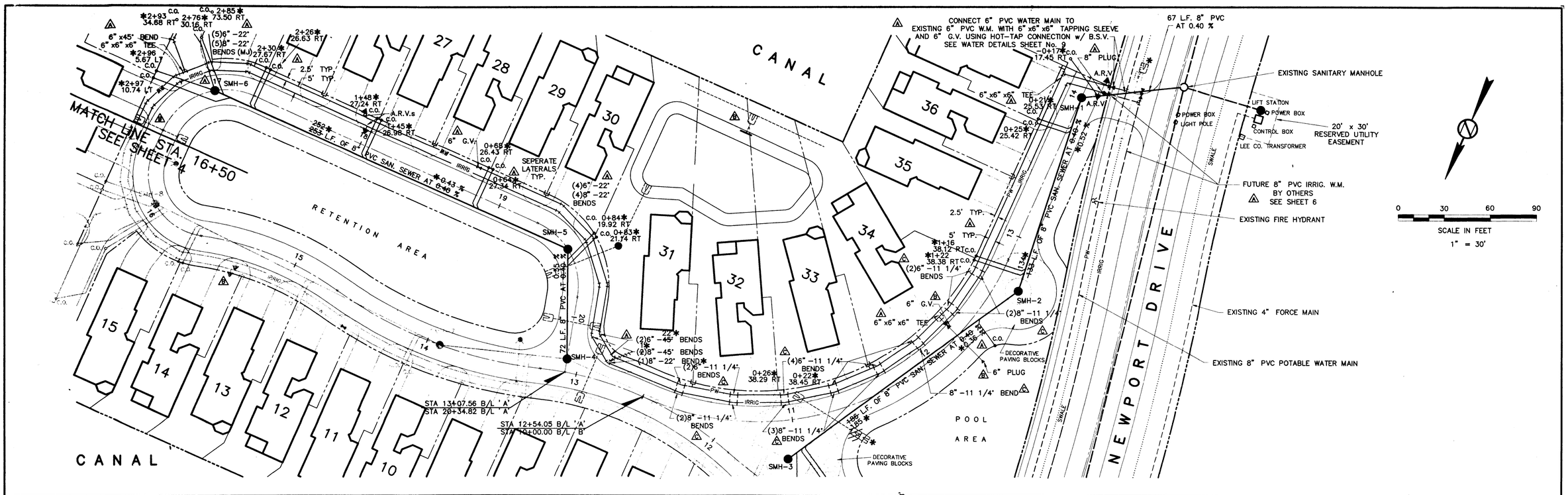
HOLE, MONTES & ASSOCIATES
ENGINEERS - PLANNERS - SURVEYORS
NAPLES - FORT MYERS - BONITA SPRINGS

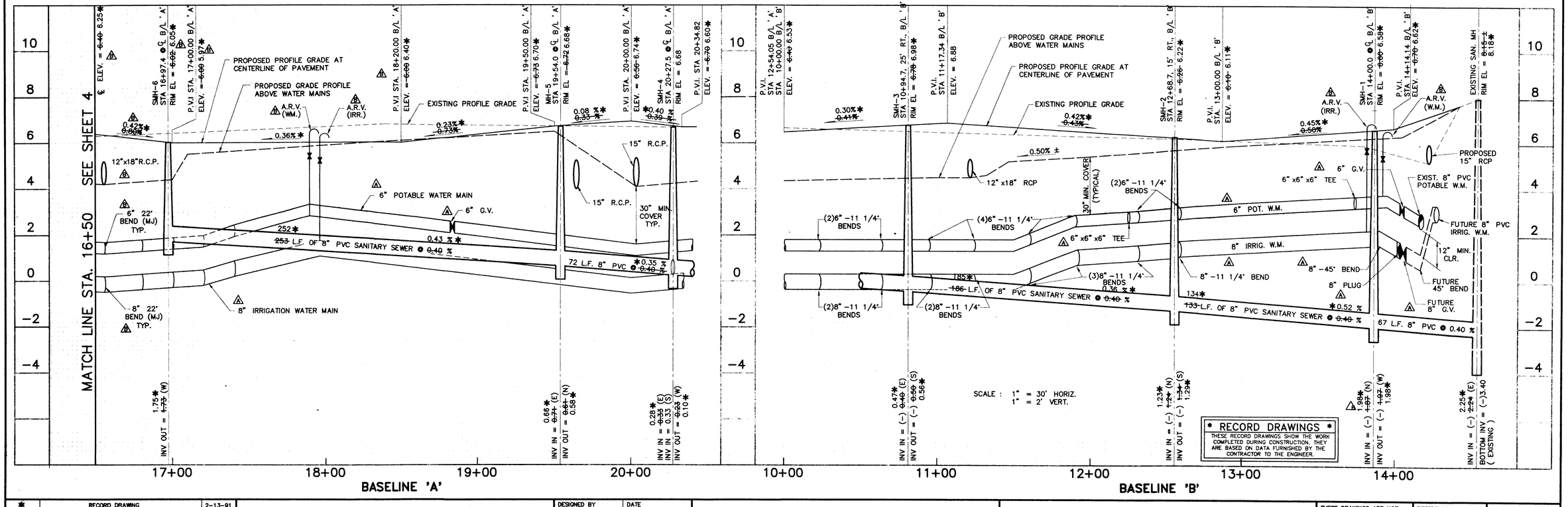
MASTER UTILITY PLAN

THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED BELOW:
DATE 5/4/95

REFERENCE NO.	18301A_3
DRAWING NO.	2592-3R
PROJECT NO.	183.01A
SHEET NO.	3 OF 10

Attachment: Attachment C - SDP 90-107 (21756 : PL20200001988 VA 199 Eveningstar Cay Rampe Dock)





LETTER	REVISIONS	DATE
*	RECORD DRAWING	2-13-91
1		
2	11 1/4° BENDS ADDED TO P.W AND IRRIG. LINES	6/8/90
3	REVISIONS PER COUNTY REVIEW	3-21-90
4	REVISIONS PER COUNTY REVIEW	9-15-90

EVENINGSTAR CAY
at Port-of-the-Islands

DESIGNED BY	J.A.N.	DATE	12/89
DRAWN BY	D.L.T./T.K.M. *	DATE	12/89
CHECKED BY	G.H.H.	DATE	12/89
VERTICAL SCALE	1" = 2'	HORIZONTAL SCALE	1" = 30'

HOLE, MONTES & ASSOCIATES, INC.
ENGINEERS - PLANNERS - SURVEYORS
NAPLES - FORT MYERS - BONITA SPRINGS

PLAN AND PROFILE
STA. 16+50 TO STA. 20+35 B/L 'A'
STA. 10+00 TO STA. 15+00 B/L 'B'

THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED BELOW.
DATE 5/14/95

REFERENCE NO.	DRAWING NO.
18301A_5	2592_5R
PROJECT NO.	SHEET NO.
183.01A	5 OF 10

Attachment: Attachment C - SDP 90-107 (21756 : PL20200001985 VA 199 Eveningstar Cay Ramps Dock)

3.C.d

CANAL

EXISTING CONCRETE SEAWALL (TYPICAL)

EXISTING FIRE HYDRANT

NEWPORT DRIVE

FAKA UNION CANAL

FUTURE 8" PVC IRRIG. W.M. BY OTHERS SEE SHEET 6

STA. 9+54.84 B/L 'A'
STA. 31+60.01 ± NEWPORT DRIVE

8" PLUG

B.S.V.

EXISTING SAN. MANHOLE

EX. LIGHT POLE

LEE CO. COOP. ELEC. TRANSF.

6" -45° BEND(MJ) DECORATIVE PAVING BLOCKS

REMOVE EXIST PLUG AND INSTALL 6" x 8" REDUCER WITH TEMP. B.S.V.

EXIST. 8" G.V.'s

POOL AREA

EXISTING 8" PVC POTABLE WATER MAIN

6" -22° BEND (MJ)

6" -45° BEND (MJ) 1+74 C.O. 28.24 LT

1+76* 120.80 LT C.O.

5' TYP. 25' TYP.

8" -22° BEND (MJ)

2+15* C.O. 87.45 LT

1+63* 66.51 LT C.O.

1+61* 66.52 LT C.O.

0+17* 40.27 LT C.O.

C.O. 0+20* 40.51 LT

0+91* 22.24 LT C.O.

0+94* 22.69 LT C.O.

0+26* 29.85 LT C.O.

0+28* 28.90 LT C.O.

8" x8" x6" TEE (MJ)

0+15* C.O. 26.75 LT

C.O. 0+17* 26.86 LT

6" G.V.

0+96* 18.68 LT C.O.

C.O. 0+98* 18.58 LT

A.R.V.

1+77* 26.69 LT C.O.

(5)6" -22° (5)8" -22° BENDS (MJ)

1+79* 28.58 LT

2+29* 84.95 LT C.O.

PERM. B.O./B.S.V.

6" PVC WM

2+41* 5.26 LT C.O.

2+26* 2.69 LT C.O.

6" x45° BEND

6" x6" x6" TEE (MJ)

C.O. 2+41* 5.89 LT

C.O. 2+42* 0.64 LT

8" x8" x6" TEE(MJ)

6" G.V.

6" PVC

F.H.

SMH-3

SMH-4

SMH-7

SMH-8

158 L.F. 8" PVC SAN. SEWER AT 0.40%

84 L.F. 8" PVC AT 0.40%

208 L.F. OF 8" PVC SAN. SEWER AT 0.40 %

0.36%*

0.49%*

0.39 %*

SEPERATE LATERALS TYP.

STA. 13+07.56 B/L 'A'
STA. 20+34.82 B/L 'A'

STA. 12+54.05 B/L 'A'
STA. 10+00.00 B/L 'B'

RETENTION AREA

MATCH LINE STA. 16+50 SEE SHEET 5

0 30 60 90

SCALE IN FEET
1" = 30'

A.E. & U.E. = ACCESS EASEMENT & UTILITY EASEMENT
PW = POTABLE WATER
IRRIG = IRRIGATION WATER

P.V.I. STA. 10+00.00 B/L 'A'
ELEV. = ~~7.67~~ 7.64*

PROPOSED PROFILE GRADE AT CENTERLINE OF PAVEMENT

PROPOSED PROFILE GRADE ABOVE WATER MAINS

2.0%

TEMP. B.S.V.

PROPOSED 15" RCP WITH MITERED ENDS

EXIST. 8" G.V.

EXISTING 8" PVC POTABLE WATER MAIN

REMOVE EXIST. 8" PLUG AND INSTALL 6" x 8" REDUCER

12" MIN. CLR.

45° BENDS (MJ)

FUTURE 8" PVC IRRIG. W.M.

8" PLUG

FUTURE 8" G.V.

8" IRRIGATION WATER MAIN

PROPOSED 6" POTABLE WATER MAIN

158 L.F. OF 8" PVC AT ~~0.40 %~~

84 L.F. OF 8" PVC AT ~~0.40 %~~

208 L.F. OF 8" PVC SANITARY SEWER AT ~~0.40 %~~

SMH-3
STA 11+52.8, 21.2' RT.
RIM EL = ~~6.92~~ 6.98*

SMH-4
STA 13+07.7, 8.7' RT.
RIM EL = ~~6.70~~ 6.68*

SMH-7
STA 13+91.3 ℄
RIM EL = ~~6.07~~ 6.27*

SMH-8
STA 16+02.5 ℄
RIM EL = 6.02

P.V.I. STA. 12+54.05 B/L 'A'
P.V.I. STA. 10+00.00 B/L 'B'
ELEV. = ~~6.40~~ 6.53*

P.V.I. STA. 13+07.56 B/L 'A'
ELEV. = ~~6.70~~ 6.68*

P.V.I. STA. 14+00.00 B/L 'A'
ELEV. = ~~6.60~~ 6.14*

P.V.I. STA. 16+00.00 B/L 'A'
ELEV. = ~~6.60~~ 6.02*

℄ ELEV. = ~~6.40~~ 6.25*

EXISTING PROFILE GRADE

A.R.V. (IRR.)

A.R.V. (WM.)

6" -22° BEND (MJ) TYP.

6" G.V.

6" x6" x6" TEE (MJ)

8" -22° BEND (MJ) TYP.

8" x8" x6" TEE (MJ) FIRE HYDRANT AND 6" G.V.

8" x8" x6" TEE (MJ) FIRE HYDRANT AND 6" G.V.

0.44%* ~~0.56%~~

0.28%* ~~0.65%~~

0.56%* ~~0.75%~~

0.06%*

0.48%* ~~0.80%~~

0.5% ±

0.5% ±

15" R.C.P.

30" MIN. COVER TYP.

INV OUT = (-) ~~0.66~~ 0.47* (E)
INV IN = (-) ~~0.46~~ 0.56* (S)

INV OUT = ~~0.23~~ 0.10* (W)
INV IN = ~~0.33~~ 0.28* (E)
INV IN = 0.33 (S)

INV OUT = ~~0.08~~ 0.69* (W)
INV IN = ~~0.76~~ 0.79* (E)

INV OUT = ~~1.69~~ 1.61* (W)

MATCH LINE STA. 16+50 SEE SHEET 5

SCALE : 1" = 30' HORIZ.
1" = 2' VERT.

* RECORD DRAWINGS *
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10+00 11+00 12+00 13+00 14+00 15+00 16+00 17+00

LETTER	REVISIONS	DATE
*	RECORD DRAWING	2-13-91
1		
2	ADDED 11 1/4° BENDS TO P.W. AND IRRIG. LINES	6/8/90
3	REVISIONS PER COUNTY REVIEW	3-21-90
4	REVISIONS PER COUNTY REVIEW	9-15-90

EVENINGSTAR CAY
at Port-of-the-Islands

DESIGNED BY	J.A.N.	DATE	12/89
DRAWN BY	D.L.T./T.K.M.*	DATE	12/89
CHECKED BY	G.H.H.	DATE	12/89
VERTICAL SCALE	1" =2'	HORIZONTAL SCALE	1" =30'

HOLE, MONTES & ASSOCIATES, INC.
ENGINEERS - PLANNERS - SURVEYORS
NAPLES - FORT MYERS - BONITA SPRINGS

PLAN AND PROFILE
STA. 9+00 TO STA. 16+50
BASELINE 'A'

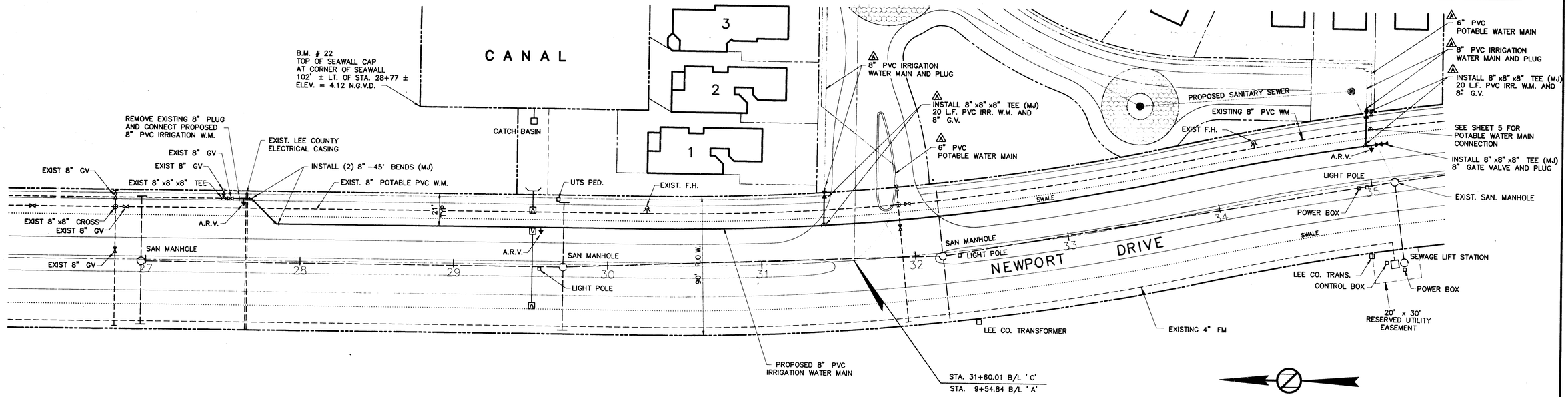
THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED BELOW.

DATE 5/4/95

REFERENCE NO.	DRAWING NO.
18301A_4	2592-4R
PROJECT NO.	SHEET NO.
183.01A	4 OF 10

Attachment: Attachment C - SDP 90-107 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

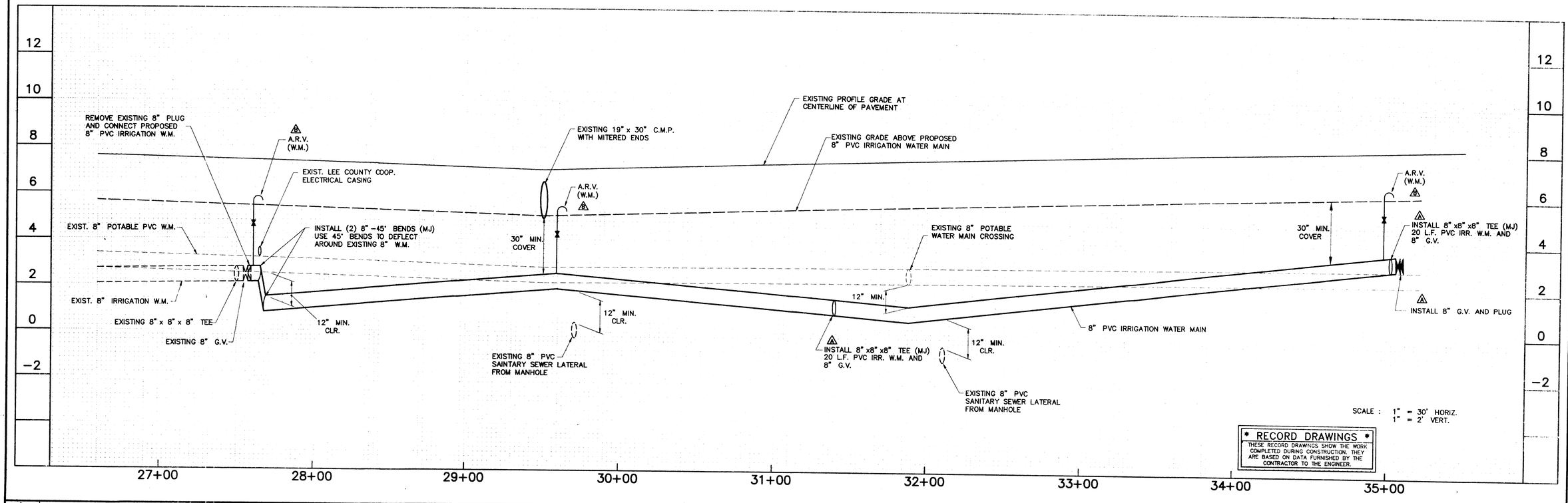
Packet Pg. 184



NOTE:
THIS SHEET BY OTHERS.

NEWPORT DRIVE
(90' R.O.W.)

0 30 60 90
SCALE IN FEET
1" = 30'



SCALE : 1" = 30' HORIZ.
1" = 2' VERT.

* RECORD DRAWINGS *
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LETTER	REVISIONS	DATE
*	RECORD DRAWING	2-13-91
4		
3		
2	REVISIONS PER COUNTY REVIEW	3-21-90
1	REVISIONS PER COUNTY REVIEW	9-15-90

EVENINGSTAR CAY
at Port-of-the-Islands

DESIGNED BY	J.A.N.	DATE	12/89
DRAWN BY	D.L.T./T.K.M.*	DATE	12/89
CHECKED BY	G.H.H.	DATE	12/89
VERTICAL SCALE	1" = 2'	HORIZONTAL SCALE	1" = 30'

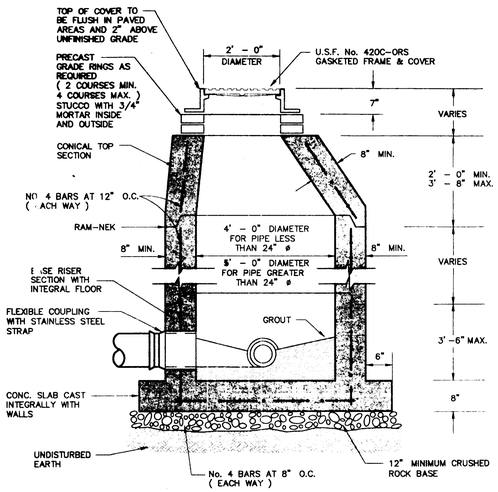
HOLE, MONTES & ASSOCIATES, INC.
ENGINEERS - PLANNERS - SURVEYORS
NAPLES - FORT MYERS - BONITA SPRINGS

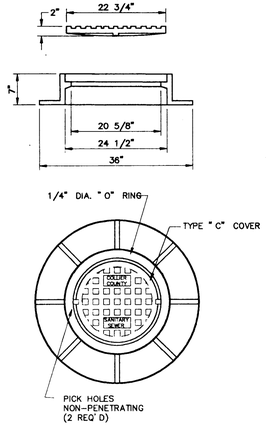
PLAN AND PROFILE
FUTURE 8" IRRIGATION WATER MAIN
STA. 27+00 TO 35+50 B/L 'C'

THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED BELOW:
DATE 5/4/95

REFERENCE NO.	18301A_6
DRAWING NO.	2592-6R
PROJECT NO.	183.01A
SHEET NO.	6 OF 10

Attachment: Attachment C - SDP 90-107 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)



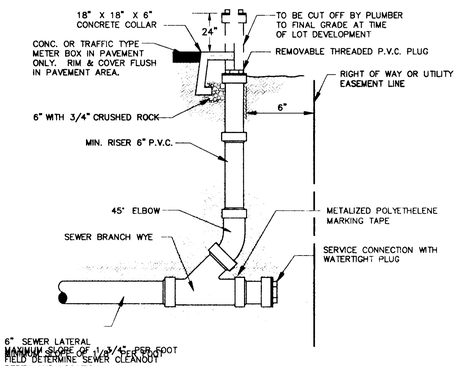


STANDARD MANHOLE SECTION

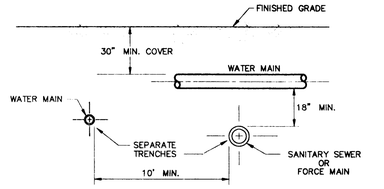
NOTE: SEE DRAWINGS FOR PIPE SIZE AND ORIENTATION.

NOTES FOR SANITARY SEWER MANHOLES:

1. PRECAST REINFORCED MANHOLE SECTIONS SHALL COMPLY WITH A.S.T.M. SPECIFICATION C–478 EXCEPT THAT THE MINIMUM THICKNESS OF WALLS, FLOORS, AND TOP SLABS SHALL BE 8".
2. ALL MANHOLE JOINTS SHALL BE SEALED WITH RAM–NECK, KENT–SEAL OR EQUAL.
3. GROUT SHALL COMPLY WITH A.S.T.M. SPECIFICATION C–476.
4. MANHOLE FRAMES AND COVERS SHALL BE U.S.F. NO. 420C–ORS OR EQUAL. THE WORDS "SANITARY SEWER" AND "COLLIER COUNTY" SHALL BE CAST INTO THE COVER. FRAMES AND COVERS SHALL FIT PROPERLY AND SHALL NOT RATTLE UNDER TRAFFIC. BOLT DOWN COVERS SHALL BE USED WHERE CALLED FOR ON THE PLANS. FINISH FRAME AND COVER WITH ONE COAT ASPHALTIC PAINT.
5. THE CONTRACTOR SHALL PROVIDE SHOP DRAWINGS OF MANHOLES WHICH SHALL BE APPROVED BY THE ENGINEER PRIOR TO THE MANHOLES BEING MANUFACTURED.
6. PIPES SHALL BE CONNECTED TO MANHOLES WITH RESILIENT CONNECTORS THAT COMPLY WITH A.S.T.M. SPECIFICATION C–923 AND THAT ARE COMPRESSED AGAINST THE PIPE BY STAINLESS STEEL BANDS OR STRAPS.
7. FRAMES SHALL BE SEALED TO THE MANHOLE WITH RAM–NECK, KENT–SEAL OR EQUAL PRIOR TO GROUTING.
8. INTERIORS AND EXTERIORS OF MANHOLES SHALL BE COATED WITH TWO COATS OF AN ACCEPTABLE BITUMINOUS OR EPOXY SEALER.
9. HORIZONTAL FLOW LINE CHANNEL SHALL HAVE 0.1FT./MIN. DROP ACROSS MANHOLE.
10. SEE SPECIFICATIONS FOR BEDDING REQUIREMENTS.

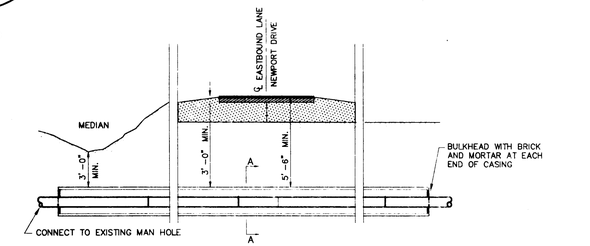


SEWER CLEANOUT AND SERVICE STUBOUT



NOTE:
WATER LINES AND SANITARY SEWER LINES SHALL BE SEPARATED BY A MINIMUM CLEARANCE OF 18" VERTICALLY AND 10' HORIZONTALLY. WHEN THE ABOVE STANDARD CANNOT BE MAINTAINED, THE SEWER LINE SHALL BE EITHER CONCRETE ENCASED OR PVC A.W.W.A. C900–CLASS 200 PIPE FOR A DISTANCE OF 10' EACH SIDE OF WATER LINE. NO PIPE JOINTS ARE PERMITTED WITHIN THIS DISTANCE.

WATER & SEWER MAIN SEPARATION



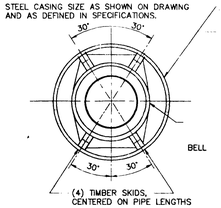
*PRESSURE TREATED IN ACCORDANCE WITH AMERICAN WOOD PRESERVERS INSTITUTE SPECIFICATION LP–22–GROUND CONTACT TREATMENT. 4" THROUGH 8" USE 1–1/2" X 3–1/2" 12" CARRIER PIPE AND GREATER USE 4" X 4". NO SKIDS ARE USED WITH 2" PVC.

(5) 1" DEEP X 1 3/16" WIDE NOTCHES FOR 1 1/4" x 0.035" STAINLESS STEEL STRAP. LAG SCREW STRAPS TO SKID WITH 1/4" X 3" STAINLESS STEEL LAG SCREWS. STRAP TO MEET A.N.S.I. – A119.1 REQUIREMENTS AS SET BY THE DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES.

STEEL CASING PIPE MINIMUM DIAMETER AND THICKNESS REQUIREMENTS IN INCHES ARE AS FOLLOWS:

D.I.P. CARRIER PIPE (P.O.) NOMINAL DIA (IN.)	CASING O.D. (IN.)	THICKNESS
2	4	1/4"
4	14	5/16"
6	16	5/16"
8	18	3/8"
10	20	3/8"
12	24	7/16"
14	30	1/2"
16	30	1/2"
18	36	9/16"
20	36	9/16"
24	42	9/16"
30	42	9/16"
36	48	9/16"

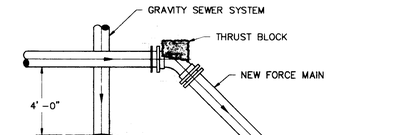
STEEL CASING SIZE AS SHOWN ON DRAWING AND AS DEFINED IN SPECIFICATIONS.



SECTION A–A

JACK & BORE DETAIL ⚠

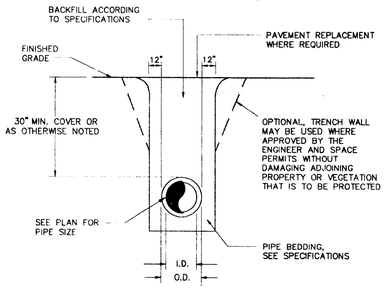
N.T.S.



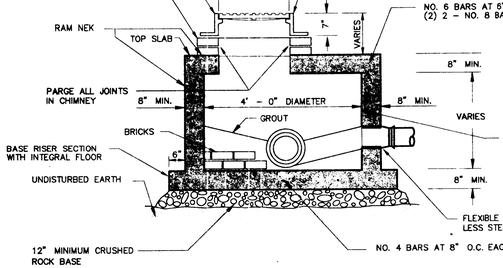
FORCE MAIN CONNECTION TO GRAVITY SEWER

(WHERE CONNECTING DOWNSTREAM OF MANHOLE)

N.T.S.

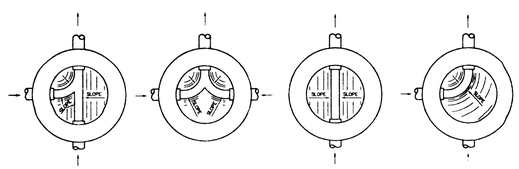


TRENCH DETAIL



NOTE: FLOW LINE CHANNELS SHALL BE CLAY BRICK HAVING A MINIMUM OF 2" POURED CONCRETE OR 2" GROUTED FINISH. 1" DROP ACROSS MANHOLE.

SHALLOW MANHOLE SECTION

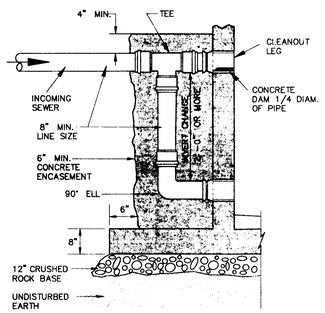


SLOPE = 3/4 INCHES PER FOOT

MANHOLE – PLAN VIEWS

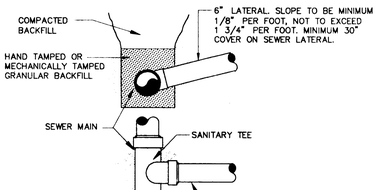
WITH TYPICAL FLOW CHANNELS

N.T.S.

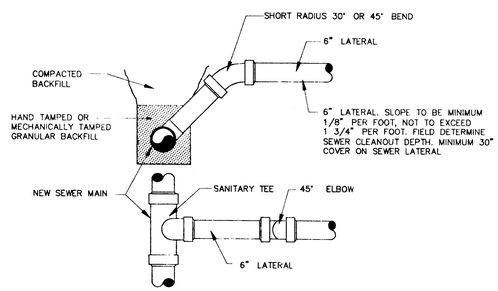


OUTSIDE DROP MANHOLE CONNECTION

NOTE: PROVIDE DROP MANHOLE WHEREVER INVERT ELEVATIONS DIFFER MORE THAN 2' – 0"



SHALLOW SEWER CONNECTION ON NEW SEWER MAIN



DEEP SEWER CONNECTION ON NEW SEWER MAIN

RECORD DRAWINGS
THESE RECORD DRAWINGS SHOW THE WORK COMPLETED DURING CONSTRUCTION. THEY ARE BASED ON DATA FURNISHED BY THE CONTRACTOR TO THE ENGINEER.

LETTER	REVISIONS	DATE
*	RECORD DRAWING	2–13–91
⚠		
⚠		
⚠		
⚠	ADDED JACK & BORE DETAIL	9–15–90

EVENINGSTAR CAY
Port–of–the–Islands

DESIGNED BY	J.A.N.	DATE	12/89
DRAWN BY	A.L.D./T.K.M. *	DATE	12/89
CHECKED BY	G.H.H.	DATE	12/89
VERTICAL SCALE	N/A	HORIZONTAL SCALE	N/A

HOLE, MONTES & ASSOCIATES
ENGINEERS – PLANNERS – SURVEYORS
NAPLES – FORT MYERS – BONITA SPRINGS

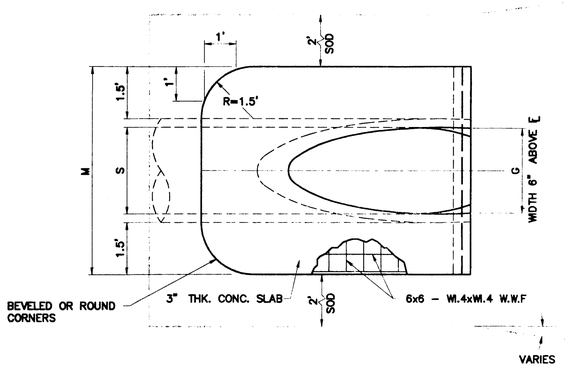
SANITARY SEWER DETAILS

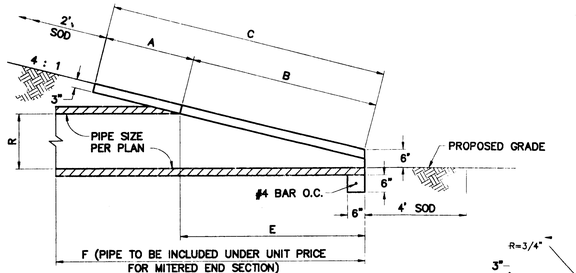
THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED BELOW:
DATE: 5/4/95

REFERENCE NO.	18301A_7
DRAWING NO.	2592–7R
PROJECT NO.	183.01A
SHEET NO.	7 OF 10

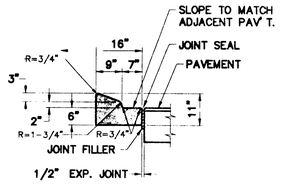
Attachment: Attachment C - SDP 90-107 (21756 - PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

MITERED END SECTION DIMENSIONS								
RISE R	SPAN S	A	B	C	E	F	G	M
14"	23"	2.44'	3.75'	6.19'	3.70'	6'	1.90'	5.38'
19"	30"	2.62'	5.47'	8.09'	5.46'	8'	2.37'	6.04'
12"	DIA.	2.18'	3.06'	5.24'	3.03'	6'	0.90'	4.34'
15"	DIA.	2.27'	4.09'	6.36'	4.03'	8'	1.22'	4.63'
18"	DIA.	2.36'	5.12'	7.48'	5.03'	9'	1.41'	4.92'

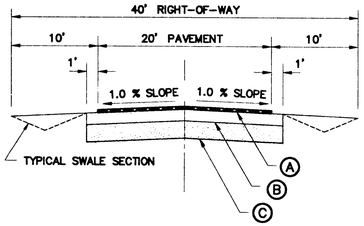




MITERED END SECTION
N.T.S.



TYPE 'A' CURB
N.T.S.

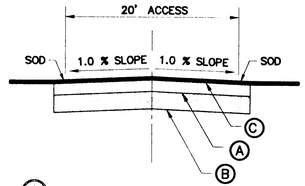


(A) 1" ASPHALT TYPE S-1 MODIFIED

(B) 6" PRIMED LIMEROCK BASE TO BE COMPACTED 98 % DENSITY

(C) 12" STABILIZED SUBGRADE (LBR 40)

CROWNED ROAD SECTION
N.T.S.

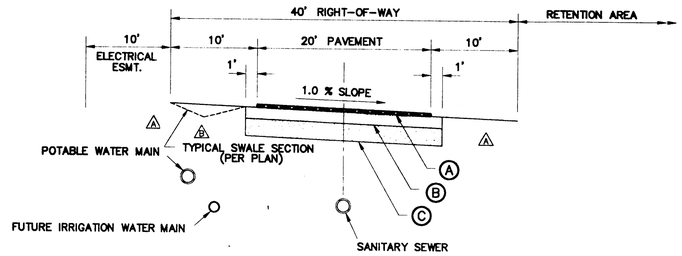


(A) 6" PRIMED LIMEROCK BASE TO BE COMPACTED 98 % DENSITY

(B) 12" STABILIZED SUBGRADE (LBR 40)

(C) 6" TOPSIOL

EMERGENCY VIEHICLE ACCESS
N.T.S.

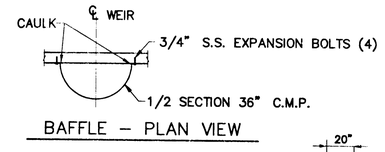


(A) 1" ASPHALT TYPE S-1 MODIFIED

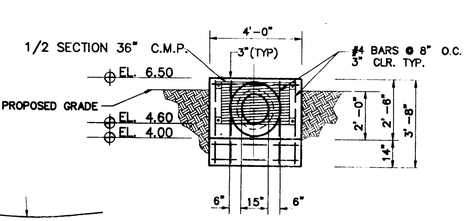
(B) 6" PRIMED LIMEROCK BASE TO BE COMPACTED 98 % DENSITY

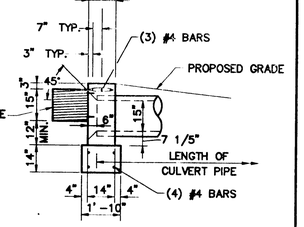
(C) 12" STABILIZED SUBGRADE (LBR 40)

TYPICAL ROAD SECTION
N.T.S.

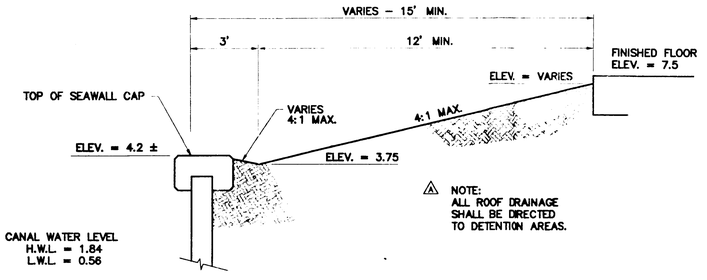


BAFFLE - PLAN VIEW

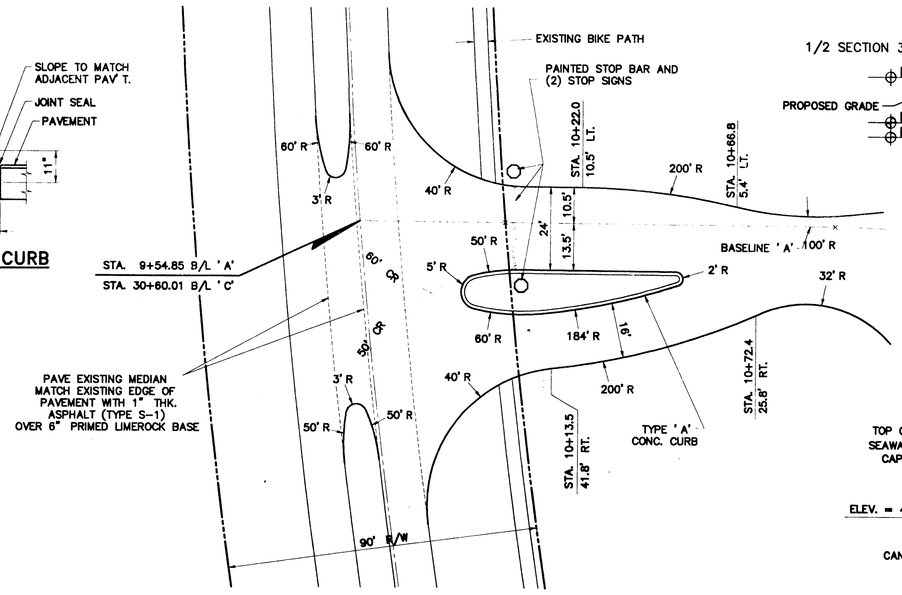




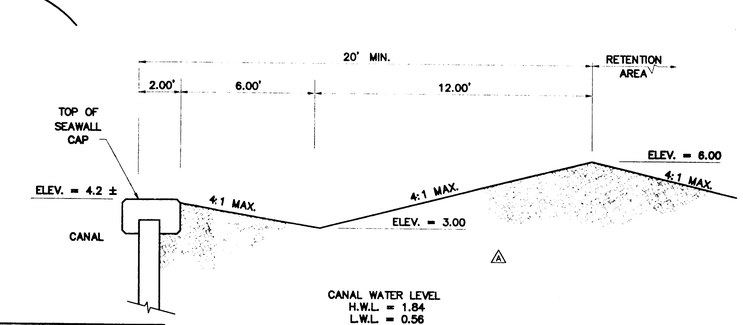
MODIFIED ENDWALL W/ BAFFLE DETAIL
N.T.S.



SPREADER SWALE DETAIL
N.T.S.



ENTRANCE ROAD DETAIL
SCALE : 1" = 20'



OUTFALL SWALE DETAIL
N.T.S.

*** RECORD DRAWINGS ***

THESE RECORD DRAWINGS SHOW THE WORK COMPLETED DURING CONSTRUCTION. THEY ARE BASED ON DATA FURNISHED BY THE CONTRACTOR TO THE ENGINEER.

LETTER	REVISIONS	DATE
*	RECORD DRAWING	2-13-91
1		
2		
3	REVISIONS PER COUNTY REVIEW	3-21-90
4	REVISIONS PER COUNTY REVIEW	2-8-90

EVENINGSTAR CAY
Port-of-the-Islands

DESIGNED BY	J.A.N.	DATE	12/89
DRAWN BY	D.L.T./T.K.M.*	DATE	12/89
CHECKED BY	G.H.H.	DATE	12/89
VERTICAL SCALE	N/A	HORIZONTAL SCALE	N/A

HOLE, MONTES & ASSOCIATES
ENGINEERS - PLANNERS - SURVEYORS
NAPLES - FORT MYERS - BONITA SPRINGS

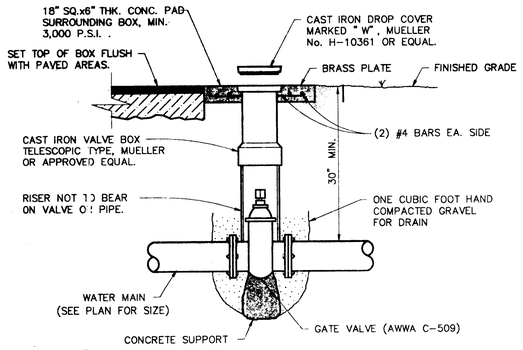
PAVING, GRADING & DRAINAGE DETAILS

THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED BELOW.

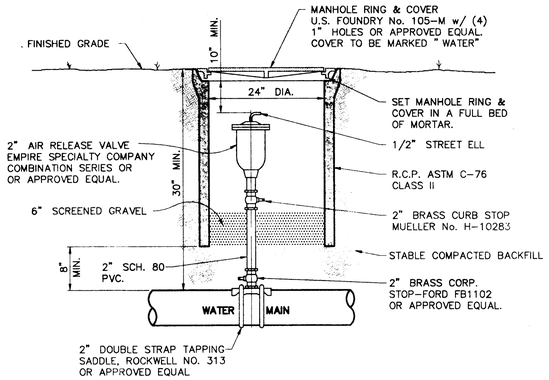
DATE 5/4/93

REFERENCE NO.	DRAWING NO.
18301A_8	2592-8R
PROJECT NO.	SHEET NO.
183.01A	8 OF 10

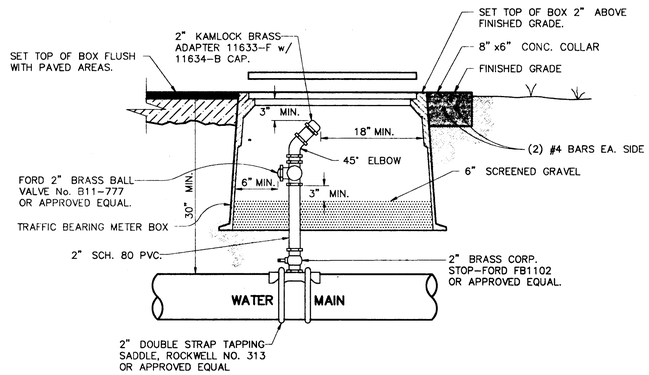
Attachment: Attachment C - SDP-90-107 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)
Packet Pg. 187
3.C.d



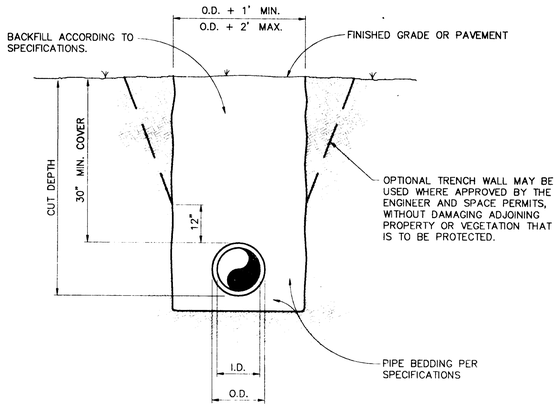
GATE VALVE



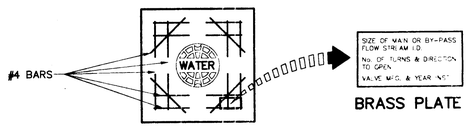
AIR RELEASE VALVE



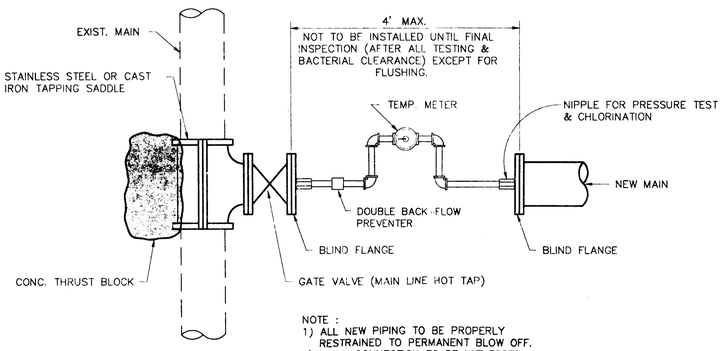
BACTERIAL SAMPLE VALVE



TRENCH DETAIL



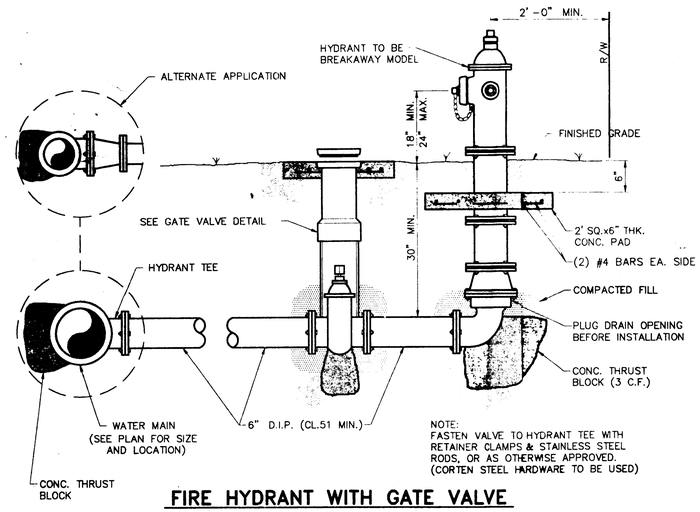
PLAN VIEW
(VALVE PAD)



NOTE :
1) ALL NEW PIPING TO BE PROPERLY RESTRAINED TO PERMANENT BLOW OFF.
2) FINAL CONNECTION TO BE WITNESSED BY COLLIER COUNTY UTILITIES DIVISION.

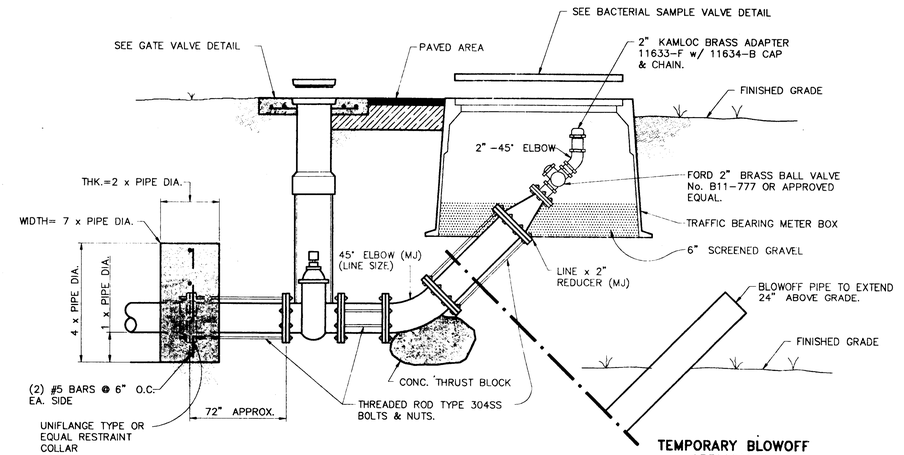
TEMPORARY CONNECTION TO EXISTING MAIN

NOTE:
1) DETAILS NOT TO SCALE
2) FOR PIPE BEDDING SPECIFICATIONS SEE SANITARY SEWER DETAIL SHEET.
3) FOR WATER MAIN / SANITARY SEWER ORIENTATION SEE SAN. SEWER DETAILS



NOTE:
FASTEN VALVE TO HYDRANT TEE WITH RETAINER CLAMPS & STAINLESS STEEL RODS, OR AS OTHERWISE APPROVED. (CORTEN STEEL HARDWARE TO BE USED)

FIRE HYDRANT WITH GATE VALVE



RECORD DRAWINGS
THESE RECORD DRAWINGS SHOW THE WORK COMPLETED DURING CONSTRUCTION. THEY ARE BASED ON DATA FURNISHED BY THE CONTRACTOR TO THE ENGINEER.

PERMANENT BLOWOFF & BACTERIAL SAMPLE POINT

TEMPORARY BLOWOFF APPLICATION

NOTE:
CONFIGURATION SHOWN TO BE INSTALLED AFTER FULL BORE FLUSH & PRIOR TO PRESSURE TESTING & BACTERIAL CLEARANCES.

LETTER	REVISIONS	DATE
*	RECORD DRAWING	2-13-91
1		
2		
3		
4		

EVENINGSTAR CAY
Port-of-the-Islands

DESIGNED BY	J.A.N.	DATE	12/89
DRAWN BY	R.O.P./T.K.M.*	DATE	5/89
CHECKED BY	G.H.H.	DATE	12/89
VERTICAL SCALE	N/A	HORIZONTAL SCALE	N/A

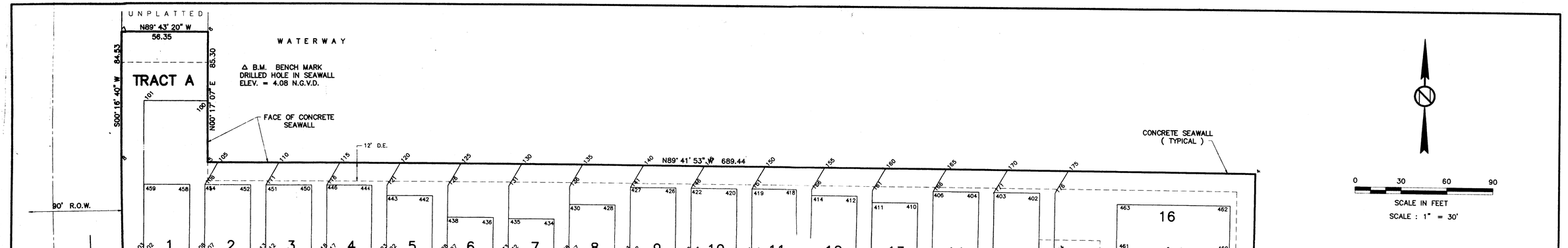
HOLE, MONTES & ASSOCIATES
ENGINEERS – PLANNERS – SURVEYORS
NAPLES – FORT MYERS – BONITA SPRINGS

WATER DETAILS

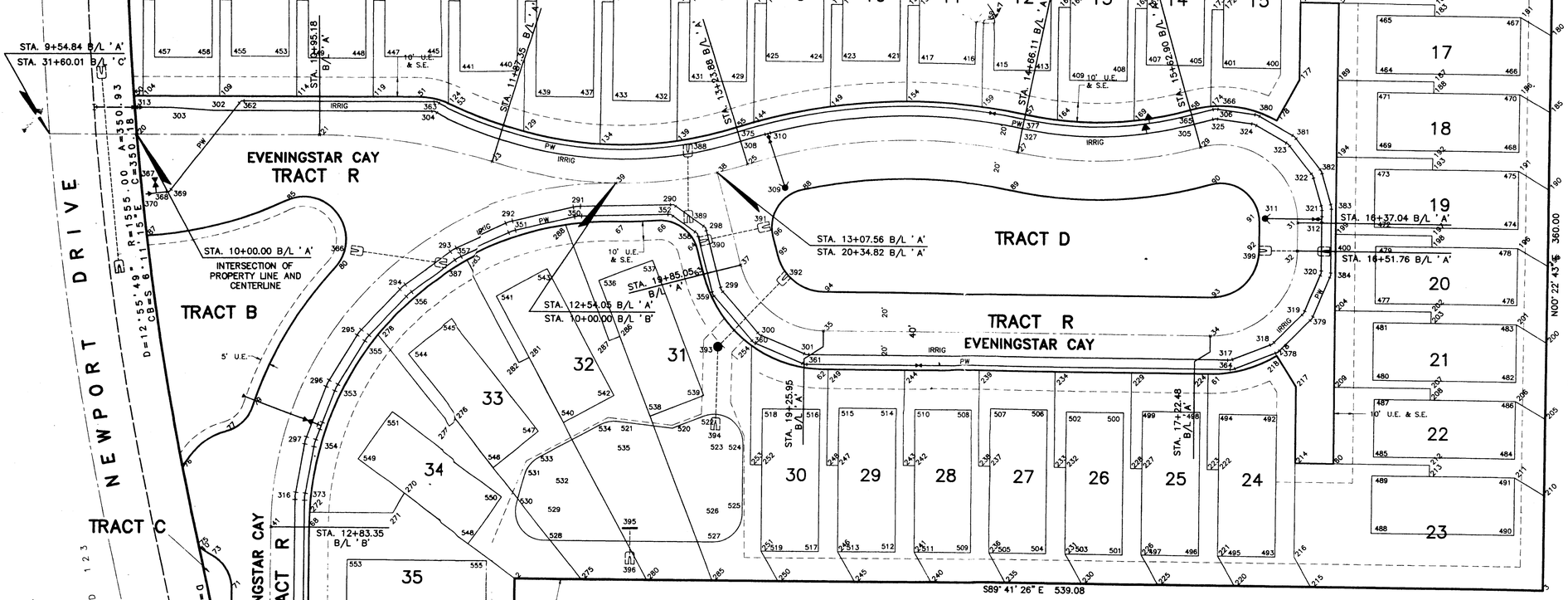
THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED BELOW:
DATE 5/4/95

REFERENCE NO.	DRAWING NO.
18301A_9	2592-9R
PROJECT NO.	SHEET NO.
183.01A	9 OF 10

Attachment: Attachment C - SDP 90-107 (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)



3.C.d
Attachment: Attachment C - SDP 90-107 (21756 : PL20200019B5
Packet Pg. 189



Pt. No.	North	East
1	10000.00000	10000.00000
2	10154.31702	10000.95914
3	10151.40556	10540.03128
4	10511.39770	10542.41014
5	10515.03098	9852.97972
6	10600.33026	9853.32999
7	10600.60345	9796.98065
8	10516.07444	9796.57084
9	10508.63562	11351.55257
10	10167.93249	9834.31346
11	9807.61600	8229.25987
12	10000.65614	9882.89401
13	9999.99147	9999.99240
20	10385.63335	9801.41708
21	10385.10733	9896.59078
22	10085.11191	9894.93273
23	10370.55949	9887.23484
24	10579.88772	10054.92306
25	10370.22903	10121.58065
26	10103.39070	10206.41759
27	10377.48328	10263.62998
28	10573.26370	10304.49597
29	10380.95107	10359.41276
30	10342.46855	10370.39612
31	10342.30480	10410.39570
32	10327.58205	10410.32810
33	10327.78886	10365.32857
34	10282.78332	10365.08445
35	10283.89317	10161.61444
36	10328.89251	10161.85857
37	10317.66596	10118.28146
38	10365.86659	10105.86378
39	10359.89777	10052.81939
40	10179.90600	10051.09820
41	10181.02475	9871.10168
42	10050.23287	9870.28875
50	10405.64171	9799.96053
51	10404.82640	9947.47628
52	10359.82708	9947.22757
53	10400.24638	9967.00837
54	10579.88772	10054.92306
55	10389.28891	10115.52087
56	10390.07604	10115.49358
57	10397.06132	10267.71658
58	10400.18233	10353.92108
59	10456.49231	10430.92017
60	10216.49484	10429.81829
61	10262.78961	10364.97595
62	10263.89346	10161.50594
63	10312.67639	10098.91385
64	10325.74760	10095.54638
65	10320.75803	10076.17878
66	10340.69112	10074.54372
67	10339.89869	10052.62814
68	10180.90045	9891.10129
69	10050.10857	9890.28837
70	10086.12682	9850.51148
71	10148.36154	9850.89828
72	10148.48584	9830.89866
73	10166.12006	9840.33447
74	10196.97994	9856.84712
75	10170.73941	9833.68606
76	10211.78193	9825.13118
77	10230.78486	9847.77920
78	10250.10196	9842.59753
79	10243.72051	9861.55214
80	10315.91064	9904.46008
81	10330.87115	9888.32989
82	10336.42708	9905.44515
83	10340.48880	9903.19587
84	10331.65410	9885.24312
85	10350.87486	9879.17283
86	10532.72674	9795.92684
87	10333.00595	9806.49129
88	10357.21715	10150.09589
89	10357.90524	10259.54338
90	10361.71981	10364.90444
91	10342.39672	10390.39591
92	10327.67388	10390.32831
93	10302.78902	10365.19295
94	10303.89287	10161.72294
95	10322.65554	10137.84906
96	10332.70246	10135.06073
97	10337.69204	10154.42833
98	10555.35047	9853.14529
99	10555.58109	9811.41968
100	10455.58262	9810.86699
101	10455.61579	9804.86708
102	10405.61612	9804.59074
103	10514.99571	9859.67245
104	10500.36131	9851.11509
105	10455.36200	9850.86638
106	10455.39516	9844.86647
107	10405.39504	9844.59013
108	10514.78488	9899.67783
109	10500.14024	9861.11448
110	10455.14093	9860.86577
111	10404.82640	9884.86586
112	10405.17397	9864.58952
113	10514.57405	9939.68321
114	10499.91917	9931.11387
115	10454.91985	9930.86516
116	10454.95301	9924.86525
117	10404.95289	9914.58891
118	10514.36322	9979.68859
119	10499.89809	9911.11326
120	10454.89878	9910.86455
121	10454.73194	9964.86464
122	10401.35122	9944.56961
123	10514.15240	10019.69397
124	10499.47702	10011.11265
125	10454.47770	10010.86394
126	10454.51087	10004.86403
127	10454.47770	10010.86394
128	10454.51087	10004.86403
129	10386.35158	10004.48732
130	10513.94157	10059.69936
131	10499.25594	10051.11204
132	10454.25663	10050.86333
133	10454.28979	10044.86342
134	10380.16192	10044.45372
135	10513.73074	10099.70474
136	10499.03487	10091.11143
137	10454.03556	10090.86272
138	10454.06872	10084.86281
139	10382.08156	10084.46494
140	10513.51992	10139.71012
141	10498.81380	10131.11081
142	10453.81448	10130.86211
143	10453.84764	10124.86220
144	10391.99569	10124.52035
145	10513.30909	10179.71550
146	10498.59272	10171.11020
147	10453.59341	10170.86150
148	10453.62657	10164.86159
149	10400.45734	10164.56772
150	10513.09826	10219.72088
151	10498.37165	10211.10959
152	10453.37234	10210.86088
153	10453.40550	10204.86098
154	10403.38510	10204.58452
155	10512.88743	10259.72626
156	10498.15057	10251.10898
157	10453.15126	10250.86027
158	10453.18442	10244.86036
159	10400.95458	10244.57169
160	10512.87661	10299.73164
161	10497.92950	10291.10837
162	10452.93019	10290.85986
163	10452.96335	10284.85975
164	10394.37379	10284.53593
165	10512.46578	10339.73702
166	10497.70843	10331.10776
167	10452.70911	10330.85905
168	10452.74227	10324.85914
169	10394.38281	10324.53659
170	10512.25495	10379.74240
171	10497.48735	10371.10715
172	10452.48804	10370.85844
173	10452.52120	10364.85853
174	10402.20603	10364.58044
175	10512.04412	10419.74776
176	10497.26628	10411.10654
177	10416.58455	10410.73611
178	10395.18499	10399.08557
179	10394.70686	10401.20154
180	10440.69047	10541.94290
181	10450.05821	10525.89162
182	10456.26275	10480.91964
183	10450.26281	10480.89209
184	10456.58413	10410.91976
185	10400.73779	10541.67889
186	10410.05663	10525.70797
187	10416.28317	10480.73600
188	10410.26323	10480.70845
189	10416.49273	10430.73652
190	10360.78510	10541.41488
191	10370.05705	10525.52433
192	10376.26359	10480.55235
193	10370.26365	10480.52480
194	10376.49315	10430.55287
195	10320.83242	10541.15087
196	10330.05747	10525.34068
197	10336.26401	10480.36870
198	10330.26408	10480.34115
199	10336.49357	10430.36923
200	10280.87973	10540.88686
201	10290.05789	10525.15703
202	10296.26443	10480.18505
203	10290.26450	10480.15751
204	10296.49399	10430.18558
205	10240.92704	10540.62285
206	10250.05832	10524.97339
207	10256.26486	10480.00141
208	10250.26492	10479.97386
209	10256.49441	10430.00193
210	10200.97436	10540.35883
211	10210.05874	10524.78974
212	10216.26528	10479.81776
213	10210.26534	10479.79021
214	10216.58668	10409.81792
215	10152.06236	10418.42089
216	10167.54652	10409.59277
217	10256.58624	10410.00157
218	10272.72845	10399.87381
220	10152.27839	10378.42203
221	10167.76352	10369.59335
222	10212.76285	10369.83748
223	10212.79540	10363.83757
224	10262.79432	10364.10882
225	10152.49442	10338.42318
226	10167.98052	10329.59394
227	10212.97986	10329.83807
228	10213.01241	10323.83816
229	10263.01132	10324.10941
230	10152.71045	10298.42432
231	10168.19752	10289.59453
232	10213.19686	10289.83866
233	10213.22941	10283.83875
234	10263.22832	10284.11000
235	10152.92648	10258.42546
236	10168.41452	10249.59512
237	10213.41386	10249.83925
238	10213.44641	10243.83933
239	10263.44532	10244.11058
240	10153.14250	10218.42661
241	10168.63152	10209.59571
242	10213.63086	10209.83984
243	10213.66341	10203.83992
244	10263.66232	10204.11117
245	10153.35853	10178.42775
246	10168.84852	10169.59630
247	10213.84786	10169.84042
248	10213.88041	10163.84051
249	10263.87933	10164.11176
250	10153.57456	10138.42889
251	10169.06553	10129.59689
252	10214.06486	10129.84101
253	10214.09741	10123.84110
254	10275.92964	10124.17655
255	10034.75269	10000.21600
256	10043.51823	9985.24924
257	10043.79792	9940.25011
258	10049.79780	9940.28740
259	10050.32009	9856.25702
260	10074.75192	10000.46461
261	10083.51746	9985.49785
262	10083.79715	9940.49872
263	10089.79703	9940.53601
264	10090.10779	9890.53698
265	10114.75114	10000.71322
266	10123.51669	9985.74646
267	10123.79637	9940.74733
268	10129.79626	9940.78462

LETTER	REVISIONS	DATE
A		
A		
A		
A		

EVENINGSTAR CAY at Port-of-the-Islands

DESIGNED BY	J.N.	DATE	3/90
DRAWN BY	JON/CAD	DATE	3/90
CHECKED BY	T.J.G.	DATE	3/90
VERTICAL SCALE	—	HORIZONTAL SCALE	1" = 30'

HOLE, MONTES & ASSOCIATES
ENGINEERS - PLANNERS - SURVEYORS
NAPLES - FORT MYERS - BONITA SPRINGS

SURVEY CONTROL

THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNLESS SIGNED BELOW:

DATE 5/4/95

REFERENCE NO.	18301SC
PROJECT NO.	183.01A
DRAWING NO.	2592-10
SHEET NO.	10 OF 10

3.C.d

Attachment: Attachment C - SDP 90-107 (21756 : PL20200001985 VA 199 Eveningstar Cay Ramps Dock)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

VARIANCE PETITION APPLICATION

Variance from Setbacks Required for a Particular Zoning District

LDC section 9.04.00 & Code of Laws section 2-83 – 2-90
Chapter 3 J. of the Administrative Code

PROJECT NUMBER
PROJECT NAME
DATE PROCESSED

To be completed by staff

PL20200001985

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): Rampe, Jerold M & Cheryl J

Name of Applicant if different than owner: Randy McNeil

Address: 199 Eveningstar Cay **City:** Naples **State:** FL **ZIP:** 34114

Telephone: (440) 725-1548 **Cell:** _____ **Fax:** _____

E-Mail Address: randy@naplesmc.com

Name of Agent: Randy McNeil

Firm: WB Marine Group DBA Naples Marine Construction

Address: 3427 Enterprise Ave **City:** Naples **State:** FL **ZIP:** 34104

Telephone: (440) 725-1548 **Cell:** _____ **Fax:** _____

E-Mail Address: randy@naplesmc.com

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

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

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PROPERTY INFORMATION

Provide a detailed legal description of the property covered by the application: (If space is inadequate, attach on separate page)

Property I.D. Number: 31417501404 **Section/Township/Range:** 9 / 52 / 28

Subdivision: 282100- Eveningstar Cay at Port **Unit:** _____ **Lot:** 3& **Block:** _____

Metes & Bounds Description: _____ **Total Acreage:** .2

Address/ General Location of Subject Property: 199 Eveningstar Cay

ADJACENT ZONING AND LAND USE

	Zoning	Land Use
N	Canal	Canal between Sunrise and Eveninstar Cay
S	RSF-4	Residential Single Family
E	RSF-4	Residential Single Family
W	RSF-4	Residential Single Family

Minimum Yard Requirements for Subject Property:

Front: _____ **Corner Lot:** Yes ☐ No ☐

Side: _____ **Waterfront Lot:** Yes ■ No ☐

Rear: _____

Chapter 8 of the Administrative Code requires that the applicant must remove their public hearing advertising sign(s) after final action is taken by the Board of County Commissioners. Based on the Board's final action on this item, please remove all public hearing advertising sign(s) immediately.

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

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ASSOCIATIONS

Complete the following for all registered Association(s) that could be affected by this petition. Provide additional sheets if necessary. Information can be found on the Board of County Commissioner's website at http://www.colliergov.net/Index.aspx?page=774.

Name of Homeowner Association: Port of the Islands Community Development District
Mailing Address: 104 Newport Cay **City:** Naples **State:** FL **ZIP:** 3411

Name of Homeowner Association: _____
Mailing Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

Name of Homeowner Association: _____
Mailing Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

Name of Homeowner Association: _____
Mailing Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

Name of Homeowner Association: _____
Mailing Address: _____ **City:** _____ **State:** _____ **ZIP:** _____

NATURE OF PETITION

On a separate sheet, attached to the application, please provide the following:

1. A detailed explanation of the request including what structures are existing and what is proposed; the amount of encroachment proposed using numbers, i.e. reduce front setback from 25 ft. to 18 ft.; when property owner purchased property; when existing principal structure was built (include building permit number(s) if possible); why encroachment is necessary; how existing encroachment came to be; etc.

2. For projects authorized under LDC Section 9.04.02, provide a detailed description of site alterations, including any dredging and filling.

3. Pursuant to LDC section 9.04.00, staff shall be guided in their recommendation to the Hearing Examiner, and the Hearing Examiner shall be guided in the determination to approve or deny a variance petition by the criteria (a-h) listed below. Please address the following criteria:

   a) Are there special conditions and circumstances existing which are peculiar to the location, size and characteristics of the land, structure, or building involved.

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

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b) Are there special conditions and circumstances which do not result from the action of the applicant such as pre-existing conditions relative to the property which is the subject of the variance request.

c) Will a literal interpretation of the provisions of this zoning code work unnecessary and undue hardship on the applicant or create practical difficulties on the applicant.

d) Will the variance, if granted, be the minimum variance that will make possible the reasonable use of the land, building or structure and which promote standards of health, safety or welfare.

e) Will granting the variance requested confer on the petitioner any special privilege that is denied by these zoning regulations to other lands, buildings, or structures in the same zoning district.

f) Will granting the variance be in harmony with the intent and purpose of this zoning code, and not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

g) Are there natural conditions or physically induced conditions that ameliorate the goals and objectives of the regulation such as natural preserves, lakes, golf course, etc.

h) Will granting the variance be consistent with the Growth Management Plan?

4. Official Interpretations or Zoning Verifications: To your knowledge, has there been an official interpretation or zoning verification rendered on this property within the last year?

☐ Yes ■ No If yes, please provide copies.

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

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Pre-Application Meeting and Final Submittal Requirement Checklist for: Variance Chapter 3 J. of the Administrative Code

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

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	☐	☑	☐
Pre-Application Meeting Notes	1	☑	☐
Project Narrative	☐	☑	☐
Completed Addressing Checklist	1	☑	☐
Property Ownership Disclosure Form	1	☒	
Conceptual Site Plan 24" x 36" and one 8 ½ " x 11" copy	☐	☑	☐
Survey of property showing the encroachment (measured in feet)	2	☑	☐
Affidavit of Authorization, signed and notarized	2	☑	☐
Deeds/Legal's	3	☑	☐
Location map	1	☑	☐
Current aerial photographs (available from Property Appraiser) with project boundary and, if vegetated, FLUCFCS Codes with legend included on aerial	5	☑	☐
Historical Survey or waiver request	1	☐	☐
Environmental Data Requirements or exemption justification	3	☐	☐
Once the first set of review comments are posted, provide the assigned planner the Property Owner Advisory Letter and Certification	1	☐	☐
Electronic copy of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	1	☑	☐

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

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(239) 252-2400 FAX: (239) 252-6358

Planners: **Indicate if the petition needs to be routed to the following reviewers:**

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

FEE REQUIREMENTS

- ☐ **Pre-Application Meeting:** $500.00
- ☐ **Variance Petition:**
  - **Residential-** $2,000.00
  - **Non-Residential-** $5,000.00
  - **5th and Subsequent Review-** 20% of original fee
- ☐ **Estimated Legal Advertising Fee for the Office of the Hearing Examiner:** $1,125.00
- ☐ **After The Fact Zoning/Land Use Petitions:** 2x the normal petition fee
- ☐ **Listed Species Survey (if EIS is not required):** $1,000.00

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

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

All checks payable to: Board of County Commissioners.

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

Applicant Signature

12/13/2021
Date

Randy McNeil
Printed Name

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

Nature of Petition

12/13/2021

1. A detailed explanation of the request including what structures are existing and what is proposed; the amount of encroachment proposed using numbers, i.e. reduce front setback from 25 ft. to 18 ft.; When property owner purchased property; when existing principal structure was built (include building permit number(s) if possible); why encroachment is necessary; how existing encroachment came to be; etc.

   The current owners of the subject property, Jerold and Cheryl Rampe, purchased the subject property in April of 2020. Prior to the sale of the property, the prior owner had applied for a building permit (Building Permit Application No. 20180529249) to replace a dock that was constructed in 1991 (Permit No. 910000281); however, the permit review process was never finalized and the permit application subsequently expired. To further complicate issues, the dock design was based upon setbacks prior to the existing two lots having been combined for development by the former owner in 2018; combining the lots increased the amount of water frontage, thereby increasing the required side setback from 7.5 feet to 15 feet. Naples Marine Construction has since been retained by the Rampe's to remedy the permitting issues and has submitted a new Building Permit Application, No. 20200517583; however, said application is now stalled because of the side setback issue. A Map of As-Built Survey dated 02/15/2021 reveals the subject dock facility to be 6.5 feet from the western side/riparian line; the resulting encroachment is 8.5 feet into the 15-foot side setback required for lots with 60 feet or greater of water frontage. This encroachment has existed since 2018 and, to our knowledge, has not caused any issues or concerns other than those related to permitting. The Rampe's desire to maintain the existing dock in its present configuration as it allows for direct access from the house. There are no changes proposed to the existing dock facility and it is our desire to finalize permitting by obtaining final inspections and a Certificate of Completion.

2. For projects authorized under LDC Section 9.04.02, provide a detailed description of site alterations, including any dredging and filling.

   Not Applicable

3. Pursuant to LDC section 9.04.00, staff shall be guided in their recommendation to the Hearing Examiner, and the Hearing Examiner shall be guided in the determination to approve or deny a variance petition by the criteria (a-h) listed below. Please address the following criteria:

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

a) Are there special conditions and circumstances existing, which are peculiar to the location, size and characteristics of the land, structure, or building involved.

Yes, when 2 lots were combined it increased the set back to 15'.

b) Are there special conditions and circumstances, which do not result from the action of the applicant such as pre-existing conditions relative to the property, which is the subject of the variance request.

The applicant purchased the property with this dock facility already constructed. Per the HOA president (letter attached), this variance does not create a hardship for anyone in the development.

c) Will a literal interpretation of the provisions of this zoning code work unnecessary and undue hardship on the applicant or create practical difficulties on the applicant.

Yes, there is no reason this doesn't work for everyone. The variance is at the seawall and the dock is already constructed. The old dock was slightly further into the requested setback of 6.5'.

d) Will the variance, if granted, be the minimum variance that will make possible the reasonable use of the land, building or structure and which promote standards of health, safety or welfare.

Yes, request is based on existing dock which would be the minimum variance.

e) Will granting the variance requested confer on the petitioner any special privilege that is denied by these zoning regulations to other lands, buildings, or structures in the same zoning district.

No, this is a normal request under these circumstances.

f) Will granting the variance be in harmony with the intent and purpose of this zoning code, and not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

Yes it will be in harmony with the intent of a variance and no it will not be injurious or detrimental to public welfare.

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

g) Are there natural conditions or physically induced conditions that ameliorate the goals and objectives of the regulation such as natural preserves, lakes, golf course, etc.

No, this is located on a channel in a small HOA that is very receptive to the idea.

h) Will granting the variance be consistent with the Growth Management Plan?

Yes, to make a variance exception when a situation could cause a hardship and no harm or inconvenience will come to any one

4. Official Interpretations or Zoning Verifications: To your knowledge, has there been an official interpretation or zoning verification rendered on this property within the last year?

No, we have been working on this with no decision up to this point.

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

3.C.e

Gmail

Cheryl Rampe <cjrampe@gmail.cor

199 Eveningstar Boat Lift

1 message

susan wright <susanwright11980@yahoo.com>
To: Cheryl & Jerold Rampe <cjrampe@gmail.com>

Fri, May 28, 2021 at 1:25 F

Variance request # PL20200001985
To whom it may concern:

The former owner of 199 Eveningstar Cay, Emery Ferguson, had a new boat dock and lift installed a couple years ago. The original dock was installed when the home was built. Later, an adjacent lot on the east side of the home was purchased and the home was then enlarged with a screen porch. Although the new dock and lift are larger than the prior boat dock, it does not extend any further to the west than the original dock that had been there for 20 plus years. The new dock does not appear to inhibit the neighboring property anymore than the prior dock would have.
I hope this assists in your decision to grant a variance for this structure.
Regards,
Susan Wright
President
Eveningstar Cay
Naples, FL
Sent from my iPhone

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

May 27, 2021

Re: Dock at 199 Eveningstar Cay

Dear Board Members,

First let me say how much I appreciate your time on this matter.

We are the new owners of 199 Eveningstar Cay. When we purchased our new home just over a year ago, we were unaware there was a problem with the placement of our dock. In meeting with the original owner and builder of the home, we now know that the home and dock were built on lot 3, a single lot. Lot 4 was purchased at a later date. The new dock's location is the same as the original one, as evidenced by the stamped tape location maps and pictures of the dock we have supplied previously.

One of the reasons we chose this home was the proximity of the dock to the house, with concrete steps and a railing coming straight down to the dock. My wife is disabled and this makes it easier for her to get down to the water. Our neighbors on both sides of us and the whole street were unaware that there was a problem with the dock placement and we have their complete support in keeping the dock where it is.

I hope the board approves our request. We look forward to resolving this matter promptly so we can enjoy being new residents of Naples. Please contact me if you need any further information.

Once again, thank you for your time.

Sincerely,

Jerold Rampe

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

NAPLES MARINE CONSTRUCTION

Narrative Statement

PL20200001985

199 Eveningstar Cay

To the Review Board: 12/13/2021

The current owners purchased this property in April of 2020. They have had money held in escrow since the closing until this is resolved which is a hardship to them. When these 2 properties were combined it doubled the setback from 7.5' to 15' The prior owners, the Ferguson's, built the current dock in 2018. The Ferguson's felt they were putting the new dock where the old one was. The current setbacks have not created a hardship for the neighboring property. There are no clear historical records to substantiate the location of the old dock. There was a dock permit (91-281 attached) found from January 1991 illustrating 8 foot side setbacks although not supported with a survey.

Permit #20180529249 was started before current ownership and before my time. The job was started and completed in the transition of the old and new ownership and proper procedures were not followed. The job is complete and would create a hardship to restructure. Permit #20200517583 was opened to resolve this matter with out the knowledge of the old permit.

In October 2012 there was permit (20121122871-01 attached) to add a concrete slab and roof enclosure. The final survey (attached) illustrates the old dock but, does not have dimensions.

The As-built-survey for the existing dock is 6.5' on the west side at the seawall and 8' at the outside water edge of the dock (CGS survey 5/20/2020 attached). It clearly does not interfere with the neigbors docking situation.

Included in the package are before and after pictures from the far side of the channel illustrating how this docking situation works for 199

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

Eveningstar Cay and their neighbor. This has been a similar setback for years and everyone has what they want for docking.

There are no changes proposed and the As-Built-Survey from 5/6/2020 is attached.

Randy McNeil
Naples Marine Construction

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

Collier County
Growth Management Department

ADDRESSING CHECKLIST

Please complete the following and email to GMD_Addressing@colliercountyfl.gov or submit in person to the Addressing Section at the address listed below. This form must be signed by Addressing personnel *prior* to the pre-application meeting. **Please allow 3 business days for processing.**

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

PETITION TYPE (Indicate type below. Complete a separate Addressing Checklist for each Petition type).

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

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

EVENINGSTAR CAY AT PORT OF THE ISLANDS LOT 3 AND LOT 4 9-52-28

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

31417501404

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

199 Eveningstar Cay

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

CURRENT PROJECT NAME (if applicable)

PROPOSED PROJECT NAME (if applicable)

PROPOSED STREET NAMES (if applicable)

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

SDP _____-_____ or AR or PL # _____

Operations & Regulatory Management Division • 2800 North Horseshoe Drive • Naples, FL 34104 • 239-252-2400
www.colliercountyfl.gov

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

Collier County
Growth Management Department

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

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

Applicant Name: Randy McNeil

Phone: (440) 725-1548 **Email:** randy@naplesmc.com

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

FOR STAFF USE ONLY

Folio Number 31417501404

Folio Number

Folio Number

Folio Number

Folio Number

Folio Number

Approved by: Annis Moxam **Date:** 1-20-22

Updated by: **Date:**

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

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

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
RAMPE, JEROLD M=& CHERYL J	100%

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

Name and Address	% of Ownership
N/A	

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

Name and Address	% of Ownership
N/A	

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

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(239) 252-2400 FAX: (239) 252-6358

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

Name and Address	% of Ownership
N/A	

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

Name and Address	% of Ownership
N/A	

Date of Contract: 2020

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 2020

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

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

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
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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

8/25/20
Date

Daniel Walsh
Agent/Owner Name (please print)

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20200001985

I, Jerold Rampe (print name), as Owner (title, if applicable) of 199 Eveningstar Cay (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 Randy McNeil 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.

Jerold Rampe
Signature

03/02/2022
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization this 2nd day of March, 2022, by (printed name of owner or qualifier) Jerold Rampe.

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

[X] Are personally known to me

[ ] Has produced a current drivers license _____

[ ] Has produced _____ as identification.

Notary Signature: Rachelle Lee

Notary Seal
Commission GG 270647
Expires 10/24/2022

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

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20200001985

I, Cheryl Rampe (print name), as Owner (title, if applicable) of 199 Eveningstar Cay (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 Randy McNeil 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.

Cheryl Rampe
Signature

03/02/2022
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me by means of [●] physical presence or [ ] online notarization this 2nd day of March, 2022, by (printed name of owner or qualifier) Cheryl Rampe.

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: Rachelle Smith

Notary Public State of Florida
Rachelle Smith
My Commission GG 270947
Expires 10/24/2022

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

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

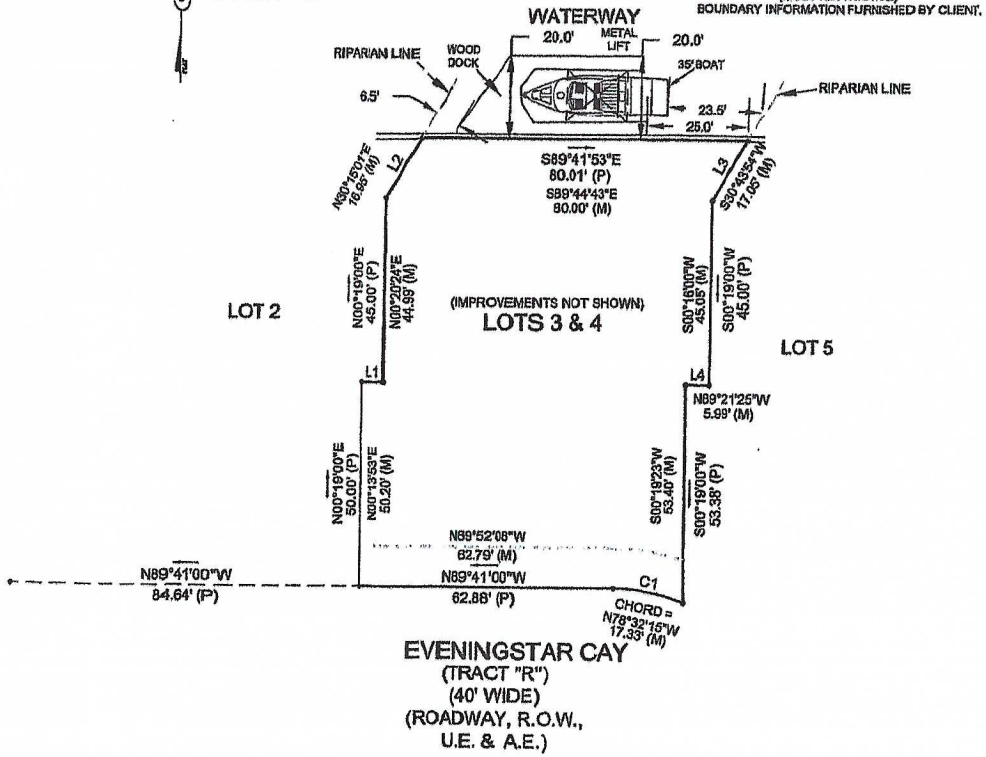
CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIR	CHORD
C1	17.55	45.00	22°20'57"	N78°29'10"W	17.44

LINE TABLE		
LINE	LENGTH	BEARING
L1	6.00	S89°41'00"E
L2	16.95	N30°19'00"E
L3	16.98	S30°19'00"W
L4	6.00	N89°41'00"W

LOTS 3 & 4 CONTAIN A CALCULATED AREA OF 0.20 ACRES OF LAND MORE OR LESS

SCALE 1" = 30'

NOTE: DIMENSIONS TO THE DOCK ARE MEASURED FROM THE PROPERTY LINE. (MOST RESTRICTIVE) BOUNDARY INFORMATION FURNISHED BY CLIENT.



NOTES:

1. THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH PROPERTY LINE OF THE SUBJECT PROPERTY AS SHOWN IN PLAT BOOK 17 PAGE 41 OF COLLIER COUNTY, BEING SOUTH 89° 41' 26" EAST.
2. IMPROVEMENTS OTHER THAN THOSE SHOWN ARE NOT A PART OF THIS SURVEY.
3. SAID DESCRIBED LAND IS SUBJECT TO ALL SUBDIVISION REGULATIONS, RESERVATIONS, RESTRICTIONS, ZONING AND RIGHTS-OF- WAY OF RECORD.
4. DATE OF FIELD SURVEY MAY 2, 2020.
5. THIS SURVEY MAP IS NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
6. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS, UTILITIES OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
7. ELEVATIONS SHOWN ARE BASED ON N.A.V.D. DATUM OF 1988. DESCRIPTION OF BENCHMARK IS AS FOLLOWS: SET BM
N/A
N/A
8. THE PURPOSE OF THIS SURVEY IS TO SHOW THE COMPLETED DOCK IMPROVEMENTS IN RELATION TO THE PLATTED SUBJECT PROPERTY'S BOUNDARY LINES.
9. SUBJECT PROPERTY IS SITUATED IN FLOOD ZONE N/A INDICATED ON FEMA FLOOD ZONE MAP PANEL N/A DATED:11/17/2005 BASE ELEV DETERMINED AT N/A ALL FEMA INFORMATION SHOWN NEEDS TO BE VERIFIED BY THE USER(S) OF THIS SURVEY, BEFORE ANY DESIGN AND/OR CONSTRUCTION.
10. NO TITLE OPINION OR ABSTRACT TO THE SUBJECT PROPERTY HAS BEEN PROVIDED. ALL INFORMATION HAS BEEN SUPPLIED BY THE CLIENT. 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

REVISIONS

LEGEND

O = FOUND (') IRON ROD (SURVEYOR ID #) (FIR)
◎ = SET 1/2" IRON ROD (PSM #6004)(SIRC)
■ = SET 4" X 4" CONCRETE MONUMENT (PSM #6004)(SCM)
⊡ = FOUND CONCRETE MONUMENT (SURVEYOR ID #)(FCM)
⊕ = BENCHMARK (FOUND OR SET) R/W = RIGHT OF WAY(R.O.W.)
O = FOUND NAIL OR PK NAIL AND DISC (SURVEYOR ID #) (FPKN)
◉ = SET PK NAIL AND DISC (PSM #6004) (SPKN&D) FD. = FOUND
FN&TT = FOUND NAIL AND TIN TAB BM = BENCHMARK
(M) = FIELD MEASUREMENT (C) = CALCULATED MEASUREMENT
P.C.P. = PERMANENT CONTROL POINT (#) C.L.= CENTERLINE
P.R.M. = PERMANENT REFERENCE MONUMENT (#) (PG) = PAGE
(P) OR (D) = PLAT OR RECORDED(DEED) MEASUREMENT
(PB) = PLAT BOOK PL EXT = PROPERTY LINE EXTENDED
CMP = CORRUGATED METAL PIPE CATV=CABLE TV
FF = FINISHED FLOOR U.T.S.= UNITED TELEPHONE RISER
Ⓦ = WELL CONC = CONCRETE CB = CATCH BASIN OR INLET
WM = WATERGATE VALVE R.C.P. = REINFORCED CONCRETE PIPE
Ⓢ = SANITARY SEWER PROP = PROPERTY X = SPOT ELEVATION
TOB = TOP OF BANK TOS = TOP OF SLOPE EOW = EDGE OF WATER
BOS = BOTTOM OF BANK BOS = BOTTOM OF SLOPE EO = EDGE OF
CBS=CONCRETE BLOCK & STUCCO VG= VALLEY GUTTER
ELEC. = ELECTRIC TRANS = TRANSFORMER JAC = JACUZZI
DE = DRAINAGE EASEMENT SWE = SIDEWALK EASEMENT
LBE = LANDSCAPE BUFFER EASEMENT IE = IRRIG. EASEMENT
PUE = PUBLIC UTILITY EASEMENT UE = UTILITY EASEMENT
LME(E)= LAKE MAINTENANCE ACCESS EASEMENT
LME = LAKE MAINTENANCE EASEMENT A.E.= ACCESS EASEMENT
MHW/MLW = APPROXIMATE MEAN HIGH/LOW WATER

MAP OF ASBUILT SURVEY

(DOCK IMPROVEMENTS ONLY)

LOTS 3 & 4

OF

EVENINGSTAR CAY

AT PORT OF THE ISLANDS

AS RECORDED IN PLAT BOOK 17 PAGE(S) 40-41 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA

199 EVENINGSTAR CAY

CERTIFY TO:
NPLES MARINE CONSTRUCTION

CERTIFICATION:
I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.

SIGNED_____
COURT H. GREGORY PSM #6004
DATE 5/6/20
DATE OF FIELD SURVEY 05-02-2020

PSM # 6004
LB # 7112

C.G.S.
Court Gregory Surveying, Inc.
761 Teton Court
Naples, Florida 34104
(239)643-7845 office
cgs6004@comcast.net
(239)272-3707 cell

Date 05/06/2020
Job # PI0092A
Fb PI-3 Pg 61

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Pre-Application Meeting Notes

Petition Type: Variance (VA)
Date and Time: Wednesday 10/28/2020 10:30 AM

Assigned Planner: John Kelly

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

Project Information

Project Name: 199 Eveningstar Cay (VA)

PL #: 20200001985

Property ID #: 31417501404 **Current Zoning:** RMF-16

Project Address: 199 Eveningstar Cay, **City:** Naples **State:** FL **Zip:** 34114

Applicant: Randy McNeil

Agent Name: Randy McNeil- Naples Marine Construction **Phone:** 440-725-1548

Agent/Firm Address: 3427 Enterprise Ave. **City:** Naples **State:** Fl **Zip:** 34104

Property Owner: Jerold M. Rampe & Cheryl J. Rampe

Please provide the following, if applicable:

i. **Total Acreage:** 0.2

ii. **Proposed # of Residential Units:** _____

iii. **Proposed Commercial Square Footage:** _____

iv. **For Amendments, indicate the original petition number:** _____

v. **If there is an Ordinance or Resolution associated with this project, please indicate the type and number:** _____

vi. **If the project is within a Plat, provide the name and AR#/PL#:** _____

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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.colliergov.net/Home/ShowDocument?id=75093.

ZONING –

- STAFF HAS BEEN UNABLE TO LOCATE A BUILDING PERMIT FOR PRIOR DOCK EXPANSION; IF NO PERMIT ISSUED THE DOCK WOULD HAVE LOST ANY LEGAL NONCONFORMING STATUS. SEE LDC SECTION 9.03.03.B.2.a)
- PLEASE PROVIDE A NARRATIVE STATEMENT THAT CLEARLY EXPLAINS WHAT HAS TRANSPIRED, WHY THE REQUIRED SETBACK INCREASED FROM 7.5 FEET TO 15 FEET, AND THAT THIS REQUEST IS AFTER-THE-FACT.
- SITE PLAN
  - SIDE RIPARIAN LINES TO BE CONSISTENT WITH SURVEY
  - DEMONSTRATE POINTS OF MEASURE, MOST RESTRICTIVE, FOR PROJECTION; SEE LDC SECTION 5.03.06.C.1
  - DEMONSTRATE SIDE/RIPARIAN SETBACK DISTANCES FOR BOTH EAST AND WEST SIDES AND NOTE THAT THE DOCK FACILITY INCLUDES THE VESSEL
  - ON A SEPARATE SHEET, RESPOND PERSUASIVELY TO EACH OF THE LDC VARIANCE REVIEW CRITERIA CONTAINED IN LDC SECTION 9.04.03 A-H

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

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

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Meeting Notes

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

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

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Pre-Application Meeting Sign-In Sheet

PL# 20200001985

Collier County Contact Information:

Name	Review Discipline	Phone	Email
☐ David Anthony	Environmental Review	252-2497	david.anthony@colliercountyfl.gov
☐ Claudine Auclair	GMD Operations and Regulatory Management	252-5887	claudine.auclair@colliercountyfl.gov
☐ Sally Ashkar	Assistant County Attorney	252-8842	sally.ashkar@colliercountyfl.gov
☐ Steve Baluch	Transportation Planning	252-2361	stephen.baluch@colliercountyfl.gov
☑ 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
☐ Alexandra Casanova	Operations Coordinator	252-2658	Alexandra.casanova@colliercountyfl.gov
☐ Heidi Ashton Cicko	Managing Asst. County Attorney	252-8773	heidi.ashton@colliercountyfl.gov
☑ Thomas Clarke	Operations Coordinator	252-2584	thomas.clarke@colliercountyfl.gov
☐ Jamie Cook	Prin. Environmental Specialist	252-6290	Jaime.cook@colliercountyfl.gov
☐ Eric Fey, P.E.	Utility Planning	252-1037	eric.fey@colliercountyfl.gov
☐ Tim Finn, AICP	Zoning Division	252-4312	timothy.finn@colliercountyfl.gov
☐ Sue Faulkner	Comprehensive Planning	252-5715	sue.faulkner@colliercountyfl.gov
☐ Jeremy Frantz	LDC Manager	252-2305	Jeremy.Frantz@colliercountyfl.gov
☐ James French	Growth Management Deputy Department Head	252-5717	james.french@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
☐ Nancy Gundlach, AICP, PLA	Zoning Division	252-2484	nancy.gundlach@colliercountyfl.gov
☐ Richard Henderlong	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
☐ Erin Josephitis	Environmental Specialist, Senior	252-2915	erin.josephitis@colliercountyfl.gov
☐ Marcia Kendall	Comprehensive Planning	252-2387	marcia.kendall@colliercountyfl.gov
☑ John Kelly	Zoning Senior Planner	252-5719	john.kelly@colliercountyfl.gov
☐ Diane Lynch	Operations Analyst	252-8243	diane.lynch@colliercountyfl.gov
☐ Gil Martinez	Zoning Principal Planner	252-4211	gilbert.martinez@colliercountyfl.gov
☐ Thomas Mastroberto	Greater Naples Fire	252-7348	thomas.mastroberto@colliercountyfl.gov

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

☐	Jack McKenna, P.E.	Engineering Services	252-2911	jack.mckenna@colliercountyfl.gov
☐	Matt McLean, P.E.	Development Review Director	252-8279	matthew.mclean@colliercountyfl.gov
☐	Michele Mosca, AICP	Capital Project Planning	252-2466	michele.mosca@colliercountyfl.gov
☐	Annis Moxam	Addressing	252-5519	annis.moxam@colliercountyfl.gov
☐	Richard Orth	Stormwater Planning	252-5092	richard.orth@colliercountyfl.gov
☐	Brandy Otero	Transit	252-5859	brandy.otero@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	Zoning Principal Planner	252-2708	james.sabo@colliergo.net
☐	Michael Sawyer	Transportation Planning	252-2926	michael.sawyer@colliercountyfl.gov
☐	Corby Schmidt, AICP	Comprehensive Planning	252-2944	corby.schmidt@colliercountyfl.gov
☐	Chris Scott, AICP	Development Review - Zoning	252-2460	chris.scott@colliercountyfl.gov
☐	Linda Simmons	North Collier Fire	252-2311	Linda.Simmons@colliercountyfl.gov
☐	Peter Shawinsky	Architectural Review	252-8523	peter.shawinsky@colliercountyfl.gov
☐	Camden Smith	Zoning Operations Manager	252-1042	camden.smith@colliercountyfl.gov
☐	Mark Strain	Hearing Examiner/CCPC	252-4446	mark.strain@colliercountyfl.gov
☐	Mark Templeton	Landscape Review	252-2475	mark.templeton@colliercountyfl.gov
☐	Jessica Velasco	Zoning Division Operations	252-2584	jessica.velasco@colliercountyfl.gov
☐	Jon Walsh, P.E.	Building Review	252-2962	jonathan.walsh@colliercountyfl.gov
☐	David Weeks, AICP	Comprehensive Planning Future Land Use Consistency	252-2306	david.weeks@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

☑ FRAN

Additional Attendee Contact Information:

Name	Representing	Phone	Email
RANDY McNEIL	NAPLES MARINE CONSTRUCTION	440 775-1518	RANDY@NAPLESMC.COM
DAN WALSH	OWNER " " "	"	

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

Collier County
Growth Management Department

GIS PROCESSING REQUEST
(Property Notification Address Listing)

Lists do not include Civic or Homeowner Associations.
Submit completed form to DL-GMDNorthGIS@colliercountyfl.gov
Please allow 3-5 business days for your request to be completed.
NOTE: Incomplete or altered forms will not be accepted.

Request Date: 01/19/2022

NIM Date (if scheduled):

AGENT/APPLICANT INFORMATION

Name of Agent/Applicant: Randy McNeil

Business: WB Marine Group, Inc DBA Naples Marine Construction

Telephone #: (440) 725-1548 **E-Mail:** randy@naplesmc.com

SITE LOCATION INFORMATION

PL Number (required): 20200001985

Folio Number(s) of Property and/or PUD Name (required): 31417501404, 282100 Eveningstar Cay at Port of the Isles

Buffer Distance Around Site Location (select one): [✓] 150' [ ] 500' [ ] 1,000' [ ] 1 Mile

Properties Included (select all applicable): [✓] Internal [ ] External

REQUESTED PRODUCTS

Results: [✓] Names and Addresses Only [ ] Names, Addresses, and Property Descriptions

Product(s) and Processing Fees

[ ] Spreadsheet (MS Excel, Electronic)	$70.00
[ ] Mailing Labels (Printed)	$80.00 + $0.06 for every record over 1,500
[✓] Spreadsheet and Mailing Labels	$85.00 + $0.11 for every record over 1,500

ADDITIONAL INFORMATION

Disclaimer: The data used in this request belongs to the Collier County Property Appraiser's Office (CCPA). Therefore, the recipient agrees not to represent this data to anyone as other than CCPA provided. As such, Collier County and its employees make no guarantees, implied or otherwise as to the accuracy or completeness. We therefore do not accept any responsibilities as to its use.

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

I hereby certify that pursuant to Ordinance 2004-72, of the Collier County Land Development Code, I did give notice by mail at least 30 days after receipt of letter indicating that the application is sufficient to the following property owners and or condominium and civic associations whose members may be impacted by the proposed land use changes of an application request for a variance or parking exemption. *For the purposes of this requirement, the names and addresses of property owners shall be deemed those appearing on the latest tax rolls of Collier County and any other persons or entities who have made a formal request of the county to be notified.* The said notice contained the laymen's description of the site property of proposed change.

Per attached letters and or property owner's list, which are hereby made a part of this Affidavit of Compliance.

(Signature of Applicant)

State of Florida
County of Collier

The foregoing Affidavit of compliance was acknowledged before me this 19TH day of JANUARY, 2022 by RANDY MENDEL, who is personally known to me or who has produced DRIVERS LICENSE as identification.

(Signature of Notary Public)

Rachelle Smith
Printed Name of Notary

Notary Public State of Florida
Rachelle Smith
My Commission GG 270947
Expires 10/24/2022

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

NAPLES MARINE CONSTRUCTION

January 19, 2022

Name
Address
City, State Zip

Dear Property Owner:

Please be advised that the sender has made a formal application to Collier County for a variance from the requirements of the zoning regulations as they apply to the following described property:

> Request for 8.5-foot variance from the required side yard setback of 15 feet as provided for in Land Development Code Section 5.03.06.E.5 for dock facilities on lots with water frontage of 60 feet or greater. The request is to allow a dock facility at 6.5 feet from the west side property/riparian line located at 199 Eveningstar Cay, further described as Lots 3 and 4, Eveningstar Cay at Port of the Islands, in Section 9, Township 52 South, Range 28 East, Collier County, Florida. [PL20200001985]

It is our intent to ask the County to allow us to leave the existing dock, as is, on the aforementioned property by allowing the above variance. You are encouraged to contact the sender of this letter in the event you would like additional explanation or further information. In any event, please be advised that we are interested in assuring you that our request should not adversely affect your property interest.

Sincerely,

Randy McNeil
3427 Enterprise Ave.
Naples, FL 34104

(440) 725-1548
randy@naplesmc.com

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

Notice: This data belongs to the Collier County Property Appraiser's Office (CCPA). Therefore, the recipient agrees not to represent this data to anyone as other than CCPA provided data. The recipient may not transfer this data to others without consent from the CCPA.

Petition: PL20200001985 | Buffer: 150' | Date: 1/19/2022 | Site Location: 31417501404

NAME1	NAME2	NAME3	NAME4	NAME5	NAME6	FOLIO	ADD	TY
ACADEMY PROPERTIES LLC	PO BOX 1281				NEW LONDON, NH 03257---0	75530002804	U	
ANDERSON, LAWRENCE M	ANGELICA ANDERSON	1947 FIESTA DR			LEBANON, OH 44903---0	31417501307	U	
ASHCRAFT, JACK DWIGHT	141 PLEASANT HILL ROAD NW				CONYERS, GA 30012---0	31417501556	U	
BLAISING, PATRIC H & ANNE E	205 SUNRISE CAY #205				NAPLES, FL 34114---0	75530002367	U	
BRUSCA JR, THOMAS D	253 SUNRISE CAY #204				NAPLES, FL 34114---0	75530002846	U	
BUTKA, RANFYS & STEPHENE B	16422 SW 94TH ST				MIAMI, FL 33196---0	31417501501	U	
BUXELL JR, IRVIN J & CAROLE L	221 SUNRISE CAY #204				NAPLES, FL 34114---9647	75530002529	U	
CABRERA, ERICA	317 SUNRISE CAY #1101				NAPLES, FL 34114---0	75530002024	U	
DEBORAH KAY JANSEN REV TRUST	205 SUNRISE CAY #103				NAPLES, FL 34114---9651	75530002228	U	
DEMBROW, MATT	ANNE C GENOVESE	253 SUNRISE CAY #102			NAPLES, FL 34114---0	75530002723	U	
DIETER, RICHARD & PATRICIA	253 SUNRISE CAY APT 103				NAPLES, FL 34114---9698	75530002749	U	
ELLIOTT, KENDALL & KAREN	140 EVENINGSTAR CAY				NAPLES, FL 34114---0	31417502908	U	
ERICKSON, JON & SARA	205 SUNRISE CAY #104				NAPLES, FL 34114---0	75530002244	U	
EUGENE ABRAMOFF REV TRUST	221 SUNRISE CAY UNIT 3-104				NAPLES, FL 34114---9647	75530002448	U	
EVENING STAR CAY NEIGHBORHOOD	ASSOCIATION INC	11314 SUNRAY DR			BONITA SPRINGS, FL 34135---6917	31417500256	U	
EVENING STAR CAY NEIGHBORHOOD	ASSOCIATION INC	11314 SUNRAY DR			BONITA SPRINGS, FL 34135---6917	31417500502	U	
EVENINGSTAR CAY NEIGHBORHOOD	ASSN INC	% RESORT MANAGEMENT	2685 HORSESHOE DR S # 215		NAPLES, FL 34104---0	31417501255	U	
FALLS, DANNY A	138 EVENINGSTAR CAY				NAPLES, FL 34114---0	31417502953	U	
FORTNER, RANDALL H	221 SHOTWELL ST				WHITE LAKE, MI 48386---2465	75530002147	U	
GIBERGA, OVIDIO C & REBECCA J	237 SUNRISE CAY APT 203				NAPLES, FL 34114---9642	75530002668	U	
GREVAS, DANIEL J & KIM M	14 APFELRIDGE CT				SOUTH ST PAUL, MN 55075---0	75530002545	U	
GRIFFIN, TAYLOR N	THOMAS A GRIFFIN	317 SUNRISE CAY UNIT 201			NAPLES, FL 34112---0	75530002105	U	
GROSS, CURTIS R & LYNETTE	205 SUNRISE CAY #2-105				NAPLES, FL 34114---0	75530002260	U	
HALE, JOHN A & WANDA C	1802 VERONA DR				CHATTANOOGA, TN 37421---0	75530002707	U	
HALVORSON, KEVIN	TRENT HALVORSON	TODD HALVORSON	205 SUNRISE CAY #204		NAPLES, FL 34114---0	75530002341	U	
HERBERT F ORTH & CYNTHIA J	ORTH HICKS REV TRUST	221 SUNRISE CAY 11 #203			NAPLES, FL 34114---0	75530002503	U	
HOLLIS, RICHARD M & CHERYL L	253 SUNRISE CAY #5-104				NAPLES, FL 34114---0	75530002765	U	
JAMES & JOYCE MEISTER RE TRUST	205 SUNRISE CAY APT 101				NAPLES, FL 34114---9651	75530002189	U	
JENNINGS III, WILLIAM G	MERCEDES BUSTO	1450 BRICKELL BAY DR APT 2007			MIAMI, FL 33131---3662	75530002121	U	
KAIKINI, MARIE	205 SUNRISE CAY #203				NAPLES, FL 34114---9653	75530002325	U	
LATOUR JR, ROBERT J & SUSAN F	866 LAKE HOLIDAY DR				SANDWICH, IL 60548---0	75530002202	U	
LEEDY, JONI LYNN	JENNIFER LYNN LEDERMAN	237 SUNRISE CAY #103			NAPLES, FL 34114---0	75530002587	U	
MAGC PROPERTIES LLC	3745 CEDARIDGE				KALAMAZOO, MI 49008---0	75530002642	U	
MARGARETHA M LAVEY REV TRUST	709 NW 10TH AVE				DANIA BCH, FL 33004---0	75530002781	U	
MARTIN, DARIENS	JUANA BROZ	17500 NW 68TH AVE			HIALESH, FL 33015---0	31417501352	U	
MARTIN, ROBERT & GERALDINE	237 SUNRISE CAY #104				NAPLES, FL 34114---0	75530002600	U	
OLSON, JEFFREY S & KATHI M	253 SUNRISE CAY #203				NAPLES, FL 34114---0	75530002820	U	
OTTO, DUANE R & KATHRYN B	237 SUNRISE CAY APT 201				NAPLES, FL 34114---9642	75530002626	U	
PIRIE, JOHN & MARSHA	191 EVENINGSTAR CAY				NAPLES, FL 34114---0	31417501608	U	
PORT OF THE ISLANDS COMMUNITY	IMPROVEMENT DISTRICT	% PREMIER DIST MGMT	3820 COLONIAL BLVD #101		FORT MYERS, FL 33966---0	68291520001	U	
PRATT, JOHN ALAN & SUSAN	317 SUNRISE CAY #104				NAPLES, FL 34114---0	75530002082	U	
RAMPE, JEROLD M & CHERYL J	679 COUNTY ROAD 9				VICTOR, NY 14564---0	31417501404	U	
RICKY A MARTIN & TINA L MARTIN	REVOCABLE LIVING TRUST	205 SUNRISE CAY #2-201			NAPLES, FL 34114---0	75530002286	U	
SALZMAN, MAURI S & JUDITH B	15349 RAMSEY SHORES RD				ADAMS, NY 13605---0	75530002406	U	
SANBORN, JOHN	146 EVENINGSTAR CAY				NAPLES, FL 34114---9611	31417502759	U	
SCHROEDER, JAMES E & LINDA K	3753 LAKEVIEW DR				WINNEBAGO, IL 61088---0	75530002561	U	
SMITH FAMILY PROTECTION TRUST	2632 BROWNING DRIVE				LAKE ORION, MI 48360---1816	75530002383	U	
SPEEN, ALEXANDER S & LYNDA S	221 SUNRISE CAY APT 201				NAPLES, FL 34114---9647	75530002464	U	
STIFFLER, MICHAEL JOSEPH	PAULA COTE STIFFLER	142 EVENINGSTAR CAY			NAPLES, FL 34114---0	31417502856	U	
SUNRISE CAY II UNIT 204 LLC	1300 N 15TH ST STE 1				IMMOKALEE, FL 34142---2811	75530002163	U	
TOLLE, JOHN H	317 SUNRISE CAY #103				NAPLES, FL 34114---0	75530002066	U	
TREVELLINE, ROBERT E & KELLY R	12705 LOVELL RD				CORRY, PA 16407---0	75530002040	U	
WARD, JOHN MATHIEU	KIMBERLY ANN WARD	237 SUNRISE CAY #204			NAPLES, FL 34114---0	75530002684	U	
WELLS, GREGORY S & LISA	331 CARROLL RD				CHILLICOTHE, OH 45601---9347	75530002480	U	
WESCOTT, JOSEPH A & JOAN J	221 SUNRISE CAY APT 103				NAPLES, FL 34114---9647	75530002422	U	
WETZ FLORIDA LLC	47190 S CLUBHOUSE RD				SIOUX FALLS, SD 57108---0	75530002309	U	
SAVAGE, RONALD G & DAWN R	BENJAMIN JOHN SAVAGE	12 CHRISTOPHER CT			NORTH BAY P1C 1M6 CANADA	31417501653	F	
SUNRISE CAY II A CONDOMI	NIUM					1067081401		

Attachment: Attachment D - Agents Backup (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20200001985

I, Casey J Rampe (print name), as Trustee the Jerold M & Cheryl J. Rampe Trust V/A (title, if applicable) of 199 Eveningstar Cay (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 Randy McNeil 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.

Casey J Rampe
Signature

03/21/2022
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [X] physical presence or [ ] online notarization this 21 day of March, 20 2, by (printed name of owner or qualifier) Casey Rampe.

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

[X] Are personally known to me

[ ] Has produced a current drivers license _____

[ ] Has produced _____ as identification.

Notary Signature: Rachelle Smith

Notary Public State of Florida
Rachelle Smith
My Commission GG 270947
Expires 10/24/2022

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

Attachment: Attachment E - HEX Hybrid Meeting Waiver (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

Attachment F – Public Correspondence
VA-PL20200001985

Letters of No Objection:

146 Eveningstar Cay
168 Eveningstar Cay
175 Eveningstar Cay
177 Eveningstar Cay
191 Eveningstar Cay
205 Sunrise Cay #201
205 Sunrise Cay #205
237 Sunrise Cay #102



Attachment: Attachment F - Public Correspondence (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

KellyJohn

From: John Sanborn <john.f.sanborn@gmail.com>
Sent: Wednesday, March 30, 2022 5:46 PM
To: KellyJohn
Subject: Variance PL 2020 000 1985

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

Dear Sir:

I have NO concerns with Variance PL 2020 000 1985 for 199 Eveningstar Cay.

John F. Sanborn
146 Eveningstar Cay
Naples, FL 34114

John.f.sanborn@gmail.com
832-454-8476

Attachment: Attachment F - Public Correspondence (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

KellyJohn

From: janeen keller <janeenkel5@hotmail.com>
Sent: Thursday, March 31, 2022 7:22 AM
To: KellyJohn
Subject: Jerry and Cheryl Rampe

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

We do not have any concerns with the variance 20200001985

Joe and janeen Keller 168 Eveningstar Cay

Sent from my iPad

Attachment: Attachment F - Public Correspondence (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

KellyJohn

From: susan wright <susanwright11980@yahoo.com>
Sent: Thursday, March 31, 2022 7:30 AM
To: KellyJohn
Subject: Variance PL2020001985

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

Mr Kelly
Please consider this email a letter in support of this variance. The reduced setback will not cause harm to anyone. Prior to 2 lots being put together to change it from the original 40 foot lot to a 80 foot lot, the set back was 7.5 feet. So actually at 8.5 feet, it is even better for the lot to the west than it was originally. It seems only right to grant this variance to the current homeowners who inherited this dock from prior owners.
Thank you
Susan Wright
175 Eveningstar Cay
Naples, FL 34114
765 427-3467

Sent from my iPhone

Attachment: Attachment F - Public Correspondence (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

KellyJohn

From: Kit <wrightsauto@msn.com>
Sent: Thursday, March 31, 2022 8:29 AM
To: KellyJohn
Subject: PL 20200001985

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

Sir
As the owner of 177 Eveningstar Cay, I am in support of Variance PL20200001985. It will not cause harm to any property owners.
John Stairiker
610 656-7164

Sent from my iPhone

Attachment: Attachment F - Public Correspondence (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

KellyJohn

From: John Pirie <noontimerunner@gmail.com>
Sent: Wednesday, March 30, 2022 1:11 PM
To: KellyJohn
Subject: Letter of support

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

My wife and I live at 191 Eveningstar Cay Naples Fl. 34114. We are Jerold and Cheryl Rampe neighbors. We do not have any concerns with variance PL 20200001985. If you have any questions please email me or call me at 860-912-2627.

Thank you
John Pirie
Marsha Pirie

Attachment: Attachment F - Public Correspondence (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

KellyJohn

From: Tina Martin <tinamartin317@gmail.com>
Sent: Wednesday, March 30, 2022 11:18 AM
To: KellyJohn
Subject: Petition No. PL20200001985

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

Mr. Kelly,

I am a neighbor of Jerold and Cheryl Rampe of 199 Eveningstar Cay, Naples 34114. They live behind us and we share the same canal at Port of The Islands.

I just wanted to let you know that I have no concerns with Variance PL20200001985, and am happy with their existing dock.

Thank you.
Tina Martin
205 Sunrise Cay #201
Naples, FL 34114

Attachment: Attachment F - Public Correspondence (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

KellyJohn

From: Lynnette Gross <lgross09@gmail.com>
Sent: Tuesday, March 29, 2022 8:38 PM
To: KellyJohn
Subject: Re: PL2020000100085
Attachments: image001.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

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

Yes we are referring to the Rampe boat dock.

On Tue, Mar 29, 2022, 6:24 PM KellyJohn <John.Kelly@colliercountyfl.gov> wrote:

> Good evening Curtis and Lynette,
>
> I'm afraid that the referenced project number is not valid. The only open petition I see that is near you is a variance request pertaining to a boat dock to the rear of 199 Eveningstar Cay; VA-PL20200001985. Might you be able to confirm that you are writing in support of the referenced request or if you are writing about something else? Thank you kindly…
>
> Respectfully,
>
> *John Kelly*
>
> Senior Planner
>
> ***Zoning Division – Zoning Services Section***
>
> **2800 North Horseshoe Drive, Naples Florida 34104**
>
> **Phone: 239.252.5719 Fax: 239.252.6363**
>
> **Email:** John.Kelly@colliercountyfl.gov
>
> *Tell us how we are doing by taking our Zoning Division Survey at* http://bit.ly/CollierZoning

Attachment: Attachment F - Public Correspondence (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

Growth Management Department

From: Lynnette Gross <lgross09@gmail.com>
Sent: Tuesday, March 29, 2022 5:56 PM
To: KellyJohn <John.Kelly@colliercountyfl.gov>
Subject: Re: PL2020000100085

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

We have no objections t the above variance and causes no harm. Our adress is 205 Sunrise Cay 205.

Curtis and Lynnette Gross.

On Tue, Mar 29, 2022, 5:53 PM Lynnette Gross <lgross09@gmail.com> wrote:

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

Attachment: Attachment F - Public Correspondence (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

KellyJohn

From: jschro1776@aol.com
Sent: Saturday, April 02, 2022 12:23 PM
To: KellyJohn
Subject: Variance PL 2020 000 1985--Rampe

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

Dear Mr. Kelly,

I would like to let you know that we are fully in favor of granting the variance list above for the property of Jerold and Cheryl Rampe, located in Port of the Islands. Neither we, nor any of the neighbors I have talked to, have any concerns or opposition to this variance being granted. The dock in question does not detract from our neighborhood in any way, and we are all pleased to have the Rampes as part of our community.

Please feel free to contact me if you would like any further information.

Sincerely,
James and Linda Schroeder
237 Sunrise Cay, #102
Naples, FL 34114
815.784.3220 home
847.293.6155 cell

Attachment: Attachment F - Public Correspondence (21756 : PL20200001985 VA 199 Eveningstar Cay Rampe Dock)

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.D
Item Summary: Petition No. DR-PL20210002480 - A request for approval of a site plan with deviations from LDC 4.02.16.B Table 7 to reduce the eastern minimum side yard from ten feet to zero feet and from LDC 4.02.16.E.2.a.ii to reduce the required shared landscape buffer from ten feet to five feet and reduce the property's minimum landscape buffer contribution from five feet to zero feet, for the redevelopment of Naples Classic Car, located at Lots 49-53, Block A, Rock Creek Park, also known as 3066 Terrace Ave in Section 2, Township 50 South, Range 25 East, Collier County, Florida [Coordinator: Gabriela Castro, Principal Planner] Commission District 4

Meeting Date: 04/14/2022

Prepared by:
Title: Principal Planner – Zoning
Name: Gabriela Castro
03/17/2022 3:02 PM

Submitted by:
Title: – Zoning
Name: Mike Bosi
03/17/2022 3:02 PM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky	Review Item	Completed	
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	03/22/2022 1:23 PM
Zoning	Ray Bellows	Review Item	Completed	03/22/2022 1:34 PM
Zoning	Mike Bosi	Review Item	Completed	03/22/2022 2:12 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	04/14/2022 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: ZONING SERVICES SECTION, GROWTH MANAGEMENT DEPARTMENT

HEARING DATE: APRIL 14, 2022

SUBJECT: NAPLES CLASSIC CAR, SITE PLAN WITH DEVIATIONS, DR-PL20210002480

APPLICANT/OWNER:

Al Leradi
Davis Terrace Reality LLC
2630 Pine Ridge Rd
Naples Fl, 34109

AGENT:

Jessica Klutz
Davidson Engineering, Inc
4365 Radio Rd, Suite 201
Naples, FL 34104

REQUESTED ACTION:

The applicant requests that the Hearing Examiner consider an application for approval of a site plan with deviations pursuant to Land Development Code (LDC) Section 10.02.03.F and seeks two deviations, including: one deviation from LDC 4.02.16.B Table 7 to reduce the eastern minimum side yard from ten feet to zero feet and one deviation from LDC 4.02.16.E.2.a.ii to reduce the required shared landscape buffer from ten feet to five feet and reduce the property's minimum landscape buffer contribution from five feet to zero feet.

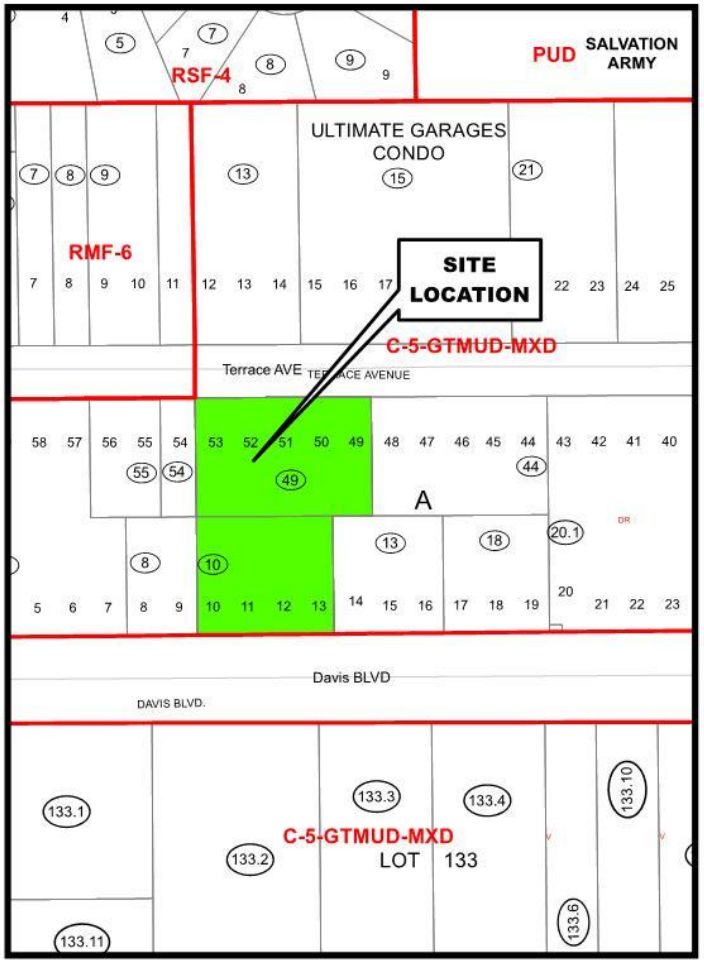
GEOGRAPHIC LOCATION:

The subject property is located approximately 750 feet from the Davis Boulevard and South Airport Road on the northwest quadrant, also known as 3045 Davis Boulevard and 3066 Terrace Avenue in Section 2, Township 50 South, Range 25 East, Collier County, Florida, consisting of 1.1 ± acres. (see location map on page 2)

Attachment: Staff Report Naples Classic Car (21727 : PL20210002480 Naples Classic Car DR)



Location Map



Zoning Map

Petition Number: PL20210002480

Attachment: Staff Report Naples Classic Car (21727 : PL20210002480 Naples Classic Car DR)

PURPOSE AND DESCRIPTION OF PROJECT:

In 1973, the property owners installed a metal steel frame building. In 2015, Davis Terrace Reality LLC acquired this property and the southern parcel located at 3045 Davis Boulevard. In 2016 a site development plan (SDP PL20160001805) was done for the southern parcel and in 2018 a site development amendment (SDPA PL20180001929) was for the northern property next to the metal steel building that the applicant now wants to demolish and rebuild. *(See Attachment C and D)*

As previously stated, the structure has been there since 1973 and the owner wants to demo and rebuild the building using the standards from when the building was originally permitted. In 1973, this property was zoned C-1 and the land development code (LDC) at the time was from 1968, please see attachment B. In that LDC the minimum side yard was allowed to be "none- party walls are permitted and required landscaping buffers had not been established yet. This resulted in a steel building that was located right on the property line, today the owner wants to rebuild the building in the location where it is currently located, for that to happen two deviations are required. A summary is provided here:

1. Deviation from LDC Section 4.02.16.B.1.ii. Table 7, to reduce the ten-foot setback to zero feet along the eastern property line.
2. Deviation from LDC Section 4.06.02 C Table 2.4 and LDC Section 4.02.16.E.2.a.ii., which requires a shared 10' type A landscape buffer between commercial uses with a minimum of 5' on each lot, to reduce the requirement to zero feet.

This property is located in the Gateway Triangle Mixed-Use Overlay District part of the purpose and intent of the overlay is to encourage the revitalization of this area.

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, which is currently developed with Naples Classic Car, a luxury car sales and repair and is zoned Heavy Commercial District (C-5) within the Gateway Triangle Mixed-Use Overlay Mixed Use Subdistrict (GTMUD-MXD):

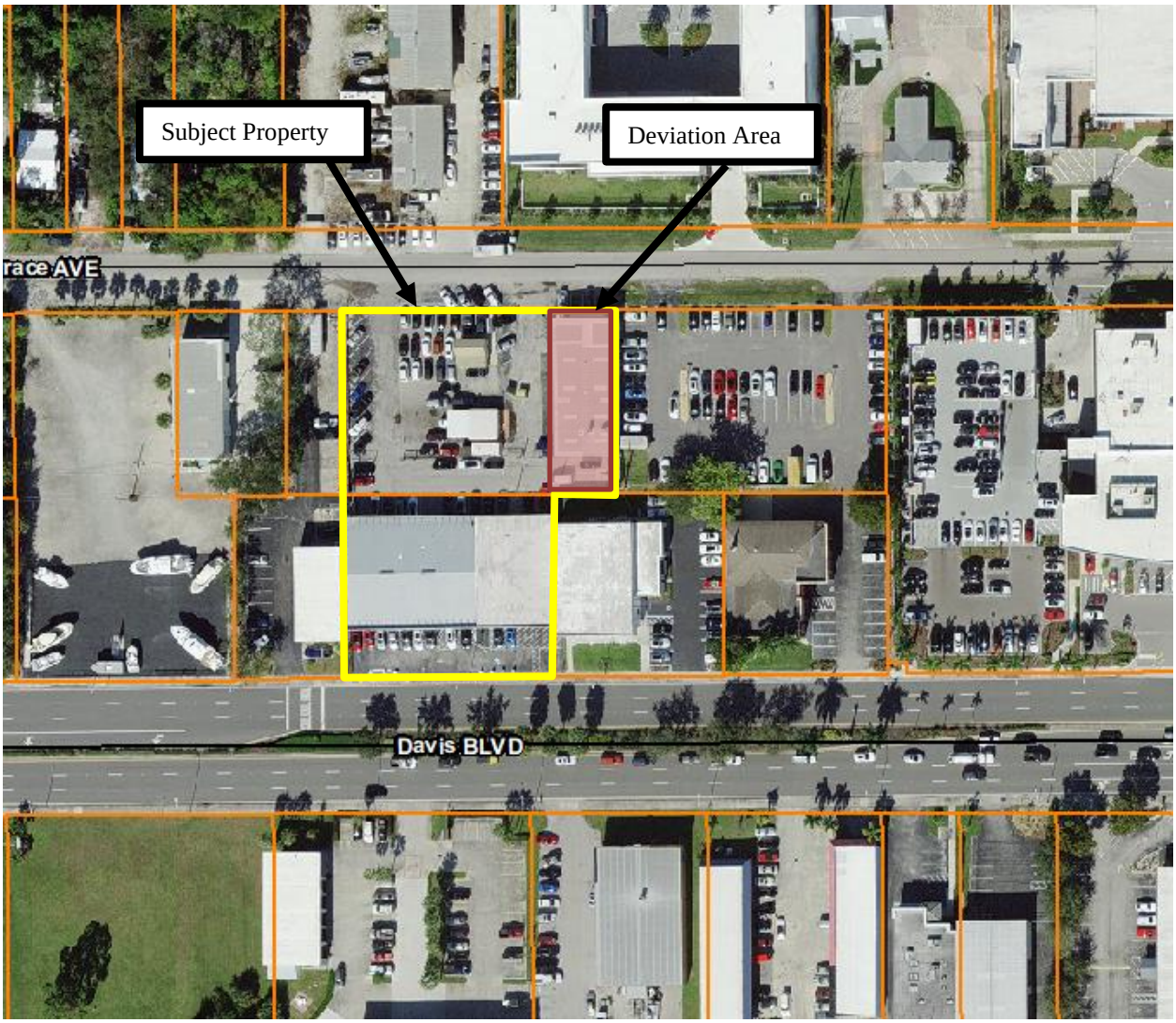
North: Two-lane Terrace Avenue, then developed with Ultimate Garages, a luxury car indoor storage, and a building with multiple tenants with a zoning designation of C-5 GTMUD-MXD

East: Developed with a used car dealership and parking lot with a zoning designation of C-5 GTMUD-MXD

South: Six lane Davis Boulevard then developed property with auto parts store with a zoning designation of C-5 GTMUD-MXD

West: Developed with a window tinting company with a zoning designation of C-5 GTMUD-MXD

Attachment: Staff Report Naples Classic Car (21727 : PL20210002480 Naples Classic Car DR)



Collier County GIS

APPLICANT'S JUSTIFICATION FOR REQUESTED DEVIATION:

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

Proposed Deviation #1:

"Deviation 1 seeks relief from LDC Section 4.02.16.B.1.ii. Table 7, which requires a 10-foot side yard setback in C-5 zoning districts with the GTMUD-MXD overlay, to allow for the redevelopment of an existing structure with the current side yard of 0 feet without addition of hoods, canopies, or roof overhangs."

Attachment: Staff Report Naples Classic Car (21727 : PL20210002480 Naples Classic Car DR)

***Petitioner's Justification**: A site plan with deviations may be requested for the redevelopment of a site which meets the criteria for an SDP or SDPA. Under PL20160001805 an SDP was submitted to the county and accepted on 6/22/2017 and under PL20180001929 an SDPA was submitted to the county and accepted on 7/13/2019. 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. To create a functional site that is also safe and could withstand hurricane force winds, the existing metal steel frame building permitted in 1973 must be renovated in whole and replaced with a more modern structure. The foundation of the building will also be raised 7 inches to meet FEMA design flood elevation, match adjacent structures and allow for cars to be moved on the site and within the buildings easily without steep ramps. The building's footprint will remain the same size but moved 4 feet and 7 inches south to allow for articulation along the North side of the property which faces the street, enhancing the architectural value. The 0-foot side yard is needed to allow for a usable site plan, keeping a structure large enough to park cars within while not interfering with other site functions. The proposed structure does not have a hood, canopy, or roof overhang, so there will be no projection into the side yard, complying with LDC 4.02.01.D.8.*

***Staff Analysis and Recommendation*:** Staff sees no detrimental effect if this deviation request is approved. Staff has evaluated the proposed deviation to the site plan and found no issue with consistency. Therefore, Zoning and Development Review staff recommends **APPROVAL** of this deviation.

"Deviation 2 seeks relief from LDC Section 4.06.02 C Table 2.4 and LDC Section 4.02.16.E.2.a.ii., which requires a shared 10' type A landscape buffer between commercial uses to allow for the redevelopment of an existing structure with a side yard of 0' along the east side of the property. In addition to the code required plantings, 4 trees with a minimum height of 10' will be provided along the North façade of the building."

***Petitioner's Justification**: A zero-foot setback does not allow for space for a landscape buffer, so a deviation from LDC Section 4.06.02 C Table 2.4 is required. To mitigate this, enhanced landscaping will be installed along the north face of the redeveloped structure in the form of the four trees that would be required in a Type A buffer along the 100' East edge of the building.*

***Staff Analysis and Recommendation*:** Staff sees no detrimental effect if this deviation request is approved. Landscape Review staff has evaluated the proposed deviation to the site plan and found no issue with consistency. Therefore, Zoning and Development Review staff recommends **APPROVAL** of this deviation.

STAFF ANALYSIS:

Staff has reviewed the requested against the established criteria for Site Plans with Deviations

Attachment: Staff Report Naples Classic Car (21727 : PL20210002480 Naples Classic Car DR)

under LDC Section 10.02.03.F.7 and provide the below analysis.

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

Staff has described the existing land use pattern in the "Surrounding Land Use and Zoning" portion of this report. The proposed deviations will not change the permitted land uses and densities within the development.

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

Staff is of the opinion that the project as proposed will remain consistent with GMP FLUE Policy 5.4 requiring the project to be compatible with neighborhood development. Staff recommends that this petition be deemed consistent with the FLUE of the GMP. The petition can also be deemed consistent with the CCME and the Transportation Element. Therefore, staff recommends that this petition be deemed consistent with the GMP, because uses are not changing with this amendment as the owner has been operating his business with the existing building,

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 proposed deviations will not change the permitted land uses and densities within the development. Staff is of the opinion that the proposed improvement will have a beneficial effect for the surrounding neighborhood and unincorporated Collier County for this currently developed property, as the new building would require the building to be built to today's safety standards and the new building would complement the new surrounding buildings.

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 proposed deviations will not change the current land area within the development and are adequate to serve the intended purpose.

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.

The proposed deviations are intended to acknowledge the referenced features of the site as previously approved should continue, because this has proven appropriate for the use. The applicant has agreed to add an additional four trees to the north property line to compensate for the zero-foot landscaped buffer on the east side.

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

Attachment: Staff Report Naples Classic Car (21727 : PL20210002480 Naples Classic Car DR)

better in quality than the existing project before redevelopment and after it was first permitted.

The new building will be designed to the new Florida Building Code standards to withstand high-velocity wind speeds as well as the building will be brought up in elevation to comply with FEMA standards. Visually the applicant has proposed additional landscaping along the north side to enhance the visual character that the existing building does not provide to driver and pedestrian using Terrace Avenue.

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

At the time of the Site Development Plan Amendment and Building Permit processing, the proposed development improvement is subject to reliable and continuing maintenance requirements as well as standard confirmation and authorization of common ownership(s).

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.

Staff finds that the deviations are clearly delineated and is the minimum required to achieve the goals of the project.

i. The petitioner has provided enhancements to the development.

The act of demolishing and rebuilding a new building provides an enhancement to the development as well as the additional landscaping proposed along Terrace Avenue.

j. Approval of the deviation(s) will not have an adverse effect on adjacent properties.

Staff has described the existing land use pattern in the "Surrounding Land Use and Zoning" portion of this report. Further, based on the information provided in the application the proposed deviations are requested to allow for setback and landscaping conditions that were previously authorized by past approvals. Thus, the granting of these deviations will result in updated conditions that are consistent with past conditions, not adversely affecting adjacent properties.

Landscape Review: Given that the site has existed with no buffer along the portion of the East buffer where the building is currently located, and that 4 trees will be provided in addition to the North buffer and foundation planting requirements, staff sees no detrimental effects resulting from the approval of deviation 2.

Environmental Review: Environmental Planning staff has reviewed this petition. The request is to demolish the existing building and rebuild the structure with a setback deviation. Preservation of native vegetation is not required since the property has been developed and does not contain a preservation area or listed species. This project does not require Environmental Advisory Council

Attachment: Staff Report Naples Classic Car (21727 : PL20210002480 Naples Classic Car DR)

(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.

PUBLIC NOTICE:

Notice about the April 14, 2022, Hearing Examiner hearing was provided by newspaper advertisement and mailed notice to owners within 500 feet of the site.

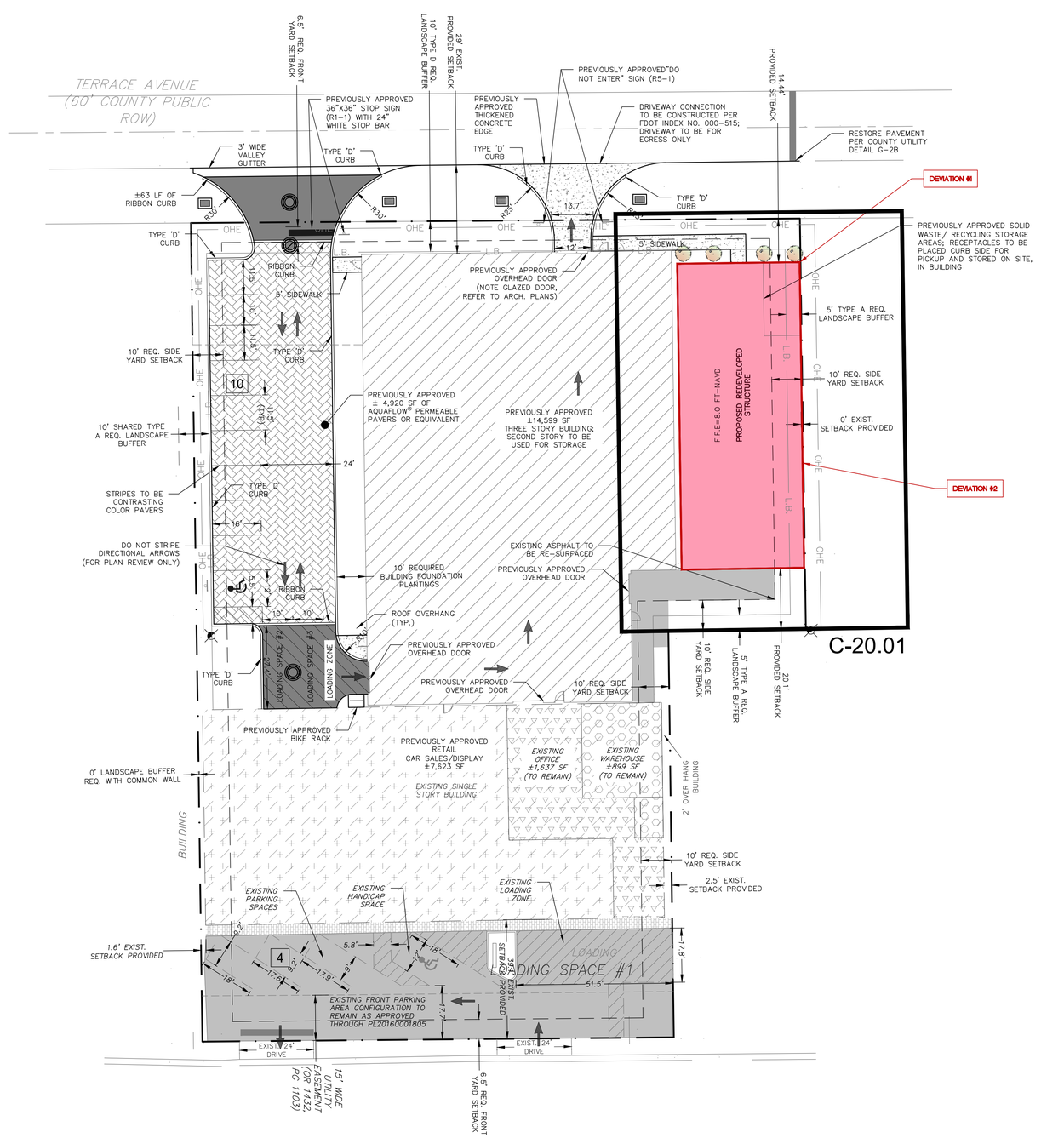
STAFF RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner **approves** Naples Classic Car., Site Plan with Deviations, DR-PL20210002480, Petition, with the following condition:

1. The Naples Classic Car, shall be limited to deviations that are depicted in Attachment A.

Attachments:
A. Site Plan with Deviation
B. Section 11.16 from 1968 LDC
C. Approved SDPA PL20180001929 site plan
D. Approved SDPA PL20180001929 landscape plan
E. Applicant Backup Materials

Attachment: Staff Report Naples Classic Car (21727 : PL20210002480 Naples Classic Car DR)



LEGEND

- PREVIOUSLY APPROVED ASPHALT SURFACE
- EXISTING ASPHALT SURFACE
- PREVIOUSLY APPROVED BUILDING
- PROPOSED REDEVELOPED STRUCTURE
- STANDARD CONCRETE SECTION
- PERMEABLE PAVERS
- PREVIOUSLY APPROVED RETAIL CAR SALES / DISPLAY AREA
- EXISTING OFFICE TO REMAIN
- EXISTING WAREHOUSE TO REMAIN
- DRAINAGE MANHOLE
- DRAINAGE STRUCTURE PER FDOT INDEX 425-052

GENERAL NOTES:

1. THE APPROVAL OF THESE CONSTRUCTION PLANS DOES NOT AUTHORIZE CONSTRUCTION OF REQUIRED IMPROVEMENTS WHICH ARE INCONSISTENT WITH EASEMENTS OF RECORD.
2. ALL CATEGORY 1 INVASIVE EXOTIC PLANTS AS DEFINED BY THE FLORIDA EXOTIC PEST PLANTS COUNCIL, SHALL BE REMOVED FROM WITHIN THE PRESERVE AREAS AND SUBSEQUENT ANNUAL REMOVAL OF THESE PLANTS (IN PERPETUITY) SHALL BE THE RESPONSIBILITY OF THE OWNER.
3. FIRE FIGHTING WATER SUPPLY SHALL BE AVAILABLE PRIOR TO THE PLACEMENT OR STORAGE OF ANY COMBUSTIBLE MATERIALS ON SITE.
4. ALL PROHIBITED NON-NATIVE/EXOTIC VEGETATION AS DEFINED BY THE COLLIER COUNTY LDC SHALL BE REMOVED FROM THE SITE & IT SHALL BE MAINTAINED FREE OF EXOTICS IN PERPETUITY. ALL ANNUAL REMOVAL OF EXOTIC VEGETATION SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER
5. THIS SITE PLAN SHALL MEET ALL REQUIREMENTS OF THE COLLIER COUNTY LDC UNLESS VARIANCES WERE OBTAINED PRIOR TO CONSTRUCTION.
6. THE SURFACE WATER MANAGEMENT SYSTEM & ALL INFRASTRUCTURE IMPROVEMENTS AND ONSITE UTILITIES SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER.
7. NO CONSTRUCTION IS TO BE PERFORMED WITHIN THE FDOT RIGHT OF WAY.
8. COUNTY PERMIT TO PERFORM WORK AND/OR MAINTENANCE IN THE COUNTY RIGHT-OF-WAY IS REQUIRED FOR ANY WORK WITHIN THE COUNTY'S PUBLIC ROAD ROW.

FLOOD ZONE INFO.

FLOOD ZONE: AE
BASE FLOOD ELEVATION = 7 FT-NAVD
DESIGN FLOOD ELEVATION = 8 FT-NAVD

N

0 10 20 40
SCALE IN FEET

REVISIONS

REV.	DATE:	DESCRIPTION
	01/06/2022	REVISION

DESIGNED BY: A.R.
DRAWN BY: L.D.
CHECKED BY: A.R.
PROJECT NO.: 18-0033

CLIENT:
DAVIS TERRACE REALTY,LLC
2630 PINE RIDGE ROAD
NAPLES, FL 34109

PROJECT:
NAPLES CLASSIC CAR

SHEET TITLE:
MASTER SITE PLAN

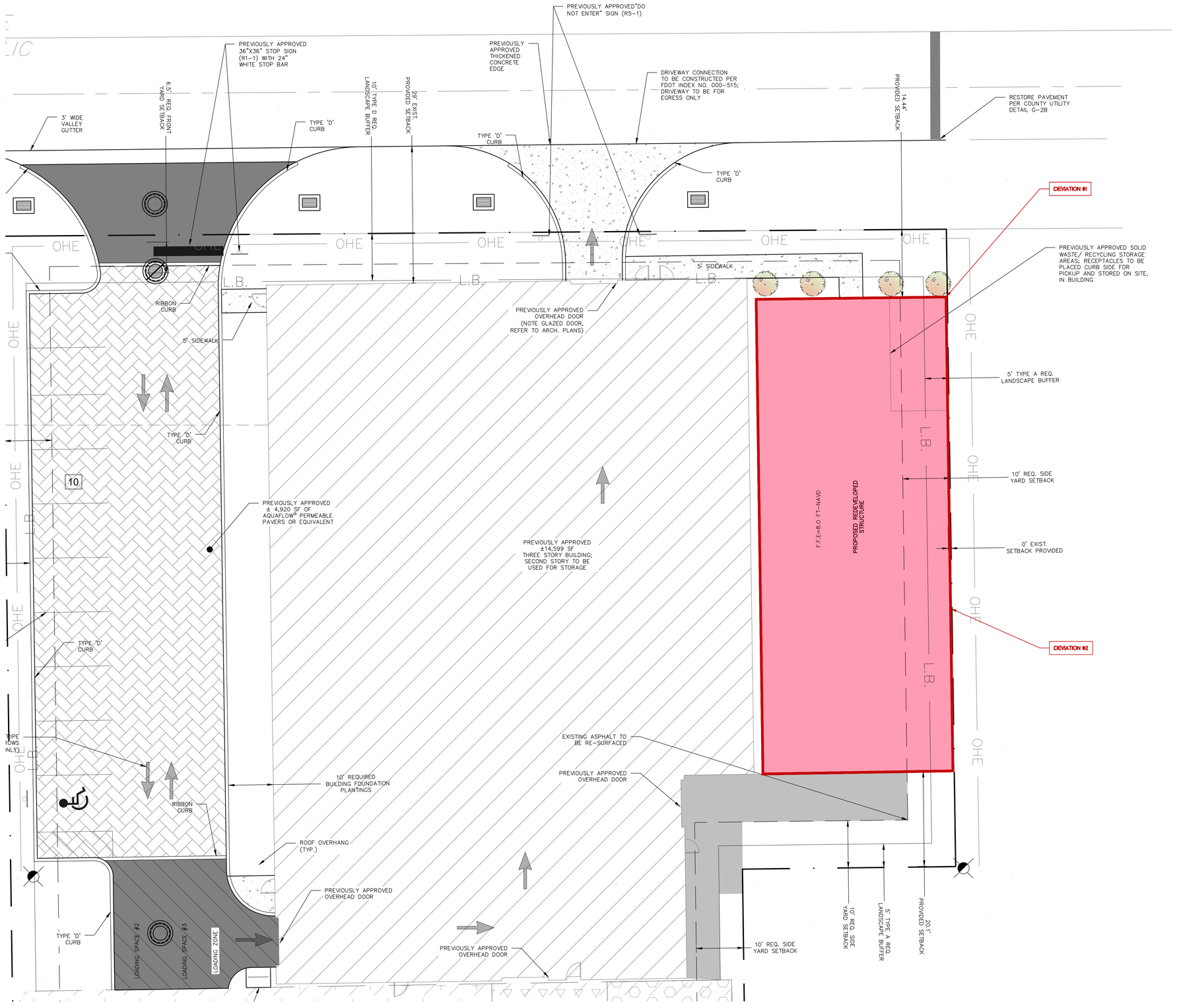
4365 Radio Road, Suite 201
Naples, Florida 34104
P: 239.434.6060 F: 239.434.6084
Company Cert. of Authorization No: 00009496

ANDREW E. RATH, P.E. NO. 73996

SHEET NO:
C-20.00

Z:\Active Projects\NAPLES CLASSIC CAR\DWG\Site Civil\Sheetfiles\C-20.00 - 23.00 - Master Plans (2021).dwg (SDP-MSP) Tom.DeFrancesco Mar 07, 2022 - 12:39pm

Attachment: A Naples Classic Car Site Plan (21727 : PL20210002480 Naples Classic Car DR)



LEGEND

- PREVIOUSLY APPROVED ASPHALT SURFACE
- EXISTING ASPHALT SURFACE
- PREVIOUSLY APPROVED BUILDING
- PROPOSED REDEVELOPED STRUCTURE
- STANDARD CONCRETE SECTION
- PERMEABLE PAVERS
- PREVIOUSLY APPROVED RETAIL CAR SALES / DISPLAY AREA
- EXISTING OFFICE TO REMAIN
- EXISTING WAREHOUSE TO REMAIN
- DRAINAGE MANHOLE
- DRAINAGE STRUCTURE PER FDOT INDEX 425-052
- MITIGATION TREE

GENERAL NOTES:

1. THE APPROVAL OF THESE CONSTRUCTION PLANS DOES NOT AUTHORIZE CONSTRUCTION OF REQUIRED IMPROVEMENTS WHICH ARE INCONSISTENT WITH EASEMENTS OF RECORD.
2. ALL CATEGORY 1 INVASIVE EXOTIC PLANTS AS DEFINED BY THE FLORIDA EXOTIC PEST PLANTS COUNCIL, SHALL BE REMOVED FROM WITHIN THE PRESERVE AREAS AND SUBSEQUENT ANNUAL REMOVAL OF THESE PLANTS (IN PERPETUITY) SHALL BE THE RESPONSIBILITY OF THE OWNER.
3. FIRE FIGHTING WATER SUPPLY SHALL BE AVAILABLE PRIOR TO THE PLACEMENT OR STORAGE OF ANY COMBUSTIBLE MATERIALS ON SITE.
4. ALL PROHIBITED NON-NATIVE/EXOTIC VEGETATION AS DEFINED BY THE COLLIER COUNTY LDC SHALL BE REMOVED FROM THE SITE & IT SHALL BE MAINTAINED FREE OF EXOTICS IN PERPETUITY. ALL ANNUAL REMOVAL OF EXOTIC VEGETATION SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER
5. THIS SITE PLAN SHALL MEET ALL REQUIREMENTS OF THE COLLIER COUNTY LDC UNLESS VARIANCES WERE OBTAINED PRIOR TO CONSTRUCTION.
6. THE SURFACE WATER MANAGEMENT SYSTEM & ALL INFRASTRUCTURE IMPROVEMENTS AND ONSITE UTILITIES SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER.
7. NO CONSTRUCTION IS TO BE PERFORMED WITHIN THE FDOT RIGHT OF WAY.
8. COUNTY PERMIT TO PERFORM WORK AND/OR MAINTENANCE IN THE COUNTY RIGHT-OF-WAY IS REQUIRED FOR ANY WORK WITHIN THE COUNTY'S PUBLIC ROAD ROW.

SCHEDULE OF DEVIATIONS LEGEND

DEVIATION 1: 0' LOT LINE

DEVIATION 2: NO LANSCAPE BUFFER ALONG EAST SIDE OF BUILDING

NOTE: MITIGATING LANDSCAPING WILL BE ADDED TO NORTH FACE OF BUILDING

FLOOD ZONE INFO.

FLOOD ZONE: AE
BASE FLOOD ELEVATION = 7 FT-NAVD
DESIGN FLOOD ELEVATION = 8 FT-NAVD

REVISIONS

REV.	DATE:	DESCRIPTION
1	01/06/2022	REVISION

DESIGNED BY: A.R.
DRAWN BY: L.D.
CHECKED BY: A.R.
PROJECT NO.: 18-0033

CLIENT:
DAVIS TERRACE REALTY,LLC
2630 PINE RIDGE ROAD
NAPLES, FL 34109

PROJECT:
NAPLES CLASSIC CAR

SHEET TITLE:
SITE PLAN WITH DEVIATIONS

4365 Radio Road, Suite 201
Naples, Florida 34104
P: 239.434.6060 F: 239.434.6084
Company Cert. of Authorization No. 00009486

ANDREW E. RATH, P.E. NO. 73996

SHEET NO:
C-20.00

Z:\Active Projects\NAPLES CLASSIC CAR\DWG\Site Civil\Sheetfiles\C-20.00 - 23.00 - Master Plans (2021).dwg (SDP-MSP (2)) Tom.DeFrancesco Mar 07, 2022 - 12:39pm

Attachment: A Naples Classic Car Site Plan (21727 : PL20210002480 Naples Classic Car DR)

square feet, or fraction thereof, of principal building floor area. Transient lodging facilities shall be provided with one off-street loading space for the first 20 units, two spaces for 21 to 40 units, three spaces if there are more than 40 units. Loading and unloading areas are to be marked as such so that service vehicles may use the space without interfering with the use of streets, sidewalks, alleys or parking areas.

Section 11.16 - C-1 Commercial District.

1. DISTRICT PURPOSE: This district is composed of land and structures used primarily to provide for the retailing of commodities and the furnishing of selected services, and is the County's most restrictive commercial district, and particularly adaptable to planned shopping centers and prestige shopping areas. In this district, no merchandise shall be stored or displayed between the front building line and the front property line.

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

   A. PRINCIPAL USES:

      (1) Transient lodging facilities with a minimum of twenty (20) dwelling units.

      (2) Schools and colleges.

      (3) Restaurants - no drive-ins.

      (4) Cocktail lounges and retail package sales of liquors and other beverages, no drive-ins.

      (5) Retail shops and stores. Retail shops and stores may include incidental processing and repair activities, provided they are accessory and subordinate to the retail sales use, and provided that all storage, processing and repair of merchandise occurs within the principal building.

      (6) Financial institutions.

      (7) Professional, business, financial, utilities offices and services.

      (8) Medical offices and clinics - for humans.

      (9) Art and photographic studios and galleries.

      (10) Private clubs.

Attachment: B 11.6 1968 LDC (21727 : PL20210002480 Naples Classic Car DR)

(11) Barber and beauty shops.

(12) Shoe repair shops.

(13) Laundry and dry cleaning pickup establishments and self-service laundries.

(14) Retail bakeries.

(15) Motion picture theatres and live theatres - no drive-ins.

(16) Tailoring, millinery, garment alteration and repair.

(17) Commercial and private parking lots and parking garages.

(18) Museums.

B. ACCESSORY USES:

(1) Accessory uses and structures customarily associated with the uses permitted in this district.

(2) Multiple-family dwellings with a minimum of five (5) units, in accordance with Paragraph 7 of the MF-3 regulations.

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

Use

(1) Marinas.

(2) Gasoline service stations, not engaged in mechanical repair work.

(3) Private amusement and recreation uses.

(4) Advertising signs and structures.

3. MINIMUM LOT AREA: None.

4. MINIMUM LOT WIDTH: None.

5. MINIMUM YARDS:

A. Front yard - 10 feet.

Attachment: B 11.6 1968 LDC (21727 : PL20210002480 Naples Classic Car DR)

B. Side yard - None. Party walls are permitted.

C. Rear yard - 25 feet. No rear yard required for marinas.

6. MINIMUM FLOOR AREA: 1,000 square feet per building on the ground floor.

7. MAXIMUM HEIGHT: None, except 35 feet above grade within 150 feet of any district restricted to 30 feet in height, and except 45 feet within 150.1 to 400 feet or any such district.

8. MINIMUM OFF-STREET PARKING: See Off-Street Parking Regulations (Article VIII).

9. OFF-STREET LOADING AND UNLOADING SPACES: All uses other than multiple-family dwelling units or transient lodging facilities shall be provided with one off-street loading space for each 5,000 square feet, or fraction thereof, of principal building floor area.

Section 11.17 - C-2 Commercial District.

1. DISTRICT PURPOSE: This district is composed of land and structures used primarily to provide for the retailing of commodities and furnishing of selected services of less restrictive nature than permitted under "C-1". One intended purpose of this district is to provide for attractive development of main highway frontage in approaches to urban areas.

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

A. PRINCIPAL USES:

(1) Transient lodging facilities with a minimum of 20 dwelling units.

(2) Schools and colleges.

(3) Restaurants - including drive-ins.

(4) Cocktail lounges and retail package sales of liquor and other beverages.

(5) Retail shops and stores. Retail shops and stores may include incidental processing and repair activities, provided they are accessory and subordinate to the retail sales use, and provided that all storage, processing and repair of merchandise occurs within the principal building.

Attachment: B 11.6 1968 LDC (21727 : PL20210002480 Naples Classic Car DR)

Collier County
Reviewed and Approved For:
Permit Issuance
PL20180001929 Date: 7/31/2019

NAPLES CLASSIC CAR

AMENDMENT TO SITE DEVELOPMENT PLANS (PL20160001805)

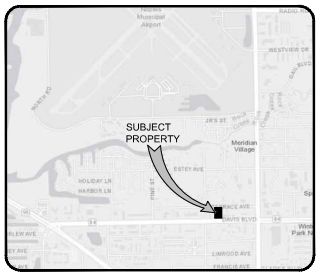
SECTION 02, TOWNSHIP 50 SOUTH, RANGE 25 EAST
COLLIER COUNTY, FLORIDA

LEGAL DESCRIPTION

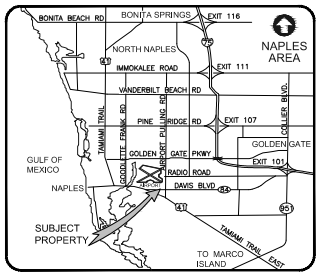
LOTS 10, 11, 12 AND THE WEST 35 FEET OF LOT 13, AND LOTS 49, 50, 51, 52 AND 53 OF BLOCK A, ROCK CREEK PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 79 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FL

OWNER/DEVELOPER:

DAVIS TERRACE REALTY, LLC
2630 PINE RIDGE ROAD
NAPLES, FL 34109

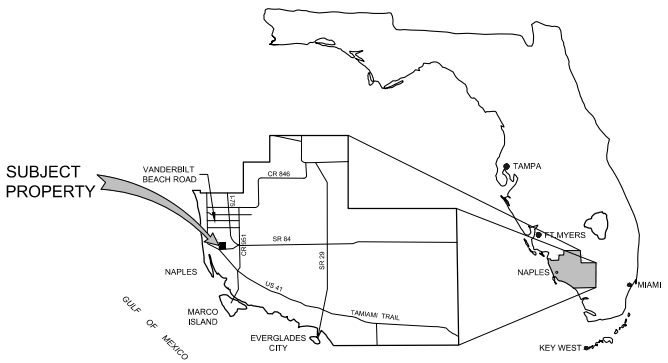


VICINITY MAP
N.T.S.



STREETS MAP
N.T.S.

STATE OF FLORIDA



COLLIER COUNTY

INDEX OF DRAWINGS

DWG. NO.	DESCRIPTION
C-00.01	COVER SHEET
C-00.10	GENERAL NOTES
C-00.20	AERIAL VIEW
C-10.00	EXISTING CONDITIONS & DEMOLITION PLAN
C-20.00	MASTER SITE PLAN
C-21.00	MASTER DRAINAGE PLAN
C-22.00	MASTER UTILITIES PLAN
C-26.00	DETAILS
C-28.00	NPDES POLLUTION PREVENTION PLAN

GENERAL NOTES

1. ALL ELEVATIONS SHOWN ARE NAVD
2. NAVD + 1.28' = NGVD - TO BE VERIFIED BY SURVEYOR
3. ZONED: C-5/ GTMUD-MXD
4. FOLIO # 70720240002, 70720500001
5. PHYSICAL ADDRESS: 3045 DAVIS BLVD & 3084 TERRACE AVE NAPLES, FL 34104
6. BUILDING CONSTRUCTION TYPE (TYPE IIB)
7. BUILDINGS WILL BE SPRINKLED
8. GROSS FLOOR AREA FOR FIRE FLOW CALCULATIONS:
   1st FLOOR: 29,086 SF (COMBINED, EXISTING, AND PROPOSED)
   2nd FLOOR: 14,384 SF
   3rd FLOOR: 14,384 SF
9. SUM OF 3 LARGEST FLOORS: 57,854 SF
10. REQUIRED FIRE FLOW AT PROPOSED FIRE HYDRANT ADJACENT TO FIRE DEPARTMENT CONNECTION: (5,000 GPM) x (75% REDUCTION) = 1,250 GPM
11. AVIALABLE FIRE FLOW @ 20 PSI = 1,926 GPM, PERFORMED BY THE GREATER NAPLES FIRE DEPT. ON 07/16/18

FLOOR AREA CALCULATIONS (NEW STRUCTURE ONLY)

	RESOURCE	AREA
FLOOR AREA, LDC	SEC 1.08.02 DEFINITIONS	42,900 SF
NET FLOOR AREA, LDC, PARKING ONLY	SEC. 4.02.16F, PARKING SPACE REQUIREMENTS	13,136 SF
(FLOOR) AREA, BUILDING, FBC	DEFINITIONS, SEC. 502	42,900 SF
(FLOOR AREA) SQUARE FOOTAGE	IMPACT FEES, CODE OF LAWS, SEC. 74-108	14,599 SF

REVISIONS
- 06/27/2019 | REVISED PER COLLIER COUNTY RAI COMMENTS
- 05/28/2019 | REVISED PER COLLIER COUNTY RAI COMMENTS
- 04/01/2019 | REVISED PER COLLIER COUNTY RAI COMMENTS

DESIGNED BY: A.R.
DRAWN BY: L.D.
CHECKED BY: A.R.
PROJECT NO.

CLIENT: DAVIS TERRACE REALTY, LLC 2630 PINE RIDGE ROAD NAPLES, FL 34109

PROJECT: NAPLES CLASSIC CAR

SHEET TITLE: COVER SHEET

DAVIDSON ENGINEERING

Digitall
by And
P.E. #73
Date:
2019.07
10:23:1

JEFF L. DAVIDSON, P.E. NO. 47
ANDREW E. RATH, P.E. NO. 73
RYAN A. WHITE, P.E. NO. 6746
JENNA A. WOODWARD, P.E. NO

SHEET NO: C-00.0

Attachment: C Approved PL20180001929 site plan (21727 : PL20210002480 Naples Classic Car DR)

GENERAL NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH COLLIER COUNTY STANDARDS & SPECIFICATIONS.
2. GRADES SHOWN IN GRASSED AREAS ARE TOP OF SOD.
3. ANY DEVIATIONS FROM THESE PLANS BY THE OWNER OR CONTRACTOR REQUIRES PRIOR APPROVAL OF THE ENGINEER.
4. THE STORM WATER MANAGEMENT FACILITIES HAVE BEEN DESIGNED TO CONFORM WITH THE MINIMUM REQUIREMENTS OF COLLIER COUNTY AND/OR ESTABLISHED SOUTH FLORIDA WATER MANAGEMENT DISTRICT PERMIT DESIGN CRITERIA FOR THIS AREA. DOWNSTREAM DRAINAGE BASIN OUTFALL IS REGULATED BY OTHERS. DAVIDSON ENGINEERING INC. CANNOT WARRANT THE WATER MANAGEMENT SYSTEM TO FUNCTION PROPERLY DURING EXTREME STORM EVENTS. PERIODS OF MINOR FLOODING MAY OCCUR DURING NON-DESIGN STORM EVENTS.
5. ALL PROHIBITED EXOTIC VEGETATION AS DEFINED BY COUNTY CODE SHALL BE REMOVED FROM THE SITE AND IT SHALL BE MAINTAINED FREE OF EXOTICS IN PERPETUITY BY THE PROPERTY OWNER.
6. NATURAL VEGETATION ON SITE SHALL BE RETAINED TO THE MAXIMUM EXTENT POSSIBLE AND SHALL BE BARRICADED WITH ENVIRO-FENCING AT THE DRIP LINE OF VEGETATION FOR THE DURATION OF CONSTRUCTION.
7. THE SURFACE WATER MANAGEMENT SYSTEM ON SITE SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER.
8. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
9. THE FIRE PROTECTION WATER SUPPLY, INCLUDING FIRE HYDRANTS, SHALL BE INSTALLED AND IN SERVICE PRIOR TO PLACING COMBUSTIBLE BUILDING MATERIALS ON SITE.
10. FIRE HYDRANT SHALL BE MARKED IN A UNIFORM MANNER APPROVED BY THE LOCAL FIRE DISTRICT.
11. CONTRACTOR TO INSTALL GAP CONFIGURATION OR TBF WITH A TSP AT THE OPTION OF THE FIRE CONTROL DISTRICT.
12. SEE MASTER DRAINAGE PLAN FOR STORM PIPE SIZES AND DETAILS.
13. THE APPROVAL OF THESE CONSTRUCTION PLANS DOES NOT AUTHORIZE CONSTRUCTION OF REQUIRED IMPROVEMENTS WHICH ARE INCONSISTENT WITH EASEMENTS OF RECORD.
14. CONTRACTOR TO REPAIR OR REPLACE ANY EXISTING TREES, SHRUBS, SERVICES OR IRRIGATION SYSTEMS THAT ARE DAMAGED IN THE WORK AREA.
15. LANDSCAPING SHALL NOT OBSTRUCT, VISUALLY OR FUNCTIONALLY, ANY FIRE PROTECTION DEVICE SUCH AS HYDRANTS, PIV'S, ETC.
16. FIRE HYDRANTS SHALL BE LOCATED WITHIN FOUR FEET OF THE CURB LINE OF A FIRE LANE, STREET OR PRIVATE STREET WHEN INSTALLED ALONG SUCH AN ACCESS WAY.
17. COLLIER COUNTY IS NOT RESPONSIBLE FOR REPLACING ANY LANDSCAPING DESTROYED DURING THE MAINTENANCE OF SEWER.
18. IF DURING THE COURSE OF THE SITE CLEARING, EXCAVATION OR OTHER CONSTRUCTION ACTIVITY, AN HISTORIC OR ARCHAEOLOGICAL ARTIFACT, OR OTHER INDICATOR IS FOUND, ALL DEVELOPMENT WITHIN THE MINIMUM AREA NECESSARY TO PROTECT THE DISCOVERY SHALL BE IMMEDIATELY STOPPED AND THE PROCEDURES OUTLINED IN COLLIER COUNTY LDC SHALL BE FOLLOWED.
19. ALL POTABLE WATER METERS TO BE SIZED BY CITY OF NAPLES PUBLIC UTILITIES DEPARTMENT. POTABLE WATER METERS 3" & LARGER TO BE INSTALLED BY CONTRACTOR. CONTRACTOR TO ALSO INSTALL TAPPING SADDLE, VALVE, AND SERVICE LEAD.
20. ALL COSTS AND EXPENSES OF ANY AND ALL REPAIRS, REPLACEMENTS, MAINTENANCE AND RESTORATIONS OF ABOVEGROUND IMPROVEMENTS PERMITTED WITHIN A C.U.E. SHALL BE THE SOLE FINANCIAL RESPONSIBILITY OF THE GRANTOR, ITS SUCCESSORS AND ASSIGNS.
21. THE ON-SITE UTILITIES AND SITE INFRASTRUCTURE ARE TO BE OWNED AND MAINTAINED BY THE PROJECT DEVELOPER AND/OR MASTER CONDOMINIUM/HOMEOWNER'S ASSOCIATION OR OTHER COMPARABLE PRIVATE OWNERSHIP. THIS EXCLUDES UTILITIES AND/OR INFRASTRUCTURE OWNED BY OTHERS WITHIN ON-SITE EASEMENTS WHICH WILL BE OWNED AND MAINTAINED BY THE APPROPRIATE MUNICIPALITY AND/OR UTILITY COMPANY.
22. COUNTY PERMIT TO PERFORM WORK AND/OR MAINTENANCE IN THE COUNTY RIGHT-OF-WAY IS REQUIRED FOR ANY WORK WITHIN THE COUNTY'S PUBLIC ROAD ROW.

WATER & SEWER INSPECTION NOTES:

1. EXISTING UNDERGROUND UTILITIES INFORMATION IS BASED ON AVAILABLE RECORD INFORMATION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE EXISTING UTILITIES AND NOTIFY ENGINEER OF ANY DISCREPANCIES.
2. INSTALLATION OF SUBSURFACE CONSTRUCTION REQUIRED PRIOR TO COMPACTION OF SUBGRADE AND ROADWAY CONSTRUCTION.
3. THE CONTRACTOR SHALL PROVIDE 48 HOURS WRITTEN NOTICE TO THE ENGINEER AND UTILITY COMPANY PRIOR TO THE FOLLOWING:
   A.) COMMENCEMENT OF CONSTRUCTION.
   B.) CHANGES TO APPROVED SCHEDULES, SUBCONTRACTORS OR SUPERINTENDENT.
   C.) UTILITIES:

   * AN INSPECTOR ON BEHALF OF THE COUNTY OR OTHER QUALIFIED EMPLOYEE OF THE COUNTY MUST BE PRESENT DURING INSPECTIONS MARKED WITH AN ASTERISK

   1. HOT TAPS OF WASTEWATER SYSTEM LINES *
   2. MASTER METER AND BYPASS PIPING
   3. JACK & BORE CASINGS *
   4. PRESSURE TESTS *
   5. INFILTRATION/EXFILTRATION TESTS *
   6. LIFT STATION INSTALLATION, PRIOR TO COVER-UP AND START-UP *
   7. LIFT STATION START-UP *
   8. LAMPING OF SEWER LINES *
   9. PIGGING AND FLUSHING OF WASTEWATER LINES AND FORCE MAINS *
   10. TELEVISION VIDEO TAPING OF WASTEWATER LINES AT END OF CONSTRUCTION AND WARRANTY PERIOD
   11. CONFLICT CONSTRUCTION *
   12. CONNECTIONS TO EXISTING WASTEWATER SYSTEMS *
   13. 8" DIAMETER OR LARGER CASING INSTALLATIONS *
   14. OTHER SPECIAL REQUIREMENTS AS SPECIFIED BY THE COUNTY STAFF AT THE TIME OF CONSTRUCTION DOCUMENT APPROVAL

   D.) GENERAL
   1. COMPACTION TESTING
   2. FINAL INSPECTIONS
   3. ROUTINE COUNTY INSPECTIONS SHALL BE PERFORMED WITHOUT NOTICE ON ALL WASTEWATER SYSTEMS CONSTRUCTION TO ENSURE COMPLIANCE WITH COUNTY APPROVED CONSTRUCTION DOCUMENTS.
   5. CONTRACTOR SHALL CONSTRUCT ALL SEWER APPURTENANCES TO FINISHED GRADE.
   6. ALL WATER MAINS SHALL BE SEPARATED FROM SANITARY SEWER BY A MINIMUM HORIZONTAL DISTANCE OF TEN FEET AND A VERTICAL DISTANCE OF 18 INCHES.
   8. POLYVINYL CHLORIDE PIPE (PVC) FOR PIPE SIZES 6" - 14" OR LARGER SHALL MEET THE REQUIREMENTS OF AWWA C-900 (CL200).
   9. POLYVINYL CHLORIDE PIPE (PVC) FOR PIPE SIZES 3" OR LESS SHALL MEET THE REQUIREMENTS OF ASTM D-1785 (SCHEDULE 40 OR SCHEDULE 80) OR ASTM D-2241.
   10. REFER TO PLAT AND/OR BOUNDARY SURVEY FOR EASEMENTS OF RECORD.
   11. ALL SANITARY SEWER MAINS AND LATERALS SHALL BE ASTM D-3034, SDR 26, COLOR CODED GREEN, UNLESS OTHERWISE NOTED.
   12. FIRE LINES AND ASSOCIATED APPURTENANCES FOR THE BUILDING FIRE SPRINKLER SYSTEM BEYOND THE "POINT OF CONNECTION" SHALL BE THE RESPONSIBILITY OF THE FIRE PROTECTION DESIGNER FOR FINAL LOCATION AND CONFIGURATION.
   13. ALL OTHER UTILITY CONDUITS SHALL HAVE A MINIMUM SEPARATION OF 18" VERTICAL AND 5' HORIZONTAL.

POTABLE WATER MAINS

1. ALL PVC PIPE SHALL CONFORM TO THE STANDARDS OF AWWA C900, OR AWWA C905, LATEST REVISION. ALL PIPE, 4"-12", SHALL BE A MINIMUM OF CLASS 150 AND MEET THE REQUIREMENTS OF DR 18. ALL PVC PIPE 16"-24" SHALL BE PR 165, DR 25 AND SHALL MEET OR EXCEED UNI-BELL B-11. ALL PIPE 4"-12" INSTALLED BELOW PAVED PUBLIC AND PRIVATE ROADWAYS OR PARKING LOT ENTRANCE DRIVEWAY SURFACES SHALL BE PVC AWWA C900 CLASS 200, DR 14 OR PRESSURE CLASS 250 DUCTILE IRON, AS SPECIFIED ABOVE.
2. ALL COLD-WATER METERS-DISPLACEMENT TYPE, BRONZE MAIN CASE. SIZE 1/2 INCH THROUGH 2 INCH SHALL MEET THE REQUIREMENTS OF AWWA C700.
3. ALL WATER METER COMPONENTS THAT COME IN CONTACT WITH DRINKING WATER SHALL CONFORM WITH NSF STANDARD 61.

GRAVITY SEWER MAINS

1. ALL UNPLASTICIZED PVC PIPE SHALL BE OF THE INTEGRAL WALL BELL AND SPIGOT JOINT TYPE, WHICH MEETS OR EXCEEDS ALL REQUIREMENTS SET FORTH IN ASTM D3034, LATEST REVISION. MINIMUM WALL THICKNESS SHALL CONFORM TO ASTM D3034 SDR 26. AT ALL CONFLICT CROSSINGS USING 4"-12" SUBSTITUTE AWWA C900 PVC, CLASS 200, DR 14 AND FOR PVC PIPE 16" AND LARGER USE DR 25.

FIRE PROTECTION NOTES:

1. A SEPARATE PERMIT IS REQUIRED PRIOR TO THE INSTALLATION OF ANY FIRE LINE.
2. INSTALLATION OF ALL UNDERGROUND FIRE LINES SHALL COMPLY WITH THE 2013 EDITION OF THE NFPA 24.
3. UNDERGROUND FIRE LINES SHALL BE INSTALLED BY AN APPROPRIATELY CERTIFIED FIRE SPRINKLER CONTRACTOR OR A TYPE V UNDERGROUND CONTRACTOR AS DEFINED AND OUTLINED IN 633.021, 633.521 AND 633.539 FS.
4. PIPING USED FOR FIRE PROTECTION SERVICE (I.E. FOR FIRE HYDRANTS AND/OR FIRE SPRINKLER SERVICE) THAT IS RUN UNDER DRIVEWAYS/PAVEMENT SHALL BE BURIED AT A MINIMUM DEPTH OF 36-INCHES.
5. UNDERGROUND FIRE LINE SHALL CONTINUE TO THE ABOVE GROUND CONNECTION FLANGE, WHICH BY DEFINITION IS NO MORE THAN ONE (1) FOOT ABOVE THE FINISHED FLOOR.
6. ALL FIRE CONTROL DEVICES AND APPURTENANCES TO BE DESIGNED AND PERMITTED SEPARATELY BY A FIRE PROTECTION CONTRACTOR. FIRE PROTECTION CONTRACTOR TO COORDINATE WITH ENGINEER OF RECORD TO AVOID CONFLICTS AND TO VERIFY MUNICIPALITY SEPARATIONS ARE MET.



1. CALL 800.432.4770 TWO FULL BUSINESS DAYS BEFORE DIGGING.
2. CALL 10 DAYS BEFORE DIGGING WHEN DIGGING UNDER WATER.
3. WAIT THE REQUIRED TIME FOR BURIED UTILITIES TO BE LOCATED AND MARKED.
4. PROTECT THE MARKS DURING YOUR PROJECT.
5. IF MARKS ARE DESTROYED, CALL AGAIN. DIG SAFELY, USING EXTREME CAUTION WHEN DIGGING WITHIN 24 INCHES ON EITHER SIDE OF THE MARKS TO AVOID HITTING THE BURIED UTILITY LINES.

Collier County
Reviewed and Approved For:
Permit Issuance
PL20180001929 Date: 7/31/2019

REVISIONS
A | 10/07/2019 | REVISED PER COLLIER COUNTY RAI COMMENTS

DESIGNED BY: A.K.
DRAWN BY: L.D.
CHECKED BY: A.K.
PROJECT NO.

CLIENT: DAVIS TERRACE REALTY, LLC
2630 PINE RIDGE ROAD
NAPLES, FL 34109

PROJECT: NAPLES CLASSIC CAR

SHEET TITLE: GENERAL NOTES

DAVIDSON ENGINEERING
4365 Bonita Beach Road, Bonita Springs, FL 34134 (239) 947-1144 EB 0001207

JEFF L. DAVIDSON, P.E. NO. 47
ANDREW E. RATH, P.E. NO. 73
RYAN A. WHITE, P.E. NO. 67461
JENNA A. WOODWARD, P.E. NO.

SHEET NO: C-00.1

Attachment: C Approved PL20180001929 site plan (21727 : PL20210002480 Naples Classic Car DR)

Collier County
Reviewed and Approved For:
Permit Issuance
PL20180001929 Date: 7/31/2019



N

0 30 60 120
SCALE IN FEET

REVISIONS

DESIGNED BY: A.R.
DRAWN BY: L.D.
CHECKED BY: A.R.
PROJECT NO.

CLIENT: DAVIS TERRACE REALTY, LLC
2630 PINE RIDGE ROAD
NAPLES, FL 34109

PROJECT: NAPLES CLASSIC CAR

SHEET TITLE: AERIAL VIEW

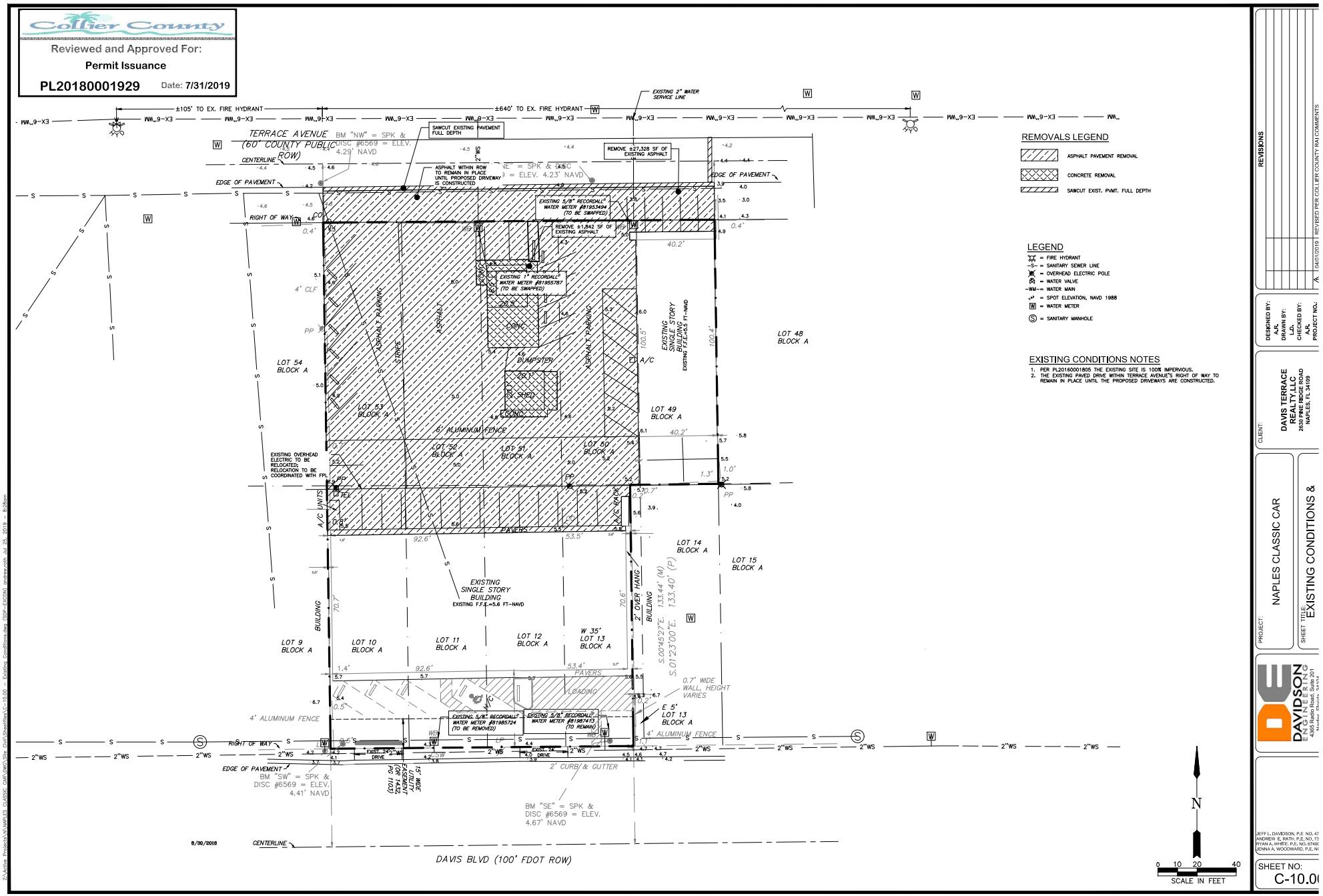
DAVIDSON ENGINEERING

JEFF L. DAVIDSON, P.E. NO. 47
ANDREW E. RATH, P.E. NO. 73
RYAN A. WHITE, P.E. NO. 6746
JENNA A. WOODWARD, P.E. NO.

SHEET NO: C-00.20

Attachment: C Approved PL20180001929 site plan (21727 : PL20210002480 Naples Classic Car DR)

Collier County
Reviewed and Approved For:
Permit Issuance
PL20180001929 Date: 7/31/2019



REMOVALS LEGEND
- ASPHALT PAVEMENT REMOVAL
- CONCRETE REMOVAL
- SAWCUT EXIST. PVMT. FULL DEPTH

LEGEND
- = FIRE HYDRANT
- = SANITARY SEWER LINE
- = OVERHEAD ELECTRIC POLE
- = WATER VALVE
- = WATER MAIN
- = SPOT ELEVATION, NAVD 1988
- = WATER METER
- = SANITARY MANHOLE

EXISTING CONDITIONS NOTES
1. PER PL20160001805 THE EXISTING SITE IS 100% IMPERVIOUS.
2. THE EXISTING PAVED DRIVE WITHIN TERRACE AVENUE'S RIGHT OF WAY TO REMAIN IN PLACE UNTIL THE PROPOSED DRIVEWAYS ARE CONSTRUCTED.

N
0 10 20 40
SCALE IN FEET

REVISIONS
A 04/01/2019 REVISED PER COLLIER COUNTY RAI COMMENTS

DESIGNED BY: A.R.
DRAWN BY: L.D.
CHECKED BY: A.R.
PROJECT NO.

CLIENT: DAVIS TERRACE REALTY, LLC
2630 PINE RIDGE ROAD
NAPLES, FL 34109

PROJECT: NAPLES CLASSIC CAR

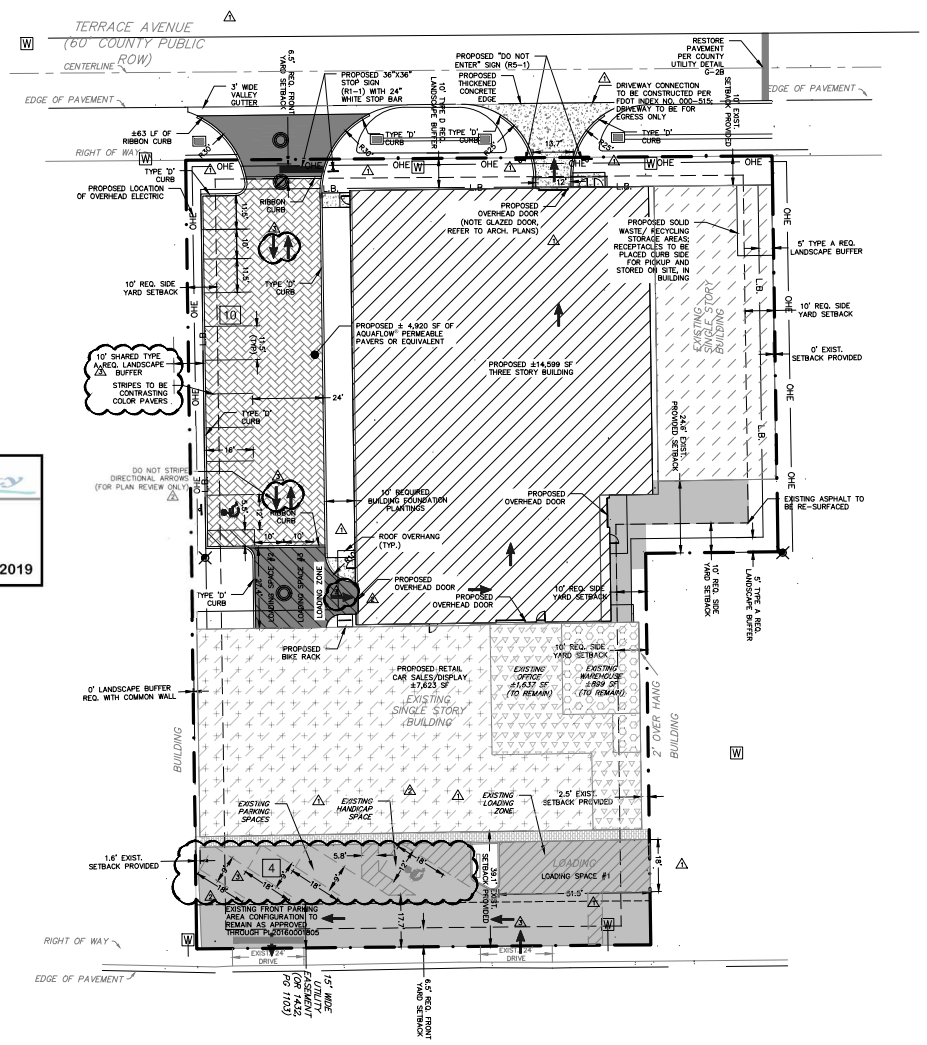
SHEET TITLE: EXISTING CONDITIONS &

DAVIDSON ENGINEERING
4660 Exchange Court, Suite 200
Naples, Florida 34104

JEFF L. DAVIDSON, P.E. NO. 47
ANDREW E. RATH, P.E. NO. 73
RYAN A. WHITE, P.E. NO. 6746
JENNA A. WOODWARD, P.E. NO.

SHEET NO: C-10.0

Attachment: C Approved PL20180001929 site plan (21727 : PL20210002480 Naples Classic Car DR)



Collier County
Reviewed and Approved For:
Permit Issuance
PL20180001929 Date: 7/31/2019

LEGEND

- PROPOSED ASPHALT SURFACE
- EXISTING ASPHALT SURFACE
- PROPOSED BUILDING
- EXISTING BUILDINGS
- STANDARD CONCRETE SECTION
- PERMEABLE PAVERS
- DRAINAGE MANHOLE
- DRAINAGE STRUCTURE PER FDOT INDEX 425-052
- PROPOSED RETAIL CAR SALES/ DISPLAY AREA
- EXISTING OFFICE TO REMAIN
- EXISTING WAREHOUSE TO REMAIN

GENERAL NOTES:

1. THE APPROVAL OF THESE CONSTRUCTION PLANS DOES NOT AUTHORIZE CONSTRUCTION OF REQUIRED IMPROVEMENTS WHICH ARE INCONSISTENT WITH EASEMENTS OF RECORD.
2. ALL CATEGORY 1 INVASIVE EXOTIC PLANTS AS DEFINED BY THE FLORIDA EXOTIC PEST PLANTS COUNCIL, SHALL BE REMOVED FROM WITHIN THE PRESERVE AREAS AND SUBSEQUENT ANNUAL REMOVAL OF THESE PLANTS (IN PERPETUITY) SHALL BE THE RESPONSIBILITY OF THE OWNER.
3. FIRE FIGHTING WATER SUPPLY SHALL BE AVAILABLE PRIOR TO THE PLACEMENT OR STORAGE OF ANY COMBUSTIBLE MATERIALS ON SITE.
4. ALL PROHIBITED NON-NATIVE/EXOTIC VEGETATION AS DEFINED BY THE COLLIER COUNTY LDC SHALL BE REMOVED FROM THE SITE & IT SHALL BE MAINTAINED FREE OF EXOTICS IN PERPETUITY. ALL ANNUAL REMOVAL OF EXOTIC VEGETATION SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.
5. THIS SITE PLAN SHALL MEET ALL REQUIREMENTS OF THE COLLIER COUNTY LDC UNLESS VARIANCES WERE OBTAINED PRIOR TO CONSTRUCTION.
6. THE SURFACE WATER MANAGEMENT SYSTEM & ALL INFRASTRUCTURE IMPROVEMENTS AND ONSITE UTILITIES SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER.
7. NO CONSTRUCTION IS TO BE PERFORMED WITHIN THE FDOT RIGHT OF WAY.
8. COUNTY PERMIT TO PERFORM WORK AND/OR MAINTENANCE IN THE COUNTY RIGHT-OF-WAY IS REQUIRED FOR ANY WORK WITHIN THE COUNTY'S PUBLIC ROAD ROW.

BUILDING SETBACKS

	FRONT YARD (NORTH)	SIDE YARD (EAST/WEST)	FRONT YARD (SOUTH)
REQUIRED	6.5'	10'/10'	6.5'
PROVIDED	10'	2.7'/1.5'	39.1'

PLANNING NOTES:

ZONING: C-5, GTMUD-MXD

DEVELOPMENT TYPE/LAND USE: OFFICE, WAREHOUSE, VEHICLE DISPLAY, CLASSIC CAR RESTORATION-LIGHT INDUSTRIAL

BUILDING CONSTRUCTION TYPE: TYPE IIB SPRINKLERED

BUILDING USE: OFFICE, WAREHOUSE, LIGHT INDUSTRIAL, USED CAR SALES, VEHICLE DISPLAY

	REQUIRED	PROVIDED
BUILDING HEIGHT MAXIMUM (ZONED):	56'	43.1'
BUILDING HEIGHT MAXIMUM (ACTUAL):	N/A	49.6'
MINIMUM LOT AREA:	N/A	47,717 SF
MINIMUM LOT WIDTH:	100'	100'
MINIMUM BUILDING SEPARATION:	10'	N/A
PARKING REQUIREMENTS:	61 SPACES	108 SPACES
HANDICAP SPACES REQUIRED:	3 SPACES	3 SPACES

* AVERAGE CENTERLINE GRADE OF TERRACE AVE IS 4.5 FT-NAVD.
**SEE CALCULATIONS BELOW

FLOOD ZONE INFO.

FLOOD ZONE: AE
BASE FLOOD ELEVATION = 7 FT-NAVD
DESIGN FLOOD ELEVATION = 8 FT-NAVD

PREVIOUSLY PERMITTED PARKING REQUIREMENTS:

WAREHOUSE @ 1 SPACE/1,000 SF G.F.A.
WAREHOUSE G.F.A. = 6,833 SF: 7 SPACES REQUIRED

LIGHT INDUSTRIAL @ 1 SPACE/500 SF G.F.A.
LIGHT INDUSTRIAL G.F.A. = 1,689 SF: 3 SPACES REQUIRED

OFFICE @ 1 SPACE/350 SF G.F.A.
OFFICE G.F.A. = 1,637 SF: 5 SPACES REQUIRED

OVERALL PARKING REQUIREMENT: 15 SPACES REQUIRED

HANDICAP SPACES REQUIRED (INCLUDED IN OVERALL PARKING PROVIDED):
1 SPACES TO 25 SPACES: 1 SPACE REQUIRED, 1 SPACE PROVIDED

PROVIDED SPACES: 17 SPACES PROVIDED

PROPOSED PARKING REQUIREMENTS PER THE LDC:

WAREHOUSE @ 1 SPACE/1,000 SF G.F.A.
WAREHOUSE G.F.A. = 899 SF: 0.9 SPACES REQUIRED
(NORTHEAST AREA IN EXISTING SOUTH BUILDING, AS SHOWN IN PREVIOUSLY APPROVED SDP)

LIGHT INDUSTRIAL @ 1 SPACE/500 SF G.F.A.
LIGHT INDUSTRIAL G.F.A. = 17,176 SF: 34.4 SPACES REQUIRED
(EXISTING NORTHEAST BUILDING & GROUND FLOOR OF NEW BUILDING, BOTH ON NORTH PARCEL)

OFFICE @ 1 SPACE/350 SF G.F.A.
OFFICE G.F.A. = 1,637 SF: 4.7 SPACES REQUIRED
(CENTRAL AREA IN EXISTING SOUTH BUILDING, AS SHOWN IN PREVIOUSLY APPROVED SDP)

RETAIL @ 1 SPACE/300 SF G.F.A.
RETAIL G.F.A. = 7,623 SF: 25.4 SPACES REQUIRED
(ALL REMAINING AREA WEST OF OFFICE SPACE IN EXISTING SOUTH BUILDING, SHOWN IN PREVIOUSLY APPROVED SDP AS WAREHOUSE/LIGHT INDUSTRIAL)

PARKING REQUIREMENT PER THE LDC: 65 SPACES REQUIRED

REQUIRED PARKING PER THE ADMINISTRATIVE PARKING REDUCTION (PL20190001250): 14 SPACES REQUIRED

HANDICAP SPACES REQUIRED (INCLUDED IN OVERALL PARKING PROVIDED):
0 SPACES TO 25 SPACES: 1 SPACES REQUIRED, 2 SPACES PROVIDED

PROVIDED SPACES: 14 SPACES PROVIDED

LOADING SPACES REQUIRED:
(20,000-50,000 SF) 3 SPACES REQUIRED
PROVIDED SPACES: 3 SPACES PROVIDED

BICYCLE PARKING REQUIREMENTS:

PARKING REQUIREMENT PER APR PL20190001250 = 14 SPACES

REQUIRED BICYCLE PARKING = (14 SPACES) x (5%) = 0.7
PER THE LDC A MIN. OF 2 BICYCLE PARKING SPACES ARE REQUIRED.
=> REQUIRED BICYCLE PARKING = 2 SPACES
=> PROVIDED BICYCLE PARKING = 2 SPACES

N

0 10 20 40
SCALE IN FEET

REVISIONS
- 06/27/2019 REVISED PER COLLIER COUNTY RAI COMMENTS
- 05/28/2019 REVISED PER COLLIER COUNTY RAI COMMENTS
- 04/01/2019 REVISED PER COLLIER COUNTY RAI COMMENTS

DESIGNED BY: A.R.
DRAWN BY: L.D.
CHECKED BY: A.R.
PROJECT NO.:

CLIENT: DAVIS TERRACE REALTY, LLC
2630 PINE RIDGE ROAD
NAPLES, FL 34109

PROJECT: NAPLES CLASSIC CAR

SHEET TITLE: MASTER SITE PLAN

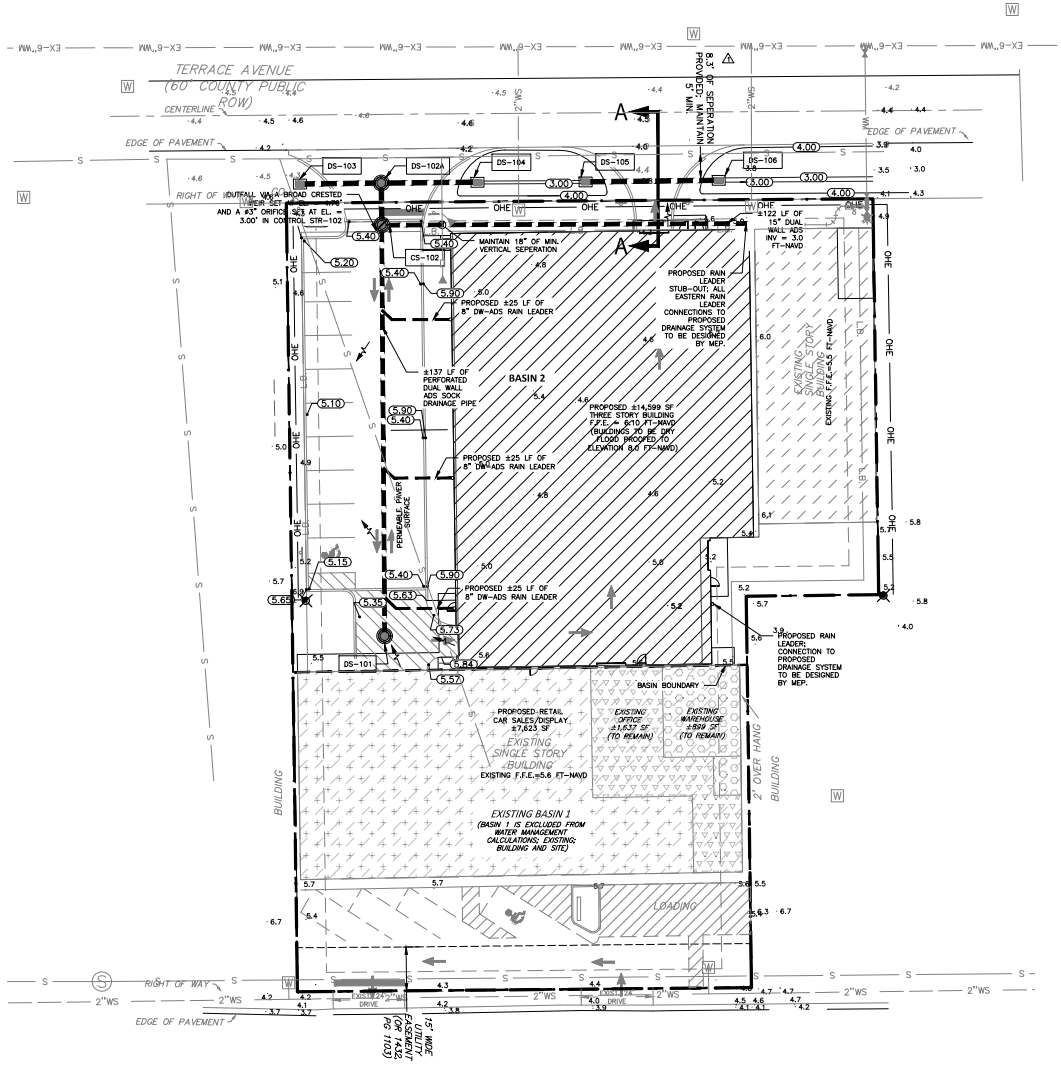
DAVIDSON ENGINEERING
4347 Bonita Beach Road, Suite 201
Bonita Springs, FL 34134

JEFF L. DAVIDSON, P.E. NO. 47
ANDREW E. RATH, P.E. NO. 73
RYAN A. WHITE, P.E. NO. 0740
JENNA A. WOODWARD, P.E. NO

SHEET NO: C-20.0

Attachment: C Approved PL20180001929 site plan (21727 : PL20210002480 Naples Classic Car DR)

Z:\Active Projects\NAPLES CLASSIC CAR\DWG\Site Civil\Sheet Files\C-20.00 - 23.00 - Master Plan.dwg (SDP-MSP) andrew.rath Jul 25, 2019 - 9:31am



Collier County
Reviewed and Approved For:
Permit Issuance
PL20180001929 Date: 7/31/2019

LEGEND

- EXISTING ELEVATION (NAVD 88)
- PROPOSED ELEVATION (NAVD 88)
- DIRECTION OF DRAINAGE FLOW
- DUAL WALL ADS DRAINAGE PIPE
- DRAINAGE MANHOLE
- DRAINAGE STRUCTURE PER FDOT INDEX 425-052

GENERAL NOTES

1. ALL ELEVATIONS SHOWN REFERENCE NAVD 88.
2. RETENTION/DETENTION AREAS MUST BE STABILIZED WITH SOD UNLESS AN ALTERNATIVE METHOD IS SPECIFICALLY PERMITTED PRIOR TO PLAN APPROVAL. NO ORGANIC MULCH WILL BE PERMITTED IN OR ADJOINING RETENTION/DETENTION AREA.
3. THE PROJECT OWNER IS RESPONSIBLE FOR THE PERPETUAL MAINTENANCE OF ALL FEATURES OF THE SURFACE WATER MANAGEMENT SYSTEM AS OUTLINED ON THE DRAINAGE PLAN.

WATER MANAGEMENT SUMMARY

CONTROL ELEVATION	2.00 FT.-NAVD
10 YEAR 1 DAY RAINFALL	7.4 INCHES
25 YEAR 3 DAY RAINFALL	11.4 INCHES
100 YEAR 3 DAY RAINFALL	14.3 INCHES
PROPOSED FINISHED FLOOR ELEVATION	6.1 FT-NAVD*

* STRUCUTURES TO BE DRY FLOOD PROOFED.

PROVIDED WATER QUALITY BREAKDOWN

VOLUME	INVERT	AVAIL. STORAGE	STORAGE DESCRIPTION
#1	3.00'	3,767 CF	PERMEABLE PAVER AGGREGATE 9,587 CF OVERALL - 169 CF EMBEDDED = 9,418 CF X 40.0% VOIDS
#2	4.65'	112 CF	PERMEABLE PAVER 1,120 CF OVERALL = 1,120 CF X 10.0% VOIDS
#3	3.00'	169 CF	15" D X 137.0'L 15" PIPE STORAGE

4,048 CF TOTAL AVAILABLE STORAGE

BASIN 2 WATER QUALITY CALCULATIONS

WATER QUALITY VOL. REQUIRED	0.09 AC-FT
WATER QUALITY VOL. PROVIDED	0.09 AC-FT*

* BASED ON 1.5" OVER THE ENTIRE BASIN 2

FLOOD ZONE INFO.

FLOOD ZONE: AE
BASE FLOOD ELEVATION = 7 FT-NAVD
DESIGN FLOOD ELEVATION = 8 FT-NAVD

PREVIOUSLY APPROVED BASIN 1 LAND USE SUMMARY

IMPERVIOUS USE	AREA	% OF BASIN
BUILDING AREA	0.24 ACRES	61.5%
PAVEMENT/SIDEWALKS/	0.15 ACRES	38.5%
TOTAL IMPERVIOUS AREA*	0.39 ACRES	100.0%
PERVIOUS		
OPEN SPACE	0.00 ACRES	0.0%
TOTAL PERVIOUS AREA	0.00 ACRES	0.0%
TOTAL BASIN AREA	0.39 ACRES	100%

* PER PL20160001805 THE EXISTING SITE IS 100% IMPERVIOUS

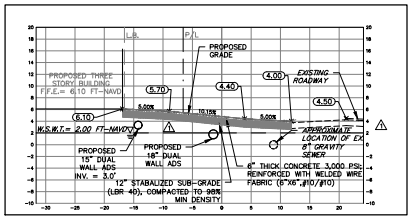
BASIN 2 LAND USE SUMMARY

IMPERVIOUS USE	AREA	% OF BASIN
BUILDING AREA	0.43 ACRES	60.6%
PAVEMENT/SIDEWALKS/	0.04 ACRES	5.6%
TOTAL IMPERVIOUS AREA	0.47 ACRES	66.2%
PERVIOUS		
OPEN SPACE	0.13 ACRES	18.3%
PERVIOUS PAVERS	0.11 ACRES	15.5%
TOTAL PERVIOUS AREA	0.24 ACRES	33.8%
TOTAL BASIN AREA	0.71 ACRES	100%

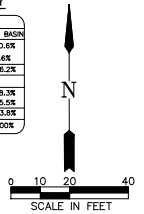
DRAINAGE DATA TABLE

FROM	STRUCTURE DESCRIPTION	INVERT (NAVD)	GRATE/RIM EL. (NAVD)	TO	STRUCTURE DESCRIPTION	INVERT (NAVD)	GRATE/RIM EL. (NAVD)	LENGTH (FT)	SIZE (IN)	TYPE	SLOPE (%)
DS-101	36"ø JB-SOLID COVER	3.00	5.41	CS-102	36"ø JB-SOLID COVER	3.00	5.40	137	15"	DW-ADS	0.00
CS-102	36"ø JB-SOLID COVER	2.00	5.40	DS-102A	36"ø JB-SOLID COVER	2.00	4.57	11	18"	DW-ADS	0.00
DS-103	FDOT TYPE 'C'	1.00	3.75	DS-102A	36"ø JB-SOLID COVER	1.00	4.57	27	18"	DW-ADS	0.00
DS-104	FDOT TYPE 'C'	1.00	3.00	DS-102A	36"ø JB-SOLID COVER	1.00	4.57	29	18"	DW-ADS	0.00
DS-105	FDOT TYPE 'C'	1.00	3.00	DS-106	FDOT TYPE 'C'	1.00	3.00	31	18"	DW-ADS	0.00

* PIPE LENGTHS STATED FOR M.E.S. DOES NOT INCLUDE PIPE LENGTH REQUIRED TO CONSTRUCT M.E.S.



CROSS SECTION A-A
VERT. SCALE: 1"=10'
HORIZ. SCALE: 1"=10'



REVISIONS
A 10/01/2019 REVISED PER COLLIER COUNTY RAI COMMENTS

DESIGNED BY: A.R.
DRAWN BY: L.D.
CHECKED BY: A.R.
PROJECT NO.

CLIENT: DAVIS TERRACE REALTY, LLC
2630 PINE RIDGE ROAD
NAPLES, FL 34109

PROJECT: NAPLES CLASSIC CAR

SHEET TITLE: MASTER DRAINAGE PLAN

DAVIDSON ENGINEERING
4500 Fowler Street, Suite 201
Fort Myers, Florida 33901

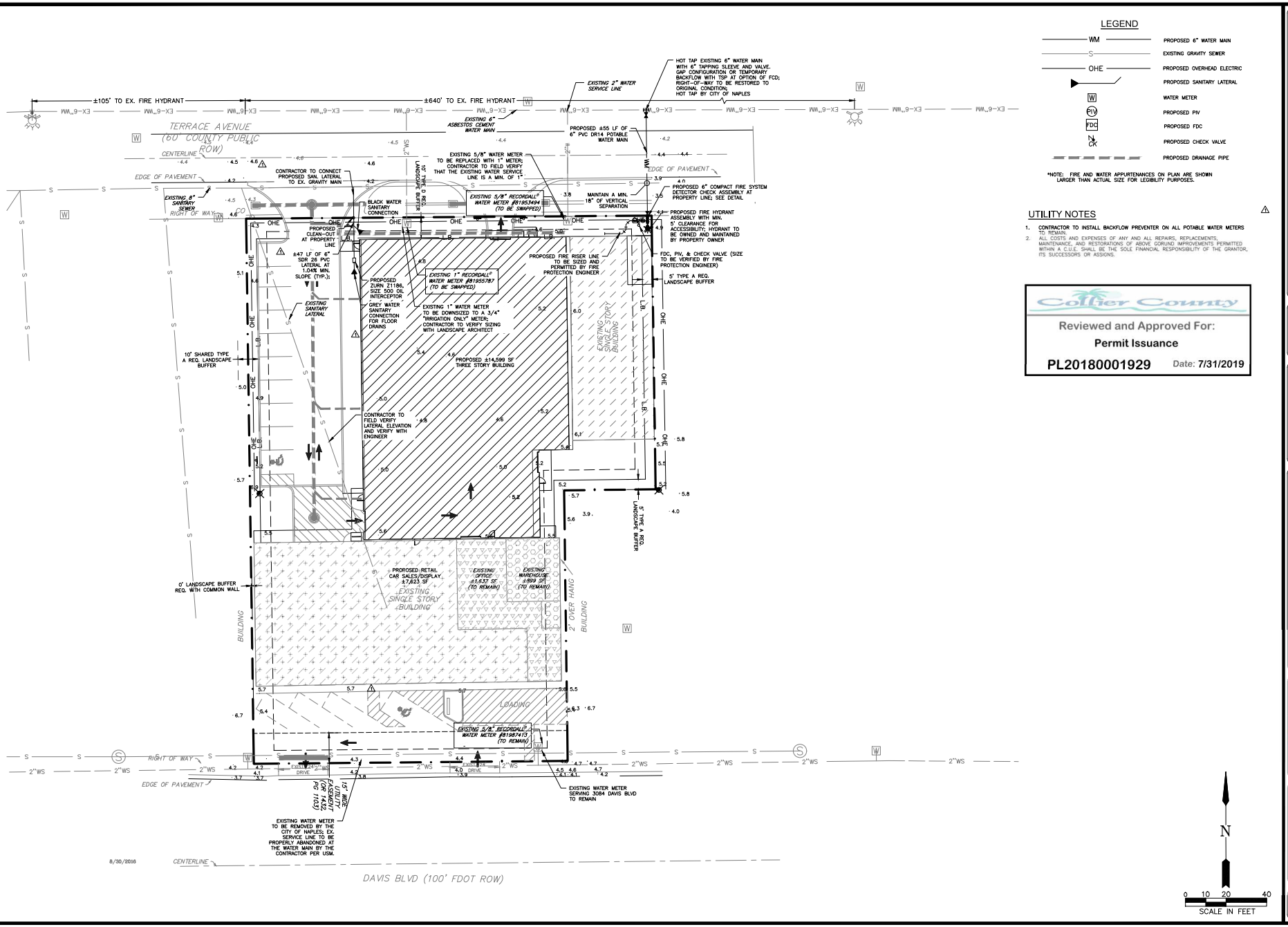
JEFF L. DAVIDSON, P.E. NO. 47
ANDREW E. RATH, P.E. NO. 73
RYAN A. WHITE, P.E. NO. 0740
JENNA A. WOODWARD, P.E. NO

SHEET NO: C-21.0

8/30/2018

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Attachment: C Approved PL20180001929 site plan (21727 : PL20210002480 Naples Classic Car DR)



LEGEND

- WM — PROPOSED 6" WATER MAIN
- S — EXISTING GRAVITY SEWER
- OHE — PROPOSED OVERHEAD ELECTRIC
- PROPOSED SANITARY LATERAL
- W — WATER METER
- PIV — PROPOSED PIV
- FDC — PROPOSED FDC
- CK — PROPOSED CHECK VALVE
- PROPOSED DRAINAGE PIPE

*NOTE: FIRE AND WATER APPURTENANCES ON PLAN ARE SHOWN LARGER THAN ACTUAL SIZE FOR LEGIBILITY PURPOSES.

UTILITY NOTES

1. CONTRACTOR TO INSTALL BACKFLOW PREVENTER ON ALL POTABLE WATER METERS TO REMAIN.
2. ALL COSTS AND EXPENSES OF ANY AND ALL REPAIRS, REPLACEMENTS, MAINTENANCE, AND RESTORATIONS OF ABOVE GORUND IMPROVEMENTS PERMITTED WITHIN A C.U.E. SHALL BE THE SOLE FINANCIAL RESPONSIBILITY OF THE GRANTOR, ITS SUCCESSORS OR ASSIGNS.

Collier County
Reviewed and Approved For:
Permit Issuance
PL20180001929 Date: 7/31/2019

N

0 10 20 40
SCALE IN FEET

REVISIONS
A 04/01/2019 REVISED PER COLLIER COUNTY RAI COMMENTS

DESIGNED BY: A.R.
DRAWN BY: L.D.
CHECKED BY: A.R.
PROJECT NO.

CLIENT: DAVIS TERRACE REALTY, LLC
2630 PINE RIDGE ROAD
NAPLES, FL 34109

PROJECT: NAPLES CLASSIC CAR

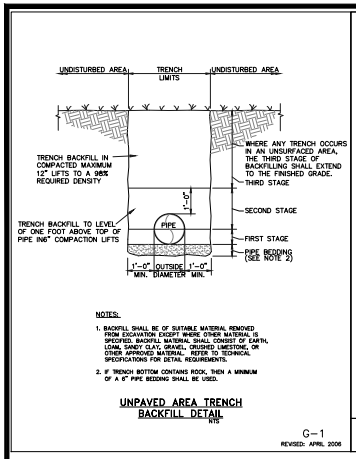
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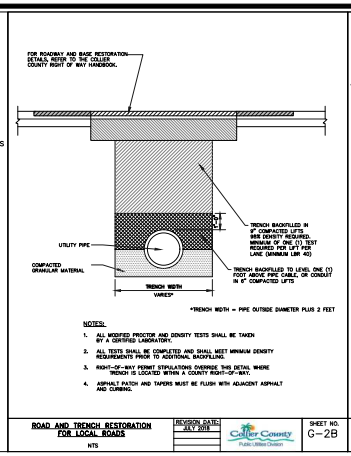
DAVIDSON ENGINEERING
4365 Bonita Beach Road, Suite 201
Bonita Springs, FL 34134

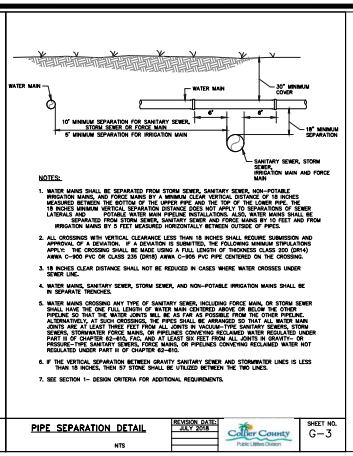
JEFF L. DAVIDSON, P.E. NO. 47
ANDREW E. RATH, P.E. NO. 73
RYAN A. WHITE, P.E. NO. 0740
JENNA A. WOODWARD, P.E. NO

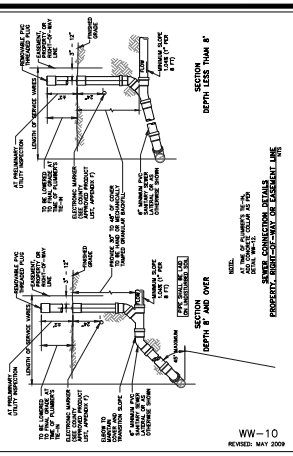
SHEET NO: C-22.0

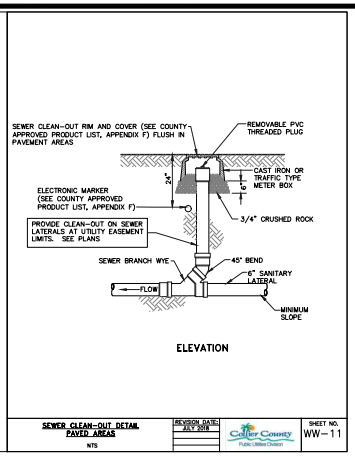
Attachment: C Approved PL20180001929 site plan (21727 : PL20210002480 Naples Classic Car DR)











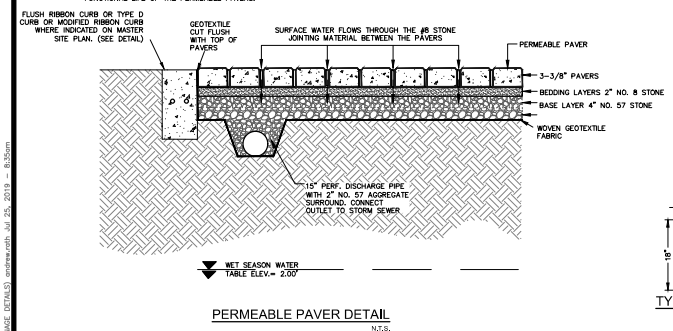
PERMEABLE PAVER MAINTENANCE PROGRAM:

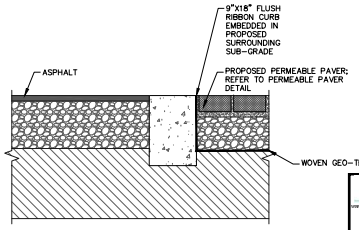
INSPECTION OF THE SITE SHOULD OCCUR MONTHLY FOR THE FIRST FEW MONTHS AFTER CONSTRUCTION. THEN INSPECTIONS CAN OCCUR ON AN ANNUAL BASIS, PREFERABLY AFTER RAIN EVENTS WHEN CLOGGING WILL BE OBVIOUS.

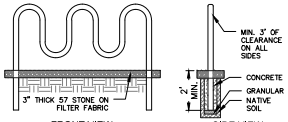
CONVENTIONAL STREET SWEEPERS EQUIPPED WITH VACUUMS, WATER, AND BRUSHES CAN BE USED TO RESTORE PERMEABILITY. VACUUM SWEEP IDEALLY FOUR (4) TIMES A YEAR, PROPERLY DISPOSING OF THE REMOVED MATERIAL FOLLOW THE SWEEPING WITH HIGH-PRESSURE HOSING OF THE SURFACE PORES. IF NECESSRAWY, ADD ADDITIONAL AGGREGATE FILL MATERIAL MADE UP OF CLEAN GRAVEL.

DAMAGED INTERLOCKING PAVING BLOCKS ARE TO BE REPLACED.

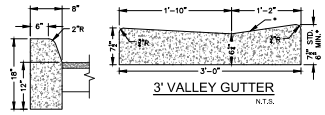
AN ACTIVE STREET SWEEPING PROGRAM IN THE SITE'S DRAINAGE AREA WILL ALSO HELP TO PROLONG THE FUNCTIONAL LIFE OF THE PERMEABLE PAVERS.



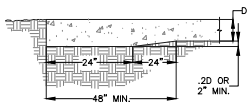




Collier County
Reviewed and Approved For:
Permit Issuance
PL20180001929 Date: 7/31/2019

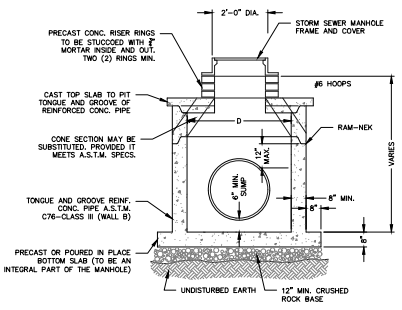


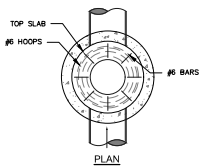
NOTE:
1. CONCRETE SHALL HAVE A COMPRESSIVE STRENGTH OF 3000 PSI IN 28 DAYS (TYP.).
2. PLACE EXPANSION JOINTS AT THE END OF ALL RETURNS AT 50.0' INTERVALS MAXIMUM WITH CONTRACTION JOINTS AT 10' INTERVALS BETWEEN EXPANSION JOINTS.
3. CONSTRUCT EXPANSION JOINTS WITH 1/2 INCH BITUMINOUS IMPREGNATED EXPANSION JOINT MATERIAL.
4. EXPANSION JOINT, PREFORMED JOINT FILLER AND JOINT SEAL ARE REQUIRED BETWEEN CURB & GUTTER AND CONCRETE PAVEMENT ONLY.
* WHEN USED ON HIGH SIDE OF ROADWAYS, THE CROSS SLOPE OF THE GUTTER SHALL MATCH THE CROSS SLOPE OF THE ADJACENT PAVEMENT. THE THICKNESS OF THE LIP SHALL BE 6", UNLESS OTHERWISE SHOWN ON PLANS.



GENERAL NOTES:

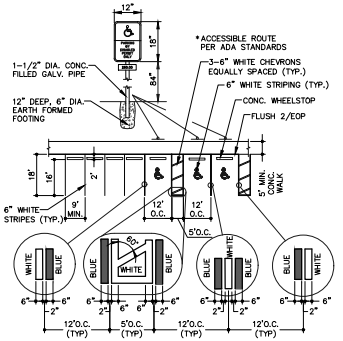
1. USE ACI OR FC&PA CERTIFIED FLATWORK FINISHER.
2. REFERENCE ACI 330R-08 GUIDE FOR DESIGN AND CONSTRUCTION OF CONCRETE PARKING LOTS.
3. REFERENCE ACI 330.1-94 STANDARD SPECIFICATION FOR PLAIN CONCRETE PARKING LOTS.
4. ALL CONCRETE USED IN PARKING LOT, UNLESS OTHERWISE INDICATED, SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4500 PSI AT 28 DAYS.
5. PRIOR TO THE SUBGRADE IN ACCORDANCE WITH THE GEOTECHNICAL ENGINEER'S RECOMMENDATIONS FOR RIGID PAVEMENTS. SUBGRADE SOIL DENSITY TESTING MUST BE COMPLETED AND VERIFIED BY THE GEOTECHNICAL ENGINEER PRIOR TO CONCRETE PLACEMENT.
6. IMPORTED SOIL USED FOR BACK FILL SHOULD BE FREE OF HEAVY CLAY, SILTS, STONES, PLANT ROOT OR OTHER FOREIGN MATERIAL GREATER THAN 1½" IN DIAMETER IN ORDER TO ACHIEVE ADEQUATE COMPACTION AROUND ANY FIXED OBJECT IN GROUND. ALTERNATE WILL BE TO USE FLOWABLE FILL.
7. LAY OUT CONTROL JOINTS BY STARTING WITH ANY DRAINAGE INLET WITHIN THE PAVEMENT SECTION AND WORK TOWARD EDGE OF PAVEMENT
8. KEEP ALL JOINTS CONTINUOUS
9. CONTROL JOINTS SHALL BE FORMED OR SAWED WITHIN 4 TO 12 HOURS FROM TIME OF PLACEMENT; MAXIMUM SPACING SHALL BE 10 FEET APART (4 INCH SLABS), 12 1/2 FEET APART (5 INCH SLABS) AND 15 FEET APART (6 INCH SLABS)
10. CURE CONCRETE IMMEDIATELY AFTER FINISHING OPERATION IS COMPLETED BY USING ONE OF THE FOLLOWING METHODS: WATER, PIGMENTED WATER-BASED CURING COMPOUND OR VISQUEEN AND BURLAP

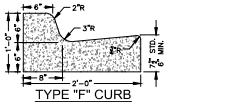


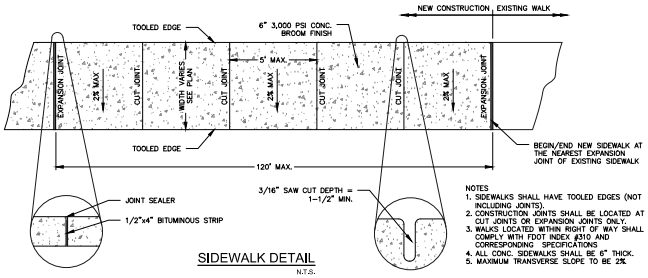


NOTE: WHEN FLOW LINE OF INLET PIPE IS BELOW SPRING LINE OF STORM SEWER PIPE, CONSTRUCT CHANNEL

PIPE DIAMETER	D	TOP SLAB REINFORCING
TO 24"	4' - 0"	(3) #6 HOOPS (8) #6 BARS
27" – 36"	5' - 0"	(4) #6 HOOPS (8) #6 BARS
42" – 48"	6' - 0"	(5) #6 HOOPS (8) #6 BARS







NOTES
1. SIDEWALKS SHALL HAVE TOOLED EDGES (NOT INCLUDING JOINTS).
2. CONSTRUCTION JOINTS SHALL BE LOCATED AT CUT JOINTS OR EXPANSION JOINTS ONLY.
3. WALKS LOCATED WITHIN RIGHT OF WAY SHALL COMPLY WITH FDOT INDEX #310 AND CORRESPONDING SPECIFICATIONS
4. ALL CONC. SIDEWALKS SHALL BE 6" THICK.
5. MAXIMUM TRANSVERSE SLOPE TO BE 2%

REVISIONS
A 05/28/2019 REVISED PER COLLIER COUNTY RAI COMMENTS

DESIGNED BY: A.R.
DRAWN BY: L.D.
CHECKED BY: A.R.
PROJECT NO.

CLIENT: DAVIS TERRACE REALTY, LLC
2630 PINE RIDGE ROAD
NAPLES, FL 34109

PROJECT: NAPLES CLASSIC CAR

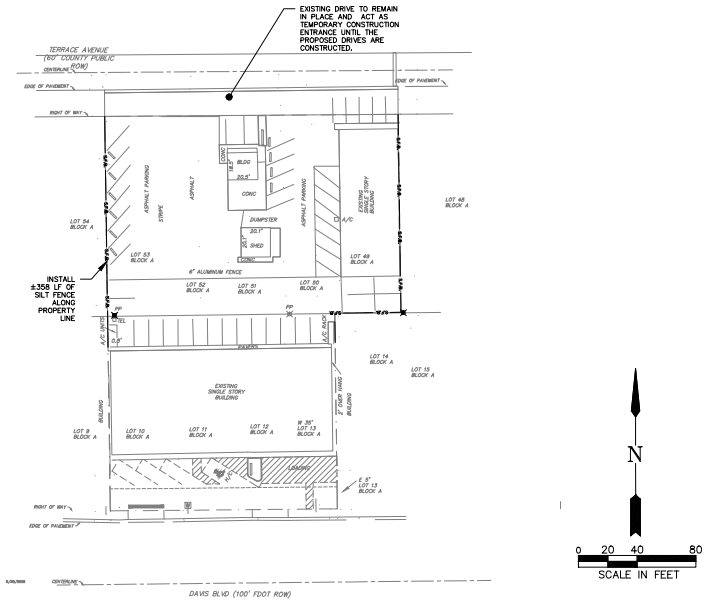
SHEET TITLE: DETAILS

DAVIDSON ENGINEERING
4500 Fowler Avenue, Suite 201
Naples, Florida 34103

JEFF L. DAVIDSON, P.E. NO. 47
ANDREW E. RATH, P.E. NO. 73
RYAN A. WHITE, P.E. NO. 67461
JENNA A. WOODWARD, P.E. NO.

SHEET NO: C-26.00

Attachment: C Approved PL20180001929 site plan (21727 : PL20210002480 Naples Classic Car DR)



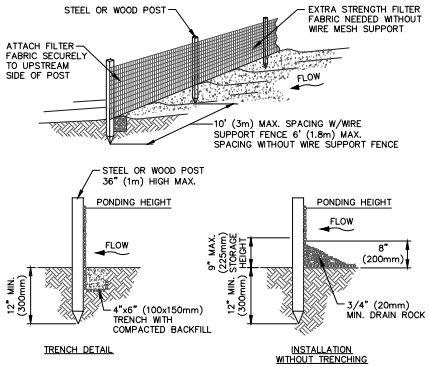
Collier County
Reviewed and Approved For:
Permit Issuance
PL20180001929 Date: 7/31/2019

LEGEND

S.F.B. SILT FENCE

GENERAL NOTES

1. ALL ELEVATIONS REFERENCE N.A.V.D.
2. ALL DISTURBED AREAS SHALL BE SEEDED AND MULCHED OR SODDED. AREAS DISTURBED WITHIN THE COUNTY RIGHT-OF-WAY SHALL BE REGRADED AND SODDED.
3. THE CONTRACTOR SHALL INSTALL A SILT FENCE AROUND THE PERIMETER OF THE SITE AND MUST MAINTAIN THE SILT FENCE IN GOOD CONDITION UNTIL ALL CONSTRUCTION HAS BEEN COMPLETE AND THE AREA STABILIZED AS REQUIRED.
4. SITES THAT DISTURB ONE (1) ACRE OR MORE OF LAND WILL REQUIRE A CONSTRUCTION GENERAL PERMIT (CGP), NOTICE OF INTENT (NOI), STORMWATER POLLUTION PREVENTION PLAN (SWPPP), AND NOTICE OF TERMINATION (NOT) TO DISCONTINUE PERMIT COVERAGE.
5. ALL PROHIBITED NON-NATIVE/EXOTIC VEGETATION AS DEFINED BY THE COLLIER COUNTY LDC SHALL BE REMOVED FROM THE SITE & IT SHALL BE MAINTAINED FREE OF EXOTICS IN PERPETUITY. ALL ANNUAL REMOVAL OF EXOTIC VEGETATION SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER
6. REVEGETATION: FOR VRSFPS WITHIN SUBDIVISIONS, A REVEGETATION BOND IN THE FORM OF A PERFORMANCE BOND, LETTER OF CREDIT, OR CASH BOND AND IN THE AMOUNT OF $5,000.00 PER ACRE MUST BE POSTED.
   A) WHEN FILL IS USED TO BRING BUILDING LOTS TO DESIRED CONSTRUCTION ELEVATIONS THOSE LOTS SHALL IMMEDIATELY BE SEEDED, TO PREVENT EROSION AND EXOTIC SEED INFESTATION.
   B) ALL FILL AREAS FOR LOTS OR STOCKPILES MUST HAVE EROSION CONTROL SILT FENCING.
   C) ANY STOCKPILE IN PLACE FOR MORE THAN SIX MONTHS MUST BE SODDED OR HYDROSEEDED. FAILURE TO DO SO WITHIN 14 CALENDAR DAYS OF NOTIFICATION BY THE COUNTY WILL RESULT IN A FINE OF $10.00 PER ACRE, PER DAY.
   D) IN THE EVENT THAT ANY PORTION OF THE STOCKPILE IS IN PLACE FOR GREATER THAN 18 MONTHS, THE COUNTY WILL ORDER THE FILL TO BE REMOVED AND THE LAND TO BE REVEGETATED. THE DENSITY AND TYPE OF REVEGETATION MUST MIMIC NEARBY ECOSYSTEMS, AND MUST NOT BE LESS THAN 64 TREES PER ACRE WITH ASSOCIATED MID-STORY AND GROUNDCOVER.



NOTES:
1. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.
2. INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY. 9" (225mm) MAXIMUM RECOMMENDED STORAGE HEIGHT.
3. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.

CONSTRUCITON SPECIFICATIONS:
1. THE HEIGHT OF A SILT FENCE SHALL NOT EXCEED 36 INCHES (0.9 M). STORAGE HEIGHT AND PONDING HEIGHT SHALL NEVER EXCEED 18 INCHES (0.5 M).
2. THE FENCE LINE SHALL FOLLOW THE CONTOUR AS CLOSELY AS POSSIBLE.
3. IF POSSIBLE, THE FILTER FABRIC SHALL BE CUT FROM A CONTINUOUS ROLL TO AVOID THE USE OF JOINTS. WHEN JOINTS ARE NECESSARY, FILTER CLOTH SHALL BE SPLICED ONLY AT A SUPPORT POST, WITH A MINIMUM 6 INCH (0.2 M) OVERLAP AND BOTH ENDS SECURELY FASTENED TO THE POST.
4. POSTS SHALL BE SPACED A MAXIMUM OF 10 FEET (3.1 M) APART AND DRIVEN SECURELY INTO THE GROUND (MINIMUM OF 12 INCHES (0.3 M)). WHEN EXTRA-STRENGTH FABRIC IS USED WITHOUT THE WIRE SUPPORT FENCE, POST SPACING SHALL NOT EXCEED 6 FEET (1.8 M).
5. TURN THE ENDS OF THE FENCE UPHILL.
6. A TRENCH SHALL BE EXCAVATED APPROXIMATELY 4 INCHES (101 MM) WIDE AND 6 INCHES (0.2 M) DEEP ALONG THE LINE OF POSTS AND UPSLOPE FROM THE BARRIER.
7. WHEN STANDARD-STRENGTH FILTER FABRIC IS USED, A WIRE MESH SUPPORT FENCE SHALL BE FASTENED SECURELY TO THE UPSLOPE SIDE OF THE POSTS USING HEAVY DUTY WIRE STAPLES AT LEAST 1INCH (25.4 MM) LONG, TIE WIRES OR HOG RINGS. THE WIRE SHALL EXTEND INTO THE TRENCH A MINIMUM OF 2 INCHES (51 MM) AND SHALL NOT EXTEND MORE THAN 36 INCHES (0.9 M) ABOVE THE ORIGINAL GROUND SURFACE.
8. THE STANDARD-STRENGTH FILTER FABRIC SHALL BE STAPLED OR WIRED TO THE FENCE, AND 6 INCHES (0.2 M) OF THE FABRIC SHALL EXTEND INTO THE TRENCH. THE FABRIC SHALL NOT EXTEND MORE THAN 36 INCHES (0.9 M) ABOVE THE ORIGINAL GROUND SURFACE. FILTER FABRIC SHALL NOT BE STAPLED TO EXISTING TREES.
9. WHEN EXTRA-STRENGTH FILTER FABRIC AND CLOSER POST SPACING ARE USED, THE WIRE MESH SUPPORT FENCE MAY BE ELIMINATED. IN SUCH A CASE, THE FILTER FABRIC IS STAPLED OR WIRED DIRECTLY TO THE POSTS.
10. THE TRENCH SHALL BE BACKFILLED AND THE SOIL COMPACTED OVER THE TOE OF THE FILTER FABRIC.
11. SILT FENCES PLACED AT THE TOE OF A SLOPE SHALL BE SET AT LEAST 6 FEET (1.8 M) FROM THE TOE IN ORDER TO INCREASE PONDING VOLUME.
12. SILT FENCES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFUL PURPOSE, BUT NOT BEFORE THE UPSLOPE AREA HAS BEEN PERMANENTLY STABILIZED AND ANY SEDIMENT STORED BEHIND THE SILT FENCE HAS BEEN REMOVED.

INSPECTION AND MAINTENANCE:
1. SILT FENCES AND FILTER BARRIERS SHALL BE INSPECTED WEEKLY AFTER EACH SIGNIFICANT STORM (1 INCH (25.4 MM) IN 24 HOUR).
2. ANY REQUIRED REPAIRS SHALL BE MADE IMMEDIATELY.
3. SEDIMENT SHOULD BE REMOVED WHEN IT REACHES 1/3 HEIGHT OF THE FENCE OR 9 INCHES (0.3 M) MAXIMUM.
4. THE REMOVED SEDIMENT SHALL CONFORM WITH THE EXISTING GRADE AND BE VEGETATED OR OTHERWISE STABILIZED.

SILT FENCE BARRIER
N.T.S.

REVISIONS

DESIGNED BY: A.R.
DRAWN BY: J.L.
CHECKED BY: A.R.
PROJECT NO.

CLIENT: DAVIS TERRACE REALTY, LLC
2630 PINE RIDGE ROAD
NAPLES, FL 34109

PROJECT: NAPLES CLASSIC CAR

SHEET TITLE: NPDES POLLUTION

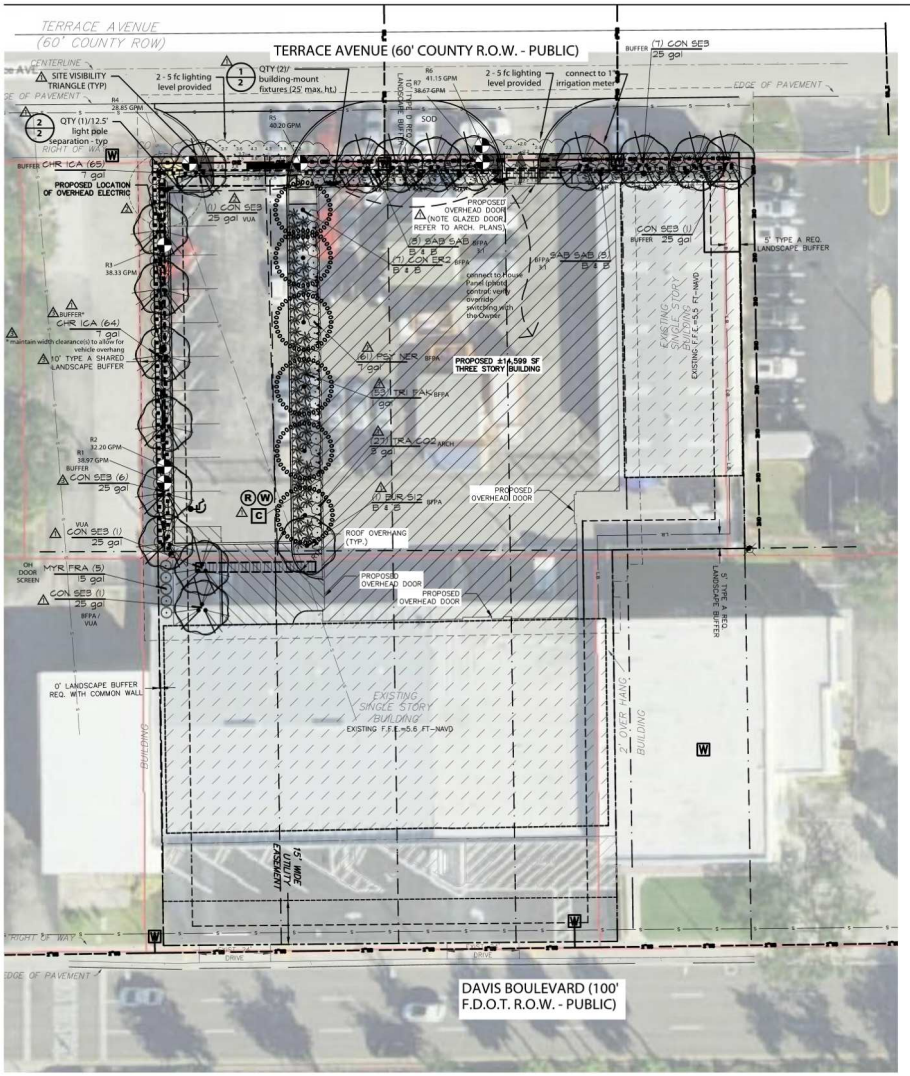
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ANDREW E. RATH, P.E. NO. 7
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JENNA A. WOODWARD, P.E. N

SHEET NO: C-28.00

Z:\Active Projects\N\NAPLES CLASSIC CAR\DWG\Site Civil\Sheet\Plan\C-28.00 - Details.dwg (NPDES DETAILS) andrew.rath Jul 25, 2019 - 8:34am

Attachment: C Approved PL20180001929 site plan (21727 : PL20210002480 Naples Classic Car DR)



WATER USAGE CALCULATIONS (BASED UPON IRRIGATION USAGE OF 1" WEEK):

(CITY OF NAPLES SUPPLY)

258.37 gpm x 20 minutes per day = 5,127.4 gallons per day
x 3x's week / sprays = 15,502.2 gallons per week

TOTAL GALLONS PER WEEK: 15,502.2

IRRIGATION ZONES SHALL BE SEPARATED FOR TURF AND GROUPED ACCORDING TO WATER DEMAND / MICROCLIMATE. VALVE LOCATIONS SHALL BE FIELD VERIFIED, GROUPED, AND MARKED PER NOTES.

IRRIGATION LEGEND

- Renovated/re-routed Irrigation Mainline
- Sleeving, verify / Add per Notes
- 1.5" Valves
- C — Irrigation Controller, verify existing capacity [not shown]
- RW — Rain and Wind Sensor Switches, verify existing [not shown]

PREVIOUSLY APPROVED BASIN 1 LAND USE SUMMARY

IMPERVIOUS		
USE	AREA	% OF BASIN
BUILDING AREA	0.24 ACRES	61.5%
PAVEMENT/SIDEWALKS/	0.15 ACRES	38.5%
TOTAL IMPERVIOUS AREA*	0.39 ACRES	100.0%
PERVIOUS		
OPEN SPACE	0.00 ACRES	0.0%
TOTAL PERVIOUS AREA	0.00 ACRES	0.0%
TOTAL BASIN AREA	0.39 ACRES	100%

* PER PL20160001805 THE EXISTING SITE IS 100% IMPERVIOUS

BASIN 2 LAND USE SUMMARY

IMPERVIOUS		
USE	AREA	% OF BASIN
BUILDING AREA	0.43 ACRES	60.6%
PAVEMENT/SIDEWALKS/	0.04 ACRES	5.6%
TOTAL IMPERVIOUS AREA	0.47 ACRES	66.2%
PERVIOUS		
OPEN SPACE	0.13 ACRES	18.3%
PERVIOUS PAVERS	0.11 ACRES	15.5%
TOTAL PERVIOUS AREA	0.24 ACRES	33.8%
TOTAL BASIN AREA	0.71 ACRES	100%

PLANNING NOTES:

ZONING:	C-5, GTMUD-MXD
DEVELOPMENT TYPE/LAND USE:	OFFICE, WAREHOUSE, VEHICLE DISPLAY, CLASSIC CAR RESTORATION=LIGHT INDUSTRIAL
BUILDING CONSTRUCTION TYPE:	TYPE IIB SPRINKLERED
BUILDING USE:	OFFICE, WAREHOUSE, LIGHT INDUSTRIAL, USED CAR SALES, VEHICLE DISPLAY

	REQUIRED	PROVIDED
BUILDING HEIGHT MAXIMUM (ZONED):	56'	43.1'
BUILDING HEIGHT MAXIMUM (ACTUAL):	N/A	49.6'
MINIMUM LOT AREA:	N/A	47,717 SF
MINIMUM LOT WIDTH:	100'	100'
MINIMUM BUILDING SEPARATION:	10'	N/A
PARKING REQUIREMENTS:	61 SPACES	108 SPACES
HANDICAP SPACES REQUIRED:	3 SPACES	3 SPACES

* AVERAGE CENTERLINE GRADE OF TERRACE AVE IS 4.5 FT.-NAVD.
**SEE CALCULATIONS BELOW

Collier County
Reviewed and Approved For:
Permit Issuance
PL20180001929 Date: 7/31/2019

PROJECT CALCULATION TABLE:

I. PERIMETER BUFFERING (Per LDC Sec. 4.06.02).
NORTH: TYPE 'D' BUFFER; 199.98' / 30 = 7 Trees (note OH power/light) with doubl
stagger hedge Required/Provided
WEST: TYPE 'A' BUFFER; 159.96' / 30 = 6 Trees (note OH power/buildings/paveme
(basin 1)] Required/Provided
EAST: TYPE 'A' BUFFER; 10' / 30 = 1 Tree (note existing building/pavement extent
Required/Provided
SOUTH: N/A, Existing Building/Pavement (Basins 1 & 2)

II. VEHICULAR USE AREAS (V.U.A.) AND R.O.W. (Per LDC Sec. 4.06.03).
Green Space Requirements for Buildings > 20,000 s.f:
a. Trees in V.U.A. must be min. 14'-16' HT., 6'-8' SPR., 3"-4" CAL. WITH 7' OF C.T.
b. The first row of landscape islands closest to the building must be landscaped with palms, (min. 7' C.T.) shrubs, and groundcovers.
[Basin 1] 6,098.4 S.F. x 10% = 609 S.F. / 250 = 3 Trees Required / Provided
MATERIALS REQUIRED ABOVE ARE LABELED AS "VUA"

III. TREE CREDITS FOR PRESERVED TREES (Per LDC Sec. 4.06.04.B).
N/A

IV. MINIMUM LANDSCAPE REQUIREMENTS.
Commercial: One canopy tree / 3,000 s.f. of pervious lot area
[Basin 1] 4,356 s.f. / 3,000 s.f. = 2 Trees Required / Provided via VUA, BFPA, &

V. LITTORAL SHELF PLANTING AREA (Per LDC Sec. 3.05.10)
N/A

VI. BUILDING FOUNDATION PLANTING AREA (B.F.P.A.).
Buildings 50' or more zoned height = (TOTAL OF ALL FACADES) x.55x20'; 18' Height;
minimum bed Width; Tree/Palm 1/500 S.F. [NOTE: S.F. CALCULATION FROM LDC 4.02
(10%)]
14,810 S.F. * 10% = 1,481 s.f. Required / > Provided with 11 trees/palms in 10' width be
LABELED AS "BFPA"

VII. TREES AND SHRUBS.
1. CODE REQUIRED TREES: 75% NATIVE TREES; MINIMUM #25, 10' HT., 1 3/4" CAL., 4'
MIN.
2. CODE REQUIRED SHRUBS: 50% NATIVE SHRUBS.
3. CODE REQUIRED PALMS: MIN. 10' C.T., 3:1 ratio for 30% max. in Type D buffer / V.U.
31 TREES REQUIRED x 75% = 23 NATIVE TREES REQUIRED
> 75% NATIVE TREES PROVIDED
212 SHRUBS REQUIRED x 50% = 106 NATIVE SHRUBS REQUIRED
> 50% NATIVE SHRUBS PROVIDED
SPECIES MIX: For 1 - 10 trees: 1 / For 11 - 20 trees: 2 / For 21 - 30 trees: 3 / For 31 - 40
For > 40 trees: 5

VIII. PEDESTRIAN PATHWAYS. (5.05.08. E.Z.h.)
N/A

IX. 6.06.03.B.1. - Streetlights
2 - 5 FC illumination levels provided

PLANT SCHEDULE

NATIVE/ZONE

TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL.	SIZE	DETAIL
BUR SI2	1	Bursera simaruba / Gumbo Limbo	25 gal	1"DBH	min. 10H X 4' SPR.	Y/10
CON ER2	6	Conocarpus erectus / Buttonwood	25 gal	1"DBH	min. 10H X 4' SPR.	Y/10
CON SE3	11	Conocarpus erectus 'Sericeus' / Silver Buttonwood	25 gal	1"DBH, multi-trunk	min. 10H X 4' SPR.	Y/10

PALM TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL.	SIZE	DETAIL
SAB SAB	6	Sabal palmetto / Cabbage Palmetto	B & B	Leans curve w/ roof overhang	CURVED, 8'-22', 24' O.A.	Y/7

SHRUBS	QTY	BOTANICAL NAME / COMMON NAME	SIZE	FIELD2	FIELD3	DETAIL
CHR ICA	24	Chrysobalanus icaco 'Red Tip' / Red Tip Cocoplum	1 gal	24" O.A.	Double staggered hedge	Y/10
MYR FRA	5	Myrcianthes fragrans / Simpson's Stopper	5 gal	5' O.A., 4' O.C.	full to base	Y/9
PSY NER	6	Psychotria nervosa / Wild Coffee	1 gal	24" O.A.		Y/9

GRASSES	QTY	BOTANICAL NAME / COMMON NAME	SIZE	FIELD2	FIELD3	DETAIL
TRI PAN	50	Tripsacum dactyloides / Fakahatchee Grass	1 gal	24" O.A.		Y/10

VINES/PALMS	QTY	BOTANICAL NAME / COMMON NAME	SIZE	FIELD2	FIELD3	DETAIL
TRA CO2	27	Trachelospermum jasminoides 'Confederate' / Confederate Jasmine	3 gal	6' O.A.	remove field-grown/attach to trag trellis	N/7

MISCELLANEOUS
BANK SLOPES = 4:1
SOD ST. AUGUSTINE 'FLORATAM' SET ON FINAL GRADE DEVOID OF ROCKS
MULCH EUCALYPTUS 3" DEPTH, AFTER WATERING IN
(R.O.W. PERMITTING COORDINATION REQUIRED)

25' max. fixture mounting height (See Sheet 2)

Schedule

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	A	3	BEACON PRODUCTS	VP-S-24NB-80-4K-T2	SMALL VIPER	C-TO-CKT DATA SHOWN IS SCALED FROM 2,990	1	VP-S-24NB-80-4K-T2.ies	8415	0.9	63.8

SEE MOUNTING HEIGHT DETAILS SHEET 2 (1/2) (2/2)

VIPER S SERIES
SMALL VIPER LUMINAIRE

Cat.# VPS-24NB-55-4K-T4-UNV-BLC-RA-DBT
Job: naples classic car
Type: A
Approvals

SPECIFICATIONS

Intended Use:
The Beacon Viper luminaire is available with a wide choice of different LED Wattage configurations and optical distributions designed to replace HID lighting up to 400W MH or HPS.

Construction:
- Manufactured with die cast aluminum.
- Coated with a polyester finish that meets ASTM B117 corrosion test requirements and ASTM D522 cracking and loss of adhesion test requirements.
- Housing gasket provides corrosion resistant.
- One piece optical cartridge system consisting of an LED engine, LED lens, optics, gasket and stainless steel bezel.
- Cartridge is held together with internal brass standoffs soldered to the board so that it can be field replaced as a one piece optical system.
- Two-piece silicone and micro-cellular polyurethane foam gasket ensures a weather proof seal around each individual LED.

Electrical:
- 120V through 277V, 50 Hz to 60 Hz (UNV), or 347V or 480V input.
- Power factor >.90 at full load.
- All electrical components are rated at 50,000 hours at full load and 25°C ambient conditions per IML, 2179 Notice 2.
- Dimming drivers are standard, but must contact factory to request wiring leads for purpose of external dimming controls.
- Component-to-component wiring within the luminaire may carry no more than 80% of the ampacity rating per UL, or for use on 60240C at 60°C or higher.
- Plug disconnects are certified by UL for use at 600 VAC, 15A or higher. 13A rating applies to primary (AC) side only.
- Fixture electrical compartment shall contain all LED driver components and shall be provided with a separate, isolated terminal block for AC power connections.
- The housing is designed for an optional twist lock photo control receptacle.
- Ambient operating temperature -40°C to 40°C
- Surge protection - 20KA.
- Optional 7 pin ANSI C136.41-2013 twist-lock with control receptacle available. Compatible with ANSI C136.41 external wireless control devices.
- Lifesmart™ Circuit - protects luminaire from excessive temperature. The device shall activate at a specific, factory-preset temperature, and progressively reduce power over a finite temperature range. Operation shall be smooth and undetectable to the eye.
- Surge protection - 10KV/5KA. This is in addition to that provided by the driver, allowing the luminaire to meet 1st level surge immunity per IEEE/ANSI C62.41.2-2002.
- Optional Sensor Ready - provides the ability to control luminaire via wireless sensor. Luminaire is shipped from the factory with a 7-pin locking photocontrol receptacle and shorting cap. Luminaire will operate at full light output when shorting cap is installed. Sensor Ready luminaires are designed to be compatible with the following wireless control systems: Wireless Sensor Solutions (WSS), Sensor Switch (SWT), Lutron (LUT), Wattstopper (WSP), Hubbell (HBL), Leviton (LEV), Lithonia (LTN), Cooper (CPS), Eaton (ETN), Acuity (ACU), Douglas (DGL), Philips (PHL), Osram (OSR), Schneider (SCH), Tridonic (TRI), Helvar (HEL), Tridonic (TRI), Helvar (HEL), Tridonic (TRI), Helvar (HEL).

Controls/Options:
- Available with an optional passive infrared (PIR) motion sensor capable of detecting motion 360° around the luminaire. When no motion is detected for the specified time, the Motion Response system reduces the wattage to factory preset level, reducing the light level accordingly. When motion is detected, the PIR sensor instantly restores returns to full wattage and full light output. Please contact Beacon Products if project requirements vary from standard configuration.
- Available with Energen for optional set dimming, timed dimming with simple delay, or timed dimming based on time of night (see www.beaconproducts.com/products/energen).
- In addition, Viper can be specified with Sitesync Lighting Control for even greater reduction in energy and maintenance cost while optimizing light quality 24/7. See ordering information or visit www.hubbelllighting.com/sitesync for more details.

Installation:
- Mounting options for horizontal arm, vertical tenon or traditional arm mounting available. Mounting hardware included.

Finish:
- IP3 polyester powder-coat electrostatically applied and thermocured. IP3 finish consists of a five-stage pretreatment regimen with a polymer primer sealer and top coated with a thermoset super TGIC polyester powder coat finish.
- The finish meets the ANSI B32.3 scribe creepage specification and includes passing a 3000 hour salt spray test for corrosion resistance and resists cracking or loss of adhesion per ASTM D522 and resists surface impacts of up to 160 inch-pounds.

Listings:
- DesignLights Consortium (DLC) qualified, consult DLC website for more details: http://www.designlights.org/QPL
- Listed to UL1598 and CSA22.2#250.0-24 for wet locations and 40°C ambient temperatures
- 3G rated for ANSI C136.31 high vibration applications with SF2 mounting
- IDA approved

Warranty:
Five year limited warranty for more information visit: www.hubbelllighting.com/resources/warranty

PRODUCT IMAGE(S)

DIMENSIONS

A	B	C	Weight:	EPA
22.75" (578 mm)	16.75" (425 mm)	11.25" (286 mm)	15.0 lbs (6.8 kg)	.67 ft²

MOUNTING OPTIONS

CERTIFICATIONS/LISTINGS

BEACON Beacon Products • 2041 58th Avenue Circle East Bradenton, FL 34203 • Phone: 800-345-4928
Due to our continued efforts to improve our products, product specifications are subject to change without notice.
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HUBBELL Lighting

ORDERING INFORMATION ORDERING EXAMPLE: VPS/36NB-80/5K/T4/UNV/PCR-TL/SWP/BLC/RA/BBT

VPS

SERIES	ENGINE-WATTS	LED COLOR	VOLTAGE	ELECTRICAL OPTIONS	HOUSE SIDE SHIELD OPTIONS	FINISH
VPS viper-small	24NB-55 55W, LED array	3K 3000K	UNV 120-277V	PCR-TL Twist lock receptacle with photo control	HSS-90 house-side shield 90°	BBT basic black textured
36NB-70 70W, LED array	4K 4000K	HSS-180 house-side shield 180°	BBT black matte textured
36NB-80 80W, LED array	5K 5000K	PCR-5C Twist lock receptacle with shorting cap	BLC* backlight control	WHT white textured
48NB-110 110W, LED array	OPTICS*	PCRU Twist lock receptacle	SENSOR OPTIONS	MBT metallic bronze textured
60NB-136 120W, LED array	T1 type I	3PP* dual power feed	MSD** motion dimming detector	BZT bronze textured
T2 type II	SRD DETERRENT	DBT dark bronze textured
T3 type III	BSP bird spike	GYS gray smooth
T4 type IV	DPS dark platinum smooth
TSR type V, rectangular	MOUNTING OPTIONS	GNT green textured
TSQM type V, square medium	RA rectangular arm for round or square pole mount, RPA included.	MST metallic silver textured
TSW type V, round wide	SF2 2 3/8" OD slip-fitter	MTT metallic titanium textured
FR front row auto optic	PK2 2 3/8" adjustable knuckle	RAL
WB wall bracket (use with SF2 or PK2), SF2 standard	DNA old world iron

CONTROL OPTIONS
GEM-3D* Energen
SWP* SiteSync Wireless Pre-Commission
SWPM* SiteSync Wireless Pre-Commission w/ Motion Detection

Accessories and Services (Ordered Separately):

Catalog Number	Description
SWDSB*	SiteSync loaded on USB flash drive (Windows based only)
SWTAB*	SiteSync Windows Tablet
SWBRG*	SiteSync Wireless Bridge Node

RECOMMENDED SITESYNC ORDERING INFORMATION When ordering a fixture with the SiteSync lighting control option, additional information will be required to complete the order. The SiteSync Commissioning Form is often not available at the time of initial fixture order but can be completed by the fixture installer, Project Installer, Group Maintenance, or Operating Authorities. For more detailed information please visit www.hubbelllighting.com/products/sitesync or contact Hubbell Lighting tech support at (800) 345-4928.

SiteSync fixtures with Motion control (SWPM) require the mounting height of the fixture for selection of the lens.

Example: VP-S/36NB-55/5K/T3/UNV/SWP/MVOT
VP-S/24NB-55/4K/T2/UNV/SWPM-DP/MVOT

MSD ORDERING INFORMATION When ordering a fixture with the motion detection option (MSD), please specify the appropriate information. These settings are specified in the ordering as shown in the example below.

VP-S/24NB-55/4K/T2/UNV/MSD/ - [ ] - [ ] - [ ] - [ ] / MVOT
(Hi/Lo %) (Time) (Dim %) (Hold %)

Hi/Lo % = Dim Delay / Low Level / Mounting Height (ft.)

SiteSync Lighting Control is available from our most popular brands in a broad range of award-winning product families.

LEFT ROTATED OPTIC

RIGHT ROTATED OPTIC

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HUBBELL Lighting

LIGHT FIXTURE SPECIFICATIONS / DETAILS
NOT TO SCALE

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revision/issue date: 07.10.19 / 13.19.19 / 10.05.18 / 84.30.19 / 11.19.18
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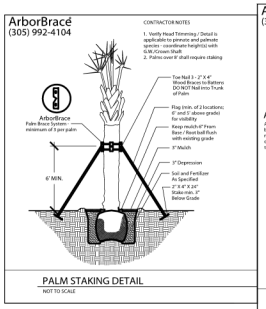
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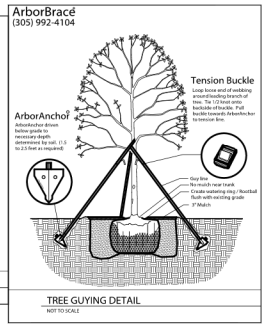
NAPLES CLASSIC CAR
SDPA LANDSCAPE / LIGHTING PLAN

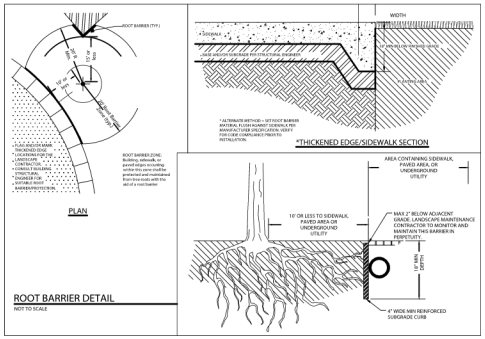
1 of 2

Digitally signed by Jeffrey S. Cot ASLA
DN: c=US, o=EMERGE Inc, cn=Jeffrey S. Cot ASLA, email=jeff@emergedesign.biz
Date: 2019.07.10 14:49:47 -04'00'
Jeffrey S. Cot ASLA, Registered Landscape Architect FLA.#LC-1669

Attachment: D Approved PL20180001929 landscape plan (21727 : PL20210002480 Naples Classic Car DR)





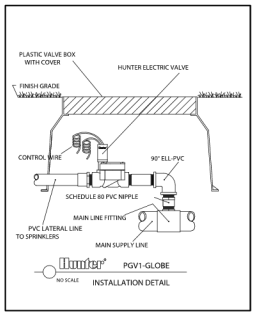


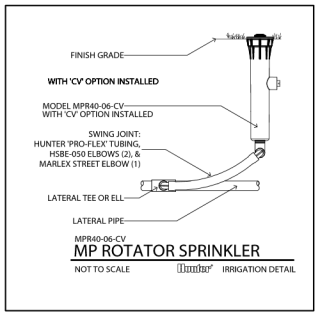
GENERAL NOTES

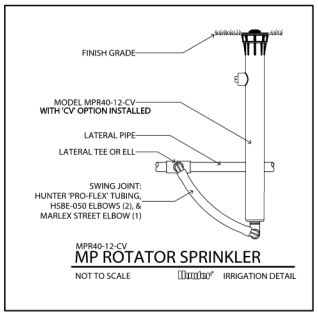
1. MULCH: Min. 3" layer (after watering in) required, Extending min. 12" ring fromtrunk in all directions. 25% MAX. ALLOWABLE CYPRESS MULCH.
2. BRMS: For grass stabilized: max. 4:1 slope, For groundcover stabilized: 3:1 max. with the toe of the slope set back 5' for the edge of R.O.W./Property lines. Berms are permitted in easements provided written approval received from all interests under said easement. Berms adjacent to I-75 have exemptions to these requirements.
3. STAKING. Re-staked within 24 hours of a blow over / staking failure. Remove between 6 and 12 months after planting.
4. LIGHT POLES. Min. 12.5' from trees.
5. EASEMENTS. Written permission must be obtained for any planting.
6. LIMEROCK. Shall be excavated from planting holes / planting areas in parking lots.
7. SIGNAGE. Indicate to reduce conflicts.
8. MAINTENANCE. Shall abide by all Codes. Removals shall be verified with pertinent Codes, Surveys, Permits, etc. prior to action.
9. IRRIGATION. 100% coverage required, timers with automatic overrides for rain, separate zoning is required for different water use areas, and watering within guidelines established by the SFWMD andor local municipality.
10. PLANTINGS. Plantings must be a minimum of 24" from the back of curb.
11. PRESERVES. Maintain Floratam/planted sod @ preserve edge via mechanical means (avoid herbicidal spray) to eliminate sod intrusion into native area(s).

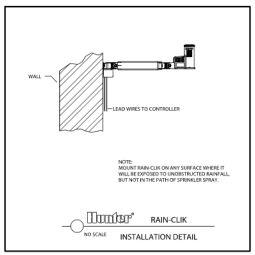
LANDSCAPE INSTALLATION NOTES:

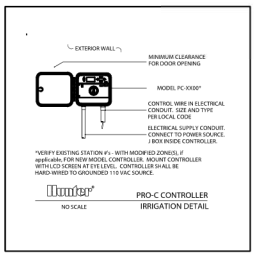
1. A set of Construction Documents and/or Approved Code-required Plans shall be on site at all times.
2. All utilities, easements, right-of-way, Ownership, and/or other survey data shall be verified by the General Contractor, Sitework Contractor, and/or Landscape Contractor prior to the Commencement of Work.
3. Compliance / Permit acquisition and/or display is required for Code-relevant requirements (such as, but not limited to: removals, trimming, replacement, etc.
4. Verify Plant Quantities and Specifications with the Landscape Architect (also referenced as "L.A." hereafter). Notify the Landscape Architect immediately if discrepancies are noted. Planting Plan shall take precedence over 'Plant List Quantities.' The L.A. reserves the right for material rejection if the installation does r correspond to the Plant List 'Specification / Remark'.
5. Plant material is to be Florida Grade #1 minimum and Florida Fancy for plant material specified as "Specimen." Trees are to be considered single trunk and me minimum standard for Code within the applicable jurisdiction.
6. Sizes/specifications are considered minimum. Installation material is to meet or exceed these requirements - verify any discrepancy prior to material purchase delivery, and/or installation.
7. The Landscape Contractor shall verify the location of plant material with the L.A. prior to installation - contact the L.A. for specific guidelines. If a site conflict / potential is noted, notify the Landscape Architect prior to material installation. The L.A. reserves the right for material relocation if the installation does notcorres to the Planting Plan.
8. The Landscape Contractor and/or Irrigation Contractor shall be responsible for damaged site utilities, infrastructure, etc. Repair / Replace shall be a requireme
9. Verify site removals, relocations, and/or protected items prior to Bid Preparation. This may include but not be limited to: sod, soil, plant material, stumps, etc. Landscape Contractor shall be required to complete work as outlined with the Planting Plan(s), Specifications, and Notes.
10. Quantities and specification are subject to adjustment, relocation, and/or removal during or after the installation and subsequent approval process by the L.A
11. Exotic(s) or Nuisance Plants as defined by the local agency(ies) shall supercede State requirements; however, the Florida Exotic Pest Plant Council (FLEPPC) an UF-IFAS Standards shall be used as a database to justify removals if no local ordinance/Code requirement exists.
12. The Landscape Contractor shall execute pruning via a Certified Arborist and using standards as established by the International Society of Arboriculture. All pruning, upon request, shall be advised by the L.A.
13. Trees and palms over 8' in height shall be staked.
14. The Landscape Contractor and/or Irrigation Contractor shall be responsible for: 1) plant warranties and replacements, as specified within their respective agreement(s) 2) plant material maintenance until "Substantial Completion" 3) plant material protection adequacy 4) Scope of Work verification and execution coordination of all Subcontractor(s)
15. The Owner / General Contractor shall be responsible for: 1) Providing Final Grade, Site Access, Security of the site 2) Contract review and acceptance of terms Plant / Irrigation Maintenance coordination 4) Payment milestones







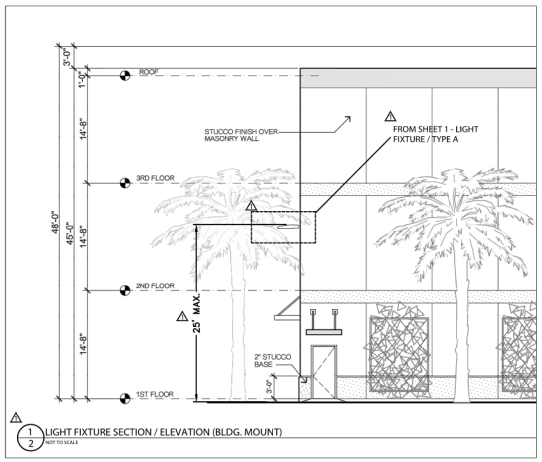


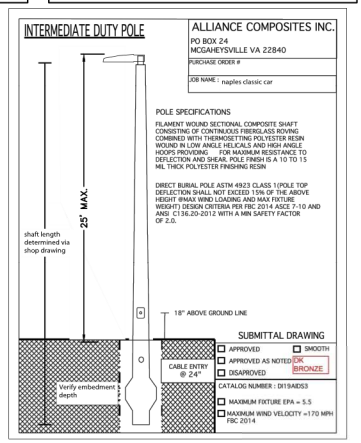


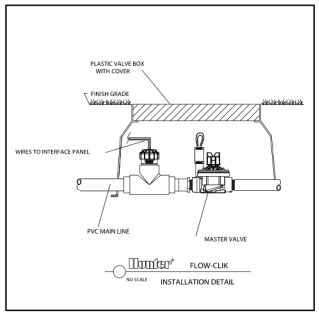
Collier County
Reviewed and Approved For:
Permit Issuance
PL20180001929 Date: 7/31/2019

IRRIGATION NOTES:

1. The site is to contain 100% Irrigation Coverage via an efficient system utilizing standards common to the industry.
2. The Irrigation system is to be controlled by a rain sensor switch connected to the System controller. The location of the System controller is to be verified and coordinated as necessary to provide access and electrical connection(s).
3. Verify PSI / GPM for jockey pump application. Also, see note #5 for additional equipment to be installed.
4. Irrigation sleeving locations indicated are diagrammatic and serve only as a guide for installation purposes. Irrigation sleeving is to be a minimum of Schedule 40 PVC. This work is to be coordinated by the General Contractor. The Irrigation Contractor/Subcontractor shall not be responsible for sleeving installation unless this work is in the Irrigation Scope of Work. Sleeving shall be clearly marked, flagged, or otherwise delineated above grade to avoid damage and provide ease of location for future use. Sleeving shall be utilized in areas where piping must cross a greater than 5' width, such as roads and walks.
5. Backflow Preventer shall be required per Industry standards and Collier County Codes.
6. Avoid overspray on pavement, buildings, etc. Utilize pressure-compensating heads for elimination of aerosol spray (This is a standard feature of MP Rotator, Hunter spray heads).
7. Verify pressure and flow rate after the Meter/Backflow assembly prior to bid submission. The design is based upon the following operating parameters: 60 GPM Max. and 40 PSI Min.-60 PSI Max.
8. Pipe sizing shall be determined by the Friction Loss Method and water velocity shall not exceed 5 cubic feet per second.
9. Constant pressure piping shall be SCH 40 PVC.
10. The Irrigation Contractor shall supply As-built drawings and material cut sheets upon installation completion and as a term of Final Acceptance. This cost shall be accommodated in the bid.
11. Zones shall be marked in the controller box and corresponding valves shall have affixed to the Valve Cover a waterproof, fade-resistant tag.
12. Verify installation and parts warranty prior to Contract execution.
13. Irrigation heads in planting beds shall be 12" pop-up minimum and 6" pop-up minimum in sod areas. Risers, if installed, shall be black pvc consistent with later piping. Substitution(s) shall not be accepted unless the L.A. is notified prior to installation. If substituted without notification, a CREDIT shall be issued to the client for comparable pop-up sprays. Verify remaining type(s), if necessary. Install quick couplers as required or as noted.
14. This system shall be automated, provide a moisture sensing device, and will avoid the application (or indirect runoff of irrigation water) of water to impervious areas.







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revision/issue date: 03.19.19 △ 11.19.18 | 10.05.18
filename: 190318-ncc sdpa.dwg
project number: 1857

NAPLES CLASSIC CAR
△ SDPA LANDSCAPE / LIGHTING / IRRIGATION DETAILS, NOTES, & SPECIFICATIONS

Jeffrey S. Curl ASL, Registered Landscape FLA LIC: LA#

Attachment: D Approved PL20180001929 landscape plan (21727 : PL20210002480 Naples Classic Car DR)

CPC PACKAGE CHECKLIST FOR APPLICANTS/AGENTS (FOR PUDS)

Return this form with printed materials

Please check each item as a method for tracking that all required data is included in the printed packets of information for the Collier County Planning Commission Board Members.

DO NOT INCLUDE A COPY OF THE FINAL PUD ORDINANCE. COUNTY ATTORNEY INCLUDES THIS IN THE ORDINANCE. DO NOT PROVIDE DUPLICATES OF ANY DOCUMENTS ONLY THE LATEST, ACCEPTED/APPROVED COPY OF THE BELOW DOCUMENTATION.

Backup provided by Applicant:

Include a CD Disk 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.

x____ Application

x____ Narrative of rezone request

x____ Property Information

x____ Property Ownership and general description of site

____ Disclosure of Interest

____ Affidavit of Unified Control

x____ Affidavit of Representation

____ NIM Information (Sign in sheet, notes, minutes and/or summary)

x____ Traffic Impact Study (TIS)

____ Environmental Data

____ Historical/Archeological Survey or Waiver

____ Utility Letter

x____ Deviation Justifications

____ Boundary Survey

____ PUD Ordinance (the *last submitted Ordinance with strikethrough – color preferred)

x____ 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.

___ 3 thumbnail drives of audio and/or video of Neighborhood Information Meeting

I understand that by submitting the above materials, it is the agent/applicant's responsibility to ensure all materials are in the same order for all copies of backup materials to provide to the 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.

Jessica Kluttz_____ 03-14-2022_____

Signature of Agent Representative Date

_____Jessica Kluttz_____

Printed Name of Signing Agent Representative

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car 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): Al Ierardi, Manager of Davis Terrace Reality LLC

Name of Applicant if different than owner: _____

Address: 2630 Pine Ridge Rd **City:** Naples **State:** FL **ZIP:** 34109

Telephone: 239-643-3126 **Cell:** _____ **Fax:** _____

E-Mail Address: al@naplesclassiccar.com

Name of Agent(s): Jessica Kluttz

Firm: Davidson Engineering, Inc.

Address: 4365 Radio Rd, Suite 201 **City:** Naples **State:** Fl **ZIP:** 34104

Telephone: 239-434-6060 **Cell:** _____ **Fax:** _____

E-Mail Address: Jessicak@davidsonengineering.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: PL20210002480

PLANNER/PROJECT MANAGER, IF KNOWN: _____

DATE OF SUBMITTAL OF SDP/SDPA/SIP: 07/25/2019

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

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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.

1. **A narrative of the redevelopment project and how it is consistent with the standards for approval, LDC section 10.02.03 F.7.**
2. 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.
3. **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.**
4. Project enhancements to offset or minimize the deviations shall be clearly identified on the site plan and explanation provided.
5. Deviation Request types:

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

- ☐ Dimensional standards (excluding height): 0' East Side Yard
- ☐ 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: _____

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

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(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 HEARNG 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

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

List of Requested Deviations from LDC
Naples Classic Car SDP Deviation
PL20210002480

Submitted: January 4, 2022
Revised on: January 31, 2022

The subject site is located on folio 70720500001 where along the East property line there is an existing metal structure that was permitted to be built in 1973 with a 0' setback. This deviation requests that the building can be rebuilt with the same dimensions along the Eastern property line, which deviates from the current LDC codes for side yards.

Deviation 1: Deviation from LDC Section 4.02.16.B.1.ii. Table 7, which requires a 10-foot side yard setback in C-5 zoning districts with the GTMUD-MXD overlay, to allow for the redevelopment of an existing structure with the current side yard of 0 feet without addition of hoods, canopies, or roof overhangs.

Justification: A site plan with deviations may be requested for the redevelopment of a site which meets the criteria for an SDP or SDPA. Under PL20160001805 an SDP was submitted to the county and accepted on 6/22/2017 and under PL20180001929 an SDPA was submitted to the county and accepted on 7/13/2019. 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. To create a functional site that is also safe and could withstand hurricane force winds, the existing metal steel frame building permitted in 1973 must be renovated in whole and replaced with a more modern structure. The foundation of the building will also be raised 7 inches to meet FEMA design flood elevation, match adjacent structures and allow for cars to be moved on the site and within the buildings easily without steep ramps. The building's footprint will remain the same size but moved 4 feet and 7 inches south to allow for articulation along the North side of the property which faces the street, enhancing the architectural value. The 0-foot side yard is needed to allow for a usable site plan, keeping a structure large enough to park cars within while not interfering with other site functions. The proposed structure does not have a hood, canopy, or roof overhang, so there will be no projection into the side yard, complying with LDC 4.02.01.D.8.

Deviation 2: Deviation from LDC Section 4.06.02 C Table 2.4 and LDC Section 4.02.16.E.2.a.ii., which requires a shared 10' type A landscape buffer between commercial uses to allow for the redevelopment of an existing structure with a side yard of 0' along the east side of the property. In addition to the code required plantings, 4 trees with a minimum height of 10' will be provided along the North façade of the building.

Justification: A zero foot setback does not allow for space for a landscape buffer, so a deviation from LDC Section 4.06.02 C Table 2.4 is required. To mitigate this, enhanced landscaping will be installed along the north face of the redeveloped structure in the form of the four trees that would be required in a Type A buffer along the 100' East edge of the building.

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

The following section is a narrative of the redevelopment project and how it is consistent with the standards for approval, LDC section 10.02.03 F.7.

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

> Response: The land use and density of this development are consistent with permitted uses in the zoning district of C-5. Automotive Repair Services and Automobile Parking are permitted uses per LDC 2.03.03 E.1.a. and the permitted density of the development is consistent as there is no maximum building coverage in the C-5 district and there is no residential element to this site.

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

> Response: The project is consistent with the GMP as it is within a mixed use district per the Future Land Use map, specifically Urban Residential Subdistrict.

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 outdated existing structure will enhance the safety and aesthetics of the site. The existing structure is not up to current building codes and needs to be replaced so that the site may function better and be safer for neighboring properties.

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: No changes to the land areas devoted to each functional portion of the site are proposed. This deviation only involves the redevelopment of a previously approved existing structure.

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: The use is compatible to the adjacent use, and the existing building has no Eastern yards or landscape buffers. It is appropriate for an automotive use and allowing for the existing building to be redeveloped will enable the site to be safer and more effectively used with additional landscaping at the front (North) side to better screen the use. All other onsite facilities have been previously approved by the SDP process.

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.

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

Response: Visually, the current existing structure is not very appealing. It is a standard aluminum prefabricated structure that is nearly 50 years old. Further, much of the automobile parking is outdoors, and the approved SDP will allow for indoor automobile parking, enhancing the site. Allowing for this deviation will permit the new and redeveloped structures to work cohesively to maximize indoor parking space and mitigate some outdoor parking. Please see the attached SDPA plans.

The structure's footprint size will remain the same, however it will be moved 4 feet and 7 inches south so that the southern face of the structure lines up with the face of the adjacent structure. This will allow for enhanced articulation and landscaping along the north side of the site, which faces Terrace Avenue, creating enhanced visual character.

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

Response: No changes in ownership are proposed.

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: Two deviations been requested involving the redevelopment of an existing building a 0-foot side yard, which allows for no space for a landscape buffer. This is the minimal building redevelopment size that can be requested as the size of the equipment required for the site's use requires such a structure. There are no other deviations on the site, and the site plan was previously approved through a SDPA (see attachments).

i. The petitioner has provided enhancements to the development.

Response: The new structure and SDP will be an enhancement to the development. Enhanced landscaping along the north side of the redeveloped structure has been proposed to mitigate the effects of a zero-foot setback. This landscaping will include four trees, as seen in the site plan.

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

Response: The existing building will be enhanced and retain the same setback as the current structure, so no adverse effect on adjacent properties will be caused.

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX (239) 252-5724

ADDRESSING CHECKLIST

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

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

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

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

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

ROCK CREEK PARK BLK A LOTS 49- 53; ROCK CREEK PARK BLK A LOTS 10, 11 & 12 + W 35FT OF LOT 13

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

70720500001; 70720240002 T50, R25, S02

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

3066 TERRACE AVE; 3045 DAVIS BLVD

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

CURRENT PROJECT NAME *(if applicable)*

PROPOSED PROJECT NAME *(if applicable)*

Naples Classic Car SDP Deviation (DR) name not yet approved

PROPOSED STREET NAMES *(if applicable)*

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

SDP___-____ or AR or PL # ~~PL20210002480~~

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
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NAPLES, FLORIDA 34104
(239) 252-2400 FAX (239) 252-5724

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

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

Applicant Name: Jessica Kluttz

Phone: 239-434-6060 **Email/Fax:** Jessicak@davidsonengineering.com

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

FOR STAFF USE ONLY

Folio Number 70720500001; 70720240002

Folio Number

Folio Number

Folio Number

Folio Number

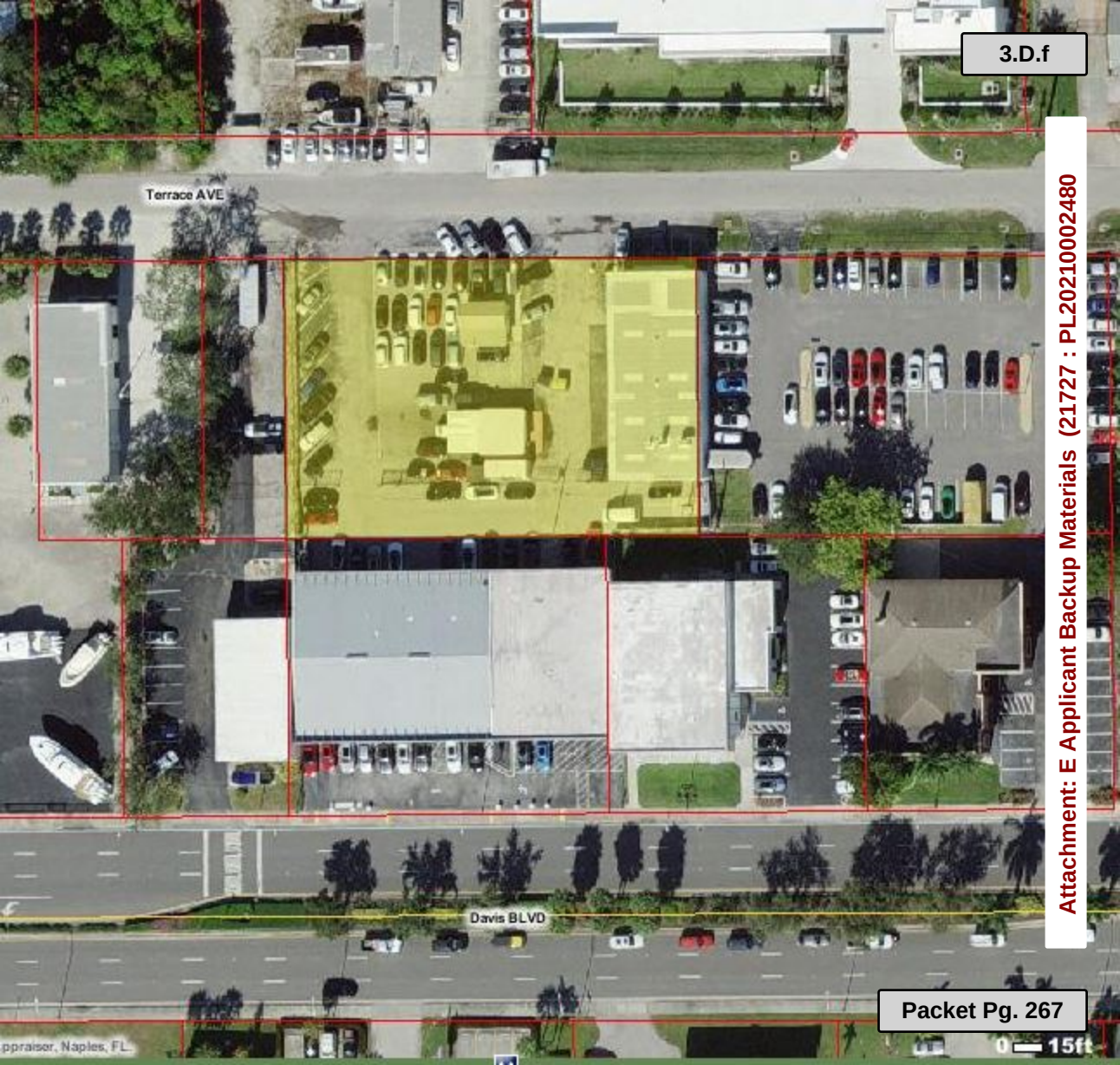
Folio Number

Approved by: L.L.H. **Date:** 11/03/2021

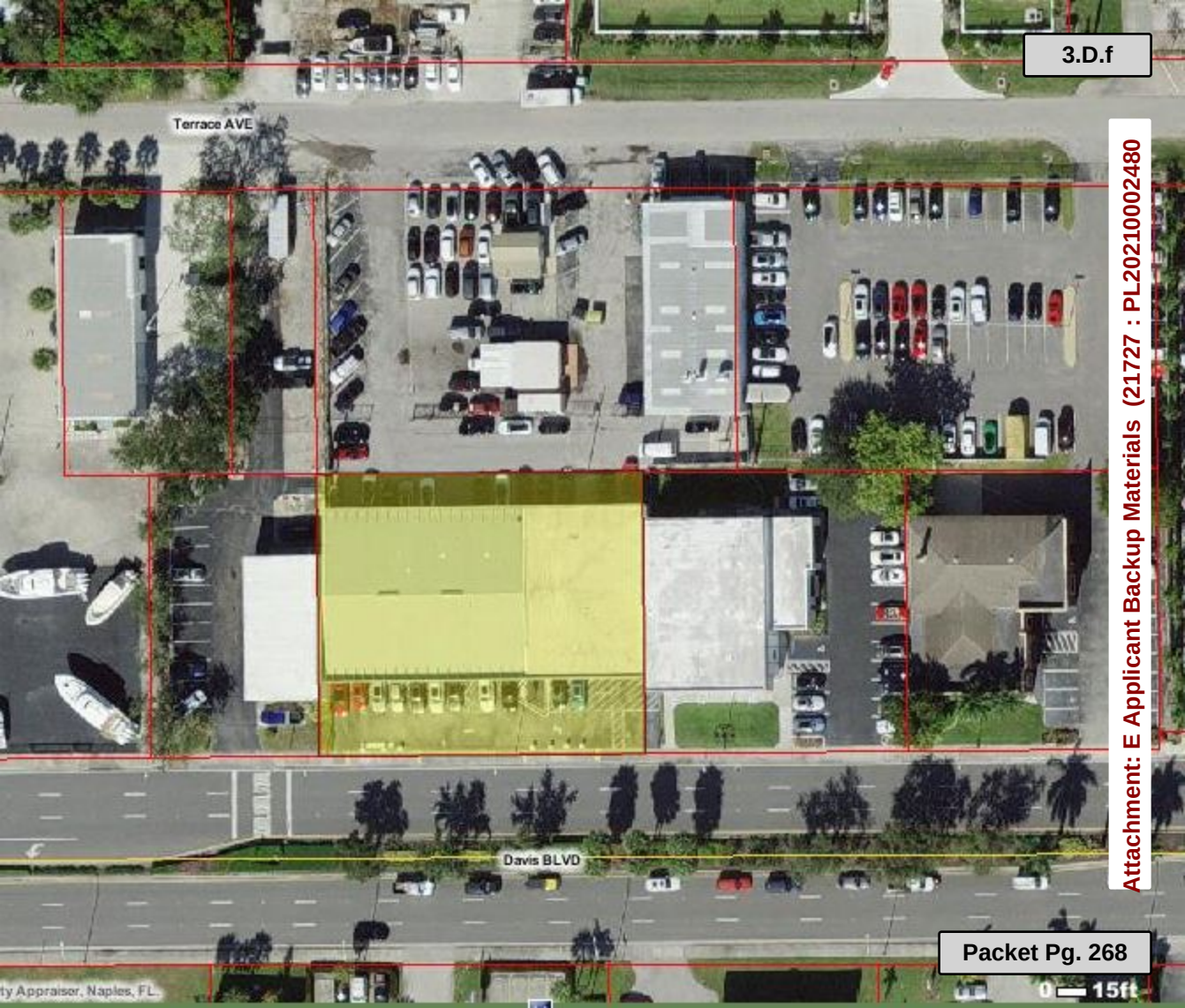
Updated by: **Date:**

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

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)



Attachment: E Applicant Backup Materials (21727 : PL20210002480


Terrace AVE
Davis BLVD
ty Appraisor, Naples, FL
0 15ft

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20210002480

I, Al Ierardi (print name), as Manager (title, if applicable) of Davis Terrace Reality 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 Davidson Engineering 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.

Al Ierardi
Signature

11-9-2021
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [☑] physical presence or [ ] online notarization this 9th day of November, 2021, by (printed name of owner or qualifier) Bonnie Hill.

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: Bonnie J Hill

Notary Public State of Florida
Bonnie J Hill
My Commission GG 361215
Expires 07/31/2023

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

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

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

11-9-2021
Date

Al Ierardi
Agent/Owner Name (please print)

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car 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
Al Ierardi, 2630 Pine Ridge Rd Naples, FL 34109	100

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

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 29 September 2015

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

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

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

INSTR 5178363 OR 5200 PG 172 RECORDED 10/1/2015 2:24 PM PAGES 2
DWIGHT E. BROCK, CLERK OF THE CIRCUIT COURT, COLLIER COUNTY FLORIDA
DOC@.70 $10,936.80 REC $18.50
CONS $1,562,350.00

Prepared by and return to:
John Paulich, III

GrayRobinson, P.A.
8889 Pelican Bay Blvd Suite 400
Naples, FL 34108
239-598-3601
File Number: **900649-1**
Consideration: **$1,562,350.00**

Parcel Identification No. **70720240002 and 70720500001**

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 29th day of **September, 2015** between **Greater Naples Properties, LLC, a Florida limited liability company** whose post office address is **P.O Box 306, Hartsdale, NY 10530** of the County of **Westchester**, State of **New York**, grantor*, and **Davis Terrace Realty, LLC, a Florida limited liability company** whose post office address is **2630 Pine Ridge Road, Naples, FL 34109** of the County of **Collier**, State of **Florida**, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Collier County, Florida**, to-wit:

Lots 10, 11, 12, and the West 35 feet of Lot 13, and Lots 49, 50, 51, 52, and 53, of Block A, Rock Creek Park, according to the plat thereof recorded in Plat Book 1, Page 79, Public Records of Collier County, Florida.

COLLIER COUNTY
RECORDED
CLERK OF THE CIRCUIT COURT

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Barbara G. Hubbell
Witness Name: Barbara G. Hubbell

Virginia E Bennett
Witness Name: Virginia E. Bennett

Greater Naples Properties, LLC, a Florida limited liability company

By:
Margaret Yu, Member

DoubleTimee

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

State of New York
County of Westchester

The foregoing instrument was acknowledged before me this 29th day of September, 2015 by Margaret Yu, Member of Greater Naples Properties, LLC, a Florida limited liability company, on behalf of said firm. She [ ] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

Barbara G. Hubbell
Notary Public

Printed Name: Barbara G. Hubbell

My Commission Expires: 7/7/2018

BARBARA G. HUBBELL
Notary Public, State of New York
No. 4863175
Qualified in WESTCHESTER County
Commission Expires JULY 7, 2018

COLLIER COUNTY
COPY
CLERK OF THE CIRCUIT COURT

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

RESOLUTION OF MANAGER AND SOLE MEMBER FOR DAVIS TERRACE REALTY LLC

WE HEREBY CERTIFY that the Manager and Sole Member of **DAVIS TERRACE REALTY LLC**, a Florida limited liability company ("Company"), pursuant to the Articles of Organization and the Operating Agreement of the Company, approved the following resolution:

BE IT RESOLVED, that Al Ierardi, the sole Member and sole owner of all of the membership interests of the Company, serving in his capacity as Manager of the Company, is hereby authorized to execute and deliver from time to time all documents and instruments on behalf of the Company in furtherance of the Company's Application PL20210002480 for redevelopment of the Naples Classic Car site.

BE IT FURTHER RESOLED, that the signature and/or joinder of Kevin A. Denti, as counsel for the Company, shall not be required in order for the Company to proceed with Application PL20210002480 for redevelopment of the Naples Classic Car site.

Dated: January 5, 2022.

MANAGER:

AL IERARDI, Manager

SOLE MEMBER:

AL IERARDI, Member

S:\Clients\Davis Terrace Realty\Resolution of Manager and Sole Member - Redevelopment

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

From: SawyerMichael
To: Andrew Rath
Cc: Jessica Kluttz
Subject: RE: PL20210002480 - 3066 Terrace Ave - TIS Waiver
Date: Wednesday, November 24, 2021 3:46:22 PM
Attachments: image001.png

Andrew,

Sorry for the delay and thanks for follow-up request.

As long as the use remains the same I agree to the Waiver.

Respectfully,

Michael Sawyer
Principal Planner
Growth Management Department
Transportation Planning
2685 South Horseshoe Drive, Suite 103
Naples, Florida 34104
239-252-2926
michael.sawyer@colliercountyfl.gov

From: Andrew Rath <andrew@davidsonengineering.com>
Sent: Tuesday, November 23, 2021 9:41 AM
To: SawyerMichael <Michael.Sawyer@colliercountyfl.gov>
Cc: Jessica Kluttz <JessicaK@davidsonengineering.com>
Subject: RE: PL20210002480 - 3066 Terrace Ave - TIS Waiver

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

Morning Mike,

Just wanted to follow up on the below and attached.

Thank you

Andrew Rath, P.E.
Project Manager
Davidson Engineering, Inc.

Main: 239.434.6060; Ext. 2958
andrew@davidsonengineering.com

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

davidsonengineering.com

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From: Andrew Rath
Sent: Monday, November 15, 2021 2:53 PM
To: michael.sawyer@colliercountyfl.gov
Cc: Jessica Kluttz <JessicaK@davidsonengineering.com>
Subject: PL20210002480 - 3066 Terrace Ave - TIS Waiver

Hey Mike,

Just wanted to send this TIS waiver request your way prior to us submitting the Site Plan with Deviations application.

Please review and respond. Looking for something to present to CC Intake at time of submittal.

Thank you

Andrew Rath, P.E.
Project Manager

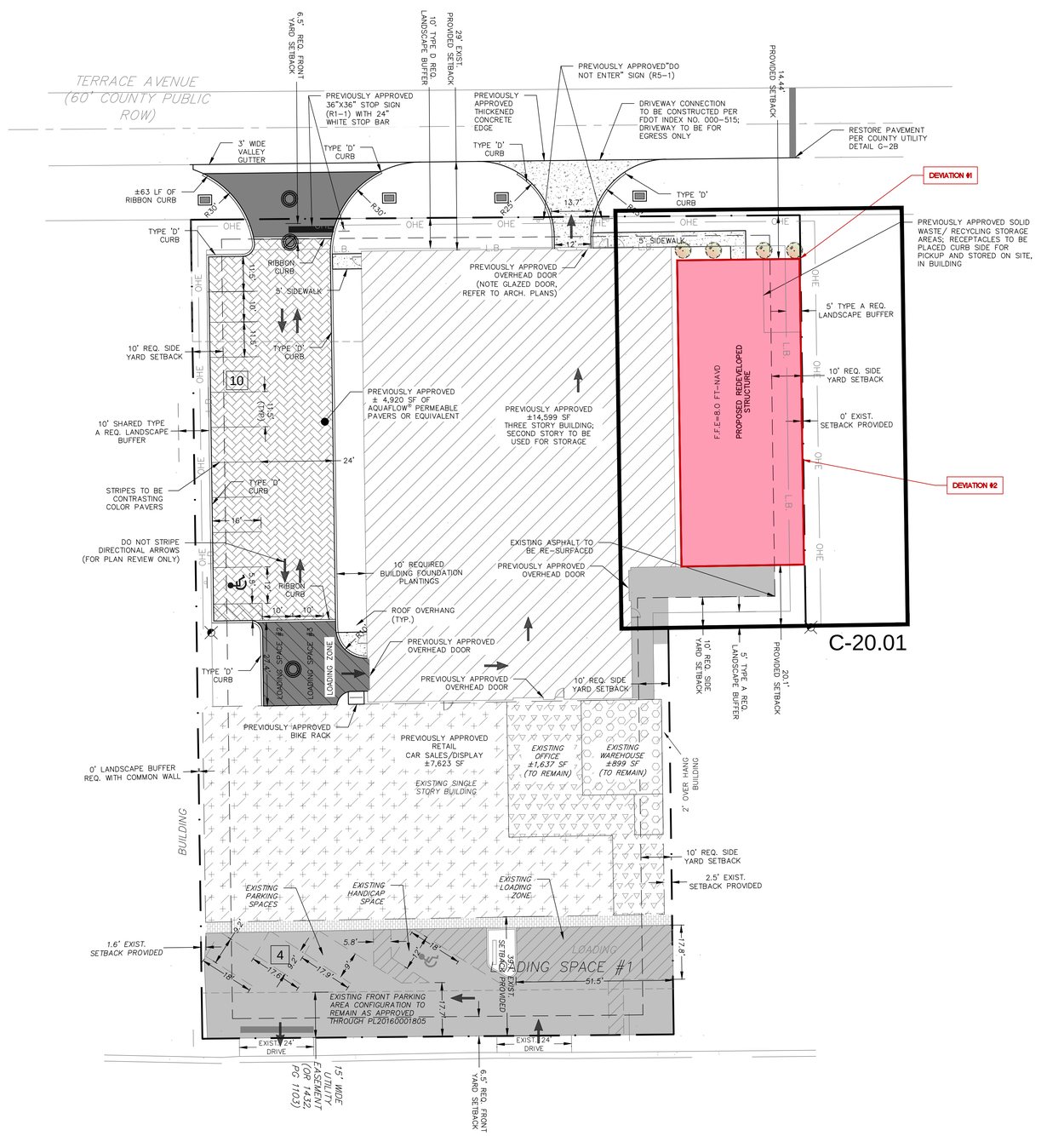
DAVIDSON ENGINEERING
ESTABLISHED 1997

Main: 239.434.6060; Ext. 2958
andrew@davidsonengineering.com
www.davidsonengineering.com
Davidson Engineering, Inc.
4365 Radio Road, Suite 201
Naples, FL 34104

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

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)



LEGEND

- PREVIOUSLY APPROVED ASPHALT SURFACE
- EXISTING ASPHALT SURFACE
- PREVIOUSLY APPROVED BUILDING
- PROPOSED REDEVELOPED STRUCTURE
- STANDARD CONCRETE SECTION
- PERMEABLE PAVERS
- PREVIOUSLY APPROVED RETAIL CAR SALES / DISPLAY AREA
- EXISTING OFFICE TO REMAIN
- EXISTING WAREHOUSE TO REMAIN
- DRAINAGE MANHOLE
- DRAINAGE STRUCTURE PER FDOT INDEX 425-052

GENERAL NOTES:

1. THE APPROVAL OF THESE CONSTRUCTION PLANS DOES NOT AUTHORIZE CONSTRUCTION OF REQUIRED IMPROVEMENTS WHICH ARE INCONSISTENT WITH EASEMENTS OF RECORD.
2. ALL CATEGORY 1 INVASIVE EXOTIC PLANTS AS DEFINED BY THE FLORIDA EXOTIC PEST PLANTS COUNCIL, SHALL BE REMOVED FROM WITHIN THE PRESERVE AREAS AND SUBSEQUENT ANNUAL REMOVAL OF THESE PLANTS (IN PERPETUITY) SHALL BE THE RESPONSIBILITY OF THE OWNER.
3. FIRE FIGHTING WATER SUPPLY SHALL BE AVAILABLE PRIOR TO THE PLACEMENT OR STORAGE OF ANY COMBUSTIBLE MATERIALS ON SITE.
4. ALL PROHIBITED NON-NATIVE/EXOTIC VEGETATION AS DEFINED BY THE COLLIER COUNTY LDC SHALL BE REMOVED FROM THE SITE & IT SHALL BE MAINTAINED FREE OF EXOTICS IN PERPETUITY. ALL ANNUAL REMOVAL OF EXOTIC VEGETATION SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER
5. THIS SITE PLAN SHALL MEET ALL REQUIREMENTS OF THE COLLIER COUNTY LDC UNLESS VARIANCES WERE OBTAINED PRIOR TO CONSTRUCTION.
6. THE SURFACE WATER MANAGEMENT SYSTEM & ALL INFRASTRUCTURE IMPROVEMENTS AND ONSITE UTILITIES SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER.
7. NO CONSTRUCTION IS TO BE PERFORMED WITHIN THE FDOT RIGHT OF WAY.
8. COUNTY PERMIT TO PERFORM WORK AND/OR MAINTENANCE IN THE COUNTY RIGHT-OF-WAY IS REQUIRED FOR ANY WORK WITHIN THE COUNTY'S PUBLIC ROAD ROW.

FLOOD ZONE INFO.

FLOOD ZONE: AE
BASE FLOOD ELEVATION = 7 FT-NAVD
DESIGN FLOOD ELEVATION = 8 FT-NAVD

N

0 10 20 40
SCALE IN FEET

REVISIONS

REV.	DATE:	DESCRIPTION
1	01/06/2022	REVISION

DESIGNED BY: A.R.
DRAWN BY: L.D.
CHECKED BY: A.R.
PROJECT NO.: 18-0033

CLIENT:
DAVIS TERRACE REALTY,LLC
2630 PINE RIDGE ROAD
NAPLES, FL 34109

PROJECT:
NAPLES CLASSIC CAR

SHEET TITLE:
MASTER SITE PLAN

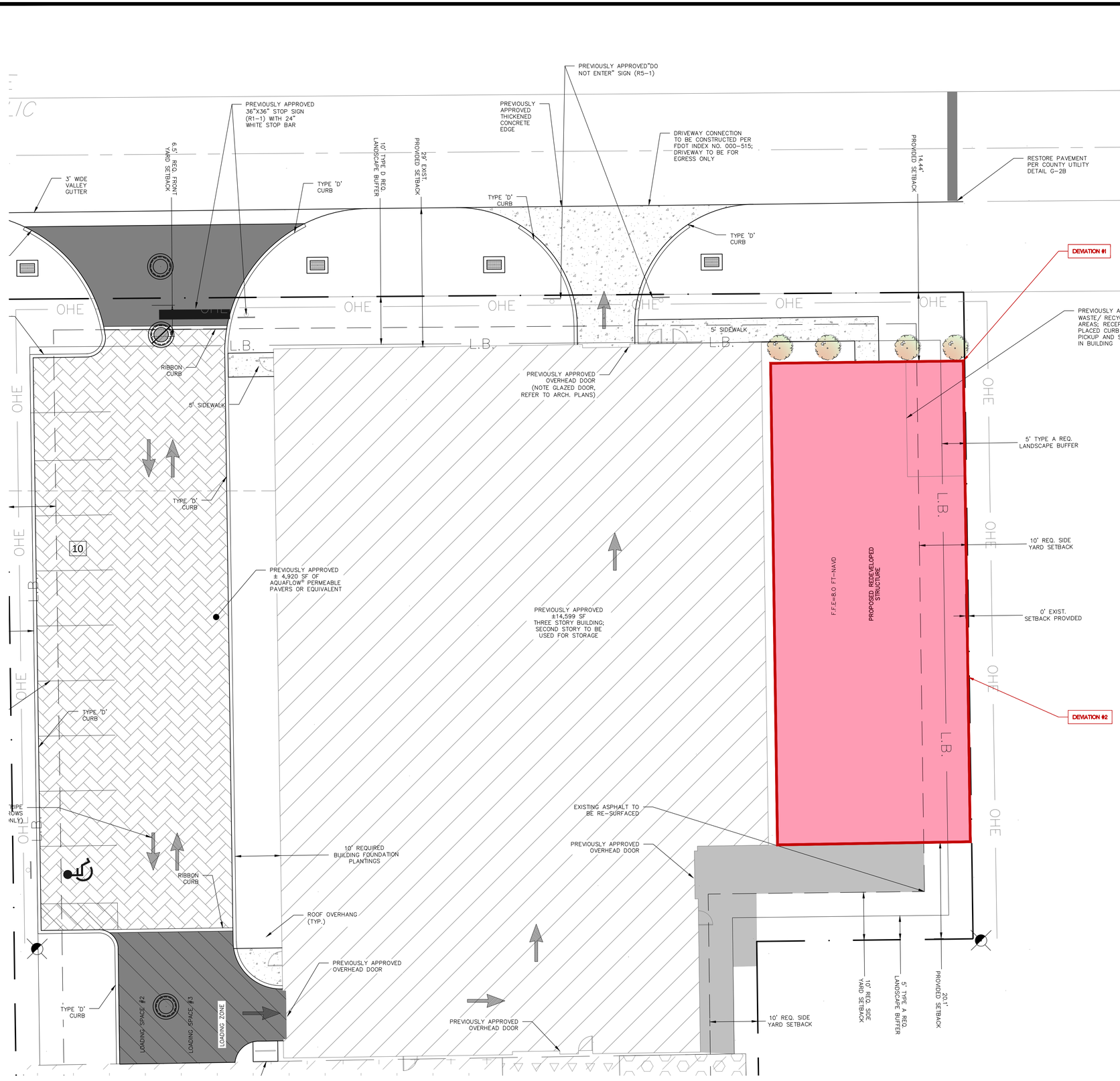
DAVIDSON ENGINEERING
4365 Radio Road, Suite 201
Naples, Florida 34104
P: 239.434.6060 F: 239.434.6084
Company Cert. of Authorization No. 00009486

ANDREW E. RATH, P.E. NO. 73996

SHEET NO:
C-20.00

Z:\Active Projects\NAPLES CLASSIC CAR\DWG\Site Civil\Sheetfiles\C-20.00 - 23.00 - Master Plans (2021).dwg, (SDP-MSP) Betzabeth.Reyes, Mar 01, 2022 - 11:21am

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)



LEGEND

- PREVIOUSLY APPROVED ASPHALT SURFACE
- EXISTING ASPHALT SURFACE
- PREVIOUSLY APPROVED BUILDING
- PROPOSED REDEVELOPED STRUCTURE
- STANDARD CONCRETE SECTION
- PERMEABLE PAVERS
- PREVIOUSLY APPROVED RETAIL CAR SALES / DISPLAY AREA
- EXISTING OFFICE TO REMAIN
- EXISTING WAREHOUSE TO REMAIN
- DRAINAGE MANHOLE
- DRAINAGE STRUCTURE PER FDOT INDEX 425-052
- MITIGATION TREE

GENERAL NOTES:

1. THE APPROVAL OF THESE CONSTRUCTION PLANS DOES NOT AUTHORIZE CONSTRUCTION OF REQUIRED IMPROVEMENTS WHICH ARE INCONSISTENT WITH EASEMENTS OF RECORD.
2. ALL CATEGORY 1 INVASIVE EXOTIC PLANTS AS DEFINED BY THE FLORIDA EXOTIC PEST PLANTS COUNCIL, SHALL BE REMOVED FROM WITHIN THE PRESERVE AREAS AND SUBSEQUENT ANNUAL REMOVAL OF THESE PLANTS (IN PERPETUITY) SHALL BE THE RESPONSIBILITY OF THE OWNER.
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8. COUNTY PERMIT TO PERFORM WORK AND/OR MAINTENANCE IN THE COUNTY RIGHT-OF-WAY IS REQUIRED FOR ANY WORK WITHIN THE COUNTY'S PUBLIC ROAD ROW.

SCHEDULE OF DEVIATIONS LEGEND

DEVIATION 1: 0' LOT LINE

DEVIATION 2: NO LANSCAPE BUFFER ALONG EAST SIDE OF BUILDING

NOTE: MITIGATING LANDSCAPING WILL BE ADDED TO NORTH FACE OF BUILDING

FLOOD ZONE INFO.

FLOOD ZONE: AE
BASE FLOOD ELEVATION = 7 FT-NAVD
DESIGN FLOOD ELEVATION = 8 FT-NAVD

REVISIONS			
REV.	DATE:	REVISION	DESCRIPTION
1	01/06/2022		

DESIGNED BY: A.R.
DRAWN BY: L.D.
CHECKED BY: A.R.
PROJECT NO.: 18-0033

CLIENT:
DAVIS TERRACE REALTY,LLC
2630 PINE RIDGE ROAD
NAPLES, FL 34109

PROJECT:
NAPLES CLASSIC CAR

SHEET TITLE:
SITE PLAN WITH DEVIATIONS

DAVIDSON ENGINEERING
4365 Radio Road, Suite 201
Naples, Florida 34104
P: 239.434.6060 F: 239.434.6084
Company Cert. of Authorization No. 00009496

ANDREW E. RATH, P.E. NO. 73996

SHEET NO:
C-20.00

Z:\Active Projects\N\NAPLES CLASSIC CAR\DWG\Site Civil\Sheetfiles\C-20.00 - 23.00 - Master Plans (2021).dwg (SDP-MSP (2)) Betzabeth Reyes Mar 01, 2022 - 11:21am

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

APPLICATION FOR BUILDING PERMIT
COLLIER COUNTY, FLORIDA

Permit Number 73-100 Date 1-5-73

Name of Owner Vernon Dunckle Contractor Phone

Job Address 3080 Terrace Avenue

Architect Electrical Contractor

Address Address

Contractor Houchin Steel Plumbing Contractor

Address Address

LEGAL DESC.

Lot 49-50 Block A Unit Subdivision Rock Creek Park

If no record plat, metes & bounds:

BUILDING

Permit to (Build-Alter-Repair-Move) Steel Bldg.

Size 40 x 100 . Height 18 No. of Stories 1

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

ZONING

Zoning MF-2 Building or Structure will face N

Use Comercial Bldg.

40 feet from East line
10 feet from South line
6 feet from West line
25 feet from North line

Floor Space	4000	Sq. Feet
Utility		Sq. Feet
Porch		Sq. Feet
Car Porte		Sq. Feet
Other		Sq. Feet
Total	4000	Sq. Feet

Estimated Cost $ 32,000.00
Building Permit $ 79.00
Electrical Permit $ 13.80
Plumbing Permit $ 9.00
Septic Tank $ 5.00
Total $ 106.80

HEALTH

PLOT PLAN

Central Sewer Name Yes
Central Water Name Yes
Well Permit No.
Septic Tank 1050 Gallons
Drainfield 350 Sq. Ft.
Septic Tank No. 73-53-ST
Plumbing Stub 18 Inches below Finish Floor Grade.
Sanitarian T. Thorward

The above application has been examined and is hereby subject to the payment of $ 106.80 by Cash as provided by the Collier County Building Code.

Payment Received: Glenwood Morrison Building Official

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

Attachment: E Applicant Backup Materials (21727 : PL20210002480 Naples Classic Car DR)

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.E
Item Summary: Petition No. PCUD-PL20210003067 - Request for a comparable use determination that golf cart sales is comparable, compatible, and consistent with the list of permitted uses in section 5.03 of the Pine Air Lakes Commercial Planned Unit Development, Ord. No. 07-32, as amended, located at Tract 2, Naples Center Village, also known as 5947 Naples Blvd in Section 11, Township 49 South, Range 25 East, Collier County, Florida. [Coordinator: Gabriela Castro, Principal Planner] Commission District 2

Meeting Date: 04/14/2022

Prepared by:
Title: Principal Planner – Zoning
Name: Gabriela Castro
03/25/2022 1:59 PM

Submitted by:
Title: – Zoning
Name: Mike Bosi
03/25/2022 1:59 PM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky	Review Item	Completed	
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	03/25/2022 4:16 PM
Zoning	Ray Bellows	Review Item	Completed	03/25/2022 6:04 PM
Zoning	Mike Bosi	Review Item	Completed	03/30/2022 8:52 AM
Hearing Examiner	Andrew Dickman	Meeting Pending	04/14/2022 9:00 AM	

STAFF REPORT

TO: COLLIER COUNTY HEARING EXAMINER

FROM: ZONING DIVISION – ZONING SERVICES SECTION
GROWTH MANAGEMENT DEPARTMENT

HEARING DATE: APRIL 14, 2022

SUBJECT: PL20210003067; GATOR GOLF SALES COMPARABLE USE DETERMINATION (PCUD)

PROPERTY OWNER/AGENT:

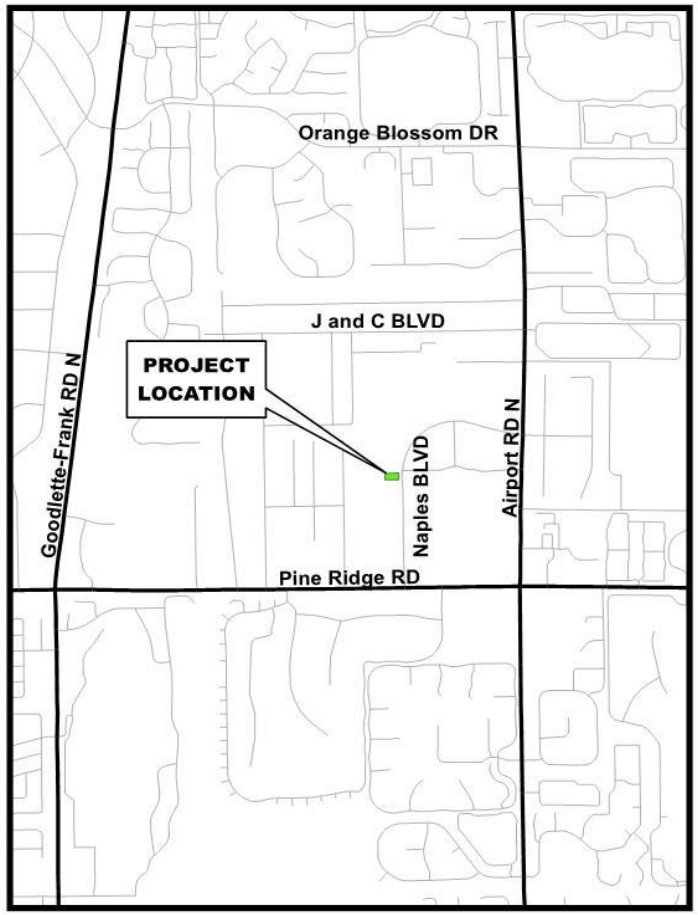
Applicant: PIEx2, LLC.
14519 Global Parkway
Fort Myers, FL, 33913

Agent: Sarah E. Spector
Roetzel & Andress
2320 First Street Suite 1000
Fort Myers, FL, 33901

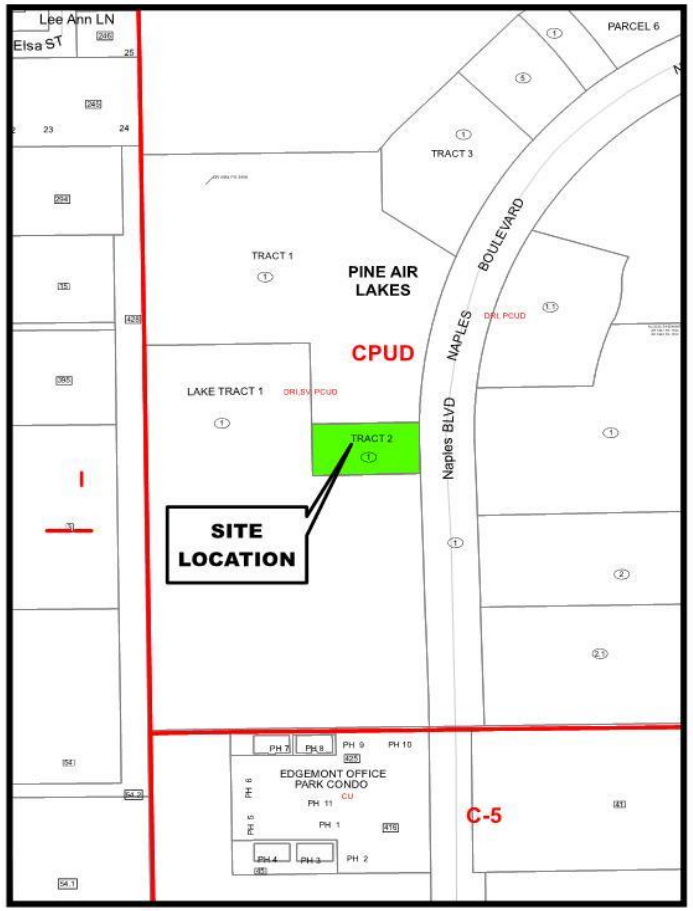
REQUESTED ACTION:
Request for a determination that the proposed use of golf cart sales is comparable in nature to other permitted uses in Section 5.03 of the Pine Air Lakes Commercial Planned Unit Development (CPUD) adopted by Ordinance Number 07-32, as amended. The subject property is located at 5947 Naples Blvd in Section 11, Township 49 South, Range 25 East, Collier County, Florida.

GEOGRAPHIC LOCATION:
The subject parcel is approximately ±.62 acres, located on the west side of Naples Boulevard, approximately a third of a mile north of Pine Ridge Road, in Section 11, Township 49 South, Range 25 East, Collier County, Florida. *(See location map on the following page)*

Attachment: Edited Gator Golf-Staff-Report (21744 : PL20210003067 Gator Golf Services)



Location Map



Zoning Map

Petition Number: PL20210003067

Attachment: Edited Gator Golf-Staff-Report (21744 : PL20210003067 Gator Golf Services)

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, which is undeveloped and designated for Mixed-Use Retail/Office on the Pine Air Lakes CPUD Master Plan:

North: Dick's Sporting Goods Store within the Mixed-Use Office/Retail of the Pine Air Lakes CPUD

East: Right-of-Way for Naples Blvd and then Infiniti car dealership within the Mixed-Use Office/Retail of the Pine Air Lakes CPUD

South: Lake within the Pine Air Lakes CPUD

West: Lake within the Pine Air Lakes CPUD



Attachment: Edited Gator Golf-Staff-Report (21744 : PL20210003067 Gator Golf Services)

PURPOSE/DESCRIPTION OF PROJECT:

The petitioner requests a determination that a proposed Golf Cart Sales (SIC 5599[1]) is comparable in nature to the currently allowed permitted principal uses for the subject site per the Pine Air Lakes CPUD Ordinance No. 07-32, as amended.

The site is within Activity Center #13 associated with the Pine Ridge Road/Airport Pulling Road intersection per the Future Land Use Map. The site is designated Mixed-Use Retail/Office on the Pine Air Lakes CPUD Master Plan and fronts Naples Boulevard.

Section 5.03 of the CPUD lists the permitted uses for the subject site, which are considered Regional Commercial. Permitted uses within the Commercial/Office designated area of the MPUD identified in Section 5.03 of the CPUD range from enclosed car washes (SIC 7542) and motorcycle sales and service (5571) to automobile sales (5541, 5511), yacht sales (7389, 5551) and light manufacturing. Permitted uses also include regional retail stores that would generate more daily trips than the proposed golf cart sales.

The applicant proposes to limit hours of operation to between 8:00 AM to 5:00 PM Monday through Saturday, which is more restrictive than the nearby car dealerships and grocery store.

Actions taken since the adoption of the CPUD/DRI approved by Ordinance No. 07-32 include:

-HEX Determination 2014-26 for a sign variance to allow three signs and a larger square footage for the Dick's Sporting Goods.

-HEX Determination 2020-19 which determined an indoor self-storage (SIC 4225) is comparable in nature to other permitted uses in the Office district in 4.03.10 of Ord 07-32.

-Hex Determination 2020-25 to reduce landscape buffers and add deviations regarding buffers.

STAFF ANALYSIS:

LDC Section 10.02.06.K., Comparable Use Determination, states: "Comparable Use Determination (CUD) shall be used to determine whether a use is comparable in nature with the list of permitted uses, and the purpose and intent statement of the zoning district, overlay, or PUD. To be effective, the Comparable Use Determination shall be approved by the Hearing Examiner by decision, or Board of Zoning Appeals by resolution, at an advertised public hearing" based on standards listed below as part of staff's analysis.

The subject site is the designated Urban Commercial District, Mixed Use Activity Center (MUAC) Subdistrict on the Future Land Use Map (FLUM). The site is in Activity Center #13 associated with the intersection of Airport-Pulling Road and Pine Ridge Road. The Urban Commercial District is intended to accommodate almost all uses associated with commercial zoning districts; a variety of residential uses; and a variety of non-residential uses. The Mixed-

[1] The Standard Industrial Classification (SIC) Code 5599 includes Automotive Dealers, Not Elsewhere Classified – Establishments primarily engaged in the retail sale of new and used automotive vehicles, utility trailers, and automotive equipment and supplies, not elsewhere classified, such as snowmobiles, dune buggies, and go-carts.

Attachment: Edited Gator Golf-Staff-Report (21744 : PL20210003067 Gator Golf Services)

Use Activity Center Subdistricts are designed to concentrate almost all uses associated with commercial zoning districts in locations where traffic impacts can readily be accommodated, to avoid strip and disorganized patterns of commercial development, and to create focal points within the community. Allowable land uses include the full array of commercial uses, residential uses, institutional uses, hotel/motel uses, community facilities, and other land uses as generally allowed in the Urban designation.

The request for Golf Cart Sales (SIC 5599) is proposed within the Pine Air Lakes CPUD on a parcel that fronts on Naples Boulevard, approximately one-third of a mile north of Pine Ridge Road and is within the boundary of Mixed-Use Activity Center #13, depicted on the Collier County Mixed-Use & Interchange Activity Center Index Map adopted as part of the Future Land Use Element of the Growth Management Plan. The requested use is allowed within the Mixed-Use Activity Center Subdistrict and meets the intent of the Urban Commercial District.

Section 5.03 of the Pine Air Lakes CPUD allows for a range of Regional Commercial permitted uses that are allowed within the Mixed-Use Retail/Office designation on the adopted CPUD Master Plan. The commercial uses that are permitted have varying degrees of intensity, including those permitted in conventional C-4 and C-5 zoning districts, such as boat dealers (5551), automotive sales and service (5511) and motorcycle sales and service (5571). See Attachment C Ordinance 07-32, Section 5 for the full list of permitted uses.

When evaluating the appropriateness of the proposed use, staff considers the character of the use per the uses that are permitted within commercial zoning districts of the LDC. The purpose and intent of the C-4 General Commercial zoning district is to provide the opportunity for the most diverse types of commercial activities delivering goods and services, including entertainment and recreational attractions, at a larger scale than the C-1 through C-3 districts. Activity centers are suitable locations for the uses permitted by the C-4 district because most activity centers are located at the intersection of arterial roads. Therefore, the uses in the C-4 district can generally be sustained by the transportation network of major roads, and this district aligns with the characteristics and location of the Pine Air Lakes CPUD. Section 2.03.03.D of the LDC identifies that the use corresponding to the proposed golf cart sales of "Dealers not elsewhere classified (5599 outdoor display permitted, excluding Aircraft dealers-retail)" is a conditional use in the C-4 General Commercial Zoning District, and "Automotive vehicle and equipment dealers (5511 and 5599, new vehicles only)" is permitted in C-4.

The purpose and intent of the C-5 Heavy Commercial district is to provide a range of more intensive commercial uses than C-4 and services which are generally those uses that tend to utilize outdoor space in the conduct of the business. Section 2.03.03.E of the LDC identifies that the use of "Automotive dealers, not elsewhere classified (5599)" is permitted in C-5.

Per LDC Section 10.02.06.K, the following Comparable Use Determination (CUD) criteria are used to determine whether a use is comparable in nature with the list of permitted uses, and the purpose and intent statement of the zoning district, overlay, or PUD:

(Criteria is listed with corresponding *staff analysis in italics*)

Attachment: Edited Gator Golf-Staff-Report (21744 : PL20210003067 Gator Golf Services)

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

i. Operating hours;

Operating hours are proposed to be 8 AM to 5 PM Monday through Saturday which are more limited than the typical car dealership or department store in this area.

ii. Traffic volume generated/attracted;

The proposed sale of golf carts does not generate any more trips than other permitted uses such as the grocery store and the car dealership that are near this parcel. The development must comply with all other applicable concurrency management regulations a new Traffic Impact Statement (TIS) will be submitted and reviewed at the time of Site Development Plan (SDP).

iii. Type of vehicles associated with the use;

The golf cart sales business will have customers and employees in traditional motor vehicles; it will also have golf carts, and a company truck that delivers the golf carts. An image of the company truck is in Attachment D. The Applicant has stated that the delivery truck is able to get under the second story display area and that is how the golf cart will be loaded into the building. To ensure this delivery activity is not impactful to the surrounding road network, staff recommends a condition that off-loading of vehicles is prohibited in the right of way. The types of vehicles associated with the proposed use are comparable; therefore, staff finds these types of vehicles acceptable in comparison to vehicles potentially associated with other permitted uses, such as trucks, utility trailers, new or used motorboats that are allowed to be available for sale, new or used mopeds and motorcycles that are allowed to be available for sale; and new or used automobiles that are allowed to be available for sale.

iv. Number and type of required parking spaces; and

In LDC Section 4.05.4.G., Table 17 provides the parking space requirement for the proposed golf cart sales: 1 parking space per 400 square feet of building area except for service/body shop buildings which require 3.5 spaces per service bay or 1 space per 250 square feet, whichever is greater; plus 1 space per 2,000 square feet of outdoor sales/display area. The applicant is not proposing any service stations. The parking requirement needed for this type of use is less intense than the neighboring shopping center which requires 1 parking space per 250 square feet. At the time of SDP, the project will be reviewed to comply with parking standards.

v. Business practices and activities.

As described above, the types of activities and hours proposed for the proposed golf cart sales are comparable to other permitted uses such as boat sales, auto sales, and

Attachment: Edited Gator Golf-Staff-Report (21744 : PL20210003067 Gator Golf Services)

motorcycle sales. To address the compatibility of the practices and activities associated with golf cart sales with surrounding uses, staff recommends the following condition prohibiting service areas, limiting hours of operations, making sure vehicles are not loaded within the public right-of-way, having vehicles displayed indoors and outdoors, limiting the area where potential test driving can occur, and having an architectural design that is compatible to surrounding buildings.

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

The subject site is surrounded by commercially designated parcels of the Pine Air Lakes CPUD, except for the lake to the south and west, which is bordered by industrial and C-5 commercially zoned properties. The effect of the proposed golf cart sales on neighboring properties would be comparable or less than that of other uses that are permitted in the existing Pine Air Lakes CPUD. The applicant has stated that the majority of the golf carts purchased are electronic so noise and odor associated with test driving of the golf carts should not be a concern.

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

Golf Cart Sales is a permitted use per the GMP given that the site is within a Mixed-Use Activity Center, and this is a permitted use within the C-5 zoning district.

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

The purpose statement of the Regional Commercial Section of the CPUD states: "In order to ensure that regional retail is achieved, there will be a minimum of two individual retail uses with a minimum of 70,000 square feet of gross leasable area (GLA) each. These three uses, along with a majority of the commercial uses shall be restricted to uses herein which also would be within Division G, Standard Industrial Classification (SIC) Manual, 1987 publication." The proposed use of golf cart sales does fall within Division G of the SIC manual, as Division G of the SIC Manual is for Retail trade and encompasses Major Group 55. As stated above, the proposed use of golf cart sales is comparable to currently permitted uses of the Pine Air CPUD such as boat dealerships, motorcycles dealerships, and automobile dealerships.

CONCURRENT LAND USE APPLICATIONS:

A concurrent application is pending County staff review: PL20210003025, Site Development Plan for the Gator Golf - Naples Center Village.

Attachment: Edited Gator Golf-Staff-Report (21744 : PL20210003067 Gator Golf Services)

PUBLIC NOTICE

Per LDC Section 10.03.06.O. and the Administrative Code, a newspaper advertisement is required for public hearing in accordance with F.S. § 125.66. The newspaper advertisement posted in the Naples Daily News on March 25, 2022

Per the LDC and Administrative Code, a Comparable Use Determination petition does not require a Neighborhood Information Meeting, a mailing to surrounding property owners, or posting of a sign on the property.

STAFF RECOMMENDATION:

Staff recommends that the Collier County Hearing Examiner determine that the use of Golf Cart Sales (SIC 5599) is comparable and compatible with the Regional Commercial permitted uses of Section 5.3 of the Pine Air Lakes CPUD, subject to the conditions outlined in **Attachment A.**

Attachments:

A. Conditions of Approval
B. Conceptual Design
C. Ordinance Number 07-32
D. Applicant's Back Up Material

Attachment: Edited Gator Golf-Staff-Report (21744 : PL20210003067 Gator Golf Services)

Attachment A
Conditions of Approval

PL20210003067 PCUD Gator Golf Sales Comparable Use Determination

1. Service areas and service functions are prohibited.

2. Retail hours of operation are limited to the following:
   8:00 AM to 9:00 PM

3. Off-loading of vehicles is prohibited within the public right-of-way. The site shall be designed to accommodate vehicle delivery, and all loading and unloading shall occur on-site.

4. Vehicles for sale shall be displayed indoors as well as outdoors.

5. When test driving golf carts, street legal golf carts will be given a tag and the others cannot be driven off the site.

6. The conceptual building design shall be similar to the conceptual building design depicted in Attachment B.

Attachment: A Conditions (21744 : PL20210003067 Gator Golf Services)

Attachment B





Attachment: B Conceptual Design (21744 : PL20210003067 Gator Golf Services)

RECEIVED
MAR 2007

ORDINANCE NO. 07- 32

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS, COLLIER COUNTY, FLORIDA AMENDING ORDINANCE NUMBER 2004-41, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE, WHICH INCLUDES THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, BY AMENDING THE APPROPRIATE ZONING ATLAS MAP OR MAPS BY CHANGING THE ZONING CLASSIFICATION OF THE HEREIN DESCRIBED REAL PROPERTY FROM PLANNED UNIT DEVELOPMENT (PUD) TO COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) FOR A PROJECT KNOWN AS PINE AIR LAKES CPUD TO ALLOW AN INCREASE IN THE MAXIMUM DEVELOPMENT AREA. THE SUBJECT 148.99 ACRES IS LOCATED ALONG THE WEST SIDE OF AIRPORT-PULLING ROAD (COUNTY ROAD 31), PARALLEL TO AND APPROXIMATELY 1,600 FEET NORTH OF PINE RIDGE ROAD (COUNTY ROAD 896); AND ALONG BOTH SIDES OF NAPLES BOULEVARD, IN SECTION 11, TOWNSHIP 49 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA. PROVIDING FOR THE REPEAL OF ORDINANCE NUMBER 94-25, THE PINE AIR LAKES PUD; AND BY PROVIDING AN EFFECTIVE DATE.

FILED
2007 MAR 23 AM 11:33
CLERK OF CIRCUIT COURT
TALLAHASSEE, FLORIDA

WHEREAS, Airport Road Limited Partnership, represented by Karen Bishop, of P.M.S. Inc., of Naples and Richard Yovanovich, of Goodlette, Coleman and Johnson, P.A., petitioned the Board of County Commissioners to change the zoning classification of the herein described real property.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:

SECTION ONE:

The zoning classification of the herein described real property located in Section 11, Township 49 South, Range 25 East, Collier County, Florida, is changed from Planned Unit Development (PUD) to Commercial Planned Unit Development (CPUD) known as the Pine Air Lakes CPUD in accordance with the CPUD Document, attached hereto as Exhibit "A" which is incorporated herein and by reference made part hereof. The appropriate zoning atlas map or maps as described in Ordinance Number 2004-41, as amended, the Collier County Land Development Code, is/are hereby amended accordingly.

SECTION TWO:

Ordinance Number 94-25, known as the Pine Air Lakes PUD, adopted on May 10, 1994 by the Board of County Commissioners of Collier County, is hereby repealed in its entirety.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

SECTION THREE:

This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 13 day of March, 2007.

ATTEST:
DWIGHT E. BROCK, CLERK

by: _____ Deputy Clerk

Attest as to Chairman's signature only.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: _____
JAMES COLETTA, CHAIRMAN

Approved as to form and
legal sufficiency

_____
Marjorie M. Student-Stirling
Assistant County Attorney

This ordinance filed with the Secretary of State's Office the 23rd day of March, 2007 and acknowledgement of that filing received this 29th day of March, 2007.
By: _____ Deputy Clerk

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

PINE AIR LAKES
A
PLANNED UNIT DEVELOPMENT

BY

AIRPORT ROAD LIMITED PARTNERSHIP

AMENDED BY:

Goodlette Coleman & Johnson
4001 Tamiami Trail N., Suite 300
Naples, FL 34103

EXHIBIT A

ORIGNINAL ORDINANCE NUMBER	85-67
DATE ISSUED	11/12/85
DATE APPROVED BY CCPC	
DATE APPROVED BY BCC	3-13-2007
ORDINANCE NUMBER	2007-32

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

TABLE OF CONTENTS

SUBJECT	SECTION
Property Ownership and Description	Section I
Statement of Compliance	Section II
Project Development	Section III
Office	Section IV
Regional Commercial	Section V
Lake/Open Space	Section VI
Development Standards	Section VII
Utility Services	Section VIII
Development of Regional Impact	Section IX
PUD Master Plan	Exhibit "A"
Legal Description	Exhibit "B"
Interconnection Exhibit	Exhibit "C"

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

PROPERTY OWNERSHIP AND DESCRIPTION
SECTION I

1.01 PURPOSE The purpose of this Section is to set forth the location and ownership of the property, and to describe the existing conditions of the property proposed to be developed under the project name of Pine Air Lakes.

1.02 INTRODUCTION It is the intent of Airport Road Limited Partnership, a Florida limited partnership (here and after to be called Applicant) to amend a Planned Unit Development on approximately 150 acres of property located in northwest Collier County, Florida.

1.03 NAME The development will be known as Pine Air Lakes.

1.04 PROPERTY OWNERSHIP The subject property is currently under the ownership of:

Airport Road Limited Partnership
800 Seagate Drive, Suite 302
Naples, FL 34103

1.05 UNIFIED CONTROL The property being submitted for rezoning is under the unified control of Airport Road Limited Partnership.

1.06 LEGAL DESCRIPTION The subject project being +/- 148.99 acres is located in northwest Collier County, Section 11, Township 49 south, Range 25 east. The complete legal description is set forth in Exhibit "B".

1.07 GENERAL LOCATION

A. The subject property is west of and contiguous to Airport Road, parallel to and approximately 1,600 feet north of Pine Ridge Road; approximately 1,300 feet west, the boundary jogs south then west again approximately 1,300 feet, parallel to Pine Ridge Road.

B. Four (4) accesses to the development will be provided as conceptually depicted on Exhibit "A". Three (3) entrances will have access from Airport Road and one (1) access will be from Pine Ridge Road, taking advantage of the existing Naples Boulevard. Pine Ridge Road is scheduled to be the primary access into western Collier County from Interstate 75. Regional access to the Pine Air Lakes development will be via Interstate 75 and Pine Ridge Road Interchange and Airport Road Transportation Corridors. Developers and property owners are to connect their properties to fronting collector and arterial roads, except where no such connection can be made without violating intersection spacing requirements of the Land Development Code as described in Policy 7.1 of the Future Land Use Element.

1.08 EXISTING ELEVATION The +/- 150 acres of land which Pine Air Lakes is comprised of has an average elevation of plus 10.0 feet above sea level.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

1.09 EXISTING SOIL TYPES The Pine Air Lakes site is composed of five (5) soil types as identified by the U.S.D.A. Soil Conservation Service in their report titled, "Soil Survey, Detailed Reconnaissance, Collier County, Florida. Series 1942, No. 8, issued March 1954. "The site is primarily composed of Keri Fine Sand approximately forty-five percent (45%) and Charlotte Fine Sand approximately eighteen percent (18%). The Arzell Fine Sand, Cypress Swamp, and Ochopee Fine Sand Marl (shallow phase) makes up the remaining thirty-seven percent (37%) of the Pine Air Lakes CPUD site. The Ochopee Fine Sand Marl (shallow phase) is characterized by a shallow depth to rock which is typified by its exposure in the roadway swale along Pine Ridge Road (south of the project site).

1.10 EXISTING VEGETATION The site area has been historically stripped of native vegetation and utilized for agricultural and horticultural purposes. The only remaining native vegetation exists in the cypress head areas, (this has been designated "S.T." by the County Environmentalist), approximately in the center of the southern property line. The cypress ("S.T.") area will be left in its natural state under the proposed Pine Air Lakes CPUD Master Plan. The historical agricultural uses of the property supports a request for waiver of the Environmental Impact Statement (E.I.S.) commonly required by the Land Development Code. The request for a waiver has been filed with the County Environmentalist. NOTE: See Benedict's Letter.

1.11 OPEN SPACE. A minimum of thirty percent (30%) of total acres shall be provided. (44.7 acres) 1.81 acres are provided in S.T. acres and 32.64 acres are provided in Lakes/Open Space. The open space to be within the developed parcels along with the S.T. and Lake/Open Space parcels will either meet or exceed the required acreage.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

STATEMENT OF COMPLIANCE
SECTION II

2.01 PURPOSE The purpose of this section is to briefly outline the Pine Air Lakes Commercial Planned Unit Development compliance with the Collier County Comprehensive Plan.

2.02 STATEMENT OF COMPLIANCE The development of approximately 150 acres of property in, northwest Collier County, Florida, Section 11 (eleven), Township 49 south, Range 25 east, as a Planned Unit Development to be known as Pine Air Lakes will comply with the planning and development objectives of Collier County.

A. This project is a Development of Regional Impact that predates the adoption of the 1989 Growth Management Plan for Collier County. As such, it was deemed to have vested zoning rights through the Zoning Re-evaluation Program described in former Policy 3.1K of the Future Land Use Element.

B. Properties that have been found to have vested zoning rights are deemed consistent with the Future Land Use Element (reference Policy 5.9, FLUE). Policy 5.1 of the Future Land Use Element allows changes to such projects, provided the intensity of development is not increased.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

PROJECT DEVELOPMENT
SECTION III

3.01 PURPOSE The purpose of this section is to delineate and generally describe the project plan of development and general conditions of the Pine Air Lakes Project.

3.02 GENERAL

A. Regulations for development of Pine Air Lakes shall be in accordance with the contents of this document, CPUD- Commercial Planned Unit Development District and other applicable sections and parts of the "Collier County Land Development Code".

B. Unless otherwise noted, the definitions of all terms shall be the same as the definitions set forth in the Collier County Land Development Code.

3.03 TRACT DEVELOPMENT The development of separate tracts shall comply with the Collier County Land Development Code, when applicable.

3.04 PROJECT PLAN AND LAND USE PARCELS

A. The project plan including the location of roadways, general circulation, and the land use is illustrated graphically and conceptually on the CPUD Master Plan (Exhibit "A").

B. Areas illustrated as Lakes/Open Space on Exhibit "A" are illustrative only, and are subject to relocation and reconfiguration. These areas may be constructed as lakes or open space. A portion of the lakes may be constructed as shallow, intermittent dry depressions for water detention purposes.

C. In addition to the various areas shown on Exhibit "A", such easements (utility, private, semi-public, etc.) shall be established within or along the various tracts as may be necessary or deemed desirable for the service, function or convenience of the project users.

D. Adjacent parcels, whether owned by the same or different entities, shall be permitted to be developed under a Unified Development Plan as a single shopping center or single office complex with common and shared parking areas, access drives, utilities, entries, common areas and other facilities typically contained within a shopping center or office complex. Internal tract boundaries in such unified development plans shall not be required to have lot line setbacks or buffers. Additionally, buildings within the Unified Development Plan shall be permitted to abut one another as long as all appropriate building codes have been adhered to without any requirement for property line setbacks along common property lines with adjacent buildings.

3.05 BUFFERS

A. All parcels within the Pine Air Lakes development adjacent to interior roads shall provide a minimum fifteen (15) foot wide landscape strip buffer. (Excluding parcels designated Lakes/Open Space.)

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

B. A minimum buffer fifteen (15) feet wide will be provided along all parcels (except Lake/Open Space parcels) which are adjacent to surrounding land presently zoned industrial/commercial. A minimum twenty (20) foot buffer will be provided along Airport Road.

C. All other buffers shall meet the minimum standards of the Land Development Code in effect at the time of development of the parcel.

D. No parking, outside display signs, or other structures shall be located within buffers.

3.06 SPECIAL TREATMENT (S. T.) REGULATION The S. T. zoning overlay is removed and the approximate 1.8 acres of wetlands shall be preserved as a separate tract or easement, with protective covenants. An average twenty-five (25) foot setback will be provided around the wetlands area.

No parking, outside displays, signs or structures shall be located within the setback around the wetlands area.

3.07 CPUD SITE DEVELOPMENT PLAN APPROVAL The provisions of Section 04.07.01 of the Collier County Land Development Code shall apply to the development of platted tracts or other parcels of land prior to issuance of a building permit or other development order.

3.08 DEVELOPMENT PLAN ADJUSTMENT Minor variations in acreage, roadway, lakes and tract boundaries, as shown on CPUD Master Plan shall be permitted at final design to accommodate topography, vegetation, and other site conditions.

Minor variations shall be defined as in the Land Development Code in effect at the time such variation is requested.

3.09 MAXIMUM SQUARE FOOTAGE USES: The maximum square footage to be constructed within the CPUD shall be as follows. The permitted uses for each category of use shall be as set forth herein in Section 4 with respect to Office Uses and in Section 5 with respect to Regional Commercial/Retail Uses.

Category	Square Feet
Regional Commercial/Retail	1,000,000
Office	75,000
Total	1,075,000

3.10 CONVERSION BETWEEN USE CATEGORIES. Notwithstanding the maximum square footage uses set forth in Paragraph 3.09 above, the Developer shall have the right to;

Convert office space into retail space or retail space into office space, with the conversion rate between the different uses to be set forth as follows (the conversion rate has been determined by an equivalent trip generation analysis). Up to 50,000 square feet of office area can be converted into retail area at the rate of 100 square feet of additional retail area for every 420 square feet of office area converted. Additionally, up to 50,000 square feet of retail area can be converted into office area at the rate of 100 square feet of additional office area for every 24 square feet of retail area converted. The maximum square footage allowed is 1,075,000.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

OFFICE
SECTION IV

4.01 PURPOSE. The purpose of this section is to indicate the development plan land regulations for any part of the site to be developed for office uses.

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

4.03 PERMITTED PRINCIPAL USES AND STRUCTURES

1) Business and professional offices; banks; financial institutions.
2) Churches and other places of worship; civic and cultural facilities; colleges, universities and schools.
3) Funeral homes.
4) Homes for the aged; hospitals; hospices and sanitoriums.
5) Medical laboratories; medical clinics; medical offices for humans; mortgage brokers; museums.
6) Parking garages and lots; private clubs.
7) Real estate offices; research design and development activities; rest homes; convalescent centers; and nursing homes.
8) Laboratories, provided that:
    a) No odor, noise, etc., detectable to normal senses from off the premises are generated;
    b) All work is done within enclosed structures; and
    c) No product is manufactured or sold, except incidental to development activities.
9) Transportation, communication and utility offices - not including storage of equipment.
10) Any professional or commercial use which is comparable in nature with the foregoing uses and which the Board of Zoning Appeals determines to be compatible in the district.

4.04 PERMITTED ACCESSORY USES AND STRUCTURES

1) Accessory uses and structures customarily associated with uses permitted in this district.
2) Caretaker's residence.
3) Multi-story parking.
4) Water management structures and facilities.

4.05 REGULATIONS

405.01 General - All yards, setbacks, etc., shall be in relation to the individual parcel boundaries.

405.02 Minimum Parcel Area - Twenty thousand (20,000) square feet.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

405.03 Minimum Parcel Width - One hundred (100) feet.

405.04 Minimum Yard Requirements - abutting the roadway within the Pine Air Lakes Development and Airport Road to the west of the development shall be front yards.

a) Front Yard - Twenty-five (25) feet.
b) Side Yard - Fifteen (15) feet with unobstructed passage from front to rear yard.
c) Rear Yard - Fifteen (15) feet.
d) Minimum Yard Requirement From Any Residentially Zoned or Use Property: Twenty-five (25) feet.

405.05 Maximum Height - Five (5) stories or fifty (50) feet, whichever is greater over a maximum of two (2) levels of parking.

Ten (10) stories or one hundred (100) feet, whichever is greater over two (2) levels of parking may be approved through Site Development Plan Approval and by the Planning Commission.

405.06 Minimum Floor Area of Structures - One thousand (1,000) square feet per building on the ground floor.

405.07 Minimum Distance Between Structures - Thirty (30) feet or one-half (1/2) the sum of the height, whichever is greater.

4.06 SIGNAGE As permitted or required by the Land Development Code in effect at the time a permit is requested.

4.07 MINIMUM OFF-STREET PARKING AND OFF-STREET PARKING LOADING REQUIREMENTS As permitted or required by the Land Development Code in effect at the time a permit is requested.

4.08 MINIMUM LANDSCAPING REQUIREMENTS As permitted or required by the Land Development Code in effect a the time a permit is requested.

4.09 MINIMUM LANDSCAPE/BUFFER AREA Defined in Section 3.05 of this Document.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

REGIONAL COMMERCIAL
SECTION V

5.01 PURPOSE The purpose of this section is to indicate the development plan land regulations for the areas designated on Regional Commercial. In order to ensure that regional retail is achieved, there will be a minimum of two individual retail uses with a minimum of 70,000 square feet of gross leasable area (GLA) each. These three uses, along with a majority of the commercial uses shall be restricted to uses herein which also would be within Division G, Standard Industrial Classification Manual, 1987 publication.

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

5.03 PERMITTED USES The following uses are expressly permitted when done in accordance with the general intent of this ordinance:

a) Antique shops 5932; appliance stores 5722; art galleries 5999, 8412; art studios 8999; art supply shops 5199; assembly in enclosed building 3549; auction house 5999; automobile parts stores 5531; automobile service stations with repairs in enclosed building 5541; automobile sales, and associated service departments, 5541, 5511; alcoholic beverage sales, including sales for consumption on or off the premises 5813, 5921.

b) Banks and financial institutions Major Groups 60, 61, 62, 67; barber and beauty shops 7231, 7241; bath supply stores 5719; bicycle sales and services 7699 (excluding Cesspool cleaning), 5941, 5091, 5571; blueprint shops 7334; boat sales - with inside storage 5551, 5091; bookbinders 2789, 2732; book stores 5192, 5961; business (i.e. Xerox) machine services 7359, 7629; bakery shops, including baking only when incidental to retail sales from the premises 5461; business offices 8741, 8742, 8748.

c) Carpet and floor covering sales which may include limited storage (not to exceed 50% of retail sales area) 5713, 5023; enclosed car washes 7542; clothing stores 5137, 5651, 5611, 5932, 5136, 5621; cocktail lounges 5813; commercial recreation uses – indoor 7999 (excluding animal shows, bath houses, circus companies, shooting ranges/galleries, skeet shooting); commercial schools 8222, 8211, 8221; communications services and equipment repair 5065; confectionery and candy stores 5441, 5145; churches and other places of worship 8661; civil and cultural facilities 8641, 8299, 8611, 8621; colleges, universities and schools 8211, 8221, 8222, 8299, 8243, 8244, 8249; child care centers 8351; convalescent centers 8059, 8051; children's homes 8361.

d) Department stores 5311; dry goods stores 5131, 5999: drapery shops 5023, 5714; delicatessens 5461; drug stores 5912, 5122; dry cleaning - collecting and delivering only 7212. (Minimal on-site pressing and spotting permitted).

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

e) Electrical supply stores 5063; equipment rentals – including lawn mowers, power saws, etc. without outside storage and display 7359; employment agencies 7361, 7819, 7922 (excluding burlesques companies), 7363.
f) Fish markets (retail) 5421, 5146; florist shops 5992, 5193; fraternal and social clubs 8641; funeral homes 7261 (excluding crematories); furniture refinishing 7641; furniture stores 5712, 5021; furrier shops 5632.
g) Garden supply stores, which can include outside displays, gift shops 5261; glass and mirror sales 5231, 5719; gourmet shops 5499, 5411; gunsmiths 7699 (excluding cesspool cleaning).
h) Hardware stores 5251; hat cleaning and blocking 7251; health food stores 5499; health clubs/fitness centers 7991; hobby supply stores 5092, 5945; hospitals and hospices 8069, 8062.
i) Ice cream shops 5451, 5143; ice sales (not including ice plants) 5143, 5999.
j) Jewelry stores 5094, 5944, 5632.
k) Kitchenware shops 5719.
l) Laundries 7211; lawn maintenance shops no outside maintenance 7699; leather goods 5199, 5948; legitimate theaters 7922 (excluding burlesque companies); light manufacturing or processing (including food processing, but not slaughter house) Major Group 23 (excluding 2371) & 39. Packaging or fabricating in completely enclosed building 2671.Linen supply shops 7213; liquor stores 5921, 5182; and locksmiths 7699; lithographing 2752; laboratories; provided no odor, noise, vibrations or other nuisance detectable to normal senses from off the premises are generated 7819, 8734, 8071, 8072.
m) Marinas 4493; markets - food of every type 5411; medical office and clinics 8041, 8021, 8042, 8031, 8011, 8043, 8093; millinery shops 5632, 5131; miscellaneous uses such as mail express office, telephone exchange 7331, 5999; motion picture theaters 7832; motorcycle sales and service 5571, 7699 (excluding cesspool cleaning), 5012; museums 8412; music stores 5735, 5736; mortgage brokers 6162, 6163; motels 7011; meat, fish and poultry markets 5421, 5499.
n) Newspaper stores 5994.
o) Office Supply stores 5112, 5943.
p) Paint and wallpaper stores 5231; parking garages (enclosed) 7521; pest control service 7342; pet shops 5999; pet supply shops 5999, 5149, 5199; photographic equipment stores 5043, 5946; plumbing shop 5074; plumbing supplies 5074; pottery stores 5719; poultry markets 5499; printing 2732, 2752,2759; publishing or similar establishments 2741, 2731, 2711, 2721; private clubs 7997; professional offices 8741, 8742, 8748; post offices 4311, 7389.
q) Quilt shops 5949.
r) Radio and television stations and transmitters 4832, 4833; radio and television sales and services 5731, 7622; interior non-destructive and design labs 8711, 8712; rest homes 8059, 8361;

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

restaurants including fast food restaurants with drive through window service 5812; real estate offices 6531; research, design and development planning facilities 8748.

s) Service establishments catering to commerce and industry 7389; sign company 3993, 5046, 5099; sign painting shops 3993; shoe repair 7251; shoe stores 5661; shopping centers (including regional facilities) Major Group 53, 56, 57, 58, 59; souvenier stores 5947; stationery stores 5943; supermarkets 5411; swimming pool maintenance shops 7389; sanitoriums 8063; schools 8211, 8249.

t) Tailor shops 7219, 5699; taxidermists 7699; tile sales – ceramic tile 5211, 5032; tobacco shops 5159, 5194, 5993; toy shops 5945, 5092; tropical fish stores 5999; transportation terminals without outside storage of vehicles or equipment 4231; taverns 5813.

u) Upholstery shops 5714.

v) Variety stores 5331; vehicle rentals 7514, 4119; veterinarian offices and clinics – no outside kennels 0742; vocational, technical, trade or industrial schools 8211, 8249.

w) Water bed sales 5712, 5021.

x) X-ray clinics 8071.

y) Yacht sales 7389, 5551.

z) Any other commercial, which is compatible in nature with the foregoing uses and which the Board of Zoning Apeals determines to be consistent with the purpose of the district.

aa) All uses allowed in Section IV.

*All references to numbers in this Section are understood to be to Standard Industrial Classification Groups.

5.04 PERMITTED ACCESSORY USES AND STRUCTURES. Accessory uses and structures customarily associated with uses permitted in this district:

1) Caretaker residence.
2) Water management structures and facilities.
3) Customary accessory uses and structures.

5.05 REGULATIONS

505.01 General - All yards, setbacks, etc., shall be in relation to the individual parcel boundaries. There shall be no outside overnight storage or display on any parcels in this section.

505.02 Minimum Parcel Area - As determined at the time of Preliminary Site Development Plan review.

505.03 Minimum Parcel Width - As determined at the time of Preliminary Site Development Plan review.

505.04 Minimum Yard Requirements - The parcel sides abutting the roadway within the Pine Air Lakes' Development and Airport Road to the west of the development shall be front yards. Those parcels shall conform to the minimum yard

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

requirement of Section 4.05.4 of the Document. All other parcels in this Section shall conform to the following:

a) Front Yard - Twenty-five (25) feet.
b) Side Yard and Rear Yard - None or a minimum of five (5) feet with unobstructed passage from front to rear yard.
c) Other parcel boundaries fifteen (15) feet.

505.05 Maximum Height - Three (3) stories or thirty-five (35) feet, whichever is greater.

505.06 Minimum Floor Area of Principal Structures - One thousand (1,000) square feet per building on the ground floor.

505.07 Minimum Distance Between Structures, - Same as side yard setback.

5.06 SIGNAGE As permitted or required by the Land Development Code in effect at the time a permit is requested.

5.07 MINIMUM OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS As permitted or required by the Land Development Code in effect at the time a permit is requested.

5.08 MINIMUM LANDSCAPING REOUIREMENTS As permitted or required by the Land Development Code in effect at the time a permit is requested.

5.09 MINIMUM LANDSCAPE BUFFER AREA Defined in Section 3.05 of this Document.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

LAKE/OPEN SPACE
SECTION VI

6.01 PURPOSE The purpose of this Section is to indicate the development plan land regulations for the areas to be utilized for Lakes/Open Space.

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

6.03 PERMITTED PRINCIPAL USES AND STRUCTURES

1) Sidewalks constructed for purposes of access to or passage through common areas.

2) Lakes and other storm water management facilities or uses to serve for the water management and drainage of project.

3) Picnic areas, parks and passive recreation areas.

4) Small buildings, enclosures or other structures constructed for purposes of maintenance, storage, recreation or shelter with appropriate screening and landscaping.

5) Small docks, piers or other such facilities constructed for purposes of lake recreation for project occupants or members.

6) Decks and platforms associated with restaurant and entertainment facilities on adjacent parcels shall be allowed to project into Lake/Open Space parcels.

7) A lake/open space parcel may be considered a buffer for developed parcels if it is adjacent to the parcel.

8) Any other open space activity which is comparable in nature with the foregoing uses and which the Board of Zoning Appeals determines to be compatible in the district.

6.04 PERMITTED ACCESSORY USES AND STRUCTURES Accessory uses and structures customarily associated with the uses permitted in this district.

1) Customary accessory uses of recreational facilities.

2) Any other recreational use which is comparable in nature with the foregoing uses and which the Board of Zoning Appeals determines to be compatible in the district.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

6.05 REGULATIONS

605.01 General – All yards, setbacks, etc., shall be in relation to the individual parcel.

605.02 Minimum Lot Area: None

605.03 Minimum Lot Width: None

605.04 Minimum Yard Requirements: Abutting the arterial roadway within the Pine Air Lakes Development and Airport Road to the west of the development shall be front yards.

a) Front Yard: Fifty (50) Feet
b) Side Yard: Thirty (30) Feet
c) Rear Yard: Fifty (50) Feet

605.05 Maximum Height of Structures: Thirty-five (35) feet unless otherwise approved during Development Review.

6.06 SIGNAGE As permitted or required by the Land Development Code in effect at the time a permit is requested.

6.07 MINIMUM OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS As permitted or required by the Land Development Code in effect at the time a permit is requested.

6.08 MINIMUM LANDSCAPING REQUIREMENTS As permitted or required by the Land Development Code in effect at the time a permit is requested.

6.09 MINIMUM LANDSCAPE/BUFFER AREA Defined in Section 3.05 of this Document.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

DEVELOPMENT STANDARDS
SECTION VII

7.01 PURPOSE The purpose of this Section is to set forth the standards for the development of the project.

7.02 GENERAL All facilities shall be constructed in strict accordance with the Final Development Plan and all applicable State and local laws, codes, and regulations. Except where specifically noted or stated otherwise, the standards and specifications of the current official County Land Development Code shall apply to this project.

7.03 CPUD MASTER DEVELOPMENT PLAN

A. Exhibit "A" illustrates the proposed development.

B. The design criteria and system design illustrated on Exhibit "A" and stated herein shall be understood as flexible so that the final design may best satisfy the project, the neighborhood and the general local environment. Minor site alterations may be permitted subject to planning staff and administrative approval.

C. All necessary easements, dedications, or other instruments shall be granted to insure the continued operation and maintenance of all service utilities and all areas in the project.

7.04 CLEARING, GRADING, EARTHWORK, AND SITE DRAINAGE All clearing, grading, earthwork, and site drainage work shall be performed in accordance with all applicable State and local codes.

7.05 STREETS All streets shall be dedicated to the public.

The petitioner wishes to reserve the right to maintain and landscape the unpaved portions of the right-of-way for roads within the project subject to the approval of the Development Services Director.
All public street design and construction shall meet the Collier County standards that are in effect at the time of approval.

7.06 SIGNS As permitted or required by the Land Development Code in effect at the time a permit is requested.

7.07 HOUSING To satisfy the project's affordable housing impacts cumulatively the applicant's mitigation for commercial and office uses shall be $206,424.00. These funds shall be paid to Collier County Affordable Housing Trust Fund at issuance of building permit. If more than one building permit is involved, then the payments shall be prorated on a .50 cent per square foot basis and a portion collected at the time each building permit is issued.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

7.08 LANDSCAPING

A) For off-street parking areas - All landscaping for off-street parking areas shall be in accordance with the appropriate portion of the Land Development Code.

B). For Naples Boulevard Land Improvements – The Pine Air Lakes CDD shall complete the installation of the Naples Boulevard. right-of-way landscaping as approved by Collier County Transportation Mode Department but will be limited to $400,000.00 in cost. The Pine Air Lakes CDD shall maintain the right-of-way landscaping in perpertuity. The installation shall take place within one year of this PUD amendment and the companion DRI Development Order amendment approval.

7.09 ARCHITECTURAL DESIGN REVIEW The petitioner intends to create an association to review individual parcel layout and architecture prior to the improvement of any parcel.

7.10 COMMON AREA MANAGEMENT The petitioner intends to convey the common areas, including the water retention and surface water management structures, to Pine Air Foundation, Inc., a Florida not-for-profit corporation, which will be responsible for implementation of the surface water management plan and have authority to assess the other lands within the district for the costs of such maintenance. The petitioner would also grant an easement to Collier County with respect to the surface water management system so that the County could operate and maintain the system in the event the Foundation fails to do so.

7.11 ENVIRONMENTAL The Environmental Advisory Council stipulations:

A. A site clearing plan shall be submitted to the Natural Resources Department and the Community Development Division for their review and approval prior to any substantial work on the site. This plan may be submitted in phases to coincide with the development schedule. The site clearing plan shall clearly depict how the final site layout incorporates retained native vegetation to the maximum extent possible and how roads, buildings, lakes, parking lots, and other facilities have been oriented to accommodate this goal.

B. Native species shall be utilized, where available, to the maximum extent possible in the site landscaping design. A landscaping plan will be submitted to the Natural Resources Department and the Community Development Division for their review and approval. This plan will depict the incorporation of native species and their mix with other species, if any. The goal of site landscaping shall be the re-creation of native vegetation and habitat characteristics lost on the site during construction or due to past activities.

C. All exotic plants, as defined in the County Code, shall be removed during each phase of construction from development areas, open space areas, and preserve areas. Following site development a maintenance program shall be implemented to prevent reinvasion of the site by such exotic species. This plan, which will describe control techniques and inspection intervals, shall be filed with and approved by the Natural Resources Department and the Community Development Division.

D. If during the course of site clearing, excavation, or other constructional activities, an archaeological or historical site, artifact, or other indicator is discovered, all development at that location shall be immediately stopped and the Natural Resources Department

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

notified. Development will be suspended for sufficient length of time to enable the Natural Resources Department or a designated consultant to assess the find and determine the proper course. of action in regard to its salvageability. The Natural Resources Department will respond to any such notification in a timely and efficient manner so as to provide only a minimal interruption to any constructional activities.

E. The cypress wetland and buffer zone is to be checked and approved by the Natural Resources Personnel prior to any construction in the vicinity of the wetlands.

F. As many existing native trees and shrubs as possible shall be incorporated into the development.

G. The developers shall demonstrate to the Natural Resources Department that this development will be in compliance with the water quality regulations as outlined by DEP and SFWMD when they return with their site development plans and, more specifically, if DEP or SFWMD requires water quality monitoring of their stormwater run-off, then Natural Resources Department requests that they receive copies of all the data.

7.12 FIRE The North Naples Fire Control District has stated their ability to serve the Pine Air Lakes Project, with the following stipulations:

A. Water mains and the locations of the fire hydrants must be approved by them prior to issuance of any building permits.

B. Pine Air Lakes shall commit to pay its fair share for improvements needed as a result of the development if and when an impact fee policy is adopted by the North Naples Fire District to cover the entire District.

7.13 EXEMPTIONS TO THE SUBDIVISION REGULATIONS Pine Air Lakes development shall be exempt from the following Land Development Code requirements:

A. Section 06.06.01.Q.1, LDC: Street name signs shall be approved by the Development Services Director, but need not meet the U.S.D.O.T.F.H.W.A. Manual of Uniform Traffic Control Devices.

B. Section 05.06.00, LDC: Entry signage may be located within the right-of-way of the dedicated roadway. Such signage and planting shall be approved by the Development Services Director.

C. The requirement to place permanent reference monument and permanent control points in a typical water valve where such monuments occur within street pavement areas shall be waived.

7.14 TRANSPORTATION

A. Except for the three permitted connections to Airport Road, all access to individual parcels shall be internal from Naples Boulevard or from loop roads connecting adjacent properties in an effort to help reduce vehicle congestion on nearby collector and arterial

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

roads and minimize the need for traffic signals as described in Policy 7.2 of the Future Land Use Element.

B. The developer shall provide crosswalks at the intersection of Naples Boulevard and the future Interconnection Road/Regal Cinema Property and at the future intersection west of the Regal Cinema property at the existing Naples Boulevard Curb cut located approximately ¼ mile to the north of the southern property line of the CPUD along Naples Boulevard. The crosswalk for the future Interconnection Road/Regal Cinema intersection with Naples Boulevard shall be installed simultaneously with the permanent traffic signal. All crosswalk requirements shall be completed prior to the build-out of the CPUD.

C. Naples Boulevard is constructed and dedicated to Collier County and the water system is looped in accordance with the Utilities Division regulations and requirements.

D. All Collier County traffic impact fees for Pine Air Lakes CPUD shall be as provided by the current impact fee ordinance.

E. In conjunction with the six-laning of Airport Road, the following improvements shall be made at the intersection of Naples Boulevard with Airport Road:

1. The developer has constructed or contributed its fair share payment for the construction of one additional northbound left turn lane from Naples Boulevard to Airport Pulling Road for a total of two left turn lanes.

2. The developer has constructed or contributed its fair share payment for the construction of the traffic signal at the intersection of Airport Road and Naples Boulevard.

3. In addition to the forgoing, at the County's request, the developer shall construct a third northbound left turn lane from Naples Boulevard to Airport Pulling Road within one year of the approval of this CPUD amendment and DRI development order amendment.

4. The developer shall extend the stacking lanes for the north to westbound left turn lane onto Naples Boulevard from Airport Road within one year of the approval of this CPUD amendment and DRI development order amendment.

F. All proposed median opening locations shall be in accordance with the Collier County Access Management Policy (Resolution No. 01-247), as it may be amended, and the Land Development Code, as it may be amended. Collier County reserves the right, pursuant to Collier County ordinances to modify or close any median opening existing at the time of approval of this CPUD which is found to be adverse to the health, safety and welfare of the public. Any such modifications shall be based on, but are not limited to, safety, operational circulation, and roadway capacity.

G. A five (5) foot sidewalk easement and completed sidewalk have been provided by the developer within the twenty (20) foot buffer along the Airport Road frontage. An additional one (1) foot sidewalk easement shall be provided by the developer within the twenty (20) foot buffer along the Airport Road frontage, north of Naples Boulevard, at Collier County's request and within one year of the approval of this CPUD amendment and DRI development order amendment.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

H. All work within Collier County rights-of-way or public easements shall require a right-of-way permit.

I. Any reduction in parking spaces as a result of interconnection with projects to the north and west shall be consistent with Subsection 4.04.02.B.3. of the Land Development Code quoted below:

During the development or redevelopment of commercial or residential projects and all rezone petitions shared access and interconnection shall be required. Should the shared access or interconnection require the removal of existing parking spaces, the applicable development will not be required to mitigate for the parking spaces. The County Manger or designee shall require the shared access and interconnection unless in the professional judgment of the County Manger, or designee, one of the following criteria prohibits this requirement.

a. It is not physically or legally possible to provide the shared access or interconnection.

b. The cost associated with the shared access or interconnection is unreasonable. For this application unreasonable will be considered when the cost exceeds the cost of a typical local road section or is above 10% of the value of the improvements being made to the development.

c. The location of environmentally sensitive lands precludes it and mitigation is not possible.

d. The abutting use is found to be incompatible with the existing or proposed use.

J. All traffic control devices, signs, pavement markings and design criteria shall be in accordance with Florida Department Transportation (FDOT) Manual of Uniform Minimum Standards (MUMS), current edition, FDOT Design Standards, current Edition, and the Manual on Uniform Traffic Control Devices (MUTCD), current Edition. All other improvements shall be consistent with and as required by the Collier County Land Development Code.

K. Site-related improvements necessary for safe ingress and egress to this project, as determined by Collier County, shall not be eligible for impact fee credits. All required improvements shall be in place and available to the public prior to the issuance of the first certificate of occupancy (CO), or when requested by Collier County.

L. Nothing depicted on any the CPUD Master Plan except for those access points in existence as of the date hereof shall vest any right of access at any specific point along any property frontage or property line. All such access shall be consistent with the Collier County Access Management Policy (Res. No. 01-247), as it may be amended from time to time, and with the Collier County Long-Range Transportation Plan. The number of access points may be less than the number depicted on the Master Plan; however, no additional external access points shall be considered unless a PUD amendment or PUD insubstantial change is approved.

M. All internal roads, driveways, alleys, pathways, sidewalks and interconnections to adjacent developments shall be operated and maintained by an entity created by the

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

developer and Collier County shall have no responsibility for maintenance of any such facilities.

N. If any turn lane improvement requires the use of any existing County right-of-way or easement and there is insufficient right-of-way available, the developer shall accommodate those turn lanes within the development.

O. If, in the sole opinion of Collier County, a traffic signal, or other traffic control device, sign or pavement marking improvement within a public right-of-way or easement within the boundary of this CPUD is determined to be warranted, the cost of such improvement shall be borne by the Developer and shall be paid to Collier County.

P. At the request of Collier County, two Collier Area Transit (CAT) bus stops with shelters shall be installed by the developer or, at the discretion of Collier County, a designated park-and-ride location shall be provided in lieu of the shelters. The exact location will be determined during site development plan review process. This commitment shall be fulfilled within one year of the approval of this CPUD amendment and DRI development order amendment.

Q. The developer shall contribute an amount not to exceed $50,000.00 to Collier County's SCOOT program along Pine Ridge Road to include two additional intersections. This contribution to Collier County shall be made within one year of the approval of this CPUD amendment and DRI development order amendment.

R. In lieu of the annual traffic counts for the PUD monitoring requirements, the developer shall make a payment to Collier County to install four permanent count stations not to exceed a total of $40,000.00 purusant to the Land Development Code. Payment to Collier County shall be made within one year of the approval of this CPUD amendment and DRI development order amendment.

S. The developer shall construct or cause to be constructed an interconnection road to the industrial park to the north of the CPUD as shown on Exhibit "C". The developer shall be responsible to coordinate the construction with the owner of the property currently developed as Naples Dodge. The construction of the interconnection road shall be completed at the earlier to occur of (i) prior to the issuance of a CO for any improvements constructed upon the eastern 9.86 acre portion of Pine Air Lakes Unit 3, Lot 1 (tax parcel 66760010044); or (ii) within one year of the approval of this CPUD amendment and DRI development order amendment.

T. The developer shall extend the eastbound stacking lane on Pine Ridge Road for the north-bound turn onto Naples Boulevard within one year of the approval of this CPUD amendment and DRI development order amendment.

U. The developer shall utilize the existing Naples Boulevard median (County right-of-way) to construct a second right turn lane from southbound Naples Boulevard onto westbound Pine Ridge Road within one year of the approval of this CPUD amendment and DRI development order amendment.

V. The developer shall modify the Naples Boulevard median cuts used for controlling traffic entering and exiting the Home Depot and NCH sites from Naples Boulevard in

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

accordance with the design criteria approved by the Collier County Transportation Department within one year of the approval of the CPUD amendment and DRI development order amendment and after the design criteria have been approved by the Collier County Transportation Department.

W. When traffic counts warrant and when requested by the Collier County Transportation Department, the developer shall construct a mast arm traffic signal at the future intersection that will be located at the existing curb cut on Naples Boulevard approximately ¼ mile from the southern boundary of the CPUD (west of the Regal Cinema).

X. 1. Within sixty (60) days after the approval of this CPUD amendment and DRI development order amendment, the developer shall install a temporary traffic signal on Naples Boulevard at the intersection of Naples Boulevard and the entry to the Regal Cinema property. The Collier County Transportation Department shall provide the lights and controls and the developer shall pay the costs of purchasing and installing the temporary poles and installing the temporary traffic signal.

2. The developer shall design and construct a mast arm traffic signal (permanent traffic signal) to replace the temporary signal concurrent with the construction of the interconnection road referenced in Subsection 7.14.S of this Document, but in any event the construction of the permanent traffic signal shall be completed within one year of the approval of this CPUD amendment and DRI development order amendment.

7.15 WATER MANAGEMENT

A. Conceptual and/or detailed site drainage plans shall be submitted to the Environmental Advisory Board for review.

B. The Developer has provided to Collier County a thirty-five (35) foot wide and a twenty-five (25) foot wide perpetual, non-exclusive easement for drainage purposes along the western boundary of the Pine Air Lakes project a thirty (30) foot wide temporary non-exclusive construction easement which parallels a twenty-five (25) foot wide temporary non-exclusive drainage easement, both of which temporary easements connect with the temporary drainage easement for the lake abutting the property's northeastern boundary along Airport-Pulling Road, around which lake the thirty (30) foot temporary construction easement continues; all as more fully described in the drainage conveyance documents dated April 1994, and the drawings attached thereto and prepared by Wilson, Miller, Barton & Peek, Inc., dated February 1994 for File No. 2G-403. Said temporary easements are for the purpose of accepting and transmitting 29 acres of Pine Ridge Industrial Park (Northeast Quadrant) drainage through the water management system, and shall be abandoned at time of site development plan approval of the area north of Naples Boulevard. At time of site development plan approval, a twenty-five (25) foot wide perpetual, non-exclusive easement for drainage purposes shall be dedicated to Collier County and recorded in the public records.

C. An excavation permit will be required for the proposed lakes in accordance with appropriate County ordinances.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

UTILITY SERVICE
SECTION VIII

8.01 PURPOSE The purpose of this section is to provide a list of utility services and how they will be provided.

A. See the Utilities Division stipulations per their memos dated July 23, 1985; and September 21, 1985.

8.02 WATER SUPPLY The Collier County Water and Sewer District shall provide water to the Pine Air Lakes Development from the existing 16" water main located within the Airport Road right-of-way.

8.03 SOLID WASTE COLLECTION Solid waste collection for the Pine Air Lakes Project will be handled by the company holding the franchise for that area of the County.

8.04 ELECTRIC POWER SERVICE Florida Power and Light Company will provide electricity to the entire Pine Air Lakes Project.

8.05 TELEPHONE SERVICE Telephone service will be supplied by appropriate provider to the Pine Air Lakes Project.

8.06 TELEVISION CABLE SERVICE The Pine Air Lakes Project will be provided cable service by the cable company holding the franchise for that area of the County.

8.07 EASEMENTS FOR UNDERGROUND UTILITIES All on-site utilities such as telephone, electric power, cable television service, waste water collection, water distribution, etc. shall be installed underground. Only items such as electrical feeder lines, lift stations, etc. which require above ground installation shall be permitted above ground.

8.08 WATER DISTRIBUTION AND SEWERAGE MAIN DEDICATION The water distribution and sewerage mains shall be located in the road right-of-way and will be dedicated to the public. The water distribution and sewerage mains will be deeded to Collier County Water and Sewer District upon completion in accordance to applicable county ordinances in effect at the time of the Pine Air Lakes PUD Submission.

The applicant or future owners, will pay appropriate development hook-up fees at the time of application for building permits.

Should any water/sewer system elements be located outside the road right-of-way, the appropriate easements will be dedicated.

8.09 PROJECT EASEMENTS AND SERVICES All easements and services mentioned in this and previous sections of this Document shall be non-exclusive

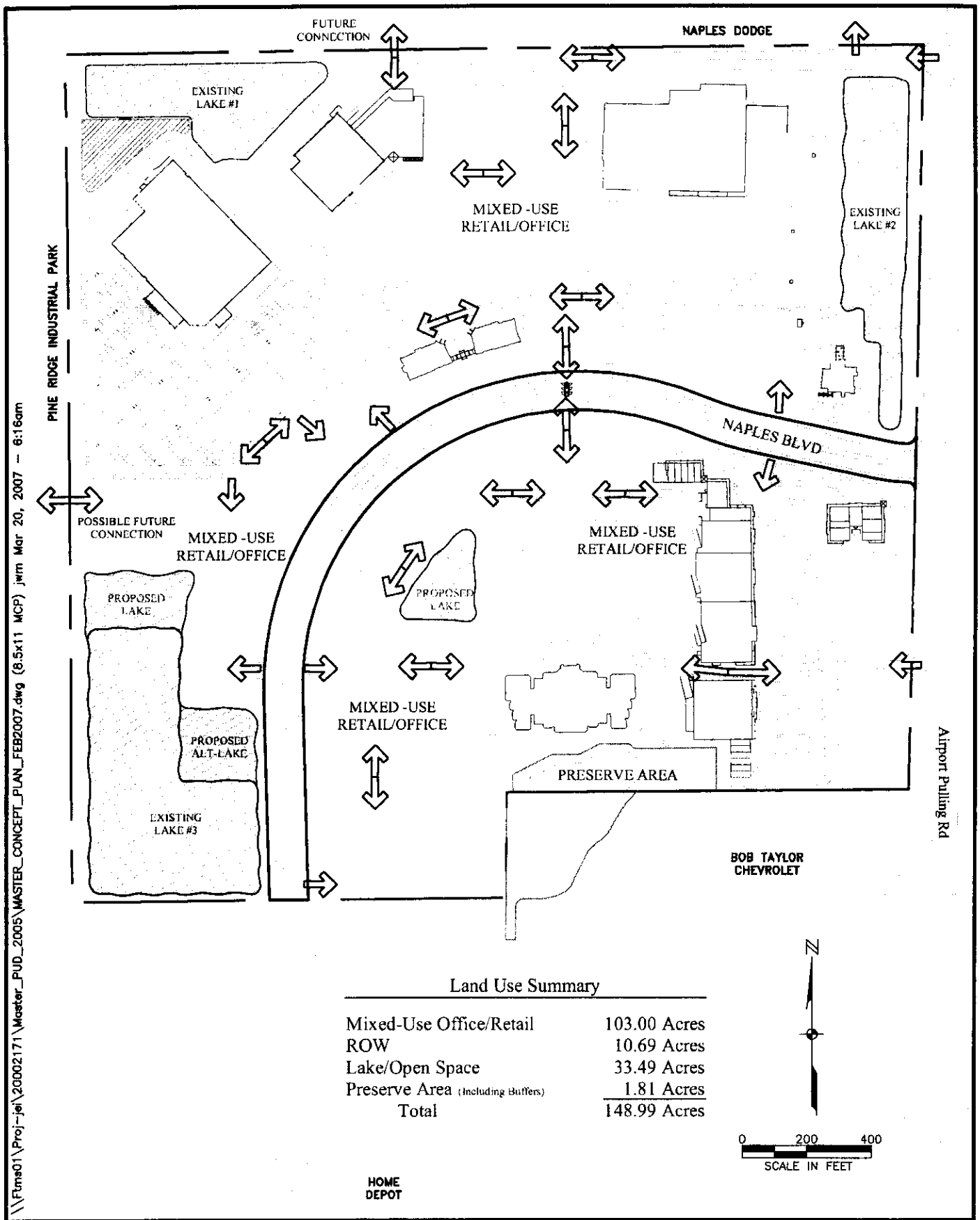
Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

DEVELOPMENT OF REGIONAL IMPACT

SECTION IX

The Developer, its successors in interest, and all future assigns or designees shall adhere to all commitments made in the Development of Regional Impact (DRI) Application for Development Approvals (ADA), sufficiency responses, and attachments for this amendment and all previously adopted DRI Development Order (DO) actions for this project.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)



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Land Use Summary

Mixed-Use Office/Retail	103.00 Acres
ROW	10.69 Acres
Lake/Open Space	33.49 Acres
Preserve Area (Including Buffers)	1.81 Acres
Total	148.99 Acres

JOHNSON ENGINEERING
2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

Master Concept Plan

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
March 2007	20055243		As Shown	

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

LEGAL DESCRIPTION

A parcel or tract of land lying in Section 11, Township 49 South, Range 25 East, Collier County, Florida, being described as follows:

Commencing at the Northeast corner of said Section 11, run S 00°27'47" W along the East line of said Section 11 a distance of 1318.86 feet; thence S 88°47'13" W 100.04 feet to the POINT OF BEGINNING and the westerly right-of-way line of County Road No.31; thence continue S 88°47'13" W 2654.06 feet; thence S 01°05'27" E 1316.71 feet; thence S 01°05'18" E 1316.78 feet; thence N 88°51'31" E 1341.42 feet; thence N 00°18'58" W 329.45 feet; thence N 88°50'57" E 1245.82 feet to the Westerly right-of-way line of County Road No.31; thence N 00°27'18" E along said right-of-way line 989.28 feet; thence N 00°27'40" E along said right-of-way line 1318.80 feet to the POINT OF BEGINNING:

Said parcel or tract containing 148.99 acres, more or less.

Subject to easements, restrictions and reservations of record.

Bearings based on a bearing of N 00°27'47" E on the East line of the NE¼ of Section 11, Township 49 South, Range 25 East, Collier County, Florida.

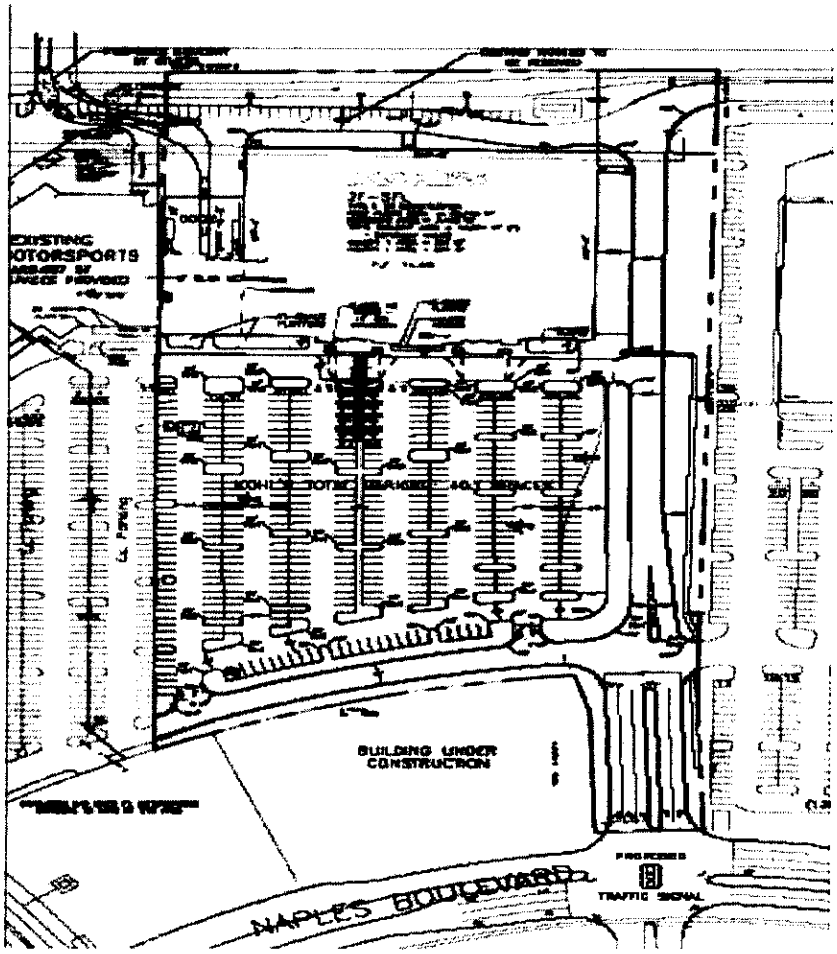
This description meets the Minimum Technical Standards as set forth by the Florida Board of Land Surveyors, pursuant to Chapter 472.027, Florida Statutes.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

Pine Air Lakes
PUDZ-A-2005-AR-8550
Exhibit B

EXHIBIT "C"
Pine Air Lakes / Naples Dodge Interconnect Exhibit

Naples Dodge



Hollywood 20

THIS EXHIBIT IS CONCEPTUAL. THE FINAL DESIGN SHALL BE APPROVED BY TRANSPORTATION DEPARTMENT DURING SITE DEVELOPMENT PLAN REVIEW. ANY REVISIONS TO THIS EXHIBIT SHALL NOT REQUIRE AN AMENDMENT.

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

ORDINANCE 2007-32

Which was adopted by the Board of County Commissioners on the 13th day of March, 2007, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 22nd day of March, 2007.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By: Ann Jennejohn,
Deputy Clerk

Attachment: C Ord 07-32 (21744 : PL20210003067 Gator Golf Services)

CPC PACKAGE CHECKLIST FOR APPLICANTS/AGENTS (FOR PUDS)

Return this form with printed materials

Please check each item as a method for tracking that all required data is included in the printed packets of information for the Collier County Planning Commission Board Members.

DO NOT INCLUDE A COPY OF THE FINAL PUD ORDINANCE. COUNTY ATTORNEY INCLUDES THIS IN THE ORDINANCE. DO NOT PROVIDE DUPLICATES OF ANY DOCUMENTS ONLY THE LATEST, ACCEPTED/APPROVED COPY OF THE BELOW DOCUMENTATION.

Backup provided by Applicant:

Include a CD Disk 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.

__X__ Application

- __X__ Narrative of rezone request
- __X__ Property Information
- __X__ Property Ownership and general description of site

__X__ Disclosure of Interest

__X__ Affidavit of Unified Control

__X__ Affidavit of Representation

____ NIM Information (Sign in sheet, notes, minutes and/or summary)

____ Traffic Impact Study (TIS)

____ Environmental Data

____ Historical/Archeological Survey or Waiver

____ Utility Letter

____ Deviation Justifications

____ Boundary Survey

____ PUD Ordinance (the *last submitted Ordinance with strikethrough – color preferred)

__X__ 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. (Conceptual Site Plan)

____ 3 thumbnail drives of audio and/or video of Neighborhood Information Meeting

I understand that by submitting the above materials, it is the agent/applicant's responsibility to ensure all materials are in the same order for all copies of backup materials to provide to the 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.

_____ March 18, 2022

Signature of Agent Representative — Date

Sarah E. Spector, Roetzel & Andress LPA

Printed Name of Signing Agent Representative

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

Comparable Use Determination

LDC sections 2.03.00 A, 10.02.06 J & Code of Laws section 2-83 – 2-90
Chapter 3 G.6 of the Administrative Code

PROJECT NUMBER
PROJECT NAME
DATE PROCESSED

To be completed by staff

☑ **PUD Zoning District**
☐ **Standard Zoning District**

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): DMD Florida Restaurant Group G, LLC

Name of Applicant if different than owner: PIEx2, LLC

Address: 14519 Global Parkway **City:** Fort Myers **State:** FL **ZIP:** 33913

Telephone: 239.334.4000 **Cell:** 239.707.7894 **Fax:** _____

E-Mail Address: dave@gatorgolfcars.com

Name of Agent(s): Sarah E. Spector

Firm: Roetzel & Andress

Address: 2320 First Street, Suite 1000 **City:** Fort Myers **State:** FL **ZIP:** 33901

Telephone: 239.338.4213 **Cell:** 239.910.6683 **Fax:** 239.337.0970

E-Mail Address: sspector@ralaw.com

PROPERTY INFORMATION

Site Address: 5947 Naples Boulevard **Folio Number:** 61560000068

Property Owners Name: DMD Florida Restaurant Group G, LLC

DETERMINATION REQUEST

The determination request and justification for the use must be done by a certified land use planner or a land use attorney. Provide the completed request on a separate attached sheet. Please be very specific and include the SIC Code, if known. The request should adhere to the following format:

"I request a determination from the Planning Manager and approval from the Office of the Hearing Examiner, that the use of golf cart sales & service *is comparable and compatible with the permitted uses in the* Pine Air Lakes *PUD or in the* _____ *Straight Zoning District."*

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

Collier County

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GROWTH MANAGEMENT DEPARTMENT
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(239) 252-2400 FAX: (239) 252-6358

SUBMITTAL REQUIREMENTS CHECKLIST

See Chapter 3 G.6 of the Administrative Code for submittal requirements. The following items are to be submitted with the application packet. **Incomplete submittals will not be accepted.**

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	1	☒	
Affidavit of Authorization	1	☒	
Completed Addressing Checklist	1	☒	
Determination request and the justification for the use	1	☒	
PUD Ordinance and Development Commitment information		✔	☐
Property Ownership Disclosure Form	1	☒	
Electronic Copies of all documents *Please be advised: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	1	✔	☐

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

FEE REQUIREMENTS:

- ☐ **Application:** $1,000.00; Additional Fees of $100 per hour will be charged as needed upon completion of review and research. Payment of Additional Fees will be required prior to the release of the verification.
- ☐ **Estimated Legal Advertising Fee for the Office of the Hearing Examiner:** $1,125.00

All checks payable to: Board of County Commissioners
The completed application, all required submittal materials, and the permit fee shall be submitted to:
Growth Management Department/Zoning Division
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

David Parker — Applicant Signature

10/28/21 — Date

David J. Parker, Manager
Printed Name

Please be advised that the zoning letter is based upon the available records furnished by Collier County and what was visible and accessible at the time of inspection. This report is based on the Land Development Code that is in effect on the date the report was prepared. Code regulations could be subject to change. While every attempt has been made to ensure the accuracy or completeness, and each subscriber to or user of this report understands that this department disclaims any liability for any damages in connection with its use. In addition, this department assumes no responsibility for the cost of correcting any unreported conditions.

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

COMPARABLE USE DETERMINATION
NARRATIVE STATEMENT

Property Address:	5947 Naples Boulevard
Folio Number:	61560000068
Name of Property Owner:	DMD Florida Restaurant Group G, LLC
Name of Contract Purchaser:	PIEx2 LLC

Contract purchaser and applicant, PIEx2 LLC, has submitted a Comparable Use Determination application for purposes of having the County declare that the proposed use of the above-referenced property is consistent with and comparable to the uses permitted in the Regional Commercial areas of the Pine Air Lakes Commercial Planned Unit Development (the "PUD"), as set forth in Collier County Ordinance 07-32 (the "PUD Ordinance"), a copy of which has been provided with this application. Specifically, PIEx2 LLC would like to construct and operate *a golf cart sales facility* on the above-referenced property.

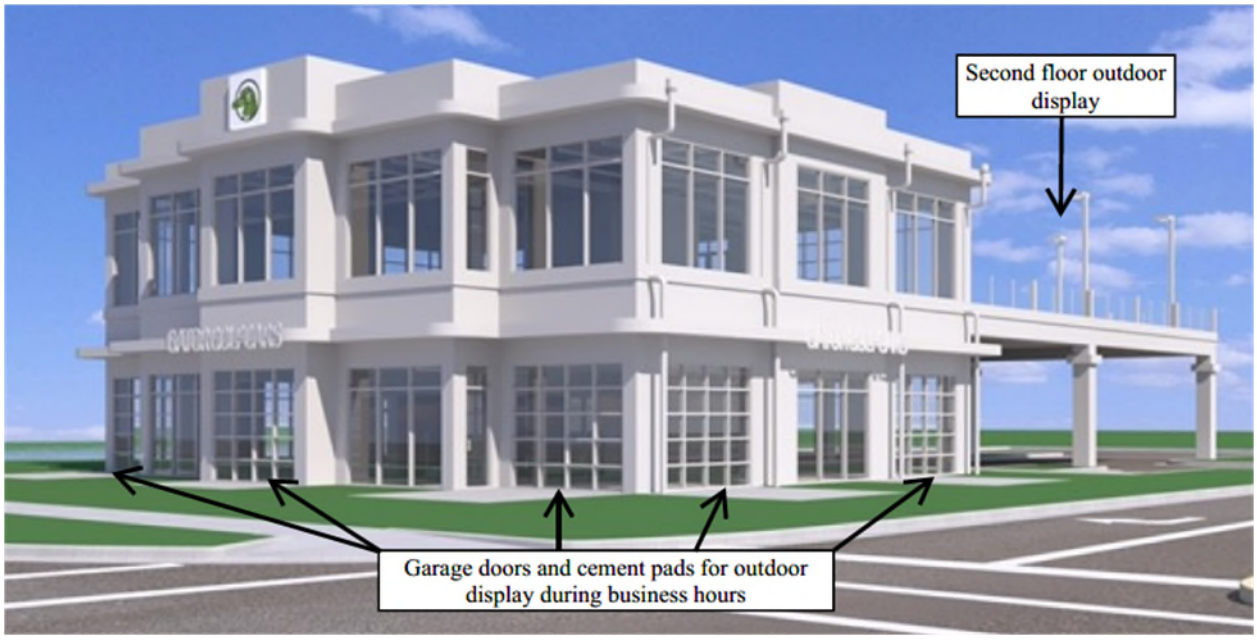
The proposed use will be the retail sale of new and refurbished street legal and non-street legal golf carts, 99% of which will be electric with the remaining 1% being gas-powered. There will be no service or repairs performed onsite, nor will there be any storage of carts. The hours of operation will be Monday through Friday from 9:00 AM to 4:00 PM May through August and Monday through Saturday from 8:00 AM to 5:00 PM September through April.

Golf carts will be delivered to and from the property via the applicant's company truck; no semi-trailer trucks will be used. The company truck, an example of which is shown in the picture below, transports four (4) two-passenger carts or two (2) six-passenger carts at a time. Even when loaded with carts, the truck will be able to travel under the second story display area discussed in the following paragraph. The will allow the delivery truck to operate as any normal automobile with ingress and egress of the parking lot.



Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

The proposed building incorporates glass garage doors to be opened on the first floor. This will allow for carts to be moved out onto cement pads for outdoor display during store hours; when the store closes, the carts will be returned inside the building. The second floor has an outdoor display area that is accessible by a garage door opening in the rear (west side) of the building, under the "Second floor outdoor display" area labeled below. It is through this garage door opening that the company truck will enter to load and unload carts. The following is a rendering of the building as currently proposed, though this may change as it moves through the permitting process:



The following rendering demonstrates the first floor outdoor display during business hours, which again is being provided for illustration only given that the building plan may change through the permitting process:



Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

From our review of the 1987 Standard Industrial Classification (SIC) Manual, *golf cart sales* would most appropriately fall under Industry Group 5599, relative to *Automotive Dealers, Not Elsewhere Classified*. The SIC Manual provides the following relative to this Industry Group:

> Establishments primarily engaged in the retail sale of new and used automotive vehicles, utility trailers, and automotive equipment and supplies, not elsewhere classified, such as snowmobiles, dunebuggies, and gocarts. Also included in this industry are establishments primarily engaged in the retail sale of aircraft.
>
> - Aircraft dealers-retail
> - Dunebuggies-retail
> - Gocarts-retail
> - Snowmobiles-retail
> - Trailers, utility-retail
> - Utility trailers-retail

However, the PUD Ordinance does not currently list Industry Group 5599 as a permitted use in the Regional Commercial area of the PUD. **That being said, the PUD Ordinance does allow uses that are akin to the proposed golf cart sales use. Specifically, *motorcycle sales and service* (SIC Codes 5571 and 7699) is listed as a permitted use in the PUD Ordinance. Along those same lines, the PUD Ordinance allows, as a permitted use, *automobile sales, and associated service departments*, citing to SIC Codes 5541 (Gasoline Service Stations) and 5511 (Motor Vehicle Dealers (New and Used)).** This is the case even though Section 2.03.06(E) of the Collier County Land Development Code (the "LDC") only includes Group 5541 as a permissible commercial use in planned unit developments.

Given that the request is only to find that the proposed use – *a golf cart sales facility* (which will not include a service component) – is consistent with and comparable to the uses permitted in the Regional Commercial areas of the PUD, the remainder of this narrative will focus on only the *sales* component of the currently permitted uses. The 1987 SIC Manual provides the following relative to Industry Code 5571, relative to *Motorcycle Dealers*:

> Establishments primarily engaged in the retail sale of new and used motorcycles, including motor scooters and mopeds, and all-terrain vehicles.
>
> - All-terrain vehicles-retail
> - Bicycles, motorized-retail
> - Mopeds-retail
> - Motor scooters-retail
> - Motorcycle dealers-retail
> - Motorcycle parts-retail

The 1987 SIC Manual then provides the following relative to Industry Code 5511, relative to *Motor Vehicle Dealers (New and Used)*:

> Establishments primarily engaged in the retail sale of new automobiles or new and used automobiles. These establishments frequently maintain repair departments

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

and carry stocks of replacement parts, tires, batteries, and automotive accessories. These establishments also frequently sell pickups and vans at retail.

- Automobile agencies (dealers)-retail
- Automobiles, new and used-retail
- Cars, new and used-retail
- Motor vehicle dealers, new and used cars-retail
- Pickups and vans, new and used-retail

It is important to note that Industry Codes 5511, 5571, and 5599 all fall under Major Group 55 relative to *Automotive Dealers and Gasoline Service Stations*, which is found in Division G relative to *Retail Trade*. Additionally, pursuant to Section 2.03.06(C)(3) of the Collier County Land Development Code (the "LDC"), Commercial Planned Unit Development Districts (CPUDs) are to be construed to include the following districts: C-1, C-2, C-3, C-4, C-5 and TTRVC. The following is a summary of the relevant uses that are permitted, either as permitted uses or conditional uses, in the commercial zoning districts included in the list of CPUD districts:

Zoning District	Permitted Use	Conditional Use
Commercial Intermediate District (C-3)	N/A	Automotive vehicle dealers (SIC Code 5511, limited to automobile agencies (dealers) – retail and only new vehicles)
General Commercial District (C-4)	Automotive vehicle and equipment dealers (SIC Codes 5511 and 5599, new vehicles only) Motorcycle dealers (5571)	Automotive dealers and gasoline service stations (SIC Codes 5511 and 5521) Dealers not elsewhere classified (SIC Code 5599 outdoor display permitted, excluding Aircraft dealers-retail)
Heavy Commercial District (C-5)	Automotive dealers, not elsewhere classified (SIC Code 5599) Motor vehicle dealers, new and used (SIC Codes 5511 and 5521) Motorcycle dealers (5571)	N/A

As it relates to the proposed *sales only* use, the current permitted PUD use of *motorcycle sales* (SIC Code 5571) is akin to the *motorcycle dealers* (SIC Code 5571) use permitted as of right in both the C-4 and C-5 zoning districts. Similarly, the current permitted PUD use of *automobile sales* (SIC Code 5511) is akin to the *automotive vehicle and equipment dealers, new vehicles only*

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

(SIC Codes 5511 and 5599) use permitted as of right in the C-4 zoning district and the *automotive dealers, not elsewhere classified* (SIC Code 5599) use permitted as of right in the C-5 zoning district. **Those same uses would also permit, as a principal use, the sale of golf carts given that they generally reference equipment dealers (in the C-4 zoning district) and automotive dealers, not elsewhere classified (in the C-5 zoning district) and specifically reference SIC Code 5599.**

In addition to the Code-based analysis set forth above, a review of the current uses within the PUD demonstrates that the proposed golf cart sales use is consistent with and comparable to what already exists today. An Infiniti car dealership is located immediately across Naples Boulevard from the subject property, while there is a Volvo car dealership immediately south of the Infiniti dealership. The following picture demonstrates the proximity of these existing uses to the proposed use (with a view facing south from the intersection of Naples Boulevard and Hollywood Drive):



The proposed use is also compatible with the immediately adjacent uses, which include a Dick's Sporting Goods store and Aldi's Supermarket. The following picture demonstrates the proximity of these existing uses to the proposed use (with a view facing south from the parking lot between Dick's Sporting Goods and Aldi's and the adjacent Costco):



Based on the foregoing, it is appropriate to find that *a golf cart sales facility* (without a service component) is consistent with and comparable to the uses permitted in the Regional Commercial areas of the PUD, such that the applicant can construct and operate the facility discussed at the beginning of this narrative statement without needing to amend the PUD Ordinance.

The request is consistent with the standards found in Section 10.02.06 K.2 of the LDC as follows:

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

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

i. Operating hours;
ii. Traffic volume generated/attracted;
iii. Type of vehicles associated with the use;
iv. Number and type of required parking spaces; and
v. Business practices and activities.

The proposed golf cart sales use possesses similar characteristics to other permitted uses in the PUD, including the *automobile sales* (SIC Codes 5511) and *motorcycle sales* (SIC Code 5571) uses that are currently permitted. The operating hours, traffic volume generated/attracted, the type of vehicles associated with the use, the number and type of required parking spaces, and the business practices and activities of the permitted and proposed uses are also similar.

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

As outlined above, the proposed golf cart sales use is no different than the *automobile sales* (SIC Code 5511) and *motorcycle sales* (SIC Codes 5571) uses that are currently permitted and, as it relates to *automobile sales*, currently existing in the PUD. Accordingly, there will be no additional impact in relation to the noise, glare, or odor effects on neighboring properties over and above what is already permitted.

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

Pursuant to Section 2.02 of the PUD Ordinance, the Pine Air Lakes CPUD is a Development of Regional Impact that predates the adoption of the 1989 Growth Management Plan for Collier County. As such, it was deemed to have vested zoning rights through the Zoning Re-evaluation Program described in former Policy 3.1K of the Future Land Use Element. This is confirmed in reviewing Map FLUE-10, which identifies Existing Zoning Consistent with Future Land Use Element (FLUE) by Policy 5.11, 5.12, 5.13, and 5.14 for Township 49, Range 25 and 26. The relevant portion of Map FLUE-10 is pasted below:



Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

As set forth in Policy 5.12 of the FLUE, properties that have been found to have vested zoning rights are deemed consistent with the FLUE.

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

As laid out above, the proposed use is compatible and consistent with the other permitted Regional Commercial uses in the PUD.

e. Any additional relevant information as may be required by County Manager or Designee.

The applicant is more than happy to provide additional relevant information required by the County Manager or his designee.

17944476 _1

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX (239) 252-5724

ADDRESSING CHECKLIST

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

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

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

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

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

Tract 2, Naples Center Village, according to the Plat thereof recorded in PB 58, Pages 95-98, Collier County Public Records

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

61560000068 T49, R25, S11

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

5947 Naples Boulevard

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

CURRENT PROJECT NAME *(if applicable)*

PROPOSED PROJECT NAME *(if applicable)*

PROPOSED STREET NAMES *(if applicable)*

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

SDP___-____ or AR or PL # _____

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

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

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

Applicant Name: Sarah E. Spector and Roetzel & Andress

Phone: 239.338.4213 **Email/Fax:** sspector@ralaw.com

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

FOR STAFF USE ONLY

Folio Number 61560000068

Folio Number

Folio Number

Folio Number

Folio Number

Folio Number

Approved by: S.L.H. **Date:** 10/19/2021

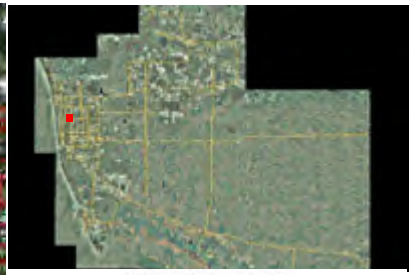
Updated by: **Date:**

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

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

Project Location





MAP LEGEND

- Major Roads
- Street Names
- Parcels
- Aerials 2021 Rural [10FT]
- Collier County

Folio Number: 61560000068
Name: DMD FL RESTAURANT GROUP G LLC
Street# & Name: 5947 NAPLES BLVD
Build# / Unit#: / 2
Legal Description: NAPLES CENTER VILLAGE TRACT 2

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

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

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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
DMD Restaurant Group, LLC, Manager DMD Florida Restaurant Group G, LLC	100
Double Mountain Development Ventures LLC, Manager, DMD Restaurant Group, LLC	100
Jack Flechner, Manager, Double Mountain Development Ventures LLC	38
Frederick Burgess, Manager, Double Mountain Development Ventures LLC	38

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

Name and Address	% of Ownership

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

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

Name and Address	% of Ownership

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

Name and Address	% of Ownership
PIEX2 LLC	100
David J. Parker, Manager, PIEX2 LLC	100

Date of Contract: 9.14.2021

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

Name and Address

g. Date subject property acquired _____

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

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

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

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Date of option: _____

Date option terminates: _____, or

Anticipated closing date: _____

AFFIRM PROPERTY OWNERSHIP INFORMATION

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

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

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

David J. Parker
Agent/Owner Signature

11/1/20
Date

David J. Parker, Manager
Agent/Owner Name (please print)

PIEx2 LLC

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) _____

I, JACK FLECHTNER (print name), as MANAGER (title, if applicable) of DMD Florida Restaurant Group G, 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 PIEx2, LLC 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**

11/4/21 **Date**

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [✓] physical presence or [ ] online notarization this 4TH day of NOVEMBER 2021, by (printed name of owner or qualifier) JACK FLECHTNER.

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 _____

NICOLE BUTH
MY COMMISSION # GG 232911
EXPIRES: August 16, 2022
Bonded Thru Notary Public Underwriters

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

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) _____

I, David J. Parker (print name), as Manager (title, if applicable) of PIEx2, 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 Sarah E. Spector and Roetzel & Andress 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.

_____ 11/1/21

Signature **Date**

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [X] physical presence or [ ] online notarization this 1st day of November, 2021, by (printed name of owner or qualifier) David J. Parker, Manager.

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

[X] Are personally known to me

[ ] Has produced a current drivers license _____

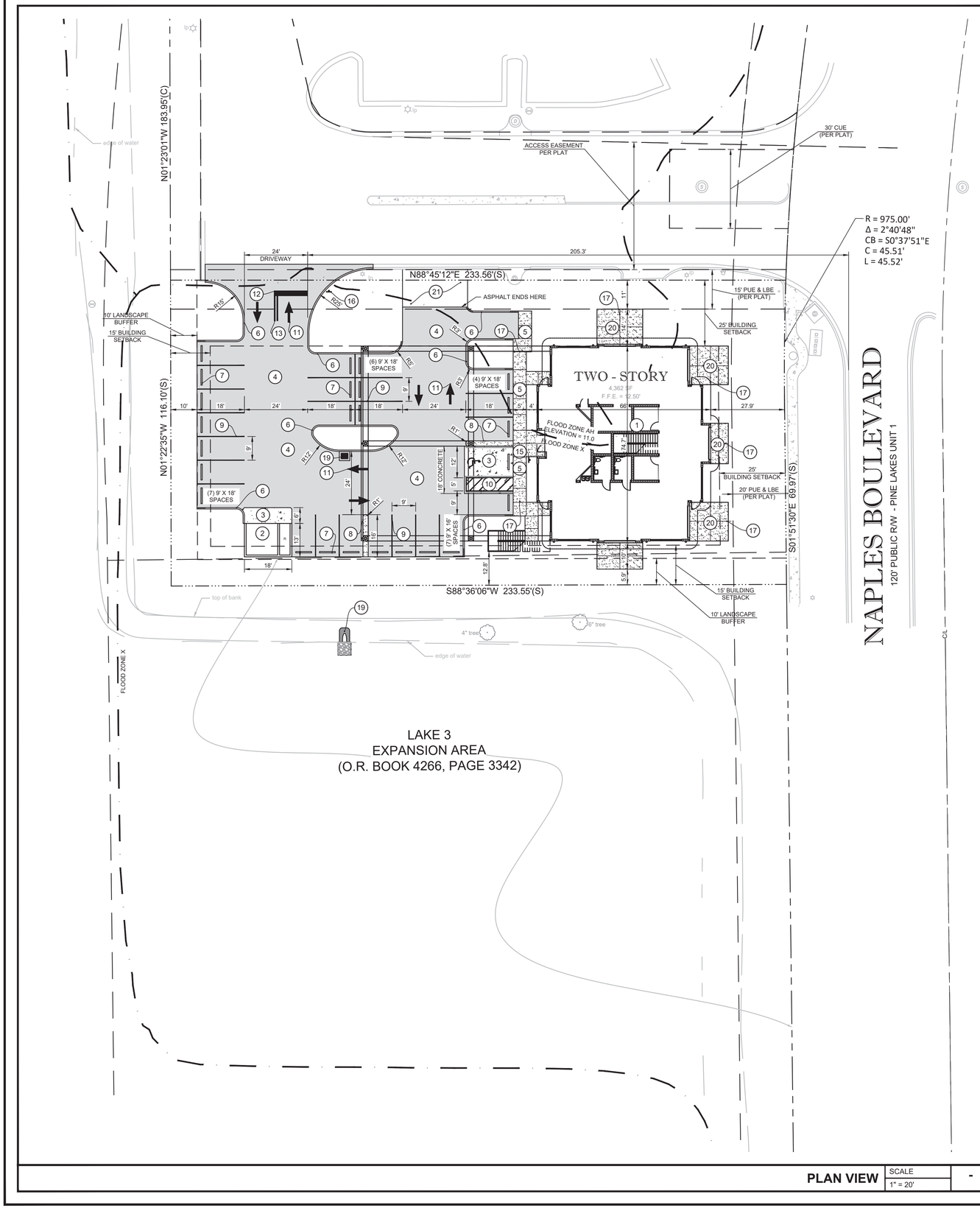
[ ] Has produced _____ as identification.

Notary Signature: _____

Notary Seal
ALISHA SETSER
Notary Public - State of Florida
Commission # HH 51539
My Comm. Expires Feb 1, 2025
Bonded through National Notary Assn.

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

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)



PLAN VIEW | SCALE 1" = 20' | -

SITE PLAN GENERAL NOTES

1. ALL DIMENSIONS SHOWN ARE TO FACE OF CURB. BUILDING DIMENSIONS ARE TO FACE OF BUILDING.
2. EXISTING IMPROVEMENTS SHOWN ARE TAKEN FROM THE SURVEY.
3. BUILDING AND SIDEWALK DIMENSIONS ARE TO OUTSIDE EDGE OF WALL
4. ALL TIES TO THE PROPERTY LINE ARE BASED ON THE SURVEY.
5. ALL CURB RADIUS ARE 3' UNLESS OTHERWISE NOTED

KEYED NOTES

1	NEW BUILDING (SEE ARCHITECTURAL DRAWINGS).
2	NEW TRASH ENCLOSURE (SEE ARCHITECTURAL DRAWING).
3	NEW 6" CONCRETE PAVEMENT. SEE DETAILS, SHEET C05.01.
4	NEW ASPHALT PAVEMENT. SEE DETAILS, SHEET C05.01.
5	NEW 4" CONCRETE SIDEWALK, SEE PLAN FOR WIDTH. SEE DETAILS, SHEET C05.01.
6	NEW TYPE "D" CURB. SEE DETAILS, SHEET C05.02.
7	NEW WHEEL STOP (TYPICAL OF 25). SEE DETAILS, SHEET C05.01.
8	NEW RAISED CONCRETE ISLAND. SEE DETAILS, SHEET C05.01.
9	NEW 6-INCH "WHITE" PARKING/AISLE STRIPE (CONTINUOUS PAINT).
10	NEW ACCESSIBLE PARKING SPACES AND ACCESS AISLE. SEE DETAILS, SHEET C05.01.
11	NEW "WHITE" DIRECTIONAL ARROW (CONTINUOUS PAINT)
12	NEW 24-INCH "WHITE" STOP BAR (CONTINUOUS PAINT).
13	NEW 6-INCH "DOUBLE YELLOW" LANE STRIPE (PAINT)
15	NEW ACCESSIBLE PARKING SIGN. SEE DETAILS, SHEET C05.02.
16	NEW 30" R1-1 "STOP" SIGN. SEE DETAILS, SHEET C05.02.
17	SAWCUT A 1/4" CONTROL JOINT IN NEW SIDEWALK AS SHOWN. NEW CONTROL JOINT DEPTH MUST BE A MINIMUM OF 25% OF THE OVERALL SLAB DEPTH AND BE PERFORMED WITHIN 12 HR OF POUR. (TYPICAL). SEE DETAILS, SHEET C04.01.
19	NEW STORM STRUCTURE. SEE STORM PIPING PLAN, SHEET C03.02.
20	NEW 4" CONCRETE PAVEMENT. SEE DETAILS, SHEET C05.01.
21	GEOGRID TO BE INSTALLED BELOW GROUND COVER TO ALLOW FOR TRAFFIC LOADS. GEOGRID BY GEOGRID MANUFACTURER.

LEGEND

- PROPERTY LINE
- EXISTING TO REMAIN
- EXISTING CONCRETE TO REMAIN
- PROPOSED CONCRETE LESS THAN 6"
- PROPOSED CONCRETE 6" OR GREATER
- NEW ASPHALT PAVEMENT
- SETBACK/BUFFER
- PROPOSED PAVEMENT
- PROPOSED CURB

SITE DATA

JURISDICTION	COLLIER COUNTY/SWFWMD
SITE ADDRESS:	5947 NAPLES BOULEVARD NAPLES, FLORIDA 34109
PARCEL NUMBER:	61560000068
BUILDING AREA:	4,362 SF
ZONING: NAME & ORDINANCE #:	CPUD PINE AIR LAKES; ORD No. 07-32
EXISTING LAND USE:	VACANT
PLAT NAME:	NAPLES CENTER VILLAGE

PARKING REQUIREMENTS

RETAIL PARKING REQUIRED:	1 SPACE PER 300 SF 8,624 SF/ 300 SF	= 28 SPACES
TOTAL PARKING REQUIRED:	STANDARD PARKING	= 28 SPACES
TOTAL PARKING PROVIDED:	STANDARD PARKING HANDICAP PARKING TOTAL PARKING	= 24 SPACES = 1 SPACE = 25 SPACES

BUILDING STATISTICS:

	REQUIRED	PROVIDED
BUILDING SETBACK - SOUTH	= 15'	= 16.6'
BUILDING SETBACK - EAST (NAPLES BLVD.)	= 25'	= 30.9'
BUILDING SETBACK - WEST	= 15'	= 138.91'
BUILDING SETBACK - NORTH (ACCESS DR.)	= 25'	= 25'

LANDSCAPE REQUIREMENTS

LANDSCAPE SETBACK - SOUTH	= 10'
LANDSCAPE SETBACK - EAST (NAPLES BLVD.)	= 20'
LANDSCAPE SETBACK - WEST	= 10'
LANDSCAPE SETBACK - NORTH (ACCESS DR.)	= 15'

FLOOD ZONE:

DESCRIBED PROPERTY LIES IN FLOOD ZONE X, AND FLOOD ZONE AH, ELEVATION 11.00 PER F.I.R.M. COMMUNITY PANEL NO. 120067 MAP NO. 12021C 0384H DATED MAY 16, 2012.

LEGAL DESCRIPTION:

TRACT 2 OF NAPLES CENTER VILLAGE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 58, PAGE(S) 95 THROUGH 98, OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA.

THE ABOVE DESCRIBES AN AREA OF APPROXIMATELY 27,000 SQUARE FEET OR 0.62 ACRES OF LAND.
SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

Know what's **below.**
Call before you dig.

REFERENCE NORTH

0' 20' 40'

SCALE: 1" = 20'

No.	Revision/Issue	Date
	ISSUE FOR SFWMD PERMIT	10/01/21
	ISSUE FOR COUNTY & SFWMD PERMIT	12/09/21

INFINITY ENGINEERING GROUP, LLC
1208 East Kennedy Boulevard
Suite 230
Tampa, Florida 33602
[p]: 813.434.4770
[f]: 813.445.4211
www.iegroup.net
FL Cert. of Auth. No. 27889

PHOENIX ASSOCIATES OF FLORIDA
13180 LIVINGSTON ROAD | SUITE 204 | NAPLES, FLORIDA 34109
PH: (239) 513-1551 | FAX: (239) 513-1552 | WWW.PHOENIXFLORIDA.COM

PHOENIX ASSOCIATES OF FLORIDA, INC. HEREBY ASSIGNS TO COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS, SPECIFICATIONS, DESIGNS, ARRANGEMENTS AND PLANS FOR THIS PROJECT. ALL RIGHTS RESERVED. UNDER THE COPYRIGHT LAWS, THESE PLANS, SPECIFICATIONS, DESIGNS, ARRANGEMENTS AND PLANS SHALL NOT BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY, WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND ADAPTATION FROM PHOENIX ASSOCIATES OF FLORIDA, INC. WITHIN DIMENSIONS OR INSCRIBED, AND THE PHOENIX ASSOCIATES OF FLORIDA, INC. SHALL BE GIVEN APPROPRIATE COMPENSATION FOR ANY UNAUTHORIZED USE OR ADAPTATION. DO NOT SCALE DRAWINGS. ANY REPRODUCTION OF THESE PLANS AND SPECIFICATIONS WITHOUT THE WRITTEN PERMISSION OF PHOENIX ASSOCIATES OF FLORIDA, INC. AND ANY UNAUTHORIZED USE OF THE INFORMATION CONTAINED HEREIN WILL BE AT THE SOLE RISK AND LIABILITY OF THE PARTY USING OR OBTAINING THE INFORMATION. ANY USE OF THESE PLANS AND SPECIFICATIONS FOR ANY PROJECT OTHER THAN THE ONE FOR WHICH THEY WERE PREPARED, OR ANY MODIFICATIONS MADE TO THESE PLANS AND SPECIFICATIONS WITHOUT THE WRITTEN AUTHORIZATION OF PHOENIX ASSOCIATES OF FLORIDA, INC. SHALL BE AT THE SOLE RISK AND LIABILITY OF THE PARTY USING OR MODIFYING THE PLANS. BY USING ANY OF THESE PLANS AND SPECIFICATIONS FOR ANY PROJECT, THE USER AGREES TO INDEMNIFY AND HOLD HARMLESS PHOENIX ASSOCIATES OF FLORIDA, INC. AND ITS OFFICERS AND EMPLOYEES FROM AND AGAINST ALL DAMAGES, SUITS, CLAIMS AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM. THIS AGREEMENT SHALL BE GOVERNED BY THE LAWS OF THE STATE OF FLORIDA AND ANY ACTION OR LITIGATION SHALL BE BROUGHT IN COLLIER COUNTY, FLORIDA.
CERTIFICATE OF AUTHORIZATION #: 00000029 | DATE OF AUTHORIZATION: 07/31/2006 | LAST RECENT ADOPTED FLORIDA BUILDING CODE: MOST RECENT ADOPTED

NISIT SAPPARKHAO, P.E.
FL REG. NO. 64085

DATE

Project Name and Address
GATOR GOLF
5947 NAPLES BOULEVARD
NAPLES, FLORIDA 34109

Sheet Title
SITE PLAN

Project No. 300-06.00	Sheet C02.01
Date 10/01/21	
Scale AS NOTED	

Attachment: D Applicant Backup Materials (21744 : PL20210003067 Gator Golf Services)

COLLIER COUNTY
Collier County Hearing Examiner

Item Number: 3.F
Item Summary: Petition No. PDI-PL20210002729 - Request for an insubstantial change to modify Section 12.4, Active Community Recreation Area, Lely Barefoot Beach Planned Unit Development (PUD), Ord. No. 85-83, as amended, to change the maximum building height from two habitable floors to 39.25-feet-zoned and 57.08-feet-actual. The subject PUD Tract is ± 6.25 acres located at 105 Shell Dr in Section 7, Township 48 South, Range 25 East, Collier County, Florida. [Coordinator: Gabriela Castro, Principal Planner] Commission District 2

Meeting Date: 04/14/2022

Prepared by:
Title: Principal Planner – Zoning
Name: Gabriela Castro
03/28/2022 11:32 AM

Submitted by:
Title: – Zoning
Name: Mike Bosi
03/28/2022 11:32 AM

Approved By:

Review:

Growth Management Operations & Regulatory Management	Kenneth Kovensky	Review Item	Completed	
Hearing Examiner (GMD Approvers)	Diane Lynch	Review Item	Completed	04/04/2022 10:37 AM
Zoning	Ray Bellows	Review Item	Completed	04/04/2022 2:18 PM
Zoning	Mike Bosi	Review Item	Completed	04/04/2022 2:22 PM
Hearing Examiner	Andrew Dickman	Meeting Pending	04/14/2022 9:00 AM	

STAFF REPORT

TO: HEARING EXAMINER

FROM: ZONING DIVISION – ZONING SERVICES SECTION
GROWTH MANAGEMENT DEPARTMENT

HEARING DATE: APRIL 14, 2022

SUBJECT: PDI-PL20210002729, LELY BAREFOTT BEACH PLANNED UNIT DEVELOPMENT (PUD)

APPLICANT:

The Club at Barefoot Beach, Inc
105 Shell Drive
Bonita Springs, FL 34134
Naples, FL 34109

AGENT:

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

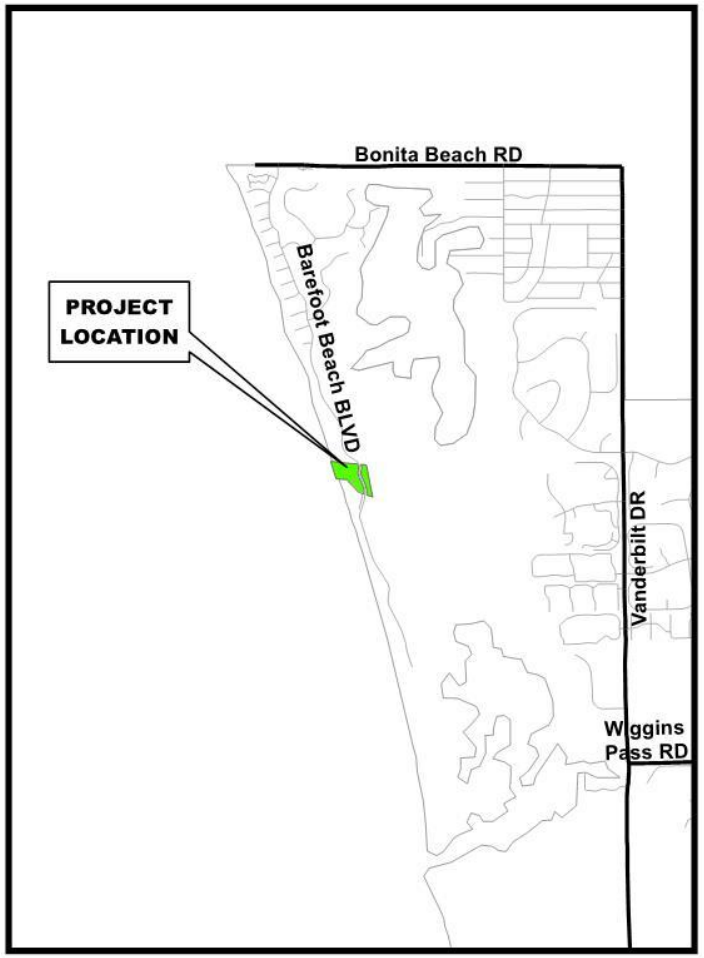
REQUESTED ACTION:

The petitioner requests that the Hearing Examiner approve an insubstantial change to modify Section 12.4, Active Community Recreation Area, Lely Barefoot Beach Planned Unit Development (PUD), Ord. No. 85-83, as amended, to change the maximum building height from two habitable floors to 39.25-feet-zoned and 57.08-feet-actual.

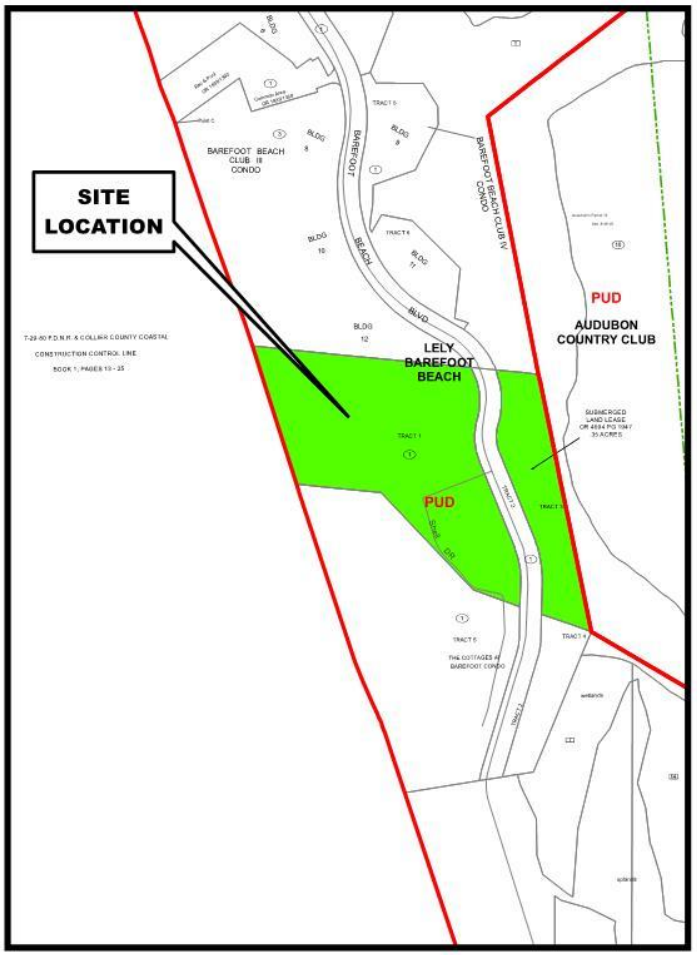
GEOGRAPHIC LOCATION:

The subject tract is located at 105 Shell Drive and is approximately 6.25 ± acres located in Sections 7, Township 48 South, Range 25 East, Collier County, Florida. (See the Location Map on page 2 of this Staff Report.)

Attachment: Staff Report Lely (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)



Location Map



Zoning Map

Petition Number: PL20210002729

Attachment: Staff Report Lely (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

PURPOSE/DESCRIPTION OF PROJECT:

The original Lely Barefoot Beach Ordinance 77-48 was approved in 1977 since then there have been many amendments the most recent coming in 2019 Ordinance 19-44. The clubhouse was originally built in 1990, SDP 88-045, and has plans to expand. The original PUD language in section 12.4 allowed the active community recreation area to have two habitable floors.

The purpose of this petition is to establish a numerical building height. The maximum building height would change to the following:

Zoned Height: 39'3"
Actual Height: 57'1"

Please see Attachment A-*Proposed PUD language.*

This change in how to measure building height and recent FEMA changes would allow modifications to the bottom floor that is currently un-airconditioned space. The modifications would allow the building to go to three habitable stories without increasing the numerical building height that was established when the original building permit and site development plan was proposed.

SURROUNDING LAND USE AND ZONING (related to the subject parcels)

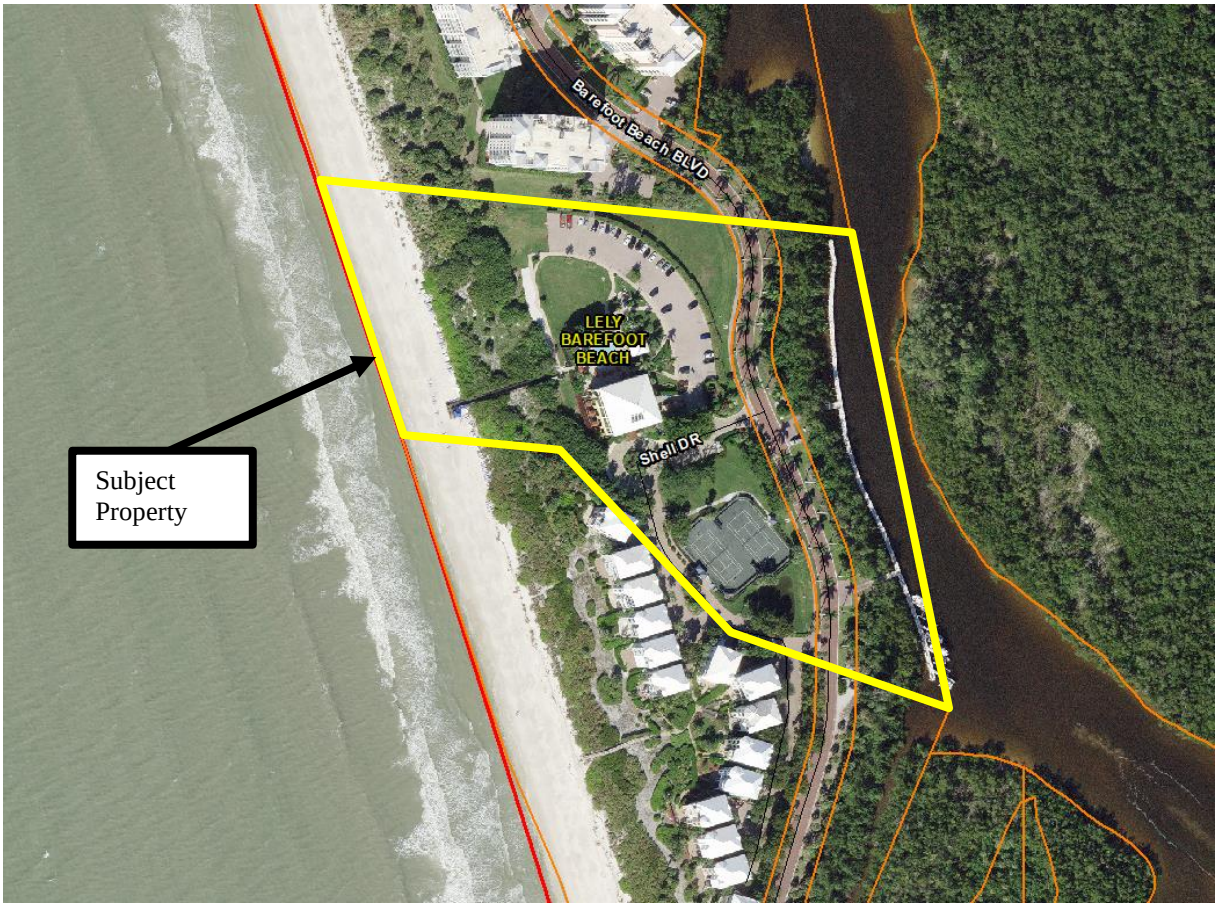
North: Multi-Family condominium, known as Barefoot Beach Club III, with a zoning designation of Lely Barefoot Beach PUD

East: Gulf of Mexico

South: Single Family condominium, known as The Cottages at Barefoot, with a zoning designation of Lely Barefoot Beach PUD

West: Lely Beach Boulevard and then wetland area

Attachment: Staff Report Lely (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)



Collier County GIS

STAFF ANALYSIS:

Comprehensive Planning: The proposed PDI is consistent with the Future Land Use Element (FLUE) of the Growth Management Plan (GMP).

Transportation Element: According to the revised PDI document the proposed change will have no net increase or decrease in the number of trips generated by this development. Based on the revised PDI the subject petition request can be found consistent with Policy 5.1 of the Transportation Element of the Growth Management Plan because there are no additional traffic impacts resulting from the proposed changes. Transportation Planning staff has reviewed the petition for compliance with the GMP and the LDC and recommends approval of the request.

Zoning Review: As previously stated, the petitioner is proposing to modify the active community recreation area development standards that apply to the building height by changing the height from two habitable floors to instead provide the maximum zoned (39'3") and actual height (57'1"), these heights are the existing heights of the built clubhouse (see Attachment C-*Clubhouse Elevations)*. The proposed amendment would establish a height that the building must remain throughout the tract and not let the building be taller. Therefore, staff is recommending approval.

Attachment: Staff Report Lely (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Environmental Review: Environmental Planning staff has reviewed this petition. The request is to amend Ordinance 85-83 to modify actual and zoned building heights. 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): Conservation and Coastal Management Element (CCME): Environmental review staff has found this project to be consistent with the Conservation & Coastal Management Element (CCME). No revisions to the environmental portions of the PUD are being requested.

CONCURRENT LAND USE APPLICATIONS:

There is a concurrent application: PL20210002178, Site Development Plan Amendment for the Club at Barefoot Beach.

PLANNED UNIT DEVELOPMENT INSUBSTANTIAL CHANGE CRITERIA:

There are three types of changes to a PUD Ordinance: Substantial, Insubstantial, and Minor. An insubstantial change includes any change that is not considered a substantial or minor change. An insubstantial change to an approved PUD Ordinance shall be based upon an evaluation of LDC subsection 10.02.13 E.1.

LDC Section 10.02.13.E.1 Criteria:

a. Is there a proposed change in the boundary of the Planned Unit Development (PUD)?

No, there is no proposed change in the boundary of the PUD.

b. Is there a proposed increase in the total number of dwelling units or intensity of land use or height of buildings within the development?

No, there is no proposed increase in the number of dwelling units or intensity of land use, or height of buildings within the development. The height of the clubhouse will remain the same, the height changes from a number of stories to a numerical zoned and actual height.

c. Is there a proposed decrease in preservation, conservation, recreation, or open space areas within the development in excess of five (5) percent of the total acreage previously designated as such, or five (5) acres in area?

No, there is no proposed decrease in preservation, conservation, recreation, or open space areas within the development as designated on the approved Master Plan.

d. Is there a proposed increase in the size of areas used for non-residential uses, to include institutional, commercial, and industrial land uses (excluding preservation, conservation, or open space), or a proposed relocation of nonresidential land uses?

Attachment: Staff Report Lely (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

No, the requests do not impact the size of non-residential areas or proposed to relocate such areas within the PUD boundary.

e. Is there a substantial increase in the impacts of the development which may include, but are not limited to increases in traffic generation; changes in traffic circulation; or impacts on other public facilities?

No, there are no substantial impacts resulting from this amendment.

f. Will the change result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers?

No**.** The proposed amendment would not result in land-use activities that generate higher levels of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers.

g. Will the change result in a requirement for increased stormwater retention, or otherwise increase stormwater discharge?

No. The proposed changes will not impact or increase stormwater retention or increase stormwater discharge.

h. Will the proposed change bring about a relationship to an abutting land use that would be incompatible with an adjacent land use?

No. There will be no incompatible relationships with abutting land uses.

i. Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance which is inconsistent with the Future Land Use Element or other elements of the Growth Management Plan or which modification would increase the density of intensity of the permitted land uses?

No. Comprehensive Planning staff determined the proposed changes to the PUD Document would be consistent with the FLUE of the GMP. Transportation planning staff reviewed this petition, and no changes to the PUD Document are proposed that would be deemed inconsistent with the Transportation Element of the GMP. This petition does not propose any increase in density or intensity of the permitted land uses.

j. The proposed change is to a PUD District designated as a Development of Regional Impact (DRI) and approved pursuant to Chapter 380.06, Florida Statues, where such change requires a determination and public hearing by Collier County pursuant to Sec. 380.06 (19), F.S. Any change that meets the criterion of Sec. 380.06 (19)(e)2., F.S., and any changes to a DRI/PUD Master Plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under Section 10.02.13 of the LDC.

Attachment: Staff Report Lely (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Due to the limited nature of this request, a determination and public hearing under F.S. 380.06(19) will not be required.

k. Are there any modifications to the PUD Master Plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under Section(s) 10.02.13 E.?

Based on the analysis provided above, the proposed change is not deemed to be substantial.

LDC Section 10.02.13.E.2 Criteria:

Does this petition change the analysis of the findings and criteria used for the original application?

No, the proposed changes do not affect the original analysis and findings for the most recent zoning action in petition PUDA-PL20190001138. An excerpt from the staff report proposed for that petition is attached as Attachment E which contains the PUD Findings of Fact for PUDA-PL20190001138.

NEIGHBORHOOD INFORMATION MEETING (NIM):

The NIM was advertised for February 1st, 2022, at Club at Barefoot Beach, 105 Shell Drive Bonita Springs, Florida. No members of the public were present or participating remotely and therefore no readings or transcripts have been available. A copy of the NIM advertising is included in Attachment F-Backup Materials.

STAFF RECOMMENDATION:

Staff recommends that the Hearing Examiner approve Petition PDI-PL20210002729, Lely Barefoot Beach PUD subject to including the following attachment in the HEX Decision:

1. Attachment A- *Proposed PUD Language*

Attachments:

Attachment A-*Proposed PUD Language*
Attachment B-*Ordinance Number 19-44*
Attachment C-*Clubhouse Elevation and Photos*
Attachment D-*Email from FEMA*
Attachment E-*Rezone Findings and Findings for the PUD*
Attachment F-*Backup Materials*
Attachment G- *Sign Affidavit*

Attachment: Staff Report Lely (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Attachment: A Proposed PUD Revisions (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

GradyMinor

Exhibit 1

Revised Section 12.4., Ordinance 85-83

PL20210002729 The Lely Barefoot Beach PUD Insubstantial Change (PDI)
3-4-2022

Q. Grady Minor & Associates, P.A.
3800 Via Del Rey, Bonita Springs, FL 34134 • 239-947-1144 • engineering@gradyminor.com •
www.gradyminor.com

SECTION XII

TRACT: ACTIVE COMMUNITY RECREATION AREA

*** *** *** *** *** **Text break** *** *** *** *** ***

12.4 MAXIMUM BUILDING HEIGHT

~~Two habitable floors.~~Zoned: 39'-3" (measured from BFE (13') plus 1')

Actual: 57'-1"

*** *** *** *** *** **Text break** *** *** *** *** ***

Attachment: A Proposed PUD Revisions (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

ORDINANCE NO. 19 - 44

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING ORDINANCE NO. 85-83, AN ORDINANCE AMENDING NO. 85-21, WHICH AMENDED NO. 77-48, THE LELY BAREFOOT BEACH PLANNED UNIT DEVELOPMENT (PUD); BY AMENDING SECTION III, PLATTED LELY BAREFOOT BEACH UNIT #1 BLOCKS A THROUGH K, LOW DENSITY SINGLE FAMILY RESIDENTIAL, TO CLARIFY THAT THE REPLAT OF BLOCK E KNOWN AS PLATTED BAREFOOT ESTATES REMAINS PART OF THIS SECTION; BY AMENDING SECTION 9.4.7 MAXIMUM HEIGHT FOR TRACT D TO INCREASE THE HEIGHT FROM TWO STORIES ABOVE MINIMUM BASE FLOOD ELEVATION TO THREE HABITABLE FLOORS; AND BY PROVIDING AN EFFECTIVE DATE. THE SUBJECT PROPERTY KNOWN AS THE BAREFOOT ESTATES SUBDIVISION AND LELY BAREFOOT BEACH UNIT TWO SUBDIVISION IS LOCATED SOUTH OF BONITA BEACH ROAD IN SECTION 6, TOWNSHIP 48 SOUTH, RANGE 25 EAST IN COLLIER COUNTY, FLORIDA. [PL20190001138]

WHEREAS, on September 27, 1977, the Board of County Commissioners adopted Ordinance No. 77-48, which established the Lely Barefoot Beach Planned Unit Development ("PUD"); and

WHEREAS, the Board has subsequently approved multiple amendments of the PUD; and

WHEREAS, Sarah Spector, Esquire of Roetzel & Andress, P.A., petitioned the Board of County Commissioners to amend Ordinance No. 85-83, the relevant amendment to Ordinance No. 77-48, the Lely Barefoot Beach PUD.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:

SECTION ONE: AMENDMENT TO SECTION III PLATTED LELY BAREFOOT BEACH UNIT #1 BLOCKS A THROUGH K, LOW DENSITY SINGLE FAMILY RESIDENTIAL OF LELY BAREFOOT BEACH PUD TO CLARIFY THAT THE REPLAT OF BLOCK E IS INCLUDED IN THIS SECTION.

Section III, Platted Lely Barefoot Beach Unit #1 Blocks A Through K, Low Density Single Family Residential, of Ordinance Number 77-48, as amended, Lely Barefoot Beach

Attachment: B Ord. 19-44 (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Planned Unit Development is hereby amended to read as follows:

SECTION III

PLATTED LELY BAREFOOT BEACH UNIT #1

BLOCKS A through K

INCLUDING PLATTED BAREFOOT ESTATES

LOW DENSITY SINGLE FAMILY RESIDENTIAL

3.1 PURPOSE

The purpose of this Section is to set forth development regulations applicable to Platted Lely Barefoot Beach Unit #1, Blocks A through K, including platted Barefoot Estates.

3.2 MAXIMUM DWELLING UNITS

A maximum of 106 single family homesites may be constructed within platted Lely Barefoot Beach Unit #1, Blocks A through K, including platted Barefoot Estates.

****

3.4.8 STRUCTURAL REQUIREMENTS FOR RESIDENCES:

Special structural requirements designed to protect beachfront residences from storm tide and wave damage are incorporated in the State of Florida approved protective covenants for the Lely Barefoot Beach project as contained in Coastal Setback Line Variance #74-75-V40. These construction standards shall be applicable to all residences developed in Block A through K of Platted Lely Barefoot Beach Unit #1 including platted Barefoot Estates.

SECTION TWO: AMENDMENT TO MAXIMUM HEIGHT SUBSECTION OF TRACT D, LOW DENSITY SINGLE FAMILY RESIDENTIAL DEVELOPMENT SECTION OF LELY BAREFOOT BEACH PUD.

Subsection 9.4.7, Maximum Height, of Section IX, Tract D, Low Density Single Family Residential Development, of Ordinance Number 77-48, as amended, Lely Barefoot Beach Planned Unit Development is hereby amended to read as follows:

9.4.7 MAXIMUM HEIGHT

~~Two stories above the minimum base flood elevation required by the flood elevation ordinance. When the first habitable floor is raised a sufficient height~~

Attachment: B Ord. 19-44 (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

~~above ground level to permit the underbuilding area to be used for automobile parking and other utilitarian purposes, that underbuilding area shall not be deemed to be a story.~~ Three habitable floors, with the option of having one floor of parking and associated non-habitable utilitarian space beneath the first habitable floor. The maximum actual height is limited to 70 feet, including decorative elements, but excluding chimneys.

SECTION THREE: EFFECTIVE DATE.

This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by super-majority vote by the Board of County Commissioners of Collier County, Florida, this 10th day of December, 2019.

ATTEST:
CRYSTAL K. KINZEL, CLERK

By: _____ Deputy Clerk

Attest as to Chairman's signature only.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: _____
William L. McDaniel, Jr., Chairman

Approved as to form and legality:

_____
Heidi Ashton-Cicko
Managing Assistant County Attorney

This ordinance filed with the Secretary of State's Office the 13th day of December, 2019 and acknowledgement of that filing received this 13th day of December 2019.
By: _____ Deputy Clerk

Attachment: B Ord. 19-44 (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

December 13, 2019

Ms. Teresa L. Cannon, BMR Senior Clerk II
Office of the Clerk of the Circuit Court
& Comptroller of Collier County
3299 Tamiami Trail, Suite #401
Naples, Florida 34112-5324

Dear Ms. Cannon:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 19-44, which was filed in this office on December 13, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

Attachment: B Ord. 19-44 (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6270
www.dos.state.fl.us

Attachment: C Clubhouse elevations and photos (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

GradyMinor

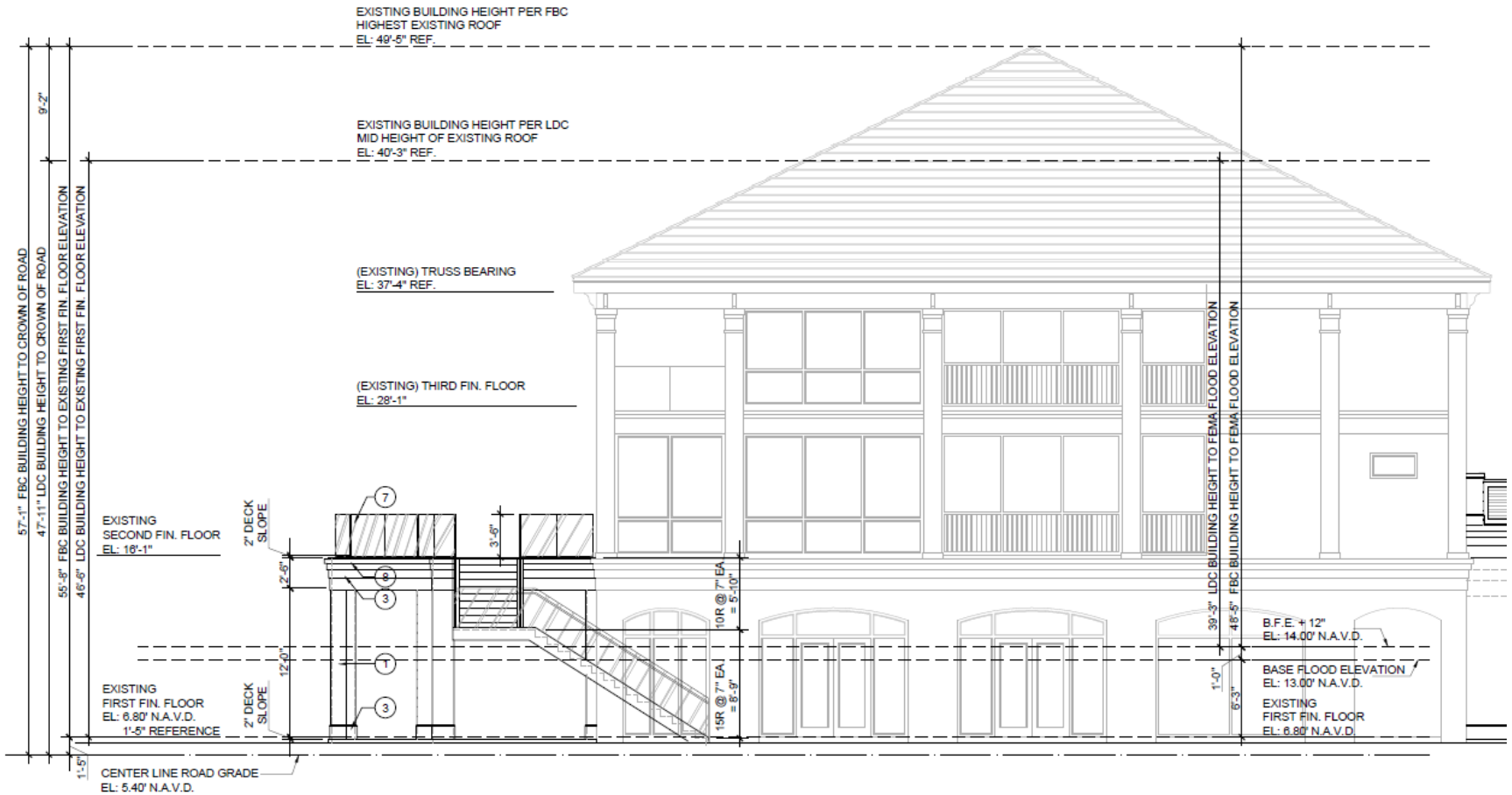
Exhibit 2

Building Height and Photos

PL20210002729 The Lely Barefoot Beach PUD Insubstantial Change (PDI)
3-4-2022

Q. Grady Minor & Associates, P.A.
3800 Via Del Rey, Bonita Springs, FL 34134 • 239-947-1144 • engineering@gradyminor.com •
www.gradyminor.com

Building Height:



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

March 4, 2022
Exhibit 2 Building Height and Photos2.dgn

Existing Building Photos:





Attachment: C Clubhouse elevations and photos (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)



Attachment: C Clubhouse elevations and photos (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

From: CritchfieldHoward
Sent: Thursday, February 10, 2022 11:05 AM
To: CastroGabriela; MasonChristopher
Cc: FinnTimothy
Subject: RE: Lely Barefoot Beach PUD (PDI) PL20210002729

Good Morning Gabriela,

This structure was built in a VE flood zone in 1992. This means that at the time of construction, this structure's lower portion located below the Base flood Elevation must have been reserved for uses such as storage, parking, or access to the building. If breakaway walls were incorporated into the original design of the structure, they were intended to provide an enclosed area with the purpose of not having any restriction to the flow of water in case the structure incurred water inundation from the 100 year flood event. Dry floodproofing is **not allowed** in VE flood zone.

On June 5, 2018 FEMA issued an effective a Letter of Map Revision (case number 18-04-1140P) that changed the flood zone from VE 14 to AE 13 NAVD.

With this change, Dry floodproofing **is allowed** by the Florida Building Code (section 1612) if the following conditions are met:

- The structure must be a non-residential building.
- The flood velocities adjacent to the structure are less than or equal to 5 ft/s during the design flood (ASCE 24-14, chapter 6)
- The existing structure must be capable to resist all flood load combinations when the dry-floodproofing materials and equipment are installed according with ASCE 24-14 chapter 6.

The validation of the conditions must be provided at the time of the permit application along with plans.

I hope this information can clarify any inquiry.

Howard Critchfield, P.E.,CFM
Senior Project Manager

Growth Management Department
Collier County Government
2800 N Horseshoe Dr.
Naples, FL 34104
P: (239) 252-5858
F: (239) 252-6372

Attachment: D FEMA Email (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

From: CastroGabriela <Gabriela.Castro@colliercountyfl.gov>
Sent: Wednesday, February 9, 2022 11:52 AM
To: MasonChristopher <Christopher.Mason@colliercountyfl.gov>
Cc: FinnTimothy <Timothy.Finn@colliercountyfl.gov>; CritchfieldHoward <Howard.Critchfield@colliercountyfl.gov>
Subject: RE: Lely Barefoot Beach PUD (PDI) PL20210002729

Good morning,

Please see the items attached for the second submittal specifically response for correction comment 5 (on page 2). Please let me know if you have any questions. Just trying to make sure that the rationale that enclosing the first floor is permissible.

If you have any questions please let me know

Respectfully,

Gabriela Castro, AICP
Principal Planner

Collier County

Zoning Division
Exceeding Expectations, Every Day!

NOTE: Email Address Has Changed

2800 North Horseshoe Drive, Naples Florida 34104
Phone: 239-252-4211

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

From: MasonChristopher <Christopher.Mason@colliercountyfl.gov>
Sent: Tuesday, December 21, 2021 5:44 PM
To: CastroGabriela <Gabriela.Castro@colliercountyfl.gov>

Attachment: D FEMA Email (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Cc: FinnTimothy <Timothy.Finn@colliercountyfl.gov>; CritchfieldHoward <Howard.Critchfield@colliercountyfl.gov>
Subject: RE: Lely Barefoot Beach PUD (PDI) PL20210002729

Gabriela,

62-80(H) of the Collier County Floodplain Management Ordinance states that the area below the lowest floor shall be limited to 3 uses:

- Storage
- Parking
- Access

The area below the lowest floor can be temperature controlled. However, the use has to be in compliance with the 3 aforementioned uses. All temperature control equipment must be still be elevated to Base Flood Elevation +1 ft..

Thank you.

Respectfully,

Christopher Mason, CFM
FEMA Floodplain Coordinator

Collier County

PROUDLY SERVING COLLIER COUNTY SINCE 2017

Growth Management Department
Building Review & Inspection Division

2800 North Horseshoe Drive, Naples, Florida 34104
Main: 239-252-2400; Direct: 239-252-2932

How are we doing?
The Building Plan Review and Inspection Division wants to hear from you!
Please take our online **SURVEY**.
We appreciate your feedback!

From: CastroGabriela <Gabriela.Castro@colliercountyfl.gov>
Sent: Tuesday, December 21, 2021 4:53 PM
To: MasonChristopher <Christopher.Mason@colliercountyfl.gov>
Cc: FinnTimothy <Timothy.Finn@colliercountyfl.gov>; CritchfieldHoward <Howard.Critchfield@colliercountyfl.gov>
Subject: Lely Barefoot Beach PUD (PDI) PL20210002729

Attachment: D FEMA Email (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Hi Chris,

We received an application to change the PUD language in the Lely Barefoot Beach PUD to revise the language regarding the height of the amenity center in the Lely Barefoot Beach recreation area. Their justification for changing the language is that due to FEMA changes they can enclose the bottom floor can you please look at the justification and provide any comments on whether or not that is acceptable.

I have attached the project narrative which explains the rationale of the project, exhibit 2 shows a current elevation, and provided the proposed language revisions.

Please let me know if you have any additional questions.

Thanks!

Respectfully,

Gabriela Castro, AICP
Principal Planner



Development Review Division
Exceeding Expectations, Every Day!

NOTE: Email Address Has Changed

2800 North Horseshoe Drive, Naples Florida 34104
Phone: 239-252-4211

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

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

Attachment: D FEMA Email (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

The amendment to "PUD Section 9.4.7 Maximum Height" will increase the height from two stories to three floors/70-foot actual height for four properties located in "Lely Barefoot Beach Unit 2," (see Attachment F-*Lely Barefoot Beach Unit Two Plat*) which is adjacent to the southern tip of "Lely Barefoot Beach Unit One." Please see Aerial Photo below.



AERIAL PHOTO

The proposed amendments will result in a consistent building height of three floors/70-foot actual height throughout the "low density, single-family development" in the Lely Barefoot Beach PUD. Staff conducted a site visit and the proposed amendments are compatible with the surrounding properties. The surrounding properties are permitted to have three to six floors. Therefore staff is recommending approval of the PUD amendment.

PUD FINDINGS:

LDC Section 10.02.13.B.5 states that "In support of its recommendation, the CCPC shall make findings as to the PUD Master Plan's compliance with the following criteria:

Attachment: E Rezone & PUD Findings for previous PUDA 19-44 (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

1. **The suitability of the area for the type and pattern of development proposed in relation to physical characteristics of the land, surrounding areas, traffic and access, drainage, sewer, water, and other utilities.**

   The proposed increase in building height would have little to no impact on traffic and access, drainage, sewer, water, or other utilities.

2. **Adequacy of evidence of unified control and suitability of any proposed agreements, contracts, or other instruments, or for amendments in those proposed, particularly as they may relate to arrangements or provisions to be made for the continuing operation and maintenance of such areas and facilities that are not to be provided or maintained at public expense.**

   Documents submitted with the application, which were reviewed by the County Attorney's Office, demonstrate unified control of the property.

3. **Conformity of the proposed Planned Unit Development with the goals, objectives, and policies of the Growth Management Plan (GMP).**

   County staff has reviewed this petition and has offered an analysis of the relevant goals, objectives, and policies of the GMP within the GMP discussion of this staff report. Based on that analysis, staff has found this petition consistent with the overall GMP.

4. **The internal and external compatibility of proposed uses, which conditions may include restrictions on location of improvements, restrictions on design, and buffering and screening requirements.**

   The proposed changes to the PUD do not affect the buffering and screening requirements of the original PUD.

5. **The adequacy of usable open space areas in existence and as proposed to serve the development.**

   There is no change to the usable open space with this amendment.

6. **The timing or sequence of development for the purpose of ensuring the adequacy of available improvements and facilities, both public and private.**

   The roadway infrastructure is sufficient to serve the proposed project, as noted in the Transportation Element consistency review.

7. **The ability of the subject property and of surrounding areas to accommodate expansion.**

   The area has adequate supporting infrastructure, including Collier County Water-Sewer District potable water and wastewater mains, to accommodate this project based upon the commitments made by the petitioner, and the fact that adequate public facilities requirements will continuously be addressed when development approvals are sought.

Attachment: E Rezone & PUD Findings for previous PUDA 19-44 (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

8. Conformity with PUD regulations, or as to desirable modifications of such regulations in the particular case, based on determination that such modifications are justified as meeting public purposes to a degree at least equivalent to literal application of such regulations.

All future development will comply with the LDC and other applicable codes. The petitioner is not requesting any deviations to the LDC.

REZONE FINDINGS:

Staff offers the following analysis:

1. Whether the proposed change will be consistent with the goals, objectives, and policies of the Future Land Use Map and the elements of the GMP.

Comprehensive Planning staff determined the subject petition is consistent with the goals, objectives, and policies of the FLUE and other elements of the GMP. See Attachment C- *FLUE Consistency Review*.

2. The existing land use pattern.

The proposed amendment would not change the existing land use patterns of the surrounding properties.

3. The possible creation of an isolated district unrelated to adjacent and nearby districts.

The property is currently zoned PUD and would remain as such.

4. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

This petition does not propose any change to the boundaries of the PUD.

5. Whether changed or changing conditions make the passage of the proposed rezoning necessary.

The proposed change is not necessary; however, it is being requested in compliance with the LDC provisions to seek such changes because the petitioner wishes to clarify that the replat of "Block E," known as "Barefoot Estates" remains part of PUD Section III, and change the maximum building height.

6. Whether the proposed change will adversely influence living conditions in the neighborhood.

The proposed PUD Amendment is not anticipated to adversely influence living conditions in the neighborhood.

7. Whether the proposed change will create or excessively increase traffic congestion or create types of traffic deemed incompatible with surrounding land uses, because of

Attachment: E Rezone & PUD Findings for previous PUDA 19-44 (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

peak volumes or projected types of vehicular traffic, including activity during construction phases of the development, or otherwise affect public safety.

The roadway infrastructure is sufficient to serve the proposed project, as noted in the Transportation Element consistency review. Operational impacts will be addressed at the time of the first development order (SDP or Plat). Additionally, the project's development must comply with all other applicable concurrency management regulations when development approvals are sought.

8. Whether the proposed change will create a drainage problem.

The proposed PUD Amendment request is not anticipated to create drainage problems in the area.

9. Whether the proposed change will seriously reduce light and air to adjacent areas.

The proposed amendment will not affect drainage. Furthermore, the site is subject to the requirements of Collier County and the South Florida Water Management District.

10. Whether the proposed change will adversely affect property values in the adjacent areas.

This is a subjective determination based upon anticipated results, which may be internal or external to the subject property. Property valuation is affected by a host of factors including zoning; however, zoning by itself may or may not affect values, since value determination is driven by market value.

11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

The proposed PUD Amendment will not be a deterrent to the improvement or development of adjacent properties.

12. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasting with the public welfare.

The development complies with the GMP, which is a public policy statement supporting zoning actions when they are consistent with the Comprehensive Plan. In light of this fact, the proposed Amendment does not constitute a grant of special privilege. Consistency with the FLUE is further determined to be a public welfare relationship because actions consistent with plans are in the public interest.

13. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

The subject property can be used in accordance with existing zoning; however, the

Attachment: E Rezone & PUD Findings for previous PUDA 19-44 (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

proposed building height cannot be achieved without amending the PUD.

14. Whether the change suggested is out of scale with the needs of the neighborhood or the County.

The proposed PUD Amendment is not out of scale with the needs of the neighborhood or county.

15. Whether is it impossible to find other adequate sites in the County for the proposed use in districts already permitting such use.

The petition was reviewed for compliance with the GMP and the LDC, and staff does not specifically review other sites in conjunction with a specific petition.

16. The physical characteristics of the property and the degree of site alteration, which would be required to make the property usable for any of the range of potential uses under the proposed zoning classification.

Any development anticipated by the PUD Document would require site alteration, and this project will undergo extensive evaluation relative to all federal, state, and local development regulations during the SDP and/or platting processes, and again later as part of the building permit process.

17. The impact of development on the availability of adequate public facilities and services consistent with the levels of service adopted in the Collier County Growth Management Plan and as defined and implemented through the Collier County Adequate Public Facilities Ordinance, as amended.

The development will have to meet all applicable criteria set forth in the LDC regarding Adequate Public Facilities for and the project. It must be consistent with all applicable goals and objectives of the GMP regarding adequate public facilities. This petition has been reviewed by county staff that is responsible for jurisdictional elements of the GMP as part of the rezoning process, and that staff has concluded that no Level of Service will be adversely impacted.

18. Such other factors, standards, or criteria that the Board of County Commissioners shall deem important in the protection of the public health, safety, and welfare.

To be determined by the BCC during its advertised public hearing.

NEIGHBORHOOD INFORMATION MEETING (NIM):

The NIM was held on September 5, 2019, at 5:30 p.m. at the Barefoot Beach POA Clubhouse located at 212 Barefoot Beach Boulevard, Bonita Springs, Florida. Approximately 15 residents attended the meeting along with the Agent's team and Applicant. There were no objections to the petition. See Attachment G-*NIM Summary.*

Attachment: E Rezone & PUD Findings for previous PUDA 19-44 (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Lely Barefoot Beach PUD Insubstantial Change (PL20210002729)

Application and Supporting Documents

April 14, 2022 HEX Meeting

GradyMinor
Civil Engineers • Land Surveyors • Planners • Landscape Architects
Q. Grady Minor & Associates, P.A.
3800 Via Del Rey, Bonita Springs, FL 34134 • 239-947-1144 • engineering@gradyminor.com • www.gradyminor.c

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

GradyMinor

Civil Engineers • Land Surveyors • Planners • Landscape Architects

November 19, 2021 (Amended January 21, 2022)

Client Services
Collier County Growth Management Department
2800 North Horseshoe Drive
Naples, FL 34104

RE: Lely Barefoot Beach PUD Insubstantial Change – PL20210002729, Submittal 1

Dear Client Services:

On behalf of our client, The Club at Barefoot Beach, Inc., we are submitting an application for an Insubstantial Change to a PUD (PDI) for the above referenced project.

The applicant is proposing to amend PUD Ordinance 85-83, as amended, to revise Section 12.4 to remove the reference to two stories and replace with a reference to the actual and zoned building heights without an increase in the allowed building height.

Documents filed with submittal 1 include the following:

1. Cover Letter
2. Application
3. Project Narrative and Detail of Request
4. Previous Approvals
5. Exhibit 1 Proposed PUD Revisions
6. Exhibit 2 Building Height and Photos
7. Warranty Deed
8. PB 17 PGS 5-6
9. Affidavit of Authorization
10. Addressing Checklist
11. Property Ownership Disclosure Form
12. Location Map
13. Conceptual Site Plan

Please contact me if you have any questions.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Q. Grady Minor & Associates, P.A.
3800 Via Del Rey
Bonita Springs, FL 34134

Ph. 239-947-1144 ● Fax. 239-947-0375
EB 0005151 ● LB 0005151 ● LC 26000266
www.gradyminor.com

Sincerely,



D. Wayne Arnold, AICP

Enclosures

Cc: The Club at Barefoot Beach, Inc.
GradyMinor File (CBBSDPA)

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

INSUBSTANTIAL CHANGE TO A PUD (PDI)

LDC subsection 10.02.13 E & Code of Laws section 2-83 – 2-90
Ch. 3 G.3 of the Administrative Code

Pursuant to LDC subsection 10.02.13 E.2, a PUD insubstantial change includes any change that is not considered a substantial or a minor change. A PUD insubstantial change to an approved PUD ordinance shall be based upon an evaluation of LDC subsection 10.02.13 E.1 and shall require the review and approval of the Hearing Examiner. The Hearing Examiner's approval shall be based on the findings and criteria used for the original application.

PETITION NO
PROJECT NAME
DATE PROCESSED

To be completed by staff

APPLICANT CONTACT INFORMATION

Name of Property Owner(s): The Club at Barefoot Beach, Inc.

Name of Applicant if different than owner: _____

Address: 105 Shell Drive **City:** Bonita Springs **State:** FL **ZIP:** 34134

Telephone: 239-992-0024 **Cell:** _____ **Fax:** _____

E-Mail Address: DMoeller@theclubatbarefootbeach.com

Name of Agent: D. Wayne Arnold, AICP

Firm: Q. Grady Minor & Associates, P.A.

Address: 3800 Via Del Rey **City:** Bonita Springs **State:** FL **ZIP:** 34134

Telephone: 239-947-1144 **Cell:** _____ **Fax:** _____

E-Mail Address: warnold@gradyminor.com

DETAIL OF REQUEST

On a separate sheet, attached to the application, describe the insubstantial change request. Identify how the request does not meet the PUD substantial change criteria established in LDC subsection 10.02.13 E.1.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
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NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

PROPERTY INFORMATION

PUD NAME: The Lely Barefoot Beach **ORDINANCE NUMBER:** 85-83, as amended
FOLIO NUMBER(S): 54775120753

Provide a legal (if PUD is recorded) or graphic description of area of amendment (this may be graphically illustrated on Amended PUD Master Plan). If applying for a portion of the PUD, provide a legal description for subject portion.

Attach on a separate sheet, a written description of the map or text change.

Does amendment comply with the Growth Management Plan? ■ Yes ☐ No

If no, please explain: _____

Has a public hearing been held on this property within the last year? ☐ Yes ■ No

If yes, in whose name? _____

Has any portion of the PUD been ■ SOLD and/or ■ DEVELOPED?

Are any changes proposed for the area sold and/or developed? ■ Yes ☐ No
If yes, please describe on an attached separate sheet.

The subject property, Folio Number 54775120753, is currently developed with one of the communities clubhouses. The applicant is renovating the clubhouse.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

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NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

Pre-Application Meeting and Final Submittal Requirement Checklist for: PUD Insubstantial Change Chapter 3 G.3 of the Administrative Code

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

REQUIREMENTS FOR REVIEW	# OF COPIES	REQUIRED	NOT REQUIRED
Completed Application (download current form from County website)	1	☒	
Pre-Application Meeting notes	1	☐	☑
Project Narrative, including a detailed description of proposed changes and why amendment is necessary	1	☑	☐
Detail of request	1	☒	
~~Current Master Plan & 1 Reduced Copy~~ No changes to Master Plan	~~1~~	☐	X
~~Revised Master Plan & 1 Reduced Copy~~ No changes to Master Plan	~~1~~	☐	X
Revised Text and any exhibits	☐	☑	☐
PUD document with changes crossed through & underlined	☐	☐	☑
PUD document as revised with amended Title Page with Ordinance #	☐	☐	☑
Warranty Deed	☐	☑	☐
Legal Description	1		☑
Boundary survey, if boundary of original PUD is amended	☐	☐	☑
If PUD is platted, include plat book pages	☐	☑	☐
List identifying Owner & all parties of corporation	1	☐	☑
Affidavit of Authorization, signed & notarized	1	☒	
Completed Addressing Checklist	1	☒	
Property Ownership Disclosure Form	1	☒	
Copy of 8 ½ in. x 11 in. graphic location map of site	1	☑	☐
Electronic copy of all documents and plans *Please advise: The Office of the Hearing Examiner requires all materials to be submitted electronically in PDF format.	☐	☑	☐
***If located in Immokalee or seeking affordable housing, include an additional set of each submittal requirement.**			

ADDITIONAL REQUIREMENTS FOR THE PUBLIC HEARING PROCESS:

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

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

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

☐	School District (Residential Components): Amy Lockheart	☐	Bayshore/Gateway Triangle Redevelopment: Executive Director
☐	Utilities Engineering: Eric Fey	☐	Parks and Recreation: Barry Williams and David Berra
☐	Emergency Management: Dan Summers	☐	Naples Airport Authority:
☐	Conservancy of SWFL: Nichole Johnson	☐	Other:
☐	City of Naples: Robin Singer, Planning Director	☐	Other:

FEE REQUIREMENTS

- ● **PUD Amendment Insubstantial (PDI):** $1,500.00
- ☐ **Pre-Application Meeting:** $500.00
- ● **Estimated Legal Advertising fee for the Office of the Hearing Examiner**: $1,125.00
  Same fee applies if the petition is referred to the Collier County Planning Commission, where the CCPC serves as the deciding authority instead of the HEX.

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

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

All checks payable to: Board of County Commissioners.

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

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

D. Wayne Arnold Digitally signed by D. Wayne Arnold Date: 2021.11.11 14:46:12 -05'00' — 11/11/2021

Agent/Owner Signature — Date

D. Wayne Arnold, AICP

Applicant/Owner Name (please print)

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Lely Barefoot Beach PUD (PL20210002729)

PROJECT NARRATIVE AND DETAIL OF REQUEST

The PUD insubstantial change proposes to revise Ordinance 85-83, as amended, Section XII, Item 12.4, Maximum Building Height from two habitable floors to three habitable floors with no change to the existing built height of the existing clubhouse. We also propose to modify Section XII, Item 12.6 B., gulf front yards to reference that reductions are subject to approval of a CCSL Variance. An elevation of the existing structure is included in the submittal.

Due to recent changes to FEMA elevations, the club would like to convert currently unairconditioned space that is below the existing 2-story structure making the building a 3-structure. No actual height changes result from the renovation, which is why the reference to the number of stories is being removed and the as-built zoned and actual building heights are being inserted into the PUD.

Insubstantial Change Criteria LDC Subsection 10.02.13 E.1

E. *Changes and amendments.* There are three types of changes to a PUD Ordinance: Substantial, **Insubstantial**, and Minor Language changes to a previously approved PUD document shall require the same procedure as for amending the official zoning atlas, except for the removal of a commitment for payment towards **affordable housing** which is considered to be a minor change as described in Section 10.02.13 E.3.c.

1. *Substantial changes.* Any substantial change(s) to an approved PUD Ordinance shall require the review and recommendation of the Planning Commission and approval by the Board of County Commissioners as a PUD amendment prior to implementation. **Applicants** shall be required to submit and process a new application complete with pertinent supporting data, as set forth in sections 10.02.13 A and B. For the purpose of this section, a substantial change shall be deemed to exist where:

a. There is a proposed change in the boundary of the PUD; or

No

b. There is a proposed increase in the total number of **dwelling units** or intensity of land use or height of **buildings** within the **development**;

No. The building height reference to the number of stories is being replaced by the zoned and actual height of the existing building.

c. There is a proposed decrease in preservation, conservation, recreation or **open space** areas within the **development** not to exceed 5 percent of the total acreage previously designated as such, or 5 acres in area;

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

GradyMinor
Civil Engineers • Land Surveyors • Planners • Landscape Architects
Q. Grady Minor & Associates, P.A.
3800 Via Del Rey, Bonita Springs, FL 34134 • 239-947-1144 • engineering@gradyminor.com • www.gradyminor.com

No change in preserve, recreation or open space results from this amendment.

d. There is a proposed increase in the size of areas used for nonresidential uses, to include institutional, commercial and industrial land uses (excluding preservation, conservation or **open spaces**), or a proposed relocation of nonresidential land uses;

No increase in non-residential use or areas are proposed.

e. There is a substantial increase in the impacts of the **development** which may include, but are not limited to, increases in traffic generation; changes in traffic circulation; or impacts on other public facilities;

No additional traffic or public facility impacts will result from the proposed request.

f. The change will result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers;

No additional dwelling units or commercial uses are proposed; therefore, there are no additional traffic impacts.

g. The change will result in a requirement for increased stormwater retention, or will otherwise increase stormwater discharges;

Adequate area exists on-site for stormwater retention, and no change to the approved discharge rate is proposed. No additional stormwater retention areas will be required.

h. The change will bring about a relationship to an **abutting** land use that would be incompatible with an **adjacent** land use;

The change will not be incompatible. The actual building height will remain as the building exists today. Any modification seaward of the CCSL will require County Commissioner approval, consistent with the requirements outlined in Chapter 9 of the LDC.

i. Any modification to the PUD master plan or PUD document or amendment to a PUD ordinance which is inconsistent with the future land use element or other element of the growth management plan or which modification would increase the **density** or intensity of the permitted land uses;

The PUD and proposed minor changes are consistent with the Collier County Growth Management Plan.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

j. The proposed change is to a PUD district designated as a **development** of regional impact (DRI) and approved pursuant to F.S. § 380.06, where such change requires a determination and public hearing by Collier County pursuant to F.S. § 380.06(19). Any change that meets the criterion of F.S. § 380.06(19)(e)2, and any changes to a DRI/PUD master plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under this section 10.02.13 of this Code; or

The project is not a DRI therefore, this minor change from two habitable floors to three habitable floors with no increase in the actual building height does not constitute a substantial deviation.

k. Any modification in the PUD master plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under this section 10.02.13

The proposed changes meet the standards for an insubstantial modification and creates no external impacts.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

ORDINANCE 77 - 48

AN ORDINANCE AMENDING ORDINANCE 76-30 THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF THE COASTAL AREA PLANNING DISTRICT OF COLLIER COUNTY, FLORIDA, BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF THE PROPERTY DESCRIBED HEREIN FROM "A-ST" AGRICULTURE-SPECIAL TREATMENT, "RM-2ST" RESIDENTIAL MULTIPLE-SPECIAL TREATMENT, AND "RS-4GH" RESIDENTIAL SINGLE FAMILY WITH GROUP HOUSING TO A PLANNED UNIT DEVELOPMENT (PUD) AND PROVIDING AN EFFECTIVE DATE.

RECEIVED
'77 OCT 5 AM 10 30
WILLIAM J. PEAGAN
CLERK CIRCUIT COURT
COLLIER COUNTY, FLORIDA

WHEREAS, Lely Estates, Inc., a Corporation, petitioned the Board of County Commissioners of Collier County, Florida, to change the zoning classification of the real property hereinafter described;

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Collier County, Florida:

SECTION ONE:

The Zoning Classification of the herein described real property in Collier County, Florida, is changed from "A-ST" Agriculture-Special Treatment, "RM-2ST" Residential Multiple Special Treatment, and "RS-4GH" Residential Single Family with Group Housing to Planned Unit Development (PUD) and is subject to all conditions as hereinafter described, and the Official Zoning Atlas as described in Ordinance 76-30 is hereby amended accordingly:

FILED
Oct 3 | 55 PM '77
BRUCE A. SMATHERS
SECRETARY OF STATE

BOOK 007 PAGE 228

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

A PLANNED UNIT DEVELOPMENT

LELY BAREFOOT BEACH

LOCATED IN COLLIER COUNTY, FLORIDA

September 27, 1977

William R. Vines, A.I.P.
Urban Planning Consultant

BOOK 007 PAGE 229

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

TABLE OF CONTENTS

SECTION	TITLE	PAGE
A.	OWNER/APPLICANT	1
B.	LEGAL DESCRIPTION	1
C.	STATEMENT OF INTENT	2
D.	PROJECT PARTICIPANTS	3
E.	PROJECT PLAN: PLAN COMPONENTS	3
F.	DEVELOPMENT CRITERIA	4
	1. General	4
	2. The Plan	4
	3. Dwelling Unit Distribution; Maximum Project Density	4
	4. Beachfront Single Family Residential Homesites	5
	a. Uses Permitted	5
	b. Minimum Yards	5
	c. Minimum Floor Area of Principal Structures	5
	d. Maximum Building Height	5
	e. Minimum Offstreet Parking Required	6
	f. Structural Requirements for Residences	6
	g. Minimum Lot Size	6
	5. Homesites East of Main Access Road	6
	a. Uses Permitted	6
	b. Minimum Yards	7
	c. Minimum Floor Area of Principal Structures	7
	d. Maximum Building Height	7
	e. Minimum Offstreet Parking Required	7
	6. Minimum Road, Drive, and Habitable Floor Elevation	8
	7. Open Space Lands	8
	a. Mangrove Preserve Areas	8
	b. Community Recreation Center #1	8

BOOK 007 PAGE 230

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

CONTENTS - cont'd

		c. Community Recreation Area #2	10
		d. Common Lands Abutting the Man-Made Lake and the Inland Waters	10
		e. Beachfront Commons	11
	8.	The Pedestrian/Bicycle/Cart Path	12
	9.	Preservation of Existing Native Plant Materials; Landscape Plan; Landscape Irrigation and Maintenance Program	12
	10.	Roads and Drives	13
	11.	Street Lights	14
	12.	The Gatehouse Complex Site	14
	13.	The Utility Site	15
	14.	Waste Water Collection, Transport and Disposal	16
	15.	Solid Waste Disposal	16
	16.	Water Supply	16
	17.	Easements	17
	18.	Easements for Underground Utilities	17
	19.	Fire Protection	17
	20.	Storm Water Management	18
	21.	Signs and Offstreet Parking Area Landscaping	18
	22.	Model Homes, Sales Offices, Administrative Offices	19
	23.	Development Sequence and Schedule	19
G.		PUBLIC BEACH	21
H.		VARIATIONS BETWEEN THE LELY BAREFOOT BEACH DEVELOPMENT PLAN AND COUNTY SUBDIVISION REGULATIONS	21

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

A. OWNER/APPLICANT: The title holder of the Lely Barefoot Beach project lands, the project developer, and the applicant is Lely Estates, Inc., a Texas Corporation authorized to do business in Florida. The warranty deed to the property is filed in Collier County Official Record Book 583, pages 1912, 1913, and 1914.

B. LEGAL DESCRIPTION: The subject property abuts the Gulf of Mexico on the west and the inland tidal waters of the state on the east. It extends in a north/south direction for approximately two miles and lies very near the northern Collier County line. The precise legal description is as follows: All land lying in Section 5, Section 6, Section 7, and Section 8, Township 48 South, Range 25 East, Collier County, Florida, lying west of the agreed upon boundary line as described and recorded in OR Book 68, Pages 235 thru 250, inclusive, in the Public Records of Collier County, Florida, less and except the following described parcel: Begin at the northeast corner of Section 6, T48S, R25E, thence run west along the north line of said Section 6 a distance of 3,396.61 feet to a set GAC monument, thence continue to run west along said north line of Section 6 a distance of 80± feet, to the mean high water line of the Gulf of Mexico, thence run in a southeasterly direction along the mean high water line to the intersection of said mean high water line and a line bearing S 71° 38' 14" W from a point located S 18° 21' 46" E a distance of 704.53 feet from the above noted GAC monument, Thence run N 71° 38' 14" E a distance of 80± feet, to the above located point, thence continuing N 71° 38' 14" E a distance of 150.16 feet, thence N 19° 47' 42" W a distance of 41.01 feet, thence N 68° 45' 00" E a distance of 580.00 feet, thence S 67° 01' 27" E to a point 50 feet beyond

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

and seaward of the mean high water line of the small water body extending westerly from Little Hickory Bay, thence meandering northerly and easterly along a line 50 feet seaward of the mean high water line along lands abutting the south side of Bonita Beach Road (SR-865) to the east line of Section 6, T 48 S, R 25 E, thence north along the east line of said Section 6 to the point of beginning.

C. STATEMENT OF INTENT: The basic project objective is to create a low density, single family residential community in a setting where most of the existing natural vegetative and earth form features are preserved. Land elevations range from sea level to a maximum of about 9 ft. above sea level along the higher portions of the dune crest. A basic project objective is to maximize retained native vegetation and to minimize the extent of land fill or other earth form modification. The beach and bayfront single family homesites are to occur on the naturally higher lands within the tract. The project is to incorporate an extensive amount of open space, comprised of preserved natural mangrove forests, undisturbed beachfront lands, and modified lands which will function as community recreation areas. The project will be recorded and marketed under the condominium principle, which will provide the necessary legal vehicle for common property ownership and maintenance. The project shall be platted and developed in accordance with the County Subdivision Regulations. No modifications are planned to occur to the natural submerged lands or shorelines in the project area, with the exception of intermittent clusters of small boat docks which may be developed at a future date, subject to all applicable governmental regulations regarding boat docks. Several model dwellings, designed by the project architects, are to be constructed in the

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

first phase of project development. These model dwellings will illustrate the desired architectural character of the overall project. Recorded deed restrictions are to be established which will require that all plans for buildings within the project are to be reviewed and approved by the project sponsor or his designated representative(s) prior to issuance of a building permit. Through this device, the project sponsor intends to prohibit construction of dwellings or other buildings deemed to be in conflict with project architectural character objectives.

D. PROJECT PARTICIPANTS: C. W. Duvekot, Vice President, Lely Estates, Inc.; [redacted] Executive Project Director; William R. Vines, A.I.P., Project Land Planner; Stanley W. Hole, P.E., Project Engineer; Dr. Durbin C. Tabb, Project Environmental Consultant; Gamble, Gilroy, Martin and Winningham, Project Architects; Renfroe and Buckhannan, A.I.L.A., Project Landscape Architects; George Vega, Jr., Attorney.

E. PROJECT PLAN: PLAN COMPONENTS: The project land plan is illustrated graphically by Exhibit "A." Exhibit "A" is comprised of the following elements:

1.	Mangrove forest preserve (upland only)	51 acres
2.	Community recreation center sites & common recreational open space land	88 acres
3.	Man-made lake	6 acres
4.	Gatehouse facility & interim utility site	5 acres
5.	Homesites & access road right of way	135 acres
6.	Gross project area (upland and man-made lake)	285 acres

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

F. DEVELOPMENT CRITERIA:

1. GENERAL: The Barefoot Beach PUD document contains development specifications constituting County enforceable criteria which must be adherred to during and subsequent to the development of the Barefoot Beach project. Any violation of the PUD document, or of the final development plan, shall constitute a violation of the Collier County Zoning Ordinance and may be corrected as provided for said ordinance.

2. THE PLAN:

Exhibit "A" is the Master Plan for vehicular ways, building sites, recreational open spaces, preserved mangrove forests, and utilitarian areas which constitute the development project, and is hereby made a part of this ordinance.

3. DWELLING UNIT DISTRIBUTION; MAXIMUM PROJECT DENSITY:

Development Area	Maximum Dwelling Uni
Blocks A thru Z; AA thru AE	341
Blocks AF thru AH	148
Utilities site (after discontinuation of the interim sewer plant)	4
Resident employee dwellings (located in gatehouse complex, recreation center, and/or utilities site)	6
Gross project area	499

499 DU's divided by 285 acres = a maximum gross density of 1.75 DU's per

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

4. BEACHFRONT SINGLE FAMILY RESIDENTIAL HOMESITES (Blocks A thru Z; and AA thru AE):

a. USES PERMITTED: No building or structure or part thereof shall be erected, altered or used, or land uses, in whole or in part, for other than single family residences and accessory uses and structures customary in single family residential areas. Any two or more adjoining lots may be utilized as a single homesite.

b. MINIMUM YARDS:

1. Yards which abut an adjoining homesite: 7 1/2 feet.
2. Yards which abut common open space: None.
3. Yards which abut the main north/south access road: 25 feet, except for Block X, along which the minimum yard shall be 10 feet.
   NOTE: These minimum yards are also easements within which utilities, walkways, etc. may be installed.
4. Yards which abut an access drive right of way which extends westerly from the main north/south access road: 10 feet.
   NOTE: No structure may extend gulfward of the line approved by the Trustees of the Internal Improvement Fund as a variance to the State Coastal Setback Line, approved by the Florida Dept. of Natural Resources (Governor and State Cabinet) on 12/17/74.

c. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURES:
1 story - 1,200 sq.ft.; 2 story - 2,000 sq.ft.

d. MAXIMUM BUILDING HEIGHT: 2 stories above the minimum base flood elevation established by the U.S. Department of Housing & Urban Development, Federal Insurance Administration, or as may be adopted by the County.
NOTE: The first story of a residence is deemed to be the story

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

immediately above the officially established minimum habitable floor elevation. When the first habitable floor is raised a sufficient height above ground level to permit the underbuilding area to be used for automobile parking and other utilitarian purposes; that underbuilding area shall not be deemed to be a story.

e. MINIMUM OFFSTREET PARKING REQUIRED: Two automobile parking spaces per single family residence.

f. STRUCTURAL REQUIREMENTS FOR RESIDENCES: Special structural requirements designed to protect beachfront residences from storm tide and wave damage are incorporated in the State of Florida approved protective covenants for the Lely Barefoot Beach project as contained in Coastal Setback Line Variance #74-75V40. These construction standards shall be applicable to all residences developed in Blocks A thru Z and Blocks AA thru AE.

g. MINIMUM LOT SIZE: All lot sizes shall be as shown on the approved final plat, with the minimum lot size being approximately 2,623 sq.ft. and the maximum lot size being approximately 13,628 sq.ft.

5. HOMESITES EAST OF MAIN ACCESS ROAD (Blocks AF thru AH; utilities site after discontinuation of the interim sewer plant):

a. USES PERMITTED: No building or structure or part thereof shall be erected, altered or used, or land used, in whole or in part, for other than single family residences and accessory uses and structures customary in single family residential areas. Any two or more adjoining lots may be utilized as a single homesite. Private boat docks are

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

permitted accessory uses.

b. MINIMUM YARDS:

Waterfront yards: 25 feet.

Streetfront yards: 25 feet.

Yards which abut an adjoining lot: 10 feet.

Yards which abut a common open space tract: 10 feet.

c. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURES:

1 story - 1,500 sq.ft.; 2 story - 2,000 sq.ft.

d. MAXIMUM BUILDING HEIGHT:

2 stories above the minimum base flood elevation established by the U. S. Department of Housing & Urban Development, Federal Insurance Administration, or as may be adopted by the County.

NOTE: The first story of a residence is deemed to be the story immediately above the officially established minimum habitable floor elevation. When the first habitable floor is raised a sufficient height above ground level to permit the underbuilding area to be used for automobile parking and other utilitarian purposes, that underbuilding area shall not be deemed to be a story.

e. MINIMUM OFFSTREET PARKING REQUIRED:

Two automobile parking spaces per single family residence.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

6. MINIMUM ROAD, DRIVE, AND HABITABLE FLOOR ELEVATION: The minimum crown elevations for the main north/south access road is to be 6.5 ft. MSL; the residential access streets in the bayfront development area are to be a minimum of 6 ft. MSL; and the beachfront cluster access drives are to be a minimum of 5.5 ft. MSL. Unless higher elevation is required by governmental regulation, the minimum elevation of all residential habitable floors in the beachfront clusters shall be 14.5 ft. MSL, while minimum habitable floor elevation in the bayfront portion of the development shall be 10 ft. MSL. The minimum floor elevation objective is intended to provide protection to dwelling units from flooding by storm driven tide and waves. The desired floor height is to be achieved by structurally raising floors above natural ground elevations, rather than by filling the building sites to the necessary elevation. Thus, the amount of fill places on homesites at the time residences are constructed can be minimized, and the amount of land area within the project which is retained in its present natural elevation can be maximized.

7. OPEN SPACE LANDS: Open space lands are planned to occur in a variety of locations; are to serve a variety of purposes; and are to be owned in various means:

   a. MANGROVE PRESERVE AREAS: Areas identified on Exhibit "A" as "O" shall be preserved in their natural condition, in perpetuity.

   b. COMMUNITY RECREATION CENTER #1: The site designated on Exhibit "A" as Community Recreation Center #1 shall be developed

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

in accord with Exhibit "B," which is hereby made a part of this ordinance. The site and all structures, recreation facilities, and other improvements thereon shall be owned in common by all owners of residential homesites in Lely Barefoot Beach. Prior to issuance of building permits for development of the recreation center complex, the development plan shall be reviewed and approved by the Director of Community Development, who shall also ensure adequacy of offstreet parking spaces.

The development sponsor shall complete this recreation center development obligation prior to the issuance of the 100th residential building permit. In the event that the development sponsor has not completed development of the recreation center after issuance of 99 residential building permits, no further building permits shall be issued until recreation center development has either been completed, or sure acceptable to the County, in the amount of 110% of the estimated cost to complete development of the center, has been posted with the County to guarantee completion of the center.

No approval is given at this time for any boat ramps, boat docks, hoists, shoreline modifications, or any other water oriented facilities. All such matters shall be handled separately by all governmental agenc with jurisdiction over waterfront development, at some future date.

Any recreation center development other than that described on Exhibit "B" shall be the responsibility of the property owners' association which owns and has the beneficial use of the center.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

c. COMMUNITY RECREATION AREA #2: The site designated on Exhibit "A" as Community Recreation Area #2 is reserved for recreational useage, the specific nature of which has not yet been determined. No specific improvement commitments to Community Recreation Area #2 are made by the development sponsors. Prior to development of Community Recreation Area #2, the sponsor for that development will be identified and a detailed site plan will be prepared and submitted for approval by the Director.

d. THE MAN-MADE LAKE; COMMON LANDS ABUTTING THE MAN-MADE LAKE AND COMMON LANDS ABUTTING THE INLAND WATERS: The man-made lake and each lakefront and inland waterfront commons area shall be owned in common by the owners of abutting single family homesites. Uses and structures permitted on these commons areas are limited to outdoor recreation activities and facilities customary in residential areas which, by their nature, do not constitute a nuisance or obstruct or depreciate the value of the view of the commons area or water from abutting homesites. An access easement to each of the commons from the nearest street shall be provided for the exclusive purpose of permitting emergency and service vehicles to gain access to the commons area. Structures to be erected within the commons shall be located so as to pose the least view obstruction or privacy invasion to the residential sites adjoining the commons. No specific setback standards are set for structures to be located in the commons, but all structures proposed to be located in a commons shall be reviewed and approved by the Director, who shall consider the size and nature of the proposed structure, the use to which the structure will be put, and the impact which the structure will have on view from and

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

privacy of all adjoining residence sites.

e. BEACHFRONT COMMONS: Each beachfront commons area lying east of a line joining the western extremity of the most westerly located single family homesites shall be owned and used in common by owners of the abutting single family homesites. The linear strip of beachfront commons which lies west of a line joining the western extremities of the most westerly single family homesites shall be owned in common by all Lely Barefoot Beach single family homesite owners. Beachfront commons areas may be improved either by the developer or by the property owners who own the commons. Permitted improvements include landscaping, swimming pools, shaded sitting areas, picnic facilities, and the like. All structures lying seaward of the State Coastal Setback Line require issuance of a variance by the State Department of Natural Resources. Structures to be erected within the commons shall be located so as to pose the least possible view obstruction or privacy invasion to residential sites adjoining the commons. No specific setback standards are set for structures to be located in the commons, but all structures proposed to be located in a commons shall be reviewed and approved by the Director, who shall consider the size and nature of the proposed structure, the use to which the structure will be put, and its impact on view from and privacy of all adjoining residence sites.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

8. THE PEDESTRIAN/BICYCLE/CART PATH: A pedestrian/bicycle/cart path shall be developed along the westerly edge of the main north/south access road, at the same time the road is developed. The facility may be located in part within the north/south road right of way and in part within the 25 ft. easement which abuts the west side of the road right of way.

9. PRESERVATION OF EXISTING NATIVE PLANT MATERIALS; LANDSCAPE PLAN; LANDSCAPE IRRIGATION AND MAINTENANCE PROGRAM: A basic project objective is to retain the natural vegetational quality of this typical southwest Florida coastal area, both through careful preservation of existing vegetation and through relocation and/or importation of native plant materials. When construction sites contain cabbage palmetto, seagrape, or other native plant material which has a useful landscape purpose and the capability of being transplanted, such material shall be so transplanted to the project open spaces. No modification shall be made to natural vegetation or to the land surface gulfward of the westernmost residential homesites. When the bayfront homesites are developed, the existing shoreline and associated vegetation is to be retained in its existing state. No seawalls shall be constructed or other modification made to existing shorelines. Prior to the issuance of any site alteration permits, the development sponsor shall submit detailed plans, including all pertinent data, to the County's Urban Forester for review and approval. Selective clearing of trees and other native vegetation shall be exercised. Protected trees, native vegetation, and other desirable areas shall be clearly flagged or otherwise marked, and a protective fence of a type acceptable to the Urban Forester shall be erected along the limits of clearance lines or the limits of the protected areas. The fence shall not be removed until such time as all site work is completed.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

10. ROADS AND DRIVES: All project roads and drives, including the main north/south road, minor residential streets in the backbay portion of the plan, and the beachfront cluster access drives, are to be commonly owned and maintained by the property owners' association. The construction specifications of project roads and drives shall be as follows:

Main North/South Road: 26 ft. pavement width within a 60 ft. right of way, aligned as shown on the Master Plan.

Beachfront Cluster Access Drives: 18 ft. pavement width within a 50 ft. right of way, aligned as shown on the Master Plan.

Backbay Roads: 20 ft. pavement width within a 60 ft. right of way, aligned as shown on the Master Plan.

Improvements in Bonita Beach Road Right of Way: The developer shall provide a left turn storage lane at the project entry road, per DOT design requirements, as part of the initial project road improvements.

An extra travel lane shall be constructed by the developer at the entry gate, permitting security checks without blocking traffic flow.

If and when a traffic light at the entrance intersection is deemed warranted by DOT, the developer or his successor in title shall contribute his pro-rata share to the cost of the light.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Recorded Private Access Easement Extending from Bonita Beach Road Through Lely Barefoot Beach Lands: The recorded easement extending southerly from Bonita Beach Road through Lely Barefoot Beach lands shall be vacated prior to approval of construction plans or record plat for any Lely Barefoot Beach lots which are affected by said easement.

11. STREET LIGHTS: Street lights will be installed by the project sponsor in the locations indicated on Exhibit "A". The project developer or the project property owners' association reserves the right to install street lights at more frequent intervals. Street light fixtures shall be ornamental, low intensity, and free of glare which constitutes a nuisance to nearby homesites.

12. THE GATEHOUSE COMPLEX SITE: This site may be utilized for an entry gate facility wherein security against entry by unauthorized persons or vehicles will be provided. The gatehouse complex may contain dwelling units for resident employees of the project. Additionally, the gatehouse complex may incorporate administrative, maintenance, and utilitarian activities and storage facilities for the project as a whole. During the period when the project is being marketed, development administration and sales offices may be located in the gatehouse complex. Prior to construction of the gatehouse complex, final plans shall be approved by the Director of Community Development.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

13. THE UTILITY SITE: A temporary sewage disposal plant may be placed on the utility site indicated on the Master Plan. Project storage, utilitarian, and maintenance activities may also occur on this site. In the event that development of an on-site disposal facility is unnecessary, or at such time as an on-site disposal facility is to be terminated, the utility site may be utilized for up to four homesites as indicated, and/or may be utilized for project maintenance, storage, and other utilitarian uses. Utility site platting and issuance of utility construction permits shall be subject to all applicable local, state, and federal agency regulations and permitting procedures, including a review by the EAC prior to local approval.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

14. WASTE WATER COLLECTION, TREATMENT AND DISPOSAL: All project areas shall be served by a central waste water collection system, which system shall be approved by the County Water/Sewer District. Until such time as the site is served by the County Water/Sewer District, a temporary on-site system, of approved design and location, may be authorized to provide waste water treatment and disposal for the project.

15. SOLID WASTE DISPOSAL: Arrangements and agreements shall be made with an approved solid waste disposal service to provide for solid waste collection service to all areas of the project.

16. POTABLE WATER SUPPLY: A central water supply system shall be made available to all areas of the project, subject to the rules and regulations of the County Water/Sewer District. The water supply source for the project shall be the City of Naples system or other approved public water supply system, as approved by the County Water/Sewer District. A letter of supply authorization and commitment shall be obtained from the water supply agency prior to site development.

A letter shall also be obtained from the water supply agency committing delivery of water service prior to issuance of building permits for construction of dwelling units. Individual wells shall not be permitted for potable water supplies for residential areas. An on-site central water treatment facility, if permitted, shall be approved by the Board of County Commissioners. In the event that on-site central water treatment facilities are developed, they may

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

be located within the Community Recreation Area #2 site; in the upland area lying east of Lots 9 and 10, Block P; or within the entry gate complex site.

17. EASEMENTS: Easements to be recorded on the plat of Lely Barefoot Beach will permit installation of public utilities serving the Lely Barefoot Beach project where necessary, and will provide access to all parts of the project by service and emergency vehicles.

18. EASEMENTS FOR UNDERGROUND UTILITIES: Easements for underground utilities such as power, telephone, TV cable, waste water collection and transport, water distribution lines, and other similar utilities necessary for the service of the project shall be located as required and granted for those purposes. Clearing of the easements for installation of underground utilities shall be selective so as to protect the maximum number of trees and natural vegetation.

19. FIRE PROTECTION: The Lely Barefoot Beach project area lies partially with the Bonita Shores Fire Control District and partially within the North Naples Fire Control District. Fire hydrants will be installed as a part of project improvements in accord with the County's regulations, and all applicable fire control regulations will be adherred to.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

20. STORM WATER MANAGEMENT: There shall be no project storm water collection and distribution facility which connects directly with tide water. Any drainageway crossing the north/south access road shall discharge into upland mangrove, through which it shall sheet flow toward tide water. Surface runoff from roofs, driveways, and lawns in Block AF, and in the Community Recreation Center #1 complex, shall be directed into the man-made lake within Block AF. A sand berm shall be placed along the junction of the man-made lake and the preserved mangrove area which separates the lake from exterior tide water. Waters which pass from the man-made lake to the exterior tide waters will first filter through the sand berm and thence sheet flow through the preserved mangrove area. Runoff from roofs, drives, and lawns in Block AG shall be directed into the residential street which provides access to this block, and thence shall be spread so as to sheet flow through the preserved mangrove area which separates Block AG from tide water. Detailed plans and specifications for all water management features within the project shall be submitted to and approved by the County Water Management Board, as well as by any other governmental agency with jurisdiction, prior to final plan approval. When development of tidal waterfront homesites or recreation area occurs, no seawalls shall be constructed and no othe modification shall occur to the land at the water's edge or within 10 feet o the mean high tide line except for such boating related improvements as ma later be authorized by all governmental agencies with jurisdiction. No portion of the project area planned to drain to the lake shall be modified by an individual lot owner so as to drain directly to tide water.

21. SIGNS AND OFFSTREET PARKING AREA LANDSCAPING: The Collier Co regulations dealing with signs and offstreet parking area landscaping shall b applicable to the Lely Barefoot Beach project.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

22. MODEL HOMES, SALES OFFICES, ADMINISTRATIVE OFFICES: During the period when project marketing is taking place, model homes may be constructed and exhibited on any homesite. Sales and administrative office activities may occur within any model home. Sales and administrative offices may also be established in the gatehouse complex, in either of the recreation centers, or in the utility site. At such time as project marketing is complete, all model homes shall have been converted to permanent residences and all sales and administrative activities within model homes shall have been discontinued. Permanent project administrative offices may occur in the gatehouse complex, in either of the recreation center sites, or in the utility site.

23. DEVELOPMENT SEQUENCE AND SCHEDULE: The overall project has been divided into the following eight phases:

Phase 1. Blocks A thru J and the abutting section of the north/south access road; the utilities site; community recreation center #1; and the gatehouse complex.

Phase 2. Block AF.

Phase 3. Blocks K thru O and the abutting section of the north/south access road.

Phase 4. Blocks P thru R and the abutting section of the north/south access road.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Phase 5. Blocks S thru Block X, Lot 10, and the abutting section of the north/south access road.

Phase 6. Block X, Lot 11 thru Block Z, and the abutting section of the north/south access road.

Phase 7. Blocks AA thru AE and the abutting section of the north/south access road.

Phase 8. Blocks AG, AH, and redevelopment of the utility site.

The estimate of development schedule for the various phases is as follows, with all estimates being the elapsed time after the date of final plan approval

Phase	Land Improvements Begin	Land Improvements Completed
1	1st year	2nd year
2	2nd year	2nd year
3	2nd year	3rd year
4	3rd year	3rd year
5	3rd year	4th year
6	4th year	4th year
7	4th year	5th year
8	4th year	5th year

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

G. PUBLIC BEACH: Although not a part of this PUD project, the Lely Barefoot Beach project sponsor commits to dedicate a tract of beachfront land to Collier County for public beach recreation use, prior to final plat approval for development Phase 1. The tract which is to be dedicated is not included within the Lely Barefoot Beach rezone petition area, but lies adjacent and immediately north of it. The dimensions of the tract to be dedicated are 600 ft. of gulf frontage by 180 ft. in depth. The north Collier County line is the northerly boundary of the tract to be dedicated. In addition to the 600 ft. x 180 ft. recreational beach area, the project sponsor commits to simultaneously dedicate a tract of land sufficiently large to accommodate a minimum of 100 offstreet parking spaces to serve the public beach. At a time to be determined by the County, but prior to development of the beach and parking area, a beach and parking area development plan and arrangement whereby the County commits to necessary policing, cleanup, and related services for the public beach is to be prepared by County personnel and members of the Lely Barefoot Beach planning team. At such time as the County commits to development of the beach park, but not prior to sale of a minimum of 100 lots, the Lely Barefoot Beach development sponsor shall pave the 100 car parking lot which will serve the public beach. If public beach development plans include potable water and/or sanitary sewer facilities, the Lely Barefoot Beach development sponsor will make water and/or sewer service available to the public beach. Any subsequent modification of the public beach or beach offstreet parking plan shall be approved both by Collier County and by the Lely Barefoot Beach project sponsor. No development may occur on the public beach or in the public beach offstreet parking area except in accord with the approved development plan.

H. VARIATIONS BETWEEN THE LELY BAREFOOT BEACH DEVELOPMENT PLAN AND COUNTY SUBDIVISION REGULATIONS: The Lely Barefoot Beach PUD development plan includes both the Master Plan, a graphic illustration of the principal elements of the physical development plan, and the Planned Unit Development document, which contains definitive development standards. The

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

following variations from the County Subdivision Regulations are referenced to the appropriate Section of the Subdivision Regulations.

ARTICLE IX. Section 5 - Subparagraph (11) - Private Streets and Related Facilities:

The intent of the Lely Barefoot Beach developer is to develop a system of private streets owned and maintained by a property owners' association. Uncertainties regarding ownership and development objectives of lands to the south of Lely Barefoot Beach, and uncertainties with respect to whether and to what extent the north/south Lely Barefoot Beach access road will furnish access to lands to the south, may necessitate future determination that the principal north/south access road be public rather than private. Prior to Lely Barefoot Beach record plat approval, the County Commission shall review the ownership and access requirements of lands to the south of Lely Barefoot Beach, and make a determination of whether the main north/south access road may be private or must be platted as a public street. Regardless of whether public or private, minimum development standards for the north/south access road through Lely Barefoot Beach shall be as required by the Collier County Subdivision Regulations, as modified by the Lely Barefoot Beach PUD Master Plan and PUD document.

ARTICLE X. Section 16 - Sidewalks and Bicycle Paths:

A 5 ft. wide sidewalk/bicycle path shall be constructed along the west side of the principal north/south access road.

ARTICLE XI. Section 1 - Access:

Points of vehicular access to lots shall be located a minimum of 30 ft. from any intersecting street right of way lines.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Street intersection locations shall be as indicated on the Master Plat.

Section 16. A - Solid Waste Collection:
The developer shall not be responsible for garbage receptacles at individual residences.

Section 17. F - Street Right of Way Width:
Street right of way width shall be as indicated in the PUD document.

Section 17. H - Deadend Streets:
The short, private common drives which extend from the north/south access road toward the Gulf of Mexico shall be constructed within the rights of way indicated on the Master Plan. No circular turnaround at the westerly end of these drives shall be required.

Section 17. I - Curb Radii:
Edge-of-pavement radii at street intersections shall be a minimum of 30 ft.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION TWO:

This Ordinance shall become effective upon receipt of notice that it has been filed with the Secretary of State.

DATE: September 27, 1977

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: _____
THOMAS P. ARCHER, CHAIRMAN

ATTEST:
WILLIAM D. REAGAN, CLERK

_____

APPROVED AS TO FORM AND LEGALITY:

_____
DONALD A. PICKWORTH, COUNTY ATTORNEY

This ordinance filed with the Secretary of State's office the 3rd day of October, 1977 and acknowledgment of that filing received this 5th day of October, 1977.

_____
Virginia Magri
Deputy Clerk

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

EXHIBIT "A" - ORDINANCE 77-48

LELY BAREFOOT BEACH MASTER PLAN

(Exhibit in Document Files - Ordinance "Exhibits")

BOOK 007 PAGE 256

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

EXHIBIT "B" - ORDINANCE 77-48

BAREFOOT COMMUNITY RECREATION AREA NO. 1

(Exhibit in Document Files - Ordinance "Exhibits")

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

RECEIVED
'85 JUL 1 PM 2 47
WILLIAM J. DEAGAN
CLERK
COLLIER COUNTY, FLORIDA

ORDINANCE 85-21

AN ORDINANCE AMENDING ORDINANCE 82-2, THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA BY AMENDING THE ZONING ATLAS MAP NUMBER 48-25-3 BY CHANGING THE ZONING CLASSIFICATION OF THE HEREIN DESCRIBED REAL PROPERTY FROM "PUD" TO "PUD" PLANNED UNIT DEVELOPMENT FOR LELY BAREFOOT BEACH; AND PROVIDING AN EFFECTIVE DATE:

WHEREAS, William R. Vines, petitioned the Board of County Commissioners to change the Zoning Classification of the herein described real property;

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Collier County, Florida:

SECTION ONE:

The Zoning Classification of the herein described real property located in Sections 5, 6, 7, and 8, Township 48 South, Range 25 East, Collier County, Florida is changed from "PUD" to "PUD" Planned Unit Development in accordance with the PUD document attached hereto as Exhibit "A" which is incorporated herein and by reference made part hereof. The Official Zoning Atlas Map Number, Number 48-25-3, as described in Ordinance 82-2, is hereby amended accordingly.

FILED
JUN 24 4 30 PM '85
SECRETARY OF STATE

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION TWO:

This Ordinance shall become effective upon receipt of notice that is has been filed with the Secretary of State.

DATE:

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

ATTEST:
WILLIAM J. REAGAN, CLERK

BY: John A. Pistor
FREDERICK J. VOSS, CHAIRMAN

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

KENNETH B. CUYLER
ASSISTANT COUNTY ATTORNEY

This ordinance filed with the Secretary of State's Office the 21st day of June, 1985 and acknowledgement of that filing received this 1st day of July, 1985.
By Louise Chesonis
Deputy Clerk

PDA-85-1C Ordinance

STATE OF FLORIDA)
COUNTY OF COLLIER)

I, WILLIAM J. REAGAN, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true original of:

ORDINANCE NO. 85-21

which was adopted by the Board of County Commissioners during Regular Session on the 4th day of June, 1985.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 21st day of June, 1985.

WILLIAM J. REAGAN,
Clerk of Courts and Clerk
Ex-Officio to Board of
County Commissioners

BY: Maureen Kenyon
Maureen Kenyon
Deputy Clerk

BOOK 020 PAGE 128

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Revised: May 23, 1985

BAREFOOT BEACH

A

PLANNED UNIT DEVELOPMENT

BY

LELY ESTATES, INC.
5101 East Tamiami Trail
Naples, Florida 33962

This PUD amends PUD ordinance 77-48

PREPARED BY

VINES & ASSOCIATES, INC.
715 Tenth Street South
Naples, Florida 33940

MARCH 1985

DATE ISSUED March 23, 1985
DATE APPROVED BY CAPC May 2, 1985
DATE APPROVED BY BCC June 4, 1985
ORDINANCE NUMBER 85-21

BOOK C20 PAGE 129

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

INDEX

SECTION I	PROPERTY OWNERSHIP & DESCRIPTION	1 thru 2
SECTION II	PROJECT DEVELOPMENT	3 thru 6
SECTION III	PLATTED LELY BAREFOOT BEACH UNIT #1 BLOCKS A through K LOW DENSITY SINGLE FAMILY RESIDENTIAL	7 thru 10
SECTION IV	LELY BAREFOOT BEACH UNIT #1 TRACT A GATEHOUSE COMPLEX SITE	11 thru 12
SECTION V	PLATTED LELY BAREFOOT BEACH UNIT #1 TRACT B COMMUNITY RECREATION CENTER #1 SITE	13 thru 15
SECTION VI	PLATTED LELY BAREFOOT BEACH UNIT #1 TRACT C LANDSCAPED ENTRANCE DRIVE STRIP	16
SECTION VII	PLATTED LELY BAREFOOT BEACH UNIT #1 BEACH GARDENS A through K	17 thru 18
SECTION VIII	PLATTED LELY BAREFOOT BEACH UNIT # 1 TRACT BF BEACHFRONT COMMON OPEN SPACE	19
SECTION IX	TRACT D, LOW DENSITY SINGLE FAMILY RESIDENTIAL DEVELOPMENT	20 thru 22
SECTION X	TRACTS E, F, G, H, and I LOW TO MID-RISE SINGLE OR MULTI-FAMILY RESIDENTIAL DEVELOPMENT	23 thru 28
SECTION XI	TRACT J: UTILITY SITE	29
SECTION XII	TRACTS K & L: COMMUNITY RECREATION AREAS	30 thru 31
SECTION XIII	TRACTS M, N, & O: MANGROVE PRESERVES	32
SECTION XIV	EXCEPTIONS TO COUNTY SUBDIVISION REGULATIONS	33 thru 34
SECTION XV	UTILITIES CONDITIONS	35 thru 40
SECTION XVI	PROJECT IMPROVEMENTS	41 thru 44
SECTION XVII	ENVIRONMENTAL ADVISORY COUNCIL STIPULATIONS	45 thru 46
SECTION XVIII	PROTECTIVE COVENANTS	47 thru 58

BOOK 020 PAGE 130

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION I

PROPERTY OWNERSHIP AND DESCRIPTION

1.1. PURPOSE:

The purpose of this Section is to set forth the location and ownership of the property, and to describe the existing conditions of the property to be developed under the project name: BAREFOOT BEACH.

1.2. LEGAL DESCRIPTION:

See attached.

1.3. ZONING HISTORY AND PROPERTY OWNERSHIP:

All of the subject property was zoned PUD on 9-27-77 by Ordinance 77-48. Lely Barefoot Beach Subdivision Unit #1, a part of the area zoned PUD by Ordinance 77-48, was filed on 8-7-78. A portion of the homesites within Lely Barefoot Beach Unit #1 have been sold and private residences constructed thereon. Development standards set forth in this PUD document which govern the homesites in Lely Barefoot Beach Unit #1 are unchanged from the development standards previously approved as a part of PUD document 77-48. All of the property within this application other than previously sold lots in Lely Barefoot Beach Unit #1 is owned by Lely Estates, Inc., the PUD applicant. This PUD regulatory document and Exhibit "A", the PUD Master Plan, amends the PUD regulatory document and Master Plan adopted by PUD Ordinance 77-48 .

1.4. GENERAL DESCRIPTION OF PROJECT AREA:

The project site occurs in the northernmost two miles of gulf beachfront land in Collier County. It is accessible from the north via Bonita Beach

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Road. It is bounded on the north by the Collier/Lee County line, the west by the Gulf of Mexico, the south by the south line of Section 8, Township 48 S, Range 25 E, and the east by Little Hickory Bay and the waterway which extends southerly from Little Hickory Bay to Wiggins Pass. Gulf front lands between the Barefoot Beach property and Wiggins Pass to the south are owned by the State of Florida. The property lies within Area "A" of the Collier County Water-Sewer District and within Collier County Water Management District #7.

1.5. PHYSICAL DESCRIPTION:

The project fronts on the Gulf of Mexico. The physical characteristics include gulf fronting sand beach; low dunes and developable uplands behind the beach; and mangrove wetlands and tidewaters east of the developable uplands. The developable area is delimited on the west by Coastal Construction Control regulations and on the east by wetlands protection regulations.

Elevations within the project area range from sea level to 9.5 feet above sea level. The highest elevation is the crest of a coastal dune which lies landward of the sand beach. Natural land slopes and natural drainage is both gulfward and bayward from the crest of the dune.

Soil types in the project area are mangrove swamp and coastal beach. The coastal beach soils, where developmental activities have occurred and are planned, are composed of sand and shell and are highly permeable. Water management plans for the project rely primarily on shallow catchment areas and ground infiltration.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION II

PROJECT DEVELOPMENT

2.1. PURPOSE

The purpose of this Section is to describe the development plan; the land uses within the plan; and to set forth maximum density and development criteria.

2.2. GENERAL

A. Development of the Barefoot Beach PUD shall occur in accord with the contents of this PUD document and applicable sections of the Collier County Zoning Ordinance.

B. Unless otherwise noted, the definitions of all terms used in this document shall be the same as definitions set forth in the Collier County Zoning Ordinance.

C. No physical change and no regulatory change is planned for the single family homesites within platted Lely Barefoot Beach Unit #1, nor to the mangrove preserve areas committed by the original PUD to be preserved in their natural condition, in perpetuity. Uses permitted, development standards, and related regulations applicable to Lely Barefoot Beach Unit #1 single family homesites and to the three mangrove preserve areas are unchanged from the originally approved Master Plan and PUD document.

2.3. PROJECT PLAN AND LAND USE TRACTS

A. The project plan, including street locations, tract boundaries, land use and number of dwelling units permitted in the various tracts

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

are graphically illustrated by Exhibit "A", the Barefoot Beach PUD Master Plan.

1.	Platted Lely Barefoot Beach Unit #1, Blocks A through K: Low density single family residential	42.50	acres
2.	Platted Lely Barefoot Beach Unit #1, Tract A: Gatehouse complex site	.91	acres
3.	Platted Lely Barefoot Beach Unit #1, Tract B; Community Recreation Center #1 site	3.31	acres
4.	Platted Lely Barefoot Beach Unit #1, Tract C: Landscaped entrance drive strip	1.36	acres
5.	Platted Lely Barefoot Beach Unit #1, Road right of way	5.37	acres
6.	Road right of way south of Platted Lely Barefoot Beach Unit #1	10.63	acres
7.	Tract D: Low density single family residential	2.53	acres
8.	Tract E: Single or Multi-family residential	10.44	acres
9.	Tract F: Single or Multi-family residential	29.00	acres
10.	Tract G: Single or Multi-family residential	14.85	acres
11.	Tract H: Single or Multi-family residential	66.06	acres
12.	Tract I: Single or Multi-family residential	11.97	acres
13.	Tract J: Utilitarian site	2.25	acres
14.	Tract K: Community recreation site	2.78	acres
15.	Tract L: Community recreation site	22.86	acres
16.	Tract M: Mangrove preserve	64.21	acres
17.	Tract N: Mangrove preserve	23.47	acres
18.	Tract O: Mangrove preserve	19.04	acres
	Open Water area	128.11	acres
	Gross project area	461.65	acres

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

B. The meandering north/south project access road shown on the master plan is constructed as Lely Beach Blvd. from its intersection with Bonita Beach Road to the south line of the plat of Lely Barefoot Beach Unit #1. The road alignment from the south line of the plat of Lely Barefoot Beach Unit #1 to the south line of the project has been approved by local, state, and federal agencies, and is partially constructed.

C. In addition to platted Lely Barefoot Beach Unit #1 and Tracts D through O which are shown on Exhibit "A", easements (utility, private, semi-public, etc.) have been or will be established within or along the various tracts as may be necessary or deemed desirable to serve the project.

2.4. MAXIMUM PROJECT DENSITY

No more than a maximum of 690 residential dwelling units, single and multi-family, shall be constructed in the total project area. The gross project area is 461.65 acres, of which 128.11 acres is open water and 333.54 acres is upland and mangrove vegetated wetland. 690 units divided by 333.54 acres results in a gross project density of 2.07 dwelling units per acre.

2.5. PROJECT PLAN APPROVAL REQUIREMENTS

Exhibit "A" constitutes both the PUD Master Plan of development and the Barefoot Beach Subdivision Master Plan. Prior to development of Tracts D through O which are shown on the Master Plan, detailed site development plans shall be submitted to and approved by the appropriate Collier County government agencies, which shall insure that the detailed

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

site development plans conform to the Master Plan; the terms of this PUD document; and the site development plan approval process which is set forth in the Zoning Ordinance at the time approval is sought.

Prior to the recording of additional subdivision plats within the Barefoot Beach project, final plans for the required subdivision improvements shall receive the approval of all appropriate Collier County governmental agencies to insure compliance with the approved PUD Master Plan, the County Subdivision Regulations, and the platting laws of the State of Florida.

The PUD Master Plan indicates that the meandering north/south access road extends from Bonita Beach Road to the south boundary of the project. Vehicular access to the state owned lands south of the Barefoot Beach project is to occur via this north/south access road. No modification may be made to this road as planned which would interfere with access to the state owned land to the south.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION III

PLATTED LELY BAREFOOT BEACH UNIT # 1
BLOCKS A through K
LOW DENSITY SINGLE FAMILY RESIDENTIAL

3.1. PURPOSE

The purpose of this Section is to set forth development regulations applicable to Platted Lely Barefoot Beach Unit # 1, Blocks A through K.

3.2. MAXIMUM DWELLING UNITS

A maximum of 91 single family homesites may be constructed within platted Lely Barefoot Beach Unit #1, Blocks A through K.

3.3. USES PERMITTED

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

A. Principal Uses:
Single Family Residences: Individual homesites may consist of single platted lots, multiple lots and/or fractions of adjoining lots.

B. Accessory Uses:

(1) Customary accessory uses and structures, including private garages.

(2) Signs as permitted in Section 8.31 of Ordinance 82-2.

BOOK 020 PAGE 137

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

(3) Model homes shall be permitted in conjunction with development and sale of the project. Such model homes shall be converted to private residences within two years of construction completion, unless otherwise specifically approved by the county.

3.4. REGULATION

3.4.1. GENERAL: All yards, setbacks, etc. shall be in relation to homesite boundaries, whether such homesites consist of a single platted lot, adjoining lots, and/or fractions of adjoining lots.

3.4.2. MINIMUM HOMESITE AREA: When a single platted lot is utilized as a homesite, the minimum lot area shall be the area of that lot, as platted. When a homesite is comprised of multiple lots and/or fractions of adjoining lots, the minimum homesite area shall equal or exceed the area of the largest platted lot which comprises a portion of the homesite.

3.4.3. MINIMUM LOT WIDTH: When a homesite is comprised of a single platted lot, the minimum lot width shall be as shown on the plat. When a homesite is comprised of adjoining lots and/or fractions of adjoining lots, the minimum lot width shall equal or exceed the width of the largest platted lot which is a portion of the homesite.

3.4.4. MINIMUM YARDS:

A. Yards which abut Lely Beach Boulevard: 25 feet. Required yards abutting Lely Beach Boulevard are also easements within which utilities, walkways, etc. may be installed.

B. Yards which abut an access drive right of way which extends westerly from Lely Beach Boulevard: 10 feet.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

C. Yards which abut an adjoining homesite: 7½ feet

D. Yards which abut a Beach Garden: none

E. Gulf front yards: No structure may extend gulfward of the line approved by the Trustees of the Internal Improvement Fund as a variance to the State Coastal Setback Line, approved by the Florida Department of Natural Resources (Governor and State Cabinet) on 12-17-74.

3.4.5. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURES :

A. One story- 1,200 square feet of living area exclusive of garages or unenclosed patios, decks or porches.

B. Two story- 2,000 square feet of living area exclusive of garages or unenclosed patios, decks or porches.

3.4.6. OFFSTREET PARKING REQUIREMENTS:

Two parking spaces per single family residence.

3.4.7. MAXIMUM HEIGHT:

Two stories above the minimum base flood elevation required by the floor elevation ordinance. When the first habitable floor is raised a sufficient height above ground level to permit the underbuilding area to be used for automobile parking and other utilitarian purposes, that underbuilding area shall not be deemed to be a story.

3.4.8. STRUCTURAL REQUIREMENTS FOR RESIDENCES:

Special structural requirements designed to protect beachfront

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residences from storm tide and wave damage are incorporated in the State of Florida approved protective covenants for the Lely Barefoot Beach project as contained in Coastal Setback Line Variance #74-75-V 40. These construction standards shall be applicable to all residences developed in Block A through K of Platted Lely Barefoot Beach Unit #1.

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SECTION IV

PLATTED LELY BAREFOOT BEACH UNIT #1

TRACT A: GATEHOUSE COMPLEX SITE

4.1. PURPOSE

The purpose of this Section is to establish development regulations for platted Lely Barefoot Beach Unit #1, Tract A.

4.2. USES PERMITTED

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

A. Principal Uses:

An entry gate facility wherein security against road entry by unauthorized persons or vehicles will be provided. Public access through or around the entry gate, along the principal access road, and to publicly owned and operated facilities shall be permitted as directed by the public agencies which operate the public facilities. The gatehouse facility may contain dwelling units for resident employees of the project, which employee dwelling units shall be included in the maximum 690 dwelling units permitted within the total project. Additionally, the gatehouse complex may incorporate administrative, maintenance, and utilitarian activities and storage facilities for the Barefoot Beach project as a whole. During the period when the project is being marketed, development administration and sales offices may be located in the gatehouse complex. Prior to construction of the gatehouse complex or subsequent modifications thereto, final plans shall be approved by the Community Development Administrator.

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B. Accessory Uses:

(1) Customary uses and structures.
(2) Signs as permitted by Section 8.31 of Ordinance 82-2.

4.3. MINIMUM SETBACKS

A. Lely Beach Boulevard: none. Portions of the security gatehouse facility may extend into and over Lely Beach Boulevard right of way.

B. Anguilla Lane: 25 feet.

C. North property line: 25 feet.

4.4. OFFSTREET PARKING

Six spaces, plus two spaces for each employee dwelling unit.

4.5. MAXIMUM HEIGHT

Two stories above the minimum base flood elevation required by the Flood Elevation Ordinance.

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SECTION V

PLATTED LELY BAREFOOT BEACH UNIT #1, TRACT B:

COMMUNITY RECREATION CENTER #1 SITE

5.1. PURPOSE

The purpose of this Section is to establish developmental regulations for Platted Lely Barefoot Beach Unit #1, Tract B: Community Recreation Center #1 Site.

5.2. USES PERMITTED

No building or structure, or part thereof, shall be erected, altered, or uses, or land used, in whole or part, for other than the following:

A. Principal Uses:

Recreation structures and facilities, including boat docks and related facilities which extend into the waters which adjoin Tract B.

B. Accessory Uses:

(1) Customary uses and structures.

(2) Signs as permitted in Section 8.31 of Ordinance 82-2.

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5.3. MINIMUM SETBACKS

A. Lely Beach Boulevard: 50 feet

B. Waterfront yard: none

C. East and south property line: 25 feet

5.4. OFFSTREET PARKING REQUIREMENTS

As required by Collier County Zoning Regulations in effect at the time that permits are sought.

5.5. MAXIMUM HEIGHT

Two stories above the minimum base flood elevation required by the Flood Elevation Ordinance.

5.6. DEVELOPER REQUIRED IMPROVEMENTS WITHIN TRACT "B"

The developer shall make improvements to Tract "B": Community Recreation Center #1 site, in accord with Exhibit "B", which is hereby made a part of this PUD document. Community Recreation Center #1 site and all structures, recreation facilities, and other improvements thereon shall be owned in common by all owners of residential homesites in Lely Barefoot Beach. Prior to issuance of building permits for development of the recreation center complex, the development plan shall be reviewed and approved by the Community Development Administrator, who shall also ensure adequacy of offstreet parking spaces. The Barefoot Beach development sponsor shall complete all improvements indicated by Exhibit "B" prior to issuance of the 50th residential building permit. In the event that the development sponsor has not completed development of the improvements indicated on Exhibit "B" after issuance of 49 residential building permits, no further

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building permits shall be issued until the Exhibit "B" improvements have either been completed, or surety acceptable to the county in the amount of 110% of the cost to complete the Exhibit "B" improvements has been posted with the county to guarantee completion.

No approval is given at this time for any boat ramps, boat docks, hoists, shoreline modifications, or any other water oriented facilities. All such matters shall be handled separately by all governmental agencies with jurisdiction over waterfront development, at some future date.

Any recreation center development other than that described on Exhibit "B" shall be the responsibility of the property owners' association which owns and has the beneficial use of the center.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION VI

PLATTED LELY BAREFOOT BEACH UNIT # 1,

TRACT C: LANDSCAPED ENTRANCE DRIVE STRIP

6.1. PURPOSE

The purpose of this Section is to establish development regulations for Platted Lely Barefoot Beach Unit #1, Tract C: Landscaped Entrance Drive Strip.

6.2. USES PERMITTED

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

A. Principal Uses:

(1) Ornamental project entry features;

(2) portions of, or facilities related to the gatehouse complex;

(3) docks, which may extend from Tract C into the adjoining waters, subject to the availability of dock construction permits.

B. Accessory Uses:

(1) Customary uses and structures.

(2) Signs as permitted in Section 8.31 of Ordinance 82-2.

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SECTION VII

PLATTED LELY BAREFOOT BEACH UNIT # 1

BEACH GARDENS A through K

7.1. PURPOSE

The purpose of this Section is to establish development regulations for Platted Lely Barefoot Beach Unit #1, Beach Gardens A through K.

7.2. USES PERMITTED

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

A. Principal Uses:

Each beach garden area shall be owned and used in common by owners of the abutting single family homesites. Permitted improvements include landscaping, swimming pools, shaded sitting areas, picnic facilities and the like. All structures lying seaward of the State Coastal Control Line require issuance of a variance by the State Department of Natural Resources.

7.3. MINIMUM SETBACKS

No specific setback standards are set for the structures and facilities which are ancillary to permitted recreational and ornamental useage of the beachfront commons sites, but all structures to be erected within the beachfront commons shall be located so as to pose the least possible view obstruction or privacy invasion to residential sites adjoining the

BOOK 020 PAGE 147

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

commons. Prior to improvement of a beachfront commons, the improvement plans including topographic modifications, structural facilities location, landscaping, etc. shall be approved by the Community Development Administrator who shall insure that the plans comply with the terms of the PUD ordinance and applicable other governmental regulations.

BOOK 020 PAGE 148

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION VIII

PLATTED LELY BAREFOOT BEACH TRACT BF:

BEACHFRONT COMMON OPEN SPACE

8.1. PURPOSE

The purpose of this Section is to establish development regulations for Platted Lely Barefoot Beach Unit #1, Tract BF.

8.2. USES PERMITTED

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

A. Principal Uses:

No structures are permitted. This beachfront strip of land shall be devoted to customary beachfront recreational useage.

BOOK 020 PAGE 149

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION IX

TRACT D: LOW DENSITY SINGLE FAMILY RESIDENTIAL DEVELOPMENT

9.1. PURPOSE

The purpose of this Section is to establish development regulations for the area indicated on Exhibit "A" as Tract D: Low Density Single Family Residential.

9.2. MAXIMUM DWELLING UNITS

A maximum of four single family dwelling units may be constructed in this tract.

9.3. USES PERMITTED

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

A. Principal Uses:

Single family residences.

B. Accessory Uses:

(1) Customary accessory uses and structures including private garages.

(2) Signs as permitted in Section 8.31 of Ordinance 82-2.

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(3) Model homes shall be permitted in conjunction with development and sale of the project. Model homes shall be converted to private residences within two years of construction completion, unless otherwise specifically approved by the county.

9.4. REGULATIONS

9.4.1. GENERAL: All yards, setbacks, etc. shall be in relation to homesite boundaries.

9.4.2. MINIMUM LOT AREA: 6,000 square feet

9.4.3. MINIMUM LOT WIDTH: 60 feet

9.4.4. MINIMUM YARDS:

A. Yards which abut Lely Beach Boulevard: 25 feet, which minimum yard is also an easement in which utilities, walkways, etc. may be installed.

B. Yards which abut an access drive right of way which extends westerly from Lely Beach Boulevard: 10 feet.

C. Yards which abut an adjoining homesite: 7½ feet

D. Yards which abut beachfront common open spaces: none.

E. Gulf front yards: no structure may extend gulfward of the line approved by the Trustees of the Internal Improvement Fund as a variance to the State Coastal Setback Line, approved by the Florida Department of Natural Resources (Governor and State Cabinet) on 12-17-74.

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9.4.5. MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURES

A. One story- 1,200 square feet of living area, exclusive of garages or unenclosed patios, decks or porches.

B. Two story- 2,000 square feet of living area exclusive of garages or unenclosed patios, decks or porches.

9.4.6. OFFSTREET PARKING REQUIREMENTS

Two parking spaces per single family residence.

9.4.7. MAXIMUM HEIGHT

Two stories above the minimum base flood elevation required by the flood elevation ordinance. When the first habitable floor is raised a sufficient height above ground level to permit the underbuilding area to be used for automobile parking and other utilitarian purposes, that underbuilding area shall not be deemed to be a story.

9.4.8. STRUCTURAL REQUIREMENTS FOR RESIDENCES

Special structural requirements designed to protect beachfront residences from storm tide and wave damage are incorporated in the State of Florida approved protective covenants for the Lely Barefoot Beach project as contained in Coastal Setback Line Variance #74-75-V 40. These construction standards shall be applicable to all residences developed in Tract D.

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SECTION X

TRACTS E, F, G, H, and I

SINGLE OR MULTI-FAMILY RESIDENTIAL DEVELOPMENT

10.1. PURPOSE

The purpose of this Section is to establish development regulations for the areas designated on Exhibit "A" as Tracts E, F, G, H, and I: Low to Mid-rise Single or Multiple Family Residential.

10.2. SITE PLAN APPROVAL REQUIREMENTS

A. In the event an entire tract is to be developed as a unified project, a detailed and dimensioned site plan indicating building types and location, number of dwelling units, roadways, drives and parking areas, recreation facilities, and other accessory uses and structures shall be prepared and submitted for approval by the appropriate Collier County agencies, prior to the issuance of building permits. The site plan approval process shall be that which is set forth in the Zoning Ordinance at the time site plan approval is sought.

B. In the event that a tract is to be developed in fractional parts, each parcel developer shall submit a detailed and dimensioned site plan to appropriate Collier County agencies, indicating building types and location, number of dwelling units, roadways, drives and parking areas, recreation facilities, and other accessory uses and structures. Prior to approving the development plan for the parcel, the county shall insure that the plan complies with the Barefoot Beach PUD Master Plan and regulations, and applicable other county ordinances. The site plan approval process shall be that which is set forth in the Zoning Ordinance at the time site plan approval is sought.

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10.3. USES PERMITTED

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

A. Principal Uses:

(1) Detached single family residences.

(2) Attached single family residences such as villas, zero lotline homes, cluster homes, townhouses, etc.

(3) Two family residences

(4) Multiple family residences

(5) Common recreational areas

B. Accessory Uses:

(1) Customary uses and structures.

(2) Signs as permitted in Section 8.31 of Ordinance 82-2.

(3) Model dwelling units shall be permitted in conjunction with the promotion of the project. Such model dwelling units shall be converted to privately owned dwelling units at the end of a two year period unless otherwise specifically approved by the county.

(4) Docks, either individual or common.

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10.4. MAXIMUM PERMITTED DWELLING UNITS

Tract E:	80 units
Tract F:	308 units
Tract G:	100 units
Trach H:	77 units
Tract I:	30 units

The maximum number of dwelling units permitted on individual tracts E, F, G, H, and I may be increased or decreased by 10%, provided that the gross project dwelling unit maximum of 690 dwelling units is not exceeded.

10.5. REGULATIONS

10.5.1. GENERAL: All yards, setbacks, etc. shall be in relation to the individual tract or parcel boundaries.

10.5.2. MINIMUM LOT AREA:

6,000 square feet for detached single family dwellings.
4,000 square feet per dwelling unit for two family structures.
3,000 square feet per dwelling unit for three or more dwelling unit structures.

10.5.3. MINIMUM LOT WIDTH:

60 feet for single family dwellings;
100 feet for two or more family dwellings;

10.5.4. MINIMUM YARDS:

A. Yards which abut Lely Beach Boulevard: 25 feet. Required

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yards abutting Lely Beach Boulevard are also easements within which utilities, walkways, etc. may be installed.

B. Yards which abut a public or private street right of way other than Lely Beach Boulevard: 10 feet or 1/2 the building height, whichever is greater.

C. Yards which abut an adjoining homesite: 7½ feet or 1/2 the building height, whichever is greater.

D. Yards between adjoining buildings on the same site: 15 feet or 1/2 the sum of the building heights, whichever is greater, except that in the case of clustered development wherein the site plan has been approved by the appropriate Collier County agency, separation between buildings may be less.

E. Yards which abut beachfront common open space: none.

F. Gulf front yards: no structure may extend gulfward of the line approved by the Trustees of the Internal Improvement Fund as a variance to the State Coastal Setback Line, approved by the Florida Department of Natural Resources (Governor and State Cabinet) on 12-17-74.

G. Waterfront yards other than gulf front: 30 feet or 1/2 the building height, whichever is greater.

H. Rear yards other than waterfront: 25 feet or 1/2 the building height, whichever is greater.

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10.5.5. MINIMUM DWELLING UNIT FLOOR AREA:

Each residential unit shall have a minimum floor area of 1,200 square feet.

10.5.6. MAXIMUM BUILDING HEIGHT:

A. Tract E, G, and H: four habitable floors, with the option of having one floor of parking and associated non-habitable utilitarian space beneath the first habitable floor.

B. Tract F: six habitable floors, with the option of having one floor of parking and associated non-habitable utilitarian space beneath the first habitable floor.

C. Tract I: two habitable floors, with the option of having one floor of parking and associated non-habitable utilitarian space beneath the first habitable floor.

10.5.7. OFFSTREET PARKING REQUIREMENTS:

As required by Collier County regulations in affect at the time permits are sought.

10.5.8. STRUCTURAL REQUIREMENTS FOR BEACH FRONT BUILDINGS:

Special structural requirements designed to protect beachfront buildings from storm tide or wave damage are incorporated in the State of Florida approved protective covenants for the Lely Barefoot Beach project as contained in Coastal Setback Line Variance #74-75-V 40. These construction standards shall be applicable to all buildings developed in Tracts E, F, and G.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

10.5.9. MAXIMUM BUILDING COVERAGE IN TRACTS E, F, & G :

The ground coverage by permitted residential structures in Tracts E, F, & G shall not exceed the maximum residential structure ground coverage in the same beachfront development strip which was permitted under the PUD document which this PUD modifies. That previously permitted maximum ground coverage by residential buildings was 519,455 square feet.

10.5.10. BEACHFRONT CORRIDORS WITHIN WHICH DWELLING UNIT CONSTRUCTION IS PROHIBITED:

Upon joint determination by the County Engineering Department and the Barefoot Beach project engineer of the beachfront locations which are most susceptible to erosion, pass breakthrough, or other storm damage, dwelling unit construction shall be prohibited at those points. The dwelling unit construction prohibition areas shall be limited to two 150 foot wide corridors, extending from the Gulf of Mexico to the north/south access road right-of-way. Offstreet parking, tennis courts, and small scale recreation facilities may be placed in the corridors which are prohibited from dwelling unit construction.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION XI

TRACT J: UTILITY SITE

11.1. PURPOSE

The purpose of this Section is to establish development regulations for the area designated on Exhibit "A" as Tract J: Utility Site.

11.2. USES PERMITTED

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

A. Principal Uses:

(1) Utilitarian facilities such as grounds maintenance equipment storage; utility pumping stations; water storage tank; vehicular parking; or similar project serving facilities. Prior to utilization of Tract J, the plan for its utilization shall be submitted to and approved by the appropriate Collier County agencies, which shall insure that the planned uses are appropriate on the site; that the location of the planned improvements is appropriate; and that if the facilities to be installed warrant screening, the necessary fencing and/or landscaping is installed.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION XII

TRACTS K & L: COMMUNITY RECREATION AREAS

12.1. PURPOSE

The purpose of this Section is to establish development regulations for the area designated on Exhibit "A" as Tracts K & L: Community Recreation Areas.

12.2. USES PERMITTED

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

A. Principal Uses:

Community recreation useage, including buildings which will accommodate community social and recreational activities; outdoor recreation facilities; parking and utilitarian facilities customarily associated with community recreation areas. Prior to development of recreation areas K and/or L, development plans shall be submitted to and approved by the appropriate Collier County agencies, which shall insure that the proposed uses and their physical arrangement is appropriate, and that applicable County regulations are complied with. The site plan approval process shall be that which is set forth in the Zoning Ordinance at the time site plan approval is sought.

12.3. MAXIMUM BUILDING HEIGHT

Two habitable floors.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

12.4. MINIMUM YARDS

A. Yards which abut Lely Beach Boulevard: 25 feet, which minimum yard is also an easement in which utilities, walkways, etc. may be installed.

B. Gulf front yards: no structure may extend gulfward of the line approved by the Trustees of the Internal Improvement Fund as a variance to the State Coastal Setback Line, approved by the Florida Department of Natural Resources (Governor and State Cabinet) on 12-17-74.

12.5. OFFSTREET PARKING REQUIREMENTS

As required by the Collier County Zoning Ordinance at the time permits are applied for.

12.6. POLLING PLACES TO BE PROVIDED

Upon request by the Collier County Supervisor of Elections, community recreation facilities shall be made available as polling places.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION XIII

TRACTS M, N, & O: MANGROVE PRESERVES

13.1. PURPOSES

The purpose of this Section is to establish development regulations for the area designated on Exhibit "A" as Tracts M, N, & O: Mangrove Preserves.

13.2. USES PERMITTED

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

A. Principal Uses:

Natural area preservation. No land modification or structures are permitted.

13.3. PRESERVE OWNERSHIP

Title to Tracts M, N, and O shall be dedicated to Collier County or a Collier County approved governmental agency or conservation organization.

BOOK 020 PAGE 162

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION XIV

EXCEPTIONS TO COUNTY SUBDIVISION REGULATIONS

14.1. PURPOSE

The purpose of this Section is to set forth the County Subdivision Regulations which are waived or modified in connection with the platting of the Barefoot Beach Subdivision.

14.2. EXCEPTIONS

Article X, Section 16: Sidewalks and Bicycle Paths :

A 5 ft. wide sidewalk/bicycle path shall be constructed along the west side of the principal north/south access road.

Article X, Section 19 - Street Name Markers and Traffic Control Devices:

Street name signs shall be approved by the County Engineer but need not meet the U.S.D.O.T.F.H.W.A. Manual of Uniform Traffic Control Devices. Street pavement painting, striping, and reflective edging requirements shall be subject to county engineer approval, but need not meet standard county requirements.

Article X, Section 24 - Utility Casings:

The requirement that utility casing be installed at intersections is waived. This waiver is granted provided that the installation of subsurface construction such as water lines, sewer lines and public utilities is completed prior to compaction of the subgrade and roadway construction.

BOOK 020 PAGE 163

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Article XI, Section 1 - Access:

Points of vehicular access to lots shall be located a minimum of 30 ft. from any intersecting street right of way lines.

Article XI, Section 10 - Monuments:

Monuments which are placed within street pavement areas need not be installed in a typical water valve cover, as prescribed in the current County Standards.

Article XI, Section 16 - Solid Waste Collection and Handling Facilities:

The developer shall not be responsible for garbage receptacles at individual residences or multi-family structures.

Article XI, Section 17 - General:

H. Dead-End Streets: The requirement that dead end streets not exceed one thousand (1,000) feet in length is waived.

I. Curb Radii: Edge-of-pavement radii at street intersections shall be a minimum of 30 ft.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION XV

UTILITIES CONDITIONS

15.1. PURPOSE:

The purpose of this Section is to set forth utilities conditions established by the Collier County Utilities Division.

15.2. WATER & SEWER

15.2.1. Central water distribution and sewage collection and transmission systems will be constructed throughout the project development by the developer pursuant to all current requirements of Collier County and the State of Florida. Water and sewer facilities constructed within platted rights-of-way or within utility easements required by the County shall be conveyed to the County for ownership, operation and maintenance purposes. All water and sewer facilities constructed on private property and not required by the County to be located within utility easements shall be owned, operated and maintained by the Developer, his assigns or successors. Upon completion of construction of the water and sewer facilities within the project, the facilities will be tested to insure they meet Collier County's minimum requirements at which time they will be conveyed or transferred to the County, when required by the Utilities Division, pursuant to appropriate County Ordinances and Regulations in effect at the time conveyance or transfer is requested, prior to being placed into service.

15.2.2. All construction plans and technical specifications and proposed plats, if applicable, for the proposed water distribution and sewage collection and transmission facilities must be reviewed and approved by the Utilities Division prior to commencement of construction.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

15.2.3. All customers connecting to the water distribution and sewage collection facilities will be customers of the County and will be billed by the County in accordance with the County's established rates. Should the County not be in a position to provide water and/or sewer service to the project, the water and/or sewer customers shall be customers of the interim utility established to serve the project until the County's central water and/or sewer facilities are available to serve the project. For interim utility systems, a review of the proposed rates and subsequent approval by the Board of County Commissioners must be completed prior to activation of the water and sewer facilities servicing the project. Rate reviews must be in full compliance with County Ordinances No. 76-71 and 83-18 as amended, revised or superseded.

15.2.4. It is anticipated that the County Utility Division will ultimately supply potable water to meet the consumptive demand and/or receive and treat the sewage generated by this project. Should the County system not be in a position to supply potable water to the project and/or receive the project's wastewater at the time development commences, the Developer, at his expense, will install and operate interim water supply and on-site treatment facilities and/or interim on-site sewage treatment and disposal facilities adequate to meet all requirements of the appropriate regulatory agencies.

15.2.5. An agreement shall be entered into between the County and the Owner, legally acceptable to the County, prior to the approval of construction documents for the proposed project, stating that:

a) The proposed water supply and on-site treatment facilities and/or on-site wastewater treatment and disposal facilities, if required, are to be constructed as part of the proposed project and must be regarded as interim; they shall be constructed to State and Federal standards and are to be owned, operated and maintained

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

by the Owner, his assigns or successors until such time as the County's Central Water Facilities and/or Central Sewer Facilities are available to service the project. Prior to placing the water treatment, supply and distribution and/or sewage collection, transmission and treatment facilities into service the Developer shall submit, to the Collier County (Utility Rate and Regulation Board) for their review and approval, a schedule of the rates to be charged for providing processed water and/or sewage treatment to the project area on an interim basis until the County's central water and/or sewer facilities are available to serve the project.

b) Upon connection to the County's Central Water Facilities, and/or Central Sewer Facilities, the Owner, his assigns or successors shall abandon, dismantle and remove from the site the interim water and/or sewage treatment facility and discontinue use of the water supply source, if applicable, in a manner consistent with State of Florida standards. All work related with this activity shall be performed at no cost to the County.

c) Connection to the County's Central Water and/or Sewer Facilities will be made by the owners, their assigns or successors at no cost to the County within 90 days after such facilities become available. The cost of connection shall include, but not be limited to, all engineering design and preparation of construction documents, permitting, modification or refitting of sewage pumping facilities, interconnection with County central facilities, water and/or sewer lines necessary to make the connection(s), etc.

15.2.6. At the time County central water and/or sewer facilities are available for the project to connect with, the following water and/or sewer facilities shall be conveyed to the County pursuant to appropriate County Ordinances and Regulations in effect at the time:

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

1) All water and/or sewer facilities constructed in publicly owned rights-of-way or within utility easements required by the County within the project limits and those additional facilities required to make connection with the County's central water and/or sewer facilities; or,

2) All water and sewer facilities required to connect the project to the County's central water and/or sewer facilities when the on-site water and/or sewer facilities are constructed on private property and not required by the County to be located within utility easements, including but not limited to the following:

   a) Main sewage lift station and force main interconnecting with the County central facilities including all utility easements necessary;

   b) Water distribution facilities from the point of connection with the County's central facilities to the master water meter serving the project, including all utility easements necessary.

15.2.7. The customers served on an interim basis by the utility system constructed by the Owners shall be customers of the County at the time when County central water and/or sewer facilities are available to serve the project and such connection is made. Prior to connection of the project to the County's central water and/or sewer facilities the Owner, his assigns, or successors shall turn over to the County a complete list of the customers served by the interim utilities system and shall not compete with the County for the service of those customers. The Owner shall also provide the County with a detailed inventory of the facilities served within the project and the entity which will be responsible for the water and/or sewer service billing for the project.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

15.2.8. All construction plans and technical specifications related to connections to the County's Central Water and/or Sewer Facilities will be submitted to the Utilities Division for review and approval prior to commencement of construction.

15.2.9. The Owners, their assigns or successors agree to pay all applicable system development charges at the time that Building Permits are required, pursuant to appropriate County Ordinances and Regulations in effect at the time of Permit request. This requirement shall be made known to all prospective buyers of properties for which building permits will be required prior to the start of building construction.

15.2.10. The County at its option may lease for operation and maintenance the water distribution and/or sewage collection and transmission system to the project owner or his assigns for the sum of $10.00 per year. Terms of the lease shall be determined upon completion of the proposed utility construction and prior to activation of the water supply, treatment and distribution facilities and/or the sewage collection, transmission and treatment facilities. The Lease, if required, shall remain in effect until the County can provide water and/or sewer service through its central facilities or until such time that bulk rate water and/or sewer service agreements are negotiated with the interim utility system serving the project.

15.2.11. Data required under County Ordinance No. 80-112 showing the availability of sewage service, must be submitted and approved by the Utilities Division prior to approval of the construction documents for the project. Submit a copy of the approved DER permits for the sewage collection and transmission systems and the wastewater treatment facility to be utilized, upon receipt thereof.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

15.2.12. If an interim on-site water supply, treatment and transmission facility is utilized to serve the proposed project, it must be properly sized to supply average and peak day domestic demand, in addition to fire flow demand at a rate approved by the appropriate Fire Control District servicing the project area.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION XVI

PROJECT IMPROVEMENTS

16.1. PURPOSE

The purpose of this Section is to set forth the physical improvements which shall be installed by the developer or his successor in title.

16.2. IMPROVEMENTS

A. PEDESTRIAN BICYCLE PATH: A pedestrian/bicycle path shall be developed along the westerly edge of the main north/south access road, at the time that the road is developed. The pedestrian/bicycle cart path may be located in part within the road right-of-way and in part within the drainage and utility easement which lies adjacent the westerly edge of the road right-of-way, as approved by the County Engineer and/or the County Utilities Division.

B. PRESERVATION OF EXISTING NATIVE PLANT MATERIAL; LANDSCAPE PLAN; LANDSCAPE IRRIGATION AND MAINTENANCE PROGRAM: A basic project objective is to retain the natural vegetative quality of this typical southwest Florida coastal area, both through careful preservation of existing good native vegetation and through relocation and/or importation of native plant materials. When construction sites contain cabbage palmetto, seagrape, or other native plant material which has a useful landscape purpose and the capability of being transplanted, such material shall be transplanted to the project open spaces. No modification shall be made to natural vegetation or to the land surface gulfward of the westernmost residential development sites. When the bayfront sites are developed, the existing shoreline and associated native wetland vegetation is to be retained in its existing state. No seawalls shall be constructed or other modification made to existing shorelines. Prior to the issuance of any alteration permits, the development sponsor shall submit detailed plans, including all

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

pertinent data, to the Natural Resources Management Department for review and approval. Selective clearing of trees and other native vegetation shall be exercised. Protected trees, native vegetation, and other desirable areas shall be clearly flagged or otherwise marked, and a protective fence of a type acceptable to the Natural Resources Management Department shall be erected along the limits of clearance lines or the limits of the protected areas. The fence shall not be removed until such time as all site work is completed.

C. ROADS AND DRIVES: All project roads and drives, within approved rights-of-way, main north/south road, minor residential streets in the backbay portion of the plan, and the beachfront cluster access drives, are to be commonly owned and maintained by the property owners' association. The construction specifications of project roads and drives shall be as follows:

Main North/South Road: 26 ft. pavement width within a 60 ft. right-of-way, aligned as shown on the Master Plan.

Beachfront Cluster Access Drives: 18 ft. pavement width within a 50 ft. right-of-way, aligned as shown on the Master Plan or on approved Site Development Plans.

Backbay Roads: 20 ft. pavement width within a 60 ft. right-of-way, aligned as shown on the Master Plan or on approved Site Development Plans.

Improvements in Bonita Beach Road Right-of-Way: The developer shall provide a left turn storage lane at the project entry road, per DOT design requirements, as part of the initial project road improvements.

An extra travel lane shall be constructed by the developer at the entry gate, permitting security checks without blocking traffic flow.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

If and when a traffic light at the entrance intersection is deemed warranted by DOT, the developer or his successor in title shall contribute his pro-rata share to the cost of the light.

Recorded Private Access Easement Extending from Bonita Beach Road Through Barefoot Beach Lands: The recorded easement extending southerly from Bonita Beach Road through Barefoot Beach lands shall be vacated prior to approval of construction plans or record plat for any Barefoot Beach lots which are affected by said easement.

Main North/South Road Construction Timing: The main north/south access road extending from Bonita Beach Road to the south line of the Barefoot Beach project shall be constructed by the developer, with construction completion occurring no later than June 4, 1989.

D. STREET LIGHTS: Street lights will be installed by the project sponsor in the locations indicated on the approved subdivision plan and/or approved Site Development Plans, as applicable. The project developer or the project property owners' association reserves the right to install street lights at more frequent intervals. Street light fixtures shall be ornamental, low intensity, and free of glare which constitutes a nuisance to nearby homesites.

E. STORMWATER MANAGEMENT: There shall be no project stormwater collection and distribution facility which connects directly with tide water. Any drainageway crossing the north/south access road shall discharge via spreader facilities into upland mangrove, through which it shall sheet flow toward tide water. Detailed plans and specifications for all water management features within the project shall be submitted to and approved by the County Water Management Advisory Board as well as by any other governmental agency with jurisdiction, prior to final plan approval. When development of back bay waterfront homesites or

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

recreation areas occurs, no seawalls shall be constructed and no other modifications shall occur to the land at the waters edge or within ten feet of the mean high tide line except for such boating related improvements as may later be authorized by all governmental agencies with jurisdiction. No portion of the project area shall be modified by an individual lot owner so as to drain directly to tide water.

F. SIGNS AND OFFSTREET PARKING AREA LANDSCAPING: Collier County regulations dealing with signs and offstreet parking area landscaping shall be applicable to the Barefoot Beach project.

G. PUBLIC BEACH: Although not a part of this PUD project, the Barefoot Beach project sponsor has dedicated a tract of beachfront land to Collier County for public beach recreation use. The dedicated tract lies adjacent and immediately north of this PUD. The tract dimensions are 600 feet of gulf frontage by 180 feet in depth. The north Collier County line is the north boundary of the dedicated tract. In addition to the dedicated beachfront tract, the Barefoot Beach project sponsor has committed to dedicate a tract of land sufficiently large to accommodate a minimum of 100 offstreet parking spaces to serve the public beach, and to construct the offstreet parking facility. Committment is hereby made that the offstreet parking facility land dedication and physical improvement in accord with County approved plans will be completed no later than June 4, 1986.

H. WATER STORAGE TANK: PRESSURE PUMPING FACILITIES: If deemed necessary to meet County Utility Division requirements, the Barefoot Beach development sponsor shall install water storage tanks and booster pumps in Tract "J", or elsewhere as directed by the Division.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION XVII

ENVIRONMENTAL ADVISORY COUNCIL STIPULATIONS

17.1. PURPOSE

The purpose of this Section is to set forth standard requirements of the Environmental Advisory Council relative to site clearing, retention and reinforcement of native vegetation, elimination of exotic plants, and archaeological or historical site protection.

17.2. STIPULATIONS

A. A site clearing plan shall be submitted to the Natural Resources Management Department and the Community Development Division for their review and approval prior to any substantial work on the site. This plan may be submitted in phases to coincide with the development schedule. The site clearing plan shall clearly depict how the final site layout incorporates retained native vegetation to the maximum extent possible and how roads, buildings, lakes, parking lots, and other facilities have been oriented to accommodate this goal.

B. Native species shall be utilized, where available, to the maximum extent possible in the site landscaping design. A landscaping plan will be submitted to the Natural Resources Management Department and the Community Development Division for their review and approval. This plan will depict the incorporation of native species and their mix with other species, if any. The goal of site landscaping shall be the re-creation of native vegetation and habitat characteristics lost on the site during construction or due to past activities.

C. All exotic plants, as defined in the County Code, shall be removed during each phase of construction from development areas, open space

BOOK 020 PAGE 175

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

areas, and preserve areas. Following site development a maintenance program shall be implemented to prevent reinvasion of the site by such exotic species. This plan, which will describe control techniques and inspection intervals, shall be filed with and approved by the Natural Resources Management Department and the Community Development Division.

D. If, during the course of site clearing, excavation, or other constructional activities, an archaeological or historical site, artifact, or other indicator is discovered, all development at that location shall be immediately stopped and the Natural Resources Management Department notified. Development will be suspended for a sufficient length of time to enable the Natural Resources Management Department or a designated consultant to assess the find and determine the proper course of action in regard to its salvageability. The Natural Resources Management Department will respond to any such notification in a timely and efficient manner so as to provide only a minimal interruption to any constructional activities.

BOOK 020 PAGE 176

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION XVIII

PROTECTIVE COVENANTS

DECLARATION OF PROTECTIVE COVENANTS FOR BAREFOOT BEACH

18.1. PURPOSE

The purpose of this Section is to set forth the protective covenants which are applicable to the hereinafter described property. These protective covenants are of record in Collier County Official Record Book 745, Pages 1699 through 1707. The covenants are hereby included within this PUD document, as recorded.

18.2.

OFFICIAL RECORD BOOK
COLLIER COUNTY, FLORIDA
APR 17 11 35 AM '78

DECLARATION OF PROTECTIVE COVENANTS

BAREFOOT BEACH

518640

BOOK 745 PAGE 1699

THIS DECLARATION, made on the date hereinafter set forth by Lely Estates, Inc. hereinafter referred to as DEVELOPER.

WITNESSETH:

DEVELOPER is the fee simple owner of certain lands in Collier County, Florida, described as:

-----As per the legal description attached hereto and labeled Exhibit "A"-----

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

WHEREAS, DEVELOPER will convey said lands or portions thereof subject to protective covenants, conditions, restrictions, easements, reservations, lien right, and charge rights, as herein set forth:

NOW, THEREFORE, DEVELOPER hereby declares that the above described property shall be held, sold, and conveyed subject to the following restrictions, covenants, and conditions, all of which are established for the sole purpose of enhancing and protecting the value, attractiveness, and pleasant living quality of BAREFOOT BEACH. These covenants shall run with the land unless terminated as hereinafter set forth and shall be binding on all parties, whether grantees, mortgagees, devisees, heirs, personal representatives, successors or assigns, or any other person claiming right, title, or interest, present or future, in the described property, or any part or portions thereof.

I

DEFINITIONS: As used herein the following definitions shall apply:

DEVELOPER shall mean and refer to Lely Estates, Inc., a Texas Corporation authorized to do business in Florida, its successors in ownership or its assigns.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

OWNER shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any real estate included within Exhibit "B" attached hereto and including those having an interest merely as security for the performance of an obligation.

II

A. The first floor finished elevation for residential units shall not be less than +14.5 feet Mean Seal Level datum. The elevations of the bottom of the structural members supporting the first finished floor, with the exception of piling, shall be not less than +13.0 feet Mean Sea Level datum.

B. The structures foundations thereof and shielding structures (see Paragraph C) shall be designed by an engineer licensed in the State of Florida. The foundations and principle structures shall be designed to safely accept a 200 mph wind loan in accordance with the loading system set forth in the South Florida Building Code. The structures shall be pile supported with pile tips not less than elevation minus 15 feet Mean Sea Level datum. The piling shall be concrete with a 12 inch minimum side dimension and they shall be designed to accept lateral loads equivalent to 5,000 lbs. per horizontal foot multiplied by the width/diameter in feet of the piling, applied at an elevation of 11.0 feet Mean Sea Level datum. This load shall be considered to act simultaneously with the above described wind load. The piling shall be at least 8 feet apart, measured from centers of the piling.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

C. All shielding structures below the level of elevation +13.0 Mean Sea Level shall be frangible and designed to blow out at a wind load of 90 mph. If such structures are connected to the frame or the piling, the frame and piling must be designed to withstand the lateral loads described in Paragraph B above and an additional load of 80 pounds p square foot applied uniformly over the connected structure

BK 745 PAGE 701

D. The design engineer shall certify on the plans for the structure that the structure has been designed in accordan with these restrictions.

E. These restrictions shall apply to all residential buil ings and other structures of similar design life located within the area described in Exhibit "B".

F. There shall be no excavation seaward of the Coastal Construction Setback Line which would reduce the existing ground elevations, or result in the permanent destruction of existing dunes ridges. This restriction shall not preclude excavation for pile foundations, utilities, or non-permanent excavations.

G. Additional deed restrictions which are not inconsisten with the above covenants and do not lower the standards established by these restrictions shall not be precluded.

H. No construction shall be permitted seaward of the prop y described in Exhibit "B", or in those areas held in common ownership lying west of the Coastal Construction Setback L .

BOOK 020 PAGE 180

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

In the event that the Coastal Construction Setback Line established in Collier County pursuant to Section 161.053 Florida Statutes, shall be repealed by legislation or determined unconstitutional or invalid by any Court of competent jurisdiction and such determination has become final and not subject to further judicial review, the covenants and restrictions herein set may be abandoned by an act of a majority of the owners of the land set forth in Exhibit "A".

I. Variances or waivers to these restrictions shall be valid only if approved in writing by the Florida Department of Natural Resources or other State Agency exercising jurisdiction over coastal construction and if the variances or waivers are also approved by the DEVELOPER.

III

MODIFICATION OF COVENANTS: The DEVELOPER hereby reserves the right to make reasonable modifications to these covenants, except for Sections II, A through I inclusive and this section, from time to time, either by way of additions, deletions, or changes, so that it may better assure the protection of the value, desirability and attractiveness of the subdivision. These covenants are supplemental to and independent of any zoning, present or future, of the County of Collier. No variance or zoning change permitted by the County shall in any way be construed to reduce or modify the covenants contained herein.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Page not recorded

IV

ACCEPTANCE OF COVENANTS BY LOT OWNERS: Each OWNER, by accepting an interest in any lot, hereby and thereby agrees to be bound by all the conditions, limitations, reservations, and restrictions as contained herein, and in the event of a breach agrees to pay all costs, including a reasonable attorney's fee, for the enforcement of these covenants.

V

REMEDIES: In the event of a violation or breach of any of these restrictive covenants, the DEVELOPER or any group of five (5) owners shall have the right to proceed at law or in equity to compel compliance with the terms hereof or to prevent the violation or breach of any of them. The failure to enforce any right, reservation, restriction, condition or limitation herein contained, however long continued shall not be deemed a waiver of the right to do so thereafter. The invalidation by a court of any covenant herein contained shall not in any way affect any of the other covenants, which shall remain in full force and effect. Any delinquent OWNER agrees to pay a reasonable attorney fee for the enforcement of these use restrictions.

VI

This Declaration of Protective Covenants shall be incorporated in any Declaration of Condominium pertaining to the real estate included within Exhibit "B".

RECEIVED

Book 020 Page 187-A

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

FLORIDA DEPARTMENT OF STATE
George Firestone
Secretary of State

RECEIVED
85 JUL 22 PM 2 39
WILLIAM J. REAGAN
CLERK OF CIRCUIT COURT
COLLIER COUNTY, FLORIDA

July 18, 1985

Honorable William J. Reagan,
Clerk of Circuit Court
Collier County Courthouse Complex
Naples, Florida 33962-4977

Attention: Louise Chesonis, Deputy Clerk

Dear Mr. Reagan:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of your letter/s of July 15, 1985
and ~~certified~~ copy/ies of Re: Collier County 85-21 Ord.
Add: Page No. 52 of Collier County Ord. No. 85-21/Lely Barefoot Beach "PUD

2. Receipt of _____ County Ordinance/s relative to:
(a) _____
which we have numbered _____
(b) _____
which we have numbered _____

3. We have filed this/~~those~~ Ordinance(s) in this office on July 17, _____ 1985.
page punched

4. The original/~~duplicate~~ copy/ies showing the filing date is/~~are~~ being returned for your records.

Cordially,

Liz Cloud

(Mrs.) Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

Enclosure (1)

FLORIDA-State of the Arts

Book 020 Page 181-B

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

VII

Each owner of the property seaward of the Coastal Construction Setback Line shall notify the State of Florida, Department of Natural Resources, in writing of the intent to build any structure seaward of the Coastal Construction Setback Line, not less than 15 days prior to the commencement of such construction. This notice shall be accompanied by two sets of construction plans and specifications for the proposed structures, certified in accordance with Section II D of these covenants by a Professional Engineer, registered in the State of Florida.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

IN WITNESS WHEREOF, LELY ESTATES, INC., has caused this Declaration of Protective Covenants to be signed by its duly authorized officer and its corporate seal affixed hereto this 7th day of April, 1978.

SIGNED IN THE PRESENCE OF:

LELY ESTATES, INC.

By _____
Christiaan W. Duvekot
Its Vice-President
(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF COLLIER

I HEREBY CERTIFY that on this day, before me, a Notary Public duly authorized in the State and County named above to take acknowledgments, personally appeared the above named, CHRISTIAAN W. DUVEKOT, well known to me to be the person described as Vice-President of the above named corporation well known to me to be the person who executed the foregoing Declaration of Protective Covenants in the name of and for that corporation.

WITNESS my hand and official seal in the county and state above this 7th day of April, 1978.

(NOTARY SEAL)

_____
Notary Public
My commission expires:
8/29/81

This instrument was prepared by
George Vega, Jr., Attorney
2666 Airport Road
Naples, Florida 33940

BOOK 020 PAGE 183

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

EXHIBIT 'A'

----All lands lying in Section 5, Section 6 Section 7 and Section 8, in Township 48 South, Range 25 East, Collier County, Florida, lying West of the Agreed Upon Boundary Line as described and recorded in O.R. Book 68, Pages 235 through 250, inclusive, in the Public Records of Collier County, Florida, and hereby specifically including all accretion and/or reliction appurtenant thereto:

Excepting therefrom any part of said Section 6 which forms a part of the Bonita Beach Road, same being SR S-865.----

Page One of One Page

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

STANLEY W. HOLE AND ASSOC., INC.
CONSULTING ENGINEERS

January 17, 1978

Legal Description of Area encompassed under the declaration of Protective covenants, Barefoot Beach Collier County, Florida 71.20-88

OR 745 PAGE 1705

EXHIBIT "B"

Commencing at the Northeast corner of Section 6 Twp. 48S Rg. 25E thence run N 89°49'01" W along the north line of said Section 6 for 3,396.61 feet to a concrete monument marked "GAC Monument", thence run S 18°21'46"E for 704.53 feet, thence run N 71°38'14" E for 78.14 feet, thence run S 19°47'42" E for 2.00 feet to the Point of Beginning. Thence S 19°47'42" E 72.50 feet, thence run S19°47'49" E 199.77 feet, thence S 18°21'36" E 198.80 feet, thence S 19°47'09" E 201.67 feet, thence S 21°24'08" E 200.07 feet, thence S 18°45'21" E 199.81 feet, thence S 21°00'58" E 253.28 feet, thence S 23°42'40" E 347.33 feet, thence S 17°19'38" E 200.70 feet, thence S 15°51'58" E 198.55 feet, thence S 18°57'59" E 201.89 feet, thence S 18°40'23" E 203.22 feet, thence S 18°42'19" E 195.48 feet, thence S 18°41'20" E 199.90 feet, thence S 20°07'08" E 202.50 feet, thence S 15°45'11" E 196.57 feet, thence S 15°51'36" E 202.23 feet, thence S 17°14'16" E 198.29 feet, thence S 19°19'29" E 201.56 feet, thence S 17°36'12" E 199.30 feet, thence S 19°02'34" E 200.39 feet, thence S 20°28'32" E 199.82 feet, thence S 21°54'31"E 199.89 feet, thence S 19°29'00" E 200.87 feet, thence S 19°46'23" E 198.41 feet, thence S 22°37'47" E 200.45 feet, thence S 22°37'54" E 200.31 feet, thence S 21°11'51" E 200.65 feet, thence S 18°20'24" E 200.52 feet, thence S 17°36'13" E 200.67 feet, thence S 17°12'07" E 199.88 feet, thence S 17°12'52" E 202.87 feet, thence S 17°11'32" E 200.18 feet, thence S 15°44'11" E 196.48 feet, thence S 18°01'04" E 202.24 feet, thence S 18°00'12" E 399.70 feet, thence S 18°00'09" E 199.51 feet,

BOOK 020 PAGE 185

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

thence S 18°00'13" E 200.10 feet, thence S 17°59'37" E 197.71 feet, thence S 19°30'57" E 206.42 feet, thence S 19°34'58" E 199.63 feet, thence S 18°08'40" E 199.89 feet, thence S 12°16'21" E 195.84 feet, thence S 16°45'17" E 204.92 feet, thence S 18°08'19" E 200.64 feet, thence S 16°06'39" E 199.66 feet, thence S 17°37'30" E 197.06 feet, thence S 17°37'48" E 200.30 feet, thence S 14°46'51" E 201.14 feet, thence S 19°03'25" E 200.54 feet, thence S 16°44'29" E 198.29 feet, thence S 16°20'36" E 197.85 feet, thence N 88°27'55" E 294.26 feet thence N 17°43'15" W for 3,423.45 feet, thence 408.00 feet along the arc of a curve having a radius of 440.05 feet, central angle of 53°07'51" chord bearing N 00°08'29" W, thence N 16°36'34" W for 147.36 feet, thence N 11°24'44" W for 870.08 feet, thence 173.47 feet along the arc of a curve having a radius of 435.72 feet, central angle of 22°48'37", chord bearing N 15°52'16" W, thence N 23° 31'22" W for 846.68 feet, thence 339.22 feet along the arc of a curve having a radius of 170.00 feet, central angle 114°19'48" and chord bearing of N 37°21'13" W, thence N 18°33'43" W for 1,091.74 feet, thence N 13°40'49" W for 848.65 feet, thence 111.54 feet along a curve having a radius of 170.00 feet, central angle 37°35'28" and chord bearing N 22°39'49" W, thence N 41°27'33" W for 150.80 feet, thence 102.61 feet along a curve having a radius of 230.00 feet, central angle of 25°33'46" chord bearing N 28°40'40" W, thence 86.96 feet along the arc of a curve having a radius of 899.95 feet, central angle of 5°32'22" and chord bearing N 18°39'58" W, thence N 18°57'02" W

3.F.g
Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)
Packet Pg. 470

for 1,212.87 feet, thence 71.12 feet along the arc of a curve having a radius of 105.36 feet, central angle of 38°40'28" chord bearing N 26°46'44" W, thence N 46°06'57" W for 58.57 feet, thence 36.24 feet along the arc of a curve having a radius of 427.95 feet, central angle of 4°51'08" chord bearing N 43°41'24" E thence N 7°46'54" W for 721.21 feet, thence 334.52 feet along the arc of a curve having a radius of 227.96 feet, central angle 84°04'40" chord bearing N 66°19'26" W, thence S 71°38'14" W for 185.59 feet, thence N 19°47'42" W for 10.01 feet, thence S 71°38'14" W for 72.02 feet to the Point of Beginning.

Accepted and Verified
in Official Records of
COLLIER COUNTY, FLORIDA
WILLIAM J. KEAGAN, CLERK
By MARY F. MAY, D.C.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

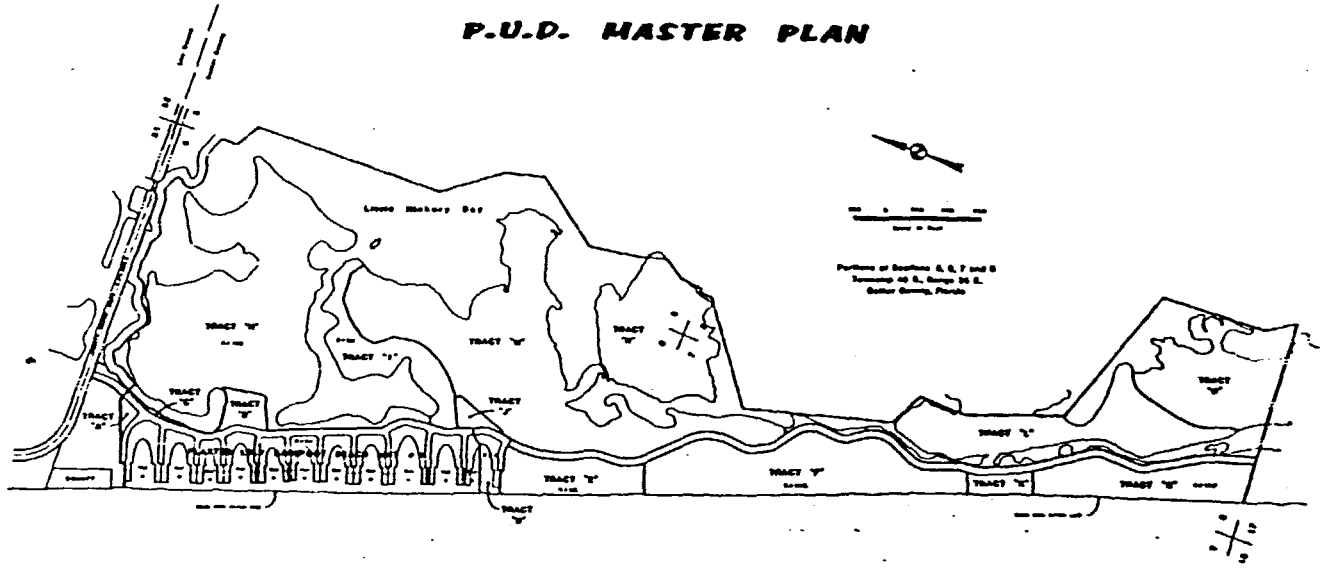
BAREFOOT BEACH

LEGAL DESCRIPTION: The subject property abuts the Gulf of Mexico on the west and the inland tidal waters of the state on the east. It extends in a north/south direction for approximately two miles and lies very near the northern Collier County line. The precise legal description is as follows: All land lying in Section 5, Section 6, Section 7, and Section 8, Township 48 South, Range 25 East, Collier County, Florida, lying west of the agreed upon boundary line as described and recorded in OR Book 68, Pages 235 thru 250, inclusive, in the Public Records of Collier County, Florida, less and except the following described parcel: Begin at the northeast corner of Section 6, T48S, R25E, thence run west along the north line of said Section 6 a distance of 3,396.61 feet to a set GAC monument, thence continue to run west along said north line of Section 6 a distance of 80± feet, to the mean high water line of the Gulf of Mexico, thence run in a southeasterly direction along the mean high water line to the intersection of said mean high water line and a line bearing S 71° 38' 14" W from a point located S 18° 21' 46" E a distance of 704.53 feet from the above noted GAC monument, Thence run N 71° 38' 14" E a distance of 80± feet, to the above located point, thence continuing N 71° 38' 14" E a distance of 150.16 feet, thence N 19° 47' 42" W a distance of 41.01 feet, thence N 68° 45' 00" E a distance of 580.00 feet, thence S 67° 01' 27" E to a point 50 feet beyond and seaward of the mean high water line of the small water body extending westerly from Little Hickory Bay, thence meandering northerly and easterly along a line 50 feet seaward of the mean high water line along lands abutting the south side of Bonita Beach Road (SR-865) to the east line of Section 6, T 48 S, R 25 E, thence north along the east line of said Section 6 to the point of beginning.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

BAREFOOT BEACH

P.U.D. MASTER PLAN



Gulf of Mexico

EXHIBIT "A"

BOOK 020 PAGE 189

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

BOOK 020 PAGE 190

PRELIMINARY STUDY

BAREFOOT BEACH COMMUNITY RECREATION AREA NORTH

W.R. VINES - LAND PLANNER - GAMBLE, GILROY, MARTIN & WINNINGHAM - ARCHITECTS - STANLEY ROSE - ENGINEER

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

COLLIER COUNTY FLORIDA
MAY 6 11 39 AM '80
64[illegible]
O.R. 867 PG 1318

AMENDED
DECLARATION OF PROTECTIVE COVENANTS
CONSTRUCTION REQUIREMENTS
BAREFOOT BEACH

Re-recorded to include Exhibit C

THIS DECLARATION, made on the date hereinafter set forth by Lely Estates, Inc. hereinafter referred to as DEVELOPER.

Re-RECORDED OFFICIAL RECORDS BOOK COLLIER COUNTY, FLORIDA
MAY 23 3 00 PM '80

WITNESSETH:

DEVELOPER is the fee simple owner of certain lands in Collier County, Florida, described as:

-----As per the legal description attached hereto and labeled Exhibit "A"------

WHEREAS, DEVELOPER will convey said lands or portions thereof subject to protective covenants, conditions, restrictions, easements, reservations, lien right, and charge rights, as herein set forth:

NOW, THEREFORE, DEVELOPER hereby declares that the above described property shall be held, sold, and conveyed subject to the following restrictions, covenants, and conditions, all of which are established for the sole purpose of enhancing and protecting the value, attractiveness, and pleasant living quality of BAREFOOT BEACH. These covenants shall run with the land unless terminated as hereinafter set forth and shall be binding on all parties, whether grantees, mortgagees, devisees, heirs, personal representatives, successors or assigns, or any other person claiming right, title, or interest, present or future, in the described property, or any part or portions thereof.

I

DEFINITIONS: As used herein the following definitions shall apply:

DEVELOPER shall mean and refer to Lely Estates, Inc., a Texas Corporation authorized to do business in Florida, its successors in ownership or its assigns.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

OWNER shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any real estate included within Exhibit "B" attached hereto and including those having an interest merely as security for the performance of an obligation.

II.

A. The first floor finished elevation for residential units shall not be less than +14.5 feet N.G.V.D. The elevations of the bottom of the structural members supporting the first finished floor, with the exception of piling, shall be not less than +13.0 feet Mean Sea Level datum.

B. The structures foundations thereof and shielding structures (see Paragraph C) shall be designed by an engineer licensed in the State of Florida. The foundation and principle structures shall be designed to safely withstand the effects of a hurricane force wind of 140 mph acting at a point 30' (feet) above the average surrounding ground level as set forth in the latest edition to the Southern Building Code, Southern Building Code Congress International, Inc. The structures shall be pile supported with pile tips not less than elevation minus 15.0 feet N.G.V.D.

The superstructure shall be directly supported either by concrete piling or by concrete columns. If the pilings are directly connected to the superstructure they shall extend without splice from the tip elevation to the underside of the support structure. If the superstructure is supported by concrete colums, the colums shall be supported by concrete pile caps, the top elevation of which shall be no higher than + 3.0 N.G.V.D., and the pile caps shall be supported by concrete piling. The superstructure support members -- either columns or piling -- shall have minimum side dimensions of 12 inches, shall be designed to support the previously described superstructure loads combined with a lateral load of 5,000 lbs. x the side dimension of the member in feet applied to each member at elevation 11.0 N.G.V.D.

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The above described support structure shall be no closer together than 7 feet clear distance.

C. All shielding structures below the level of elevation +13.0 Mean Sea Level shall be frangible and designed to blow out at a wind load of 90 mph. Fastenings shall be designed to fail when the surface is subject to a uniform load of 40 lbs. per square foot.

D. The design engineer shall certify on the plans for the structure that the structure has been designed in accordance with these restrictions and consideration has been given to the Design Wave Force Analysis performed by the Department of Natural Resources, Bureau of Beaches and Shores, recorded and attached hereto as Exhibit "C".

E. These restrictions shall apply to all residential buildings and other structures of similar design life located within the area described in Exhibit "B".

F. There shall be no excavation seaward of the Coastal Construction Setback Line which would reduce the existing ground dunes ridges. This restriction shall not preclude excavation for pile foundations, utilities, or non-permanent excavations.

G. Additional deed restrictions which are not inconsistent with the above covenants and do not lower the standards established by these restrictions shall not be precluded.

H. No construction shall be permitted seaward of the property described in Exhibit "B", or in those areas held in common ownership lying west of the Coastal Construction Setback Line. In the event that the Coastal Construction Setback Line established in Collier County pursuant to Section 161.053 Florida Statutes. shall be repealed by legislation or determined unconstitutional or invalid by any Court of competent jurisdiction and such determination has become final and not subject to further judicial review, the covenants and restrictions herein set may be abandoned by an act of a majority of the owners of the land set forth in Exhibit "A".

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

1. Variances or waivers to these restrictions shall be valid only if approved in writing by the Florida Department of Natural Resources or other State Agency exercising jurisdiction over coastal construction and if the variances or waivers are also approved by the DEVELOPER.

III

MODIFICATION OF COVENANTS: The DEVELOPER hereby reserves the right to make reasonable modifications to these covenants, except for Sections II, A through I inclusive and this section, from time to time, either by way of additions, deletions, or changes, so that it may better assure the protection of the value, desirability and attractiveness of the subdivision. These covenants are supplemental to and independent of any zoning, present or future, of the County of Collier. No variance or zoning change permitted by the County shall in any way be construed to reduce or modify the covenants contained herein.

IV

ACCEPTANCE OF COVENANTS BY LOT OWNERS: Each OWNER, by accepting an interest in any lot, hereby and thereby agrees to be bound by all the conditions, limitations, reservations, and restrictions as contained herein, and in the event of a breach agrees to pay all costs, including a reasonable attorney's fee, for the enforcement of these covenants.

V

REMEDIES: In the event of a violation or breach of any of these restrictive covenants, the DEVELOPER or any group of five (5) owners shall have the right to proceed at law or in equity to compel compliance with the terms hereof or to prevent the violation or breach of any of them. The failure to enforce any right, reservation, restriction, condition or limitation herein contained, however long continued shall not be deemed a waiver of the right to do so thereafter. The invalidation by

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

a court of any covenant herein contained shall not in any way affect any of the other covenants, which shall remain in full force and effect. Any delinquent OWNER agrees to pay a reasonable attorney fee for the enforcement of these use restrictions.

VI

This Declaration of Protective Covenants shall be incorporated in any Declaration of Condominium pertaining to the real estate included within Exhibit "B".

VII

Each owner of the property seaward of the Coastal Construction Setback Line shall notify the State of Florida, Department of Natural Resources, in writing of the intent to build any structure seaward of the Coastal Construction Setback Line, not less than 15 days prior to the commencement of such construction. This notice shall be accompanied by two sets of construction plans and specifications for the proposed structures, certified in accordance with Section II D of these covenants by a Professional Engineer, registered in the State of Florida.

VIII

These Amended Declarations are intended to replace those Declaration of Protective Covenants dated the 7th day of April, 1978 and filed in Official Record Book 745 pages 1699-1707 of the Public Records of Collier County, Florida.

IN WITNESS WHEREOF, LELY ESTATES, INC., has caused this Amended Declaration of Protective Covenants to be signed by its duly authorized officer and its corporate seal affixed hereto this 1 day of MAY, 1980.

SIGNED IN THE PRESENCE OF:

LELY ESTATES, INC.

BY: Christian W. Duvekot
Its Vice-President

(CORPORATE SEAL)

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

O.R. 869 PG 1015
O.R. 867 PG 1323

STATE OF FLORIDA
COUNTY OF COLLIER

I HEREBY CERTIFY that on this day, before me, a Notary Public duly authorized in the State and County named above to take acknowledgments, personally appeared the above named CHRISTIAAN W. DUVEKOT, well known to me to be the person described as Vice-President of the above named corporation well known to me to be the person who executed the foregoing Declaration of Protective Covenants in the name of and for that corporation.

WITNESS my hand and official seal in the county and state above this 1st day of May, 1980.

(NOTARY SEAL)

Anne S. Lowe
NOTARY PUBLIC
My commission expires:
Notary Public, State of Florida at Large
My Commission Expires Jan. 3, 1981
Bonded By American Fire & Casualty Company

BOOK 020 PAGE 196

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

O.R. 869 PG 1067
O.R. 867 PG 1324

EXHIBIT 'A'

----All lands lying in Section 5, Section 6 Section 7 and Section 8, in Township 48 South, Range 25 East, Collier County, Florida, lying West of the Agreed Upon Boundary Line as described and recorded in O.R. Book 68, Pages 235 through 250, inclusive, in the Public Records of Collier County, Florida, and hereby specifically including all accretion and/or relation appurtenant thereto:

Excepting therefrom any part of said Section 6 which forms a part of the Bonita Beach Road, same being SR S-865.----

Page One of One Page

BOOK 020 PAGE 197

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

STANLEY W. HOLE AND ASSOC., INC.
CONSULTING ENGINEERS

Legal Description of Area encompassed under the declaration of Protective covenants, Barefoot Beach Collier County, Florida 71.20-88

EXHIBIT "B"

Commencing at the Northeast corner of Section 6 Twp. 48S Rg. 25E thence run N 89°49'01" W along the north line of said Section 6 for 3,396.61 feet to a concrete monument marked "GAC Monument", thence run S 18°21'46"E for 704.53 feet, thence run N 71°38'14" E for 78.14 feet, thence run S 19°47'42" E for 2.00 feet to the Point of Beginning. Thence S 19°47'42" E 72.50 feet, thence run S19°47'49" E 199.77 feet, thence S 18°21'36" E 198.80 feet, thence S 19°47'09" E 201.67 feet, thence S 21°24'08" E 200.07 feet, thence S 18°45'21" E 199.81 feet, thence S 21°00'58" E 253.28 feet, thence S 23°42'40" E 347.33 feet, thence S 17°19'38" E 200.70 feet, thence S 15°51'58" E 198.55 feet, thence S 18°57'59" E 201.89 feet, thence S 18°40'23" E 203.22 feet, thence S 18°42'19" E 195.48 feet, thence S 18°41'20" E 199.90 feet, thence S 20°07'08" E 202.50 feet, thence S 15°45'11" E 196.57 feet, thence S 15°51'36" E 202.23 feet, thence S 17°14'16" E 198.29 feet, thence S 19°19'29" E 201.56 feet, thence S 17°36'12" E 199.30 feet, thence S 19°02'34" E 200.39 feet, thence S 20°28'32" E 199.82 feet, thence S 21°54'31"E 199.89 feet, thence S 19°29'00" E 200.87 feet, thence S 19°46'23" E 198.41 feet, thence S 22°37'47" E 200.45 feet, thence S 22°37'54" E 200.31 feet, thence S 21°11'51" E 200.65 feet, thence S 18°20'24" E 200.52 feet, thence S 17°36'13" E 200.67 feet, thence S 17°12'07" E 199.88 feet, thence S 17°12'52" E 202.87 feet, thence S 17°11'32" E 200.18 feet, thence S 15°44'11" E 196.48 feet, thence S 18°01'04" E 202.24 feet, thence S 18°00'12" E 399.70 feet, thence S 18°00'09" E 199.51 feet,

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

thence S 18°00'13" E 200.10 feet, thence S 17°59'37" E 197.71 feet, thence S 19°30'57" E 206.42 feet, thence S 19°34'58" E 199.63 feet, thence S 18°08'40" E 199.89 feet, thence S 12°16'21" E 195.84 feet, thence S 16°45'17" E 204.92 feet, thence S 18°08'19" E 200.64 feet, thence S 16°06'39" E 199.66 feet, thence S 17°37'30" E 197.06 feet, thence S 17°37'48" E 200.30 feet, thence S 14°46'51" E 201.14 feet, thence S 19°03'25" E 200.54 feet, thence S 16°44'29" E 198.29 feet, thence S 16°20'36" E 197.85 feet, thence N 80°27'55" E 294.26 feet thence N 17°43'15" W for 3,423.45 feet, thence 408.06 feet along the arc of a curve having a radius of 440.05 feet, central angle of 53°07'51" chord bearing N 00°08'29" W, thence N 16°36'34" W for 147.36 feet, thence N 11°24'44" W for 870.08 feet, thence 173.47 feet along the arc of a curve having a radius of 435.72 feet, central angle of 22°48'37", chord bearing N 15°52'16" W, thence N 23° 31'22" W for 846.68 feet, thence 339.22 feet along the arc of a curve having a radius of 170.00 feet, central angle 114°19'48" and chord bearing of N 37°21'13" W, thence N 18°33'43" W for 1,091.74 feet, thence N 13°40'49" W for 848.65 feet, thence 111.54 feet along a curve having a radius of 170.00 feet, central angle 37°35'28" and chord bearing N 22°39'49" W, thence N 41°27'33" W for 150.80 feet, thence 102.61 feet along a curve having a radius of 230.00 feet, central angle of 25°33'46" chord bearing N 28°40'40" W, thence 86.96 feet along the arc of a curve having a radius of 899.95 feet, central angle of 5°32'22" and chord bearing N 18°39'58" W, thence N 18°57'02" W

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

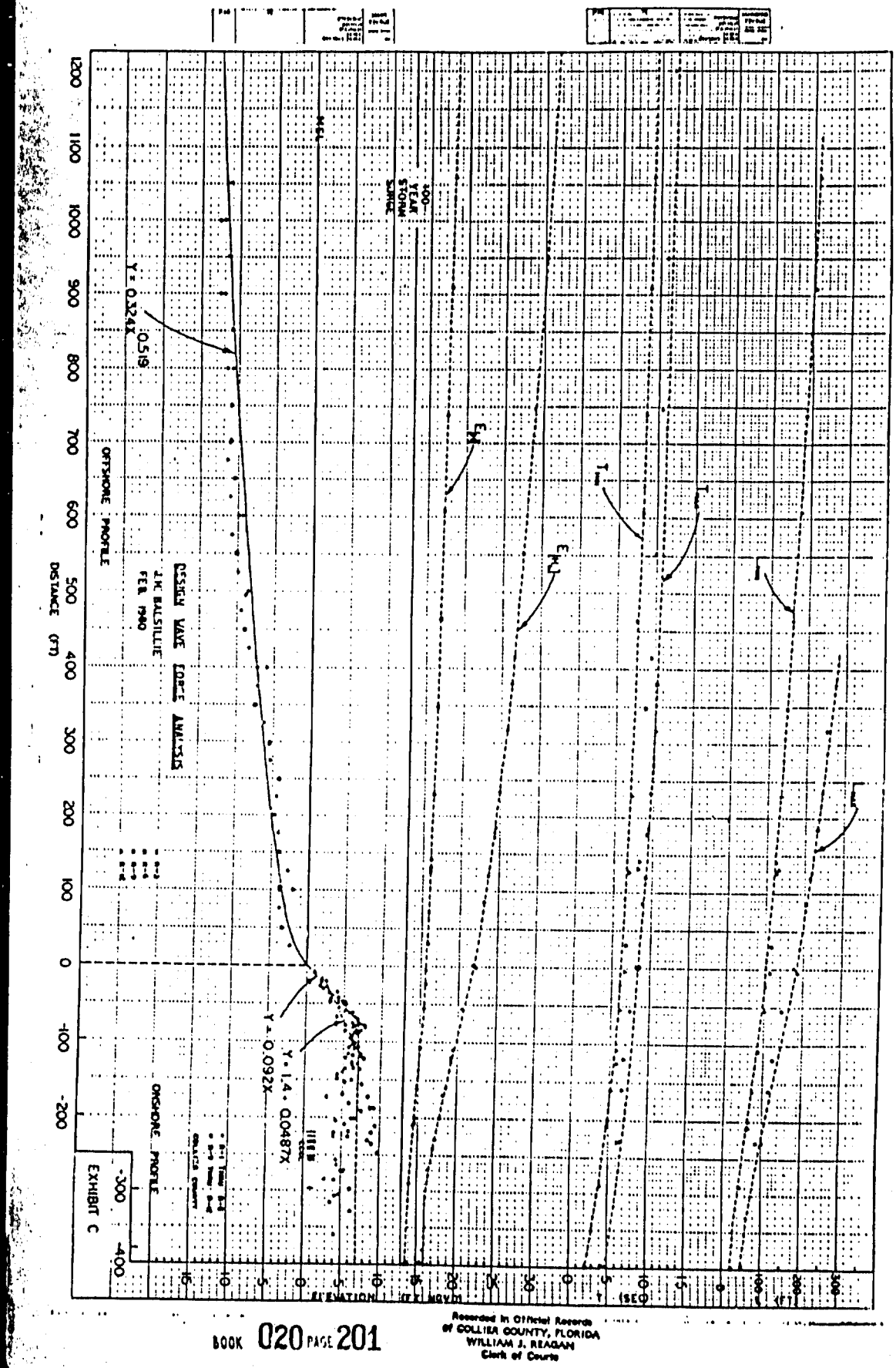
O.R. 869 PG 970
O.R. 867 PG 1327

for 1,212.87 feet, thence 71.12 feet along the arc of a curve having a radius of 105.36 feet, central angle of 38°40'28" chord bearing N 26°46'44" W, thence N 46°06'57" W for 58.57 feet, thence 36.24 feet along the arc of a curve having a radius of 427.95 feet, central angle of 4°51'08" chord bearing N 43°41'24" E thence N 7°46'54" W for 721.21 feet, thence 334.52 feet along the arc of a curve having a radius of 227.96 feet, central angle 84°04'40" chord bearing N 66°19'26" W, thence S 71°38'14" W for 185.59 feet, thence N 19°47'47" W for 10.01 feet, thence S 71°38'14" W for 72.02 feet to the Point of Beginning.

BOOK 020 PAGE 200
Recorded in Official Records
of COLLIER COUNTY, FLORIDA
WILLIAM J. REAGAN
Clerk of Courts

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

O.R. 869 PG 1971



BOOK 020 PAGE 201

Recorded in Official Records of COLLIER COUNTY, FLORIDA
WILLIAM J. REAGAN
Clerk of Courts

ORDINANCE 85- 83

RECEIVED
1985 JAN -2 PM 4:11
WILLIAM J. REAGAN
CLERK OF BOARD
COLLIER COUNTY

AN ORDINANCE AMENDING ORDINANCE NUMBER 85-21 AN ORDINANCE AMENDING ORDINANCE NUMBER 77-48, LELY BAREFOOT BEACH PUD BY AMENDING THE TITLE PAGE, INDEX, AND SECTION I, PROPERTY OWNERSHIP AND DESCRIPTION, TO PROVIDE FOR THE REVISIONS; AMENDING SECTION II, PROJECT DEVELOPMENT, TO REVISE THE DEVELOPMENT TRACTS, ADD FRACTIONALIZATION AND CONCEPTUAL PLAN APPROVAL PROCEDURES AND REVISE FINAL SITE DEVELOPMENT PLAN APPROVAL PROCEDURES; AMENDING SECTION X, SINGLE OR MULTI-FAMILY RESIDENTIAL DEVELOPMENT, TO DELETE TRACTS E, F, AND G INCLUDING RELATED DEVELOPMENT STANDARDS AND PROVIDE FOR TRACTS H AND I ONLY; REPLACING SECTION XI, TRACT J: UTILITY SITE, WITH SECTION XI, TRACT LELY BEACH NORTH: SINGLE OR MULTI-FAMILY RESIDENTIAL DEVELOPMENTS, AND PROVIDING DEVELOPMENT STANDARDS AND REGULATIONS; REPLACING SECTION XII, TRACTS K AND L: COMMUNITY RECREATION AREAS, WITH SECTION XII, TRACT ACTIVE COMMUNITY RECREATION AREA, AND PROVIDING DEVELOPMENT STANDARDS AND REGULATIONS; REPLACING SECTION XIII, TRACTS M, N AND O: MANGROVE PRESERVES, WITH SECTION XIII, TRACT: LELY BEACH SOUTH, AND PROVIDING DEVELOPMENT STANDARDS AND REGULATIONS; REPLACING SECTION XIV, EXCEPTIONS TO COUNTY SUBDIVISION REGULATIONS, WITH SECTION XIV, PASSIVE COMMUNITY RECREATION AREA, AND PROVIDING DEVELOPMENT STANDARDS AND REGULATIONS; REPLACING SECTION XV, UTILITIES CONDITIONS, WITH SECTION XV, TRACT J: UTILITY SITE, WHICH WAS PREVIOUSLY SECTION XI, AND PROVIDING THE ORIGINAL DEVELOPMENT STANDARDS; REPLACING SECTION XVI, PROJECT IMPROVEMENTS, WITH SECTION XVI, TRACTS M, N AND O: MANGROVE PRESERVES, WHICH WAS PREVIOUSLY SECTION XIII, AND PROVIDING THE ORIGINAL DEVELOPMENT STANDARDS AND DEDICATION OF THESE TRACTS TO THE STATE; REPLACING SECTION XVII, ENVIRONMENTAL ADVISORY COUNCIL STIPULATIONS, WITH SECTION XVII, EXCEPTIONS TO COUNTY SUBDIVISION REGULATIONS, WHICH WAS PREVIOUSLY SECTION XIV AND PROVIDING THE ORIGINAL STANDARDS AND AN ADDITIONAL EXCEPTION TO THE REQUIRED STREET RIGHT-OF-WAY WIDTHS AND ALIGNMENT; REPLACING SECTION XVIII, PROTECTIVE COVENANTS, WITH SECTION XVIII, UTILITIES CONDITIONS, WHICH WAS PREVIOUSLY SECTION XV AND PROVIDING THE ORIGINAL REGULATIONS; ADDING SECTION XIX, PROJECT IMPROVEMENTS, WHICH WAS PREVIOUSLY SECTION XVI AND PROVIDING THE ORIGINAL REGULATIONS WITH MINOR AMENDMENTS TO PROVIDE FOR OTHER REVISIONS; ADDING SECTION XX, SPECIAL ENVIRONMENTAL PROTECTION REGULATIONS, TO PROVIDE DEVELOPMENT STANDARDS AND REGULATIONS WHICH ARE PART OF THE SETTLEMENT; ADDING SECTION XXI, ENVIRONMENTAL ADVISORY COUNCIL STIPULATIONS, WHICH WAS PREVIOUSLY SECTION XVII AND PROVIDING THE ORIGINAL STIPULATIONS; ADDING SECTION XXII, PROTECTIVE COVENANTS, WHICH WAS PREVIOUSLY SECTION XVIII, AND PROVIDING THE ORIGINAL PROTECTIVE COVENANTS; ADDING EXHIBITS A THROUGH E; AND BY PROVIDING AN EFFECTIVE DATE:

WHEREAS, on September 9, 1977, the Board of County Commissioners approved Ordinance Number 77-48 which established the Lely Barefoot Beach Planned Unit Development; and

WHEREAS, on June 4, 1985, the Board of County Commissioners approved Ordinance Number 85-21 which amended Ordinance Number 77-48; and

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

WHEREAS, thereafter, Robert H. Blades filed a lawsuit in the Circuit Court for Collier County, Florida, Circuit Civil Number 85-1570-CA-01-CTC, against Lely Estates, Inc., a Florida Corporation, and Collier County; and 83-1

WHEREAS, simultaneously, the Conservancy, Inc. a Not-For-Profit Florida Corporation, filed a lawsuit in the Circuit Court for Collier County, Florida, Circuit Civil Number 85-1571-CA-01-CTC, against Lely Estates, Inc., a Florida Corporation, and Collier County; and

WHEREAS, the Conservancy, Inc. and Lely Estates, Inc. desire to settle the above referenced cases; and

WHEREAS, said settlement entails amendments to Ordinance Number 85-21, an Ordinance amending Ordinance Number 77-48 which established the Lely Barefoot Beach Planned Unit Development;

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA:

SECTION ONE:

Ordinance Number 85-21, an Ordinance Amending Ordinance Number 77-48, the Lely Barefoot Beach PUD, is hereby amended as shown on the revised Barefoot Beach PUD Document, attached heretc as Exhibit "A" and by reference made a part hereof.

SECTION TWO:

This Ordinance shall become effective upon notice that it has been received by the Office of the Secretary of State.

DATE: December 17, 1985

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: John A. Pistor
JOHN A. PISTOR, CHAIRMAN

ATTEST:
WILLIAM J. REAGAN, CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

for David C. Dwight
KENNETH B. CUYLER,
ASSISTANT COUNTY ATTORNEY

This ordinance filed with the Secretary of State's Office the 26th day of Dec., 1985 and acknowledgement of that filing received this 2nd day of Jan., 1986.
By Laurie Gibson
Deputy Clerk

Ordinance Amend Barefoot Beach

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-2

~~Revised May 23, 1985~~

BAREFOOT BEACH

A

PLANNED UNIT DEVELOPMENT

BY

LELY ESTATES INC.
5101 East Tamiami Trail
Naples, Florida 33962

This PUD amends PUD ordinance 77-48 and 85-21

PREPARED BY

~~VINES & ASSOCIATES, INC.~~
~~715 Tenth Street South~~
~~Naples, Florida 33940~~
COASTAL ENGINEERING CONSULTANTS, INC.
3883 Davis Boulevard, P.O. Box 8306
Naples, Florida 33941

CEC File No. 85.149

~~MARCH 1985~~
NOVEMBER 1985

DATE ISSUED
DATE APPROVED BY CAPC
DATE APPROVED BY BCC 12/17/85
ORDINANCE NUMBER 85-33

BOOK 022 PAGE 380

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-3

INDEX

SECTION I	PROPERTY OWNERSHIP & DESCRIPTION	1 thru 2
SECTION II	PROJECT DEVELOPMENT	3 thru 10
SECTION III	PLATTED LELY BAREFOOT BEACH UNIT #1 BLOCKS A through K LOW DENSITY SINGLE FAMILY RESIDENTIAL	11 thru 14
SECTION IV	LELY BAREFOOT BEACH UNIT #1 TRACT A GATEHOUSE COMPLEX SITE	15 thru 16
SECTION V	PLATTED LELY BAREFOOT BEACH UNIT #1 TRACT B COMMUNITY RECREATION CENTER #1 SITE	17 thru 19
SECTION VI	PLATTED LELY BAREFOOT BEACH UNIT #1 TRACT C LANDSCAPED ENTRANCE DRIVE STRIP	20
SECTION VII	PLATTED LELY BAREFOOT BEACH UNIT #1 BEACH GARDENS A through K	21 thru 22
SECTION VIII	PLATTED LELY BAREFOOT BEACH TRACT BF BEACHFRONT COMMON OPEN SPACE	23
SECTION IX	TRACT D, LOW DENSITY SINGLE FAMILY RESIDENTIAL DEVELOPMENT	24 thru 27
SECTION X	TRACTS ~~E, F, G~~ H, AND I ~~LOW-TO-MID-RISE~~ SINGLE OR MULTI-FAMILY RESIDENTIAL DEVELOPMENT	28 thru 34
SECTION XI	~~TRACT J: UTILITY SITE~~TRACT LELY BEACH NORTH: SINGLE OR MULTI-FAMILY RESIDENTIAL DEVELOPMENT	35 thru 38
SECTION XII	~~TRACTS K & L: COMMUNITY RECREATION AREAS~~ TRACT: ACTIVE COMMUNITY RECREATION AREA	40 thru 43
SECTION XIII	~~TRACTS M, N & O: MANGROVE PRESERVES~~ TRACT: LELY BEACH SOUTH	44 thru 48
SECTION XIV	~~EXCEPTIONS TO COUNTY SUBDIVISION REGULATIONS~~ PASSIVE COMMUNITY RECREATION AREA	49 thru 50
SECTION XV	~~UTILITIES CONDITIONS~~ TRACT J: UTILITY SITE	51
SECTION XVI	~~PROJECT IMPROVEMENTS~~ TRACTS M, N & O: MANGROVE PRESERVES	52

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-4

SECTION XVII	~~ENVIRONMENTAL ADVISORY COUNCIL STIPULATIONS~~ EXCEPTIONS TO COUNTY SUBDIVISION REGULATIONS	53 thru 54
SECTION XVIII	UTILITIES CONDITIONS	55 thru 61
SECTION XIX	PROJECT IMPROVEMENTS	62 thru 67
SECTION XX	SPECIAL ENVIRONMENTAL PROTECTION REGULATIONS	68 thru 73
SECTION XXI	ENVIRONMENTAL ADVISORY COUNCIL STIPULATIONS	74 thru 75
SECTION XXII	PROTECTIVE COVENANTS	76

BOOK 022 PAGE 382

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-5

EXHIBITS

EXHIBIT "A"	Lely Barefoot Beach P.U.D. Master Plan
EXHIBIT "B"	Site Plan for Community Recreation Center, Number 1
EXHIBIT "C"	Lely Beach North Conceptual Plan
EXHIBIT "D"	Lely Beach South Conceptual Plan
EXHIBIT "E"	Legal Description

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-6

SECTION I

PROPERTY OWNERSHIP AND DESCRIPTION

1.1 PURPOSE

The purpose of the Section is to set forth the location and ownership of the property, and to describe the existing conditions of the property to be developed under the project name: BAREFOOT BEACH.

1.2 LEGAL DESCRIPTION:

See attached, Exhibit E.

1.3 ZONING HISTORY AND PROPERTY OWNERSHIP:

All of the subject property was zoned PUD on 9-27-77 by Ordinance 77-48. Lely Barefoot Beach Subdivision Unit #1, a part of the area zoned PUD by Ordinance 77-48, was filed on 8-7-78. A portion of the homesites within Lely Barefoot Beach Unit #1 have been sold and private residences constructed thereon. Development standards set forth in this PUD document which govern the homesites in Lely Barefoot Beach Unit #1 are unchanged from the development standards previously approved as a part of PUD document 77-48. All of the property within this application other than previously sold lots in Lely Barefoot Beach Unit #1 is owned by Lely Estates, Inc., the PUD applicant. This PUD regulatory document and Exhibits, ~~the PUD Master Plan~~, amends the PUD regulatory document and Master Plan adopted by PUD Ordinance 77-48 and PUD Ordinance 85-21.

BOOK 022 PAGE 384

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-7

Book 22 : 385

1.4 GENERAL DESCRIPTION OF PROJECT AREA:

The project site occurs in the northernmost two miles of gulf beachfront land in Collier County, It is accessible from the north via Bonita Beach Road. It is bounded on the north by the Collier/Lee County line, the west by the Gulf of Mexico, the south by the south line of Section 8, Township 48 S, Range 25 E, and the east by Little Hickory Bay and the waterway which extends southerly from the Little Hickory Bay to Wiggins Pass. Gulf front lands between the Barefoot Beach property and Wiggins Pass to the south are owned by the State of Florida. The property lies within Area "A" of the Collier County Water-Sewer District and within Collier County Water Management District #7.

1.5 PHYSICAL DESCRIPTION:

The project fronts on the Gulf of Mexico. The physical characteristics include gulf fronting sand beach; low dunes and developable uplands behind the beach; and mangrove wetlands and tidewaters east of the developable uplands. The developable area is limited on the west by Coastal Construction Control regulations and on the east by wetlands protection regulations.

Elevations within the project area range from sea level to 9.5 feet above sea level. The highest elevation is the crest of a coastal dune which lies landward of the sand beach. Natural land slopes and natural drainage is both gulfward and bayward from the crest of the dune.

Soil types in the project area are mangrove swamp and costal beach. The coastal beach soils, where developmental activities have occurred and are planned, are composed of sand and shell and are highly permeable. Water management plans for the project rely primarily on shallow catchment areas and ground infiltration.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-8

SECTION II

PROJECT DEVELOPMENT

2.1 PURPOSE

The purpose of this Section is to describe the development plan; the land uses within the plan; and to set forth maximum density and development criteria.

2.2 GENERAL

A. Development of the Barefoot Beach PUD shall occur in accord with the contents of this PUD document, associated exhibits, and applicable sections of the Collier County Zoning Ordinance.

B. Unless otherwise noted, the definitions of all terms used in this document shall be the same as definitions set forth in the Collier County Zoning Ordinance.

C. No physical change and no regulatory change is planned for the single family homesites within platted Lely Barefoot Beach Unit #1, nor to the mangrove preserve areas committed by the original PUD to be preserved in their natural conditions, in perpetuity. Uses permitted, development standards, and related regulations applicable to Lely Barefoot Beach Unit #1 single family homesites and to the three mangrove preserve areas are unchanged from the originally approved Master Plan and PUD document.

BOOK 022 PAGE 386

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

2.3 PROJECT PLAN AND LAND USE TRACTS

A. The project plan, including street locations, tract boundaries, land use and number of dwelling units permitted in the various tracts are graphically illustrated by ~~Exhibit "A", the Barefoot Beach PUD Master Plan~~ the Barefoot Beach Master Plan and other attached Exhibits.

1.	Platted Lely Barefoot Beach Unit #1, Blocks A through K: Low density single family residential.	42.50 acres
2.	Platted Lely Barefoot Beach Unit #1, Tract A: Gatehouse complex site	.91 acres
3.	Platted Lely Barefoot Beach Unit #1, Tract B; community recreation Center #1 site	3.31 acres
4.	Platted Lely Barefoot Beach Unit #1, Tract : Landscaped entrance drive strip	1.36 acres
5.	Platted Lely Beachfront Beach Unit #1, Road right-of-way	5.37 acres
6.	Road right-of-way south of Platted Lely Barefoot Beach Unit #1	10.63 acres
7.	Tract D: Low density single family residential	2.53 acres
8.	~~Tract E~~ Lely Beach North: Single or Multi-family residential	~~10.44~~ 33 acres
9.	~~Tract F~~ Lely Beach South: Single or Multi-family residential	~~29.00~~ 29 acres
10.	~~Tract G~~ Active Community Recreation Area: Community Recreation Site	~~14.85~~ 10 acres
11.	Tract H: Single or Multi-family residential	66.06 acres
12.	Tract I; Single or Multi-family residential	11.97 acres
13.	Tract J: Utilitarian site	2.25 acres
14.	~~Tract K~~ Tract: Passive Community recreation site	~~2.78~~ 7.0 acres
~~15.~~	~~Tract L: Community recreation site~~	~~22.86 acres~~

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-10

~~16~~15.	Tract M: Mangrove preserve	64.21 acres
~~17~~16.	Tract N: Mangrove preserve	23.47 acres
~~18~~17.	Tract O: Mangrove preserve	19.04 acres
	Open Water area	128.11 acres
	Gross project area	461.65 acres*

*Acreages are approximations for general representation of the Master Plan may vary following detail survey delineation of Tracts.

BOOK 022 PAGE 388

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-11

B. The meandering north/south project access road shown on the master plan is constructed as Lely Beach Blvd. from its intersection with Bonita Beach Road to the south line of the plat of Lely Barefoot Beach Unit #1. The road alignment from the south line of the plat of Lely Barefoot beach Unit #1 to the south line of the project has been approved by local, state, and federal agencies, and is partially constructed. The final right-of-way alignment and width may vary as a result of (1) wetland jurisdiction (2) detailed site planning to preserve native habitat or (3) to accommodate percent coverage requirements. Final road alignment and right-of-way width shall be approved during final review and approval of detailed site development plans per Section 2.7 below.

C. In addition to platted Lely Barefoot Beach Unit #1 and Tracts D through O which are shown on Exhibit "A", easements (utility, private, semi-public, etc.) have been or will be established within or along the various tracts as may be necessary of deemed desirable to serve the project.

2.4 MAXIMUM PROJECT DENSITY

No more than a maximum of 690 residential dwelling units, single and multi-family, shall be constructed in the total project area. The gross project area is 461.65 acres, of which 128.11 acres is open water and 333.54 acres is upland and mangrove vegetated wetland. 690 units divided by 333.54 acres results in a gross project density of 2.07 dwelling units per acre.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-17

2.5 FRACTIONALIZATION OF TRACTS

A. When the developer sells an entire Tract or a building parcel (fraction of a Tract) to subsequent owner, or proposes development of such property himself, the developer shall provide to the Director for approval, prior to the sale or development of such property, a boundary drawing showing the tract and the building parcel therein (when applicable) and in the case of a residential area, the number of dwelling units of each residential type assigned to the property.

The drawing shall also show the location and size of access to those fractional parts that do not abut a public street.

B. In the event any residential tract of building parcel is sold by any subsequent owner, as identified in Section 2.5.a, in fractional parts to other parties for development, the subsequent owner shall provide to the Director, for approval, prior to the sale or development of a fractional part, a boundary drawing showing his originally purchased tract of building parcel and the fractional parts therein and the number of dwelling units assigned to each of the fractional parts.

The drawing shall also show the location and size of access to those fractional parts that do not abut a public street.

C. The developer of any tract or building parcel must submit prior to or in conjunction with the application for a building permit, a detailed site development plan for his tract or parcel in accordance with Section 2.7

BOOK 022 PAGE 390

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-13

D. In evaluating the fractionalization plans the Director's decision for approval or denial shall be based on compliance with the Conceptual Plan as approved according to Section 2.6, the criteria and the development intent as set forth in this document, conformance with allowable numbers of residential units and the reasonable accessibility of the fractional parts to public or private roadways, common areas, or other means of ingress and egress.

E. If approval or denial of the fractionalization plans is not issued within ten (10) working days, the submission shall be considered automatically approved.

F. Conceptual Plan approval according to Section 2.6 shall occur prior to fractionalization of any parcel within the development. Conceptual Plan approval is not required if a Final Site Development Plan is approved according to Section 2.7 for an entire Tract as identified on the PUD Master Plan.

G. For Lely Beach South Tract, designated development corridors may not be fractionalized.

2.6 CONCEPTUAL PLAN APPROVAL

When Conceptual Plan approval is desired or required by this documents, the following procedure shall be followed:

A. A written request for Conceptual Plan approval shall be submitted to the director for approval. The request shall include materials necessary to

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

8314

demonstrate that the approval of the Conceptual Plan will in harmony with the general intent and purpose of this document. Such material may include, but is not limited to the following, where applicable:

1. Site plans at an appropriate scale showing proposed placement of structures on the property; provisions for ingress and egress, off-street parking and off-street loading areas; yards and other open spaces; impervious surface coverage percentage along with calculations used to determine percentage.
2. Plans showing proposed locations for utilities hook-up.
3. Plans for screening and buffering.
4. Plans for proposed signs and lighting.
5. Delineated preserve areas and sensitive vegetation areas including identified endangered species and their habitat.
6. Tree removal plan and landscaping plan.

B. A fee consistent with the current fee schedule for County Site Development Plan approval shall accompany the application.

2.57 ~~PROJECT-PLAN-APPROVAL-REQUIREMENTS~~
FINAL SITE DEVELOPMENT PLAN APPROVAL

Exhibit "A" constitutes both the PUD Master Plan of development and the Barefoot Beach Subdivision Master Plan. ~~Prior-to-development-of-Tracts-B-through-O-which are-shown-on-the-Master-Plan,-detailed-site-development plans-shall-be-submitted-to-and-approved-by-the-appropriate-Collier-County-government-agencies,-which-shall insure-that-the-detailed-site-development-plans-conform~~

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

~~to the Master Plan, the terms of this PUD document, and the site development plan approval process which is set forth in the Zoning Ordinance at the time approval is sought.~~ Final Site Development Plan approval shall be obtained by each developer prior to the issuance of any construction permits. The Final Site Development Plan process as outlined in the Zoning Ordinance in effect at the time permits are requested shall be followed. Final site plan approval for Tracts Lely Beach North, Lely Beach South, and Active Community Recreation Area shall be in accordance with special construction, habitat protection, dune preservation, and wetland preservation regulations stated in Section XX. Sufficient documentation shall be submitted with the final site plan for review and approval by the appropriate County Department (for example, location of preserve areas and sensitive vegetation areas including endangered species, tree removal plan, landscaping plan, etc.)

Prior to the recording of additional subdivision plats within the Barefoot Beach Project, final plans for the required subdivision improvements shall receive the approval of all appropriate Collier County governmental agencies to insure compliance with the approved PUD Master Plan, the County Subdivision Regulations, and the platting laws of the State of Florida.

The PUD Master Plan indicates that the meandering north/south access road extends from Bonita Beach Road to the south boundary of the project. Vehicular access to the state owned lands south of the Barefoot Beach project is to occur via this north/south access road. No modification may be made to this road as planned which would interfere with access to the state owned land to the south.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-16

SECTION III

PLATTED LELY BAREFOOT BEACH UNIT #1
BLOCKS A through K
LOW DENSITY SINGLE FAMILY RESIDENTIAL

3.1 PURPOSE

The purpose of this Section is to set forth development regulations applicable to Platted Lely Barefoot Beach Unit #1, Blocks A through K.

3.2 MAXIMUM DWELLING UNITS

A maximum of 91 single family homesites may be constructed within platted Lely Barefoot Beach Unit #1, Blocks A through K.

3.3 USES PERMITTED

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

A. Principal Uses:
Single Family Residences: Individual homesites may consist of single platted lots, multiple lots and/or fractions of adjoining lots.

B. Accessory Uses:

(1) Customary accessory uses and structures, including private garages.
(2) Signs as permitted in section 8.31 of Ordinance 82.-2.

BOOK 022 PAGE 394

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

(3) Model homes shall be permitted in conjunction with development and sale of the project. Such model homes shall be converted to private residences within two years of construction completion, unless other wise specifically approved by the County.

3.4 REGULATION

3.4.1. GENERAL: All yards, setbacks, etc. shall be in relation to homesite boundaries, whether such homesite consists of a single platted lot, adjoining lots, and/or fractions of adjoining lots.

3.4.2 MINIMUM HOMESITE AREA: When a single platted lot is utilized as a homesite, the minimum lot area shall be the area of that lot, as platted. When a homesite is comprised of multiple lots and/or fractions of adjoining lots, the minimum homesite area shall equal or exceed the area of the largest platted lot which comprises a portion of the homesite.

3.4.3 MINIMUM LOT WIDTH: When a homesite is comprised of a single platted lot, the minimum lot width shall be as shown on the plat. When a homesite is comprised of adjoining lots and/or fractions of adjoining lots, the minimum lot width shall equal or exceed the width of the largest platted lot which is a portion of the homesite.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Packet Pg. 503

83-18

3.4.4 MINIMUM YARDS:

A. Yards which abut Lely Beach Boulevard: 25 feet. Required yards abutting Lely Beach Boulevard are also easements within which utilities, walkways, etc. may be installed.

B. Yards which abut an access drive right-of-way which extends westerly from Lely Beach Boulevard: 10 feet.

C. Yards which abut an adjoining homesite: 7½ feet

D. Yards which abut a Beach Garden: none

E: Gulf front yards: No structure may extend gulfward of the line approved by the Trustees of the Internal Improvement Fund as a variance to the State Coastal Setback Line, approved by the Florida Department of Natural Resources (Governor and State Cabinet) on 12-17-74.

3.4.5 MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURES:

A. One story- 1,200 square feet of living area exclusive of garages or unenclosed patios, decks or porches.

B. Two story- 2,000 square feet of living area exclusive of garages or unenclosed patios, decks or porches.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-19

3.4.6 OFFSTREET PARKING REQUIREMENTS:

Two parking spaces per single family residence.

3.4.7 MAXIMUM HEIGHT:

Two stories above the minimum base flood elevation required by the floor elevations ordinance. When the first habitable floor is raised a sufficient height above ground level to permit the underbuilding area to be used for automobile parking and other utilitarian purposes, that underbuilding area shall not be deemed to be a story.

3.4.8 STRUCTURAL REQUIREMENTS FOR RESIDENCES:

Special structural requirements designed to protect beachfront residences from storm tide and wave damage are incorporated in the State of Florida approved protective covenants for the Lely Barefoot Beach project as contained in Coastal Setback Line Variance #74-75-V40. These construction standards shall be applicable to all residences developed in Block A through K of Platted Lely Barefoot Beach Unit #1.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-20

SECTION IV

PLATTED LELY BAREFOOT BEACH UNIT #1
TRACT A: GATEHOUSE COMPLEX SITE

4.1 PURPOSE

The purpose of this Section is to establish development regulations for platted Lely Barefoot Beach Unit #1, Tract A.

4.2 USES PERMITTED

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

A. Principal Uses:

An entry gate facility wherein security against road entry by unauthorized persons or vehicles will be provided. Public access through or around the entry gate, along the principal access road, and to publicly owned and operated facilities shall be permitted as directed by the public agencies which operate the public facilities. The gatehouse facility may contain dwelling units for resident employees of the project, which employee dwelling units shall be included in the maximum 690 dwelling unit permitted within the total project. Additionally, the gatehouse complex may incorporate administrative, maintenance, and utilitarian activities and storage facilities for the Barefoot Beach project as a whole, During the period when the project is being marketed, development administration and sales offices may be

BOOK 022 PAGE 398

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-21

located in the gatehouse complex. Prior to construction of the gatehouse complex or subsequent modifications thereto, final plans shall be approved by the Community Development Administrator.

B. Accessory Uses:

(1) Customary uses and structures
(2) Signs as permitted by Section 8.31 of Ordinance 82.2.

4.3 MINIMUM SETBACKS

A. Lely Beach Boulevard: none. Portions of the security gatehouse facility may extend into and over Lely Beach Boulevard right-of-way.

B. Anguilla Lane: 25 feet.

C. North property line: 25 feet.

4.4 OFFSTREET PARKING

Six spaces, plus two spaces for each employee dwelling unit.

4.5 MAXIMUM HEIGHT

Two stories above the minimum base flood elevation required by the Flood Elevation Ordinance.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-28

SECTION V

PLATTED LELY BAREFOOT BEACH UNIT #1, TRACT B:
COMMUNITY RECREATION CENTER #1 SITE

5.1 PURPOSE

The purpose of this Section is to establish developmental regulations for platted Lely Barefoot Beach Unit #1, Tract B: Community Recreation Center #1 Site.

5.2 USES PERMITTED

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

A. Principal Uses:

Recreation structures and facilities, including boat docks and related facilities which extend into the water which adjoins Tract B.

B. Accessory Uses:

(1) Customary uses and structures.

(2) Signs as permitted in Section 8.31 of Ordinance 82.2.

5.3 MINIMUM SETBACKS

A. Lely Beach Boulevard: 50 feet

B. Waterfront yard: none

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

C. East and south property line: 25 feet

5.4 OFFSTREET PARKING REQUIREMENTS

As required by Collier County Zoning Regulations in effect at the time that permits are sought.

5.5. MAXIMUM HEIGHT

Two stories above the minimum base flood elevation required by the Flood Elevation Ordinance.

5.6 DEVELOPER REQUIRED IMPROVEMENTS WITHIN TRACT "B"

The developer shall make improvements to Tract "B": Community Recreation Center #1 site, in accord with Exhibit "B", which is hereby made a part of this PUD document. Community Recreation Center #1 site and all structures, recreation facilities, and other improvements thereon shall be owned in common by all owners of residential homesites in Lely Barefoot Beach. Prior to issuance of building permits for development of the recreation center complex, the development plan shall be reviewed and approved by the Community Development Administrator, who shall also ensure adequacy of offstreet parking spaces. The Barefoot Beach development sponsor shall complete all improvements indicated by Exhibit "B" prior to issuance of the 50th residential building permit. In the event that the development sponsor has not completed development of the improvements indicated on Exhibit "B" after issuance of 49 residential building permits, no further building permits shall be issued until the Exhibits "B" improvements have either been completed, or surety acceptable to the County in the amount of 110% of the cost to

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-24

complete the Exhibit "B" improvements has been posted with the County to guarantee completion.

No approval is given at this time for any boat ramps, boat docks, hoists, shoreline modifications or any other water oriented facilities. All such matters shall be handled separately by all governmental agencies with jurisdiction over waterfront development, at some future date.

Any recreation center development other than that described on Exhibit "B" shall be the responsibility of the property owner's association which owns and has the beneficial use of the center.

BOOK 0122 PAGE 402

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-25

SECTION VI

PLATTED LELY BAREFOOT BEACH UNIT #1
TRACT C: LANDSCAPED ENTRANCE DRIVE STRIP

6.1 PURPOSE

The purpose of this Section is to establish development regulations for Platted Lely Barefoot Beach Unit #1, Tract C: Landscaped Entrance Drive Strip.

6.2 USES PERMITTED

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

A. Principal Uses:

(1) Ornamental project entry features:
(2) portions of, or facilities related to the gatehouse complex;
(3) docks, which may extend from Tract C into the adjoining water, subject to the availability of dock construction permits.

B. Accessory Uses:

(1) Customary uses and structures.
(2) Signs as permitted in Section 8.31 of Ordinance 82.-2.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-20

SECTION VII

PLATTED LELY BAREFOOT BEACH UNIT #1
BEACH GARDENS A through K

7.1 PURPOSE

The purpose of this Section is to establish development regulations for Platted Lely Barefoot Beach Unit #1, Beach Gardens A through K.

7.2 USES PERMITTED

No building or structure, or part thereof, shall be erected altered of used, or land used, in whole or part, for other than the following:

A. Principal Uses:

Each beach garden area shall be owned and used in common by the owners of the abutting single family homesites. Permitted improvements include landscaping, swimming pools, shaded sitting areas, picnic facilities and the like. All structures lying seaward of the State Coastal Control Line require issuance of a variance by the State Department of Natural Resources.

7.3 MINIMUM SETBACKS

No specific setback standards are set for the structures and facilities which are ancillary to permitted recreational and ornamental usage of the beachfront commons sites, but all structures to be erected within the beachfront commons shall be located so as to pose the least possible view obstruction or privacy invasion

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-27

to residential sites adjoining the commons. Prior to improvement of a beachfront commons, the improvement plans including topographic modifications, structural facilities location, landscaping, etc. shall be approved by the Community Development Administrator who shall insure that the plans comply with the terms of the PUD ordinance and applicable other governmental regulations.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-26

SECTION VIII

PLATTED LELY BAREFOOT BEACH TRACT BF:
BEACHFRONT COMMON OPEN SPACE

8.1 PURPOSE

The purpose of this Section is to establish development regulations for Platted Lely Barefoot Beach Unit #1, Tract BF.

8.2 USES PERMITTED

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

A. Principal Uses:

No structures are permitted. This beachfront strip of land shall be devoted to customary beachfront recreational usage.

BOOK 022 PAGE 406

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-29

SECTION IX

TRACT D: LOW DENSITY SINGLE FAMILY RESIDENTIAL DEVELOPMENT

9.1 PURPOSE

The purpose of this Section is to establish development regulations for the area indicated on Exhibit "A" as Tract D: Low Density Single Family Residential.

9.2 MAXIMUM DWELLING UNITS

A maximum of four single family dwelling units may be constructed in this tract.

9.3 USES PERMITTED

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

A. Principal Uses:

Single family residences.

B. Accessory Uses:

(1) Customary accessory uses and structures including private garages.

(2) Signs as permitted in Section 8.31 of Ordinance 82-2.

(3) Model homes shall be permitted in conjunction with development and sale of the project. Model homes shall be converted to private

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-30

residences within two years of construction completion, unless otherwise specifically approved by the County.

9.4 REGULATIONS

9.4.1 GENERAL: All yards, setbacks, etc. shall be in relation to homesite boundaries.

9.4.2 MINIMUM LOT AREA: 6,000 square feet

9.4.3 MINIMUM LOT WIDTH: 60 feet

9.4.4 MINIMUM YARDS:

A. Yards which abut Lely Beach Boulevard: 25 feet, which minimum yard is also an easement in which utilities, walkways, etc. may be installed.

B. Yards which abut an access drive right-of-way which extends westerly from Lely Beach Boulevard: 10 feet

C. Yards which abut an adjoining homesite: 7½ feet

D. Yards which abut beachfront common open spaces: none.

E. Gulf front yards: no structure may extend gulfward of the line approved by the Trustees of the Internal Improvement Fund as a variance to the State Coastal Setback Line, approved by the Florida Department of Natural

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-31

Resources (Governor and State Cabinet) on 12/17/74.

9.4.5 MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURES

A. One story- 1,200 square feet of living area, exclusive of garages or unenclosed patios, decks or porches.

B. Two story- 2,000 square feet of living area exclusive of garages or unenclosed patios, decks or porches.

9.4.6 OFFSTREET PARKING REQUIREMENTS

Two parking spaces per single family residence.

9.4.7 MAXIMUM HEIGHT

Two stories above the minimum base flood elevation required by the flood elevation ordinance. When the first habitable floor is raised a sufficient height above ground level to permit the under-building area to be used for automobile parking and other utilitarian purposed, that underbuilding area shall not be deemed to be a story.

9.4.8 STRUCTURAL REQUIREMENTS FOR RESIDENCES

Special structural requirements designed to protect beachfront residence from storm tide and wave damage are incorporated in the State of Florida approved protective covenants for the Lely Barefoot Beach project as contained in Coastal Setback Line Variance #74-75-V 40. These

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-37

construction standards shall be applicable to all residences developed in Tract D.

BOOK 022 PAGE 410

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-33

SECTION X

TRACTS E, F, G, H, AND I
SINGLE OR MULTI-FAMILY RESIDENTIAL DEVELOPMENT

10.1 PURPOSE

The purpose of this Section is to establish development regulations for the areas designated on Exhibit "A" as Tracts E, F, G, H, and I: Low to Mid-rise Single or Multiple Family Residential.

10.2 SITE PLAN APPROVAL REQUIREMENTS

See Section 2.5, 2.6, 2.7

A. In the event an entire tract is to be developed as a unified project, a detailed and dimensioned site plan indicating building types and location, number of dwelling units, roadways, drives and parking area, recreation facilities, and other accessory uses and structures shall be prepared and submitted for approval by the appropriate Collier County agencies, prior to the issuance of building permits. The site plan approval process shall be that which is set forth in the Zoning Ordinance at the time site plan approval is sought.

B. In the event that a tract is to be developed in fractional parts, each parcel developer shall submit a detailed and dimensioned site plan to appropriate Collier County agencies, indicating building types and location, number of dwelling units, roadways, drives and parking areas, recreation facilities, and other accessory uses and

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-134

structures.--Prior-to-approving-the-development plan-for-the-parcel,-the-County-shall-insure-that the-plan-complies-with-the-Barefoot-Beach-PUD Master-Plan-and-regulations,-and-other-applicable County-ordinances.--The-site-plan-approval-process shall-be-that-which-is-set-forth-in-the-Zoning Ordinance-at-the-time-site-plan-approval-is sought.

10.3 USES PERMITTED

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

A. Principal Uses:

(1) Detached single family residences.

(2) Attached single family residences such as villas, zero lotline homes, cluster homes, townhouses, etc.

(3) Two family residences

(4) Multiple family residences

(5) Common recreational areas

B. Accessory Uses:

(1) Customary uses and structures

(2) Signs as permitted as per zoning ordinance in effect at the time permits are required or requested

BOOK 022 PAGE 412

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-35

(3) Model dwelling units shall be permitted in conjunction with the promotion of the project. Such model dwelling units shall be converted to privately owned dwelling units at the end of a two year period unless otherwise specifically approved by the County.

(4) Docks, either individual or common

10.4 MAXIMUM PERMITTED DWELLING UNITS

~~Tract E:----------80 units~~
~~Tract F:----------308 units~~
~~Tract G:----------00 units~~
Tract H: 77 units
Tract I: 30 units

~~The maximum number of dwelling units permitted on individual tracts E, F, G, H, and I may be increased or decreased by 10%, provided that the gross project dwelling unit maximum of 690 dwelling units is not exceeded~~ H and I may be increased, provided that the gross project dwelling unit maximum of 690 units is not exceeded.

10.5 REGULATIONS

10.5.1 GENERAL: All yards, setbacks, etc. shall be in relation to the individual tract or parcel boundaries.

10.5.2 MINIMUM LOT AREA:

6,000 square feet for detached single family dwellings

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-310

4,000 square feet per dwelling unit to two family structures
3,000 square feet per dwelling unit for three or more dwelling unit structures

10.5.3 MINIMUM LOT WIDTH:

60 feet for single family dwellings;
100 feet for two or more family dwellings;

10.5.4 MINIMUM LOT YARDS:

A. Yards which abut Lely Beach Boulevard: 25 feet. Required yards abutting Lely Beach Boulevard are also easements within which utilities, walkways, etc. may be installed.

B. Yards which abut a public or private street right-of-way other than Lely Beach Boulevard: 10 feet or 1/2 the building height, whichever is greater.

C. Yards which abut an adjoining homesite: 7½ feet or 1/2 the building height, whichever is greater.

D. Yards between adjoining buildings on the same site: 15 feet or 1/2 the sum of the building heights, whichever is greater, except that in the case of clustered development wherein the site plan has been approved by the appropriate Collier County agency, separation between buildings may be less.

E. Yards which abut beachfront common open space: none.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

~~F. Gulf front yards: no structure may extend gulfward of the line approved by the Trustees of the Internal Improvement Fund as a variance to the State Coastal Setback Line, approved by the Florida Department of Natural Resources (Governor and State Cabinet) on 12/17/74.~~

GF. Waterfront yards other than gulf front: 30 feet or 1/2 the building height, whichever is greater.

HG. Rear yards other than waterfront: 25 feet or 1/2 the building height, whichever is greater.

10.5.5 MINIMUM DWELLING UNIT FLOOR AREA:

Each residential unit shall have a minimum floor area of 1,200 square feet.

10.5.6 MAXIMUM BUILDING HEIGHT:

A. Tract ~~E, G, and~~ H: four habitable floors, with the option of having one floor of parking and associated non-habitable utilitarian space beneath the first habitable floor.

~~B. Tract F: six habitable floors, with the option of having one floor of parking and associate non-habitable utilitarian space beneath the first habitable floor.~~

GB. Tract I: two habitable floors, with the option of having one floor of parking and

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-38

associated non-habitable utilitarian space beneath the first habitable floor.

10.5.7 OFFSTREET PARKING REQUIREMENTS:

As required by Collier County regulations in affect at the time permits are sought.

10.5.8 STRUCTURAL REQUIREMENTS FOR BEACH FRONT BUILDINGS:

Special structural requirements designed to protect beachfront buildings from storm tide or wave damage are incorporated in the State of Florida approved protective covenants for the Lely Barefoot Beach project as contained in Coastal Setback Line Variance #74-75-V 40. ~~These construction standards shall be applicable to all buildings developed in Tracts E, F, and G.~~

~~10.5.9---MAXIMUM BUILDING COVERAGE IN TRACTS E, F & G.~~

~~The ground coverage by permitted residential structures in Tract E, F, & G shall not exceed the maximum residential structure ground coverage in the same beachfront development strip which was permitted under the PUD document which this PUD modifies. The previously permitted maximum ground coverage by residential buildings was 519,455 square feet.~~

~~10.5.10---BEACHFRONT CORRIDORS WITHIN WHICH DWELLING UNIT CONSTRUCTION IS PROHIBITED.~~

~~Upon joint determination by the County Engineering Department and the Barefoot Beach project engineer of the beachfront locations which are most~~

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-39

susceptible-to-erosion,-pass-breakthrough,-or-have storm-damage,-dwelling-unit-construction-shall-be prohibited-at-those-points.--The-dwelling-unit construction-prohibition-areas-shall-be-limited-to two-150-foot-wide-corridors,-extending-from-the Gulf-of-Mexico-to-the-north/south-access-road right-of-way.--Offstreet-parking,-tennis-courts, and-small-scale-recreation-facilities-may-be placed-in-the-corridors-which-are-prohibited-from dwelling-unit-construction.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-40

SECTION XI

TRACT LELY BEACH NORTH: SINGLE OR MULTI-FAMILY RESIDENTIAL DEVELOPMENT

11.1 PURPOSE

The purpose of this section is to establish development regulations for the areas designated on Exhibit A and Exhibit C, Tract Lely Beach North: low and mid-rise single and multi-family residential.

11.2 SITE PLAN APPROVAL REQUIREMENTS

Site plan approval shall be in accordance with Sections 2.5, 2.6, 2.7, and require field inspection by County Environmental staff to assure compliance with Section 20. The Lely Beach North Site Plan Exhibit C prepared by Coastal Engineering Consultants shall be considered the conceptual site plan for this Tract. The site plan depicts building locations and alignments, unit distributions and number of floors to accommodate open corridors and wide separation of unit clusters.

11.3 USES PERMITTED

10.3 USES PERMITTED

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

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-41

A. Principal Uses:

(1) Detached single family residences.

(2) Attached single family residences such as villas, zero lotline homes, cluster homes, townhouses, etc.

(3) Two family residences

(4) Multiple family residences

(5) Common recreational areas

B. Accessory Uses:

(1) Customary uses and structures

(2) Signs as permitted as per zoning ordinance in effect at the time permits are required or requested

(3) Model dwelling units shall be permitted in conjunction with the promotion of the project. Such model dwelling units shall be converted to privately owned dwelling units at the end of a two year period unless otherwise specifically approved by the County.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-42

11.4 MAXIMUM PERMITTED DWELLING UNITS

TRACT: LELY BEACH NORTH 391 UNITS

Of the total number of units at build-out, 20% shall be located east of Lely Beach Boulevard. If desired, units may be transferred to Tracts H or I.

11.5 REGULATIONS

11.5.1 GENERAL: All yards, setbacks, etc. shall be in relation to the individual tract or parcel boundaries.

11.5.2 MINIMUM LOT YARDS:

A. Yards which abut Lely Beach Boulevard: 25 feet. Required yards abutting Lely Beach Boulevard are also easements within which utilities, walkways, etc. may be installed.

B. Yards which abut an adjoining homesite: 7½ feet or 1/2 the building height, whichever is greater.

C. Yards between adjoining buildings on the same site: 15 feet or 1/2 the sum of the building heights, whichever is greater, except that in the case of clustered development wherein the site plan has been approved by the appropriate Collier County agency, separation between buildings may be less.

D. Yards which abut beachfront common open space: none.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

11.5.4 MINIMUM DWELLING UNIT FLOOR AREA

Each residential unit shall have a minimum floor area of 1200 square feet.

11.5.5 MAXIMUM BUILDING HEIGHT

Tract Lely Beach North: Six habitable floors with the option of having one or two floors of parking and associated non-habitable utilitarian space beneath the first habitable floor.

11.5.6 OFF-STREET PARKING REQUIREMENTS

One and one-half paved parking spaces per unit and one-half space unpaved or left in native vegetation set aside in reserve.

11.5.7 MAXIMUM DEVELOPMENT COVERAGE

The maximum development coverage (i.e. buildings, parking lots, roadways and driveways) as measured by impervious surface area shall not exceed 40% of the available upland area. The available upland area is measured from the State CCCL and the west to the wetland jurisdiction line to the east, excluding the required 60' right-of-way for Lely Beach Boulevard.

11.5.8 TYPES OF UNITS

The type of residential unit (multi-family mid-rise to six habitable floors, attached or detached villas, townhouses, etc.) shall be left to the developer provided that maximum coverage is not exceeded, and that the environmental protection standards are met.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-44

11.6 SPECIAL ENVIRONMENTAL PROTECTION REGULATIONS

All activities in this tract shall be in accordance with construction, native habitat protection, dune preservation and wetland preservations regulations listed in Section XX.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION XII

~~TRACTS-K-&-L:-COMMUNITY-RECREATION-AREA;~~
TRACT: ACTIVE COMMUNITY RECREATION AREA

12.1 PURPOSE

The purpose of this Section is to establish development regulations for the area designated on Exhibit "A" as ~~Tracts-K-&-L:--Community-Recreation-Areas.~~ Tract: Active Community Recreation Area.

12.2 USES PERMITTED

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

A. Principal Uses:

~~Community-recreation-usage,-including-buildings which-will-accommodate-community-social-and recreational-activities;-outdoor-recreation facilities;-parking-and-utilitarian-facilities customarily-associated-with-community-recreation areas.--Prior-to-development-of-recreation-areas-K and/or-L,-development-plans-shall-be-submitted-to and-approved-by-the-appropriate-Collier-County agencies,--which-shall-insure-that-the-proposed uses-and-their-physical-arrangement-is-appropriate,-and-that-applicable-County-regulations-are complied-with.--The-site-plan-approval-process shall-be-that-which-is-set-forth-in-the-Zoning Ordinance-at-the-time-site-plan-approval-is sought.~~

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-46

Community recreation usage, including buildings which will accommodate community, social, and recreational activities; outdoor recreation facilities; parking and utilitarian facilities customarily associated with community recreation areas. Prior to development of recreation areas, development plans shall be submitted to and approved by the appropriated Collier County agencies, which shall insure that the proposed uses and their physical arrangement is appropriate, and that applicable County regulations are complied with. The site plan approval process shall be that which is set forth in the Zoning Ordinance at the time site plan approval is sought, in accordance with Sections 2.5, 2.6, 2.7 and 20.

B. Additional Permitted Uses - Tract: Active Community Recreation Area may be used for the active recreational facilities (e.g. tennis courts, swimming pools, etc.) for residents living at Lely Beach North and Lely Beach South. No residential structures may be built in this tract. Provided maximum impervious surface and other land use requirements are met, this tract may also be used to meet the offstreet parking requirements for adjacent residential units located in Lely Beach North or Lely Beach South tracts.

C. Docks, boardwalks, observation piers or similar over water structures - No approval is given at this time for any boat ramps, boat docks, hoists, shoreline modifications or any other water oriented facilities. All

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-47

such matters shall be handled separately by all governmental agencies with jurisdiction over waterfront development, at some future date.

12.3 SPECIAL CHARACTERISTICS OF REVISED TRACTS

Tract: Active Community Recreation Area, is located at the site of former Little Hickory Pass. The existence of the former Pass, the well-developed back-barrier channels converging at this point, and the site's low elevation result in a high potential for island breachment during a major coastal storm.

12.4 MAXIMUM BUILDING HEIGHT

Two habitable floors.

12.5 MAXIMUM DEVELOPMENT COVERAGE

The maximum development coverage (e.g. buildings, parking lots, roadways, driveways, etc.) as measured by impervious surface area, shall not exceed forty percent of the available upland area. The available upland area is measured from the State CCCL in the west to the wetland jurisdiction line in the east, excluding the required 60 foot right-of-way for Lely Beach Boulevard.

12.46 MINIMUM YARDS

A. Yards which abut Lely Beach Boulevard: 25 feet, which minimum yard is also an easement in which utilities, walkways, etc. may be installed.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-48

B. Gulf front yards: no structure may extend gulfward of the ~~line approved by the Trustees of the Internal Improvement Fund as a variance to the State Coastal Setback Line, approved by the Florida Department of Natural Resources (Governor and State Cabinet) on 12-17-74,~~ State Coastal Construction Control Line.

12.57 OFFSTREET PARKING REQUIREMENTS

As required by the Collier County Zoning Ordinance at the time permits are applied for.

12.68 POLLING PLACES TO BE PROVIDED

Upon request by the Collier County Supervisor of Elections, community recreation facilities shall be made available as polling places.

12.9 SPECIAL ENVIRONMENTAL PROTECTION REGULATIONS

All activities in this tract shall be in accordance with construction, native habitat protection, dune preservation, and wetland preservation regulations listed in Section XX.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION XIII

TRACT: LELY BEACH SOUTH

13.1 PURPOSE

The purpose of this Section is to establish development regulations for the areas designated on Exhibit "A" as Tracts Lely Beach South: low to mid-rise, single or multi-family residential.

13.2 SITE PLAN FOR REVISED TRACT

The Lely Beach South site plan (Exhibit D) prepared by Coastal Engineering Consultants shall be considered the conceptual site plan for this tract. The site plan depicts development corridors (fixed), preservation areas (fixed), Lely Beach Boulevard (fixed), and development footprints (flexible with respect to building location and alignment within development corridor, unit type and distribution, and number of floors, provided that the specific tract and corridor development conditions are met).

SUB AREAS WITHIN LELY BEACH SOUTH

Lely Beach South has been divided into eight sub-areas; four development corridors labeled DC-1 through DC-4 on the Lely Beach South site plan and four preservations areas as labeled. These sub-areas restrict development to specific corridors based on island characteristics and prohibit development elsewhere. Their purpose is to maximize retention/restoration of native

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-50

coastal barrier habitats and to provide for storm surge/breachment channels.

13.3 SITE PLAN APPROVAL REQUIREMENTS

A. Site plan approval shall be in accordance with Section 2.6, 2.7 and Section XX

B. An entire development corridor is to be developed as a unified project and may not be fractionalized.

13.4 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered, or used, or land used, in whole or part, for other than following:

A. Principal Uses:

1. Detached single family residences.
2. Attached single family residences such as villas, zero lotline homes, cluster homes, townhouses, etc.
3. Two family residences.
4. Multiple family residences.
5. Common recreational areas.

B. Accessory Uses:

1. Customary uses and structures.
2. Signs as permitted as per zoning ordinance in effect at the time permits are required or requested

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

BOOK 022 PAGE 429

3. Model dwelling units shall be permitted in conjunction with the promotion of the project. Such model dwelling units shall be converted to privately owned dwelling units at the end of a two-year period unless otherwise specifically approved by the County.

13.5 MAXIMUM PERMITTED DWELLING UNITS

DC-1	60
DC-2	15
DC-3	12
DC-4	10
TOTAL	97

The maximum number of dwelling units permitted on individual corridors may not be increased. Dwelling units may be transferred to Tracts H and I.

13.6 REGULATIONS

13.6.1 GENERAL: All yards, setbacks, etc. shall be in relation to the individual tract or parcel boundaries.

13.6.2 MINIMUM YARDS

A. Yards which abut Lely Beach Boulevard: 25 feet right-of-way. Required yards abutting Lely Beach Boulevard are also easements within which utilities, walkways, etc. may be installed.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-52

B. Yards which abut beachfront common open space: none.

C. Waterfront yards other than Gulf front: 30 feet or one-half the building height, whichever is greater.

D. Rear yards other than waterfront: 20 feet or one-half the building height, whichever is greater.

13.6.3 MINIMUM DWELLING UNIT FLOOR AREA

Each residential unit shall have a minimum floor area of 1,200 square feet.

13.6.4 MAXIMUM BUILDING HEIGHT

A. DC-3 and DC-4 five habitable floors, with the option of having one or two floors of parking and associated non-habitable utilitarian space beneath the first habitable floor.

B. DC-1 and DC-2: Six habitable floors, with the option of having one or two floors of parking and associated non-habitable utilitarian space beneath the first habitable floor.

13.6.6 OFFSTREET PARKING REQUIREMENTS

One and one-half paved, one-half unpaved, landscaped or left in native vegetation set aside in reserve.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-53

13.9 MAXIMUM DEVELOPMENT COVERAGE

The maximum development coverage (e.g. buildings, parking lots, roadways, etc.) as measured by impervious surface area, shall not exceed:

DC-1	50%
DC-2	50%
DC-3	45%
DC-4	35%

Percent measurements shall be based on the available upland areas within the particular development corridor from the state CCCL to the west and the wetland jurisdiction line to the east, excluding the required 60 foot right of way for Lely Beach Boulevard.

13.10 TYPES OF UNITS

The type of residential units (multifamily mid-rise to six floors, attached or detached single family villas, townhouses, etc.) and their individual development corridors shall be left up to the developer provided that the maximum unit number and development coverage specified for each corridor are not exceeded and all construction and environmental protection standards are met.

11.13 SPECIAL ENVIRONMENTAL PROTECTION REGULATIONS

All development in this tract shall be in accordance with construction, native habitat protection, dune preservation and wetland preservation regulations listed in Section XX.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-54

SECTION XIV

PASSIVE COMMUNITY RECREATION AREA

14.1 PURPOSE

To provide special development standards within this area of dense, undisturbed native habitats. Its low elevation and the fact that it is surrounded by wetlands and bay waters, makes land alteration highly undesirable.

14.2 LIMITED USES

Because of its ecologically valuable and environmentally sensitive characteristics, this Tract will be used as a passive community recreation site (e.g. nature trails, boardwalks, etc.). No residential units will be permitted in this Tract. The location of some limited, low impact recreation facilities may be possible near the northern end of this tract provided that they are placed in the open or low plant cover corridors and that the total impervious acreage does not exceed 10 percent of the available upland area (outside of wetland jurisdiction lines). there shall be no hardening of the Bay shoreline (e.g., seawalls, riprap). Site plan approval per Sections 2.5, 2.6, 2.7, and 20 shall apply.

14.3 NATIVE HABITAT PROTECTION AND RESTORATION

A. The entire site shall be cleared of all exotics and be maintained exotic free by the developer or homeowner association.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

93-55

B. Recreational buildings, parking lots, water management facilities other than discharge points will be located in open or low plant cover corridors. Native species shall be retained as natural landscaping. Where native species must be removed to allow for the construction of a building, parking area or the like, they shall be transplanted to open areas.

C. Open spaces between any facilities shall be landscaped with retained and transplanted native vegetation and supplemented with additional native species. The objective of landscaping shall be to re-create natural coastal barrier habitats that have been lost to exotic invasion and storm events.

D. All activities in this tract shall be in accordance with any other appropriate environmental protection standards listed in Section XX.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION XIXV

TRACT J: UTILITY SITE

11115.1 PURPOSE

The purpose of this Section is to establish development regulations for the area designated on Exhibit "A" as Tract J: Utility Site.

11115.2 USES PERMITTED

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

A. Principal Uses:

(1) Utilitarian facilities such as grounds maintenance equipment storage; utility pumping stations; water storage tank; vehicular parking; or similar project serving facilities. Prior to utilization of Tract J, the plan for its utilization shall be submitted to and approved by the appropriate Collier County Agencies, which shall insure that the planned uses are appropriate on the site; that the location of the planned improvements is appropriate; and that if the facilities to be installed warrant screening, the necessary fencing and/or landscaping is installed.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-57

SECTION ~~XXXX~~XVI

TRACTS M, N & O: MANGROVE PRESERVES

136.1 PURPOSES

The purpose of this Section is to establish development regulations for the area designated on Exhibit "A" as Tracts M, N & O: Mangrove Preserves.

136.2 USES PERMITTED

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

A. Principal Uses:

Natural area preservation. No land modification or structures are permitted.

16.3 DEEDING OF TRACT M, N AND O

Mangrove wetland tracts M, N, and O along with their associated open water bottom lands shall be deeded to the State to ensure uniformity of resource management and protection for the estuarine system of Little Hickory Bay.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-56

SECTION ~~XIV~~XVII

EXCEPTIONS TO COUNTY SUBDIVISION REGULATIONS

~~14~~17.1 PURPOSE

The purpose of this Section is to set forth the County Subdivision Regulations which are waived or modified in connection with the platting of the Barefoot Beach Subdivision.

~~14~~17.2 EXCEPTIONS

Article X, Section 16 - Sidewalks and Bicycle Paths:

A 5 ft. wide sidewalk/bicycle path shall be constructed along the west side of the principal north/south access road.

Article X, Section 19 - Street Name Markers and Traffic Control Devices:

Street name signs shall be approved by the County Engineer but need not meet the U.S.D.O.T.F.H.W.A. Manual of Uniform Traffic Control Devices. Street pavement painting, striping, and reflective edging requirements shall be subject to County Engineering approval, but need not meet standard County requirements.

Article X, Section 24 - Utility Casings

The requirement that utility casing be installed at intersections is waived. This waiver is granted provided that the installation of subsurface construction such as water lines, sewer lines

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

and public utilities is completed prior to compaction of the subgrade and roadway construction.

Article XI, Section 1 - Access

Points of vehicular access to lots shall be located a minimum of 30 feet from any intersecting street right-of-way lines.

Article XI, Section 10 - Monuments:

Monuments which are placed within street pavement areas need not be installed in a typical water valve cover, as prescribed in the current County Standards.

Article XI, Section 16 - Solid Waste Collection and Handling Facilities:

The developer shall not be responsible for garbage receptacles at individual residences or multi-family structures.

Article XI, Section 17 - General:

F. Street Right-of-Way Widths and Alignment
Request waiver of minimum 60 foot width to allow implementation of Section 20.2.5 upon approval of the County Engineer.

H. Dead-End Streets: The requirement that dead end streets not exceed one thousand (1,000) feet in length is waived.

I. Curb Radii: Edge-of-pavement radii at street intersections shall be a minimum of 30 ft.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-60

SECTION XVXVIII

UTILITIES CONDITIONS

1518.1 PURPOSE

The purpose of this Section is to set forth utilities conditions established by the Collier County Utilities Division.

1518.2 WATER & SEWER

1518.2.1 Central water distribution and sewage collection and transmission systems will be constructed throughout the project development by the developer pursuant to all current requirements of Collier County and the State of Florida. Water and sewer facilities constructed within platted rights-of-way or within utility easements required by the County shall be conveyed to the County for ownership, operation, and maintenance purposes. All water and sewer facilities constructed on private property and not required by the County to be located within utility easements shall be owned, operated and maintained by the Developer, his assigns or successors. Upon completion of construction of the water and sewer facilities within the project, the facilities will be tested to insure they meet Collier County's minimum requirements at which time they will be conveyed or transferred to the County, when required by the Utilities Division, pursuant to appropriate County Ordinances and Regulations in effect at the time conveyance or transfer is requested, prior to being placed into service.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-61

1518.2.2 All construction plans and technical specifications and proposed water distribution and sewage collection and transmission facilities must be reviewed and approved by the Utilities Division prior to commencement of construction.

1518.2.3 All customers connecting to the water distribution and sewage collection facilities will be customers of the County and will be billed by the County in accordance with the County's established rates. Should the County not be in a position to provide water and/or sewer service to the project, the water and/or sewer customers shall be customers of the interim utility established to serve the project until the County's central water and/or sewer facilities are available to serve the project. For interim utility systems, a review of the proposed rates and subsequent approval by the Board of County Commissioners must be completed prior to activation of the water and sewer facilities servicing the project. Rate review must be in full compliance with County Ordinances No. 76-71 and 83-18 as amended, revised or superseded.

1518.2.4 It is anticipated that the County Utility Division will ultimately supply potable water to meet the consumptive demand and/or receive and treat the sewage generated by this project. Should the County system not be in a position to supply potable water to the project and/or receive the project's wastewater at the time development commences, the Developer, at his expense, will install and operate interim water supply and on-site treatment facilities and/or interim on-site sewage treatment and disposal facilities

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-62

adequate to meet all requirements of the appropriate regulatory agencies.

1518.2.5 An agreement shall be entered into between the County and the Owner, legally acceptable to the County, prior to the approval of construction documents for the proposed project, stating that:

a) The proposed water supply and on-site treatment facilities and/or on-site wastewater treatment and disposal facilities, if required, are to be constructed as part of the proposed project and must be regarded as interim; they shall be constructed to State and Federal standards and are to be owned, operated and maintained by the Owner, his assigns or successors until such time as the County's Central Water Facilities and/or Central Sewer Facilities are available to service the project. Prior to placing the water treatment, supply and distribution and/or sewage collection, transmission and treatment facilities into service the Developer shall submit, to the Collier County (Utility Rate and Regulation Board) for their review and approval, a schedule of the rates to be charged for providing processed water and/or sewage treatment to the project area on an interim basis until the County's central water and/or sewer facilities are available to serve the project.

b) Upon connection to the County's Central Water Facilities, and/or Central Sewer Facilities, the Owner, his assigns or successors shall abandon, dismantle and remove from the site

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

the interim water and/or sewage treatment facility and discontinue use of the water supply source, if applicable, in a manner consistent with State of Florida standards. All work related with this activity shall be performed at no cost to the County.

c) Connection to the County's Cental Water and/or Sewer Facilities will be made by the owners, their assigns or successors at no cost the the County within 90 days after such facilities become available. The cost of connection shall include, but not limited to, all engineering design and preparation of construction documents, permitting, modification or refitting of sewage pumping facilities, interconnection with County central facilities, water and/or sewer lines necessary to make the connection(s), etc.

~~1~~518.2.6 At the time County central water and/or sewer facilities are available for the project to connect with, the following water and/or sewer facilities shall be conveyed to the County pursuant to appropriate County Ordinances and Regulations in effect at the time:

1) All water and/or sewer facilities constructed in publicly owned right-of-way or within utility easements required by the County within the project limits and those additional facilities required to make connection with the County's central water and/or sewer facilities; or,

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-64

2. All water and sewer facilities required to connect the project to the County's central water and/or sewer facilities when the on-site water and/or sewer facilities are constructed on private property and not required by the County to be located within utility easements, including but not limited to the following:

   a) Main sewage lift station and force main interconnecting with the County central facilities including all utility easements necessary;

   b) Water distribution facilities from the point of connection with the County's central facilities to the master water meter serving the project, including all utility easements necessary.

~~1~~518.2.7 The customers served on an interim basis by the utility system constructed by the Owners shall be customers of the County at the time when County central water and/or sewer facilities are available to serve the project and such connection is made. Prior to connection of the project to the County's central water and/or sewer facilities the Owner, his assigns, or successors shall turn over to the County a complete list of the customers served by the interim utilities system and shall not compete with the County for the service of those customers. The Owner shall also provide the County with a detailed inventory of the facilities served within the project and the entity which will be responsible for the water and/or sewer service billing for the project.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-65

1518.2.8 All construction plans and technical specifications related to connections to the County's Central Water and/or Sewer Facilities will be submitted to the Utilities Division for review and approval prior to commencement of construction.

1518.2.9 The Owners, their assigns or successors agree to pay all applicable system development charges at the time that Building Permits are required, pursuant to appropriate County Ordinances and Regulations in effect at the time of Permit request. This requirement shall be made known to all prospective buyers of properties for which building permits will be required prior to the start of building construction.

1518.2.10 The County, at its option, may lease for operation and maintenance the water distribution and/or sewage collection and transmission system to the project owner or his assigns for the sum of $10.00 per year. Terms of the lease shall be determined upon completion of the proposed utility construction and prior to activation of the water supply, treatment and distribution facilities and/or the sewage collection, transmission and treatment facilities. The Lease, if required, shall remain in effect until the County can provide water and/or sewer service through its central facilities or until such time that bulk rate water and/or sewer service agreements are negotiated with the interim utility system serving the project.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83160

1518.2.11 Data required under County Ordinance No. 80-112 showing the availability of sewage service, must be submitted and approved by the Utilities Division prior to approval of the construction documents for the project. Submit a copy of the approved DER permits for the sewage collection and transmission systems and the wastewater treatment facility to be utilized, upon receipt thereof.

1518.2.12 If an interim on-site water supply, treatment and transmission facility is utilized to serve the proposed project, it must be properly sized to supply average and peak day domestic demand, in addition to fire flow demand at a rate approved by the appropriate Fire Control District servicing the project area.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-67

SECTION XV~~I~~XIX

PROJECT IMPROVEMENTS

~~1~~619.1 PURPOSE

The purpose of this Section is to set forth the physical improvements which shall be installed by the developer or his successor in title.

~~1~~619.2 IMPROVEMENTS

A. PEDESTRIAN BICYCLE PATH: A pedestrian/bicycle path shall be developed along the westerly edge of the main north/south access road, at the time that the road is developed. The pedestrian/bicycle cart path may be located in part within the road right-of-way and in part within the drainage and utility easement which lies adjacent to the westerly edge of the road right-of-way.

B. PRESERVATION OF EXISTING NATIVE PLANT MATERIAL; LANDSCAPE PLAN: LANDSCAPE IRRIGATION AND MAINTENANCE PROGRAM: A basic project objective is to retain the natural vegetative quality of this typical southwest Florida coastal area, both through careful preservation of existing good native vegetation and through relocation and/or importation of native plant materials. When construction sites contain cabbage palmetto, seagrape, or other native plant material which has a useful landscape purpose and the capability of being transplanted, such material shall be transplanted to the project open spaces. No modification shall be made to natural vegetation or to the land surface gulfward of the westernmost

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83 66

residential development sites. When the bayfront sites are developed, the existing shoreline and associated native wetland vegetation is to be retained in its existing state. No seawalls shall be constructed or other modification made to existing shorelines. Prior to the issuance of any alternation permits, the development sponsor shall submit detailed plans, including all pertinent data, to the Natural Resources Management Department for review and approval. ~~Selective clearing of trees and other native vegetation shall be exercised.~~ Preservation areas, sensitive vegetation areas, where development is excluded, protected trees, native vegetation, and other desirable areas that are to be integrated into the landscaping shall be clearly flagged or otherwise marked and a protective fence of a type acceptable to the Natural Resources Management Department shall be erected along the limits of clearance lines or the limits of the protected areas. The fence shall not be removed until such time as all site work is completed.

C. ROADS AND DRIVES: All project roads and drives, within approved rights-of-way, main north/south road, minor residential streets in the backbay portion of the plan, and the beachfront cluster access drives, are to be commonly owned and maintained by the property owners' association. The construction specifications of project roads and drives shall be as follows:

Main North/South Road: 26 ft. pavement width within a 60 ft. right-of-way, aligned as shown on the Master Plan. The PUD Master Plan indicates that the meandering north/south access road

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

93-69

extends from Bonita Beach Road to the south boundary of the project. Vehicular access to the state owned lands south of the Barefoot Beach project is to occur via this north/south access road. No modification may be made to this road as planned which would interfere with access to the state owned land to the south. Right-of-way width may vary per Section 20.2.5 upon approval of the County Engineer. Right-of-way location may vary up to 50 feet from either side shown on Master Plan "A".

Beachfront Cluster Access Drives: 18 ft. pavement width within a 50 ft. right-of-way, aligned as shown on the Master Plan or on approved Site Development Plans.

Backbay Roads: 20 ft. pavement width within a 60 ft. right-of-way, aligned as shown on the Master plan or on approved Site Development Plans.

Improvements in Bonita Beach Road Right-of-Way: The developer shall provide a left turn storage lane at the project entry road, per DOT design requirements, as part of the initial project road improvements.

An extra travel lane shall be constructed by the developer at the entry gate, permitting security checks without blocking traffic flow.

If and when a traffic light at the entrance intersection is deemed warranted by DOT, the developer or his successor in title shall contribute his pro-rata share to the cost of the light.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-70

Recorded Private Access Easement Extending from Bonita Beach Road Through Barefoot Beach Lands: The recorded easement extending southerly from Bonita Beach Road through Barefoot Beach lands shall be vacated prior to approval of construction plans or record plat for any Barefoot Beach lots which are affected by said easement.

Main North/South Road Construction Timing: The main north/south access road extending from Bonita Beach Road to the south line of the Barefoot Beach project shall be constructed by the developer, with construction completion occurring no later than June 4, 1989.

Driveways and parking lot access in Tracts Lely Beach North and Lely Beach South are to be constructed at the minimum possible width to enable optimum preservation of native vegetation.

D. STREET LIGHTS: Street lights will be installed by the project sponsor in the locations indicated on the approved subdivision plan and/or approved Site Development Plans, as applicable. The project developer or the project property owners' association reserves the right to install street lights at more frequent intervals. Street light fixtures shall be ornamental, low intensity, and free of glare which constitutes an nuisance to nearby homesites.

E. STORMWATER MANAGEMENT: There shall be no project storm water collection and distribution facility which connects directly with tide water. Any drainageway crossing the north/south access road shall discharge into upland mangrove, through

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

which it shall sheet flow toward tide water. Detailed plan and specifications for all water management features within the project shall be submitted to and approved by the County Water Management Board as well as by any other governmental agency with jurisdiction, prior to final plan approval. When development of back bay waterfront homesites or recreation areas occurs, no seawalls shall be constructed and no other modifications shall occur to the land at the waters edge or within ten feet of the mean high tide line except for such boating related improvements as may later be authorized by all governmental agencies with jurisdiction. No portion of the project area shall be modified by an individual lot owner so as to drain directly to tide water.

F. SIGNS AND OFFSTREET PARKING AREA LANDSCAPING: Collier County regulations dealing with signs and offstreet parking area landscaping shall be applicable to the Barefoot Beach project.

G. PUBLIC BEACH: Although not a part of this PUD project, the Barefoot Beach project sponsor has dedicated a tract of beachfront land to Collier County for public beach recreation use. The dedicated tract lies adjacent and immediately north of this PUD. The tract dimensions are 600 feet of gulf frontage by 180 feet in depth. The north Collier County line is the north boundary of the dedicated tract. In addition to the dedicated beachfront tract, the Barefoot Beach project sponsor has committed to dedicate a tract of land sufficiently large to accommodate a minimum of 100 offstreet parking spaces to serve the public

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-72

beach, and to construction the offstreet parking facility. Commitment is hereby made that the offstreet parking facility land dedication and physical improvement in accord with County approved plans will be completed no later than June 4, 1986.

H. WATER STORAGE TANK: PRESSURE PUMPING FACILITIES: If deemed necessary to meet County Utility Division requirements, but no later than at 75% completion of the project as determined by sale of units, the Barefoot Beach development sponsor shall install water storage tanks and booster pumps in Tract "J", or elsewhere as directed by the Division in order to maintain adequate pressure in the transmission main.

BOOK 022 PAGE 450

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-73

BOOK 022 PAGE 451

055 120

SECTION XX

SPECIAL ENVIRONMENTAL PROTECTION REGULATIONS

20.1 CONSTRUCTION STANDARDS

20.1.2 All construction other than those listed in 20.3 in Lely Beach North, Lely Beach South and Active Community Recreation Area shall occur landward of the State's established Coastal Construction Control Line.

20.1.3 The special structural requirements designed to protect beach front buildings from storm tides or wave damage, incorporated in the State of Florida approved protective covenants for Lely Barefoot Beach, shall be applicable to all structures constructed. Where these requirements differ from other local, state and federal requirements in force at the time of construction, those standards which offer the highest level of protection to residents shall apply.

20.1.5 There shall be no hardening of either the Gulf or Bay shoreline (e.g. seawalls, groins, riprap). Any shoreline stabilizations shall take place utilizing the planting of native vegetation and/or the replacement of sand lost due to erosion.

20.1.6 Structures shall be clustered as conceptually shown on Exhibits C and D in order to retain large open space areas for native habitat retention/restoration and to keep open corridors for potential storm surge and island breachment.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-74

20.1.6 All available under-buildings areas (i.e., areas not required for stairwells, pilings, etc.) shall be utilized in meeting County parking requirements. At a minimum, 30% of required paved parking spaces shall occur under the buildings.

20.1.7 Structures shall be oriented in ways other than continuous shore parallel in order to reduce their exposure to storm waves and winds.

20.1.8 The water management system shall be designed with no direct runoff to the dune or wetland zone. Storm waters shall be directed toward the center of the development areas for percolation and treatment in roadside swales and the like. If deemed necessary, spreader swales may be constructed in open upland areas adjacent to wetlands provided their construction does not result in the loss of native habitats.

20.2 NATIVE HABITAT PROTECTION AND RESTORATION STANDARDS

20.2.1 The entire development site (including development, preservation, and open space areas) shall be cleared of all exotics and be maintained exotic free by the developer or homeowner association.

20.2.2 Buildings, parking lots, and other associated development facilities shall be located in development corridors characterized by exotic species or open and devoid of established native plant communities. Facilities are to be sighted outside the designated preservation areas oriented to avoid the clearing of sensitive

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-75

vegetation and remaining native habitats. Within the development tracts existing native species shall be retained as natural landscaping. Where native species must be removed to allow for the construction of a building, parking area, or the like, they shall be transplanted to open areas within the development tracts or to the preserve or sensitive vegetation areas.

20.2.3 Extensive open space areas between residential unit clusters and other development facilities shall be landscaped with retained and transplanted native vegetation and supplemented with additional native species. The objective of landscaping shall be to re-create natural coastal barrier habitats that have been lost to exotic invasion and storm events. To this end, major landscaping areas shall be designed to replicate natural areas with respect to species composition and distribution (e.g. overstory trees and native ground cover/shrubs).

20.2.4 Since the objective of site planning and landscaping is to cluster structures in order to leave large open space areas where native habitats can be retained/restored, in no case shall sodded areas exceed thirty percent of the tracts' pervious acreage.

20.2.5 Right-of-way Clearing for Lely Beach Boulevard and Location of Paved Roadway: to maximize retention of native foliage, a forty foot right-of-way may be allowed on Lely Beach Boulevard when recommended by the County Natural Resources Management Department and approved by the County Engineer. In addition, where approved by the County Engineering Department, following recommendation by the Natural Resource Management Department, the paved roadway shall be located within the right-of-way in corridor that is aligned to maximize the retention of the existing native vegetation.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-76

20.2.6 Where required yards and setbacks include native vegetation, the vegetation shall be retained.

20.3 DEFINITION AND STANDARDS FOR DUNE PRESERVATION ZONE

20.3.1 PURPOSE

A dune preservation zone has been designated on the revised master plan and included in the PUD document in order to highlight the importance of the Lely Barefoot Beach dune area in storm damage prevention and to emphasize the need for its restoration and strict protection.

20.3.2 BOUNDARIES

The dune preservation zone shall run from the south line of Tract D to the south end of Lely Barefoot Beach, and encompasses the entire area seaward of the State CCCL.

20.3.3 PERMITTED ACTIVITIES WITHIN NEW TRACT

The dune zone is set up soley for the restoration and protection of the Lely Beach dunes. For this reason only activities strictly related to this function are permitted. No development structures or facilities other than dune crossovers are allowed.

20.3.4 CONSTRUCTION STANDARDS

Dune crossovers to be located within this preservation zone are to be designed and constructed according to standards of the DNR Division of

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Beaches and Shores. Dune crossovers shall end with stairs intersecting the beach just seaward of the natural or restored vegetation line. No excavation shall be permitted in this zone other than that required for the removal of exotics, the restoration of the dune zone, or the construction of dune crossovers.

20.3.5 NATIVE HABITAT PROTECTION AND RESTORATION

A. The entire preservation area shall be cleared of all exotics and be maintained exotic free by the developer or homeowner association. Exotic plant clearing shall take place in concert with dune restoration activities.

B. The dune preservation zone shall be restored to replicate its natural form. Dune restoration shall be accomplished by and according to a plan prepared by qualified and approved habitat restoration specialist.

C. The dune restoration program shall consist of regrading the site (with the addition of supplemental sand where necessary) to duplicate natural southwest Florida dune profiles and planting the foredune area with sea oats (no less than 80 percent cover) and other associate native foredune species (not to exceed 20 percent cover). Backdune areas can be planted with native backdune shrubs and trees in such a way as to replicate natural species distribution. Where native dune species exist, they shall be retained or transplanted prior to grading and replanted thereafter.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Packet Pg. 563

D. The habitat restoration specialist selected for the job as well as the detailed dune restoration program and plans shall be reviewed and approved prior to construction by the County Natural Resources Management Department.

20.3.6 DEFINITIONS AND STANDARDS FOR WETLAND PRESERVATION ZONE

A. All jurisdictional wetlands located outside of Tracts M, N, and O are considered to be part of the wetland preservation zone. This designation highlights the importance of the wetlands and the need for their preservation.

B. Trimming and pruning of live wetland plants is prohibited without first obtaining appropriate federal, state, and local approval.

C. Land modifications or structures are prohibited within this zone except for nature trails or boardwalks.

D. Jurisdictional surveys indicate a pocket of stressed wetland vegetation exists within the interior of Tract Lely Beach North. It is understood by all parties that the Sections 20.3.6, A through C above, do not apply to this isloated pocket. The Developer or his assigns may undertake steps to obtain State, Federal and County permits to fill this isolated pocket of wetland. Upon receipt of permits this area can be utilized for building in accordance with Section IX requirements.

20.3.7 All activities dealing with Section 20.3.1 through 20.3.6 will be coordinated through the Collier County Natural Resource Management Department during development. Contact concerning these development activites will be the responsibility of the developer.

20.3.8 Effluent released by the sewage treatment plant will monitored by the developer. After buildout monitoring requirements shall be transferred to the Homeowners Association to assure minimum impact on Little Hickory Bay. Parameters to be monitored will be set by the Natural Resource Management Department and effluent standards in D.E.R. regulations.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION ~~XVII~~XXI

ENVIRONMENTAL ADVISORY COUNCIL STIPULATIONS

1721.1 PURPOSE

The purpose of this Section is to set forth standard requirements of the Environmental Advisory Council relative to site clearing, retention and reinforcement of native vegetation, elimination of exotic plants, and archaeological or historical site protection.

1721.2 STIPULATIONS

A. A site clearing plan shall be submitted to the Natural Resources Management Department and the Community Development Division for their review and approval prior to any substantial work on the site. This plan may be submitted in phases to coincide with the development schedule. The site clearing plan shall clearly depict how the final site layout incorporates retained native vegetation to the maximum extent possible and how roads, buildings, lakes, parking lots, and other facilities have been oriented to accommodate this goal.

B. Native species shall be utilized, where available, to the maximum extent possible in the site landscaping design. A landscaping plan will be submitted to the Natural Resources Management Department and the Community Development Division for their review and approval. This plan will depict the incorporation of native species and their mix with other species, if any. The goal of

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-80

site landscaping shall be the recreation of native vegetation and habitat characteristics lost on the site during construction or due to past activities.

C. All exotic plants, as defined in the County Code, shall be removed during each phase of construction from development areas, open space areas, and preserve areas. Following site development a maintenance program shall be implemented to prevent reinvasion of the site by such exotic species. This plan, which will describe control techniques and inspection intervals, shall be filed with and approved by the Natural Resources Management Department and the Community Development Division.

D. If, during the course of site clearing, excavation, or other constructional activities, an archaeological or historical site, artifact, or other indication is discovered, all development at that location shall be immediately stopped and the Natural Resources Management Department notified. Development will be suspended for a sufficient length of time to enable the Natural Resources Management Department of a designated consultant to assess the find and determine the proper course of action in regard to its salvageability. The Natural Resources Management Department will respond to any such notification in a timely and efficient manner so as to provide only a minimal interruption to any construction al activities.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-87

SECTION XXII

PROTECTIVE COVENANTS

AS PER O.R. 869, Pages 1971 through 1971

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-82

BAREFOOT BEACH - Exhibit E

LEGAL DESCRIPTION: The subject property abuts the Gulf of Mexico on the west and the inland tidal waters of the state of the east. It extends in a north/south direction for approximately two miles and lies very near the northern Collier County line. The precise legal description is as follows: All land lying in Section 5, Section 6, Section 7, and Section 8, Township 48 South, Range 25 East, Collier County, Florida, lying west of the agreed upon boundary line as described and recorded in OR Book 68, Pages 235 thru 250, inclusive, in the Public Records of Collier County, Florida, less and except the following described parcel: Begin at the northeast corner of Section 6, T48S, R25E, thence run west along the north line of said Section 6 a distance of 3,396.61 feet to a set GAC monument, thence continue to run west along said north line of Section 6 a distance of 80± feet, to the mean high water line of the Gulf of Mexico, thence run in a southeasterly direction along the mean high water line to the intersection of said mean high water line and a line bearing S71°38'14"W from a point located S81°21'46"E a distance of 704.53 feet from the above noted GAC monument, thence run N71°38'14"E a distance of 80± feet, to the above located point, thence continuing N71°38'14" E a distance of 150.15 feet, thence N19°47'42"W a distance of 41.01 feet, thence N68°45'00"E a distance of 580.00 feet, thence S67°01'27"E to a point 50 feet beyond and seaward of the mean high water line of the small water body extending westerly from Little Hickory Bay, thence meandering northerly and easterly along a line 50 feet seaward of the mean high water line along lands abutting the south side of Bonita Beach Road (SR-865) to the east line of Section 6, T48S, R25E, thence north along the east line of said Section 6 to the point of beginning.

BOOK 022 PAGE 460

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

322 PAGE 461

83-83

650336 O.R. 869 PG 1961

617669 O.R. 867 PG 1318

Mar 6 11 33 AM '80

AMENDED
DECLARATION OF PROTECTIVE COVENANTS
CONSTRUCTION REQUIREMENTS
BAREFOOT BEACH

Re-recorded to include Exhibit C

COPY

THIS DECLARATION, made on the date hereinafter set forth by Lely Estates, Inc. hereinafter referred to as DEVELOPER.

OFFICIAL RECORDS COLLIER COUNTY FLORIDA
Mar 23 3 00 PM '80

WITNESSETH:

DEVELOPER is the fee simple owner of certain lands in Collier County, Florida, described as:

-----As per the legal description attached hereto and labeled Exhibit "A"-------

WHEREAS, DEVELOPER will convey said lands or portions [illegible], easements, reservations, lien right, and charge rights, as herein set forth:

NOW, THEREFORE, DEVELOPER hereby declares that the above described property shall be held, sold, and conveyed subject to the following restrictions, covenants, and conditions, all of which are established for the sole purpose of enhancing and protecting the value, attractiveness, and pleasant living quality of BAREFOOT BEACH. These covenants shall run with the land unless terminated as hereinafter set forth and shall be binding on all parties, whether grantees, mortgagees, devisees, heirs, personal representatives, successors or assigns, or any other person claiming right, title, or interest, present or future, in the described property, or any part or portions thereof.

I

DEFINITIONS: As used herein the following definitions shall apply:

DEVELOPER shall mean and refer to Lely Estates, Inc., a Texas Corporation authorized to do business in Florida, its successors in ownership or its assigns.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-34

OWNER shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any real estate included within Exhibit "B" attached hereto and including those having an interest merely as security for the performance of an obligation.

II.

A. The first floor finished elevation for residential units shall not be less than +14.5 feet N.G.V.D. The elevations of the bottom of the structural members supporting the first finished floor, with the exception of piling, shall be not less than +13.0 feet Mean Sea Level datum.

B. The structures foundations thereof and shielding structures (see Paragraph C) shall be designed by an engineer licensed in the State of Florida. The foundation and principle structures shall be designed to safely withstand the effects of a hurricane force wind of 140 mph acting at a point 30' (feet) above the average surrounding ground level as set forth in the latest edition to the Southern Building Code, Southern Building Code Congress International, Inc. The structures shall be pile supported with pile tips not less than elevation minus 15.0 feet N.G.V.D.

The superstructure shall be directly supported either by concrete piling or by concrete columns. If the pilings are directly connected to the superstructure they shall extend without splice from the tip elevation to the underside of the support structure. If the superstructure is supported by concrete colums, the colums shall be supported by concrete pile caps, the top elevation of which shall be no higher than + 3.0 N.G.V.D., and the pile caps shall be supported by concrete piling. The superstructure support members -- either columns or piling -- shall have minimum side dimensions of 12 inches, shall be designed to support the previously described superstructure loads combined with a lateral load of 5,000 lbs. x the side dimension of the member in feet applied to each member at elevation 11.0 N.G.V.D.

L

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-85

O.R. 869 PG 1963
O.R. 867 PG 1320

The above described support structure shall be no closer together than 7 feet clear distance.

C. All shielding structures below the level of elevation +13.0 Mean Sea Level shall be frangible and designed to blow out at a wind load of 90 mph. Fastenings shall be designed to fail when the surface is subject to a uniform load of 40 lbs. per square foot.

D. The design engineer shall certify on the plans for the structure that the structure has been designed in accordance with these restrictions and consideration has been given to the Design Wave Force Analysis performed by the Department of Natural Resources, Bureau of Beaches and Shores, recorded and attached hereto as Exhibit "C".

E. These restrictions shall apply to all residential buildings and other structures of similar design life located within the area described in Exhibit "B".

F. There shall be no excavation seaward of the Coastal Construction Setback Line which would reduce the existing ground dunes ridges. This restriction shall not preclude excavation for pile foundations, utilities, or non-permanent excavations.

G. Additional deed restrictions which are not inconsistent with the above covenants and do not lower the standards established by these restrictions shall not be precluded.

H. No construction shall be permitted seaward of the property described in Exhibit "B", or in those areas held in common ownership lying west of the Coastal Construction Setback Line. In the event that the Coastal Construction Setback Line established in Collier County pursuant to Section 161.053 Florida Statutes, shall be repealed by legislation or determined unconstitutional or invalid by any Court of competent jurisdiction and such determination has become final and not subject to further judicial review, the covenants and restrictions herein set may be abandoned by an act of a majority of the owners of the land set forth in Exhibit "A".

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-

O.R. 869 PG 1964
O.R. 867 PG 1321

1. Variances or waivers to these restrictions shall be valid only if approved in writing by the Florida Department of Natural Resources or other State Agency exercising jurisdiction over coastal construction and if the variances or waivers are also approved by the DEVELOPER.

III

MODIFICATION OF COVENANTS: The DEVELOPER hereby reserves the right to make reasonable modifications to these covenants, except for Sections II, A through I inclusive and this section, from time to time, either by way of additions, deletions, or changes, so that it may better assure the protection of the value, desirability and attractiveness of the subdivision. These covenants are supplemental to and independent of any zoning, present or future, of the County of Collier. No variance or zoning change permitted by the County shall in any way be construed to reduce or modify the covenants contained herein.

IV

ACCEPTANCE OF COVENANTS BY LOT OWNERS: Each OWNER, by accepting an interest in any lot, hereby and thereby agrees to be bound by all the conditions, limitations, reservations, and restrictions as contained herein, and in the event of a breach agrees to pay all costs, including a reasonable attorney's fee, for the enforcement of these covenants.

V

REMEDIES: In the event of a violation or breach of any of these restrictive covenants, the DEVELOPER or any group of five (5) owners shall have the right to proceed at law or in equity to compel compliance with the terms hereof or to prevent the violation or breach of any of them. The failure to enforce any right, reservation, restriction, condition or limitation herein contained, however long continued shall not be deemed a waiver of the right to do so thereafter. The invalidation by

BOOK 022 PAGE 464

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

a court of any covenant herein contained shall not in any way affect any of the other covenants, which shall remain in full force and effect. Any delinquent OWNER agrees to pay a reasonable attorney fee for the enforcement of these use restrictions.

VI

This Declaration of Protective Covenants shall be incorporated in any Declaration of Condominium pertaining to the real estate included within Exhibit "B".

VII

Each owner of the property seaward of the Coastal Construction Setback Line shall notify the State of Florida, Department of Natural Resources, in writing of the intent to build any structure seaward of the Coastal Construction Setback Line, not less than 15 days prior to the commencement of such construction. This notice shall be accompanied by two sets of construction plans and specifications for the proposed structures, certified in accordance with Section II D of these covenants by a Professional Engineer, registered in the State of Florida.

VIII

These Amended Declarations are intended to replace those Declaration of Protective Covenants dated the 7th day of April, 1978 and filed in Official Record Book 745 pages 1699-1707 of the Public Records of Collier County, Florida.

IN WITNESS WHEREOF, LELY ESTATES, INC., has caused this Amended Declaration of Protective Covenants to be signed by its duly authorized officer and its corporate seal affixed hereto this 1 day of May, 1980.

SIGNED IN THE PRESENCE OF:

LELY ESTATES, INC.

BY: Christian W. Duvekot
Its Vice-President

(CORPORATE SEAL)

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

8

O.R. 869 PG 1966
O.R. 867 PG 1323

STATE OF FLORIDA
COUNTY OF COLLIER

I HEREBY CERTIFY that on this day, before me, a Notary Public duly authorized in the State and County named above to take acknowledgments, personally appeared the above named CHRISTIAAN W. DUVEKOT, well known to me to be the person described as Vice-President of the above named corporation well known to me to be the person who executed the foregoing Declaration of Protective Covenants in the name of and for that corporation.

WITNESS my hand and official seal in the county and state above this 1st day of May, 19[illegible].

(NOTARY SEAL)

NOTARY PUBLIC
My commission expires:

BOOK 022 PAGE 466

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

838

BOOK 022 PAGE 467

O.R. 869 PG 1967
O.R. 867 PG 1324

EXHIBIT 'A'

----All lands lying in Section 5, Section 6 Section 7 and Section 8, in Township 48 South, Range 25 East, Collier County, Florida, lying West of the Agreed Upon Boundary Line as described and recorded in O.R. Book 68, Pages 233 through 260, inclusive, in the Public Records of Collier County, Florida, and hereby specifically including all accretion and/or relicton appurtenant thereto:

Excepting therefrom any part of said Section 6 which forms a part of the Bonita Beach Road, same being SR S-865.----

Page One of One Page

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

8

O.R. 869 PG 1965
O.R. 867 PG 1325

STANLEY W. HOLE AND ASSOC., INC.
CONSULTING ENGINEERS

Legal Description of Area encompassed under the declaration of Protective covenants, Barefoot Beach Collier County, Florida 71.20-Bd

EXHIBIT "B"

Commencing at the Northeast corner of Section 6 Twp. 48S Rg. 25E thence run N 89°49'01" W along the north line of said Section 6 for 3,396.61 feet to a concrete monument marked "GAC Monument", thence run S 18°21'46"E for 704.53 feet, thence run N 71°38'14" E for 78.14 feet, thence run S 19°47'42" E for 2.00 feet to the Point of Beginning. Thence S 19°47'42" E 72.50 feet, thence run S19°47'49" E 199.77 feet, thence S 18°21'36" E 198.80 feet, thence S 19°47'09" E 201.67 feet, thence S 21°24'08" E 200.07 feet, thence S 18°45'21" E 199.81 feet, thence S 21°00'58" E 253.28 feet, thence S 23°4.'40" E 347.33 feet, thence S 17°19'38" E 200.70 feet, thence S 15°51'58" E 198.55 feet, thence S 18°57'59" E 201.89 feet, thence S 18°40'23" E 203.22 feet, thence S 18°42'19" E 195.48 feet, thence S 18°41'20" E 199.90 feet, thence S 20°07'08" E 202.50 feet, thence S 15°45'11" E 196.57 feet, thence S 15°51'36" E 202.23 feet, thence S 17°14'16" E 198.29 feet, thence S 19°19'29" E 201.56 feet, thence S 17°36'12" E 199.30 feet, thence S 19°02'34" E 200.39 feet, thence S 20°28'32" E 199.82 feet, thence S 21°54'31"E 199.89 feet, thence S 19°29'00" E 200.87 feet, thence S 19°46'23" E 198.41 feet, thence S 22°37'47" E 200.45 feet, thence S 22°37'54" E 200.31 feet, thence S 21°11'51" E 200.65 feet, thence S 18°20'24" E 200.52 feet, thence S 17°36'13" E 200.67 feet, thence S 17°17'07" E 199.88 feet, thence S 17°12'52" E 202.87 feet, thence S 17°11'32" E 200.18 feet, thence S 15°44'11" E 196.48 feet, thence S 18°01'04" E 202.24 feet, thence S 18°00'12" E 199.70 feet, thence S 18°00'09" E 199.51 feet,

BOOK 022 PAGE 468

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-9

BOOK 022 PAGE 469

O.R. 867 PG 1969
O.R. 867 PG 1326

Legal Description-Protective Covenants
Barefoot Beach 71.20-83
Page 2

thence S 18°00'13" E 200.10 feet, thence S 17°59'37" E 197.71 feet, thence S 19°30'57" E 206.42 feet, thence S 19°34'58" E 199.63 feet, thence S 18°08'40" E 199.89 feet, thence S 12°16'21" E 195.84 feet, thence S 16°45'17" E 204.92 feet, thence S 18°08'19" E 200.64 feet, thence S 16°06'39" E 199.66 feet, thence S 17°37'30" E 197.06 feet, thence S 17°37'48" E 200.30 feet, thence S 14°46'51" E 201.14 feet, thence S 19°03'25" E 200.54 feet, thence S 16°44'26" E 198.29 feet, thence S 16°20'36" E 197.85 feet, thence N 88°27'55" E 294.26 feet thence N 17°43'15" W for 3,423.45 feet, thence 408.06 feet along the arc of a curve having a radius of 440.05 feet, central angle of 53°07'51" chord bearing N 00°08'29" W, thence N 16°36'34" W for 147.36 feet, thence N 11°24'44" W for 870.08 feet, thence 173.47 f et along the arc of a curve having a radius of 435.72 feet, central angle of 22°48'37", chord bearing N 15°52'16" W, thence N 23° 31'22" W for 846.68 feet, thence 339.22 feet along the arc of a curve having a radius of 170.00 feet, central angle 114°19'48" and chord bearing of N 37°21'13" W, thence N 18°33'43" W for 1,091.74 feet, thence N 13°40'49" W for 848.65 feet, thence 111.54 feet along a curve having a radius of 170.00 feet, central angle 37°35'28" and chord bearing N 22°39'49" W, thence N 41°27'33" W for 150.80 feet, thence 102.61 feet along a curve having a radius of 230.00 feet, central angle of 25°33'46" chord bearing N 28°40'40" W, thence 86.96 feet along the arc of a curve having a radius of 899.95 feet, central angle of 5°32'22" and chord bearing N 18°39'58" W, thence N 18°57'02" W

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

O.R. 869 PG 1970
O.R. 867 PG 1327

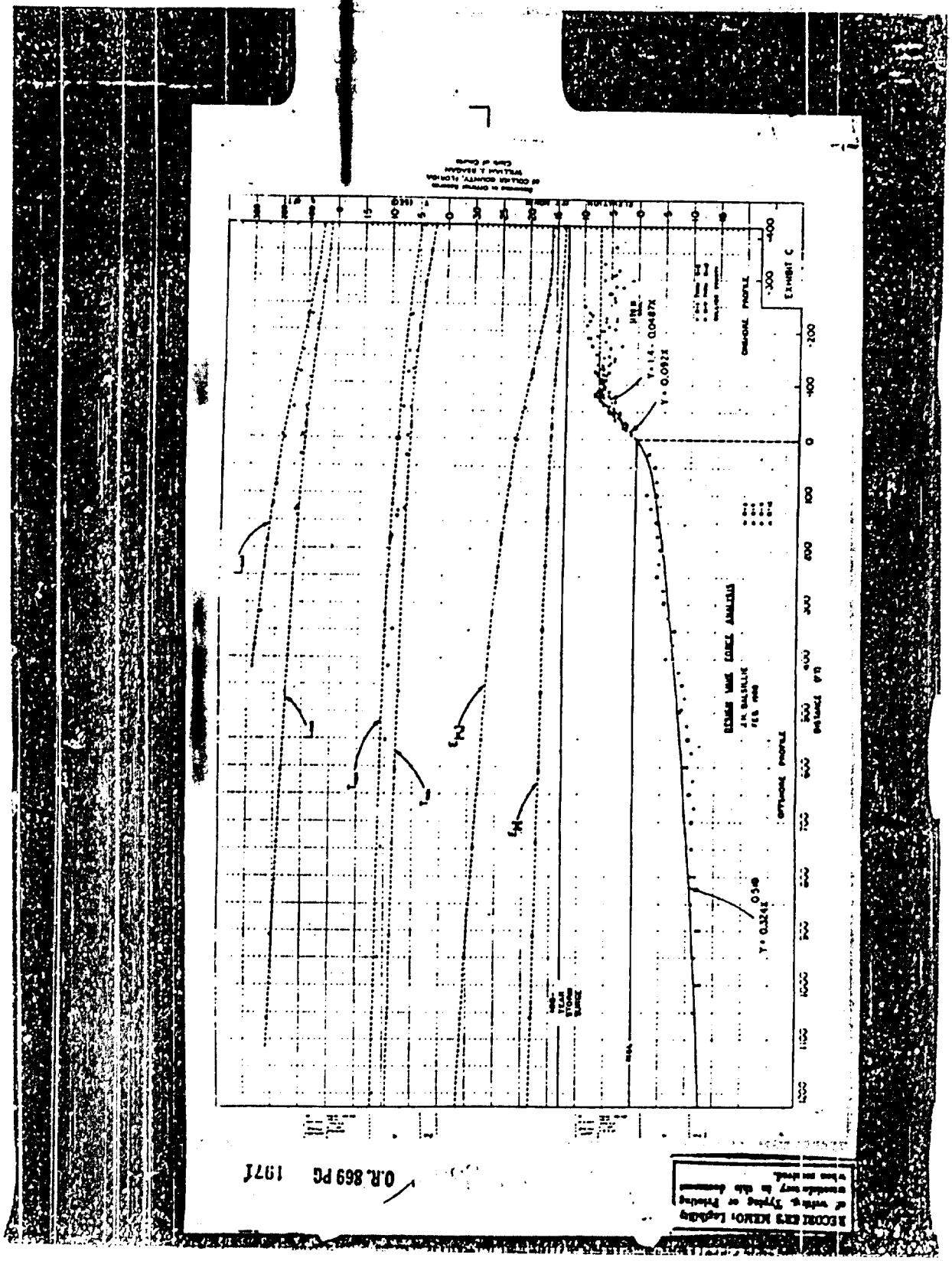
Legal Description-Protective Covenants
Barefoot Beach 71.20-88
Page 3

for 1,212.87 feet, thence 71.12 feet along the arc of a curve having a radius of 105.36 feet, central angle of 38°40'28" chord bearing N 26°46'44" W, thence N 46°06'57" W for 58.57 feet, thence 36.24 feet along the arc of a curve having a radius of 427.95 feet, central angle of 4°51'08" chord bearing N 43°41'24" E thence N 7°46'54" W for 721.21 feet, thence 334.52 feet along the arc of a curve having a radius of 227.96 feet, central angle 84°04'40" chord bearing N 66°19'26" W, thence S 71°38'14" W for 185.59 feet, thence N 19°47'42" W for 10.01 feet, thence S 71°38'14" W for 72.02 feet to the Point of Beginning.

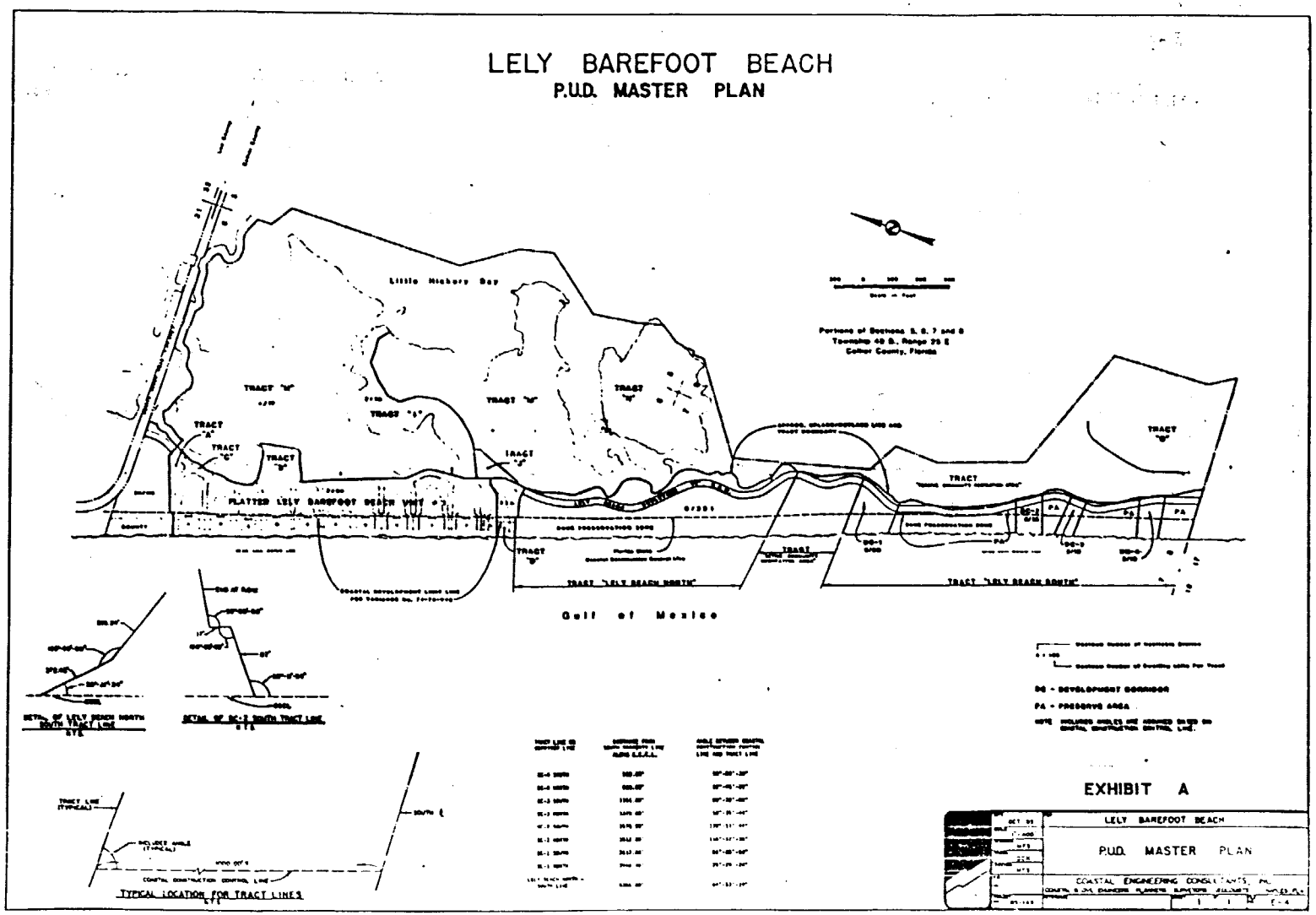
Recorded in Official Records of COLLIER COUNTY, FLORIDA
WILLIAM J. HEAGAN
Clerk of Courts

BOOK 022 PAGE 470

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)



Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)



BOOK 022 PAGE 472

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-95

BOOK 022 PAGE 473

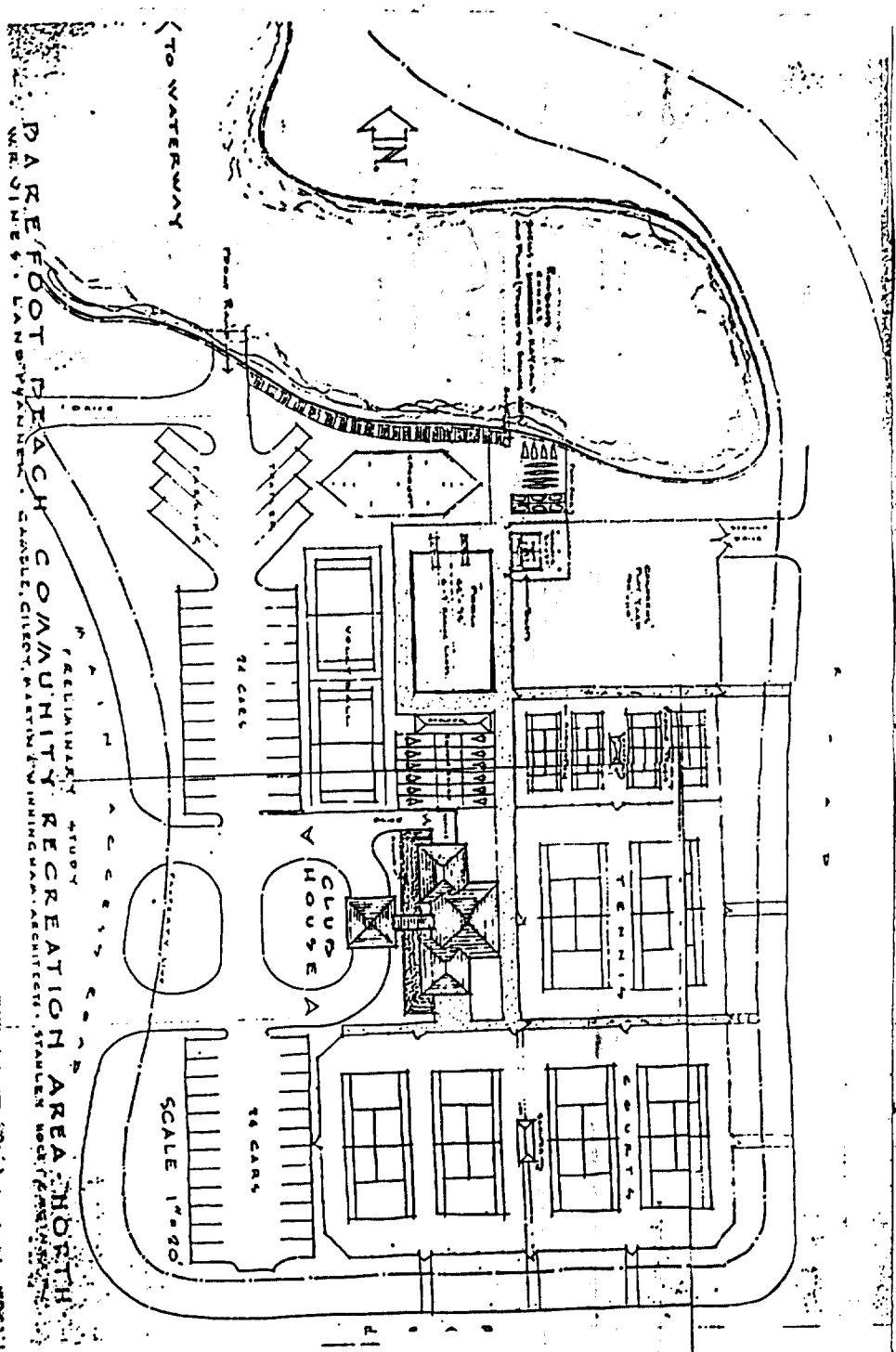
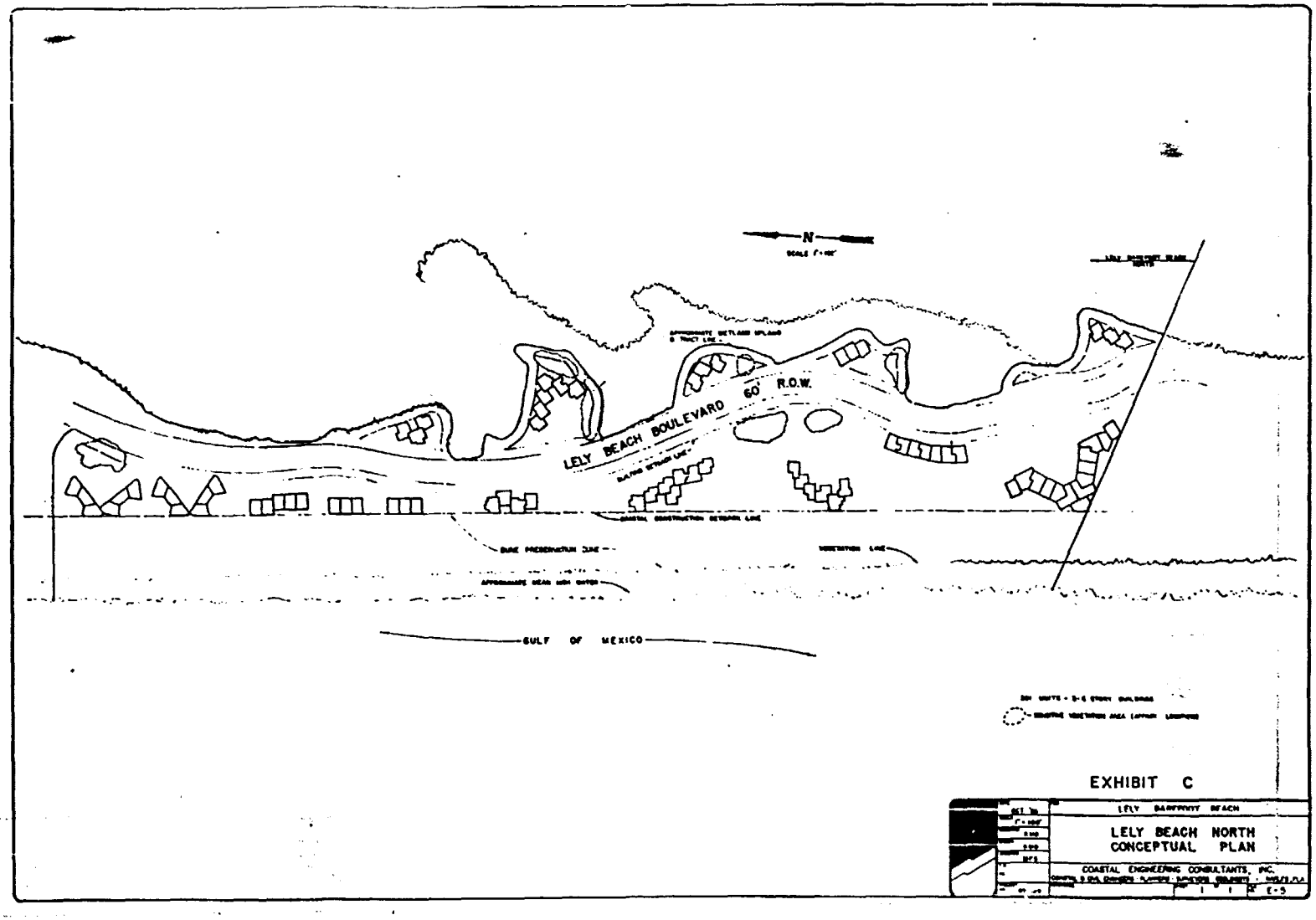


EXHIBIT B

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

13-90



BOOK 022 PAGE 474

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

63-77

BOOK 022 PAGE 475

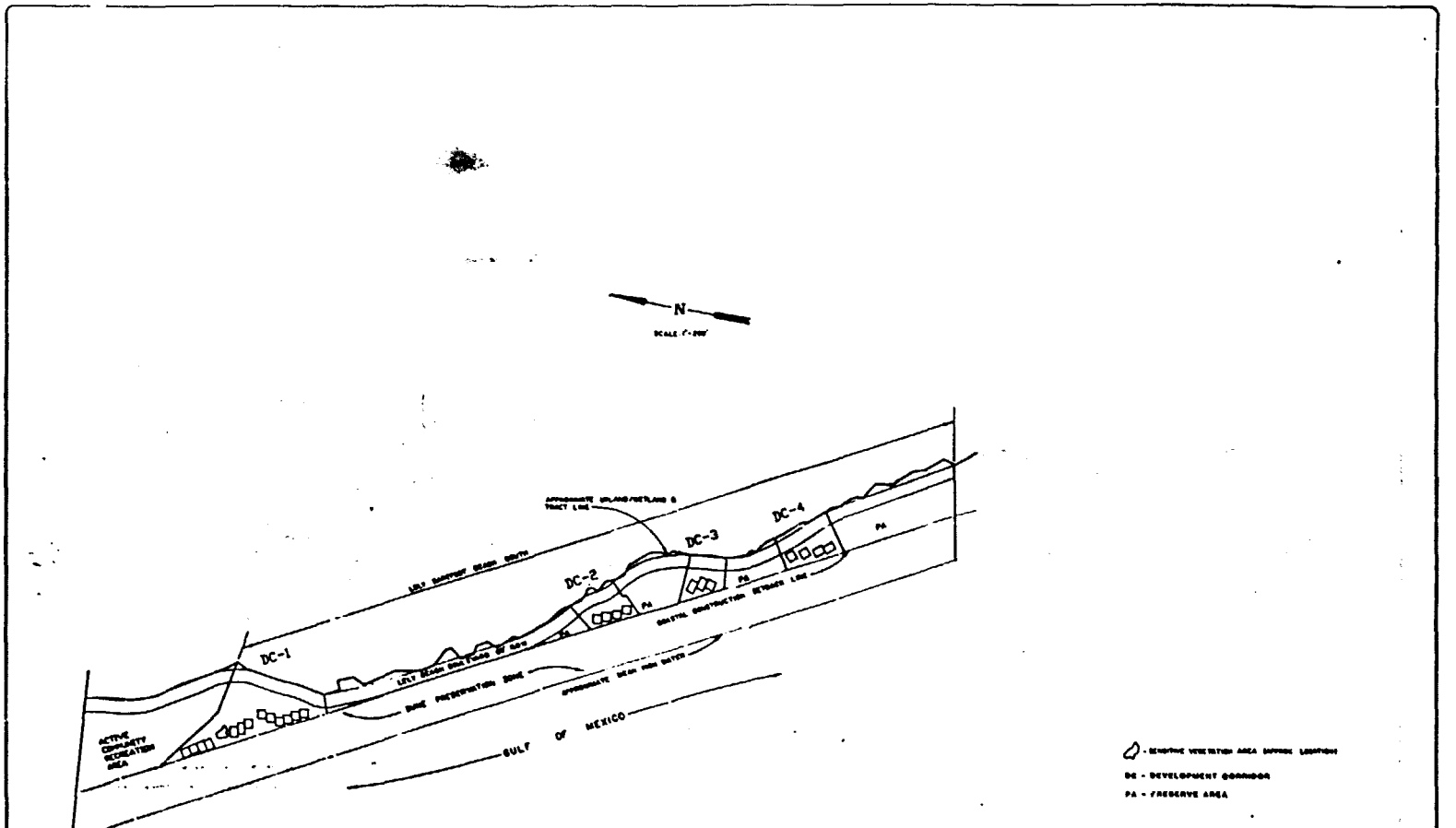


EXHIBIT D

LELY BEACH SOUTH
CONCEPTUAL PLAN

COASTAL ENGINEERING CONSULTANTS, INC.

E-6

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-98

BAREFOOT BEACH - Exhibit E

LEGAL DESCRIPTION: The subject property abuts the Gulf of Mexico on the west and the inland tidal waters of the state of the east. It extends in a north/south direction for approximately two miles and lies very near the northern Collier County line. The precise legal description is as follows: All land lying in Section 5, Section 6, Section 7, and Section 8, Township 48 South, Range 25 East, Collier County, Florida, lying west of the agreed upon boundary line as described and recorded in OR Book 68, Pages 235 thru 250, inclusive, in the Public Records of Collier County, Florida, less and except the following descr.bed parcel: Begin at the northeast corner of Section 6, T48S, R25E, thence run west along the north line of said Section 6 a distance of 3,396.61 feet to a set GAC monument, thence continue to run west along said north line of Section 6 a distance of 80± feet, to the mean high water line of the Gulf of Mexico, thence run in a southeasterly direction along the mean high water line to the intersection of said mean high water line and a line bearing S71°38'14"W from a point located S81°21'46"E a distance of 704.53 feet from the above noted GAC monument, thence run N71°38'14"E a distance of 80± feet, to the above located point, thence continuing N71°38'14" E a distance of 150.15 feet, thence N19°47'42"W a distance of 41.01 feet, thence N68°45'00"E a distance of 580.00 feet, thence S67°01'27"E to a point 50 feet beyond and seaward of the mean high water line of the small water body extending westerly from Little Hickory-Bay, thence meandering northerly and easterly along a line 50 feet seaward of the mean high water line along lands abutting the south side of Bonita Beach Road (SR-865) to the east line of Section 6, T48S, R25E, thence north along the east line of said Section 6 to the point of beginning.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

83-99

STATE OF FLORIDA)
COUNTY OF COLLIER)

I, WILLIAM J. REAGAN, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct original of:

ORDINANCE NO. 85-83

which was adopted by the Board of County Commissioners during Regular Session on the 17th day of December, 1985.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 19th day of December, 1985.

WILLIAM J. REAGAN
Clerk of Courts and Clerk
Ex-Officio to Board of
County Commissioners

By Virginia Magri
Virginia Magri
Deputy Clerk

BOOK 022 PAGE 477

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

ORDINANCE 87- 53

AN ORDINANCE AMENDING ORDINANCE 85-21, WHICH ESTABLISHED THE LELY BAREFOOT BEACH PLANNED UNIT DEVELOPMENT, AS PREVIOUSLY AMENDED BY ORDINANCE 85-83; AMENDING INDEX; AMENDING SECTION 2.4, MAXIMUM PROJECT DENSITY, TO INCREASE THE TOTAL NUMBER OF RESIDENTIAL UNITS PERMITTED IN THE PROJECT AND TO INCREASE THE GROSS PROJECT DENSITY; AMENDING SECTION 4.2.A., PRINCIPAL USES, TO INCREASE THE TOTAL NUMBER OF RESIDENTIAL UNITS PERMITTED IN THE PROJECT; AMENDING SECTION 10.4. MAXIMUM PERMITTED DWELLING UNITS, TO INCREASE THE TOTAL NUMBER OF RESIDENTIAL UNITS PERMITTED IN THE PROJECT; AMENDING SECTION 18, UTILITIES CONDITIONS, SUBSECTION 18.1, PURPOSE, TO REQUIRE CERTIFICATION OF ADEQUATE FIRE FLOWS WITHIN THE PROJECT; AMENDING SECTION 19, PROJECT IMPROVEMENT, SUBSECTION 19.2 IMPROVEMENTS, BY ADDING PARAGRAPH I., ANGUILLA LANE ACCESS LIMITATION, TO RESTRICT ACCESS FROM ANGUILLA LANE; AMENDING SECTION 21.2, STIPULATIONS, TO ADD ADDITIONAL ENVIRONMENTAL STIPULATIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Lely Development Corporation, petitioned the Board of County Commissioners of Collier County, Florida, to amend the Lely Barefoot Beach Planned Unit Development Ordinance, Collier County Ordinance 85-83;

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Collier County, Florida:

SECTION ONE:

Ordinance 85-21, Barefoot Beach Planned Unit Development (PUD) Document, Index, shall be amended to read as follows:

INDEX

SECTION I	PROPERTY OWNERSHIP & DESCRIPTION	1 thru 2
SECTION II	PROJECT DEVELOPMENT	3 thru 10
SECTION III	PLATTED LELY BAREFOOT BEACH UNIT #1 BLOCKS A THROUGH K LOW DENSITY SINGLE FAMILY RESIDENTIAL	11 thru 14
SECTION IV	LELY BAREFOOT BEACH UNIT #1 TRACT A GATE HOUSE COMPLEX SITE	15 thru 16
SECTION V	PLATTED LELY BAREFOOT BEACH UNIT #1 TRACT B COMMUNITY RECREATION CENTER #1 SITE	17 thru 19

WORDS UNDERLINED ARE ADDITIONS; WORDS ~~STRUCK-THROUGH~~ ARE DELETIONS.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION VI	PLATTED LELY BAREFOOT BEACH UNIT #1	20
	TRACT C	
	LANDSCAPED ENTRANCE DRIVE STRIP	
SECTION VII	PLATTED LELY BAREFOOT BEACH UNIT #1	21 thru 22
	BEACH GARDENS A through K	
SECTION VIII	PLATTED LELY BAREFOOT BEACH	23
	TRACT BF	
	BEACHFRONT COMMON OPEN SPACE	
SECTION IX	TRACT D, LOW DENSITY SINGLE FAMILY	24 thru ~~27~~
	RESIDENTIAL DEVELOPMENT	26
SECTION X	TRACTS H AND I	~~28~~ thru ~~34~~
	SINGLE OR MULTI-FAMILY	27 31
	RESIDENTIAL DEVELOPMENT	
SECTION XI	TRACT LELY BEACH NORTH:	~~35~~ thru ~~38~~
	SINGLE OR MULTI-FAMILY RESIDENTIAL	32 36
	DEVELOPMENT	
SECTION XII	TRACT: ACTIVE COMMUNITY RECREATION AREA	~~40~~ thru ~~43~~
		37 39
SECTION XIII	TRACT: LELY BEACH SOUTH	~~44~~ thru ~~48~~
		40 44
SECTION XIV	PASSIVE COMMUNITY RECREATION AREA	~~49~~ thru ~~50~~
		45 46
SECTION XV	TRACT J: UTILITY SITE	~~51~~ 47
SECTION XVI	TRACTS M, N & O: MANGROVE PRESERVES	~~52~~ 48
SECTION XVII	EXCEPTIONS TO COUNTY SUBDIVISION REGULATIONS	~~53~~ thru ~~54~~
		49 50
SECTION XVIII	UTILITIES CONDITIONS	~~55~~ thru ~~61~~
		51 57
SECTION XIX	PROJECT IMPROVEMENTS	~~62~~ thru ~~67~~
		58 63
SECTION XX	SPECIAL ENVIRONMENTAL PROTECTION REGULATIONS	~~68~~ thru ~~73~~
		64 70
SECTION XXI	ENVIRONMENTAL ADVISORY COUNCIL STIPULATION	~~74~~ thru ~~75~~
		71 73
SECTION XXII	PROTECTIVE COVENANTS	~~76~~ 74

WORDS UNDERLINED ARE ADDITIONS; WORDS ~~STRUCK-THROUGH~~ ARE DELETIONS.

BOOK 027 PAGE 238

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION TWO:

Ordinance 85-21, Barefoot Beach PUD Document, Section 2.4, Maximum Project Density, shall be amended to read as follows:

2.4 MAXIMUM PROJECT DENSITY

No more than a maximum of ~~690~~ 750 residential dwelling units, single and multi-family, shall be constructed in the total project area. The gross project area is 461.65 acres, of which 128.11 acres is open water and 333.54 acres is upland and mangrove vegetated wetland. ~~690~~ 750 units divided by 333.54 acres results in a gross project density of ~~2.07~~ 2.25 dwelling units per acre.

SECTION THREE:

Ordinance 85-21, PUD Document, Section 4.2, Uses Permitted, Subsection A., Principal Uses, shall be amended to read as follows:

A. PRINCIPAL USES:

An entry gate facility wherein security against road entry by unauthorized persons or vehicles will be provided. Public access through or around the entry gate, along the principal access road, and no publicly owned and operated facilities shall be permitted as directed by the public agencies which operate the public facilities. The gatehouse facility may contain dwelling units for resident employees of the project, which employee dwelling units shall be included in the maximum ~~690~~ 750 dwelling unit permitted within the total project. Additionally, the gatehouse complex may incorporate administrative, maintenance, and utilitarian activities and storage facilities for the Barefoot Beach project as a whole. During the period when the project is being marketed, development administration and sales offices may be located in the gatehouse complex. Prior to construction of the gatehouse complex or subsequent modificiations thereto, final plans shall be approved by the Community Development Administrator.

WORDS UNDERLINED ARE ADDITIONS; WORDS ~~STRUCK-THROUGH~~ ARE DELETIONS.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION FOUR:

Ordinance 85-21, Barefoot Beach PUD Document, Section 10.4 shall be amended to read as follows:

10.4 MAXIMUM PERMITTED DWELLING UNITS

Tract H: ~~77~~ 137 units

Tract I: 30 units

The maximum number of dwelling units permitted on individual Tracts H and I may be increased, provided that the gross project dwelling unit maximum of ~~690~~ 750 units is not exceeded.

SECTION FIVE:

Ordinance 85-21, Barefoot Beach PUD Document, Section 18, Utilities Conditions, Subsection 18.1, Purpose, shall be amended to read as follows:

18.1 PURPOSE

The purpose of this Section is to set forth utilities conditions established by the Collier County Utilities Division. Prior to approval of construction documents for the tracts within the project, it must be determined through flow testing that adequate fire flows are available to provide fire protection within the project. A letter certifying that adequate fire flows are available, must be provided by the appropriate local Fire Control District. If adequate flows are not available, the developer will be required to comply with the provision of the current approved PUD document regarding construction and operation of an on/site water storage and pumping station.

WORDS UNDERLINED ARE ADDITIONS; WORDS ~~STRUCK-THROUGH~~ ARE DELETIONS.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION SIX:

Ordinance 85-21, Barefoot Beach PUD Document, Section 19, Project Improvements, Subsection 19.2, Improvements, add paragraph I., Anguilla Lane Access Limitation, to read as follows:

I. ANGUILLA LANE ACCESS LIMITATION: There shall be no access from Anguilla Lane into the Condo site.

SECTION SEVEN:

Ordinance 85-21, Barefoot Beach PUD Document, Section 21.2, Stipulations, shall be amended to read as follows:

21.2 STIPULATIONS

A. Lely Development Corporation shall be subject to Ordinance 75-21 (or the tree/vegetation removal ordinance in existence at the time of permitting), requiring the acquisition of a tree-removal permit prior to any land clearing. A site clearing plan shall be submitted to the Natural Resources Management Department for their review and approval prior to any substantial work on the site. This plan may be submitted in phases to coincide with the development's schedule. The site clearing plan shall clearly depict how the final site layout incorporates retained native vegetation to the maximum extend possible and how roads, buildings, lakes, parking lots, and other facilities have been oriented to accommodate this goal.

B. Native species shall be utilized, where available,to the maximum extent possible in the site landscaping design. A landscaping plan will be submitted to the Natural Resources Manangement Department and the Building Department for their review and approval. This plan will depict the incorporation of native species and their mix with other species, if any. The goal of site landscaping shall be the re-creation of native vegetation and habitat characteristics lost on the site during construction or due to past activities.

BOOK 027 PAGE 241

WORDS UNDERLINED ARE ADDITIONS; WORDS ~~STRUCK-THROUGH~~ ARE DELETIONS.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

C. All exotic plants, as defined in the County Code, shall be removed during each phase of construction from development areas, open space areas, and preserve areas. Following site development a maintenance program shall be implemented to prevent reinvasion of the site by such exotic species. This plan, which will cescribe control techniques and inspection intervals, shall be filled with and approved by the Natural Resources Management Department and the Building Department.

D. If, during the course of site clearing, excavation, or other constructional activities, an archaeological or historical site, artifact, or other indicator is discovered, all development at that location shall be immediately stopped and the Natural Resources Management Department notified. Development will be suspended for a sufficient length of time to enable the Natural Resources Management Department or a designe=ated consultant to assess the find and determine the proper course of action in regard to its salvageability. The Natural Resources Management Department shall respond to any such notification in a timely and efficient manner so as to provide only a minimal interruption to any constructional activities.

E. The mature, pristine mangrove forests of the north/northwestern reaches of Tract H shall be preserved; prior to any construction the wetland shall be flagged by the petitioner, the boundaries to be checked and subject to the approval of Natural Resources Management Department.

F. At the time of permitting, Lely Development Corporation shall satisfy all county, state, and/or federal stipulations concerning protected species that may be found on site (i.e., gopher turtles (gopherus polyphemus), osprey (Pandion haliaetus).

BOOK 027 PAGE 242

WORDS UNDERLINED ARE ADDITIONS; WORDS ~~STRUCK-THROUGH~~ ARE DELETIONS.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

G. Lely Development Corporation shall investigate transplanting various native plant elements for use as landscaping (i.e., sabal palms, strangler figs, etc.).

SECTION EIGHT:

This Ordinance shall become effective upon notice that it has been received by the Office of the Secretary of State.

DATE: July 21, 1987

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

ATTEST:
JAMES C. GILES, CLERK

BY: Max A. Hasse Jr.
MAX A. HASSE, JR., CHAIRMAN

By: Virginia Magi DC.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Kenneth B. Cuyler
KENNETH B. CUYLER
COLLIER COUNTY ATTORNEY

This ordinance filed with the Secretary of State's Office the 29th day of July, 1987 and acknowledgement of that filing received this 3rd day of August 1987

By Laurie Chesanis
Deputy Clerk

PDA-86-17C Ordinance

WORDS UNDERLINED ARE ADDITIONS; WORDS ~~STRUCK-THROUGH~~ ARE DELETIONS.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

AGREEMENT

I, George Vega, as owner or authorized agent for Petitions PDA-86-17C and PDA-86-18C, agree to the following stipulations requested by the Collier County Planning Commission in their public hearing on May 7, 1987.

a. Amendment of the the PUD documents incorporating the recommended stipulations per staff report dated May 1, 1987.

b. No access from Anguilla [illegible] to Estates Cut RK

PETITIONER OR AGENT

REPRESENTATIVE FOR CCPC

SWORN TO AND SUBSCRIBED BEFORE ME THIS 7th DAY OF May, 1987.

Cecilia K. Martin
NOTARY

SEAL

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. APR 27,1991
BONDED THRU GENERAL INS. UND.

MY COMMISSION EXPIRES: _____

PDA-86-17C/PDA-86-18C Agreemnt

BOOK 027 PAGE 244

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

STATE OF FLORIDA)
COUNTY OF COLLIER)

I, JAMES C. GILES, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true copy of:

ORDINANCE 87-53

which was adopted by the Board of County Commissioners on the 21st day of July, 1987 during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 27th day of July, 1987,

JAMES C. GILES
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By: Virginia Magri
Deputy Clerk

BOOK 027 PAGE 245

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

RECEIVED
88 AUG 12 AM 10:28
CLERK OF CIRCUIT COURT

ORDINANCE 88- 63

AN ORDINANCE AMENDING ORDINANCE 85-21, WHICH ESTABLISHED THE LELY BAREFOOT BEACH PUD, AS PREVIOUSLY AMENDED BY ORDINANCE 85-83 AND ORDINANCE 87-53; AMENDING SECTION 4.3 MINIMUM SETBACKS; AMENDING SECTION 12.2, USES PERMITTED, PARAGRAPH B, TO PERMIT USE OF ACTIVE COMMUNITY RECREATION AREA BY DESIGNEES OF OWNERS OF SAID RECREATION PARCEL; AMENDING SECTION 16.3 DEEDING OF TRACT M, N AND O; AND BY PROVIDING AN EFFECTIVE DATE.

Whereas, on September 9, 1977, the Board of County Commissioners approved Ordinance Number 77-48, which established the Lely Barefoot Beach Planned Unit Development; and

Whereas,on December 17, 1985, the Board of County Commissioners of Collier County, Florida, approved Ordinance Number 85-83, on July 21, 1987, Ordinance 87-53, which amended Ordinance 77-48;

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Collier County, Florida:

SECTION ONE:

Ordinance 85-83, Section 4.3 Minimum Setbacks shall be amended as follows:

4.3 MINIMUM SETBACKS

A. Lely Beach Boulevard: none. Portions of the security gatehouse facility may extend into and over Lely Beach Boulevard right-of-way.

B. Anguilla Lane: ~~25 feet~~ 10 feet.

C. North property line: 25 feet.

FILED
88 AUG -8 PM 2:35
CLERK OF CIRCUIT COURT
COLLIER COUNTY, FLORIDA

SECTION TWO:

Ordinance 85-83, Section 12.2 Uses Permitted, Paragraph b shall be amended as follows:

B. Additional Permitted Uses - Tract: Active Community recreation Area may be used for the active recreational facilities (e.g., tennis courts, swimming pools, etc.) for residents living at Lely Beach North and Lely Beach South and such additional designees as may be designated by the owners of the Active Community Recreation Area parcel, its successors or assigns. No residential structures may be built in this tract. Provided maximum impervious surface and other land use requirements are met, this tract may also be used to meet the offstreet parking requirements for adjacent residential units located in Lely Beach North or Lely Beach South tracts.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION THREE:

Ordinance 85-83, Section 16.3 Deeding of Tract M, N and O shall be amended as follows:

16.3 DEEDING OF TRACT M, N AND O

Mangrove wetland tracts M, N, and O along with their associated open water bottom lands shall be deeded to the State Collier County to ensure uniformity of resource management and protection for the estuarine system of Little Hickory Bay.

SECTION FOUR:

This Ordinance shall become effective upon notice that it has been received by the Office of the Secretary of State.

DATE: August 2, 1988

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: _____
BURT L. SAUNDERS, CHAIRMAN

ATTEST:
JAMES C. OILES, CLERK

By: _____
Virginia Magri, Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

_____
KENNETH B. CUYLER
COLLIER COUNTY ATTORNEY

This ordinance filed with the Secretary of State's Office the 8th day of Aug. 1988 and acknowledgement of that filing received this 12th day of Aug. 1988
By _____
Deputy Clerk

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

AGREEMENT

I, Richard L. Klaas, as owner or authorized agent for Petition PDA-88-7C, agree to the following stipulations requested by the Collier County Planning Commission in their public hearing on July 7, 1988.

a. Revise the PUD document to incorporate the requested changes into the appropriate sections.

PETITIONER OR AGENT

REPRESENTATIVE FOR GBC

SWORN TO AND SUBSCRIBED BEFORE ME THIS 2nd DAY OF August, 1988.

NOTARY

SEAL

MY COMMISSION EXPIRES:

BOOK 031 PAGE 219

PDA-88-7C Agreement Sheet

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

STATE OF FLORIDA)
COUNTY OF COLLIER)

I, JAMES C. GILES, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true copy of:

Ordinance No. 88-63

which was adopted by the Board of County Commissioners on the 2nd day of August, 1988, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 2nd day of August, 1988.

JAMES C. GILES
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By: Virginia Magri
Deputy Clerk

BOOK 031 PAGE 220

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

ORDINANCE NO. 94-28



AN ORDINANCE AMENDING ORDINANCE NUMBER 77-48, THE LELY BAREFOOT BEACH PUD, AS AMENDED, BY PROVIDING FOR: SECTION ONE WHICH AMENDS SECTION 10.5.4 MINIMUM LOT YARDS AND SECTION TWO, WHICH PROVIDES AN EFFECTIVE DATE.

FILED
JUN 1 1 3:36 PM '94
SECRETARY OF STATE

WHEREAS, on September 9, 1977, the Board of County Commissioners approved Ordinance Number 77-48, which established the Lely Barefoot Beach Planned Unit Development; and

Whereas, on December 17, 1985, the Board of County Commissioners of Collier County, Florida, approved Ordinance Number 85-83, and on July 21, 1987, Ordinance 87-53, and on August 2, 1988, Ordinance 88-63, all of which amended Ordinance 77-48;

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Collier County, Florida:

SECTION ONE: MINIMUM LOT YARDS:

Subsection 10.5.4.C, Minimum Lot Yards, of Ordinance Number 77-48, as amended, Lely Barefoot Beach Planned Unit Development, is hereby amended to read as follows:

10.5.4.C Yards which abut an adjoining home site: 7½ feet or ½ the building height, whichever is greater~~.~~ except for Bayfront Gardens Subdivision, as recorded in P.B. 14, Pg. 114-117, Public Records of Collier County: 7½ feet.

SECTION TWO: EFFECTIVE DATE

This Ordinance shall become effective upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.

BOOK 066 PAGE 225

Words underlined are additions: Words ~~struck-through~~ are deletions.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 24 day of May, 1994.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: _____
TIMOTHY J. CONSTANTINE, CHAIRMAN

ATTEST:
DWIGHT E. BROCK, CLERK

By: _____, D.C.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

_____
MARJORIE M. STUDENT
ASSISTANT COUNTY ATTORNEY

AMENDING ORDINANCE NO. 77-48/lgk/11456

This ordinance filed with the Secretary of State's Office the 1st day of June, 1994 and acknowledgement of that filing received this 2nd day of June, 1994.

By: _____
Deputy Clerk

Words underlined are additions: Words ~~struck-through~~ are deletions.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

STATE OF FLORIDA)
COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true copy of:

Ordinance No. 94-28

which was adopted by the Board of County Commissioners on the 24th day of May, 1994, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 25th day of May, 1994.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By: /s/Maureen Kenyon
Deputy Clerk

BOOK 066 PAGE 227

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

RECEIVED
1 JUL 2001

ORDINANCE NO. 01- 35

AN ORDINANCE AMENDING ORDINANCE NUMBER 77-48, AS AMENDED, THE LELY BAREFOOT BEACH PUD, BY PROVIDING FOR: SECTION ONE WHICH AMENDS SECTION 3.4.7., MAXIMUM HEIGHT, OF SECTION III, LOW DENSITY SINGLE-FAMILY RESIDENTIAL, AND SECTION TWO WHICH PROVIDES FOR AN EFFECTIVE DATE.

WHEREAS, on September 9, 1977, the Board of County Commissioners approved Ordinance Number 77-48, which established the Lely Barefoot Beach Planned Unit Development; and

Whereas, on December 17, 1885, the Board of County Commissioners of Collier County, Florida, approved Ordinance Number 85-83, and on July 21, 1987, Ordinance 87-53, and on August 2, 1988, Ordinance 88-63, and on May 24, 1994, Ordinance 94-28 all of which amended ordinance 77-48;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA:

SECTION ONE: AMENDMENTS TO MAXIMUM HEIGHT SUBSECTION OF LOW DENSITY SINGLE-FAMILY RESIDENTIAL SECTION OF LELY BAREFOOT BEACH PUD.

Subsection 3.4.7, Maximum Height, of Section III, Low Density Single-Family Residential, of Ordinance Number 77-48, as amended, Lely Barefoot Beach Planned Unit Development is hereby amended to read as follows:

FILED
2001 JUL -2 PM 4:07
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

3.4.7. MAXIMUM HEIGHT:

~~Two~~ Three stories with a maximum highest point of roof to be 70-feet BLVD including decorative elements, but excluding chimneys. When the first habitable floor is raised a sufficient height above ground level to permit the underbuilding area to be used for automobile parking and other utilitarian purposes, that underbuilding area shall not be deemed to be a story.

SECTION TWO: EFFECTIVE DATE

This Ordinance shall become effective upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 26th day of June 2001.

ATTEST:
DWIGHT E. BROCK, CLERK

By: Ellie Hoffman, D.C.

Attest as to Chairman's signature only.

Approved as to Form and Legal Sufficiency:

Marjorie M. Student
Assistant County Attorney

g/admin/Petition/Ordinance No. 77-48/RN/im

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY , FLORIDA

BY: _____
JAMES D. CARTER, Ph.D., CHAIRMAN

This ordinance filed with the Secretary of State's Office the 2nd day of July, 2001 and acknowledgement of that filing received this 9th day of July 2001.
By Ellie Hoffman
Deputy Clerk

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true copy of:

ORDINANCE NO. 2001-35

Which was adopted by the Board of County Commissioners on the 26th day of June, 2001, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 27th day of June, 2001.

FILED
2001 JUL -2 PM 4:07
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By: Ellie Hoffman,
Deputy Clerk

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

JUN 2006 RECEIVED

ORDINANCE NO. 06- 22

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AMENDING SECTION XV ENTITLED TRACT J: UTILITY SITE OF ORDINANCE NUMBER 77-48, AS AMENDED, AND ORDINANCE NUMBER 85-21, AS AMENDED, THE LELY BAREFOOT BEACH PUD CHANGING THE PERMITTED LAND USES ON TRACT J FROM UTILITY OR UTILITARIAN FACILITIES TO SINGLE-FAMILY RESIDENTIAL FOR ONE DWELLING UNIT TOGETHER WITH ACCESSORY USES AND ADDING REGULATIONS FOR MINIMUM LOT AREA, MINIMUM LOT WIDTH, MINIMUM YARDS, MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURES, OFF-STREET PARKING, MAXIMUM HEIGHT AND SPECIAL ENVIRONMENTAL PROTECTION REGULATIONS; ADDING EXHIBIT "F" AGREEMENT BY AND BETWEEN THE CONSERVANCY, INC., LELY ESTATES, INC. AND COLLIER COUNTY, FLORIDA; AND BY PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 9, 1977, the Board of County Commissioners approved Ordinance Number 77-48, which established the Lely Barefoot Beach Planned Unit Development; and

WHEREAS, on June 4, 1985, the Board of County Commissioners approved Ordinance Number 85-21, which reestablished the Lely Barefoot Beach Planned Unit Development Zoning District while at the same time amended Ordinance Number 77-48; and

WHEREAS, subsequent to these dates amendments to the Lely Barefoot Beach Planned Unit Development Zoning District were duly adopted by the Board of County Commissioners; and

WHEREAS, Robert Andrea, of Coastal Engineering Consultants, Inc., representing Lely Development Corporation, petitioned the Board of County Commissioners to further amend the Lely Barefoot Beach PUD Ordinance.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:

SECTION ONE: AMENDMENTS TO SECTION XV, UTILITY SITE OF ORDINANCE NUMBER 77-48, AS AMENDED, AND ORDINANCE NUMBER 85-21, AS AMENDED, THE LELY BAREFOOT BEACH PUD

Section XV, entitled "Utility Site" of Ordinance Number 77-48, as amended, and Ordinance Number 85-21, as amended the Lely Barefoot Beach PUD, is hereby amended to read as follows:

TRACT J: ~~UTILITY SITE~~ SINGLE FAMILY RESIDENTIAL DEVELOPMENT

Words ~~struck through~~ are deleted; words underlined are added.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

15.1 PURPOSE

The purpose of this Section is to establish development regulations for the area designated on Exhibit "A" as Tract J: ~~Utility Site.~~ Single Family Residential Development.

~~15.2 USES PERMITTED~~

~~No building or structure, or part thereof, shall be erected, altered, or used, or land used, in whole or part, for other than the following:~~

~~A. Principal Uses:~~

~~(1) Utilitarian facilities such as grounds maintenance equipment storage; utility pumping stations; water storage tank; vehicular parking; or similar project serving facilities. Prior to utilization of Tract J, the plan for its utilization shall be submitted to and approved by the appropriate Collier County agencies, which shall insure that the planned uses are appropriate on the site; that the location of the planned improvements is appropriate; and that if the facilities to be installed warrant screening, the necessary fencing and/or landscaping is installed.~~

15.2 MAXIMUM DWELLING UNITS

A maximum of one single-family dwelling unit may be constructed in this tract.

15.3 USES PERMITTED

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

A. Principal Uses:

Single family residence.

B. Accessory Uses:

(1) Customary accessory uses and structures including private garage.

(2) Signs as permitted by the Land Development Code.

15.4 REGULATIONS

15.4.1 GENERAL:

All yards, setbacks, shall be in relation to home site boundaries. All principal and accessory structures shall have a minimum setback of 25 feet from the boundary of any preserve.

15.4.2 MINIMUM LOT AREA:

6,000 square feet.

15.4.3 MINIMUM LOT WIDTH:

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

60 feet.

15.4.4 MINIMUM YARDS:

A. Yards which abut Lely Beach Boulevard: 25 feet, which minimum yard is also an easement in which utilities, walkways, and the like may be installed.

B. Yards which abut Bayfront Drive which extends easterly from Lely Beach Boulevard: 20 feet.

C. Preserves: All principal and accessory structures shall have a minimum setback of 25 feet from the boundary of any preserve.

15.4.5 MINIMUM FLOOR AREA OF PRINCIPAL STRUCTURES:

A. One story- 1,200 square feet of living area, exclusive of garage or unenclosed patios, decks or porches.

B. Two story- 2,000 square feet of living area exclusive of garage or unenclosed patios, decks or porches.

C. Three story- 2,500 square feet of living area exclusive of garage or unenclosed patios, decks or porches.

15.4.6 OFF-STREET PARKING REQUIREMENTS:

Two parking spaces per single family residence.

15.4.7 MAXIMUM HEIGHT:

Three stories with a maximum highest point of roof to be 70-feet NGVD including decorative elements, but excluding chimneys. When the first habitable floor is raised a sufficient height above ground level to permit the under building area to be used for automobile parking and other utilitarian purposes, that under building area shall not be deemed to be a story.

15.4.8 SPECIAL ENVIRONMENTAL PROTECTION REGULATIONS

A. All development in this tract shall be in accordance with construction, native habitat protection, dune preservation and wetland preservation regulations listed in Section XX.

B. Prior to County approval of any development orders or permits authorizing site work on Tract J, the 1.01 acre portion of Tract J identified in the Environmental Impact Statement as Exhibit B dated April 21, 2004 with the FLUCFCS Code of 612 - (for mangroves), and also depicted on the conceptual site plan, shall be split consistent with County regulations and be conveyed in fee simple to the Collier County Board of County Commissioners in such a manner as to ensure the 1.01 acre section will be preserved in its natural state allowing only removal of exotic and nuisance vegetation.

C. A South Florida Water Management District permit modification to Permit Number 11-00026-5 shall be required prior to issuing any building permits for the single family home.

Words ~~struck through~~ are deleted; words underlined are added.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

SECTION TWO: AMENDMENTS TO EXHIBITS SECTION

Ordinance Number 77-48, as amended, and Ordinance Number 85-21, as amended, are hereby amended to add Exhibit "F", Agreement by and between The Conservancy, Inc., Lely Estates, Inc. and Collier County, Florida dated December 17, 1985.

SECTION THREE: EFFECTIVE DATE

This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by super-majority vote by the Board of County Commissioners of Collier County, Florida, this 23rd day of May, 2006.

ATTEST:
DWIGHT E. BROCK, CLERK

By: Teresa Dillard BC
Deputy Clerk

Attest as to Chairman's signature only.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY:
FRANK HALAS, CHAIRMAN

Approved as to form and
legal sufficiency

Marjorie M. Student-Stirling
Marjorie M. Student-Stirling
Assistant County Attorney

This ordinance filed with the Secretary of State's Office the 25 day of May, 2006 and acknowledgement of filing received this 5th of June, 2006.
By: Teresa Dillard BC
Deputy Clerk

Words ~~struck through~~ are deleted; words underlined are added.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR COLLIER COUNTY, FLORIDA

THE CONSERVANCY, INC.
A Not-For-Profit Florida Corp.,

Plaintiff,

vs.

LELY ESTATES, INC.
A Florida Corporation

AND

COLLIER COUNTY,
A political subdivision of the State of Florida,

Defendants

CASE NO. 85-1571-CA-01

AGREEMENT

The parties, by and through their undersigned attorneys, hereby agree to the following terms and conditions:

1. Statement. The Plaintiff does not endorse development of the Lely Barefoot Beach coastal barrier habitats nor is it involved in the planning and development of this site. Further, Plaintiff's agreements herein contained are solely intended to reduce adverse environmental impacts to coastal barrier habitats and processes as well as to restore those features damaged by forces of nature and/or human abuse. Other aspects of land use planning and growth management that are within the normal purvi of governmental review and permitting (e.g., number of units, infrastructure, traffic flow, hurricane evacuation, utilities, fire, etc.), not directly related to natural resources protecti are expressly left to the responsibility of the Collier County Board of County Commissioners and their appropriate staff. It understood and agreed between the parties that the Defendant, County Commission, after considering the review and recommenda of staff, has the responsibility to determine the appropriate number of residential units for tracts Lely Beach North and La Beach South.

Exhibit F

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

2. General Standards for All Undeveloped Areas South of Tract D (Single Family Residential). In order to ensure maximal protection of coastal barrier functions and features, the parties hereto agree to the specific construction, native habitat protection, dune restoration, and wetland preservation standards for all currently undeveloped areas south of Tract D (Single Family Residential), as set forth in Exhibit A, attached hereto and incorporated herein.

3. Development Standards for Designated Area of Particular Environmental Concern. The parties agree that an area including and south of the site of the former Little Hickory Pass is an Area of Particular Environmental Concern (APEC). It is depicted more specifically on Exhibit B, attached hereto and incorporated herein, and shall be referred to as "Active Community Recreation Area, Lely Beach South", and "Passive Community Recreation Area" in any revised Planned Unit Development for this project. The APEC, based on island width, past geomorphic features, extent of coverage by native habitats, and the like, was highlighted primarily because of the high potential for adverse developmental impact and, secondarily, because of potential storm danger and unsuitability for intense residential use. Reflective of the special nature of the APEC, the parties hereby agree to those special land use standards for this area which are attached hereto and incorporated herein as Exhibit C. The parties agree that the reference to the above described lands as an "Area of Particular Environmental Concern" is in no way related to the Area of Critica State Concern or Development of Regional Impact designations of Chapter 380, Florida Statutes.

4. Development Standards for Beachfront Areas and Mangrove Preserves Outside the Area of Particular Environmental Concern. The parties agree to the specific percent development coverage standards and certain other appropriate land use standards for

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

beachfront areas and mangrove preserves outside the Area of Particular Environmental Concern. These standards are attached hereto and incorporated herein as Exhibit D.

5. Incorporation of Settlement Standards. The parties agree that land use and environmental standards described in this Agreement and incorporated as Exhibits A, C, and D shall be include in all documents and associated exhibits governing land use within the area legally described as Lely Barefoot Beach. In addition, sufficient text shall be included within any said documents and exhibits governing land use to incorporate these standards into the Collier County review and permitting process.

6. The Conservancy, Inc., Plan Review and Approval. To enable Plaintiff, The Conservancy, to keep informed about the development status of the property known as Lely Barefoot Beach and to ensure consistency with these agreements, Defendant, Lely, its agents, representatives, successors, assigns, and heirs, does hereby agree that Conceptual Site Plans, Site Development Plans, Fractionalization Plans, Water Management Plans, Tree Removal Plans and Landscaping Plans submitted to Collier County shall concurrently be submitted to The Conservancy for its review and approval. Such approval shall not be unreasonably withheld. If The Conservancy has not made written objections within fifteen (15) days of submittal of any of the above plans, approval will be presumed. In order to resolve disputes under this Paragraph 6, as to whether the disapproval is reasonable in light of the agreements, the parties agree to submit such disputes to binding arbitration by The Conservancy's Board of Directors. Two-thirds (2/3) majority vote of a quorum of said Board is required to sustain the disapproval. It shall be the duty of the Board to meet and arrive at a decision within twenty-five (25) days of submission of the dispute. Lely may seek judiciary review only in the event that the decision of the Board is arbitrary and capricious.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

7. Binding Nature of P.U.D. Because of the characteristics of this real estate development and the specific nature of the agreements herein for settlement and the associated standards, defendant Lely, on behalf of itself and its representatives, successors, assigns and heirs, does hereby agree that no changes to the relevant P.U.D. ordinance or associated exhibits (except for the minor changes described below) will be made without review and written approval by plaintiff, The Conservancy. Such approval shall not be unreasonably withheld. The parties agree that minor changes which is no way affect, directly or indirectly, the environmental stipulations and conditions imposed herein, the uses, the location of development corridors or the restrictions fixed in the P.U.D. may be made without approval of The Conservancy although review is still required.

8. Standing. Defendant Lely and the County hereby agree that plaintiff shall have standing in any court of appropriate jurisdiction so as to ensure the development of properties in accordance with the agreements herein.

9. Notification of Content of Agreements for Settlement. Defendant Lely hereby agrees to notify all future purchasers of lands within the legally described Lely Barefoot Beach of the agreements and undertakings contained in this Agreement and the Exhibits attached hereto prior to any sale.

10. It is specifically affirmed by each signer of this Agreement that he has been duly authorized to execute same on behalf of his client. This Agreement shall be binding upon the parties, their heirs, successors, assigns, agents and representatives.

11. In consideration of the foregoing agreements by Collier County and Defendant Lely Estates, Inc., Plaintiff hereby stipulates to the dismissal of the above referenced causes of

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

action with prejudice and will expedite appropriate documentation to effect same.

DATED this 19th day of December, 1985.

VEGA, BROWN, NICHOLS, STANLEY
& MARTIN, P.A.
2660 Airport Road South
Naples, Florida 33962
(813) 774-1133

By: _____
George Vega, Jr., Esquire
Attorney for Defendant, Lely
Estates, Inc.

DATED this 12th day of December, 1985.

ATTEST:
WILLIAM C. REAGAN, Clerk

_____

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: _____
John A. Pistor, Chairman

Approved as to form and
legal sufficiency:

_____
for Burt L. Saunders
Collier County Attorney

DATED this 19 day of Dec., 1985.

_____
David W. Rynders, Esquire
Attorney for The Conservancy, Inc.
1450 Merrihue Drive
Naples, Florida 33942
(813) 262-0304

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

EXHIBIT A

General Standards For All Undeveloped Areas South Of Tract D

I. Construction Standards

a. All construction activities, outside those listed in III d, e, f, and g, undertaken in Lely Beach North, Lely Beach South and the Active Community Recreation Area shall occur landward of the State's established Coastal Construction Control Line (CCCL).

b. The special structural requirements designed to protect beachfront buildings from storm tides or wave damage, incorporated in the State of Florida approved protective covenants for Lely Barefoot Beach, shall be applicable to all structures constructed. Where these requirements differ from other local, state and federal requirements in force at the time of construction, those standards which offer the highest level of protection to residents shall apply.

c. There shall be no hardening of either the Gulf or Bay shoreline (e.g. seawalls, groins, riprap). Any shoreline stabilizations shall take place utilizing the planting of native vegetation and/or the replacement of sand lost due to erosion.

d. Structures shall be clustered in order to retain large open space areas for native habitat retention/restoration and to keep open corridors for potential storm surge and island breachment.

e. All available under-buildings areas (i.e., areas not required for stairwells, pilings, etc.) shall be utilized in meeting County parking requirements. At a minimum, 30% of required paved parking spaces shall occur under the buildings.

f. Structures shall be oriented in ways other than continuous shore parallel in order to reduce their exposure to storm waves and winds.

g. The water management system shall be designed with no direct runoff to the dune or wetland zone. Storm waters shall be directed toward the center of the development areas for percolation and treatment in roadside swales and the like. If deemed necessary, spreader swales may be constructed in open upland areas adjacent to wetlands provided their construction does not result in the loss of native habitats.

II. Native Habitat Protection and Restoration Standards

a. The entire site (including development, recreation, preservation, open space, and dune restoration areas) shall be cleared of all exotics and be maintained exotic free by the developer or homeowner association.

b. Buildings, parking lots, and other associated development facilities shall be located in development corridors characterized by exotic species or open and devoid of established native plant communities. Facilities are to be sighted outside the designated preservation and sensitive vegetation areas to avoid the clearing of remaining native habitats. Within the development tracts existing native species shall be retained as natural landscaping. Where native species must be removed to allow for the construction of a building, parking area, or the like, they shall be transplanted to open areas within the development tracts or to the preserve or sensitive vegetation areas.

c. Extensive open space areas between residential unit clusters and other development facilities shall be landscaped with retained and

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

replicate natural species distribution. Where native dune speci exist, they shall be retained or transplanted prior to grading a replanted thereafter.

h. The habitat restoration specialist selected for the job as we as the detailed dune restoration program and plans shall be reviewed a approved prior to construction by the County Natural Resourc Management Department.

IV. Standards For Wetland Preservation Zone

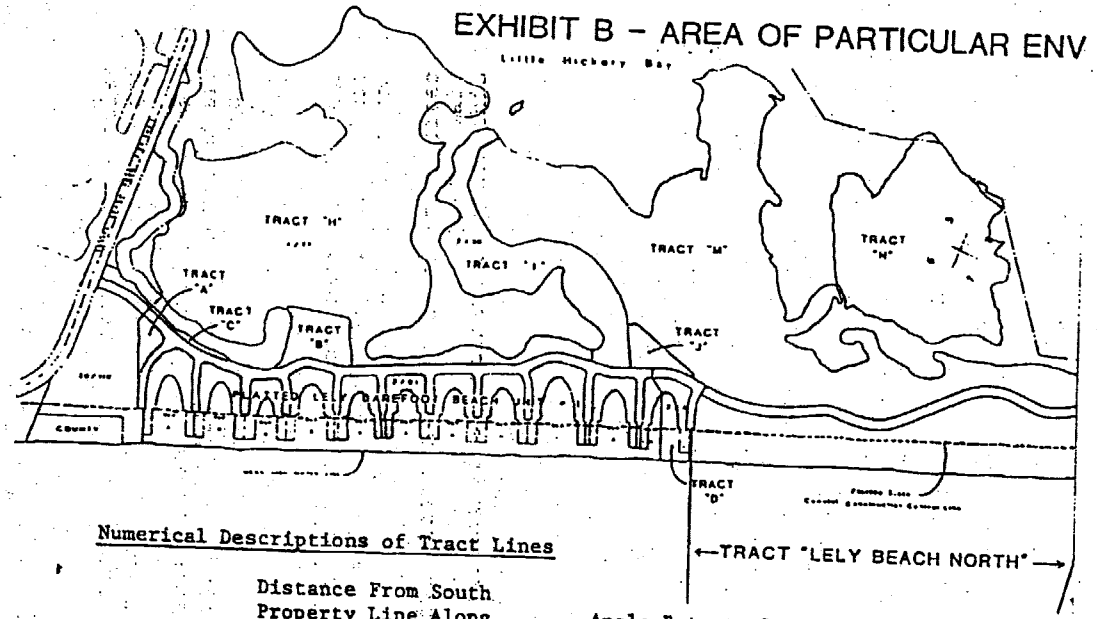
a. All jurisdictional wetlands located outside of Tracts M, N, a O are considered to be be a part of the wetland preservation zone. Th designation highlights the importance of these wetlands and the need f their strict preservation.

b. Trimming and pruning of live plants within the zone prohibit without first obtaining appropriate Federal, State, and County approva

c. No land modifications or structures are permitted within th zone other than nature trails and boardwalks.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Recreation Area North (Lely Beach North South Tract Line)	4366.00'	64°53'19"



Numerical Descriptions of Tract Lines

Tract Line or Corridor Line	Distance From South Property Line Along Coastal Construction Control Line	Angle Between Coastal Construction Control Line and Tract Line
Area of Particular Environmental Concern"		
North Boundary	4366.00'	64°53'19"
South Boundary	(South Property Line)	
DC-4 South	552.00'	98°09'39"
DC-4 North	839.00'	92°45'22"
DC-3 South	1151.00'	69°33'08"
DC-3 North	1379.00'	58°35'44"
DC-2 South	1570.00'	110°11'44"
DC-2 North	1812.00'	116°17'35"
DC-1 South	3117.00'	81°28'54"
DC-1 North (Lely Beach South North Tract Line)	3960.00'	25°29'24"

2

153°00

372°42'

Detail of Lel North T

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

EXHIBIT C

Development Standards For Area Of Particular Environmental Concern (Master Plan Tracts "Active Community Recreation Area", "Lely Beach South" and "Passive Community Recreation Area")

I. Residential Development Areas / Recreation Areas / Preservation Areas

a. The Area of Particular Environmental Concern is divided into discrete development areas, recreation areas, and preservation areas as depicted on Exhibit B and referenced and legally described on the revised PUD exhibits.

b. Development and recreational activites are bounded by State CCCL to the west and the wetland jurisdiction line to the east.

c. All residential development activity shall be restricted to designated development corridors (DC-1, DC-2, DC-3, DC-4).

d. No development activities other than nature trails and the construction of Lely Beach Boulevard are permitted in designated preservation areas.

e. The Active Community Recreation Area is located at the site of the former Little Hickory Pass. The existence of the former pass, the well-developed back-barrier channels converging at this point, and the site's low elevation result in a high potential for island breachment during a major coastal storm. Active community recreation facilities (e.g. pools, tennis courts) are permitted in the designated Active Community Recreation Area provided all other land use standards are met.

f. Former Tract L shall only be used as a Passive Community Recreation Area due to its environmental sensitivity and unsuitability for use. Only limited recreational facilities can be constructed in open or low plant cover corridors and with the maximum coverage stipulated herein.

g. Development corridors are to be developed as unified projects and shall not be fractionalized.

II. Residential Units

a. Total number of units in the Area of Particular Environmental Concern - 0 to 97 units (final number of units within this range to be dictated by the Board of County Commissioners following review and recommendation by professional staff).

b. Maximum unit distribution - A maximum of 60, 15, 12, and 1 residential units are allowed in development corridors DC-1, DC-2, DC-3 and DC-4 respectively. This maximum number may not be increased.

c. Residential units may be transferred to Tracts H and I.

d. No residential units, recreational structures or related facilities are allowed in designated preservation areas.

e. No residential units are allowed in either the passive or active community recreation areas (although parking for adjoining development areas permitted in Active Community Recreation Area provided all other standards are met).

III. Percent Development Coverage

a. The development coverage (buildings, parking lots, roadway

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

EXHIBIT D

Development Standards For Residential Beachfront Development Areas And Mangrove Preserves Outside Area Of Particular Environmental Concern (Revised Master Plan Tracts "Lely Beach North", "M", "N", and "O")

I. Residential Development Areas / Sensitive Vegetation Areas

a. Residential development to occur in designated areas on both sides of Lely Beach Boulevard.

b. All development activities to be bounded on the west by the State CCCL and on the east by the wetland jurisdiction line.

c. Areas of dense native plant cover considered as sensitive vegetation areas to be worked around and incorporated as retained natural ground cover in required yards and open space.

II. Residential Units

a. Total number of residential beachfront units south of Tract D and outside the Area of Particular Environmental Concern - 0 to 391 (final number of units within this range to be dictated by the Board of County Commissioners following review and recommendation by their professional staff).

b. Unit distribution - Of the final number of units to be built at this location, 20 percent will be constructed east of Lely Beach Boulevard.

c. Unit transfer - If desired units may be transferred to Tracts H or I.

III. Percentage Development Coverage

a. The development coverage (e.g. buildings, parking lots, roadways) to be strictly limited.

b. Total development coverage is to be measured by impervious surfaces and liberally construed to reflect all development related alteration of natural surfaces. The development coverage shall be calculated as a percentage of the potential development area located between the State CCCL to the west and the wetland jurisdiction line to the east, excluding the required land for Lely Beach Boulevard and its associated right of way.

c. Development coverage data, as measured by the total coverage of impervious surfaces, and all numbers and calculations used to obtain that data shall be submitted to County staff along with other detailed construction statistics at time of final site plan review.

d. The maximum development coverage of beachfront residential areas south of Tract D and outside the Area of Particular Environmental Concern (Tract "Lely Beach North") shall be 40 percent.

IV. Deeding of Mangrove Preserves

a. The mangrove preserves depicted as Tracts M, N, and O on the original and current master plans, along with their associated open water bottom lands, shall be deeded to the State to ensure uniformity of resource management and protection for the estuarine system of Little Hickory Bay.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

other than Lely Beach Boulevard) within the Area of Particular Environmental Concern is to be strictly limited.

b. Total development coverage is to be measured by impervious surfaces and liberally construed to reflect all development-related alteration of natural cover. The development coverage shall be calculated as a percentage of the potential development area located within each designated corridor between the State CCCL line to the west and the wetland jurisdiction line to the east, excluding the required land for Lely Beach Boulevard and its associated right of way.

c. The development coverage data, as measured by the total coverage of impervious surfaces, and all numbers and calculations used to obtain that data shall be submitted to County staff along with other detailed construction statistics at time of final site plan review.

d. The maximum development coverage of lands within the Area of Particular Environmental Concern shall be as follows: Active Community Recreation Area - 40 %; DC-1 - 50 %; DC-2 - 50 %; DC-3 - 45 %; DC-4 - 35 %; Passive Community Recreation Area - 10 %.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

ORDINANCE 2006-22

Which was adopted by the Board of County Commissioners on the 23rd day of May, 2006, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 24th day of May, 2006.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By: Teresa Dillard,
Deputy Clerk

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

RECEIVED
MAR 2011

ORDINANCE NO. 11 - 04

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING ORDINANCE NO. 85-83, AN ORDINANCE AMENDING NO. 85-21, WHICH AMENDED NO. 77-48, THE LELY BAREFOOT BEACH PLANNED UNIT DEVELOPMENT (PUD) BY AMENDING THE TITLE PAGE; BY AMENDING SECTION 3.2 TO INCREASE THE MAXIMUM DWELLING UNITS WITHIN BLOCKS A THROUGH K OF BAREFOOT BEACH UNIT #1 BY 15 UNITS; BY AMENDING SECTION 13.5 TO DECREASE THE MAXIMUM DWELLING UNITS WITHIN DEVELOPMENT CORRIDOR DC-I OF LELY BAREFOOT BEACH SOUTH BY 15 UNITS; AND BY PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 27, 1977, the Board of County Commissioners adopted Ordinance No. 77-48, as amended, which established the Lely Barefoot Beach Planned Unit Development ("PUD"); and

WHEREAS, Bruce Anderson, Esquire of Roetzel & Andress, P.A., petitioned the Board of County Commissioners to amend Ordinance No. 85-83, the relevant amendment to Ordinance No. 77-48, the Lely Barefoot Beach PUD.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:

SECTION ONE: AMENDMENT TO SECTION 3.2 TO INCREASE MAXIMUM DWELLING UNITS.

3.2 MAXIMUM DWELLING UNITS

A maximum of ~~91~~ 106 single family homesites may be constructed within platted Lely Barefoot Beach Unit #1, Blocks A through K.

SECTION TWO: AMENDMENT TO SECTION 13.5 TO DECREASE MAXIMUM PERMITTED DWELLING UNITS.

13.5 MAXIMUM PERMITTED DWELLING UNITS

DC-I	~~60~~	45
DC-2	15	

Underlined text is added; ~~Struck through~~ text is deleted.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

DC-3 12

DC-4 10

TOTAL ~~97~~ 82

The maximum number of dwelling units permitted on individual corridors may not be increased. Dwelling units may be transferred to Tracts H and I. There will be no additional impact to open space or preserve areas. There will be no increase in the overall number of units within the development. The open space requirement does not apply to buildable lots. There will be no additional encroachment to natural resources beyond what is permitted by this PUD and an existing settlement agreement with the Conservancy of Southwest Florida.

SECTION THREE: EFFECTIVE DATE.

This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by super-majority vote by the Board of County Commissioners of Collier County, Florida, this 22 day of February, 2011.

ATTEST:
DWIGHT E. BROCK, CLERK

By: Deputy Clerk

Attest as to Chairman's signature only

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: Fred W Coyle
FRED W. COYLE, Chairman

Approved as to form
and legal sufficiency:

Steven T. Williams
Assistant County Attorney STW 2/7/11

This ordinance filed with the Secretary of State's Office the 28th day of February, 2011 and acknowledgement of that filing received this 3rd day of March, 2011.
By: Deputy Clerk

CP\10-CPS-01050\26

Underlined text is added; ~~Struck through~~ text is deleted.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

ORDINANCE 2011-04

Which was adopted by the Board of County Commissioners on the 22nd day of February, 2011, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 25th day of February, 2011.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By: Teresa Polaski,
Deputy Clerk

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

ORDINANCE NO. 18 - 41

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING ORDINANCE NO. 85-83, AN ORDINANCE AMENDING NO. 85-21, WHICH AMENDED NO. 77-48, THE LELY BAREFOOT BEACH PLANNED UNIT DEVELOPMENT (PUD); BY AMENDING SECTION 10.5.6 MAXIMUM BUILDING HEIGHT FOR TRACT I TO INCREASE THE HEIGHT FROM TWO HABITABLE FLOORS TO THREE HABITABLE FLOORS; AND BY PROVIDING AN EFFECTIVE DATE. THE SUBJECT PROPERTY KNOWN AS BAYFRONT GARDENS IS LOCATED SOUTH OF BONITA BEACH ROAD IN SECTION 6, TOWNSHIP 48 SOUTH, RANGE 25 EAST IN COLLIER COUNTY, FLORIDA. [PL20170004421]

WHEREAS, on September 27, 1977, the Board of County Commissioners adopted Ordinance No. 77-48, which established the Lely Barefoot Beach Planned Unit Development ("PUD"); and

WHEREAS, the Board has subsequently approved multiple amendments of the PUD; and

WHEREAS, Sarah Spector, Esquire of Roetzel & Andress, P.A., petitioned the Board of County Commissioners to amend Ordinance No. 85-83, the relevant amendment to Ordinance No. 77-48, the Lely Barefoot Beach PUD.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:

SECTION ONE: AMENDMENT TO SECTION 10.5.6 TO INCREASE MAXIMUM HEIGHT.

Subsection 10.5.6, Maximum Building Height, of Section X, Tracts H and I, Single or Multi-Family Residential Development, of Ordinance Number 77-48, as amended, Lely Barefoot Beach Planned Unit Development, is hereby amended to read as follows:

10.5.6 <u>MAXIMUM BUILDING HEIGHT</u>

A. Tract H: four habitable floors, with the option of having one floor of parking and associated non-habitable utilitarian space beneath the first habitable floor.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

B. Tract I: ~~two~~ three habitable floors, with the option of having one floor of parking and associated non-habitable utilitarian space beneath the first habitable floor. The maximum actual height is limited to 70 feet.

SECTION TWO: EFFECTIVE DATE.

This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by super-majority vote by the Board of County Commissioners of Collier County, Florida, this 11th day of September, 2018.

ATTEST:
CRYSTAL K. KINZEL, Clerk

By: _____, Deputy Clerk

Attest as to Chairman's signature only.

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: _____
ANDY SOLIS, Chairman

Approved as to form and legality:

_____ HFAC 7-27-18
Heidi Ashton-Cicko
Managing Assistant County Attorney

This ordinance filed with the Secretary of State's Office the 12th day of September 2018 and acknowledgement of that filing received this 12th day of September 2018.
By _____ Deputy Clerk

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

September 12, 2018

Ms. Crystal K. Kinzel, Interim Clerk
Collier County
Post Office Box 413044
Naples, Florida 34101-3044

Attention: Martha Vergara

Dear Ms. Kinzel:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your corrected electronic copy of Collier County Ordinance No. 18-41, which was filed in this office on September 12, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6270
www.dos.state.fl.us

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)



Exhibit 1

Revised Section 12.4., Ordinance 85-83

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

PL20210002729 The Lely Barefoot Beach PUD Insubstantial Change (PDI)
3-4-2022

Q. Grady Minor & Associates, P.A.
3800 Via Del Rey, Bonita Springs, FL 34134 • 239-947-1144 • engineering@gradyminor.com •
www.gradyminor.com

SECTION XII

TRACT: ACTIVE COMMUNITY RECREATION AREA

*** *** *** *** *** **Text break** *** *** *** *** ***

12.4 MAXIMUM BUILDING HEIGHT

~~Two habitable floors.~~Zoned: 39'-3" (measured from BFE (13') plus 1')

Actual: 57'-1"

*** *** *** *** *** **Text break** *** *** *** *** ***

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)



Exhibit 2

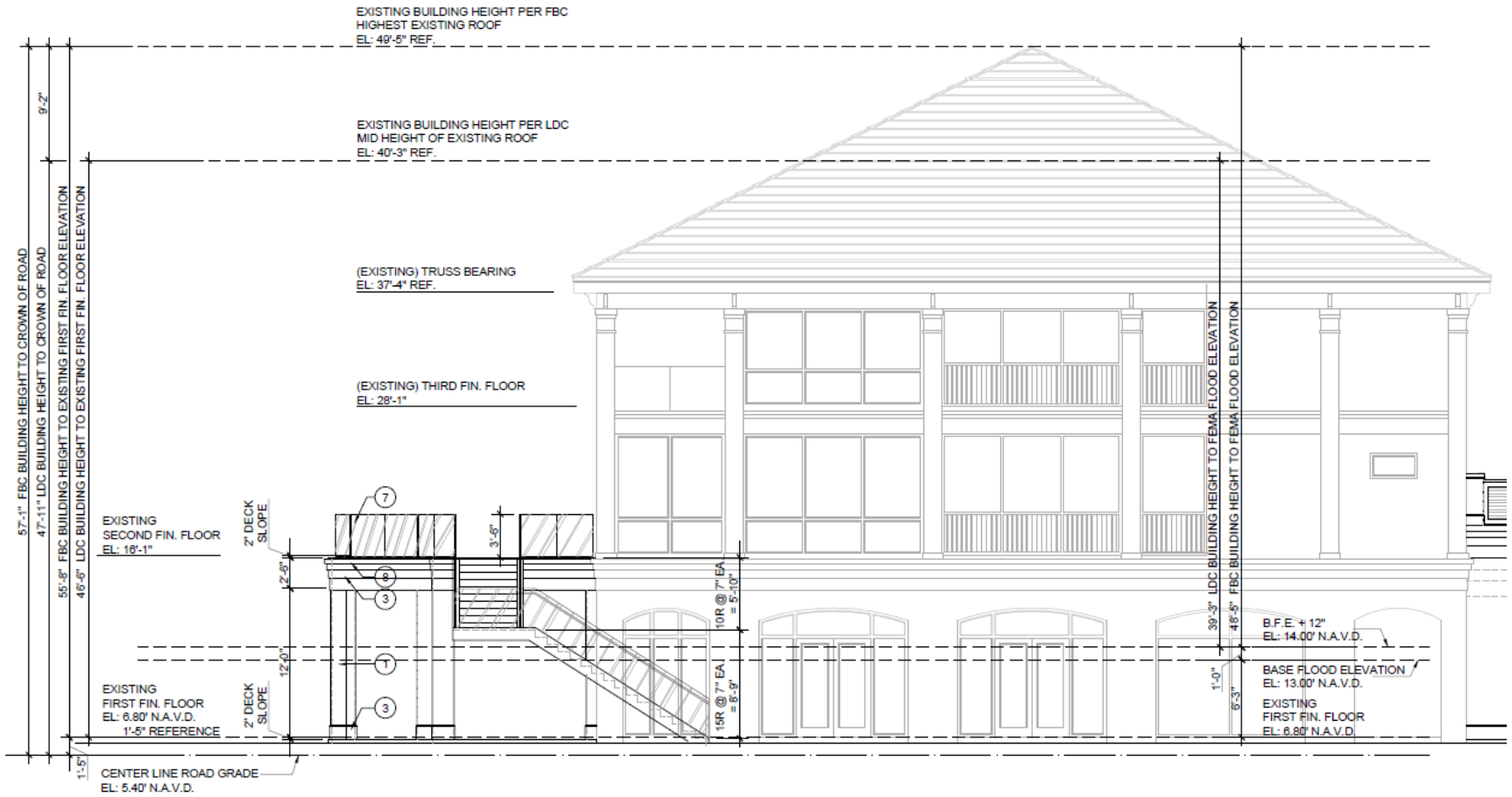
Building Height and Photos

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

PL20210002729 The Lely Barefoot Beach PUD Insubstantial Change (PDI)
3-4-2022

Q. Grady Minor & Associates, P.A.
3800 Via Del Rey, Bonita Springs, FL 34134 • 239-947-1144 • engineering@gradyminor.com •
www.gradyminor.com

Building Height:



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

March 4, 2022
Exhibit 2 Building Height and Photos-2.docx

Existing Building Photos:





Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)



Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

1982199 OR: 2106 PG: 16
RECORDED in OFFICIAL RECORDS of COLLIER COUNTY, FL
10/06/95 at 10:05AM DWIGHT B. BROCK, CLERK
CONS 3500000.00
REC FEE 15.00
DOC-.70 24500.00

Retn:
CUMMINGS & LOCKWOOD
P O BOX 413032
NAPLES FL 33941-3032

WARRANTY DEED

Folio Nos. 54775120753, 54775120850, and 54775120957

This Warranty Deed, made this 3rd day of October, 1995 BETWEEN **CMK OF NAPLES, INC.**, a Florida corporation, whose address is 4380 Gulfshore Boulevard North, Suite 808, Naples, Florida 33940 , and **MIRAMAR BEACH AND TENNIS CLUB, INC.**, a Florida not-for-profit corporation, c/o Cummings & Lockwood, 3001 Tamiami Trail North, Naples, Florida 33940, grantee:

Witnesseth that said grantor for and in consideration of the sum of TEN and 00/100 Dollars ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantees, the receipt of whereof is hereby acknowledged, hereby grants, bargains, sells, assigns, remises, releases, conveys and confirms unto the grantees, all that certain land situated, lying and being in Collier County, Florida, to-wit:

A tract of land lying in Section 7, Township 48 South, Range 25 East, Collier County, Florida, being more particularly described as follows:

Commencing at the centerline intersection of Lely Beach Boulevard and Kaula Lane as shown in the Plat of Lely Barefoot Beach, Unit One, as recorded in Plat Book 12, pages 34 through 37, of the Public Records of Collier County, Florida, run South 19°38'30" East along the centerline of Lely Beach Boulevard 76.54 feet to a point on the Southerly line of said Unit One; thence North 70°21'30" East along said Southerly line 30.00 feet to a point on the Easterly right-of-way line of Lely Beach Boulevard; thence leaving said Unit One, run South 19°38'30" East 149.27 feet; thence South 06°39'10" West 249.04 feet; thence North 83°20'50" West 60.00 feet to a nontangent curve; thence 39.27 feet along the arc of a curve concave to the Southwest having a radius of 25.00 feet, a central angle of 90°00'00" and a chord of 35.36 feet, bearing North 38°20'50" West to a point of compound curvature; thence 86.42 feet along the arc of a curve concave to the Southwest having a radius of 205.00 feet, a central angle of 24°09'10" and a chord of 85.78 feet, bearing South 84°34'35" West to a point of tangency; thence South 72°30'00" West 131.74 feet to the Florida Department of Natural Resources and Collier County Coastal Construction Control Line as recorded in Set Back Line Book 1, pages 14 through 25 of said Public Records; thence along said Control Line South 19°06'22" East 870.33 feet; thence South 19°54'26" East 1033.77 feet; thence South 19°10'44" East 814.00 feet to the South line of those lands known as "Lely Beach North" and the Point of Beginning of the herein described tract;

Thence along said South line North 84°04'03" West to the mean high water line of the Gulf of Mexico and a point herein called point "A"; thence return to the Point of Beginning and run South 84°04'03" East 557.48 feet to the agreed boundary line as recorded in Official Records Book 87, page 439, of said Public Records; thence along said agreed line South 12°00'00" East 730.37 feet to a corner on said line; thence leaving said agreed line North 70°09'50" West 341.99 feet; thence North 43°16'11" West 372.42 feet to a point on said Coastal Construction Control Line; thence North 84°04'03" West to the mean high water line of the Gulf of Mexico; thence Northwesterly along the mean high water line to said Point "A".

The above describes an area of approximately 9.06 acres to the approximate mean high water line as it existed on April 3, 1987.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

The above describes an area of approximately 9.06 acres to the approximate mean high water line as it existed on April 3, 1987.

Subject to conditions, restrictions, reservations and easements of record.

TOGETHER WITH a non-exclusive easement for vehicular and pedestrian ingress and egress to the subject property over and across the following described property:

A strip of land, 60.00 feet wide in Section 6 and Section 7, of Township 48 South, Range 25 East, Collier County, Florida, lying 30.00 feet on each side of the following described centerline:

Commencing at the centerline intersection of Lely Beach Boulevard and Kaula Lane as shown in the Plat of Lely Barefoot Beech, Unit One, as recorded in Plat Book 12, pages 34 through 37, of the Public Records of Collier County, Florida, run South 19°38'30" East along the centerline of Lely Beach Boulevard 76.54 feet to a point on the Southerly line of said Lely Barefoot Beach, Unit One, and the Point of Beginning; thence continue South 19°38'30" East 88.54 feet to a point of curvature; thence 105.55 feet along the arc of a curve concave to the West having a radius of 230.00 feet, a central angle of 26°17'40" and a chord of 104.63 feet, bearing South 06°29'40" East to a point of tangency; thence South 06°39'10" West 265.52 feet to a point of curvature; thence 522.72 feet along the arc of a curve concave to the East having a radius of 900.00 feet, a central angle of 33°16'39" and a chord of 515.41 feet, bearing South 09°59'10" East to a point of reverse curvature; thence 293.24 feet along the arc of a curve concave to the West having a radius of 900.00 feet, a central angle of 18°40'05" and a chord of 291.94 feet, bearing South 17°17'27" East to a point of reverse curvature; thence 407.77 feet along the arc of a curve concave to the East having a radius of 900.00 feet, a central angle of 25°57'34" and a chord of 404.29 feet, bearing South 20°56'10" East to a point of tangency; thence South 33°54'58" East 579.66 feet to a point of curvature; thence 305.04 feet along the arc of a curve concave to the West having a radius of 370.00 feet, a central angle of 47°14'11" and chord of 296.47 feet, bearing South 10°17'53" East to a point of reverse curvature; thence 546.31 feet along the arc of a curve concave to the East having a radius of 430.00 feet, a central angle of 72°47'37" and a chord of 510.30 feet, bearing South 23°04'36" East to a point of tangency; thence South 59°28'24" East 95.03 feet to a point of curvature; thence 276.40 feet along the arc of a curve concave to the West having a radius of 210.00 feet, a central angle of 75°24'48" and a chord of 256.88 feet, bearing South 21°46'00" East to a point of reverse curvature; thence 99.83 feet along the arc of a curve concave to the East having a radius of 150.00 feet, a central angle of 38°07'54" and a chord of 98.00 feet, bearing South 03°07'33" East to a point of tangency; thence South 22°11'30" East 255.78 feet to a point of curvature; thence 114.98 feet along the arc of a curve concave to the West having a radius of 280.00 feet, a central angle of 23°31'40" and a chord of 114.17 feet, bearing South 10°25'40" East to a point of tangency; thence South 01°20'10" West 157.61 feet to a point of curvature; thence 39.61 feet along the arc of a curve concave to the West having a radius of 150.00 feet, a central angle of 15°07'48" and a chord of 39.50 feet, bearing South 09°54'04" West to a point of tangency; thence South 16°27'57" West 361.48 feet to the Southerly line of those lands known as Lely Barefoot Beach Development Corridor Number One and the point of termination of the herein described centerline.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

AND the said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

(Print:)

(Print: Joannie Pusateri)

CMK OF NAPLES, INC., a Florida corporation

By: Ralph R Cioffi Jr
RALPH R. CIOFFI, JR., President

STATE OF New York
COUNTY OF Manhattan

I Hereby Certify that on this day before me an officer duly authorized to take acknowledgements, personally appeared RALPH R. CIOFFI, JR., President of CMK OF NAPLES, INC., who is personally known to me or has produced his driver's license as identification, and who executed the foregoing instrument and acknowledged before me that he executed the same.

Witness my hand and official seal in the County and State last aforesaid this 29th day of September, 1995.

Janice Hayward
NOTARY PUBLIC

My Commission Expires:

JANICE HAYWARD
Notary Public, State of New York
No. 01HA4886221
Qualified in Queens County
Certificate Filed in New York County
Commission Expires May 28, 1997

This Instrument Prepared by:

Louis X. Amato, Esq.
AMATO, ANDERSON, NICKEL & WEBER
350 Fifth Avenue South, Suite 200
Naples, Florida 33940
(813) 262-7748

PREPARATION OF INSTRUMENT ONLY

NOT CERTIFIED COPY

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

N95000046603

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP ☐ WAIT ☐ MAIL

(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

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04/27/06--01030--013 **35.00

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
06 APR 27 PM 3:38

Ps 5/2/06

NC

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Miramar Beach Club

April 25, 2006

Amendment Section
Division of Corporations
Florida Department of State
P.O. Box 6327
Tallahassee, FL 32314

Re: Miramar Beach and Tennis Club, Inc.
Document Number N95000004603

Accompanying this letter are Articles of Amendment submitted for filing on behalf of Miramar Beach and Tennis Club, Inc., Document Number N95000004603, and the required fee of $35.00.

Please return all correspondence concerning this filing to:

William H. Steinbrink
Secretary
Miramar Beach and Tennis Club, Inc
105 Shell Drive
Bonita Springs, FL 34134

If there are questions, please call William H. Steinbrink at 216-272-6986.

William H. Steinbrink

WH/Enlosures

105 Shell Drive • Barefoot Beach • Bonita Springs, Florida 34134 • (239) 992-0024 • Fax (239) 992-9507
miramarbc@aol.com

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
06 APR 27 PM 3:38

Articles of Amendment
to
Articles of Incorporation
of

MIRAMAR BEACH AND TENNIS CLUB, INC.

Document Number N95000004603

Pursuant to section 617.1006 and section 617.0701(4), Florida Statues, this **Florida Not For Profit Corporation** by written consent of not fewer than two-thirds of its members entitled to vote on the matter have adopted the following amendment to its Articles of Incorporation:

Article I. Name. The name of the Corporation shall be "The Club at Barefoot Beach, Inc."

The date of adoption of the amendment was April 25, 2006.

The amendment was adopted by the members by written consent, and the number of consents was sufficient for approval.

By William H. Steinbrink
William H. Steinbrink, Secretary

April 25, 2006

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Notice of Consent by Members to Change in Name

More than two-thirds of the voting members of Miramar Beach and Tennis Club have given their written consent to the amendment of the articles of incorporation of the Club to change its name to "The Club at Barefoot Beach, Inc." The amendment has been adopted. A certificate to that effect will be filed in accordance with Florida law, and the change in the name will be effective when that filing has been made.

William H. Steinbrink
Secretary

April 25, 2006

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

PLAT BOOK 17, PAGE 5

LELY BAREFOOT BEACH UNIT FOUR

A SUBDIVISION LYING IN SECTION 7, TOWNSHIP 48 SOUTH, RANGE 25 EAST
COLLIER COUNTY, FLORIDA.

DEDICATIONS

State of Florida

County of Collier

KNOW ALL MEN BY THESE PRESENTS that Norman Hedrich, Trustee, and Auduly Beach & Tennis Club, a Florida General Partnership, the owners of lands described hereon, have caused this plat entitled "LELY BAREFOOT BEACH, UNIT FOUR," to be made and do hereby subject said lands to that certain Declaration of Covenants, Conditions and Restrictions recorded in O.R. Book 745, Page 1699, and subsequently amended at O.R. Book 867, Page 1318, and re-recorded in O.R. Book 869, Page 1961, and further do hereby dedicate the following:

1. To Lely Barefoot Unit Four Property Owners Association its successors or assigns - all road rights-of-way, same being shown as Tract "2" and the maintenance thereof, subject to existing easement to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, recorded in O.R. Book 1376, Page 279.
And that Ingress and Egress Easement over Tracts 1 and 5 as indicated on the plat.

2. To Collier County Water - Sewer district - all water and sewer lines constructed within this platted area, upon acceptance of the improvements required by the plat.

3. To Collier County Water - Sewer District - all county utility easements, indicated (C.U.E.) and Tract "2" on the plat, with no responsibility for maintenance.

4. To Collier County - a perpetual non-exclusive easement for right-of-way for public road purposes over, under, upon and across Tract "2" shown on the plat and all drainage easements indicated on the plat for the purpose of drainage with no responsibility for maintenance.

5. To Lely Barefoot Beach Unit Four Property Owners Association its successors or assigns - for the purpose of drainage and bikeways, a 25 foot wide easement adjacent to the westerly right-of-way line of Lely Beach Boulevard (Tract "2"), and other drainage easements indicated on the plat for the purpose of construction, installation, maintenance and operation of these facilities.

6. To Florida Power and Light Company and United Telephone Company, its successors, assigns and subsidiaries, a non-exclusive utility easement (U.E.) as indicated on the plat for the purpose of construction, installation, maintenance and operation of electric and telephone facilities and service excluding cable television facilities and service.

7. To Palmer Communications Incorporated, its successors, assigns and subsidiaries, a non-exclusive utility easement (U.E.) as indicated on the plat for the purpose of construction, installation, maintenance and operation of cable television services, provided no such construction, installation, maintenance and operation of cable television service shall interfere with the facilities and services of Florida Power & Light and United Telephone Company. In the event Palmer Communications Incorporated, its successors, assigns and subsidiaries damages the facilities of another public utility, Palmer Communications Incorporated, its successors and assigns shall be solely responsible for said damages.

8. To the North Naples and Little Hickory / Bonita Shores Fire Control District and Collier County, its franchisees - an access easement over Tract "2", for emergency and maintenance purposes.

WITNESSES:
Christine J. Morris
Vincent P. Murphy

BY: Norman Hedrich, Trustee
NORMAN HEDRICH, Trustee

(Corporate Seal)
AUDULY BEACH & TENNIS CLUB
A FLORIDA GENERAL PARTNERSHIP

WITNESSES:
A. A. Fisher
Cherry L. Key

BY: Z-A CORPORATION, a Florida Corporation, General Partner
BY: James J. Zand
JAMES J. ZAND, President

ACKNOWLEDGMENT

STATE OF FLORIDA
SS
COUNTY OF COLLIER

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgment, personally appeared Norman Hedrich, Trustee, as dedicator on the foregoing plat, and that he acknowledged executing the same voluntarily under authority duly vested in him as Trustee.

WITNESS my hand and official seal in the County and State aforesaid this 16th day of April, 1990.

Elizabeth A. Morris
NOTARY PUBLIC (Seal)

My Commission Expires: 8/22/92

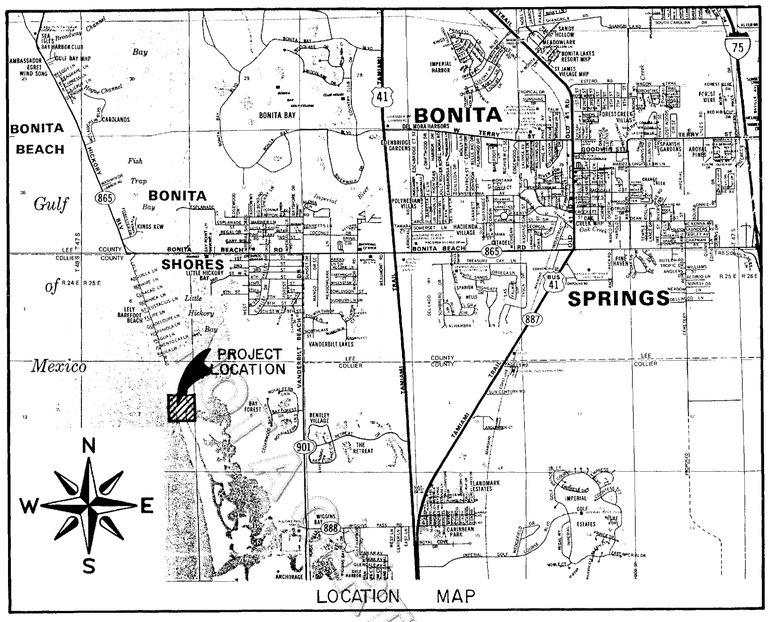
CORPORATE ACKNOWLEDGMENT

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared James J. Zand, to me known to be the President of the Corporation named as General Partner of Auduly Beach & Tennis Club, dedicator on the foregoing plat, and that he acknowledged executing the same voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation, which is a General Partner of Auduly Beach & Tennis Club.

WITNESS my hand and official seal in the County and State aforesaid this 18th day of April, 1990.

Cherry L. Key
NOTARY PUBLIC (Seal)

My Commission Expires: 4/30/90



LOCATION MAP

MORTGAGEE'S CONSENT

Sun Bank of Lee County, National Association authorized to transact business in the State of Florida, hereby certifies that it is the holder of mortgages upon a portion of the herein described property recorded in O.R. Book 1480, Page 2239 O.R. Book 1501, Page 115 and O.R. Book 1502, Page 569, of the Public Records of Collier County, Florida, and does hereby join in and consent to the dedication of lands described in the dedication hereto by the owner thereof, and agrees that its mortgages shall be subordinated to the dedications shown hereon.

(CORPORATE SEAL)
SUN BANK OF LEE COUNTY, NATIONAL ASSOCIATION

WITNESSES:
Marsha Walters
Hodel A. Miller

By: Larry W. Johnson
LARRY W. JOHNSON, Vice President

STATE OF FLORIDA
COUNTY OF COLLIER
CORPORATE ACKNOWLEDGMENT

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Larry W. Johnson, as Vice President of Sun Bank of Lee County, National Association, and that he acknowledged executing the same voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State aforesaid this 18th day of April 1990.

Marsha Walters
NOTARY PUBLIC (SEAL)

My Commission expires: 9/1/92

TITLE CERTIFICATION

I, Vincent P. Murphy, a duly licensed attorney in the State of Florida, do hereby certify that I have examined the title to all of Tracts 4 and 5, together with that portion of Tract 2 adjacent and contiguous to said Tracts 4 and 5 of the herein described property as of April 24, 1990, 1990, such title is vested in Norman Hedrich, Trustee,. The current taxes have been paid and the property is free of encumbrances, except mortgages recorded in favor of Sun Bank of Lee County, National Association in O.R. Book 1480, Page 2239, O.R. Book 1501, Page 115 and O.R. Book 1502, Page 569, of the Public Records of Collier County, Florida.

VINCENT P. MURPHY

TITLE CERTIFICATION

I, A. Alston Fisher, Jr., a duly licensed attorney in the State of Florida, do hereby certify that I have examined the title to all of Tracts 1, 2 and 3, excepting that portion of Tract 2 adjacent and contiguous to Tracts 4 and 5 of the herein described property as of JANUARY 21, 1990, and that such title is vested in Auduly Beach & Tennis Club, a Florida General Partnership, the current taxes have been paid and the property is free of mortgage liens.

A. ALSTON FISHER, JR.

LEGAL DESCRIPTION

A tract of land lying in Section 7, Township 48 South, Range 25 East, Collier County, Florida, being more particularly described as follows:

Commencing at the intersection of the centerline of Lely Beach Boulevard and the southerly line of Lely Barefoot Beach, Unit Two, as recorded in Plat Book 15, Pages 71 through 72 of the Public Records of Collier County, Florida, run S83°20'50"E along said southerly line a distance of 30.00 feet to a nontangent curve; thence 39.27 feet along the arc of a curve concave to the southwest having a radius of 25.00 feet, a central angle of 90°00'00" and a chord of 35.36 feet, bearing N38°20'50"W to a point of compound curvature; thence 86.42 feet along the arc of a curve concave to the southwest having a radius of 205.00 feet, a central angle of 24°09'10" and a chord of 85.78 feet, bearing S84°34'35"W to a point of tangency; thence S72°30'00"W 131.74 feet to the Florida Department of Natural Resources and Collier County Coastal Construction Control Line as recorded in Book 1, Pages 13 through 25 of said public records; thence along said control line S19°06'22"E 870.33 feet; thence S19°54'26"E 1033.77 feet; thence S19°10'44"E 814.00 feet to the Point of Beginning; thence N84°04'03"W to the Mean High Water Line of the Gulf of Mexico and a point herein called Point "A"; thence return to the Point of Beginning and run S84°04'03"E 557.48 feet to the agreed boundary line as recorded in O.R. Book 87, Page 439 of said public records; thence along said agreed line S12°00'00"E 730.37 feet to a corner on said line; thence S25°52'10"W 171.89 feet; thence S18°25'16"W 247.57 feet; thence S81°07'02"W 168.47 feet to said Coastal Construction Control Line; thence continue S81°07'02"W to the Mean High Water Line of the Gulf of Mexico; thence northwesterly along the Mean High Water Line to said Point "A".

The above describes an area of approximately 17.36 acres of land based on the location of an approximate Mean High Water Line (elevation 1.5 N.G.V.D.) as it existed on April 3, 1987.

Subject to easements, restrictions and reservations of record.

GENERAL NOTES

1. ● = Permanent control point set, stamped P.C.P. 4118
2. □ = Permanent reference monument set, stamped P.R.M. 4118
3. ■ = Found Concrete Monument
4. Bearings based on a bearing of S19°05'20"E between D.N.R. monument 64-78-A-01 and 64-78-A-02 Florida east grid zone
5. The centerline of Lely Beach Boulevard runs at an average elevation of 6.5 as per design plans.
Platted area lies within several Flood Zone designations, refer to F.I.R.M., Community Panel 120067 - 0179-D date of map June 3, 1986. Elevations based on N.G.V.D.
6. NOTICE: There may be additional restrictions that are not recorded on this Plat that may be found in the Public Records of this County.
7. P.C. = Point of Curvature, P.R.C. = Point of Reverse Curvature, P.T. = Point of Tangency
8. Wetland jurisdictional areas over individual tracts as indicated on the plat and any other wetland jurisdictional areas that may exist on this plat will require that proper permits be obtained from appropriate Federal, State and County authorities before any construction in these areas will be allowed.

COUNTY COMMISSION APPROVAL

This plat approved for recording in regular open meeting by the Board of County Commissioners of Collier County, Florida, this 16TH day of JANUARY, 1990, A.D., provided that the plat is filed in the office of the Clerk of the Circuit Court of Collier County, Florida.

Mark A. Hasse
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS, COLLIER COUNTY, FLORIDA

By: Maureen Kemper, D.C.
JAMES C. GILES, CLERK

FILING RECORD

I HEREBY CERTIFY that this plat has been examined by me and that it complies in form with the requirements of Chapter 177, Florida Statutes. I further certify that said plat was filed for record at 8:23 A.M. this 16TH day of MAY, 1990, A.D. and duly recorded in Plat Book 17, pages 5 & 6, inclusive, of the Public Records of Collier County, Florida.

JAMES C. GILES, Clerk

BY: Linda Lauro, D.C.

COUNTY APPROVALS

This plat approved by the Collier County Engineer this 7th day of MAY, 1990, A.D.

John F. Madajewski
JOHN F. MADAJEWSKI, P.E.
County Engineer, Project Review Services Manager

COUNTY HEALTH DEPARMENT

This plat approved by the Collier County Health Department this 7TH day of MAY, 1990, A.D. with connection to central water and central sewage system; and no individual potable water wells or individual sewage systems are permitted.

L.D. LUKIN, P.E.
Environmental Engineering Director

This plat approved by Collier County Attorney this 14th day of MAY, 1990, A.D.

Kenneth B. Cuyler
KENNETH CUYLER
County Attorney

COUNTY UTILITIES DIVISION

This plat approved by Collier County Utilities Division this 9th day of May, 1990, A.D.

C.W. Temby
C.W. TEMBY, P.E.
Utilities Engineering Director

SURVEYOR'S CERTIFICATE

It is hereby certified that this plat is a true and correct representation of the lands surveyed; that the survey was made under my responsible direction and supervision as provided in Rule 21-HH-6 Florida Administration Code and Chapter 472, Florida Statutes; that the permanent reference monuments shown hereon have been set; that all permanent control points shown hereon will be set prior to final acceptance of the subdivision; and that the survey data complies with all the requirements of the current edition of Chapter 177, Florida Statutes.

COASTAL ENGINEERING CONSULTANTS, INC.
James S. Richmond
JAMES S. RICHMOND, P.L.S.
Florida Certificate No. 4118
DATE: 2-28-90

THIS INSTRUMENT PREPARED BY:
JAMES S. RICHMOND, P.L.S.
COASTAL ENGINEERING CONSULTANTS, INC.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
3106 SOUTH HORSESHOE DRIVE, NAPLES, FLORIDA

SHEET 1 OF 2
C.E.C. FILE NO.: 88-103-C

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

PLAT BOOK 17, PAGE 6

LELY BAREFOOT BEACH UNIT FOUR

A SUBDIVISION LYING IN SECTION 7, TOWNSHIP 48 SOUTH, RANGE 25 EAST
COLLIER COUNTY, FLORIDA.

CX - CURVE DATA

Curve No.	Radius	Delta	Arc	Tangent	Chord	Chord Bearing
1	210.00'	41°09'45"	150.87'	78.86'	147.65'	S04°38'29"E
2	150.00'	38°07'54"	99.83'	51.84'	98.00'	S03°07'33"E
3	280.00'	23°31'40"	114.98'	58.31'	114.17'	S10°25'40"E
4	150.00'	15°07'48"	39.61'	19.92'	39.50'	S08°54'04"W
5	150.00'	05°21'31"	14.03'	7.02'	14.02'	S13°47'12"W
6	240.00'	36°55'25"	154.67'	80.13'	152.00'	S02°31'19"E
7	180.00'	47°08'04"	148.08'	78.52'	143.94'	S07°37'38"E
8	120.00'	00°03'04"	0.11'	0.05'	0.11'	S16°26'25"W
9	180.00'	08°47'49"	27.64'	13.85'	27.61'	S12°04'03"W
10	25.00'	90°00'00"	39.27'	25.00'	35.36'	N38°20'50"W
11	205.00'	24°09'10"	86.42'	43.86'	85.78'	S84°34'35"W
12	30.00'	56°37'44"	29.65'	16.16'	28.46'	S39°41'07"W
13	38.00'	50°50'00"	33.71'	18.06'	32.62'	N86°35'00"W
14	38.00'	187°27'27"	124.33'	-583.08'	75.84'	S25°06'16"W
15	48.00'	52°58'08"	44.38'	23.92'	42.81'	S40°20'44"E
16	12.00'	90°00'00"	18.85'	12.00'	16.97'	S27°12'59"W
17	148.00'	12°00'13"	31.01'	15.56'	30.95'	S34°29'24"E
18	140.00'	36°16'40"	88.64'	45.86'	87.17'	S58°17'38"E
19	60.00'	15°53'51"	16.65'	8.38'	16.59'	S68°29'02"E
20	80.00'	28°07'44"	39.28'	20.04'	38.88'	S74°35'59"E
21	30.00'	56°25'15"	29.54'	16.09'	28.36'	S63°07'32"W
22	60.00'	28°07'44"	29.46'	15.03'	29.16'	N74°35'59"W
23	80.00'	15°53'51"	22.20'	11.17'	22.13'	N68°29'02"W
24	120.00'	36°16'40"	75.98'	39.31'	74.72'	N58°17'38"W
25	128.00'	22°42'29"	50.73'	25.70'	50.40'	N29°08'16"W
26	75.00'	39°18'41"	51.46'	26.79'	50.46'	N01°52'19"E
27	38.00'	04°21'40"	2.89'	1.45'	2.89'	N19°20'50"E
28	38.00'	50°50'00"	33.71'	18.06'	32.62'	N42°35'00"E
29	30.00'	56°14'44"	29.45'	16.03'	28.28'	S83°52'39"E

N

SCALE : 1"=60'

TIDAL WATERWAY

AGREED BOUNDARY LINE (O.R. 87, P. 439)

MANGROVES

UNPLATTED

6-29-89 F.D.N.R. & COLLIER COUNTY COASTAL CONSTRUCTION CONTROL LINE RECORDED IN OFFICIAL RECORD BOOK 1452, PAGES 258 THROUGH 275

110.58' TO C.C.C.L.
109.20' TO MONUMENT

S 16° - 18' - 16" E
846.89'

32.91' TO C.C.C.L.
34.29' TO MONUMENT

TO BONITA BEACH ROAD

C.L. LELY BEACH BOULEVARD
S19°38'30"E 76.54

S19°38'30"E
149.27

S 06°39'10"W 249.04

N70°21'30"E
30.00'

30.00'

N 83°20'50"W
60.00

SOUTHERLY LINE OF LELY BAREFOOT BEACH UNIT TWO
PB. 15, PGS. 71-72

30.00' P.O.C.

KAULA LANE

LELY BAREFOOT BEACH, UNIT THREE
PLAT BOOK 16, PAGES 55-58

S 84° - 04' - 03" E
377.79'

S72°30'00"W 131.74
S19°06'22"E 870.33
S19°54'26"E 1033.77
S19°10'44"E 814.00

S 19° - 10' - 44" E
233.12'

230.55'
175.05'
N 84° - 04' - 03" W

D.N.R. MONUMENT 64-78-A-01

S19°05'20"E 3052.62

POINT "A"
AT "THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO" FOR DESCRIPTION PURPOSES ONLY

N 17° - 45' - 46" W
403.38'

S 12° - 00' - 00" E
730.37'

557.48'

TRACT 3
WETLAND JURISDICTIONAL AREA
(SEE NOTE BELOW *)

APPROXIMATE SHORELINE

1055.42'
C6 208.53'
S 16° - 59' - 35" E
531.61'

637.00'

C1
C7
C2
C3
30' P.R.C.
36.20'

PT S 22° - 11' - 30" E
255.78'
PC

¢ LELY BEACH BOULEVARD
60' R.O.W.

PT S 01° - 20' - 10" W
157.61'
PC

86.80'
185.24'
46.83'
23.71'
C12
C23

INGRESS & EGRESS EASEMENT
(O.R. BOOK 1308, PAGE 1138)

25' DRAINAGE, UTILITY & BIKEWAY EASEMENT

INGRESS & EGRESS EASEMENT
UTILITY, DRAINAGE, & C.U.E

N 70°-09'-50" W 138.35'

L5 L12 C13 C28 C27 C26 L11 C25 L10 C24 C23 C22 C21 C20 C19 C18 C17 C16 C15 C14 L6 L7 L8 L9

372.42'
60.86'

INGRESS & EGRESS EASEMENT
UTILITY, DRAINAGE, & C.U.E.

N 43° 16' 11" W
158.94'

TRACT I

TRACT 5

S 17° - 46' - 47" E
822.67'

995.55'

FORMER F.D.N.R. & COLLIER COUNTY COASTAL CONSTRUCTION CONTROL LINE
7-29-80 BOOK 1, PAGES 13-25

236.89'
171.09'
N 84° - 04' - 03" W

S 19° - 05' - 20" E
879.84'

1287.47'

SURVEY CONTROL LINE

D.N.R. MONUMENT 64-78-A-02

N 18° - 08' - 39" W
507.74'

N 23° - 39' - 45" W
200.63'

N 18° - 45' - 47" W
201.32'

1.5 CONTOUR LINE (APPROXIMATE MEAN HIGH WATER LINE AS IT EXISTED APRIL 3, 1987)

GULF OF MEXICO

S 15° - 10' - 19" E
268.91'

S 15° - 13' - 36" E
1005.09'

AGREED BOUNDARY LINE (O.R. 87, P. 439)

MANGROVES

S72°-20'-26"E
174.31'

140.37'
50.95'
59.95'
N70°09'50"W
89.42'
74.48'

L1
30.91'
111.93'

TIDAL CREEK

S 18° - 25' - 16" W
241.57'

TRACT 4
WETLAND JURISDICTIONAL AREA
(SEE NOTE BELOW *)

(UTILITY, DRAINAGE & C.U.E.)
S 16° - 27' - 57" W
347.17'

TRACT 2

87.27'
L2
32.47'
C8
31.58'
C9
L3

S 81° - 07' - 02" W
137.82'

54.00'

UNPLATTED

CURVE DETAIL
N.T.S.

347.17'
87.27'
C8
L2
32.47'

LXX - COURSE DATA

NO.	Bearing	Distance
1	S25°52'10"W	171.88'
2	S81°07'02"W	168.47'
3	S17°24'04"E	20.33'
4	S19°05'20"E	10.88'
5	S68°00'00"W	105.60'
6	S72°12'59"W	11.61'
7	S40°29'37"E	79.13'
8	S88°39'50"E	11.32'
9	N88°39'50"W	14.00'
10	N40°29'36"W	79.24'
11	N17°47'01"W	36.85'
12	N68°00'00"E	105.86'

* NOTE:
CONSTRUCTION ACTIVITIES WITHIN TRACTS 3 AND 4 SHALL BE LIMITED TO THE SINGLE DOCKING FACILITY, PERMITTED BY THE FLORIDA DEPARTMENT OF NATURAL RESOURCES ON DECEMBER 12, 1988 UNLESS THE DOCKING FACILITY IS AMMENDED BY THAT AGENCY.

THIS INSTRUMENT PREPARED BY:
JAMES S. RICHMOND, P.L.S.
COASTAL ENGINEERING CONSULTANTS, INC.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
3106 SOUTH HORSESHOE DRIVE, NAPLES, FLORIDA

SHEET 2 OF 2
C.E.C. FILE NO.: 88-103-C

MSA CERTIFIED COPY

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) PL20210002729

I, William Toler (print name), as President (title, if applicable) of The Club at Barefoot Beach, Inc. (company, if applicable), swear or affirm under oath, that I am the (choose one) owner [✔] applicant [ ] contract purchaser [ ] and that:

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

Notes:

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

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

Signature

11/19/21
Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowleged before me by means of [X] physical presence or [ ] online notarization this 19th day of November, 20 21, by (printed name of owner or qualifier) William Toler, President.

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

[X] Are personally known to me
[ ] Has produced a current drivers license _____
[ ] Has produced _____ as identification.

Notary Signature: Kimberly A. Scher

KIMBERLY A. SCHER
MY COMMISSION # GG 281617
EXPIRES: December 12, 2022
Bonded Thru Notary Public Underwriters

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

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX (239) 252-5724

ADDRESSING CHECKLIST

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

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

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

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

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

S7, T48, R25 (see attached)

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

54775120753

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

105 Shell Dr

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

CURRENT PROJECT NAME *(if applicable)*

The Club at Barefoot Beach name not yet approved

PROPOSED PROJECT NAME *(if applicable)*

PROPOSED STREET NAMES *(if applicable)*

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

SDP___-____ or AR or PL # PL20210002178

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX (239) 252-5724

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

Lely Barefoot Beach, The Club at Barefoot Beach

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

Applicant Name: Sharon Umpenhour

Phone: 239-947-1144 **Email/Fax:** sumpenhour@gradyminor.com

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

FOR STAFF USE ONLY

Folio Number 54775120753

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Folio Number _____

Approved by: L.L.H. **Date:** 10/27/2021

Updated by: _____ **Date:** _____

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

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Collier County Property Appraiser
Property Summary

Parcel No	54775120753	Site Address *Disclaimer	105 SHELL DR	Site City	BONITA SPRINGS	Site Zone *Note	341

Name / Address	CLUB AT BAREFOOT BEACH INC
	105 SHELL DR
City	BONITA SPRINGS

State	FL	Zip	34134-8584

Map No.	Strap No.	Section	Township	Range	Acres *Estimated
3A07	456400 1 13A07	7	48	25	6.25

Legal	LELY BAREFOOT BEACH UNIT #4 TRACTS 1& 3

Millage Area	143	Millage Rates	*Calculations	
Sub./Condo	456400 - LELY BAREFOOT BEACH UNIT 4	School	Other	Total
Use Code	35 - TOURIST ATTRACTIONS	4.889	6.0293	10.9183

Latest Sales History

(Not all Sales are listed due to Confidentiality)

Date	Book-Page	Amount
10/06/95	2106-1683	$ 3,500,000
08/01/91	1640-536	$ 1,500,000

2021 Certified Tax Roll

(Subject to Change)

	Land Value	$ 1,905,8
(+)	Improved Value	$ 2,228,3
(=)	Market Value	$ 4,134,1
(=)	Assessed Value	$ 4,134,1
(=)	School Taxable Value	$ 4,134,1
(=)	Taxable Value	$ 4,134,1

If all Values shown above equal 0 this parcel was created after the Final Tax Roll

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Collier County Property Appraiser
Property Aerial

Parcel No	54775120753	Site Address *Disclaimer	105 SHELL DR	Site City	BONITA SPRINGS	Site Zone *Note	341



Open GIS in a New Window with More Features.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

PROPERTY OWNERSHIP DISCLOSURE FORM

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

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

Please complete the following, use additional sheets if necessary.

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

Name and Address	% of Ownership
N.A.	

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

Name and Address	% of Ownership
The Club at Barefoot Beach, Inc., 105 Shell Drive, Bonita Springs, FL 34134 a Florida Not for Profit Corporation (Please see attached annual Report)	**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
N.A.	

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

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

Name and Address	% of Ownership
N.A.	

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

Name and Address	% of Ownership
N.A.	

Date of Contract: _____

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

g.

Name and Address
N.A.

h. Date subject property acquired 1995

☐ Leased: Term of lease_____years /months

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

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

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

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 publichearing.

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

October 26, 2021
Date

D. Wayne Arnold, AICP
Agent/Owner Name (please print)

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Lely Barefoot Beach PUD
Location Map

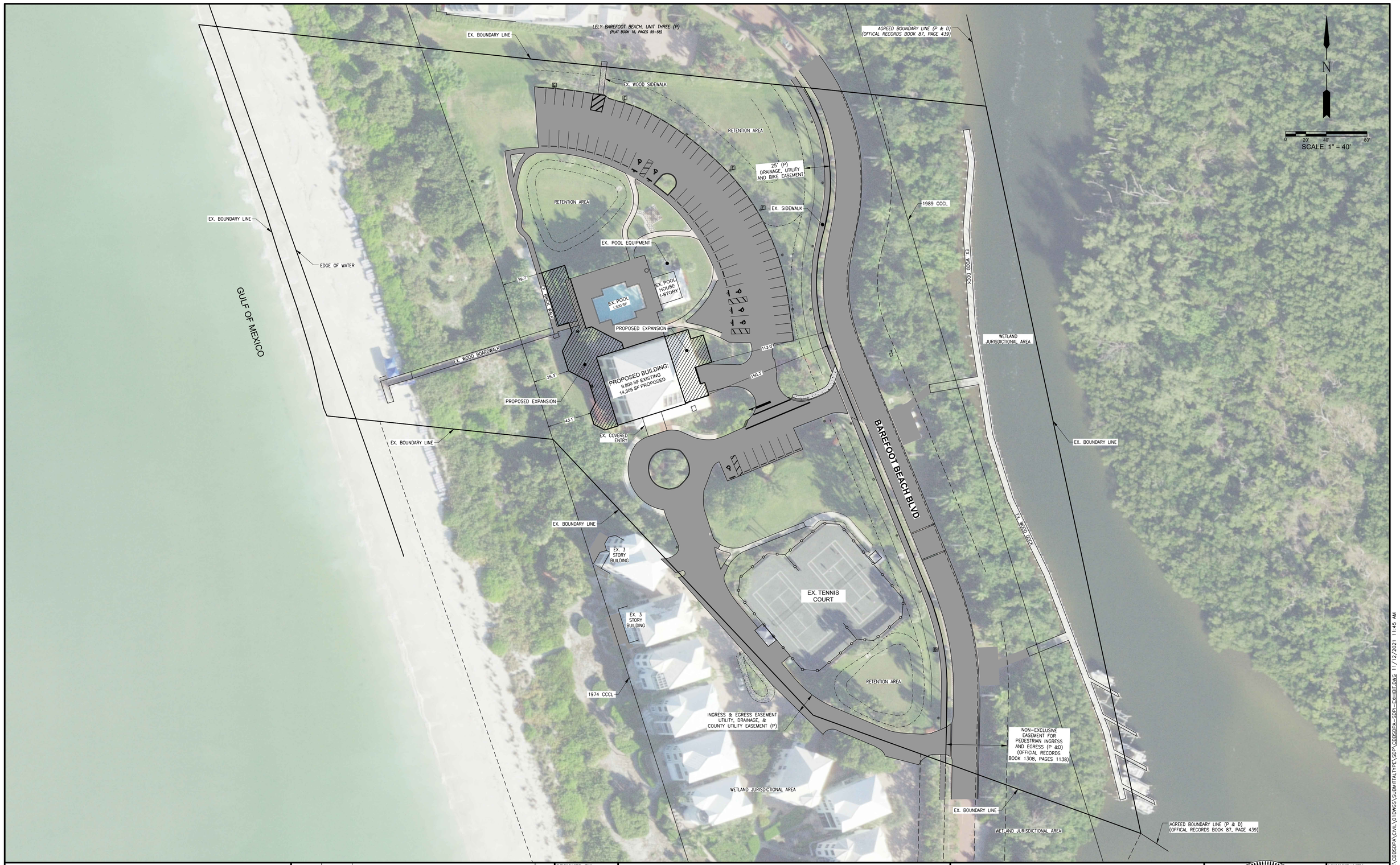


GradyMinor

Civil Engineers • Land Surveyors • Planners • Landscape Architects

560 280 0 560 Feet

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)



LEGEND

- EX. BRICK PAVERS
- PROP. SIDEWALK/CONCRETE
- (X) EX. PARKING SPACES

Revision	Date	Description	By

DESIGNED BY: MTH
DRAWN BY: SET
APPROVED: MTH
JOB CODE: CBBSDPA
SCALE: 1" = 40'

GradyMinor

Civil Engineers • Land Surveyors • Planners • Landscape Architects
Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266

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

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

BAREFOOT BEACH CLUBHOUSE

CONCEPTUAL SITE PLAN

ELEVATIONS SHOWN HEREON ARE BASED UPON NORTH AMERICAN VERTICAL DATUM 1988 (NAVD '88)
CONVERSION FACTOR TO NATIONAL GEODETIC VERTICAL DATUM 1929 (NGVD '29) IS (+) 1.217

MICHAEL THOMAS HERRERA LICENSE No. 60110 STATE OF FLORIDA PROFESSIONAL ENGINEER

MUNICIPALITY: COLLIER COUNTY
SEC/TWNSHP/RNG: 7/48S/24E
DATE: NOVEMBER 2021
SUBMITTAL TYPE: SDPA
SHEET 1 OF 1

C:\ENGINEERING\PROJ-ENG\C\CBBSDPA\CIVIL\01DWGS\SUBMITTALTYPE\SDP\CBBSDPA-SDP1-EXHIBIT.DWG 11/12/2021 11:45 AM

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Sharon Umpenhour

From: Brooke Selvidio
Sent: Wednesday, September 08, 2021 9:12 AM
To: CritchfieldHoward; Brett Moore; Matthew Goddard; Dave Humphrey; Randy Rosal
Cc: Bettina Roedig; Dale Moeller
Subject: RE: The Club at Barefoot Beach - Follow Up

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Howard. This email is a follow up to my message below. As the project design meets the necessary criteria which you have previously shared, including the lowest horizontal structural member (LHSM), we are moving forward with the design details and permitting with the county and state DEP. We plan to file a request for setback and zoning compliance within the next week to the County Growth Management Department.

Please let us know if you have any additional comments as we prepare our County and State DEP Applications. We appreciate your guidance to date.

All the best,
Brooke Selvidio

Brooke Garrett Selvidio
Vice President
D. Garrett Construction, Inc.
Cell: 239-825-9309
Office: 239-643-2900

From: Brooke Selvidio
Sent: Wednesday, August 18, 2021 1:36 PM
To: CritchfieldHoward; Brett Moore; Matthew Goddard; Dave Humphrey
Cc: Bettina Roedig; Dale Moeller
Subject: RE: The Club at Barefoot Beach - Follow Up

Hi Howard. We hope that you are doing great. I didn't see a reply to this but could have easily missed it. We wanted to see if you had any questions for us on Barefoot Beach at this point.

Thanks so much,
Brooke

Brooke Garrett Selvidio
Vice President
D. Garrett Construction, Inc.
Cell: 239-825-9309
Office: 239-643-2900

From: Brooke Selvidio
Sent: Friday, July 9, 2021 11:42 AM
To: 'CritchfieldHoward'; Brett Moore; Matthew Goddard; Dave Humphrey

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Cc: Bettina Roedig; Dale Moeller
Subject: RE: The Club at Barefoot Beach - Follow Up

Good Morning Howard. I hope that this email finds you well. Please see attached the State DEP Approved Site Specific Elevation for the Lowest Horizontal Structural Member of +18.8 feet NAVD. This is consistent with the elevation certificate for the existing structure, which I have included as well for you.

Please let us know if you have any further questions regarding this.

Thank you for your time,
Brooke Selvidio

Brooke Garrett Selvidio
Vice President
D. Garrett Construction, Inc.
Cell: 239-825-9309
Office: 239-643-2900

From: CritchfieldHoward [mailto:Howard.Critchfield@colliercountyfl.gov]
Sent: Monday, May 3, 2021 11:58 AM
To: Brooke Selvidio; Brett Moore; Matthew Goddard; Dave Humphrey
Cc: Bettina Roedig; Dale Moeller
Subject: RE: The Club at Barefoot Beach - Follow Up

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

Good Morning all,

After reviewing the document prepared by Humiston and Moore, it seems that dry-floodproofing is not limited by the flood velocities (resulted less than 5ft/s). Having said that, as part of the planning considerations and design process for the dry-floodproofing, the designer should perform a condition assessment of the existing structure. The existing structure (105 Shell Dr) was designed and built for VE (Flood Zone) standards such as free-of-obstructions ground floor, breakaway walls, built on piles/columns and collapsible or independent floor slab, etc. This is opposite of the dry-floodproofing approach rationale, that is to design a watertight building for certain period of time capable of resisting all associated flood loads, including buoyancy.

I'm attaching the latest FEMA technical bulletin #3 (Jan, 2021) regarding dry-floodproofing requirements including the design process. Also I've attached the checklist for dry-floodproofing submittal for the permit application and review.

For additional information:

- P-936 Floodproofing of Non-Residential Buildings (July, 2013)
- ANSI/FM Approvals 2510-2020 (attached)

I hope this info can help.

Respectfully,

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Howard Critchfield, P.E.,CFM
Senior Project Manager

Growth Management Department
Collier County Government
2800 N Horseshoe Dr.
Naples, FL 34104
P: (239) 252-5858
F: (239) 252-6372

From: Brooke Selvidio <brooke@dgarrettconstruction.com>
Sent: Wednesday, April 21, 2021 9:09 AM
To: CritchfieldHoward <Howard.Critchfield@colliercountyfl.gov>; Brett Moore <bdm@humistonandmoore.com>; Matthew Goddard <mdgoddard@humistonandmoore.com>; Dave Humphrey <dhumphrey@humphreyrosal.com>
Cc: Bettina Roedig <bettina@dgarrettconstruction.com>; Dale Moeller <DMoeller@theclubatbarefootbeach.com>
Subject: The Club at Barefoot Beach - Follow Up

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

Good Morning Howard. Brett Moore and Matt Goddard with Humiston and Moore have put together some information on The Club at Barefoot Beach, for your review. This should address ASCE24 Section 6.2 regarding flood velocity. We are working on establishing the LHSM Elevation for the existing building and we will send this over to you as soon as we have it completed.

In the meantime, would you please review this and let us know if you have any questions or need anything further?

Thank you very much for your time the other day on the phone. We greatly appreciate it.

All the best,
Brooke Selvidio

Brooke Garrett Selvidio
Vice President
D. Garrett Construction, Inc.
Cell: 239-825-9309
Office: 239-643-2900

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

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

HUMISTON & MOORE ENGINEERS
COASTAL ENGINEERING DESIGN AND PERMITTING

5679 STRAND COURT
NAPLES, FLORIDA 34110
FAX: 239 594 2025
PHONE: **239 594 2021**

April 20, 2021

Sent via E-mail

MEMORANDUM

To: Howard Critchfield
Brooke Selvidio
Dave Humphrey
Dale Moeller

From: Brett D. Moore, P.E., D.CE.

Regarding: Club at Barefoot Beach
Wave Velocity ASCE 24 Section 6.2
HM File No. 29-047

In response to our teleconference on April 19, 2021 with those listed above, we have evaluated the design flood velocity at the existing building based on the stillwater flood depth per the Flood Insurance Study (FIS) effective 2012 for transects #3 and #4.

To evaluate the flood velocities, the FEMA Coastal Construction manual was applied. The project is located within AE 13, is well upland of the Gulf of Mexico flooding source. Additionally, the building site is on a relatively flat terrain, not a *steeply sloping terrain*, nor is the building *adjacent to other large building or obstructions that will confine or redirect floodwaters and increase local flood velocities*. As such the velocity is computed using the *Lower Bound* criteria using a grade from 7.5 to 6.5 feet NAVD and a design still water elevation of +11 feet NAVD. The result is a velocity ranging from 3.5 to 4.5 feet per sec.

Attached is a copy of the topographic survey based on recent 2017 LIDAR data from the U.S. Army Corps of Engineers.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

U.S. DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
National Flood Insurance Program

OMB No. 1660-0008
Expiration Date: November 30, 2018

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1–9.

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

SECTION A – PROPERTY INFORMATION

		FOR INSURANCE COMPANY USE
A1. Building Owner's Name MIRAMAR BEACH & TENNIS CLUB, INC.		Policy Number:
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 105 SHELL DRIVE		Company NAIC Number:
City Bonita Springs	State Florida	ZIP Code 34134-8584

A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)
Miramar Beach & Tennis Clubhouse, Collier Co.Strap No. 456400113A07, Lely Barefoot Beach Unit #4, Tracts 1 & 3 Orb 2106, Pg 1683

A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) Non-residential - Clubhouse

A5. Latitude/Longitude: Lat. 26° 18' 41.3" N Long. -81° 50' 14.9" W Horizontal Datum: ☐ NAD 1927 ☒ NAD 1983

A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.

A7. Building Diagram Number 6

A8. For a building with a crawlspace or enclosure(s):

a) Square footage of crawlspace or enclosure(s) 3,438 sq ft

b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade 0

c) Total net area of flood openings in A8.b N/A sq in

d) Engineered flood openings? ☐ Yes ☒ No

A9. For a building with an attached garage:

a) Square footage of attached garage N/A sq ft

b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade N/A

c) Total net area of flood openings in A9.b N/A sq in

d) Engineered flood openings? ☐ Yes ☒ No

SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number	B2. County Name	B3. State
120067 Collier County	Collier	Florida

B4. Map/Panel Number	B5. Suffix	B6. FIRM Index Date	B7. FIRM Panel Effective/ Revised Date	B8. Flood Zone(s)	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth)
12021C0187	H	05/16/2012	05/16/2012	VE	14.0'

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9:
☐ FIS Profile ☒ FIRM ☐ Community Determined ☐ Other/Source:

B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source:

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No
Designation Date: ☐ CBRS ☐ OPA

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.

FOR INSURANCE COMPANY USE

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
105 SHELL DRIVE

Policy Number:

City	State	ZIP Code
Bonita Springs	Florida	34134-8584

Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

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

Benchmark Utilized: RTK GPS Vertical Datum: NAVD '88

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

☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source:

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

		Check the measurement used.
a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	6.8	☒ feet ☐ meters
b) Top of the next higher floor	21.8	☒ feet ☐ meters
c) Bottom of the lowest horizontal structural member (V Zones only)	18.8	☒ feet ☐ meters
d) Attached garage (top of slab)	N/A	☒ feet ☐ meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	14.1	☒ feet ☐ meters
f) Lowest adjacent (finished) grade next to building (LAG)	6.4	☒ feet ☐ meters
g) Highest adjacent (finished) grade next to building (HAG)	6.6	☒ feet ☐ meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	N/A	☒ feet ☐ meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

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

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

Certifier's Name	License Number
DAVID S. DAGOSTINO, PSM	5762

Title
Professional Surveyor and Mapper

Company Name
Dagostino & Wood, Inc.

Address
5415 Jaeger Road, Suite A

City	State	ZIP Code
Naples	Florida	34109

Signature	Date	Telephone
	04/16/2018	(239) 352-6085

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

Comments (including type of equipment and location, per C2(e), if applicable)
Item C2 e. The lowest machinery servicing the building is the instant hot water heater located on the outside of the building. (Air Conditioning units are located on the roof.)

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 105 SHELL DRIVE			Policy Number:
City Bonita Springs	State Florida	ZIP Code 34134-8584	Company NAIC Number

SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B,and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).

a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ . _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ . _____ ☐ feet ☐ meters ☐ above or ☐ below the LAG.

E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ . _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

E3. Attached garage (top of slab) is _____ . _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

E4. Top of platform of machinery and/or equipment servicing the building is _____ . _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown. The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner or Owner's Authorized Representative's Name

Address	City	State	ZIP Code

Signature	Date	Telephone

Comments

☐ Check here if attachments.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 105 SHELL DRIVE			Policy Number:
City Bonita Springs	State Florida	ZIP Code 34134-8584	Company NAIC Number

SECTION G – COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.

G1. ☐ The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)

G2. ☐ A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.

G3. ☐ The following information (Items G4–G10) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate of Compliance/Occupancy Issued

G7. This permit has been issued for: ☐ New Construction ☐ Substantial Improvement

G8. Elevation of as-built lowest floor (including basement) of the building: _____.____ ☐ feet ☐ meters Datum _____

G9. BFE or (in Zone AO) depth of flooding at the building site: _____.____ ☐ feet ☐ meters Datum _____

G10. Community's design flood elevation: _____.____ ☐ feet ☐ meters Datum _____

Local Official's Name	Title
Community Name	Telephone
Signature	Date

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

☐ Check here if attachments.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

ELEVATION CERTIFICATE

BUILDING PHOTOGRAPHS

See Instructions for Item A6.

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 105 SHELL DRIVE			Policy Number:
City Bonita Springs	State Florida	ZIP Code 34134-8584	Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.



Photo One

Photo One Caption Front view taken on 04/12/2018



Photo Two

Photo Two Caption Rear view taken on 04/12/2018

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

ELEVATION CERTIFICATE

BUILDING PHOTOGRAPHS

Continuation Page

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 105 SHELL DRIVE			Policy Number:
City Bonita Springs	State Florida	ZIP Code 34134-8584	Company NAIC Number

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.



Photo Three

Photo Three Caption Left side view taken on 04/12/2018



Photo Four

Photo Four Caption Front right side view taken on 04/12/2018

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

FLORIDA DEPARTMENT OF
Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

June 24, 2021

Club at Barefoot Beach
c/o Matthew Goddard, P.E.
Humiston and Moore Engineers
5679 Strand Court
Naples, Florida 34110

Dear Mr. Goddard:

100-Year Storm Elevation Site Specific Determination

File Number:	CNS-CO0255
Property Owner Name:	Club at Barefoot Beach
Location of Subject Property:	Between approximately 209 feet and 530 feet south of DEP's reference monument R-8, in Collier County. Project address: 105 Shell Dr., Naples.

This is in response to your letter received by the Department on June 7, 2021 requesting a site-specific determination of the 100-year storm elevation at the project address.

Pursuant to Subsection 3109, Florida Building Code, all habitable structures shall be elevated at or above an elevation which places the lowest horizontal member above the 100-year storm elevation as determined by the Florida Department of Environmental Protection in the report titled "One-Hundred year storm Elevation requirements for Habitable Structures Located Seaward of a Coastal Construction Control Line." Alternatively, an applicant may request that the Department of Environmental Protection determine a site-specific 100-year storm elevation for the applicant's proposed pool and pool deck as part of the environmental permit application process. Based on the survey and site plan submitted with your request, a site specific 100-year storm elevation for the proposed habitable structure has been determined by the Department. The 100-year storm elevation (elevation of the lowest horizontal structural member) is +18.8 feet (NAVD), or higher. In addition, the design grade (scour elevation) is + 5.4 feet (NAVD), or lower.

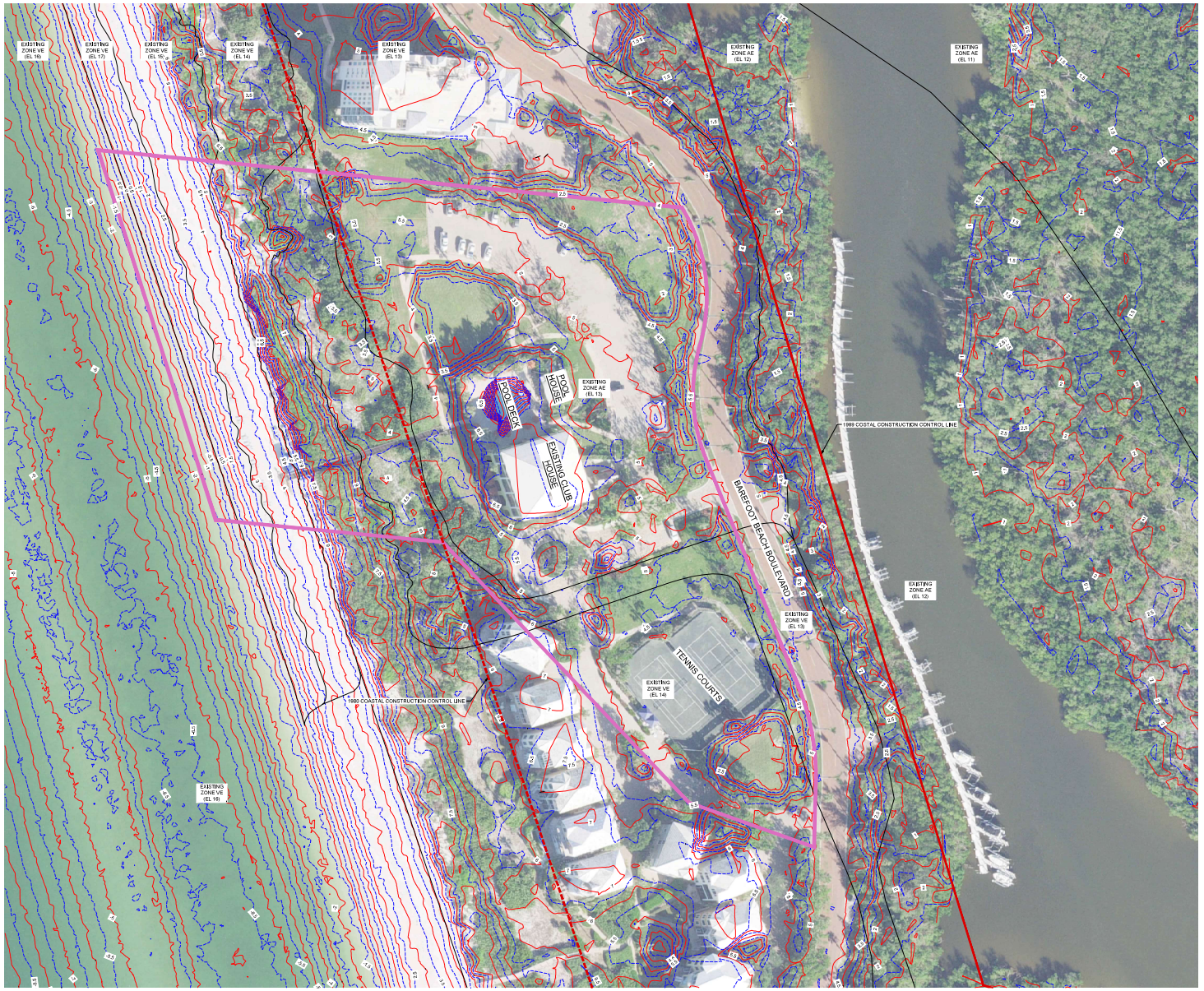
Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

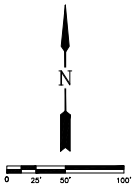
This determination does not relieve you from your responsibility to comply with the permitting requirements of any other local, state, or federal regulatory agency which has jurisdiction over the proposed activity. If you have any questions, concerns, or need additional information, please contact me at the letterhead address (add Mail Station 300), or by telephone at (850) 245-8419, or by e-mail at Derek.Bellamy@FloridaDEP.gov.

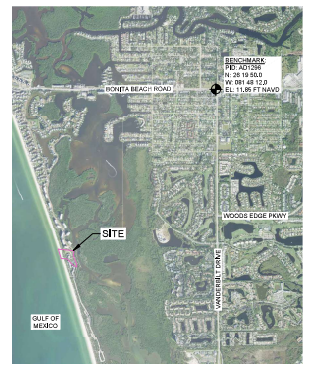
Sincerely,

Derek Bellamy, Permit Manager
Coastal Construction Control Line Program
Office of Resilience and Coastal Protection

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)







LEGEND

- EXISTING 1' CONTOU
- EXISTING 0.5' CONTO
- EXISTING PROPERTY
- EXISTING FLOOD ZO
- 1989 COASTAL CONS CONTROL LINE
- 1989 COASTAL CONS CONTROL LINE

NOTES:

1. CONTOURS AND ELEVATIONS SHOWN HERON WERE OBTAINED BY J.R. EVANS ENGINEERING FROM THE UNITED STATES ARMY CORPS OF ENGINEERS LIDAR DATA 20017 (NAVD 88).
2. 2016 AERIAL OBTAINED FROM COLLIER COUNTY AERIALS.
3. COORDINATES SYSTEM: NAD 1983 STATE PLANE FLORIDA EAST FIPS 0901 FEET.
4. FORMER FLORIDA DEPARTMENT OF NATURAL RESOURCES AND COLLIER COUNTY COASTAL CONSTRUCTION CONTROL LINE RECORDED JULY 29,1980 IN OFFICIAL RECORDS BOOK 1, PAGES 13 THROUGH 25

#	DATE	REVISIONS

J.R. EVANS ENGINEERING

J.R. EVANS ENGINEERING, P.A.
9351 CORKSCREW ROAD, SUITE 102
ESTERO, FLORIDA 33928
PHONE: (239) 405-9148
FAX: (239) 288-2537
WWW.JREVANSENGINEERING.COM

THE CLUB AT BAREFOOT BEACH LOMR
BONITA SPRINGS, FL

DUE DILIGENCE EXHIBIT

ELIZABETH A. FOUNTAIN, P.E.
FL. LICENSE NO. 60077
FL. COA # 29226

PROJECT #:	
FILE DATE:	
DESIGN BY:	
SCALE:	
SHEET :	

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

AFFIDAVIT OF COMPLIANCE

Petition PL20210002729 – Lely Barefoot Beach PUD Insubstantial Change (PDI)

I hereby certify that pursuant to Ordinance 2004-41, of the Collier County Land Development Code, I did cause the attached newspaper advertisement to appear and I did give notice by mail to the following property owners and/or condominium and civic associations whose members may be affected by the proposed land use changes of an application request for a rezoning, PUD amendment, or conditional use, at least 15 days prior to the scheduled Neighborhood Information Meeting. *For the purposes of this requirement, the names and addresses of property owners shall be deemed those appearing on the latest tax rolls of Collier County and any other persons or entities who have made a formal request of the county to be notified.* The said notice contained the laymen's description of the site property of proposed change and the date, time, and place of a Neighborhood Information Meeting.

Per the attached letters, property owner's list, and copy of newspaper advertisement which are hereby made a part of this Affidavit of Compliance.

Sharon Umpenhour as Senior Planning Technician
for Q. Grady Minor & Associates, P.A.

State of Florida
County of Lee

The foregoing Affidavit of compliance was acknowledged before me this January 14, 2022 by Sharon Umpenhour as Senior Planning Technician, who is personally known to me.

(Signature of Notary Public)

CARIN J. DWYER
Printed Name of Notary

CARIN J. DWYER
MY COMMISSION # GG 982367
EXPIRES: May 14, 2024
Bonded Thru Notary Public Underwriters

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

GradyMinor

Civil Engineers • Land Surveyors • Planners • Landscape Architects

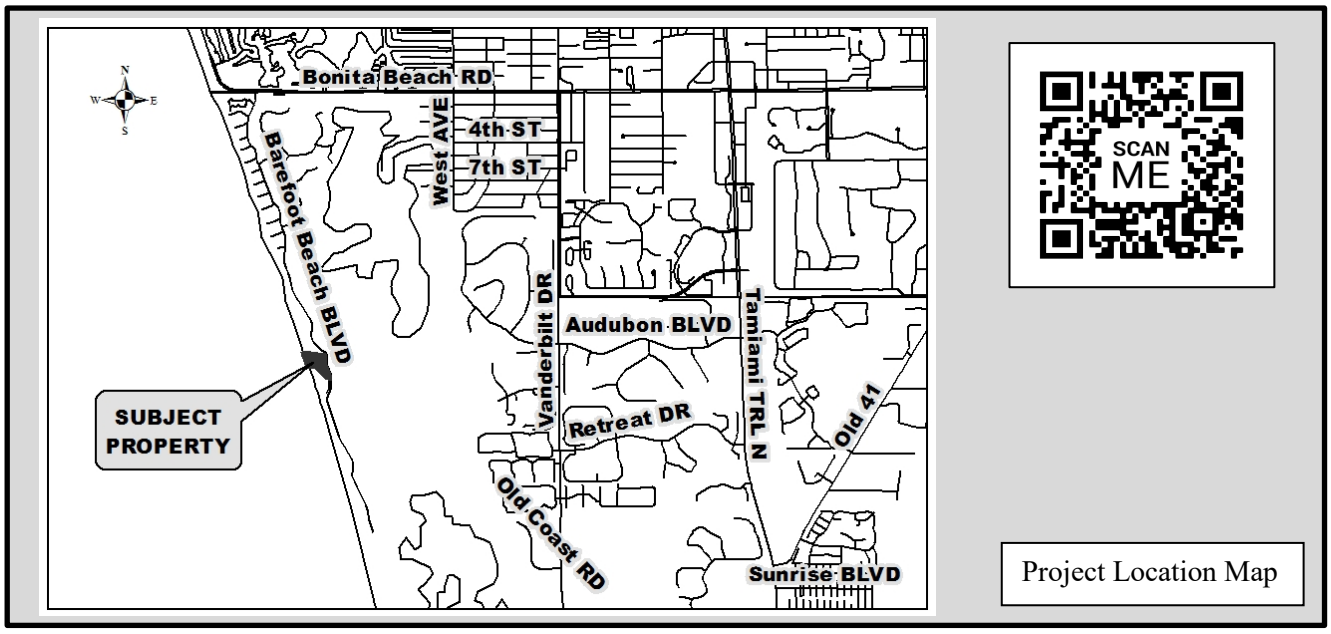
NEIGHBORHOOD INFORMATION MEETING

PETITIONS: PL20210002729 – Lely Barefoot Beach PUD Insubstantial Change (PDI)

In compliance with the Collier County Land Development Code (LDC) requirements, a neighborhood meeting hosted by D. Wayne Arnold, AICP, of Q. Grady Minor and Associates, P.A., representing The Club at Barefoot Beach, Inc. (Applicant) will be held **February 1, 2022, 5:30 pm** at **The Club at Barefoot Beach, 3rd Floor, 105 Shell Drive, Bonita Springs, FL 34134**.

The Club at Barefoot Beach, Inc. has submitted a formal application to Collier County, seeking approval of an insubstantial change to the Lely Barefoot Beach PUD Ordinance 85-83, as amended, Section XII, Item 12.4, Maximum Building Height from two habitable floors to establish zoned and actual building heights, consistent with the existing built height of the existing clubhouse. We also propose to modify Section XII, Item 12.6 B., gulf front yards to reference that reductions are subject to approval of a CCSL Variance.

The subject property is comprised of 6.25± acres and is located at 105 Shell Drive in Section 7, Township 48 South, Range 25 East, Collier County, Florida.



If you have questions or comments, contact Sharon Umpenhour with GradyMinor by email: sumpenhour@gradyminor.com or phone: 239-947-1144. For project information or to register to participate remotely* go to, gradyminor.com/Planning.

Any information provided is subject to change until final approval by the governing authority. The Neighborhood Information Meeting is for informational purposes, it is not a public hearing.

**Remote participation is provided as a courtesy and is at the user's risk. The applicant and GradyMinor are not responsible for technical issues.*

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

Q. Grady Minor & Associates, P.A.
3800 Via Del Rey
Bonita Springs, FL 34134

Ph. 239-947-1144 ● Fax. 239-947-0375
EB 0005151 ● LB 0005151 ● LC 26000266
www.gradyminor.com

Notice: This data belongs to the Collier County Property Appraiser's Office (CCPA). Therefore, the recipient agrees not to represent this data to anyone as other than CCPA provided data. The recipient may not transfer this data to others without consent from the CCPA.

Petition: PL20210002729 | Buffer: 500' | Date: 12/09/2021 | Site Location: 54775120753

NAME1	NAME2	NAME3	NAME4	NAME5	NAME6	LEGAL1	LEGAL2	LEGAL3	LEGAL4	FOLIO	ADDRESSTYPE
1999 CARLTON Q/P/R TRUST	266 BAREFOOT BEACH BLVD # 401				BONITA SPRINGS, FL 34134---2534	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-401			22900007660	U
AHLERS, LINDA LOUIS	SCOTT E SIEM	N2719 BROWNE LN			WAUPACA, WI 54981---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-403			22900005303	U
AMY MARIE GILLES REV TRUST	7965 REMINGTON RD				CINCINNATI, OH 45242---7218	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-301			22900007589	U
ANITA M WINKLER REVOC TRUST	4040 GLIDDEN DR				STURGEON BAY, WI 54235---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-603			22900007864	U
ANN TONIA VAN HORN BRUCE TRUST	269 BAREFOOT BEACH BLVD #603				BONITA SPRINGS, FL 34134---2515	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-603			22900006742	U
ARFO INTNTL CORP	C/O ALLURE ACC LLC	3665 BONITA BEACH RD STE 3			BONITA SPRINGS, FL 34134---4198	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-PH-03			22900006823	U
AUDREY G JONES REV LIV TRUST	JONES RESIDUARY TRUST	2919 S RIDGEVIEW WAY			SIOUX FALLS, SD 57105---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-PH-01			22900007424	U
AUDUBON COUNTRY CLUB	FOUNDATION INC	15725 TAMIAMI TRL N			NAPLES, FL 34110---6246	8 48 25 S1/2 OF N1/2 OF NE	1/4 OF SEC 8, LESS R/W ALSO	SEC 7 + 8, FROM MONUMENT	NE1/4 CNR LOT 1, RUN S660FT	00142280005	U
BACK 50 TRUST	C/O GOULSTON & STORRS PC	400 ATLANTIC AVENUE			BOSTON, MA 02110---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-503			22900006661	U
BARBARA A BOWLIN REV TRUST	101 JUMENTO CAY LANE				BONITA SPRINGS, FL 34134---8504	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-504			22900007806	U
BAREFOOT BEACH LLC	C/O DEBORAH TREPINA	13224 W CREEKSIDE DR			HOMER GLEN, IL 60491---8669	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-401			22900005947	U
BAREFOOT BEACH MASTER ASSN INC	% ABILITY MANAGEMENT	6736 LONE OAK BLVD			NAPLES, FL 34109---0	LELY BAREFOOT BEACH UNIT THREE	TRACT 2			54775075507	U
BAREFOOT BEACH MASTER ASSN INC	% ABILITY MANAGEMENT	6736 LONE OAK BLVD			NAPLES, FL 34109---0	LELY BAREFOOT BEACH UNIT #4	TRACT 2			54775120850	U
BEVERUNG, CLYDE J & KAY A	264 BAREFOOT BEACH BLVD # 502				BONITA SPRINGS, FL 34134---2529	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-502			22900007288	U
BIRGIT S LORENTZEN TRUST	BRIGIT S LORENTZEN IRREV TRUST	B S LORENTZEN FL QPR TRUST #3	388 AUSABLE PLACE		ANN ARBOR, MI 48104---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-505			22900005468	U
BRIMMELL, JUDITHANN ROY	JOHN F BRIMMELL	267 BAREFOOT BEACH BLVD #404			BONITA SPRINGS, FL 34134---2508	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-404			22900006001	U
BRITT, WILLIAM G & BEVERLY R	717 PRINCETON AVE				BRICK, NJ 08724---4831	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-604			22900006247	U
BUCAIDA TR, FRANK J	JOANN M BUCAIDA TR	BUCAIDA FLORIDA TRUST	UTD 04/21/07	3807 SIGNATURE DR	MIDDLETON, WI 53562---2387	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-301			22900007107	U
CARKHUFF, WALDO H & VIRGINIA M	267 BAREFOOT BCH BLVD PH 2				BONITA SPRINGS, FL 34134---2511	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-PH-02			22900006328	U
CAROL J ANDY 1998 REV TRUST	89 LIVELY RD				EIGHTY FOUR, PA 15330---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-605			22900005581	U
CHARLES B MORTON TRUST	269 BAREFOOT BEACH BLVD # 502				BONITA SPRINGS, FL 34134---2513	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-502			22900006645	U
CINDY L ALDRICH REV TRUST	9085 BRECKENRIDGE LN				EDEN PRAIRIE, MN 55347---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-403			22900007220	U
CLOCKTOWER HOLDINGS LLC	267 BAREFOOT BEACH BLVD #201				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-202			22900005727	U
CLUB AT BAREFOOT BEACH INC	105 SHELL DR				BONITA SPRINGS, FL 34134---8584	LELY BAREFOOT BEACH UNIT #4	TRACTS 1& 3			54775120753	U
COLLIER CNTY	C/O REAL PROPERTY MANAGEMENT	3335 TAMIAMI TR E, STE 101			NAPLES, FL 34112---0	7 48 25 33.43 AC UPLAND DESC	IN OR 1308 PG 1136 IN SEC 7&8			00141920104	U
COLLIER CNTY	C/O REAL PROPERTY MANAGEMENT	3335 TAMIAMI TR E, STE 101			NAPLES, FL 34112---0	08 48 25 A PORTION OF UNREC TR	O (LELY BAREFOOT PUD) DESC IN	OR 1397 PG 2169 60.24 AC		00142360200	U
COOPER, DANIEL S & NANCY L	269 BAREFOOT BEACH BLVD # 501				BONITA SPRINGS, FL 34134---2513	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-501			22900006629	U
DEBRA J EDSON TRUST	1425 PENINSULA DR				TRAVERSE CITY, MI 49686---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-403			22900006580	U
DENNIS & SANDRA VOLCHOFF	REVOCABLE TRUST	269 BAREFOOT BEACH BLVD #302			BONITA SPRINGS, FL 34134---2518	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-302			22900006483	U
DHAR, SISIR K & HEATHER A	266 BAREFOOT BEACH BLVD #402				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-402			22900007686	U
DIANA M TRUE REV TRUST	11104 GEYER DOWNS LN				ST LOUIS, MO 63131---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-205			22900005109	U
DONNELL F ENSINGER TRUST	267 BAREFOOT BEACH BLVD # 204				BONITA SPRINGS, FL 34134---2506	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-204			22900005769	U
DOUGLAS A BECKER REV TRUST	385 SHELL DR				BONITA SPRINGS, FL 34134---0	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM UNIT #14			27905000285	U
DUCKWORTH, CHERYL	2334 COB TAIL WAY				BLACKLICK, OH 43004---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-604			22900005565	U
DUKE, MARY LOUISE LED	PO BOX 541				GUILDERLAND, NY 12084---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-402			22900005963	U
DUTT ENTERPRISES INC	113 N PORTAGE ST				DOYLESTOWN, OH 44230---1368	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-201			22900005028	U
ELDER, MARILYN M	2241 FINCHLEY RD				CARMEL, IN 46032---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-304			22900007165	U
ENGLANDER, JOHN C	87 LAMBERTS LN				COHASSET, MA 02025---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-203			22900006425	U
FORTIER, SALLY A & JOHN A	264 BAREFOOT BEACH BLVD #IX604				BONITA SPRINGS, FL 34134---2527	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-604			22900007408	U
FRANCIS P HOFFMAN TRUST	7577 FOREST BEACH RD				WATERVLIET, MI 49098---8304	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-602			22900005523	U
FRED J JAHNKE 2020 IRRV TRUST	267 BAREFOOT BCH BLVD #406				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-204			22900006441	U
FREEDMAN, JAY H	30 SCOTT LOOP				HIGHLAND PARK, IL 60035---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-303			22900006506	U
GIAMBRUNO, STEVEN N & MARY P	264 BAREFOOT BEACH BLVD #404				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-404			22900007246	U
GIVEN, MARTIN L & VICKIE L	760 PLUM RIDGE TRL				SIDNEY, OH 45365---1857	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-206			22900005808	U
GLODEK, THOMAS F	GLODEK FAMILY TRUST	269 BAREFOOT BCH BLVD #12-304			BONITA SPRINGS, FL 34134---2518	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-304			22900006522	U
GORDON J VELDBOOM JR & HELEN J	VELDBOOM JOINT REV TRUST	719 SOUTH 9TH STREET			OOSTBURG, WI 53070---1372	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-206			22900005125	U
GRANT L WASHBURN SR	FAMILY TRUST ESTATE	36 MUIRFIELD LN			SAINT LOUIS, MO 63141---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-503			22900007301	U
GREGORY NAIFEH	FAMILY INVESTMENTS LLC	2616 WILSHIRE BLVD			OKLAHOMA CITY, OK 73116---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-203			22900007547	U
GSH REAL ESTATE LLC 2	300 W NORTH AVENUE				LOMBARD, IL 60148---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-601			22900007822	U
HAGFORS, NORMAN R & EVANGELINE	18 EVERGREEN RD				SAINT PAUL, MN 55127---2004	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-302			22900005167	U
HANSEN, ANNE & MARK	4444 HADFIELD LN				WASHINGTON, DC 20007---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-503			22900006108	U
HARDAMON, DONALD L & GERRI D	4831 W ROAD 150 N				BARGERSVILLE, IN 46106---9432	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-506			22900005484	U
HARGREAVES, JACQUELINE C	267 BAREFOOT BEACH BLVD #606				BONITA SPRINGS, FL 34134---2511	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-606			22900006289	U
HARTLAND, THOMAS J	CLAUDINE L HARTLAND	13705 SHAKER BLVD 6A			CLEVELAND, OH 44120---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-603			22900007385	U
HEDRICH, NORMAN & CLEDA	405 SHELL DR				BONITA SPRINGS, FL 34134---2526	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM UNIT #15 OR	1851 PG 792		27905000308	U
HEIM TR, BRENDA K	DAVID B HEIM TR	1900 DEER HILL CT			WAYZATA, MN 55391---2206	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-PH-03			22900007466	U
HORN MARITAL TRUST #2	265 BAREFOOT BEACH BLVD # 404				BONITA SPRINGS, FL 34134---2502	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-404			22900005329	U
HOSKING, GARY & SUSAN	265 BAREFOOT BEACH BLVD #504				BONITA SPRINGS, FL 34134---2503	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-504			22900005442	U
HRBACEK, MICHAEL	267 BAREFOOT BEACH BLVD #304				BONITA SPRINGS, FL 34134---2517	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-304			22900005882	U
HUNTER III, JOHN C & KATHRYN H	269 BAREFOOT BEACH BLVD PH 2				BONITA SPRINGS, FL 34134---2514	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-PH-02			22900006807	U
J T COWAN REV MD TRUST	266 BAREFOOT BEACH BLVD # 604				BONITA SPRINGS, FL 34134---2535	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-604			22900007880	U
JACQUELYN G DELMEDICO TRUST	1755 BROOKWOOD DR				AKRON, OH 44313---5057	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-201			22900007505	U
JAHNKE, MARY KOCH	267 BAREFOOT BCH BLVD #406				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-406			22900006043	U
JAMES FAIRBANKS JR TRUST	220 MYSTIC RIDGE HILL				ATLANTA, GA 30342---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-504			22900006124	U
JAMES K & JOYCE M RYDER TRUST	267 BAREFOOT BEACH BLVD # 305				BONITA SPRINGS, FL 34134---2507	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-305			22900005905	U
JEFFERY L DITTY REV TRUST	JULI A DITTY E T S TRUST	JEFFERY L DITTY ET AL	1505 ROSADA WAY		FT MYERS, FL 33901---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-303			22900005183	U
JOHN A MUNTEAN REV TRUST	251 OAKLAND DRIVE				HIGHLAND PARK, IL 60035---5046	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-201			22900007026	U
JOHN I MAYER III REV TRUST	266 BAREFOOT BEACH BLVD #PH2				BONITA SPRINGS, FL 34134---2532	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-PH-02			22900007929	U
JOHNSON FAMILY TRUST	5515 W 130TH STREET				PALOS HEIGHTS, IL 60463---0	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM UNIT #13			27905000269	U
JOSEPH J ROSS TRUST	125 SHELL DRIVE #1				BONITA SPRINGS, FL 34134---0	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM UNIT #1			27905000023	U
K R EDELBROCK IRREV TRUST	269 BAREFOOT BEACH BLD #404				BONITA SPRINGS, FL 34134---2513	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-404			22900006603	U
KAKOS FAMILY INVESTMENTS LLC	4313 2ND AVENUE NE				SEATTLE, WA 98105---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-402			22900006564	U
KATHRYN A GUZZARDO REV TRUST	266 BAREFOOT BECH BLVD #11-503				BONITA SPRINGS, FL 34134---2532	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-503			22900007783	U
KEATING, ROBERT M	VALERIE R KEATING	245 SHELL DR			BONITA SPRINGS, FL 34145---0	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM UNIT #7			27905000146	U
KESLER TR, JACK A	JACK A KESLER REVOCABLE TRUST	4451 MCCURDY RD			INDIANAPOLIS, IN 46234---9590	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-204			22900005086	U
KIM LOUISE CALLAGHAN TRUST	265 BAREFOOT BEACH BLVD PH2				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-PH-02			22900005646	U
KNIFF, STEWART J & LENORE M	PO BOX 33				SPARTA, MI 49345---33	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-PH-04			22900005688	U
KNOPP, DAVID C & VICTORIA L	340 LATONKA DR				MERCER, PA 16137---9376	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-402			22900005280	U
KRISTOFF, BRETT C	35 FATHER PETERS LN				NEW CANAAN, CT 06840---2215	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-301			22900006467	U
KRISTOFF, FRANK	266 BAREFOOT BEACH BLVD #501				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-501			22900007741	U
LAFLEUR, JAMES M & MARY S	267 BAREFOOT BCH BLVD #601				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-601			22900006182	U
LANCIA, FLOYD A & BETTY LOU	5315 TUNBRIDGE XING				FORT WAYNE, IN 46815---8534	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-301			22900005141	U
LARSON, BRUCE C	267 BAREFOOT BEACH BLVD #505				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-505			22900006140	U
LED DUKE TR, MARY LOUISE	MARY LOUISE LED DUKE TR UST	PO BOX 541			GUILDERLAND, NY 12084---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-PH-01			22900005620	U
LINDA M BABOULIS TRUST	266 BAREFOOT BCH BLVD #202				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-202			22900007521	U
LUCADO JR, CURTIS R	ELIZABETH CHRISTY LUCADO	% W STEBBINS HUBARD JR ESQ	DIXON HUBARD FEINOUR BROWN INC PO BOX 2768		ROANOKE, VA 24001---2768	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-303			22900005866	U
MACKIE REVOCABLE TRUST	5270 TOWN AND COUNTRY BLVD	#124 C			FRISCO, TX 75034---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-603			22900006221	U
MANSFIELD, ROBERT N	PATRICIA A MANSFIELD	264 BAREFOOT BEACH BLVD # 401			BONITA SPRINGS, FL 34134---2529	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-401			22900007181	U
MARCONI TR, SHARON M	UTD 6-30-92	21933 W VERNON RIDGE DR			MUNDELEIN, IL 60060---5317	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-PH-03			22900005662	U
MARILOUISE WALL DEC OF TRUST	266 BAREFOOT BEACH BLVD #403				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-403			22900007709	U
MARTINEZ, HECTOR G & JUDITH C	1365 GINGER CIR				WESTON, FL 33326---3629	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-303			22900007149	U
MARVIN ANDERSON 2021 IRR TRUST	8970 PRESERVE BLVD				EDEN PRAIRIE, MN 55347---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-PH-04			22900007961	U
MARVIN, ROBERT W & LORALEE A	914B LAKE ST NE				WARROAD, MN 56763---2402	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-PH-03			22900007945	U
MARY CAROL SHORT TRUST	377 WOODCREST LN				XENIA, OH 45385---1527	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-305			22900005222	U
MARY F DRAZAN TRUST	265 BAREFOOT BEACH BLVD #501				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-501			22900005387	U

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

MARY M DODGE TRUST	267 BAREFOOT BCH BLVD #301				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-301		22900005824 U
MARY WHALEN REV TRUST	264 BAREFOOT BEACH BLVD #504				BONITA SPRINGS, FL 34134---2530	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-504		22900007327 U
MC GHEE, VIRGINIA R	1160 BRIDLEWOOD LN				LEXINGTON, KY 40515---8527	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-401		22900006548 U
MICHAEL E OSBORNE TRUST	7670 TYLER BLVD				MENTOR, OH 44060---4853	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM UNIT #6		27905000120 U
MICHAEL K CONNELLY TRUST	VICTORIA L CONNELLY TRUST	9651 N BEDFORD RD			MACEDONIA, OH 44056---1007	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-PH-03		22900006344 U
MICHAEL N & KIMBERLY L RUSSO	REVOCABLE TRUST	W73N411 MULBERRY AVE			CEDARBURG, WI 53012---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-303		22900007628 U
MORRISSEY, JOHN E & MARILYN B	6616 DOVRE DR				MINNEAPOLIS, MN 55436---1712	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-405		22900005345 U
MOUL, GEOFFREY & TONYA	264 BAREFOOT BEACH BLVD #202				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-202		22900007042 U
NELSON REV TRUST	267 BAREFOOT BEACH BLVD # 502				BONITA SPRINGS, FL 34134---2509	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-502		22900006085 U
O P ADNEY REV TRUST	269 BAREFOOT BCH BLVD #604				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-604		22900006768 U
OBEIDZINSKI, BRYAN J	265 BAREFOOT BEACH BLVD #503				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-503		22900005426 U
P J & P A GANNON REV LIV TRUST	8431 GOLFVIEW DR				ORLAND PARK, IL 60462---2848	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-304		22900007644 U
PAMELA J KEISER TRUST	264 BAREFOOT BEACH BLVD PH04				NAPLES, FL 34134---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-PH-04		22900007482 U
PATRICIA D LARSON R/L TRUST	269 BAREFOOT BEACH BLVD #201				BONITA SPRINGS, FL 34134---2512	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-201		22900006386 U
PATRICIA H GERN 2011 LIV TRUST	7237 WOODCHUCK HILL RD				FAYETTEVILLE, NY 13066---9763	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM UNIT #8		27905000162 U
PATRICK J KERRIGAN TRUST	267 BAREFOOT BEACH BLVD #602				BAREFOOT BEACH, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-602		22900006205 U
PAULA M BROWN LIV TRUST	DONALD C BROWN LIV TRUST	205 SHELL DR			BONITA SPRINGS, FL 34134---2524	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM UNIT #5		27905000104 U
PEARCE, JAMES M	CINDY KISSINGER PEARCE	555 W POPLAR STREET			ZIONSVILLE, IN 46077---1347	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-501		22900006069 U
POTTS, ROBERT S & LILLIAN B	% LEE SLADE	PNC WEALTH MGMT	101 W WASHINGTON ST STE 600E		INDIANAPOLIS, IN 46204---3494	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-605		22900006263 U
R J B & M LLC	16901 KINGS FAIRWAY LN				GRAND BLANC, MI 48439---3504	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-PH-01		22900006302 U
RABY LIVING TRUST	267 BAREFOOT BCH BLVD #203				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-203		22900005743 U
RALPH ANDY REVOCABLE TRUST	89 LIVELY RD				EIGHTY FOUR, PA 15330---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-601		22900006700 U
RANDALL, ROBERT P	305 SHELL DR				BONITA SPRINGS, FL 34134---2525	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM UNIT #10		27905000201 U
RICHEY FAMILY TRUST	775 BEAR CREEK CIR				WINTER SPRINGS, FL 32708---0	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM UNIT #2		27905000049 U
RIORDAN, ROBERT W & MONA L	285 SHELL DRIVE				BONITA SPRINGS, FL 34134---0	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM UNIT #9		27905000188 U
ROBERTS, RAYMOND C & JEANNE K	7121 MOORLAND DR				CLARKSVILLE, MD 21029---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-PH-04		22900006849 U
ROONEY TR, JOHN A & MARLENE A	JOHN & MARLENE ROONEY TRUST	UTD 4-13-93	16440 90TH AVE		CHIPPEWA FALLS, WI 54729---5279	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-501		22900007262 U
ROYAL, CRAIG & JANET	269 BAREFOOT BEACH BLVD #PH1				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-PH-01		22900006784 U
ROYER, ANN L	2654 HENTHORN RD				COLUMBUS, OH 43221---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-302		22900007602 U
RUDER TR, LINDA L	LINDA L RUDER TRUST	264 BAREFOOT BCH BLVD #601			BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-601		22900007343 U
S C TEWS & A E TEWS REV TRUST	266 BAREFOOT BEACH BLVD #404				BONITA SPRINGS, FL 34134---2534	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-404		22900007725 U
SBI VENTURES LLC	12240 WOODLINE DR				FENTON, MI 48430---3514	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-304		22900005206 U
SEBOLD TR, MOLLY C	PATRICIA A O'REILLY TR	15166 CRESTVIEW LN			MINNETONKA, MN 55345---4607	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-PH-01		22900007903 U
SHANE W HUETHER REV TRUST	KRISTINE M H HUETHER REV TRUST	16717 GRAYS BAY BLVD			WAYZATA, MN 55391---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-203		22900005060 U
SHURLOW TR, WILLIAM D	TD 2-21-92	4815 N QUAIL CREST DR SE			GRAND RAPIDS, MI 49546---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-506		22900006166 U
STANLEY, STACEY WALKER	267 BAREFOOT BEACH BLVD # 201				BONITA SPRINGS, FL 34134---2506	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-201		22900005701 U
STEICHEN, MICHAEL G & TERESA M	PO BOX 176				LELAND, MI 49654---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-PH-02		22900007440 U
STEPHEN P BEDELL TRUST	9307 S HAMILTON AVE				CHICAGO, IL 60643---6312	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-602		22900007369 U
STEWART JR, WINBURN E	PO BOX 3789				MACON, GA 31205---3789	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM UNIT #3		27905000065 U
STREBLOW, CURTIS & IRENE	9363 N KELLY LAKE RD				SURING, WI 54174---9112	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-302		22900005840 U
STRICKLAND, SCOTT E & MARY T	266 BAREFOOT BEACH BLVD #204				BONITA SPRINGS, FL 34134---2533	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-204		22900007563 U
SUSAN D MCCLANAHAN REV TRUST	265 BAREFOOT BEACH BLVD #401				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-401		22900005264 U
SUZANNE M WHALEN TRUST	3015 TWIN OAKS DR				JOLIET, IL 60435---4742	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-601		22900005507 U
SWANSON, DOUGLAS D & MICHELLE	8692 WYNSTONE PASS				EDEN PRAIRIE, MN 55347---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-204		22900007084 U
SWF L P	302 WASHINGTON AVENUE EXT				ALBANY, NY 12203---7306	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-202		22900005044 U
SWINT, ROBERT E & KATHERINE K	267 BAREFOOT BEACH BLVD #405				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-405		22900006027 U
TERRANOVA, GEORGE J & BIANCA J	267 BAREFOOT BEACH BLVD # 306				BONITA SPRINGS, FL 34134---2508	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-306		22900005921 U
TIMOTHY M POTTER FAMILY TRUST	2204 PARKRIDGE AVENUE				SAINT LOUIS, MO 63144---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-406		22900005361 U
TURNER TR, SUSAN D	G WILLIAM TURNER TR	SUSAN D TURNER REV TRUST	G WILLIAM TURNER REV TRUST	265 BAREFOOT BEACH BLVD #502	BONITA SPRINGS, FL 34134---2503	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-502		22900005400 U
VANDYKE, JOHN CAMP & DEBORAH E	266 BAREFOOT BEACH BLVD # 502				BONITA SPRINGS, FL 34134---2534	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-502		22900007767 U
VASILAKIS, LUCKY	5291 BARRINGTON DR				OAKLAND TOWNSHIP, MI 48306---4901	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG XI-602		22900007848 U
VEGTER, MICHAEL GENE	KELLY CORRINE VEGTER	14494 VEGTER RD			MORRISON, IL 61270---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-203		22900007068 U
VICKIE L GIVEN REVOCABLE TRUST	760 PLUM RIDGE TRAIL				SIDNEY, OH 45365---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-205		22900005785 U
VIVIAN Y MILLER Q/P/R TRUST	265 BAREFOOT BCH BLVD #606				BONITA SPRINGS, FL 34134---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-606		22900005604 U
WARREN TR, LORRAINE M	LORRAINE M WARREN Q/P/R TRUST	LORRAINE M WARREN TRUST II	UTD 03/26/04 UTD 03/26/04	265 BAREFOOT BEACH BLVD #306	BONITA SPRINGS, FL 34134---2502	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-306		22900005248 U
WASHUTA, LORI	786 LAKE ROAD				YOUNGSTOWN, NY 14174---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-PH-04		22900006360 U
WELLS, JOSEPH I & TERI L	1730 GREGDEN SHORES DR				STERLING, IL 61081---0	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-402		22900007204 U
WHITCOMB JR, MICHAEL E	DANIELLE J WHITCOMB	4618 BURBANK DRIVE			COLUMBUS, OH 43220---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-504		22900006687 U
WILLIAM E HESS IRREV TRUST	269 BAREFOOT BEACH BLVD				NAPLES, FL 34110---0	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-602		22900006726 U
WINKLER, TERRANCE J & MARY S	310 S BOBBY LN				MOUNT PROSPECT, IL 60056---2925	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG XII-202		22900006409 U
WINKLER, TERRENCE J & MARY S	310 S BOBBY LN				MOUNT PROSPECT, IL 60056---2925	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM UNIT #4		27905000081 U
ZONA, RICHARD A & RENE	325 SHELL DR				BONITA SPRINGS, FL 34134---2525	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM UNIT #11		27905000227 U
ZVESPER, JOSEPH P	345 SHELL DRIVE #12				BONITA SPRINGS, FL 34134---2525	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM UNIT #12		27905000243 U
REFERENCE ONLY	BAREFOOT BEACH CLUB III	A CONDOMINIUM				LELY BAREFOOT BEACH UNIT 3	THAT PORT OF TRACT 1 NKA	BAREFOOT BEACH CLUB III CONDO	AS DESC IN OR 1729 PG 9	54775026006 N
REFERENCE ONLY	BAREFOOT BEACH CLUB IV	A CONDOMINIUM				LELY BAREFOOT BEACH UNIT THREE	TRACTS 5 & 6 N/K/A BAREFOOT	BEACH CLUB IV CONDO AS DESC IN	OR 1981 PG 599	54775090508 N
REFERENCE ONLY	COTTAGES AT BAREFOOT, THE	A CONDOMINIUM				LELY BAREFOOT BEACH #4 TR 4&5	NKA COTTAGES AT BAREFOOT A	CONDO AS DESC IN OR 1582 PG	18 LESS OR 3395 PG 1467	54775121053 N
REFERENCE ONLY						7 48 25 PT OF TR'S M & N IN	SEC 7 NOW SEE PARCEL 15 IN SEC	6 TWP 48 RNG 25 FOLIO NUMBER	00141842305	00141880008 N
REFERENCE ONLY						07 48 25 THAT PORTION OF TR O	IN SEC 7 NOW SEE PARCEL 14 IN	SEC 8 TWP 48 TNG 25 FOLIO NO	000142360200	00141920502 N
CONCI, CHERYL	229 SECORD ST				THUNDER BAY P7B 6C2 CANADA	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG X-403			22900005989 F
GRAHAM, WENDY & ALEXANDER	JAMES STEWART	12 BRIARWOOD COURT			NORTH BAY P1B 2T6 CANADA	BAREFOOT BEACH CLUB IV	A CONDOMINIUM BLDG IX-302			22900007123 F
ROBINSON RESIDENCE TRUST	8524 NINTH LINE				NORVAL L0P 1K0 CANADA	BAREFOOT BEACH CLUB III	A CONDOMINIUM BLDG VIII-603			22900005549 F

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

QUICKSTART

PEOPLE IN THE NEWS

Spector, 1960s icon who sang 'Be My Baby,' dies at 78

Ronnie Spector, the cat-eyed, beehived rock 'n' roll siren who sang such 1960s hits as "Be My Baby," "Baby I Love You" and "Walking in the Rain" as the leader of the girl group The Ronettes, died Wednesday at 78 after a brief battle with cancer, her family said.


Spector

"Ronnie lived her life with a twinkle in her eye, a spunky attitude, a wicked sense of humor and a smile on her face. She was filled with love and gratitude," a statement said. No other details were revealed.

Tributes flooded social media, with Stevie Van Zandt saying it was an honor to produce her, to Brian Wilson, who wrote on Twitter: "I loved her voice so much and she was a very special person and a dear friend."

The Ronettes' sexy look and powerful voices – plus songwriting and producing help from Phil Spector – turned them into one of the premier acts of the girl-group era.

Machine Gun Kelly, Fox engaged

Megan Fox and Machine Gun Kelly are engaged.

The actor and rapper have decided to legalize their dramatically eccentric coupling, according to Instagram videos that each posted Wednesday.

Fox shared video of Kelly taking a knee at the top of a flight of outdoor stairs under the tree where the two say they fell in love in July of 2020.

"Somehow a year and a half later, having walked through hell together, and having laughed more than I ever imagined possible, he asked me to marry him," Fox wrote in the post. "And just as in every lifetime before this one, and in every lifetime that will follow it, I said yes."

An Instagram video from Kelly shows Fox wearing the two merged rings he had made for the occasion, with a diamond and an emerald that form "the obscure heart that is our love."

Fox ended her post with, "and then we drank each other's blood," a moment not shown in the video.

Momoa, Bonet split after 16 years

Jason Momoa and wife Lisa Bonet have ended their 16-year relationship.

A joint statement posted on the "Aquaman" star's Instagram page Wednesday that he and his wife were parting ways.

"We have all felt the squeeze and changes of these transformational times. ... A revolution is unfolding ~ and our family is of no exception," the post said, adding that they were announcing the split so "as we go about our lives we may do so with dignity and honesty."

CORRECTIONS

The Daily News promptly corrects all errors of substance. Clarifications are published when editors believe the information will help readers better understand an issue or news event. If you think we have made an error, call us at 239-435-3435 between 9 a.m. and 5 p.m. Monday through Friday.

Florida Lotter

Results are for tickets sold only in F

WEDNESDAY, JAN. 12.....2-9-17- **-35**

DOUBLE PLAY

WEDNESDAY, JAN. 12.....1-5-17- **-46**
To see payouts on games above, visit flalottery

POWERBALL

WEDNESDAY, JAN. 12.....12-21-22-30-33 PI **x4)**
5+PB: $38 million (0). Next jackpot $48M
5 of 5: $1 million (1). 4+PB: $50,000 (0).
4 of 5: $100 (22). 3+PB: $100 (50).
3 of 5: $7 (1,511). 2+PB: $7 (967).
1+PB: $4 (6,577). PB: $4 (14,445).

MEGA MILLIONS

TUESDAY, JAN. 11.....2-3-19-52-58 MI **x2)**
5+MB: $300 million (0). Next jackpot $325 milli
5 of 5: $1 million (0). 4+MB: $10,000 (3).
4 of 5: $500 (32). 3+MB: $200 (88).
3 of 5: $10 (2,283). 2+MB: $10 (1,728).

JACKPOT TRIPLE PLAY

TUESDAY, JAN. 11.....13-20-27- **-44**
6 of 6: $450,000 (0). 5 of 6: $458 (21).
4 of 6: $23 (1,016). 3 of 6: $1 (16,783).
Combo10+: $10,000 (0). Combo9: $500 (10).
Combo8: $50 (62). Combo7: $20 (437).
Combo6: $10 (2,288) Combo5: $5 (8,376).
Combo4: Free ticket (23,280).

FANTASY 5

WEDNESDAY, JAN. 12.....2-21- **-35**
5 of 5: $0 (0). 4 of 5: $555 (255).
3 of 5: $20.50 (8,139). 2 of 5: Free ticket (81,68

PICK 2, 3, 4, 5

TUESDAY, JAN. 11, MIDDAY
3-7 .....9-8-9 .....0-3-7-9 .....4-8-6-3-1 F ll: 2

TUESDAY, JAN. 11, EVENING
1-7 .....4-3-2 .....4-3-9-8 .....4-1-0-3-5 F ll: 9

CASH4LIFE

WEDNESDAY, JAN. 12.....1-6-24-36 **3: 4**
No winners of $1,000 a day or week for life.
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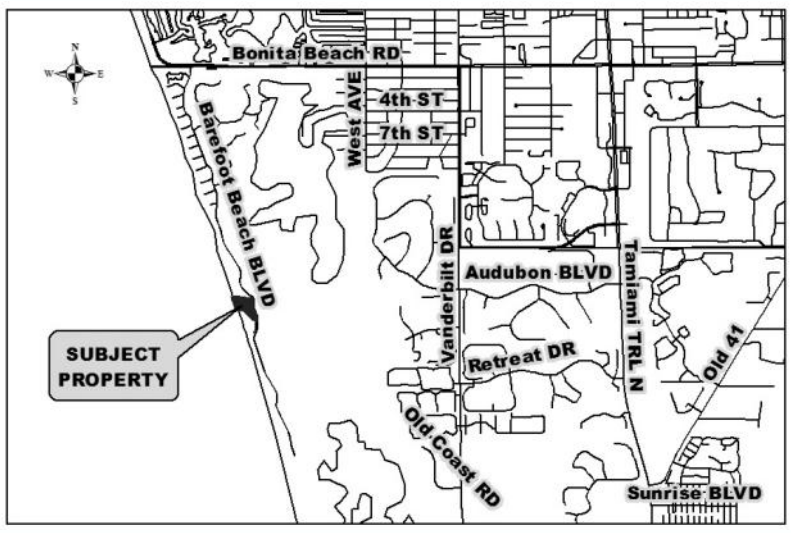
NEIGHBORHOOD INFORMATION MEETING

PETITION: PL20210002729 – Lely Barefoot Beach PUD Insubstantial Change (PDI)

In compliance with the Collier County Land Development Code (LDC) requirements, a neighborhood meeting hosted by D. Wayne Arnold, AICP, of Q. Grady Minor and Associates, P.A., representing The Club at Barefoot Beach, Inc. (Applicant) will be held **February 1, 2022, 5:30 pm at The Club at Barefoot Beach, 3rd Floor, 105 Shell Drive, Bonita Springs, FL 34134.**

The Club at Barefoot Beach, Inc. has submitted a formal application to Collier County, seeking approval of an insubstantial change to the Lely Barefoot Beach PUD Ordinance 85-83, as amended, Section XII, Item 12.4, Maximum Building Height from two habitable floors to establish zoned and actual building heights, consistent with the existing built height of the existing clubhouse. We also propose to modify Section XII, Item 12.6 B., gulf front yards to reference that reductions are subject to approval of a CCSL Variance.

The subject property is comprised of 6.25± acres and is located at 105 Shell Drive in Section 7, Township 48 South, Range 25 East, Collier County, Florida.



If you have questions or comments, contact Sharon Umpenhour with GradyMinor by email: sumpenhour@gradyminor.com or phone: 239-947-1144. For project information or to register to participate remotely* go to, gradyminor.com/Planning.

Any information provided is subject to change until final approval by the governing authority. The Neighborhood Information Meeting is for informational purposes, it is not a public hearing.

**Remote participation is provided as a courtesy and is at the user's risk. The applicant and GradyMinor are not responsible for technical issues.*

ND-GCI0808029-01

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Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

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Transcript PL20210002729 Lely Barefoot Beach PUD NIM

The Neighborhood Information Meeting was advertised and scheduled for Tuesday, February 1, 2022, 5:30 pm at The Club at Barefoot Beach, 3rd Floor, 105 Shell Drive, Bonita Springs, FL 34134. No members of the public were present or participating remotely therefore the meeting was not held.

Attachment: F Backup Materials (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)

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.

- - - -



Attachment: G Sign Affidavit (21736 : PL20210002729 Lely Barefoot Beach PUD PDI)